

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA
Sheraton Kauai Resort – Po‘ipū Ballroom, 2440, Ho‘onani Road, Kōloa, Kauai, Hawai‘i, 96756, and
Zoom Meeting ID: 609 754 2925
Monday, May 19, 2025, at 9:30 a.m. to be continued, if necessary,
on Tuesday, May 20, 2025, at 9:30 a.m.
Livestream available at www.dhhl.hawaii.gov/live
Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Wednesday, May 14, 2025.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. April 21 & 22, 2025 Regular Meeting
- D. Public Testimony on Agendized Items – see information below

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

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals
- D-4 Approval of Homestead Application Transfers/Cancellations (see exhibit)
- D-5 Approval to Certify Applications of Qualified Applicants for the month of April, 2025 (see exhibit)
- D-6 Reinstatement of Deferred Application (see exhibit)
- D-7 Approval of Assignment of Leasehold Interest (see exhibit)
- D-8 Approval of Amendment of Leasehold Interest (see exhibit)
- D-9 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-10 Commission Designation of Successor – **LANAKILA REDO KAAUAMO**, Residential Lease No. 10586, Lot No. UNDV289 Waiohuli, Maui
- D-11 Commission Designation of Successor – **NORMAN KALANII VIELA**, Residential Lease No. 3508, Lot No. 36, Paukukalo, Maui
- D-12 Commission Designation of Successor – **QUIRIN BLAS KEALIIAA SALVADOR**, Residential Lease No. 10396, Lot No. UNDV099, Waiohuli, Maui
- D-13 Commission Designation of Successor – **PUNACHELE, PEARL MOMI**, Agricultural Lease No. 160, Lot No. 50, Hoolehua, Molokai
- D-14 Request for Extension of Deadline to Sign Successorship Documents – **MARIE KELSON**, Residential Lease No. 3304, Lot No. 57, Waiakea, Hawaii

B. REGULAR AGENDA

Land Development Division

- E-1 Approval of Lease Award - Ka‘uluokaha‘i Subdivision Increments IID, E & F– Residential Project Lease – Ewa Beach, Oahu (see exhibit)
- E-2 Approval of Lease Award - Pu‘uhona Subdivision Phase 2 – Residential Project Lease – Waikapū, Maui (see exhibit)
- E-3 Approval of Lease Award - Kawaihae Subdivision – Residential Project Lease – Kawaihae, Hawai‘i (see exhibit)
- E-4 Approval of Lease Award - La‘i ‘Ōpua Villages 1 & 2 Subdivision – Residential Project Lease – Kailua-Kona, Hawai‘i (see exhibit)
- E-5 Approval of the Memorandum of Agreement (MOA) between The Department of Hawaiian Home Lands (DHHL) and the Department of Water Supply Maui County regarding the Well Development Agreement at Waiohuli, Maui TMK (2) 2-2-002014 & TMK (2) 2-2-028081

Land Management Division

- F-1 Approval to Annual Renewal of Revocable Permits, Kauai Island (See Exhibit)
- F-2 Approval to Issue Revocable Permit and Preliminary Approval for a Twenty (20) Year License Agreement to Homestead Community Development Corporation, Anahola, Island of Kauai, Tax Map Key No. (4) 4-8-007:001 (p)
- F-3 Approval to Payment Plan for General Lease No. 275, DIBS HAWAII, LLC, a Hawaii limited liability company, Kawaihae, Hawaii Island, TMK (3) 6-1-006:007
- F-4 Approval to Issue Right-of-Entry Permit to Habitat for Humanity to Use DHHL lands at Kaka‘ina Lot, Waimanalo, Island of O‘ahu, Tax Map Key No. (1) 4-1-041:049
- F-5 Approval to Issue Right of Entry Permit to Papakolea Community Development Corporation, Honolulu, Oahu Island, TMK: (1) 2-2-005:035 (por.)

Planning Office

- G-1 Declare a Finding of No Significant Impact for the DHHL Wākiu Homestead Development Master Plan Final Environmental Assessment, Hāna, Maui TMK No. (2) 1-3-004:011, 012, 017 and 018 (por.)
- G-2 Declare a Finding of No Significant Impact (FONSI) for the Kalaupapa National Historic Park Electrical System Rehabilitation and Upgrade Final Environmental Assessment, Kalaupapa, Kalawao, Island of Molokai TMK (2) 6-1-001:001 and :002

III. EXECUTIVE SESSION

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

1. Permitted interactions of members under Hawai‘i Revised Statutes Chapter 92

IV. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-1 For Information Only - Status Report of DHHL Enforcement Unit Efforts and Statistics (April 14, 2025 – May 12, 2025)
- C-2 For Information Only – Summary of Legislative Session 2025

Homestead Services Division

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

Land Development Division

- E-6 For Information Only – Issuance of Project Leases to Pu‘uhonua Phase 1 Selectees Pending Home Construction
- E-7 For Information Only – Land Development Division Project Updates for the Island of Kauai

Planning Office

- G-3 For Information Only – Status Update on Plan Implementation on the Island of Kaua‘i
- G-4 For Information Only -- Kaua‘i Water Issues and Projects
- G-5 For Information Only – Draft Environmental Assessment and Anticipated Finding of No Significant Impact (AFONSI) for the Wai‘anae Coast Comprehensive Health Center's Elepaio Food Campus Master Plan Wai‘anae, O‘ahu TMK (1)-8-6-001:012, 024, 025, 026, 027, 028

V. ANNOUNCEMENTS AND RECESS

- 1. DHHL Community Meeting, 6:30 p.m. Monday, May 19, 2025. ‘Ele‘ele Elementary School, 4750 Uliuli Road, Ele‘ele, HI 96705

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA
Sheraton Kauai Resort – Po‘ipū Ballroom, 2440, Ho‘onani Road, Kōloa, Kauai, Hawai‘i, 96756
and Zoom: Meeting ID: 609 754 2925
Tuesday, May 20, 2025, at 9:30 a.m.
Livestream available at www.dhhl.hawaii.gov/live

I. ORDER OF BUSINESS

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

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II. ITEMS FOR INFORMATION/DISCUSSION


A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Jeremie Makepa – ‘Āina Alliance Anahola
- J-2 Chanel Josiah & Jerry Almeida – Lease Subdivision Issue
- J-3 Kenna Stormogipson-Waipouli Relocation Plan
- J-4 JoAnn Yukimura - Waipouli
- J-5 Lourdes Torres -Waipouli Relocation Plan
- J-6 Chasetyn Hasegawa – Waipouli Relocation Plan
- J-7 Yun Park - Waipouli
- J-8 Rowena Pangan - Waipouli
- J-9 Isabell Reed Cargill - Waipouli
- J-10 Wallace Hardin - Waipouli
- J-11 Domenic Scanga – Waipouli
- J-12 Jesse Cummings – Successorship Lineal Descendency
- J-13 Henry Lacson - West Oahu Project Leases
- J-14 Francis Ah Loy West Oahu Project Leases
- J-15 Tiare Kolowena – Lowering Blood Quantum
- J-16 Leilani Aldrich- Subdividing Panewa Lot
- J-17 Nadine Vistoria – Public Notice Successorship Concern
- J-18 Kekoa Enomoto- Pa‘upena Community Development Corporation

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular HHC Meeting –Monday & Tuesday, June 16 & 17, 2025, Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, O‘ahu, 96707
- B. Adjournment



Kali Watson, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

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

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

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 730-0298 or michael.l.lowe@hawaii.gov as soon as possible, preferably by May 16, 2025. If a response is received after that, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

Public Testimony on Agendized Items can be provided either as (1) in person at the meeting location by filling out a form at the reception table, (2) written testimony mailed to *Commission Testimony, P.O. Box 1879, Honolulu, HI, 96815*, or emailed to *DHHL.icro@hawaii.gov* by May 16, 2025, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, a video camera, and a microphone to participate if you would like to be visible to Commission members and other meeting participants.

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

ITEM D-2 EXHIBIT		
APPROVAL OF CONSENT TO MORTGAGE		
LESSEE	LEASE NO.	AREA
ANDRADE, Jasen K.	12306	Hikina, Maui
ASUELA, Kalai	11498	Leialii, Maui
AUNA, Aaron K.	7972	Waiakea, Hawaii
BISSEN, Helen	13090	Puuhona, Maui
EMMSLEY, Leihalia	8492	PKE, Oahu
GIST, Keanu C.	12955	Kauluokahai, Oahu
HUEU, Josiah	3500	Paukukalo, Maui
ISHIKAWA, Sally A.	13048	Kaumana, Hawaii
KAAI, Elmer	13114	Puuhona, Maui
KALANI, Lee Ann	13108	Puuhona, Maui
KELLY, Georetta L.	8493	PKE, Oahu
MARTINEZ, Wendy L.	9271	Kaniohale, Hawaii
NAPIERALA-ROSE, Krysta K.F.	8402	PKE, Oahu
PUAHI-ROPER, Bratton K.	12126	Kaupea, Oahu
RESPICIO, Jonnah L.	5518	Lualualei, Oahu
TAMPON, Misty N.	12481	Kanehili, Oahu
VICTOR, Nikki K.I.	4247	Keaukaha, Hawaii
YAGODICH, Makia J.K.	9955	Waiehu Kou 3, Maui
YUEN, Stanley R.	9456	Waiehu Kou 2, Maui

ITEM D-3 EXHIBIT
RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
ABBEY, Michael K., Jr.	7505	Waiohuli, Maui

ITEM D-4 EXHIBIT
HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
ALAPAI, Westly K.	Hawaii IW Res to Maui IW Res
AUWAE, Preston E.K.	Oahu IW Res
CASTRO, Avislynn I.	Oahu IW Agr to Hawaii IW Agr
CASTRO, Avislynn I.	Oahu IW Res to Hawaii IW Res
KAHOOHULI, John K., Jr.	Oahu IW Agr to Hawaii IW Pas
KAHOOHULI, John K., Jr.	Oahu IW Res to Hawaii IW Res
KALAWAIANUI, William P.	Hawaii IW Pas
KEKAWA, Miriam K.	Hawaii IW Res
LOVELL, Joerdan M.	Oahu IW Res
	* IW = Islandwide

ITEM D-5 EXHIBITAPPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS FOR THE MONTH OF
APRIL 2025

APPLICANT	AREA
AHUNA, Dayne H.L.K.	Hawaii IW Agr
AHUNA, Dayne H.L.K.	Kauai IW Res
AKAU, Rory K.	Hawaii IW Agr
AKAU, Rory K.	Hawaii IW Res
BAILY, Raene D.	Molokai IW Agr
BAILY, Raene D.	Molokai IW Res
CARVALHO, Ioane K.	Oahu IW Res
CARVALHO, Ioane K.	Hawaii IW Agr
FLORES-SANTIAGO, Raymond R.K.K.	Oahu IW Res
FLORES-SANTIAGO, Raymond R.K.K.	Hawaii IW Agr
FREITAS, Robert K., III	Hawaii IW Agr
FREITAS, Robert K., III	Hawaii IW Res
HOSE, Howard N.	Hawaii IW Agr
HOSE, Howard N.	Hawaii IW Res
KAAHANUI, Aaliyah K.P.	Molokai IW Pas
KAAHANUI, Aaliyah K.P.	Molokai IW Res
KAAHANUI, Stasia K.M.	Molokai IW Agr
KAAHANUI, Stasia K.M.	Molokai IW Res
KAAIAKALA, Louis N., Jr.	Waimanalo Area / Oahu IW Res
KAAIHUE, Louise L.	Waimanalo Area / Oahu IW Res
KAHALA, Jo-Line	Oahu IW Res
KAHALEWAI, Doreen L.	Oahu IW Agr
KAHALEWAI, Doreen L.	Oahu IW Res
KAJIYAMA, Miles Y., Jr.	Hawaii IW Agr
KAJIYAMA, Miles Y., Jr.	Hawaii IW Res
KANEAKALAU, Melita Eleanor K.	Oahu IW Res
KAUHI, Sienna H.K.	Hawaii IW Pas
KAUHI, Sienna H.K.	Kauai IW Res
KEALOHA, Frank	Waimanalo Area / Oahu IW Res
KEALOHA, Joseph D.	Papakolea/Kewalo Area / Oahu IW Res
KEKOOLANI, Charles P.	Oahu IW Agr
KEKOOLANI, Charles P.	Oahu IW Res
KON, Clarence Jr.	Waimanalo Area / Oahu IW Res
LAIMANA, Jarom H.K.	Oahu IW Res
LAIMANA, Jarom H.K.	Hawaii IW Agr
LAIMANA, Jerrick J.K.	Oahu IW Res
LAIMANA, Jerrick J.K.	Hawaii IW Agr
LAIMANA, Jershon S.K.	Hawaii IW Agr

LAIMANA, Jershon S.K.	Hawaii IW Res
LAIMANA, Jordan K.K.	Oahu IW Agr
LAIMANA, Jordan K.K.	Oahu IW Res
LANGINBELIK, Aji E.P.	Molokai IW Agr
LANGINBELIK, Aji E.P.	Molokai IW Res
LEIALOHA, Ryan C.H.	Hawaii IW Agr
LOPEZ, Frank	Waimanalo Area / Oahu IW Res
LUM KING, Wendy J.	Oahu IW Agr
LUM KING, Wendy J.	Oahu IW Res
MEDEIROS, Elizabeth M.	Waimanalo Area / Oahu IW Res
MERSEBURGH, Katherine	Waimanalo Area / Oahu IW Res
MOLLENA, Wendel I.K.	Molokai IW Pas
MOLLENA, Wendel I.K.	Molokai IW Res
NOA, Karl W.	Oahu IW Res
OPIANA-GLASS, Dorcas U.	Oahu IW Res
PALEKA, Kahilikuikalai L.J.	Hawaii IW Agr
PALEKA, Kahilikuikalai L.J.	Hawaii IW Res
PASCAL, Daniel K., Sr.	Waimanalo Area / Oahu IW Res
PERALTO, Leon	Waimanalo Area / Oahu IW Res
SAKUMA, Steffany	Waimanalo Area / Oahu IW Res
SUMIDA, Curtis	Waimanalo Area / Oahu IW Res
TAYLOR, Helene K.	Nanakuli Area / Oahu IW Res
WATTS, Micah K.	Hawaii IW Pas
WATTS, Micah K.	Hawaii IW Res
YOUNG, Kaniale A.	Hawaii IW Pas
YOUNG, Kaniale A.	Hawaii IW Res
	* IW = Islandwide

ITEM D-6 EXHIBIT

REINSTATEMENT OF DEFERRED APPLICATION

APPLICANT	AREA
TERRY, Lorna K.	Waimanalo Area / Oahu IW Res
	* IW = Islandwide

ITEM D-7 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST IW

LESSEE	LEASE NO.	AREA
GIST, Elaine H.	12955	Kauluokahai, Oahu
KAHEAKU, Dellas H. A.	11860	Kanehili, Oahu
KAIWI, Clint I.	7458	Waiohuli, Maui
KILA, Kalena K.	10225	Nanakuli, Oahu

MAHUKA, Chevell K. I.	1789	Nanakuli, Oahu
MOKUAHI, Leif K.	2518	Kewalo, Oahu
MOLE, Clyde K.	410	Nanakuli, Oahu
PAKAKI, Dwayne	8492	PKE, Oahu
RICKARD, Mervyn K.	7992	Puukapu, Hawaii
CASHMAN, Edward C.	13092	Puuhona, Maui
CASHMAN, Lee A.	13092	Puuhona, Maui
KAEO, Samuel K.	13115	Puuhona, Maui
PERRY, Solomon K., Jr.	13039	Panaewa, Hawaii

ITEM D-8 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
GERARD, Eno	6417	Makuu, Hawaii
KANEAKUA, Gabriel K.	4096	Waimanalo, Oahu
KAUANOE, Andrew J.S.	4076	Waimanalo, Oahu
KELSON, Albert Joseph	3304	Waiakea, Hawaii

ITEM D-9 EXHIBIT

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

LESSEE	LEASE NO.	AREA
ASUNCION, Ronald K.	12220	Waiehu 4, Maui
HANOHANO, Patricia C. L.	8892	Nanakuli, Oahu
HOLSKIL, Eloise V.	8190	Waianae, Oahu
IOPA, John H., Jr.	4063	Waiakea, Hawaii
KALAWA, Samuel H., Jr.	8159	Nanakuli, Oahu
KAOPUIKI-HEEN, Wilmagay N.	2007	Kewalo, Oahu
KAPOI, Cranston K.	10050	Waiehu 3, Maui
LINDSEY, Michael Roland	3638	Waimanalo, Oahu
MILLER, Michael K.	9396	Kaniohale, Hawaii
NEAL, Irene M.	12277	Waiehu 4, Maui
PAKAKI, Dwayne L.	8492	PKE, Oahu
RIPANI, Stephen K.	10283	Waiohuli, Maui
VICTOR, Vaughn E. L.	2624	Nanakuli, Oahu
WAIKIKI, Testa Ned N.	12089	Kaupea, Oahu

ITEM E-1 EXHIBIT

APPROVAL OF LEASE AWARD - KAU'LUOKAHA'I SUBDIVISION INCREMENTS IID, E & F
RESIDENTIAL PROJECT LEASE – EWA BEACH, O'AHU

APPLICANT	APP DATE	LEASE NO.
KARLA K. KELIIHOOMALU	6/14/1982	15584
CANDY LUNA	1/10/2002	15527
KATRINA M MARFIL	1/8/2003	15585

ROBERT MEACHAM	11/8/2000	15428
DERRICK L.K. PELEKAI	4/18/1983	15086
DAVID TEO	10/8/1998	15329
WILLIAM L YIN	10/23/1996	15295

ITEM E-2 EXHIBIT

APPROVAL OF LEASE AWARDS - PU'UHONA SUBDIVISION PHASE 2
RESIDENTIAL PROJECT LEASE – WAIKAPŪ, MAUI

APPLICANT	APP DATE	LEASE NO.
MARTIN L AIKALA	2/26/1964	13196
NORMAN P AKIONA	10/11/1976	13199
JOSEPH AKIU JR	8/4/1986	13208
MARY LOU ALO	5/8/1987	13210
JAMES M AWAI	6/13/2005	13237
GLENDA M.N. BACOS	10/14/1986	13209
HYDELENE K BATSON	6/14/2004	13229
RALPH L BAUTISTA JR	11/2/2006	13248
SHERON L BISSEN	1/29/1998	13216
MILDRED E BRIGHT	9/15/2006	13247
KEVIN K BUSH	1/27/2003	13223
CORA LEE K CAMARILLO	8/3/2006	13246
CONSTANCE I CARDOZA	6/28/2006	13244
ROBERT L CARROLL	4/7/1978	13200
JAMMIE K CHONG	4/24/1973	13197
DOLORES CHRISTOPHERSEN	6/17/2008	13256
MARIAN L DEMELLO	1/26/1988	13211
SHELDEAN A DUDOIT	1/16/2003	13222
RANDY G FERNANDEZ	5/22/1986	13206
NADINE K FUKUSHIMA	5/7/2007	13251
DONALD A GARCIA	10/24/2000	13217
SHERRINE P GARCIA	9/4/2008	13258
GALE E GOO	10/27/2004	13230
GARY Y HASHIMOTO	5/14/1986	13205
SHARAY K HO	5/4/2004	13228
DAVID K HOOPAI	2/14/2001	13218
MARK F KAAA	5/18/2009	13260
TINA LEI KAHA	9/19/2005	13239

RONELLE P KAHUHU	3/14/2005	13233
CHARLES M KAILI III	5/27/1986	13207
GORDON KEOKI KALA	10/12/2005	13240
BRUCE K KALAMA	3/7/2001	13219
JONATHAN P KAONOHU	5/6/1961	13195
WILLIAM S.K.H. KAUHOLA	7/11/2005	13238
JUNIUS K KAUNANA	10/10/2002	13221
MAILE J KAWAAKOA	3/24/1988	13212
MYNETTE M.A. KAWAHA	11/27/1995	13215
GERALDINE N KEAHI	5/16/2005	13235
CHEYENNE M KEKONA	12/12/2005	13242
DESIREE U.L.H. KIAHA	5/22/2007	13252
DAVID K.L. KOA III	4/4/2007	13250
TANYA A KUAILANI	2/24/2005	13232
DAVID K KUAMOO	8/2/2007	13254
KAWAILEHUA S KULUHIWA	1/6/2005	13231
NAOMI S.U.L.N. LANDGRAF	2/4/1983	13202
JAMES K LOTA	5/5/2009	13259
IVANHOE L MATHIAS	5/20/2005	13236
ROCKNE K.T. MATSUDA	3/2/2004	13226
SAMSON K MAWAE	4/21/2004	13227
SARAH M NAKIHEI	1/24/1984	13203
HIRAM KALEINANI OLSEN	6/20/2008	13257
LACEY J.L.U.K. PAIKAI	3/1/2007	13249
CAROLANN K PALAFOX	4/29/1986	13204
CLOTHILDA P PAOA	2/23/2006	13243
AUGUSTINE A PONCE	6/26/1980	13201
ROBERT A ROBINS JR	5/28/1991	13214
REGINA L SAFFERY	9/5/2002	13220
TRACY E.K. SPENCER	7/21/2006	13245
WAIPUILANI TAMAYOSE	6/18/2007	13253
VIVIAN A TIANIO	7/27/1976	13198
PAMELA K.P. TOM	3/24/2005	13234
BRANDON I UWEKOOLANI	5/22/2008	13255
ALVIN K VEGAS	8/13/2003	13224

MARILYN K WALLACE	5/26/1989	13213
ELLAREEN U WRIGHT	12/16/2003	13225
JOSEPH H YOUNG	11/3/2005	13241

ITEM E-3 EXHIBIT

APPROVAL OF LEASE AWARDS – KAWAIHAE SUBDIVISION
RESIDENTIAL PROJECT LEASE – KAILUA-KONA, HAWAI‘I

APPLICANT	APP DATE	LEASE NO.
JULIETTE K ANDRADE	6/19/1975	15667
WALTER CHO JR	7/28/1986	15700
BEVERLY W.P. CRUMB	8/8/1986	15706
CHARMAINE DAVIS	12/4/1979	15674
HENRY P DELA CRUZ	12/13/1978	15672
RAMONA M FERREIRA	2/5/1986	15692
ALTON S HOOPER SR	11/2/1978	15671
SHERYL ANN W IONA	9/12/1983	15683
BRIDGET E ISEKE	1/14/1985	15688
HENRY W KANAHELE	9/5/1978	15670
KAWAILANI K KUIKAHI	6/23/1986	15701
EUGENE LEHANO	11/19/1981	15681
ELMO K LINCOLN	2/19/1985	15684
REX D.E.K. LIVINGSTON	7/15/1986	15703
VERONICA K LYMAN	3/10/1983	15689
MICHAEL C.K.T. MATSU	5/21/1986	15696
JESSIE K OGUMA-MILLER	7/9/1985	15686
CHARLOTTE K RODRIGUES	8/2/1985	15690
MAY L ROSS	9/16/1980	15680
BARNEY J SCHUTTE	4/21/1980	15677
JEROME SCHWEITZER	2/19/1986	15693
JAMES R THORNTON	5/6/1986	15695

ITEM E-4 EXHIBIT

APPROVAL OF LEASE AWARDS – LA‘I‘ŌPUA VILLAGES 1 & 2 SUBDIVISION
RESIDENTIAL PROJECT LEASE – KAILUA-KONA, HAWAI‘I

APPLICANT	APP DATE	LEASE NO.
MINERVA L.K. AANA	4/29/1999	15777
AUDREY K ADAMS	4/28/2000	15785

ITEM E-4 EXHIBIT continued		
JUANITA J AGANUS	8/4/1989	15728
WALTER K AH MOW III	9/16/1997	15771
ELIJAH AH SING	1/17/2002	15790
FRANK P AH TOU	10/1/2010	15853
KAELAH N.A. AHUE	3/1/2023	15912
TAMMY J AIONA	1/9/2002	15786
OWEN L AIONA	8/3/2023	15898
CHERYLYNN K.K.M. AIPIA	8/24/2005	15833
LOKAHI K AIPIA	8/24/2005	15832
FRANCIS K AKAO	4/22/2009	15970
SIDNEY C AKI	10/16/2002	15792
ELENA K ALAPAI	9/20/1990	15735
HEATHER P ALAPAI	5/18/2005	15820
TWIGHLA K ALAPAI	3/18/2008	15821
CORWIN D.K. ALAPAI	10/1/2008	15969
WILLIAM T ALAPAI	8/29/2016	16000
LENORA L ALEJO	10/26/2005	15823
MADELINE K ALEXANDER	1/5/2017	15939
JEREMIAH ALIP	7/26/1979	15673
DWAYNE ALIP	7/7/1986	15699
TED E ALIP	11/28/2016	15862
PATSY M ANAKALEA	4/23/2014	15881
JAMES M ANAKALEA	2/14/2018	15990
PETER H ANGELEO	1/25/2008	15848
DAVELYN I.L.P. ANIU	6/25/2018	15901
GEORGE D.P. AUKAI	2/18/1963	15666
KIALANIKUMANA M AVEIRO-KALANIOPIO	8/12/2014	15879
KULIAMAI W AVEIRO-KALANIOPIO	8/12/2014	15857
WENDY K AWAI-DAKROUB	2/26/2021	15960
DESIREE K AWONG	12/20/2021	16025
DAVELYN F BARIDO	10/5/1998	15773
VINCENT K BELL	3/30/2010	15855
STARLITE N BELL-KAOPUIKI	5/31/2006	15878
EDDI-ANN K BELL-KAOPUIKI	7/20/2020	15880

ITEM E-4 EXHIBIT continued		
SHONNA R.N. BEN CHRAIET	12/21/1999	15778
ARMANDO F BLANCO JR	4/12/2006	15839
AVERY-SHANE BLANCO	5/17/2023	15959
MARY-ANN M BROWN	4/25/2022	16054
ELAINE P CAMARA	10/21/1988	15718
BERNADETTE L CANDA	6/12/2012	15982
HEIDIE L.K. CARIAGA	9/14/1990	15739
KRISTEN M.S.L. CASTRO	9/11/1995	15763
APRIL M CHAMBERLAIN	8/23/1990	15757
THOMAS K CHING	5/23/2018	15868
CHERYLNNE P CHING	6/30/2022	15947
COURTNEY M.N. CHO	10/12/2022	15915
TANIA CHRISTINE A CHO LAMEW	6/20/2022	15916
BEVLIE L CHONG	1/30/2002	15788
DARLENE I CHONG	6/23/2016	15887
AGNES P CHUNG HEE	12/29/1987	15722
UDELL K COLLEADO	1/6/1987	15709
JOSLYN D.M. CONRADT	12/8/1979	15675
GORDON H COSIER	7/23/2015	16055
ERIKA P.L.K.K.K. COSTALES	7/14/2021	15874
DANETTE L CRANE	2/19/2003	15800
GINA K DAVIS	10/12/1989	15731
ROBERTA M DAVIS	1/7/2021	15905
CHELSEY K DE SAGUN	9/15/2017	15897
YOLANDA J DEAN	4/29/1996	15769
ROXANNE L DELARIES	2/4/1999	15775
MARGARET ANN DELARIES	11/7/2005	15825
DIANA DIAS	6/6/2017	15988
WALTER M DIAZ	10/22/2010	15902
VANDA J DOMINGO	4/9/1987	15714
KEKAI K.G.K. DOW	12/13/2022	16020
GERALDINE L.A. EBANIZ	9/15/2004	15819
CAROL P EDMONDSON	11/2/1990	15900
HERMAN K ELDERTS	6/5/1995	15760

ITEM E-4 EXHIBIT continued		
KEOLA G EMELIANO	4/7/1986	15697
BENJALINE DENISE K ENGLAND	11/18/1993	15756
ANGELA K ENGLE	5/21/1996	15767
HOLLIE O ENOS	10/24/2003	15808
BENJAMIN U ENOS	7/17/2007	15846
EMILY N ESTOY	9/20/2021	15875
DAWN K FERNANDEZ	10/4/2005	15824
NOELANI N FONG	6/27/2023	15913
GERIS K FREITAS	11/5/2021	15945
LORI ANN P FREITAS HIMALAYA	7/11/2012	15983
LEE ANN P FRIAS	1/27/2021	15997
CHERYLLEE K FUKUMITSU	11/3/2009	16050
TAYLOR D.K.K. FUKUMITSU	8/12/2020	15872
BRIANA N FUKUMITSU	11/13/2020	15995
KOEN A FUKUMITSU	11/18/2020	15873
DAVE E FURTADO	5/2/2006	15840
SHYLYNN K FURTADO	11/9/2021	16002
JOHNENE N GALEAI	8/8/2006	16026
MARILYN M GALLARDO	4/13/1987	15733
GWENDOLYN H GARBER	4/1/1996	15965
MATTHEW E GASPAR JR	4/12/2019	16023
JOSEPHINE M GOOLD	9/15/1989	15725
LOGAN L GOUVEIA	11/14/2022	16010
KEANI K GOUVEIA	11/14/2022	15955
GRACIE GRACE	1/11/1988	15717
JESSIE N GRACE	7/8/1991	15752
ROBYN P GRACE	10/15/2002	15795
WARREN K GRACE	12/8/2004	15811
NAPUALANI S HAALILIO	12/2/1996	15770
ELI V HALEAMAU	11/8/1993	15761
KAIVIN K HALEAMAU	5/13/2021	15871
DUANE K HANAKEAWE	7/8/1986	15702
DANIEL K.K. HANAKEAWE	4/22/2005	15815
JACOB K.O. HANO HANO	7/18/1990	15734

ITEM E-4 EXHIBIT continued		
CHAD W HANO HANO	4/5/2004	15805
PAUL K HANO HANO	7/26/2005	15817
ROXANN P HAO	1/17/2006	16016
GERRY N.L. HARTWELL	6/2/2021	15944
WILLIAM C HING	11/2/2006	16030
JONATHAN K HOOMANAWANUI	6/27/2002	15793
SHAWNETTE K HOOPER	4/23/2015	16037
GWENDOLYN HUSTON	7/15/2020	15999
KAREN K ICHISHITA	10/6/2011	16040
LEIALOHA T ILAE-KALEIMAMAHU	3/6/2017	15889
LEE ANNE K IOKEPA	4/18/1991	15745
FRANCES M JACOBSON	6/26/1990	15753
SHANE K JOSE JR	10/26/2015	15827
CEWARDLEE N JUAN SR	3/17/1987	15914
KEOKI KAAI	6/2/2015	15858
LYNETTE K KAAWA	10/24/2006	16028
DANSETTA K KAAWA	6/21/2022	15951
BRENNEN N KAAWA	2/17/2023	16021
MAKAMAE K.A. KAE0-KOANUI	11/8/2023	15964
CASEY KAHAKAI	5/31/2023	15953
ADA KAHALEWAI	9/12/1980	15679
HENRIANN P KAHANANUI	9/13/2013	16033
JOSLYNN K KAHANANUI	2/9/2023	16012
JOSTEN K KAHANANUI	2/9/2023	16014
KAYLYNN KAHAULELIO	7/6/2016	16019
CARL L KAHAWAI	3/23/2010	15973
SHERMAN K KAHELE	9/7/2004	15812
MATTHEW M KAHOOPII	10/19/1990	15738
BRITTANY K KAHUMOKU	2/10/2012	16052
ISAAC K KAHUMOKU	4/4/2018	16053
ERIC KAI	4/19/2016	15861
MARSHIA M KAIAMAKINI	3/2/2016	15860
CHARLES F.K. KAILI JR	4/4/2006	15838
SHANE H KAILIMAI	8/21/1985	16041

ITEM E-4 EXHIBIT continued		
BILLY JO KAILIMAI	9/9/1987	15716
AULDINE K KAINA	8/8/2023	15952
ZAZA K KALAHIKI	11/30/1993	15759
HILARY A.T.K. KALAHIKI-AULAUMEA	6/22/2023	15953
JULIA M KALEOHANO-JOSE	6/27/2005	15826
BRUCE K KALINO	2/22/1989	15719
FLORES L KALINO	1/4/2006	15834
JOSEPH K.O. KALUAU	1/21/2010	15892
SHARON K KALUAU-INGRAM	5/19/2021	16003
GEORGE K KALUNA	11/30/2007	15847
CHRISTINE M.H. KAMAKA	11/10/1997	15774
CANDY K KAMAKA	7/11/2023	16011
TERRY K KAMALAMALAMA JR	10/24/2011	15743
MARK P KAMOKU	8/18/2021	15909
ANGELINA K KAMOKU	8/18/2021	15910
KUUIPOMAKAMAE K KANAKAMAIAI	8/28/2014	15883
HILINAIKAMAKANA R.K. KANE	2/27/2020	15869
DAWN K KANEALII	2/19/2010	15851
DAVID K KANEHAILUA	9/22/2021	16004
GUY KANIHO	1/31/2005	15814
BEVERLY-ANN K KANOA	6/14/2017	15865
DEE JAY I KANOA	6/14/2017	15864
HAILEE K KAOLULO-GONZALES	2/12/2003	15796
KENNETH KIHEI KAPELIELA	4/5/2010	15854
DALE K KAPU	12/18/2020	15936
NATHAN L KAPULE	3/17/1976	15668
MIRIAM K KARRATTI	12/13/1989	15732
CRYSTAL KAUA	7/3/2013	15981
ABRAHAM K KAULIA IV	2/22/2022	15920
DAVID KAULIA JR	11/20/2006	16044
NOELANI KAUPIKO	5/14/1991	15744
WILFRED KAUPIKO	9/14/2005	15828
MELVEEN K.P. KAUPIKO	2/12/2014	16047
CHARLES MAHINA KAUPIKO	2/12/2014	16043

ITEM E-4 EXHIBIT continued		
KAIMI N KAUPIKO	11/24/2020	15938
SHERMAN K KAUPU	12/28/2010	15977
KEALA R.K. KAUPU	4/23/2021	15998
AARON H KAUPU	8/23/2021	16005
SHAFTTON KAUPU-CABUAG	6/8/2000	15784
XAVIER K KAY-MALINA-SIMMONS	4/22/2022	16007
DANIEL KALAMA KEALOHA	11/14/1988	15720
ROSALIE K KEKAHUNA	11/10/1998	15781
SHELBY L KEKAULA	11/17/2005	15831
LORRAINE P KELIIHOLOKAI-AGUSTIN	1/28/2000	15779
MATTHEW LEE KEMA	11/1/2006	15844
SABR L.M.B. KENYATTA	8/21/2003	15806
HUALALAI K KEOHULOA	12/26/2013	15885
KUUIPO M KEOPUHIWA	4/17/2019	15993
NICOLE K.C. KEPANO	7/21/2003	15802
HERMAN K KIHE III	5/26/2021	15943
HERMAN K KIHE JR	12/15/2014	15859
HERMAN K KIHE SR	8/26/2021	15940
WAYNE K KIHE	5/1/2006	15842
JAMI K KIHE	8/23/2021	15942
STEPHANIE K KIHE	8/26/2021	15941
E.PENEKU KIHAI	2/4/2002	15797
E. LEINAALA KIHAI	6/6/2002	15798
JACQUELINE N KIMITETE	1/31/2017	16035
KURLYN H.S.K.K. KIPAPA	5/16/2016	15863
STACEY ANN H KOESTER	8/22/2002	15894
APRILIN M KOLII	10/4/2006	16027
ABRAHAM H KOLII	10/6/2006	16029
TIARE K KOLOWENA	1/2/1987	15713
FREDERICK P KONANUI JR	10/22/2004	15807
HOWARD KONANUI SR	3/29/2006	15836
FVINCENT P KONANUI	12/28/2021	15946
CHRISTOPHER M.P. KUA	5/20/1993	15755
KEHAUNANI K KUAMOO	3/8/2019	16049

ITEM E-4 EXHIBIT continued		
BRONSON I KUANONI	4/21/2003	15911
HOLLY N KUEHU	8/3/2023	16013
JALINE-ALYSSA N.L. KUIKAHI-TAGACA	7/6/2021	15907
JACQUELINE-ANDREA KUIKAHI-TAGACA	7/6/2021	15906
JASON K KUNEW A	3/10/2023	15948
DONNIE K KUOHA	12/6/2005	15830
DESIREE P KUOHA-LOUIS	5/26/2010	15976
LENE K LABRADOR	5/2/2022	15950
AVON K LAGA	2/8/2012	15979
KEVALLE L LAINAHOLO	4/4/2006	15837
MEILYN H.A. LANNING	11/18/2021	15908
NADINE K LAPA	12/19/2001	15787
LATOYA L LASTIMOSA	4/4/2016	15986
LEILANI K LASTIMOSA	2/16/2021	15987
EVELYN K LEE	4/10/2003	15799
REGINALD V.K. LEE	2/1/2006	15835
JASON K LELEIWI	10/6/2008	15849
NAEA-KAIYA H LELEIWI	7/6/2023	16022
DONNA U LEONG-AGUON	8/20/1986	15704
LONO N LEOTA	10/15/2002	15794
ISAAC P LEWI JR	2/18/2022	15961
GEORGE K LIANA	4/6/2009	15968
FRED M LINDSEY JR	11/20/2006	15845
EDWIN KEAO LINDSEY JR	1/31/2007	16032
ANITA L LIVINGSTON	3/8/2007	15882
GINGER U LLANES	2/14/1991	15742
FRANCISCA LLANES	9/27/2006	16034
KAZAH K LUIS-KAHALIOUMI	3/21/2017	15891
HELEN O LUTA	5/20/2003	15801
WAYNETTE L.M. LUTZ	3/13/2023	15917
ROBIN ROSE L MACKENZIE	8/17/2022	16009
LYDIA MAHI	12/8/1979	15685
CYNTHIA A MAKAIWI	7/6/1995	15772
CHRISTIAN E MAKANEOLE	3/10/1995	15762

ITEM E-4 EXHIBIT continued		
DORA H MANALO	11/29/2004	15966
DEVERY SCOTT H MARTIN	2/9/2000	15780
MATHILDA N MASON	1/14/1987	15711
ERNELLA D.K. MATSUDA	6/20/2000	15919
ALLISON L MAYEDA	1/25/1991	15741
MICHELLE K MCCOMBER	1/2/2004	15803
KAPUALIKOLEHUAOKEKOO MCSHANE	10/17/2014	16039
JOHN K MEDEIROS III	12/27/1999	15789
KOREY F MEDEIROS	10/6/1989	15730
CLAUDE K MENDIOLA	5/22/1989	15726
JESSE G MEYERS	8/6/2013	15980
THOMAS C MIDEL	7/10/1985	15724
JAMES K MIRANDA	5/26/2016	16045
DIONNE K MOFFETT	7/17/2013	15896
LINDA B.P. MOLINA	10/1/2014	15899
LYLET M MOON	6/24/2022	16006
VERLA K MOORE	4/6/2000	15783
NORMA N MURRAY	10/21/2005	15822
SHAYLA L NAHALE CARVALHO	10/26/2023	16024
JOANNE E NAKAMURA	8/10/1990	15740
JOSIAH P.A. NAKI	4/29/2010	15974
JADINE S NAVOR	8/9/2010	15975
IDA L NEALON	10/14/2004	15813
ANTHONY K NEEDHAM	5/24/2018	15866
CELINE R NEVES	4/15/1992	15749
EUGENIE K NISHIE	6/15/2009	15850
GERALDINE E NOMURA	5/27/1986	15698
WYNETTE N OLOWAY	9/20/2007	15758
LEA M.D. OMEROD	7/15/1991	15746
JASON KAAHA PACHECO	5/21/2021	15937
WILLIAM D.M. PAI	4/28/1980	15678
BRUCE D.M. PAI	3/17/1987	15712
ELAINE K PAI	5/24/2007	15884
KATHLEEN K PAI	9/14/2015	15984

ITEM E-4 EXHIBIT continued		
MARY L PAIO	4/20/1987	15715
MARCSWAYNE K PAIO	10/16/2003	15804
NEWTON A PALAKIKO JR	3/30/2012	15904
ASHLEY M.S.N. PALAKIKO	10/31/2007	15967
DONNA K PAUOLE	7/6/2023	15962
RILEY J.K. PAVAO	6/17/2022	16008
DONOVAN R.K. PAVAO	3/31/2023	15958
TANYA PENOVAROFF	2/15/1989	15723
CLARENCE K PEREZ	6/17/1986	15705
CHEYENNE H PERRY	2/5/1996	15766
BRENDA LEE N PERRY MOLINA	5/22/2007	15886
DAVID L.M. PLACE	7/8/1977	15669
IRIS K PLUNKETT	2/12/2008	15888
KAMAKANEAKAPOOKELA K POAI	10/4/2013	15877
JUANITA G PONTE	9/20/2017	16051
NOELA K PRITCHARD	9/16/1985	15691
DRAKE K PUA	1/27/2011	15978
RICHARD PUALOA	3/30/1993	15754
WILLYANN K QUANAN	5/9/1983	15682
WILLIAM G. RACOMA	8/13/1990	15737
CHRISTINA F RAMOS	4/19/2006	15843
BRONSTON JOHN P.K. RAMOS	1/10/2020	15994
KATHLEEN M RAPOZA	7/12/2006	15841
ANDREA K.K. REFF	3/16/2022	15918
SCOTT J.K. RICHARD	10/24/2022	15956
CHARMAINE M ROGERS	7/14/2010	16042
CHRISTINA K ROSA	11/20/1986	15707
LEHUA J ROWLAND	8/10/1992	15736
GEMEY A.P. SABARRE	10/4/1989	15727
RAYMOND O SAGAPOLU	4/18/1990	15748
MELVINA L SAKUMA	11/26/1991	15751
KUULEI PUA KALEHUA SALINAS	1/19/2005	15809
GWENDELLYN N SANCHEZ	8/25/1988	15721
DEBRA L SASAKI	9/19/2023	15954

ITEM E-4 EXHIBIT continued		
AMY JEAN SECUYA	4/20/2005	16046
REED K SHOOK	2/12/2018	15893
MOSES A.K. SIMMONS	9/27/1995	15764
CINDY K SIMMONS	8/2/2016	15985
PATRICIA LYNN SOPKIN	8/7/2006	15876
SHARLENE H SOPOAGA	9/5/2017	15991
TATELYN K.Y. SPENCER	3/4/2022	15949
FAITH K SPINNEY	12/9/1979	15676
SHANICE-TIARA K SPINNEY-TAKETA	4/11/2022	15895
ANNETTE N STEVENS-REYES	8/19/2008	16048
HENRIETTA H STONE	12/15/1986	15710
DESILYN SABRINA TABAG-PINCHAY	7/29/1985	15687
JAYSON B.H.P.S.K. TAI	10/12/2010	15852
GLADYS I TANO	4/6/2000	15782
SYLVIA K.K. TAYAMEN	5/30/2007	16031
LORNA U TERIIPAIA	8/7/2020	16001
JOSEPH I TINA	12/7/2005	15829
CLAYTON D TREMAINE IV	8/27/2004	15810
SYDNI K.K. TREMAINE	5/23/2007	16036
CLAURISSA K TREMAINE	3/1/2021	16038
MELISSA K TUIFUA	8/6/1999	15776
MYRTLE L.F. TUKULA MANU TONGA	10/26/2023	15957
BERNADETTE C.K. URBAN	5/4/2005	15816
PELEAULANI H.M. UYETAKE	6/27/1996	15768
WILLIAM C VICKERY	8/22/2017	15903
JONTEI L.A. VINCENT	12/18/2007	15890
WINONA T VON ELSNER	11/28/1986	15708
DWAYNE F.A. WAIAU	4/12/2019	15867
BRENDALYN M WEBER	4/11/1994	15765
CHERYLLYNN P WILLING	12/18/2020	15870
JOBY KAOHU WONG	8/9/2005	15818
JAMIN DERRICK N WONG	8/29/2016	15989
TURVELYN K WONG YUEN	1/11/2017	15996
CHAUNCEY T WONG YUEN	1/11/2017	15992
ROBLYNN L.M. YOMES	10/12/2000	15791

ITEM NO. F-1
ANNUAL RENEWAL OF REVOCABLE PERMITS, KAUAI ISLAND

NO.	ACRE	USE	PERMITTEE	LOCATION	TMK	Date Started
524	0.344	Agriculture	*Kuini Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-008:001 (p)	5/1/2003
525	14.50	Agriculture	*Linda Kaauwai-Iwamoto	Anahola	(4) 4-8-005:042&043	11/1/2000
526	5	Agriculture	*Frank S. Rivera, Sr. and Amber Rivera	Anahola	(4) 4-8-003:020 (p)	5/1/2005
527	30.0000	Agriculture	Charley Raco, Palakiko Farms	Kekaha	(4) 1-2-002:023 (p)	7/28/2009
528	18.00	Agriculture	*Gary Cummings, Jr.	Anahola	(4) 4-8-008:049 (p)	7/23/2013
529	12.00	Agriculture	*Angelina Koli and Kalei Kanahele	Anahola	(4) 4-8-005:038 & :044	7/1/2005
530	0.164	Caretaker	*Puanani Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022
532	3.6	Caretaker	Valerie Woods	Anahola	(4) 4-8-006:046 (p)	3/8/2002
533	0.009	Commercial	*Patricia Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:031	7/23/2013
534	0.023	Commercial	*Woodrow K. Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:031	4/1/1994
535	0.34	Community	*Hokuaelele Canoe Club	Anahola	(4) 4-8-012:010 (p)	9/1/2022
536	0.917	Community	*Kukulu Kumuhana O Anahola	Anahola	(4) 4-8-005:026 (p)	4/12/2023
537	432.00	Community	*Aina Alliance	Anahola	(4) 4-8-03:018, 019(p), 021 & 036; (4) 4-8-014:003; (4) 4-7-004:003,004 & 007	4/12/2023
538	103.07	Community	*Kahu O Ka Paka Kahakai O Anahola	Anahola	(4) 4-9-003:011 & 017; (4) 4-8-010:003, 005, 006 & 010; (4) 4-8-014:005	3/3/2023
539	3.44	Education	*Keakai Kauai, Inc.	Anahola	(4) 4-8-008:016 & 080	5/9/2022
540	109.80	Education	*Kaivin Educational Farm Program	Kekaha	(4) 1-2-002:023 (p)	5/2/2022
541	16.072	Industrial	*Mona Lisa and Randy Boyer	Kapaa	(4) 4-5-015:003 (p) & 034	5/2/1999
542	0.46	Industrial	Kauai Habitat for Humanity	Hanapepe	(4) 1-8-008:035 (p)	7/1/1996
543	0.58	Industrial	Wallace Rita	Hanapepe	(4) 1-8-008:035 (p)	4/1/2007
544	0.059	Industrial	Jesse Lam	Kapaa	(4) 4-5-015:048	2/1/1986
545	0.23	Industrial	*Roger Palama	Hanapepe	(4) 1-8-008:035 (p)	10/1/1995
546	0.344	Industrial	Wallace Rita	Hanapepe	(4) 1-8-008:081 (p)	7/1/2005
547	0.367	Industrial	Akita Enterprises, Ltd.	Hanapepe	(4) 1-8-008:035 (p)	7/1/1999
549	0.918	Industrial	Jack L. and Margaret C. Phillips	Kapaa	(4) 4-5-005:006 (p)	3/1/2001
550	3.264	Pastoral	*Solomon Lovell	Anahola	(4) 4-8-006:004	12/1/1981
551	14.903	Pastoral	*Kalei Medeiros	Anahola	(4) 8-011:005, 006, 011, 013 & 049	2/1/1984
552	13.00	Pastoral	*Gordon Rosa	Anahola	(4) 4-8-005:038 (p)	4/1/1994
553	2.866	Pastoral	*Clay, Patrick, and Bruce Kelekoma	Anahola	(4) 4-8-015:024 to 026	4/15/1982

<u>ITEM NO. F-1</u>						
554	75.00	Pastoral	*Patrick, Clay, and Bruce Kelekoma	Anahola	(4) 4-7-004:022 (p)	7/5/2005
555	5	Pastoral	*Lynn K.M. Fu	Anahola- Kamalomaloo	(4) 4-8-003:020 (p)	9/1/2005
556	0.55	Pastoral	*Richard and Kuulei Ornellas	Anahola/ Kamalomaloo	(4) 4-8-011:063 (p)	8/1/2003
557	173.00	Pastoral	Tarey and Darryl Low	Anahola/ Kamalomaloo	(4) 4-7-002:004 (p)	4/1/2004
558	315.97	Pastoral	*Stuart Keahiahi Hanchett	Moloa'a	(4) 4-9-010:002 & 005	10/1/2019
559	40	Pastoral	Joseph Borden	Anahola/ Kamalomaloo	(4) 4-8-003:004 (p)	7/23/2013
560	45.023	Pastoral	William Sanchez	Wailua	(4) 3-9-002:003	9/1/2022
561	5.00	Pastoral	*Henry Aviguetero	Hanapepe	(4) 1-8-007:003	9/1/2022
562	40.00	Pastoral	*Norman Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022
563	320.00	Pastoral	*Ralph Kauai and Rhonda Refamonte	Wailua	(4) 3-9-002:012 & 025	9/1/2022
564	30.00	Pastoral	*Henry Kupuhea	Anahola	(4) 4-8-003:006 (p)	9/1/2020
565	80.00	Pastoral	*Edward K Taniguchi	Anahola/ Kamalomaloo	(4) 4-7-002:004 (p)	5/23/2016

Hawaiian Homes Commission Meeting Packet
May 19 & 20, 2025
Sheraton Kauai Resort, Kauai, Hawai'i

C ITEMS

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19 – May 20, 2025

To: Chairman and Members, Hawaiian Homes Commission
From: David Hoke, Administrator, Enforcement Unit
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics (April 14, 2025 – May 12, 2025)

RECOMMENDED ACTIONS: For information only.

DISCUSSION:

Total requests received since last submittal: 25

- Oahu: 2
- Maui: 2
- Kauai: 1
- East Hawaii: 4
- West Hawaii: 0
- Molokai: 0
- Lanai: 0
- LMD: 0
- OCH: 5
- Directly to/from EU: 11

Total Reports submitted since the last submittal: 30

Total requests received in 2025: 63

Total reports submitted in 2025: 97

Official correspondence sent to beneficiaries related to EU investigations since the last submittal:
11

Events and Operations:

- Meeting with Department of Law Enforcement Director, Mike Lambert on 4/23/25
- CCH Settlement Conference on 4/24/25
- Meeting with HIEMA Administrator, Col. James Barros on 4/28/25

Unleased Properties:

- Two back into inventory on 5/5/25

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission

From: Oriana Leao, NAHASDA Government Relations Program
Specialist

Subject: For Information Only - Summary of Legislative Session 2025

RECOMMENDATION/ACTION:

None; For information only.

DISCUSSION

The State Budget

The Hawaii State Legislature appropriated funds to the Department in the State Budget reflected in HB300 HD1 SD1 CD1. The Legislature authorized funding for FY 26 and 27 and included \$18,032,234 in general funds for FY 26 and \$18,032,234 for FY 27 to cover the department's existing personnel, administrative and operating costs. The Legislature also included \$10 million in general funds for each fiscal year for planning and development for Hawaiian Homesteads and \$20 million in CIP funding for FY 26 for repairs and maintenance to existing infrastructure on various Hawaiian Home Lands, Statewide. A chart highlighting the budget information is attached as Exhibit 'A'.

DHHL's Legislative Proposals

The Hawaiian Homes Commission approved 12 legislative proposals to be included in the Governor's Package for the 2025 Regular Session. Following this approval, the legislative proposals were reviewed by the Department of the Attorney General, the Governor's Policy Office, and the Governor, and 6 were included in the Administration's legislative package. 3 of the 6 legislative proposals were passed by the Legislature.

HB422 HD1 SD2 CD1 repeals the construction cost component of school impact fees. Exempts government housing developments, affordable housing units and projects, and Hawaiian home lands

housing from school impact fees. Requires the School Facilities Authority to adopt rules governing fee collection. Increases the minimum number of units in a development to trigger land dedication provisions of the land component impact fee. Requires a report to the Legislature on program efficacy. Sunsets 7/1/2029.

HB871 HD1 SD1 clarifies that Act 130, SLH 2024, which amended the Hawaiian Homes Commission Act, takes effect on the earlier of the date of the Secretary of the Interior's notification letter that Act 130 does not require congressional approval, or on the date that the United States Congress approval becomes law.

HB1091 HD1 SD1 CD1 requires a county to accept, within 60 days after receipt of a completed application for maintenance request, license or dedication of sewer transmission lines and related sewerage facilities servicing Hawaiian Home Lands that are brought into compliance by the Department of Hawaiian Home Lands.

Other DHHL Related Resolutions

The Legislature also passed the following DHHL related Resolutions:

HR54 HD1/HR58 HD1/SR115 SD1 - REQUESTING THE HAWAII STATE ENERGY OFFICE TO CONVENE A GEOTHERMAL ENERGY WORKING GROUP TO EVALUATE THE REGULATORY AND POLICY LANDSCAPE SURROUNDING GEOTHERMAL ENERGY IN HAWAII.

HCR78/SR60 SD1 - DECLARING THE INTENT THAT PROJECTS WITH HOUSING UNITS THAT QUALIFY FOR HOUSING CREDITS UNDER ACT 31, SESSION LAWS OF HAWAII 2024, ARE STILL ELIGIBLE TO RECEIVE HOUSING CREDITS AFTER THE REPEAL OF THAT ACT IF THE HOUSING PROJECTS WERE APPROVED BY THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION BEFORE JULY 1, 2031, AND REQUESTING THE CORPORATION AND EACH COUNTY TO INCLUDE CERTAIN INFORMATION WHEN APPROVING HOUSING PROJECTS FOR HOUSING CREDITS.

HR147 HD1 - ESTABLISHING A LEGISLATIVE WORKING GROUP FOR THE CONTINUED OVERSIGHT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS' EXECUTION OF FUNDS APPROPRIATED BY ACT 279, SESSION LAWS OF HAWAII 2022.

SR114 SD1/SCR135 - URGING ALL STATE DEPARTMENTS TO PARTNER WITH THE OFFICE OF WELLNESS AND RESILIENCE FOR SECURE AND APPROPRIATE DATA SHARING AGREEMENTS.

SR137 - REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO DEVELOP AND IMPLEMENT A WATER ACCESS PILOT PROJECT DEMONSTRATING THE KOHALA REGION'S CAPACITY FOR A POTABLE WATER SYSTEM.

Other DHHL Related Measures

The Legislature also passed the following DHHL related measures:

SB79 SD1 HD2 CD1 Relating to **Historic Preservation Reviews**

HB736 HD1 SD1 CD1 Relating to **Wastewater Systems**

HB879 HD1 SD1 CD1 Relating to **Cesspool Conversions**

HB990 HD2 SD1 CD1 Relating to **Making Appropriations for Claims Against the State, its Officers, or its Employees**

HB1007 HD2 SD2 CD1 Relating to the **Hawaii Community Development Authority**

HB1365 HD2 SD2 CD1 Relating to **Department of Agriculture**

SB1396 SD3 HD3 CD2 Relating to **Economic Development**

HB1409 HD1 SD1 CD1 Relating to **Transit Oriented Development**

HB1424 HD1 SD1 CD1 Relating to **Appropriations**

SB1602 SD1 HD1 CD1 Relating to the **Keauhou Aquifer System**

RECOMMENDED MOTION/ACTION

None; For information only.

EXHIBIT A

HHC Item C-2: For Information Only – Summary of Legislative Session
2025

DHHL's "Sufficient Funds" & Executive Budget FY 2026 – Operating

	FY2026 DHHL	FY2026 GOV	FY2026 HB300 CD1
A & O Budget Request (A)	(237) \$59,250,616	(200) \$18,832,072	(200) \$18,032,024
Operating R&M for Existing Infrastructure (A)	\$15,232,000		
Rehab Projects (A)	*\$15,384,096		
Total HHC A & O Budget Request	\$89,866,712	\$18,832,072	\$18,032,024

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



DHHL's "Sufficient Funds" & Executive Budget FY 2027 – Operating

	FY2027 DHHL	FY2027 GOV	FY2027 HB300 CD1
A & O Budget Request (A)	(237) \$59,250,616	(200) \$18,832,072	(200) \$18,032,024
Operating R&M for Existing Infrastructure (A)	\$9,693,000		
Rehab Projects (A)	*\$14,924,096		
Total HHC A & O Budget Request	\$83,867,712	\$18,832,072	\$18,032,024

*Includes \$2,179,996 requested by homestead leaders.



DHHL's "Sufficient Funds" & Executive Budget FY 2026 – CIP

	FY2026 DHHL	FY2026 GOV	FY2026 HB300 CD1
CIP R&M for Existing Infrastructure (C)	\$50,898,000	\$20,000,000	\$20,000,000
Lot Development (C)	\$441,860,000		
Loans (C)	\$73,100,000		
Rehab Projects (C)	*\$56,890,000		
Total	\$622,748,000	\$20,000,000	\$20,000,000

*Total reflects projects requested by homestead leaders.



DHHL's "Sufficient Funds" & Executive Budget FY 2027 – CIP

	FY2027 DHHL	FY2027 GOV	FY2027 HB300 CD1
CIP R&M for Existing Infrastructure (C)	\$32,971,000	\$20,000,000	\$0
Lot Development (C)	\$186,000,000		
Loans (C)	\$73,100,000		
Rehab Projects (C)	*\$50,900,000		
Total	\$342,971,000	\$20,000,000	\$0

*Total reflects projects requested by homestead leaders.



Beneficiary Engagement:

- Monthly email to homestead associations, NSWs, and other beneficiary and community leaders across the state (5/12/25, 77 total recipients)
- In person:
 - o Ahapuaa O Nanakuli NSW Walk on 4/24/25
 - o PKE Yearly Meeting on 4/26/25
 - o KCDC Quarterly Meeting on 4/26/25
 - o Keaukaha Panaewa Farmers Association NSW 4/30/25
 - o Keaukaha NSW Meeting on 5/1/25
 - o Waimanalo Association Meeting on 5/5/25
- Phone/Email:
 - o Makuu Farmers Association
 - o Waianae Valley Association
 - o SCHHA

Interagency Collaboration:

- County Police:
 - o HPD – D8 Narco/Vice, Community Policing Team, Records Division
 - o HCPD – Community Policing Team, Records Division
- State of Hawaii Department of Law Enforcement
- State of Hawaii Emergency Management
- State of Hawaii Department of Health

Hawaiian Homes Commission Meeting Packet
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Sheraton Kauai Resort, Kauai, Hawai'i

D ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairperson and Members, Hawaiian Homes Commission

FROM: Juan Garcia, HSD Administrator
Homestead Services Division



SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION ACTION

None

DISCUSSION

The following reports are for information only:

EXHIBIT A: Homestead Lease and Application Totals and
Monthly Activity Reports

EXHIBIT B: Delinquency Reports

May 19, 2025

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through April 30, 2025

	As of 3/31/25	Add	Cancel	As of 4/30/25
Residential	8,512	1	1	8,512
Agricultural	1,138	0	0	1,138
Pastoral	437	0	0	437
Total	10,087	1	1	10,087

The cumulative number of Converted Undivided Interest Lessees represents an increase of 580 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 3/31/25	Converted	Rescinded/ Surrendered/ Cancelled/	As of 4/30/25
Undivided	730	1	0	729

Balance as of 4/30/2025:

Awarded	1,434
Relocated to UNDV	7
Reinstated to UNDV	1
Rescinded	123
Surrendered	6
Cancelled	4
Converted	580
Balance to Convert	729

Lease Report For the Month Ending April 30, 2025

	----- RESIDENCE -----				----- AGRICULTURE -----				----- PASTURE -----				----- TOTAL LEASES -----			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Kakaina	43	0	0	43	0	0	0	0	0	0	0	0	43	0	0	43
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	0	90	0	0	90
Kanehili	399	1	0	400	0	0	0	0	0	0	0	0	399	1	0	400
Kapolei	173	0	1	172	0	0	0	0	0	0	0	0	173	0	1	172
Kauluokahai	155	0	0	155	0	0	0	0	0	0	0	0	155	0	0	155
Kaupea	323	0	0	323	0	0	0	0	0	0	0	0	323	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	0	248	0	0	248
Kumuhau	51	0	0	51	0	0	0	0	0	0	0	0	51	0	0	51
Luahualei	149	0	0	149	30	0	0	30	0	0	0	0	179	0	0	179
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	0	225	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	0	1,045	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	268	0	0	268	0	0	0	0	0	0	0	0	268	0	0	268
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	421	0	0	421	12	0	0	12	0	0	0	0	433	0	0	433
Waimanalo	711	0	0	711	2	0	0	2	0	0	0	0	713	0	0	713
TOTAL	4,384	1	1	4,384	60	0	0	60	0	0	0	0	4,444	1	1	4,444
MAUI																
Hikina	31	0	0	31	0	0	0	0	0	0	0	0	31	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	100	0	0	100	100	0	0	100
Keokea	0	0	0	0	64	0	0	64	0	0	0	0	64	0	0	64
Leialii	103	0	0	103	0	0	0	0	0	0	0	0	103	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	0	178	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	0	113	0	0	113
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	0	98	0	0	98
Waiohuli	590	0	0	590	0	0	0	0	0	0	0	0	590	0	0	590
TOTAL	1,261	0	0	1,261	64	0	0	64	100	0	0	100	1,425	0	0	1,425
EAST HAWAII																
Discovery Harbour	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Kamaca	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Honomu	0	0	0	0	15	0	0	15	0	0	0	0	15	0	0	15
Kaumana	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	0	473	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	140	0	0	140	0	0	0	0	140	0	0	140
Panaewa	13	0	0	13	275	0	0	275	0	0	0	0	288	0	0	288
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	11	0	0	11	0	0	0	0	11	0	0	11
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waiakea	283	0	0	283	0	0	0	0	0	0	0	0	283	0	0	283
TOTAL	843	0	0	843	441	0	0	441	25	0	0	25	1,309	0	0	1,309
WEST HAWAII																
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kanihale	223	0	0	223	0	0	0	0	0	0	0	0	223	0	0	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	1	193	0	0	193
Laiohua	274	0	0	274	0	0	0	0	0	0	0	0	274	0	0	274
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio Vil	118	0	0	118	110	0	0	110	217	0	0	217	445	0	0	445
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	0	33	0	0	33
TOTAL	870	0	0	870	110	0	0	110	284	0	0	284	1,264	0	0	1,264
KAUAI																
Anahola	553	0	0	553	46	0	0	46	0	0	0	0	599	0	0	599
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	116	0	0	116	0	0	0	0	0	0	0	0	116	0	0	116
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	716	0	0	716	46	0	0	46	1	0	0	1	763	0	0	763
MOLOKAI																
Hooilehua	152	0	0	152	346	0	0	346	21	0	0	21	519	0	0	519
Kalamaula	167	0	0	167	68	0	0	68	3	0	0	3	238	0	0	238
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
One Aii	27	0	0	27	0	0	0	0	0	0	0	0	27	0	0	27
TOTAL	393	0	0	393	417	0	0	417	27	0	0	27	837	0	0	837
LANAI																
Lanai	45	0	0	45	0	0	0	0	0	0	0	0	45	0	0	45
TOTAL	45	0	0	45	0	0	0	0	0	0	0	0	45	0	0	45
STATEWIDE TOTAL	8,512	1	1	8,512	1,138	0	0	1,138	437	0	0	437	10,087	1	1	10,087

**Statewide Lease Application and Applicant Totals
as of May 1, 2025**

ISLAND	AC	AREA / TYPE	4/1/2025 TOTALS	ADDS	DELETES	5/1/2025 TOTALS					
O'ahu	113	Nānākuli Res	150	1	1	150	0.95%	O'AHU APP TYPE TOTALS			
	123	Papakōlea / Kewalo Res	61	0	0	61	0.39%				
	133	Waimānalo Res	507	0	0	507	3.22%	Agr	Pas	Res	
	143	Wai'ānae Res	132	0	0	132	0.84%	4,241	0	11,511	= 15,752
	191	O'ahu Islandwide Agr	4,238	4	1	4,241	26.92%	26.92%	0.00%	73.08%	100.00%
	193	O'ahu Islandwide Res	10,655	12	6	10,661	67.68%				
		Total O'ahu Apps	15,743	17	8	15,752	100.00%				
Maui	213	Paukūkalo Res	49	1	1	49	0.52%	MAUI APP TYPE TOTALS			
	221	Kula Agr	4	0	0	4	0.04%				
	222	Kula Pas	3	0	0	3	0.03%	Agr	Pas	Res	
	291	Maui Islandwide Agr	4,841	1	1	4,841	51.21%	4,845	625	3,984	= 9,454
	292	Maui Islandwide Pas	622	0	0	622	6.58%	51.25%	6.61%	42.14%	100.00%
	293	Maui Islandwide Res	3,935	1	1	3,935	41.62%				
		Total Maui Apps	9,454	3	3	9,454	100.00%				
Hawai'i	313	Keaukaha / Waiākea Res	64	0	0	64	0.41%	HAWAII APP TYPE TOTALS			
	321	Panā'ewa Agr	12	0	0	12	0.08%				
	333	Kawaihae Res	15	0	0	15	0.10%	Agr	Pas	Res	
	341	Waimea Agr	9	0	0	9	0.06%	7,399	2,024	6,068	= 15,491
	342	Waimea Pas	41	0	2	39	0.25%	47.76%	13.07%	39.17%	100.00%
	343	Waimea Res	44	0	0	44	0.28%				
	391	Hawai'i Islandwide Agr	7,375	7	4	7,378	47.63%				
	392	Hawai'i Islandwide Pas	1,986	2	3	1,985	12.81%				
	393	Hawai'i Islandwide Res	5,938	9	2	5,945	38.38%				
		Total Hawai'i Apps	15,484	18	11	15,491	100.00%				
Kaua'i	511	Anahola Agr	3	0	0	3	0.07%	KAUAI APP TYPE TOTALS			
	512	Anahola Pas	19	0	0	19	0.43%				
	513	Anahola Res	38	0	0	38	0.86%	Agr	Pas	Res	
	523	Kekaha Res	8	0	0	8	0.18%	2,331	346	1,751	= 4,428
	532	Pu'u Ōpae Pas	7	0	0	7	0.16%	52.64%	7.81%	39.54%	100.00%
	591	Kaua'i Islandwide Agr	2,326	2	0	2,328	52.57%				
	592	Kaua'i Islandwide Pas	319	1	0	320	7.23%				
	593	Kaua'i Islandwide Res	1,702	4	1	1,705	38.50%				
		Total Kaua'i Apps	4,422	7	1	4,428	100.00%				
Moloka'i	613	Kalama'ula Res	3	0	0	3	0.14%	MOLOKA'I APP TYPE TOTALS			
	621	Ho'olehua Agr	15	0	0	15	0.69%				
	622	Ho'olehua Pas	1	0	0	1	0.05%	Agr	Pas	Res	
	623	Ho'olehua Res	7	0	0	7	0.32%	1,141	202	825	= 2,168
	633	Kapa'akea Res	6	0	0	6	0.28%	52.63%	9.32%	38.05%	100.00%
	643	One Ali'i Res	1	0	0	1	0.05%				
	691	Moloka'i Islandwide Agr	1,127	1	2	1,126	51.94%				
	692	Moloka'i Islandwide Pas	201	0	0	201	9.27%				
	693	Moloka'i Islandwide Res	808	0	0	808	37.27%				
		Total Moloka'i Apps	2,169	1	2	2,168	100.00%				
Lāna'i	713	Lāna'i Res	71	0	0	71	100.00%	LĀNA'I APP TYPE TOTALS			
		Total Lāna'i Apps	71	0	0	71	100.00%				
								Agr	Pas	Res	
								0	0	71	= 71
								0.00%	0.00%	100.00%	100.00%

STATEWIDE TOTALS				STATEWIDE APP TYPE TOTALS		
4/1/2025	Adds	Deletes	5/1/2025	Agr	Pas	Res
47,343	46	25	47,364	19,957	3,197	24,210

DHHL Applicant Summary as of May 1, 2025

Individuals with only RESIDENTIAL applications:	6,417	21.70%
Individuals with only AGRICULTURAL applications:	4,623	15.63%
Individuals with only PASTORAL applications:	739	2.50%
Individuals with RESIDENTIAL and AGRICULTURAL applications:	15,334	51.85%
Individuals with RESIDENTIAL and PASTORAL applications:	2,458	8.31%
	<hr/>	<hr/>
*Total Number of DHHL APPLICANTS:	29,571	100.00%

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

DELINQUENCY REPORT - STATEWIDE

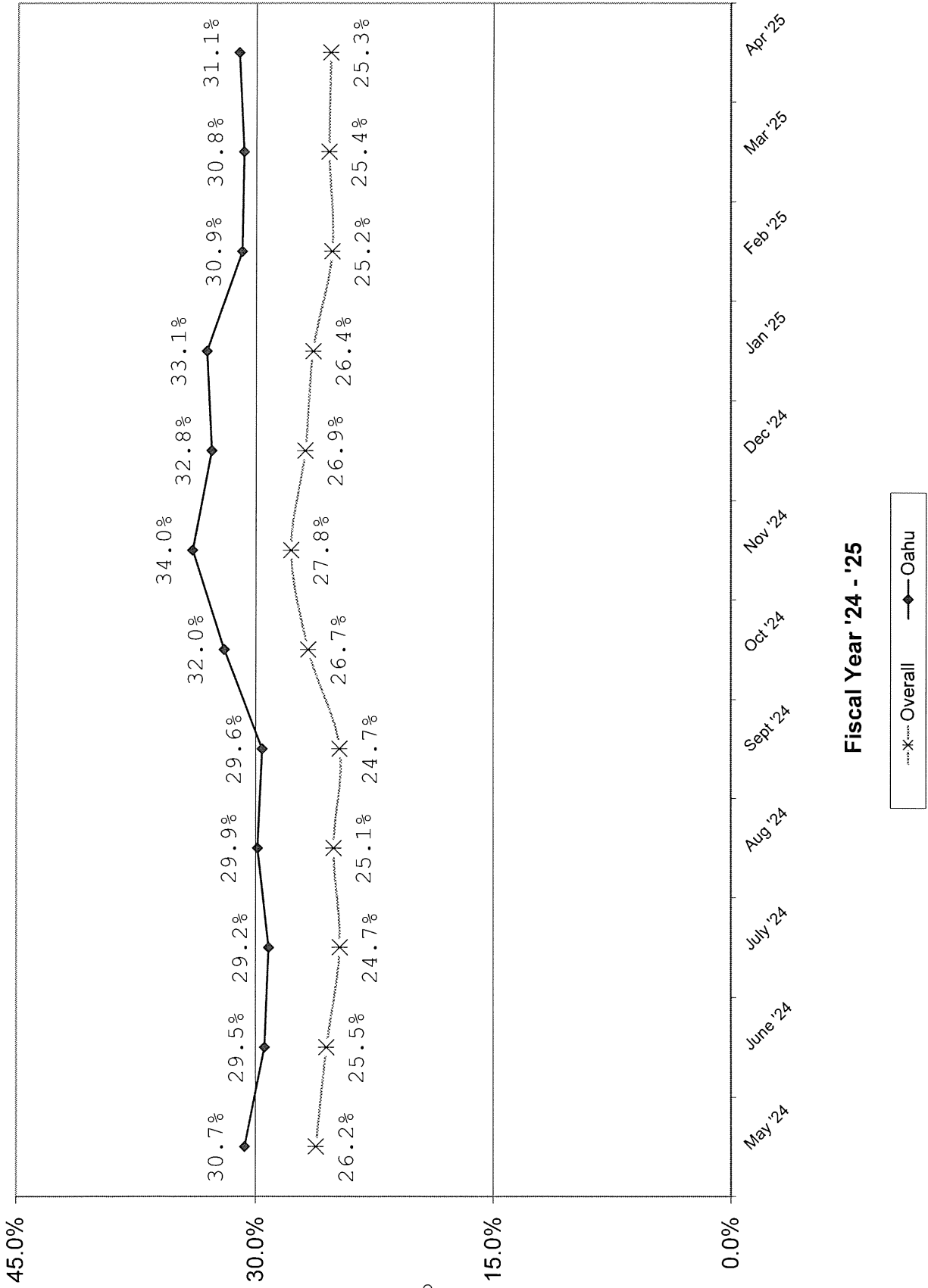
May 19, 2025
(\$Thousands)

DIRECT LOANS OAHU		R I S K										% of Totals 4/30/2025	
		Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)	
		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.
		348	36,330	105	11,293	14	1,530	7	881	9	933	75	7,949
EAST HAWAII		179	10,741	53	3,897	5	470	3	219	5	142	40	3,066
WEST HAWAII		76	7,625	14	1,112	9	618	2	172	2	173	1	149
MOLOKAI		75	6,377	9	378	0	0	0	0	1	6	8	372
KAUAI		89	8,168	12	1,027	1	162	2	208	0	0	9	658
MAUI		112	15,378	25	3,665	2	242	0	0	5	625	18	2,798
TOTAL DIRECT		879	84,619	218	21,374	31	3,021	14	1,480	22	1,880	151	14,992
		100.0%	100.0%	24.8%	25.3%	3.5%	3.6%	1.6%	1.7%	2.5%	2.2%	17.2%	17.7%
Advances (including RPT)		233	5,893	233	5,893	0	0	0	0	233	5,893	100%	100%
DHHL LOANS & Advances		1,112	90,512	451	27,267	31	3,021	14	1,480	255	7,773	151	14,992
LOAN GUARANTEES as of June 30, 2024													
SBA		2	67	0	0	0	0	0	0	0	0	0	0
USDA-RD		274	35,831	43	6,613	0	0	0	0	43	6,613	0	0
Habitat for Humanity		32	893	16	429	0	0	0	0	16	429	0	0
Maui County		5	74	0	0	0	0	0	0	0	0	0	0
Nanakuli NHS		1	7	1	7	0	0	0	0	1	7	0	0
City & County		10	204	10	204	0	0	0	0	10	204	0	0
FHA Interim		8	2,443	0	0	0	0	0	0	0	0	0	0
OHA		20	2,084	2	323	0	0	0	0	2	323	0	0
TOTAL GUARANTEE		352	41,603	72	7,576	0	0	0	0	72	7,576	20.5%	18.2%
PMI Loans		110	14,124	1	83	0	0	0	0	1	83	0	0
HUD REASSIGNED for Recovery		110	11,729	91	10,173	0	0	1	15	3	144	87	10,015
FHA Insured Loans		2,914	531,231	207	33,895	0	0	0	0	207	33,895	7.1%	6.4%
TOTAL INS. LOANS		3,134	557,084	299	44,151	0	0	1	15	211	34,122	87	10,015
OVERALL TOTALS(EXC Adv/RPT's)		4,365	683,306	589	73,101	31	3,021	15	1,495	305	43,578	238	25,007
ADJUSTED TOTALS		4,598	689,199	822	78,994	31	3,021	15	1,495	538	49,471	238	25,007

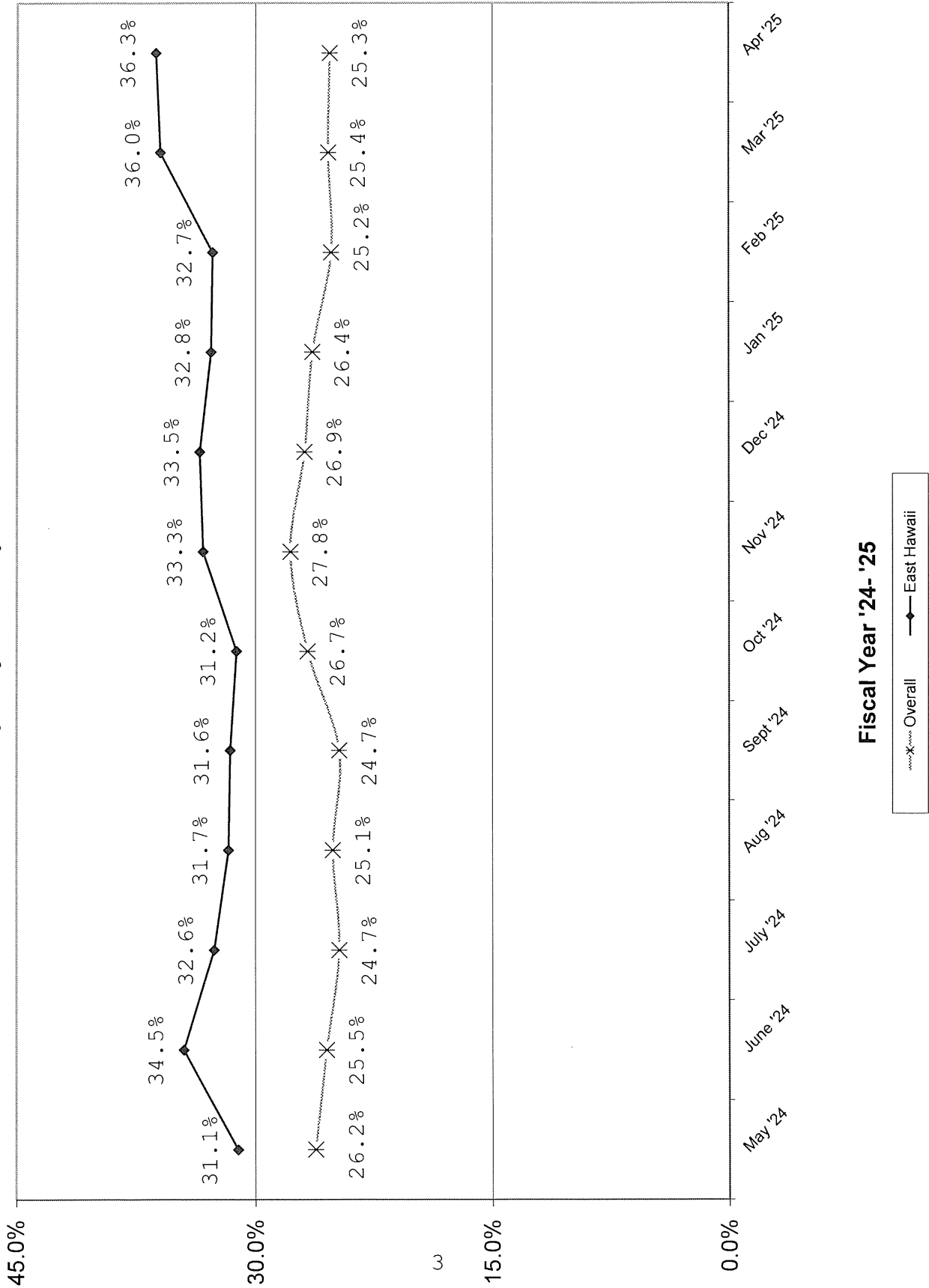
Note: HUD 184A loan program has 517 loans, with a total outstanding principal balance of \$110,117,159 as of June 30, 2024. 10 Loans, totaling \$2,402,108 are delinquent.

The deferred interest for 396 loans comes out to \$1,897,101.50 as of 4/30/2025.

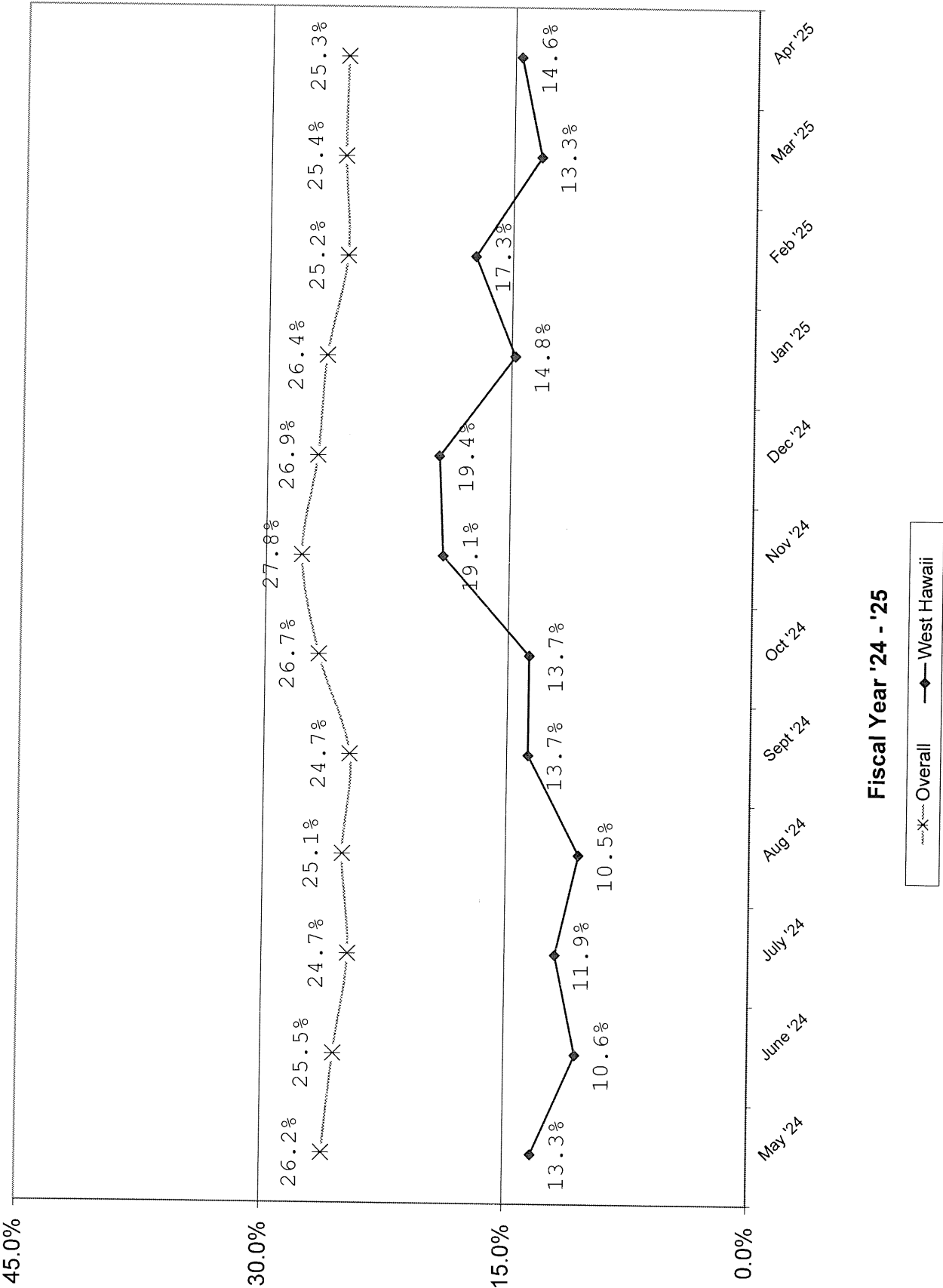
OAHU
Direct Loans
Delinquency Ratio Report



EAST HAWAII
Direct Loans
Delinquency Ratio Report



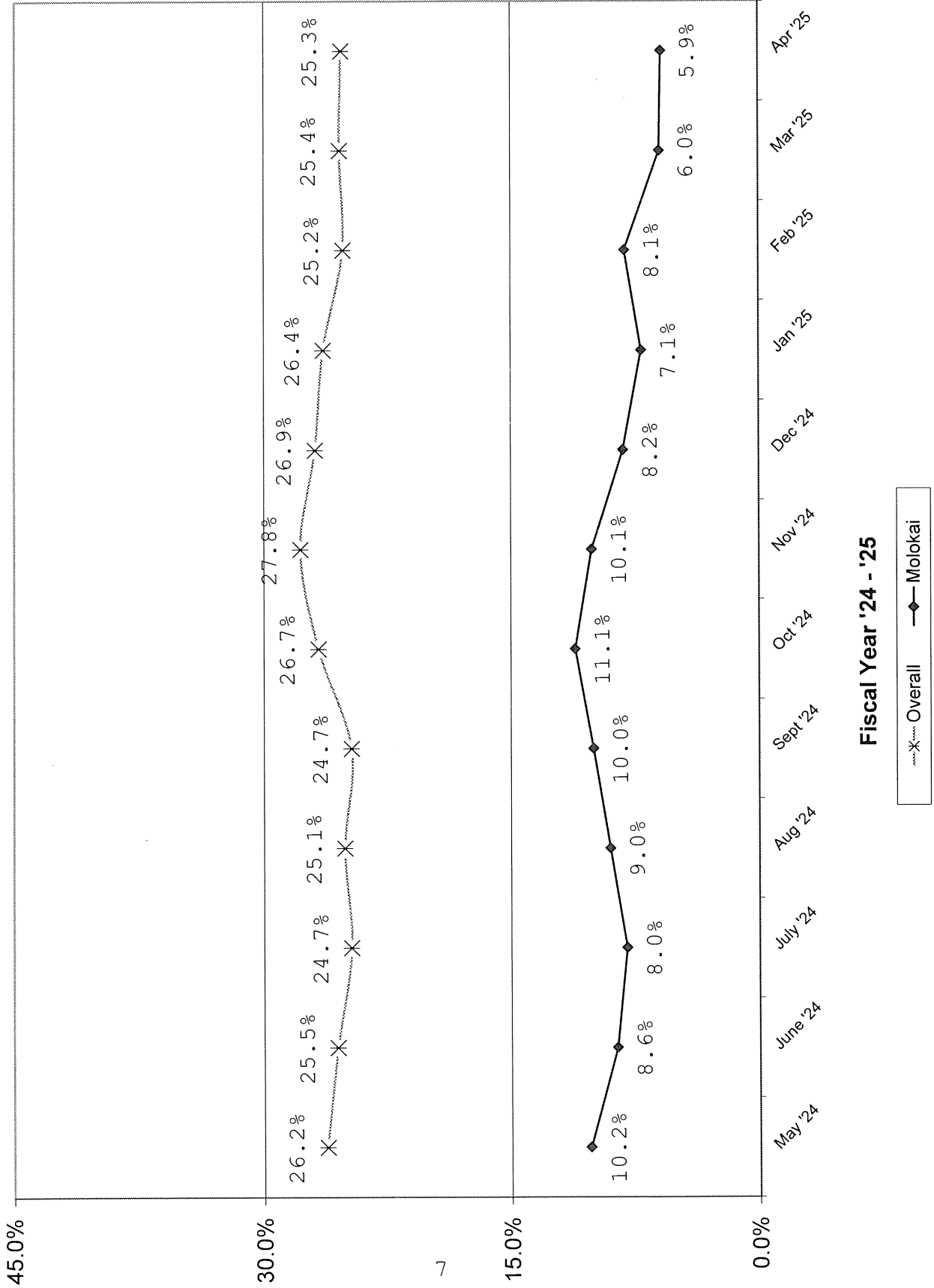
WEST HAWAII
Direct Loans
Delinquency Ratio Report



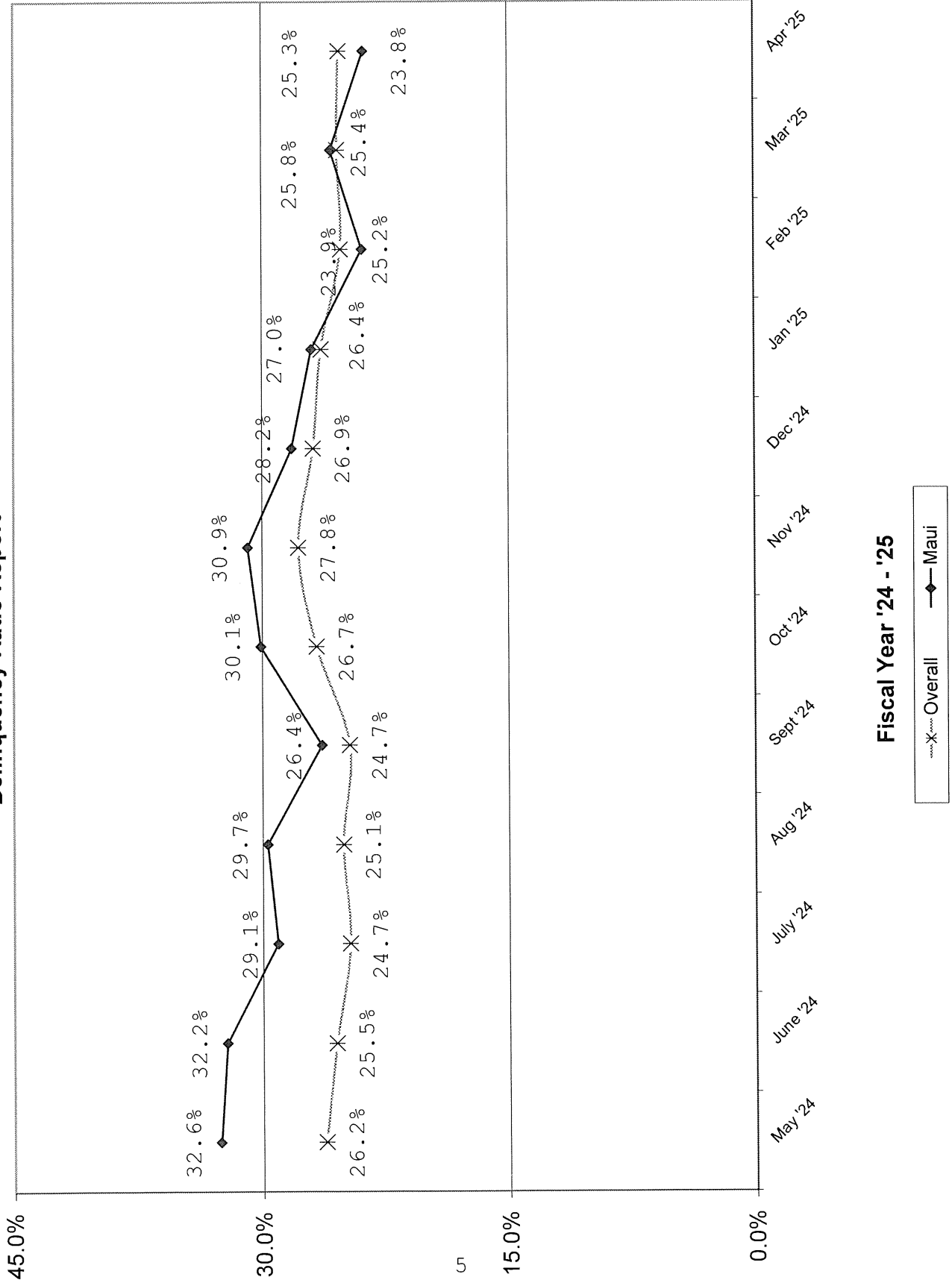
Fiscal Year '24 - '25

Overall West Hawaii

MOLOKAI
Direct Loans
Delinquency Ratio Report



MAUI
Direct Loans
Delinquency Ratio Report



Fiscal Year '24 - '25

X Overall —◆— Maui

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division

FROM: Dean Oshiro, Loan Services Manager

SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Lualualei Lease No. 5518 TMK: 1-8-6-023:117	RESPICIO, Jonah L. (Purchase)FHA	HighTech Lending Inc	\$ 252,695
Kaupea Lease No. 12126 TMK: 1-9-1-140:041	PUAHI-ROPER, Bratton K. (Purchase)FHA	SecurityNat- ional Mortg- age Company	\$ 400,000
Kauluokahai Lease No. 12955 TMK: 1-9-1-017:110	GIST, Keanu C. (Purchase)FHA	SecurityNat- ional Mortg- age Company	\$ 550,000
Kanehili Lease No. 12481 TMK: 1-9-1-151:027	TAMPON, Misty N. (Cash- out)FHA	HighTech Lending Inc	\$ 661,725

Princess Kahanu Estates Lease No. 8493 TMK: 1-8-7-043:086	KELLY, Georetta L. (Purchase)HUD 184A	American Savings Bank	\$ 487,325
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Princess Kahanu Estates Lease No. 8492 TMK: 1-8-7-043:085	EMMSLEY, Leihalia (Purchase)FHA	Click n' Close	\$ 547,285
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Princess Kahanu Estates Lease No. 8402 TMK: 1-8-7-043:045	NAPIERALA-ROSE, Krysta K.F. (Purchase)FHA	SecurityNat- ional Mortg- age Company	\$ 460,000
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MAUI

Puuhona Lease No. 13114 TMK: 2-3-5-044:037	KAAI, Elmer(Purchase)FHA	Central Pacific Bank	\$ 702,000
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Waiehu Kou 3 Lease No. 9955 TMK: 2-3-2-024:117	YAGODICH, Makia J. K. (Assumption)FHA	HomeStreet Bank	\$ 186,839
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Hikina Lease No. 12306 TMK: 2-2-2-031:030	ANDRADE, Jasen K.(Cash- out)FHA	loanDepot.c- om, LLC	\$ 450,000
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Leialii Lease No. 11498 TMK: 2-4-5-036:060	ASUELA, Kalai(Purchase)FHA	SecurityNat- ional Mortg- age Company	\$ 651,085
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Waiehu 2 Lease No. 9456 TMK: 2-3-2-022:018	YUEN, Stanley R.(Cash- out)FHA	Guild Mortgage	\$ 109,568
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Paukukalo Lease No. 3500 TMK: 2-3-3-005:053	HUEU, Josiah(Purchase) USDA	Click n' Close	\$ 378,788
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ITEM NO. D-2

Puuhona Lease No. 13090 TMK: 2-3-5-044:031	BISSEN, Helen(Purchase)HUD 184A	The Money Store	\$ 682,131
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Puuhona Lease No. 13108 TMK: 2-3-5-044:030	KALANI, Lee Ann(Purchase) FHA	Central Pacific Bank	\$ 670,000
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HAWAII

Kaumana Lease No. 13048 TMK: 3-2-5-005:154	ISHIKAWA, Sally A.(One Step Construction)FHA	HomeStreet Bank	\$ 285,775
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Keaukaha Lease No. 4247 TMK: 3-2-1-022:077	VICTOR, Nikki K.I.(Cash- out)FHA	Bank of Hawaii	\$ 400,000
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Waiakea Lease No. 7972 TMK: 3-2-2-057:036	AUNA, Aaron K.(Cash- out)FHA	VIP Mortgage Inc.	\$ 427,656
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Kaniohale Lease No. 9271 TMK: 3-7-4-022:058	MARTINEZ, Wendy L.(Cash- out)FHA	Bank of Hawaii	\$ 350,000
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<u>RECAP</u>	<u>NO.</u>		<u>FHA</u> <u>AMOUNT</u>		<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/24	88	\$	32,647,026		23	\$ 6,684,116
Prior Months	107	\$	43,937,735		18	\$ 7,791,051
This Month	<u>14</u>		<u>7,104,628</u>		<u>0</u>	<u>0</u>
Total FY '24-25	121	\$	51,042,363		18	\$ 7,791,051

			<u>HUD 184A</u> <u>AMOUNT</u>			<u>USDA-RD</u> <u>AMOUNT</u>
FY ENDING 6/30/24	18	\$	7,258,802		3	\$ 1,380,787
Prior Months	14	\$	5,301,373		4	\$ 1,771,372
This Month	<u>2</u>		<u>1,169,456</u>		<u>1</u>	<u>378,788</u>
Total FY '24-25	16	\$	6,470,829		5	\$ 2,150,160

ITEM NO. D-2

[illegible]

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

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

RECOMMENDED MOTION/ACTION

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

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Abbey, Michael K., Jr.	7505, Waiohuli	NTE \$178,000 @4% interest per annum, NTE \$850 monthly, repayable over 30 years.

Loan Purpose: Refinance Advance No. 18800 due to financial hardship. Original advance amount of \$187,732 @6.5% per annum. A Contested Case Hearing for this account was held on June 24, 2014.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	10	\$ 723,400
Prior Months	1	125,050
This Month	<u>1</u>	<u>178,000</u>
Total FY '24-'25	2	\$ 303,050

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	3	\$ 1,345,825
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-



<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	3	\$ 729,000
Prior Months	1	121,000
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	1	\$ 121,000

<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	1	\$ 10,000
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Jeremy Caneso-Bantolina, Application Branch Manager 
Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

CASTRO, Avislynn I.	03/02/2021	HAWAII	AGR	12/06/2024
KAHOOHULI, John K., Jr.	06/28/2023	HAWAII	PAS	01/02/2025

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CASTRO, Avislynn I.	03/02/2021	HAWAII	RES	12/06/2024
Kahoohuli, John K., Jr.	06/28/2023	HAWAII	RES	01/02/2025

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

ALAPAI, Westly K.	07/21/2014	MAUI	RES	02/10/2025
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7. Additional Acreage

HAWAII ISLANDWIDE PASTORAL LEASE LIST

KALAWAIANUI, William P.	Transferred Pastoral Lease Assignment #2667, Lot #3 in Kamoku, Hawaii dated 04/12/2005. Remove associated application dated 10/21/1985.
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8. HHC Adjustments

NONE FOR SUBMITTAL


Last Month's Transaction Total	16
Last Month's Cumulative FY 2024-2025 Transaction Total	637
Transfers from Island to Island	5
Deceased	0
Cancellations:	
Awards of Leases	3
NHQ	0
Voluntary Cancellations	0
Successorship	0
Additional Acreage	1
HHC Adjustments	0
This Month's Transaction Total	9
This Month's Cumulative FY 2024-2025 Transaction Total	646


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Jeremy Caneso-Bantolina, Application Branch Manager 
Homestead Services Division

SUBJECT: **Approval to Certify Applications of Qualified Applicants
for the month of April 2025**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of April 2025. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

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

NANAKULI AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

TAYLOR, Helene K. 02/23/1962

PAPAKOLEA / KEWALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KEALOHA, Joseph D. 12/05/1961

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

PERALTO, Leon	08/10/1959
MEDEIROS, Elizabeth M.	11/30/1961
KAAIHUE, Louise L.	01/22/1963
SUMIDA, Curtis	03/10/1972
KAAIAKALA, Louis N., Jr.	06/10/1968
KON, Clarence Jr.	03/13/1972
LOPEZ, Frank	05/19/1972
SAKUMA, Steffany	05/30/1973
KEALOHA, Frank	06/25/1973
PASCAL, Daniel K., Sr.	04/04/1974
MERSEBURGH, Katherine	06/10/1974

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

KEKOOLANI, Charles P.	11/18/1997
LUM KING, Wendy J.	11/12/2024
KAHALEWAI, Doreen L.	11/20/2024
LAIMANA, Jordan K.K.	12/11/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAHALA, Jo-Line	08/14/1978
KEKOOLANI, Charles P.	11/18/1997
CARVALHO, Ioane K.	11/08/2024
LUM KING, Wendy J.	11/12/2024
OPIANA-GLASS, Dorcas U.	11/13/2024
KAHALEWAI, Doreen L.	11/20/2024
FLORES-SANTIAGO, Raymond R.K.K.	12/06/2024

NOA, Karl W.	12/10/2024
LAIMANA, Jerrick J.K.	12/11/2024
LAIMANA, Jordan K.K.	12/11/2024
LAIMANA, Jarom H.K.	12/11/2024
KANEAKALAU, Melita Eleanor K.	12/30/2024

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

HOSE, Howard N.	09/20/2024
PALEKA, Kahilikuikalai L.J.	09/24/2024
CARVALHO, Ioane K.	11/08/2024
FREITAS, Robert K., III	12/06/2024
FLORES-SANTIAGO, Raymond R.K.K.	12/06/2024
LAIMANA, Jerrick J.K.	12/11/2024
LAIMANA, Jershon S.K.	12/11/2024
LAIMANA, Jarom H.K.	12/11/2024
AHUNA, Dayne H.L.K.	12/12/2024
KAJIYAMA, Miles Y., Jr.	01/06/2025
AKAU, Rory K.	01/06/2025
LEIALOHA, Ryan C.H.	01/09/2025

HAWAII ISLANDWIDE PASTORAL LEASE LIST

YOUNG, Kaniaala A.	09/20/2024
WATTS, Micah K.	11/12/2024
KAUHI, Sienna H.K.	12/31/2024

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

HOSE, Howard N.	09/20/2024
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YOUNG, Kaniaala A.	09/20/2024
PALEKA, Kahilikuikalai L.J.	09/24/2024
WATTS, Micah K.	11/12/2024
FREITAS, Robert K., III	12/06/2024
LAIMANA, Jershon S.K.	12/11/2024
KAJIYAMA, Miles Y., Jr.	01/06/2025
AKAU, Rory K.	01/06/2025

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

AHUNA, Dayne H.L.K.	12/12/2024
KAUHI, Sienna H.K.	12/31/2024

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

BAILY, Raene D.	07/11/1994
KAAHANUI, Stasia K.M.	01/03/2025
LANGINBELIK, Aji E.P.	01/06/2025

MOLOKAI ISLANDWIDE PASTORAL LEASE LIST

KAAHANUI, Aaliyah K.P.	11/08/2024
MOLLENA, Wendel I.K.	11/08/2024



MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

BAILY, Raene D.	07/11/1994
KAAHANUI, Aaliyah K.P.	11/08/2024
MOLLENA, Wendel I.K.	11/08/2024
KAAHANUI, Stasia K.M.	01/03/2025
LANGINBELIK, Aji E.P.	01/06/2025

Previous Cumulative Total for Current FY	489
Current Month's Total	64
Fiscal Year Total: July 2024-June 2025	553

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Jeremy Caneso-Bantolina, Application Branch Manager 
Application Branch, Homestead Services Division
SUBJECT: **Reinstatement of Deferred Application**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

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

The following applicants were deferred and has since contacted the department with updated information:

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

<u>APPLICANT</u>	<u>APPLICATION DATE</u>	<u>HHC ACTION TO DEFER</u>	<u>CONTACT DATE WITH DEPARTMENT</u>
TERRY, Lorna K.	03/01/1967	09/26/1995	04/21/2025

Previous Cumulative Total for Current FY	9
Current Month's Total	1
Fiscal Year Total: July 2024-June 2025	10


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division

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

SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

2. To approve and accept that the transferees are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.

DISCUSSION

Thirteen (13) assignments of lease.

1. Lessee Name: Elaine H. Gist
Res. Lease No. 12955, Lot No. 48
Lease Date: 9/10/2021
Area: Kauluokahai, Oahu
Property Sold & Amount: Yes, \$510,000.00
Improvements: 4 bedroom, 3-1/2 bath dwelling

Transferee Name: Keanu C. Gist
Relationship: Daughter
Loan Assumption: No
Applicant: No

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

2. Lessee Name: Dellas H. A. Kaheaku
Res. Lease No. 11860, Lot No. 18667
Lease Date: 12/13/2008
Area: Kanehili, Oahu
Property Sold & Amount: Yes, \$250,000.00
Improvements: 4 bedroom, 3 bath dwelling
- Transferee Name: Kainoa K. S. Kaheaku-Enhada
Relationship: Son
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.
3. Lessee Name: Clint I. Kaiwi
Res. Lease No. 7458, Lot No. 5
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$358,824.05
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Doni-Jay K. K. Poouahi
Relationship: None
Loan Assumption: No
Applicant: Yes, Maui IW Res., 03/22/2019
- Reason for Transfer: "Selling house." Special Condition: Transferee to obtain funds to pay purchase price.
4. Lessee Name: Kalena K. Kila
Res. Lease No. 10225, Lot No. 2
Lease Date: 11/6/2008
Area: Nanakuli, Oahu,
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling
- Transferee Name: Glen M. Kila
Relationship: Father
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 02/14/2012
- Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Chevell K. I. Mahuka
Res. Lease No. 1789, Lot No. 324
Lease Date: 1/27/1947
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$115,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Arthor L. Beaver
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 03/04/2010

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

6. Lessee Name: Leif K. Mokuahi
Res. Lease No. 2518, Lot No. 90
Lease Date: 1/22/1951
Area: Kewalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Leif K. Mokuahi & Krystal H. Mokuahi
Relationship: Lessee & Daughter
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/22/2022 (Krystal)

Reason for Transfer: "Financial reasons."

7. Lessee Name: Clyde K. Mole
Res. Lease No. 410, Lot No. 181
Lease Date: 11/24/1930
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$50,000.00
Improvements: 4 bedroom, 1-1/2 bath dwelling

Transferee Name: Herbert N. Bright
Relationship: None
Loan Assumption: No
Applicant: No

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

8. Lessee Name: Dwayne L. Pakaki
Res. Lease No. 8492, Lot No. 202
Lease Date: 11/1/1995
Area: PKE, Oahu
Property Sold & Amount: Yes, \$555,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Leihalia S. K. Emmsley
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 5/22/2019
- Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase price.
9. Lessee Name: Mervyn K. Rickard
Pas. Lease No. 7992, Lot No. 17
Lease Date: 2/1/1991
Area: Puukapu, Hawaii
Property Sold & Amount: Yes, \$230,000.00
Improvements: Fencing all 4 sides, with a gate.
- Transferee Name: Albert Cummings, IV
Relationship: None
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Financial reasons." Special
Condition: Transferee to obtain funds to pay purchase price.
10. Lessee Name: Edward C. Cashman
Res. Lease No. 13092, Lot No. 65
Lease Date: To be determined
Area: Puuhona, Maui
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Lee A. Cashman
Relationship: Brother
Loan Assumption: No
Applicant: Yes, Maui IW Res., 02/05/2014
- Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.

11. Lessee Name: Lee A. Cashman
 Res. Lease No. 13092, Lot No. 65
 Lease Date: To be determined
 Area: Puuhona, Maui
 Property Sold & Amount: No, N/A
 Improvements: None
- Transferee Name: Kekoa J. Cashman
 Relationship: Son
 Loan Assumption: No
 Applicant: No
- Reason for Transfer: "Giving lease to relative."
12. Lessee Name: Samuel K. Kaeo
 Res. Lease No. 13115, Lot No. 38
 Lease Date: To be determined
 Area: Puuhona, Maui
 Property Sold & Amount: No, N/A
 Improvements: None
- Transferee Name: Kailana K.M.K. Kaeo
 Relationship: Granddaughter
 Loan Assumption: No
 Applicant: No
- Reason for Transfer: "Giving lease to relative."
13. Lessee Name: Solomon K. Perry, Jr.
 Agr. Lease No. 13039, Lot No. 185-L
 Lease Date: 9/7/2023
 Area: Panaewa, Hawaii
 Property Sold & Amount: No, N/A
 Improvements: None
- Transferee Name: Maile-Lauliilii K. W. Nihipali
 Relationship: Daughter
 Loan Assumption: No
 Applicant: No
- Reason for Transfer: "Giving lease to relative"


Assignments for the Month of May `25	13
Previous FY '24 - '25 balance	<u>157</u>
FY '24 - '25 total to date	170
Assignments for FY '23 - '24	107


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division 

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

SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendments of the leasehold interests listed below.

DISCUSSION

Four (4) amendments of lease.

1. Lessee: Eno Gerard
Agr. Lease No.: 6417
Lot No., Area, Island: 16, Makuu, Hawaii
Amendment: To amend the lease to update the property description and commencement date. (Successorship)

2. Lessee: Gabriel K. Kaneakua
Res. Lease No.: 4096
Lot No., Area, Island: 22, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, to update the property description and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)

3. Lessee: Andrew J. S. Kauanoë
 Res. Lease No.: 4076
 Lot No., Area, Island: 11, Waimanalo, Oahu
 Amendment: To amend the lease title and to
 update the property description.
 (Amendment)

4. Lessee: Albert Joseph Kelson
 Res. Lease No.: 3304
 Lot No., Area, Island: 57, Waiakea, Hawaii
 Amendment: To amend the lease title and
 lessor's name, to update the
 property description, to
 incorporate the currently used
 terms, conditions, and covenants to
 the lease, and to extend the lease
 term to an aggregate term of 199
 years. (Successorship)


Amendments for the Month of May '25	4
Previous FY '24 - '25 balance	<u>106</u>
FY '24 - '25 total to date	110
 Amendments for FY '23 - '24	 66


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

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

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee can not issue his/her own licenses.

DISCUSSION

Fourteen (14) non-exclusive licenses.

1. Lessee: Ronald K. Asuncion
Res. Lease No.: 12220
Lot No., Area, Island: 45, Waiehu 4, Maui
Permittee: Sunrun Installation Services, Inc.

2. Lessee: Patricia C. L. Hanohano
Res. Lease No.: 8892
Lot No., Area, Island: 3, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.
3. Lessee: Eloise V. Holskil
Res. Lease No.: 8190
Lot No., Area, Island: 61, Waianae, Oahu
Permittee: Sunrun Installation Services, Inc.
4. Lessee: John H. Iopa, Jr
Res. Lease No.: 4063
Lot No., Area, Island: 85, Waiakea, Hawaii
Permittee: Sunrun Installation Services, Inc.
5. Lessee: Samuel H. Kalawa, Jr
Res. Lease No.: 8159
Lot No., Area, Island: 29, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.
6. Lessee: Wilmagay N. Kaopuiki-Heen
Res. Lease No.: 2007
Lot No., Area, Island: 87, Kewalo, Oahu
Permittee: Sunrun Installation Services, Inc.
7. Lessee: Cranston K. Kapoi
Res. Lease No.: 10050
Lot No., Area, Island: 21, Waiehu 3, Maui
Permittee: Sunrun Installation Services, Inc.
8. Lessee: Michael Roland Lindsey
Res. Lease No.: 3638
Lot No., Area, Island: 68, Waimanalo, Oahu
Permittee: Sunrun Installation Services, Inc.
9. Lessee: Michael K. Miller
Res. Lease No.: 9396
Lot No., Area, Island: 83, Kaniohale, Hawaii
Permittee: Sunrun Installation Services, Inc.

10. Lessee: Irene M. Neal
Res. Lease No.: 12277
Lot No., Area, Island: 7, Waiehu 4, Maui
Permittee: Sunrun Installation Services, Inc.

11. Lessee: Dwayne L. Pakaki
Res. Lease No.: 8492
Lot No., Area, Island: 202, PKE, Oahu
Permittee: Sunrun Installation Services, Inc.

12. Lessee: Stephen K. Ripani
Res. Lease No.: 10283
Lot No., Area, Island: 69, Waiohuli, Maui
Permittee: Sunrun Installation Services, Inc.

13. Lessee: Vaughn E. L. Victor
Res. Lease No.: 2624
Lot No., Area, Island: 27-A, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.

14. Lessee: Testa Ned N. Waikiki
Res. Lease No.: 12089
Lot No., Area, Island: 17005, Kaupea, Oahu
Permittee: Sunrun Installation Services, Inc.


Non-Exclusive License for the Month of May '25	14
Previous FY '24 - '25 balance	<u>140</u>
FY '24 - '25 total to date	154
Non-Exclusive License for FY '23 - '24	279


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: James W. Du Pont, District Operations Manager 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
LANAKILA REDO KAAUAMO, Residential Lease No. 10586,
Lot No. UNDV289, Waiohuli, Maui**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Irmagard Nalani Kaauamo (Irmagard) as successor to Residential Lease No. 10586, Lot No. UNDV289, Waiohuli, Maui (Lease), for the remaining term of the Lease;

2. To approve and accept that Irmagard is of not less than the required 50% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

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

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

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

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

DISCUSSION

Lanakila Redo Kaauamo (Decedent) received the Lease by way of an Exchange of Leases and Consent dated September 16, 2005.

On April 22, 2023, the Decedent passed away. The Department received his death certificate on September 6, 2023.

The Decedent did not name an eligible successor to the subject lease prior to his passing.

Accordingly, pursuant to Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, Hawaii Tribune Herald, West Hawaii Today, Maui News, and The Garden Island newspapers on June 6, 13, 20, and 27, 2024, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

On June 21, 2024, the Department received a successorship claim from the Decedent's mother, Irmagard Nalani Kaauamo, who was determined to be of at least 75% Hawaiian ancestry and is thus eligible for successorship to the Lease.

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

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

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

The lease rent account reports a credit balance of \$78.00.


The Department requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: James W. Du Pont, District Operations Manager 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
NORMAN K. VIELA, Residential Lease No. 3508,
Lot No. 36, Paukukalo, Maui**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Norma Jean K. Viela Verzosa (Norma Jean) as successor to Residential Lease No. 3508, Lot No. 36, Paukukalo, Maui (Lease), for the remaining term of the Lease;

2. To approve and accept that Norma Jean is of not less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

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

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

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

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

6. To amend the lease title, to update the property description, to incorporate the currently used terms, conditions, covenants, and conditions to the lease, and to extend the lease terms to an aggregate term of 199 years.

DISCUSSION

Norman K. Viela (Decedent) received the original lease award dated September 27, 1963.

The decedent named his wife, Jerry Jean L. Viela, as successor to his lease by way of Designation of Successor to Hawaiian Home Lands Homestead Lease form dated June 28, 1965.

On September 24, 2021, Jerry Jean L. Viela passed away. After his wife's passing, the Decedent did not designate another successor to his lease. The Department did not receive her death certificate until August 7, 2024.

On September 30, 2023, the Decedent passed away. The Department received his death certificate on December 20, 2024.

Accordingly, pursuant to Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, Hawaii Tribune Herald, West Hawaii Today, Maui News, and The Garden Island newspapers on December 11, 18, 25, and 31, 2024, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

On December 20, 2024, the Department received a successorship claim from the Decedent's daughter, Norma Jean K. Viela Verzosa, who was determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the Lease.

Norma Jean K. Viela Verzosa was the sole respondent to the Department's public notice.

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

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

Improvements to the homestead lot consist of a 4-bedroom and 2-bath, single-family dwelling, which was constructed in 1985.

There is an existing loan issued by Nationstar Mortgage, LLC dated April 30, 2008, in the original amount of \$145,320. The balance owing as of September 30, 2024, is \$98,128.13. Norma Jean has been paying the loan. The lender has agreed to allow her to assume the loan.

There is a past due balance of \$12.00 for the lease rent. Norma Jean has agreed to pay the lease rent at the time of lease signing.

Real property taxes are paid current.


The Department requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: James W. Du Pont, District Operations Manager 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
QUIRIN B.K. SALVADOR, Residential Lease No. 10396,
Lot No. UNDV099, Waiohuli, Maui**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Luana M. Paris (Luana) as successor to Residential Lease No. 10396, Lot No. UNDV099, Waiohuli, Maui (Lease), for the remaining term of the Lease;

2. To approve and accept that Luana is of not less than the required 50% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

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

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

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

department is authorized to lease the land to a native Hawaiian as provided by the Act.”

DISCUSSION

Quirin B.K. Salvador (Decedent) received the Lease by way of an Assignment of Lease and Consent dated November 22, 2017.

On September 17, 2022, the Decedent passed away and the Department received his death certificate on June 10, 2024.

The Decedent did not name an eligible successor to the subject lease prior to his passing.

Accordingly, pursuant to Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, Hawaii Tribune Herald, West Hawaii Today, Maui News, and The Garden Island newspapers on June 6, 13, 20, and 27, 2024, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

On June 10, 2024, the Department received a successorship claim from the Decedent’s sister, Luana M. Paris, who was determined to be of at least 50% Hawaiian ancestry and is thus eligible for successorship to the Lease.

Luana M. Paris was the sole respondent to the Department’s public notice.

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

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

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

The lease rent account reports a credit balance of \$78.00.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division 

FROM: David Bush, Acting District Supervisor
Molokai District Office
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
PUNAHELE, Pearl Momi, Agricultural Lease No.160,
Lot No.50, Hoolehua, Molokai**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Beaudyboy Kawehionamokumanukaleookaiwa Punahale Jr. (Beaudyboy) as successor to Agricultural Lease No.160, Lot No. 50, Hoolehua, Molokai (Lease) for the remaining term of the Lease;

2. To approve and accept that Beaudyboy is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

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

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

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

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

6. To amend the lease title and Lessors' name, to update the property description to incorporate the currently used terms, covenants, and conditions to the lease.

DISCUSSION

Pearl Momi Punahele (Decedent) received the Lease through successorship from her mother, Mercy Marcellino, November 5, 1992, and commencing on June 13, 1925.

On January 14, 2023, the Decedent passed away without having filed a valid designation of successor with the Department.

In compliance with Administrative Rule 10-3-63, the department published legal notices in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and the Garden Island newspapers on December 11, 18, 25, and 31, 2024, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

On January 2, 2025, the Department received a successorship claim from the Decedent's niece, Dorcas M. Fo (Dorcus), who has been determined to be of at least 50% Hawaiian ancestry and is thus eligible for successorship to the lease.

On March 7, 2025, the Department received a successorship claim from the Decedent's son, Beaudyboy, who has been determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the lease.

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

1. Husband or wife; or
2. If there is no husband or wife, then the children;
or
3. If there is no husband, wife, or child, then the grandchildren; or

4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and As the child of the Decedent, Beadyboy, has the highest priority to succeed to the lease hold interest. Should Beadyboy not succeed to the leasehold interest, Dorcus's successorship claim shall subsequently be considered.

Improvements to the homestead lot consist of a 3-bedroom and 1-bath home. The lease rent account is in arrears in the amount of \$21. The water utility charges to the Department is in arrears in the amount of \$1,532.00 and County of Maui real property taxes is arrears in the amount of \$37,256.56. The County of Maui real property tax assessment value the home at \$216,700. As of April 2025, there is no outstanding mortgage. Beadyboy is aware of the outstanding debts.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator *JG*
Homestead Services Division

THROUGH: James Du Pont, District Office Operations Manager *JD*
Homestead Services Division

FROM: Bryan Jeremiah, EHDO District Supervisor BJ
Homestead Services Division

SUBJECT: Request for Extension of Deadline to Sign
Successorship Documents - MARIE KELSON, Residential
Lease No. 3304, Lot No. 57, Waiakea, Hawaii

RECOMMENDED MOTION/ACTION

To approve the **extension** of the Deadline for Albert Joseph Kelson ("Albert") to sign that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; on or before **July 31, 2025**.

DISCUSSION

The Commission approved Albert as successor to Residential Lease No. 3304, Lot No. 57, Waiakea, Hawaii (Lease), for the remaining term of the Lease. See Exhibit A.

Albert did not sign the aforementioned documents on or before the Deadline of December 31, 2024. The Department is requesting an extension of the Deadline to **July 31, 2025**.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 21, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

THROUGH: James Du Pont, Homestead District Supervisor II *James W. Du Pont*
Homestead Services Division

FROM: Bryan Jeremiah, EHDO District Supervisor Bryan Jeremiah
Homestead Services Division Bryan Jeremiah (Oct 9, 2024 12:47 HST)

SUBJECT: **Commission Designation of Successor - Marie Kelson,
Residential Lease No. 3304, Lot No. 57, Waiakea, Hawaii**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Albert Joseph Kelson (Albert) as successor to Residential Lease No. 3304, Lot No. 57, Waiakea, Hawaii (Lease) for the remaining term of the Lease;

2. To approve and accept that Albert is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

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

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

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

ITEM NO. D-14

ITEM NO. D-14

EXHIBIT A

DISCUSSION

Marie Kelson (Decedent) received the Lease by way of an Assignment of Lease and Consent on January 23, 1968.

On June 15, 2023, the Decedent passed away without naming a successor to her lease.

On August 3, 2023, the Department received the decedent's death certificate.

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

The Department received a successorship claim from the Decedent's spouse, Albert Joseph Kelson (Albert), who has been determined to be of at least 25% Hawaiian ancestry and eligible for successorship to the Lease.

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

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

Improvements to the homestead lot consist of a 3-bedroom and 1-bath, single-family dwelling, which was constructed in 1966. Albert is presently living in the house.

There are no outstanding loans, and the real property tax and lease rent account are current.

The Department requests approval of its recommendation.


Hawaiian Homes Commission Meeting Packet
May 19 & 20, 2025
Sheraton Kauai Resort, Kauai, Hawai'i

E ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

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

FROM: Michelle Hitzeman, Acting Housing Project Branch Manager
Land Development Division, Housing Project Branch

SUBJECT: Approval of Lease Award - Ka'uluokaha'i Subdivision Increments IID, E & F
Residential Project Lease – Ewa Beach, Oahu

RECOMMENDED MOTION/ACTION

To approve the award of Department of Hawaiian Home Lands Residential Project Lease for the Ka'uluokaha'i Subdivision Increments IID, E & F to the applicants listed below for 99 years.

DISCUSSION


Ka'uluokaha'i Subdivision Increments IID, E & F – Residential Project Lease – Ewa Beach, Oahu

<u>NAME</u>	<u>APPL DATE</u>	<u>LEASE NO</u>
KARLA K. KELIIHOOMALU	6/14/1982	15584
CANDY LUNA	1/10/2002	15527
KATRINA M MARFIL	1/8/2003	15585
ROBERT MEACHAM	11/8/2000	15428
DERRICK L.K. PELEKAI	4/18/1983	15086
DAVID TEO	10/8/1998	15329
WILLIAM L YIN	10/23/1996	15295

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

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

FROM: Michelle Hitzeman, Housing Project Branch Manager
Land Development Division, Housing Project Branch

SUBJECT: Approval of Lease Award - Pu'uhona Subdivision Phase 2- Residential Project Lease
Waikapū, Maui

RECOMMENDED MOTION/ACTION

To approve the award of Department of Hawaiian Home Lands Residential Project Lease for the Pu'uhona Subdivision Phase 2 to the applicants listed below for 99 years.

DISCUSSION

Pu'uhona Subdivision Residential Offering – Phase 2 Waikapū, Maui

<u>NAME</u>	<u>APPL DATE</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
MARTIN L AIKALA	2/26/1964	(2) 3-5-002:002	13196
NORMAN P AKIONA	10/11/1976	(2) 3-5-002:002	13199
JOSEPH AKIU JR	8/4/1986	(2) 3-5-002:002	13208
MARY LOU ALO	5/8/1987	(2) 3-5-002:002	13210
JAMES M AWAI	6/13/2005	(2) 3-5-002:002	13237
GLENDA M.N. BACOS	10/14/1986	(2) 3-5-002:002	13209
HYDELENE K BATSON	6/14/2004	(2) 3-5-002:002	13229
RALPH L BAUTISTA JR	11/2/2006	(2) 3-5-002:002	13248
SHERON L BISSEN	1/29/1998	(2) 3-5-002:002	13216
MILDRED E BRIGHT	9/15/2006	(2) 3-5-002:002	13247
KEVIN K BUSH	1/27/2003	(2) 3-5-002:002	13223
CORA LEE K CAMARILLO	8/3/2006	(2) 3-5-002:002	13246
CONSTANCE I CARDOZA	6/28/2006	(2) 3-5-002:002	13244
ROBERT L CARROLL	4/7/1978	(2) 3-5-002:002	13200
JAMMIE K CHONG	4/24/1973	(2) 3-5-002:002	13197
DOLORES CHRISTOPHERSEN	6/17/2008	(2) 3-5-002:002	13256
MARIAN L DEMELLO	1/26/1988	(2) 3-5-002:002	13211
SHELDEAN A DUDOIT	1/16/2003	(2) 3-5-002:002	13222
RANDY G FERNANDEZ	5/22/1986	(2) 3-5-002:002	13206


NADINE K FUKUSHIMA	5/7/2007	(2) 3-5-002:002	13251
DONALD A GARCIA	10/24/2000	(2) 3-5-002:002	13217
SHERRINE P GARCIA	9/4/2008	(2) 3-5-002:002	13258
GALE E GOO	10/27/2004	(2) 3-5-002:002	13230
KANANI M SANTANA-KOANUI	7/9/2009	(2) 3-5-002:002	13205
SHARAY K HO	5/4/2004	(2) 3-5-002:002	13228
DAVID K HOOPAI	2/14/2001	(2) 3-5-002:002	13218
MARK F KAAA	5/18/2009	(2) 3-5-002:002	13260
TINA LEI KAHA	9/19/2005	(2) 3-5-002:002	13239
RONELLE P KAHUHU	3/14/2005	(2) 3-5-002:002	13233
CHARLES M KAILI III	5/27/1986	(2) 3-5-002:002	13207
GORDON KEOKI KALA	10/12/2005	(2) 3-5-002:002	13240
BRUCE K KALAMA	3/7/2001	(2) 3-5-002:002	13219
JONATHAN P KAONOHU	5/6/1961	(2) 3-5-002:002	13195
WILLIAM S.K.H. KAUHOLA	7/11/2005	(2) 3-5-002:002	13238
JUNIUS K KAUINANA	10/10/2002	(2) 3-5-002:002	13221
MAILE J KAWAAKOA	3/24/1988	(2) 3-5-002:002	13212
MYNETTE M.A. KAWAHA	11/27/1995	(2) 3-5-002:002	13215
GERALDINE N KEAHI	5/16/2005	(2) 3-5-002:002	13235
CHEYENNE M KEKONA	12/12/2005	(2) 3-5-002:002	13242
DESIREE U.L.H. KIAHA	5/22/2007	(2) 3-5-002:002	13252
DAVID K.L. KOA III	4/4/2007	(2) 3-5-002:002	13250
TANYA A KUAILANI	2/24/2005	(2) 3-5-002:002	13232
DAVID K KUAMOO	8/2/2007	(2) 3-5-002:002	13254
KAWAILEHUA S KULUHIWA	1/6/2005	(2) 3-5-002:002	13231
NAOMI S.U.L.N. LANDGRAF	2/4/1983	(2) 3-5-002:002	13202
JAMES K LOTA	5/5/2009	(2) 3-5-002:002	13259
IVANHOE L MATHIAS	5/20/2005	(2) 3-5-002:002	13236
ROCKNE K.T. MATSUDA	3/2/2004	(2) 3-5-002:002	13226
SAMSON K MAWAE	4/21/2004	(2) 3-5-002:002	13227
SARAH M NAKIHEI	1/24/1984	(2) 3-5-002:002	13203
HIRAM KALEINANI OLSEN	6/20/2008	(2) 3-5-002:002	13257
LACEY J.L.U.K. PAIKAI	3/1/2007	(2) 3-5-002:002	13249
CAROLANN K PALAFOX	4/29/1986	(2) 3-5-002:002	13204
CLOTHILDA P PAOA	2/23/2006	(2) 3-5-002:002	13243
AUGUSTINE A PONCE	6/26/1980	(2) 3-5-002:002	13201
ROBERT A ROBINS JR	5/28/1991	(2) 3-5-002:002	13214
REGINA L SAFFERY	9/5/2002	(2) 3-5-002:002	13220
TRACY E.K. SPENCER	7/21/2006	(2) 3-5-002:002	13245
WAIPUILANI TAMAYOSE	6/18/2007	(2) 3-5-002:002	13253
VIVIAN A TIANIO	7/27/1976	(2) 3-5-002:002	13198
PAMELA K.P. TOM	3/24/2005	(2) 3-5-002:002	13234
BRANDON I UWEKOOLANI	5/22/2008	(2) 3-5-002:002	13255
ALVIN K VEGAS	8/13/2003	(2) 3-5-002:002	13224

MARILYN K WALLACE	5/26/1989	(2) 3-5-002:002	13213
ELLAREEN U WRIGHT	12/16/2003	(2) 3-5-002:002	13225
JOSEPH H YOUNG	11/3/2005	(2) 3-5-002:002	13241

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

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

FROM: Michelle Hitzeman, Acting Housing Project Branch Manager
Land Development Division, Housing Project Branch

SUBJECT: Approval of Lease Award - Kawaihae Subdivision – Residential Project Lease –
Kawaihae, Hawai‘i

RECOMMENDED MOTION/ACTION

To approve the award of Department of Hawaiian Home Lands Residential Project Lease for the Kawaihae Subdivision to the applicants listed below for 99 years.

DISCUSSION

Kawaihae Subdivision – Residential Project Lease – Kawaihae, Hawai‘i

<u>NAME</u>	<u>APPL DATE</u>	<u>LEASE NO</u>
JULIETTE K ANDRADE	6/19/1975	15667
WALTER CHO JR	7/28/1986	15700
BEVERLY W.P. CRUMB	8/8/1986	15706
CHARMAINE DAVIS	12/4/1979	15674
HENRY P DELA CRUZ	12/13/1978	15672
RAMONA M FERREIRA	2/5/1986	15692
ALTON S HOOPER SR	11/2/1978	15671
SHERYL ANN W IONA	9/12/1983	15683
BRIDGET E ISEKE	1/14/1985	15688
HENRY W KANAHELE	9/5/1978	15670
KAWAILANI K KUIKAHI	6/23/1986	15701
EUGENE LEHANO	11/19/1981	15681
ELMO K LINCOLN	2/19/1985	15684
REX D.E.K. LIVINGSTON	7/15/1986	15703
VERONICA K LYMAN	3/10/1983	15689
MICHAEL C.K.T. MATSU	5/21/1986	15696
JESSIE K OGUMA-MILLER	7/9/1985	15686
CHARLOTTE K RODRIGUES	8/2/1985	15690
MAY L ROSS	9/16/1980	15680


BARNEY J SCHUTTE
JEROME SCHWEITZER
JAMES R THORNTON

4/21/1980
2/19/1986
5/6/1986

15677
15693
15695

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

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

FROM: Michelle Hitzeman, Acting Housing Project Branch Manager
Land Development Division, Housing Project Branch

SUBJECT: Approval of Lease Award - La`i 'Ōpua Villages 1 & 2 Subdivision – Residential Project
Lease – Kailua-Kona, Hawai‘i

RECOMMENDED MOTION/ACTION

To approve the award of Department of Hawaiian Home Lands Residential Project Lease for the La`i 'Ōpua Villages 1 & 2 Subdivision to the applicants listed below for 99 years.

DISCUSSION

La`i 'Ōpua Villages 1 & 2 Subdivision – Residential Project Lease – Kailua-Kona, Hawai‘i

<u>NAME</u>	<u>APPL DATE</u>	<u>LEASE NO</u>
MINERVA L.K. AANA	4/29/1999	15777
AUDREY K ADAMS	4/28/2000	15785
JUANITA J AGANUS	8/4/1989	15728
WALTER K AH MOW III	9/16/1997	15771
ELIJAH AH SING	1/17/2002	15790
FRANK P AH TOU	10/1/2010	15853
KAELAH N.A. AHUE	3/1/2023	15912
TAMMY J AIONA	1/9/2002	15786
OWEN L AIONA	8/3/2023	15898
CHERYLYNN K.K.M. AIPIA	8/24/2005	15833
LOKAHI K AIPIA	8/24/2005	15832
FRANCIS K AKAO	4/22/2009	15970
SIDNEY C AKI	10/16/2002	15792
ELENA K ALAPAI	9/20/1990	15735
HEATHER P ALAPAI	5/18/2005	15820
TWIGHLA K ALAPAI	3/18/2008	15821
CORWIN D.K. ALAPAI	10/1/2008	15969
WILLIAM T ALAPAI	8/29/2016	16000
LENORA L ALEJO	10/26/2005	15823

ITEM E-4

MADELINE K ALEXANDER	1/5/2017	15939
JEREMIAH ALIP	7/26/1979	15673
DWAYNE ALIP	7/7/1986	15699
TED E ALIP	11/28/2016	15862
PATSY M ANAKALEA	4/23/2014	15881
JAMES M ANAKALEA	2/14/2018	15990
PETER H ANGELEO	1/25/2008	15848
DAVELYN I.L.P. ANIU	6/25/2018	15901
GEORGE D.P. AUKAI	2/18/1963	15666
KIALANIKUMANA M AVEIRO-KALANIOPIO	8/12/2014	15879
KULIAMAI W AVEIRO-KALANIOPIO	8/12/2014	15857
WENDY K AWAI-DAKROUB	2/26/2021	15960
DESIREE K AWONG	12/20/2021	16025
DAVELYN F BARIDO	10/5/1998	15773
VINCENT K BELL	3/30/2010	15855
STARLITE N BELL-KAOPUIKI	5/31/2006	15878
EDDI-ANN K BELL-KAOPUIKI	7/20/2020	15880
SHONNA R.N. BEN CHRAIET	12/21/1999	15778
ARMANDO F BLANCO JR	4/12/2006	15839
AVERY-SHANE BLANCO	5/17/2023	15959
MARY-ANN M BROWN	4/25/2022	16054
ELAINE P CAMARA	10/21/1988	15718
BERNADETTE L CANDA	6/12/2012	15982
HEIDIE L.K. CARIAGA	9/14/1990	15739
KRISTEN M.S.L. CASTRO	9/11/1995	15763
APRIL M CHAMBERLAIN	8/23/1990	15757
THOMAS K CHING	5/23/2018	15868
CHERYLNNE P CHING	6/30/2022	15947
COURTNEY M.N. CHO	10/12/2022	15915
TANIA CHRISTINE A CHO LAMEW	6/20/2022	15916
BEVLIE L CHONG	1/30/2002	15788
DARLENE I CHONG	6/23/2016	15887
AGNES P CHUNG HEE	12/29/1987	15722
UDELL K COLLEADO	1/6/1987	15709
JOSLYN D.M. CONRADT	12/8/1979	15675
GORDON H COSIER	7/23/2015	16055
ERIKA P.L.K.K.K. COSTALES	7/14/2021	15874
DANETTE L CRANE	2/19/2003	15800
GINA K DAVIS	10/12/1989	15731
ROBERTA M DAVIS	1/7/2021	15905
CHELSEY K DE SAGUN	9/15/2017	15897
YOLANDA J DEAN	4/29/1996	15769
ROXANNE L DELARIES	2/4/1999	15775
MARGARET ANN DELARIES	11/7/2005	15825
DIANA DIAS	6/6/2017	15988
WALTER M DIAZ	10/22/2010	15902

VANDA J DOMINGO	4/9/1987	15714
KEKAI K.G.K. DOW	12/13/2022	16020
GERALDINE L.A. EBANIZ	9/15/2004	15819
CAROL P EDMONDSON	11/2/1990	15900
HERMAN K ELDERTS	6/5/1995	15760
KEOLA G EMELIANO	4/7/1986	15697
BENJALINE DENISE K ENGLAND	11/18/1993	15756
ANGELA K ENGLE	5/21/1996	15767
HOLLIE O ENOS	10/24/2003	15808
BENJAMIN U ENOS	7/17/2007	15846
EMILY N ESTOY	9/20/2021	15875
DAWN K FERNANDEZ	10/4/2005	15824
NOELANI N FONG	6/27/2023	15913
GERIS K FREITAS	11/5/2021	15945
LORI ANN P FREITAS HIMALAYA	7/11/2012	15983
LEE ANN P FRIAS	1/27/2021	15997
CHERYLLEE K FUKUMITSU	11/3/2009	16050
TAYLOR D.K.K. FUKUMITSU	8/12/2020	15872
BRIANA N FUKUMITSU	11/13/2020	15995
KOEN A FUKUMITSU	11/18/2020	15873
DAVE E FURTADO	5/2/2006	15840
SHYLYNN K FURTADO	11/9/2021	16002
JOHNENE N GALEAI	8/8/2006	16026
MARILYN M GALLARDO	4/13/1987	15733
GWENDOLYN H GARBER	4/1/1996	15965
MATTHEW E GASPAR JR	4/12/2019	16023
JOSEPHINE M GOOLD	9/15/1989	15725
LOGAN L GOUVEIA	11/14/2022	16010
KEANI K GOUVEIA	11/14/2022	15955
GRACIE GRACE	1/11/1988	15717
JESSIE N GRACE	7/8/1991	15752
ROBYN P GRACE	10/15/2002	15795
WARREN K GRACE	12/8/2004	15811
NAPUALANI S HAALILIO	12/2/1996	15770
ELI V HALEAMAU	11/8/1993	15761
KAIVIN K HALEAMAU	5/13/2021	15871
DUANE K HANAKEAWE	7/8/1986	15702
DANIEL K.K. HANAKEAWE	4/22/2005	15815
JACOB K.O. HANO HANO	7/18/1990	15734
CHAD W HANO HANO	4/5/2004	15805
PAUL K HANO HANO	7/26/2005	15817
ROXANN P HAO	1/17/2006	16016
GERRY N.L. HARTWELL	6/2/2021	15944
WILLIAM C HING	11/2/2006	16030
JONATHAN K HOOMANAWANUI	6/27/2002	15793
SHAWNETTE K HOOPER	4/23/2015	16037
GWENDOLYN HUSTON	7/15/2020	15999

KAREN K ICHISHITA	10/6/2011	16040
LEIALOHA T ILAE-KALEIMAMAHU	3/6/2017	15889
LEE ANNE K IOKEPA	4/18/1991	15745
FRANCES M JACOBSON	6/26/1990	15753
SHANE K JOSE JR	10/26/2015	15827
CEWARDLEE N JUAN SR	3/17/1987	15914
KEOKI KAAI	6/2/2015	15858
LYNETTE K KAAWA	10/24/2006	16028
DANSETTA K KAAWA	6/21/2022	15951
BRENNEN N KAAWA	2/17/2023	16021
MAKAMAE K.A. KAE0-KOANUI	11/8/2023	15964
CASEY KAHAKAI	5/31/2023	15953
ADA KAHALEWAI	9/12/1980	15679
HENRIANN P KAHANANUI	9/13/2013	16033
JOSLYNN K KAHANANUI	2/9/2023	16012
JOSTEN K KAHANANUI	2/9/2023	16014
KAYLYNN KAHAULELIO	7/6/2016	16019
CARL L KAHAWAI	3/23/2010	15973
SHERMAN K KAHELE	9/7/2004	15812
MATTHEW M KAHOOPII	10/19/1990	15738
BRITTANY K KAHUMOKU	2/10/2012	16052
ISAAC K KAHUMOKU	4/4/2018	16053
ERIC KAI	4/19/2016	15861
MARSHIA M KAIAMAKINI	3/2/2016	15860
CHARLES F.K. KAILI JR	4/4/2006	15838
SHANE H KAILIMAI	8/21/1985	16041
BILLY JO KAILIMAI	9/9/1987	15716
AULDINE K KAINA	8/8/2023	15952
ZAZA K KALAHIKI	11/30/1993	15759
HILARY A.T.K. KALAHIKI-AULAUMEA	6/22/2023	15953
JULIA M KALEOHANO-JOSE	6/27/2005	15826
BRUCE K KALINO	2/22/1989	15719
FLORES L KALINO	1/4/2006	15834
JOSEPH K.O. KALUAU	1/21/2010	15892
SHARON K KALUAU-INGRAM	5/19/2021	16003
GEORGE K KALUNA	11/30/2007	15847
CHRISTINE M.H. KAMAKA	11/10/1997	15774
CANDY K KAMAKA	7/11/2023	16011
TERRY K KAMALAMALAMA JR	10/24/2011	15743
MARK P KAMOKU	8/18/2021	15909
ANGELINA K KAMOKU	8/18/2021	15910
KUUIPOMAKAMAE K KANAKAMAIIKAI	8/28/2014	15883
HILINAIKAMAKANA R.K. KANE	2/27/2020	15869
DAWN K KANEALII	2/19/2010	15851
DAVID K KANEHAILUA	9/22/2021	16004
GUY KANIHO	1/31/2005	15814
BEVERLY-ANN K KANOA	6/14/2017	15865

DEE JAY I KANOA	6/14/2017	15864
HAILEE K KAOLULO-GONZALES	2/12/2003	15796
KENNETH KIHEI KAPELIELA	4/5/2010	15854
DALE K KAPU	12/18/2020	15936
NATHAN L KAPULE	3/17/1976	15668
MIRIAM K KARRATTI	12/13/1989	15732
CRYSTAL KAUA	7/3/2013	15981
ABRAHAM K KAULIA IV	2/22/2022	15920
DAVID KAULIA JR	11/20/2006	16044
NOELANI KAUPIKO	5/14/1991	15744
WILFRED KAUPIKO	9/14/2005	15828
MELVEEN K.P. KAUPIKO	2/12/2014	16047
CHARLES MAHINA KAUPIKO	2/12/2014	16043
KAIMI N KAUPIKO	11/24/2020	15938
SHERMAN K KAUPU	12/28/2010	15977
KEALA R.K. KAUPU	4/23/2021	15998
AARON H KAUPU	8/23/2021	16005
SHAFTTON KAUPU-CABUAG	6/8/2000	15784
XAVIER K KAY-MALINA-SIMMONS	4/22/2022	16007
DANIEL KALAMA KEALOHA	11/14/1988	15720
ROSALIE K KEKAHUNA	11/10/1998	15781
SHELBY L KEKAULA	11/17/2005	15831
LORRAINE P KELIIHOLOKAI-AGUSTIN	1/28/2000	15779
MATTHEW LEE KEMA	11/1/2006	15844
SABR L.M.B. KENYATTA	8/21/2003	15806
HUALALAI K KEOHULOA	12/26/2013	15885
KUUIPO M KEOPUHIWA	4/17/2019	15993
NICOLE K.C. KEPANO	7/21/2003	15802
HERMAN K KIHE III	5/26/2021	15943
HERMAN K KIHE JR	12/15/2014	15859
HERMAN K KIHE SR	8/26/2021	15940
WAYNE K KIHE	5/1/2006	15842
JAMI K KIHE	8/23/2021	15942
STEPHANIE K KIHE	8/26/2021	15941
E.PENEKU KIHAI	2/4/2002	15797
E. LEINAALA KIHAI	6/6/2002	15798
JACQUELINE N KIMITETE	1/31/2017	16035
KURLYN H.S.K.K. KIPAPA	5/16/2016	15863
STACEY ANN H KOESTER	8/22/2002	15894
APRILIN M KOLII	10/4/2006	16027
ABRAHAM H KOLII	10/6/2006	16029
TIARE K KOLOWENA	1/2/1987	15713
FREDERICK P KONANUI JR	10/22/2004	15807
HOWARD KONANUI SR	3/29/2006	15836
FVINCENT P KONANUI	12/28/2021	15946
CHRISTOPHER M.P. KUA	5/20/1993	15755
KEHAUNANI K KUAMOO	3/8/2019	16049

BRONSON I KUANONI	4/21/2003	15911
HOLLY N KUEHU	8/3/2023	16013
JALINE-ALYSSA N.L. KUIKAHI-TAGACA	7/6/2021	15907
JACQUELINE-ANDREA KUIKAHI-TAGACA	7/6/2021	15906
JASON K KUNEWA	3/10/2023	15948
DONNIE K KUOHA	12/6/2005	15830
DESIREE P KUOHA-LOUIS	5/26/2010	15976
LENE K LABRADOR	5/2/2022	15950
AVON K LAGA	2/8/2012	15979
KEVALLE L LAINAHOLO	4/4/2006	15837
MEILYN H.A. LANNING	11/18/2021	15908
NADINE K LAPA	12/19/2001	15787
LATOYA L LASTIMOSA	4/4/2016	15986
LEILANI K LASTIMOSA	2/16/2021	15987
EVELYN K LEE	4/10/2003	15799
REGINALD V.K. LEE	2/1/2006	15835
JASON K LELEIWI	10/6/2008	15849
NAEA-KAIYA H LELEIWI	7/6/2023	16022
DONNA U LEONG-AGUON	8/20/1986	15704
LONO N LEOTA	10/15/2002	15794
ISAAC P LEWI JR	2/18/2022	15961
GEORGE K LIANA	4/6/2009	15968
FRED M LINDSEY JR	11/20/2006	15845
EDWIN KEAO LINDSEY JR	1/31/2007	16032
ANÍTA L LIVINGSTON	3/8/2007	15882
GINGER U LLANES	2/14/1991	15742
FRANCISCA LLANES	9/27/2006	16034
KAZAH K LUIS-KAHALIOUMI	3/21/2017	15891
HELEN O LUTA	5/20/2003	15801
WAYNETTE L.M. LUTZ	3/13/2023	15917
ROBIN ROSE L MACKENZIE	8/17/2022	16009
LYDIA MAHI	12/8/1979	15685
CYNTHIA A MAKAIWI	7/6/1995	15772
CHRISTIAN E MAKANEOLE	3/10/1995	15762
DORA H MANALO	11/29/2004	15966
DEVERY SCOTT H MARTIN	2/9/2000	15780
MATHILDA N MASON	1/14/1987	15711
ERNELLA D.K. MATSUDA	6/20/2000	15919
ALLISON L MAYEDA	1/25/1991	15741
MICHELLE K MCCOMBER	1/2/2004	15803
KAPUALIKOLEHUAOKEKOO MCSHANE	10/17/2014	16039
JOHN K MEDEIROS III	12/27/1999	15789
KOREY F MEDEIROS	10/6/1989	15730
CLAUDE K MENDIOLA	5/22/1989	15726
JESSE G MEYERS	8/6/2013	15980
THOMAS C MIDEL	7/10/1985	15724

JAMES K MIRANDA	5/26/2016	16045
DIONNE K MOFFETT	7/17/2013	15896
LINDA B.P. MOLINA	10/1/2014	15899
LYLET M MOON	6/24/2022	16006
VERLA K MOORE	4/6/2000	15783
NORMA N MURRAY	10/21/2005	15822
SHAYLA L NAHALE CARVALHO	10/26/2023	16024
JOANNE E NAKAMURA	8/10/1990	15740
JOSIAH P.A. NAKI	4/29/2010	15974
JADINE S NAVOR	8/9/2010	15975
IDA L NEALON	10/14/2004	15813
ANTHONY K NEEDHAM	5/24/2018	15866
CELINE R NEVES	4/15/1992	15749
EUGENIE K NISHIE	6/15/2009	15850
GERALDINE E NOMURA	5/27/1986	15698
WYNETTE N OLOWAY	9/20/2007	15758
LEÁ M.D. OMEROD	7/15/1991	15746
JASON KAAHA PACHECO	5/21/2021	15937
WILLIAM D.M. PAI	4/28/1980	15678
BRUCE D.M. PAI	3/17/1987	15712
ELAINE K PAI	5/24/2007	15884
KATHLEEN K PAI	9/14/2015	15984
MARY L PAIO	4/20/1987	15715
MARCSWAYNE K PAIO	10/16/2003	15804
NEWTON A PALAKIKO JR	3/30/2012	15904
ASHLEY M.S.N. PALAKIKO	10/31/2007	15967
DONNA K PAUOLE	7/6/2023	15962
RILEY J.K. PAVAO	6/17/2022	16008
DONOVAN R.K. PAVAO	3/31/2023	15958
TANYA PENOVAROFF	2/15/1989	15723
CLARENCE K PEREZ	6/17/1986	15705
CHEYENNE H PERRY	2/5/1996	15766
BRENDA LEE N PERRY MOLINA	5/22/2007	15886
DAVID L.M. PLACE	7/8/1977	15669
IRIS K PLUNKETT	2/12/2008	15888
KAMAKANEAKAPOOKELA K POAI	10/4/2013	15877
JUANITA G PONTE	9/20/2017	16051
NOELA K PRITCHARD	9/16/1985	15691
DRAKE K PUA	1/27/2011	15978
RICHARD PUALOA	3/30/1993	15754
WILLYANN K QUANAN	5/9/1983	15682
WILLIAM G. RACOMA	8/13/1990	15737
CHRISTINA F RAMOS	4/19/2006	15843
BRONSTON JOHN P.K. RAMOS	1/10/2020	15994
KATHLEEN M RAPOZA	7/12/2006	15841
ANDREA K.K. REFF	3/16/2022	15918
SCOTT J.K. RICHARD	10/24/2022	15956

CHARMAINE M ROGERS	7/14/2010	16042
CHRISTINA K ROSA	11/20/1986	15707
LEHUA J ROWLAND	8/10/1992	15736
GEMEY A.P. SABARRE	10/4/1989	15727
RAYMOND O SAGAPOLU	4/18/1990	15748
MELVINA L SAKUMA	11/26/1991	15751
KUULEI PUA KALEHUA SALINAS	1/19/2005	15809
GWENDELLYN N SANCHEZ	8/25/1988	15721
DEBRA L SASAKI	9/19/2023	15954
AMY JEAN SECUYA	4/20/2005	16046
REED K SHOOK	2/12/2018	15893
MOSES A.K. SIMMONS	9/27/1995	15764
CINDY K SIMMONS	8/2/2016	15985
PATRICIA LYNN SOPKIN	8/7/2006	15876
SHARLENE H SOPOAGA	9/5/2017	15991
TATELYN K.Y. SPENCER	3/4/2022	15949
FAITH K SPINNEY	12/9/1979	15676
SHANICE-TIARA K SPINNEY-TAKETA	4/11/2022	15895
ANNETTE N STEVENS-REYES	8/19/2008	16048
HENRIETTA H STONE	12/15/1986	15710
DESILYN SABRINA TABAG-PINCHAY	7/29/1985	15687
JAYSON B.H.P.S.K. TAI	10/12/2010	15852
GLADYS I TANO	4/6/2000	15782
SYLVIA K.K. TAYAMEN	5/30/2007	16031
LORNA U TERIIPAIA	8/7/2020	16001
JOSEPH I TINA	12/7/2005	15829
CLAYTON D TREMAINE IV	8/27/2004	15810
SYDNI K.K. TREMAINE	5/23/2007	16036
CLAURISSA K TREMAINE	3/1/2021	16038
MELISSA K TUIFUA	8/6/1999	15776
MYRTLE L.F. TUKULA MANU TONGA	10/26/2023	15957
BERNADETTE C.K. URBAN	5/4/2005	15816
PELEAULANI H.M. UYETAKE	6/27/1996	15768
WILLIAM C VICKERY	8/22/2017	15903
JONTEI L.A. VINCENT	12/18/2007	15890
WINONA T VON ELSNER	11/28/1986	15708
DWAYNE F.A. WAIAU	4/12/2019	15867
BRENDALYN M WEBER	4/11/1994	15765
CHERYLLYNN P WILLING	12/18/2020	15870
JOBY KAOHU WONG	8/9/2005	15818
JAMIN DERRICK N WONG	8/29/2016	15989
TURVELYN K WONG YUEN	1/11/2017	15996
CHAUNCEY T WONG YUEN	1/11/2017	15992
ROBLYNN L.M. YOMES	10/12/2000	15791

STATE OF HAWAI‘I
DEPARTMENT OF HAWAIIAN HOME LANDS
May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: E-5: Approval of the Agreement Between the Department of Hawaiian Home Lands and the County of Maui Department of Water Supply for the Development and Dedication of the Waiohuli Wells and Associated Infrastructure in Kula, Maui

RECOMMENDED MOTION/ACTION

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

1. Approval of Agreement

- Approve the Agreement between the State of Hawai‘i Department of Hawaiian Home Lands (DHHL) and the County of Maui Department of Water Supply (DWS) establishing the terms for the development, construction, dedication, and source credit allocation associated with the Waiohuli Wells and associated infrastructure.

2. Authorization to Proceed with Construction and Dedication

- Authorize DHHL to proceed with the construction of the Waiohuli Well Nos. 1, 2, and 3, the 1.0 MG tank and reservoir site improvements, and the offsite transmission lines necessary to bring potable water to DHHL homestead lands in Kula, Central, and South Maui, including **TMK (2) 2-2-002:014 and TMK (2) 2-2-028:181**.
- Acknowledge that DWS will accept a license in perpetuity for these improvements and assume ownership, operation, and maintenance responsibilities following dedication.

3. Recognition of Water Source Credits

- Recognize that DHHL will receive up to 1,366,800 gallons per day (gpd) in source credits upon successful development and dedication of the Waiohuli Wells infrastructure.

- Approve the issuance of up to 683,400 gpd in interim water credits to DHHL upon initiation of construction, contingent upon payment of applicable meter fees, with full reimbursement following project completion.

4. Delegation of Authority to the Chair

- Delegate authority to the Chair to execute the Agreement and any related documents necessary to implement the terms outlined therein.
- Authorize the Chair to undertake administrative actions required to effectuate the intent of this approval, including coordination with the County of Maui Department of Water Supply and other relevant agencies.

DISCUSSION

The proposed Agreement between the Department of Hawaiian Home Lands (DHHL) and the County of Maui Department of Water Supply (DWS) represents a significant milestone in ensuring adequate water resources for homestead development in Central, South, and Upcountry Maui. The Waiohuli Wells project will support long-term water infrastructure needs aligned with DHHL's development plans and the County's system demands.

Under the Agreement, DHHL will:

- Plan, design, fund, construct, and test three potable water wells (Waiohuli Well Nos. 1, 2, and 3), a 1.0 MG reservoir tank, onsite improvements, and offsite transmission lines necessary to convey potable water to DHHL lands in multiple regions, including **TMK (2) 2-2-002:014 and TMK (2) 2-2-028:181**.
- Dedicate the completed infrastructure to the County of Maui DWS through a license in perpetuity, in accordance with the Hawaiian Homes Commission Act and the Maui County Code.
- Receive source, transmission, and storage credits based on the potable water production capacity and the value of the infrastructure constructed by DHHL.

In turn, the DWS will:

- Review and approve DHHL's engineering plans, oversee construction, and conduct inspections of the improvements.

- Accept the dedicated infrastructure and assume long-term ownership, operation, and maintenance responsibilities.
- Recognize and honor the agreed-upon water source credits and facilitate their application for DHHL homestead developments.

This agreement also helps resolve past use of County water resources by DHHL communities in Paukukalo, Waiehu, Wailuku, and Waiohuli. Upon successful dedication and activation of the Waiohuli Wells system, DHHL's reliance on existing County water allocations in these areas will be reduced or eliminated, thereby restoring critical water capacity back to the County of Maui for reallocation and system optimization.

In advancing this major undertaking, discussion and guidance from key stakeholders have been instrumental. In particular, ongoing dialogue with Perry Artates of the Waiohuli Homesteaders and Everett Dowling of Dowling Company, Inc. has provided critical insights and support that have helped move this effort forward. Their perspectives on community priorities and development coordination have been valuable in shaping a more effective and collaborative approach to the project.

In addition, the Department acknowledges that this project remains subject to compliance with applicable requirements of the Commission on Water Resource Management (CWRM), including permitting, reporting, and sustainable yield assessments. DHHL will continue to coordinate closely with CWRM to ensure full adherence to State Water Code provisions.

This agreement further strengthens DHHL's partnership with the County and reflects a shared commitment to delivering reliable water infrastructure that will benefit both DHHL beneficiaries and the broader Maui community. It ensures DHHL can provide the necessary water resources for future homestead development, while also contributing to the resilience and capacity of the County's regional water system.

REASON FOR REQUEST

Reliable water infrastructure is a critical prerequisite for homestead development. The Waiohuli Wells Project will:

- Unlock up to 1,366,800 gpd of potable water for DHHL projects.

- Provide water infrastructure needed to move forward with homestead developments in Kula, Central Maui, and South Maui, including projects located on **TMK (2) 2-2-002:014 and TMK (2) 2-2-028:181**.
- Enable DHHL to utilize water source credits on a perpetual basis for the benefit of native Hawaiian beneficiaries.
- Improve regional water system capacity and reliability for both DHHL and the broader Maui community.
- Restore County system capacity previously used by DHHL communities in Paukukalo, Pu'unēnē, and Waiohuli, allowing for more efficient County planning and resource management.

This Agreement represents a collaborative and strategic investment in water infrastructure and aligns with DHHL's mission to return native Hawaiians to the land through sustainable homesteading opportunities.

RECOMMENDATION

The Land Development Division recommends that the Hawaiian Homes Commission approve the Agreement with the County of Maui Department of Water Supply, enabling the development and dedication of the Waiohuli Wells infrastructure. Approval will ensure that DHHL can move forward with critical homestead development projects and secure long-term water access for its beneficiaries.

We respectfully request the Commission's favorable consideration of this request and authorization for the Chair to execute the Agreement on behalf of DHHL.

**AGREEMENT CONCERNING THE DEVELOPMENT AND DEDICATION
OF WAIHOLI WELLS**

THIS AGREEMENT, made and entered into this ____ day of _____, 20____, by and between the **DEPARTMENT OF HAWAIIAN HOME LANDS** (hereinafter referred to as "DHHL"), whose principal place of business and mailing address is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707 and the **DEPARTMENT OF WATER SUPPLY** (hereinafter referred to as "DWS"), an agency of the County of Maui a body politic and corporate, and a political subdivision of the State of Hawaii, whose principal place of business and mailing address is 200 South High Street, Wailuku, Hawaii 96793, (collectively, the "PARTIES").

WITNESSETH:

WHEREAS, Article XI Section 1 of the Hawaii State Constitution recognizes that all water is held in trust by the government for the benefit of the people; and

WHEREAS, there is an affirmative duty of the State and its political subdivisions to take the public trust into account in the planning and allocation of water resources, and to protect public trust uses whenever feasible; and

WHEREAS, the reservations and uses of water by DHHL and its beneficiaries are one of the four public trust uses of water recognized by the Hawaii Supreme Court; and

WHEREAS, DHHL wishes to develop its lands for homesteading and associated purposes in Central and South Maui including a proposed development in Upcountry Maui, Hawaii; and

WHEREAS, DWS has advised DHHL that there currently is a lack of available water source capacity to service its proposed developments in Central Maui, South Maui and Upcountry Maui; and

WHEREAS, DHHL needs to move forward with its proposed developments in Central Maui, South Maui, and Upcountry and is proposing to develop three water wells on its lands in Waiohuli, Maui ("PROJECT") to provide the water source needed for its proposed developments in Waiohuli and to connect the wells via water transmission lines to DWS's Central Maui Water System to service its Central and South Maui developments; and

WHEREAS, Exhibit A and Exhibit B contain a location map and conceptual plan of the proposed water system improvements; and

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WHEREAS, DWS is supportive of DHHL's development of three water wells on its Waiohuli lands as it will assist DWS in providing additional and reliable water source for its Central Maui Water System as well as provide a water source for DHHL's proposed development on its Waiohuli lands located in Upcountry Maui; and

WHEREAS, the DHHL improvements will be licensed to DWS in perpetuity (for purposes of this Agreement, and in consideration of Sections 204, 205, and 207 of the Hawaiian Homes Commission Act, DHHL and DWS agree that reference to "dedication" in the WSDF Rules is equivalent to a "license in perpetuity"); and

WHEREAS, DHHL will be pursuing the necessary funding for this Project from various sources including the Federal Government, State of Hawaii, and County of Maui; and

WHEREAS, DWS will assist, support, and cooperate with DHHL in pursuing and obtaining the necessary funding for the Project including the pursuit of County of Maui funding if available; and

WHEREAS, the parties desire to set forth all of the terms and conditions of the foregoing matters in this Agreement.

NOW THEREFORE, in consideration of the mutual promises and benefits of the parties hereto, it is hereby understood and agreed by and between DHHL its successors and assigns and DWS that:

1. Development of Wells, Pump Control and Storage Tank and Transmission Pipeline:

1.01. Planning and Design. DHHL has engaged Tom Nance Water Resource Engineering as its Well Consultant and Austin, Tsutsumi and Associates, Inc. as its well system, transmission lines, and water storage tank Engineer (the "Project Engineer") to plan, design and engineer the Project. The Project Engineer will prepare detailed plans and specifications for the Project. DHHL is also planning to engage Dowling Company Inc. as its Project and Construction Manager to assist in the development of the Project. The plans and specifications shall be subject to DWS's review and approval which will be expedited by DWS. The plans and specifications shall provide for the construction of the wells and shall include the construction requirements for the well drilling, testing, casing, pump/motor, the pump controls and storage tank, control

buildings, emergency generator, electrical and SCADA design, transmission pipeline, and all other appurtenances and facilities necessary to connect to DWS's water system.

1.02. Construction. DHHL shall construct the Wells, Pump Control and Storage Tank, and Transmission Pipeline including all pumps, pipes, power, utility extensions, and other appurtenances to make the Waiohuli Wells operational and connected to DWS's existing water system by the Transmission Pipeline in close proximity to DWS's Maui Research and Technology Park Water Storage Tank, all in accordance with all applicable laws, regulations and standards, including without limitation DWS's construction standards and applicable regulations of DWS, the State of Hawaii Department of Health ("DOH"), and the federal Safe Drinking Water Act (42 U.S.C. §§ 300F – 300J).

1.03 Capacity of Waiohuli Wells. The capacity of the three Waiohuli wells combined is anticipated to produce approximately 2,592,000 gallons per day. The pump installed in each well is anticipated to supply 864,000 gallons in 24 hours of continuous pumping.

1.04 Quality of Well Water/Contamination. The water quality of the Waiohuli Well water is anticipated to have chloride levels of approximately 66 mg/L. If chloride levels are in excess of the allowable DWS chloride standards, DHHL must install treatment facilities to lower the chloride levels to below DWS standards. Further, if any other contaminants regulated by DWS or DOH are found in excess of DOH maximum contaminant level ("MCL"), DHHL must install treatment facilities to lower the level of such contaminants to below the MCL. DHHL's obligations under this paragraph shall cease upon DWS's Acceptance under paragraph 5.

1.05 Contingencies. This Agreement is contingent on completion by DHHL of the construction of the Project within six (6) years of the date of this Agreement (unless extended by force majeure under Section 10.06 below, or by delays caused by actions or inaction of DWS, or otherwise by mutual agreement of DHHL and DWS). In the event any of these contingencies or other provisions in this Section 1 are not satisfied, this Agreement shall terminate and the parties shall have no further obligations hereunder and DWS shall have no further rights to or interest in the Waiohuli Wells or its production or appurtenances.

2. Scope of DHHL's Obligation. The intent of this Agreement is that DHHL will proceed promptly and with diligence to perform all tasks necessary to develop the Project, make it operational, and commence delivery of water (collectively referred to as the "Work"), all at no cost to the DWS. The Work includes, in addition to all of the requirements in the plans and specifications, and without limitation, the following:

- (i) Obtaining all design and construction engineering services;
- (ii) Obtaining all necessary contracts with third parties for the development, construction and equipping of the Project;
- (iii) Obtaining all necessary governmental approvals for construction of the Project (for which DWS will provide reasonable cooperation and support for);
- (iv) Completing all work specified in the plans and specifications;
- (v) Performing all trials and tests necessary to render Waiohuli Wells operational and to confirm and document the quality and quantity of Waiohuli Wells' water production and capacity;
- (vi) Obtaining all CWRM and DWS approvals to put water into DWS's system (which the DWS will provide reasonable cooperation and support for);
- (vii) Installation of necessary electrical, SCADA, and communication line extensions;
- (viii) Obtaining final subdivision approval of the Well and Tank Sites or perpetual exclusive easements for the sites and obtaining the necessary Transmission Pipeline Easements;
- (ix) Complying with all environmental requirements including the preparation of environmental assessments (which DWS will provide reasonable cooperation and support for);
- (x) Obtaining the necessary funding for the Project (which DWS will provide assistance, cooperation, and support for including the pursual of County of Maui funding if available).

3. DWS Oversight. DWS shall be entitled to oversee all aspects of the Work and shall make periodic inspections of the Work as it deems appropriate or upon DHHL's request. DHHL and the Project Engineer shall promptly provide DWS with such information regarding the Work as they may reasonably request. DHHL shall not deviate materially from the Plans and Specifications without first securing DWS's approval.

4. Review and Inspection by DWS. Promptly, but no later than thirty (30) days after receiving written notice from DHHL that construction and all necessary trials and tests for the Work have
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been completed, and the DOH has approved use of the water generated by Waiohuli Wells, DWS will (a) promptly inspect the Work and review all such tests and trial results; and (b) if DWS determines that the Work has not been completed in accordance with the approved plans and specifications, DWS will promptly notify DHHL in writing of the reasons for said non-approval in sufficient detail to enable DHHL to correct any and all such deficiencies. Upon receiving written notice from DHHL that all such deficiencies have been corrected, DWS will promptly re-inspect the Work.

5. Wells, Pump Control and Storage Tank, Transmission Pipeline, and Associated Improvements Dedication. Upon completion and approval of the Wells as provided above, DHHL shall license and transfer to DWS the Wells/Well Sites, Pump Control Tank/Storage Tank Site, Transmission Pipeline, and all associated improvements, including but not limited to warranties and as-built drawings, waterline easements reasonably needed for the Transmission Pipeline, and necessary access (the "Transfer"), subject to approval by the Maui County Council pursuant to Chapter 3.44, Maui County Code, or any other successor or applicable law. The license agreement and other appropriate conveyance documents shall be prepared by DHHL at no cost to DWS. The license to the Well Site, Pump Control Tank Site, Transmission Pipeline Site, and associated improvements shall be free and clear of all liens and encumbrances, except for encumbrances which would not have any material, adverse effect on DWS's use and operation of such. Upon approval by the Maui County Council as aforesaid, and the execution of the license agreement and other appropriate conveyance documents ("DWS's Acceptance"), DWS will own, operate, and maintain the Wells/Well Sites, Pump Control and Storage Tank Site, Transmission Pipeline, and all associated improvements for its own use, subject to the terms of this Agreement.

6. Warranty. DHHL shall provide DWS with a written warranty guaranteeing the workmanship and materials incorporated and used in the construction of the Work. The warranty shall be enforceable by DWS for a period of one (1) year from the date of DWS's Acceptance.

7. Source Credit and Issuance of Water Meters. Upon the completion, final inspection, and dedication and acceptance of the Waiohuli Wells by DWS and completion of the Transfer, DWS shall grant DHHL Source Credits and the appurtenant source availability on a first priority basis (collectively the "Source Credit"), of not less than 1,366,800 gallons per day. 1,366,800 gallons per day is the anticipated water source amount needed by DHHL for its proposed developments in Central, South and Upcountry Maui.

Recognizing DHHL's need to continue development of its parcels in the interim while the Waiohuli Wells are being completed, DWS from and after the date of this Agreement and upon DHHL's request from time to time, will issue water meters up to a maximum of 683,400 gallons per day which represents 50% of the water source needed by DHHL, provided that DHHL, i) has commenced with the development of the Waiohuli Wells and ii) its successors or assigns pays in cash the water source, storage, and transmission components of DWS's Water System Development Fee in force for the meter size at the time the water meter is installed. Upon completion and acceptance of the Waiohuli Wells, DWS shall reimburse DHHL its successor or assigns the amounts it has paid for the source, storage, and transmission components of the water meters. No additional water meters for water service, over and above said 683,400 gallons per day allocation, shall be installed until the Wells are completed and accepted by DWS.

The Source Credit may be used by DHHL in perpetuity from the date of DWS's acceptance of the Wells. The term "used" shall mean in each case the application for a water meter has been approved by DWS under its normal meter approval criteria (water meter reservation), other than source availability, and the water meter(s) has been installed by DWS.

When the Source Credit is used to secure water meters for a property, the Source Credit shall be reduced by an amount equal to the average daily use of water as set forth in Exhibit C.

9. Source, Transmission, and Storage Credits.

9.01. Source Credits. Without limiting the generality of Section 8 above, Source Credits to be used by DHHL shall be applied to the source component of the DWS's Water System Development Fee that would have been charged to DHHL in connection with the issuance of new meters.

9.02. Transmission Credits. Upon dedication of the Transmission Line to DWS and submission and approval by DWS of an affidavit itemizing the costs incurred to construct it, DHHL shall receive dollar-for-dollar Transmission Credits which may be applied to the transmission component of DWS's Water System Development Fees that would have been charged to DHHL in connection with issuance of new meters for the DHHL Parcels. Transmission Credits shall be available for meters installed after the Project is completed and accepted by the DWS. The Transmission Credits are limited to construction costs; no compensation shall be made for the cost of engineering, land, easements, surveying, subdivision,

or other non-construction costs. Transmission Credits are based on the transmission lines installed by DHHL and shall be available for use by DHHL in perpetuity.

9.03. Storage Credits. Upon dedication of the Storage Tank to DWS, DHHL shall receive storage capacity Credits which may be applied to the storage component of DWS's Water System Development Fees that would have been charged to DHHL in connection with issuance of new meters for the DHHL Parcels that are serviced by the Storage Tank. Storage Credits shall be available for meters installed after the Project is completed and accepted by DWS. Storage capacity credits shall be available for use by DHHL in perpetuity.

9.04. Credit Recipient. All source, transmission and storage fee credits earned under this Agreement may be claimed solely by DHHL and its successors and assigns, or such other entity or entities authorized in writing by DHHL and may not be claimed by any other party.

9.05. DHHL Responsible for Balance of Transmission and Storage Fee Component. When water meters are requested to be installed, DHHL must pay for the balance of the transmission fee component of the Water System Development Fees if the transmission credits is less than the Water System Development Fees transmission component effective at the time the water meter is applied for and the water meter is installed. Similarly, if DHHL's available storage capacity is insufficient or not in the location where DHHL's storage credits can be used when water meters are requested, DHHL must pay for the storage fee component effective at the time the water meter is applied for and the water meter is installed.

9.06. Documenting Credit Use. Whenever DHHL elects to use any of the Source, Transmission and Storage Credits, DWS will be notified by a signed notice in substantially the forms attached as Exhibit D. DWS shall promptly sign and acknowledge the credit allocation and tally of remaining credits.

9.07. Application of Credits. The provision for Source Credits does not in and of itself constitute a pre-approval by DWS of any subdivision application, building permit application or water service application for any project that may utilize the Source Credits, as the applicant of any such project will be required to complete all requirements of DWS (other than requirements restricting service for lack of source capacity if the source credits allocated to the project is

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adequate to provide the water demands of the project) pursuant to its current rules and regulations. This Agreement does not exempt any applicant from DWS's rules and regulations for subdivisions and other developments.

10. Default; Remedies.

10.01. Default. A party shall be in default of this Agreement if it fails to observe or perform any of such party's covenants or agreements contained herein, the other party gives written notice that such default must be cured, and (i) the defaulting party fails to cure within thirty (30) days of such notice, or (ii) in the case of a covenant or agreement that cannot reasonably be cured within thirty (30) days, the defaulting party fails to continuously and diligently prosecute cure to completion.

10.02. Remedies. If a party is in default of this Agreement, the other party may seek any remedies available in law or equity, including without limitation damages and specific performance.

10.03. Rights and Remedies Cumulative. Each right and remedy provided for in this Agreement shall be cumulative and shall be in addition to every other right or remedy that may be available at law or in equity. The exercise of any one or more of such rights or remedies shall not preclude the simultaneous or later exercise of any or all other rights or remedies provided for in this Agreement, or now or hereafter existing at law or in equity, or by statute or otherwise.

10.04. No Waiver. No failure by any party to insist upon strict performance by the other party of any of the terms and provisions of this Agreement shall be deemed to be a waiver of any such terms or provisions or of the other party's obligation to comply with such terms or provisions; and notwithstanding such failure, each party shall have the right thereafter to insist upon the other party's strict performance of such terms and provisions. Any waiver of the terms of this Agreement shall not be effective unless given in writing.

10.05. Attorney's Fees. If any legal action shall be brought by a party to enforce or interpret any portion of this Agreement or to redress any breach by the other party, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs.

10.06. Force Majeure. A party's failure to meet its obligations under this Agreement shall be excused if and to the extent that such failure was the direct result of earthquake, fire, hurricane, flood, or other Acts of God, strikes, insurrection, litigation, court order, governmental action or inaction, or other events or occurrences beyond such party's control.

10.07. Approvals. Any approval by either party called for by this Agreement shall not be unreasonably or arbitrarily withheld or delayed.

11. Other Terms and Conditions.

11.01. Governing Law. This Agreement shall be governed by the laws of the State of Hawaii.

11.02. Amendments. This Agreement may not be amended unless mutually agreed to in writing and signed by the parties hereto.

11.03. Notices. All notices or other communications shall be in writing and any written notice or other communication given by either party hereto shall be deemed to be duly given and received by the other party by the earlier to occur of (a) actual receipt by a duly elected or appointed officer, director or authorized employee of said other party, either by mail, courier or hand delivery, or (b) three (3) business days after having been deposited in the United States mail postage prepaid sent by registered or certified mail (whether or not actually received by the other party), addressed to the other party at the address set forth at the top of this Agreement, or to such other address as such other party may have given notice of to the sending party in accordance with the foregoing provision.

11.04. No Third-Party Beneficiary. No third-party beneficiaries are intended to be created by this Agreement or by any of the terms hereof. No person or entity other than DHHL or DWS or their respective successors or assigns, shall be entitled to claim any rights under, or to enforce any of the provisions hereof.

11.05. Counterparts. This Agreement may be executed in counterparts, and said execution shall have the same effect as if all parties executed the same original copy hereof. Either party shall be authorized to combine all signed original pages and notary acknowledgements within a single copy of this document for purposes of recording in the State of Hawaii Bureau of Conveyances and submission to any tribunal in any proceeding.

11.06 Exhibits.

Exhibit A: Location Map of Well Site and Transmission Lines

Exhibit B: Map of Well Site

Exhibit C: Department of Water Supply Domestic Consumption Guidelines

Exhibit D: Notice of Exercise of Credits Source, Transmission, and Storage

12. Agreement contingent of Maui County Council Approval. The parties herein SPECIFICALLY UNDERSTAND, AGREE, AND ACKNOWLEDGE that this Agreement, and any and all rights, obligations, and/or benefits resulting therefrom is SUBJECT TO AND CONTINGENT UPON the review and approval, by resolution, by the Maui County Council, in accordance with Section 14.01.060, Maui County Code.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first above written.

DEPARTMENT OF HAWAIIAN HOME LANDS

By _____

Its _____

APPROVAL RECOMMENDED:

JOHN STUFFLEBEAN
Director, Department of Water Supply

COUNTY OF MAUI

RICHARD BISSEN
Mayor

APPROVED AS TO FORM
AND LEGALITY:

Deputy Corporation Counsel
County of Maui

9

) SS.

1

_____, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Signature: _____

Print Name: _____
Notary Public, State of Hawaii

My commission expires: _____

NOTARY PUBLIC CERTIFICATION

Pages:

Judicial Circuit:

Date:

9

) SS.

)

_____, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Signature: _____

Print Name: _____
Notary Public, State of Hawaii

My commission expires: _____

NOTARY PUBLIC CERTIFICATION

Pages:

Judicial Circuit:


Date:

DHHL Draft 02/06/2025 DCL Rev 03/07/25 DCL Rev 03/18/2025

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19, 2025

TO: Chairman and Members, Hawaiian Homes Commission

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

FROM: Michelle Hitzeman, Acting Housing Project Branch Manager
Land Development Division, Housing Project Branch

SUBJECT: Issuance of Project Leases to Pu'uhonua Phase 1 Selectees Pending Home Construction

RECOMMENDED MOTION/ACTION

None; For Information Only

DISCUSSION

In July 2024, the Pu'uhonua Phase 1 homestead lease awards were placed on the DHHL Commission agenda and approved. This is to inform the Commission that the Department is now issuing project leases to those selectees while they await the construction of their homes.

Issuing project leases at this stage provides awardees the opportunity to designate a 25% Hawaiian successor, as permitted under lease provisions. This action is being taken to help protect the legacy of awardees, many of whom may not have family members who meet the 50% native Hawaiian requirement that applies to applicants. Without a project lease in place, should an awardee pass away while still considered an applicant, their award would be at risk of being cancelled due to the lack of a qualified successor.



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

KAUA‘I ISLAND Project Updates

LAND DEVELOPMENT DIVISION

Item E-7 For Information Only
May 19-20, 2025

DEPARTMENT OF HAWAIIAN HOME LANDS - LAND DEVELOPMENT DIVISION



WATER IMPROVEMENTS



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS







DHHL Contribution and Funds Awarded by USDA RD

Accepted by HHC, Nov. 2018

USDA RD 2016 FUNDING PACKAGE:

DHHL CONTRIBUTION	\$3,770,723
USDA RD GRANT	<u>\$3,055,137</u>
SUBTOTAL	\$6,825,860

USDA RD 2018 FUNDING PACKAGE:

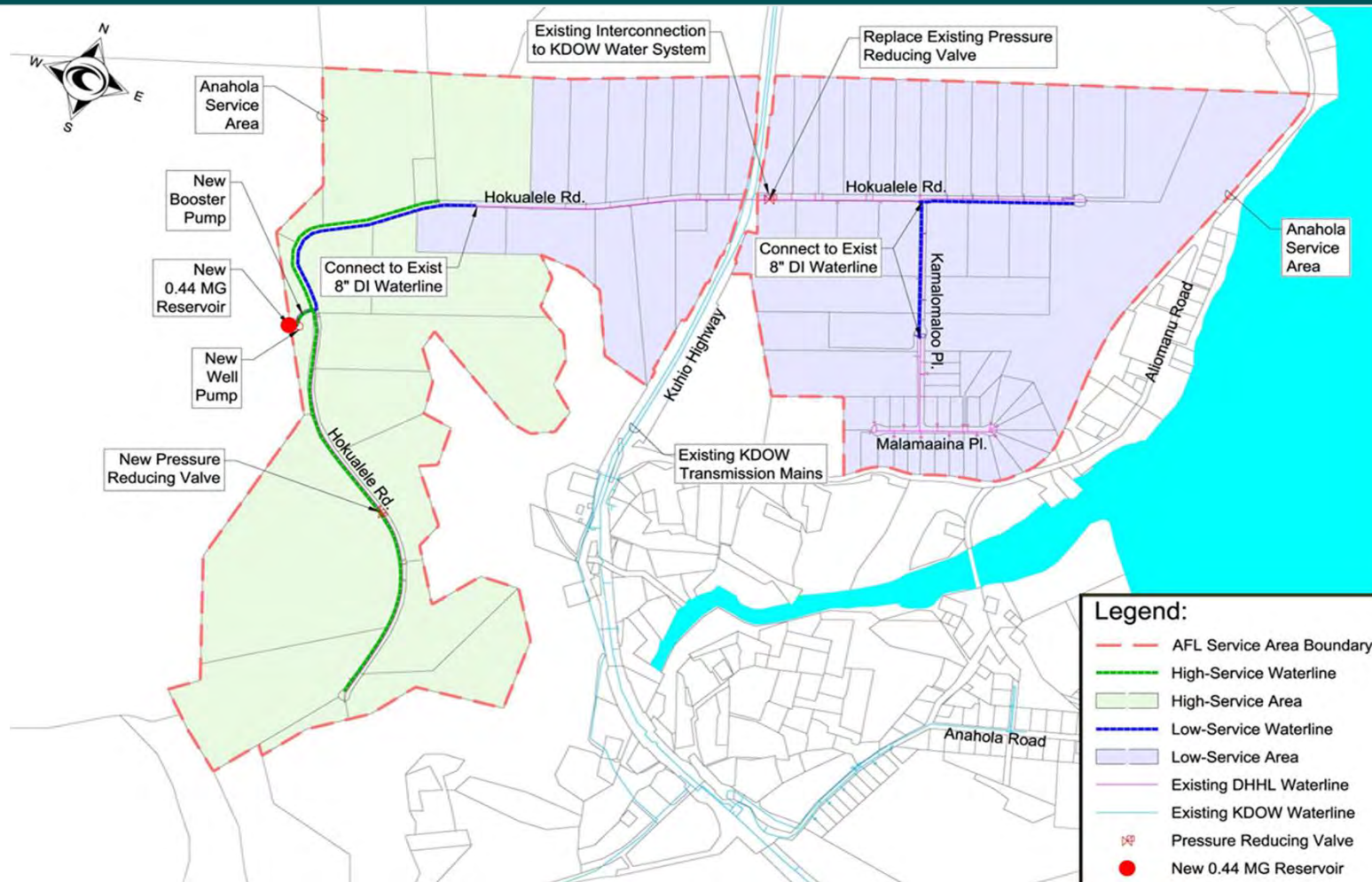
USDA RD LOAN	\$4,100,000
USDA RD GRANT	<u>\$1,999,946</u>
SUBTOTAL	\$6,099,946

GRAND TOTAL DHHL/USDA \$12,955,806

Grant Reimbursement to date: \$3,776,358

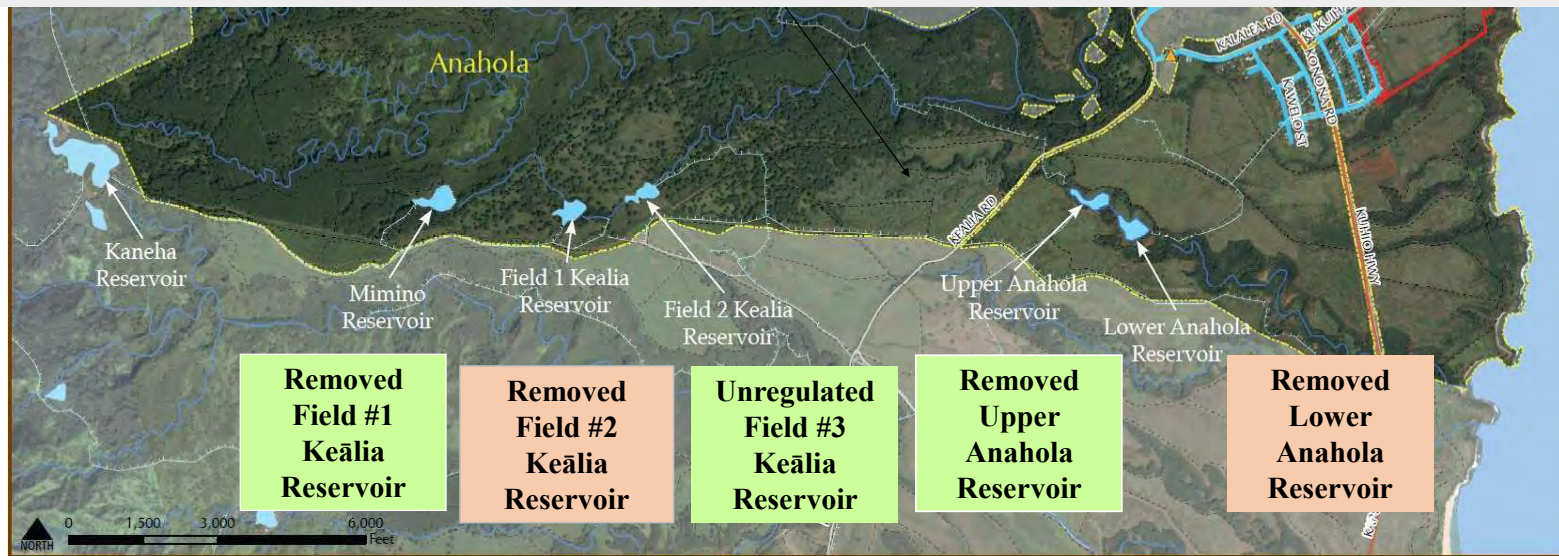


Anahola Farm Lots Water System



Anahola Dam & Reservoir Improvements

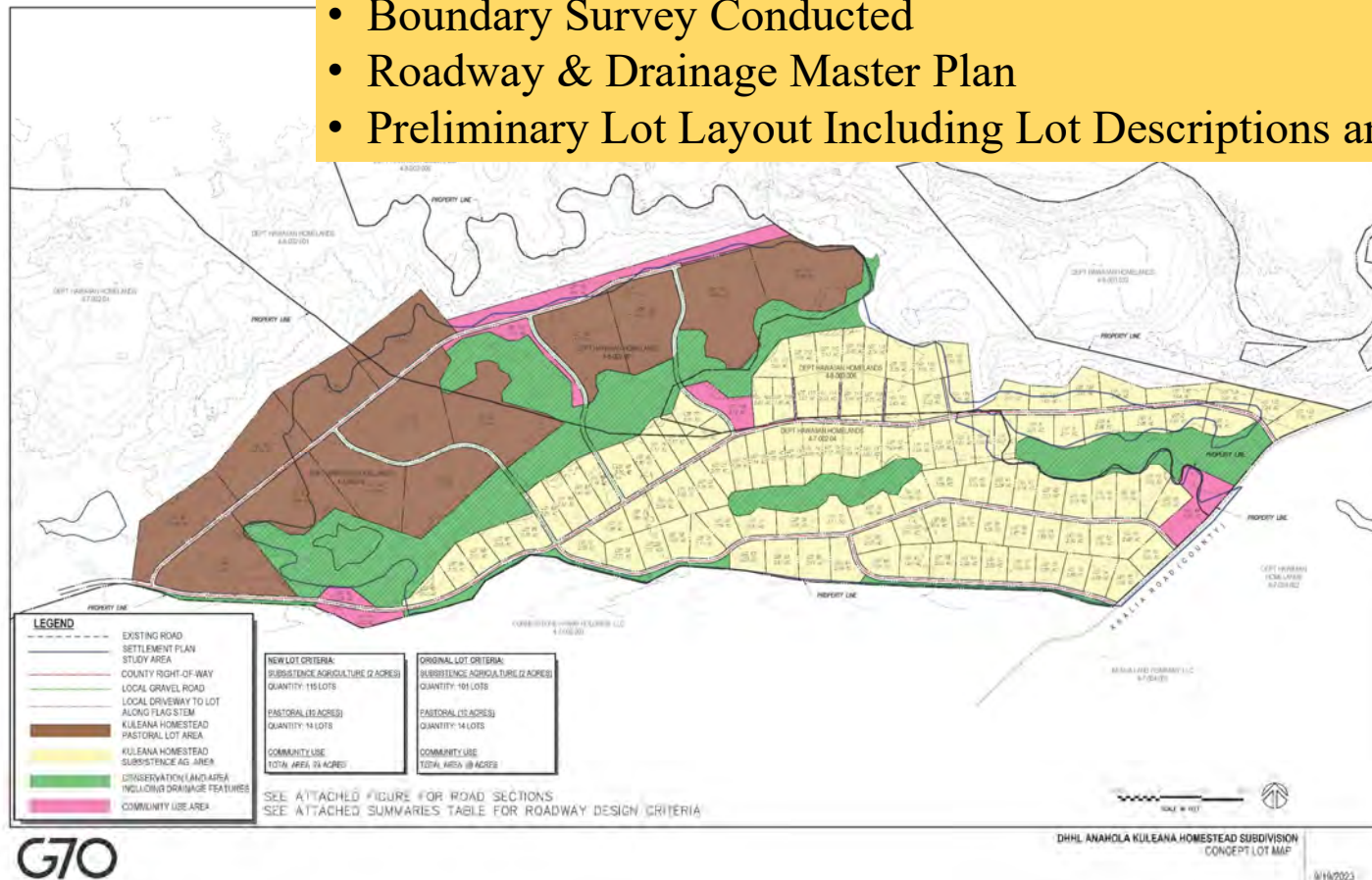
- Based on recent dam assessment a redesign for removal of Keālia Field #1 and Upper Anahola dams undertaken due to high cost of improvement, no current water source to fill reservoirs, and significant potential liability to maintain a regulated dam.
- Currently, demolition design review by DLNR in process.
- Additional construction funding required to demolish Field #1 and Upper Anahola dams.
- Hawaiian Homes Commission approved Trust Funds in FY24 budget for additional construction funding, subject to negotiation.
- Construction scheduled by early 2024, with a six-month construction duration.





Anahola Kuleana Lot Settlement

- Boundary Survey Conducted
- Roadway & Drainage Master Plan
- Preliminary Lot Layout Including Lot Descriptions and Metes & Bounds





REPAIR, MAINTENANCE, OPERATIONS PROJECTS



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS





Kaua‘i Cesspool Assessment

Act 132, SLH 2018 requires upgrade, conversion, or sewer connection of all cesspools by 2050, unless exempted. DHHL is implementing ground truthing cesspool inventory data statewide.

Project Description

Identification and survey of DHHL lots with cesspools and their subsequent conversion on the island of Kaua‘i.

Project Objectives

1. Build an accurate database of existing cesspools.
2. Create baseline engineering drawings for cesspool evaluation.
3. Assess existing conditions for conversion of cesspools to comply with Act 125 (SLH 2017) by 2050.
4. Evaluate existing infrastructure and make recommendations for possible cesspool conversions.

Summary

- Current records indicate 257 cesspools on DHHL Lands the island of Kaua‘i.
- Ground and aerial survey commenced in November 2022 and was completed February 2023.
- Final Report due by end of 2024.

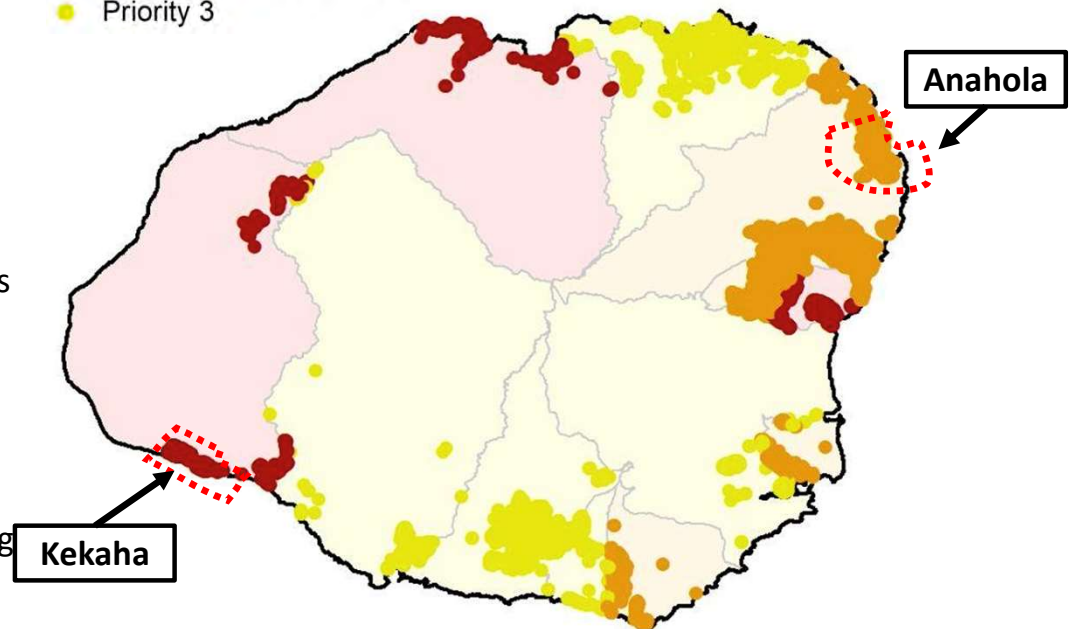


Prioritization Areas

Though not codified into law, the Cesspool Conversion Working Group (CCWG) recommended that Priority 1 cesspool conversions be completed by 2030. HEG concurs that the conversion process should be accelerated in order to:

- Replace poor performing and compromised systems as quickly as possible to eliminate ongoing impacts to human health and the environment;
- Replace systems that pose an increased threat due to factors such as age, propensity for flooding, and sea level rise;
- Avoid the bottleneck of resources and qualified contractors that is expected as the statutory deadline approaches;
- Be prepared in the event that an accelerated timeline is ultimately implemented; and
- Allow for DHHL to manage its financial burden by spreading costs over a longer period.
- House Bill 181, which would have accelerated the Act 125 timeline, did not pass during the 2022 legislative session.

● Priority 1 ● Priority 2
● Priority 3





Anahola & Kekaha IWS Quantities

Homestead	Pre-Survey DHHL Data	Current Survey Results
Kekaha		
Septic System	--	58
Cesspool	57	45
Not Accessed	--	16
No IWS or Structure	--	0
Anahola AG		
Septic System	--	16
Cesspool	35	45
Not Accessed	--	14
No IWS or Structure	--	5
Anahola Res		
Septic System	--	139
Cesspool	280	167
Not Accessed	--	58
No IWS or Structure	--	8
TOTALS		
Septic System	--	213
Cesspool	372	257
Not Accessed	--	88
No IWS or Structure	--	13

-- Data not available. DHHL data collected prior to the current assessment targeted only the quantity of cesspools, so septic system quantities were not included.

*IWS – Individual Wastewater System



Kekaha Cesspool Lots



Existing DOH/DHHL Data

Legend

- Cesspool

57 Cesspools

*Cesspools on map not indicative of existing cesspool count data



Field Verified Data

Legend

Empty Lot

Lot with Cesspool

Lot with Septic

Feature	#
Septic	58
Cesspool	61

*Lots not accessed are assumed as cesspool



Anahola Cesspool Lots



Existing DHHL Data

Legend

- Cesspool

215 Cesspools

- *Anahola Res lots existing cesspools not shown on map
- *Cesspools on map not indicative of existing cesspool count data



Field Verified Data

Legend

- Empty Lot
- Lot with Cesspool
- Lot with Septic

Feature	#
Septic	155
Cesspool	284

*Lots not accessed are assumed as cesspool



NEW DEVELOPMENT PROJECTS



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS



MaRK
DEVELOPMENT, INC.



HAWAI'I
COMMUNITY
LENDING



REMAINING 2025 AWARDS SCHEDULE: 1,552 Awards

DATE	EVENT	BENEFICIARIES		# OF AWARDS
May 17, 2025	LaʻiʻŌpua RWOP (Right With Option To Purchase) Workshop – Existing Tenants and Interested Beneficiaries for Next Increment	Hawaii Residential Waitlist	377	n/a
June 7, 2025	Piʻilani Mai Ke Kai Orientation (PMKK) - Scattered Lots	Kauaʻi, backup list	100	n/a
June 14, 2025	Kaʻuluokahaʻi IIC Orientation	Oʻahu Residential, East Kapolei Undivided Interest (UI) Lessees and Kaʻuluokahaʻi Project Lessees (PL)	700	n/a
June 21, 2025	LaʻiʻŌpua RWOP (Rent With Option To Purchase) Lot Selection	Hawaii Residential Waitlist	64	32
July 12, 2025	Maui Agriculture Project Lease Orientation (Honokōwai Subsistence Agriculture (50), Waiehu Mauka Subsistence Agriculture(55))	Maui Agricultural Waitlist	1000	n/a
July 19, 2025	PMKK Lot Selection	Kauaʻi, backup list	25	12
August 2, 2025	Lānaʻi Project Lease Orientation	Lānaʻi Residential Waitlist	75	n/a
August 23, 2025	Kaʻuluokahaʻi IIC Lot Selection	Oʻahu, UIs and PL	230	115
September 6, 2025	Maui Residential Project Lease Orientation – Leialiʻi IB (181), Waiehu Mauka (343), Kamalani (400), Wailuku SF (207)	Maui Residential Waitlist	4000	n/a
September 20, 2025	Maui AG Project Lease Awards	Maui Agricultural Waitlist	200	105
October 18, 2025	Waipouli RWOP (Rent With Option To Purchase) Workshop	Kauai Residential Waitlist	1500	n/a
October 25, 2025	Hanapēpē RWOP (Rent With Option To Purchase) Workshop	Kauaʻi Residential Waitlist	1500	n/a
November 1, 2025	Lānaʻi Project Lease Awards	Lānaʻi Residential Waitlist	75	75
November 8, 2025	Maui Residential Project Lease Awards – Round 1	Maui Residential Waitlist	600	581
November 15, 2025	Waipouli Selection	Kauai Residential Waitlist	100	82
December 13, 2025	Maui Residential Project Lease Awards – Round 2	Maui Residential Waitlist	600	550



Pi'ilani Mai Ke Kai



DEPARTMENT OF HAWAIIAN HOME LANDS - LAND DEVELOPMENT DIVISION

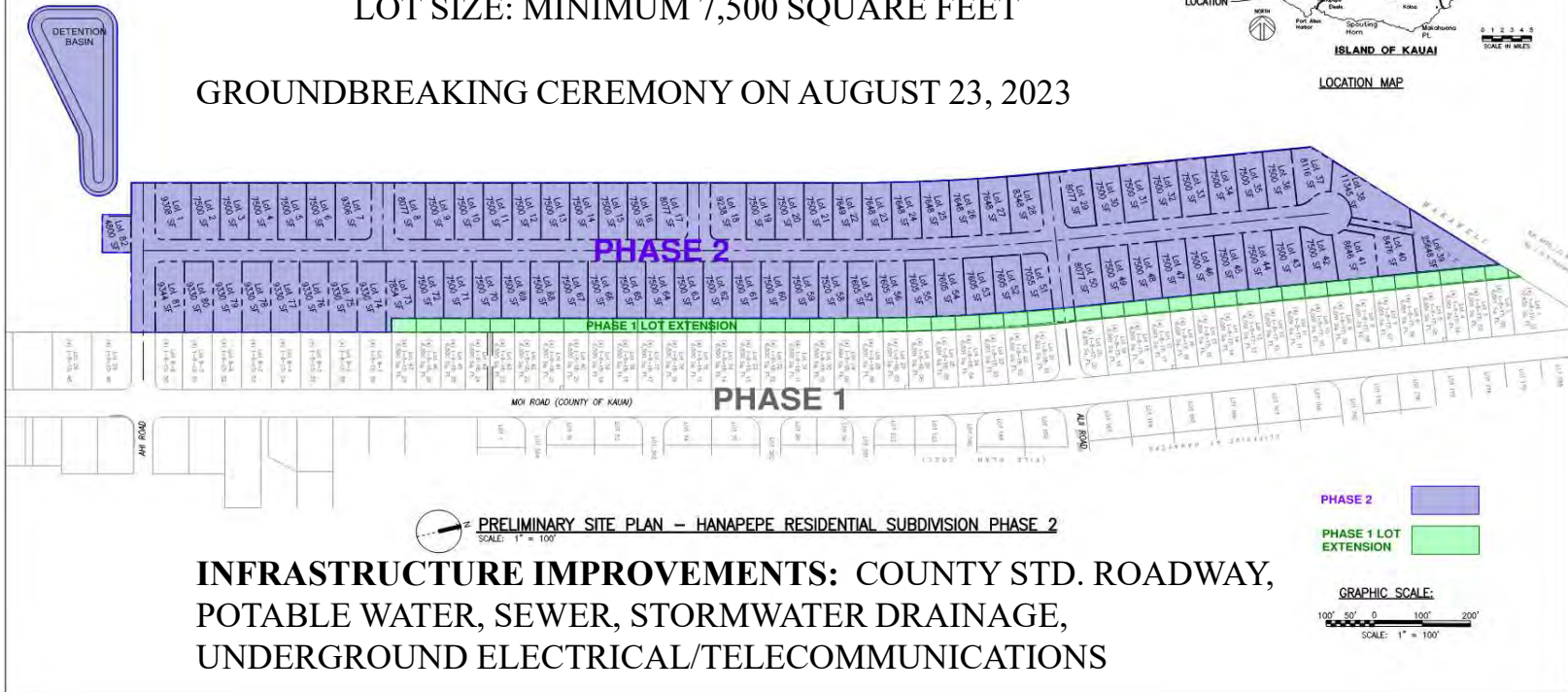
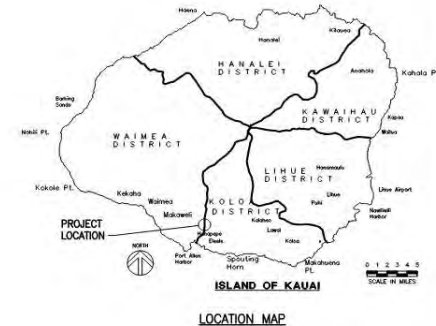


Hanapēpē Residential Phase 2

PHASE 1: CONSOLIDATION AND RESUBDIVISION TO ADD APPROXIMATELY 1,500 SQUARE FEET TO EXISTING LOTS

PHASE 2: SUBDIVISION OF 82 NEW RESIDENTIAL LOTS
LOT SIZE: MINIMUM 7,500 SQUARE FEET

GROUNDBREAKING CEREMONY ON AUGUST 23, 2023



INFRASTRUCTURE IMPROVEMENTS: COUNTY STD. ROADWAY,
POTABLE WATER, SEWER, STORMWATER DRAINAGE,
UNDERGROUND ELECTRICAL/TELECOMMUNICATIONS

DEPARTMENT OF HAWAIIAN HOME LANDS - LAND DEVELOPMENT DIVISION



Līhu'e (Grove Farm Isenberg Parcel)



- \$20,684,160 acquisition of ~295 acres in Līhu'e, Kaua'i. Located near Isenberg Park, it is about ½ a mile from Wilcox Medical Center, one mile to the county seat of government, downtown Līhu'e and Wilcox Elementary School, and two miles to Līhu'e Airport.
- Future funding will allow development of up to 1,000 single family homesteads and about 200 subsistence agriculture lots.



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov


Hawaiian Homes Commission Meeting Packet
May 19 & 20, 2025
Sheraton Kauai Resort, Kauai, Hawai'i


F ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator
Land Management Division 

From: Kaipo Duncan, Land Agent
Land Management Division 

Subject: Approval for the Annual Renewal of Revocable Permits, Kauai Island, Hawaii

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

- A) Renew all Kauai Island Revocable Permits as listed on Exhibit "A" and identified by approximate location on the Kauai Island Map Exhibit "A-1" that are compliant as of May 12, 2025.
- B) The Revocable Permit annual renewal period shall be on a month-to-month basis, for up to 12 months, from September 1, 2025, to August 31, 2026.
- C) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all Kauai Island Revocable Permits (RP's) only, which shall effectively expire on August 31, 2025. As a means of maintaining a process by which Permittees can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit "A" references all RP's on Kauai Island organized by acreage, land use, and commencement date. While these permits generate additional revenue for the Trust there primary purpose is to allow DHHL to efficiently manage its lands through short-term dispositions. These are typically used for land not needed for longer-term disposition, such as homesteading or general leases, over a 20-year period or as dictated by DHHL's respective island plans. DHHL's total land inventory on Kaua'i Island covers approximately 20,565 acres or roughly 10% of DHHL's over 200,000 acre statewide inventory. The short-term dispositions within the Kaua'i Island inventory cover approximately 698.0 acres or 3% of its inventory.

The table below reflects the revenue generated from RP permit(s) on Kaua'i Island, which is approximately 3.6% (\$108,398) of the ROE total revenues (\$2,947,966) that DHHL receives statewide. Kaua'i Island holds 40 of the approximately 145 RP permits Statewide. The permits fall under a variety of land use purposes.

FY 2024		Total
Agriculture	\$4,740	7
Caretaker/Landscape	\$1,056	1
Commercial	\$994	2
Community	\$480	4
Industrial	\$78,476	8
Education	\$480	2
Pastoral	\$22,172	16
Preservation	\$0	-
Recreation	\$0	-
Research	\$0	-
Stabling	\$0	-
	\$108,398	40

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

Revocable Permits assist in maintaining a presence on DHHL lands, thereby reducing costs associated with Land Management activities such as signage, landscaping, fencing, trash removal, and preventing trespassing on unencumbered lands. Permittees are required to

assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

Staff have conducted site visits to all RP Permit parcels on Kauai Island, confirmed full compliance, and recommended annual renewal. See inspection reports referenced under Exhibit "B" attached hereto.

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

AUTHORITY / LEGAL REFERENCE:

Section 204(a), Hawaiian Homes Commission Act, 1920, as amended. §171-6, -13, and -55, Hawaii Revised Statutes, as amended, governs the RP process.

RECOMMENDATION:

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

REVOCABLE PERMITS - KAUAI ISLAND

* Denotes Beneficiary

All Rent Payments are Current as of MAY 2025

NO.	ACRE	USE	PERMITTEE	LOCATION	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments: rent amount and reasons (site issues - insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.)why no long-term disposition
524	0.344	Agriculture	*Kuini Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-008:001 (p)	5/1/2003	\$264.00	\$ 264.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Change to one yearly payment of \$264.00 from \$22.00 monthly payments.
525	14.50	Agriculture	*Linda Kaauwai-Iwamoto	Anahola	(4) 4-8-005:042&043	11/1/2000	\$576.00	\$ 576.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Change to one yearly payment of \$576.00 from \$48.00 monthly payments.
526	5	Agriculture	*Frank S. Rivera, Sr. and Amber Rivera	Anahola	(4) 4-8-003:020 (p)	5/1/2005	\$264.00	\$ 264.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Change to one yearly payment of \$264.00 from \$22.00 monthly payments.
527	30.0000	Agriculture	Charley Raco, Palakiko Farms	Kekaha	(4) 1-2-002:023 (p)	7/28/2009	\$1,200.00	\$ 1,200.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Mango tree farmer
528	18.00	Agriculture	*Gary Cummings, Jr.	Anahola	(4) 4-8-008:049 (p)	7/23/2013	\$240.00	\$ 240.00	<u>Recently DECEASED</u> . Working with the family to continue the permit. Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Agriculture. Change to one yearly payment of \$240.00 from \$20.00 monthly payments.
529	12.00	Agriculture	*Angelina Koli and Kalei Kanahele	Anahola	(4) 4-8-005:038 & :044	7/1/2005	\$708.00	\$ 708.00	Rent is current
530	0.164	Caretaker	*Puanani Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022	\$264.00	\$ 264.00	Rent is current. Change to one yearly payment of \$264.00 from \$22.00 monthly payments.
532	3.6	Caretaker	Valerie Woods	Anahola	(4) 4-8-006:046 (p)	3/8/2002	\$528.00	\$ 528.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Change to one yearly payment of \$528.00 from \$44.00 monthly payments.
533	0.009	Commercial	*Patricia Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:031	7/23/2013	\$408.00	\$ 420.00	Rent is current; portion of a larger parcel that is designated for Commercial use. Insufficient infrastructure, irregular shape. Change to one yearly payment of \$420.00 from \$35.00 monthly payments.
534	0.023	Commercial	*Woodrow K. Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:031	4/1/1994	\$ 3,075.00	\$ 3,168.00	Rent is current; portion of a larger parcel that is designated for Commercial use. Insufficient infrastructure, irregular shape. Shave ice, smoothies, and acai bowl stand. Raise rent to 6% of tax assessed value plus a 50% discount
535	0.34	Community	*Hokualele Canoe Club	Anahola	(4) 4-8-012:010 (p)	9/1/2022	\$240.00	\$ 240.00	Updating Status. Canoe club. Change to one yearly payment of \$240.00 from \$20.00 monthly payments.
536	0.917	Community	*Kukulu Kumuhana O Anahola	Anahola	(4) 4-8-005:026 (p)	4/12/2023	\$0.00	\$ -	Cultivate dry land taro and other Ag products
537	432.00	Community	*Aina Alliance	Anahola	(4) 4-8-03:018, 019(p), 021 & 036; (4) 4-8-014:003; (4) 4-7-004:003,004 & 007	4/12/2023	\$0.00	\$ -	Stewardship, maintenance & management
538	103.07	Community	*Kahu O Ka Paka Kahakai O Anahola	Anahola	(4) 4-9-003:011 & 017; (4) 4-8-010:003, 005, 006 & 010; (4) 4-8-014:005	3/3/2023	\$240.00	\$ 240.00	Rent is current. Caretaker and horses. Change to 1 yearly payment of \$240 from \$20 monthly payments
539	3.44	Education	*Keakai Kauai, Inc.	Anahola	(4) 4-8-008:016 & 080	5/9/2022	\$240.00	\$ 240.00	Teach&train crossfit exercise to adults&youth. Change to 1 yearly payment of \$240 from \$20 monthly payments
540	109.80	Education	*Kaivin Educational Farm Program	Kekaha	(4) 1-2-002:023 (p)	5/2/2022	\$240.00	\$ 240.00	Educational raising goats to create fire break. Change to 1 yearly payment of \$240 from \$20 monthly payments
541	16.072	Industrial	*Mona Lisa and Randy Boyer	Kapaa	(4) 4-5-015:003 (p) & 034		\$ 38,523.00	\$ 39,684.00	Rent is current; portion of a larger parcel that is designated for industrial use. Roofing Company and container storage facility
542	0.46	Industrial	Kauai Habitat for Humanity	Hanapepe	(4) 1-8-008:035 (p)	7/1/1996	\$585.00	\$ 603.00	Rent is current; portion of a larger parcel that is designated for industrial use. Thrift store, work office, and dirt road parking

Kaua'i Island Plan
DEPARTMENT OF HAWAIIAN HOME LANDS

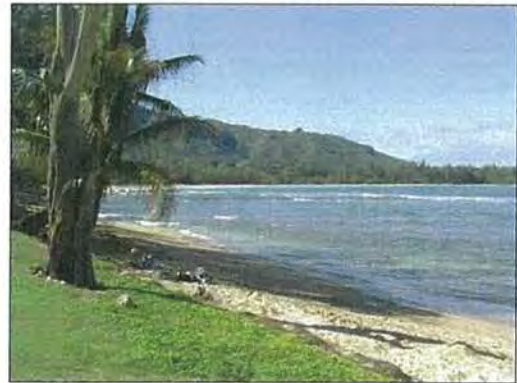
• *Executive Summary* •

The Kaua'i Island Plan (KIP) provides recommendations for the future use of the Department of Hawaiian Home Lands (DHHL) 20,565 acres on Kaua'i (*Figure ES.1*). The plan is intended to guide overall land use patterns and development on Kaua'i for the next 20 years.

GENERAL PLAN GOALS

The KIP is consistent with the DHHL General Plan goals. In particular,

- The proposed land uses exceed the General Plan's goal of delivering 840 Residential homesteads in the next 20 years or an average of 42 per year; and
- Income generating uses constitute less than 1% of the Department's total land holdings on Kaua'i.



Anahola Bay



Figure ES.1

DHHL's Kaua'i Lands

EXHIBIT "A-1 "

ITEM NO. F- /



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 524	ADDRESS:	BY: K. Duncan
NAME: Patricia Kuini Contrades and Carla Contrades-Barrett	TMK/ZONING: (4)4-8-008:001	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: .344 acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: 525	ADDRESS:	BY: K. Duncan
NAME: Linda Kaauwai-Iwamoto	TMK/ZONING: (4)4-8-005:042&043	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 14.5 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 526	ADDRESS:	BY: K. Duncan
NAME: Frank and Amber Rivera Sr.	TMK/ZONING: (4)4-8-003:020	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 5 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 527	ADDRESS:	BY: K. Duncan
NAME: Charley Raco, Palakiko Farms	TMK/ZONING: (4)1-2-002-023 (por.)	PERMITTED USE: Agricultural
LOCATION: Kekaha, Kauai	AREA: 30	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 528	ADDRESS:	BY: K. Duncan
NAME: Gary Frank Cummings Jr.	TMK/ZONING: (4)4-8-003:049(por.)	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 18	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 529	ADDRESS:	BY: K. Duncan
NAME: Angelina Koli and Kalei Kanahele	TMK/ZONING: (4)4-8-005:0388044	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 12 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

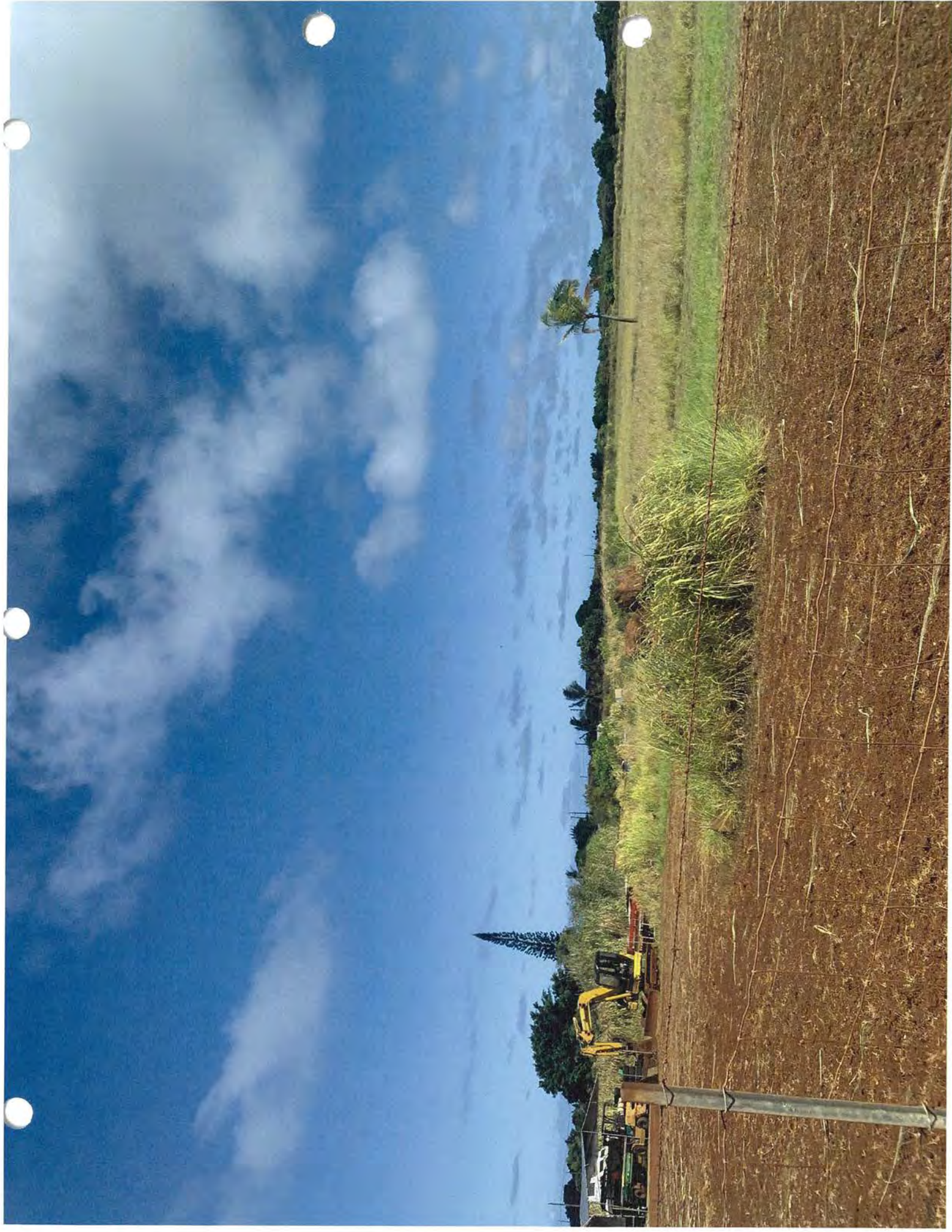
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 530	ADDRESS:	BY: K. Duncan
NAME: Puanani Cummings	TMK/ZONING: (4)4-8-003-020(por.)	PERMITTED USE: Caretaker
LOCATION: Anahola, Kauai	AREA: .164 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

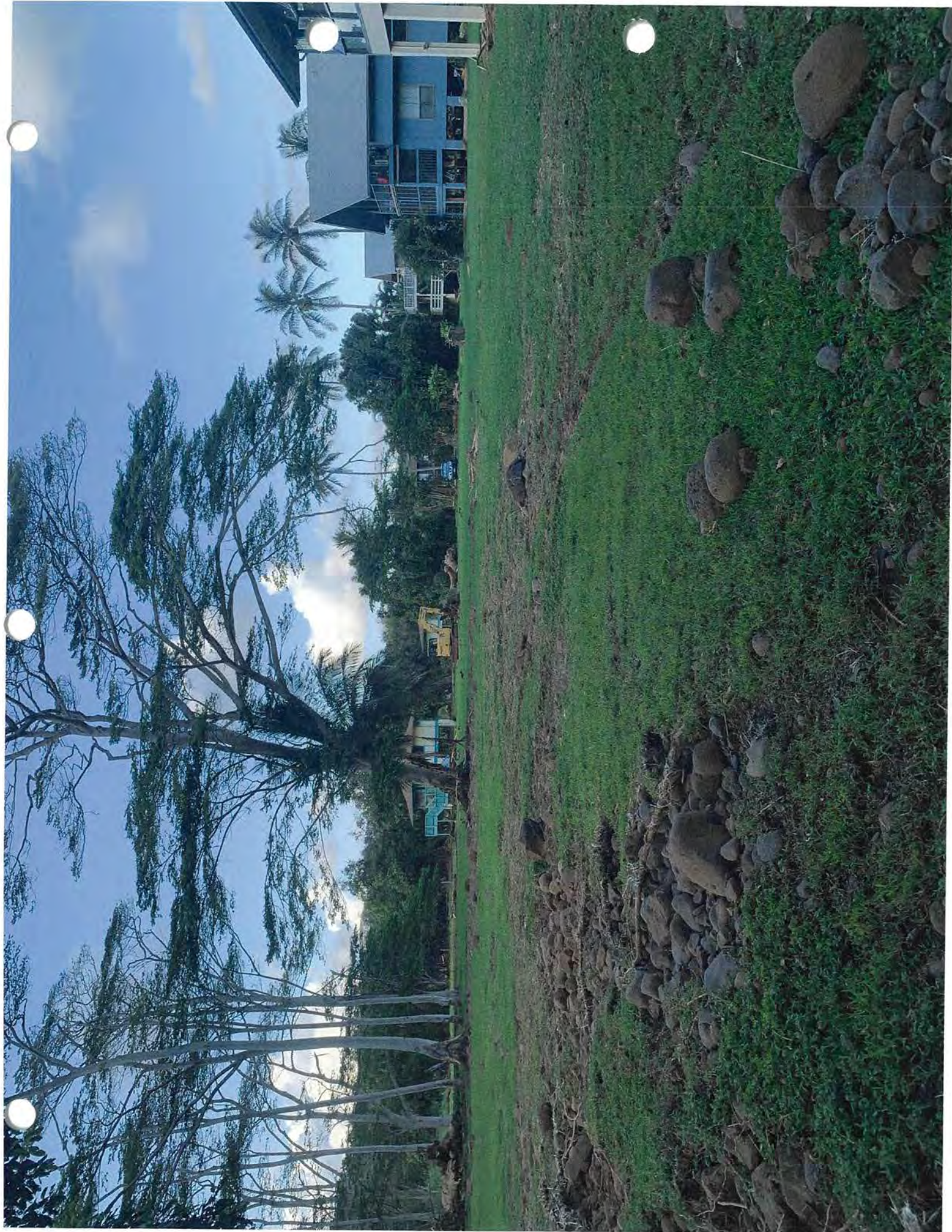
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 532	ADDRESS:	BY: K. Duncan
NAME: Valerie Woods	TMK/ZONING: (4)4-8-006:046	PERMITTED USE: Caretaker
LOCATION: Anahola, Kauai	AREA: 3.6 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 533	ADDRESS:	BY: K. Duncan
NAME: Patricia Contrades and Carla Contrades-Barrett	TMK/ZONING: (4)4-8-011:031	PERMITTED USE: Commercial
LOCATION: Anahola, Kauai	AREA: .009 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 534	ADDRESS:	BY: K. Duncan
NAME: Woodrow Contrades and Carla Contrades-Barrett	TMK/ZONING: (4)4-8-011:031	PERMITTED USE: Commercial
LOCATION: Anahola, Kauai	AREA: .023 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 535	ADDRESS:	BY: K. Duncan
NAME: Hokualele Canoe Club	TMK/ZONING: (4)4-8-012:010(par.)	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: 340 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 536	ADDRESS:	BY: K. Duncan
NAME: Kukulu Kumuhana O Anahola (KKOA)	TMK/ZONING: (4)4-8-005:026	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: .917 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

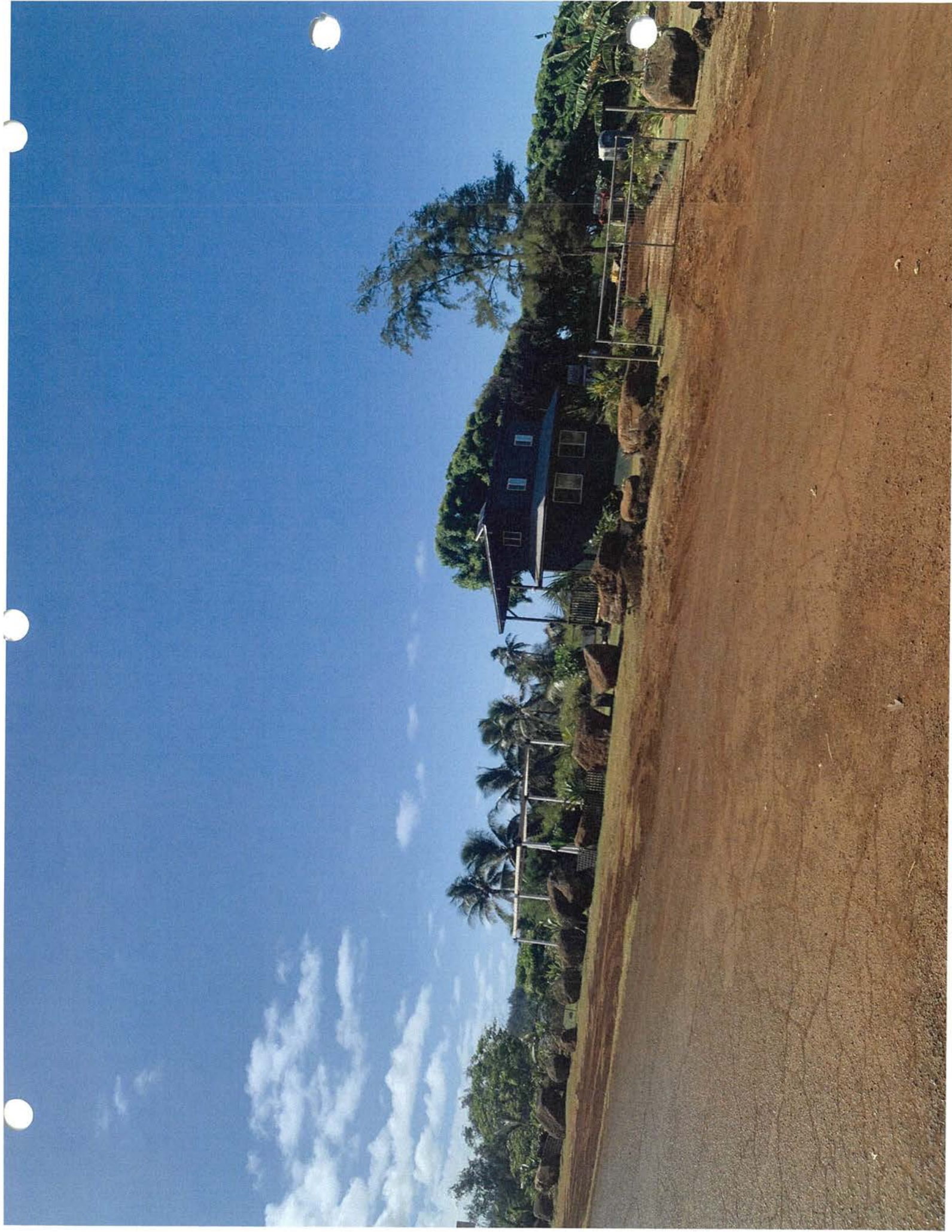
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Storage shack	Size under permitted requirement		
GENERAL				
1. Landscaping	OK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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 537	ADDRESS:	BY: K. Duncan
NAME: Aina Alliance	TMK/ZONING: (4)4-8-003:018,019,021,036;& (4)4-8-014:003	PERMITTED USE: Community
LOCATION: Anahola, Kauai	ARE/A: 432 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

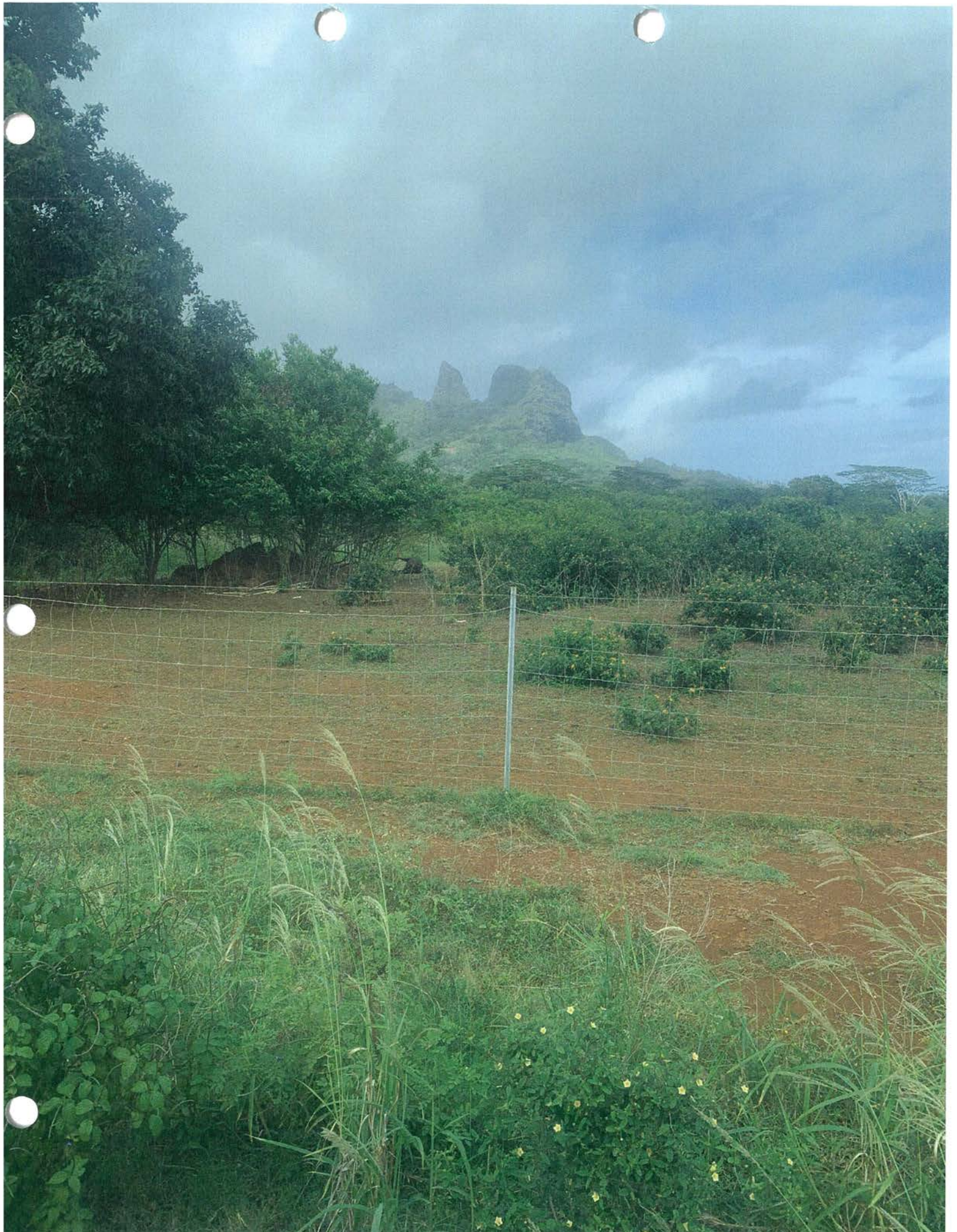
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	2 Security Shacks	Size under permitted requirement		
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous	Structures	No residential living		
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 538	ADDRESS:	BY: K. Duncan
NAME: Kahu O Ka Paka Kahakai O Anahola	TMK/ZONING: (4)4-8-003:011,017,& (4)4-8-010:003,005,006,010	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: 103.07	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 539	ADDRESS:	BY: K. Duncan
NAME: Keakai Kauai Inc.	TMK/ZONING: (4)4-8-008:016&080	PERMITTED USE: Education
LOCATION: Anahola, Kauai	AREA: 3.440 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 540	ADDRESS:	BY: K. Duncan
NAME: Kavin Educational Farm Program	TMK/ZONING: (4)1-2-002:023(por.)	PERMITTED USE: Education
LOCATION: Kekaha, Kauai	AREA: 109.80 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 541	ADDRESS:	BY: K. Duncan
NAME: Mona Lisa and Randy Boyer	TMK/ZONING: (4)4-5-015-003&034	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: 16.072 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 542	ADDRESS:	BY: K. Duncan
NAME: Kauai Habitat for Humanity	TMK/ZONING: (4)1-8-008:035	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: .460 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 543	ADDRESS:	BY: K. Duncan
NAME: Wallace Rita	TMK/ZONING: (4)1-8-008:035	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: .58 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 544	ADDRESS:	BY: K. Duncan
NAME: Jesse Lam	TMK/ZONING: (4)4-5-015:048	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: .059 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 545	ADDRESS:	BY: K. Duncan
NAME: Roger Palama	TMK/ZONING: (4)1-8-008:035 (por.)	PERMITTED USE: Industrial
LOCATION: Hanalepe, Kauai	AREA: 230 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 05/01/2025

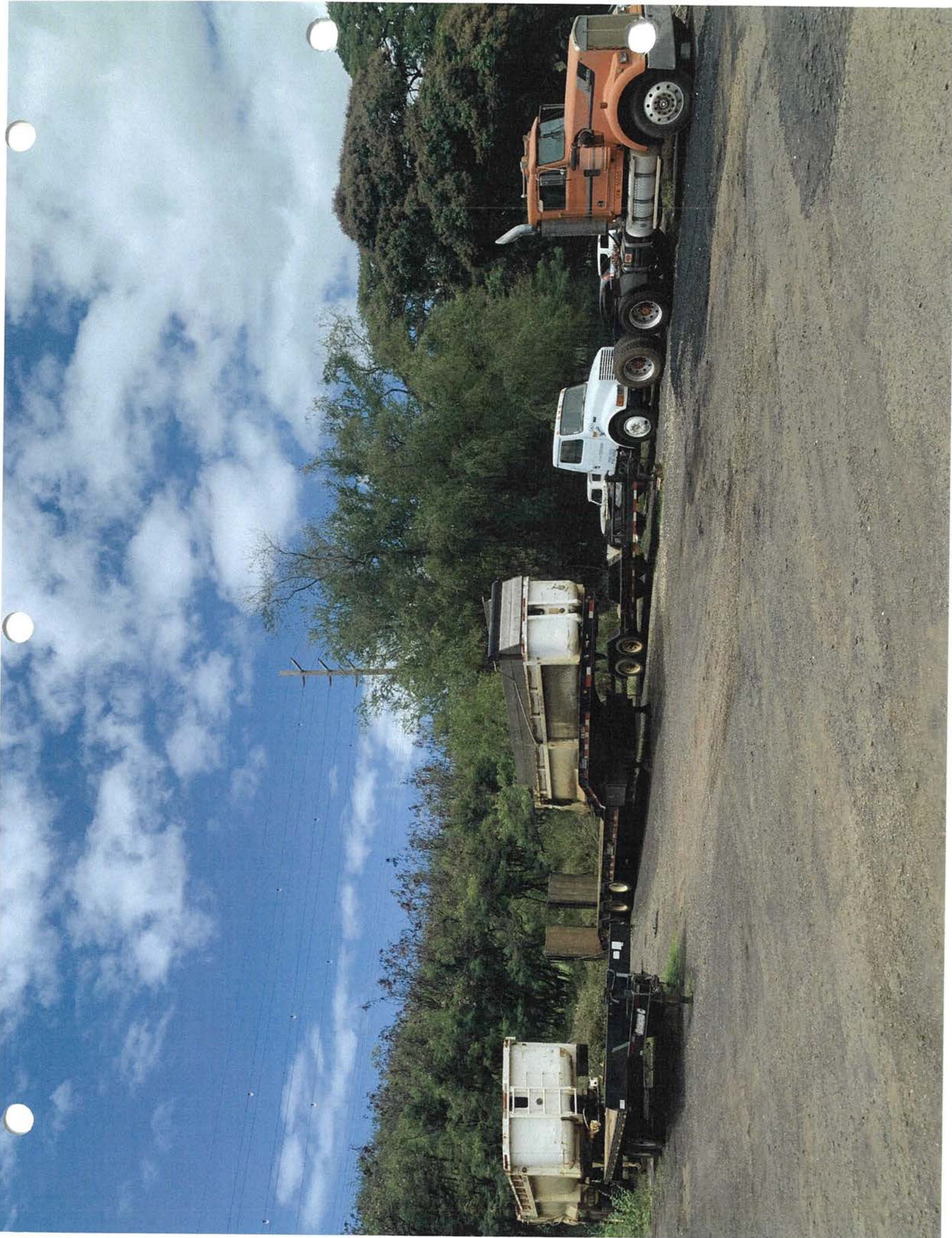
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	NA			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 546	ADDRESS:	BY: K. Duncan
NAME: Wallace Rita	TMK/ZONING: (4)1-8-008:081 (por.)	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: .344 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 547	ADDRESS:	BY: K. Duncan
NAME: Akita Enterprises Limited	TMK/ZONING: (4)1 -8-008:035 (por.)	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: .367 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 549	ADDRESS:	BY: K. Duncan
NAME: Jack L. and Margaret C. Phillips	TMK/ZONING: (4)4-5-005:006 (por.)	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: 918 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

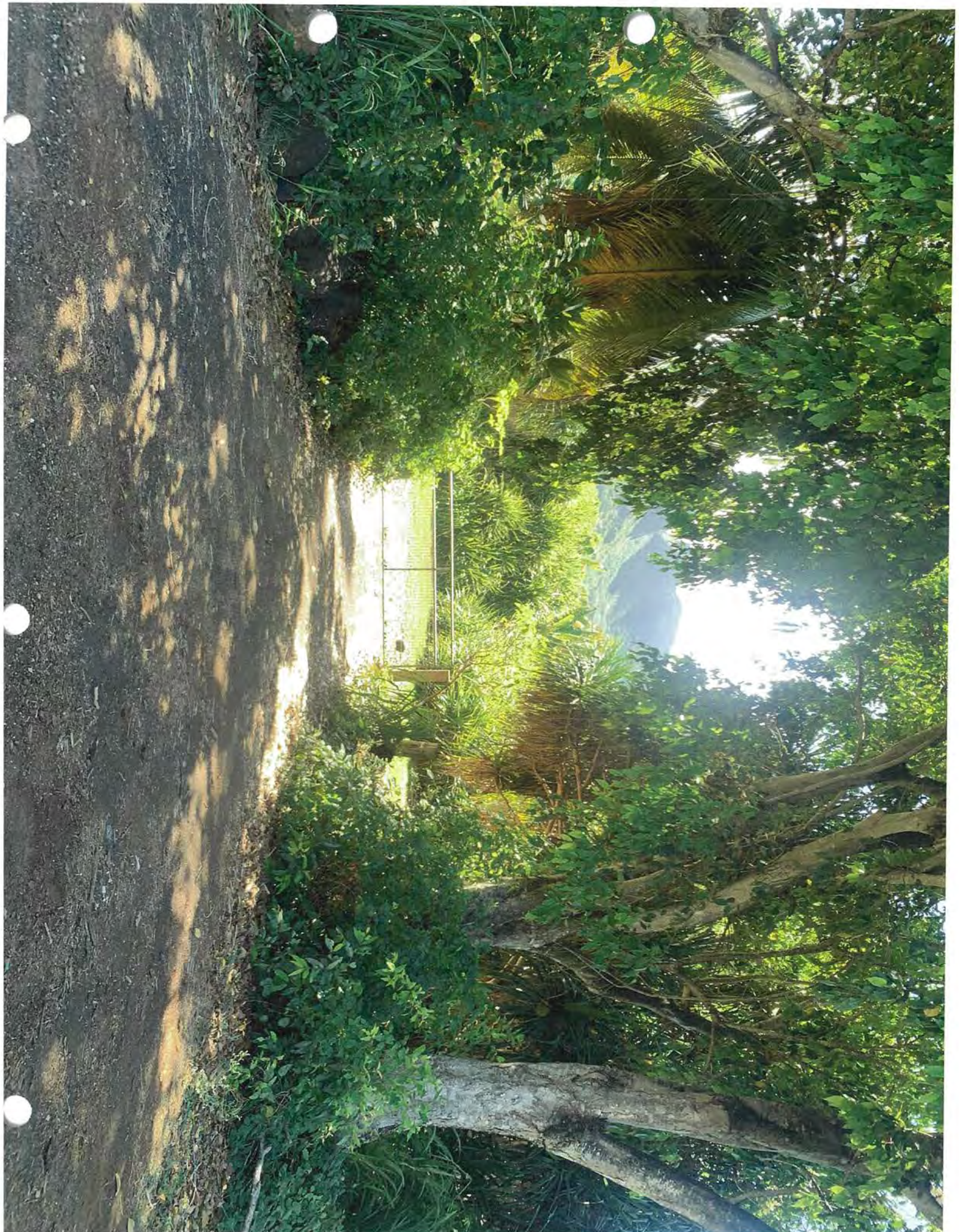
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 550	ADDRESS:	BY: K. Duncan
NAME: Solomon Lovell	TMK/ZONING: (4)-8-006:004	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 3.264 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 551	ADDRESS:	BY: K. Duncan
NAME: Kalei Medeiros	TMK/ZONING: (4)4-8-011:005,006,011,013,8049	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 14.903 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

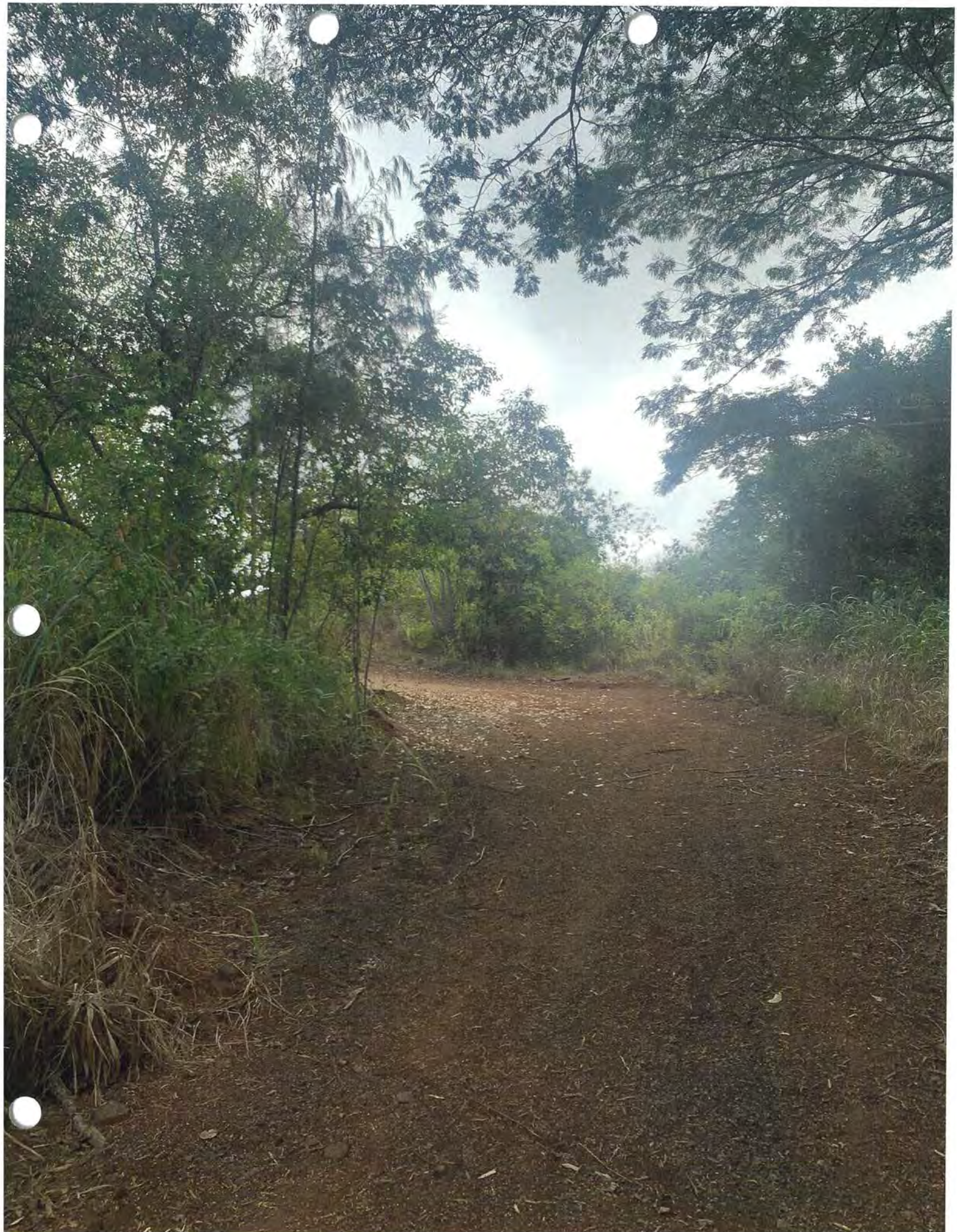
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	NA			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 552	ADDRESS:	BY: K. Duncan
NAME: Gordon and Kimo Rosa	TMK/ZONING: (4)4-8-005:038 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 13 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 553	ADDRESS:	BY: K. Duncan
NAME: Clay, Patrick, and Bruce Kelekoma	TMK/ZONING: (4)4-8-015:024,025,&026	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 2.866 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

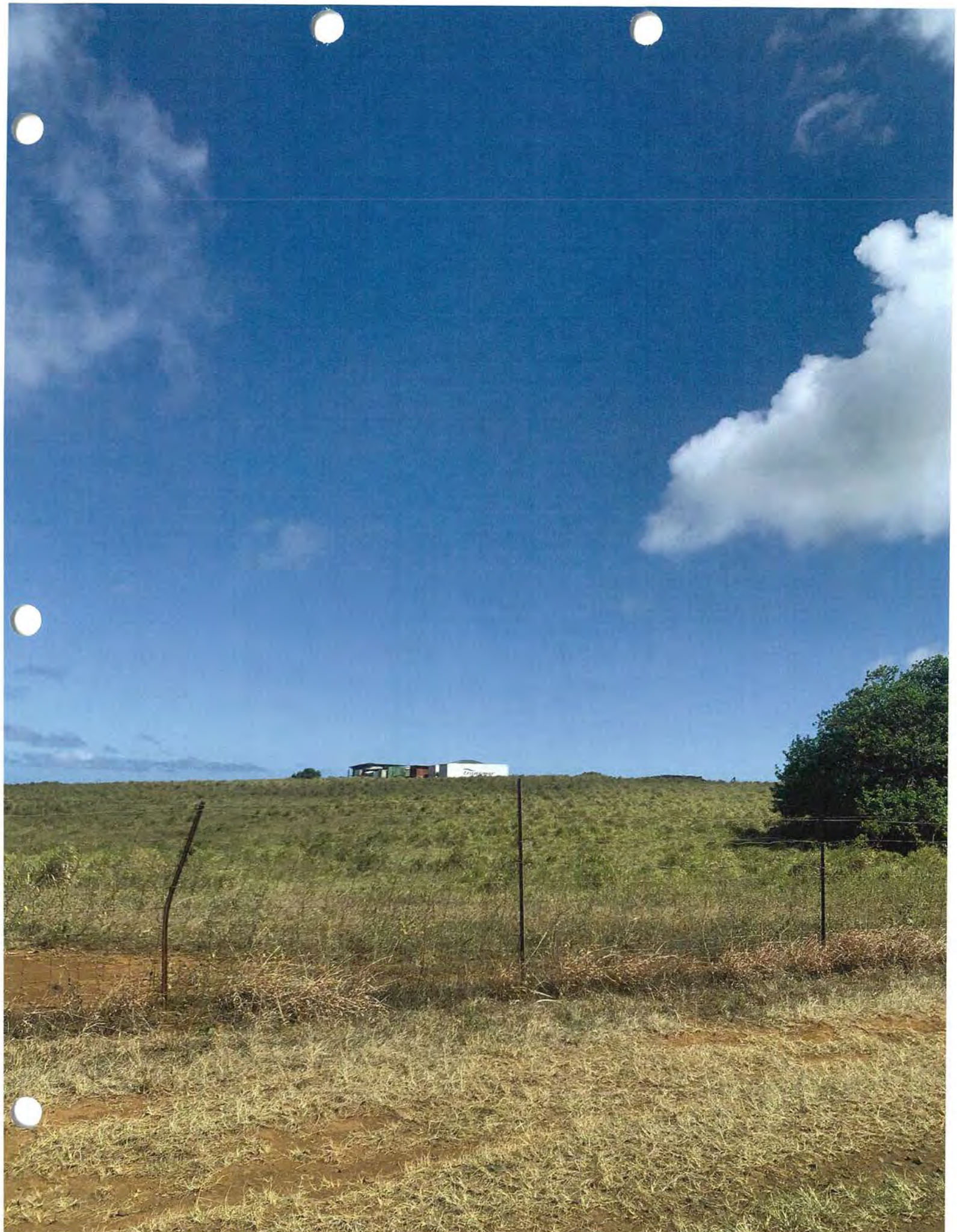
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s) GENERAL	OK			
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 554	ADDRESS:	BY: K. Duncan
NAME: Clay, Patrick, and Bruce Kelekoma	TMK/ZONING: (4)4-7-004:022 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 75 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

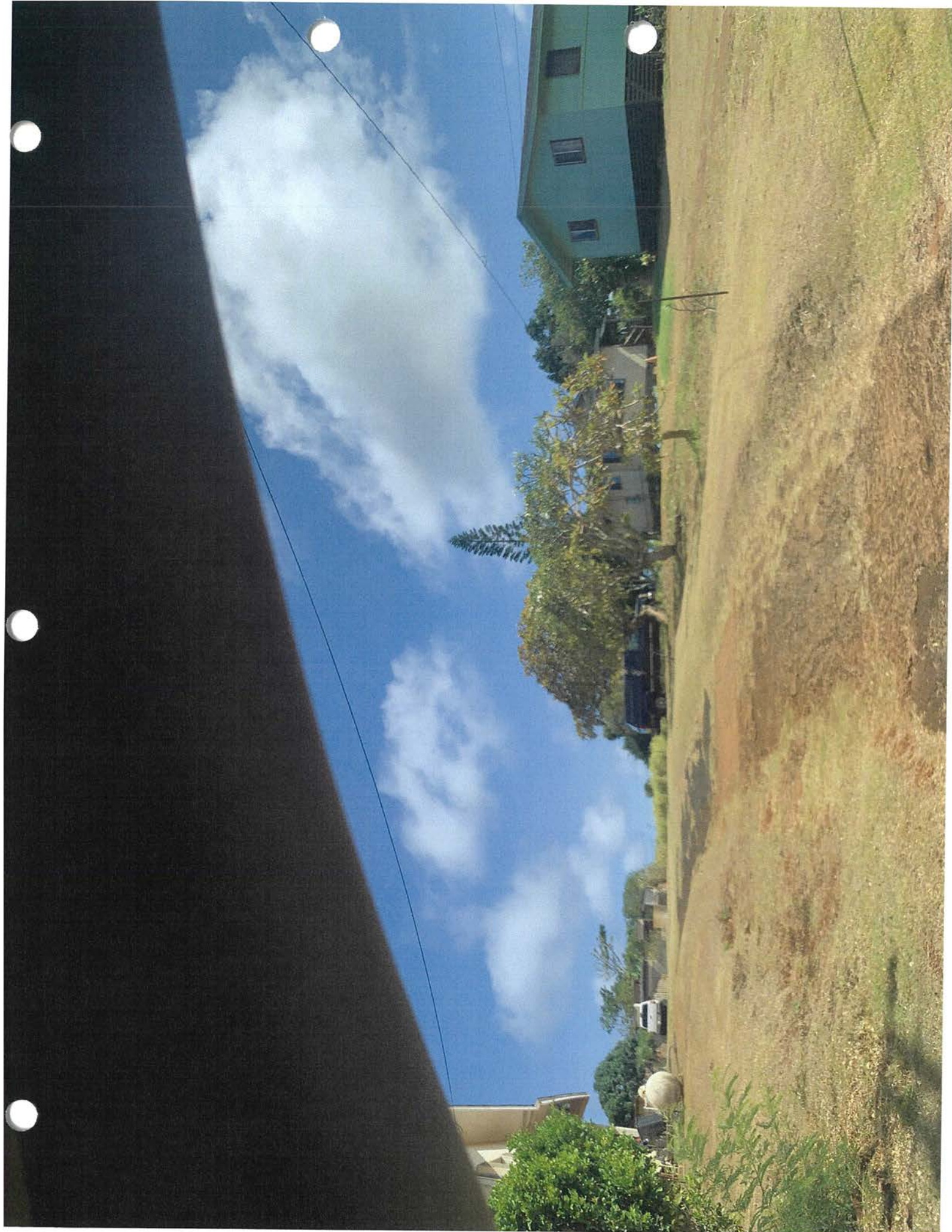
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 555	ADDRESS:	BY: K. Duncan
NAME: Lynn K.M. Fu	TMK/ZONING: (4)4-8-003:020 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 5 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

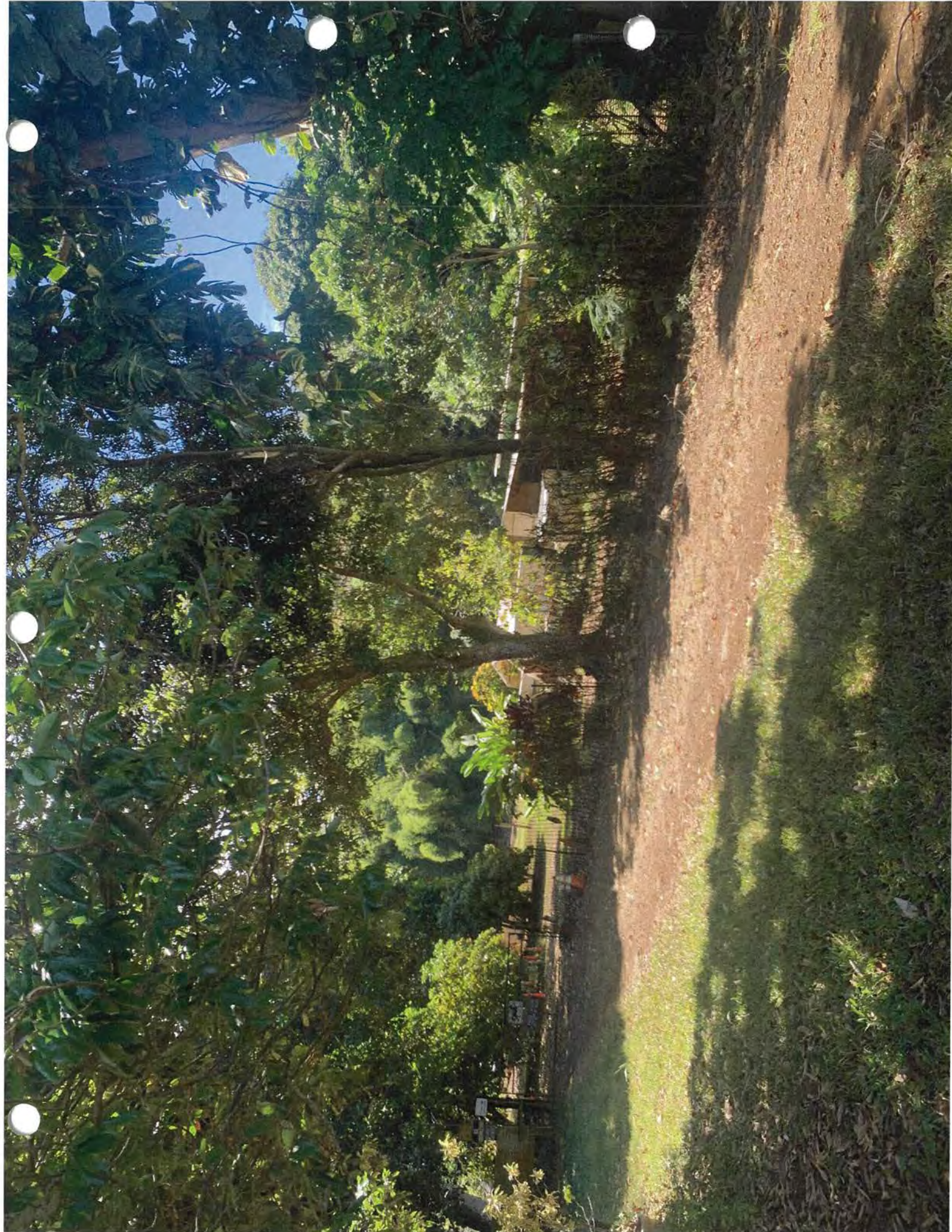
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s) GENERAL	OK			
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 556	ADDRESS:	BY: K. Duncan
NAME: Richard and Kuulei Omellas	TMK/ZONING: (4)4-8-011:063 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: .55 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Home	Permitted Residential Living	Yes, the 1990's	Yes
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 557	ADDRESS:	BY: K. Duncan
NAME: Tarey and Darryl Low	TMK/ZONING: (4)4-7-002:004 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 173 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Home	No residential living		
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 558	ADDRESS:	BY: K. Duncan
NAME: Stuart Hanchett	TMK/ZONING: (4)4-9-010:002&005	PERMITTED USE: Pastoral
LOCATION: Molokaa, Kauai	AREA: 315.97 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Home	No residential living		
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 559	ADDRESS:	BY: K. Duncan
NAME: Joseph Borden	TMK/ZONING: (4)4-8-003:004 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 40 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

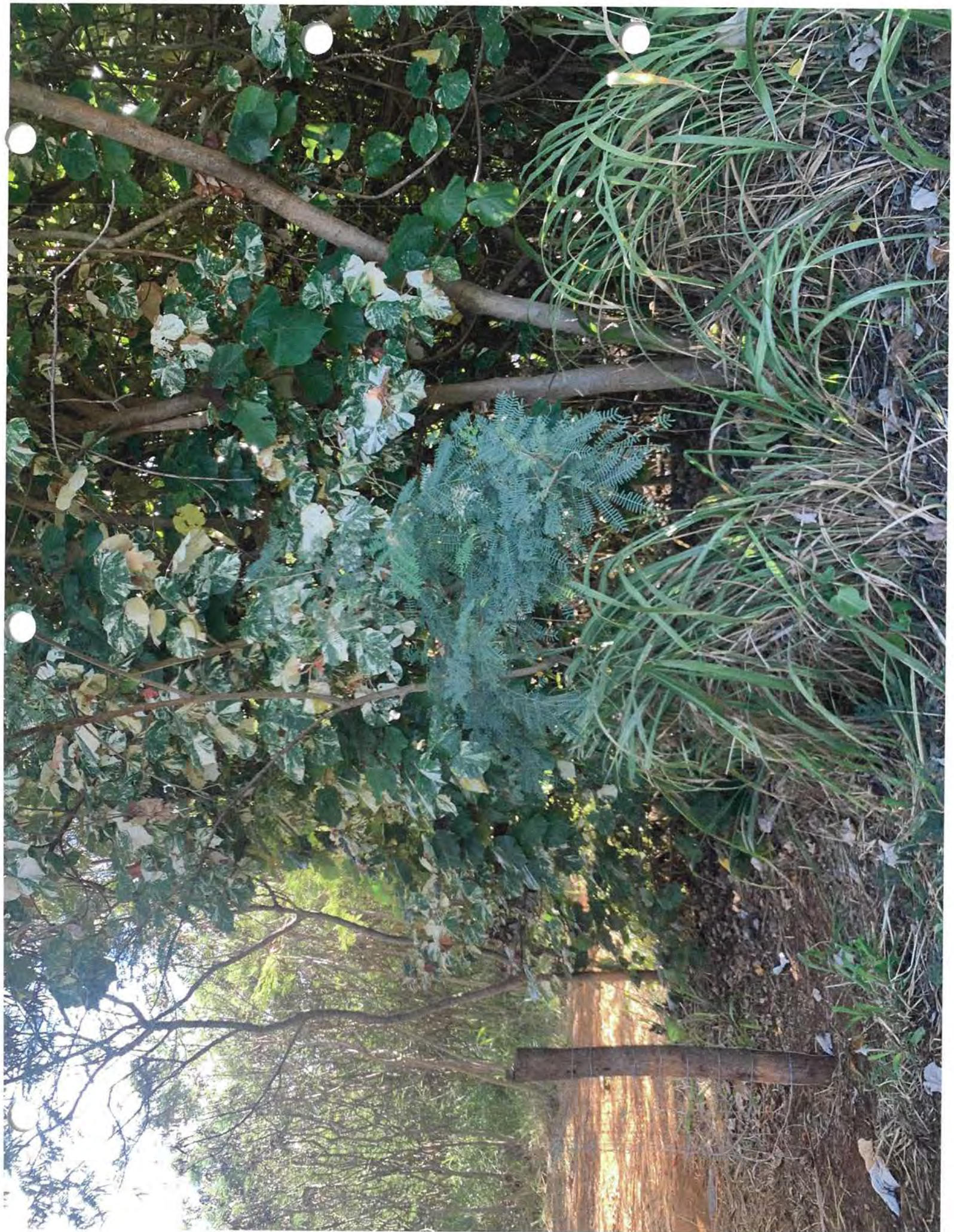
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 560	ADDRESS:	BY: K. Duncan
NAME: William Sanchez	TMK/ZONING: (4)3-9-002-003	PERMITTED USE: Pastoral
LOCATION: Wailua, Kauai	AREA: 45.023 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 561	ADDRESS:	BY: K. Duncan
NAME: Henry Avigueltero	TMK/ZONING: (4)-8-007:003 (por.)	PERMITTED USE: Pastoral
LOCATION: Hanalepe, Kauai	AREA: 5 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 562	ADDRESS:	BY: K. Duncan
NAME: Norman Cummings	TMK/ZONING: (4)4-8-003.020 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 40 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	House	No residential living		
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	Follow up	DOH permit for toilet		
5. Environmental Compliance Concerns	Follow up	Gambling allegations		
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 563	ADDRESS:	BY: K. Duncan
NAME: Ralph Kauli and Rhonda Refamonte	TMK/ZONING: (4)3-9-002:012&025	PERMITTED USE: Pastoral
LOCATION: Wailua, Kauai	AREA: 320 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Structure	County building permit not needed		
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	OK			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 564	ADDRESS:	BY: K. Duncan
NAME: Henry Kupihea	TMK/ZONING: (4)4-8-003:006 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 30 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 565	ADDRESS:	BY: K. Duncan
NAME: Edward Taniguchi	TMK/ZONING: (4)4-7-002:004 (por.)	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 80 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 05/01/2025


ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	NA			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	NA			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				




STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator 
Land Management Division

From: Kaipo Duncan, Land Agent 
Land Management Division

Subject: Approval to Issue Revocable Permit and Preliminary Approval for a 20 year License Agreement to Homestead Community Development Corporation, Anahola, Island of Kauai, Tax Map Key No. (4) 4-8-007:001 (p)

APPLICANT

Homestead Community Development Corporation (HCDC)

RECOMMENDED ACTION

That the Hawaiian Homes Commission approves the following:

- A. Issuance of a month-to-month Revocable Permit (RP) to the Homestead Community Development Corporation (HCDC) for approximately five (5) acres of Hawaiian home lands in Anahola, Island of Kauai, further identified as Tax Map Key No. (4) 4-8-007:001 (p) (See Exhibit "A") to construct, operate and maintain a beach retreat, camping and recreational facility, known as "Kumu Camp" and for no other purposes. Permanent residential use is strictly prohibited. The issuance will be subject to the following:
1. The use shall be to construct, operate and maintain Kumu Camp, located near the Anahola Beach Park on Poha Road. No other use shall be allowed without prior written approval from the Department of Hawaiian Home Lands (DHHL).
 2. Initial monthly permit fee shall be \$20.00. DHHL reserves the right to charge fair market monthly fee after reviewing the financial statements from HCDC on this operation.
 3. A security deposit of \$1,000.00 shall be required.
 4. Non-refundable processing and documentation fees totaling \$175.00 shall be required.
 5. HCDC shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Permit a general liability insurance including coverage

terms currently used in Revocable Permits, naming State of Hawaii and its Department of Hawaiian Home Lands as an additional insured prior to commencement of work and throughout the terms of this permit; such insurance policy shall be fully described in the permit document.

6. All substantial improvements, alterations, or additions installed or constructed on the land must have prior approval from DHHL, and shall comply with all Federal, State and County statutes, regulations, codes or ordinances applicable to HCDC's use of the property.
 7. This revocable permit can be revoked or terminated upon a thirty (30)-day written notice for any reason or no reason by either party. Upon termination, HCDC will be responsible for removing any improvements deemed unnecessary to DHHL.
 8. HCDC shall be responsible for all utility charges and for the security of the premises and all of HCDC's personal property thereon.
 9. HCDC shall have six (6) months from the effective date of this Revocable Permit to correct and/or address the identified deficiencies listed in Exhibit "B."
 10. The Revocable Permit document shall be subject to other standard terms and conditions of similar permit issued by DHHL.
 11. The Revocable Permit document shall be subject to review and approval by the State of Hawaii, Department of the Attorney General.
 12. Such other terms and conditions deemed prudent and reasonable by the Hawaiian Homes Commission to serve the best interests of the trust and its beneficiaries.
- B. Preliminary approval to the issuance of a 20-year License Agreement to the Homestead Community Development Corporation (HCDC) for the five (5) acres of Hawaiian home lands, more or less, in Anahola, Island of Kauai, further identified as Tax Map Key No. (4) 4-8-007:001 (p) (See Exhibit "A") to operate and maintain a beach retreat, camping and recreational facility, known as "Kumu Camp" and for no other purposes.
1. The preliminary approval is subject to HCDC satisfactorily addressing the concerns and deficiencies within the six (6) months under the Revocable Permit. The terms and conditions of the license will be as follows:
 - a. The use shall be to operate and maintain Kumu Camp, located near the Anahola Beach Park on Poha Road. No other use shall be allowed without prior written approval from the Department of Hawaiian Home Lands (DHHL).
 - b. Monthly license fee shall be determined after DHHL reviews the financial statements from HCDC on this operation.
 - c. A security deposit of \$1,000.00 shall be required.

- d. Non-refundable processing and documentation fees totaling \$175.00 shall be required.
- e. HCDC shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Permit a general liability insurance including coverage terms currently used in Revocable Permits, naming State of Hawaii and its Department of Hawaiian Home Lands as an additional insured prior to commencement of work and throughout the terms of this permit; such insurance policy shall be fully described in the permit document.
- f. All substantial improvements, alterations, or additions installed or constructed on the land must have prior approval from DHHL, and shall comply with all Federal, State and County statutes, regulations, codes or ordinances applicable to HCDC's use of the property.
- g. HCDC shall be responsible for all utility charges and for the security of the premises and all HCDC's personal property thereon.
- h. HCDC shall be required to provide an update to the Hawaiian Homes Commission (HHC) on an annual basis with the following:
 - i. Update to HCDC's Board of Directors
 - ii. With regards to Kumu Camp, financial reporting on annual revenue, expenses, and community benefits and/or programs provided to the Anahola homestead community
 - iii. Department of Health inspection report on the facility as well as the sanitation system
 - iv. Report on campground maintenance activities and upgrades made over the annual period
- i. HCDC shall install and maintain traffic mitigation measures such as speed bumps or speed tables on Anahola Road and Poha Road as part of the operation of Kumu Camp.
- j. The License document shall be subject to other standard terms and conditions of similar licenses issued by DHHL.
- k. The License document shall be subject to review and approval by the State of Hawaii, Department of the Attorney General.
- l. Such other terms and conditions deemed prudent and reasonable by the Hawaiian Homes Commission to serve the best interests of the trust and its beneficiaries.

LOCATION:

Hawaiian Home Lands situated in Anahola, Island of Kauai, identified as

Tax Map Key: (4) 4-8-007:001 (p)

AREA:

5 acres, more or less

DISCUSSION:

In 2010, DHHL received a request from the Anahola Hawaiian Homestead Association (AHHA) through its CDC arm, Homestead Community Development Corporation (HCDC) to use approximately five (5) acres of DHHL lands near the Anahola Bay to construct the Kumu and Youth facility, known as Kumu Camp.

The initial purpose of “Kumu Camp” is to provide temporary camping facilities to youth and kupuna groups of Anahola and the Kauai community on a seasonal basis. The site on Poha Road is in an area prone to illegal dumping and activities. The presence of the campground will help to eliminate all unlawful actions. This project was not designated as a “Priority Project” under the Anahola Regional Plan.

In late 2011, then Chairman Nahale-a approved the issuance of the revocable permit for the requested land use. HCDC proceeded to develop a Kumu Youth Academy, aka Kumu Camp, without getting the final permit document from DHHL. Land Management Division did inform HCDC of several violations regarding their development of the campground such as violation of intended purpose; compliance with governmental rules and regulations; plans and specifications not forwarded to DHHL for review and approval; fee for the 5/8 in. water meter of \$4,600 not paid for; and no liability insurance submitted to DHHL.

In October 2015, HCDC prepared a Final Environmental Assessment for the Kumu Camp Project. The project summary was to allow HCDC to continue its Kumu Camp operations in Anahola, Kauai. The purpose cited that campground would provide a venue for youth and cultural camping experience to perpetuate Hawaiian culture and values. HCDC will operate campsite facilities, including metal-framed tent bungalows (tentalows); restrooms equipped with an Individual Wastewater System; a raised wooden pavilion with temporary roof; two “yurt”-style tents used as enclosed meeting areas; and miscellaneous other facilities for storage, solar powered pathway lightings, and an imu. The HHC accepted and approved the FEA with a FONSI in January 2016.

Pursuant to the Beneficiary Consultation Policy, prior to any long-term land disposition, the Planning Office is required to consult with beneficiaries in order to submit a report of findings to the Hawaiian Homes Commission to ensure that beneficiaries concerns are properly documented, compiled and reported. Beneficiary Consultation meeting and site visit were conducted in 2016, and the report was presented to the Hawaiian Homes Commission at its regularly scheduled monthly meeting on August 22-23, 2016, under Agenda Item No. G-1, which was approved and accepted by the Commission. While there were overwhelming opposition to the Kumu Camp project as it is being implemented, there are recommendations based on comments received that can address the concerns and provide an opportunity for the meaningful involvement of the community to create a project they all can be proud of. The HHC might consider a short-

term use, subject to review and consultation with the community, then a longer-term use with community support and all concerns were addressed.

In recent conversation with HCDC, they provided information on the following that were completed since:

1. In January 2016, obtained approval for a Finding of No Significant Impact (FONSI) declaration for the Environmental Assessment (EA) by the HHC
2. Installed commercial grade septic system certified by DOH
3. Obtained a cultural survey
4. SMA survey obtained, filed and approved
5. Paid for the water meter
6. Reduce drug activities in the neighborhood

Land Management Division recommends that a short-term revocable permit be issued for a month to month term not to exceed 12 months to allow HCDC and DHHL to address all concerns. If all concerns are addressed to DHHL satisfaction, then a long-term license agreement be considered for issuance to HCDC to allow for a more permanent and planned development of the campground for the intended purpose and use.

PLANNING AREA:

Anahola, Island of Kauai

LAND USE DESIGNATION:

Special District Land Use Designation

CURRENT STATUS:

Actively used

CHARACTER OF USE:

Campground for public recreation and community benefit

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers: Use of State Lands

On January 16, 2016, HHC accepted the Final Environmental Assessment and the Final of No Significant Impact (FONSI) was issued.

AUTHORITY / LEGAL REFERENCE:

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

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

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

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated

EXHIBIT B

Deficiencies and/or concerns to be addressed by HCDC:

1. A Fire Suppression plan that meets Kauai County Fire Code for potential fire mitigation.
2. Traffic mitigation measures on Anahola Road and Poha Road to slow down traffic and avoid potential accidents by patrons to Kumu Camp, to be designed and implemented in consultation with DHHL staff.
3. Procure and keep in full effect during the term of the Revocable Permit and subsequent license agreement a General Comprehensive Liability Insurance required under both documents
4. No cutting of the woody vegetation area greater than 15 feet in height during the Hawaiian Hoary Bat pupping season (June 1 – September 15)
5. Implement rules that no headlights shine out toward the sea from cars parking at Kumu Camp at night during the peak seabird fledging season (September 15 – December 15)
6. Use fully shielded “seabird friendly” solar powered campsite light
7. No alcoholic beverages allowed in the campground
8. Will not place any structures within the Special Flood Hazard Area (AE)
9. Engage in community beneficiary consultation on any expansion efforts and will ensure a qualified archaeologist is present during any future ground disturbance activities
10. Will provide detailed water demand (both portable and irrigation) calculation along with proposed water meter size, if required.
11. Work with DHHL staff to obtain Building Permits for existing structures and fire mitigation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission

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

From: Peter "Kahana" Albinio, Jr., Manager, Income Property Branch
Land Management Division *KA*

Subject: Approval to Payment Plan for General Lease No. 275, DIBSHAWAII, LLC a
Hawaii limited liability company, Kawaihae, Hawaii Island, TMK No. (3) 6-1-
006:007

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve the payment plan as proposed for General Lease No. 275, DIBSHAWAII, LLC, a Hawaii limited liability corporation, subject to the following conditions:

1. The total lease rent owed to DHHL for the period from October 2017 to June 2025 is \$1,161,750.00. DIBSHAWAII LLC agrees to pay this full amount by May 31, 2027. No interest or prepayment penalties will be added to this balance;
2. If the balance is not paid in full by May 30, 2027, DHHL will recommend the immediate termination of GL 275 and may exercise any rights granted to the Hawaiian Homes Commission under the law or the lease agreement;
3. The base monthly lease rent of \$16,750.00, totaling \$402,000 over two years, will be deferred for 24 months from June 1, 2025, to May 31, 2027;
4. After the two-year rent deferral ends, the deferred balance of \$402,000.00 will be repaid with 6.0% interest. The full repayment amount of \$426,120.00 must be paid by no later than May 31, 2027;
5. If DIBSHAWAII LLC chooses to pay off the remaining balance earlier than the May 31, 2027, expiration date, the payment plan will end right away with no penalties. The base monthly lease rent of \$16,750.00 will remain the same; and
6. If payments are late or missed, DHHL has the right to immediately terminate the lease and may take legal action to recover the unpaid rent.

7. Except as changed, modified, or amended herein, all other terms and conditions of General Lease No. 275 shall continue and remain in full force and effect; and
8. The Chairman of the Hawaiian Homes Commission is authorized to set forth any additional terms and conditions which shall ensure and promote the purposes of the demised premises.

DISCUSSION

General Lease No. 275 was originally awarded to KonaCarbon, LLC, as Lessee, for a fifty-five (55) year term commencing on March 10, 2009 as noted in the Memorandum of Lease dated March 23, 2009 and recorded in the State of Hawai‘i Bureau of Conveyances on July 22, 2009, Document No.: 2009-112379, which Lease by mesne assignments was assigned to BIG ISLAND CARBON, LLC effective August 18, 2009 as noted in the Assignment of Lease recorded in the State of Hawai‘i Bureau of Conveyances as Document No.: 2009-133295, and the Consent to Assignment of Lease recorded with the State of Hawaii Bureau of Conveyances Document No. 2009-133296, then assigned to MILLENNIUM HAWAII CARBON, LLC, a Hawaii limited liability company, by instrument dated and signed on January 20, 2015 unrecorded.

The following are pertinent information on GL No. 275:

General Lessee:	Millennium HI Carbon, LLC., a Hawaii Corporation
Location:	61-3277 Maluokalani Street, Kaei Hana II Industrial Subdivision, Kawaihae, Island of Hawaii
Tax Map Key No.:	(3) 6-1-006:007 (See Exhibit “A”)
Land Area:	12.961 Acres (564,581 sq. Ft.)
Term:	55 years; 03/01/2009 – 02/29/2064
Base Annual Rental:	\$168,000.00; 12/1/2014 – 11/30/2024 \$201,000.00; 12/1/2024 – 11/30/2034
Rental Re-opening:	The annual ground lease rent shall be reopened and re-determined on December 1, 2034 and 2044 for the ensuing ten-year periods, and on December 1, 2054 for the period ending February 29, 2064.
Character of Use:	MG-1a (General Industrial)
Site Improvements:	A carbon activation plant facility which is 95% complete at a cost of \$45 Million.
Current Delinquencies:	\$1,161,750.00 as of April 7, 2025, (See Exhibit “B”)

\$407,729.58 County of Hawaii Real Property Tax Office as of April 7, 2025 (See Exhibit “C”)

DIBSHAWAII, LLC first expressed interest in taking over the lease in 2022. On October 11, 2022, the Hawaiian Homes Commission, under Chairman, William Aila, approved the Assignment of Lease from Millennium Carbon, LLC to DIBS HAWAII, LLC (see Exhibit “D”). Although the original plan was to finalize the purchase in December 2022, it was delayed due to investor uncertainty. Since then, DIBSHAWAII, LLC has partnered with several small businesses, both local and mainland, to form a Hawaii Carbon Capture Storage and Utilization consortium. The goal is to create steady revenue, repurpose idle equipment and buildings, and support innovation in producing Biochar and Wood Oil.

Keoni Ford, the President and CEO of DIBSHAWAII, LLC, submitted a signed Asset Purchase Agreement that includes the Assignment and Assumption of General Lease No. 275. The agreement was signed electronically on April 1, 2025, with Millennium HI Carbon, LLC, to finalize the lease purchase. As a sign of good faith and commitment to moving the project forward, DIBS Hawaii also made \$126,000.00 payment representing 10% of the outstanding of \$1.26 million rent balance. (See Exhibit “E”)

Additionally, DIBSHAWAII LLC agrees to pay a total of \$1,566,347.56 to settle two debts: 1.) \$1,161,750.00 for unpaid lease rent owed to DHHL from October 2017 to April 2025; and 2.) \$404,597.56 for overdue property taxes to the County of Hawaii for the years 2019 to 2025. To show its dedication to finalizing this DHHL lease assignment, DIBSHAWAII LLC sent a non-refundable deposit of \$126,000.00 in good faith. This amount was used to cover the unpaid lease rent due to DHHL.

To realize the unpaid least rent due to DHHL, DIBSHAWAII LLC agrees to LMD’s proposed payment plan as outlined in its April 7, 2025, Preliminary Terms & Conditions Letter attached hereto as Exhibit “F”.

Regarding the overdue property taxes of \$407,729.58 owed to the County of Hawaii for 2019 to 2025, DIBSHAWAII LLC will handle this matter directly with the County.

AUTHORIZATION

Article Four, Condition No. 9. Titled Assignment, pages 10-11 of General Lease No. 275

§171-36(a)(5), Hawaii Revised Statutes, as amended, titled Lease Restrictions; generally. which states in part, “...the assignment and transfer of a lease or unit thereof may be made in accordance with current industry standards, as determined by the board; ...”

RECOMMENDATION

Land Management Division respectfully requests approval be granted as stated.

Exhibit "A"
Item No. F-3

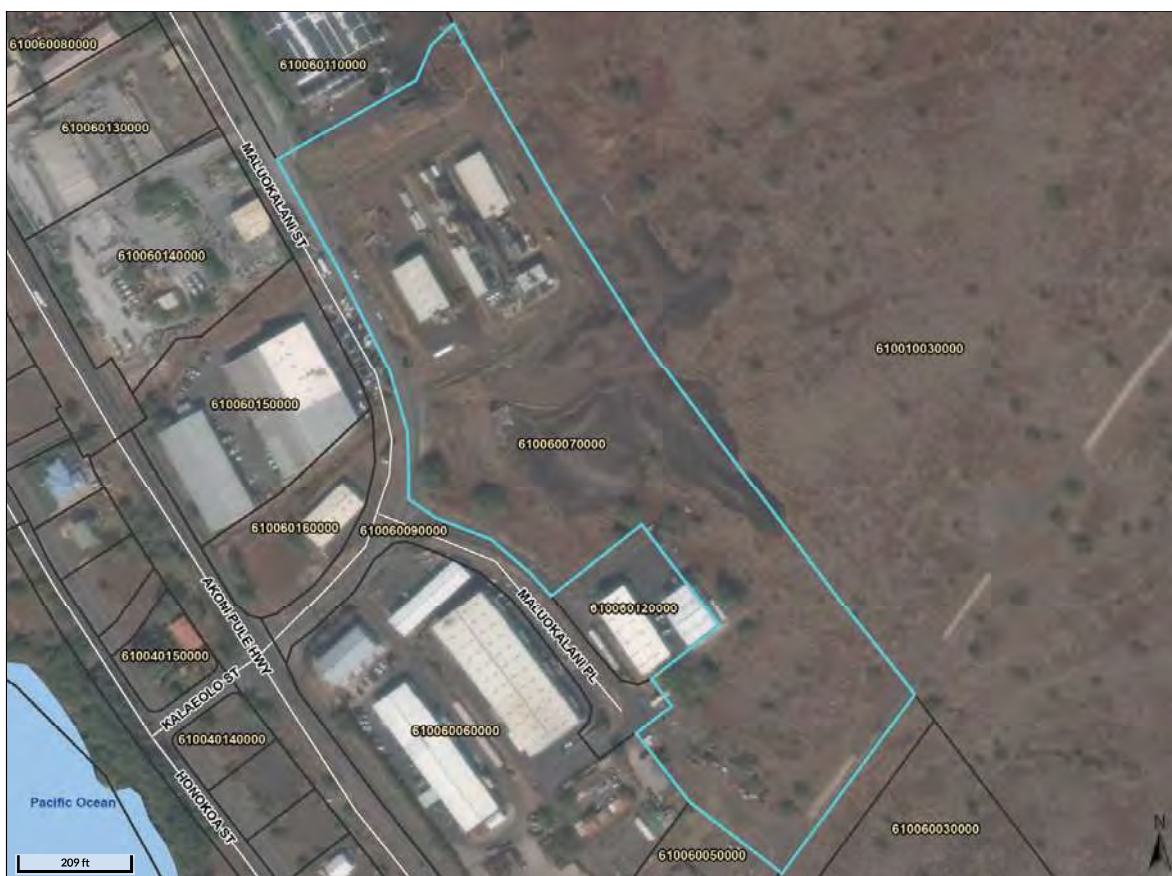
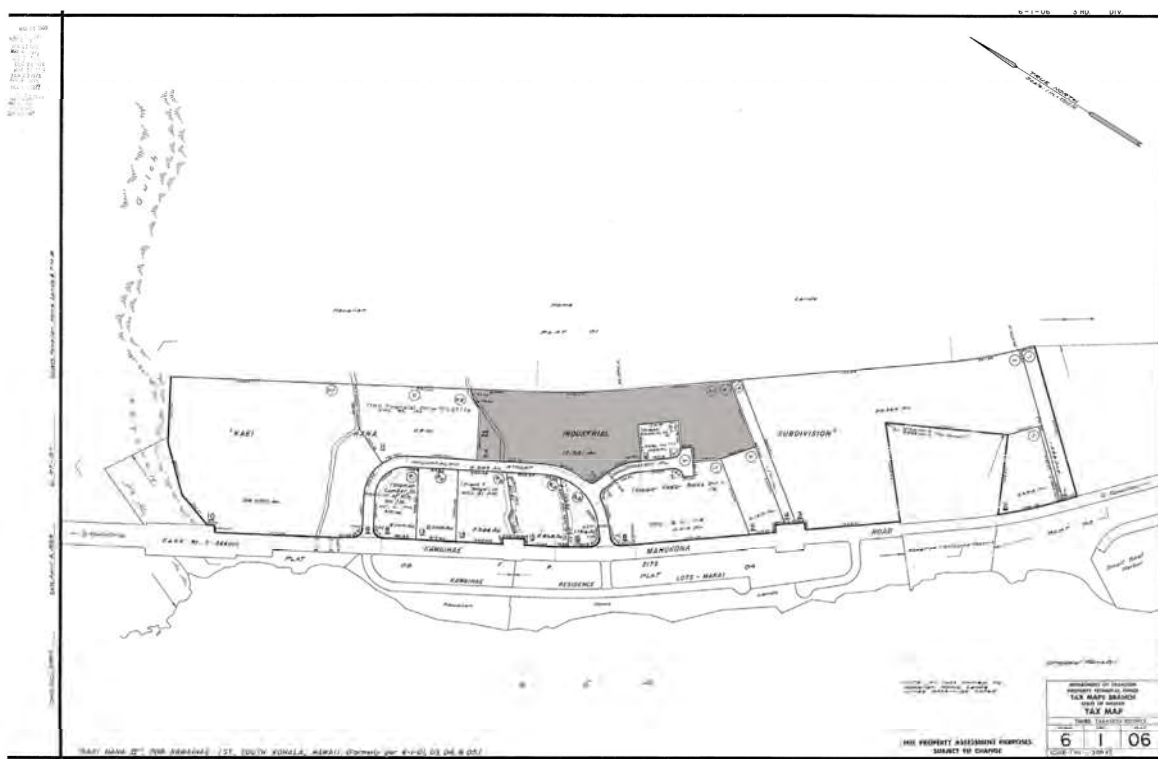


Exhibit "B"
Item No. F-3

As of 07Apr2025 - Acct Ledger
GL 275A

CLASS	CUSTOMER	ACCOUNT #	TRX #	TRX DATE	GL DATE	DUE DATE	ORIGINAL AMT	BALANCE	STATUS	COMMENTS
INV	MILLENNIUM CARBON, LLC	GL0275ha	1123	7/1/20	11/30/24	8/1/20	490,000.00	490,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1124	8/1/20	11/30/24	9/1/20	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1125	9/1/20	11/30/24	10/1/20	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1126	10/1/20	11/30/24	11/1/20	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1127	11/1/20	11/30/24	12/1/20	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1128	12/1/20	11/30/24	1/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1129	1/1/21	11/30/24	2/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1130	2/1/21	11/30/24	3/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1131	3/1/21	11/30/24	4/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1132	4/1/21	11/30/24	5/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1133	5/1/21	11/30/24	6/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1134	6/1/21	11/30/24	7/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1135	7/1/21	11/30/24	8/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1136	8/1/21	11/30/24	9/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1137	9/1/21	11/30/24	10/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1138	10/1/21	11/30/24	11/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1139	11/1/21	11/30/24	12/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1140	12/1/21	11/30/24	1/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1141	1/1/22	11/30/24	2/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1142	2/1/22	11/30/24	3/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1143	3/1/22	11/30/24	4/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1144	4/1/22	11/30/24	5/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1145	5/1/22	11/30/24	6/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1146	6/1/22	11/30/24	7/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1147	7/1/22	11/30/24	8/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1148	8/1/22	11/30/24	9/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1149	9/1/22	11/30/24	10/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1150	10/1/22	11/30/24	11/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1151	11/1/22	11/30/24	12/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1152	12/1/22	11/30/24	1/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1153	1/1/23	11/30/24	2/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1154	2/1/23	11/30/24	3/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1155	3/1/23	11/30/24	4/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1156	4/1/23	11/30/24	5/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1157	5/1/23	11/30/24	6/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1158	6/1/23	11/30/24	7/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1159	7/1/23	11/30/24	8/1/23	14,000.00	14,000.00	Open	

**As of 07Apr2025 - Acct Ledger
GL 275A**

	MILLENNIUM CARBON, LLC	GL0275ha	1160	8/1/23	11/30/24	9/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1161	9/1/23	11/30/24	10/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1162	10/1/23	11/30/24	11/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1163	11/1/23	11/30/24	12/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1164	12/1/23	11/30/24	1/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1165	1/1/24	11/30/24	2/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1166	2/1/24	11/30/24	3/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1167	3/1/24	11/30/24	4/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1168	4/1/24	11/30/24	5/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1169	5/1/24	11/30/24	6/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1170	6/1/24	11/30/24	7/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1171	7/1/24	11/30/24	8/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1172	8/1/24	11/30/24	9/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1173	9/1/24	11/30/24	10/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1174	10/1/24	11/30/24	11/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1175	11/1/24	11/30/24	12/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1876	12/11/24	12/11/24	1/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	4046	1/11/25	1/11/25	2/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	6028	2/11/25	2/11/25	3/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	8039	3/11/25	3/11/25	4/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	9006	4/1/25	4/1/25	5/1/25	13,750.00	13,750.00	Open	FI #25-466 Increase in mo. rent to \$16,750 eff 12/1/2024 (Dec 2024 - Apr 2025 rent inc adj)
PMT	MILLENNIUM CARBON, LLC	GL0275ha	501325813	4/1/25	4/1/25	4/1/25	Sub Total -1,287,750.00			
							Sub Total -126,000.00	0.00	Closed	4371
							Balance 1,161,750.00	1,161,750.00		

Exhibit "C"
Item No. F-3

Parcel Information

Parcel Number 610060070000
Location Address 61-3277 MALUOKALANI STREET
Project Name Kael Hana II Industrial Subdivision
Property Class INDUSTRIAL
Property Class refers to Tax Classification ONLY. For Zoning information, please go to [Planning Department GIS Public Layers \(hawaii-county.gov\)](#) or email planning@hawaii-county.gov
Neighborhood Code 6121-4
Legal Information LOT E-1 12.961 AC DES KAE HANA-II INDUSTRIAL S/D
Land Area (acres) 12.9610
Land Area (approximate sq ft) 564,581

[View Map](#)

[Plat \(TMK\) Maps](#)

Owner Information

Owner Names
HAWAIIAN HOME LANDS Fee Owner
BIG ISLAND CARBON LLC Lessee
MILLENNIUM HI CARBON , Addressee
[Show All Owners and Addresses](#)

Mailing Address
[HAWAIIAN HOME LANDS](#)

<https://hawaii-county-vhi-energovpub.tylerhost.net/Apps/SelfService#/home>

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
PRIOR	Real Property Tax	08/20/2019	\$0.00	\$0.00	\$172,339.01	\$17,233.90	\$80,930.29	\$0.00	\$270,503.20
2023-1	Real Property Tax	08/21/2023	\$0.00	\$0.00	\$28,097.13	\$2,809.71	\$6,181.37	\$0.00	\$37,088.21
2023-2	Real Property Tax	02/20/2024	\$0.00	\$0.00	\$28,097.13	\$2,809.71	\$4,326.96	\$0.00	\$35,233.80
2024-1	Real Property Tax	08/20/2024	\$0.00	\$0.00	\$28,097.13	\$2,809.71	\$2,472.55	\$0.00	\$33,379.39
2024-2	Real Property Tax	02/20/2025	\$0.00	\$0.00	\$28,097.13	\$2,809.71	\$618.14	\$0.00	\$31,524.98
Tax Bill with Interest computed through 04/30/2025			\$0.00	\$0.00	\$284,727.53	\$28,472.74	\$94,529.31	\$0.00	\$407,729.58

Pay online at <http://payments.ehawaii.gov/propertytax/hawaii>
Other Payment Options [Click Here](#)



Sale date range:

From: To:

Distance:

No data available for the following modules: Condominium/Apartment Unit Information, Agricultural Assessment Information, Residential Improvement Information.

The County of Hawaii Real Property Tax Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.
[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 4/7/2025, 8:03:00 AM

Contact Us



Exhibit "D"
Item No. F-3

MEMO TO CHAIR, William J. Aila, Jr.
October 10, 2022
Page 2 of 4

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 10, 2022

To: William J. Aila, Jr., Chairman
Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division **KA**

Subject: Approval to Consent to Assignment of General Lease No. 275 from Millennium
Hawaii Carbon, LLC ("Lessee/Assignor") to DIBSHAWAII, LLC a Hawaii limited
liability company ("Assignee"), Kawahae, Hawaii Island, TMK No. (3) 6-1-
006:007

RECOMMENDED MOTION/ACTION

That the Chairman grants consent and approval to the **Assignment of General Lease No. 275** from MILLENNIUM HI CARBON, LLC, a Hawaii limited liability corporation, as General Lessee/Assignor, to DIBSHAWAII, LLC, a Hawaii limited liability corporation, as Assignee, subject to the following conditions:

1. The standard terms of the Department of Hawaiian Homes Lands' Consent to Assignment of Lease,
2. The review and approval of the Consent document by the Department of the Attorney General;
3. Assignee to provide its written acknowledgment and acceptance of the department's sublease rent participation policy, which was adopted by the HHC on April 24, 1987;
4. Assignee to furnish a Certificate of Insurance which verifies the issuance of a General Comprehensive Public Liability Insurance Policy in an amount acceptable to the Department and naming it as an additional insured;
5. Assignee to furnish a Certificate of Insurance which verifies the issuance of a Multi-peril Insurance Policy, that includes coverage against loss or damage by fire, in an amount equal to the maximum insurable value of all buildings and improvements on the demised premises and naming the Department as an additional insured;
6. Assignee to furnish a lease performance bond in an amount equal to two times the annual lease rent or substitute a security deposit in an amount equal to three months rent in lieu of a lease performance bond;

7. Assignee to accept the addition of a new provision, titled **"Interest, costs and fees"** to the lease document stipulating the interest rate on any and all unpaid or delinquent rentals shall be at one percent (1%) per month, plus a service charge of FIFTY AND NO/100 DOLLARS (\$50.00) per month for each month of delinquency. Also, in case of any default by LESSEE in the performance of the terms, covenants and conditions herein contained, LESSEE shall pay to LESSOR any and all costs incurred in connection with the default, including reasonable attorneys' fees. In the event that any indebtedness arising hereunder is placed in the hands of a collector or an attorney for collection, or suit is instituted for collection, LESSEE shall pay, in addition to the indebtedness, reasonable collector's and/or attorneys' fees, together with all costs;

8. Except as changed, modified, or amended herein, all other terms and conditions of General Lease No. 275 shall continue and remain in full force and effect; and

9. The Chairman of the Hawaiian Homes Commission is authorized to set forth any additional terms and conditions which shall ensure and promote the purposes of the demised premises.

DISCUSSION

General Lease No. 275 was originally awarded to KonaCarbon, LLC, as Lessee, for a fifty-five (55) year term commencing on March 10, 2009 as noted in the Memorandum of Lease dated March 23, 2009 and recorded in the State of Hawai'i Bureau of Conveyances on July 22, 2009, Document No.: 2009-112379, (See Exhibit "A") which Lease by mesne assignments was assigned to BIG ISLAND CARBON, LLC effective August 18, 2009 as noted in the Assignment of Lease recorded in the State of Hawai'i Bureau of Conveyances as Document No.: 2009-133295, and the Consent to Assignment of Lease recorded with the State of Hawai'i Bureau of Conveyances Document No. 2009-133296 (See Exhibit "B"), then assigned to MILLENNIUM HAWAII CARBON, LLC, a Hawaii limited liability company, by instrument dated and signed on January 20, 2015 unrecorded (See Exhibit "C").

The following are pertinent information on GL No. 275:

General Lessee:	Milennium HI Carbon, LLC.; a Hawaii Corporation
Location:	61-3277 Maluokalani Street, Kaei Hana II Industrial Subdivision, Kawaihae, Island of Hawaii
Tax Map Key No.:	(3) 6-1-006:007 (See Exhibit "D")
Land Area:	12.961 Acres (564,581 sq. Ft.)
Term:	55 years; 03/01/2009 – 02/29/2064
Base Annual Rental:	\$168,000.00; 12/1/2014 – 11/30/2024 \$201,000.00; 12/1/2024 – 11/30/2034

Rental Re-opening: The annual ground lease rent shall be reopened and re-determined on December 1, 2034 and 2044 for the ensuing ten-year periods, and on December 1, 2054 for the period ending February 29, 2064.

Character of Use: MG-1a (General Industrial)

Site Improvements: A carbon activation plant facility which is 95% complete at a cost of \$45 Million.

Current Delinquencies: **\$846,000.00** as of October 6, 2022, inclusive of monthly rent of (\$14,000) due on November 1, 2022 (See Exhibit "E")

\$210,471.23 County of Hawaii Real Property Tax Office as of October 6, 2022 (See Exhibit "F")

Consent to Assignment of Lease

Mr. Keoni Ford, President/CEO of DIBSHAWAII, LLC submitted a letter (See Exhibit "G") addressed to HHC Chairman, William J. Aila, Jr., requesting the commission's consent to the proposed assignment of lease from informed the department that his company's desire in acquiring the land disposition interest demised under General Lease 275 held by Millennium Hawaii Carbon, LLC.

Attached with the letter Mr. Ford, included an Assignment and Assumption Agreement document (See Exhibit "H") fully executed between the parties for DHHL's review and consideration.

In addition, to remedy the back lease rent due to DHHL for the period covering October 2017 – November 2022, in the full amount of \$846,000.00 (EIGHT HUNDRED FORTY-SIX THOUSAND AND NO/100 DOLLARS) and delinquent Annual Real Property Taxes due to the County of Hawaii for 2019 – 2022, in the full amount of \$210,471.23 (TWO HUNDRED TEN THOUSAND FOUR HUNDRED SEVENTY-ONE AND 23/100 DOLLARS), DIBSHAWAII LLC agrees to pay the combined total amount of **\$1,056,471.23**.

DIBSHAWAII, LLC desires to establish a highly beneficial asset for the Kailapa community and a revenue generating lease for DHHL serving our HHCA beneficiaries. Although active carbon cannot be produced on site, valuable "Biochar" can easily be produced with the 3-year supply of macadamia nut shells on location. In addition, invasive species such as Eucalyptus, Albizia, and Gorse can also be used as feedstock to produce not only biochar, but also clean fuels for energy to run the plant.

DIBSHAWAII has immediate plans to create a net-zero carbon capture storage utilization platform that will recover vented carbon dioxide emissions and scrub and liquefy the emissions into food

grade liquid carbon dioxide. This product will be utilized for agriculture, energy, infrastructure, housing, textile development, and provide carbon storage in support of food security and resilience goals for the State.

Authorization

Article Four, Condition No. 9, Titled Assignment, pages 10-11 of General Lease No. 275

§171-36(a)(5), Hawaii Revised Statutes, as amended, titled Lease Restrictions; generally, which states in part, "...the assignment and transfer of a lease or unit thereof may be made in accordance with current industry standards, as determined by the board; ..."

By authority granted under Section 10-2-16(c)(4) of the DHHL Administrative Rules, the Chairman can grant consent to assignments, subleases, mortgages and approve construction plans. The Chairman is obligated, under Section 10-2-17; to report to the commission for ratification of any actions taken as permitted under Section 10-2-16. LMD informed the Hawaiian Homes Commission, at the monthly meeting of October 31, 1994, that it will commence to submit directly to the Chairman all requests for approval of plans, all requests for consents to subleases and consents to mortgages unrelated to and not in conjunction with a request for consents to assignment of leases.

RECOMMENDATION

Land Management Division respectfully requests approval be granted as stated.

APPROVED AS RECOMMENDED

William J. Aila, Jr.

Oct 11, 2022

William J. Aila, Jr., Chairman
Hawaiian Homes Commission

Date





Consent to Assignment of GL No. 275

Final Audit Report

2022-10-11

Created	2022-10-10
By:	Peter Albinio (peter.k.albiniojr@hawaii.gov)
Status	Signed
Transaction ID	03UCHBCAABAIAHZPmJhDTKspVdeBqYvaVRZ.zwb.kOux

"Consent to Assignment of GL No. 275" History

-  Document created by Peter Albinio (peter.k.albiniojr@hawaii.gov)
2022-10-10 - 8:53:30 PM GMT
-  Document emailed to William Aila (william.j.ailajr@hawaii.gov) for signature
2022-10-10 - 8:54:58 PM GMT
-  Document e-signed by William Aila (william.j.ailajr@hawaii.gov)
Signature Date: 2022-10-11 - 7:41:39 PM GMT - Time Source: server
-  Agreement completed.
2022-10-11 - 7:41:39 PM GMT

480

R-732
STATE OF HAWAII
BUREAU OF CONVEYANCES
JUL 22, 2009 02:00 PM
Doc No(s) 2009-112379

REGISTRAR
NICKI ANN THOMPSON
CONVEYANCE TAX: \$27367.22

20 1/1 29

LAND COURT
RETURN BY (X) MAIL () PICK-UP
Damon Key Leongkup Chak Huestart (uns)
1008 Bishop St, Ste 1600
Honolulu, HI 96813

REGULAR SYSTEM

TMK No.: (3) 6-1-06: parcel 7
This document contains 6 pages

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE ("Memorandum") is made and entered into as of March 28, 2009, by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, whose principal place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707, and whose post office address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter called "LESSOR," and KonaCarbon, LLC, a Delaware limited liability company, whose mailing address is P. O. Box 276, Kaneohe, Hawaii 96743, hereinafter called "LESSEE."

1. TERM AND PREMISES. For a lease term commencing on March 1, 2009, and ending as of midnight on February 29, 2084, upon the provisions set forth in that certain written lease of even date herewith from LESSOR to LESSEE ("Lease"), all of which provisions are specifically made a part hereof as though fully and completely set forth herein, LESSOR leases to LESSEE, and LESSEE leases from LESSOR, that certain real property ("Premises") located at Kaei Hana II Industrial Subdivision, Kawaihae, Island of Hawaii, County of Hawaii, further identified as TMK No. (3) 6-1-06: parcel 07 comprising 12.961 acres, more or less, of Hawaiian Home Lands, more particularly described in Exhibit "A", together with all rights of ingress and egress and all other rights appurtenant to said Premises including, without limitation, the right to use the building to be constructed on the Premises for the purposes contemplated in the Lease, all of which rights are more particularly described in the Lease.

631053.01

2. USE. LESSEE is granted the right to use the Premises for a gasification facility and any other uses permitted by the applicable County zoning.
3. PURPOSE OF MEMORANDUM OF LEASE. This Memorandum is prepared for the purpose of providing for record notice of the Lease, and in no way modifies the express and particular provisions of the Lease.
4. FOR THE BENEFIT OF THE PREMISES. LESSOR and LESSEE intend that the covenants, conditions and restrictions described and referred to herein shall be both personal to LESSOR and LESSEE and binding on their successors and assigns. Each successive owner of the Premises or of any portion thereof, and each person having any interest therein derived through any owner thereof, shall be bound by such covenants, conditions and restrictions for the benefit of the Premises.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

APPROVED BY THE HHC
AT ITS MEETING HELD ON
12/11/05

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

By [Signature]
Micah A. Kane, Chairman
Hawaiian Homes Commission.

LESSOR

KONACARBON, LLC, a Delaware limited liability company

By [Signature]
R.J. Vidgen

LESSEE

631053.01

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 26th day of June, 2009, before me appeared MICAH A. KANE, to me personally known, who, being by me duly sworn, did say that he is the chairman of the Hawaiian Homes Commission and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.



Print Name: ABIGAIL L. TUBERA
Notary Public, State of Hawaii
My Commission Expires: 11/31/2012

Doc. Date: 3/20/09 # Pages: 6
Notary Name: Abigail L. Tubera First Circuit
Doc. Description: Memorandum of Understanding



Abigail L. Tubera
Notary Signature Date: 3/20/09

STATE OF Hawaii)
) SS.
COUNTY OF Hawaii)

On this 23rd day of March, 2009, before me appeared Vicki R.J. to me personally known, who, being by me duly sworn or affirmed did say that did say that he is the CEO KONACARDON, LLC, a Delaware limited liability company and such person executed the foregoing instrument on behalf of said limited liability company as the free act and deed of such person and in the capacities shown having been authorized to execute such instrument in such capacity.

[Signature]

Print or Type Name

Notary Public, State of Hawaii

My Commission expires:

Joanne Stuberberg
Notary Public, State of Hawaii
My commission expires August 14, 2009

NOTARY PUBLIC CERTIFICATION
Joanne Stuberberg
Third Judicial Circuit
Doc. Description: Memorandum of Understanding

No. of Pages: 6 Date of Doc. 3/23/09
Notary Signature [Signature] Date: 3/23/09

EXHIBIT "A"

KAEI HANA-II INDUSTRIAL SUBDIVISION

LOT E-1

Kawaihae 1st, South Kohala, Island of Hawaii, Hawaii

Being a portion of the Government (Crown) Land of Kawaihae designated as Hawaiian Home Land under Section 203 of the Hawaiian Homes Commission Act, 1920.

Beginning at the south corner of this parcel of land, at the east corner of Lot F of Kaei Hana-II Industrial Subdivision and on the west boundary of Lot G of Kaei Hana-II Industrial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU KAMALII" being 1670.75 feet South and 4099.56 feet West, thence running by azimuths measured clockwise from True South: -

1. 126° 56' 200.00 feet along Lot F of Kaei Hana-II Industrial Subdivision;
2. 142° 12' 154.27 feet along Lot A of Kaei Hana-II Industrial Subdivision;
3. 232° 12' 80.00 feet along the south end of Maluokalani Place;
4. 142° 12' 60.00 feet along the south end of Maluokalani Place;
5. 232° 12' 151.23 feet along Lot E-2 of Kaei Hana-II Industrial Subdivision;
6. 142° 12' 219.15 feet along Lot E-2 of Kaei Hana-II Industrial Subdivision;
7. 52° 12' 201.23 feet along Lot E-2 of Kaei Hana-II Industrial Subdivision;
8. 142° 12' 18.78 feet along the north side of Maluokalani Place;
9. Thence along the north side of Maluokalani Place on a curve to the left with a radius of 330.00 feet, the chord azimuth and distance

10. 109° 12' 71.91 feet along the north side of Maluokalani Place; being: 125° 42' 187.45 feet;
11. Thence along the north corner of the intersection of Maluokalani Place and Maluokalani Street on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being: 148° 50' 20" 63.79 feet;
12. Thence along the north side of Maluokalani Street on a curve to the left with a radius of 380.00 feet, the chord azimuth and distance being: 169° 15' 20" 250.22 feet;
13. 150° 02' 362.75 feet along the north side of Maluokalani Street;
14. 240° 02' 287.77 feet along Lot C-2 of Kaei Hana-II Industrial Subdivision;
15. 202° 44' 30" 68.62 feet along Lot C-2 of Kaei Hana-II Industrial Subdivision;
16. 221° 04' 53.92 feet along Lot C-2 of Kaei Hana-II Industrial Subdivision;
17. 329° 29' 20" 364.04 feet along the remainder of Hawaiian Home Land of Kawaihae 1st;
18. Thence along the remainder of Hawaiian Home Land of Kawaihae 1st on a curve to the left with a radius of 3683.66 feet, the chord azimuth and distance being: 325° 50' 40" 468.30 feet;
19. 322° 12' 604.22 feet along the remainder of Hawaiian Home Land of Kawaihae 1st;
20. 36° 56' 391.14 feet along Lot G of Kaei Hana-II Industrial Subdivision to the point of beginning and containing an AREA OF 12.961 ACRES.

SUBJECT, however, to an Access and Utilities Easement as shown on plan attached hereto (Exhibit "B") and made a part hereof.

Exhibit "B"

R-392 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
AUG 31, 2009 11:00 AM
Doc No(s) 2009-133295



/s/ NICKI ANN THOMPSON
REGISTRAR
CONVEYANCE TAX: \$1.00

20 1/2 29

LAND COURT SYSTEM

Return By Mail () Pickup (x) To:

DAMON KEY LEONG KUPCHAK HASTERT (MMS)
1600 Puuhai Tower, 1003 Bishop St.
Honolulu, HI 96813
TEL: 531-8031

REGULAR SYSTEM

Total No. of Pages 5

TMK: (3) 6-1-06; parcel 7

ASSIGNMENT OF LEASE

August 18, 2009, by and between KONACARBON, LLC, a Delaware limited liability company, whose mailing address is 75-5722 Kuakini Highway, Suite 202, Kailua-Kona, Hawaii 96740, hereinafter called "Assignor," and BIG ISLAND CARBON, LLC, a Delaware limited liability company, whose mailing address is 75-5722 Kuakini Highway, Suite 202, Kailua-Kona, Hawaii 96740, hereinafter called "Assignee."

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, receipt and sufficiency of which are acknowledged, and of the covenants and agreements of Assignee hereinafter contained and on Assignee's part to be faithfully kept and performed, Assignor does hereby sell, assign, transfer, set over and deliver unto Assignee, as tenant in severalty, its successors and permitted assigns, all of Assignor's interest in and to the leasehold estate (hereinafter referred to as the "Lease") described in Exhibit "A," attached hereto and made a part hereof;

TO HAVE AND TO HOLD the same for and during the full unexpired term of said Lease, together with all of the right, title, interest and estate of Assignor as present Lessee under the terms thereof, in and to the premises therein described and thereby demised and all of the rights, privileges and appurtenances thereunto belonging, unto Assignee;

SUBJECT, HOWEVER, to the payment of rent, taxes, assessments and other charges reserved by said Lease and subject also to the observance and performance by Assignee of all of the covenants and conditions in said Lease contained, which, according to the terms and provisions thereof, are or ought to be observed and performed by the Lessee therein named;

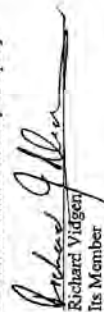
AND Assignor, in consideration of the premises, does hereby covenant and agree to and with Assignee that Assignor is the lawful owner of the leasehold estate and interest created under the Lease; that the Lease is in full force and effect and is not in default; that the property is free and clear of all liens and encumbrances, except for the lien of real property taxes not yet by law required to be paid, and except as may be specifically set forth herein; that Assignor is the lawful owner of any personal property described herein and that Assignor's title thereto is free and clear of and from all liens and encumbrances except as set forth herein; that Assignor has good right to transfer and assign said real property and personal property; and that Assignor will WARRANT AND DEFEND the same unto Assignee against the lawful claims and demands of all persons, except as aforesaid;

AND Assignee, in consideration of the foregoing, does promise, covenant and agree to and with Assignor and with the Lessor named in said Lease (in consideration of the Lessor's consent to the foregoing assignment) that Assignee will pay the rent, taxes, assessments and other charges reserved in said Lease as and when the same become due and payable pursuant to the provisions of said Lease and will also faithfully observe and perform all of the covenants and conditions contained in said Lease which are or ought to be observed and performed by the Lessee;


The terms "Assignor," "Assignee," "Lessor" and "Lessee" shall include Assignor, Assignee, Lessor, Lessee and their respective successors and permitted assigns.

IN WITNESS WHEREOF, the parties hereto have executed these presents this day and year first above written.

KONACARBON, LLC,
a Delaware limited liability company


Richard Vidgen
Its Member

BIG ISLAND CARBON, LLC,
a Delaware limited liability company


Richard Vidgen
Its Chief Executive Officer

STATE OF HAWAII)
COUNTY OF HAWAII) SS.
THIRD JUDICIAL CIRCUIT)

On AUG 18 2009, 2009, before me personally appeared Richard Vidgen, to me personally known, who being by me duly sworn (or affirmed), did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Document Description: Assignment of Lease

Doc. Date: AUG 18 2009 No. pages: 5

Notary Signature Joanne Stubenberg Date AUG 18 2009

Name (printed): JOANNE STUBENBERG

My Commission expires: 8/14/2013

WS

ASSIGNMENT OF LEASE EXHIBIT "A"

All of the leasehold estate and interest created by that certain indenture of lease, General Lease No. 275, dated March 1, 2009, made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, as Lessor, and KONACARBON, LLC, a Delaware limited liability company, as Lessee, a Short Form Memorandum of General Lease of which is recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2009-112379, the real property denised by said Lease being described as follows:

KAEHI HANA-II INDUSTRIAL SUBDIVISION

LOT E-1

Kawahue Iat, South Kohala, Island of Hawaii, Hawaii

Being a portion of the Government (Crown) Land of Kawahue designated as Hawaiian Home Land under Section 203 of the Hawaiian Homes Commission Act, 1920.

Beginning at the south corner of this parcel of land, at the east corner of Lot F of

Kaei Hana-II Industrial Subdivision and on the west boundary of Lot G of Kaei Hana-II Industrial Subdivision, the coordinates of said point of beginning referred to Government Survey

Triangulation Station "PULU KAMALITU" being 1670.75 feet South and 4099.56 feet West thence running by azimuths measured clockwise from True South: -

1. 126° 56' 200.00 feet along Lot F of Kaei Hana-II Industrial Subdivision;
2. 142° 12' 154.27 feet along Lot A of Kaei Hana-II Industrial Subdivision;
3. 232° 12' 80.00 feet along the south end of Maluokalani Place;
4. 142° 12' 60.00 feet along the south end of Maluokalani Place;
5. 232° 12' 151.23 feet along Lot E-2 of Kaei Hana-II Industrial Subdivision;
6. 142° 12' 219.15 feet along Lot E-2 of Kaei Hana-II Industrial Subdivision;
7. 32° 12' 201.23 feet along Lot E-2 of Kaei Hana-II Industrial Subdivision;
8. 142° 12' 18.78 feet along the north side of Maluokalani Place;
9. Thence along the north side of Maluokalani Place on a curve to the left with a radius of 330.00 feet, the chord azimuth and distance

EXHIBIT "A"

10. 109° 12' 71.91 feet along the north side of Maluokalani Place, being 125° 42' 187.43 feet;
11. Thence along the north corner of the intersection of Maluokalani Place and Maluokalani Street on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being: 148° 50' 20" 63.79 feet;
12. Thence along the north side of Maluokalani Street on a curve to the left with a radius of 380.00 feet, the chord azimuth and distance being: 169° 15' 20" 250.22 feet;
13. 150° 02' 362.75 feet along the north side of Maluokalani Street;
14. 240° 02' 287.77 feet along Lot C-2 of Kaei Hana-II Industrial Subdivision;
15. 202° 44' 30" 68.62 feet along Lot C-2 of Kaei Hana-II Industrial Subdivision;
16. 221° 04' 53.92 feet along Lot C-2 of Kaei Hana-II Industrial Subdivision;
17. 329° 29' 20" 364.04 feet along the remainder of Hawaiian Home Land of Kawahue Iat;
18. Thence along the remainder of Hawaiian Home Land of Kawahue Iat on a curve to the left with a radius of 3683.66 feet, the chord azimuth and distance being: 325° 50' 40" 468.90 feet;
19. 322° 12' 604.22 feet along the remainder of Hawaiian Home Land of Kawahue Iat;
20. 36° 56' 391.14 feet along Lot G of Kaei Hana-II Industrial Subdivision to the point of beginning and containing an AREA OF 12.961 ACRES.

SUBJECT, however, to an Access and Utilities Easement as shown on plan attached hereto (Exhibit "B") and made a part hereof.

R-393 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
AUG 31, 2009 11:00 AM
Doc No(s) 2009-133296



IS NICKI ANN THOMPSON
REGISTRAR

20 212 29

Return by Mail () Pickup (x) To:

DAMON KEY LEONG KUPCHAK HASTERT (NMS)
1003 Bishop Street, Suite 1600
Honolulu, HI 96813
Tel: 531-8031

Total No. of Pages: 3

Affects TMK: (3) 6-1-006:007

CONSENT TO ASSIGNMENT OF LEASE

The STATE OF HAWAII, by its Hawaiian Homes Commission, the Lessor named in that certain unrecorded indenture of lease, General Lease No. 275, dated March 10th, 2009, made by and between it, as Lessor, and KONACARBON, LLC, a Delaware limited liability company, as Lessee, a Short Form Memorandum of Lease of which is recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2009-112379 (the "Lease"), does hereby consent to the assignment of the Lease to **BIG ISLAND CARBON, LLC**, a Delaware limited liability company, as Assignee, which is recorded in the Bureau of Conveyances of the State of Hawaii as Document No. AUG 31, 2009 11:00 AM upon the following express conditions:

(1) This consent shall not authorize, nor be deemed to authorize, any further or other assignment of the Lease; (2) This Consent shall not be deemed nor construed to be a waiver of any of the terms, covenants, conditions, or provisions of the Lease; all rights of the Lessor under the Lease being hereby reserved; and (3) Should there be any conflict between the

provisions of the Lease and the Assignment of Lease, the provisions in the former shall control.

IN WITNESS WHEREOF, the STATE OF HAWAII, by its Hawaiian Homes Commission, has executed these presents this 6th day of August, 2009.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

By *Michael A. Kane*
Michael A. Kane, Chairman
Hawaiian Homes Commission

APPROVED AS TO FORM:

Christina
Deputy Attorney General
State of Hawaii

Exhibit "C"

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 14 day of August, 2009, before me appeared KAULANA PARK, to me personally known, who, being by me duly sworn, did say that he is the Deputy to the Chairman of the Hawaiian Homes Commission and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.

Abigail L. Tubera
Notary Public, State of Hawaii
ABIGAIL L. TUBERA
Print Name of Notary Public
My commission expires: 11/21/12



Doc. Date: 8/6/09 # Pages: 3
Notary Name: Abigail L. Tubera Final Circuit
Doc. Description: Consent to Assignment
of Lease - Big Island Carbon LLC
Notary Signature: Abigail L. Tubera Date: 8/6/09



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
FIRST AMENDMENT TO GENERAL LEASE NO. 275

THIS FIRST AMENDMENT TO GENERAL LEASE NO. 275 (this "Amendment"), dated this ____ day of _____, 2015, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS ("LESSOR"), whose principal place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707, and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and MILLENNIUM HI CARBON, LLC, a Hawaii limited liability company ("LESSEE"), whose principal place of business and mailing address is 61-3240 Mahukalaani Street, Kalaheo, Hawaii 96743.

RECITALS

WHEREAS, the State of Hawaii, Department of Hawaiian Home Lands, as LESSOR, and KonaCarbon, LLC, as Lessee, entered into that certain State of Hawaii Department of Hawaiian Home Lands General Lease No. 275 dated March 1, 2009 ("Lease"); a Memorandum of Lease dated March 23, 2009 was recorded at the State of Hawaii Bureau of Conveyances ("Bureau") as Document No. 2009-112379 on July 22, 2009; and

WHEREAS, the Lease was assigned to Big Island Carbon, LLC, a Delaware limited liability company, by that certain Assignment of Lease dated August 18, 2009, and recorded at the Bureau as Document No. 2009-132295 on August 31, 2009, and Consent to Assignment of Lease was recorded at the Bureau as Document No. 2009-132296 on August 31, 2009; and

WHEREAS, the Lease was further assigned to LESSEE by that certain instrument dated _____, 2015, and recorded at the Bureau as Document No. 2015-_____, on _____, 2015; and Consent to Assignment of Lease was recorded at the Bureau as Document No. 2015-_____, on _____, 2015; and

WHEREAS, the LESSOR and LESSEE desire and agree to amend the Lease to modify the ground lease rent schedule, and impose additional conditions relating to terms and conditions of the Lease.

NOW THEREFORE, for and in consideration of the foregoing and mutual covenants, terms and conditions hereinafter provided, the parties hereto, for and on behalf of themselves, their successors and assigns, do hereby modify, amend, and alter certain terms of the Lease as follows:

1. ANNUAL BASE RENTAL. Notwithstanding the provisions of Article 3, Section 1 of the Lease, LESSOR and LESSEE agree that the annual base rental payable under the Lease shall be modified to reflect the fair market annual ground lease rent conducted by a third-party appraiser which shall be as follows:

- a. For the ten-year period commencing as of the Effective Date, the annual base rental shall be \$168,000; and

FIRST AMENDMENT TO GENERAL LEASE NO. 275

Between

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS,
as LESSOR,

and

MILLENNIUM HI CARBON, LLC,
a Hawaii Limited Liability Company,
as LESSEE

- b. Thereafter, for the next ensuing ten-year period, the annual base rental shall be \$201,600.

2. **RE-DETERMINATION OF ANNUAL BASE RENTAL.** Notwithstanding the dates set forth for the reopening and redetermination of the annual base rental set forth in Article 3, Section 2 of the Lease, annual base rental shall be reopened and re-determined (a) at the expiration of the ten-year period described in Section 1.b above for the next ensuing ten-year period, (b) again at the expiration of the ten-year period described in clause (a) above for the next ensuing ten-year period, and (c) again at the expiration of the ten-year period for the remainder of the term of the Lease (i.e., through February 29, 2064). In no event shall be the annual base rental determined by appraisal for any ensuing reopened period be less than the annual base rental for the preceding period. The manner of determining the new annual base rental for each period shall be as described in Article 3, Section 2 of the Lease.

3. **DEFERMENT OF ANNUAL BASE RENTAL.** The annual base rental for the two-year period commencing as of the Effective Date shall be deferred to allow LESSEE time to upgrade and improve the plant facility on the Premises to production standard, so that operation of the plant facility can commence. The deferred annual base rental shall be paid no later than March 1, 2024.

4. **PERCENTAGE RENT.** Notwithstanding anything to the contrary in the Lease or in Section 2 above, commencing as of March 1, 2024, LESSEE shall pay as rent under the Lease, the higher of the following amounts:

- a. The annual base rental determined in accordance with Section 2 above; or
- b. In lieu of the annual base rental determined in accordance with Section 2 above, a rental amount based upon the percentage of gross revenues generated by LESSEE at the Premises, such percentage and amounts being determined by and limited to the percentage of gross revenues and amounts of rents payable by comparable lessees of premises with comparable leases with comparable uses for comparable production facilities in the general vicinity of the Premises (if such comparable leases exist).

5. **COMMITMENT TO INVEST INVESTMENT.** LESSEE shall commit to expend no less than \$7.5 million as additional capital investment and/or working capital within 24 months of the Effective Date to upgrade and improve the plant facility on the Premises to LESSEE'S production standards, so that commercial operation can commence.

6. **CLEAN UP OF PREMISES AT COMMENCEMENT OF LEASE.** LESSOR has caused Environmental Resources Management ("ERM") to conduct a supplemental Phase 1 environmental site assessment ("Supplemental Phase 1 Report") of the Premises. The purpose of the Supplemental Phase 1 Report was to identify any new environmental issues that may have arisen after the date of the original Phase 1 environmental report prepared by ERM dated May 2008. If LESSOR does not, to LESSEE's reasonable satisfaction, address new issues,

recommendations or requirements identified in the Supplemental Phase 1 Report that, in LESSEE's determination, need further investigation or remediation, LESSEE shall have the option to terminate the Lease upon thirty (30) days' prior written notice to LESSOR.

7. **LEASE PERFORMANCE BOND AND SECURITY DEPOSIT.** LESSEE shall be required to comply with this provision.

8. **INTEREST COSTS AND FEES AND PRIOR DEFAULTS.** Payment of any and all costs incurred due to defaults and subsequent bankruptcy, prior to the Effective Date, shall be waived and not be LESSEE'S responsibility. LESSOR agrees that any prior defaults under the Lease, as amended, are waived.

9. **NOTICE.** The notice provision under Article V shall be amended to reflect LESSEE'S address and notification requirement as follows:

Millennium HI Carbon, LLC
61-3260 Mahukalani Street
Kawihāe, Hawaii 96743
Attn: David Lesser

A copy of all notices shall also be delivered to LESSEE at:

C/O Millennium Investment & Acquisition Company, LLC
301 Winding Road
Old Bethpage, NY 11804
Attn: David Lesser

10. **COUNTERPARTS.** The parties hereto agree that this Amendment may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original or the same counterparts.

11. **INITIAL CONSTRUCTION OF LESSEE'S PLANT.** Notwithstanding the provisions of Article 4, Section 7(a)(i) of the Lease, LESSOR shall not have any option to terminate the Lease unless LESSEE fails to invest the additional capital pursuant to Section 5 within two (2) years of the Effective Date of this Amendment.

12. **COSTS OF LITIGATION.** Article 4, Section 14 of the Lease shall be amended in its entirety to read as follows:

14. **Costs of Litigation.** In case either party shall, without fault on its part, be made a party to any litigation commenced by the other party against a third party or against the other party by a third party (other than condemnation proceedings), the other party shall pay all costs, including reasonable attorneys' fees and expenses incurred by or imposed on the party joined without fault on its part.

13. SURRENDER. Article 4, Section 16 of the Lease shall be amended by inserting the following after the phrase "all applicable law or orders" in the second paragraph thereof: "relating to the use of the Premises, removal of trade fixtures or restoration of the property".

14. SUBLEASE RENT PARTICIPATION POLICY. With respect to the Sublease Rent Participation Policy, a copy of which is attached hereto as Exhibit 1, LESSOR acknowledges that the "Investment Amount" is \$40,000,000 as of the Effective Date and any future investment by LESSEE will be added to this amount.

15. MEMORANDUM OF AMENDMENT. The parties agree that this Amendment shall not be recorded, however, upon the request of either party, the parties shall execute and record a memorandum of this Amendment in the Bureau of Conveyances of the State of Hawaii.

EXCEPT AS AMENDED HEREIN, all terms and conditions contained in the Lease, as previously amended, continue in full force and effect. Unless specifically defined herein, all capitalized terms used in this Amendment shall have the meanings given them in the Lease.

(Signature Page to Follow)

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

Approved by the HHC at its last meeting
held on 12/27/14 11:27 AM
STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

[Signature]
Deputy Attorney General
State of Hawaii

By: [Signature]
JOSEPH K. MASAGAYAMA, Chairman
Hawaiian Homes Commission

LESSOR

MILLENNIUM HI CARBON, LLC,
a Hawaii limited liability company

By: [Signature]
DAVID H. LESSER, Manager

LESSEE

(0065797/3)

(0065797/3)

007-1980

STATE OF HAWAII
CITY & COUNTY OF HONOLULU

SS.

On this 20th day of January, 2015, before me appeared _____ to me personally known, who, being by me duly sworn, did say that she is the person who executed the foregoing instrument and acknowledged to me that she executed the same freely and voluntarily for the use and purposes therein set forth.



Notary Public, State of Hawaii
Printed Name: **ABIGAIL L. TUBERA**
My commission expires: 1/24/16

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: 1st Amendment to G.L. 275

Doc. Date: _____ or ☒ Undated at time of notarization.

No. of Pages: 9 Jurisdiction: HI Circuit: (in which notarial act is performed) _____

Signature of Notary: Abigail L. Tubera Date of Notarization and Certification: 01.20.15

Printed Name of Notary: **ABIGAIL L. TUBERA**

(00267979)



STATE OF _____ }
COUNTY OF _____ } SS.

On the _____ day of _____, 2015 before me personally appeared David H. Lesser, Manager of Millennium HI Carbon, LLC, a Hawaii limited liability company, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public
My Commission Expires: _____

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: _____

Doc. Date: _____ or ☐ Undated at time of notarization.

No. of Pages: _____ Jurisdiction: _____ Circuit: (in which notarial act is performed) _____

Signature of Notary: _____ Date of Notarization and Certification Statement: _____

Printed Name of Notary: _____

(002678713)



EXHIBIT 1

DHHL Sublease Participation Policy

[to be attached]

Company, LLC (KHPC). KHPC is a joint venture between Hawaii DeBarolo, LLC (HD) and OPT Trust KMA, Inc. in the development and operation of Ka Makana Alii Shopping Center (KMA). HD is responsible for the development and management of the KMA project on behalf of KHPC. The development cost of the Mall Phase of KMA is estimated at \$285 million.

KHPC has informed the Department of Hawaiian Homes Lands (DHHL) of its intention to take down the lease on November 28, 2014 (to be effective as of December 1, 2014) and commence payment of the monthly ground lease rent as agreed to in the general lease at the rate of approximately \$292,400 per month (assuming the Phase I (Mall Phase) area is 50 acres).

L. Chinn stated they have a lender and will close on the lease in the next month or so.

ACTION

Motion carried unanimously.

ITEM F-7 Approval for an Assignment and Amendment of General Lease No. 275 to Millennium HI Carbon, LLC Kawaiahae, Hawaii.

RECOMMENDED MOTION/ACTION

Land Management Administrator Linda Chinn presented the following:

That the Hawaiian Homes Commission ("HHC") grants its approval to the following:

1) Assignment of General Lease No. 275, to Millennium HI Carbon, LLC, as ASSIGNEE, subject to the approval by the HHC and the United States Bankruptcy Court for the District of Delaware, for the premises located in the Kani Hana II Industrial Subdivision in Kawaiahae, Hawaii, further identified by TMK No. (3) 6-1-006:007; and

2) Amendment to the following terms and conditions of General Lease No. 275:

- a. The annual ground lease rent for the ten-year period commencing from the date of the closing on the acquisition of the assets of Big Island Carbon by ASSIGNEE, which is anticipated to be approximately December 1, 2014, shall be \$168,000.00.
- b. The annual ground lease rent for the next ensuing ten-year period shall be \$201,000.00.
- c. The annual ground lease rent shall be recognized and redetermined on December 1, 2034 and 2044 for the ensuing ten-year periods, and on December 1, 2054 for the period ending February 29, 2064.
- d. The annual ground lease rent for the two years from the date of the closing on the acquisition of the assets of the Big Island Carbon by ASSIGNEE, in the total amount of \$336,000.00 shall be deferred to allow ASSIGNEE time to upgrade and improve the plant facility on the leased premises to production standard so that operation can commence. ASSIGNEE agreed that the deferred ground lease rent of \$336,000.00 shall be paid no later than March 1, 2024.
- e. ASSIGNEE shall pay a percentage rent, beginning on March 1, 2024, calculated at the going rate of comparable leases OR the annual ground lease rent then established for that period, whichever is higher.
- f. ASSIGNEE shall commit to expend no less than \$7.5 Million to an additional capital investment and/or working capital within 24 months of the lease assignment to upgrade and improve the plant facility on the leased premises to production standard so that commercial operation can commence.
- g. LESSOR acknowledges that the leased premises is cleaned based on the "No Further Action" letter issued by the Department of Health. ASSIGNEE may conduct a Phase I update and LESSOR agrees to credit ASSIGNEE for the expenses against the ground lease rent, provided that the scope of service and cost received prior approval by LESSOR.

- h. The assignment is subject to the approval of the United States Bankruptcy Court for the District of Delaware and shall be of no force and effect unless signed by the Parties and approved by a final, non-appealable order of the Court.
- i. With respect to the Sublease Rent Participation Policy, LESSOR acknowledges that the initial Investment Improvement Amount is \$40 Million and any future investment by ASSIGNEE will be added to this amount.
- j. All documents related to this request shall be subject to the review and approval by the Department of the Attorney General.
- k. Except as changed or modified in the amendment document, all other terms and conditions of General Lease No. 275 shall continue and remain in full force and effect.

MOTION

Moved by Commissioner Kahikina, seconded by Commissioner Ishibashi to approve the motion as stated in the submittal.

DISCUSSION

Millennium HI Carbon, as well as another group, put in an offer with the Bankruptcy Trustee to purchase the assets, subject to certain amendment to the terms of the general lease.

At the June 2014 special meeting, the Hawaiian Homes Commission set forth certain terms and conditions that are acceptable to the Commission. The Department updated the appraisal for the current fair market ground lease rent for the subject property, and the newly established annual ground lease rent was provided to the two groups. Both were given time to work out their respective issues relating to the lease terms. One group gave notice on the 8th of September that they will not move forward because their two major issues were not resolved.

ACTION

Motion carried unanimously.

ITEM D-21 Request for Relocation - YVETTE S. PEREZ, Lease No. 9970, Lot No. 6, Kurtistown, Hawaii

RECOMMENDED MOTION/ACTION

Acting Homestead Services Division (HSD) Administrator Dean Oshiro recommended that the Hawaiian Homes Commission authorize the Department to relocate Kurtistown residential lessee, Yvette S. Perez, from Lot No. 6 on the island of Hawaii, to another residential lot on Hawaii, subject to financial qualification.

MOTION

Moved by Commissioner Canto, seconded by Commissioner Davis to approve the motion as stated in the submittal.

DISCUSSION

Residential Lot Lease No. 9970, Lot No. 6, Kurtistown, Hawaii, commenced on September 15, 2003 and, was awarded to Yvette S. Perez. Ms. Perez is now requesting that she be allowed to relocate to another residential homestead lot.

D. Oshiro stated once the Commission approves the relocation, HSD will look at available homes in the DHHL inventory.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 17-18, 2014

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Linda Chin, Administration
Land Management Division

SUBJECT: Approval for an Assignment and Amendment of General Lease No. 275 to Millennium HI Carbon, LLC, Kawaihae, Hawaii

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission ("HHC") grants its approval to the following:

- 1) Assignment of General Lease No. 275, to Millennium HI Carbon, LLC, as ASSIGNEE, subject to the approval by the HHC and the United States Bankruptcy Court for the District of Delaware, for the premises located in the Kaei Hana II Industrial Subdivision in Kawaihae, Hawaii, further identified by TMX No. (3) 6-1-006:007; and
- 2) Amendment to the following terms and conditions of General Lease No. 275:
 - a. The annual ground lease rent for the ten-year period commencing from the date of the closing on the acquisition of the assets of Big Island Carbon by ASSIGNEE, which is anticipated to be approximately December 1, 2014, shall be \$168,000.00.
 - b. The annual ground lease rent for the next ensuing ten-year period shall be \$201,000.00.
 - c. The annual ground lease rent shall be recaptured and re-determined on December 1, 2034 and 2044 for the ensuing ten-year periods, and on December 1, 2054 for the period ending February 29, 2054.
 - d. The annual ground lease rent for the two years from the date of the closing on the acquisition of the assets of the Big Island Carbon by ASSIGNEE, in the total amount of \$336,000.00 shall be deferred to allow ASSIGNEE time to upgrade and improve the plant facility on the leased premises to production standard so that operation can commence.

d. ASSIGNEE agreed that the deferred ground lease rent of \$336,000.00 shall be paid no later than March 1, 2024.

e. ASSIGNEE shall pay a percentage rent, beginning on March 1, 2024, calculated at the going rate of comparable leases OR the annual ground lease rent then established for that period, whichever is higher.

f. ASSIGNEE shall commit to expend no less than \$7.5 Million as an additional capital investment and/or working capital within 24 months of the lease assignment to upgrade and improve the plant facility on the leased premises to production standard, so that commercial operation can commence.

g. LESSOR acknowledges that the leased premises is cleaned based on the "No Further Action" letter issued by the Department of Health. ASSIGNEE may conduct a Phase 1 update and LESSOR agrees to credit ASSIGNEE for the expenses against the ground lease rent, provided that the scope of service and cost received prior approval by LESSOR.

h. The assignment is subject to the approval of the United States Bankruptcy Court for the District of Delaware and shall be of no force and effect unless signed by the Parties and approval by a final, non-appealable order of the Court.

i. With respect to the Sublease Rent Participation Policy, LESSOR acknowledges that the initial Investment Improvement Amount is \$40 Million and any future investment by ASSIGNEE will be added to this amount.

j. All documents related to this request shall be subject to the review and approval by the Department of the Attorney General.

k. Except as changed or modified in the amendment document, all other terms and conditions of General Lease No. 275 shall continue and remain in full force and effect.

DISCUSSION

Background

In June 2006, the Department of Hawaiian Home Lands ("DHHL") procured the professional service of an independent third party appraiser to determine the fair market value of the subject parcel. The summary appraisal report concluded that the ground lease rent for the 12.961-acre parcel was \$122,300.00 on 6/1/2006, \$153,125.00 on 6/1/2016, and \$172,265.00 on 6/1/2021. The conclusion was based on a

rate of return of 7% of the fee simple land value established at \$1.75 Million.

The public auction conducted for this parcel brought on some competitive bidding from three different groups of developers, with the winning ground lease rent bid of \$430,000.00, approximately 3 times the fair market ground rent established.

General Lease No. 275 was issued to KonaCarbon LLC on 3/1/2009 for a term of 55 years. The lease was subsequently assigned to Big Island Carbon, LLC, and recorded at the State of Hawaii Bureau of Conveyances.

The project was to construct and operate an activated carbon processing plant, which will produce high-quality and high-value activated carbon products for the specialized ultra capacitor market. The plant was in the final stages of construction.

The following are salient information:

General Lease No.:	GI 275;
General Lessee:	Big Island Carbon, LLC, a Delaware limited liability company
Location:	61-3277 Maluokalani Street, Kaei Hana II Industrial Subdivision, Kawaihae, Island of Hawaii
Tax Map Key No.:	(3) 6-1-006:007 (see Exhibit "A")
Land Area:	12.961 acres (564,581 sq.ft.)
Term:	55 years: 3/1/2009 - 2/29/2054
Annual Ground Lease Rent:	\$450,000.00; 3/1/2009 - 2/28/2019 \$562,500.00; 3/1/2019 - 2/28/2024 \$632,812.50; 3/1/2024 - 2/28/2029
Reopening:	The annual ground lease rent shall be reopened and be re-determined on March 1, 2029, 2039, and 2049
Character of Use:	General Industrial (MG-1a) District
Site Improvements:	A carbon activation plant facility which is 95% complete at a cost of \$45 Million. Total completion of the facility is estimated to require an additional \$10-15 Million investment

November 2014

Big Island Carbon LLC (BIC)

BIC filed a voluntary petition for relief under Chapter 7 of Title 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") on November 5, 2013. On November 6, 2012, Charles A. Staniale, Jr. was appointed as the Chapter 7 Trustee in this bankruptcy case.

Synergy Bank, S.S.B. ("Synergy") is the primary secured creditor with a lien in an amount of not less than \$1 Million. Kona Investment Holdings LLC ("Kona") is a junior secured creditor with a lien of not less than \$11 Million. Synergy is using the Bankruptcy sale process to liquidate its collateral and satisfy its claim to the extent possible. Kona is waiving its claims pursuant to a separate agreement with the Chapter 7 Trustee.

After an extensive marketing effort, the Chapter 7 Trustee determined that retention of Tiger Remarking Services and Aaron Equipment Company, Inc. (collectively "Tiger") was in the best interest of the bankruptcy estate. An Agency and Sale Agreement was executed between Chapter 7 Trustees and Tiger on January 27, 2014 and approved by the Bankruptcy Court on February 27, 2014. Tiger was granted until July 31, 2014 to conduct (a) a sealed bid offering of the turnkey facility, or if that is not successful within 12 weeks, (b) a public online auction of all assets piecemeal at approximately four (4) weeks following the expiration of turn-key bidding period.

DHLL is owed approximately \$407,500.00 from November 5, 2012, the date the Chapter 7 petition was filed, to September 30, 2013. From October 1, 2013 to July 31, 2014, DHLL is owed another \$375,000.00, for a total of \$782,500.00. DHLL did receive the payment of \$300,000.00 as agreed under the Stipulated Agreement approved by the HHC in February 2014.

Current Status

Millennium HI Carbon, as well as another group, put in an offer with the Bankruptcy Trustee to purchase the assets, subject to certain amendment to the terms of the general lease.

At the June 2014 Special meeting, the Hawaiian Homes Commission set forth certain terms and conditions that are acceptable to the Commission. The department updated the appraisal for the current fair market ground lease rent for the subject property and the new established annual ground lease rent were provided to the two groups. Both were given time to work out their respective issues relating to the lease terms. One group gave notice on the 18th of September that they will not move forward because their two major issues were not resolved.

November 2014

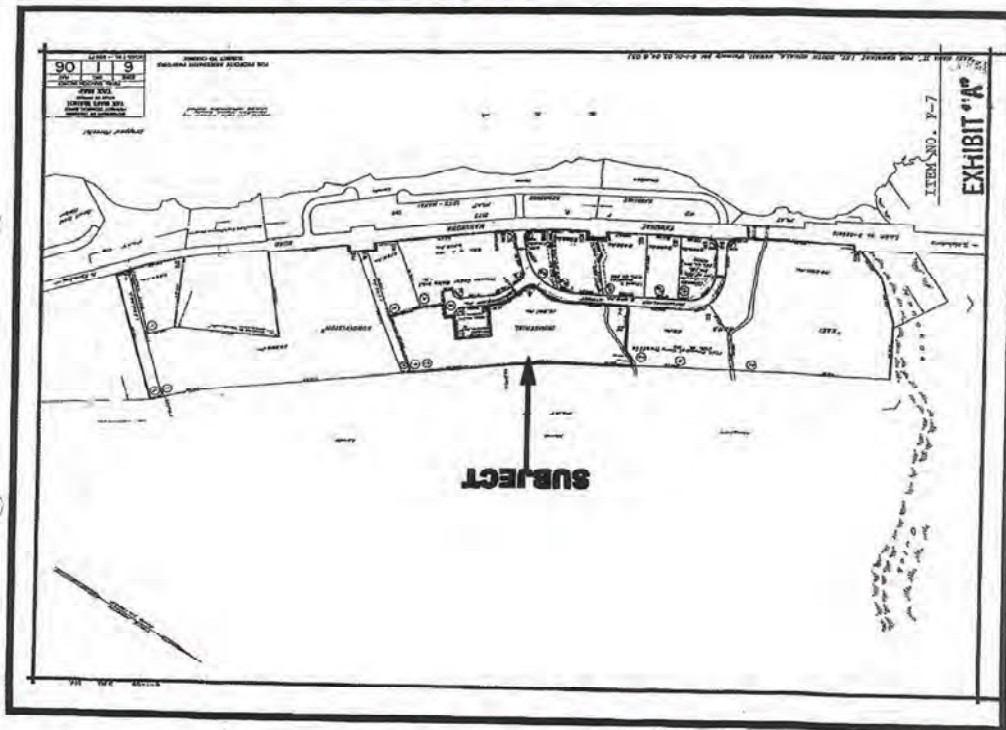
Millennium HI Carbon LLC worked out the final concern relating to the insurance requirement and requested that the Hawaiian Homes Commission grant its approval to the proposed assignment and amendment. The Trustee of this Bankruptcy case will proceed with the court approval once the HHC granted approval.

A copy of the proposed draft of the Second Amendment to General Lease No. 273 is attached herewith as Exhibit "B".

RECOMMENDATION

Land Management Division requests approval of the recommended motion subject to conditions as stated in the motion.

TAX MAP



SECOND AMENDMENT TO GENERAL LEASE NO. 275

Between

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS,
as LESSOR,

and

MILLENNIUM HI CARBON, LLC
a Hawaii Domestic Limited Liability Company
as LESSEE

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

SECOND AMENDMENT TO GENERAL LEASE NO. 275

THIS SECOND AMENDMENT TO GENERAL LEASE NO. 275, dated this ____ day of _____, 20__4, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS ("LESSOR"), whose principal place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707, and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805; and MILLENNIUM HI CARBON, LLC, a Hawaii domestic limited liability company ("ASSIGNEE/LESSEE"), whose principal place of business and mailing address is 61-3260 Mahukalanui Street, Kawaihine, Hawaii 96743

RECITALS

WHEREAS, the State of Hawaii, Department of Hawaiian Home Lands, as LESSOR, and KonaCarbon, LLC, as lessee, entered into that certain State of Hawaii Department of Hawaiian Home Lands General Lease No. 275 instrument dated March 1, 2009 ("LEASE"); a Memorandum of Lease dated March 23, 2009 was recorded at the State of Hawaii Bureau of Conveyances as Document No. 2009-112379 on July 22, 2009; and

WHEREAS, the LEASE was assigned to Big Island Carbon, LLC, a Delaware limited liability company, by that certain Assignment of Lease dated August 18, 2009, and recorded at the State of Hawaii Bureau of Conveyances as Document No. 2009-133295 on August 31, 2009; and Consent to Assignment of Lease was recorded as Document No. 2009-133296 on August 31, 2009; and

WHEREAS, the LEASE is hereby assigned to MILLENNIUM HI CARBON, LLC, a Hawaii domestic limited liability company ("ASSIGNEE"), and by that certain Commissioner's Assignment of Ground Lease instrument dated _____, recorded at the State of Hawaii Bureau of Conveyances as Document No. _____ on _____, 2014; and

WHEREAS, the LESSOR and ASSIGNEE/LESSEE desire and agree to amend the Lease to modify the ground lease rent schedule, and impose additional conditions relating to terms and conditions of the LEASE.

NOW THEREFORE, for and in consideration of the foregoing and mutual covenants, terms and conditions hereinafter provided, the parties hereto, for and on behalf of themselves, their successors and assigns, do hereby modify, amend, and alter certain terms of the Lease as follows:

1. ANNUAL BASE RENT. LESSOR has agreed that the Annual Base Rent shall be modified to reflect the fair market annual ground lease rent conducted by a third-party appraiser as follows:

- a. The annual ground lease rent shall be \$168,000 for ten-year period commencing from the date of the closing on the acquisition of the assets of Big Island Carbon by ASSIGNEE which is anticipated to be approximately December 1, 2014; and
- b. The annual ground lease rent shall be \$201,600 for the next ensuing ten-year period.

2. RE-DETERMINATION OF GROUND LEASE RENT. The annual ground lease rent shall be reopposed for the remaining term of the lease on 12/1/2034 and 12/1/2044 for the ensuing ten-year period, and on 12/1/2044 for the period ending 2/29/2064, the expiration date of the lease term. In no event shall be the annual ground lease rent determined by appraisal for any ensuing reopened period be less than the annual base rent for the preceding period.

3. DEFERMENT OF GROUND LEASE RENT. The annual ground lease rent for the two-year period from date of the closing on the acquisition of the assets of the Big Island Carbon by ASSIGNEE shall be deferred to allow ASSIGNEE time to upgrade and improve the plant facility on the leased premises to production standard, so that operation can commence. The deferred ground lease rent shall be paid no later than 3/1/2024.

4. PERCENTAGE RENT. ASSIGNEE shall pay percentage rent, beginning 3/1/2024, calculated at a going rate of comparable leases OR the annual ground lease rent then established for that period, whichever is higher.

5. COMMITMENT TO INVEST INVESTMENT. ASSIGNEE shall commit to expend no less than \$7.5 million as additional capital investment and/or working capital within 24 months of the lease assignment to upgrade and improve the plant facility on the leased premises to production standard, so that commercial operation can commence.

6. CLEAN UP OF PREMISES AT COMMENCEMENT OF LEASE. LESSOR acknowledges that the leased premises is cleaned based on the "No Further Action" letter issued by State of Hawaii Department of Health. ASSIGNEE may conduct a Phase 1 update and LESSOR agrees to reimburse the expenses, provided that, the scope of service and cost received prior approval by LESSOR. In the event the Phase 1 environmental assessment raises issues that need further investigation or remediation, LESSOR agrees to cover the costs related thereto, subject to availability of funds.

7. LEASE PERFORMANCE BOND AND SECURITY DEPOSIT. The ASSIGNEE shall be required to comply with this provision.

8. INTEREST COSTS AND FEES AND PRIOR DEFAULTS. Payment of any and all costs incurred due to defaults and subsequent bankruptcy prior to the Assignment, shall be waived and not be ASSIGNEE'S responsibility. LESSOR agrees that any prior defaults under the Lease, as amended, are waived.

9. NOTICE. The Notice Provision under Article V shall be updated to reflect the ASSIGNEE'S address and notification requirement as follows:

Millennium El Carbon, LLC
61-3260 Maunaloa Street
Kawila, Hawaii 96743

A copy of all notices shall also be delivered to ASSIGNEE at:
C/O Millennium Investment & Acquisition Company
301 Winding Road
Old Bethpage, NY 11804

Draft - 11/6/2014

10. EFFECTIVENESS. This Second Amendment is subject to the approval of the United States Bankruptcy Court for the District of Delaware and shall be of no force and effect unless signed by the Parties and approval by a final, non-appealable order of said Court.

11. The Parties hereto agree that this Amendment may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the Parties hereto, notwithstanding all of the Parties are not signatory to the original or the same counterparts.

12. All relevant references to timeframes in Section 7(a) of the Lease shall be adjusted to reflect the same time period from the Closing Date of the purchase of the assets of Big Island Carbon by ASSIGNEE.

13. With respect to the Sublease Rent Participation Policy, LESSOR acknowledges that the Investment Amount is \$40,000,000 and any future investment by ASSIGNEE will be added to this amount.

EXCEPT AS AMENDED HEREIN, all terms and conditions contained in the Lease, as previously amended, continue in full force and effect.

[Signature Page to Follow]

Draft - 11/6/2014

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed
as of the day and year first above written.

Approved by the HHC at its last meeting
held on _____
STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

Deputy Attorney General
State of Hawaii

By: JOBBIE M. K. MASAGATANI, Chairman
Hawaiian Homes Commission

LESSOR

MILLENNIUM HI CARBON, LLC
a Hawaii domestic limited liability company

By: DAVID H. LESSER, Manager
ASSIGNEE/LESSEE

STATE OF HAWAII
CITY & COUNTY OF HONOLULU
SS.

On this _____ day of _____, 2014, before me appeared
_____ to me personally known, who, being by me duly sworn, did
say that she is the person who executed the foregoing instrument and acknowledged to me that
she executed the same freely and voluntarily for the use and purposes therein set forth.

Notary Public, State of Hawaii
Printed Name: _____
My commission expires: _____

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: _____
Doc. Date: _____ or ☐ Undated at time of notarization.
No. of Pages: _____ Jurisdiction: _____ Circuit (in which notarial act is performed)
Signature of Notary _____ Date of Notarization and Certification Statement
Printed Name of Notary: _____

STATE OF _____)
COUNTY OF _____) SS.

On the ____ day of _____, 2014 before me personally appeared David H. Lesser, Manager of Millennium HI Carbon, LLC, a Hawaii limited liability company, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public
My Commission Expires: _____

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: _____

Doc. Date: _____ or ☐ Undated at time of notarization.

No. of Pages: _____ Jurisdiction: _____ Circuit (a which notarial act is performed)

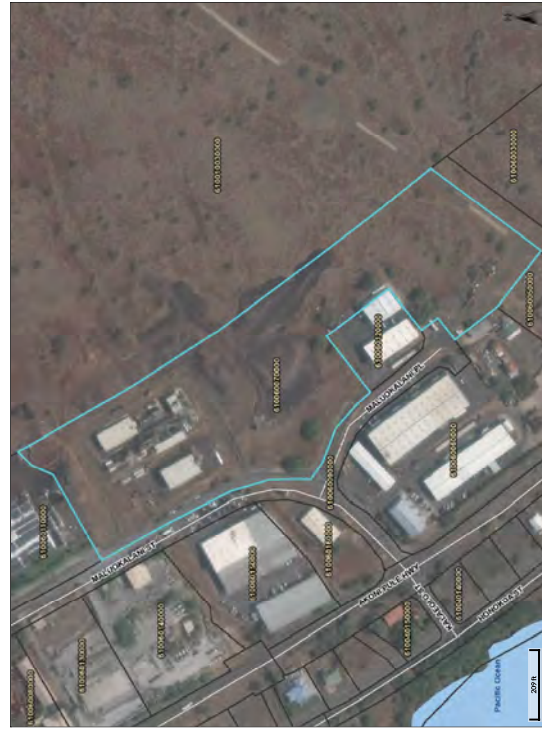
Signature of Notary _____

Date of Notarization and Certification Statement

Printed Name of Notary: _____

Exhibit "D"

Exhibit "E"



Account #GL027BhaA									
Customer	Class	Trx #	Trx Date	Gl Date	Due Date	Original Amt	Balance Status		
MILLENNIUM CARBON, LLC	CM	97348	30-Nov-2018	30-Nov-2018	30-Nov-2018	-336,000.00	0.00		
Sub Total							0.00		
MILLENNIUM CARBON, LLC	INV	87148	14-Nov-2016	14-Nov-2016	01-Dec-2016	224,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		87275	12-Dec-2016	12-Dec-2016	01-Jan-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		87655	12-Jan-2017	12-Jan-2017	01-Feb-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		88222	10-Feb-2017	10-Feb-2017	01-Mar-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		88618	10-Mar-2017	10-Mar-2017	01-Apr-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		89013	12-Apr-2017	12-Apr-2017	01-May-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		89446	08-May-2017	08-May-2017	01-Jun-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		89866	12-Jun-2017	12-Jun-2017	01-Jul-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		90223	10-Jul-2017	10-Jul-2017	01-Aug-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		90665	10-Aug-2017	10-Aug-2017	01-Sep-2017	14,000.00	0.00 Closed		
MILLENNIUM CARBON, LLC		91084	05-Sep-2017	05-Sep-2017	01-Oct-2017	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		91554	02-Oct-2017	02-Oct-2017	01-Nov-2017	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		91977	12-Nov-2017	12-Nov-2017	01-Dec-2017	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		92430	12-Dec-2017	12-Dec-2017	01-Jan-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		92845	05-Jan-2018	05-Jan-2018	01-Feb-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		93268	12-Feb-2018	12-Feb-2018	01-Mar-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		93754	12-Mar-2018	12-Mar-2018	01-Apr-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		94161	09-Apr-2018	09-Apr-2018	01-May-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		94561	07-May-2018	07-May-2018	01-Jun-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		94941	12-Jun-2018	12-Jun-2018	01-Jul-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		95363	12-Jul-2018	12-Jul-2018	01-Aug-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		95769	08-Aug-2018	08-Aug-2018	01-Sep-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		96163	06-Sep-2018	06-Sep-2018	01-Oct-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		96655	12-Oct-2018	12-Oct-2018	01-Nov-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		97052	12-Nov-2018	12-Nov-2018	01-Dec-2018	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		97455	12-Dec-2018	12-Dec-2018	01-Jan-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		97795	08-Jan-2019	08-Jan-2019	01-Feb-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		98198	11-Feb-2019	11-Feb-2019	01-Mar-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		98584	12-Mar-2019	12-Mar-2019	01-Apr-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		98985	05-Apr-2019	05-Apr-2019	01-May-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		99350	25-May-2019	25-May-2019	01-Jun-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		99660	12-Jun-2019	12-Jun-2019	01-Jul-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		100265	06-Aug-2019	06-Aug-2019	01-Sep-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		100629	06-Sep-2019	06-Sep-2019	01-Oct-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		101001	09-Oct-2019	09-Oct-2019	01-Nov-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		101364	12-Nov-2019	12-Nov-2019	01-Dec-2019	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		101711	06-Dec-2019	06-Dec-2019	01-Jan-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		102099	08-Jan-2020	08-Jan-2020	01-Feb-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		102442	07-Feb-2020	07-Feb-2020	01-Mar-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		102857	12-Mar-2020	12-Mar-2020	01-Apr-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		103233	06-Apr-2020	06-Apr-2020	01-May-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		103572	12-May-2020	12-May-2020	01-Jun-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		103934	12-Jun-2020	12-Jun-2020	01-Jul-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		104271	07-Jul-2020	07-Jul-2020	01-Aug-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		104748	12-Aug-2020	12-Aug-2020	01-Sep-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		105136	11-Sep-2020	11-Sep-2020	01-Oct-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		105596	10-Oct-2020	10-Oct-2020	01-Nov-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		105935	12-Nov-2020	12-Nov-2020	01-Dec-2020	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		106280	05-Dec-2020	05-Dec-2020	01-Jan-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		106595	11-Jan-2021	11-Jan-2021	01-Feb-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		107037	12-Feb-2021	12-Feb-2021	01-Mar-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		107348	05-Mar-2021	05-Mar-2021	01-Apr-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		107630	12-Apr-2021	12-Apr-2021	01-May-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		108170	10-May-2021	10-May-2021	01-Jun-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		108610	09-Jun-2021	09-Jun-2021	01-Jul-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		109010	12-Jul-2021	12-Jul-2021	01-Aug-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		109410	06-Aug-2021	06-Aug-2021	01-Sep-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		109761	11-Sep-2021	11-Sep-2021	01-Oct-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		110129	12-Oct-2021	12-Oct-2021	01-Nov-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		110421	12-Nov-2021	12-Nov-2021	01-Dec-2021	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		110821	10-Dec-2021	10-Dec-2021	01-Jan-2022	14,000.00	14,000.00 Open		
MILLENNIUM CARBON, LLC		111161	12-Jan-2022	12-Jan-2022	01-Feb-2022	14,000.00	14,000.00 Open		

111536	12-Feb-2022	12-Feb-2022	01-Mar-2022	14,000.00	14,000.00	Open
111841	05-Mar-2022	05-Mar-2022	01-Apr-2022	14,000.00	14,000.00	Open
112253	12-Apr-2022	12-Apr-2022	01-May-2022	14,000.00	14,000.00	Open
112776	27-Apr-2022	27-Apr-2022	01-Jun-2022	14,000.00	14,000.00	Open
113215	13-May-2022	13-May-2022	01-Jul-2022	14,000.00	14,000.00	Open
113518	11-Jul-2022	11-Jul-2022	01-Aug-2022	14,000.00	14,000.00	Open
113818	09-Aug-2022	09-Aug-2022	01-Sep-2022	14,000.00	14,000.00	Open
113828	31-Aug-2022	31-Aug-2022	01-Oct-2022	14,000.00	14,000.00	Open
114181	30-Sep-2022	30-Sep-2022	01-Nov-2022	14,000.00	14,000.00	Open
Sub Total				1,218,000.00	868,000.00	
MILLENNIUM CARBON, LLC	PMT	2315518	16-Mar-2019	16-Mar-2019	-2,000.00	0.00 Closed
MILLENNIUM CARBON, LLC		148	01-Apr-2019	01-Apr-2019	-1,200.00	0.00 Closed
MILLENNIUM CARBON, LLC		157	29-Apr-2019	29-Apr-2019	-1,155.00	0.00 Closed
MILLENNIUM CARBON, LLC		105	10-May-2019	10-May-2019	-900.00	0.00 Closed
MILLENNIUM CARBON, LLC		263	28-May-2019	28-May-2019	-500.00	0.00 Closed
MILLENNIUM CARBON, LLC		302	28-Jun-2019	28-Jun-2019	-1,400.00	0.00 Closed
MILLENNIUM CARBON, LLC		106	18-Jul-2019	18-Jul-2019	-500.00	0.00 Closed
MILLENNIUM CARBON, LLC		524	26-Aug-2019	26-Aug-2019	-345.00	0.00 Closed
MILLENNIUM CARBON, LLC		2349	04-Oct-2019	04-Oct-2019	-250.00	0.00 Closed
MILLENNIUM CARBON, LLC		545	17-Oct-2019	17-Oct-2019	-750.00	0.00 Closed
MILLENNIUM CARBON, LLC		546	31-Oct-2019	31-Oct-2019	-1,000.00	0.00 Closed
MILLENNIUM CARBON, LLC		528	02-Dec-2019	02-Dec-2019	-250.00	0.00 Closed
MILLENNIUM CARBON, LLC		563	29-Dec-2019	29-Dec-2019	-250.00	0.00 Closed
MILLENNIUM CARBON, LLC		564	03-Feb-2020	03-Feb-2020	-250.00	0.00 Closed
MILLENNIUM CARBON, LLC		565	24-Feb-2020	24-Feb-2020	-250.00	0.00 Closed
MILLENNIUM CARBON, LLC		566	05-Mar-2020	05-Mar-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		567	29-Mar-2020	29-Mar-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		569	30-Jun-2020	30-Jun-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		2261	10-Aug-2020	10-Aug-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		448	03-Sep-2020	03-Sep-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		476	08-Oct-2020	08-Oct-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		2273	02-Nov-2020	02-Nov-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		478	02-Dec-2020	02-Dec-2020	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		2286	11-Jan-2021	11-Jan-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		2289	03-Feb-2021	03-Feb-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		2307	05-Mar-2021	05-Mar-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		2314	29-Mar-2021	29-Mar-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		695	05-May-2021	05-May-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		697	08-Jun-2021	08-Jun-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		647	07-Jul-2021	07-Jul-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		409	30-Jul-2021	30-Jul-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		414	02-Sep-2021	02-Sep-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		705	01-Oct-2021	01-Oct-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		710	01-Dec-2021	01-Dec-2021	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		429	03-Jan-2022	03-Jan-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		717	29-Jan-2022	29-Jan-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		435	01-Mar-2022	01-Mar-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		452	04-Apr-2022	04-Apr-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		456	29-Apr-2022	29-Apr-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		730	06-Jun-2022	06-Jun-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		467	11-Jul-2022	11-Jul-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		474	26-Jul-2022	26-Jul-2022	-100.00	0.00 Closed
MILLENNIUM CARBON, LLC		478	29-Aug-2022	29-Aug-2022	-100.00	0.00 Closed
Sub Total				-14,000.00	0.00	
					Total: 868,000.00	

Exhibit "F"

qPublic.net - Hawai'i County, HI - Report: 610060070000



Parcel Number	6100606070000
Location Address	61-3277 MALUOKALANI STREET
Project Name	Kae Hana II Industrial Subdivision
Property Class	INDUSTRIAL
Neighborhood Code	6121-4
Legal Information	LOT E-1 12.961 AC DES KAE HANA
Land Area (acres)	12.9610
Land Area (approximate sq ft)	564,581

Parcel Number	6100606070000
Location Address	61-3277 MALUOKALANI STREET
Project Name	Kae Hana II Industrial Subdivision
Property Class	INDUSTRIAL
Neighborhood Code	6121-4
Legal Information	LOT E-1 12.961 AC DES KAE HANA
Land Area (acres)	12.9610
Land Area (approximate sq ft)	564,581

[View Map](#)

Plat (TMK) Maps

Owner Information

☐ Show All Owners and Addresses

MAILING ADDRESS
HAWAIIAN HOMELANDS

Current Tax Bill Information

Tax Bill with Interest computed through 09/30/2022

<http://payments.enavall.gov/prope>
Other Payment Options [Click Here](#)

No data available for the following modules: Condominium/Apartment Unit Information, Agricultural Assessment Information, Residential Improvement Information.

The County of Hawaii Real Property Tax Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

[User Privacy Policy.](#)

Last Data Upload: 10/6/2022, 1:33:25 AM

Version 2.3.224



Exhibit "G"



Mr. William J. Aila, Jr.
Chairman
Hawaiian Homes Commission
Department of Budget and Finance
ATTN: Land Management Division
P. O. Box 1879
Honolulu, Hawaii 96805

Dibshawaii LLC
86122 Kakalapola St.
Waianae, HI. 96792

SUBJECT: Request the Commission's consent to the proposed assignment of lease.

Dibshawaii LLC is requesting approval from the Chairman of the Hawaiian Homes Commission for the lease transfer of situated property at Kaie Hana II industrial subdivision, Kawaihae, island of Hawaii County of Hawaii-TMK no. (3)6-1-06; parcel 07 comprising of 12.961 acres of Department of Hawaiian Homelands (DHHL) from the current lessee Millennium HI Carbon.

Dibshawaii LLC and Millennium Carbon, with the permission of Mr. William J. Aila Jr. on June 16, 2022, have been in continuous negotiations and have produced two signed documents which will expire on September 30, 2022, without the approval from the Chairman of the Hawaiian Homes Commission. The first document is an "Assignment and Assumption Agreement" and the second is a "Bill of Sale".

The facility was constructed in 2009-2010 by "Big Island Carbon (BIC)" to create active carbon from used macadamia nut shells at a capital cost of \$40+ million. The facility operated from 2010-2011 followed by bankruptcy. In 2015 "Millennium Investments" purchased the factory from bankruptcy and operated as "Millennium Carbon" from 2018-2020 and remained idle to June 2022. Millennium Carbon owes \$1,060,000.00 in default lease, fees, and taxes to DHHL and plans to file for bankruptcy after October 2022, if this agreement is not approved. This pathway would create additional back lease owed to DHHL equating to lost revenues for beneficiary serving purposes, increased legal costs for DHHL, and in the end still runs the risk of not receiving any payment from the current lessee.

To remedy this Dibshawaii LLC agrees to pay \$3,000,000.00 to Millennium Carbon and \$1,060,000.00 to the Department of Hawaiian Homelands (DHHL) for outstanding back lease, fees, and taxes. At the same time, we will establish a highly beneficial asset for the Kailapa community and a revenue generating lease for DHHL serving our HHCA beneficiaries. Although active carbon cannot be produced on site, valuable "Biochar" can easily be produced with the



Exhibit "H"

3-year supply of macadamia nut shells on location. In addition, invasive species such as Eucalyptus, Albizia, and Gorse can also be used as feedstock to produce not only biochar, but also clean fuels for energy to run the plant.

Dibshawaii has immediate plans to create a net-zero carbon capture storage utilization platform that will recover vented carbon dioxide emissions and scrub and liquefy the emissions into food grade liquid carbon dioxide. This product will be utilized for agriculture, energy, infrastructure, housing, textile development, and provide carbon storage in support of food security and resilience goals of the State.

A Hawaiian Veteran owned company, Dibshawaii has been conducting business in the state of Hawaii since 2009. Dibshawaii is the only Hawaiian owned company that conducts CO2 dry ice blasting on Department of Defense contracts and other non-military projects that can take full advantage of cleaning sensitive equipment without disassembling and reassembling and creating hazardous waste from water and sand blasting, which must then be shipped off the island creating CO2 in transportation.

During this past Thirty-First State Legislature, Senate Bill 2865, S.D.2, H.D.1, and C.D. 1 "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST DIBSHAWAII LLC" for \$40,000,000.00 was approved, and on June 27, 2022, Governor David Ige signed into law "ACT 198". Senate Bill 2865 made it through with the hard work and support of Senator Maile Shimabukuro who championed the Senate Bill, House Representative Lisa Marten who championed the House Bill, and several testimonies to include the Hawaii State Energy Office (HSEO) and Department of Hawaiian Homelands (DHHL).

Chairman Alla, we know you are busy and your time is extremely valuable, we would like to expedite this approval before signed documents expire on October 2022. Included with this letter are important documents to assist in your decision process. We are thankful for all the work and support DHHL has provided to Dibshawaii and the native Hawaiian community

Should you have any questions or if we can be of assistance, please contact (808) 554-9247 or kford@dibshawaii.com

Keoni Ford

President and CEO Dibshawaii LLC

DIBSHAWAII LLC www.dibshawaii.com contact: (808) 554 9247 Email: kford@dibshawaii.com

ASSIGNMENT AND ASSUMPTION AGREEMENT

This Assignment and Assumption Agreement (this "Agreement") is dated as of September 30th, 2022 and is entered into by and between **MILLENNIUM HI CARBON, LLC**, a Hawaii limited liability company (the "Seller"), and **Dibshawaii LLC**, a Hawaii limited liability company (the "Buyer")

WITNESSETH:

WHEREAS, the Buyer and the Seller have entered into an asset purchase agreement, dated as of August 1, 2022 (the "Purchase Agreement"; capitalized terms used but not defined herein shall have the respective meanings ascribed to them in the Purchase Agreement); and

WHEREAS, the Purchase Agreement, among other things, contemplates the transfer of the Assets to the Buyer, and the assumption by the Buyer of liabilities, as further described in and subject to the terms and conditions of the Purchase Agreement; and

WHEREAS, pursuant to a Bill of Sale executed and delivered by the Seller to the Buyer and dated as of the date hereof, effective as of the Closing, the Seller has agreed to sell, convey, transfer, assign and deliver to the Buyer, and the Buyer has agreed to accept, all right, title and interest of the Seller in and to the Assets.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, and intending to be legally bound, the parties hereto agree as follows:

1. Effective as of the Closing, the Seller transfers and assigns, and the Buyer agrees to accept the transfer an assignment of, and to assume the lease with DHHL including all liabilities related thereto (subject to and in accordance with the terms set out in the Purchase Agreement) and shall indemnify Seller fully for any liabilities related thereto. The Seller agrees that such assumed liabilities shall be transferred to and assumed by the Buyer so that the Buyer will have and be entitled to the benefit of the same rights, powers, remedies, claims, defenses, obligations and conditions (including rights of set-off and counterclaim) as the Seller enjoyed immediately prior to the Closing.
2. This Agreement is subject in all respects to the terms and conditions of the Purchase Agreement. Nothing contained in this Agreement supersedes any of the obligations, agreements, or representations of the Buyer or the Seller contained in the Purchase Agreement. This Agreement does not create or establish liabilities or obligations not otherwise created or existing under or pursuant to the Purchase Agreement. In the event of any conflict between the Purchase Agreement and this Agreement, the provisions of the Purchase Agreement shall control.
3. This Agreement will be construed in accordance with the laws of the State of Hawaii, without giving effect to the conflict of laws rules thereof to the extent such rules would require or permit the application of the laws of another jurisdiction.
4. This Agreement may be executed in counterparts (including electronic transmission), each of which will be deemed an original, but all of which together will constitute

one and the same instrument.

IN WITNESS WHEREOF, this Assignment and Assumption Agreement has been duly executed and delivered by the Seller and a duly authorized officer of the Buyer on and as of the date first above written.

Buyer: Dibshawaii LLC

By: 
Keoni K. Ford

Seller: Millennium HI Carbon LLC

By: 
David Lesser
Chairman & CEO

AMENDMENT TO PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement (this "Amendment") is dated as of November 11th, 2022 and is entered into by and between **MILLENNIUM III CARBON, LLC**, a Hawaii limited liability company (the "Seller"), and **Dibshawai LLC**, a Hawaii limited liability company and S&E Solution (the "Buyer").

WITNESSETH:

WHEREAS, the Buyer and the Seller have entered into an asset purchase agreement, dated as of August 1, 2022 (the "Purchase Agreement", capitalized terms used but not defined herein shall have the respective meanings ascribed to them in the Purchase Agreement); and

WHEREAS, the Purchase Agreement, among other things, contemplates the transfer of the Assets to the Buyer, and the assumption by the Buyer of liabilities, as further described in and subject to the terms and conditions of the Purchase Agreement; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, and intending to be legally bound, the parties hereto agree as follows

1. Buyer and Seller hereby agree to amend Item I of the Purchase Agreement to read as follows:

- I. The Buyer: Dibshawai LLC and **S&E Solution Daejeon, South Korea** (collectively, "Buyer")
- II. Buyer will pay the seller an additional \$100,000 as a "late closing fee" if the closing date is after September 30, 2022.
- III. Dibshawai will pay the seller an additional \$100,000 as an "additional late closing fee" if the closing date is after October 15, 2022. The payment will be made to the seller within 30 days after the actual closing date.

IN WITNESS WHEREOF, this Assignment and Assumption Agreement has been duly executed and delivered by the Seller and a duly authorized officer of the Buyer on and as of the date first above written.

Buyer: Dibshawai LLC



By: Keon K. Ford

Buyer: S&E Solution

2022.10.25
16:19:11
+09'00'

By: Janis Koh
CEO

Buyer: S&E Solution

2022.10.25
16:19:31
+09'00'

By: Jong bok Lee
CFO

Seller: Millennium III Carbon LLC

By: 

David Lesser
Chairman & CEO

It is my understanding that the transaction will close on or before November 11, 2022.

Exhibit "E"
Item No. F-3

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

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



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

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

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

March 14, 2025

Mr. Keoni Ford, Manager
DIBSHAWAII LLC
86-122 Kakaiapola Street
Waianae, Hawaii 96792
SENT VIA ELECTRONIC MAIL TO: kford@dibshawaii.com
NO HARD COPY TO FOLLOW

Dear Mr. Ford,

Subject: Status on Assignment of Lease Transaction – General Lease No. 275, Millenium Carbon, LLC, Kawaihae, Hawaii Island, TMK No. (3) 6-1-006:007


Receipt of your March 13, 2025, email regarding this matter is acknowledged. As noted in the previous correspondence, DHHL's Land Management Division (LMD) has been patient in supporting your efforts to complete this transaction.

Based on your email exchanges and phone discussion with LMD staff, it appears you remain committed to finalizing this transaction. Given your written and verbal commitments, DHHL proposes a good faith deposit of **\$126,000.00**, which represents 10% of the outstanding rent balance of \$1,260,000.00 (see attached ledger).

If you agree, the full payment must be made by cashier's check, payable to the Department of Hawaiian Home Lands, by Monday, March 31, 2025. If the deposit is not received by this date, DHHL will have no other choice but to cancel this transaction.

If you have any questions, please contact Peter "Kahana" Albinio, Jr., General Professional VI, Land Management Division at (808) 730-0343 or email peter.k.albinio.jr@hawaii.gov.

Aloha,


Linda Chinn, Acting Administrator
Land Management Division

ATTM

DHHL Account Detail

Mar 14, 2025 6:21 PM

CUSTOMER	ACCOUNT #	CLASS	TRX #	TRX DATE	GL DATE	DUE DATE	ORIGINAL AMT	BALANCE	STATUS
MILLENNIUM CARBON, LLC	GL0275haA	INV	1123	7/1/20	11/30/24	8/1/20	490,000.00	490,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1124	8/1/20	11/30/24	9/1/20	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1125	9/1/20	11/30/24	10/1/20	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1126	10/1/20	11/30/24	11/1/20	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1127	11/1/20	11/30/24	12/1/20	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1128	12/1/20	11/30/24	1/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1129	1/1/21	11/30/24	2/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1130	2/1/21	11/30/24	3/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1131	3/1/21	11/30/24	4/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1132	4/1/21	11/30/24	5/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1133	5/1/21	11/30/24	6/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1134	6/1/21	11/30/24	7/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1135	7/1/21	11/30/24	8/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1136	8/1/21	11/30/24	9/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1137	9/1/21	11/30/24	10/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1138	10/1/21	11/30/24	11/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1139	11/1/21	11/30/24	12/1/21	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1140	12/1/21	11/30/24	1/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1141	1/1/22	11/30/24	2/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1142	2/1/22	11/30/24	3/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1143	3/1/22	11/30/24	4/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1144	4/1/22	11/30/24	5/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1145	5/1/22	11/30/24	6/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1146	6/1/22	11/30/24	7/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1147	7/1/22	11/30/24	8/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1148	8/1/22	11/30/24	9/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1149	9/1/22	11/30/24	10/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1150	10/1/22	11/30/24	11/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1151	11/1/22	11/30/24	12/1/22	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1152	12/1/22	11/30/24	1/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1153	1/1/23	11/30/24	2/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1154	2/1/23	11/30/24	3/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1155	3/1/23	11/30/24	4/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1156	4/1/23	11/30/24	5/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1157	5/1/23	11/30/24	6/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1158	6/1/23	11/30/24	7/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1159	7/1/23	11/30/24	8/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1160	8/1/23	11/30/24	9/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1161	9/1/23	11/30/24	10/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1162	10/1/23	11/30/24	11/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1163	11/1/23	11/30/24	12/1/23	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1164	12/1/23	11/30/24	1/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1165	1/1/24	11/30/24	2/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1166	2/1/24	11/30/24	3/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1167	3/1/24	11/30/24	4/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1168	4/1/24	11/30/24	5/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1169	5/1/24	11/30/24	6/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1170	6/1/24	11/30/24	7/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1171	7/1/24	11/30/24	8/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1172	8/1/24	11/30/24	9/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1173	9/1/24	11/30/24	10/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1174	10/1/24	11/30/24	11/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1175	11/1/24	11/30/24	12/1/24	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	1876	12/11/24	12/11/24	1/1/25	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	4046	1/11/25	1/11/25	2/1/25	14,000.00	14,000.00	Open
MILLENNIUM CARBON, LLC	GL0275haA	INV	6028	2/11/25	2/11/25	3/1/25	14,000.00	14,000.00	Open
							1,260,000.00	1,260,000.00	

CONTROL NUMBER: 25:465

DATE: 4/1/2025

DEPARTMENT OF HAWAIIAN HOME LANDS FISCAL OFFICE ACCOUNT AUTHORIZATION FORM

☐ New Account☒ Modify Account☐ Terminate

GL-275 / RP- / LIC- / OTHER:

Location / Island / TMK Number: Kawaihae, Hawaii Island

TMK No. (3) 6-1-006:007

HHC/Chairman Approval Date: _____

Effective Date: _____

NAME & MAILING ADDRESS:

Name: Millennium Carbon, LLC

Phone: 808.554.9247

Address: 301 Winding Road

Contact: Keoni Ford

Address: _____

Fed ID# or

City, St, Zip: Old Bethpage, NY 11804

SS No.: _____

Annual Rent: \$ _____ Payment Schedule: \$ _____ (Mo. / Qtr. / S-Ann. / Ann.)

Billing Type (INVOICE / COUPON)

Due Date(s) _____

TRANSACTION

FUND

AMOUNT

Non-refundable Proc Fee

315

\$

Documentation Fee

315

\$

Security Deposit

901

\$

Rent

325

\$ 126,000.00

\$

\$

Total

\$ 126,000.00

Check Number

501325813

Check Date

April 1, 2025

Bank Number

59-7076/1213

Check Amount

\$ 126,000.00

"Check attached"

Check Number

Check Date

Bank Number

Check Amount

\$

Comments/Special Conditions (If any attachments, please specify)

Please apply remittance accordingly.

Kahana Albinio

4/1/2025

Preparer Signature

Date

[Signature]

4/1/2025

Approval Signature

Date

FISCAL OFFICE USE ONLY:

Deposit made in fund: _____ (Fund-Year-Appropriation)

Receipt # _____ Receipt Date _____ TDR # _____ TDR Date _____

Trust Fund Transaction:

☐

Approved

☐

Disapproved

Fiscal Officer

Date



CUSTOMER COPY

501325813

Cashiers Check

REMITTER: DIBSHAWAII LLC
KEONI K FORD

BR: 0062

ORIGINATOR: 2167


DATE / TIME: 4/1/2025 - 09:31:31

CK AMT: \$126,000.00

Pay DEPARTMENT OF HAWAIIAN HOMELANDS
to the MEMO: 10% OUTSTANDING RENT BALANCE
order of

NON-NEGOTIABLE

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

 **AMERICAN** Savings Bank
P.O. Box 2300 • Honolulu, HI 96804-2300

DATE: April 1, 2025
BR: 0062 — 2167

501325813

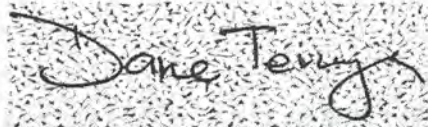
Cashiers Check

REMITTER: DIBSHAWAII LLC
KEONI K FORD

Pay DEPARTMENT OF HAWAIIAN HOMELANDS
to the MEMO: 10% OUTSTANDING RENT BALANCE
order of

EXACTLY ***One Hundred Twenty Six Thousand Dollars and No Cents

\$ 126,000.00



SECURITY FEATURE INCLUDED. DETAILS ON BACK

⑈0501325813⑈ ⑆321370765⑆ 04700⑈00700⑈

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

Exhibit "F"
Item No. F-3

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

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



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

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

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

April 7, 2025

Mr. Keoni Ford, Manager
DIBSHAWAII LLC
86-122 Kakaiapola Street
Waianae, Hawaii 96792
SENT VIA ELECTRONIC MAIL TO: keoni@agenergyhawaii.org
NO HARD COPY TO FOLLOW

Dear Mr. Ford,

Subject: Payment Plan for Assignment of Lease Transaction – General Lease No. 275,
Millenium Carbon, LLC, Kawaiahae, Hawaii Island, TMK No. (3) 6-1-006:007

This letter confirms your company's commitment to acquiring the general lease for the planned development of a net-zero carbon capture and storage system.

In recognition of this commitment, DHHL acknowledges receipt of your non-refundable good faith deposit of \$126,000.00. This amount has been applied directly to the outstanding lease rent owed to DHHL for the period from October 2017 to June 2025. A detailed ledger is attached for reference.

However, before we can request the Hawaiian Homes Commission's approval for your Consent to Assignment of General Lease No. 275, we need to first agree on the terms of a repayment plan to clear the outstanding lease rent owed to DHHL, as noted above, along with a two-year deferral of base monthly lease rent. With that in mind, if the Consent to Assignment is approved, we propose the following:

1. The total lease rent owed to DHHL for the period from October 2017 to June 2025 is \$1,161,750.00. DIBSHAWAII LLC agrees to pay this full amount by May 30, 2027. No interest or prepayment penalties will be added to this balance.
2. If the balance is not paid in full by May 30, 2027, DHHL will recommend the immediate termination of GL 275 and may exercise any rights granted to the Hawaiian Homes Commission under the law or the lease agreement.
3. The base monthly lease rent of \$16,750.00, totaling \$402,000 over two years, will be deferred for 24 months from June 1, 2025, to May 31, 2027.

Mr. Keoni Ford
April 7, 2025
Page 2 of 2


4. After the two-year rent deferral ends, the deferred balance of \$402,000.00 will be repaid with 6.0% interest. The full repayment amount of \$426,120.00 must be paid by no later than May 31, 2027.
5. If DIBSHAWAII LLC chooses to pay off the remaining balance earlier than the May 31, 2027, expiration date, the payment plan will end right away with no penalties. The base monthly lease rent of \$16,750.00 will remain the same; and
6. If payments are late or missed, DHHL has the right to immediately terminate the lease and may take legal action to recover the unpaid rent.

If you agree to the terms and conditions outlined above, please sign, date, and return a copy of this letter along with the requested items to help move the lease assignment process forward.

While signing and returning this letter does not create a binding agreement, it will serve as the basis for preparing a formal recommendation and documents. These will become binding once signed by all parties.

If you have any questions, please contact Peter "Kahana" Albinio, Jr., Manager, Income Properties Branch, Land Management Division at (808) 730-0343 or email peter.k.albinio.jr@hawaii.gov.

AGREED & ACCEPTED

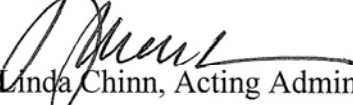

Keoni K Ford, Apr 8, 2025 09:42 HST

Keoni Ford, Manager
DIBSHAWAII LLC

Apr 8, 2025

Date

Aloha,


Linda Chinn, Acting Administrator
Land Management Division

ATTM








Payment Plan Terms & Conditions Ltr re GL 275

Final Audit Report

2025-04-08

Created:	2025-04-08 (Hawaii-Aleutian Standard Time)
By:	Peter Albinio (peter.k.albinio.jr@hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA3cJyZLKTxsFIKLZzyKhS2tvGX4jj2S9k
Number of Documents:	1
Document page count:	4
Number of supporting files:	0
Supporting files page count:	0

"Payment Plan Terms & Conditions Ltr re GL 275" History

-  Document created by Peter Albinio (peter.k.albinio.jr@hawaii.gov)
2025-04-08 - 8:16:41 AM HST- IP address: 162.221.247.253
-  Document emailed to keoni@agenergyhawaii.org for signature
2025-04-08 - 8:17:52 AM HST
-  Email viewed by keoni@agenergyhawaii.org
2025-04-08 - 9:36:29 AM HST- IP address: 174.202.5.175
-  Agreement viewed by keoni@agenergyhawaii.org
2025-04-08 - 9:40:10 AM HST- IP address: 174.202.5.175
-  Signer keoni@agenergyhawaii.org entered name at signing as Keoni K Ford
2025-04-08 - 9:42:17 AM HST- IP address: 174.202.5.175
-  Document e-signed by Keoni K Ford (keoni@agenergyhawaii.org)
Signature Date: 2025-04-08 - 9:42:19 AM HST - Time Source: server- IP address: 174.202.5.175
-  Agreement completed.
2025-04-08 - 9:42:19 AM HST

As of 07Apr2025 - Acct Ledger
GL 275A

CLASS	CUSTOMER	ACCOUNT #	TRX #	TRX DATE	GL DATE	DUE DATE	ORIGINAL AMT	BALANCE	STATUS	COMMENTS
INV	MILLENNIUM CARBON, LLC	GL0275ha	1123	7/1/20	11/30/24	8/1/20	490,000.00	490,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1124	8/1/20	11/30/24	9/1/20	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1125	9/1/20	11/30/24	10/1/20	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1126	10/1/20	11/30/24	11/1/20	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1127	11/1/20	11/30/24	12/1/20	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1128	12/1/20	11/30/24	1/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1129	1/1/21	11/30/24	2/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1130	2/1/21	11/30/24	3/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1131	3/1/21	11/30/24	4/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1132	4/1/21	11/30/24	5/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1133	5/1/21	11/30/24	6/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1134	6/1/21	11/30/24	7/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1135	7/1/21	11/30/24	8/1/21	14,000.00	0.00	Closed	
	MILLENNIUM CARBON, LLC	GL0275ha	1136	8/1/21	11/30/24	9/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1137	9/1/21	11/30/24	10/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1138	10/1/21	11/30/24	11/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1139	11/1/21	11/30/24	12/1/21	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1140	12/1/21	11/30/24	1/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1141	1/1/22	11/30/24	2/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1142	2/1/22	11/30/24	3/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1143	3/1/22	11/30/24	4/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1144	4/1/22	11/30/24	5/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1145	5/1/22	11/30/24	6/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1146	6/1/22	11/30/24	7/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1147	7/1/22	11/30/24	8/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1148	8/1/22	11/30/24	9/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1149	9/1/22	11/30/24	10/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1150	10/1/22	11/30/24	11/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1151	11/1/22	11/30/24	12/1/22	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1152	12/1/22	11/30/24	1/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1153	1/1/23	11/30/24	2/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1154	2/1/23	11/30/24	3/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1155	3/1/23	11/30/24	4/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1156	4/1/23	11/30/24	5/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1157	5/1/23	11/30/24	6/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1158	6/1/23	11/30/24	7/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1159	7/1/23	11/30/24	8/1/23	14,000.00	14,000.00	Open	

**As of 07Apr2025 - Acct Ledger
GL 275A**

	MILLENNIUM CARBON, LLC	GL0275ha	1160	8/1/23	11/30/24	9/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1161	9/1/23	11/30/24	10/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1162	10/1/23	11/30/24	11/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1163	11/1/23	11/30/24	12/1/23	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1164	12/1/23	11/30/24	1/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1165	1/1/24	11/30/24	2/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1166	2/1/24	11/30/24	3/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1167	3/1/24	11/30/24	4/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1168	4/1/24	11/30/24	5/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1169	5/1/24	11/30/24	6/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1170	6/1/24	11/30/24	7/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1171	7/1/24	11/30/24	8/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1172	8/1/24	11/30/24	9/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1173	9/1/24	11/30/24	10/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1174	10/1/24	11/30/24	11/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1175	11/1/24	11/30/24	12/1/24	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	1876	12/11/24	12/11/24	1/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	4046	1/11/25	1/11/25	2/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	6028	2/11/25	2/11/25	3/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	8039	3/11/25	3/11/25	4/1/25	14,000.00	14,000.00	Open	
	MILLENNIUM CARBON, LLC	GL0275ha	9006	4/1/25	4/1/25	5/1/25	13,750.00	13,750.00	Open	FI #25-466 Increase in mo. rent to \$16,750 eff 12/1/2024 (Dec 2024 - Apr 2025 rent inc adj)
PMT	MILLENNIUM CARBON, LLC	GL0275ha	501325813	4/1/25	4/1/25	4/1/25	-126,000.00	0.00	Closed	4371
							Sub Total	1,287,750.00		
							Sub Total	-126,000.00		
							Balance	1,161,750.00		

Payment Plan for Deficient Rent Balance Due
General Lease No. 275 - Millennium Carbon, LLC
At 6.0% Interest
Printed: 04/07/2025

Payment Plan Calculator

Enter Values					Payment Plan Summary				
Deficient Rent Due	\$	402,000.00			Scheduled Payment	\$	17,816.89		
Annual Interest Rate		6.00	%		Scheduled Number of Payments		24		
Payment Plan Period			2		Actual Number of Payments		24		
Number of Payments Per Year			12		Total Early Payments	\$	-		
Balance Start Date		6/1/2025			Total Interest	\$	25,605.25		
Optional Extra Payments	\$	-							

Pmt No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance
1	7/1/2025	\$ 402,000.00	\$ 17,816.89	\$ -	\$ 17,816.89	\$ 15,806.89	\$ 2,010.00	\$ 386,193.11
2	8/1/2025	386,193.11	17,816.89	-	17,816.89	15,885.92	1,930.97	370,307.19
3	9/1/2025	370,307.19	17,816.89	-	17,816.89	15,965.35	1,851.54	354,341.85
4	10/1/2025	354,341.85	17,816.89	-	17,816.89	16,045.18	1,771.71	338,296.67
5	11/1/2025	338,296.67	17,816.89	-	17,816.89	16,125.40	1,691.48	322,171.27
6	12/1/2025	322,171.27	17,816.89	-	17,816.89	16,206.03	1,610.86	305,965.24
7	1/1/2026	305,965.24	17,816.89	-	17,816.89	16,287.06	1,529.83	289,678.18
8	2/1/2026	289,678.18	17,816.89	-	17,816.89	16,368.49	1,448.39	273,309.68
9	3/1/2026	273,309.68	17,816.89	-	17,816.89	16,450.34	1,366.55	256,859.35
10	4/1/2026	256,859.35	17,816.89	-	17,816.89	16,532.59	1,284.30	240,326.76
11	5/1/2026	240,326.76	17,816.89	-	17,816.89	16,615.25	1,201.63	223,711.51
12	6/1/2026	223,711.51	17,816.89	-	17,816.89	16,698.33	1,118.56	207,013.18
13	7/1/2026	207,013.18	17,816.89	-	17,816.89	16,781.82	1,035.07	190,231.36
14	8/1/2026	190,231.36	17,816.89	-	17,816.89	16,865.73	951.16	173,365.63
15	9/1/2026	173,365.63	17,816.89	-	17,816.89	16,950.06	866.83	156,415.58
16	10/1/2026	156,415.58	17,816.89	-	17,816.89	17,034.81	782.08	139,380.77
17	11/1/2026	139,380.77	17,816.89	-	17,816.89	17,119.98	696.90	122,260.79
18	12/1/2026	122,260.79	17,816.89	-	17,816.89	17,205.58	611.30	105,055.20
19	1/1/2027	105,055.20	17,816.89	-	17,816.89	17,291.61	525.28	87,763.60
20	2/1/2027	87,763.60	17,816.89	-	17,816.89	17,378.07	438.82	70,385.53
21	3/1/2027	70,385.53	17,816.89	-	17,816.89	17,464.96	351.93	52,920.57
22	4/1/2027	52,920.57	17,816.89	-	17,816.89	17,552.28	264.60	35,368.29
23	5/1/2027	35,368.29	17,816.89	-	17,816.89	17,640.04	176.84	17,728.24
24	6/1/2027	17,728.24	17,816.89	-	17,728.24	17,639.60	88.64	0.00

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairperson and Members, Hawaiian Homes Commission

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

From: Ashley Tabalno, Land Agent *ant*
Land Management Division

Subject: Approval to Issue a Right-of-Entry Permit to Habitat for Humanity to use DHHL Lands at Kakaina Lot, Waimanalo, Island of Oahu, TMK: (1) 4-1-041:049.

APPLICANT: Habitat for Humanity, a 501(c)(3) Non-Profit corporation

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission ("HHC") approve the issuance of a Right-of-Entry (ROE) Permit to Honolulu Habitat for Humanity for the use of DHHL lands at the Kakaina Development in Waimānalo, O'ahu, TMK: (1) 4-1-041:049, for the purpose of storing containers of volunteer supplies and construction materials and periodic parking of a construction vehicle.

Approval and issuance of this Right-of-Entry Permit (ROE) shall be subject to the following conditions:

1. The term of the ROE permit shall be for two (2) years from the date of issuance.
2. The permitted activities shall include the storage of containers used for volunteer supplies and construction materials and periodic parking of a company construction vehicle on the locked site.
3. Only authorized personnel from Honolulu Habitat for Humanity (up to five staff members), the MKK Construction subcontracted superintendent, and Olomana Turf (for site maintenance) may access the site.
4. The monthly Permit Fee and the processing and documentation fees shall be waived.
5. The standard terms and conditions of the most current Right-of-Entry permit form, as may be amended from time to time, and subject to the review and approval of the Department

of the Attorney General.

6. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interests of the Hawaiian Home Lands Trust.
7. Authorize the Chairperson to negotiate and set forth other terms and conditions that may be deemed appropriate and necessary.

LOCATION:

A DHHL parcel located in the Kakaina Development in Waimānalo, Island of O‘ahu, designated as TMK: (1) 4-1-041:049. See attached Exhibit “A”.

DISCUSSION:

In a letter dated April 14, 2025 (attached as Exhibit “B”), Habitat for Humanity Executive Director Brina Dorser requested a Right-of-Entry (ROE) permit for continued access to a parcel in the Kakaina Development. The organization seeks to use the site for storing building materials and supplies in secure containers, and to occasionally park a company construction vehicle. Habitat currently occupies the parcel under a Limited Right of Entry (LROE) and has found it to be a valuable staging area for ongoing home construction efforts for Native Hawaiian beneficiaries on nearby DHHL parcels in Waimānalo.

The request limits activity to passive storage and site access by a small number of authorized personnel. Honolulu Habitat has committed to minimizing any disturbance, maintaining the integrity of the land, and restoring the parcel to its original condition upon conclusion of the ROE term. The organization has also expressed full compliance with any access protocols required by DHHL.

As a longstanding nonprofit dedicated to providing affordable housing solutions, Honolulu Habitat for Humanity aligns with the Hawaiian Homes Commission’s mission to promote the well-being of Native Hawaiian beneficiaries. Approval of this ROE will directly support the construction of new residential units on DHHL land.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the updated Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands, as approved by the Environmental Council as of April 6, 2021, the subject request is exempt from the preparation of an environmental assessment pursuant to Part 1, titled De Minimis Activities, Type 1, “Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing”.

AUTHORITY

§204(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended

§171-55, Hawaii Revised Statutes, as amended

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the DHHL 2002 General Plan goals and objectives:

Land Use Planning

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

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

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities and community services in a native Hawaiian-friendly environment.

Land and Resource Management

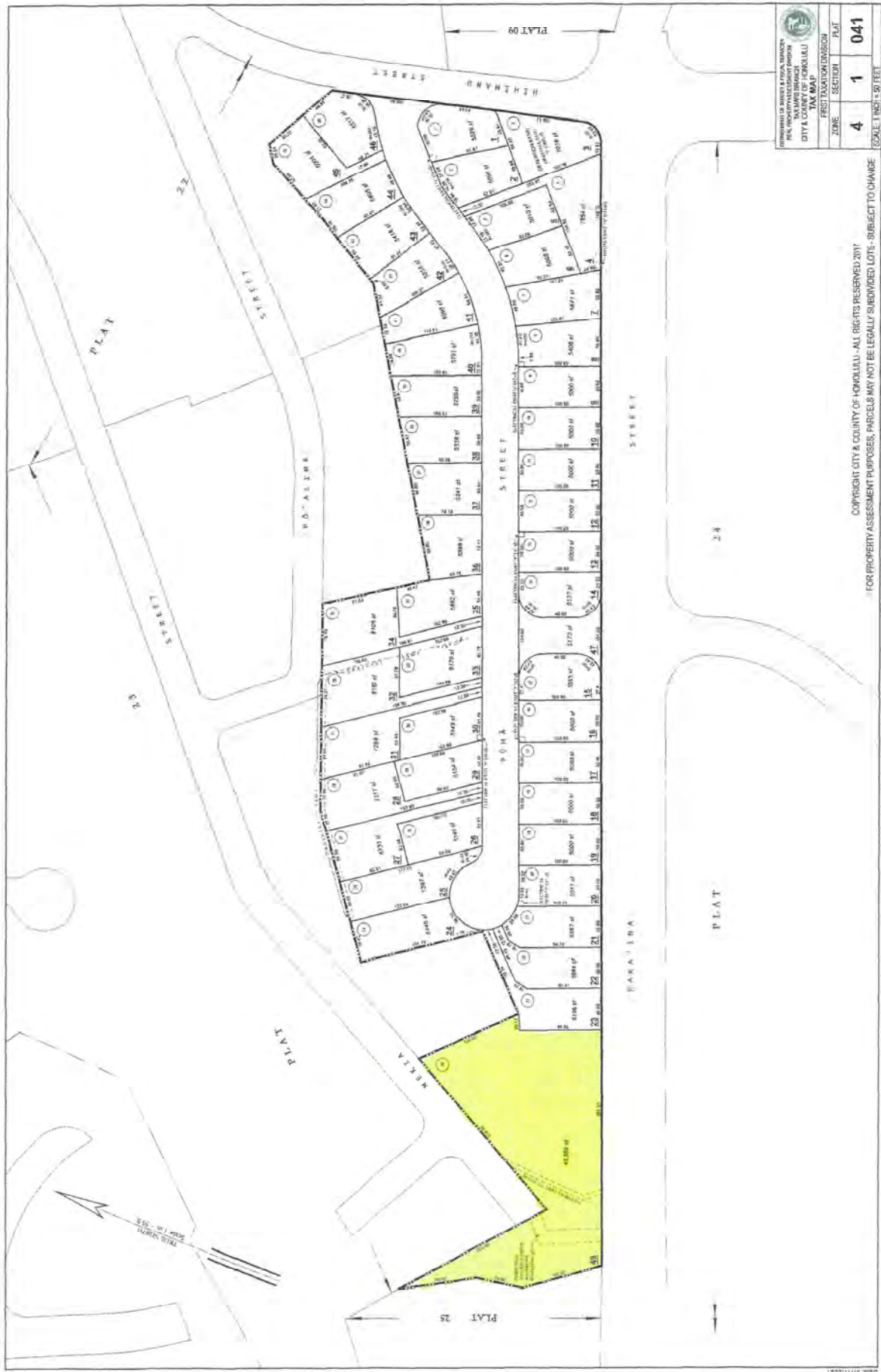
Goals: Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands.

Objectives:

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

RECOMMENDATION

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



Item No. F-4
"Exhibit A"



We build strength, **stability**, self-reliance and shelter.

April 14, 2025

State of Hawaii
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, HI 96707

Re: Right of Entry for TMK 4-1-041:049

Honolulu Habitat for Humanity requests a Right of Entry to the property located in the Kakaʻina Development at TMK 4-1-041:049 for the purpose of storing our building supplies and materials while we build homes in Waimanalo area on DHHL parcels.

The entry will be limited in scope and duration as follows:

- **ROE Duration:** 2 years from date of memo
- **Purpose:** Storage of containers for volunteer supplies and building materials; Parking company construction vehicle on locked site periodically
- **Personnel Involved:** Honolulu Habitat for Humanity Staff (5 personnel); MKK Construction subcontracted superintendent of Honolulu Habitat for Humanity projects, Olomana Turf grass maintenance.

We assure you that all activities will be conducted with the utmost care and consideration for your property. Any disruption will be minimized, and the site will be left in the condition it was found. Additionally, we will comply with any access protocols or requirements you may have.

Sincerely,


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

Brina Dorser
Executive Director
Honolulu Habitat for Humanity


STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator 
Land Management Division

Kalei Young, Supervising Land Agent
Land Management Division

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Approval to Issue Right of Entry Permit to Papakolea Community Development Corporation, Puowaina, Honolulu, Oahu Island, TMK: (1) 2-2-005:035 (por.)

APPLICANT:

Papakolea Community Development Corporation "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE) permit to the Papakolea Community Development Corporation for approximately 7.0 acres (more or less) of Hawaiian home lands TMK: (1) 2-2-005:035 (portion) for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS compliance requirements and Chapter 6E, HRS compliance requirements.

1. Authorize the issuance of a Right of Entry permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry shall be month to month for up to thirty-six (36) months, commencing upon execution, with the option for two additional twelve (12) month extensions at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. PERMITTEE shall submit a Master Plan. Master plan shall include but not be limited to:

- i. Narrative description that clearly articulates permittee's project goals for the project area and detailed description of each proposed programmatic element and land use by the permittee.
 - ii. Narratively and graphically describe characteristics of the project area including topography, portions of the project area susceptible to natural disaster events, location of known sensitive or unique natural and cultural resources, water resources, access points for vehicle and pedestrian ingress and egress, identification of level of infrastructure improvements required and location of improvements.
 - iii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.
- E. PERMITTEE shall submit a Project Business Plan. The Project Business Plan shall include a description of expense and income budget (start-up/initial costs, operating budget, reserve fund, fundraising campaign). Business plan shall identify rough order of magnitude (ROM) cost for all capital improvements proposed by permittee to the premises including off-site infrastructure. Business plan shall include ROM cost for operation and maintenance expenses. Business plan shall include ROM for programmatic expenses including but not limited to staff salary and compensation. Business plan shall identify potential revenue sources and reasonably justified estimated revenue projections from each of these sources.
- F. PERMITTEE shall consult with and work closely with PERMITTOR on completing HRS Chapter 343 and HRS Chapter 6E compliance documentations and studies. If HRS Chapter 343 Environmental Assessment study or Environmental Impact Study is required, approval of these studies is subject to the approval of the Hawaiian Homes Commission. Chapter 6E compliance is subject to the approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division.
- G. As part of the PERMITTOR's regular review of PERMITTEE activities, and in exchange for gratis base rent, PERMITTEE shall submit a bi-annual progress report to the PERMITTOR every six months starting from the ROE permit commencement date. The bi-annual progress reports shall document the PERMITTEE's activities of the previous period and shall include but not be limited to the following:
 - i. Timeline and schedule to complete due diligence studies as described in Sections D thru G, as stated above. Timeline and schedule should identify major milestones in the completion of due diligence studies.
 - ii. Description of major activities related to the project timeline and schedule that were conducted and/or completed in the six-month period.
 - iii. Progress report shall also include description of circumstances that may affect the permittee's timeline and schedule for completion of due diligence studies.
 - iv. Progress report shall identify any professional service provider or third-party assisting the permittee in the completion of due diligence studies.
- H. The documentation and processing fee shall be waived;

- I. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;
2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Portions of Hawaiian home lands situated in Puowaina, Honolulu, Oahu Island, identified as a portion of TMK: (1) 2-2-005:035 and further shown in Exhibit "A"

AREA:

7.0 Acres (more or less)

BACKGROUND/DISCUSSION

The Papakolea Community Development Corporation (PCDC) is a domestic nonprofit corporation formed by the kupuna of the Papakolea Hawaiian homestead community in 1999. PCDC's mission is "to mobilize broad-based community participation; to promote self-determination by developing strong and effective community leaders; and to manage current and future community facilities in the Hawaiian homestead region of Papakolea."

The PCDC submitted a non-profit land use application to the Department of Hawaiian Home Lands (DHHL) for approximately 7.0 acres (more or less) of a portion of Hawaiian home lands TMK: (1) 2-2-005:035 located in the Papakolea region of Honolulu for the development of its proposed Native Hawaiian Education & Culture Community Center (Center), see Exhibit "B".

The Center is listed as the Priority Project #1 in the Papakolea Regional Plan dated 2020, see Exhibit "C". The proposed Center would provide a place for social, educational and cultural enrichment serving beneficiaries through kupuna services, activities, enrichment programs for grades K-12, and collage and career assistance programs for college-bound high school students. The additional components envisioned for the Center are Hawaiian language, culture and 'aina based programing; classrooms and offices for native Hawaiian practitioners and businesses; playground and open space; full kitchen; halau and hall; garden and aquaculture area; farm of native plants, medicinal plants and fruit trees; cultural walking path; and parking.

Issuance of a right of entry to PCDC for due diligence purposes will allow PCDC to conduct studies necessary to complete master planning, environmental studies, and strengthen partnerships for the proposed development of the Native Hawaiian Education & Cultural Community Center.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

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

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

Goal HC-2: Establish livable, sustainable, resilient, and healthy communities on Hawaiian home lands that provide space for or access to the amenities that serve the daily needs of its residents.

Goal HC-2A: Partner with homestead communities, non-profits, government agencies, and ali'i trusts to provide needed services to communities.

2) Oahu Island Plan, July 2014

- Land Use Designation: Special District, March 7, 2014, Figure 6.3, Honolulu Ahupua'a Land Use Designation, see Exhibit "D"

3) Papakolea Regional Plan, September 2020

- Priority Project #1: Native Hawaiian Education and Culture Community Center

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on April 6, 2021, the Right of Entry permit request is exempt from the preparation of an environmental assessment pursuant to Part I: De Minimis Activities, Exemption Class Type 5, "Basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbances to an environmental resource."

AUTHORITY

Hawaii Revised Statutes, Section 171-55 Permits.

RECOMMENDATION

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



ITEM NO. F-5
EXHIBIT "A"

RECEIVED
LAND MANAGEMENT
DIVISION
APR 15 PM 2:09



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
P.O. BOX 1075
HONOLULU, HAWAII 96810

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

PRE-APPLICATION FORM

This form should be used by non-profit organizations who are interested in securing a long-term license agreement for the use of DHHL lands to better serve native Hawaiian beneficiaries, their families, and the homestead community. Please review the Pre-Application Guidelines and Instructions document before you fill out this form because it provides detailed instructions and it explains all the steps involved in securing a long-term license agreement.

APPLICANT INFORMATION

Name of Organization: Papakōlea Community Development Corporation

Date of Incorporation: 08/17/2000 **IRS Tax-Exempt #:** 91-2074211

1. Please identify one individual who will be the point of contact for this application:

Contact Name: Lilia Kapuniai **Title:** Executive Director
Email Address: lilia@papakolea.org **Phone:** 808.265.2755

2. What is the mission/vision of your organization?

[Please provide your typed responses on a separate page]

3. Please describe the history of your organization.

[Please provide your typed responses on a separate page]

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

[Please provide your typed responses on a separate page]

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

[Please provide your typed responses on a separate page]

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

[Please provide your typed responses on a separate page]

7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities of each organization during project development, implementation, and long-term management.

[Please provide your typed responses on a separate page]

ITEM NO. F-5

EXHIBIT "B"

PROJECT INFORMATION

8. Describe the project. What are your project goals and objectives? What kinds of activities, programs, and/or services will you provide? Describe the need for your project and how it will benefit the DHHL trust, homestead lessees, and/or waitlist applicants.
[Please provide your typed responses on a separate page]
9. Please share your current thinking about the following project elements:
- The planning process and your efforts to include beneficiaries.
 - Beneficiary involvement throughout the duration of the project.
 - Design and construction costs for major improvements (if any).
 - Long-term management and operation of project facilities and the requested land area.
 - Long-term maintenance and repairs.
- [Please provide your typed responses on a separate page]*
10. Is the proposed project a Regional Plan Priority Project? YES ☒ NO ☐
11. How do you intend to secure funding and other needed resources for the project?
[Please provide your typed responses on a separate page]

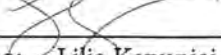
PROJECT LOCATION

12. Identify the parcel(s) of land your organization is requesting.
Tax Map Key Number(s): (1) 2-2-005:035 Acres: 7
Homestead Area: Papakōlea Regional Plan Area: Papakōlea
Island Plan Land Use Designation: *check all that apply below*
Community Use ☒ General Agriculture ☐ Conservation ☐ Special District ☐ Other ☐
13. Please attach a map that marks the boundaries of the area of land you are requesting. Please also identify on a separate map the conceptual layout and siting of proposed uses.
14. What are the existing uses in the surrounding area? Please describe how your proposed use is consistent with the existing surrounding uses.
[Please provide your typed responses on a separate page]
15. Why do you want to implement your project at this site? Describe the characteristics of the site and surrounding area that make it an ideal location for your project.
[Please provide your typed responses on a separate page]

TIMEFRAME

16. What is the general timeframe for implementing the project (estimated years)? Please identify major benchmarks and phases.
[Please provide your typed responses on a separate page]

I hereby acknowledge that I have read this application and certify that the information provided in our responses are correct. I understand that this form is being submitted electronically and my typed name on the signature line will qualify as my signature for purposes of the above certification.

Signature: 
Printed Name: Lilia Kapuniai
Organization: Papakōlea Community Development Corporation

Date: 4/15/25
Title: Executive Director



DHHL NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL LANDS

Pre-Application Form – Narrative Responses

April 14, 2025

Application Information:

2. What is the mission/vision of your organization?

The *vision* of the organization is to serve as a self-sufficient entity that supports a culturally grounded, vibrant, healthy, safe, and thriving Hawaiian homestead region of Papakōlea now and into the future -- a community that is subsequently recognized as one to emulate.

The *mission* of the organization to mobilize broad-based community participation; to promote self-determination by developing strong and effective community leaders; and to manage current and future community facilities in the Hawaiian homestead region of Papakōlea.

3. Please describe the history of your organization.

Kūpuna of the Hawaiian homestead community of Papakōlea formed the Papakōlea Community Development Corporation (PCDC) in 1999. It was formally incorporated on August 17, 2000 (Articles of Incorporation). Shortly thereafter, PCDC received its 501c3 charitable designation from the U.S. Internal Revenue Service, and secured License No. 559 from DHHL to manage and administer the Papakōlea Community Park and Center.

To meet its mission, PCDC is focused on providing a safe and thriving environment for families through facilities management and maintenance, offering programs that support the preservation and promotion of 'Ike and 'Ōlelo Hawai'i, providing resources supporting business development and leadership, and advancement of priorities identified in DHHL's 2020 Papakōlea Regional Plan.

Over 20 years later, PCDC remains committed to the purpose and intent envisioned by the kūpuna. PCDC serves all 1,920 residents of the Papakōlea, Kalāwahine and Kewalo Hawaiian Homesteads, through the operation and maintenance of the Park, and the provision of programs and services in four programmatic areas: 1) Beneficiary Advocacy Program; 2) Kupua'e Hawaiian Language Program; 3) Pūowaina; and 4) Center and Park Stewardship.

PCDC is one of two active beneficiary-serving nonprofit organizations that develop and operate programs for the beneficiaries that reside within all three residential developments: Papakōlea, Kalāwahine and Kewalo. PCDC is managed by a five-member Board of Directors and an

Executive Director that are representative of all three residential developments within the Papakōlea Region.

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

Service to the beneficiaries of the HHCA is our mission statement. Every program and/or activity coordinated is done for the beneficiaries of the Papakōlea Region – all 1,920 residents continue to be served through facility use and as a participant of a program / activity offered at the Park.

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

Following, you'll find three examples of successful programs/activities developed and implemented for community, in the last five years:

Kupua'e Hawaiian Language Project (Kupua'e). In 2016, PCDC established Kupua'e as an intersession educational program focusing on 'ike Hawai'i utilizing 'ōlelo Hawai'i, for keiki ages 5 – 10. Since then, the program expanded to serve keiki of all ages, adults, and provision is year-round. Over 350+ residents are served annually through in-person and virtual offerings. Program support was received from Kula No Nā Po'e Hawai'i, Friends of Hawai'i Charities, the Sovereign Council of Hawaiian Homestead Associations (SCHHA), Kamehameha Schools (KS), the Administration for Native Americans, and the U.S. Native Hawaiian Education Program. Kupua'e is active today.

Papakōlea Playground and Basketball Court Replacement Project. In 2022, PCDC replaced the 15-year old structure with a fresh colorful playground, swings, and adult workout equipment. Additionally, PCDC was able to resurface the basketball court and install turf under the playground. This project was a result of seven years of planning and fundraising efforts. Over 100 people attended the blessing and dedication ceremony in November 2022. The total cost of the project was \$275,000, and was supported by the U.S. Native Hawaiian Education Program, OHA, and the SCHHA. PCDC continues to maintain the Playground for community use, and is fundraising for the replacement of the Basketball Court Structure.

Pūowaina Research and Education Project (Pūowaina). In 2022, PCDC initiated the community education and planning component of Pūowaina. In partnership with the OHA, KS, the SCHHA, and Ke Kula Kaiapuni 'o Ānuenue, PCDC has been conducting educational workshops with 64 'ōpio. Lessons were developed with support from kūpuna and the 'ōpio. PCDC coordinated workshops and storytelling sessions, where they shared the importance and connection to this 'āina.

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

Kipukai Kualii, Chair
Sovereign Council of Hawaiian Homelands Association

808.321.1001

kipukai@hawaiianhomesteads.org

Kara Chow, Co-Executive Director
Homestead Community Development Corporation

808.651.8370

kara@hawaiianhomesteads.org

Rolina Faagai, Executive Director
Hawaiian Lending & Investments

808.208.6466

rolina@hawaiianhomesteads.org

Richard Chan, President

Nā Leo o Papakōlea

808.853.0966

rchanjr@yahoo.com

7. If you are developing your project in partnership with another organization (s), please describe the responsibilities of each organization during project development, implementation, and long-term management.

Group 70 is a firm of architects, planners and designers that serve a host of clients, with a focus on residential, commercial, hospitality, retail, and community projects. They were contracted by PCDC in 2010 through a formal RFP process under the Community Economic Development Grant, to assist with the development of a comprehensive master plan for the 14-acre parcel on Pūowaina. They will assist with planning and technical expertise required to develop a Native Hawaiian Education and Culture Center at Pūowaina for community, throughout the project period.

Hawaiian Lending & Investments (HLI) is a certified Native Community Development Financial Institution (CDFI) that specializes in providing financial services in communities on or near Hawaiian homeland communities. HLI partnered with PCDC to provide support with financial services and products, in the development of the *Native Hawaiian Education and Culture Center at Pūowaina*. PCDC's award by Climate United is contingent upon a relationship with a Native CDFI, for the long-term.

Project Information:

8. Describe the project.

Goals and Objectives

The goal of the *Native Hawaiian Education and Culture Center at Pūowaina* is to finalize master planning required for the development of a community center, to expand existing programs and services, to a venue that can accommodate more people. The purpose of this project is directly tied to a priority defined by community and documented in the *DHHL Papakōlea Regional Plan* dated December 2009.

PCDC seeks to secure a land disposition and continues to secure funds to create a learning center without walls, and have a real opportunity to mālama this 7-acre parcel of land, similar to successful 'āina-based projects across the State.

The scope of work has been organized into the following project objectives:

Objective One. By the end of the project period, PCDC will establish and maintain administrative infrastructure to support the *Native Hawaiian Education and Culture Center at Pūowaina*. This objective will ensure timely project delivery, coordination of resources, project management, coordination of contractors, and resource development. Included, is securing a lease for the 7-acre parcel from DHHL for the purposes of due diligence, education, research, and capital fund development.

Objective Two. By the end of the project period, PCDC will conduct due diligence and necessary technical studies to finalize master planning and the environmental assessment, inclusive of land stewardship practices. This objective will include the coordination of meetings, workshops, or huaka'i with subject matter experts, cultural practitioners, and community.

Need for Project

Pūowaina refers to a 14-acre kīpuka of Hawaiian homelands located on the slopes of Punchbowl, which was set aside by DHHL for community-based economic development by the Papakōlea community. Since 2012, PCDC had a Right of Entry to the parcel to conduct due diligence and master planning with community. In 2013 and 2014, Papakōlea completed initial community-based economic development visioning. In 2023, PCDC completed community planning meetings, and charettes were completed/approved by residents that attended the meetings. In the end, over 500 homestead residents participated in the planning of this project, and conceptual drawings were completed. Since then, the parcel has been split and Kula No Nā Po'e Hawai'i initiated Pilina Pūowaina, where they will start the planning of a Kūpuna Supportive Living Center on the makai portion of the 14-acre parcel.

What was once a flourishing site of dry land kalo, Native plants, fruit trees, and flower trees/plants, has become overgrown by invasive species. The parcel at Pūowaina is so wildly overgrown, that homeless encampments are hidden amongst the brush, and the site has become a dumping ground. The lack of lateral infrastructure (i.e. water, sewer, roads, etc.), special district development limitations, steep topography throughout 70% of the parcel, and presence of significant cultural sites, makes commercial development cost prohibitive. Thus, development and implementation of the Center, alongs with a land stewardship and habitat restoration plan, will serve as an innovative and affordable approach to caring for the 'āina. Through the development of the proposed Land Restoration and Stewardship Plan, PCDC will have a unique opportunity to re-engage the Papakōlea community, and create cultural opportunities for youth, families, and visitors.

The need and priority of this project is documented in not only community meeting minutes, but the 2009 and 2020 DHHL Papakōlea Regional Plan and Update.

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

- a. The planning process and your efforts to include beneficiaries.
- b. Beneficiary involvement throughout the duration of the project.
- c. Design and construction costs for major improvements (if any).
- d. Long-term management and operation of project facilities and the requested land area.
- e. Long-term maintenance and repairs.

This project is an initiative envisioned by beneficiaries for beneficiaries. The PCDC Board of Directors and staff are comprised of beneficiaries. PCDC has been fundraising for the costs to design the *Native Hawaiian Education and Culture Center at Pūowaina* since 2010. As stated earlier, Group70 will assist with the production of all plans and a construction budget to build the Center. HLI and TiLeaf Group will assist with the development of a fund development plan and financing.

PCDC will be responsible for the long-term management and operation of the project facilities and the requested land area. PCDC is responsible for the long-term management, operation, and maintenance of the Papakōlea Community Park and Center. That is a testament to their capabilities.

11. How do you intend to secure funding and other needed resources for the project.

In 2025, \$800,000 in grants has been awarded for the planning and design of the *Native Hawaiian Education and Culture Center at Pūowaina*. PCDC is awaiting determination for another request of \$718,000 to support the project. Once the master plan and construction budget is complete, PCDC will be able to complete the entire fund development plan and submit for DHHL's records.

13. Please attach a map that marks the boundaries of the area of land you are requesting.

See attachment – AREA 1 along Auwaiolimu Street.

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

The parcel is flanked by the Kewalo Hawaiian Homestead community, Lincoln Elementary School, Stevenson Intermediate School, and the Punchbowl Administration Building. This particular site was selected because of its close proximity to the homestead community and nearby schools, providing a place for both to intersect. A safe space for education and community – it's perfect!

15. Why do you want to implement your project at this site? Describe the characteristics of the site and the surrounding area that make it an ideal location for your project.

This parcel was set aside by DHHL for community-based economic development. The community of beneficiaries, during the 2009 DHHL Papakōlea Regional Planning Process, stated

that they wanted to build a *Native Hawaiian Education and Culture Center* on this parcel. And, the beneficiary community voted upon this Center, as a priority project. It is an ideal location to build a Center because of its proximity to the community and educational centers. Further, there is more space to accommodate more people, provide more parking, and conduct more 'āina-based practices.

Timeframe:

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

The master planning and environmental assessment process shall be complete within 24 months. Our goal is the construct at least two buildings by the end of 2035.

PUOWAINA CRATER

PROSPER STREET

AUNIOU STREET

AREA 2

AREA 3

AREA 1

PREVIOUSLY IDENTIFIED SITES

NEW EVALUATION OF SUITABLE SITES

PREVIOUSLY IDENTIFIED ARCHAEOLOGICAL SITES



SITE PLAN
SCHEMATIC
221022-01 PUOWAINA

A-0
5/1/21

G70



May 10, 2025

RECEIVED
LAND MANAGEMENT
DIVISION

2025 MAY 12 AM 8:07

Director Kali Watson, Chairman
Hawaiian Home Lands Commission
P.O. Box 1879
Honolulu, HI. 96805

FOUNDING KUPUNA

Maria Suganuma

Winona Freitas

Rufina Molaka-Lee

Theone Kanuha
PRESIDENT

Keola Nakanishi
VICE PRESIDENT

Lahela Williams
SECRETARY

Dr. C. Kawohi Tuasivi
TREASURER

BOARD OF DIRECTORS

Henry Foster IV

Wanda Iokia

Leif Mokuahi, Jr.

Re: Request for a Right of Entry to the Papakolea Community Development Corporation for the Native Hawaiian Education and Culture Community Center at Puowaina

Aloha Chair Watson,

Kula no na Po'e Hawai'i (KULA) strongly supports Papakolea Community Development Corporation's request for a Right of Entry Permit to further its efforts toward the development of the Native Hawaiian Education and Culture Community Center at Puowaina, TMK No. (1) 2-2-005:035 (p). KULA supports PCDC's efforts toward meeting all due diligence studies as required by DHHL.

For the sake of clarity, there are 2 priority projects located on the slopes of Puowaina. The Native Hawaiian Education and Culture Community Center and the Hawaiian Homestead Kupuna Supportive Living Center. Both projects on 14.5 acres of land were reaffirmed in the 2020 update to the Papakolea Regional Plan.

In May 2023, PCDC supported KULA's request to assume the kuleana to develop the Hawaiian Homestead Kupuna Supportive Living Center on 7.25 acres. In March 2025, KULA received the Commissions support to grant KULA a Right of Entry permit to further its efforts to develop the Kupuna Supportive Living Center adjacent to Stevenson Middle School on Prospect Street.

This month's request seeks your support to grant an ROE to PCDC in order develop the Native Hawaiian Education and Culture Community Center on 7.25 acres adjacent to Lincoln Elementary School and on Auwaiolimu Street. KULA is in full support.

In closing, and on behalf of KULA's Board of Directors, staff and the families of Papakolea, Kewalo and Kalawahine, mahalo for your support to advance our collective efforts in building a safe, healthy and thriving lahui.

E Malama Pono,

B. Puni Kekauoha
Senior Vice President

cc: Shelly Carreira, DHHL/LMD

Priority Projects

The community was asked to select five priority projects from the above list of 2009 Regional Plan priority projects and the "Additional Projects" identified by this Update process. The selection took place between October 9, 2019 and November 18, 2019 at the following events:

- **Community Meeting #2 – October 9, 2019.**
- **Papakōlea Pā'ina – October 19, 2019.**
- **Extended deadline – November 18, 2019.** *for digital, in-person or postal mail submittal

The following projects were selected by participants as the top five priority projects for the region.

1. Native Hawaiian Education & Culture Community Center (to be combined with Priority Project #3)

Project Description

The Native Hawaiian Education and Culture Community Center would be the piko of the Pūowaina Special District parcel. This project will provide a place for social, educational and cultural enrichment for 'ohana, serving beneficiaries of all ages from infant to kūpuna. This project envisions partnerships with other Native Hawaiian organizations and community programs to provide quality services to the center such as kūpuna services and activities; enrichment programs for 'ōpio grades K-12; and Native Hawaiian college and career assistance programs for college-bound high school students and 'ōpio in college, Hawaiian culture place-based 'ohana strengthening, job and career opportunities and volunteer and mentoring programs.

This center envisions the following components:

- Hawaiian Language-, Culture- and 'Āina-Based Programming
- Classrooms and Offices for Native Hawaiian practitioners and businesses
- Playground and Open space
- Full kitchen
- Hālau and Hall
- Garden and Aquaculture area
- Farm of Native plants, medicinal plants and fruit trees
- Cultural Walking Path
- Parking

The center is intended to be a family educational facility that will be in line with the DHHL Ho'omalūō Energy Policy in achieving energy efficiency, self-sufficiency, and sustainability in Hawaiian Homestead communities.

Past Actions

- **2009.** This project idea was selected as a priority project for the region by the community during the beneficiary consultation process for the Papakōlea Regional Plan (DHHL 2009). Funding was needed to begin the planning and design stages of development.
- **2012.** Kūlia I Ka Nu'u grant distribution to PCDC. Funds were used to secure a consultant for preliminary planning and design assistance.
- **2018.** Land Use Request was submitted to DHHL Land Management Division for a Restoration & Stewardship Project on the Pūowaina Special District parcel.
- **2019.** PCDC received funds to support development of 'Āina-Based curricula and planning.

Community Input

Hawaiian culture and education are pillars for the Papakōlea community. It is important that appropriate facilities be developed to help support the community's goals of perpetuating Hawaiian language and culture. The current community center in the region is not able to meet the growing need for additional programming. The community envisions a permanent location with adequate space to host cultural practices, education and events.

Objectives

The objectives of this priority project are to:

- **Support the needs of the native Hawaiian community.** The Papakōlea Region is a proud native Hawaiian community. In order to ensure the long-term support of the native Hawaiian language and of cultural practices, a facility is needed to provide appropriate spaces for cultural learning and education.
- **Support traditions and values set forth by founding members.** Hawaiian culture and education were important values of the founding members of the community. An Education & Culture Community Center would be aligned with the vision that the original homesteaders of Papakōlea had for this place.
- **Create a place of growth and learning for current and future generations.** Papakōlea is ever growing and the creation of spaces and facilities that can meet the current and future needs for education and cultural practices are needed to fully support the long-term goals of the community.

Implementation Action Steps

This priority project will follow the "Non-Profit Organization Application for Long-Term Use of DHHL Lands" process which is designed to implement the "Master Planning and Land Development Process" on Hawaiian Home Lands. This process is designed for non-profit entities that are applying for long-term dispositions for use of Hawaiian Home Lands. During the master planning and design process, this project will be combined with Priority Project #3, "Hawaiian Homestead Kūpuna Supportive Living Center".

1. **DHHL review of Island Plan Land Use Designation.** DHHL will review the project to ensure that the uses are consistent with the O'ahu Island Plan land use designation of the Pūowaina parcel as Special District.
2. **Pre-application process.** A project proposal and an application for a Right of Entry permit for the Pūowaina Special District parcel will be submitted to DHHL for review. This project proposal will include a description of the applicant organization, the project, benefits to beneficiaries and DHHL, project implementation and potential timeline for implementation. Since the Pūowaina parcel is designated as Special District, additional planning is required due to the sensitive nature of the site. Further planning studies are needed in order to ensure the long-term protection and preservation of the sensitive areas located on the site and to address how programmatic elements will guide interaction with those areas throughout future use of the site.
3. **HHC approves Right of Entry permit.** This approval is for a one-year Right of Entry permit for due diligence, including: preliminary site assessment research such as a biological review, archaeological review, etc. This information is needed for the preparation of a Master Plan/Special Area Plan and an Environmental Assessment. Prior studies may be updated if needed.
4. **Master Plan/Special District Plan & Environmental Assessment prepared.** The Applicant will prepare due diligence studies of the site, including a master plan and an environmental assessment. The environmental assessment will be published based on HRS Chapter 343 requirements.

5. **HHC approves FONSI; and then long-term disposition.** The Hawaiian Homes Commission will review the Final EA, issue a Finding of No Significant Impact, and approve the license or lease.
6. **Permitting and other entitlements.** The Applicant will secure all necessary permits and approvals as determined by DHHL in consultation with the appropriate agencies.
7. **Site Preparation and Construction.** All Best Management Practices (BMP's) and mitigation measures as outlined in the Final EA are to be followed during site preparation and construction.
8. **Operations and Maintenance.** The project is to be operated and maintained as described in the Master Plan/Special Area Plan, Business Plan and Final EA.
9. **Monitoring & Reporting.** This includes site visits and periodic reporting of site use.

2. Build a New Community Center

Project Description

The current Papakōlea Community Center and Basketball Court Complex is located at 2150 Tantalus Drive. The existing community center structure is a two-story, approximately 38,000 sq. ft. building with two large meeting rooms, a small kitchen, three offices, a community library, a wellness office and restrooms on each level. The City and County of Honolulu operated the Center and Basketball Court Complex from 1964 to 2002. In 2003, the Papakōlea Community Development Corporation (PCDC) acquired management and operation of the Center and Basketball Court Complex. The community has since outgrown the current facilities. There is a need for major renovations to address issues such as lack of parking, lack of use for outdoor courts/play areas, lack of access for kūpuna and disabled persons, the need for air conditioning, and old or outdated structures that need replacement. The facility cannot accommodate the spatial and programmatic needs of the current community, let alone the probable needs of the community as it grows into the future. Instead of continued repair and renovation, the community would like to invest in the demolition of the existing structures and the construction of a new facility that is better able meet the current and future needs of this homestead.

Past Actions

No action.

Community Input

During Meeting #1 of the beneficiary consultation process, community members expressed concerns that the desired improvements and repairs needed to the existing community center and park are extensive and may not be able to meet the future needs of the site. The subsequent project idea that emerged from this discussion was to remove the existing facilities and to design and construct a facility that will better support the community needs. Major needs for the facilities include improved Americans with Disabilities Act accommodations and access for kūpuna, as well as additional parking.

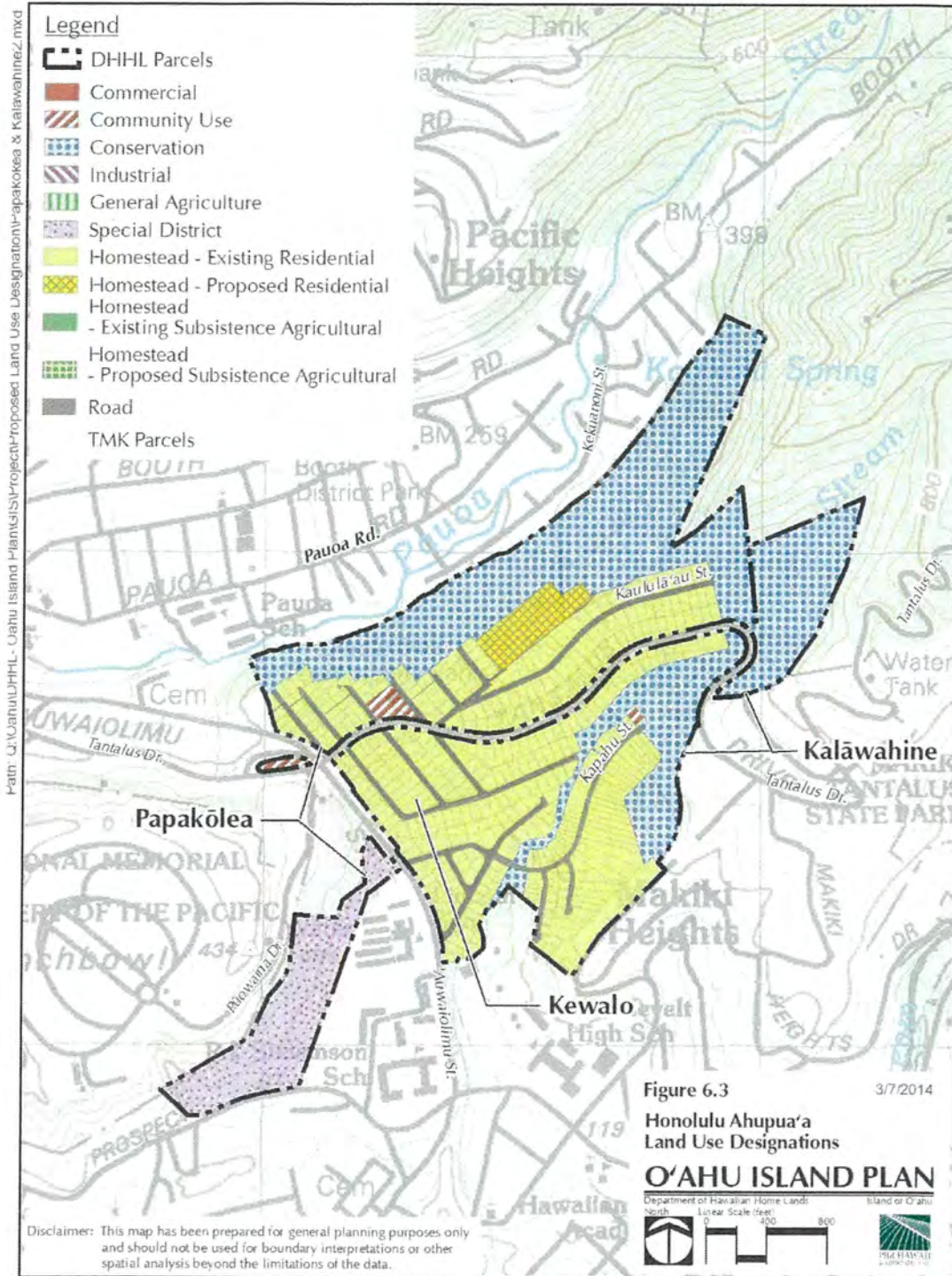


Figure 6-3 Honolulu Ahupua'a Land Use Designations

ITEM NO. F-5

EXHIBIT "D"

Hawaiian Homes Commission Meeting Packet
May 19 & 20, 2025
Sheraton Kauai Resort, Kauai, Hawai'i

G ITEMS

STATE OF HAWAI`I

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairperson and Members, Hawaiian Homes Commission
(HHC)

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

From: Julie-Ann Cachola, Planner

Subject: Declare a Finding of No Significant Impact for the DHHL
Wākiu Homestead Development Master Plan, Hāna, Maui TMK
No. (2)-1-3-004:011, 012, 017, and 018 (por.)

RECOMMENDED ACTION

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) declaration based on the Final Environmental Assessment (FEA) for the Wākiu Homestead Development Master Plan.

PURPOSE

The purpose of this submittal is to provide information to the HHC so it can evaluate the sum of effects of the project on the quality of the environment. The submittal provides summary highlights of the Wākiu Homestead Development Master Plan project (Project) and it presents highlights of the Final Environmental Assessment (FEA). In addition, each of the 13 significance criteria are reviewed and analyzed.

The Preliminary Final Environmental Assessment is over 700-pages long, so it is provided under a separate cover as Exhibit A.

BACKGROUND AND CONTEXT

DHHL's 656 acre Wakiu tract were transferred to DHHL as a result of the 1995 settlement of claims between the State of Hawai'i and DHHL which involved a transfer over 16,800 acres of State lands across the pae 'āina into DHHL's land inventory. This Project is intended to direct the development and use of approximately 656 acres of land in Wākiu for DHHL beneficiaries. The purpose of the Master Plan is to identify developable lands and allowable land uses based on existing conditions and engagement with beneficiaries. This includes homestead lot types, sizes, and

ITEM G-1

configurations that fulfill the vision and values of the community based upon multiple outreach and charrette sessions.

Wākiu is a rural community with agriculture, residential areas, public facilities, and small businesses. The Project area is mauka of Hāna Highway and south of Honokalani Road. Land uses adjacent to the project parcels include residential and agricultural areas immediately to the north, west, and east, along with State DLNR and lands leased to Māhealani Farms to the South, with the Hāna Forest Reserve located even further south of the parcels. The parcels are bordered by the Hāna Highway to the north and northeast. There are four separate existing parcels located within the existing DHHL parcels, one of which is privately owned former railway lands (TMK (2) 1-3004:018), another is an existing residential parcel that has an existing access agreement with DHHL (TMK (2) 1- 3-004:013), and a set of two small parcels owned by the County Department of Water Supply (TMKs (2)-1-3- 004:027 and 028).

Final Environmental Assessment (FEA) Summary

The FEA assesses the potential environmental impact of the proposed Project, as described below:

Land Use Designation	Acreage	# of Homestead Lots
Homestead Uses		
Subsistence Agriculture Homestead	244	96 (31 Kuleana Homestead)
Residential Homestead	95	138
Kuleana Pastoral Homestead	42	4
Non-Homestead Uses		
Commercial	3	NA
Industrial	6	NA
Community Use	52	NA
Solar -PV	33	NA
Stewardship – Community Pasture	42	NA
Conservation	139	NA
TOTAL	656	238

The map below (Figure 1) identifies the final Wākiu Homestead Development Master Plan, including the DHHL land use designations that comprise the plan. A more detailed description of the Project and its potential impact on the surrounding environment and proposed mitigation measures can be found in the Final EA.

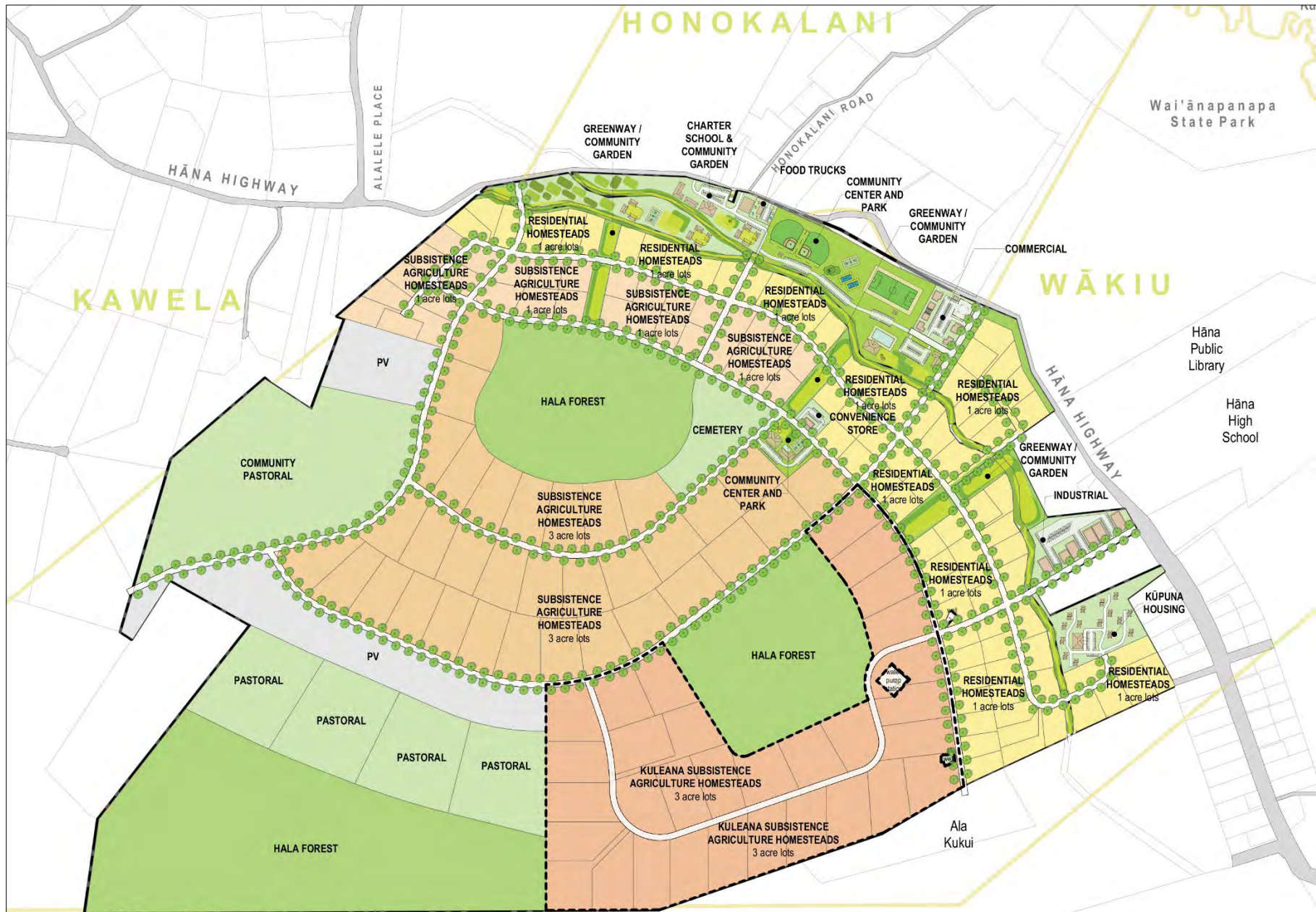


FIGURE 1 WĀKIU MASTER PLAN LAND USES

In summary, these proposed land uses are not anticipated to have significant negative impacts on the surrounding environment. However, the lack of action will result in less opportunities for beneficiaries on the waitlist, and a missed opportunity for development of DHHL lands out in Hāna that could be used for productive housing, cultural practices, and economic generation for the Wākiu community.

The approximately 656-acre Project Area remains essentially undeveloped. Per HAR §10-3-30, DHHL is responsible for the survey and staking of each lot to determine the metes and bounds descriptions so the lots can be awarded. In addition, DHHL must prepare an unpaved right-of-way to each awarded lot, as well as an emergency access road that will provide an alternative evacuation route during disaster level events. Beneficiaries who are awarded Kuleana Homestead lots agree to accept the unimproved land "as-is." The lessees are responsible for providing their own utility and infrastructural needs such as electrical, water, solid waste and wastewater disposal, and communications.

FINAL ENVIRONMENTAL ASSESSMENT

The Project involves the use of State lands and funds, both of which trigger Chapter 343, Hawai'i Revised Statutes (HRS) environmental review requirements. As such, a Final Environmental Assessment (EA) has been prepared to assess the potential environmental impacts of the proposed Project, and advance findings and mitigative measures relative to the Project.

Prior to the completion of the Final EA, G70 engaged State, County, and community stakeholders in an early consultation process, which requested comments on the Project. Out of the 110 letters sent out, 23 responses were received. All comments were addressed and published in the Draft Environmental Assessment in March 2025. The Draft EA was presented to the HHC in January 2025 for information ([Item G-4](#)) and HHC members initial review. The submittal of the Draft EA triggered a 30-day public comment period and once again letters went out to State, County, and community stakeholders that provided notice of the publication.

During the 30-day public comment period, 18 responses were received, 13 from agencies and five from individual community members. The majority of agency letters referenced standard regulations and requirements. The most common issue expressed in the comments concerned beneficiary eligibility for lot awarding in regards to lineal descendancy and regional preference, which is not part of this project's scope and is being addressed in separate DHHL administrative rules revision meeting discussions.

Other comments received were from neighboring property owners. Concerns included property line delineation and master plan map clarification as some individuals had questions on where the DHHL

development's property lines were, and if existing access to adjacent parcels would still be honored with the new master plan. DHHL confirmed that it will honor pre-existing easements and access defined with the current land title and property configuration and that the DHHL development will not interfere with neighboring property owner's access to their properties. DHHL also confirmed that access to future homestead lots will be through DHHL's property and not through the neighboring land owners' properties. Figures were amended to emphasize access points through DHHL's property.

FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis in the DEA, staff anticipates a finding of no significant impact (FONSI) for this project. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR, Section 11-200.1-13. A summary of the analysis of the 13 criteria of significance is presented below. A full discussion of the analysis of the 13 criteria of significance can be found in Chapter 6 of Exhibit A.

(1) The Project will not irrevocably commit a natural, cultural or historic resource.

The Project is not anticipated to adversely impact any natural, cultural, or historic resources, and in some cases, may result in benefits to these resources. Technical studies were conducted to assess the potential impact of the proposed Project on flora and fauna, archaeological and historical, and cultural resources.

The proposed Project is anticipated to result in the minor disturbance or removal of natural resources during the construction phase of the Project, such as the removal of minimal vegetative material for homestead sites. This Project is not anticipated to result in the loss or destruction of any cultural or archaeological resources. As presented in Chapter 3.6 Archaeological and Historical Resources, a traditional cultural practices and land use study was prepared to establish the context whereby the significance of the cultural-historical information collected can be assessed within the Project area. DHHL is currently coordinating with the State Historic Preservation Division (SHPD) on the Chapter 6E-8 process and will conduct an Archaeological Inventory Survey (AIS) before any construction to determine if any archaeological sites are present within the development areas.

(2) The Project will not curtail the range of beneficial uses of

the environment

The master plan concept layout configuration was carefully and thoughtfully developed through beneficiary consultation and charrette work sessions to be sensitive and place appropriate to the surrounding community and the Hāna region. Development of the Project will utilize BMPs to minimize any construction-related impacts. A State NPDES permit and County grading permit will be obtained to ensure that construction activity does not adversely impact water quality.

(3) The Project will not conflict with the State's environmental policies or long-term environmental goals established by law

The Project does not conflict with the State's long-term environmental policies or goals and guidelines as expressed under HRS Chapter 344, State Environmental Policy. Potential adverse impacts associated with short-term construction activities will be mitigated through compliance with applicable regulatory guidelines and through the use of best management practices. The Wākiu Master Plan will define and plan beneficiary community uses to reinforce a sense of identity, support wise uses of land, efficient transportation, and aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaiian; which in turn establishes a commitment on the part of each lessee to protect and enhance Hawai'i's environment and reduce the drain on nonrenewable resources. In the long term, the Project will positively impact the area through appropriate DHHL land use designations and the community's strategies for the management of natural, cultural, and historic resources.

(4) The Project will not have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.

The Project is expected to have long-term positive socio-economic impacts, as it will increase housing opportunities for native Hawaiian beneficiaries and generate direct, indirect, and cumulative benefits in terms of jobs, earnings, and tax revenues. The Project's support for cultural practices ensures the preservation and continuation of traditional practices within the community. The Project enables DHHL to support the Wākiu community in upholding their cultural heritage by engaging in activities such as subsistence farming and gathering practices. These cultural practices not only enrich the fabric of the community but also contribute to the rehabilitation and well-being of lessees who derive sustenance and connection from the land.

(5) The Project will not have a substantial adverse effect on public health.

The Project is not anticipated to have a substantial adverse effect on public health. The Project will comply with relevant State and County regulations during the construction and will implement BMPs to minimize and mitigate potential temporary air quality and noise impacts and secure NPDES permit(s), as necessary. The Project is not anticipated to create a significant amount of GHG emissions and does not fall within the threshold of mandatory Federal GHG reporting. The Project is expected to continue to provide a space for the community and continue to rehabilitate DHHL beneficiaries through 'āina based practices and subsistence living.

(6) The Project will not involve adverse secondary impacts, such as population changes or effects on public facilities.

The Project is not anticipated to involve adverse secondary impacts, such as significant population changes or effects on public facilities. The Project will provide needed housing in Wākiu for DHHL beneficiaries and their families. While some beneficiaries may move to Maui from neighboring islands to reside at this subdivision, most are expected to relocate from other areas in East Maui and the island of Maui as a whole. As such, the Project is not anticipated to involve substantial secondary impacts due to population/demographic changes. The DHHL will provide the necessary onsite and offsite infrastructure to support the Project, which is within service capacities and will not overcommit resources. No substantial changes or effects on public facilities are expected with the Project implementation.

(7) The Project will not involve a substantial degradation of environmental quality.

The Project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. During the construction phase, measures outlined in the EA include the implementation of BMPs to mitigate potential adverse impacts to the environment. Furthermore, the Wākiu Master Plan incorporates long-term sustainability goals and activities to prevent degradation of environmental quality. Through the adoption of eco-friendly practices and adherence to environmental regulations, the Project aims to safeguard air and water quality and protect natural resources. By prioritizing responsible land management practices, the Master Plan will ensure that the Project's ongoing operations will not result in adverse environmental effects

(8) The Project will not create cumulative impacts that would have

substantial adverse effects upon the environment and does not involve a commitment for larger actions.

The implementation of the Project is anticipated to have minimal impact on both the natural and cultural environment. The Master Plan designates Conservation Use areas aimed at preserving the integrity of the natural hala forest while protecting historical and cultural resources within the vicinity.

The cumulative effects of the Master Plan are expected to yield positive outcomes for ecosystem resources and local communities alike. The establishment of the Master Plan's land use areas will necessitate the removal of invasive species, resulting in a tangible improvement to the surrounding environment. Identification and removal of invasive species is also a core value that was identified in the beneficiary's Honuiaiākea Process, which will continue as a part of the homestead community's on-going operations and maintenance practices.

Furthermore, the proposal to construct a community center and associated commercial and community uses offers potential benefits to Hawaiian Homes beneficiaries and their families. These facilities could serve as a hub for community resources, providing educational opportunities and fostering community cohesion and engagement

(9) The Project will not have a substantial adverse effect on a rare, threatened or endangered species, or its habitat.

A natural resources assessment was conducted by Hawaiian Ecosystems LLC in July 2023. The assessment identified hala, and other indigenous species such as mamaki, 'ōhi'a lehua, pōpolo, and ka'e'e'e, and one species of indigenous fungi, pepeiao or the Hawaiian wood ear in the Project area. The survey also recorded indigenous fauna species observed in the Project area, including the kolea or Pacific golden plover and aukū'u or the black-crowned night heron. Although the survey did not report sightings of the 'ōpe'ape'a or Hawaiian hoary bat, or the pueo, the short eared Hawaiian owl, the habitat conditions present in Wākiu are conducive to supporting both species. See Appendix A of Exhibit A for a full list of species identified during the assessment, with associated USFWS recommended mitigation measures.

The Project is not expected to have a substantial effect on rare, threatened or endangered species, or their habitat, and will implement mitigation measures to reduce potential impacts. The kapu and kānāwai identified during the Project's Honuiaiākea Process speak of the protection of water and land resources and will be

used to guide natural resource management by future lessees. The Project will also implement BMPs and follow guidelines as recommended by DOFAW.

(10) The Project will not have a substantial adverse effect on air or water quality or ambient noise levels.

The Project is not anticipated to have a substantial adverse effect on air or water quality or ambient noise levels. Potential short-term adverse effects from construction activities will be mitigated through adherence with State and County regulations and mitigation measures. In the long term, the Project is not anticipated to generate substantial adverse effects.

(11) The Project will not have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters.

The Project area is located in Flood Zone X, an area classified as having minimal flood risk and outside the 0.2% annual chance (500-year) floodplain, is at minimal risk from the threat of earthquakes, is located in the Safe Zone of NOAA's tsunami evacuation zones, is located outside of SLR-XA exposure areas. The Project is not anticipated to have a substantial adverse effect on or is likely to suffer damage by being in an environmentally sensitive area such as flood plain, tsunami zone, SLR-XA, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters. The Project will implement BMPs to prevent soil loss, storm water runoff, and sediment discharges from the Project area, and the Project's Honuiaiākea Process identified kapu and kōnāwai that support the management of critical resources. Following these management strategies will mitigate the adverse effects of the Project on environmentally sensitive areas.

(12) The Project will not have a substantial adverse effect on scenic vistas and viewplanes, during day or night, identified in county or state plans or studies.

The Project is not anticipated to have a substantial adverse effect on scenic vistas and view planes, during day or night, as identified in State or County plans.

(13) The Project will not require substantial energy consumption or emit substantial greenhouse gases.

The construction of the Project is not anticipated to require

substantial energy consumption compared to similar-sized projects or other commercial activities in the area. For the portion of lots designated under the Kuleana Homestead Program, off-grid living is required, emphasizing the use of renewable energy sources. Awardees will be responsible for creating their own energy sources, along with managing water resources, waste, and communication connections. The project also incorporates beneficiaries' desire to develop a renewable energy source (solar PV farm) as part of the homestead development to provide clean energy for the project.

NEXT STEPS IN PROJECT COMPLETION

The following is a list of anticipated next steps and milestones in the completion of the EA:

- Upon HHC approval of the Final EA/FONSI, the Final EA will be filed with the Environmental Review Program (ERP) for publication in The Environmental Notice. (June 2025)
- The public has 30-days to challenge it in the Environmental Court.
- DHHL will need to conduct appraisal and boundary survey of railroad easement that runs through property for potential acquisition of the easement from current landowner. DHHL will seek funding for appraisal and boundary survey of easement in FY 26 budget.
- DHHL will need to negotiate purchase of railroad easement from current landowner.
- DHHL will need to advocate and seek funding for Phase 1 design and construction.
- DHHL will need to advocate and seek funding for subsequent phases design and construction.

NEXT STEPS FOR OVERALL PROJECT IMPLEMENTATION

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

- Coordinate with various State and County agencies
- Continue to coordinate with the DHHL beneficiaries, specifically the Wākiu CDC
- Complete design and construction of the Project

Furthermore, a willingness by current and future decision-makers to follow through with various aspects of the Project will be needed to ensure successful implementation.

LIST OF EXHIBITS

Exhibit A. Preliminary Final Environmental Assessment (under separate cover)

ITEM G-1
EXHIBIT A

WĀKIU HOMESTEAD DEVELOPMENT PLAN
FINAL ENVIRONMENTAL ASSESSMENT

Can be found on the DHHL website here:

<https://dhhl.hawaii.gov/po/wakiu-homestead-development-master-plan-and-ea/>

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairperson and Members, Hawaiian Homes
Commission

Through: Andrew H. Choy, Planning Program Manager

From: Nancy McPherson, Planner

Subject: Declare a Finding of No Significant Impact (FONSI)
for the Kalaupapa National Historic Park Electrical
System Rehabilitation and Upgrade Final
Environmental Assessment, Kalaupapa, Kalawao,
Island of Molokai TMK (2) 6-1-001:001 and :002

Recommended Action

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) declaration based on the Final Environmental Assessment (FEA) for the Kalaupapa National Historic Park Electrical System Rehabilitation and Upgrade project, Kalaupapa, Kalawao, Island of Molokai, TMK's (2) 6-1-001:001 and :002.

Discussion

The purpose of this submittal is to present the Final Environmental Assessment for the National Park Service's (NPS) Kalaupapa National Historical Park (NHP) Electrical System Rehabilitation and Upgrade project and request the HHC declare a Finding of No Significant Impact. The FEA is a combined Hawaii Environmental Policy Act (HEPA) and National Environmental Protection Act (NEPA) document. See Exhibit A, Kalaupapa NHP Final EA.

The Draft EA was brought before the HHC in May of 2023 as an informational item to brief the HHC on the project and receive comments. Since that time, NPS has reevaluated the project and is now choosing the No Action Alternative for a portion of the project, therefore eliminating from consideration the options that were examined to extend the

electrical system along Damien Road out to the existing water pump house and backup generator locations.

Background

The lands of Kalaupapa, described as "5,000 acres, more or less" were included in the original tracts of land to be administered for the benefit of native Hawaiians upon passage of the Hawaiian Homes Commission Act of 1920 (HHCA), but since that time, only the Kalaupapa ahupua'a, consisting of one TMK, (2) 6-1-001:001, with an area of 1,247 acres and which encompasses most of the present-day Kalaupapa Settlement, is identified as being in the DHHL land inventory. In 1980, the NHP was created by Congress (PL 96-565) and includes the ahupua'a of Kalaupapa, Makanalua and Kalawao, the valleys of Waihanau, Wai'ale'ia, and Waikolu, the cliff and trail, offshore waters and islets, and a northern portion of the ahupua'a of Pālā'au (Apana 3). See Fig. 1 Land Ownership Map, and Fig. 2 Location Map, below. In Fig. 2, the Project Area no longer includes the extension of electrical service to the pumphouse (section highlighted in red).

Figure 1 – Land Ownership Map

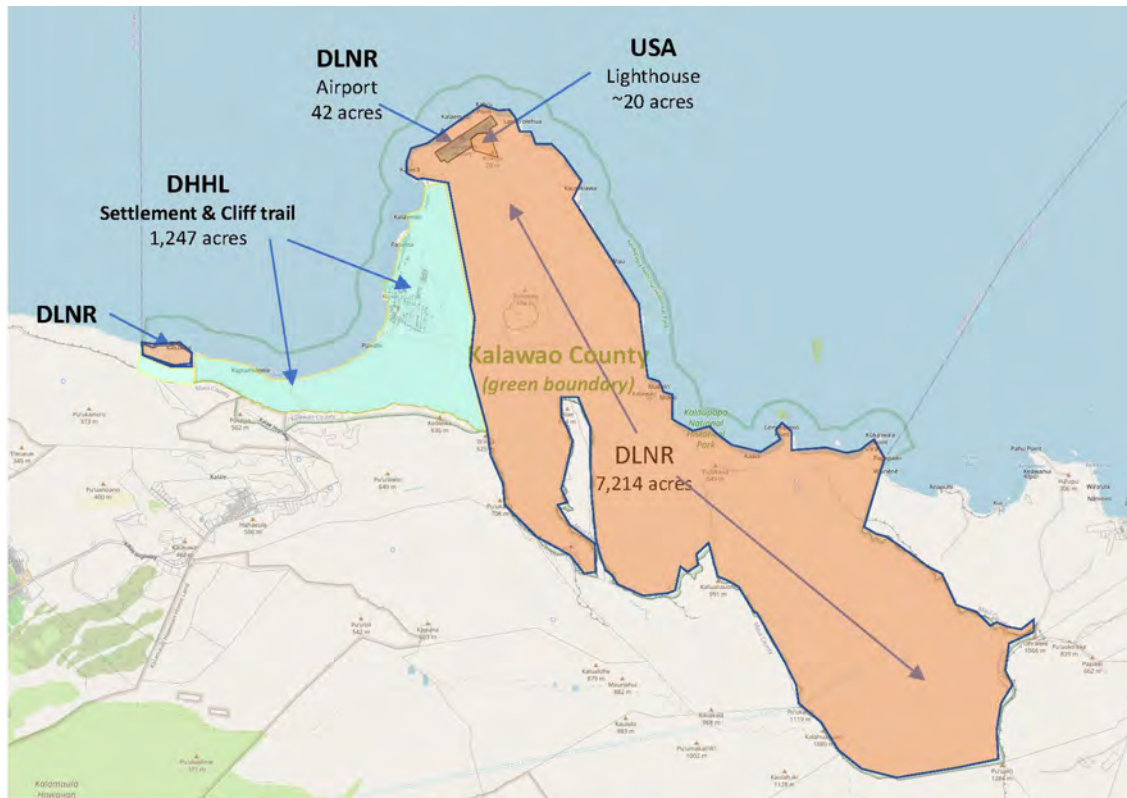


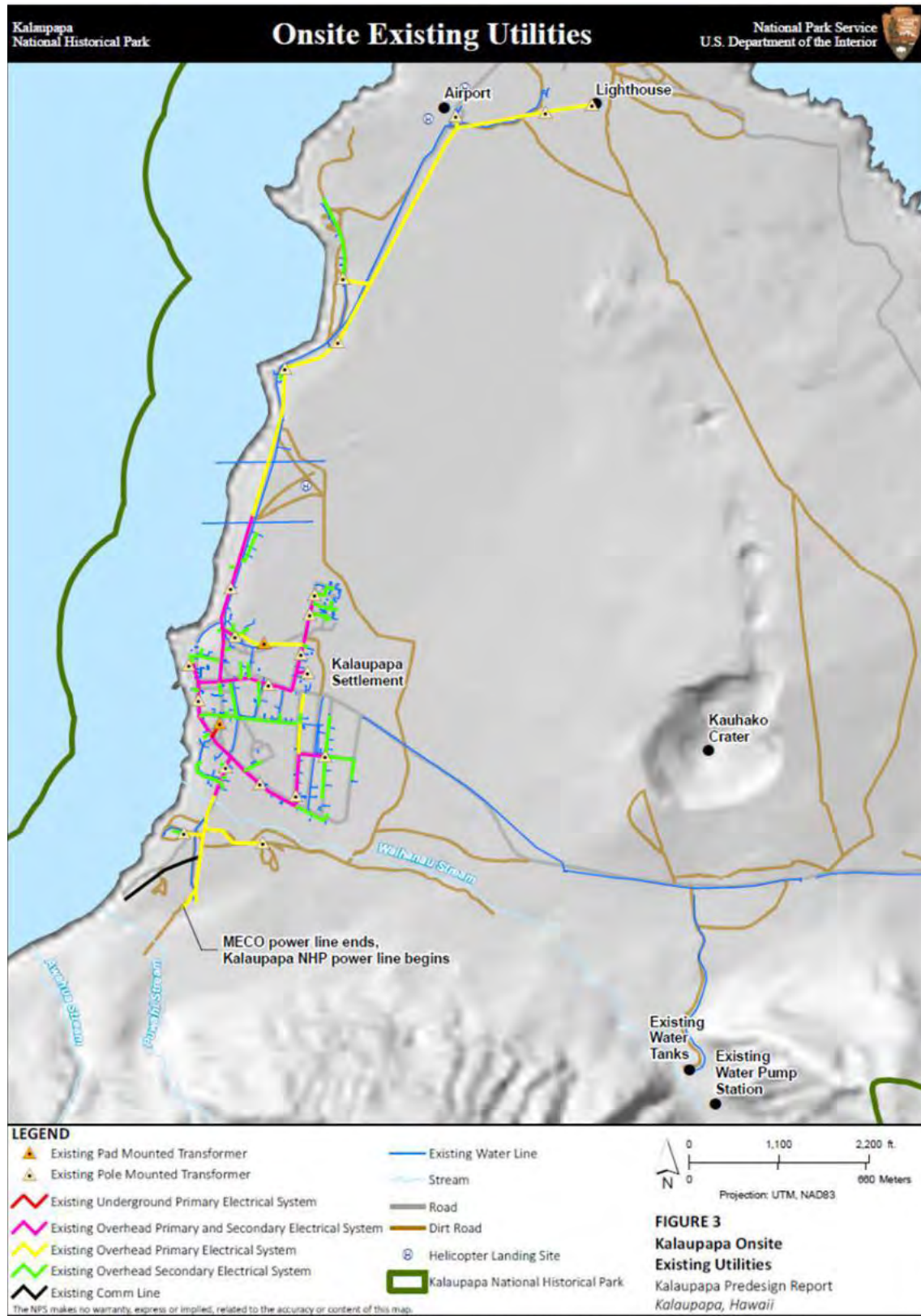
Figure 2 -- Project Location Map



Since 1866 when the Hansen's Disease colony was established by King Kamehameha V, Lota Kapu'āiwa, the Board of Health (and later, the State of Hawai'i Department of Health, or DOH) has administered Kalaupapa for the Kingdom, Republic, Territorial and State governments and has exercised governing authority for Kalawao County since its establishment in 1905.

Since 1980 when the NHP was formed, the responsibility for management and maintenance of Kalaupapa's infrastructure, such as the water system, electrical system, telecommunications network and roads, has gradually migrated from DOH to NPS as DOH's kuleana for running the Settlement slowly diminishes. NPS has invested over \$20 million in infrastructure construction, maintenance and upgrade projects to date, including construction of a new water system in 1985 (\$9M), storage tank replacements in 2016 (\$3M), repair of dock structures in 2018 (\$3.1M), and well pump replacement in 2022 (\$180,000), and wastewater management improvements (\$5M) in addition to ongoing road, trail, electrical and water system emergency repairs and maintenance. See Fig. 3, "Onsite Existing Utilities" and Exhibit B, "Infrastructure Fact Sheet".

Figure 3 – Onsite Existing Utilities

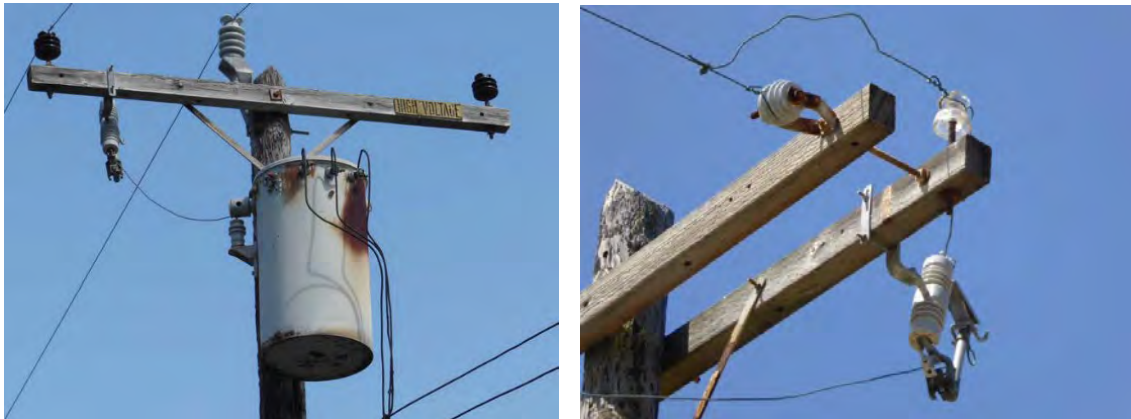


For more background on the history of Kalaupapa, formation of the NHP, and ongoing DHHL planning and beneficiary outreach efforts, see these previous Planning Office updates to the HHC:

- [Item G-4, December 2023](#)
- [Item G-4, April 2022](#)
- [Item G-3, October 2021](#)
- [Item G-1, December 2020](#)
- [Item G-3, August 2020](#)

The Molokai Electric Company began to supply power to the settlement in 1933.¹ The current electrical distribution system at the NHP was installed by DOH in 1969 and is still owned by the agency. Power outages occur frequently within the NHP because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures, creating and increased risk of fire (see Fig. 3, "Aging Electrical Transformer and Equipment").

Fig. 3 Aging Electrical Transformer and Equipment



The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and DOH staff, and visitors. Rehabilitating and upgrading the electrical distribution system would improve efficiency, comply with current Hawaiian Electric Company (HECO) code standards for future operations, increase reliability, and make the system easier for an outside entity to maintain. It would also serve to lower the risk of fire.

¹ www.nps.gov/articles/000/kalaupapa-kalawao-settlements-975012.htm

Proposed Action: Rehabilitate and Upgrade the Existing Electrical System

After extensive study, Section 106 Consultation and preparation of a NEPA/HEPA EA, the NPS proposes the construction of the "Rehabilitate and Upgrade the Existing Electrical System" project to rehabilitate the settlement's single and three-phase aboveground electrical distribution system. The project has been revised so that work will now only occur within the existing distribution area. The options that were designed to extend electrical service 1.3 miles to the pump house for the water system are no longer being pursued. NPS may install more efficient generators at the pumphouse at a future time, which will require additional environmental review (see Fig. 4, Updated Project Area).

Fig. 4 Updated Project Area



Within the existing electrical distribution system alignment and settlement area, which includes the area on Hawaiian Home Lands (HHL) and the section running out to the airport and lighthouse, the proposed action would:

- Replace 237 power poles.
- Replace 56 existing pole-mounted light fixtures with dark sky-compliant lighting.
- Upgrade 22 poles from single phase to three phases.
- Upgrade insulators and attachment hardware for all poles.
- Replace and upgrade 39,000 linear feet of aboveground cable as needed.
- Replace 2 pad-mounted and 23 pole-mounted transformers.
- Install a new alignment of 20 poles along Kamehameha Street to reduce potential impacts on cultural resources and documented archeological sites and facilitate access for pole maintenance.

Maps showing the alignments of the work are included in Exhibit A, "Final EA". See Figure 3 "Alternative 2 Alignment From Lighthouse To Cemetery" on page 6, and Figure 4 "Alternative 2 Alignment Within the Settlement" on page 7.

Due to the extent of the project over several TMK's owned by two State agencies, DHHL consulted with staff at the State Environmental Review Program (ERP, formerly OEQC) and the State Department of Land and Natural Resources (DLNR), and it was determined that DHHL would assume the role of the Approving Agency in reviewing the NPS Final EA for this project. The Hawaiian Homes Commission (HHC) has the authority to issue a Finding of No Significant Impact for HEPA CH. 343 HRS purposes and DHHL has the authority to consent to all improvements on Hawaiian Home Lands, with the exception of minor nonstructural alterations, as stated in Article 2, Item 7 of the General Lease (GL 231).

Final EA Summary

The Final EA (Exhibit A) assesses the potential environmental impact of the "Rehabilitate and Upgrade the Existing Electrical System" project on a total area of approximately four (4) acres on TMKs (2) 6-1-001:001 and :002. The following discussion summarizes the analysis of the DEA assessment of the project's impacts to various resources.

Natural Resources

Consultation with the U.S. Fish and Wildlife Service (USFWS) in accordance with section 7(a)(c) of the Endangered Species Act (ESA) (16 United States Code 1531 et seq.) was completed in June 2021. Twelve federally listed species were identified as having the potential to occur in or near the project area. Vegetation clearing (if necessary) and other disturbances during project construction and maintenance could affect these species. However, the actions associated with this electrical utility replacement project would occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways.

Vegetation communities on the Kalaupapa Peninsula have been altered by previous development and historic land uses, including crop cultivation and livestock grazing. Ongoing nonnative and invasive vegetation management efforts at the Park aim to halt or reverse the spread of invasive species. The Park's 2021 GMP identified expanding the Park's vegetation monitoring program to track status and trends of plant species as a management priority.

Plant communities along the line corridor are dominated by nonnative species, limited in diversity, and comprise common species associated with human disturbance. The Proposed Action would result in permanent loss of vegetation where new poles would be installed. Ground disturbance associated with construction and maintenance would result in temporary disturbances to vegetation.

The Proposed Action is not anticipated to impact endangered or threatened plant or animal species. Rehabilitation of the existing electrical distribution system under the Proposed Action could result in temporary disturbances to threatened, endangered, and other special status species during construction and maintenance. Activities would occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways, where potential for adverse impacts is minimal. The implementation of avoidance and mitigation measures would avoid adverse impacts on threatened, endangered, and other special status species. See Exhibit A Final EA, Table 3 "Effects of the Proposed Action on Federally Listed Species," on pages 32-33.

The development of a detailed revegetation and rehabilitation plan for enhancing areas disturbed by the project and implementation of appropriate impact avoidance and mitigation measures, as described in Exhibit A Final EA, Table 2, page 13 would mitigate potential impacts. With the implementation of the proposed mitigation measures, the Project is not anticipated to have a significant adverse impact on fauna species, as the Project will not result in a substantial decline or take of a Federally- or State- listed, threatened, or endangered species. No additional mitigation is recommended.

Historic and Cultural Resources

Archeological surveys have been conducted in the project area (Chambers and Athens 2020; Chambers and Pacheco 2020; Walker and Filimoeahala 2021), and construction would largely be restricted to previously disturbed areas, where feasible. Under the No Action alternative, there would be long-term, adverse impacts on cultural resources from ongoing maintenance of the electrical distribution system in archeologically sensitive areas and historic rock walls.

The Kalaupapa Leprosy Settlement is a National Historic Landmark (NHL) District that encompasses the entire Kalaupapa Peninsula with a variety of contributing resources. The Kalaupapa electrical system is a single contributing resource to the Kalaupapa Leprosy Settlement NHL and includes 232 wood poles supporting both primary and secondary lines (NPS 2021a, 2021b). Rehabilitation of the electrical system, including replacement of electrical poles, would affect this contributing resource. The Kalaupapa Settlement is eligible for the National Register of Historic Places (National Register) as a cultural landscape associated with Hansen's disease (leprosy) treatment, pali trails, and an extensive water system.

Rehabilitation of the existing electrical distribution system under the Proposed Action could affect archeological resources during ground-disturbing activities, including removing and replacing utility poles and other related project elements. Adverse effects will be avoided through archeological monitoring or mitigated through site documentation. See Exhibit A Final EA, Table 2, pages 10-11 for detailed mitigations measures to protect cultural resources. Approved AIS recommendations will be followed and

an Archaeological Monitoring Plan will be prepared and implemented during all construction activities that have the potential to impact cultural resources.

Infrastructure -- Traffic

Kalaupapa has very few running vehicles, and therefore, any potential impacts to traffic due to construction can be mitigated. Potential short-term impacts to traffic and circulation are related to temporary construction activities. The Project is not anticipated to generate additional traffic in the area.

Infrastructure - Water & Wastewater

The Kalaupapa Settlement is currently served by the NPS-managed water system. The NPS replaced the groundwater well pumps, drop pipe, and pump power cable and repaired and/or replaced the water system controls and appurtenances at the Kalaupapa Water Treatment Facility. Repairs were completed in 2022. The water system that serves the Park relies on electrical power from old diesel generators. The existing water pump house generator and auxiliary equipment are old, in poor condition, and have reached the end of their service life. Additionally, the old generators are diesel-powered and create carbon emissions. The proposed action has been modified so that the final design no longer includes an extension of the electrical system to the water pump house. A separate action will be needed to upgrade the generators in order to ensure a reliable power source for the water system.

It is not anticipated that any wastewater will be generated by the Project.

DHHL Planning System Consistency

The DHHL General Plan is in the first tier of DHHL's planning process and sets the vision and establishes goals and policies to guide the discussions and decision-making of the Hawaiian Homes Commission. The General Plan was revised beginning in 2018 and approved in January 2023, takes the Trust to the planning horizon of 2040, and focuses on seven priority areas: Land Use and Water Resources, Infrastructure, Housing, Food Production, Healthy Communities, Natural and Cultural Resource Management, and Revenue Generation and Economic Development. The proposed project is consistent with

the applicable objectives and policies of DHHL's General Plan and is in alignment with the DHHL General Plan in the areas of Land Use and Water Resources, Infrastructure, Healthy Communities, and Economic Development.

The Electrical System Rehabilitation and Upgrade project will serve beneficiaries (patients and employees) and other Kalaupapa community members by stabilizing the electrical grid, reducing the risk of electrical fires, and improving the reliability and resilience of the electrical system. A stable source of electricity supports Kalaupapa's links to the outside world via phone and internet and will eventually support economic opportunities for beneficiaries. The realignment of power poles will also serve to protect cultural sites. Since most of the employees living and working in Kalaupapa are Native Hawaiians, this project will support the nurturance and sustainment of a beneficiary community on non-homestead lands.

The DHHL 2005 Moloka'i Island Plan evaluates the DHHL holdings on Moloka'i island and identifies land use plans developed to meet beneficiary needs. Island Plans are part of the second tier in DHHL's planning process that focuses on island-specific land use projections. The Moloka'i Island Plan finds that the Kalaupapa-Pālā'au (Apana 3) tract is not suitable for homesteading given its remote, relatively inaccessible location and lack of proximity to available infrastructure, as well as being very expensive to maintain, operate or provide new improvements. The Kalaupapa peninsula is also vulnerable to sea level rise, hurricane and tsunami impacts. Therefore, DHHL will continue to work with interested beneficiaries and the NPS to improve access and provide opportunities for employment, cultural reconnection and commercial enterprises that will directly benefit DHHL beneficiaries.

HEPA Significance Criteria Analysis

Based upon the analysis completed in the Final EA (see Exhibit A Final EA, including Attachments C "Errata" and E "HEPA Significance Criteria"), staff requests a Finding of No Significant Impact (FONSI) for the Electrical System Rehabilitation and Upgrade project. This determination is based upon analysis of the project in terms of the thirteen criteria of significance that approving agencies must consider as specified in HAR 11-200-12.

(1) Irrevocably commits a natural, cultural, or historic resource;

Discussion: The proposed project is not anticipated to result in the loss or destruction of any natural resources. As discussed in *Chapter 3 Affected Environment and Environmental Consequences*, the proposed action would require limited vegetation clearing. However, most vegetation clearing would be temporary, and the total area of disturbance would not exceed 4 acres. The NPS consulted with the USFWS in accordance with ESA section 7, and the USFWS determined that the proposed project may affect but is not likely to adversely affect federally listed species. Under the proposed action, the NPS would implement appropriate mitigation measures to avoid, minimize, or mitigate potential adverse impacts on natural resources including vegetation, wetlands, and threatened or endangered species (Table 2: Gen-1 - Gen 6; TES-1 - TES-16; Veg-1 - Veg-2; WL-1 - WL-3). The proposed action would require limited vegetation clearing. However, most vegetation clearing would be temporary, and the total area of disturbance would not exceed 4 acres. These measures would also prevent or minimize establishment and spread of nonnative and invasive species in the project area (Table 2: BIS-1 - BIS-4).

Ground disturbance associated with the proposed action could disturb cultural or historic resources. However, adverse effects could be avoided through archeological monitoring or mitigated through site documentation (Table 2: CR-1 - CR-4). The project would improve the condition of dark night skies, an important component of the Park's cultural landscape, by replacing existing lighting with dark sky-compliant fixtures (Table 2: CR-5). With the implementation of the measures listed in Table 2, the proposed action would not irrevocably commit a natural, cultural, or historic resource.

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

Discussion: The proposed project will not curtail the range of beneficial uses of the environment. As noted above, impacts on the natural environment would be minimal, and potential adverse impacts would be avoided, minimized, or mitigated by implementing appropriate measures (Table 2). The project would generally consist of replacing the Park's existing

electrical distribution system with similar or in-kind equipment. Upgrading the existing infrastructure would result in numerous benefits, including improving efficiency, bringing the system into compliance with current HECO code standards for future operations, increasing reliability, making the system easier for an outside entity to maintain, and eliminating health and safety concerns. The proposed action would also improve the condition of dark night skies by replacing existing lighting with dark sky-compliant fixtures (Table 2: CR-5).

(3) Conflicts with the State's long term environmental policies or goals established by law;

Discussion: The proposed action would not conflict with the state's environmental policies or long-term environmental goals established by law. Potential environmental regulatory compliance and permitting requirements associated with the proposed action are summarized in Table 7.

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

Discussion: Rehabilitation of the electrical distribution system and associated construction activities would not adversely affect the economy of the community or state. Minor but temporary increases in employment from the construction workforce and revenues for the businesses engaged in the construction process are expected. Rehabilitating the electrical distribution system would improve the social welfare of the community because components of the electrical distribution system are at or near the end of their useful service life and failing. Power outages occur frequently within the Park and Kalaupapa Settlement because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors. The proposed action will not affect the cultural practices of the community or state.

(5) Have a substantial adverse effect on public health;

Discussion: Rehabilitating the electrical distribution system would benefit public health by eliminating health and safety concerns for patient-residents, NPS and HDOH staff, and visitors caused by the existing system, which is at the end its useful service life and failing.

(6) Involves substantial secondary impacts, such as population changes or effects on public facilities;

Discussion: The proposed action would have no adverse secondary impacts such as population changes or effects on public facilities. Rehabilitating the electrical distribution system would benefit Park facilities and facilities associated with the Kalaupapa Settlement because the upgrades will improve efficiency, comply with current HECO code standards for future operations, increase reliability, make the system easier for an outside entity to maintain, and eliminate health and safety concerns.

(7) Involves a substantial degradation of environmental quality;

Discussion: As documented in the EA analysis, the proposed action does not involve a substantial degradation of environmental quality. As described above, most of the proposed action would occur in developed or previously disturbed areas and would have minimal impacts on the environment. Potential adverse impacts would be minimized or mitigated by incorporating the measures listed in Table 2.

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

Discussion: According to the impact analysis in the Draft EA, the proposed action will not result in substantial cumulative adverse effects on the environment and will not involve a commitment for larger actions. Any adverse impacts that may result from the proposed action would be minimized by implementing the mitigation measures listed in Table 2.

(9) Have a substantial adverse effect on a rare, threatened, or endangered species, or its habitat;

Discussion: The proposed action would not have a substantial effect on rare, threatened, or endangered species, or their habitats. The NPS would implement appropriate mitigation measures to avoid, minimize, or mitigate potential adverse impacts to these species and their habitats (table 2: Gen-1 - Gen 6; TES-1 - TES-16; Veg-1 - Veg-2; WL-1 - WL-3; BIS-1 - BIS-4). ESA section 7 consultation was completed in June 2021. The USFWS determined that the proposed project may affect but is not likely to adversely affect federally listed species.

(10) Have a substantial adverse effect on air or water quality or ambient noise levels;

Discussion: The proposed action would not have a substantial adverse effect on air or water quality or ambient noise levels. The project could result in localized release of fugitive dust during the construction period; however, fugitive dust would dissipate quickly and would not affect air quality over the long term. No ground disturbance would occur within 60 feet of a wetland, stream, or other waterbody. The use of silt fences or other erosion control measures (Table 2: Gen-1 - Gen-4; WL-1 - WL-3) would avoid or minimize the potential for indirect effects on water quality from runoff or sedimentation. Ambient noise levels would increase during the construction period but there would be no long-term changes in ambient noise levels or soundscapes in the Park.

(11) Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

Discussion: The proposed action would not have a substantial adverse effect on environmentally sensitive areas. Due to its location, the Park's electrical distribution system could suffer damage as a result of natural processes or events. However, the proposed upgrades are necessary to provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations. As noted above, the

proposed action is needed because the components that make up the electrical distribution system are at or near the end of their useful service life, and rehabilitation is required to support existing facilities and future requirements.

Most of the proposed project area, including much of the existing electrical distribution system that serves the settlement, is within the 100-year floodplain. Rehabilitating the Park's existing electrical distribution system would not result in new impacts to the floodplain or alter its function compared to existing conditions. Portions of the proposed project area are adjacent to the Pacific coastline, including a sandy beach. However, the power line is located along the landward side of the nearest road that parallels the shoreline. No work would occur on beaches. The Park's shoreline has likely experienced erosion over time through natural and potentially anthropogenic processes. In an effort to improve its knowledge base, the NPS is currently completing an assessment of coastal vulnerability as prescribed in its GMP (NPS 2021c). The assessment will include a review of maps of historical shoreline change showing coastal erosion areas. The proposed project would not affect coastal erosion at the Park.

Most of the proposed project area, including much of the existing electrical distribution system that serves the settlement, is within the tsunami hazard zone. The NPS is focusing on protecting human life and safety through warning and evacuation rather than minimizing property damage. The NPS is taking steps to protect the safety of patient-residents, staff, and visitors including posting warning signs, installing a tsunami warning system, and defining an evacuation route. A complete list of the measures that the NPS is taking to preserve human life in the event of a tsunami is provided in the Park's GMP (NPS 2021c).

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

Discussion: The Park's viewshed is an important component of the cultural landscape. Most of the work associated with the proposed rehabilitation of the electrical distribution system would occur in the Kalaupapa Settlement and would consist of replacing existing infrastructure with similar or in-kind equipment, to the extent feasible, resulting in minimal

changes to the existing viewshed. Overall, the proposed action is not expected to have a substantial adverse effect on scenic vistas and view planes identified in county or state plans or studies.

(13) Requires substantial energy consumption or emits substantial greenhouse gases.

Discussion: The proposed action would not require substantial energy consumption or result in substantial greenhouse gas emissions. Rehabilitating the Park's electrical distribution system would not result in an increase of energy consumption. On the contrary, the proposed upgrades would increase the system's efficiency. Construction and transport equipment would result in greenhouse gas emissions during construction; however, the emissions would not be substantial enough to measurably contribute to climate change.

During scoping, several options were proposed that focused on renewable energy sources; however, the purpose of the proposed action is to provide the Park and the settlement with a reliable electrical distribution grid – not to produce electricity. As a result, these alternatives were not carried forward for detailed analysis because they did not meet the purpose and need for action, were not feasible, or had several disadvantages.

Next Steps

The following is a list of next steps for the environmental review.

- May 2025: Seek HHC approval for the determination of FONSI based on the Final Environmental Assessment.
- June 2025: Publish FEA in Environmental Notice

Recommendation

DHHL staff respectfully requests approval as recommended.



Kalaupapa National Historical Park

Rehabilitate and Upgrade the Existing Electrical System

FINAL ENVIRONMENTAL ASSESSMENT



May 2025

ITEM G-2
EXHIBIT A

SUMMARY

Project Title:	Rehabilitate and Upgrade the Existing Electrical System at Kalaupapa National Historical Park
Type of Document:	Final Environmental Assessment (EA)
Legal Authority:	Chapter 343, Hawaii Revised Statutes
Location:	Kalaupapa National Historical Park, Kalaupapa, Hawaii 96742-9998
Tax Map Key:	261001001; 261001002
Ownership:	National Park Service, Hawai'i Department of Land and Natural Resources, Hawai'i Department of Transportation, and State Department of Hawaiian Homelands
Proposing/Determining Agency:	National Park Service
Contact:	Nancy Holman, Superintendent Kalaupapa National Historical Park P.O. Box 2222 Kalaupapa, Hawaii 96742-9998 (808) 567-6802 ext. 1100 Nancy_Holman@nps.gov
Alternative Contact:	Linh Anh Cat Division Lead / Ecologist, Natural Resource Management Kalaupapa National Historical Park PO Box 2222 Kalaupapa, Hawaii 96742-9998 (808) 658-0752 Linhanh_Cat@nps.gov
Approving Agency:	State Department of Hawaiian Homelands
Environmental Consultant for EA Preparation:	WSP USA Solutions Inc.
Land Area (approximate):	Park boundaries include 8,720 acres of land and 2,060 acres of submerged and offshore lands. Proposed disturbance would not exceed 4 acres.
Existing Land Use:	Kalaupapa National Historical Park
State Land Use Districts:	Urban, Agricultural, Conservation
County Zoning:	Not Zoned
Special Management Area:	Portions of the proposed project area are within the State Conservation District. However, the majority of the settlement and proposed work areas are not within the district.
Major Approvals that May be Required:	See table 7.

EXECUTIVE SUMMARY

This final environmental assessment (EA) to rehabilitate and upgrade the existing electrical system at Kalaupapa National Historical Park (the Park) presents one action alternative and a no-action alternative and assesses the impacts on the natural and human environment that could result from implementation of the proposed action alternative compared to the no-action alternative. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) and the Hawai'i Environmental Policy Act (HEPA) and provides compliance for project implementation on both federal and state lands.

BACKGROUND

The Park is located on the Kalaupapa Peninsula on the Hawaiian island of Moloka'i. The Park differs from other national park system units in that nearly all the land, marine areas, and improvements within its authorized boundary are not federally owned and are instead managed through cooperative agreements between the National Park Service (NPS) and other parties, and a lease agreement with the State Department of Hawaiian Homelands (DHHL). The State of Hawai'i's departments of Land and Natural Resources (DLNR), Transportation, and DHHL own the land within the Park boundaries.

The current electrical distribution system at the Park was installed in 1969 and is owned by the state's Department of Health (HDOH). Power outages occur frequently within the Park because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors. Rehabilitating and upgrading the electrical distribution system would improve efficiency, comply with current Hawaiian Electric (HECO) code standards for future operations, increase reliability, make the system easier for an outside entity to maintain, and eliminate health and safety concerns.

The NPS must decide whether or not to rehabilitate and upgrade the failing electrical distribution system at the Park.

PURPOSE AND NEED FOR ACTION

The purpose of the proposed action is to provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations.

The proposed action is needed because the components that make up the electrical distribution system are at or near the end of their useful service life, and rehabilitation is required to support existing facilities and future requirements.

ALTERNATIVES

The Council on Environmental Quality (CEQ) requires federal agencies to explore a range of reasonable alternatives that address the purpose of and need for taking action. The alternatives under consideration must include a "no-action" alternative as prescribed by 40 Code of Federal Regulations (CFR) 1502.14 (CEQ 2022).

The alternatives analyzed in this document, in accordance with NEPA, include a proposed action alternative and a no-action alternative.

The proposed action alternative was developed as a result of internal and public scoping and meets the overall purpose and need for taking action. Alternative elements that were considered but were not technically or economically feasible, did not meet the purpose of and need for the project, or created unnecessary or excessive adverse impacts on Park resources were dismissed from further analysis.

Alternatives analyzed in this EA are briefly described below and presented in greater detail in "Chapter 2: Alternatives."

Alternative 1: No Action

The no-action alternative would not rehabilitate the failing electrical distribution system at the Park or in the settlement. Power outages would continue to occur frequently because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures.

Alternative 2: Rehabilitate the Existing Electrical System (Preferred Alternative)

Alternative 2 would rehabilitate the settlement's single and three-phase aboveground electrical distribution system to a looped system. This final EA reflects the changes to the preferred alternative. Improvements would meet current industry standards and codes, remove safety hazards, improve reliability, make the system easier for an outside entity to maintain, and reduce dependency on the diesel generator for electricity.

ENVIRONMENTAL CONSEQUENCES

Impacts of the alternatives were assessed in accordance with CEQ NEPA (CEQ 2022) and HEPA regulations. Impact topics analyzed in detail in this EA include cultural resources; threatened, endangered, and other special status species; and vegetation. Impacts were evaluated for both the no-action and the action alternative. Cumulative impacts were assessed by combining the impacts of each alternative with other past, present, and reasonably foreseeable future actions.

A summary of the impacts of each alternative is provided below, and a full impact analysis is presented in "Chapter 3: Affected Environment and Environmental Consequences."

Cultural Resources

Under alternative 1, there would be long-term, adverse impacts on cultural resources from ongoing maintenance of the electrical distribution system in archeologically sensitive areas and historic rock walls. Rehabilitation of the existing electrical distribution system under alternative 2 could affect archeological resources during ground-disturbing activities, including removing and replacing utility poles and other related project elements. Adverse effects could be avoided through archeological monitoring or mitigated through site documentation.

Threatened, Endangered, and Other Special Status Species

Under alternative 1, ongoing maintenance of the existing electrical system could temporarily disturb some federally listed species and other special status species in the project area if they are present in the immediate vicinity during maintenance activities. However, because the duration of right-of-way (ROW) maintenance (vegetation management) in any one area would be relatively short, adverse impacts on protected species are unlikely. Rehabilitation of the existing electrical distribution system under alternative 2 could result in temporary disturbances to threatened, endangered, and other special status species during construction and maintenance. Most activities would occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways, where potential for adverse impacts is minimal. The implementation of avoidance and mitigation measures would avoid adverse impacts on threatened, endangered, and other special status species.

Vegetation

Under alternative 1, maintenance of the existing electrical system, including ROW maintenance, would result in ongoing periodic disturbances to vegetation. However, plant communities along the line corridor are dominated by nonnative species, limited in diversity, and comprise common species associated with human disturbance. Alternative 2 would result in permanent loss of vegetation where new poles would be installed ~~and along portions of the alignment near the water pump house~~. Ground disturbance associated with construction and maintenance would result in temporary disturbances to vegetation.

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- Appendix A: Public Scoping Comment Summary Report
- Appendix B: Consulting Parties Early Consultation Packet
- Appendix C: Parcel Boundaries and Ownership

CHAPTER 1: PURPOSE OF AND NEED FOR ACTION

INTRODUCTION

Kalaupapa National Historical Park (the Park) is located on the Kalaupapa Peninsula on the Hawaiian island of Moloka'i. The peninsula is a low, flat, and triangular-shaped landform that projects from the island approximately 3 miles north into the Pacific Ocean. The Park differs from other national park system units in that nearly all the land, marine areas, and improvements within its authorized boundary are not federally owned and are instead managed through cooperative agreements between the National Park Service (NPS) and other parties, and a lease agreement with the State Department of Hawaiian Homelands (DHHL). The State of Hawai'i's Department of Land and Natural Resources (DLNR), the Hawai'i Department of Transportation, and DHHL own the land with the Park boundaries.

The current electrical distribution system at the Park was installed in 1969 and is owned by the state's Department of Health (HDOH). Power outages occur frequently within the Park because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures (figure 1). The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors. Rehabilitating and upgrading the electrical distribution system would improve efficiency, comply with current Hawaiian Electric (HECO) code standards for future operations, increase reliability, make the system easier for an outside entity to maintain, and remove health and safety concerns. This environmental assessment (EA) has been prepared in accordance with the National Environmental Policy Act (NEPA) and the Hawai'i Environmental Policy Act (HEPA) and provides compliance for project implementation on both federal and state lands.

PURPOSE OF AND NEED FOR ACTION

The purpose of the proposed action is to provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations.

The proposed action is needed because the condition of the electrical distribution system is substandard, inadequate, and potentially dangerous. The existing components that make up the electrical distribution system are at or near the end of their useful service life, and rehabilitation is required to support existing facilities and future requirements.



SOURCE: MK Engineers 2015

**FIGURE 1. AN AGING ELECTRICAL TRANSFORMER
ON MCKINLEY STREET AT THE PARK**

PROJECT AREA

The project area is geographically situated along the west side of the Kalaupapa Peninsula. The project area is located within the Park, primarily within the existing settlement. However, portions of the project area extend north to the Moloka'i Light. ~~Figure 2 shows the project area location.~~

CHAPTER 2: ALTERNATIVES

INTRODUCTION

This chapter describes alternatives for providing the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and consistent with the purpose and need for action. The EA analyzes the no-action alternative and one action alternative. This chapter also lists mitigation measures that would be adopted under the action alternative. Several other alternatives were identified during internal scoping and civic engagement that did not meet the purpose and need for action, were not feasible, or would result in too great of an environmental impact. Therefore, these alternatives were dismissed from detailed analysis. Alternatives considered but dismissed are discussed at the end of this chapter.

ALTERNATIVE 1: NO ACTION

The no-action alternative would not rehabilitate the failing electrical distribution system at the Park or in the settlement. Power outages would continue to occur frequently because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. Health and safety concerns for patient-residents, NPS and HDOH staff, and visitors would continue because the components of the electrical distribution system are at or near the end of their useful service life and failing.

ALTERNATIVE 2: REHABILITATE THE EXISTING ELECTRICAL SYSTEM (PREFERRED ALTERNATIVE)

This alternative would rehabilitate the settlement's single and three-phase aboveground electrical distribution system to a looped system ~~and connect the existing water pump house and backup generator locations (figures 3 and 4).~~ Improvements would meet current industry standards and codes, remove safety hazards, improve reliability, make the system easier for an outside entity to maintain, ~~and reduce dependency on the diesel generator for electricity.~~ Within the existing electrical distribution system alignment and settlement area, this alternative would:

- Replace 237 power poles.
- Replace 56 existing pole-mounted light fixtures with dark sky-compliant lighting.
- Upgrade 22 poles from single phase to three phases.
- Upgrade insulators and attachment hardware for all poles.
- Replace and upgrade 39,000 linear feet of aboveground cable as needed.
- Replace 2 pad-mounted and 23 pole-mounted transformers.
- Install a new alignment of 20 poles along Kamehameha Street to reduce potential impacts on cultural resources and documented archeological sites and facilitate access for pole maintenance.

The construction period is expected to occur over approximately one year (334 days) and is anticipated to start in August 2025 and continue for several construction seasons. However, given the logistical challenges associated with transporting materials and equipment to the project area via barge as well as potential supply chain issues, unexpected delays are possible. Therefore, construction could take longer than one year to complete.

Disturbance would be limited to a 10-foot-wide maximum clearance on each side of the electrical line (for a maximum width of 20-feet). The total width of the right-of-way (ROW) may be less than 20 feet along some portions of the route to avoid sensitive areas or resources. Most of the project area (approximately 75%) would follow existing electrical line corridors and would not require any new

clearing. New clearing for ROW would be limited to the portion of the project extending from the settlement, east along Damien Road to the water pump station (figure 2). The area of new clearing needed to accommodate the new line connecting the water pump station to the existing electrical grid would be a maximum of approximately 4 acres. The actual amount of clearing required would depend on the selected configuration option for this portion of the project (table 1), the amount of overlap with existing road and utility ROWs, and other elements of the final project design. Please note that the project area as depicted in figure 2 has been enlarged for enhanced visibility and is not to scale. The width of the linear corridor shown on figure 2 is approximately 25 feet wide; however, the actual ROW would have a maximum width of 20 feet.

The existing water pump house generator and auxiliary equipment are old, in poor condition, and have reached the end of their service life. Additionally, the old generators are diesel powered and create carbon emissions. To connect the water pump house and backup generator locations to the rehabilitated electrical distribution system, alternative 2 would also:

- Remove the existing two generators that currently reside within the existing Generator Building and replace with a single new generator. Install the new power supply equipment and outlet to a new backup generator.
- Install two new poles with cross arms, insulators, and hardware in existing pole locations near the east end of the settlement.

The NPS is considering three options (table 1) for the portion of the alignment that would connect the water pump house and backup generator to the rehabilitated electrical distribution system (figures 5 and 6). Specific details and design features associated with selected option would be developed during final design. Each option is fully evaluated for environmental impacts in this EA, and a final decision will be addressed in the proposed Finding of No Significant Impact (FONSI) or will be used to prepare an environmental impact statement (if warranted).

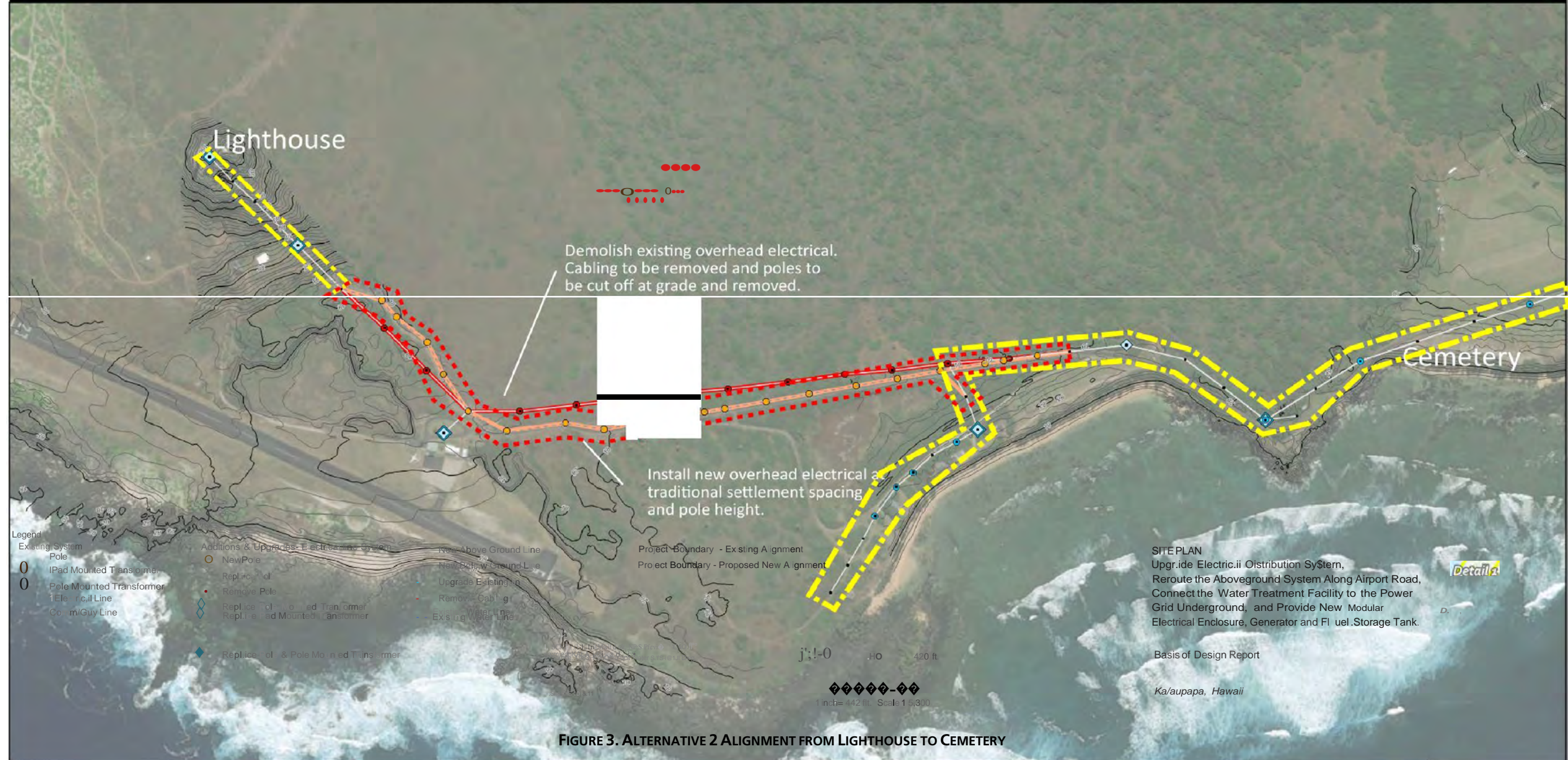
TABLE 1. OVERVIEW OF OPTIONS FOR THE WATER PUMP HOUSE

	Option 1	Option 2	Option 3
Configuration	Overhead cable	On the ground conduit	Underground cable
Description	The electrical line would consist of a traditional pole-mounted overhead cable alignment.	The electrical cable would be placed in a conduit that would be aboveground but would not be mounted on poles.	The electrical cable would be placed in a conduit and buried.
Overview of Disturbance Required	Disturbance would be limited to a 10-foot wide maximum clearance on each side of the electrical line (for a maximum width of 20 feet). Vegetation clearing including tree removal or limb cutting could be required to accommodate and maintain an appropriate clearance around the overhead cable alignment. The total amount of vegetation clearing would not exceed 4 acres. Ground disturbance would occur at structure bases.	Disturbance would be up to the same amount as under option 1, but tree removal or limb cutting may not be required because the forest canopy would be less likely to interfere with the cable if it is placed in an on the ground conduit compared to an overhead alignment. Limited ground disturbances may be necessary to secure the conduit to the ground.	Ground disturbance would be greater than under options 1 and 2 because trenching would be required to bury the cable. Once constructed, option 3 would require the least amount of maintenance, including vegetation management. Under option 3, much of the new segment would be located adjacent to existing roads or an existing water pipeline, minimizing ground disturbance in previously undisturbed areas and the need for additional access routes or ROW maintenance following construction.

LIMITS OF CONSTRUCTION



FIGURE 2. UPDATING PROJECT AREA



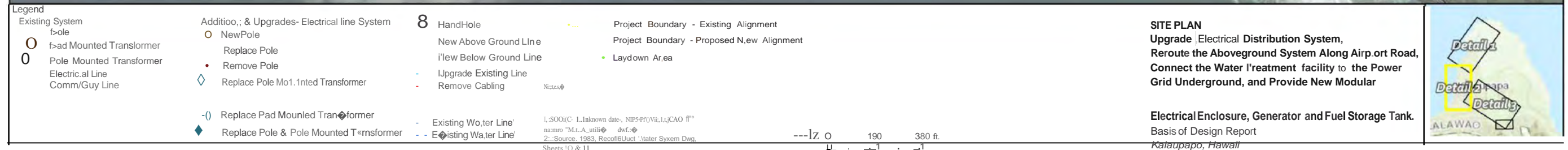


FIGURE 4. ALTERNATIVE 2 ALIGNMENT WITHIN THE SETTLEMENT

MITIGATION MEASURES

Under its Organic Act, the NPS has the authority to develop and direct mitigation for impacts on resources under its jurisdiction. This is in addition to the requirements that may be created through the need to comply with laws and regulations managing resource impacts that are overseen by other agencies. To meet these obligations, the NPS has developed Management Policies and Director's Orders that identify the authorities (laws, regulations, and executive orders) directing how impacts and mitigation to resources will be managed and identifying the policies and procedures by which the NPS will comply with these authorities. A full listing of the NPS policies is available from the NPS Office of Policy website at: <https://npspolicy.nps.gov/index.cfm>.

Mitigation measures that would be implemented under alternative 2 are shown in table 2.

TABLE 2. MITIGATION MEASURES

#	Mitigation Measure	Authority	Responsibility
General			
Gen-1	Clearly state resource protection measures in the construction specifications and instruct workers to avoid conducting activities outside the project area. Limit disturbances to roadsides and other areas inside the project area.	NPS	Design/Build (DB) Contractor
Gen-2	Hold a preconstruction meeting to inform contractors about NPS sensitive areas, including natural and cultural resources.	NPS	DB Contractor
Gen-3	Delineate construction zones outside existing disturbed areas with flagging and confine surface disturbance to the construction zone.	NPS	DB Contractor
Gen-4	Site staging and storage areas for construction vehicles, equipment, materials, and soils; and wash rack for cleaning vehicles and equipment, in previously disturbed or paved areas approved by the NPS. These areas would be outside visitor use areas and clearly identified in advance of construction.	NPS	DB Contractor
Gen-5	Require contractors to properly maintain construction equipment to minimize noise and do not allow construction vehicle engines to idle for extended periods.	NPS	DB Contractor
Gen-6	Remove tools, equipment, barricades, signs, and surplus materials from the project area upon completion of the project.	NPS	DB Contractor
Cultural Resources			
CR-1	In accordance with the recommendations of the September 2021 Intensive Archeological Survey report for the project (Walker and Filimoehala 2021), complete 3.28-foot by 3.28-foot (1 meter by 1 meter) controlled excavation units at the four locations where traditional Hawaiian archeological deposits were identified to document and characterize the deposits. Archeological surveys were previously conducted in 2018 and 2019 (Chambers and Athens 2020; Chambers and Pacheco 2020).	NPS	NPS
CR-2	Prior to the start of construction, develop an archeological monitoring plan to identify monitoring locations and describe procedures and methods to ensure resources are avoided, or in some cases recorded, prior to unavoidable impacts.	NPS	NPS
CR-3	Conduct archeological monitoring during construction in accordance with the approved archeological monitoring plan. Prepare an archeological monitoring report in accordance with Hawai'i State Historic Preservation Division Administrative Rule 13-279.	NPS	NPS

#	Mitigation Measure	Authority	Responsibility
CR-4	Implement measures during construction such as the use of plywood or other ground cover to protect the subsurface from heavy machinery.	NPS	DB Contractor
CR-5	Replace existing lighting with dark sky-compliant fixtures and use dark sky-compliant fixtures for new lighting.	NPS	NPS
Threatened, Endangered, and Other Special Status Species			
TES-1	Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat-birthing and pup-rearing season (June 1 through September 15).	USFWS	DB Contractor
TES-2	Do not use barbed wire fencing.	USFWS	DB Contractor
TES-3	Do not approach, feed, or disturb the Hawaiian goose.	USFWS	DB Contractor
TES-4	If the Hawaiian goose is observed loafing or foraging within the project area during the breeding season (September through April), engage a biologist familiar with Hawaiian goose nesting behavior to survey for nests in and around the project area prior to the resumption of work. Repeat surveys after subsequent delays of work of three or more days (during which the birds may attempt to nest).	USFWS	NPS
TES-5	Cease work immediately and contact the USFWS for further guidance if a nest is discovered within a radius of 150 feet of the proposed project, or a previously undiscovered nest is found within the 150-foot radius after work begins.	USFWS	NPS
TES-6	In areas where the Hawaiian goose is known to be present, post and implement reduced speed limits and inform project personnel and contractors about the presence of endangered species on-site.	USFWS	NPS
TES-7	Do not conduct project work directly in aquatic environments.	USFWS	DB Contractor
TES-8	In areas where waterbirds are known to be present, post and implement reduced speed limits and inform project personnel and contractors about the presence of endangered species on-site.	USFWS	NPS

#	Mitigation Measure	Authority	Responsibility
TES-9	<p>Engage a biological monitor familiar with the species' biology to conduct Hawaiian waterbird nest surveys where appropriate habitat occurs within the vicinity of the project area prior to project initiation. Repeat surveys again within three days of project initiation and after subsequent delays of work of three or more days (during which the birds may attempt to nest). If a nest or active brood is found:</p> <ul style="list-style-type: none"> • Contact the USFWS within 48 hours for further guidance. • Establish and maintain a 100-foot buffer around active nests and broods until the chicks/ducklings have fledged. Do not conduct potentially disruptive activities or habitat alteration within this buffer. • Have a biological monitor familiar with the species' biology present on-site during construction or earth-moving activities until the chicks/ducklings fledge to ensure that Hawaiian waterbirds and nests are not adversely affected. 	USFWS	NPS
TES-10	Do not stockpile project construction-related materials (e.g., fill, revetment rock, pipe) in or near aquatic habitats; implement erosion control measures (e.g., protect with filter fabric) to prevent materials from being carried into waters by wind, rain, or high surf.	USFWS	DB Contractor
TES-11	Fuel project-related vehicles and equipment away from aquatic environments and develop a contingency plan to control petroleum products accidentally spilled during the project, especially when being unloaded from the barge. Retain the plan on-site with the person responsible for plan compliance. Store absorbent pads and containment booms on-site to facilitate the clean-up of accidental petroleum releases.	USFWS	DB Contractor
TES-12	Protect deliberately exposed soil or under-layer materials used in the project near water from erosion and stabilize as soon as possible with geotextile, filter fabric, or native or noninvasive vegetation matting or hydro-seeding.	USFWS	DB Contractor
TES-13	Use only downward-facing and shielded lighting for lighting used during construction or installed as part of the project to prevent it from being visible from above.	USFWS	DB Contractor
TES-14	Do not conduct project work during the night.	USFWS	DB Contractor
TES-15	If Blackburn's sphinx moth or its host plants are identified in the project area before or during project construction, contact the USFWS for guidance on mitigation measures to be implemented.	USFWS	NPS
TES-16	Prohibit tree tobacco from entering the project area to avoid attracting Blackburn's sphinx moth.	USFWS	NPS

#	Mitigation Measure	Authority	Responsibility
Vegetation			
Veg-1	Develop a detailed revegetation and rehabilitation plan for enhancing areas disturbed by the project. The primary objective of the plan would be to reestablish a self-sustaining native plant community and ensure soil stability. Where applicable, grade disturbed areas to natural contours; replace stockpiled topsoil; and mulch, replant, or reseed with native plants. Regularly monitor planted areas to determine whether remedial actions such as erosion control, invasive, nonnative plant species control, or replacement plantings are necessary.	NPS	NPS
Veg-2	Monitor reclaimed areas annually for five years after construction to determine whether reclamation and revegetation efforts were successful.	NPS	DB Contractor
Wetlands			
WL-1	Avoid siting staging areas in immediate proximity to wetlands and streams.	NPS	DB Contractor
WL-2	Use silt fences or other erosion control measures during construction to minimize the potential for sedimentation or water quality degradation in wetlands and streams.	NPS	DB Contractor
WL-3	Conduct project work in compliance with NPS Director's Order 77-1: <i>Wetland Protection</i> (NPS 2016a).	NPS	DB Contractor
Biosecurity and Invasive Species			
BIS-1	Thoroughly pressure wash vehicles, equipment, and machinery such that they are visibly free of dirt, mud, plant debris, and invasive pests at an NPS-approved location prior to entering the Park.	NPS	DB Contractor
BIS-2	Sanitize cutting tools including handsaws, machetes, chainsaws, and loppers to remove visible dirt, contaminants, and potential pathogens prior to entry into the Park.	NPS	DB Contractor
BIS-3	Before entering the Park, visually inspect and clean personal protective equipment, including boots, clothes, hard hats, harnesses, belts, and equipment for dirt, mud, seeds, plant debris, and insects.	NPS	DB Contractor
BIS-4	At their discretion, NPS personnel from the Park would perform inspections of vehicles, equipment, machinery, cutting tools, base yards, staging areas, materials, material packaging, material deliveries, material storage, and personal protective equipment to confirm that they are visibly free of dirt, mud, plant debris, and invasive pests.	NPS	NPS

ALTERNATIVES CONSIDERED AND NOT CARRIED FORWARD

Alternatives were identified during internal, agency, and public scoping. During scoping, several options were proposed that focused on renewable energy sources; however, the purpose of the proposed action is to provide the Park and the settlement with a reliable electrical distribution grid—not to produce electricity. As a result, these alternatives were not carried forward for detailed analysis because they did not meet the purpose and need for action, were not feasible, or had several disadvantages.

Extending the Electrical System to the Water Pump House Station

The EA considered extending the power supply to the water pump house station to address the condition of the current equipment. The existing water pump house generator and auxiliary equipment are old, in poor condition, and have reached the end of their service life. Additionally, the old diesel-powered generators that currently power the pump house rely on outdated emissions control technology, which cause them to create excessive carbon emissions compared with modern diesel-powered generators.

The analysis of the three options in the EA (table 1 of the EA) shows impacts to various park resources under all three options. Therefore, the NPS evaluated replacing the existing generators with new, more efficient generators without connecting the water pump house and backup generator to the rehabilitated electrical distribution system. As part of the planning to further inform the NEPA process and project design, the NPS conducted a Choosing By Advantages (CBA) workshop to provide a method for evaluating the various benefits and impacts of project elements. Based on the discussions in this workshop and the analysis in the EA, it was determined that the generator replacement option, which falls under the no-action alternative evaluated in the EA, will reduce costs and result in fewer impacts to natural and cultural resources, compared to the three options evaluated in the EA under the preferred alternative.

After further consideration and based on the results of the CBA, the NPS has selected the no-action alternative for addressing the water pump station. This action will occur independently of the rehabilitation of the park's electrical system, and the appropriate steps will be taken to comply with NEPA and other environmental regulations separate from this EA. All other actions under alternative 2 have been selected as described below.

Adding Photovoltaic Arrays, Hydroelectric, or Wind Energy to the Electrical System

Solar availability within the Park is limited by the pali (i.e., cliffs) that shade the peninsula much of the day and reduce the quantity of electricity generated. Additionally, the water pump house is in a deep valley that limits the amount of available sunlight, making a photovoltaic array option not feasible. Use of the land at the top of the pali was deemed not feasible because the land is privately owned, and additional leasing agreements with the landowners would be required. Furthermore, installing infrastructure from the topside and down the pali could affect sensitive resources and change the existing viewshed (MK Engineers 2015).

Hydroelectric sources were also deemed not feasible because the stream on which the water pump house is located is ephemeral (intermittent). Wind energy sources were deemed not feasible because the water pump house is in a deep valley with less wind than elsewhere on the peninsula (NPS 2017a).

Although solar, hydroelectric, and wind energy options are not feasible at this time, the NPS remains committed to exploring renewable energy options as part of its continued effort to reduce greenhouse gas emissions and mitigate their effect on climate change as outlined in the Park's Climate Action Plan (NPS 2010a). The proposed project does not preclude adding solar or other renewable energy sources to the Park's electrical system in the future if they become feasible. It also does not preclude sourcing renewable energy from topside Moloka'i for transmission to the Park.

CHAPTER 3: AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

INTRODUCTION

This chapter describes the affected environment and analyzes the potential environmental impacts of the alternatives described in “Chapter 2: Alternatives” for the resources described below. The affected environment describes existing conditions for those elements of the natural and human environment that would be affected by the implementation of the alternatives considered in this EA. Impacts on each of these topics are then analyzed in the “Environmental Consequences” section for each alternative. The comparative analysis of impacts includes “changes to the human environment from the proposed action or alternatives that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action or alternatives, including those effects that occur at the same time and place as the proposed action or alternatives and may include effects that are later in time or farther removed in distance from the proposed action or alternatives” (40 Code of Federal Regulations [CFR] 1508.1; CEQ 2022). This EA has been prepared in accordance with NEPA and HEPA and provides compliance for project implementation on both federal and state lands.

ISSUES AND IMPACT TOPICS

The NPS identified a range of issues and impact topics to evaluate in this EA. Impact topics are resources or values analyzed for each of the alternatives and are discussed because issues have been identified. During internal, agency, and public scoping, NPS staff identified potential issues that could result from implementation of the proposed alternatives. The NPS *NEPA Handbook* (NPS 2015a) provides specific guidance for determining whether to retain issues for detailed analysis. Issues should be retained for consideration and discussed in detail if:

- the environmental impacts associated with the issue are central to the proposal or of critical importance;
- a detailed analysis of environmental impacts related to the issue is necessary to make a reasoned choice between alternatives;
- the environmental impacts associated with the issue are a big point of contention among the public or other agencies; or
- there are potentially significant impacts to resources associated with the issue.

Issues carried forward for detailed analysis fall under the following impact topics:

- cultural resources
- threatened, endangered, and other special status species; and
- vegetation.

These impact topics are briefly discussed below under “Impact Topics Retained for Further Study.”

Several issues were also dismissed from detailed analysis. Impact topics were dismissed from detailed analysis if they:

- they do not exist in the project area;
- they would not be affected by the alternatives or impacts are not reasonably expected;
- they would experience impacts that, through applied mitigation measures, would be minimal; or
- there is little controversy on the subject or few reasons to otherwise include the topic.

Issues and impact topics dismissed from detailed analysis, including dismissal rationale, are described below under “Impact Topics Dismissed from Detailed Analysis.”

Impact Topics Retained for Further Study

Cultural Resources

The Park’s cultural resources are important not only because of the large number of resources found across the peninsula, but also because of their diversity. The replacement of existing power poles and overhead cable, or the option to place cables underground may disturb existing cultural resources. Furthermore, dark night skies are an important cultural component of the Park’s landscape and replaced lighting could affect this component. This impact topic is carried forward for detailed analysis because the project could affect existing cultural resources. Archeological surveys have been conducted in the project area (Chambers and Athens 2020; Chambers and Pacheco 2020; Walker and Filimoeihala 2021), and construction would largely be restricted to previously disturbed areas, where feasible.

The Kalaupapa Leprosy Settlement is a National Historic Landmark (NHL) District that encompasses the entire Kalaupapa Peninsula with a variety of contributing resources. The Kalaupapa electrical system is a single contributing resource to the Kalaupapa Leprosy Settlement NHL and includes 232 wood poles supporting both primary and secondary lines (NPS 2021a, 2021b). Rehabilitation of the electrical system, including replacement of electrical poles, would affect this contributing resource.

The Kalaupapa Settlement is eligible for the National Register of Historic Places (National Register) as a cultural landscape associated with Hansen’s disease (leprosy) treatment, pali trails, and an extensive water system.

Threatened, Endangered, and Other Special Status Species

Consultation with the US Fish and Wildlife Service (USFWS) in accordance with section 7(a)(c) of the Endangered Species Act (ESA) (16 United States Code 1531 et seq.) was completed in June 2021. Twelve federally listed species were identified as having the potential to occur in or near the project area. Vegetation clearing (if necessary) and other disturbances during project construction and maintenance could affect these species. However, most of the actions associated with this electrical utility replacement project would occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways. The USFWS determined that implementation of its recommended avoidance and mitigation measures (table 2: TES-1 – TES-16) would render potential impacts on federally listed species insignificant (meaning that effects are undetectable) and/or discountable (meaning that impacts are “extremely unlikely to occur”). The USFWS concurred with the Park’s determination that the proposed project may affect but is not likely to adversely affect the following federally listed species: Hawaiian hoary bat; Hawaiian goose; Hawaiian seabirds, including the Hawaiian petrel, Newell’s shearwater, and the Hawai’i distinct population segment (DPS) of the band-rumped storm-petrel; Hawaiian waterbirds, including the Hawaiian stilt and the Hawaiian coot; sea turtles, including the Central North Pacific DPS of the green sea turtle and the hawksbill sea turtle; Blackburn’s sphinx moth; and Hawaiian damselflies, including the Pacific Hawaiian damselfly and the orangeblack Hawaiian damselfly. This topic is carried forward for detailed analysis because potential changes to the proposed project design since the June 2021 consultation with the USFWS, such as the various options for the portion of the alignment along the pump house road, could require re-initiation of consultation.

Vegetation

The montane wet forest, coastal salt spray/strand vegetation, and remnant dryland forest are outstanding elements that form the Park’s terrestrial ecosystem. The project area contains more than a dozen unique plant communities. The project could introduce nonnative invasive plants during construction, and rehabilitation of the existing electrical distribution system could result in permanent and temporary impacts on vegetation from removal. However, the development of a detailed revegetation and rehabilitation plan for enhancing areas disturbed by the project and implementation of

appropriate impact avoidance and mitigation measures, as described in (table 2: Veg-1 – Veg-2) would mitigate potential impacts. This impact topic is carried forward for detailed analysis because of the potential for nonnative invasive vegetation introduction and vegetation clearing within the project area.

Impact Topics Dismissed from Detailed Analysis

Air Quality

The project could result in greenhouse gas emissions during construction activities; however, the emissions would not be substantial enough to contribute to climate change. The project could also result in localized release of fugitive dust during the construction period; however, fugitive dust would dissipate quickly and would not affect air quality over the long term. Currently the Park's water pump system is powered by two old diesel generators. ~~The project would connect the water pump system to the Park's electrical grid allowing for the removal of the two old generators, which would reduce the Park's overall dependency on fossil-fueled equipment and reduce greenhouse gas emissions over the long term. One of the old generators would be replaced with a new backup generator. Although the new backup generator would be diesel-powered, it would only be used if the supply of electricity is disrupted and would be operated for limited durations. When the new backup generator is operated, it would produce fewer emissions than the old generators currently in place because of technological advancements in diesel engine efficiency and emissions control systems.~~ No other impacts on air quality are expected. Therefore, the topic was dismissed from further analysis.

Dark Night Skies

The presence of dark night skies maintains the Park's sense of place, historic setting, and feeling of isolation (NPS 2017b). As discussed under the "Cultural Resources" impact topic above, dark night skies are an important cultural component of the Park's landscape and replaced lighting could affect this feature. Impacts related to dark skies and the cultural landscape are discussed under that impact topic. In addition, no project-related construction activities would occur at night, and the Park would replace 56 existing pole-mounted light fixtures with dark sky-compliant fixtures, which would minimize blue light emissions and be no brighter than necessary for safety. The project would also ensure the design specifications for lighting and fixtures would improve the condition of dark night skies in the Park. Therefore, the topic was dismissed from further analysis as a stand-alone topic.

Socioeconomics

Rehabilitation of the electrical distribution system and associated construction activities would not adversely affect the local economy. Minor increases in employment from the construction workforce and revenues for the businesses engaged in the construction process are expected. Any increase in workforce and revenue, however, would be temporary, lasting only as long as construction. Because the impact on the socioeconomic environment would be minimal, this topic was dismissed from further analysis.

Soil Resources

Most of the soil in the Park consists of very rocky silty clay loam, rock land, very stony silty clay loam, and stony colluvial land (NPS 2010b). Although replacing power poles, installing underground cables, and removing the existing diesel generator could adversely affect these soils, the impacts are anticipated to be minimal because electrical infrastructure would be largely replaced within the existing alignment. Therefore, this topic was dismissed from further analysis.

Soundscape

Similar to the presence of dark night skies, the general ambient quiet of the Park provides a sense of place, historic setting, and feeling of isolation. During construction, anthropogenic noise would likely increase because of construction activities, equipment, vehicular traffic, and field crews. The duration of noise impacts would be limited to the construction period. No long-term effect on visitors, employees,

patient-residents, or natural soundscape conditions are anticipated. Therefore, this topic was dismissed from further analysis.

Visitor Use and Experience

Visitor enjoyment of Park resources and values is part of the fundamental purpose of all parks. The Park's mission is to provide a well-maintained community that ensures the present patient-residents of the Kalaupapa Settlement may live out their lives peacefully and comfortably. In keeping with this mission, visitor access to the Park is allowed by permit only, and access is strictly limited to registered guests of Kalaupapa residents, employees, or patients; commercially guided tourists; and NPS volunteers. Additionally, persons under 16 years of age are not permitted to visit the Park. Therefore, annual visitation at the Park is low compared to most national park units. From 2012 to 2021, annual visitation at the Park averaged approximately 62,500 visitors per year (NPS 2022). This number is slightly skewed by abnormally low rates of visitation during 2020 and 2021 because of Park closures during the COVID-19 pandemic. Visitation from 2012 to 2019 ranged from approximately 59,000 to 101,000 visitors per year, while visitation in 2020 and 2021 was approximately 16,000 and 25,000 visitors, respectively (NPS 2022). The project would not affect annual visitation at the Park. Construction activities could temporarily diminish visitor experience due to noise and visual disturbance. However, similar disturbances occur frequently under the current scenario because the frequent need for repairs to the electrical system. The current electrical distribution system is outdated, inadequate, and potentially dangerous. The project would improve visitor safety, reduce the potential for power outages, and reduce the frequency of repairs, which would improve visitor use and experience over the long term. Therefore, the topic was dismissed from further analysis.

Wetlands

Field surveys were conducted in 2019 and 2020 identified two wetlands and one ephemeral stream within or near the boundaries of the project area (Burr and Guinther 2020). The proposed project would not include work in the wetlands, and the line would not span the wetlands. The nearest pole would be approximately 60 feet from a wetland boundary. Similarly, no work would occur in the streambed, and the poles nearest to the streambanks would not be replaced. The potential for impacts on wetlands would be minimal and limited to indirect impacts such as runoff or sedimentation during construction. The use of silt fences or other erosion control measures (table 2: Gen-1 – Gen-4; WL-1 – WL-3) would avoid or further minimize potential impacts on wetlands. The project would not affect the Park's ability to manage its wetland resources in accordance with NPS Director's Order 77-1 to meet or maintain the desired conditions outlined in its general management plan (GMP) (NPS 2021c). Therefore, the topic was dismissed from further analysis.

Wildlife and Wildlife Habitat

The NPS strives to maintain all components and processes of naturally evolving park unit ecosystems, including the natural abundance, diversity, and ecological integrity of native animal populations. Increased noise levels during the construction phase of this project could temporarily increase localized disturbances to wildlife. While the project could result in minimal, temporary impacts, it would not affect the viability of any species or alter population dynamics. Therefore, the topic was dismissed from further analysis.

GENERAL METHODOLOGY FOR ESTABLISHING AND ASSESSING IMPACTS

In accordance with Council on Environmental Quality (CEQ) NEPA regulations, direct, indirect, and cumulative impacts are described for each alternative (40 CFR 1502.16) (CEQ 2022). The impact analysis in this EA has also been prepared in accordance with HEPA. According to Hawai'i Administrative Rules (HAR) Chapter 11-200.1, Environmental Impact Statement Rules:

- (a) In considering the significance of potential environmental effects, agencies shall consider the sum of effects on the quality of the environment, and shall evaluate the overall and cumulative effects of an action. (b) In determining whether an action may

have a significant effect on the environment, the agency shall consider every phase of a proposed action, the expected consequences, both primary and secondary, and the cumulative as well as the short-term and long-term effects of the action.

HEPA significance criteria are evaluated at the end of this chapter. Where appropriate, avoidance mitigation measures for adverse impacts (table 2), are also described and incorporated into the evaluation of impacts.

The potential impacts of the alternatives are described in terms of type, as follows:

- **Direct:** Impacts that would occur as a result of the proposed action at the same time and place of implementation (40 CFR 1508.1) (CEQ 2022).
- **Indirect:** Impacts that would occur as a result of the proposed action but later in time or farther in distance from the action (40 CFR 1508.1) (CEQ 2022).
- **Beneficial:** A positive change in the condition or appearance of the resource or a change that moves the resource toward a desired condition.
- **Adverse:** A change that declines, degrades, and/or moves the resource away from a desired condition or detracts from its appearance or condition.

The assumptions for the analysis of impacts under the alternatives are described below:

- The project would implement the mitigation measures described table 2.
- **Ground disturbance is defined as:**
 - *Structure bases* – 1 square foot per structure (assuming direct embedded monopoles); 23 new poles.
 - *Temporary work areas* – An approximate 40-foot by 60-foot (0.06 acres) work area at each tower location to accommodate the crane pad and other tower erection activities.
 - *Laydown areas* (three total) – One located at the western edge of the settlement, one located across from the cemetery, and one located along Damien Road near the water pump house, as shown in figures 4 and 5, above.
 - *Pulling and tensioning sites* – Sites with an area of about 100 feet wide by 300 feet long, or about 0.75 acres, every 2 to 3 miles along the line route.
 - *Underground cable* – Disturbance would be limited to the width of the trench, plus 1 foot on either side of the trench, including trenches within roadways. For a 5-kilovolt system, the minimum disturbance is 3.5 feet wide:
 - Two 5-inch conduits
 - 30-inch concrete encasement
 - 2-inch separation between conduits
 - 12 inches either side
 - *Overhead cable and on-the-ground conduit* – Disturbance would be limited to a 20-foot maximum total width of the ROW, depending on the size of the contractor's equipment. This amounts to 10 feet of maximum clearance on each side of the electrical line.
 - *Access routes* – Access routes would have an average width of 10 feet on either side of the ROW; existing access routes would be used to the extent possible, and sites adjacent to roads or existing utility ROW may not require additional access routes.

▪ **ROW maintenance would include:**

- Clearing of shrubs, if necessary, would be limited to portions of the ROW along the new section of cable that would run from the east end of the settlement, ~~along Damien Road and to the water pump house~~. The maximum area to be cleared would be approximately 4 acres.
- Ongoing ROW maintenance would continue, so there would be no new impacts associated with maintenance of the replaced infrastructure along the existing route.
- ROW maintenance would continue to be conducted on an annual basis.
- ROW maintenance along new sections of the proposed line would consist of periodic mowing or cutting to prevent forest regrowth. Clearing or trimming of trees or shrubs greater than 15 feet tall would continue to be conducted outside the bat-birthing and pup-rearing season (June 1 through September 15).
- Maintenance areas for transformers (single phase and 3-phase) would be 8 feet wide in front; 2 feet, 6 inches on the sides; and 2 feet in the back. Measurements are taken from the edge of the pad. For switchgears, measurements are taken from the edge of the equipment and would be 8 feet in front and back, and 3 feet on the sides.

The CEQ NEPA regulations require identifying past, present, or reasonably foreseeable future actions that would affect the resources evaluated in this EA to assess cumulative impacts (effects) at and around the Park. A cumulative impact is defined as “effects on the environment that result from the incremental effects of the action when added to other past, present, or reasonably foreseeable actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 CFR 1508.1) (CEQ 2022). Cumulative impacts are determined for each impact topic by combining the impacts of the alternative being analyzed and other past, present, and reasonably foreseeable actions that would result in beneficial or adverse impacts. Because some of these actions are in the early planning stages, the evaluation of the cumulative impact is based on a general description of the project. These actions were identified through the internal project scoping process and are summarized below. Past, present, and reasonably foreseeable future actions that could result in cumulative impacts are described below. Because the no-action alternative would not contribute any new impacts, no cumulative impacts would be associated with it.

Past, present, and reasonably foreseeable actions include:

- Kalaupapa Water Treatment Facility Repairs – The NPS replaced the groundwater well pumps, drop pipe, and pump power cable at the Kalaupapa Water Treatment Facility. The NPS also repaired and/or replaced the water system controls and appurtenances at the facility. Repairs were completed 2022.
- Water Tank Replacement – The NPS plans to replace one 160,000-gallon glass-fused steel drinking water storage tank. The newly installed tank would be selected to match existing tank, which was installed in 2015. Work would include replacing the shell sheets and roofs; installing new bolts, bolt caps, water level indicators, lightning arrest system, cathodic protection, and necessary sealants; and disinfecting the new tank. The old tank would be disposed of "off island." This project is anticipated to be completed in 2023.
- Pavement Preservation on Paved Settlement Roads – The NPS plans to implement a pavement preservation project for the Park’s paved road network throughout the Kalaupapa Settlement and community. Pavement preservation would be performed on roughly 5.5 miles of primary and secondary roads and paved parking lot locations. This project is anticipated to be completed in 2023.

- Resurfacing and Stabilization of Damien Road – The NPS plans to resurface and stabilize about a 0.5-mile portion of Damien Road between the emergency evacuation site and the interpreted heiau (Hawaiian temple). Work would include routine blading and adding gravel as needed. Gravel would be transported to the work site via barge and truck and added in accordance with Hawai'i Department of Transportation specifications. Road improvements are scheduled to begin in 2022 and are anticipated to be complete by the end of 2024.
- Rehabilitate Perimeter Fences to Protect Unique Park Ecosystems – The NPS plans to rehabilitate approximately 9 miles of perimeter exclusionary fencing, the primary tool to protect native ecosystems and watersheds from damage by large numbers of invasive nonnative animals. The long-term integrity of these biocultural resources is ensured by having effective perimeter fencing for ungulate and predator exclusion, which directly influences the experience of each visitor. Work includes replacing and upgrading fence segments, prioritized by most urgent potential to fail. Construction is anticipated to begin in 2023.
- Construct New Fuel Storage and Dispensing System – This project would construct a new fuel storage and dispensing system to meet the fuel needs for the entire Kalaupapa Settlement. The work would include the installation of five 5,000 gallon modular, aboveground, double-walled fuel storage tanks to be located outside the tsunami zone. The site was selected to minimize impacts to cultural and natural resources. Construction is anticipated to begin in fall 2024.

CULTURAL RESOURCES

Cultural resources include a variety of resource types such as archeological resources, ethnographic resources, and structures. As a management strategy, the NPS also includes cultural landscapes and museum objects in its categories of cultural resources. Cultural resources can be grouped in broader districts or landscapes that have significant associations with prehistory or history. Under the National Historic Preservation Act (NHPA), cultural resources include districts, sites, buildings, structures, and objects, and their significance is assessed by their eligibility for inclusion on the National Register. To be eligible, resources must possess integrity and meet at least one of four criteria. The resource:

- A) is associated with events that have made a significant contribution to the broad patterns of our history; or
- B) is associated with the lives of persons significant in our past; or
- C) embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D) has yielded, or may be likely to yield, information important in prehistory or history.

Integrity is the ability of the resource to convey its significance by retaining several or most of its aspects of location, design, setting, materials, workmanship, feeling, and association.

The area of potential effects (APE) for this project was defined for the archeological inventory survey as an area including 30 meters (100 feet) on either side of existing and proposed electrical lines and 20 meters (65 feet) around pad-mounted project elements such as generators and transformers. The anticipated disturbance area within the APE is assumed to be a 10-foot-wide maximum clearance on each side of the electrical line with a maximum width of 20 feet.

Affected Environment

Culture History

The precise timing and nature of the settlement of Hawai'i is unknown. The most convincingly supported theory suggests that Polynesians first arrived in the islands around AD 1000 to 1200. Initial settlements focused on sheltered bays and coastal resources of the windward sides of the islands, but by

AD 1400, inland settlements and increasing dependence on agricultural products began to link the inland areas more closely to coastal-based local ahupua`a (i.e., subdivision of land) systems. Historical documentation and ethnographies of Moloka`i's traditional history are not as well recorded as those for the main islands of O`ahu, Maui, and Hawai`i, though the genealogies of the first ali`i nui (i.e., ruler) of Moloka`i, the Kamauaua and Kanealai lineages, extend from the 19th century back to the 13th century. These genealogies, themselves largely referenced in the histories of neighboring islands, reveal significant intermarriage between the ali`i of O`ahu, Maui, and Hawai`i with the Moloka`i chiefs. By the 19th century, Kalaupapa was renowned for its agricultural production, specifically for sweet potatoes.

Kalaupapa Peninsula lies within the Ko`olau traditional district, or moku, which encompasses the central windward portion of Moloka`i Island. The Ko`olau moku includes three ahupua`a, land divisions that extend from the highlands to the shore. The majority of the project area is located in Kalaupapa Ahupua`a, and includes a portion of Makanalua Ahupua`a. The Hawaiian system of land tenure was supplanted by the Western system of fee-simple ownership in the mid-19th century in an event known as the Great Mahele. Land Commission Awards were granted for approved land claims, which became known as kuleana lands and included de facto title to the lands by Royal Patent. Kalaupapa Ahupua`a was granted to Kaunuohua, a chief and female descendant of several high-ranking chiefs. Makanalua Ahupua`a was granted to the Kamehameha family, whose ancestor gained control of Moloka`i in 1795 (Chambers and Pacheco 2020).

Kalaupapa Leprosy Settlement was formed from Makanalua Ahupua`a, which was deeded to the Hawaiian government in the mid-19th century. In 1865, the Hawaiian government relocated residents of Kalaupapa Peninsula, and the settlement was established. The natural setting served to isolate the settlement, which received its first settlers in 1866. Family members and friends accompanied the early settlers, aiding in the construction of shelters and daily tasks. Initially, supplies, funding, and other basic facilities were in short supply. During the 1870s and 1880s, the arrival of religious leaders, including Father Damien, and a growing awareness of hardships faced by the isolated settlers led to attempts at reform and improvements. Despite growing evidence about the limited communicability of the disease, strict segregation of settlers was enforced and even increased as the US government increased control on the Hawaiian Island in the early 20th century. However, changes in leadership at Kalaupapa beginning in 1902 resulted in the transformation of the settlement to one of the world's foremost institutions for Hansen's disease, including new medical, housing, and recreational facilities. Further modernization efforts in the 1930s included a power plant, power distribution, a water system with fire hydrants, and streetlights. Telephone lines and an airfield were also added during this period. A 35-foot tsunami severely affected the settlement and surrounding area in 1946. The same year saw the introduction of successful medicinal treatment for Hansen's disease through sulfone drugs, after which new arrivals decreased sharply. In response to budgetary constraints, medical treatment developments, and slowly improving public attitudes, the policy of isolation of Hansen's disease patients was ended in 1969 (Chambers and Pacheco 2020; NPS 2021a).

Kalaupapa Leprosy Settlement was designated as an NHL in 1976 and is listed on the National Register. The NHL is significant for its architecture, social history, religious history and historic figures, and archeology. The landmark includes the entirety of the historic settlement and nearly all the extant buildings, structures, grave markers, sites, and other aspects of the built environment (NPS 2021a).

Archeological Resources

Modern archeological investigations within the project area and its vicinity include an extensive archeological survey of the southern portion of the peninsula in the 1980s that documented a landscape of nearly continuous archeological features. Archeological investigations in the vicinity of the local airport and the historic Kalaupapa Settlement documented residential, agricultural, and religious sites as well as burial monuments (Chambers and Pacheco 2020).

The original NHL nomination of the Kalaupapa District considered the whole peninsula a single multicomponent archeological site with features dating from 800 years before present through the

modern Hansen's disease settlement period. The updated NHL nomination notes that the whole peninsula can be considered an archeological site that contributes to the significance of the district. Much of the site has not been systematically surveyed, and it is noted that many resources are likely extant but not yet identified that would be contributing elements to the broader site (NPS 2021a).

In 2018 and 2019, two archeological surveys were conducted for the electrical distribution system at the Park (Chambers and Athens 2020; Chambers and Pacheco 2020). The first survey included a pedestrian survey and detailed feature documentation within a 75-acre project area (Chambers and Pacheco 2020). The second project involved a limited survey around the 4-acre pump house complex (Chambers and Athens 2020). No subsurface testing was conducted during either survey.

Eighty-four archeological sites were documented during the initial phase of fieldwork in October 2018. For the second phase of fieldwork in April 2019, the NPS requested that the 39 previously recorded archeological sites be re-documented (Chambers and Pacheco 2020). Chambers and Pacheco recommend archeological monitoring during the proposed project.

The April 2019 fieldwork by International Archaeology was intended to re-document 39 previously recorded archeological sites. Archeologists found that, of the 39 sites, 4 had been destroyed and 11 could not be relocated. As a result, Chambers and Pacheco (2020) documented 84 new archeological sites and re-documented 24 previously recorded archeological sites. Eighty-two of the newly identified sites are located within the historic Kalaupapa Settlement and represent post-Contact historic activities. In addition, Chambers and Pacheco (2020) documented a stone platform (IAK-70) and a traditional Hawaiian agricultural complex (Site IAK-80), both of which are located outside the historic Kalaupapa Settlement. Chambers and Pacheco (2020) conclude that the cultural resources documented during the 2018–2019 effort form part of a “nearly continuous distribution of agricultural infrastructure, residences, and religious structures spread across the peninsula outside of Kalaupapa Settlement.” The 24 previously recorded archeological sites re-documented by Chambers and Pacheco (2020) include pre-contact agricultural sites, habitation sites, ceremonial sites, and burial sites. Historic boundary and habitation sites were also re-documented.

In September 2019, Chambers and Athens (2020) conducted an archeological survey around the pump house complex for a proposed utility line extension (i.e., Pump House Road survey). They recorded 26 previously undocumented sites. Chambers and Athens (2020) report that approximately 70% of the 4-acre project area was surveyed. Archeological fieldwork included pedestrian survey and detailed feature documentation. In addition, the NPS slated four previously documented sites for re-documentation. One site was re-documented in May 2019, and three sites could not be relocated.

The September 2019 archeological investigation could not be completed due to field conditions and a limited fieldwork schedule, and site evaluations for National Register eligibility were not made (Chambers and Pacheco 2020). Chambers and Athens (2020) recommend that the archeological fieldwork and site re-documentation be completed for the Pump House Road survey. They also highlight outstanding questions regarding site boundaries and definitions, stating that Hawai'i Statewide Inventory of Historic Places site number designations and National Register eligibility assessments cannot be completed without agreement on these questions. Further recommendations include subsurface testing (Chambers and Athens 2020).

In accordance with the recommendations of the 2019 survey report, an Intensive Archeological Survey was conducted that included subsurface testing (Walker and Filimoehala 2021). A total of 12.8 acres were surveyed, and seven previously unrecorded sites were documented. Of the 200 shovel test pits, traditional Hawaiian archeological deposits were recorded in 4. The distribution of cultural deposits along coastal environments is consistent with traditional settlement patterns. Walker and Filimoehala recommend that 1-meter by 1-meter controlled excavation units be completed to document and characterize the deposits at each of the four locations where shovel test pit excavations identified traditional Hawaiian deposits. They also recommend that, given the ubiquity of extant archeology on the peninsula, ground-disturbing project work be monitored by an archeologist. Recommendations from the

2021 Intensive Archeological Survey report have been incorporated into the list of proposed impact avoidance and mitigation measures that would be implemented under alternative 2 (table 2: CR-1 – CR-4).

Trends affecting archeological resources include an increase in archeological site documentation, weather events, and the spread of invasive vegetation. Recent archeological investigations within the project area and its vicinity have identified over 80 previously undocumented archeological sites (Chambers and Pacheco 2020). Newly documented archeological sites require any combination of management, National Register evaluation, and protection. Weather events may damage or destroy archeological remains, and invasive vegetation may obscure the ground surface, landscape features, and structural remains, thus preventing archeological documentation. Chambers and Athens (2020) report that archeological investigation for a proposed utility line extension was partially curtailed by dense vegetation. More information on invasive vegetation is presented below under “Vegetation.”

Ethnographic Resources

Dark night skies have been identified as an important ethnographic resource. In their Cultural Landscape Report for the Kalaupapa and Kalawao Settlements, Wiss, Janney, Elstner Associates, Inc. (2020) describe dark night skies as an important natural quality of the peninsula. Dark night skies are an essential part of the sense of place, feeling of isolation, and historic setting of Kalaupapa National Historic Park. Dark skies are included in the Park’s Planning and Data Needs Management Plan. The unique natural setting of the Kalaupapa and Kalawao Settlements, which includes dark night skies, possesses cultural value that has been documented historically and ethnographically among residents of the peninsula (Wiss, Janney, Elstner Associates, Inc. 2020).

The restoration and preservation of culturally significant natural dark settings are important to the national park experience (NPS 2018). The NPS identifies light pollution as a major threat to naturally dark environments in national parks. Light pollution is a negative trend, and sources include outdoor electrical lighting, aircraft, vehicles, and satellites. When human-made light overpowers natural sources of light, such as moonlight, starlight, galactic light, zodiacal light, and airglow, the natural lightscape is degraded. Resource inventories provide crucial data regarding the quality of and impacts on existing lightscapes (NPS 2016b). The 2020 treatment plan for the cultural landscape of the Kalaupapa and Kalawao Settlements specifically recommends dark sky-compliant lighting for public paths and select parking areas (Wiss, Janney, Elstner Associates, Inc. 2020). The Park’s current management direction and strategies, as identified in its 2021 GMP, are designed to meet the desired condition of protecting natural darkness and other components of the Park’s natural lightscape (NPS 2021c).

Cultural Landscapes

In 2011 and 2012, the NPS developed a Cultural Landscapes Inventory (CLI) for the Kalaupapa and Kalawao Settlements (CLI Identification No. 975012) and the Moloka’i Light Station (CLI Identification No. 975016) at the Park (NPS 2011a, 2012). The 2011 National Register documentation for the cultural landscape of the Kalaupapa and Kalawao Settlements notes that previous documentation was inadequate because the 1975 Kalaupapa Leprosy Settlement NHL nomination did not identify the contributing and noncontributing features of the landscape. The 2011 inventory states that cultural landscape of the Kalaupapa and Kalawao Settlements is considered a single landscape. The single cultural landscape does not include smaller component landscapes because the County of Kalawao is identical to the existing NHL district and the legal settlement boundary. Contributing landscape elements identified in the Kalaupapa and Kalawao Settlements CLI include buildings, structures, natural systems and features, and land use. Important characteristics of these elements include circulation, clustered arrangement, spatial organization, and vegetation. The inventory describes the condition of the Kalaupapa and Kalawao Settlements as poor. In particular, the Kalawao Settlement has deteriorated as a result of lack of use and deferred maintenance since the early 20th century. Nonnative invasive plants and rapid overgrowth obscure large areas of cultural resources (NPS 2011a).

The Kalaupapa and Kalawao Settlements include historic areas associated with the historic Hansen's disease settlements, two pali trails, and a water system that date to the defined settlements' period of significance from 1869 to 1969 (NPS 2011a). The Kalaupapa and Kalawao Settlements on Moloka'i are significant under Criterion A at a national level due to historic and notable changes during the period of significance to the prevailing national social attitudes, health policies, and treatment paradigms for patients with Hansen's disease. The settlements are significant under Criterion B on both national and state levels for their association with notable historic figures, including Father Damien (Joseph De Veuster), Mother Marianne Cope, and Brother Joseph Dutton, among others. The Kalaupapa Settlement is largely intact and therefore significant at a state level under Criterion C. The Kalaupapa and Kalawao Settlements historic district is highly likely to yield information important to the both the prehistory and history of the landscape and therefore significant under Criterion D (NPS 2011a).

In 2012, the NPS developed a CLI for the Moloka'i Light Station. No adjacent lands contribute to the Moloka'i Light Station (NPS 2012). The Moloka'i Light Station is located approximately 0.5 miles from the tip of Kalaupapa Peninsula on the northern coast of Moloka'i. It is situated at the highest point on the peninsula at Kahi Point and consists of a white-painted, 138-foot-tall lighthouse with associated buildings and structures (22.88 acres). The period of significance for the Moloka'i Light Station is defined as 1908 to 1955 (NPS 2012).

The Moloka'i Light Station is significant at the state level under Criterion A due to its association with the maritime history, commerce, transportation, and social history of the Kalaupapa Peninsula. It is also significant under Criterion C as an example of maritime architecture and historic changes to light house design in the 20th century (NPS 2012). Contributing landscape elements identified as part of the Moloka'i Light Station CLI include buildings, structures, archeological sites, natural systems and features, and land use. Important characteristics of these elements include circulation, spatial organization, and vegetation. In addition to the lighthouse, associated structures include ancillary buildings, residences, circulation features, an allée, and wind rows. The 2012 inventory identifies the Moloka'i Light Station as a component landscape of the parent Park landscape. The Kalaupapa and Kalawao Settlements are described as an associated landscape within the Park (NPS 2011a).

Trends to consider with respect to the cultural landscapes within the project area include shifts in the nature and uses of the landscapes. Deterioration of historic structures and encroachment of invasive vegetation have had a negative effect on the cultural landscapes. Preservation concerns revolve around active use of the landscape that supports connections to the history of the area. Measures may include preservation maintenance of historic structures, reestablishment of native species, removal or mitigation of invasive vegetation, and consultation with Native Hawaiian groups and the Hawai'i State Historic Preservation Division (SHPD).

Structures

Contributing resources to the NHL district include 234 buildings, 67 sites, 48 structures, and 10 objects (NPS 2021a). Contributing resources include four primary building types: residential, community/administration, religious, and industrial/maintenance. The oldest building known to pre-date the settlement is Old Stone Church, built 1835. Other 19th-century structures exhibit stylistic elements of Hawaiian vernacular building, although these have been modified over time. Many buildings, and most of the cottage residences, date to the early 20th century improvements at the settlement and are built in the Hawaiian plantation style featuring single-story wood construction with low hipped roofs, overhanging eaves, and open porches, or lanai (NPS 2021a).

Structures in the NHL include walls, fences, and gates built of dry stacked stone, separate functional areas, and demarcated lots. Circulation features are listed as contributing structures to the landmark, including the roads and historic pali trails (i.e., the foot paths that wind up the sheer cliffs that separate the Kalaupapa Peninsula from topside Moloka'i).

Historic utilities systems including remnants of the historic water distribution system and much of the Kalaupapa electrical distribution system are listed as contributing structures to the landmark (NPS

2021a). The Kalaupapa electrical system, which is still in use, was included as a single contributing resource in the 2021 NHL nomination (NPS 2021a) based on a 2018 eligibility determination (Mason Architects Inc. 2018).

The electric system represents the modernization of the Kalaupapa Settlement dating to the early 20th century. The power poles were sometimes used to support both electric and telephone lines. Furthermore, the poles were used by Hansen's disease patients with poor eyesight to navigate the area (Wiss, Janney, Elstner Associates, Inc. 2020). By 1932, the entire settlement was energized by a network of electrical lines. The settlement was linked to the Moloka'i Electric Company grid in 1933. Major rehabilitation of the electric grid took place in the 1960s, including the replacement of 36 poles, the installation of 4 additional poles, and the reconstruction of 56 poles. Wires, transformers, street lighting, and other hardware elements were also replaced (NPS 2021a). Changes to the electric system after the end of the period of significance for the Kalaupapa Settlement in 1969 have been minimal (NPS 2021a).

The electrical system consists of wooden poles, crossbars, wiring, and related components. Several character-defining features of the electrical system have been identified, including brown ceramic insulators, pole height and interval, crossbars up to 8 feet long, and fuse cutouts. The system includes 232 wood poles supporting both primary and secondary lines (NPS 2021a, 2021b).

Deterioration of the electrical system is a trend that has had increasingly negative effects on the structure. Weather events and invasive vegetation have the potential to negatively affect all structures within the NHL. Weather events may damage or destroy structures, and invasive vegetation may obscure structures and structural remains, preventing maintenance and/or rehabilitation. Management responses to severe weather events and invasive vegetation could affect structures within the NHL through construction, vegetation clearing, and ground-disturbing activities.

Environmental Consequences

Alternative 1: No Action

Existing conditions would persist under the no-action alternative. There would be ongoing long-term, adverse impacts on cultural resources from maintaining components of the electrical distribution system in archeologically sensitive areas and near historic rock walls. Adverse effects would include vegetation clearing, construction activities, and ground disturbance and would likely occur when individual components of the electrical distribution system fail.

The Kalaupapa electrical system is a single contributing resource to the Kalaupapa Leprosy Settlement NHL, consisting of 232 wood poles supporting both primary and secondary lines (NPS 2021a, 2021b). Existing conditions would continue to adversely affect the Kalaupapa electrical system. Adverse impacts include deterioration of the electrical system components.

Alternative 2: Rehabilitate the Existing Electrical System

The project area is inside the Kalaupapa Leprosy Settlement NHL, and many aspects of the built environment are considered contributing structures, objects, and archeological sites and therefore portions of a National Register-eligible resource. Contributing structures to the NHL include the Kalaupapa electrical system itself. Rehabilitation and maintenance of the electrical system under alternative 2 would have direct impacts on the electrical system that could be both adverse and beneficial.

Under alternative 2, ground-disturbing activities, including removing and replacing utility poles, ~~(the option of) installing a new segment of cable to connect the water pump house to the backup generator,~~ and other related project elements could affect archeological resources. Adverse impacts on archeological resources would be minimized or mitigated by the implementation of appropriate mitigation measures (table 2: CR-1 – CR-4).

Archeology. The archeological inventory surveys (Chambers and Athens 2020; Chambers and Pacheco 2020; Walker and Filimoehala 2021) identified 98 sites within the project area for the proposed

upgrade of the electrical distribution line. Construction activities that include ground-disturbing activities, including the replacement of existing poles and options to connect the pump station along the pump house road, could affect the ground surface or aboveground elements of these sites. The three options for the portion of the project that would connect the water pump house to the upgraded electrical system (table 1) would have both permanent and temporary impacts on archeological resources. Construction of option 3 could affect archeological resources through disturbance from the cable trench and vegetation clearing. Ground disturbance from the cable trench would constitute a permanent impact on archeological resources, while vegetation clearing would have a temporary impact on archeological resources. Option 2 would have the least impacts on archeological resources because there would be limited ground disturbance. Ground disturbance to the sites would be a permanent impact. Under option 1, ground disturbance during construction, including installation of new poles to support the new overhead cable, would permanently affect archeological resources. Additionally, underground elements of the identified sites could be permanently affected by new or replaced pole placements for the rest of the project area where these upgrades would occur. Chambers and Pacheco (2020) and Walker and Filimoehala (2021) note that the proposed upgrade work could affect archeological sites within project area depending on the proximity of the work to a site.

Given the ubiquitous presence of archeological resources throughout the project area, Chambers and Pacheco (2020) recommend archeological monitoring to avoid adverse effects on these resources (table 2: CR-3). In some cases, mitigation may be required for sites that would be unavoidably impacted, such as where existing poles are located within or adjacent to archeological features. Mitigation would also be required for ground disturbance along the pump house road if options 1 or 3 were selected.

Walker and Filimoehala (2021) further recommend controlled excavation units at four locations, where traditional Hawaiian archeological deposits have been identified to document and characterize the deposits (table 2: CR-1), which would further minimize and avoid impacts to the extent possible. The four locations are located within the existing electrical line ROW and would likely be impacted by the project (Walker and Filimoehala 2021). Archeological monitoring of ground-disturbing activities during project execution is also recommended (Walker and Filimoehala 2021) (table 2: CR-3). Furthermore, alternative 2 would move a section of the electrical distribution system near the airport closer to the road and away from sensitive resources, which would help utility maintenance crews avoid adverse impacts on archeologically sensitive areas and historic rock walls.

Ethnographic, Cultural Landscapes and Structures. Because much of the project involves the rehabilitation of existing electrical distribution system components, impacts on ethnographic resources such as the dark night skies; cultural landscapes; and structures such as buildings, circulation and transportation networks are not likely to occur along the existing alignment. The project would move segments of the existing electrical system and replace system components, including poles, with modern equipment. This would adversely affect the cultural landscape because the original electrical system, which is a contributing resource to the NHL, would be altered. Appropriate measures to mitigate this adverse impact would be identified during NHPA section 106 consultation. Replacing existing pole-mounted light fixtures with dark sky-friendly lighting (table 2: CR-5) would improve dark night skies because it would provide greater protection of night skies than the existing lighting, and overall would provide a long-term benefit to night skies (ethnography).

The new segment along the pump house road that would connect the water pump house and backup generator to the rehabilitated electrical distribution system could result in permanent and temporary, direct, adverse impacts on cultural landscapes. Potential impacts would vary depending on the selected option and specific elements of the final design (table 1). Construction of option 3 (underground cable) would have no impacts on cultural landscapes because there would be no added visual elements. Option 2 (on the ground) would have little visual impact but slightly more than option 1. Option 1 (overhead) would have visual impacts on the cultural landscape by the introduction of a new overhead electrical line that would be visible to a greater portion of the historic district than the aboveground conduit in option 2. These impacts on the cultural landscape would likely be adverse.

Cumulative Impacts

Past, present, and reasonably foreseeable actions described above as part of the “General Methodology for Establishing and Assessing Impacts,” section are not expected to adversely affect the Park’s cultural resources. The Park manages its cultural resources to meet the desired conditions identified in its 2021 GMP (NPS 2021c) and in accordance with NPS’s *Cultural Resource Management Guideline* (NPS 1998). Alternative 2 would result in both beneficial and adverse impacts to cultural resources, as described above. The implementation of appropriate mitigation measures would minimize or mitigate adverse impacts (table 2: Gen-1 – Gen-4; CR-1 – CR-5). Additional mitigation measures would be identified during NHPA section 106 consultation. Overall, the cumulative impact on cultural resources would be neither beneficial nor adverse because the Park would maintain its desired conditions for cultural resources. Alternative 2 would not contribute a noticeable increment to the overall cumulative impact because any potential adverse impacts would be appropriately mitigated.

THREATENED, ENDANGERED, AND OTHER SPECIAL STATUS SPECIES

Affected Environment

Threatened, endangered, and other special status species include federally listed species that are protected under the ESA, as well as species that are protected under other federal or state laws. Terrestrial habitats on the Kalaupapa Peninsula have been altered by previous development and historic land uses that have resulted in an overall decrease in native vegetation cover (Fung and SWCA 2010, Green et al. 2014). These changes are described in greater detail below in the section on “Vegetation.” Invasive animals including ungulates, rodents, mongoose, feral cats, frogs, geckos, and numerous insects have been introduced through past anthropogenic activities and have established populations in the Park and surrounding areas. Invasive species have affected native wildlife populations (including protected species) and community structure through predation, competition, and habitat alternation (Fung and SWCA 2010). The Park’s 2021 GMP identified reducing nonnative wildlife species within the Park and improving native habitat for birds and other native wildlife as a management priority (NPS 2021c).

Climate change also poses an ongoing threat the protected species and other wildlife populations. The Earth’s climate has been warming for approximately the last one and half centuries (IPCC 2022). The average temperature on the planet has increased by slightly more than 1 degree Celsius during that time and is predicted to rise by at least 1.5 degrees Celsius compared to pre-industrial conditions by the end of the century (IPCC 2022). Increased temperatures, changes in precipitation patterns, sea level rise, and other changes in natural processes associated with global climate change are affecting species populations and distributions globally (Van der Putten et al. 2010, Bellard et al. 2012, Gallardo and Aldridge 2013). Protected species are among the highest risk because their populations are generally already in decline as a result of various past or ongoing stressors.

The ongoing trend in increased stressors on species populations resulting from habitat alteration, the spread of invasive species, and global climate change will continue to affect threatened, endangered, and other special status species at the Park. The Park’s current management direction and strategies to maintain its desired conditions for ecosystem communities and processes, as described in its 2021 GMP, aim to protect and sustain the Park’s threatened, endangered, and other special status species populations (NPS 2021c).

Federally Listed Species

The Park consulted with the USFWS in accordance with section 7 of the ESA. Consultation was completed on June 7, 2021. During consultation, the USFWS identified 12 federally listed species that could occur in or near the project area. The project area does not contain federally designated critical habitat. A brief description of the 12 species and their potential occurrence in the project area is provided below.

- **Hawaiian hoary bat or 'ōpe'ape'a (*Lasiurus cinereus semotus*)** – The Hawaiian hoary bat is the only terrestrial mammal native to the Hawaiian Islands and was federally listed as endangered on October 13, 1970 (35 *Federal Register* 16047). Hawaiian hoary bats roost in both exotic and native woody vegetation, generally in trees and shrubs 15 feet or taller, across all Hawaiian Islands. Breeding has not yet been documented on the island of Moloka'i, but usually occurs between September and December on Hawai'i and Kaua'i (DLNR 2015a). Pup season occurs between June 1 and September 15. Hawaiian hoary bats forage in a variety of habitats, including native and nonnative forests and shrublands, along roads and trails, and over streams and areas of open water, including the ocean. The species is also attracted to insects that congregate near lights (USFWS 1998).

An acoustic study conducted by Fraser, Parker-Geisman, and Parish (2007) indicated that Hawaiian hoary bats were rarely heard on the Kalaupapa Peninsula, probably due to year-round heavy winds, but were incidentally observed and reportedly active during the spring at the top of the Kalaupapa trail at an elevation of 1,700 feet (NPS 2015b). More recent monitoring found Hawaiian hoary bats throughout the Park, most commonly along roadways, at lower elevations along the cliff's edge, and less commonly in coastal windswept sites or at cooler mesic higher elevations (Poland and Hosten 2018, as cited in NPS 2021c).

- **Hawaiian goose or nēnē (*Branta sandvicensis*)** – The Hawaiian goose may be observed in a variety of habitats but prefers open areas, such as pastures, golf courses, wetlands, natural grasslands and shrublands, and lava flows. Though rare on the Kalaupapa Peninsula, this species has the potential to occur in grassy, open areas in or near the project area.
- **Hawaiian seabirds, including the Hawaiian petrel or 'ua'u (*Pterodroma sandwichensis*), Newell's shearwater (*Puffinus auricularis newelli*) or 'a'o, and the Hawai'i DPS of the band-rumped storm-petrel (*Oceanodroma castro*) or 'ake'ake** – Hawaiian seabirds may transit over the project area at night when flying between the ocean and nesting sites in the mountains during their breeding season (March through November).
- **Hawaiian waterbirds, including the Hawaiian stilt or ae'o (*Himantopus mexicanus knudseni*) and the Hawaiian coot or 'alae ke'oke'o (*Fulica americana alai*)** – Hawaiian waterbirds are currently found in a variety of wetland habitats including freshwater marshes and ponds, coastal estuaries and ponds, artificial reservoirs, *Colocasia esculenta* (kalo or taro) lo'i or patches, irrigation ditches, sewage treatment ponds. Hawaiian stilts may also be found wherever ephemeral or persistent standing water may occur.
- **Sea turtles, including the Central North Pacific DPS of the green sea turtle or honu (*Chelonia mydas*) and the hawksbill sea turtle or 'ea (*Eretmochelys imbricata*)** – Green and Hawksbill sea turtles may nest on any sandy beach area in the Pacific Islands. Both species exhibit strong nesting site fidelity. Nesting occurs on beaches from May through September, peaking in June and July, with hatchlings emerging through November and December. Artificial lighting that is visible from nesting beaches poses a threat to hatching sea turtles because it can cause hatchlings to become disoriented, potentially preventing them from reaching the surf zone.
- **Blackburn's sphinx moth (*Manduca blackburni*)** – The adult Blackburn's sphinx moth feeds on nectar from native plants, including *Ipomoea pes-caprae* (beach morning glory), *Plumbago zeylanica* ('ilie'e), *Capparis sandwichiana* (maiapilo), and others. The moth larvae feed on nonnative *Nicotiana glauca* (tree tobacco), and native, federally listed, *Nothocestrum* spp. ('aiea). While none of the required host plants are known to occur in the project area, if they are present, Blackburn's sphinx moth could also be present.
- **Hawaiian damselflies, including the Pacific Hawaiian damselfly (*Megalagrion pacificum*), and the orangeblack Hawaiian damselfly (*Megalagrion xanthomelas*)** – Hawaiian damselflies are found in aquatic habitats across the Hawaiian Islands, with high species

endemism within islands. Breeding habitat includes anchialine pools, perennial streams, marshes, ponds, and even artificial pools and seeps. Both damselflies have been found in the wetland south of the airport (Loko `Īliopi`i), which is adjacent to the airport road, across the road from the project area.

Other Special Status Species

In addition to those species federally listed under the ESA, other “special status” species include birds of conservation concern (USFWS 2021) and species of greatest conservation need identified by the DLNR (2015b) State Wildlife Action Plan. Other special status species that occur on Moloka`i and could potentially occur in the project area include birds, fishes, insects, aquatic and marine invertebrates, and terrestrial plants. Surveys have been performed in the Park for forest birds (Marshall and Kozar 2008) and shoreline birds (Kozar, Swift, and Marshall 2007). The only special status bird documented in the vicinity of the project area is the `apapane, which is listed as a bird of conservation concern and species of greatest conservation need. The `apapane is a honeycreeper (Fringillidae) that used to occur in all Hawaiian forests but is now restricted to higher elevations. The species has been detected in forests near the project area, above the pump house (Marshall and Kozar 2008). Two additional bird species of greatest conservation need, Iiwi (*Vestiaria coccinea*) and Maui Amakihi (*Hemignathus virens wilsoni*) occur in the Park but are found in native forests at elevations above the project area (Marshall and Kozar 2008).

Data regarding the presence and absence of special status plants in the project area are limited. However, according to special status species mapping by DLNR (1992), more than 95% of the project area is classified as having a low concentration of special status plant species, except for the uppermost elevations of, in the vicinity of the water tanks, which is classified as having a high concentration. Previous field surveys have also identified three trees and shrubs categorized as species of greatest conservation need, (alahe`e [*Psydrax odorata*], lama [*Diospyros sandwicensis*], and hame [*Antidesma platyphyllum*]), within the vicinity of the project area (Burr and Guinther 2020). However, these trees are located within a fenced exclusion area outside the proposed project limits.

Environmental Consequences

Alternative 1: No Action

Federally Listed Species. Existing conditions would persist under the no-action alternative. Continued maintenance of the existing electrical system could temporarily disturb Hawaiian hoary bats in the immediate vicinity of maintenance activities. Ongoing maintenance activities would include periodic vegetation management within the ROW and service, or repair of system components as needed. Because vegetation management can be planned to avoid sensitive time periods for individual species and because the duration of vegetation maintenance in any one area would be relatively short, ongoing ROW management would not adversely affect federally listed species. Emergency repairs would occur more often under the no-action alternative from the ongoing system deterioration. Because the timing of emergency repairs cannot be predicted, it is possible that cutting or clearing of trees and shrubs could be necessary during the bat pupping season (between June 1 and September 15). As a result, young bats could inadvertently be harmed or killed because they are too young to fly or may not move away. Therefore, the no-action alternative could have direct, adverse impacts to hoary bats. No other federally listed species would be adversely affected under the no-action alternative.

Other Special Status Species. Ongoing maintenance activities (e.g., vegetation management in the ROW and system repairs) could result in similar temporary disturbances to other special status species that may be present in the immediate vicinity, such as birds and insects. However, given the short duration of potential disturbances, adverse effects on other special status species are not likely to occur.

Alternative 2: Rehabilitate the Existing Electrical System

Rehabilitation of the existing electrical distribution system under alternative 2 could result in temporary disturbances to threatened, endangered, and other special status species. Rehabilitation would include

replacement of power poles, cables, and transformers; installation of new power poles; removal of the backup generator and fuel tank; demolition of existing structures; ~~and the construction of a new alignment to connect the water pump house and backup generator locations to the rehabilitated electrical distribution system.~~

A majority of actions proposed under alternative 2 (e.g., replacing or upgrading power poles, transformers, and cable) would occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways, where potential for adverse impacts on these species is minimal (see figures 3-5). New alignments would be installed in the settlement, along Kamehameha Street (near the airport), Damien Road, ~~and the pump house road.~~ Potential direct adverse impacts associated with activities described above could result from vegetation clearing (if necessary) and disturbance associated with equipment, noise, and human activity in the project area. Impacts could occur during construction and maintenance activities. Potential direct and indirect adverse impacts could also include noise and visual disturbances associated with temporary work areas, laydown areas, and pulling and tensioning sites.

~~Impacts associated with vegetation clearing could vary depending on the option selected for the portion of the alignment along the water pump house road and specific features of the final design (table 1). The amount of clearing necessary to connect the water pump house to the Park's electrical system would not exceed 4 acres. Option 1 would have the greatest potential for impacts on threatened, endangered, and other special status species because additional vegetation clearing (potentially including limb cutting or tree removal) may be required to accommodate and maintain an appropriate clearance around an overhead cable compared to the other options being considered. Option 2 would result in up to the same amount of vegetation clearing as option 1 but may not require removal of trees because the forest canopy would be less likely to interfere with the cable if it is placed in an on-the-ground conduit compared to an overhead alignment. Regular management of vegetation would likely be required to maintain appropriate clearance around the cable. Option 3 would result in ground disturbance during construction but would require the least amount of maintenance, including vegetation management, once constructed.~~

The potential for introduction of nonnative species including invasive weeds and plants; invasive pests such as coqui frogs and frog eggs, rats, and mice; insects including little fire ants and coconut rhinoceros beetles; and diseases such as Rapid 'Ōhi 'a Death could directly and indirectly adversely affect the Park's threatened, endangered, and special status species. Nonnative species can be introduced through contaminated equipment, materials, or clothing. The introduction of nonnative species can affect native species directly, through mortality (e.g., predation or disease), or indirectly, through competition or habitat degradation. Under alternative 2, NPS would implement measures to prevent or minimize establishment and spread of nonnative and invasive species (table 2; BIS-1–BIS-4).

Federally Listed Species. As previously noted, ESA section 7 consultation with the USFWS was completed in June 2021. The USFWS determined that the proposed project *may affect but is not likely to adversely affect* federally listed species. Furthermore, the USFWS concluded that with the Park's implementation of the recommended avoidance and mitigation measures provided in its June 7, 2021, letter (table 2: TES-1 – TES-16), potential adverse impacts would be insignificant and/or discountable. The following analysis provides an overview of the potential direct and indirect impacts on federally listed species and the rationale for lack of adverse impacts. ~~These determinations were based on the assumption that the portion of the alignment along the pump house road would be underground (option 3; table 1). Changes to the proposed project design since the consultation was completed (e.g., consideration of an overhead, on-the-ground, and underground option for the portion of the alignment along the pump house road; table 1) could require re-initiation of consultation.~~ Effects of alternative 2 on federally listed species, the USFWS's ESA section 7 determinations, and associated mitigation measures are shown in table 3.

TABLE 3. EFFECTS OF THE PROPOSED ACTION ON FEDERALLY LISTED SPECIES

Species	Summary of Effects	Effect Determination	Mitigation Measures
Hawaiian hoary bat or 'ōpe'ape'a	<p>During roosting season, young Hawaiian hoary bats are left unattended in trees and shrubs while adult bats forage. If trees or shrubs 15 feet or taller are cleared during the pupping season (between June 1 and September 15), young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. Additionally, Hawaiian hoary bats forage for insects from as low as 3 feet to higher than 500 feet above the ground and can become entangled in barbed wire used for fencing.</p> <p>Because activities proposed under alternative 2 would not disturb, remove, or trim woody plants 15 feet tall or greater during the bat pupping season and because barbed wire fencing would not be used, injury and mortality of the Hawaiian hoary bats would not occur. Based on the Park's implementation of the USFWS-recommended avoidance and mitigation measures, Hawaiian hoary bats are extremely unlikely to be measurably disrupted from their normal behaviors.</p>	Not likely to adversely affect (NLAA)	TES-1 TES-2
Hawaiian goose or nēnē	The Hawaiian goose does not commonly occur in the project area. Should Hawaiian goose appear in the area during project implementation, the Park would implement the USFWS-recommended avoidance and minimization measures. Based on the low likelihood of Hawaiian goose presence in the project area and implementation of avoidance and minimization measures, this species is extremely unlikely to be encountered or measurably disrupted from its normal behaviors.	NLAA	TES-3 TES-4 TES-5 TES-6
Hawaiian petrel or 'ua'u	<p>Hawaiian seabirds, including the Hawaiian petrel, Newell's shearwater, and the Hawai'i DPS of the band-rumped storm-petrel, may fly over the project area at night during their breeding season (March through November) and are attracted to artificial lighting, which causes disorientation and subsequent fallout due to exhaustion. Additionally, once grounded, they are vulnerable to predators and are often struck by vehicles along roadways.</p> <p>Under alternative 2, no work would be conducted at night, and existing lighting would be replaced with shielded and downward-facing lighting. Based on the Park's implementation of the USFWS-recommended avoidance and mitigation measures, Hawaiian seabirds are extremely unlikely to be measurably disrupted from their normal behaviors.</p>	NLAA	TES-13 TES-14
Newell's shearwater or 'a'o		NLAA	
Band-rumped storm-petrel or 'ake'ake (Hawai'i DPS)		NLAA	
Hawaiian stilt or ae'o	<p>The activities proposed under alternative 2 would not occur in aquatic environments where Hawaiian waterbirds, including the Hawaiian stilt and the Hawaiian coot, could occur. Based on the Park's implementation of the USFWS-recommended avoidance and mitigation measures, Hawaiian waterbirds are extremely unlikely to be measurably disrupted from their normal behaviors.</p>	NLAA	TES-7 TES-8 TES-9 TES-10 TES-11 TES-12
Hawaiian coot or 'alae ke'oke'o		NLAA	

Species	Summary of Effects	Effect Determination	Mitigation Measures
Green sea turtle or honu (Central North Pacific DPS)	Under alternative 2, no work would be conducted at night, and existing lighting would be replaced with shielded and downward-facing lighting. The nearest street lighting would be approximately 700 feet from the only known sea turtle nesting beach, and the Park would implement measures to prevent erosion or contamination of the beach environment. Based on the Park's implementation of the USFWS-recommended avoidance and mitigation measures, sea turtles are extremely unlikely to be measurably disrupted from their normal behaviors, and their nesting habitat would not be measurably affected.	NLAA	TES-10 TES-11 TES-12
Hawksbill sea turtle or 'ea		NLAA	TES-13 TES-14
Blackburn's sphinx moth	The project area does not contain suitable habitat for Blackburn's sphinx moth because suitable host plants for this species do not occur in the project area. Therefore, it is extremely unlikely that this species would be present. Based on the low likelihood of this species occurring in the project area and the implementation of the USFWS-recommended avoidance and mitigation measures, this species is extremely unlikely to be measurably disrupted from its normal behaviors.	NLAA	TES-15 TES-16
Pacific Hawaiian damselfly	The activities proposed under alternative 2 would not occur in aquatic environments, where Hawaiian damselflies could occur. Based on the Park's implementation of the USFWS-recommended avoidance and mitigation measures, which would prevent erosion or degradation of aquatic environments in and adjacent to the project area, Hawaiian damselflies are extremely unlikely to be measurably disrupted from their normal behaviors.	NLAA	WL-2 TES-10
Orangeblack Hawaiian damselfly		NLAA	TES-11 TES-12

Other Special Status Species. Rehabilitation of the existing electrical distribution system under alternative 2 could affect other special status species that may be present in the action area, including birds, insects, and terrestrial plants. Potential direct effects would consist primarily of temporary disturbances associated with equipment, noise, and human activity during construction and maintenance activities. The implementation of avoidance and mitigation measures designed to avoid impacts on federally listed species (table 2: TES-1 – TES-16) and other measures (Gen-1 – Gen-6) would also limit impacts on other special status species. Because a majority of actions proposed under alternative 2 would occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways, the potential for measurable adverse impacts on these species is minimal.

The project would not affect aquatic or marine species because no work is proposed in these habitats. The implementation of impact avoidance and mitigation measures would avoid indirect impacts on these species by preventing erosion, sedimentation, or contamination of aquatic and marine habitats (table 2: TES-7; TES-10 – TES-11; WL-1 – WL-3).

Individual special status plants could be inadvertently trampled, removed, or otherwise destroyed during project construction and maintenance activities. Potential impacts on special status plants would be direct and would most likely occur in the vicinity of the water tanks where special status plant concentrations are higher. Incidental destruction of individual plants would not affect these species at the population level. Furthermore, implementation of avoidance and mitigation measures intended to avoid or minimize impacts on vegetation (table 2: Veg-1 – Veg-4) and prevent the spread of invasive species would limit the potential for adverse impacts (table 2: BIS-1 – BIS-4). Therefore, alternative 2 would not result in noticeable impacts to special status plant populations in the project area.

Cumulative Impacts

Past actions have resulted in adverse impacts on threatened, endangered, and other special status species through habitat disturbance or alteration, and introduction of invasive species. The present and reasonably foreseeable future actions described at the beginning of this chapter could adversely affect threatened and endangered species, with potential adverse effects consisting mostly of temporary disturbances. Alternative 2 is not likely to adversely affect threatened, endangered, or special status species because impacts would be avoided or mitigated by implementing appropriate measures (table 2: TES-1 – TES-16). Therefore, Alternative 2 would not contribute to cumulative impacts on threatened, endangered, or special status species.

VEGETATION

Affected Environment

The Park contains high-diversity plant communities). The project area is located entirely within the Lowland Coastal Area management zone, which includes the entire coastal plain of the Kalaupapa Peninsula. Most of the vegetation in the Lowland Coastal Area is composed of nonnative species (Green et al. 2014).

Vegetation communities on the Kalaupapa Peninsula have been altered by previous development and historic land uses, including crop cultivation and livestock grazing (Fung and SWCA 2010). Changes to the natural communities at the Park have been relatively small and concentrated compared to other areas in the state. However, human-related activities have promoted encroachment of invasive vegetation, which has decreased suitable habitat for native species (Fung and SWCA 2010). Although more than a dozen vegetation inventories and studies have been conducted at the Park over the last three decades, data have not been sufficiently analyzed to establish trends in vegetation cover for much of the Park (Fung and SWCA 2010). Given the dominance of nonnative species in some areas of the Park, including the Lowland Coastal Area management zone (Fung and SWCA 2010, Green et al. 2014), it can be inferred that the trend in invasive vegetation cover has been increasing since the introduction and establishment of these species, posing an ongoing threat to native vegetation communities. Ongoing

nonnative and invasive vegetation management efforts at the Park aim to halt or reverse this trend (NPS 2021c). The Park's 2021 GMP identified expanding the Park's vegetation monitoring program to track status and trends of plant species as a management priority (NPS 2021c).

The NPS conducted an extensive vegetation mapping inventory of the Park in 2014 (Green et al. 2014) and completed native tree surveys in the project area in 2019 and 2020 as part of a wetland delineation (Burr and Guinther 2020). Vegetation in the study area consists mostly of expanses of nonnative species such as lantana (*Lantana camara*), Christmas berry (*Schinus terebinthifolius*), koa haole (*Leucaena leucocephala*), and Java plum (*Syzygium cumini*). Vegetation within developed areas of the Kalaupapa Settlement consists primarily of maintained grasslands. Plantain (*Plantago* spp.) has also invaded some portions of the Park and is found in the project area (Green et al. 2014; Burr and Guinther 2020).

Plant communities documented in the project area are shown in table 4 and figure 7, along with coverage of each community type.

TABLE 4. PLANT COMMUNITIES IN THE PROJECT AREA

Plant Communities	Percentage of Project Area
Forests and Woodlands	
Christmas Berry Woodland	16.6%
Java Plum Forest ^a	11.5%
Lucky-nut (<i>Thevetia peruviana</i>) Woodland	2.5%
Christmas Berry / Lantana Mosaic Woodland	1.7%
Common Ironwood <i>Casuarina</i> Semi-natural / Planted Forest	1.4%
Kiawe (<i>Prosopis pallida</i>) Woodland	0.5%
Coconut (<i>Cocos nucifera</i>) Palm Strand	0.1%
Koa Haole (<i>Leucaena leucocephala</i>) Woodland	< 0.1%
Date Palm (<i>Phoenix dactylifera</i>) Strand	< 0.1%
Shrublands	
Lantana Shrubland	7.0%
Koa Haole Shrubland	2.7%
`Ilima (<i>Sida fallax</i>) Coastal Dry Shrubland	0.3%
`Akia (<i>Wikstroemia uva-ursi</i>) Coastal Shrubland	0.1%
Herbaceous Vegetation	
Bermuda Grass (<i>Cynodon dactylon</i>) / Mixed Coastal Grassland	14.2%
Mau`u (<i>Fimbristylis</i> spp.) Herbland	< 0.6%
<i>Bolboschoenus</i> / <i>Eleocharis</i> Wetland	< 0.1%
`Akulikuli (<i>Sesuvium portulacastrum</i>) Herbland	< 0.1%

Plant Communities	Percentage of Project Area
Developed	
Residential	19.7%
Commercial and Services	10.6%
Transportation, Communications, and Utilities	9.4%
TOTAL	100%

SOURCE: GREEN ET AL. (2014), BURR AND GUINThER (2020)

^a As noted above under "Threatened, Endangered, and Other Special Status Species," the only portion of the project area classified as having a high concentration of special status plants (comprising approximately 5% of the project area) is at the uppermost elevations of, in the vicinity of the water tanks. This area is dominated by Java Plum Forest (figure 7).

The Park's GMP (NPS 2021a) provides direction and strategies for vegetation management. The Park's fire management plan (NPS 2011b) provides additional guidance for vegetation management.

Kalaupapa National Historical Park

Hawai'i

National Park Service
US Department of the Interior

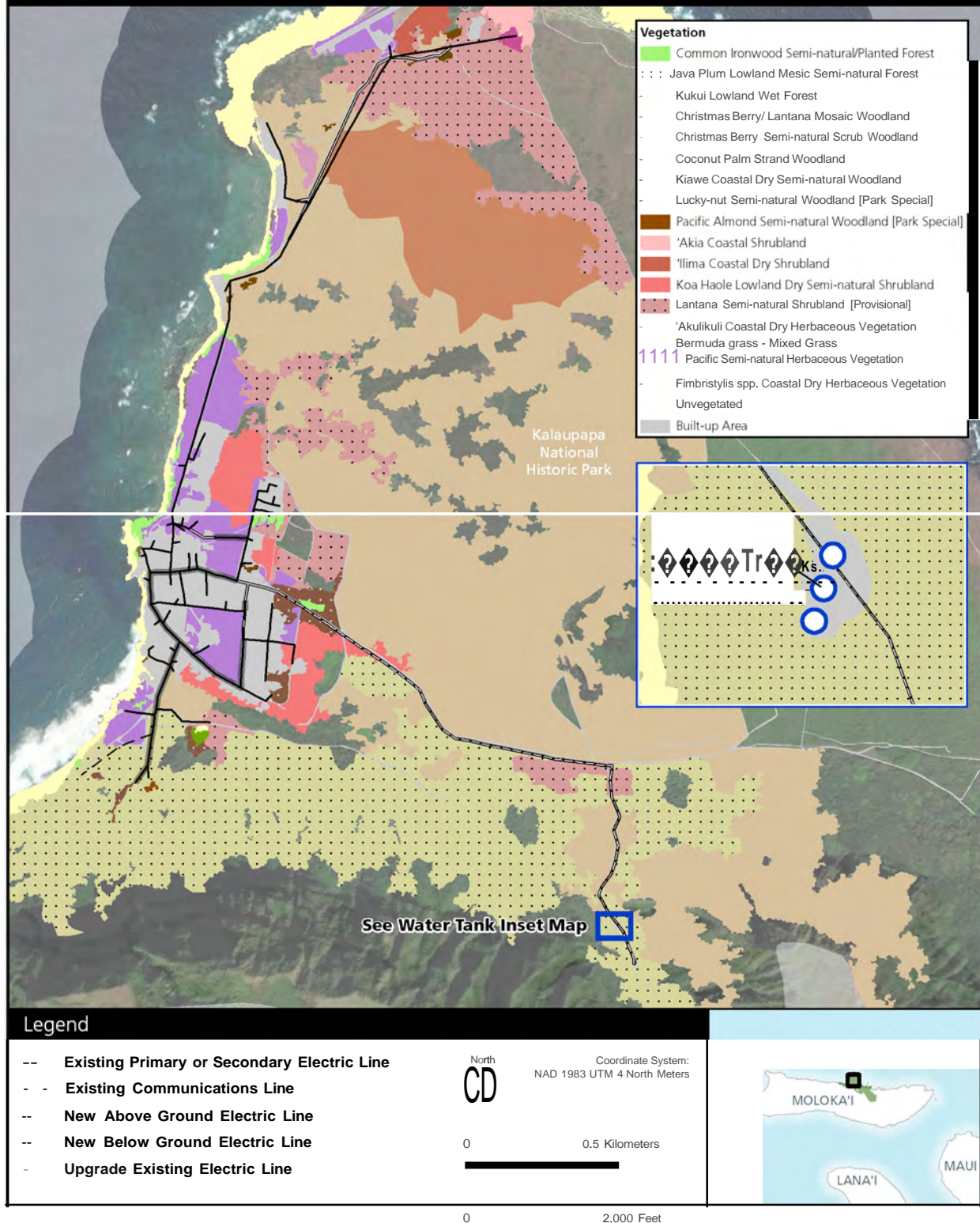


FIGURE 7. VEGETATION

Environmental Consequences

Alternative 1: No Action

Existing conditions would persist under the no-action alternative, which would include keeping the existing ROW free of vegetation. Maintenance of the existing electrical system would result in ongoing direct disturbances to vegetation. However, plant communities along the line corridor are dominated by nonnative species, limited in diversity, and composed of common species associated with human disturbance. Vegetation in the project area does not provide high-quality habitat for native plants or animals or high-quality forage, nesting, or cover habitat for wildlife. The deteriorating existing electrical system would require ongoing maintenance, which could disturb vegetation more frequently than under alternative 2 in select areas throughout the existing alignment.

Alternative 2: Rehabilitate the Existing Electrical System

Rehabilitation of the existing electrical distribution system under alternative 2 would have direct, permanent and temporary, adverse impacts on vegetation. Permanent loss of vegetation would be limited primarily to new structure bases. Much of the proposed work would consist of replacing existing infrastructure and would not result in loss of vegetation compared to existing conditions. Therefore, permanent loss of vegetation would be limited to those areas where new poles would be installed (20 poles along Kamehameha Street and 3 within the Kalaupapa Settlement). Because 12 existing poles would be removed to facilitate the new alignment along Kamehameha Street, permanent loss of vegetation would be limited to an area equivalent to 11 structure bases (approximately 0.0014 acres, assuming 32-inch diameter poles). The new alignment would be located along the road; therefore, new access routes are not anticipated to be necessary to facilitate future maintenance requirements.

Impacts on vegetation would also occur at sites where poles and infrastructure would be replaced and along the existing alignment. Impacts would occur in the temporary work areas near each structure base and in the three previously disturbed laydown areas, two in the settlement and one along the Damien Road (see figures 4 and 5). Improvements to existing infrastructure would use existing access routes, and the laydown areas would be within previously disturbed or paved areas, so no additional vegetation clearing, or ground disturbance would be required at these locations. Ongoing ROW maintenance would continue, so no new impacts associated with planned maintenance of the new infrastructure along the existing route would occur. Emergency repairs would occur less frequently than under the no-action alternative because deteriorating system components would be replaced. Unlike locations where new poles would be installed, all impacts on vegetation along the existing alignment would be temporary because there would be no permanent loss or conversion of vegetation. Temporarily disturbed areas would be revegetated in accordance with mitigation measures Veg-1 and Veg-2, as shown in table 2.

Construction of the section of the proposed alignment that would run from the east end of the Kalaupapa Settlement along Damien Road and then up to the pump house would have additional impacts on vegetation commensurate with the amount of ground disturbance. Vegetation clearing, including tree removal, may be required near the water tanks and pump house. This portion of the project area is composed of Java plum forest habitat (figure 7).

The amount of clearing required would depend on the option selected for the portion of the alignment along the pump house road (table 1) and specific features of the final design but would not exceed 4 acres. Option 1 would have the greatest potential for impacts because additional vegetation clearing (potentially including limb cutting or tree removal) may be required to accommodate and maintain an appropriate clearance around an overhead cable compared to the other options being considered. Option 2 would result in up to the same amount of vegetation removal as option 1 but may not require removal of trees because the forest canopy would be less likely to interfere with the cable if it is placed in an on-the-ground conduit compared to an overhead alignment. Option 3 would result in ground disturbance during construction, but would require the least amount of maintenance, including vegetation management, once constructed. Under option 3, much of the new segment would be located adjacent to existing roads or an existing water pipeline, minimizing the need for additional access routes

~~or ROW maintenance. The implementation of appropriate mitigation measures under alternative 2 (table 2: Gen 1 – Gen 4; Veg 1 – Veg 2) would minimize or mitigate adverse impacts to vegetation.~~

Additionally, project construction activities could introduce or spread nonnative invasive plants or disease if contaminated equipment or materials were to enter areas where ground disturbance would occur. Introduction of or spread of invasive plants could change native plant community composition and function, resulting in indirect adverse impacts on vegetation. However, the establishment or spread of nonnative invasive plants would be prevented or minimized by implementing appropriate mitigation measures (table 2: BIS-1 – BIS-4).

Cumulative Impacts

Past actions associated with previous development and historic land uses have altered vegetation communities on the Kalaupapa Peninsula. The past, present, and reasonably foreseeable future actions described at the beginning of this chapter could adversely affect vegetation, but most impacts would consist of temporary disturbances. The Park manages its ecosystem communities and processes, including vegetation resources, to meet or maintain the desired conditions identified in its 2021 GMP (NPS 2021c). Alternative 2 would contribute an adverse increment to the overall cumulative impact due to ground disturbance associated with rehabilitation of the electrical system and ongoing maintenance activities; however, the project area is currently dominated by nonnative species. The implementation of appropriate mitigation measures (table 2: Gen-1 – Gen-4; Veg-1 – Veg-2) would minimize the contribution of alternative 2 to the overall cumulative impact.

HAWAI'I ENVIRONMENTAL POLICY ACT SIGNIFICANCE CRITERIA ANALYSIS

Justification for the NPS's anticipated determination that the proposed action would not have a significant effect on the environment, in accordance with HEPA HAR Chapter 11-200.1 and the applicable "significance criteria" identified in HEPA HAR Chapter 11-200.1-13 is provided below. This determination will be made pursuant to the requirements of HEPA and is separate from a FONSI determination that will be made by the NPS, if appropriate, pursuant to NEPA, following review of public comments on the EA.

Based on the analysis in the EA, the NPS anticipates that the proposed action would not result in significant effects on the environment for the following reasons:

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

Most of the work associated with the proposed rehabilitation of the electrical distribution system would occur in areas that are currently developed or that have been previously disturbed. The project would generally consist of replacing the Park's existing electrical distribution system with similar or in-kind equipment. The proposed action would require limited vegetation clearing. However, most vegetation clearing would be temporary, and the total area of disturbance would not exceed 4 acres. The NPS consulted with the USFWS in accordance with ESA section 7, and the USFWS determined that the proposed project *may affect but is not likely to adversely affect* federally listed species. Under the proposed action, the NPS would implement appropriate mitigation measures to avoid, minimize, or mitigate potential adverse impacts on natural resources including vegetation, wetlands, and threatened or endangered species (table 2: Gen-1 – Gen 6; TES-1 – TES-16; Veg-1 – Veg-2; WL-1 – WL-3). These measures would also prevent or minimize establishment and spread of nonnative and invasive species in the project area (table 2: BIS-1 – BIS-4).

Ground disturbance associated with the proposed action could disturb cultural or historic resources. However, adverse effects could be avoided through archeological monitoring or mitigated through site documentation (table 2: CR-1 – CR-4). The project would improve the condition of dark night skies, an important component of the Park's cultural landscape, by replacing existing lighting with dark sky-compliant fixtures (table 2: CR-5). ~~The portion of the proposed action that would connect the pump house to the Park's electrical distribution system~~

~~could affect the existing viewshed, another component of the cultural landscape, by introducing new visual elements if options 1 (overhead) or 2 (on the ground) are selected. The intensity of impacts would depend on the option selected for this portion of the alignment. These potential effects on the viewshed would not constitute an irrevocable commitment because the line could be removed or buried in the future.~~

With the implementation of the measures listed in table 2, the proposed action would not irrevocably commit a natural, cultural, or historic resource.

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

The proposed action would not curtail the range of beneficial uses of the environment. As noted above, impacts on the natural environment would be minimal, and potential adverse impacts would be avoided, minimized, or mitigated by implementing appropriate measures (table 2). The project would generally consist of replacing the Park's existing electrical distribution system with similar or in-kind equipment. Upgrading the existing infrastructure would result in numerous benefits, including improving efficiency, bringing the system into compliance with current HECO code standards for future operations, increasing reliability, making the system easier for an outside entity to maintain, and eliminating health and safety concerns. The proposed action would also improve the condition of dark night skies by replacing existing lighting with dark sky-compliant fixtures (table 2: CR-5).

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

The proposed action would not conflict with the state's environmental policies or long-term environmental goals established by law. Potential environmental regulatory compliance and permitting requirements associated with the proposed action are summarized in table 7.

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

Rehabilitation of the electrical distribution system and associated construction activities would not adversely affect the economy of the community or state. Minor but temporary increases in employment from the construction workforce and revenues for the businesses engaged in the construction process are expected.

Rehabilitating the electrical distribution system would improve the social welfare of the community because components of the electrical distribution system are at or near the end of their useful service life and failing. Power outages occur frequently within the Park and Kalaupapa Settlement because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors.

The proposed action would not affect the cultural practices of the community or state.

5. Have a substantial adverse effect on public health.

Rehabilitating the electrical distribution system would benefit public health by eliminating health and safety concerns for patient-residents, NPS and HDOH staff, and visitors caused by the existing system, which is at the end its useful service life and failing.

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

The proposed action would have no adverse secondary impacts such as population changes or effects on public facilities. Rehabilitating the electrical distribution system would benefit Park facilities and facilities associated with the Kalaupapa Settlement because the upgrades would improve efficiency, comply with current HECO code standards for future operations, increase

reliability, make the system easier for an outside entity to maintain, and eliminate health and safety concerns.

7. Involve a substantial degradation of environmental quality.

As documented in this EA analysis, the proposed action does not involve a substantial degradation of environmental quality. As described above, most of the proposed action would occur in developed or previously disturbed areas and would have minimal impacts on the environment. Potential adverse impacts would be minimized or mitigated by incorporating the measures listed in table 2.

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

According to the impact analysis in the EA, the proposed action would not result in substantial cumulative adverse effects on the environment and would not involve a commitment for larger actions. Any adverse impacts that may result from the proposed action would be minimized by implementing the mitigation measures listed in table 2.

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

The proposed action would not have a substantial effect on rare, threatened, or endangered species, or their habitats. The NPS would implement appropriate mitigation measures to avoid, minimize, or mitigate potential adverse impacts to these species and their habitats (table 2: Gen-1 – Gen 6; TES-1 – TES-16; Veg-1 – Veg-2; WL-1 – WL-3; BIS-1 – BIS-4). ESA section 7 consultation was completed in June 2021. The USFWS determined that the proposed project *may affect but is not likely to adversely affect* federally listed species.

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

The proposed action would not have a substantial adverse effect on air or water quality or ambient noise levels. The project could result in localized release of fugitive dust during the construction period; however, fugitive dust would dissipate quickly and would not affect air quality over the long term. No ground disturbance would occur within 60 feet of a wetland, stream, or other waterbody. The use of silt fences or other erosion control measures (table 2: Gen-1 – Gen-4; WL-1 – WL-3) would avoid or minimize the potential for indirect effects on water quality from runoff or sedimentation. Ambient noise levels would increase during the construction period but there would be no long-term changes in ambient noise levels or soundscapes in the Park.

11. Have a substantial adverse effect or is likely to suffer damage by being located in an environmentally sensitive area such as a floodplain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.

The proposed action would not have a substantial adverse effect on environmentally sensitive areas. Due to its location, the Park's electrical distribution system could suffer damage as a result of natural processes or events. However, the proposed upgrades are necessary to provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations. As noted above, the proposed action is needed because the components that make up the electrical distribution system are at or near the end of their useful service life, and rehabilitation is required to support existing facilities and future requirements.

Most of the proposed project area, including much of the existing electrical distribution system that serves the settlement, is within the 100-year floodplain. Rehabilitating the Park's existing electrical distribution system would not result in new impacts to the floodplain or alter its function compared to existing conditions.

Portions of the proposed project area are adjacent to the Pacific coastline, including a sandy beach. However, the power line is located along the landward side of the nearest road that parallels the shoreline. No work would occur on beaches.

The Park's shoreline has likely experienced erosion over time through natural and potentially anthropogenic processes. In an effort to improve its knowledge base, the NPS is currently completing an assessment of coastal vulnerability as prescribed in its GMP (NPS 2021c). The assessment will include a review of maps of historical shoreline change showing coastal erosion areas. The proposed project would not affect coastal erosion at the Park.

Most of the proposed project area, including much of the existing electrical distribution system that serves the settlement, is within the tsunami hazard zone. The NPS is focusing on protecting human life and safety through warning and evacuation rather than minimizing property damage. The NPS is taking steps to protect the safety of patient-residents, staff, and visitors including posting warning signs, installing a tsunami warning system, and defining an evacuation route. A complete list of the measures that the NPS is taking to preserve human life in the event of a tsunami is provided in the Park's GMP (NPS 2021c).

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

The Park's viewshed is an important component of the cultural landscape. Most of the work associated with the proposed rehabilitation of the electrical distribution system would occur in the Kalaupapa Settlement and would consist of replacing existing infrastructure with similar or in-kind equipment, to the extent feasible, resulting in minimal changes to the existing viewshed. ~~The portion of the proposed action that would connect the pump house to the Park's electrical distribution system could affect the existing viewshed by introducing new visual elements if options 1 (overhead) or 2 (on the ground) are selected for this portion of the alignment. The intensity of impacts would depend on the option selected. Overall, the proposed action is not expected to have a substantial adverse effect on scenic vistas and view planes identified in county or state plans or studies.~~

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

The proposed action would not require substantial energy consumption or result in substantial greenhouse gas emissions. Rehabilitating the Park's electrical distribution system would not result in an increase of energy consumption. On the contrary, the proposed upgrades would increase the system's efficiency. Construction and transport equipment would result in greenhouse gas emissions during construction; however, the emissions would not be substantial enough to measurably contribute to climate change. ~~The project would reduce greenhouse gas emissions over the long term by connecting the water pump system to the Park's electrical grid, allowing for the removal of the two old diesel generators that currently power the water pump system. One of the old generators would be replaced with a new backup generator. Although the new backup generator would be diesel-powered, it would only be used if the supply of electricity is disrupted and would be operated for limited durations. When the new backup generator is operated, it would produce fewer emissions than the old generators currently in place because of technological advancements in diesel engine efficiency and emissions control systems.~~

During scoping, several options were proposed that focused on renewable energy sources; however, the purpose of the proposed action is to provide the Park and the settlement with a reliable electrical distribution grid—not to produce electricity. As a result, these alternatives were not carried forward for detailed analysis because they did not meet the purpose and need for action, were not feasible, or had several disadvantages. Although solar, hydroelectric, and wind energy options are not feasible at this time, the NPS remains committed to exploring renewable energy options as part of its continued effort to reduce greenhouse gas emissions and

mitigate their effect on climate change as outlined in the Park's Climate Action Plan (NPS 2010a). The proposed project does not preclude adding solar or other renewable energy sources to the Park's electrical system in the future if they become feasible. It also does not preclude sourcing renewable energy from topside Moloka'i for transmission to the Park.

CHAPTER 4: CONSULTATION AND COORDINATION

This chapter describes the consultation and coordination conducted during the preparation of this EA. The internal scoping process for the project began in November 2020. A detailed description of the civic engagement/early consultation process and the agency consultation initiated during the development of the EA is provided below and summarized in table 5.

TABLE 5. CONSULTATION AND COORDINATION SUMMARY

Date	Type of Coordination	Description	Parties Involved
12/15/2020	Civic engagement	Public notice and newsletter	public
12/15/2020–1/29/2021	Civic engagement	45-day public scoping comment period	public
12/17/2020	Civic engagement	Virtual public scoping meeting	public
12/18/2020	Agency consultation	NHPA section 106 consultation initiation letter	SHPD
1/11/2021	Agency consultation	NHPA section 106 consultation response letter received	SHPD
5/3/2021	Agency consultation	ESA section 7 consultation initiation letter	USFWS
5/6/2021	Agency consultation	Email coordination with National Oceanic and Atmospheric Administration, National Marine Fisheries Service regarding consultation requirements	National Oceanic and Atmospheric Administration, National Marine Fisheries Service
6/7/2021	Agency consultation	ESA section 7 concurrence letter received	USFWS
1/2022	Civic engagement	Newsletter	public
10/24/2022	Agency consultation	NHPA section 106 consulting parties virtual meeting	SHPD, DHHL, and 34 registered Native Hawaiian Organizations
10/24/2022	Civic engagement	Virtual public meeting	Section 106 public stakeholders (65 individuals invited)
12/14/2022	Agency consultation	NHPA section 106 consulting party site visit	DHHL
12/14/2022	Agency consultation	HEPA meeting	DHHL

CIVIC ENGAGEMENT/EARLY CONSULTATION

Civic engagement, also referred to as early consultation under HRS 343, began with a public notice and newsletter issued on December 15, 2020, which initiated a 45-day public comment period. The newsletter contained information on the project and was posted on the NPS Planning, Environment, and Public Comment (PEPC) website. The public comment scoping period closed on January 29, 2021.

The NPS also held a virtual public scoping meeting to gather input on the EA on December 17, 2020. The meeting was held online from 10:00 a.m. to 11:30 a.m. Hawai'i Standard Time. The meeting began with a presentation and was followed by a public question-and-answer session, allowing the participants to inquire about the project background, the project area, the purpose of and need for action, the proposed alternatives, and possible issues and impact topics to be analyzed in the EA. Twenty-three people attended the virtual meeting.

Forty-four comments were received during the public comment period. Most of the comments came from questions during the virtual public scoping meeting. Only one comment was received through the PEPC site. Topics addressed by public comments included the use of renewable energy resources (19 comments), consultation with state agencies and utility companies (10 comments), the proposed alternatives (10 comments), and impacts on cultural resources (5 comments). Those comments, including NPS responses to substantive comments, were summarized in a public scoping comment report and were considered during the development of the EA (appendix A). What personal identifiable information the NPS is able to make public is limited due to restrictions under the Privacy Act of 1974. Therefore, this report provides summaries of comments rather than individual comments.

A second newsletter was sent out in January 2022 to project stakeholders. The NPS held a virtual meeting with NHPA section 106 consulting parties on October 24, 2022. Information provided as part of early consultation to these parties is provided in appendix B. A separate virtual public meeting was held on the same day. At both meetings, Park staff presented an overview of the project and led a question-and-answer session. Feedback from consulting parties and members of the public included questions and comments about the project design, existing resources in the project area, potential impacts and mitigation measures, and procedural steps for project compliance and implementation. Comments from these meetings and the NPS's response to those comments are shown below in table 6.

TABLE 6. RESPONSE TO OCTOBER 2022 PUBLIC COMMENTS

Topic	Question	Answer
General	Can the NPS provide project maps that show parcel ownership boundaries?	A map showing ownership boundaries has been added to the EA as appendix C.
General	What is the cost of the project and does the Park have funding?	There is funding for this project. The exact amount of funding has not been specified because a bid for the contract had not been accepted.
General	How long will the project take?	It is estimated that design and construction will take approximately 3 years.
General	How will the project impact the airport?	During construction and operation, it is anticipated that airport operations will not be impacted.

Topic	Question	Answer
Compliance	What are the sensitive resources to be avoided? How will archeological resources be identified? Will an archeologist be present?	Sensitive resources to be avoided include both biological and cultural resources, as described in chapter 3 of the EA. Mitigation measures that would be implemented to avoid, minimize, or mitigate potential impacts to sensitive resources are shown in table 2. Archeological resources in the proposed project area were identified through archeological surveys that are described in chapter 3 under "Cultural Resources." Mitigation measures that apply specifically to archeological and other cultural resources include measures CR-1 – CR-5 in table 2. The NPS will continue to coordinate with SHPD as needed.
Construction	Where will materials be staged?	Preliminary staging areas are shown in chapter 2 in figures 4 and 5. See areas labeled "Laydown Areas." The use of these laydown areas was included in the analysis of the EA. If these areas are changed, further analysis will occur.
Construction	Has the Park consulted with local contractors experienced with similar projects?	Further consultation with contractors, including local contractors, will occur as the design process is completed.
Design	Why were underground lines not considered, consistent with section 9.1.5.3 of <i>NPS Management Policies</i> ?	The current aboveground system is considered a contributing feature to the historic landscape. Additionally, the landscape of the Park contains archeological resources that could be impacted by an underground line. Due to the potential impacts to these cultural resources, underground lines were not considered further.
Design	What is the estimated cost of underground vs. above ground utility lines? Are there benefits from placing utility lines underground away from elements such as salt air?	Due to the level of impacts to cultural resources, the cost consideration of underground vs above ground lines was not considered.
Design	Why were alternative power sources not considered in line with <i>NPS Management Policies</i> ?	The purpose and need of this project is for power distribution, not generation. Further information on why alternative sources of power were not carried forward for further analysis is provided in chapter 2 of the EA.
Design	Please provide a comparison of the three options stated for the Pumphouse Road.	The "Environmental Consequences" section of the EA details the potential impacts from the three options considered.
General	Is there going to be a draft EA prepared for the utility project or is the NPS planning on an exemption from the federal NEPA and section 106 environmental compliance reviews? Will the NPS comply with the State's Chapter 343 and 6E environmental review processes?	The NPS is complying with all federal and state requirements for this effort.

Additional civic engagement activities, including public announcements, newsletters, and/or virtual meetings, will be conducted as needed throughout the NEPA and NHPA section 106 processes. The public will have an additional opportunity to review and comment on the EA for 30 days prior to the signing of a FONSI.

AGENCY CONSULTATION

The NPS initiated consultation with relevant agencies during the preparation of this EA, as discussed in more detail below.

Section 7 of the Endangered Species Act

Section 7 of the ESA requires federal agencies to consult with the USFWS to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The Park initiated informal section 7 consultation on May 3, 2021. On June 7, 2021, the USFWS issued its concurrence with the Park's finding that the proposed project *may affect but is not likely to adversely affect* federally listed species. The USFWS also provided a list of impact avoidance and mitigation measures, which have been incorporated into "Chapter 2: Alternatives, Mitigation Measures."

Section 106 of the National Historic Preservation Act

Section 106 of the NHPA requires federal agencies to consider the impacts of their undertakings on historic properties. Compliance with section 106 of the NHPA was carried out separately, but concurrently, with the planning process. The NPS sent a letter to the SHPD on December 18, 2020, initiating consultation for the project. In a letter dated January 11, 2021, the SHPD replied, acknowledging the consultation and recommending a systematic Archeological Resources Survey (i.e., shovel test) in areas that will be disturbed across the APE. The NPS also held virtual meetings with the SHPD and DHHL to discuss recommended surveys—including an Intensive Archeological Survey, which was completed for areas within the APE where construction activities would require ground disturbance between April 5 and April 29, 2021. The survey report was finalized in September 2021 (Walker and Filimoehala 2021). The NPS held a virtual meeting with NHPA section 106 consulting parties on October 24, 2022. The Park conducted a site visit for DHHL on December 14, 2022. Additional engagement will occur as necessary to complete the NHPA section 106 consultation process.

Department of Hawaiian Homelands and Department of Land and Natural Resources

The NPS is currently in the process of continuing consultation with DHHL and DLNR as the landowners in the leasehold area.

PERMITS AND AUTHORIZATIONS

Table 7 summarizes the potential environmental regulatory compliance and permitting requirements for the proposed project. Other regulatory compliance and permitting actions for construction and operation of the system may be required, pending final design and agency reviews.

TABLE 7. POTENTIAL REGULATORY AND PERMITTING REQUIREMENTS

Item	Legal Citation	Status
NEPA compliance	42 United States Code §§ 4321 et seq.	In progress
HEPA compliance	Ch. 343, Hawai'i Revised Statutes (HRS)	In progress
Federal ESA compliance	Sec. 7, ESA	Completed June 7, 2021

Item	Legal Citation	Status
Hawai'i ESA compliance	Ch. 195D, HRS	TBD
NHPA compliance	Sec. 106, NHPA	In progress
Hawai'i Historic Preservation Program compliance	Ch. 6E, HRS	TBD
Coastal Zone Management Federal Consistency Review	Coastal Zone Management Act, Sec. 307 15 CFR 930 Ch. 205A, HRS	In progress
Hawai'i Conservation District Use Permit	Ch. 183C and 205, HRS Sec. 13-5, HAR	TBD
National Pollutant Discharge Elimination System), Construction Stormwater and Dewatering General Permit	Sec. 401, Clean Water Act Sec. 11-55, HAR	TBD
National Flood Insurance Program Permit	44 CFR Executive Order 11988 Ch. 46, HRS	TBD
Noise Permit/Variance	Ch. 342F, HRS Sec. 11-46, HAR	TBD
Stationary Reciprocating Internal Combustion Engine Permit (if necessary)	Clean Air Act Sec. 11-60.1, HAR	TBD
Sec. 404 D & F Sec. 401 Water Quality Certification (if necessary)	Sec. 404 and 401, Clean Water Act	Permits not anticipated to be required

ACRONYMS AND ABBREVIATIONS

APE	area of potential effect
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CLI	Cultural Landscapes Inventory
DB	design/build
DHHL	Hawai'i Department of Hawaiian Homelands
DLNR	Hawai'i Department of Land and Natural Resources
DPS	Distinct Population Segment
EA	environmental assessment
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
GMP	General Management Plan
HAR	Hawai'i Administrative Rules
HEPA	Hawai'i Environmental Policy Act
HRS	Hawai'i Revised Statutes
HDOH	Hawai'i Department of Health
HECO	Hawaiian Electric
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NPS	National Park Service
Park	Kalaupapa National Historical Park
PEPC	NPS Planning, Environment, and Public Comment
ROW	right-of-way
SHPD	Hawai'i State Historic Preservation Division
USFWS	US Fish and Wildlife Service

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APPENDIX A: PUBLIC SCOPING COMMENT SUMMARY REPORT



Kalaupapa National Historical Park

Rehabilitate and Upgrade the Existing Electrical System
Environmental Assessment

PUBLIC SCOPING
COMMENT SUMMARY REPORT

March 2021

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Appendix A: Virtual Public Scoping Meeting Attendee Report

Appendix B: Virtual Public Scoping Meeting Question and Answer Report

Appendix C: Virtual Public Scoping Meeting Audio Transcript

INTRODUCTION

The National Park Service (NPS) has embarked on a process to rehabilitate the existing electrical system at Kalaupapa National Historical Park (the park) and the Kalaupapa Settlement, located on the island of Molokai in Hawai‘i. NPS is committed to fulfilling its responsibilities as a steward of this special landscape. The current electrical system at the park was installed in 1969 and is owned by the State of Hawai‘i Department of Health and the State of Hawai‘i Department of Land and Natural Resources. An overhead power line, owned by the Hawai‘ian Electric Company (HECO, formerly MECO), follows the Kalaupapa trail and terminates at the 300 kilovolt-ampere HECO-owned substation on the Kalaupapa peninsula; the existing overhead system is tied in and managed by NPS. Rehabilitating and upgrading the electrical system would improve efficiency, comply with current electrical code standards, improve reliability, reduce deferred maintenance, and remove health and safety concerns.

The park released a project newsletter on December 15, 2020, that provided the public with background on the proposed project, the purpose and need for the project, potential alternatives, the planning process, and how to comment on the newsletter. The document was published on the NPS Planning, Environment, and Public Comment (PEPC) website at:

<https://parkplanning.nps.gov/projectHome.cfm?projectID=88896>.

The Council on Environmental Quality’s revisions (2020) to the National Environmental Policy Act (NEPA) regulations state that “Agencies shall use an early and open process to determine the scope of issues for analysis [...] including identifying the significant issues and eliminating from further study non-significant issues” (1501.9). The public scoping period was open for 45 days from December 15, 2020, to January 29, 2021 to solicit comments and information from the community. NPS considered all comments from members of the public and any written comments emailed or mailed to park headquarters, entered the comments into PEPC, and included them in the overall project record. This *Comment Summary Report* provides a summary of the concerns expressed during the public comment period.

SUMMARY OF THE VIRTUAL PUBLIC SCOPING MEETING

During the public scoping period, one virtual public meeting was held over Zoom on December 17, 2020. No in-person public meetings were held because of the COVID-19 pandemic. During the virtual public scoping meeting, the project planning team presented the details of the preliminary alternatives as well as the project background. The public was encouraged to participate by asking questions over a live question-and-answer (Q&A) platform in Zoom. For participants who were unable to use the Q&A function to ask questions, participants were unmuted and able to address their questions directly to NPS staff. Twenty-three people attended the virtual meeting.

DEFINITION OF TERMS

Correspondence: A correspondence is the entire document received from a commenter and includes letters; written comment forms; comments entered directly into the PEPC database; and any other written comments provided either at the public meetings, by postal mail, or in person at the park.

Comment: A comment is a portion of text within a correspondence that addresses a single subject such as visual resources or mitigation measures. The comment could also question the accuracy of the information provided in the newsletter, question the adequacy of any background information, or present reasonable alternatives other than the potential actions presented in the newsletter.

Code: A code is a grouping centered on a common subject, such as “Alternatives: Renewable Energy” The codes were developed during the civic engagement process and are used to track major subjects found in the public scoping newsletter. In cases where no comments are received on an issue, the code is not identified or discussed in this report.

Concern Statements: Concern statements summarize the issues identified by each code. Each code was characterized by concern statements to provide a better focus on the content of the comments.

COMMENT ANALYSIS METHODOLOGY

Comment analysis is a process used to compile and correlate similar comments into a usable format for decision makers and the interdisciplinary project team. Comment analysis assists NPS in organizing, clarifying, and addressing information pursuant to NEPA regulations. It also aids in identifying the topics and issues to be evaluated and considered throughout the planning process.

The process includes five main components:

- developing a coding structure
- employing a comment database for comment management
- reading and coding of comments
- interpreting and analyzing the comments to identify issues and themes
- preparing a comment summary

In the case of this public scoping process, **most of the comments came from questions during the public scoping meeting**. Only *one* comment was received through the PEPC site. Instead of developing a coding structure and using the database to organize the correspondence and comments, a series of issues from both the correspondence submitted in PEPC and the questions asked at the public scoping meeting were developed. From there, information from PEPC and the scoping meetings was summarized to capture the main issues raised by the public.

Although the analysis process attempts to capture the full range of public concerns, this report should be used with caution. *Comments from people who chose to respond do not necessarily represent the sentiments of the entire public.*

CONTENT ANALYSIS TABLES

The NPS PEPC database provides information about the numbers and types of comments received, organized by code and by various demographics. Because only one comment was received through PEPC, there was not enough data available to generate these tables. The table below is a summary of the number of comments received under each code.

Comment Distribution by Code			
Code	Description	Comments	Percentage
T1	Consideration of Renewable Resources	19	43%
T2	Cultural Resources	5	11%
T3	Consultation	10	23%

T4	Alternatives	10	23%
TOTAL		44	100.0%

SUMMARY OF COMMENTS

The following text summarizes the comments received during the comment period and is organized by code into concern statements.

Topic 1 – Consideration of Renewable Resources

CONCERN STATEMENT: Commenters expressed concern that the preliminary alternatives did not include alternatives related to renewable energy sources, including wind generation, microgrids, or batteries. They requested that the feasibility of these options be discussed further and that NPS consider how the project aligns with the recently released Request for Proposal for Community-based Renewable Energy (CBRE) by the Hawai‘ian Electric Company. They suggested that additional information for the project could be provided by consulting with the Ho‘ahu Energy Cooperative Molokai (formerly Molokai Renewable Energy Co-op). They further noted that solar power has been used on historic buildings throughout the state and should be considered.

CONCERN STATEMENT: Commenters asked if the project team was coordinating with the Public Utilities Commission as well as the energy, resiliency, and climate change offices of the State of Hawai‘i and the Office of the Governor.

CONCERN STATEMENT: Commenters asked if the NPS could share with the public the feasibility study that concluded that on-site generation of power was not feasible. They further noted that sharing this information would assist others that are currently working toward the use of renewable energy on Molokai to understand the technical limitations and suggested that the engineering firm who conducted the feasibility analysis hold a presentation of the findings.

Topic 2 – Cultural Resources

CONCERN STATEMENT: Commenters asked how section 106 of the National Historic Preservation Act consultation was being considered in the planning process. Some commenters expressed concerns about impacts related to ground disturbance from installing electrical lines underground, specifically at Makanalua, and asked how deep the trenches would be for the proposed underground electrical lines.

CONCERN STATEMENT: Commenters asked if Makanalua had been surveyed for archeological resources.

Topic 3 – Consultation

CONCERN STATEMENT: Commenters asked what consultation requirements NPS had besides State of Hawai‘i Revised Statutes (HRS) 343 and NEPA. Specifically, commenters inquired how NPS would comply with Special Management Area and Chapter 205A for Makanalua.

CONCERN STATEMENT: Commenters asked how the Department of Hawai‘ian Homelands (DHHL) beneficiaries would be consulted as landowners and if they were aware of this project. They further noted that DHHL beneficiaries and Hawai‘ians have rights and privileges distinguishable from the general public and that as DHHL lands will be made available for homesteading, the importance of alternative energy for homestead communities should be taken into consideration.

CONCERN STATEMENT: Commenters noted that improvements are occurring at the airport and inquired what type of coordination was occurring with the airport.

CONCERN STATEMENT: Commenters asked if NPS has a power purchase agreement with MECO/HECO.

CONCERN STATEMENT: Commenters expressed concern with the public scoping meeting, stating that the ability to comment was limited due to the format. They also stated that proactive community consultation is important, including timing and advanced notices of meetings, using a platform where participants can see who they are talking to, and having multiple opportunities for comment. They requested another public meeting be held before the draft environmental assessment is complete.

CONCERN STATEMENT: Commenters requested to know the input of the Kalaupapa community for this project. They suggested having a Kalaupapa spokesperson on future public meetings to hear their input.

Topic 4 – Alternatives

CONCERN STATEMENT: Commenters asked about the life span of the electrical upgrade, the costs of the updates, and where the funding would come from. They also inquired how much deferred maintenance would be reduced as a result of this project.

CONCERN STATEMENT: Commenters asked if any of the project area overlaps with unexploded ordinance removal in Makanalua.

CONCERN STATEMENT: Commenters asked about the timing of the electrical upgrades, given that the electrical system has been a long standing issue and currently there are just five residents at Kalaupapa. Commenters asked if the NPS has other plans that would require spending money on upgrades at this time.

CONCERN STATEMENT: Commenters inquired about the qualifications of the consultant that was at the public meeting, including where the consultant was located and if they had visited the site. They encouraged the project team to think of ways to make the alternatives more innovative, cost-effective, and environmentally friendly.

Appendix A: Virtual Public Scoping Meeting Attendee Report

Kalaupapa National Historical Park
Virtual Public Scoping Meeting
December 17, 2020

Attendee Report												
Report Generated: 12/17/2020 16:26												
Total Participants (computer and phone): 22												
Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Registered	# Cancelled	Unique Viewers	Total Users	Max Concurrent Views				
KALA Public Meeting	925 2922 3600	12/17/2020 13:25	128	15	4	15	37	0				
Host Details												
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name						
Yes	Emery Hartz	emery.hartz@wsp.com	12/17/2020 13:25	12/17/2020 15:33	128	United States of America						
Panelist Details												
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name						
Yes	Melina Lane-Kamahele	Melina_Lane-Kamahele@nps.gov	12/17/2020 13:42	12/17/2020 15:33	111	United States of America						
Yes	David Futch	david_futch@contractor.nps.gov	12/17/2020 13:30	12/17/2020 15:33	123	United States of America						
Yes	Jonathan Gervis	jonathan_gervis@nps.gov	12/17/2020 13:39	12/17/2020 15:33	114	United States of America						
Yes	George Turnbull	George_Turnbull@nps.gov	12/17/2020 13:38	12/17/2020 15:33	115	United States of America						
Yes	Connie Chitwood	Connie_Chitwood@nps.gov	12/17/2020 13:30	12/17/2020 15:33	123	United States of America						
Yes	Emmeline Morris	emmeline_morris@nps.gov	12/17/2020 13:54	12/17/2020 15:00	69	United States of America						
Yes	Mary Jane Naone	Mary_Jane_Naone@nps.gov	12/17/2020 13:29	12/17/2020 15:33	124	United States of America						
Yes	Lori Fox	lori.fox@wsp.com	12/17/2020 13:32	12/17/2020 15:33	121	United States of America						
Yes	Derrick W. Rosenbach	derrick.rosenbach@wsp.com	12/17/2020 13:26	12/17/2020 14:08	38	United States of America						
Yes	Erika Espaniola	erika_espaniola@nps.gov	12/17/2020 13:31	12/17/2020 13:32	1	United States of America						
Yes	James Sutton	James_Sutton@nps.gov	12/17/2020 13:54	12/17/2020 15:33	99	United States of America						
Attendee Details												
Attended	User Name (Original Name)	First Name	Last Name	Email	Zip/Postal Code	Registration Time	Approval Status	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name	
Yes	Admin	Admin				12/17/2020 13:57	approved	12/17/2020 13:57	12/17/2020 15:33		United States of America	98
Yes	*personally identifying					12/17/2020 13:59	approved	12/17/2020 13:59	12/17/2020 15:00		United States of America	61
Yes	information of attendees has					12/17/2020 14:05	approved	12/17/2020 14:05	12/17/2020 14:29		United States of America	24
Yes	been redacted					12/15/2020 16:06	approved	12/17/2020 13:56	12/17/2020 15:33		United States of America	97
Yes						12/17/2020 14:35	approved	12/17/2020 14:35	12/17/2020 14:40		United States of America	6
Yes						12/17/2020 13:59	approved	12/17/2020 13:59	12/17/2020 14:59		United States of America	61
Yes						12/17/2020 13:58	approved	12/17/2020 13:58	12/17/2020 14:58		United States of America	61
Yes						12/17/2020 13:59	approved	12/17/2020 13:59	12/17/2020 15:33		United States of America	94
Yes						12/17/2020 14:03	approved	12/17/2020 14:03	12/17/2020 15:33		United States of America	94
Yes						12/17/2020 13:56	approved	12/17/2020 13:56	12/17/2020 15:33		United States of America	97
Yes						12/17/2020 14:03	approved	12/17/2020 14:03	12/17/2020 15:33		United States of America	94
Yes						12/17/2020 14:03	approved	12/17/2020 14:03	12/17/2020 15:22		United States of America	79
Yes						12/17/2020 14:02	approved	12/17/2020 14:02	12/17/2020 15:33		United States of America	91
Yes						12/15/2020 16:06	approved	12/17/2020 13:56	12/17/2020 15:33		United States of America	97
Yes						12/17/2020 14:36	approved	12/17/2020 14:36	12/17/2020 14:59		United States of America	23
Other Attended												
User Name	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name								
18082838171	12/17/2020 14:02	12/17/2020 15:33	92	United States of America								
18088957345	12/17/2020 13:56	12/17/2020 15:33	97	United States of America								
18083968390	12/17/2020 13:58	12/17/2020 15:00	63	United States of America								
18083446075	12/17/2020 14:01	12/17/2020 15:33	92	United States of America								
18085732746	12/17/2020 14:00	12/17/2020 15:31	91	United States of America								
18082838171	12/17/2020 14:00	12/17/2020 14:01	1	United States of America								
18084955184	12/17/2020 14:03	12/17/2020 15:33	90	United States of America								

Appendix B: Virtual Public Scoping Meeting Question and Answer Report

Question and Answer Report				
Report Generated:	44182.68			
Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Question
KALA Public Meeting	925 2922 3600	12/17/2020 13:25	128	73
Question Details				
#	Question	Asker Name	Asker Email	Answer(s) *
1	So this is being considered as a 106 consultation?	* personally identifying		* Questions were answered live.
2	What is your compliance mandates besides Chapter 343 and EA?	information of attendees		
3	How will NPS comply with SMA and chapter 205A for Makanalua?	has been redacted		
4	Who's paying for all of this?			
5	How will DHHL beneficiaries be consulted with as landowners?			
6	Does NPS have a Power Purchase Agreement with ?			
7	Emory who is WPS?			
8	What is the projected lifetime of this upgrade? How soon would you be able to consider alternative energy options in future?			
9	Emory can you try to pronounce Kalaupapa correctly?			
10	Did you evaluate wind energy generation?			
11	Why did NPS not put out an RFP for Electrical consults and upgrades?			
12	Bury lines in the road? OMG! will inadvertant finds be covered under the EA?			
13	Why not other renewables and a micro grid and batteries?			
14	DHHL and Hawaiians have rights and privelages distinguishable from the general public			
15	What about the airport? what is the agreement there?			
16	What is the cost of the proposed project and where would the "line item" be?			
17	I received a call from a person who has joined the meeting by phone and does not have computer available. How is that individual able to ask a question?			
18	WHY renewable alternatives NOT in the alternatives?			
19	The airport has an EA for improvements HELLOOO			
20	You should know			
21	What about PUC? Are you in discussions with the PUC and the energy, resiliency and climate change offices of the state of Hawaii and the office of the Governor?			
22	All of Makanalua should AVOID digging at all costs because of inadvertant finds.			
23	Will my question be part of the public record otherwise I wasting my time talking to a computer!			
24	I don't like one way meetings			
25	Is all of Makanalua surveyed?			
26	Who is WPS Connie?			
27	Resource benefits reduce diesel is lame..... sorry cause meco IS SENDING POWER TO YOU BY DIESEL AND THE COMMENT THAT YOU NOT CONSIDERING RENEWABLE ALTERNATIVE ENERGY IN THE EA IS NOT EXCEPTABLE. Sorry for caps not intentional			
28	Wow David			
29	Did NPS discuss renewable energy alternatives with topside Molokai group that continues to be very proactive in pursuing effortas to become energy self sufficient and get away from fossil fuels and contribute to the State's commitment to reduce fossil fuel usage			
30	KALA need to revisit these temporay upgrades and incorporate the idea of microgrids and battery storage			
31	On many historic building throughout the state of Hawaii there are solar panels on historic buildings and historic homes, why not at Kalaupapa			
32	KALA can be off the grid like marine corp base and not rely on MECO			
33	How to solve problem? ASK Hello.....RFP Helloooo....Consult hellooo....not only solar get wave wind etc.			
34	Change historic nature David! The airport is putting in a huge radio tower next to the historic light house come on!			
35	I understand that KNHP energy is generated by HECO. So can KNHP subscribe to community-based renewable energy topside to provide renewable energy to the settlement?			
36	Was there a report issued regarding the specific results of NPS's analysis of the renewl energuy alternatives? If there is such a report is it available to the public?			
37	Not good enough David			
38	what is the current and projected energy needs for Makanalua? And again what is the projected cost for your line item for the federal government?			
39	Phase 1? Like Tier 1, tier 2 ordinance removal?			
40	What is the cost to fully implement the project?			
41	What about the ordinance removal in Makanalua? Does that overlap into any of the project areas?			
42	Shovel test????			
43	what depths etc? The project calls for trenching hello?			

44	Close to water lines "we hope" not good enough?			
45	This is a public scoping meeting and should be a part of the eventual record			
46	WSP was hired then?			
47	What are WSP roots and connections to Molokai, Hawaii, do they have cultural consultants? Who are they?			
48	In the material sent out for today's meetng there is a statement that the improvemenrts to the utility system will reduce deferred maintenace. what is NPS's current deferred maintenance NPS is dealing with and how much will the deferred maintenace total be reduce when this project is implemented.			
49	MECO has been scolded repeatedly for not incorporating renewable energy			
50	thus new laws			
51	Will the audio recording of this meeting be available to those who request it			
52	This one way meeting sucks thank you			
53	Remember NPS you do not own the land but may own the electrical grid			
54	I will take up my concerns with the landowners			
55	NPS has release a cost of \$18,000,000 for the project to the public on several occasions including during the Section 106 meetings associated with Kalaupapa's General Management Plan. Is that a reasonably accurate figure?			
56	This meeting was frustrating which is status quo for NPS!			
57	What did you guys pay WSP?			
58	Is that confidential too?			
59	How many people are on this meeting?			
60	What is NPS's deferred maintenance total today			
61	LOL next time ill call in so i can talk!			
62	Is that you Aunty Pua asking question by phone?			
63	I believe the question was "what is a terrestrial ecologist"			
64	So.....I have provided 50 Q&A in this short time, So NPS know I was not able to use the chat function and only the Q&A			
65	Super evasive answers NPS you guys as an organization are failing in meeting your mission and compliance mandates in the area of consultation, 343, 205A, NEPA, 106 etc. That is why there is NO TRUST.			
66	NPS funding is Taxpayer \$\$\$\$ I will work to open discussion with our congressional reps.			
67	Also Fed \$\$ are triggers for compliance and we know what those are			
68	Good manao Valerie Monson I agree!			
69	Can I have a copy of this meeting today with the Q&A thank you			
70	comment: the mispronounciation of Hawaiian names by the facilitator is disheartening			
71	I agree with DeGray			
72	Amazing how we can ZOOM for this but not for 106 and GMP KALA meetings?			
73	Why is that?			

Appendix C: Virtual Public Scoping Meeting Audio Transcript

Kalaupapa National Historical Park

Virtual Public Scoping Meeting

December 17, 2020

Audio Transcript

*Note: Meeting transcript has been redacted to protect personally identifying information of attendees.

APPENDIX B: CONSULTING PARTIES EARLY CONSULTATION PACKET

Kalaupapa National Historical Park

Rehabilitate the Unsafe and Failing Electrical System



Project Overview

Kalawao County relies completely on electricity produced by HECO at the Pala'au power plant. It is transmitted by high voltage lines down the cliff and into Kalaupapa Settlement. The entire network of poles, lines, insulators, transformers, etc. is known as the electrical distribution system. Kalaupapa National Historical Park (KNHP) manages this system and has initiated a rehabilitation project to bring the system up to current utility service code, improve reliability, reduce deferred maintenance, and minimize potential safety hazards to the Kalaupapa Community. Current service area extends from the main settlement to the airport. The electrical distribution system is hindered by deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures that cause frequent power outages. Included in this project is the installation of new electrical service to the water pumphouse. The water system's pumps are currently powered by two diesel driven engine generators. The new electrical service will reduce the need for fuel storage, preclude potential fuel spills, eliminate onsite generator usage, reduce air pollution, and ensure safe and continuous clean water delivery to the community.

Project Update

The National Park Service strives to avoid or minimize impacts to all resources. This information package is to provide you with status updates as we transition from the predesign into the design phase of the project and continue consultation with our state and local partners. In December 2020, NPS held a public scoping meeting and sent out a newsletter relating to the Environmental Assessment (EA). In the months that followed, consulting parties provided valuable input that the project team used to evaluate the impacts of the project in preparation of an Environmental Assessment (EA). In conjunction

with the EA we have determined that effects on cultural resources need to be more thoroughly considered and addressed before continuing with both the EA and 106 process.

Known Historic Properties

As a result of the predesign process, cultural and natural resources that may be affected were identified. An analysis of the existing electrical system determined it to be eligible for the National Historical Landmark (NHL) as a contributing element to the KNHP. Character defining features identified include pole height, pole interval, crossbars 8' or shorter in length, brown ceramic insulators, and fuse cutout that encloses the fuse, to name a few. Also identified during predesign studies were archaeological resources, historic surface features and walls, all of which contribute to the unique character of the settlement and help to tell the history of the Hawaiian community.

In the predesign phase, two elements of concern emerged that are requiring thoughtful resolution and ideas to move forward. The first concern is the Kamehameha Avenue segment, where some existing power poles are located in a culturally sensitive area. The Park is anticipating relocating these poles away from any cultural sites and closer to the paved



road. This new location will make it easier for maintenance access and protect the cultural sites. The challenge is to determine the most appropriate way to address the existing poles: (1) Leave them in place; (2) cut the poles and remove in sections; and (3) determine any impacts of new poles being installed in the proposed area.

The second area of concern is regarding the installation of a new electrical service line to the water Pumphouse. An existing underground water line runs from the Pumphouse down Waihanau Road, then along Damien Road to the settlement. The project proposes to install the electrical line underground and parallel with the water line. This will allow the park to avoid disturbance of any surface archeological sites adjacent to these roads as well as impacts to the view scape. Hard rock and a narrow service corridor is limiting options for design.

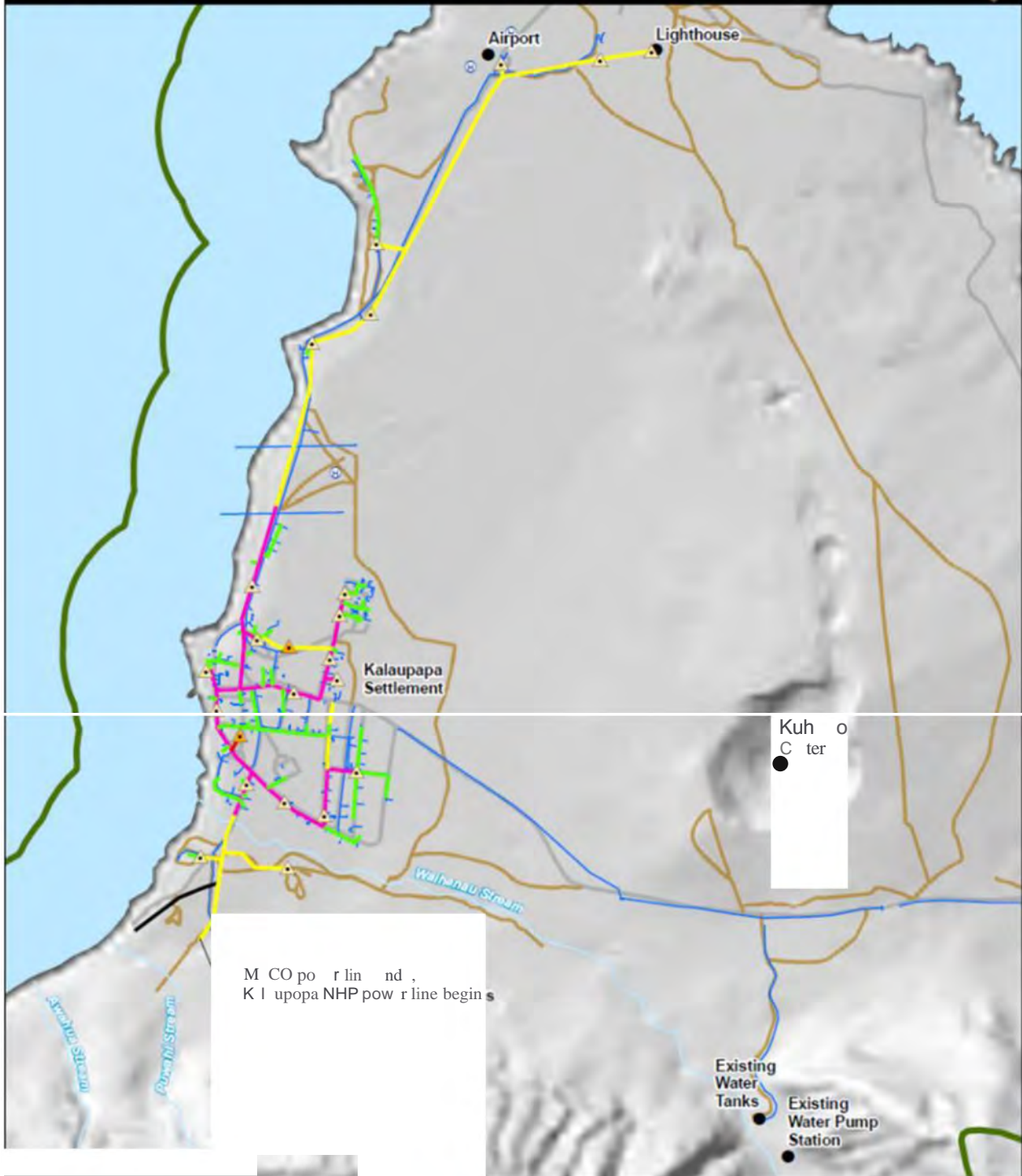
Current choices identified for the Pumphouse Road Electrical Service discussion on October 17th will include;

- (1) Combination of horizontal drilling/trenching and installation of a parallel electrical line to the existing water line;
- (2) an overland line option that does not involve poles but sits above ground and finally, and;
- (3) Overhead power lines. All come with the possibility of some adverse effects on the historic properties, viewshed and cultural landscape.

Next Steps

The Park is committed to delivering this project to the community with a high level of diligence, sensitivity, thoughtfulness and balance. As we continue the Section 106 Consultation Process, NPS will be seeking input from the public and consulting parties regarding potential design solutions to address the identified resource concerns. We will continue discussions with the consulting parties regarding the issues presented in this newsletter through December 15, 2022 and will use input from these discussions to further develop the forthcoming Environmental Assessment.

For questions or general comments, please contact: KALA_consultation@nps.gov



LEGEND

- Existing Overhead Primary and Secondary Electrical System
- Existing Overhead Primary Electrical System
- Existing Overhead Secondary Electrical System
- Existing Gas Line
- Existing Water Line
- Stream
- Road
- Dirt Road
- Optical Fiber
- Kalaupapa

- Existing Water Line
- Stream
- Road
- Dirt Road
- Optical Fiber
- Kalaupapa

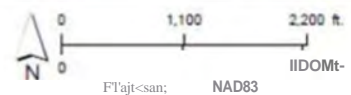


FIGURE 3

Kalaupapa Onsite
Existing Utilities

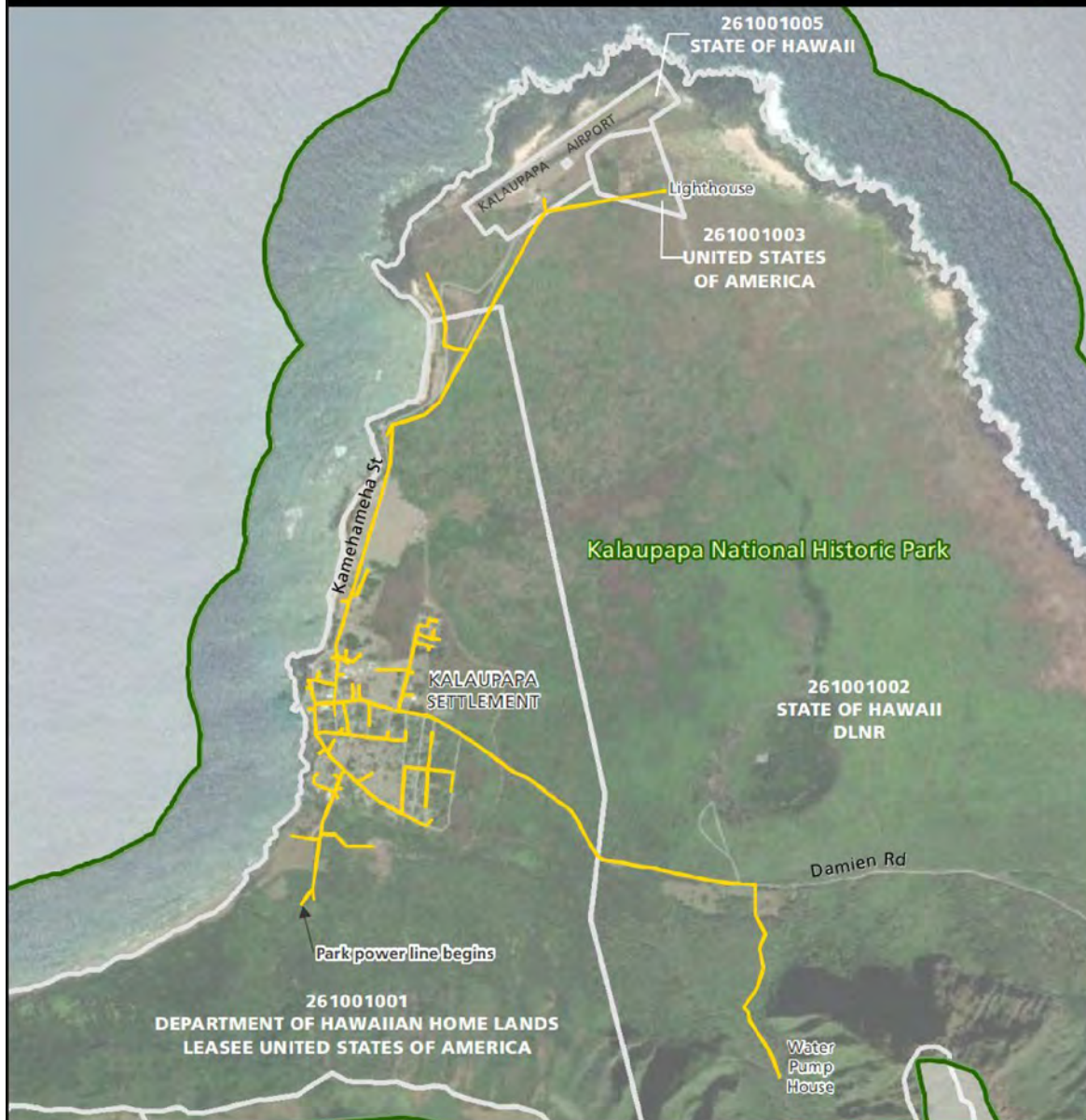
U.S. Department of the Interior
National Park Service
Kalaupapa National Historical Park
Kalaupapa, Hawaii

APPENDIX C: PARCEL BOUNDARIES AND OWNERSHIP

Kalaupapa National Historical Park

Hawai'i

National Park Service
US Department of the Interior



Legend

c:J Project Area
NPS Boundary
Tax Map Key Boundary

North
Cf)

Coordinate System:
h1AD 1983 UTM 4 North Meters.

0 0.5 Kilometers

0 2,000 Feet



MOLOKAI

LANAI

MAUI



National Park Service
U.S. Department of the Interior

Kalaupapa National Historical Park
Hawai'i

FINDING OF NO SIGNIFICANT IMPACT
Rehabilitate and Upgrade the Existing Electrical System,
Kalaupapa National Historical Park, Hawai'i

SIGNATURES

Recommended:

Nancy Holman
Superintendent, Kalaupapa National Historical Park

Date

Approved:

David Szymanski
Regional Director, Interior Regions 8, 9, 10, and 12
National Park Service

Date

FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT FOR THE REHABILITATION AND UPGRADE OF
THE EXISTING ELECTRICAL SYSTEM
US Department of the Interior
National Park Service
Kalaupapa National Historical Park

INTRODUCTION

The National Park Service (NPS) prepared an environmental assessment (EA) for the Kalaupapa National Historical Park (the Park) in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA) and the Hawai'i Environmental Policy Act (HEPA) and provides compliance on both federal and state lands. The EA examines the environmental impacts and reasonable alternative actions associated with rehabilitating and upgrading the failing electrical distribution system.

The statements and conclusions reached in this Finding of No Significant Impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file.

BACKGROUND

The Park is located on the Kalaupapa Peninsula on the Hawaiian island of Moloka'i. The Park differs from other national park system units in that nearly all the land, marine areas, and improvements within its authorized boundary are not federally owned and are instead managed through cooperative agreements between the NPS and other parties, and a lease agreement with the Department of Hawaiian Homelands (DHHL). The State of Hawai'i's Department of Land and Natural Resources (DLNR), Department of Transportation, and DHHL own the land within the Park boundaries.

The project area is geographically situated along the west side of the Kalaupapa Peninsula. The project area is located within the Park, primarily within the existing settlement. However, portions of the project area extend north to the Moloka'i Light Station and east along Damien Road to an existing water pump station approximately 1.5 miles from the settlement. Figure 2 of the EA shows the project area location. As discussed further under "Selected Action," after further evaluation, the area along Damien Road to the existing water pump station has been removed from the project area.

The current electrical distribution system at the Park was installed in 1969 and is owned by the Hawai'i Department of Health (HDOH) and is managed by the NPS. Power outages occur frequently within the Park because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors. Rehabilitating and upgrading the electrical distribution system will improve efficiency, comply with current Hawaiian Electric (HECO) code standards for future operations, increase reliability, make the system easier for an outside entity to maintain, and remove health and safety concerns.

SELECTED ACTION AND RATIONALE FOR DECISION

The NPS analyzed two alternatives in detail in the EA—the no-action alternative and one action alternative (alternative 2). Based on this analysis, the NPS selected alternative 2: rehabilitate the existing electrical system. The no-action alternative would not rehabilitate the failing electrical distribution system at the Park or in the settlement. Power outages would continue to occur frequently because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. Health and safety concerns for patient-residents, NPS and HDOH staff, and visitors

would continue because the components of the electrical distribution system are at or near the end of their useful service life and failing. Alternative 2 (selected action) has been chosen for implementation because it best meets the purpose of and need for action without significant impacts on park resources.

Selected Action

The selected action will rehabilitate the settlement's single and three-phase aboveground electrical distribution system to a looped system (figures 3 and 4 of the EA). Improvements will remove safety hazards, improve reliability, and make the system easier for an outside entity to maintain. The selected action will occur in two general areas: within the settlement and along Kamehameha Street (the road extending from the settlement to the airport). Elements of the selected action within each section are described below. However, because many elements of the selected action will occur throughout the existing alignment, which encompasses the settlement and the entire length of Kamehameha Street, these areas are described together.

The EA considered extending the power supply to the water pump house station to address the condition of the current equipment. The existing water pump house generator and auxiliary equipment are old, in poor condition, and have reached the end of their service life. Additionally, the old diesel-powered generators that currently power the pump house rely on outdated emissions control technology, which cause them to create excessive carbon emissions compared with modern diesel-powered generators.

The analysis of the three options in the EA (table 1 of the EA) shows impacts to various park resources under all three options. Therefore, the NPS evaluated replacing the existing generators with new, more efficient generators without connecting the water pump house and backup generator to the rehabilitated electrical distribution system. As part of the planning to further inform the NEPA process and project design, the NPS conducted a Choosing By Advantages (CBA) workshop to provide a method for evaluating the various benefits and impacts of project elements. Based on the discussions in this workshop and the analysis in the EA, it was determined that the generator replacement option, which falls under the no-action alternative evaluated in the EA, will reduce costs and result in fewer impacts to natural and cultural resources, compared to the three options evaluated in the EA under the preferred alternative.

After further consideration and based on the results of the CBA, the NPS has selected the no-action alternative for addressing the water pump station. This action will occur independently of the rehabilitation of the park's electrical system, and the appropriate steps will be taken to comply with NEPA and other environmental regulations separate from this EA. All other actions under alternative 2 have been selected as described below.

Settlement and Kamehameha Street

Within the existing electrical distribution system alignment and settlement area, the selected action will:

- Replace 237 power poles.
- Replace 56 existing pole-mounted light fixtures with dark sky-compliant lighting.
- Upgrade 22 poles from single phase to three phases.
- Upgrade insulators and attachment hardware for all poles.
- Replace and upgrade 39,000 linear feet of aboveground cable as needed.
- Replace 2 pad-mounted and 23 pole-mounted transformers.

- Install a new alignment of 20 poles along Kamehameha Street to reduce potential impacts on cultural resources and documented archeological sites and facilitate access for pole maintenance.

Rationale for Decision

The NPS selected the proposed action (preferred alternative) from the EA, as amended in this FONSI, for implementation because it best meets the purpose and need for the action without causing significant impacts on park resources. The purpose of the selected action is to provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations. The selected action is needed because the condition of the electrical distribution system is substandard, inadequate, and potentially dangerous. The existing components that make up the electrical distribution system are at or near the end of their useful service life, and rehabilitation is required to support existing facilities and future requirements.

Mitigation Measures

The NPS places strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. Under its Organic Act, the NPS has the authority to develop and direct mitigation for impacts on resources under its jurisdiction. This is in addition to requirements needed to comply with laws and regulations managing resource impacts that are overseen by other agencies. To meet these obligations, the NPS has developed management policies and director's orders that identify the authorities (laws, regulations, and executive orders) directing how impacts and mitigation to resources will be managed and identifying the policies and procedures by which the NPS will comply with these authorities. A full listing of the NPS policies is available from the NPS Office of Policy website at: <https://npspolicy.nps.gov/index.cfm>. Therefore, the NPS will implement multiple mitigation measures to protect the natural and cultural resources that the project could affect.

To prevent and minimize environmental impacts related to the selected alternative, the NPS will incorporate best management practices and mitigation measures into design plans and specifications to be implemented during the construction and post-construction phases of the project. Mitigation measures that will be implemented under the selected alternative are shown in table 2 of the EA and table 1 below. Since the publication of the EA, one additional measure has been added to the table below (CR-6).

TABLE 1: MITIGATION MEASURES

#	Mitigation Measure	Authority	Responsibility
General			
Gen-1	Clearly state resource protection measures in the construction specifications instruct workers to avoid conducting activities outside the project area. Limit disturbances to roadsides and other areas inside the project area.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	Design/Build (DB) Contractor
Gen-2	Hold a preconstruction meeting to inform contractors about NPS sensitive areas, including natural and cultural resources.	NPS Kalaupapa National Historical Park 2021 Revised General	NPS/DB Contractor

#	Mitigation Measure	Authority	Responsibility
		Management Plan	
Gen-3	Delineate construction zones outside existing disturbed areas with flagging and confine surface disturbance to the construction zone.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
Gen-4	Site staging and storage areas for construction vehicles, equipment, materials, and soils; and wash rack for cleaning vehicles and equipment, in previously disturbed or paved areas approved by the NPS. These areas will be outside visitor use areas and clearly identified in advance of construction.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
Gen-5	Require contractors to properly maintain construction equipment to minimize noise and do not allow construction vehicle engines to idle for extended periods.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
Gen-6	Remove tools, equipment, barricades, signs, and surplus materials from the project area upon completion of the project.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
Cultural Resources			
CR-1	In accordance with the recommendations of the September 2021 Archeological Survey report for the project (Walker and Filimoehala 2021), complete 3.28-foot by 3.28-foot (1 meter by 1 meter) controlled excavation units at the four locations where traditional Hawaiian archeological deposits were identified to document and characterize the deposits. Archeological surveys were previously conducted in 2018 and 2019 (Chambers and Athens 2020; Chambers and Pacheco 2020). These surveys have helped inform design and avoid potential impacts to buried cultural resources.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	NPS/DB Contractor
CR-2	Prior to the start of construction, develop an archeological monitoring plan to identify monitoring locations and describe	NPS Director's Order #28	NPS/DB Contractor

#	Mitigation Measure	Authority	Responsibility
	procedures and methods to ensure resources are avoided, or in some cases recorded, prior to unavoidable impacts.		
CR-3	Conduct archeological monitoring during construction in accordance with the approved archeological monitoring plan. Prepare an archeological monitoring report in accordance with Hawai'i State Historic Preservation Division Administrative Rule 13-279.	NPS Director's Order #28	NPS/DB Contractor
CR-4	Implement measures during construction such as the use of plywood or other ground cover to protect the subsurface from heavy machinery.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
CR-5	Replace existing lighting with dark sky-compliant fixtures and use dark sky-compliant fixtures for new lighting.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	NPS/DB Contractor
CR-6	Provide an educational briefing for the construction crew prior to the project start and as new contractors come on-site. The purpose of this briefing will be to help members of the crew recognize archeological resources in the field. The briefing will also explain the protocols for working around these resources so that they are not impacted.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	NPS
Threatened, Endangered, and Other Special Species Status			
TES-1	Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat-birthing and pup-rearing season (June 1 through September 15).	US Fish and Wildlife Service (USFWS) 2023 Biological Opinion	DB Contractor
TES-2	Do not use barbed wire fencing.	USFWS 2023 Biological Opinion	DB Contractor
TES-3	Do not approach, feed, or disturb the Hawaiian goose.	USFWS 2023 Biological Opinion	DB Contractor
TES-4	If the Hawaiian goose is observed loafing or foraging within the project area during the breeding season (September through April), engage a biologist familiar with Hawaiian	USFWS 2023 Biological Opinion	NPS

#	Mitigation Measure	Authority	Responsibility
	goose nesting behavior to survey for nests in and around the project area prior to the resumption of work. Repeat surveys after subsequent delays of work of three or more days (during which the birds may attempt to nest).		
TES-5	Cease work immediately and contact the USFWS for further guidance if a nest is discovered within a radius of 150 feet of the project, or a previously undiscovered nest is found within the 150-foot radius after work begins.	USFWS 2023 Biological Opinion	NPS
TES-6	In areas where the Hawaiian goose is known to be present, post and implement reduced speed limits and inform project personnel and contractors about the presence of endangered species on-site.	USFWS 2023 Biological Opinion	NPS
TES-7	Do not conduct project work directly in aquatic environments.	USFWS 2023 Biological Opinion	DB Contractor
TES-8	In areas where waterbirds are known to be present, post and implement reduced speed limits and inform project personnel and contractors about the presence of endangered species on-site.	USFWS 2023 Biological Opinion	NPS
TES-9	Engage a biological monitor familiar with the species' biology to conduct Hawaiian waterbird nest surveys where appropriate habitat occurs within the vicinity of the project area prior to project initiation. Repeat surveys again within three days of project initiation and after subsequent delays of work of three or more days (during which the birds may attempt to nest). If a nest or active brood is found: <ul style="list-style-type: none"> • Contact the USFWS within 48 hours for further guidance. • Establish and maintain a 100-foot buffer around active nests and broods until the chicks/ducklings have fledged. Do not conduct potentially disruptive activities or habitat alteration within this buffer. • Have a biological monitor familiar with the species' biology present on-site during construction or earth-moving activities until the chicks/ducklings fledge to ensure that Hawaiian waterbirds and nests are not adversely affected. 	USFWS 2023 Biological Opinion	NPS/DB Contractor
TES-10	Do not stockpile project construction-related materials (e.g., fill, revetment rock, pipe) in or near aquatic habitats; implement erosion control measures (e.g., protect with filter fabric) to prevent materials from being carried into waters by wind, rain, or high surf.	USFWS 2023 Biological Opinion	DB Contractor
TES-11	Fuel project-related vehicles and equipment away from aquatic environments and develop a contingency plan to control petroleum products accidentally spilled during the project, especially when being unloaded from the barge. Retain the plan on-site with the person responsible for plan compliance. Store absorbent pads and containment booms on-site to facilitate the clean-up of accidental petroleum releases.	USFWS 2023 Biological Opinion	DB Contractor
TES-12	Protect deliberately exposed soil or under-layer materials used in the project near water from erosion and stabilize as soon as	USFWS 2023 Biological Opinion	DB Contractor

#	Mitigation Measure	Authority	Responsibility
	possible with geotextile, filter fabric, or native or noninvasive vegetation matting or hydro-seeding.		
TES-13	Use only downward-facing and shielded lighting for lighting used during construction or installed as part of the project to prevent it from being visible from above.	USFWS 2023 Biological Opinion	DB Contractor
TES-14	Do not conduct project work during the night.	USFWS 2023 Biological Opinion	DB Contractor
TES-15	If Blackburn's sphinx moth or its host plants are identified in the project area before or during project construction, contact the USFWS for guidance on mitigation measures to be implemented.	USFWS 2023 Biological Opinion	NPS
TES-16	Prohibit tree tobacco from entering the project area to avoid attracting Blackburn's sphinx moth.	USFWS 2023 Biological Opinion	NPS
Vegetation			
Veg-1	Develop a detailed revegetation and rehabilitation plan for enhancing areas disturbed by the project. The primary objective of the plan will be to reestablish a self-sustaining native plant community and ensure soil stability. Where applicable, grade disturbed areas to natural contours; replace stockpiled topsoil; and mulch, replant, or reseed with native plants. Regularly monitor planted areas to determine whether remedial actions such as erosion control, invasive, nonnative plant species control, or replacement plantings are necessary.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	NPS/DB Contractor
Veg-2	Monitor reclaimed areas annually for five years after construction to determine whether reclamation and revegetation efforts were successful.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	NPS
Wetlands			
WL-1	Avoid siting staging areas in immediate proximity to wetlands and streams.	NPS Director's Order 77-1	DB Contractor
WL-2	Use silt fences or other erosion control measures during construction to minimize the potential for sedimentation or water quality degradation in wetlands and streams.	NPS Director's Order 77-1	DB Contractor
WL-3	Conduct project work in compliance with NPS Director's Order 77-1: <i>Wetland Protection</i> (NPS 2016a).	NPS Director's Order 77-1	DB Contractor
Biosecurity and Invasive Species			
BIS-1	Thoroughly pressure wash vehicles, equipment, and machinery such that they are visibly free of dirt, mud, plant debris, and invasive pests at an NPS-approved location prior to entering the Park.	NPS Kalaupapa National Historical	DB Contractor

#	Mitigation Measure	Authority	Responsibility
		Park 2021 Revised General Management Plan	
BIS-2	Sanitize cutting tools including handsaws, machetes, chainsaws, and loppers to remove visible dirt, contaminants, and potential pathogens prior to entry into the Park.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
BIS-3	Before entering the Park, visually inspect and clean personal protective equipment, including boots, clothes, hard hats, harnesses, belts, and equipment for dirt, mud, seeds, plant debris, and insects.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
BIS-4	At their discretion, NPS personnel from the Park will perform inspections of vehicles, equipment, machinery, cutting tools, base yards, staging areas, materials, material packaging, material deliveries, material storage, and personal protective equipment to confirm that they are visibly free of dirt, mud, plant debris, and invasive pests.	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	NPS

OTHER ALTERNATIVES CONSIDERED

Alternatives were identified during internal, agency, and public scoping. During scoping, several options were proposed that focused on renewable energy sources, including the potential use of renewable energy on the topside of Molokai; however, the purpose of the selected action is to provide the Park and the settlement with a reliable electrical distribution grid—not to produce electricity. As a result, these alternatives were not carried forward for detailed analysis because they did not meet the purpose and need for action, were not feasible, or had several disadvantages.

Photovoltaic Arrays

Solar availability within the Park is limited by the pali (i.e., cliffs) that shade the peninsula much of the day and reduce the quantity of electricity generated. Additionally, the water pump house is in a deep valley that limits the amount of available sunlight, making a photovoltaic array option not feasible. Use of the land at the top of the pali was deemed not feasible because the land is privately owned, and additional leasing agreements with the landowners would be required. Furthermore, installing infrastructure from the topside and down the pali could affect sensitive resources and change the existing viewshed (MK Engineers 2015).

Hydroelectric and Wind Energy

Hydroelectric sources were also deemed not feasible because the stream on which the water pump house is located is ephemeral (intermittent). Wind energy sources were deemed not feasible because the water pump house is in a deep valley with less wind than elsewhere on the peninsula (NPS 2017a).

POTENTIALLY AFFECTED ENVIRONMENT

Resource topics carried forward for full analysis in the EA include cultural resources; threatened, endangered, and other special status species; and vegetation. The affected environment (existing conditions) for elements of those resources that will be affected by the implementation of the selected action is described in chapter 3 of the EA.

THE DEGREE OF THE EFFECTS OF ACTION

The following topics have been considered in evaluating the degree of the effects the selected alternative.

Beneficial, Adverse, and Short- and Long-term Effects of the Selected Action

The NPS reviewed the environmental impacts described in the EA and determined that no significant direct, indirect, or cumulative impact will occur to any of the Park's resources. The NPS considered the following actual or potential project impacts in evaluating the degree of the effects for the selected action. Specifically, there are no highly uncertain or controversial impacts, unique or unknown risks, elements of precedence, or cumulatively significant effects identified. As described in the EA, the selected alternative has the potential for adverse and beneficial impacts on cultural resources; vegetation; and threatened, endangered, and other special status species.

Under the selected alternative, ground-disturbing activities, including removing and replacing utility poles and other related project elements could affect archeological resources. The Kalaupapa electrical system is a single contributing resource to the Kalaupapa Leprosy Settlement NHL and includes 232 wood poles supporting both primary and secondary lines (NPS 2021a, 2021b). Rehabilitation of the electrical system, including replacement of electrical poles, will affect this contributing resource. Rehabilitation and maintenance of the electrical system under the selected alternative will have direct impacts on the electrical system that could be both adverse and beneficial.

Past, present, and reasonably foreseeable actions described in the EA are not expected to adversely affect the Park's cultural resources. The Park manages its cultural resources to meet the desired conditions identified in its 2021 GMP (NPS 2021c) and in accordance with NPS's *Cultural Resource Management Guideline* (NPS 1998). The selected action will result in both beneficial and adverse impacts to cultural resources, as described above. The implementation of appropriate mitigation measures will minimize or mitigate adverse impacts (table 1: Gen-1 – Gen-4; CR-1 – CR-6). Overall, the cumulative impact on cultural resources will be neither beneficial nor adverse because the Park will maintain its desired conditions for cultural resources. The selected alternative will not contribute a noticeable increment to the overall cumulative impact to cultural resources because potential adverse impacts will be appropriately mitigated.

Rehabilitation of the existing electrical distribution system under the selected alternative could temporarily disturb threatened, endangered, and other special status species. Rehabilitation will include replacement of power poles, cables, and transformers and installation of new power poles.

Impacts to threatened, endangered, and other special status species could occur during construction and maintenance activities. Potential direct and indirect adverse impacts also include noise and visual disturbances associated with temporary work areas, laydown areas, and pulling and tensioning sites. Additionally, the potential for the introduction of nonnative species including invasive weeds and plants; invasive pests (e.g., coqui frogs and frog eggs, rats, and mice); insects (e.g., little fire ants and

coconut rhinoceros beetles); and diseases such as Rapid 'Ōhi'a Death could directly and indirectly adversely affect the Park's threatened, endangered, and special status species. Nonnative species can be introduced through contaminated equipment, materials, or clothing. The introduction of nonnative species can affect native species directly, through mortality (e.g., predation or disease), or indirectly, through competition or habitat degradation. Under the selected alternative, the NPS will implement measures to prevent or minimize establishment and spread of nonnative and invasive species (table 1; BIS-1 – BIS-4). Most of the actions associated with this electrical utility replacement project will occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways. Finally, the USFWS concluded that with the Park's implementation of the recommended and extensive list of measures, as outlined in table 1 (TES-1 – TES-16), potential adverse impacts will be insignificant (meaning that effects are undetectable) and/or discountable (meaning that impacts are extremely unlikely to occur) in accordance with section 7 of the Endangered Species Act (ESA). The selected alternative will not contribute to cumulative impacts on threatened, endangered, or special status species.

Rehabilitation of the existing electrical distribution system under the selected alternative will have direct, permanent and temporary, adverse impacts on vegetation. Permanent loss of vegetation will be limited primarily to new structure bases. Much of the work will consist of replacing existing infrastructure and will not result in loss of vegetation compared to existing conditions. Therefore, permanent loss of vegetation will be limited to those areas where new poles will be installed (20 poles along Kamehameha Street and 3 within the Kalaupapa Settlement). Because 12 existing poles will be removed to facilitate the new alignment along Kamehameha Street, permanent loss of vegetation will be limited to an area equivalent to 11 structure bases (approximately 0.0014 acres, assuming 32-inch diameter poles).

Impacts on vegetation will also occur at sites where poles and infrastructure will be replaced and along the existing alignment. Impacts will occur in the temporary work areas near each structure base and in the two previously disturbed laydown areas within the settlement (see figures 4 and 5 in the EA). Improvements to existing infrastructure will use existing access routes, and the laydown areas will be within previously disturbed or paved areas, so no additional vegetation clearing or ground disturbance will be required at these locations. Ongoing right-of-way maintenance will continue, so no new impacts associated with planned maintenance of the new infrastructure along the existing route will occur. Emergency repairs will occur less frequently than under the no-action alternative because deteriorating system components will be replaced. Unlike locations where new poles will be installed, all impacts on vegetation along the existing alignment will be temporary because there will be no permanent loss or conversion of vegetation. Temporarily disturbed areas will be revegetated in accordance with mitigation measures Veg-1 and Veg-2, as shown in table 1.

Past actions associated with previous development and historic land uses have altered vegetation communities on the Kalaupapa Peninsula. The past, present, and reasonably foreseeable future actions could adversely affect vegetation, but most impacts will consist of temporary disturbances. The Park manages its ecosystem communities and processes, including vegetation resources, to meet or maintain the desired conditions identified in its 2021 GMP (NPS 2021c). The selected alternative will contribute an adverse increment to the overall cumulative impact due to ground disturbance associated with rehabilitation of the electrical system and ongoing maintenance activities; however, the project area is currently dominated by nonnative species. The implementation of appropriate mitigation measures (table 1: Gen-1 – Gen-4; Veg-1 – Veg-2) will minimize the contribution of the selected alternative to the overall cumulative impact.

Effects That Would Violate Federal, State, Tribal, or Local Law Protecting the Environment

The selected alternative does not threaten or violate applicable federal, state, or local environmental laws or requirements imposed for the protection of the environment. The selected alternative will not violate any provision or requirement identified under legislation addressing Kalaupapa National Historical Park, the Organic Act, or any other subsequent legislation. Compliance with other regulatory requirements is described below under “Agency Consultation.”

CONSULTATION AND COORDINATION

Public Participation

Civic engagement and scoping are essential components of the NEPA planning process. The NPS conducted public scoping and civic engagement to inform various agencies, community partners, and the public about the need to rehabilitate and update the existing electric system at Kalaupapa National Historical Park. Public scoping included a project scoping newsletter that provided an overview of the project, described the planning process and the path forward, and started the 45-day public scoping period notice.

The NPS also held a virtual public scoping meeting to gather input on the EA on December 17, 2020. The meeting was held online from 10:00 a.m. to 11:30 a.m. Hawai‘i Standard Time. The meeting began with a presentation and was followed by a public question-and-answer session, allowing the participants to inquire about the project background, the project area, the purpose of and need for action, the alternatives considered, and possible issues and impact topics to be analyzed in the EA. Twenty-three people attended the virtual meeting.

Forty-four comments were received during the public scoping comment period. Most of the comments came from questions during the virtual public scoping meeting. Only one comment was received through the NPS’s Planning, Environment, and Public Comment (PEPC) website. Topics addressed by public comments included the use of renewable energy resources (19 comments), consultation with state agencies and utility companies (10 comments), alternatives (10 comments), and impacts on cultural resources (5 comments). Those comments, including NPS’s responses to substantive comments, were summarized in a public scoping comment report and were considered during the development of the EA. The public scoping comment report is included in appendix A of the EA.

A second newsletter was sent out in January 2022 to project stakeholders. The NPS held a virtual public meeting on October 24, 2022. Park staff presented an overview of the project and led a question-and-answer session. Feedback included questions and comments about the project design, existing resources in the project area, potential impacts and mitigation measures, and procedural steps for project compliance and implementation. Comments from these meetings and the NPS’s response to those comments are shown in table 6 of the EA.

The EA was published on the NPS PEPC site on June 20, 2023, for public review and comment. The comment period closed on July 24, 2023. Three comments were received during the public comment period. Topics addressed by public comments included cultural resources and recommendations for additional best management practices. Those comments, including NPS responses, are summarized in a public comment summary report (attachment B).

AGENCY CONSULTATION

Section 7 of the Endangered Species Act

Section 7 of the ESA requires federal agencies to consult with the USFWS to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of listed species or

result in the destruction or adverse modification of critical habitat. The Park initiated informal section 7 consultation on May 3, 2021. On June 7, 2021, the USFWS issued its concurrence with the Park's finding that the selected action *may affect but is not likely to adversely affect* federally listed species. The USFWS also provided a list of impact avoidance and mitigation measures, which have been incorporated into "Chapter 2: Alternatives, Mitigation Measures" of the EA.

Section 106 of the National Historic Preservation Act

Section 106 of the NHPA requires federal agencies to consider the impacts of their undertakings on historic properties. Compliance with section 106 of the NHPA was carried out separately, but concurrently, with the planning process. Early in the planning process, the NPS sent a letter to the Hawai'i State Historic Preservation Division (SHPD) on December 18, 2020, initiating consultation for the project. In a letter dated January 11, 2021, the SHPD replied, acknowledging the consultation and recommending a systematic Archeological Resources Survey (i.e., shovel test) in areas that will be disturbed across the area of potential effects (APE). The NPS also held virtual meetings with the SHPD and DHHL to discuss recommended surveys—including an Archeological Survey that was completed between April 5 and April 29, 2021, for areas within the APE where construction activities will require ground disturbance. The survey report was finalized in September 2021 (Walker and Filimoehala 2021). Two previous studies were also conducted: a general pedestrian survey of the project APE (Chambers and Pacheco 2020) and a pedestrian survey of the pump house road area (Chambers and Athens 2020). The NPS held a virtual meeting with NHPA section 106 consulting parties on October 24, 2022. Information provided as part of early consultation to these parties is provided in appendix B of the EA. The Park conducted a site visit for DHHL on December 14, 2022, as requested during the virtual meeting. To satisfy the requirements of NHPA section 106, the NPS prepared an Assessment of Effect on Historic Properties for the selected action, which was submitted to SHPD DHHL and Historic Hawaii Foundation on December 12, 2024. Based on the identification of historic properties within the area of potential effect of the final design of the preferred alternative of the electric distribution system the NPS made a no adverse effect on historic properties determination. To date, only Historic Hawaii Foundation have replied and agreed with a no adverse effect on historic properties made by the NPS. A table summarizing the consultation record can be found in Attachment D. In accordance with Hawai'i Revised Statutes (HRS) chapter 6e the NPS has corresponded with DHHL and will continue its correspondence with state agencies to inform them of any developments which would fall outside the no adverse effect determination on historic properties.

Coastal Zone Management Act

Section 307 of the Coastal Zone Management Act requires federal agency activities and development projects affecting any coastal use or resource to be undertaken in a manner consistent to the maximum extent practicable with the state's Coastal Zone Management (CZM) program. The NPS reviewed the selected action for consistency with the State of Hawai'i's CZM program and determined that it is consistent with the applicable, enforceable policies of the state's federally approved CZM program. The NPS submitted its application for CZM federal consistency review to the Hawai'i Office of Planning and Sustainable Development on February 7, 2023. The Hawai'i CZM program published a public notice in the State Environmental Review Program publication, *The Environmental Notice*, on February 23, 2023, with the public review and comment period concluding on March 7, 2023. During the public notice period, no public comments or inquiries were received. Agency comments were received from the State of Hawai'i Department of Health. The Hawai'i CZM program issued a conditional concurrence determination on April 6, 2023.

HAWAII ENVIRONMENTAL POLICY ACT

HEPA (Chapter 343, HRS) is modeled after NEPA. HEPA requires that the government establish a system of environmental review for the environmental, social, cultural, and economic impacts of

proposed projects or programs prior to implementation. This review is accomplished through the preparation of environmental reviews. The law also provides a method for public notification and review in the planning process. HEPA includes the following statutes and administrative rules:

- Sections 11-200, Hawai'i Administrative Rules (HAR): Environmental Impact Statement Rules
- Sections 11-201, HAR: Environmental Council Rules of Practice and Procedure

The EA was prepared in accordance with both NEPA and HEPA and provides compliance for project implementation on both federal and state lands. HEPA requires the evaluation of significance criteria that differ slightly from the requirements of NEPA. HEPA significance criteria are evaluated in the EA, and the NPS's significance findings are provided below. DHHL has been identified as the lead agency for HEPA compliance, and the NPS is coordinating with DHHL as part of the ongoing HEPA compliance process. The public comment period (June 20–July 24, 2023) satisfies the requirements of both NEPA and HEPA.

Hawai'i Environmental Policy Act Significance Criteria

As noted above, HEPA requires the evaluation of significance criteria that differ slightly from the requirements of NEPA. Justification for the NPS's determination that the selected action will not have a significant effect on the environment, in accordance with HEPA HAR Chapter 11-200.1 and the applicable "significance criteria" identified in HEPA HAR Chapter 11-200.1-13 is included in the EA and provided below. The NPS has submitted its findings to DHHL. The NPS will also provide the EA, public comment summary report, and errata to DHHL, which will issue its own decision document to fulfill HEPA compliance requirements. Explanation for why the NPS anticipates that the selected action will not result in significant effects on the environment based on the analysis in the EA can be found in Attachment E.

FINDING OF NO SIGNIFICANT IMPACT

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement. The selected alternative will not have a significant effect on the human environment in accordance with section 102(2)(c) of NEPA. Based on the foregoing, it has been determined that an environmental impact statement is not required for this project and, thus, will not be prepared.¹

¹ Executive Order 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The National Park Service verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum.

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**ATTACHMENT A
NON-IMPAIRMENT DETERMINATION
ENVIRONMENTAL ASSESSMENT TO REHABILITATE AND UPGRADE THE
EXISTING ELECTRICAL SYSTEM**

**US Department of the Interior
National Park Service
Kalaupapa National Historical Park
Hawai'i**

NON-IMPAIRMENT DETERMINATION FOR KALAUPAPA NATIONAL HISTORICAL PARK

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the US Department of the Interior and the NPS to manage national park system units “to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations” (54 United States Code [USC] 100101). NPS *Management Policies 2006*, section 1.4.4, explains the prohibition on impairment of park resources and values:

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

An action constitutes impairment when its impacts “will harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values” (NPS 2006, section 1.4.5). To determine impairment, the NPS must evaluate the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts.

An impact on any park resource or value may, but does not necessarily, constitute impairment, but an impact would be more likely to constitute an impairment when it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the park’s establishing legislation or proclamation, or
- key to the park’s natural or cultural integrity or to opportunities for enjoyment of the park, or
- identified in the park's general management plan or other relevant NPS planning documents as being significant.

Natural and cultural resources are subject to the non-impairment standard and are clarified further in section 1.4.6 of the *NPS Management Policies 2006* (NPS 2006).

The mission of Kalaupapa National Historical Park (the Park) is to “honor the mo‘olelo (story) of the isolated Hansen’s disease (leprosy) community by preserving and interpreting its site and values. The historical park also tells the story of the rich Hawaiian culture and traditions at Kalaupapa that go back at least 900 years” (NPS 2017b). Fundamental resources and values of Kalaupapa National Historical Park identified in the Park’s foundation document are patients; Kama‘āina; Saint Damien, Saint Marianne, Brother Dutton, and Kōkua (patient helpers); Stories, oral histories, and mana; Native Hawaiian traditional cultural use; Historic buildings, structures, cultural landscapes, and archeological features associated with the Hansen’s disease settlement; Museum collections; Educational values; Geological features and unobstructed viewshed; Soundscapes and dark night skies; Terrestrial ecosystems; Marine ecosystems; and Waikolu Stream (NPS 2017b).

The resources that were carried forward for detailed analysis in the environmental assessment (EA) (archeological and ethnographic resources; vegetation; and threatened, endangered, and other special status species) are considered necessary to fulfill specific purposes identified in the establishing legislation of the Park, are identified for management in relevant NPS planning documents, or are key

to the natural or cultural integrity of the Park. Accordingly, a non-impairment determination is made for each of these resources. This non-impairment determination has been prepared for the selected alternative, as previously described in the “Selected Alternative and Rationale for Decision” section of the EA.

ARCHEOLOGICAL AND ETHNOGRAPHIC RESOURCES

In accordance with the recommendations of the 2019 survey report, an Archeological Survey was conducted that included subsurface testing (Walker and Filimoehala 2021). A total of 12.8 acres were surveyed, and seven previously unrecorded sites were documented. Recommendations from the 2021 Archeological Survey report have been incorporated into the list of impact avoidance and mitigation measures that will be implemented under the selected alternative (table 1: CR-1 – CR-4). In 2011 and 2012, the NPS developed a Cultural Landscapes Inventory (CLI) for the Kalaupapa and Kalawao Settlements (CLI Identification No. 975012) and the Moloka‘i Light Station (CLI Identification No. 975016) at the Park (NPS 2011a, 2012).

Under the selected alternative, ground-disturbing activities, including removing and replacing utility poles and other related project elements could affect archeological resources. The Kalaupapa electrical system is a single contributing resource to the Kalaupapa Leprosy Settlement NHL and includes 232 wood poles supporting both primary and secondary lines (NPS 2021a, 2021b). Rehabilitation of the electrical system, including replacement of electrical poles, will affect this contributing resource. Rehabilitation and maintenance of the electrical system under the selected alternative will have direct impacts on the electrical system that could be both adverse and beneficial.

Past, present, and reasonably foreseeable actions described in the EA are not expected to adversely affect the Park’s cultural resources. The Park manages its cultural resources to meet the desired conditions identified in its 2021 general management plan (GMP; NPS 2021c) and in accordance with NPS’s *Cultural Resource Management Guideline* (NPS 1998). The selected action will result in both beneficial and adverse impacts to cultural resources. Based on the analysis detailed in the EA, archeological or ethnographic resources will continue to be present for the enjoyment and benefit of present and future generations. The NPS is adhering to the requirements for the National Historic Preservation Act (NHPA) section 106 standard consultation process. To satisfy the requirements of NHPA section 106, the NPS prepared an Assessment of Effect for the selected action, which was submitted to SHPD in December 2024 along with a letter in accordance with Hawai‘i Revised Statutes (HRS) chapter 6e-8.

THREATENED, ENDANGERED, AND OTHER SPECIAL STATUS SPECIES

Consultation with the US Fish and Wildlife Service (USFWS) in accordance with section 7(a)(c) of the Endangered Species Act (16 USC 1531 et seq.) was completed in June 2021. Twelve federally listed species were identified as having the potential to occur in or near the project area. The project area does not contain federally designated critical habitat. The USFWS concurred with the Park’s determination that the selected action may affect but is not likely to adversely affect these 12 identified federally listed species. The only special status bird documented in the vicinity of the project area is the ‘apapane, which is listed as a bird of conservation concern and species of greatest conservation need. Two additional bird species of greatest conservation need, Iiwi (*Vestiaria coccinea*) and Maui Amakihi (*Hemignathus virens wilsoni*) occur in the Park but are found in native forests at elevations above the project area (Marshall and Kozar 2008). Finally, according to special status species mapping by State of Hawai‘i’s Department of Land and Natural Resources (1992), more than 95% of the project area is classified as having a low concentration of special status plant species.

The Park’s 2021 GMP identifies reducing nonnative wildlife species within the Park and improving native habitat for birds and other native wildlife as a management priority (NPS 2021c). The Park’s current management direction and strategies to maintain its desired conditions for ecosystem

communities and processes, as described in its 2021 GMP, aim to protect and sustain the Park's threatened, endangered, and other special status species populations (NPS 2021c). Most of the actions associated with this electrical utility replacement project will occur in areas that are currently developed, in areas that have been previously disturbed, or along existing roadways. As a result, the USFWS concluded that with the Park's implementation of the recommended and extensive list of measures, as outlined in table 1 (TES-1 – TES-16), potential adverse impacts will be insignificant and/or discountable.

Based on the preceding analysis, the selected action will not impair threatened, endangered, and other special status species.

VEGETATION

The NPS conducted an extensive vegetation mapping inventory of the Park in 2014 (Green et al. 2014) and completed native tree surveys in the project area in 2019 and 2020 as part of a wetland delineation (Burr and Guinther 2020).

The Park contains high-diversity plant communities. Most of the vegetation in the Lowland Coastal Area is composed of nonnative species (Green et al. 2014). Vegetation communities on the Kalaupapa Peninsula have been altered by previous development and historic land uses, including crop cultivation and livestock grazing (Fung and SWCA 2010). However, changes have been relatively small and concentrated. Human-related activities have promoted encroachment of invasive vegetation, which has decreased suitable habitat for native species (Fung and SWCA 2010).

Past actions associated with previous development and historic land uses have altered vegetation communities on the Kalaupapa Peninsula. Much of the work associated with the project will consist of replacing existing infrastructure and will not result in loss of vegetation compared to existing conditions. Permanent loss of vegetation will be limited primarily to new structure bases and to those areas where new poles will be installed (20 poles along Kamehameha Street and 3 within the Kalaupapa Settlement). Improvements to existing infrastructure will use existing access routes, and the laydown areas will be within previously disturbed or paved areas, so no additional vegetation clearing, or ground disturbance will be required at these locations.

The Park's GMP (NPS 2021a) provides direction and strategies for vegetation management. Additionally, the Park's fire management plan (NPS 2011b) provides guidance for vegetation management. The Park manages its ecosystem communities and processes, including vegetation resources, to meet or maintain the desired conditions identified in its 2021 GMP (NPS 2021c). Based on the preceding analysis, the selected action will not impair vegetation.

CONCLUSION

The NPS has determined that implementation of the selected alternative will not constitute impairment of the resources of the Park. This conclusion is based on consideration of the Park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, comments provided by the public and the professional judgment of the decision maker guided by the direction in *NPS Management Policies 2006*.

ATTACHMENT B
PUBLIC COMMENT SUMMARY REPORT
ENVIRONMENTAL ASSESSMENT TO UPGRADE AND REHABILITATE TO
EXISTING ELECTRICAL SYSTEM

US Department of the Interior
National Park Service
Kalaupapa National Historical Park
Hawai'i



Kalaupapa National Historical Park

Public Comment Summary Report for **Environmental Assessment to Upgrade and Rehabilitate the** **Existing Electrical System**

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INTRODUCTION

The National Park Service (NPS) has developed an environmental assessment (EA) for Kalaupapa National Historical Park (the Park) that will update and rehabilitate the existing electrical system. The project will improve efficiency, comply with current Hawaiian Electric (HECO) code standards for future operations, increase reliability, make the system easier for an outside entity to maintain, and remove health and safety concerns. The EA was prepared in accordance with the National Environmental Policy Act (NEPA) and the Hawai'i Environmental Policy Act (HEPA) to provide compliance for project implementation on both federal and state lands.

The Park issued a press release on June 20, 2023, announcing the release of the EA. The public comment period began on June 20, 2023, and was originally scheduled to end on July 21, 2023, but was extended to July 24, 2023, to align with the HEPA public comment period. The Park directly informed all consulting parties, including state agencies and Native Hawaiian Organizations, about the EA via email on June 20, 2023. The Park encouraged the public to submit comments through the NPS Planning, Environment, and Public Comment (PEPC) website at: <https://parkplanning.nps.gov/KALA217676EA2023>. Comments were also accepted by US mail and email. Additionally, the Department of Hawaiian Homelands (DHHL) received comments during its public consultation process, which it subsequently provided to the NPS for inclusion in this report. The NPS considered all comments submitted by the public. This *Public Comment Summary Report* provides a summary of the substantive concerns expressed during the public comment period. This report satisfies public engagement requirements for both NEPA and HEPA.

DEFINITION OF TERMS

Correspondence: Correspondence is the entire document received from a commenter and includes letters, emails, comments entered directly into the PEPC database, and any other written comments provided either at the public meetings or in person at the park.

Comment: A comment is a portion of text within a correspondence that addresses a single subject such as “paleontological resources.” The comment could also question the accuracy of the information provided in the newsletter, question the adequacy of any background information, or present issues other than those contained in the EA.

COMMENT ANALYSIS METHODOLOGY

Comment analysis is a process used to compile and correlate similar comments into a usable format for decision makers and the project’s interdisciplinary planning team. Comment analysis assists the NPS in organizing, clarifying, and addressing information pursuant to NEPA regulations. It also aids in identifying the topics and issues to be evaluated and considered throughout the planning process.

Main components of the process include:

- employing a comment database for comment management
- reading the comments
- interpreting and analyzing the comments to identify issues and themes
- preparing a comment summary report

The NPS PEPC database was used to manage the comments. The database stores the full text of all correspondence and tallies the total number of correspondences and comments received. The database can sort and report comments by a particular topic or issue, and it can provide demographic information on the sources of each comment.

Because of the small number of comments received during the EA public comment period, each correspondence was reviewed and summarized in its entirety, rather than being broken down into individual comments. Therefore, the terms correspondence and comment are used interchangeably throughout this report. All comments were read and analyzed, including those of a technical nature, opinions, suggestions, and comments of a personal or philosophical nature. Although the analysis process attempts to capture the full range of public concerns, this report should be used with caution. *Comments from people who chose to respond do not necessarily represent the sentiments of the entire public.*

CONTENT ANALYSIS TABLES

The following tables were produced by the NPS PEPC database and modified as appropriate. The tables provide information about the numbers and types of correspondence received, organized by code and by various demographics. Data on the number of correspondences received by correspondence type, organization type, state, and country are presented. Seven correspondences were received.

TABLE 1. CORRESPONDENCE DISTRIBUTION BY CORRESPONDENCE TYPE

Correspondence Type	Correspondences
PEPC Web Form	2
Email	1
Other (provided by DHHL)	4

TABLE 2. CORRESPONDENCE DISTRIBUTION BY ORGANIZATION TYPE

Organization Type	Correspondences
Unaffiliated Individual	1
Federal Agency (US Environmental Protection Agency)	1
State Agency (Office of Hawaiian Affairs and DHHL)	5

TABLE 3. CORRESPONDENCE DISTRIBUTION BY STATE

State	Correspondences
NC	1
CA	1
HI	5

TABLE 4. CORRESPONDENCE DISTRIBUTION BY COUNTRY

Country	Correspondences
USA	7

SUMMARY OF COMMENTS

The comments received during the public comment period expressed support for the project. Commenters made recommendations regarding protection of cultural resources including archeological features, reuse or disposal of waste materials, and mitigations to reduce impacts on birds. No comments opposed to the project were received. The NPS has provided responses to the comments in the table below. These responses concern management of materials and project sustainability, dark-sky compliance, and responsible monitoring of cultural resources.

TABLE 5. COMMENT SUMMARY AND RESPONSE

Comment Summary	NPS Response
One commenter stated support for the proposed action and noted the importance of providing critical infrastructure for the historic community. The commenter noted the importance of archeological surveys and monitoring archeological resources before and during the project and stated support for the proposed mitigation measures.	The proposed action will provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations. The NPS has committed to implementing measures to protect cultural resources, including archeological monitoring.
One commenter cited Executive Order 14057, signed by President Biden, in providing a recommendation for the management of waste materials. The commenter suggested that the NPS adopt additional best management practices to reduce environmental impacts through waste management best practices, which include reuse, recycling, and composting of materials that would otherwise be sent to a landfill or combustion facility. The commenter expressed appreciation for the dark sky-compliant lighting and recommended its use for all project features. The commenter also suggested that the FONSI include a commitment to replace power poles in compliance with the latest guidance from the Avian Power Line Interaction Committee (APLIC) to minimize impacts to birds.	<p>The Park currently manages its waste to minimize impacts on the environment. Household waste is sorted, and recyclable materials are set aside to be sent out on the annual barge. All compostable waste is composted on-site at the Park's composting facility. Any household trash that cannot be recycled or composted is compacted and sent out weekly via air to an off-site landfill because there are no operating landfills at Kalaupapa. Construction waste is collected and sent off-island via barge. Scrap metal is sent to a scrap metal yard where it is sorted and then recycled or disposed of (if recycling is not possible). These practices minimize the amount of waste that is sent to landfill.</p> <p>The EA includes a variety of measures that will be implemented to avoid or minimize impacts to threatened, endangered, and other special status species, including several species of birds. The NPS will incorporate the latest APLIC guidance into the project design to the extent feasible. However, the existing electrical system is of historical and cultural importance and is a contributing resource to the National Historic Landmark District. The NPS must balance the protection of both natural and cultural resources. Therefore, it may not be feasible to incorporate APLIC guidance in all aspects of the project.</p>

Comment Summary	NPS Response
<p>Commenters asked what steps the NPS would take if burial sites or other sensitive cultural resources are encountered during project construction. One commenter asked if burial sites would be flagged to ensure that they are avoided during construction work, and the commenter also asked to be included in the National Historic Preservation Act (NHPA) section 106 consultation process.</p>	<p>The NPS does not plan to flag archeological features, including those identified as “likely burials” during the archeological surveys, prior to, or during the project work because this demarcation may draw unnecessary attention to these otherwise discrete locations. Although the NPS does not plan to flag potential burials, it has developed a robust Archeological Monitoring Plan that will provide more than adequate protection. Safeguards in the plan include:</p> <ul style="list-style-type: none"> - Maintaining an experienced archeological monitor on-site during any ground-disturbing activities. The monitor will be directed and supervised by a Secretary of the Interior-qualified project director. - Archeological monitors will review relevant archeological survey reports and other background information so that they are fully able to identify local resources and direct construction crews to avoid impacting them. - An educational briefing for the construction crew will be provided by park staff prior to the project start. The purpose of this briefing will be to help members of the crew recognize archeological resources in the field. The briefing will also explain the protocols for working around these resources so that they are not impacted. - Clearly defined Inadvertent Discovery and Stop Work Protocols are designed to limit disturbance to burials and any other archeological resources in the event that they are encountered unexpectedly.
<p>One commenter suggested that the agreement between the NPS and the Hawai'i State Historic Preservation Division (SHPD) regarding protection of cultural resources be included as an appendix to the EA.</p>	<p>The NPS is adhering to the requirements for the NHPA section 106 standard consultation process. A summary of the NHPA section 106 process is provided in the Finding of No Significant Impact (FONSI).</p>

Comment Summary	NPS Response
<p>One commenter stated that it is difficult for the reader to find information about mitigation measures specific to each resource topic. The commenter suggested that mitigation measures listed by resource topic under a general heading rather than being presented in a table.</p>	<p>During the development of the EA, the NPS considered presenting mitigation measures in the form of a bulleted list, organized by resource topic. However, because of the large number of mitigation measures included in the EA, and because the measures are referenced in the text throughout EA, the decision to include mitigation in a table, organized by resource topic and each with a unique identification number, was adopted. Using the identification number unique to each mitigation measure when referenced in the text allows the reader to know precisely which mitigation measures are being discussed without adding unnecessary repetition and extraneous text by restating each mitigation measure in its entirety each time it is discussed.</p>
<p>One commenter stated that the EA only generally talks about cultural resources that were discovered during recent archeological surveys and does not go into detail about what resources were encountered and their locations in relation to the project area. The commenter suggested that the EA include a map depicting the resources identified in prior archeological surveys in relation to the project area. The commenter also suggested that the archeological survey reports referenced in the EA be included as appendices. The commenter also asked if the NPS has consulted with Office of Hawaiian Affairs.</p>	<p>The EA describes resources that could be affected by the selected action and alternatives in a level of detail sufficient to analyze potential impacts. The NPS does not disclose specific information about cultural resources and their locations in order to protect the resources. Because the archeological survey reports contain such information, publishing them could jeopardize the security and integrity of sensitive cultural resources.</p> <p>The NPS received comments from the Office of Hawaiian Affairs, which are included and addressed in this report. NHPA section 106 consultation is complete.</p>

**ATTACHMENT C
ERRATA
REHABILITATE AND UPGRADE THE EXISTING ELECTRICAL SYSTEM,
KALAUPAPA NATIONAL HISTORICAL PARK, HAWAI'I**

Errata

An errata sheet is necessary for the project because clarification of information presented in the *Environmental Assessment for Rehabilitation and Upgrade of the Existing Electrical System, Kalaupapa National Historical Park, Hawai'i* (EA) is needed. The clarifications made herein do not increase the degree of impacts described in the EA or change the determination that no significant impacts will occur under the selected alternative. No changes have been made to the EA since it was released for public review and comment on June 20, 2023. However, some of the content of the EA has been modified in the Finding of No Significant Impact (FONSI). Existing text to remain in the EA is found in *italics*, additions to the text as it appears in the FONSI are underlined, and deleted text is shown in ~~strikeout~~.

Page 10 (FONSI page 3), Table 1: Mitigation Measures

TABLE 1: MITIGATION MEASURES

#	Mitigation Measure	Authority	Responsibility
General			
Gen-1	<i>Clearly state resource protection measures in the construction specifications instruct workers to avoid conducting activities outside the project area. Limit disturbances to roadsides and other areas inside the project area.</i>	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	Design/Build (DB) Contractor
Gen-2	<i>Hold a preconstruction meeting to inform contractors about NPS sensitive areas, including natural and cultural resources-<u>prior to the project start and as new contractors come on-site.</u></i>	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
Gen-3	<i>Delineate construction zones outside existing disturbed areas with flagging and confine surface disturbance to the construction zone.</i>	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor
Gen-4	<i>Site staging and storage areas for construction vehicles, equipment, materials, and soils; and wash rack for cleaning vehicles and equipment, in previously disturbed or paved areas approved by the NPS. These areas will be outside visitor use areas and clearly identified in advance of construction.</i>	NPS Kalaupapa National Historical Park 2021 Revised General Management Plan	DB Contractor

#	Mitigation Measure	Authority	Responsibility
Gen-5	<i>Require contractors to properly maintain construction equipment to minimize noise and do not allow construction vehicle engines to idle for extended periods.</i>	<u>NPS Kalaupapa National Historical Park 2021 Revised General Management Plan</u>	DB Contractor
Gen-6	<i>Remove tools, equipment, barricades, signs, and surplus materials from the project area upon completion of the project.</i>	<u>NPS Kalaupapa National Historical Park 2021 Revised General Management Plan</u>	DB Contractor
Cultural Resources			
CR-1	<i>In accordance with the recommendations of the September 2021 Intensive Archeological Survey report for the project (Walker and Filimoehala 2021), complete 3.28-foot by 3.28-foot (1 meter by 1 meter) controlled excavation units at the four locations where traditional Hawaiian archeological deposits were identified to document and characterize the deposits. Archeological surveys were previously conducted in 2018 and 2019 (Chambers and Athens 2020; Chambers and Pacheco 2020). <u>These surveys have helped inform design and avoid potential impacts to buried cultural resources.</u></i>	<u>NPS Kalaupapa National Historical Park 2021 Revised General Management Plan</u>	<u>NPS/DB Contractor</u>
CR-2	<i>Prior to the start of construction, develop an archeological monitoring plan to identify monitoring locations and describe procedures and methods to ensure resources are avoided, or in some cases recorded, prior to unavoidable impacts.</i>	<u>NPS Director's Order #28</u>	<u>NPS/DB Contractor</u>
CR-3	<i>Conduct archeological monitoring during construction in accordance with the approved archeological monitoring plan. Prepare an archeological monitoring report in accordance with Hawai'i State Historic Preservation Division Administrative Rule 13-279.</i>	<u>NPS Director's Order #28</u>	<u>NPS/DB Contractor</u>
CR-4	<i>Implement measures during construction such as the use of plywood or other ground cover to protect the subsurface from heavy machinery.</i>	<u>NPS Kalaupapa National Historical Park 2021 Revised General Management Plan</u>	DB Contractor
CR-5	<i>Replace existing lighting with dark sky-compliant fixtures and use dark sky-compliant fixtures for new lighting.</i>	<u>NPS Kalaupapa National Historical Park 2021</u>	<u>NPS/DB Contractor</u>

#	Mitigation Measure	Authority	Responsibility
		<u>Revised General Management Plan</u>	
<u>CR-6</u>	<u>Provide an educational briefing for the construction crew prior to the project start and as new contractors come on-site. The purpose of this briefing will be to help members of the crew recognize archeological resources in the field. The briefing will also explain the protocols for working around these resources so that they are not impacted.</u>	<u>NPS Kalaupapa National Historical Park 2021 Revised General Management Plan</u>	<u>NPS</u>

Other Notable Clarifications

As noted above, no changes have been made to the EA since it was released for public review and comment on June 20, 2023. However, clarifications and additional information have been added to the FONSI. Notably, the FONSI (page 2) states that, “The EA considered extending the power supply to the water pump house station to address the condition of the current equipment. The existing water pump house generator and auxiliary equipment are old, in poor condition, and have reached the end of their service life. Additionally, the old diesel-powered generators that currently power the pump house rely on outdated emissions control technology, which cause them to create excessive carbon emissions compared to modern diesel-powered generators. The analysis on the three options in the EA (table 1 of the EA) shows impacts to various park resources under all three options. Therefore, the NPS evaluated replacing the existing generators with new, more efficient generators without connecting the water pump house and backup generator to the rehabilitated electrical distribution system. As part of the planning to further inform the NEPA process and project design, the NPS conducted a Choosing By Advantages (CBA) workshop to provide a method for evaluating the various benefits and impacts of project elements. Based on the discussions in this workshop and the analysis in the EA, it was determined that the generator replacement option, which falls under the no-action alternative evaluated in the EA, will reduce costs and result in fewer impacts to natural and cultural resources, compared to the three options evaluated in the EA under the preferred alternative. After further consideration and based on the results of the CBA, the NPS has selected the no-action alternative for addressing the water pump station. This action will occur independently of the rehabilitation of the park’s electrical system, and the appropriate steps will be taken to comply with NEPA and other environmental regulations separate from this EA.” Therefore, the EA and the decision focus on the area of the settlement and do not include the pump house road.

ATTACHMENT D
NHPA CONSULTATION SUMMARY TABLE
REHABILITATE AND UPGRADE THE EXISTING ELECTRICAL SYSTEM,
KALAUPAPA NATIONAL HISTORICAL PARK, HAWAII

NHPA Consultation Summary Table

Based on the identification of historic properties within the area of potential effect of the final design of the preferred alternative of the electric distribution system, the NPS made a no adverse effect on historic properties determination. To date, only Historic Hawaii Foundation have replied and agreed with a no adverse effect on historic properties made by the NPS. A table summarizing the consultation record is provided.

TABLE 1: CONSULTATION SUMMARY

Date	From	To	Type	Notes
12/17/2020	KALA	Public	virtual meeting	Presentation of the project to the public
12/18/2020	KALA	SHPD, DHHL	Initiate Consultation Section 106 letter	DHHL was included on letter submission
7/20/2022	KALA	Consulting Parties	Meeting invitation	invitation to virtual meeting on 8/8/2022 to discuss project (last virtual update was 12/17/2020)
7/25/2022	KALA	Sustainable Molokai, DLNR, Molokai Clean Energy Hui, HDOT	Meeting invitation	invitation to virtual meeting on 8/8/2022 to discuss project (last virtual update was 12/17/2020)
7/26/2022	KALA	Ka 'Ohana o Kalaupapa	Meeting invitation	invitation to virtual meeting on 8/8/2022 to discuss project (last virtual update was 12/17/2020), comments were received from Ka 'Ohana in advance
8/4/2022	KALA	Consulting Parties	Reschedule meeting notice	meeting planned for 8/8/2022 rescheduled to 9/19/2022, comments received from Lori Buchanan in advance
8/10/2022	KALA	Consulting Parties	Meeting invitation	invitation to virtual meeting on 8/18/2022 to a forum to inform how the park and our consulting parties will work together during the 106 processes, comments received from DeGray Vanderbilt in advance
8/15/2022	KALA	Consulting Parties	Meeting agenda	agenda for virtual meeting on 8/18/2022, received comments from Historic Hawaii Foundation
9/16/2022	KALA	Consulting Parties	Reschedule meeting notice	meeting planned for 8/8/2022, then 9/19/2022, now rescheduled to 10/24/2022
10/13/2022	KALA	Public	PEPC Public Document	NPS seeking input from the public and consulting parties regarding potential design solutions to address the identified resource concerns. NPS continued discussions with the consulting parties regarding the issues presented in this newsletter through December 15, 2022.
10/24/2022	KALA	NHOS	Virtual meeting	NPS tracked questions asked during the meetings and assigned a POC to follow up with each question.
10/24/2022	KALA	Public	Virtual meeting	NPS tracked questions asked during the meetings and assigned a POC to follow up with each question.
11/21/2022	KALA	DHHL	Email	HEPA Exemption letters and wanted to discuss with the HEPA point of contact for our electrical grid rehabilitation and fencing projects. Nancy mentioned DHHL would not be able to exempt work on DLNR land and Linh Anh responded that I would select HEPA exemptions specific to each agency.

12/14/2022	KALA	DHHL	Meeting	In person meeting with Nancy McPherson with Linh Anh Cat and Adrienne Ouellette (at the time detailing to DSC) joining remotely to discuss HEPA approach on the electrical grid rehabilitation, fencing, and fuel farm projects.
12/20/2022	KALA	DHHL	Email	Linh Anh sent an email to Nancy McPherson for all three infrastructure projects confirming HEPA approach for each one. She replied the same day asking for short project descriptions for each.
1/10/2023	KALA	DHHL	Email	Linh Anh replied with a map of landownership and TMKS so Nancy McPherson could get started on coordinating with DLNR on who the EA would go through for electric.
1/20/2023	KALA	DHHL	Email	Linh Anh provided the short project description on the electrical grid rehab project.
2/6/2023	KALA	DHHL	Email	Nancy McPherson recommends we set up a meeting with DLNR to determine the lead agency. There is some discussion on this day via email on how NEPA and HEPA EAs are different. Linh Anh confirms that the EA is already a combined NEPA-HEPA document.
2/8/2023	KALA	DHHL	Email	Linh Anh sends out the NEPA-HEPA EA to DLNR and DHHL for review and request a meeting.
3/22/2023	KALA	DHHL	Site visit	DHHL visited Kalaupapa to view sites of the upcoming infrastructure projects
5/16/2023	KALA	Hawaiian Homes Commission	Virtual meeting	Nancy Holman presented on the electric grid rehab project for the May 2023 Hawaiian Homes Commission meeting (the "draft EA" step in the HEPA process)
6/15/2023	KALA	DHHL	Virtual meeting	Greg Lind and Nancy Holman met with DHHL Deputy Attorney General, Alana Bryant, and Nancy McPherson yesterday to clarify what the HEPA trigger is for this project and the responsibility of the NPS if it is triggered.
6/20/2023	KALA	Consulting Parties	Email	Press release announcing the EA is open for public review from 6/20/2023 to 7/21/2023
10/17/2023	KALA	ACHP	Email	Invitation to ACHP to be a consulting party on the PA for the electric grid rehab project
10/17/2023	KALA	Consulting parties	Email	Draft PA was shared for comment through 11/10/2023. Comments received via email from Historic Hawaii Foundation.
11/20/2023	KALA	OHA	Email	Letter sent responding to comments from OHA sharing two SHPD letters and four redacted archeology reports
12/18/2023	KALA	Hawaiian Homes Commission	Virtual meeting	NPS attended the December 2023 Hawaiian Homes Commission meeting virtually to present on the electric grid rehab, fencing, and fuel facility projects and gave a brief overview and status update for each project (by request of DHHL).
1/19/2024	KALA	Public	Email	Invitation to GMP Programmatic Agreement report out meetings in person on 3/25/2024 (topside Molokai) and 3/27/2024 (Oahu) with list of undertakings.
3/5/2024	DHHL	NPS Contractor	Email	DHHL states "NPS has site control via the General Lease, but DHHL does appreciate being kept informed re: construction activities so we can communicate with our beneficiaries if needed. NPS has also been consistent in sending out newsletters and updates on its various projects in Kalaupapa..."

3/6/2024	KALA	Public	Email	Reminder of GMP Programmatic Agreement report out meetings with additional information including CR team members, GMP PA, and park fact sheet
3/25/2024	KALA	Public	In-person meeting	DHHL attended in person on topside Molokai. A quick summary of the electrical grid rehab, fencing, and fuel facility projects was given in addition to the streamlined undertakings. An additional meeting was hosted on 3/27/2024 on Oahu for the public that covered the same projects.
4/4/2024	KALA	Public	PEPC Public Document	The "Programmatic Agreement Between Kalaupapa National Historical Park and the Hawai'i State Historic Preservation Officer Regarding the Project to Rehabilitate Failing Electrical System for Settlement and Installation of Power Service to the Water Pump House at Kalaupapa National Historical Park" has undergone review by Native Hawaiian Organizations and is now open for public comment April 4 to April 15, 2024.
4/6/2024	KALA	NHOs	Email	Transmittal letter and executable PA shared for NHO comment (public comment period 4/4/2024 to 4/15/2024).
9/21/2024	KALA	SHPD	Email	2 nd Draft PA review from SHPD no response
10/02/2024	KALA	SHPD	Email	Status Check on PA review from SHPD no response
12/05/2024	KALA	SHPD	Voice Mail	Status Check on PA review from SHPD no response
12/12/2024	KALA	SHPD, DHHL, HHC	Letter	Withdraw Proposed Programmatic Agreement and Continue a Standard Process with a Determination of No Adverse Effect on Historic Properties Regarding the Project to Rehabilitate the Failing Electrical System at Kalaupapa National Historical Park

ATTACHMENT E
HAWAI'I ENVIRONMENTAL POLICY ACT SIGNIFICANCE CRITERIA
REHABILITATE AND UPGRADE THE EXISTING ELECTRICAL SYSTEM,
KALAUPAPA NATIONAL HISTORICAL PARK, HAWAI'I

Hawai‘i Environmental Policy Act Significance Criteria

As noted above, HEPA requires the evaluation of significance criteria that differ slightly from the requirements of NEPA. Justification for the NPS’s determination that the selected action will not have a significant effect on the environment, in accordance with HEPA HAR Chapter 11-200.1 and the applicable “significance criteria” identified in HEPA HAR Chapter 11-200.1-13 is included in the EA and provided below. The NPS has submitted its findings to DHHL. The NPS will also provide the EA, public comment summary report, and errata to DHHL, which will issue its own decision document to fulfill HEPA compliance requirements.

Based on the analysis in the EA, the NPS anticipates that the selected action will not result in significant effects on the environment for the following reasons:

(1) Irrevocably commit a natural, cultural, or historic resource;

Most of the work associated with the rehabilitation of the electrical distribution system will occur in areas that are currently developed or that have been previously disturbed. The project will generally consist of replacing the Park’s existing electrical distribution system with similar or in-kind equipment. The selected action will require limited vegetation clearing. However, most vegetation clearing will be temporary, and the total area of disturbance will not exceed 4 acres. The NPS consulted with the USFWS in accordance with ESA section 7, and the USFWS determined that the selected action *may affect but is not likely to adversely affect* federally listed species. The NPS will implement appropriate mitigation measures to avoid, minimize, or mitigate potential adverse impacts on natural resources including vegetation, wetlands, and threatened or endangered species (table 42: Gen-1 – Gen 6; TES-1 – TES-16; Veg- 1 – Veg-2; WL-1 – WL-3). These measures will also prevent or minimize establishment and spread of nonnative and invasive species in the project area (table 42: BIS-1 – BIS-4).

Ground disturbance associated with the selected action could disturb cultural or historic resources. However, adverse effects could be avoided through archeological monitoring or mitigated through site documentation (table 42: CR-1 – CR-4). The project will improve the condition of dark night skies, an important component of the Park’s cultural landscape, by replacing existing lighting with dark sky-compliant fixtures (table 42: CR-5).

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

The selected action will not curtail the range of beneficial uses of the environment. As noted above, impacts on the natural environment will be minimal, and implementing appropriate measures will avoid, minimize, or mitigate potential adverse impacts (table 42). The project will generally consist of replacing the Park’s existing electrical distribution system with similar or in-kind equipment. Upgrading the existing infrastructure will result in numerous benefits, including improving efficiency, increasing reliability, making the system easier for an outside entity to maintain, and eliminating health and safety concerns. The selected action will also improve the condition of dark night skies by replacing existing lighting with dark sky- compliant fixtures (table 42: CR-5).

(3) Conflict with the State's environmental policies or long-term environmental goals established by law;

The selected action will not conflict with the state's environmental policies or long-term environmental goals established by law. Potential environmental regulatory compliance and permitting requirements associated with the selected action are summarized in table 7 of the EA.

- (4) Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State;
Rehabilitation of the electrical distribution system and associated construction activities will not adversely affect the economy of the community or state. Minor but temporary increases in employment from the construction workforce and revenues for the businesses engaged in the construction process are expected. Rehabilitating the electrical distribution system will improve the social welfare of the community because components of the electrical distribution system are at or near the end of their useful service life and failing. Power outages occur frequently within the Park and Kalaupapa Settlement because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors. The selected action will not affect the cultural practices of the community or state.
- (5) Have a substantial adverse effect on public health;
Rehabilitating the electrical distribution system will benefit public health by eliminating health and safety concerns for patient-residents, NPS and HDOH staff, and visitors caused by the existing system, which is at the end its useful service life and failing.
- (6) Involve adverse secondary impacts, such as population changes or effects on public facilities;
The selected action will have no adverse secondary impacts such as population changes or effects on public facilities. Rehabilitating the electrical distribution system will benefit Park facilities and facilities associated with the Kalaupapa Settlement because the upgrades will improve efficiency, increase reliability, make the system easier for an outside entity to maintain, and eliminate health and safety concerns.
- (7) Involve a substantial degradation of environmental quality;
As documented in the EA analysis, the selected action does not involve a substantial degradation of environmental quality. As described above, most of the selected action will occur in developed or previously disturbed areas and will have minimal impacts on the environment. Potential adverse impacts will be minimized or mitigated by incorporating the measures listed in table 42.
- (8) Be individually limited but cumulatively have substantial adverse effect upon the environment or involves a commitment for larger actions;
According to the impact analysis in the EA, the selected action will not result in substantial cumulative adverse effects on the environment and will not involve a commitment for larger actions. Any adverse impacts that may result from the selected action will be minimized by implementing the mitigation measures listed in table 42.
- (9) Have a substantial adverse effect on a rare, threatened, or endangered species, or its habitat;
The selected action will not have a substantial effect on rare, threatened, or endangered species, or their habitats. The NPS will implement appropriate mitigation measures to avoid, minimize, or mitigate potential adverse impacts to these species and their habitats (table 42: Gen-1 – Gen 6; TES-1 – TES-16; Veg-1 – Veg-2; WL-1 – WL-3; BIS-1 – BIS-4). ESA section 7 consultation was completed in June 2021. The USFWS determined that the selected action may affect but is not likely to adversely affect federally listed species.
- (10) Have a substantial adverse effect on air or water quality or ambient noise levels;
The selected action will not have a substantial adverse effect on air or water quality or ambient noise levels. The project could result in localized release of fugitive dust during the

construction period; however, fugitive dust will dissipate quickly and will not affect air quality over the long term. No ground disturbance will occur within 60 feet of a wetland, stream, or other waterbody. The use of silt fences or other erosion control measures (table 42: Gen-1 – Gen-4; WL-1 – WL-3) will avoid or minimize the potential for indirect effects on water quality from runoff or sedimentation. Ambient noise levels will increase during the construction period but there will be no long-term changes in ambient noise levels or soundscapes in the Park.

- (11) Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

The selected action will not have a substantial adverse effect on environmentally sensitive areas. Due to its location, the Park's electrical distribution system could suffer damage as a result of natural processes or events. However, the upgrades are necessary to provide the Park and the settlement with a reliable electrical distribution system that is readily and easily serviceable and complies with federal regulations. As noted above, the selected action is needed because the components that make up the electrical distribution system are at or near the end of their useful service life, and rehabilitation is required to support existing facilities and future requirements.

Most of the project area, including much of the existing electrical distribution system that serves the settlement, is within the 100-year floodplain. Rehabilitating the Park's existing electrical distribution system will not result in new impacts to the floodplain or alter its function compared to existing conditions.

Portions of the project area are adjacent to the Pacific coastline, including a sandy beach. However, the power line is located along the landward side of the nearest road that parallels the shoreline. No work will occur on beaches.

The Park's shoreline has likely experienced erosion over time through natural and potentially anthropogenic processes. In an effort to improve its knowledge base, the NPS is currently completing an assessment of coastal vulnerability as prescribed in its GMP (NPS 2021c). The assessment will include a review of maps of historical shoreline change showing coastal erosion areas. The selected action will not affect coastal erosion at the Park.

Most of the project area, including much of the existing electrical distribution system that serves the settlement, is within the tsunami hazard zone. The NPS is focusing on protecting human life and safety through warning and evacuation rather than minimizing property damage. The NPS is taking steps to protect the safety of patient-residents, staff, and visitors including posting warning signs, installing a tsunami warning system, and defining an evacuation route. A complete list of the measures that the NPS is taking to preserve human life in the event of a tsunami is provided in the Park's GMP (NPS 2021c).

- (12) Have a substantial adverse effect on scenic vistas and view planes, during day or night, identified in county or state plans or studies; or

The Park's viewshed is an important component of the cultural landscape. Most of the work associated with the rehabilitation of the electrical distribution system will occur in the Kalaupapa Settlement and will consist of replacing existing infrastructure with similar or in-kind equipment, to the extent feasible, resulting in minimal changes to the existing viewshed. Overall, the selected action is not expected to have a substantial adverse effect on scenic vistas and view planes identified in county or state plans or studies.

- (13) Require substantial energy consumption or emit substantial greenhouse gases.

The selected action will not require substantial energy consumption or result in substantial greenhouse gas emissions. Rehabilitating the Park's electrical distribution system will not result in an increase of energy consumption. On the contrary, the upgrades will increase the system's efficiency. Construction and transport equipment will result in greenhouse gas emissions during construction; however, the emissions will not be substantial enough to measurably contribute to adverse environmental changes.

During scoping, several options were proposed that focused on renewable energy sources; however, the purpose of the selected action is to provide the Park and the settlement with a reliable electrical distribution grid—not to produce electricity. As a result, these alternatives were not carried forward for detailed analysis because they did not meet the purpose and need for action, were not feasible, or had several disadvantages.



Kalaupapa National Historical Park Infrastructure Fact Sheet



69 Thousand
Annual Visitors¹



\$5.3 Million
in Economic Output²



Infrastructure Inventory

The figures below show the park's real property inventory by asset category as of the end of FY 2018.



253
Buildings



4 Miles of
Trails



33 Housing
Units*



0 Camp-
grounds



7 Miles of
Unpaved
Roads



5 Water
Systems



14 Waste
Water
Systems



20 Miles of
Paved Roads



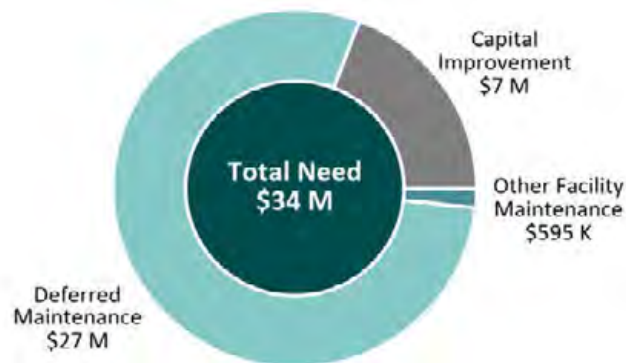
63 All Other
Assets[†]

*Housing is defined as residential structures and trailer pads that are associated with the NPS Employee Housing Program whereby rent is collected.

†All Other assets include trail bridges, maintained landscapes, boundaries, utility systems, marinas, monuments, and maintained archeological sites.

Estimated Maintenance Needs³

The chart below summarizes the park's outstanding estimated maintenance needs as of the end of FY 2018.



There is also a **\$2 M annual Routine Maintenance⁴** requirement in addition to the costs shown above.

Buildings and Water Systems have the highest **estimated maintenance needs** by asset category at the park. The figures below do not include the cost of Routine Maintenance.



\$10 M for Buildings



**\$6 M for Water
Systems**

\$18 M for all remaining asset categories

Driven by marinas (\$7 M) and electrical systems (\$5 M)

Note: Estimated maintenance needs may not sum exactly to the total need due to rounding.

Project Funding

Project funding will help the park address its outstanding estimated maintenance needs described above. The table below shows examples of projects in the current funding stream. Not all estimated maintenance needs are captured in the projects below.

Projects in Current Funding Stream	Estimated Project Cost ⁵
Rehabilitate Unsafe and Failing Electrical System for Settlement	\$16,030,000
Replace Potable Water Tank and Components	\$1,383,000
Stabilize Historic Buildings in McVeigh Subdivision A	\$381,000

¹ National Park Service Visitor Statistics, Annual Visitation by Park - 2019 - <https://irma.nps.gov/STATS/Reports/National>.

² Economic Contributions of National Park Visitor Spending - 2019 - <https://www.nps.gov/subjects/socialscience/vse.htm>.

³ Total Need includes deferred maintenance, other facility maintenance (such as corrective and emergency maintenance, component renewal, and demolition work that is not deferred), and capital improvement. The data is from work identified in the Facility Management Software System (FMSS) as of the end of FY 2018. Total need does not include annual recurring maintenance needs. Estimated project execution costs, such as compliance and design, are included only for paved roadways, paved parking areas, bridges, and tunnels.

⁴ Routine Maintenance represents modeled costs for recurring maintenance derived from NPS Operations and Maintenance cost models.

⁵ Cost estimates for projects are dependent on the current phase and size of each project's scoping and costing process. Planning for larger, more complex projects requires a longer lead time and preconstruction activities may be funded separately. These estimates continue to be refined as scoping and design is completed and the project moves toward execution. Costs are rounded to the nearest thousand.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Planning Program Manager
From: Kialoa Mossman, Planner *kkkm*
Subject: Status Update on Plan Implementation for the
island of Kaua'i

Recommended Action

For information only. No action required.

Background

Per the directive of the Chairman, the Planning Office will be providing the Hawaiian Homes Commission (HHC) with updates of the respective DHHL geographic region in which the HHC conducts its monthly community meeting. The purpose of the monthly update is to provide the HHC with information related to prior policies and/or plans previously adopted by the HHC specific to that particular geographic region.

A status report of DHHL's progress in implementing these policies/plans is also included for the HHC's consideration. For May 2025, Planning Office will be providing an update to the HHC for Kaua'i.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

Kaua'i Island Plan & Policies:

The purpose of each DHHL Island Plan is to (1) assign land use designations for land holdings on each island, (2) establish land use goals and objectives of the General Plan specific to each island, and (3) identify island-wide needs, opportunities, and priorities. The Kaua'i Island

Plan was adopted by the HHC in 2004. The 2004 Kaua'i Island Plan delineated seven planning regions on the Island of Kaua'i, Waimea, Kekaha, Hanapēpē, Wailua, Kapa'a, Anahola/Kamalomalo'o, and Moloa'a. (see maps, Exhibit A). For the purposes of this informational submittal, the Planning Office look at all seven regions on the island of Kaua'i.

The 2004 Kaua'i Island Plan identifies the following land use designations and acreage amounts.

Land Use Designation	Acres	Percent of Total
Residential	1,190	5.8%
Subsistence Agriculture	1,204	5.9%
Supplemental Agriculture	0	0%
Pastoral	623	3.0%
Community Use	211	1.0%
General Agriculture	13,684	66.5%
Commercial	132	0.6%
Industrial	16	0.1%
Conservation	693	3.4%
Special District	2,812	13.7%
TOTAL	20,565	100%

Kaua'i Island Plan Implementation Status:

Since 2004, there have been four land use designation amendment made in the following regions: Hanapēpē, Waimea, and Anahola.

Hanapēpē's land use designations were amended in the 2020 Hanapēpē Master Plan to include 'special district', and 'conservation' land use designations within the region. The other land use designations are relatively the same except for the residential designation being lessened from 168 acres to 126 acres.

The 2020 Pu'u 'Ōpae Special Area Master Plan amended the land use designation to include 'subsistence agricultural', 'supplemental agricultural', 'pastoral' and 'community use' land use designations in an area previously designated for future development. These amendments were made for the future development of homesteads in the Waimea region as a

part of the Kauai Island Utility Cooperative (KIUC) hydroelectric Project.

The Anahola land use designations were amended as a part of 2021 Anahola Kuleana Homestead Lots, and 2022 Ulupono Anahola Master Plan. The Anahola Kuleana Homestead Settlement plan aims to create 101 'subsistence agriculture' lots, and 14 'pastoral' lots. The land use in this area was amended to also include 28 acres of 'community use' lands to support future homesteaders in the area. The Ulupono Anahola Master plan intends to amend a 10-acre portion of TMK(4)4-8-003:019 located northeast of Pilipoli Road in Pi'ilani Mai Ke Kai, originally slated for 'residential', to 'community use' for cultural education and suicide prevention in youth. More land use amendments may be required after the Wailua Master Plan is finalized.

There are also several Right of Entry (ROE) permits and long-term licenses that do not match the current land use designation. These ROE's approved by the Hawaiian Homes Commission serve to provide economic benefits to surrounding community, and to provide a presence on otherwise vacant lands.

The Department of Hawaiian Home Lands is in the process of acquiring more land on the island of Kaua'i. In Lihu'e the DHHL is looking to acquire 295 acres located near Isenberg Park from Grove Farms. The goal for these lands is to support 1,000 single family Homes and 100 subsistence agricultural lots. The DHHL is also looking to acquire the Courtyards at Waipouli located at 401 Papaloa Rd, Kapa'a (TMK(4)4-3-001-014. This location would provide 82 luxury apartments with 1-3 bedrooms per unit. These goal for these units is to provide kupuna housing for Kaua'i beneficiaries.

The Kaua'i Island Plan is due for an update. The Island plans are meant to project 20 years into the future, and it has been 21 years since its conception. It would be in the Department's best interest to procure the necessary funding for the Kaua'i Island Plan Update for FY 2026.

Anahola Regional Plan

The *Anahola Regional Plan* was updated and adopted by the HHC in December 2022. The update process began at the end of 2021 and concluded in December 2022. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Surface Water Resources Management (non-potable)
- (2) Ho‘ākeaolapono Trades Academy and Institute: Home Building Resource Center
- (3) Makai Management Plan
- (4) Anahola Place-Based Education Network
- (5) Mauka Farm Lot Plan

Other priority projects included in the previous iteration of the *Anahola Regional Plan* (2010) include: Implementation of the *Anahola Town Center Plan*, *Anahola Club house and Park improvements*, support *Kanuikapono’s continued development to support Hawaiian Cultural, place-based learning*, and improve road and traffic circulation to *Kūhiō Highway* and in the *Anahola community*.

West Kaua‘i Regional Plan

The *West Kaua‘i Regional Plan*, which consists of DHHL lands in *Waimea, Kekaha, and Hanapēpē*, was adopted by the HHC in February, 2011. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Develop an Agricultural & Water Plan
- (2) Develop a Multi-purpose, Evacuation & Education Center/Shelter
- (3) Support the Development of *Kekaha Enterprise Center*
- (4) Develop Renewable Energy Projects Compatible with Agriculture

- (5) Develop Agricultural Uses for Hanapēpē Farm
Lots/Lease Areas

This regional plan is scheduled to be updated. Beneficiary consultation is expected to begin in at the late 2025, and the final plan will be completed in summer 2026.

Wailua Regional Plan

The Wailua Regional Plan was adopted by the HHC in December, 2009. The following projects have been identified as priorities in the region:

- (1) Cultural Resources Inventory- Malae Heiau
Restoration Project, Wailua River State Park
- (2) Potable Water Sources
- (3) Kālepa Ridge Surface Water System Maintenance
- (4) Kapa'a Relief Route
- (5) Wailua Wastewater Treatment Plant Facility

An update to the Wailua Regional Plan is not imminent as the master planning process for the region continues.

Implementation Status of Kaua'i Regional Plans

The following tables identify the "project champions" of each regional plan priority project as well as summarizes the status of each regional plan priority project.

Table 2: ANAHOLA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Surface Water Resources Management (non-potable)	DHHL	Surface water resources were re-evaluated & a study & recommendations prepared as an outcome of the Anahola Kuleana Homestead Settlement Plan process. Additional funding & partners will be needed to develop Management Plan & implement recommendations. Additional research & engineering may be needed to restore surface water flow & dam and ditch systems.
Ho'ākeaolapono Trades Academy and Institute: Home Building Resource Center	Ho'ākeaolapono Trades Academy	Resources are being identified to initiate implementation action steps. DHHL & project champion have identified a new location that is more suitable for the proposed uses. Campus & resource center will be located within a parcel that was omitted from land use designation, so a KIP LUA will be needed. Project proponents will need to prepare a Site Plan & Environmental Assessment.
Makai Management Plan	DHHL/ 'Āina Alliance	Funded in FY25. A consultant has been procured by 'Āina Alliance, which holds a ROE to provide security & cleanup activities south of Anahola Bay; Kahu O Ka Pāka Kahakai O Anahola holds a ROE to provide stewardship, native plant restoration & cleanup activities in Anahola Beach Park areas not under license to County of Kaua'i.
Anahola Place-Based Education Network	DHHL	Partnership between Kukulu Kumuhana O Anahola (KKOA)

Table 2: ANAHOLA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
		and Kanu I Ka Pono Public Charter School offers learning spaces for Hawaiian cultural, place-based learning & program is growing, with more partners offering other community-based programs serving Anahola youth engaged, such as Limu Project. Master Plan for entire 10-acre school site is being developed.
Mauka Farm Lot Plan	DHHL	Engineering consultant delineating metes and bounds for kuleana lots & designing roadway & drainage network. Beneficiaries are pursuing opportunities to provide support services to DHHL to ensure successful Settlement Plan implementation.

Table 3: WEST KAUA'I REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Develop Agricultural & Water Plan (Pu'u 'Ōpae)	DHHL	HHC issued Kekaha Hawaiian Homestead Association (KKHA) a 20-year license for 231 acres of land at Pu'u 'Ōpae to implement Phase I of their Farm & Irrigation Plan (FIP). Kuleana Homestead Lot Settlement Plan and FEA/FONSI completed in August 2020 for 1,192 acres of Waimea lands; coordinates planning, design, & implementation of land uses & homestead lot development around & adjacent to Pu'u 'Ōpae. WKEP & infrastructure improvements that were to facilitate implementation of the Kuleana Homestead are no longer happening and DHHL and Kekaha Agricultural Association along with the Commission on Water Resource Management, Department of Land and natural Resources, Division of Aquatic Resources, Earth Justice, and Agribusiness Development Corporation(ADC)is exploring alternatives for water management and potential future for the area.
Develop a Multi- purpose Evacuation & Education Center/ Shelter	DHHL	Need for Community Resilience Plan for West Kaua'i has been identified. Location identified in KIP & RP is in "Mauka Village" community use area off Koke'e Rd. Planning Office and Land Management Division is working with multiple interested

Table 3: WEST KAUA'I REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
		beneficiary organizations to coordinate on a project proposal & location that is consistent with the Island & Regional Plans.
Support Development of the Kekaha Enterprise Center	DHHL/West Kauai Hawaiian Homestead Association (WKHHA)/Homestead Community Development Corporation (HCDC)	COMPLETED. Facility managed by the WKHHA & HCDC
Develop Renewable Energy Projects Compatible with Agriculture	DHHL	DHHL is reevaluating options for renewable energy projects in West Kaua'i due to the hiatus of the West Kaua'i Energy Project (WKEP) hydroelectric project.
Develop Agricultural Uses for Hanapēpē Farm Lots/Lease Areas	DHHL	Hanapēpē Homestead Community Master Plan & Environmental Assessment for 349 acres of land adjacent to existing Hanapepe Residential Homesteads (Phase 1) approved by HHC Oct. 2020. Final subdivision approval for Phase 2 (82 residential lots), including relocating drainage & enlarging Phase 1 lots, is underway. Phase 3 will provide areas for agricultural, cultural & recreational uses.

Table 4: WAILUA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Cultural Resources Inventory - Malae Heiau Restoration Project, Wailua River State Park		No change - Project lacks a champion. DLNR and a nonprofit have recently cleared the heiau of overgrowth, but ongoing maintenance is needed. Differences in land use configurations need to be resolved. Further discussions on protection & management of cultural sites will occur during Wailua Master Plan & EA process.
Potable Water Sources	DHHL	DHHL's Wailua Well #1 is now capped & cased, to be put into production when DHHL completes Master Plan and moves ahead with development. DHHL/DLNR/State may need to secure land in Kālepa Forest Reserve for proposed 330' elev. 0.5 MG tank site. Further discussions will occur during Wailua Master Plan & EA process.
Kalepa Ridge Surface Water System Maintenance	DHHL	In 2018, CWRM approved a surface water reservation for DHHL of 0.513 mgd from the Wailua River. Staff will discuss potential allocation & use of water in Wailua with Agribusiness Development Corporation (ADC) & Commission on Water Resource Management (CWRM) during Master Plan & EA process.
Kapa'a Relief Route	DHHL	Staff will transportation, road alignment and highway safety alternatives for the area during Wailua Master Plan & EA process.
Wailua Wastewater Treatment Plant (WWTP) Facility	DHHL	Staff will coordinate and hold discussions with County of Kaua'i re: potential relocation & expansion of WWTP during Wailua Master Plan & EA process.

Recommendation

For information only. No action required.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 19 - 20, 2025

To: Chairman and Members, Hawaiian Homes Commission (HHC)
Through: Andrew H. Choy, Planning Program Manager
From: Cherie-Noelle Ka'anana, Water Program Specialist
Subject: Kaua'i Water Projects and Issues Update

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

This submittal to the Hawaiian Homes Commission (HHC) provides an update of water issues and projects of significance to beneficiaries and the Department of Hawaiian Home Lands (DHHL) on Kaua'i. It is submitted in furtherance of the HHC Water Policy Plan (WPP) Goal 1, to "Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis."

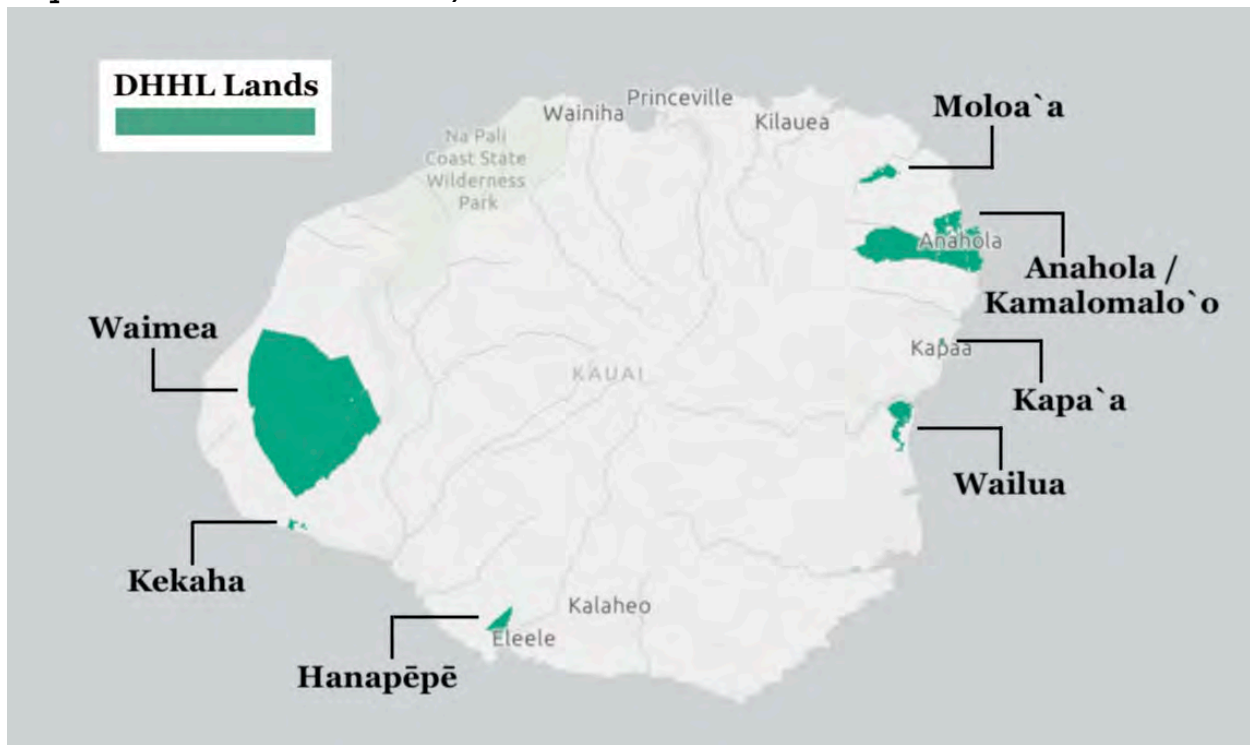
This submittal is also prepared in the context of our overall efforts to fulfill the responsibilities of the HHC and DHHL as they relate to water. An overview of this context is included as Attachment A: BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA.

A general overview of DHHL tracts and implementation of DHHL plans is provided in the Status Update on Plan Implementation on Kaua'i. This submittal focuses on the following:

- I. DHHL Water Demands and Reservations
- II. Waimea Mediation Updates
- III. Other Projects with Future Water Implications
- IV. The Commission on Water Resource Management's Loea Seat
- V. Changes in the State's Permitting Process for Well Construction Pump Installation Permits

VI. Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

Figure 1. Map of DHHL Lands on Kaua'i shown in green (new acquisitions not included).



I. DHHL Water Demands and Reservations

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

DHHL Calculation of Future Water Needs

The DHHL Planning Office, in cooperation with other parts of DHHL and other agencies, calculates future water needs for all of our tracts by first reviewing the land use designations made by the HHC through the [General Plan](#), in the DHHL [Island Plans](#), and [Regional Plans](#), as well as any detailed development plans that are created as tracts move into homestead and other

development, and any other information about land characteristics in each tract that could impact future water demands.

Each particular land use designation for a tract (e.g. residential, commercial, pastoral), and any supporting information in the respective plans (e.g. acreage or unit counts) are then used, along with applicable water demand standards, to calculate water demands. Applicable water demand standards include:

- [County water system standards](#) for the respective county in which the tract is located;
- For general agricultural land use designations, standards in the current approved state [Agricultural Water Use and Development Plan](#), unless more specific information is available from other CWRM determinations for the particular area
- Lo'i kalo water demands as determined by the Office of Hawaiian Affairs and the US Geological Survey in the [2007 study](#) of water use in wetland kalo cultivation.

A comprehensive examination of plans and land use designations across all tracts, along with associated water demands, was undertaken by DHHL and staff and consultants with the Department of Land and Natural Resources Engineering Division for the 2017 State Water Projects Plan (SWPP), adopted by CWRM in May 2017. A subsequent update to the [SWPP adopted by CWRM in 2020](#) also included all of the previous calculated demands for DHHL. The notable difference between the calculations in the SWPP and ultimate DHHL needs is that by statute the SWPP looks at a 20-year time demand, but DHHL needs go beyond that time horizon.

DHHL Water Needs for Kaua'i Tracts

Based on the data in the 2020 SWPP and other regional plans, the potable and non-potable 20-year projections of medium range water needs for DHHL Kaua'i tracts are as follows (in millions of gallons per day [MGD]). ***This notably does not include long term non-potable irrigation demands, which the SWPP calculated but did not consider as 'twenty-year demands'.***

Table 1. DHHL Water Needs for Kaua'i

Tract	Potable (MGD)	Non-potable (MGD)	Total
Waimea	0.2635	25.806	26.0695
Hanapēpē	0.6493	0.2924	0.9417
Wailua	0.7075	0.3366	1.0441
Anahola	1.3795	5.1557	6.5352
Moloka'a	0.0235	2.9300	2.9535
Other Tracts	0.1399		0.1399
Totals	3.1632	34.5207	37.6839

The estimated water demand for Moloka'a is currently undergoing reevaluation. The above values were taken from the 2020 SWPP. There are 316 acres of undeveloped land at Moloka'a.

Utilizing the aforementioned calculation method, DHHL staff calculated an updated water need for Moloka'a at 152,000 gpd of potable water and 4,592,160 gpd of non-potable water. Alternatively, staff at the CWRM have the ability to use their Irrigation Water Requirement Estimation Decision Support System (IWREDSS) to calculate water estimates for agriculture. Through that method, the water needs for Moloka'a are approximately 5,379,000 gpd of non-potable water. DHHL will conduct beneficiary consultation to determine the appropriate amount of water reservation to request as a next step.

C. Existing Kaua'i DHHL Water Reservations by CWRM

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

Table 2. DHHL Reservations Granted by CWRM

Aquifer System Area	DHHL Land Tracts	Date of Reservation	MGD Reserved
Waimea SWHU	Waimea	6/20/17	6.903
Wailua SWHU	Wailua	10/16/18	0.513
Wailua GWHU	Wailua	9/18/18	0.708
Anahola GWHU	Anahola / Kamalomalo`o	9/18/18	1.47
Kekaha GWHU	Kekaha	9/18/18	0.336
Makaweli GWHU	Hanapēpē	9/18/18	0.405

Reservations are still needed for:

- Moloa'a
- Lihue
- Kapa'a

D. Limitations of Reservations of Water

Reserving adequate water for the future needs of DHHL is mandated by the state Water Code (HRS Ch 174C), and progress on establishing reservations adds important legal protections to beneficiaries' future water needs. However, there are limits to what reservations are (and are not), and the kinds of issues that they can address. While water reservations set aside some water for allocation by the Commission on Water Resource Management (CWRM) to any other party, there are limits:

- Reservations do not instantly result in "wet water" being available to DHHL and beneficiaries. Water development requires:
 - Funding for water exploration and development
 - Environmental review
 - Development of source, storage, and transmission
 - Development of operations plans or agreements
- In Water Management Areas (WMAs) of the state there is an enforcement mechanism for protecting DHHL uses and reservations because all required Water Use Permits are "subject to the rights of DHHL". There are, however, no WMAs in Kaua'i.

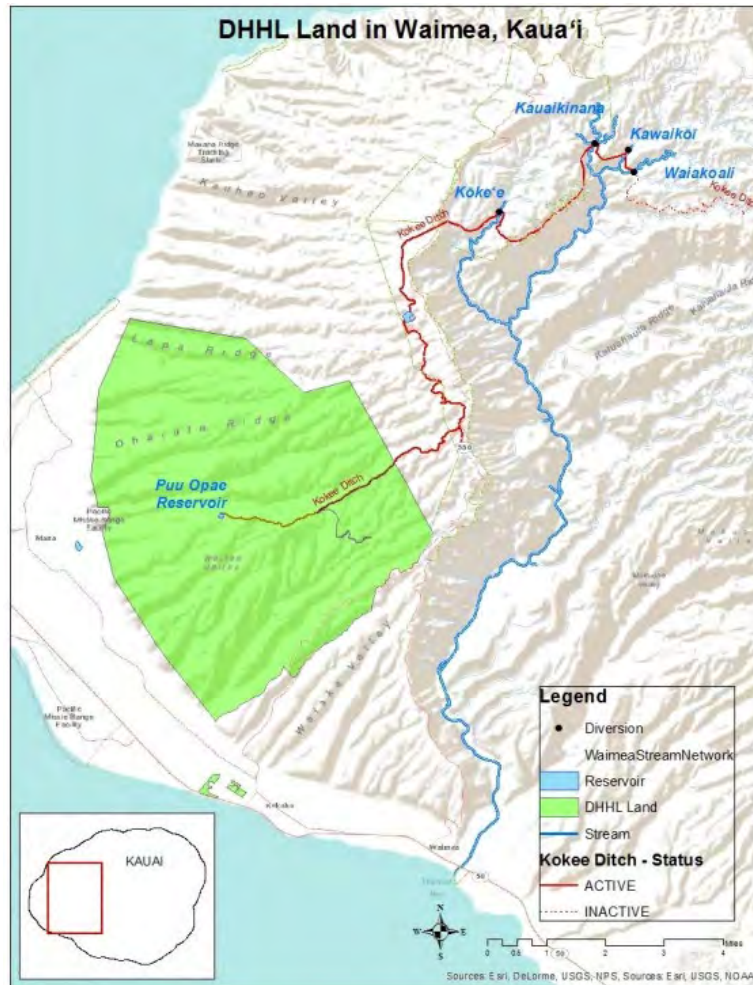
II. Waimea Mediation Updates

DHHL was an essential party to the historic May 2017 settlement agreement on a number of water issues related to the Waimea River, Kaua'i. The Waimea Watershed Agreement was entered into by the Department, Po'ai Wai Ola/West Kaua'i Watershed

Alliance (PWO) (represented by the law firm Earthjustice), the State Agribusiness Development Corporation (ADC), their tenants the Kekaha Agriculture Association (KAA), and the Kaua'i Island Utility Cooperative (KIUC). It arose from the efforts by the Commission on Water Resource Management (CWRM) to resolve issues related to PWO's Petition to Amend the Interim Instream Flow Standard for the Waimea River and Complaint and Petition for a Declaratory Order Against Waste, as well as a Petition for a "Reservation" of water by DHHL for its Waimea lands.

One of the results of that settlement was a subsequent reservation of water for DHHL by the CWRM for use on DHHL lands in and around Pu'u 'Ōpae, from waters delivered from those sources by the Koke'e Ditch Irrigation System (see Figure 2, on the next page). Specifically, in June 20, 2017, the State of Hawaii Commission on Water Resources Management granted DHHL's Modified Petition for Reservation of surface water of 6.903 Million Gallons Per Day originating from the watershed of, and tributary to, the Waimea River and diverted by the Koke'e and Kekaha Ditch Systems (including water originating in Waikoali, Kawaikoi, Kauaikinana, and Koke'e Streams and other tributaries of the Waimea River) for use in the Waimea, Kaua'i Hawaiian Home Lands. This was the first surface water reservation ever issued to DHHL or any other entity. Further information on the background of this Agreement may be found in the October 2024 submittal, Item G-1.

Figure 2. DHHL 's Waimea lands currently use some irrigation water from the Koke'e Ditch and could be further irrigated by that system.



A major component of the agreement was the potential development of pumped storage and flow-through hydropower by KIUC. On December 13, 2023¹, KIUC released a statement that KIUC and its partner AES will discontinue active development of the flow-through hydroelectric portion of the West Kaua'i Energy Project (WKEP) due to delays caused by litigation, project uncertainty, and increase in costs. The development of the flow-through hydroelectric portion would have rehabilitated the reservoirs at Pu'u Lua and Pu'u 'Ōpae, and provided critical infrastructure (roads, waterlines, and power) on DHHL lands to enable the Pu'u 'Ōpae Settlement Plan. The timing of implementing these homesteading plans is now significantly uncertain.

¹ <https://www.kiuc.coop/project-delays-jeopardize-west-kauai-energy-project>

Despite discontinuation of the project, the Waimea Watershed Agreement required KIUC to complete what were referred to as "Phase 1 modifications" of the stream intakes which were designed to implement the new Interim Instream Flow Standards stipulated in the 2017 Agreement for Waiakōali, Kawaiakōi, Kaua'ikinanā, and Kōke'e intakes.

To fulfill their obligations, KIUC submitted a Stream Channel Alteration Permit Application (SCAP) and Stream Diversion Works Permit Application (SDWP) to the CWRM for approval to proceed with Phase I Modifications. However, KAA and ADC raised objections during the CWRM meeting, expressing concerns about the proposed designs. These concerns included potential maintenance difficulties, adverse environmental impacts, and disruptions to water delivery from Kōke'e Ditch to DHHL ands and KAA's tenants. DHHL at the meeting also expressed concern with the potential disruptions to water delivery. The CWRM approved the SCAP but deferred the SDWP to allow for further discussions among all relevant parties.

Following CWRM's deferral, KIUC, KAA, DHHL, CWRM, and Earthjustice (EJ), representing PWO, engaged in regular discussions to address the Phase I Modifications and related issues. KAA subsequently proposed alternative modifications and sought funding from KIUC in lieu of KIUC implementing the original Phase I design.

On October 21, 2024, the Hawaiian Homes Commission approved Item G-1, authorizing the Chairperson to sign the Stipulation Agreement. This Stipulation Agreement between the involved parties released KIUC from its Obligations under the 2017 Waimea Watershed Agreement. The onus for completion of the alternative Phase I modifications was transferred from KIUC to KAA and ADC via a separate Transfer Agreement, in addition to KIUC's compensation to KAA, as ADC's licensee, in the amount of \$775,000. The Agreements were executed on October 25, 2024 (Exhibit B).

Since then, KAA has began the alternative Phase I modifications. Additionally, KAA, ADC, DHHL, CWRM, EJ, and Department of Land and Natural Resources staff have been meeting regularly to discuss interim operations and communications protocol for periods of low flows and high flows. Since October 2024, Waimea has been facing long dry periods and sporadic periods of high rainfall. In order to mitigate water distribution during these low flow periods, DHHL staff have been assisting with communications between KAA and DHHL leases. While

the completion of the modifications may assist with water distribution, further funds will need to be allocated to improvements to the DHHL portion of the ditch and storage for the future success of these lands.

III. Other Projects with Future Water Implications

Other DHHL projects going forward will require water for further development. Some updates will be given in the planning update and other presentations. A short breakdown of a few of the projects is shown below from east to west. With new planned developments on Kaua'i, DHHL staff have been coordinating monthly meetings with the Kaua'i Department of Water to better synchronize DHHL's developments with improvements that the County are planning and exploring.

A. Moloa'a Water Reservation

As referenced above in the discussion on water reservations, DHHL holds 316 acres of undeveloped land in Moloa'a. The proposed land use for this area is subsistence and general agricultural lots, in addition to a special district along the stream. The land is currently used for grazing. DLNR was previously pursuing the conversion of a Revocable Permit into a water license for Well No. 2-1020-002 under HRS 171-58. Under this statute, the Commission on Water Resource Management (CWRM) is required to reserve water for DHHL in response to a request for another party to lease or license state waters. As a part of that process, DHHL has been working to secure a water reservation for DHHL's current and foreseeable needs.

On August 23, 2024, the previous Revocable Permit holder for the operation and maintenance of the Moloa'a well and transmission facilities requested a cancellation of the permit. The Permittee cited liability and exorbitant costs associated with the well for the reason he no longer wished to operate the system. A Contested Case Hearing was requested at the Board of Land and Natural Resources meeting. Although the Permittee is no longer seeking a license, the Department is still interested in acquiring a reservation of water for this land tract for future DHHL beneficiaries.

B. Grove Farm Isenberg Property Acquisition

DHHL plans to acquire a 295 acre property from Grove Farm with Act 279 funding. The County water system that services Lihue is proximate to the project area and could potentially service this

parcel, however, the County will need to increase their capacity before water is available for homestead usage. As Lihue is a water resource constrained location, DHHL will need to secure a source of water for this property in order to be able to develop residential homesteads. The associated lot count is anticipated to build out roughly 1,000 units. The associated water demand has not been calculated yet and there are no water reservations in place for any of the new acquisitions. DHHL staff have been in discussions regarding Grove Farm's previous water allocation and potential increase of the Surface Water Treatment Plant's capacity as a possible solution.

C. Wailua Master Planning Process

The master planning process for Wailua is still underway. There are no specific needs identified yet because an anticipated lot count is still being developed.

D. Hanapēpē Future Phases

The Construction of Phase 2 (82 units) in Hanapēpē is ongoing. For subsequent additional phases, DHHL staff are coordinating monthly meeting with the County to discuss the County's capacity to accommodate DHHL's future phases. The County is currently evaluating an existing well for its production capacity and water quality. If the County system cannot accommodate additional DHHL demand, the Department may partner with the County to develop an additional source.

IV. The Commission on Water Resource Management's Loea Seat

One of the seven seats on the Commission on Water Resource Management is by law required to be filled by someone with "*substantial experience or expertise in traditional Hawaiian water resource management techniques and in traditional Hawaiian riparian usage*" (HRS 174C-7(b)(por.)). That seat, also known as the loea seat, was most recently held by Neil Hannahs, whose term ended June 30, 2024.

CWRM nominees are vetted by a Nominating committee made up of four members; two appointed by the Governor, one by the Senate President, and one by the Speaker of the House. After significant disputes over a year, Governor Green announced the nomination of Hannah Springer to the loea seat on March 27, 2025.

Hannah Springer's extensive experience demonstrates that she more than meets the requirements to serve in the loea seat. A kanaka maoli descendant of Ka'ūpūlehu, Hawai'i Island, she has been a well-known leader of many `āina and wai related practices. Notably she was a key member of the association Ka Pa`akai o Ka `Āina, whose efforts directly led to the development of the Ka Pa`akai Test which now helps county and state agencies fulfill their duties under Article XII, section 7 of the Hawai'i Constitution.

On April 11, 2025, the Committee on Water and Land held a hearing that included GM 770 - Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, Hannah Springer, for a term to expire 06-30-2028. There were 454 pages of testimony submitted in support of Springer's appointment. After discussion, the Committee unanimously adopted the measure. On April 23, 2025, the Senate unanimously confirmed Hannah Springer for the loea seat. Her first CWRM meeting was April 28, 2025 in Lahaina, Maui, where numerous testifiers congratulated her on her confirmation.

V. Changes in the State's Permitting Process for Well Construction Pump Installation Permits

Water management areas provide more protection and allow due process for interests with protected water rights, like DHHL and its beneficiaries. As there are no designated water management areas on the island of Kaua'i, DHHL needs to seek other methods to ensure that well development and water use be held to the highest level of scrutiny. Recent policy changes by CWRM explained below have positively impacted how groundwater development proposals are evaluated regardless of the designation or non-designation of the area.

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

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

How CWRM characterizes Aquifers

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

They also calculate Sustainable Yields (SY) for each of those aquifers. They assume all ground water in each aquifer is a "basal aquifer" - fresh water floating on salt water. They then use a simple mathematic equation to estimate what percentage of "recharge" - water like rain or fog that flows into the ground - can be withdrawn from wells in the area before those wells would begin to draw up salty water below the fresh water.

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

[illegible]

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

- 13 -

Challenges related to Deep Confined Aquifers

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

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

New processes for approval of Well Construction / Pump Installation Permits

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

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

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

At the June 2024 CWRM meeting, DHHL staff requested deferral and that DHHL be consulted on the item, as DHHL is both

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

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

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

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

VI. Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

DHHL has also continued to seek greater beneficiary involvement in water management in alignment with the goals of the HHC Water Policy Plan. In June of 2022, the Hawai'i County Council considered a proposed charter amendment, that, among other matters, would have required that a member of the Hawai'i County Board of Water Supply also be a DHHL beneficiary. While the proposal to include this as a charter amendment on the ballot did not survive second reading, it brought about significant engaged testimony from beneficiaries and a high-level county discussion of the relationship between the county and DHHL on water development. In response to the consideration of the proposed charter amendment, beneficiary leadership suggested specific training for beneficiaries on how to prepare for, apply for, and serve on water related boards and commissions, to help ensure DHHL perspectives and beneficiary voices are represented.

Working with the William S. Richardson School of Law's Ka Huli Ao Center for Excellence in Native Hawaiian Law, pilot training was designed and scheduled and opened to an inaugural cohort from across the islands in the autumn of 2023 via Zoom. The training focuses on tools and resources in four parts: Part 1: Foundations for Building Effective Kahuwai Pono; Part 2: A Legal Toolkit for Kahuwai Pono - Wai and the Public Trust; Part 3: A Legal Toolkit for a Kahuwai Pono - Traditional and Customary Native Hawaiian Practices; and Part 4: Kahuwai Pono and their Departments. The fifth cohort's training just concluded on April 14.

Cohort alumni have been putting their training into action. Both for the confirmation hearing for Hannah Springer addressed above, and at the February and March Maui County Committee and Council confirmation hearings for the HHC representative to the `Aha Wai o Maui Hikina (Dr. Jonathan Likeke Scheuer), much of the submitted testimony came from cohort alumni. Dr. Scheuer was approved and will continue representing the Department and Commission until March 31, 2030.

RECOMMENDATION

None; for information only.

Attachment A - BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA

Attachment B - STIPULATION AND AGREEMENT BETWEEN THE PARTIES TO THE APRIL 18, 2017 WAIMEA WATERSHED AGREEMENT & TRANSFER AGREEMENT FROM KIUC TO ADC

BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA

The purpose of this document is to review the water rights and responsibilities (kuleana) of the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL). It is meant to be a stand-alone review document for those interested in these matters as well as a standing attachment to submittals on water issues presented to the HHC, updated from time to time.

The HHC and DHHL have four primary water responsibilities:

1. To plan for fulfilling existing and future water needs;
2. To advocate for water rights;
3. To develop water sources; and
4. To manage water systems

To help fulfill these responsibilities, DHHL has distinct water rights based on the Hawaiian Homes Commission Act (HHCA), the Hawai'i State Constitution (HSC), Hawai'i Revised Statutes (HRS), Attorney General's opinions and court cases. These water rights are tools that the Hawaiian Homes Commission (HHC) can use as needed. Evaluating which tool/right is best to use depends on the opportunities at hand and the costs (financial and otherwise) of asserting that tool/right.

The Department has developed three educational handouts which help explain separate aspects of these issues posted on the Department's website:

- The "Lehua Handout" has a summary of these HHC and DHHL water kuleana;
- The "Koa Handout" summarizes the HHC Water Policy Plan (WPP); and
- The "Kalo Handout" summarizes the record on appeal of the decisions of the Commission on Water Resource Management (CWRM), and as they are the trustees of water in Hawai'i, their decision making has significant impacts on the rights of the Department and our ability to fulfill the WPP.

The next sections go into some additional detail, prior to describing how DHHL interacts with CWRM and implements the HHC WPP. It is organized around the four responsibilities reviewed above, pairing the first two (planning and advocacy) due to their significant overlap in activity.

Planning for Water Needs and Advocating for Water Rights

The Department's Water Planning and Advocacy Kuleana include the need to continuously determine the future water needs for all of the `āina ho`opulapula and then seek water reservations from CWRM to set aside sufficient water to meet those needs.

What are water reservations?

Water can be "reserved" - set aside and not allocated to other users - by the CWRM, implementing its powers under the state Water Code, HRS 174C. These powers were conveyed by the Legislature in 1990, in part out of acknowledgement that it can take years between the HHC determining a proposed use of land and the land being developed for that use, due primarily to the lack of capital funds needed for development. Absent water reservations, other competing public and private sector developers can (and in many cases have) developed most or all of the easily available water in an area, either precluding DHHL development or significantly increasing the costs of water development. Reservations are one tool to address that problem.

There are two distinct methods by which CWRM can reserve water. In Water Management Areas (WMAs) - parts of the state which are subjected to a higher level of permitting scrutiny for surface or ground water allocation - water reservations are adopted through rule making. Currently all of O`ahu except for the Wai`anae Aquifer Sector Area, all ground water on the island of Molokai, the `Īao Aquifer of Maui, and groundwater in West Maui are designated as Ground WMAs. The surface waters of Nā Wai `Ehā and the surface waters related to the Lahaina Aquifer Sector Area, both on Maui, are designated as Surface WMAs.

Because of this rule making requirement as well as the permitting requirements in WMAs - which require that all water use permits are subject to the rights of DHHL - the protection of DHHL water rights are more robust in WMAs.

In non-WMAs, the CWRM can simply take action to vote, by a majority of its seven members, to reserve water for DHHL. Reservations by rule and by simple CWRM action are supposed to be included in all elements of the Hawai`i Water Plan, including the Water Resources Protection Plan (WRPP), the State Water Projects Plan (SWPP), and the County Water Use and Development Plans (WUDPs).

The actions that trigger CWRM consideration of DHHL water reservation needs vary. The state water code (HRS 174C) in section 101(a) requires that: "Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act."

Some of the most common triggers for adopting DHHL reservations have been related to adoptions of parts of the Hawai'i Water Plan. Most of the groundwater reservations currently held were adopted following the acceptance by CWRM of the 2017 SWPP update.

Another key trigger has been when CWRM has adopted new Interim Instream Flow Standards (IIFSs), which are science and fact based determinations of the minimum amount of water that should remain in a stream before any off-stream uses of water are allowed. The original IIFSs adopted by CWRM around Hawai'i in 1988 were "status quo" standards, only protecting the amount of water in the stream at that time. Since most streams across Hawai'i in 1988 were diverted, and these historic diversions usually took 100% of the flow on non-rainy days, this has meant that there have been few or no legal protections for public trust uses of surface water. For decades after this action, communities around Hawai'i have petitioned CWRM to adopt IIFSs that protect public trust uses of water, including DHHL needs; this has led to well-known litigation such as the Waiāhole and Nā Wai `Ehā cases. In recent years the CWRM has begun to proactively propose IIFS on its own, and has worked with DHHL to propose associated reservations at the same time.

Actions by the Board of Land and Natural Resources (BLNR) can also trigger the adoption of reservations for DHHL. HRS 171-58, which governs the issuance of water leases by the state, specifies in part (g) that "Any lease of water rights or renewal shall be subject to the rights of the department of Hawaiian home lands as provided by section 221 of the Hawaiian Homes Commission Act." In the case of the EMI system requests, DHHL's reservation consideration is triggered by the current owners of EMI seeking a long-term lease of water.

Limits to reservations

While water reservations are an important policy tool available to DHHL, CWRM, and the HHC, they have limitations. Some of these include:

- Previously, reservation requests by DHHL have been delayed or denied by CWRM staff for unclear reasons
- Reservations do not provide immediate access to "wet water"
- Developing water will still require:
 - Capital Improvement Plan (CIP) funds
 - Detailed design and environmental review
 - Developing source, storage, transmission
 - Agreement with County or others for operation
- In geographically large aquifer systems, locations to develop water can still be remote from DHHL tracts
- The enforceability of reservations, particularly in non-WMAs, has not been legally tested
- DHHL along with CWRM will need to monitor other developments potential impact on DHHL reservations

Water License Receipts

As mentioned above, the issuing of water licenses by the state can be a trigger for the DHHL to seek a water reservation from a particular source proposed for license. Receipts are to be deposited into the Native Hawaiian Rehabilitation Fund, which is the source of revenue for grants to homestead organizations. This arrangement originated in the HHCA as it was passed in 1921, and are codified including in [HSC Art. XII, § 1.](#)

Historically revenue from the licensing of water was significant; however, with the decline of large plantations, along with choices made by the Land Division of the Department of Land and Natural Resources, water license revenue has declined significantly. There are instances around Hawai'i where water originates from state land and currently there is no proposal to issue a water license.

Public Trust Status

As the key Trustee and lead agency in managing water, CWRM is critical in helping DHHL preserve and implement its rights to water. However, since the passage of the Water Code in 1987, a number of significant court decisions have made on appeals of decisions by the CWRM. That record will be discussed in more

detail below. Of significance here is that the courts have identified over a series of cases four "public trust uses" of water, which are to have priority, over private, commercial uses of water. While they are not specifically listed as such under the Water Code, the courts identified these based on interpreting the Code, the specific circumstances of the cases they were ruling on, as well as the long legal history of water law dating back to the Kingdom. Along with Appurtenant Rights - four Public Trust Purposes are:

- Maintaining water in its natural state;
- Water used in the exercise of the traditional and customary practices of native Hawaiians;
- Water reserved for or used by DHHL; and
- The domestic needs of the general public.

Appurtenant water rights refer to the water necessary for the use of kuleana parcels at the time kuleana awards were made - and they enjoy the same high level of priority as the four purposes above.

Private, municipal, and commercial uses of water are not prohibited. However, when CWRM or other agencies make decisions, they need to follow particular processes to ensure that public trust purposes of water are provided for.

As one of the protected public trust uses of water, the DHHL has a particular responsibility to protect that status, as well as to not bring harm to the other public trust uses of water. One way in which DHHL does this is to consider and pursue alternate sources of water when its uses may impact another public trust use of water. Another is to help defend all public trust uses against private commercial uses that could harm its own and other public trust uses.

Water Source Development

Even after the Department has secured water reservations as discussed above, efforts must be made to develop water sources to enable homesteading. In addition to the general powers that state departments have to expend funds and manage programs, DHHL has particular powers related to water source development.

The most commonly used of these is the power to issue leases or licenses to trust lands. Very frequently, DHHL will develop some combination of water source, storage, and transmission, and then lease, license, or otherwise dedicate

those to the Board or Department of Water Supply of the county these lands lie in. In exchange, DHHL, receives a certain number of water credits, which can be used and exchanged for water meters at a future time. Water credits have also been obtained in the past by other parts of the state government developing wells and assigning credits to the DHHL, as well as through litigation.

While it has never used the power, the HHC also has the power to bring eminent domain proceedings against private parties to obtain sites with water sources. It can also "demand" access to state controlled water systems, but like condemnation has not exercised this power.

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

Water System Management

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

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

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

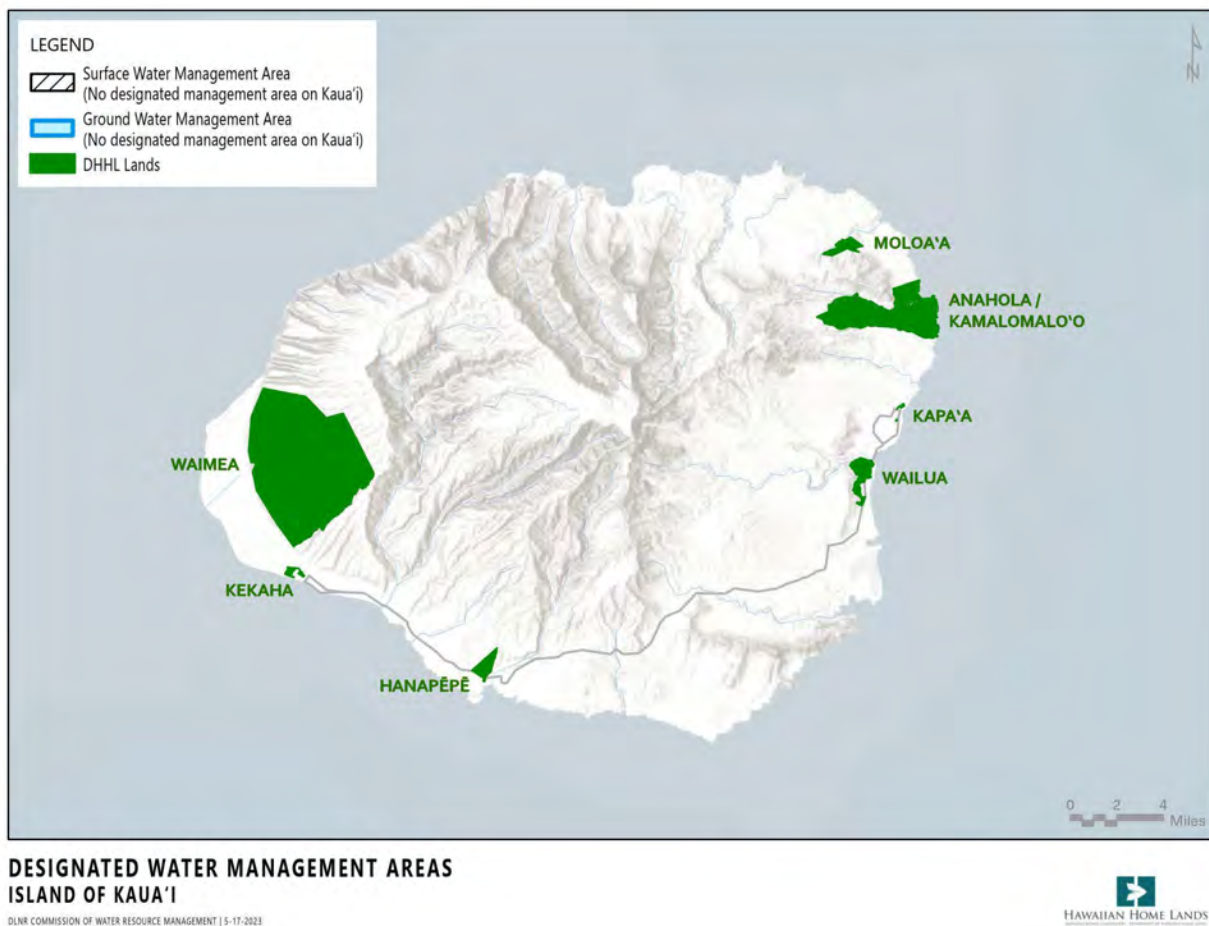


Figure 1. DHHL Lands and Water Management Areas on Kaua`i island. There are currently no designated water management areas on the island of Kaua`i.

HHC Water Policy Plan (WPP)

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

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

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

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

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

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

STIPULATION AND AGREEMENT BETWEEN THE PARTIES
TO THE APRIL 18, 2017 WAIMEA WATERSHED AGREEMENT

Pō‘ai Wai Ola/West Kaua‘i Watershed Alliance (Pō‘ai Wai Ola); the State of Hawai‘i, Agribusiness Development Corporation (ADC); the State of Hawai‘i, Department of Hawaiian Home Lands (DHHL); the Kekaha Agriculture Association (KAA), as licensee of ADC pursuant to the “Restated and Amended Memorandum of Agreement Between the State of Hawaii Agribusiness Development Corporation and Kekaha Agriculture Association” entered into on August 29, 2008, amending the Agreement dated April 1, 2007 (MOA); and the Kaua‘i Island Utility Cooperative (KIUC), as the “Parties” to the April 18, 2017 Waimea Watershed Agreement (WWA), approved by the Order Approving the Mediation Agreement for the Waimea Watershed Area by the State of Hawai‘i, Department of Land and Natural Resources, Commission on Water Resource Management (CWRM) on May 16, 2017, attached hereto as Exhibit A and incorporated herein by reference,

DO HEREBY STIPULATE AND AGREE as follows:

1. Pursuant to the WWA, KIUC submitted initial modification plans and gaging plans to CWRM and the Parties on September 1, 2017 and September 6, 2017. In March 2018, KIUC submitted its Kōke‘e Diversion Modification Project plan (KIUC’s Phase One Plan) to the Parties. In May 2018, after multiple rounds of comments from the Parties and CWRM, KIUC received approval from the Parties to proceed with KIUC’s Phase One Plan.
2. Pursuant to the WWA, Phase Two would go into effect if and when a KIUC renewable energy project supported by the Kōke‘e Ditch began service. Phase Two established different duties and responsibilities for the Parties, including for KIUC.
3. On December 13, 2023, KIUC gave notice to the Parties that it would “discontinue active development of the flow-through hydroelectric portions of” the energy project known as the West Kauai Energy Project (WKEP), which would have been supported by the Kōke‘e Ditch. *See Exhibit B, attached hereto and incorporated herein by reference.*
4. The Parties agree that KIUC’s duties and responsibilities pursuant to Phase One of the WWA have not yet been fulfilled and that KIUC has not yet received all the permits and approvals required to implement KIUC’s Phase One Plan.
5. In exchange for a full release from the Parties of all claims arising from its duties and responsibilities pursuant to the WWA, KIUC shall pay SEVEN HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$775,000.00) to KAA, as ADC’s licensee, within 10 days of the date this Stipulation and Agreement is approved by CWRM.
6. ADC, KAA as ADC’s licensee, DHHL, and Pō‘ai Wai Ola have met and agreed that KAA’s Phase One Plan, as attached hereto as Exhibit C and incorporated herein by reference (KAA’s Phase One Plan) when fully implemented will meet the Phase One obligations under the WWA. The Parties accordingly desire to replace KIUC’s Phase One Plan with

KAA's Phase One Plan, and do hereby collectively approve the implementation of KAA's Phase One Plan.

7. KAA, as ADC's licensee, shall utilize the \$775,000 monetary compensation from KIUC to implement KAA's Phase One Plan. If KIUC's monetary contribution is insufficient to complete the scope of work in KAA's Phase One Plan, ADC shall actively pursue the additional funding necessary to complete KAA's Phase One Plan by seeking legislative appropriations, grants, or other state-sanctioned methods of obtaining funding.
8. KIUC remains liable for its duties and responsibilities under the WWA until the date this Stipulation and Agreement is approved by CWRM and payment of \$775,000 is made to KAA, as ADC's licensee.
9. As of the date this Stipulation and Agreement is approved by CWRM and payment of \$775,000 is made to KAA, as ADC's licensee, ADC accepts responsibility for KIUC's duties and responsibilities under the WWA. ADC, either itself or through its licensee KAA, will implement the requirements previously assigned to KIUC in Phase One of the WWA, which eliminates KIUC's duties and responsibilities under the WWA.
10. Based upon ADC's assumption of KIUC's duties and responsibilities under Phase One of the WWA, as amended by KAA's Phase One Plan, the Parties hereto stipulate and agree that KIUC may withdraw from the WWA effective on the date this Stipulation and Agreement is approved by CWRM and payment of \$775,000 is made to KAA, as ADC's licensee.
11. This Stipulation and Agreement was approved by the ADC Board of Directors at its meeting on or about October 24, 2024, and will become effective upon approval by CWRM.
12. The timetable for completion of KAA's Phase One Plan will be completed in accordance with the deadlines set forth in Exhibit C. If it becomes apparent that any of the deliverables in KAA's Phase One Plan will not be completed by the deadlines set forth in Exhibit C, ADC, or its licensee KAA, will provide written notice to the Parties, including Commission staff, detailing the cause for delay, ADC or KAA's good faith efforts to meet the agreed-upon deadline, and the plan and expected timeframe for completion. ADC, or its licensee KAA, shall provide updates to the Parties regarding their progress implementing KAA's Phase One Plan. ADC, or its licensee KAA, shall also provide the Parties with itemized statements regarding expenditure of the \$775,000 consistent with the level of detail in the cost summary included in Exhibit C.
13. The Parties acknowledge and agree that nothing herein shall abridge or otherwise limit the rights of DHHL under the WWA, including DHHL's water reservation for existing and future uses.
14. This Stipulation and Agreement may be executed in multiple counterparts, each of which shall be deemed a duplicate original, but all of which taken together shall constitute one


and the same instrument. The Parties agree that this Stipulation and Agreement may be executed by original signature or electronic signature, and the signature pages transmitted by facsimile, scan and email, or other electronic transmission. The delivery of such electronic signature pages shall constitute effective execution and delivery. The effectiveness of this Stipulation and Agreement shall not be affected by the non-electronic delivery of any manually signed signature page.

15. The Parties represent and warrant that the person executing this Agreement on behalf of each respective Party is duly authorized to do so.

[Remainder of this page intentionally left blank; signature page follows.]

STIPULATED AND AGREED TO BY:

Pō'ai Wai Ola/West Kaua'i Watershed Alliance

By: 
Its: Vice President
Dated: October 24, 2024

State of Hawai'i, Agribusiness Development Corporation

By: _____
Its: Executive Director
Dated: _____

State of Hawai'i, Department of Hawaiian Home Lands

By: _____
Its: Chairperson of the Hawaiian Homes Commission
Dated: _____

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Kauai Island Utility Cooperative

By: _____
Its: _____
Dated: _____

Withdrawal of KIUC from the WWA and substitution of KAA's Plan for Phase One
Approved by the Commission on Water Resource Management:

By: _____
Its: _____
Dated: _____

Effective Date: _____

STIPULATED AND AGREED TO BY:


Pō'ai Wai Ola/West Kaua'i Watershed Alliance

By: _____
Its: _____
Dated: _____

State of Hawai'i, Agribusiness Development Corporation

By: _____
Its: Executive Director
Dated: _____

State of Hawai'i, Department of Hawaiian Home Lands

By: 
Its: Chairperson of the Hawaiian Homes Commission
Dated: Oct 24, 2024

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Kauai Island Utility Cooperative

By: _____
Its: _____
Dated: _____

Withdrawal of KIUC from the WWA and substitution of KAA's Plan for Phase One
Approved by the Commission on Water Resource Management:

By: _____
Its: _____
Dated: _____

Effective Date: _____

STIPULATED AND AGREED TO BY:

Pō'ai Wai Ola/West Kaua'i Watershed Alliance

By: _____
Its: _____
Dated: _____

State of Hawai'i, Agribusiness Development Corporation

By: _____
Its: Executive Director
Dated: _____


State of Hawai'i, Department of Hawaiian Home Lands

By: _____
Its: Chairperson of the Hawaiian Homes Commission
Dated: _____

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Kauai Island Utility Cooperative

By:  _____
Its: CEO
Dated: 10/24/24

Withdrawal of KIUC from the WWA and substitution of KAA's Plan for Phase One
Approved by the Commission on Water Resource Management:

By: _____
Its: _____
Dated: _____

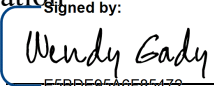
Effective Date: _____

STIPULATED AND AGREED TO BY:

Pō'ai Wai Ola/West Kaua'i Watershed Alliance

By: _____
Its: _____
Dated: _____

State of Hawai'i, Agribusiness Development Corporation

Signed by:

By: _____
Its: Executive Director
Dated: _____

State of Hawai'i, Department of Hawaiian Home Lands

By: _____
Its: Chairperson of the Hawaiian Homes Commission
Dated: _____

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Kauai Island Utility Cooperative

By: _____
Its: _____
Dated: _____

Withdrawal of KIUC from the WWA and substitution of KAA's Plan for Phase One
Approved by the Commission on Water Resource Management:

By: _____
Its: _____
Dated: _____

Effective Date: _____

STIPULATED AND AGREED TO BY:

Pō'ai Wai Ola/West Kaua'i Watershed Alliance

By: _____
Its: _____
Dated: _____

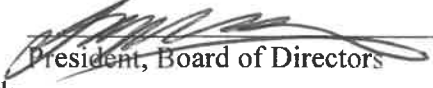
State of Hawai'i, Agribusiness Development Corporation

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Withdrawal of KIUC from the WWA and substitution of KAA's Plan for Phase One
Approved by the Commission on Water Resource Management:

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1

MEDIATION AGREEMENT
FOR THE WAIMEA WATERSHED AREA

This Mediation Agreement is entered into this 18th day of April, 2017, by and between the parties hereto to present reasonable interim instream flow standards to the Commission on Water Resource Management ("Commission") for its consideration in an effort to resolve disputes arising out of the diversion of water from the Waimea River and its tributaries, and to avoid protracted and time and resource consuming litigation.

WITNESSETH:

WHEREAS, on July 24, 2013, Pō'ai Wai Ola/West Kaua'i Watershed Alliance filed a Combined Petition to Amend the Interim Instream Flow Standards for Waimea River and Its Headwaters and Tributaries, and Complaint and Petition for Declaratory Order Against Waste, which concerns the Waimea Watershed in Waimea, Island of Kaua'i, Hawai'i;

WHEREAS, on May 27, 2014, the Commission engaged Element Environmental, LLC to develop an inventory of the stream system, water uses, and water users of the Waimea River and its headwaters and tributaries, and to conduct an appropriate investigation of the water systems and the water resources in the area;

WHEREAS, during 2015, the Commission sought and received information on water uses from the agricultural interests and the Department of Hawaiian Home Lands ("DHHL");

WHEREAS, in October, 2015, the Commissioners, Commission staff, and interested parties familiarized themselves with the stream system and non-stream uses by visiting the area over two days;

WHEREAS, on November 17, 2015, DHHL filed with the Commission a Petition for Reservation of Surface Water of 33.145 MGD;

WHEREAS, also during 2015, in light of the fact that similar petitions have historically taken decades to resolve, the Commission staff approached various parties having an interest in this area and its waters to consider participating in a mediation of the issues involved;

WHEREAS, in December, 2015, the Commission approved engaging a mediator to assist in reaching an agreement between the parties that would be acceptable to the Commission to resolve the issues in the Waimea watershed;

WHEREAS, at its February 16, 2016 duly-noticed meeting, the Commission approved the terms of reference for the mediation, and subsequently, the services of the Collaborative Leaders Network were engaged to conduct the mediation, led by its President, Robert Alm; and

WHEREAS, during November, 2016, a set of controlled releases of water was undertaken by the Commission staff and the parties to assist in the resolution of the issues in this matter.

EXHIBIT A

NOW, THEREFORE, the parties have reached the following points of agreement for consideration and approval by the Commission to guide the Commission staff and these parties in their respective and cooperative handling of the area's water resources in the coming years, and to amend the current interim instream flow standards of the Waimea River, its headwaters and its tributaries:

1. The Waimea Watershed Agreement which is attached hereto as Exhibit A.
2. In light of this agreement, it is also agreed that:
 - A. Pō'ai Wai Ola/West Kaua'i Watershed Alliance's Combined Petition to Amend the Interim Stream Flow Standards for Waimea River and Its Headwaters and Tributaries, and Complaint and Petition for Declaratory Order Against Waste (filed July 24, 2013) will be considered to be resolved.
 - B. DHHL will, within thirty days (30) of the approval of this agreement, submit a modified petition to provide for a water reservation of 6.903 MGD from the Kokee Streams, and request that the Commission consider and act on the modified petition within sixty (60) days of its filing. DHHL maintains the right to file, at later dates, additional water reservations for the Waimea Watershed.
3. The terms of this Agreement are submitted to the Commission for consideration and approval. By executing this Agreement, each party represents to the Commission its acknowledgement that, based upon the information obtained to date on stream flows, ditch flows, beneficial in-stream uses and non-stream uses, each party has weighed the importance of the present and potential uses of water, including the economic impact of restricting such uses.
4. The parties recognize and respect the intent of the Water Code, Chapter 174C, H.R.S., and the Commission, including to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses, as long as there is adequate provision for the protection of traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation.
5. Mediation communications and confidential information protected by the Commission's mediation rules, H.A.R. § 13-167-90, and the Uniform Mediation Act, H.R.S. ch. 658H, shall remain confidential regardless of the Commission's decision on this Agreement.
6. This Agreement shall be effective, and interim instream flows shall be established, if at all, upon approval of its terms by the Commission.

Wherefore, the parties affix their signatures to this agreement to evidence their acknowledgment, contribution, and agreement to each of the terms set forth above.

PŌ'AI WAI OLAI
WEST KAUAI WATERSHED ALLIANCE

STATE OF HAWAII, AGRIBUSINESS
DEVELOPMENT CORPORATION

By: _____
Its

Handwritten signature

By: _____
Its

STATE OF HAWAII, DEPT. OF
HAWAIIAN HOME LANDS

KEKAHA AGRICULTURE
ASSOCIATION

By: _____
Its

By: _____
Its

KAUAI ISLAND UTILITY
COOPERATIVE

By: _____
Its

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PŌ'AI WAIOLA/WEST KAUA'I
WATERSHED ALLIANCE

STATE OF HAWAI'I, AGRIBUSINESS
DEVELOPMENT CORPORATION

By: _____
Its

By:  _____
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PŌ'AI WAI OLA/WEST KAUA'I
WATERSHED ALLIANCE

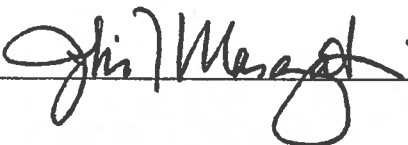
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WATERSHED ALLIANCE

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DEVELOPMENT CORPORATION

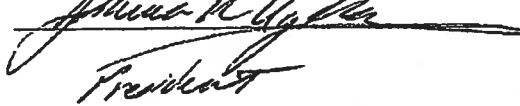
By: _____
Its

By: _____
Its

STATE OF HAWAI'I, DEPT OF
HAWAIIAN HOME LANDS

KEKAHA AGRICULTURE ASSOCIATION

By: _____
Its

By: 
Its
President

KAUA'I ISLAND UTILITY
COOPERATIVE

By: _____
Its

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PŌ'AI WAI OLA/WEST KAUA'I
WATERSHED ALLIANCE

STATE OF HAWAI'I, AGRIBUSINESS
DEVELOPMENT CORPORATION

By: _____
Its

By: _____
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STATE OF HAWAI'I, DEPT OF
HAWAIIAN HOME LANDS

KEKAHA AGRICULTURE ASSOCIATION

By: _____
Its

By: _____
Its

KAUA'I ISLAND UTILITY
COOPERATIVE

By: David J. Bissell
Its CEO

WAIMEA WATERSHED AGREEMENT

- A. Statement of Guiding Principles**
- B. Modification of Diversions**
- C. Permits and Approval**
- D. IIFS Numbers**
- E. Monitoring Stations**
- F. Operating Protocols**
- G. Infrastructure Agreements**

A. STATEMENT OF GUIDING PRINCIPLES

The following guiding principles underlie this agreement and all phases of its execution:

1. All streams will be allowed to run from the mountain to the sea and no diversion will ever be a total diversion again.
2. Any diversion of water from a stream must be justified with no more water taken than is needed for other beneficial uses, and even then, the health of the stream must be preserved at all times. All waters not needed at any given time belong in the stream and the IIFS numbers are the minimum amounts to be provided.
3. Agriculture and renewable energy are beneficial uses of water diverted from these streams.
4. DHHL will, within thirty days (30) of the approval of this agreement, submit a modified petition to provide for a water reservation of 6.903 MGD from the Kokee Streams, and request that the Commission consider and act on the modified petition within sixty (60) days of its filing. DHHL maintains the right to file, at later dates, additional water reservations for the Waimea Watershed. The parties acknowledge DHHL's rights to water as set forth in the Hawaiian Homes Commission Act, the Hawaii Constitution, and Haw. Rev. Stat. chapter 174C, the State Water Code.
5. The ditch systems owned by the State of Hawaii's Agribusiness Development Corporation (ADC), and currently operated by the Kekaha Agriculture Association (KAA), will continue to be maintained to allow for both present and future uses.
6. Kaua'i Island Utility Cooperative (KIUC) will be allowed to complete due diligence on a set of energy projects supported by the Kokee Ditch System, and, if the energy projects are built, will receive from the Kokee ditch system a rolling average of 11 mgd to support both (1) the Puu Opa project and (2) DHHL's water needs under any water reservation the Commission may grant to DHHL (see A.4, supra) that are to be served by the project infrastructure, with the understanding that the KIUC project is intended to serve both energy and agricultural uses which will enable the Commission to review the water needs of both systems with the goal of reducing the diversion of water into the Kekaha Ditch system. This means that KIUC will be able to take an average of 11 mgd within each year and over the course of the life of the project, assuming the IIFSs are met first. The term "rolling average" as used in this agreement means an average to account for intra and inter annual fluctuation.
7. If KIUC does build the energy projects, it will assume substantial responsibility for much of the Kokee ditch system and related facilities as specified in this agreement.

B. MODIFICATIONS OF THE DIVERSIONS

Throughout this Agreement, all references to days are to calendar days.

All plans for the modification of any diversion shall be subject to review and approval by the Commission or its staff prior to any modification taking place. When plans are submitted to the Commission, a copy will be provided to each other party to this agreement.

KIUC will modify all diversions in the Kokee Ditch necessary to ensure the stream flow provided for in this agreement, as follows: KIUC will file with the Commission and any other pertinent regulatory agency its modification plans within one hundred thirty-five (135) days of the approval of this agreement by the Commission. Work on the modifications will begin within forty-five (45) days of approval of the modification plans or any other approval required by the modification proposal, whichever comes last.

If KIUC does not receive (1) the understandings from ADC set forth in Section C by April 30, 2017, and/or (2) the understandings from DHHL set forth in Section C within ninety (90) days of the Commission's approval of this agreement, KIUC shall have the option to withdraw from its responsibilities and obligations under this agreement. If KIUC opts to withdraw, it will notify the Commission and all the parties to this agreement. If KIUC does not exercise its option to withdraw within one-hundred (100) days after the approval of this agreement by the Commission, KIUC shall proceed with the modification plans in accordance with the paragraph immediately above.

ADC (either itself or through its licensee KAA) will modify all other diversions relating to the Kekaha Ditch system and specifically those associated with the Koaie and Waiahulu streams and the Waimea diversion necessary to ensure the stream flow provided for in this agreement, as follows: ADC (either itself or through its licensee KAA) will file with the Commission and any other pertinent regulatory agency its modification plans within forty-five (45) days of the approval of this agreement by the Commission. Work on the modifications will begin within forty-five (45) days of approval of the modification plans or any other approval required by the modification proposal, whichever comes last.

All modifications will be done in a manner that provides for water flowing over it, provides for a wetted path upstream and downstream such that adult forms can migrate upstream and larval forms can migrate downstream, and minimizes entrainment of native species to the maximum extent practicable.

If any modification requires an Environmental Assessment, an Environmental Impact Statement or other permitting or approvals, the filing of those must occur within ninety (90) days of notification by the Commission or other pertinent regulatory agency of the need for such actions.

If KIUC exercises its option to withdraw within one-hundred (100) days after the approval of this agreement by the Commission, ADC (either itself or through its licensee KAA) will be responsible for the modifications to the Kokee Ditch diversions necessary to comply with this agreement, as follows: ADC (either itself or through its licensee KAA) will file with the Commission and any other pertinent regulatory agency its modification plans for the Kokee Ditch

diversions within forty-five (45) days of KIUC's notice of withdrawal. Work on the modifications will begin within forty-five (45) days of approval of the modification plans or any other approval required by the modification proposal, whichever comes last.

C. PERMITS AND APPROVALS

In order to develop its renewable energy project(s), KIUC will need to obtain a number of permits and approvals from various governmental agencies, and compliance with the requirements of HRS Chapter 343 will be necessary prior to agency action on those permits and approvals. Nothing in this agreement obliges any government agency to grant any of those permits or approvals. Each permitting and approving agency needs to exercise its discretion without regard to this agreement. None of the signatory governmental agencies to this agreement issue the permits and approvals that KIUC will need for this project other than those provided for in this agreement.

In order to allow KIUC to move forward with its project(s), KIUC needs to know that it will have the ability to perform its due diligence (engineering, biological, and archaeological) on the project; that infrastructure for the project(s) will be available in the event that KIUC ultimately receives the permits and approvals necessary for its project(s); and the financial terms for access to and use of that infrastructure in the event that KIUC ultimately receives the permits and approvals necessary for its project(s).

If KIUC does not have in place (1) the understandings from ADC set forth below by April 30, 2017, and/or (2) the understandings from DHHL set forth below within ninety (90) days of the Commission's approval of this agreement, KIUC reserves the right to withdraw from its responsibilities and obligations under this agreement. If KIUC chooses to do so, it will notify the Commission, and all the parties to this agreement, that it is doing so and will then be relieved of all obligations under this agreement, subject to KIUC's duty to proceed with the diversion modification plans in accordance with Section B if KIUC does not exercise its option to withdraw within one-hundred (100) days after the approval of this agreement by the Commission.

It is understood that, in order to facilitate this agreement, Pō'ai Wai Ola/West Kaua'i Watershed Alliance will forbear from contesting or challenging ADC's or DHHL's decisions with respect to the understandings described in this section.

THE UNDERSTANDINGS ARE AS FOLLOWS:

From ADC to KIUC:

1. A license, with an option for a lease, for the following infrastructure:
 - a. The diversions on the Kokee Ditch at Waiakoali, Kawaikoi, Kauaikinana and Kokee and all the ephemeral diversions on the Kokee ditch system.
 - b. The Kokee Ditch from the diversions to the Puu Moe Divide.

- c. The Mana Reservoir.
- d. The land needed for construction of the Mana powerhouse located adjacent to the Mana Reservoir.

The license or lease shall provide for the water for KIUC under this agreement and approved by the Commission subject to approval of a water lease application by KIUC to be filed with the Board of Land and Natural Resources pursuant to Haw. Rev. Stat. § 171-58.

The financial terms of the license/leases shall be binding on KIUC and ADC if the required permits and approval are issued and the project is developed.

2. Easements as follows:

- a. The Kokee Ditch access roads for the purposes of ditch access and maintenance.
- b. The Mana Reservoir access road for the purpose of access to the Mana Reservoir, powerhouse and substation.
- c. A short-term easement for the construction of a pressurized pipeline segment on the Mana Plain with a long-term easement for maintenance of the pipeline.
- d. A short-term easement for the construction of the Puu Opae project powerhouse and substation adjacent to the Mana reservoir.
- e. A long-term easement for the Puu Opae project electrical transmission lines and pressurized pipeline.

From DHHL to KIUC:

- 1. A right of entry ("ROE") to be issued to conduct all engineering, biological and archaeological studies necessary to support regulatory requirements for the project.
- 2. Within ninety days (90) of the approval of this agreement by the Commission, the DHHL will notify KIUC as to whether it will issue a 65-year lease for the land and infrastructure (Puu Opae Reservoir) to KIUC subject to HRS § 171-95.3, the Hawaiian Homes Commission Act, as amended, and Hawaiian Homes Commission policies, if KIUC complies with HRS Chapter 343 and receives the necessary approvals and permits for the construction of the Puu Opae project. Once approved, and subject to the above, the financial terms and conditions will be binding on KIUC and DHHL.
- 3. If the lease to KIUC described above is issued by the DHHL, it will

- a. include the provision of a rolling average of 11 mgd of water subject to approval of a water lease application by KIUC to be filed with the Board of Land and Natural Resources pursuant to Haw. Rev. Stat. § 171-58 and subject to meeting the water needs of DHHL as set forth in any water reservation the Commission may grant.
- b. grant a short-term easement for the pressurized pipeline and a buried transmission line construction and the rehabilitation of the Puu Opaie Reservoir.
- c. grant a long-term easement for the maintenance of the pipeline, the buried transmission line and the access roads.
- d. will include the Puu Opaie Reservoir and land adjacent to the reservoir (less than three acres) for the project powerhouse.

D. IIFS NUMBERS

Based on the submissions by the parties and the analysis by the Commission staff, the following IIFS numbers are agreed to in two phases.

Phase One will go into effect upon the approval of this agreement by the Commission. As part of Phase One, the parties agree to immediately take steps to restore flows to the maximum extent possible (e.g., by removing a board or lifting a gate) while working on the structural modifications pursuant to the deadlines set forth in Section B.

Phase Two goes into effect if and when the KIUC energy project goes into service.

PHASE ONE:

Kokee Irrigation System

1. The existing natural flow in the Kokee Stream is permitted to flow past the Kokee Ditch.
2. For the Kauaikinana, Kawaikoi, and Waiakoali streams, the IIFS below each diversion is the following:

<u>Stream</u>	<u>IIFS</u>
Kokee	natural flow
Kauaikinana	0.7 mgd
Kawaikoi	4.9 mgd
Waiakoali	1.4 mgd

Kekaha Irrigation System

1. The IIFS for the Koaie Stream below the Koaie Diversion will be 2 mgd.

2. The IIFS for the Waimea Stream below the Waiahulu Diversion will be 8 mgd.
3. The IIFS for the Waimea Stream at USGS 16031000 will be 25 mgd with a minimum flow at all times through the Kekaha Ditch of 6 mgd measured at the Hukipo Flume.

PHASE TWO:

Kokee Irrigation System

1. The existing natural flow in the Kokee Stream is permitted to flow past the Kokee Ditch except for flows greater than 1.2 mgd, in which the IIFS is 1.2 mgd.
2. For the Kauaikinana, Kawaikoi, and Waiakoali streams, for flows less than or equal to the established values listed in the table below, the IIFS below each diversion is two-thirds (66.6%) of the flow in the stream; for flows greater than the established values listed below, the IIFS below each diversion is the value given.

Stream	Established value	IIFS	IIFS if stream flow is below or equal to established value	IIFS if streamflow is above the established value
Kokee	0.2	Natural flow up to 1.2	n/a	n/a
Kauaikinana	1.2		2/3 of stream flow	0.6
Kawaikoi	6.4		2/3 of stream flow	4.0
Waiakoali	1.3		2/3 of stream flow	0.8

All water flows above these numbers may be used by KIUC in support of its project.

Kekaha Irrigation System

1. The IIFS for Koaie Stream below the Koaie Diversion will be 2 mgd.
2. The IIFS for Waimea Stream below the Waiahulu Diversion will be 8 mgd.
3. The IIFS for the Waimea Stream at USGS 16031000 will be 25 mgd with a minimum flow at all times through the Kekaha Ditch of 6 mgd measured at the Hukipo Flume subject to Commission review of its ongoing need based on the water coming to the plain through the KIUC project as provided in paragraph 10 of the Operating Protocols section, infra.

If Phase Two goes into operation, the Commission will examine the amounts being diverted at Koaie and at Waiahulu with goal of increasing the total IIFS numbers for these two streams.

E. MONITORING STATIONS

Monitoring stations will be put in place to measure the amount of water coming into the ditches and the amount of water going into the streams below the diversions on a continuous real-time basis.

KIUC, assuming that it receives the understandings called for in the Permits and Approvals section of this agreement, will install and maintain monitoring equipment at the existing flow gauging location immediately above the Puu Lua Reservoir and for the following streams:

Waiakoali

Kawaikoi

Kauaikinana

Kokee

ADC (either itself or through its licensee KAA), if the Commission approves this agreement, will install and maintain monitoring equipment for the following streams:

Waiahulu

Koaie

Waimea at the Mauka hydroelectric plant

The information gathered by these stations shall be made available to all parties at the same time.

The Commission and the U.S. Geological Survey may install and maintain its own monitoring equipment along the streams and/or ditches in the watershed.

If the KIUC project does not receive the understandings called for in the Permits and Approvals section, the monitoring equipment will be installed and maintained by ADC (either itself or through its licensee KAA). If the KIUC project ultimately does not proceed, ADC (either itself or through its licensee KAA) will assume responsibility for the monitoring equipment.

F. OPERATING PROTOCOLS

The goal of the Waimea water systems is to preserve the life of the streams and their aquatic resources while allowing for agricultural and renewable energy uses to co-exist with the streams.

In the operation of these systems the intent is to have instantaneous daily decisions made on where the water in any given stream would go between the streams and the ditches:

1. Flow in the stream has the highest priority and water should flow at the highest possible level with diversions only as needed for other uses with the IIFS numbers being the minimum amounts to be provided.
2. Stated otherwise, when water is not presently needed for other uses such as expanded agricultural uses or future energy projects, the water must remain in the streams.
3. Current agricultural uses by ADC (and its licensees) will continue to be provided with the water needed for their operations. Each month, ADC (either itself or through its licensee KAA) will report monthly water usage volumes for agricultural and non-agricultural uses, monthly total cultivated acres, and a list of crop types. Each year, ADC (by itself or through its licensee KAA) will report annual cultivated acres by crop type.
4. Water for the kalo farmers on the Menehune Ditch will continue to be provided by one or both ditch systems.
5. Water for agricultural uses by ADC (and its licensees) and water for uses by the DHHL (and its lessees and licensees) in accordance with DHHL's rights to water as set forth in the Hawaiian Homes Commission Act, the Hawaii Constitution, and Haw. Rev. Stat. chapter 174C, the State Water Code will be provided so long as the amounts involved are reasonable in their consumption levels and in relation to the water provided to the streams. In that regard, the need to plant less water intensive crops and the importance of using efficient water delivery methods will be taken into account as well as the availability of R-1 water and well water.
6. If one or more hydro projects are developed by KIUC on the Kokee Ditch System, KIUC will receive from the Kokee ditch a rolling average of 11 mgd to support both (1) the Puu Opae project and (2) DHHL's water needs under any water reservation the Commission may grant to DHHL (see A.4, *supra*) that are to be served by the project infrastructure. This means that KIUC will be able to take an average of 11 mgd within each year and over the course of the life of the project, assuming the IIFSs are met first. In its project, KIUC will leave enough water in the ditch past the Puu Moe Divide to meet the needs of users of ditch water below that point.

7. Controlled releases and biological studies will be part of any protocol to help determine the best ongoing uses of water.
8. To the extent not otherwise provided by the above uses, the Commission may consider a request to allow a minimum flow of water to maintain the ditch systems to the extent necessary to ensure their ongoing structural integrity.
9. The Waiawa power plant will be allowed to operate in its current manner for no more than three years from the approval of this agreement after which it must be either decommissioned or repowered to operate using such waters as are reasonably related to agricultural (as opposed to energy) uses. Specifically, after three years, no more than 10 mgd can be diverted in the Kekaha Ditch at Hukipo Flume unless reasonable agricultural uses require more water and the Commission finds that such additional waters can be provided consistent with the IIFS numbers it has set.

If Phase Two goes into operation, the Commission will reexamine the amounts diverted to reduce them to take into account the energy and agricultural uses served by the KIUC project.

The execution of these protocols will be the responsibility of ADC (either itself or through its licensee KAA), and of KIUC. KIUC, if it receives the understandings provided for in the Permits and Approvals section above, may contract with other entities to carry out its responsibilities under this agreement.

If there is any dispute in the operation of the protocols, it shall be brought to the Commission for resolution.

G. INFRASTRUCTURE AGREEMENTS

PHASE ONE: CURRENT OPERATIONS

Unless and until the energy projects proposed by KIUC receive all required approvals and Phase Two is implemented, the current system will be maintained by the ADC, and its licensee KAA, and the State agencies involved in the case of the impacted dams and reservoirs, subject to the provisions of this agreement, including those pertaining to the modification of diversions and the installation of monitoring equipment.

PHASE TWO: THE ENERGY PROJECTS

If KIUC receives the understandings required in the Permits and Approvals section; finds that the project is feasible to undertake and finance; and gets the approval of the Public Utilities Commission for the energy projects, KIUC may build and/or rehabilitate one or more energy projects in the Waimea Watershed area.

If KIUC proceeds, it will assume significant responsibility for the infrastructure on the systems involved. This section sets forth the infrastructure for which KIUC (and any firms it employs) will be responsible:

1. The Ditches

KIUC will operate, upgrade, alter or repair as appropriate, and maintain:

- a. The Kokee Ditch including the ditch, flumes and tunnels, beginning at the Waiakoali Intake to the Puu Moe Divide, including the Kauhao sluice gate and the weir gate at the Divide; and any pressurized piping KIUC installs involving the ditch and the reservoirs named below including between the Divide and the Puu Opae Reservoir. (KIUC will not be responsible for the ditch from the Divide to the Kitano Reservoir.)

2. Diversions

KIUC will operate, repair and maintain the following diversions:

- a. Waiakoali
- b. Kawaikoi
- c. Kauaikinana
- d. Kokee
- e. All active ephemeral stream diversions. Kumuela 1-5, Nawaiamaka and Halemanu on the Kokee Ditch.

ADC (either itself or through its licensee KAA) will operate, repair and maintain the following diversions:

- f. Waiahulu
- g. Koaie
- h. Waimea

3. Roadways

KIUC will repair and maintain the roadways which pertain to the operations of the Kokee Ditch.

- a. The jeep roadway extending from the Kokee Highway to the Puu Lua Reservoir;

- b. The jeep road extending from the Kokee Highway to the Puu Opae Reservoir;
- c. The jeep road extending from the DHHL/DLNR gate on the Mana Plain to the Puu Opae Reservoir;
- d. Ditch maintenance roads along the Kokee Ditch;
- e. All other jeep roads and ditch trails necessary to access, maintain and operate the ditch systems that are under KIUC's control.

The assumption of responsibility for the roadways by KIUC does not change existing access rights or in any way alter their status as public or private roads.

In carrying out the operation, upgrade, repair and maintenance to the ditches, diversions and roadways as described above in this section, KIUC and ADC (and any other firm employed by the same) shall not interfere with the quiet enjoyment of the DHHL lessees and licensees.

4. Control Equipment

KIUC will operate the Puu Opae Energy Project(s), the streamflow gauging equipment on the Kokee Ditch and pertinent streams, the Puu Lua Reservoir, the Puu Opae Reservoir and the Mana Reservoir.

5. Hydroelectric Plants

KIUC will operate, repair and maintain the hydro plants developed as part of the Puu Opae energy project:

6. Dams and Reservoirs

KIUC will rehabilitate the following reservoirs pursuant to the State of Hawaii dam safety standards and undertake the operation and maintenance of each through the life of the Puu Opae project.

- a. Puu Lua Reservoir
- b. Puu Opae Reservoir
- c. Mana Reservoir

7. Pressurized Piping

KIUC will construct and maintain the following segments of pressurized pipeline:

- a. Between the Puu Moe Divide and the Puu Opae Reservoir;
- b. Between the Puu Opae and Mana Reservoirs.

8. Pumping Stations

ADC will continue to operate and maintain the Kawaiele and Nohili Pumping Stations.

9. Monitoring Stations

KIUC will operate and maintain the equipment discussed in the Monitoring Stations section above.

10. Agreements to Operate

The cost of all of KIUC's undertakings pursuant to this agreement will be negotiated directly between KIUC and the agencies involved.

11. Infrastructure Covered

Any infrastructure not covered by this agreement will be presumed to be handled by whoever is handling it today. This agreement covers only the specific infrastructure discussed in it.

12/13/2023

Contact: Beth Amaro

808.246.4348

bamaro@kiuc.coop

Project Delays Jeopardize West Kaua'i Energy Project
Scaled-Back Version of WKEP Under Evaluation

Līhu'e, Kaua'i, HI – 12/13/2023 – Kaua'i Island Utility Cooperative (KIUC) and its partner AES will discontinue active development of the flow-through hydroelectric portions of its West Kaua'i Energy Project (WKEP) due to litigation-caused delays, project uncertainty, and cost increases. KIUC will consider the feasibility of a scaled-back design including only the solar pumped storage hydro portion of the proposed renewable project, but that portion of the more than \$250 million project is also at risk of cancellation. The fallback project would reduce power production by roughly 25% and eliminate water delivery for agriculture on lands owned by the Department of Hawaiian Home Lands (DHHL) and the Agribusiness Development Corporation (ADC). It would also significantly slow KIUC's movement toward its goal of 100% renewable energy production by 2033.

Delays caused by lawsuits filed by Earthjustice have resulted in critical project deadlines being missed due to continued project uncertainty. The latest lawsuit, filed in February, challenges environmental approvals obtained for the project. Previously, Earthjustice filed a lawsuit challenging the Hawai'i Public Utility Commission's approval of the purchase power agreement related to the project.

WKEP has been studied and pursued by KIUC since 2012. It is being developed by AES, which will build and operate the project if the solar pumped storage hydro portion proceeds. Electricity produced by WKEP would be purchased by KIUC under a power purchase agreement (PPA). As originally proposed, WKEP would have used both flow-through and pumped storage hydro technology to bring KIUC to more than 80% renewable generation.

The flow-through portion of the project was dependent on diverting water from four streams in Kōke'e via a rehabilitated Kōke'e ditch irrigation system. KIUC committed to complete Phase 1 modifications to the diversions in accordance with the landmark 2017 Waimea Mediation Agreement (WMA). Those modifications at the Waiakōali, Kawaikōi, Kaua'ikinānā and Kōke'e intakes will be performed whether or not the WKEP project proceeds. However, Phase 2 diversion modifications will not be implemented.

EXHIBIT B

Without the flow-through hydroelectric portion, development efforts will no longer include:

1. Rehabilitation of Pu'u Lua Reservoir, which was to provide additional storage for the project.
2. Rehabilitation of the Kōke'e Ditch System.
3. Delivery of water for irrigation and other purposes to users along the Kōke'e Ditch, including the Department of Hawaiian Homelands (Mauka Village, Mauka Pastoral tenants and Pu'u 'Ōpae tenants), ADC (Mauka and Mānā Plain tenants), and DLNR.

Whether or not the remaining solar pumped storage hydro portion of WKEP moves forward will depend on continued interest in participating in the project from DHHL and ADC, and financial feasibility based on cost increases as a result of changes in market conditions and the delayed implementation. In the reduced configuration, energy generation would be accomplished by utilizing solar to pump water uphill from Mānā Reservoir (located on ADC land) to Pu'u 'Ōpae Reservoir (located on DHHL land) during the day, allowing for controlled discharge downhill at night and during non-solar periods. A 20-megawatt powerhouse to be constructed at Mānā Reservoir would be the project's primary generation source.

"While it's unfortunate that the full potential of the environmental, social and economic benefits of WKEP will not be realized, we retain hope WKEP will still be an important piece of KIUC's renewable portfolio," said KIUC's President and Chief Executive Officer, David Bissell.

###

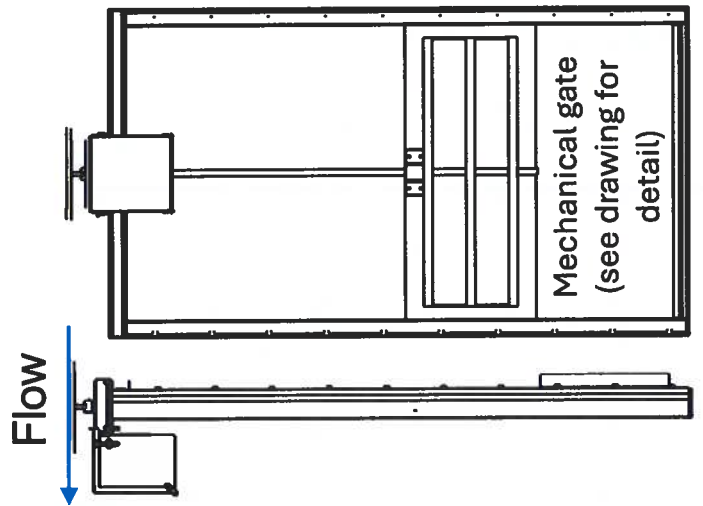
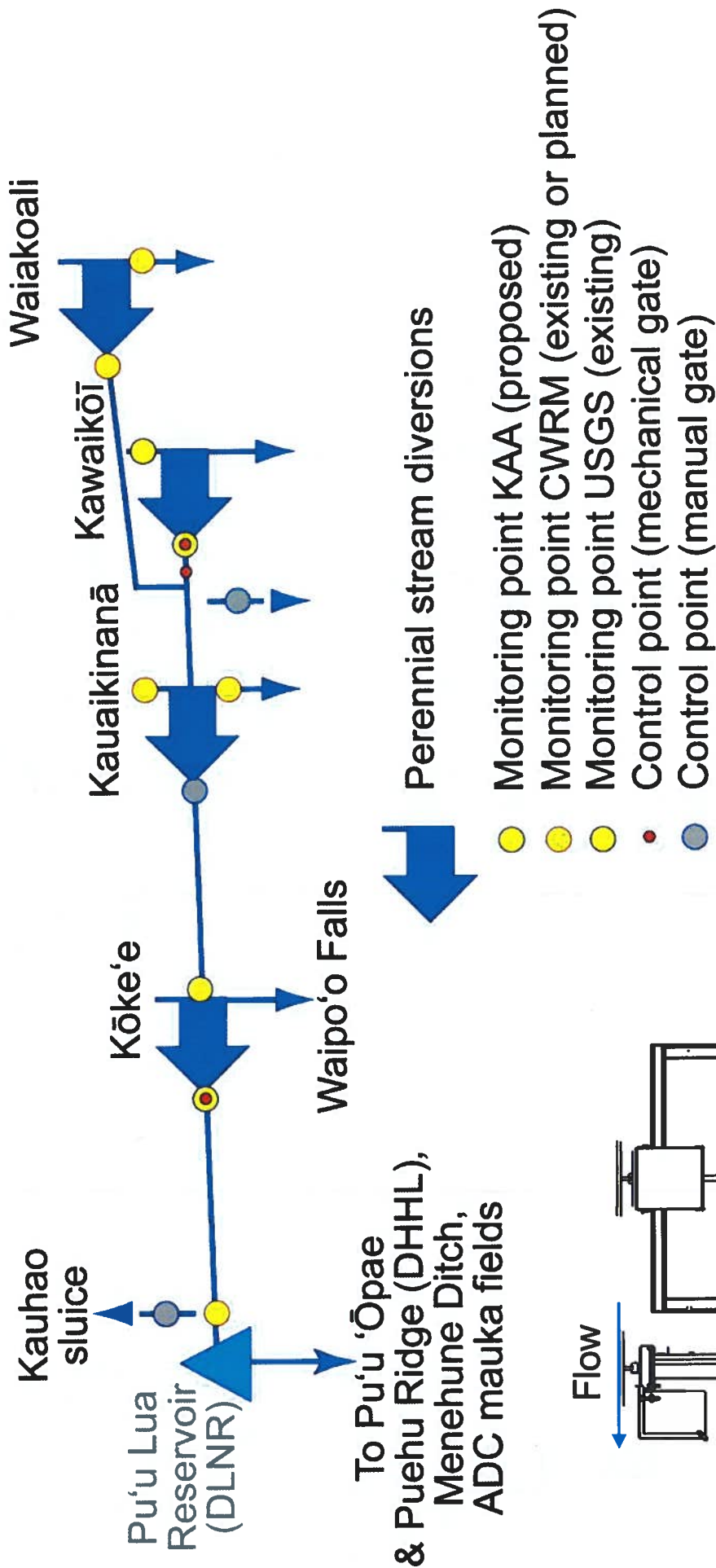
Kekaha Agriculture Association

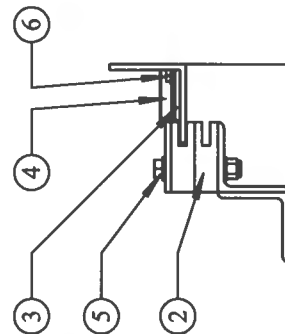
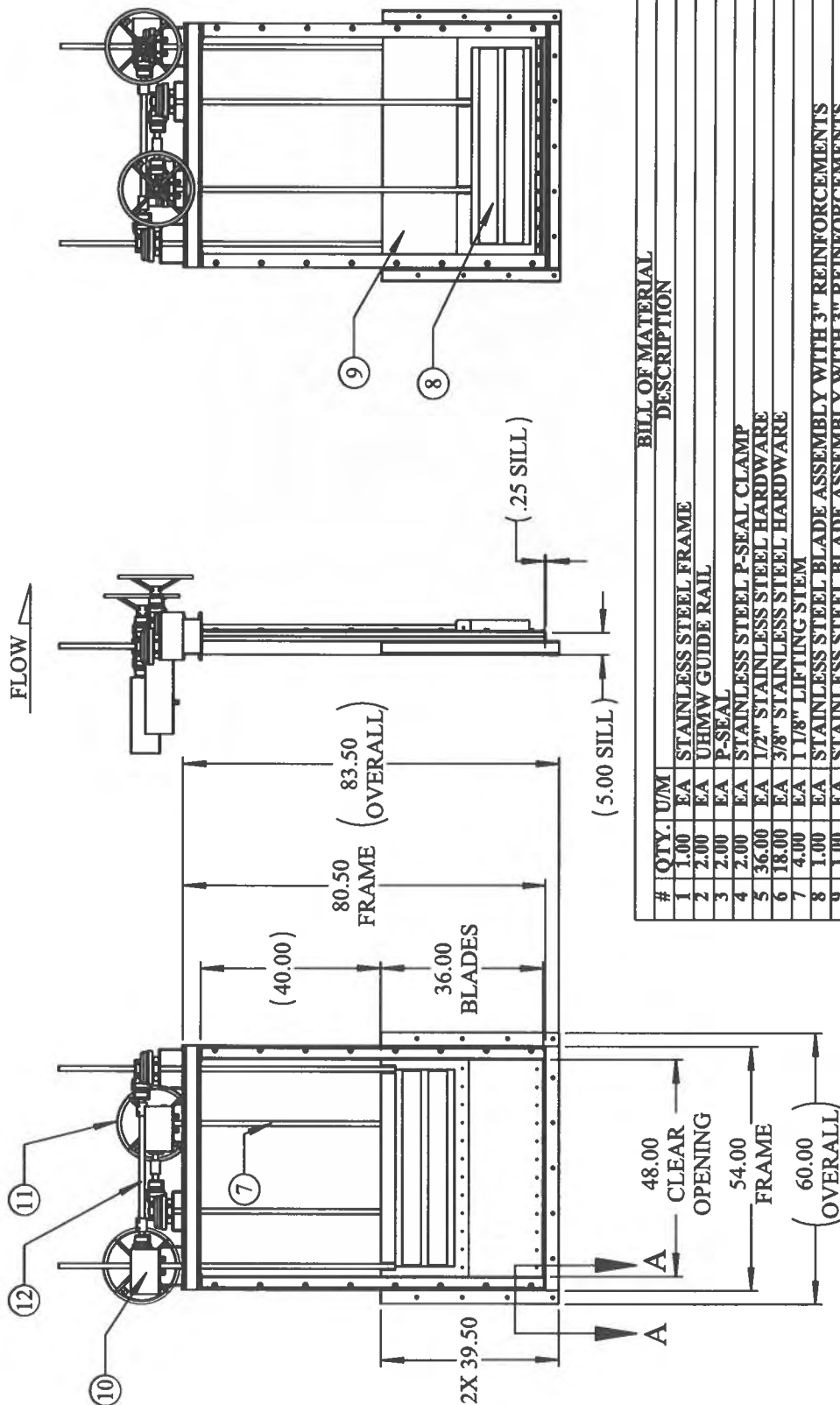
Proposed Modifications to Kokee Ditch Diversions

Waimea Watershed Agreement Phase 1

October 4, 2024

EXHIBIT C





SECTION A-A
SCALE 1 : 8

BILL OF MATERIAL		NOTE
#	QTY. U/M	DESCRIPTION
1	1.00 EA	STAINLESS STEEL FRAME
2	2.00 EA	UHMW GUIDE RAIL
3	2.00 EA	P-SEAL
4	2.00 EA	STAINLESS STEEL P-SEAL CLAMP
5	36.00 EA	1/2" STAINLESS STEEL HARDWARE
6	18.00 EA	3/8" STAINLESS STEEL HARDWARE
7	4.00 EA	1 1/8" LIFTING STEM
8	1.00 EA	STAINLESS STEEL BLADE ASSEMBLY WITH 3" REINFORCEMENTS
9	1.00 EA	STAINLESS STEEL BLADE ASSEMBLY WITH 3" REINFORCEMENTS
10	2.00 EA	GEAR BOX MOUNTED WT-200 ACTUATOR
11	2.00 EA	16" HAND WHEEL
12	2.00 EA	DRIVE SHAFT AND COUPLER ASSEMBLY

UNLESS OTHERWISE NOTED
DIMENSIONS AND TOLERANCES
ARE IN INCHES, STANDARD

Watch Technologies, Inc.
2185 NE Spalding Dr. #10 Office: 541.472.8095
Grants Pass, Or 97526 Cell: 541.660.3182

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NAME:	DATE:	JOB:	JOB NO.:
REUTER	04/20/20	SPLIT GATE	200021A
DRAWN:		CUSTOMER:	DWG.:
			FLUSH MOUNT, DUAL ACTUATED SPLIT GATE ASSEMBLY
APPROV.:		SCALE:	SHT. 1 OF 1
RELEASE:		1 : 36	REV.: A

Modifications to Kōke'e Diversions

Waiakoali Stream



KIUC

KAA

New Ditch Intake Headwall with 36" wide stoplog bay

Replace stoplog bay with remotely controlled sluice gate

Spillway Release Gate with 18" wide by 12" deep release point cut in top of diversion

Replace release point in top of diversion (invert at 3423.46 ft) with stilling well with trash rack and 8" diameter hole with invert at 3421 ft

New Weir for Flow Measurement in ditch

Previously installed by CWRM in ditch

CWRM gage in steam below diversion

Kawaikōi Stream



KIUC

KAA

New Trash Rack

Redesign for cage-type trash rack with catwalk

Earthen Cofferdam with 30" diameter culvert and slide gate braced to down-ditch side of existing concrete headwall

Install remotely controlled sluice gate on down-ditch side of existing concrete headwall and sensors in ditch, gate and pool

Replace existing slide gate with stop logs and install water level recorder in ditch

Replace existing gate and screen at tunnel entrance

Kauaikinanā Stream



KIUC

KAA

Tunnel Head Gate, rehabilitate existing wooden gate, frame and hoist

Pending availability of future finding

Spillway Slot Insert fabricate new steel bulkhead

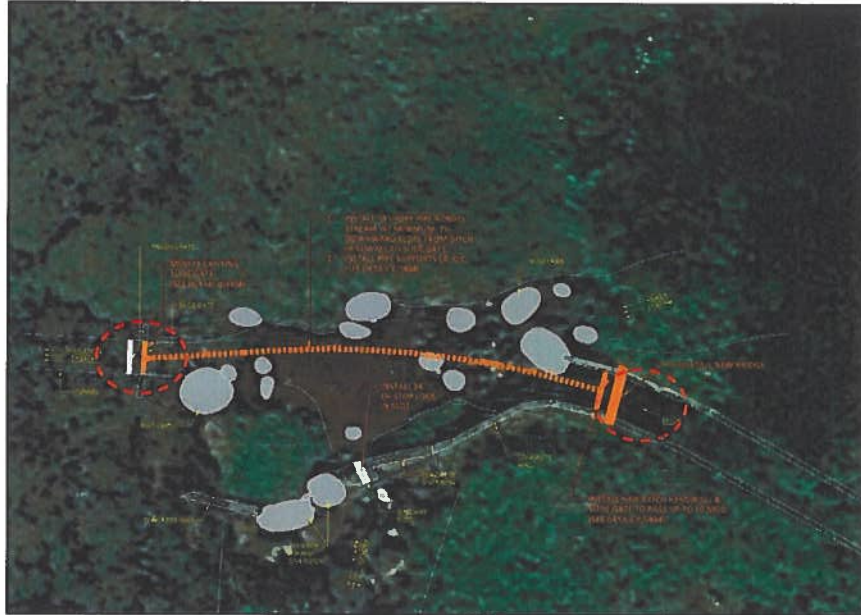
Spillway stoplogs previously converted to underflow by KAA

CWRM gage above confluence of ditch and, gage below diversion

Purchase Gate Assy with other gates

Future KAA Improvements
~Install remote control gate
~Sensor at gate, pond, KKoi flow

Kōke'e Stream



KIUC

KAA

New Ditch Bulkhead, HDPE Pipe Flume and Flow Measurement

Tunnel Head Gate, rehabilitate existing wooden gate, frame and hoist

Spillway Slot, insert Twenty-four inches (24") of stoplogs

Install water level sensor and rate section up-ditch from pool

Replace wooden gate with remotely controlled sluice gate with sensor to balance amount of water leaving the pool with the amount entering and install water level sensor

Spillway stoplogs previously adjusted by KAA

Pu'u Lua



KIUC

KAA

**Reestablish former (USGS)
ditch gauge site, rehabilitate
control weir and install new
measurement equipment**

Previously installed by CWRM

Cost summary and prioritization for KODIS modifications

Cost summary and prioritization for KODIS modifications						Alternative to KIUC P1 modification	Included in KIUC P1 modifications	Redundant KIUC P1 modification
Priority	Location	Task / Item(s)	Cost*	Total cost	Completed**			
Kawaikoi								
1		Clear and prep area	\$ 18,192		Q2 2025		X	
1		Install screen at headwall / concrete footing	\$ 67,794		Q3 2025		X	
1		Install gate at headwall / concrete supports	\$ 95,200		Q3 2025	X		
1		New screen at tunnel gate	\$ 25,790		Q3 2025	X		
1		New gate at tunnel	\$ 101,059		Q3 2025	X		
		Replace existing tunnel gate with stop logs						X
1		Install sensors in ditch, gate & pool	\$ 26,300		Q3 2025		X	
		Earthen Cofferdam						X
				\$334,335				
Waiakoali								
2		Clear and prep area	\$ 3,080		Q2 2026		X	
2		Cut hole in diversion	\$ 8,080		Q2 2025	X		
		Spillway Release Gate						X
		Ditch intake headwall with stoplog bay						X
4		Install trash screen at hole	\$ 17,080		Q2 2026	X		
4		Install new screen in ditch	\$ 22,510		Q2 2026	X		
4		Install gate and solar panel	\$ 91,125		Q2 2026	X	X	
		Install sensor in ditch	Previously installed by CWRM				X	
		Install sensor in stream below diversion	Previously installed by CWRM				X	
				\$141,874				
Kokee								
3		Clear and prep area and mobilize	\$ 20,040		Q2 2025		X	
		Install ditch headwall and HDPE pipe						X
3		Remove existing gate and replace with new	\$ 97,949		Q3 2025	X		
		Rehabilitate existing gate						X
3		Install sensor in ditch before pond	\$ 17,800		Q3 2025		X	
		Adjust height of stoplogs in spillway	Previously implemented by KAA				X	
3		Install sensor in tunnel	\$ 13,440		Q3 2025	X		
				\$149,229				
Kauaikinana								
1		Purchase gate assembly and sensors		\$50,000	Q2 2025			
				\$50,000				
Total Direct Cost			\$675,438					
Contingency @ 12.8%				\$99,562				
				\$ 775,000				
Puu Lua gauge								
		Install sensor in Ditch	Previously installed by CWRM				X	
Kauhao								
		Refurbish existing gate		\$ 30,000			NO	
Kauaikinana								
		Clear and prep area		\$ 6,160			X	
		Refurbish screen		\$ 7,080			X	
		Install gate and solar panel		\$ 46,100			X	
		Install sensor in pond		\$ 15,440			X	
		Install sensors in tunnel and gate		\$ 18,940		X		
				\$ 93,719				
CFF***								
		Adjust height of stoplogs in spillway	Previously implemented by KAA				X	
		Install sensor in stream below diversion	Previously installed by CWRM				X	

*2024 pricing **Estimated barring unforeseen circumstances ***Contingent on future funding

KAA timeline and actions for KODIS modifications

	2024				2025				2026		Accomplishes P1 modifications
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q1	Q2	
	Place order for gates										
Kawaikoi		Clear and prep area		Install headwall screen Install headwall gate Install tunnel screen Install tunnel gate Install monitoring devices		Test monitoring devices					YES
				Ongoing monitoring by USGS			KAA begins reporting				
Waiakoali		Clear and prep area Cut hole in diversion		Install screen over hole Install screen in ditch Install gate Secure existing monitoring equipment						Scheduled for work not completed in 2025	YES
				Ongoing monitoring & reporting by CWRM							
Kōke'e		Clear and prep area		Install tunnel gate Install monitoring devices		Test monitoring devices					YES
				Ongoing monitoring & reporting by CWRM			KAA begins reporting				
Kauaikinana				Ongoing monitoring & reporting by CWRM			KAA / ADC to develop proposal(s) for funding new tunnel gate and monitoring				YES
Kahhao						Clear and prep area Rebuild screw gate					Additional
Puu Lua gauge				Ongoing monitoring & reporting by CWRM							YES
Puu Lua reservoir							KAA / ADC to develop proposal(s) for funding to replace outlet valve				Additional

AGREEMENT TO TRANSFER OF DUTIES AND
RESPONSIBILITIES RELATED TO THE APRIL 18, 2017 WAIMEA WATERSHED
AGREEMENT FROM THE KAUA'I ISLAND UTILITY COOPERATIVE TO THE
STATE OF HAWAI'I, AGRIBUSINESS DEVELOPMENT CORPORATION

This "Agreement" is between the Kaua'i Island Utility Cooperative (KIUC) and the State of Hawai'i Agribusiness Development Corporation (ADC). KIUC wishes to transfer its duties and responsibilities under the April 18, 2017 Waimea Watershed Agreement (WWA) and ADC is willing to assume such duties and responsibilities from KIUC. As such, KIUC and ADC do hereby agree as follows:

1. Upon approval by the State of Hawai'i, Department of Land and Natural Resources, Commission on Water Resource Management (CWRM), of the "Stipulation and Agreement Between the Parties to the April 18, 2017 Waimea Watershed Agreement" (Stipulation) whereby the Parties to the WWA did stipulate and agree to allow KIUC to withdraw from its duties and responsibilities under the WWA upon payment of reasonable compensation, ADC does agree to assume KIUC's duties and responsibilities as identified below:
 - (a) ADC, either itself or through its licensee the Kekaha Agriculture Association (KAA), will modify all diversions in the Kōke'e Ditch in a manner consistent with the requirements of the WWA.
 - (b) KIUC shall transfer to ADC and/or its licensee KAA any applicable permits and/or permit applications obtained or submitted in preparation for implementing its duties and responsibilities under Phase One of the WWA.
 - (c) KIUC will transfer to ADC and/or its licensee KAA any applicable engineering plans necessary to allow ADC to fully implement KIUC's Phase One duties and responsibilities.
 - (d) ADC, either itself or through its licensee KAA, will place monitoring stations to measure the amount of water coming into the ditches and the amount of water going into the streams below the diversions on a continuous basis, and will install and maintain monitoring equipment at the existing flow gauging location immediately above the Pu'u Lua Reservoir and for the following streams:

Waiakoali,

Kawaikoi,

Kauaikinana,

Kōke'e,

Waiahulu,

Koaie, and

Waimea at the Mauka hydroelectric plant.

2. KIUC shall pay to KAA, as ADC's licensee, reasonable compensation in the amount of seven hundred seventy-five thousand dollars (\$775,000) (Compensation) within ten calendar days following CWRM's approval of the Stipulation by means mutually agreed upon, as a one-time, lump sum payment in exchange for the transfer of KIUC's duties and responsibilities under the WWA to ADC.
3. KIUC, ADC, and/or its licensee KAA, shall be responsible for their own respective tax obligations, if any, resulting from or payable in connection with the Compensation paid by KIUC pursuant to the Agreement.
4. The transfer of KIUC's duties and responsibilities under the WWA to ADC will be effective as of the date the Stipulation is approved by CWRM and upon receipt of the Compensation by KAA, at which time KIUC, ADC and KAA, as ADC's licensee, agree that KIUC has no other duties and responsibilities under the WWA.
5. This Agreement is subject to independent approval of the ADC Board of Directors.
6. This Agreement contains the entire agreement and understanding of KIUC and ADC pertaining to the subject matter hereof, supersedes all prior agreements and understandings relating to the subject matter hereof, and shall not be amended except by written agreement signed by KIUC and ADC.
7. The validity and construction of this Agreement shall be governed by the laws of the State of Hawai'i, and KIUC and ADC hereby submit to the jurisdiction of the courts of the State of Hawai'i.
8. This Agreement shall be binding upon and inure to the benefit of the heirs, successors and permitted assigns of KIUC and ADC. Neither this Agreement nor the responsibilities and obligations of any party hereunder shall be assignable or transferable by such party without the prior written consent of the other party hereto.
9. This Agreement may be executed in multiple counterparts, each of which shall be deemed a duplicate original, but all of which taken together shall constitute one and the same instrument. KIUC and ADC agree that this Agreement may be executed by original signature or electronic signature, and the signature pages transmitted by facsimile, scan and email, or other electronic transmission. The delivery of such electronic signature pages

shall constitute effective execution and delivery. The effectiveness of this Agreement shall not be affected by the non-electronic delivery of any manually signed signature page.

10. KIUC, ADC, and ADC's licensee KAA represent and warrant that the person executing this Agreement on its behalf is duly authorized to do so.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties hereto have caused this Agreement to be duly executed as of the date(s) written below and effective as of the date CWRM approves the Stipulation and KIUC delivers the Compensation to KAA, as ADC's licensee:

Kaua'i Island Utility Cooperative

By: David J. Bissell
Its: _____
Dated: _____

State of Hawai'i, Agribusiness Development Corporation

By: _____
Its: Executive Director
Dated: _____

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Date of CWRM's approval of the Stipulation and effective date of this Agreement:

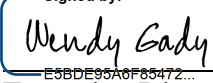
_____.

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Kaua'i Island Utility Cooperative

By: _____
Its: _____
Dated: _____

State of Hawai'i, Agribusiness Development Corporation

By:  _____
Its: Executive Director
Dated: _____

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Date of CWRM's approval of the Stipulation and effective date of this Agreement:

_____.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties hereto have caused this Agreement to be duly executed as of the date(s) written below and effective as of the date CWRM approves the Stipulation and KIUC delivers the Compensation to KAA, as ADC's licensee:

Kaua'i Island Utility Cooperative

By: _____
Its: _____
Dated: _____

State of Hawai'i, Agribusiness Development Corporation

By: _____
Its: Executive Director
Dated: _____

Kekaha Agriculture Association

By: _____
Its: President, Board of Directors
Dated: _____

Date of CWRM's approval of the Stipulation and effective date of this Agreement:

_____.

STATE OF HAWAI`I

DEPARTMENT OF HAWAIIAN HOME LANDS

May 19-20, 2025

To: Chairperson and Members, Hawaiian Homes Commission
(HHC)

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

Subject: For Information Only - Draft Environmental Assessment
(EA) and Anticipated Finding of No Significant Impact for
the Waianae Coast Comprehensive Health Center 'Elepaio
Food Campus Master Plan, Wai'anae, Oahu TMK No. (1)- 8-
6-001:012, 024, 025, 026, 027, 028 (por.)

RECOMMENDED MOTION/ACTION

None. For information only.

BACKGROUND AND CONTEXT

Wai'anae Coast Comprehensive Health Center (WCCHC) has been providing medical and emergency services to Leeward Coast residents since 1972. For 50+ years, its focus has been on physical and behavioral health care. The COVID-19 Pandemic of 2020 was a game changer. "During the COVID epidemic, WCCHC diversified its service mix and began addressing the basic human needs of its borader community through major food distribution systems, while also integrating a wider range of social service coordination through its recently launched 'Elepaio Social Services. The center acquired temporary food storage space at the Wai'anae Mall and would regularly distribute food through drive-through food delivery reaching more than 10,000 people a month and through home delivery to Kupuna and other high-risk families." (WHCCHC, 2024).

WCCHC submitted a land use request to DHHL on April 19, 2022 for approximately 25.0 acres (more or less) to develop health, human services, and cultural resource programs to meet the health, wellness and economic development needs of Native Hawaiian and other residents on the Wai'anae Coast that would be provided through its planned 'Elepaio Food Campus. A [beneficiary consultation meeting was conducted on November 14, 2022](#), to collect beneficiary input and feedback on WCCHC's land use request. A beneficiary consultation report was submitted to the HHC in December 2022, for acceptance ([Item G-5](#)). At the December

2022 HHC meeting, the HHC also approved a Right-of-Entry Permit for WCCHC to conduct planning and due diligence studies, including but not limited to the preparation of a HRS Chapter 343 Environmental Assessment, prior to the issuance of a long-term disposition to the organization ([Item F-4](#)).

The information provided below is a summary of the project description and HRS Chapter 343 Draft Environmental Assessment (DEA).

The proposed Food Campus will physically expand ‘Elepaio current food storage and distribution network, grow food for security and sustainability, provide a community center that can shelter residents during emergencies, and offer training for future job opportunities.

The ‘Elepaio Food Campus Master Plan (“Plan”) is shown in the DEA (Figure 3). As indicated by its title, it is a conceptual plan depicting the proposed development. Access to the project will be through the existing entry driveway to the WHCCHC from Mā‘ili‘ili Road and will serve as the principal access route for trucks to the Food Warehouse. An existing two-way driveway to lots 012 and 024 just inside the entry will accommodate delivery vehicles. A Service Yard for vehicle maneuvering and a loading dock will be constructed on the west side of the Food Warehouse.

The **Food Warehouse** is the principal use of the Food Campus and the key facility for food security and distribution. It is located in the center of the Food Campus with accessible routes from Mā‘ili‘ili Road for delivery vehicles, employees, volunteers, and the public. The Warehouse will be operated by the Hawaii Food Bank. Space in the 10,500 square foot structure is allocated for a loading dock / receiving area, sorting and packing, refrigerator and freezer cold storage, distribution, operations office, meeting room, breakroom, and restrooms. A wash area for vegetables harvested from the Growing Fields and space for a produce prescription program operated by ‘Elepaio Social Services will be provided.

Approximately 2.0 acres is planned as **Growing Fields** for raising produce, fruits, and Native Hawaiian staples. The crops to be grown will be determined by a Garden Manager and others. Produce grown on site will be harvested for use in the Teaching Kitchen, Farmers Market, Meals on Wheels, and food distribution events. Participants in the Teaching Kitchen will plant, tend, and harvest vegetables for use in the cooking program. It is anticipated that the Growing Field will help increase fruit and vegetable consumption of WCCHC patients, improve health outcomes,

reduce healthcare costs of program participants, and decrease food insecurity. Livestock, fowl, and other animals will not be raised on the Food Campus.

A 1,000 square foot structure will provide **office space**, a meeting room, restrooms, and a tool room for storing garden tools, equipment, and irrigation supplies.

A **Hawaiian Cultural Center** has been partially improved. Improvements include a Native Hawaiian open-sided thatched roof hale (Hale O Palani), stacked stone walls bounding a grass lawn used for small gatherings, hula performances, reflection / meditation, and a small garden for raising Native plants. A hula mound and healing garden are proposed as part of this cultural center. The estimated area of this cultural center is 1.5 acres.

A certified **Teaching Kitchen** and **Dining area** of approximately 3,500 square feet will be built adjoining the Food Warehouse. The kitchen will teach hands-on skills and methods for cooking healthy and nourishing vegetable-based meals in the home. Participants will also plant, tend, and harvest vegetables from the Growing Field and cook them in the Kitchen, in effect a field to table learning experience.

A 6,500 square foot **Multi-purpose Building** will be constructed as a place of assembly, a learning place, and a gathering place, including during emergencies. 'Elepaio Social Services will use the building for promoting its community wellness programs and provide access to services, resources, and opportunities for the communities it serves. 'Elepaio already has conducted workshops on emergency preparedness, financial literacy, and food preparation and these workshops are expected to continue. It is anticipated that the facility will be promoted as a safe, secure, gathering place for the community.

The project also proposes a 10,000 square foot administration building that would provide space for administrative officers, operations support, community programs and staff, conference / meeting rooms, and training rooms.

Table 1 summarizes the proposed master plan improvements.

Proposed Improvement	Area
Site Clearing	10.5 acres
Food Warehouse	10,500 square feet
Growing Field	2.0 acres
Farm House	1,000 square feet
Hawaiian Cultural Center	1.5 acres
Teaching Kitchen and Dining Room	3,500 square feet
Multi-Purpose Building	4,500 square feet
Administration Building	8,000 square feet

DISCUSSION - DRAFT ENVIRONMENTAL ASSESSMENT

Based on the proposed Master Plan for the proposed 'Elepaio Food Campus, WCCHC prepared a draft environmental assessment (DEA) in accordance with HRS Chapter 343. Below is a summary of the DEA report. The full report can be found in Exhibit A.

Natural Resources (Flora and Fauna)

A natural resources assessment of the property did not reveal the presence of rare, threatened, or endangered flora or fauna (AECOS, 2019). The survey was conducted on the lower elevation portions of the project area with flatter topography. Higher elevation areas with steep topography not suitable for development were excluded from the survey area. A total of 134 plant species were identified of which only 14 species were native species. Vegetation in the surveyed areas included primarily invasive species (kiawe, buffle grass, and haole koa). No rare, threatened, or endangered species were discovered during the survey.

Terrestrial mammals (except for a cat) were not observed during the field survey. The Hawaiian hoary bat, the only native terrestrial mammal was not observed but may overfly the area. Endangered seabirds may overfly the project area, but were not observed. Night lights can disorient seabirds resulting in their downing and harm from collision and predation from dogs and cats if downed. Security lights mounted building exteriors will be activated by motion sensors, shielded with light reflectors, and light directed downward to illuminate the ground and not the sky. Night-time construction is not proposed.

Cultural Resources and Cultural Practices

An archaeological field inspection survey was conducted to identify and document the presence of historical features within the project area. Three potential historic properties were identified.

- 1) The first feature is comprised of a basalt and concrete mortared structural remnant in poor condition. Piles of large tires and trash hindered investigation of the immediate vicinity.
- 2) The second feature is similar to the first feature in terms of construction style and materials, however is in better condition than the first feature.
- 3) The third feature is an L-shaped basalt boulder alignment in good condition. The third feature is in close proximity to the second feature.

In addition to the potential historic properties, a boulder-filled limestone sinkhole and walking trails were also identified. The sinkhole may be modified as the observable portion appeared vertical and straight; however, portions of the sinkhole were obscured by boulders and vegetation. No Land Commission Awards (LCA) were awarded in the project area.

A cultural impact assessment was completed by WCCHC. While no current cultural practices were reported occurring within the project area, the cultural impact assessment did identify cultural practices that did occur historically or are currently practiced within the vicinity of the project area. These include historic cultivation of traditional crops such as kalo and 'uala in the mauka reaches of the ahupua'a. Sandalwood also existed in the mauka portions of the ahupua'a. Sandalwood was often used for kapa making and also for lā'au lapa'au. Surfing, fishing, and limu gathering were common practices in the makai areas of the ahupua'a. Religious practices were also reported to have occurred in various locations throughout the ahupua'a where the project area is located.

The development of the WCCHC is not anticipated to affect the ability of Native Hawaiians to continue historic or current traditional cultural practices as the project location will not block access to mauka or makai areas where cultural practices have been known to occur. The project is also anticipated encourage traditional and customary practices through the creation of the planned Hawaiian Cultural Center.

Infrastructure - Water

The project will be relying on the Honolulu Board of Water

Supply (BWS) water system to provide water. In its comment letter submitted during the pre-consultation period for this EA process, the BWS stated that it is highly likely that its system will be able to accommodate the projected water demand for this project, but requested that WCCHC submit its projected water demand for the project and identify its water needs in the DEA, in order for BWS to verify its ability to provide water service for this project.

In response to the BWS comment letter, WCCHC anticipates that at full build out of the project, the daily domestic water demand will be 3,030 gallons per day. Irrigation for crop production in the Growing Fields and general landscape irrigation is estimated to be 4,000 gallons per day.

WCCHC has been in conversations with the City and County of Honolulu Department of Environmental Services regarding potential availability of recycled water from the Waianae Waste Water Treatment Plant for irrigation purposes in the project area. However, the WWTP does not currently treat waste water at an R-2 or R-1 level. Irrigation needs in the near term would need to be met from the BWS potable water system.

Water use is estimated for the following types of use at these amounts:

FOOD CAMPUS MASTER PLANNING								
PHASE	BUILDING	FOR DESIGN				FOR DPP SEWER CONNECTION APPLICATION		
		SEWER Gallon per min	Gallon per day	WATER Gallon per min	Gallon per day	Category	Units	Quantity
I	Food Warehouse (Comm)	32.4	150	36	160	Warehouse	No of Employees	6
	Mezzanine Office (Comm)	27	320	30	350	Office	No of Employees	16
II	Teaching Kitchen (Comm)	5.4	300	6	330	School	No of Students	12
	Dining (Comm)	0	60	0	60	Restaurant	No of Seats per day	12
	Multi Purpose Facility (Comm)	23.4	160	26	170	Office	No of Employees	8
	Farm House (Res)	4.5	120	5	130	Office	No of Employees	4
III	Teaching Center (Comm)	33.3	1000	37	1110	School	No of Students	40
	Admin (Comm)	32.4	600	36	660	Office	No of Employees	30
	Hawaiian Cultural Center (Comm)	3.6	60	4	60	Office	No of Employees	4
	Total	162	2770	180	3030			
	Commercial				2900	gpd		
	Residential				130	gpd		

Infrastructure - Wastewater

A trunk sewer (6-inch and 8-inch lines) will be installed along the east side of Lot 026. Service laterals will connect the proposed buildings to the trunk main. Wastewater will gravity flow to the municipal sewer main along Mā'ili'ili Road. Approximately 400 lineal feet of sewer and seven manholes will be constructed. Waste water generated from the proposed project is estimated to be

2,770 gallons per day at full project build-out. Wastewater generated from the project area will need to be treated at the Wai'anae WWTP.

ANTICIPATION OF FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis in the DEA, staff anticipates a finding of no significant impact (AFONSI) for this project. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR, Section 11-200.1-13. A summary of the analysis of the 13 criteria of significance is presented below. A full discussion of the analysis of the 13 criteria of significance can be found in Chapter 7 of Exhibit A.

(1) The Project will not irrevocably commit a natural, cultural or historic resource.

Three surface historic features were recorded in the Project Area. Two of the features are in the general location of the proposed Food Warehouse. The third feature is on a lot to be developed by others. WCCHC will consult with the State Historic Preservation Division for disposition of the sites and appropriate mitigation measures to minimize potential impacts.

Should subsurface features be unearthed, work in the immediate area will cease and the proper authorities will be notified for proper treatment of the finds. The cultural assessment did not disclose on-going traditional and customary cultural practices associated with the lots.

(2) The Project will not curtail the range of beneficial uses of the environment

Most of the area is vacant and unused land. The proposed project will develop a food-based resiliency hub. In total, the Food Campus will help residents cope with hunger, raise produce, and distribute food, and provide a shelter during emergencies.

(3) The Project will not conflict with the State's environmental policies or long-term environmental goals established by law

The Project will not conflict with the State's environmental policies or long-term environmental goals.

(4) The Project will not have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.

The project will not result in substantial adverse effect on the economic welfare, social welfare, and cultural practices of the community and the state. Conversely, reducing hunger and providing food to those in need, providing training and classes for job opportunities, and building facilities for community use and emergency sheltering would benefit Leeward Coast households.

(5) The Project will not have a substantial adverse effect on public health.

Public health will not be adversely affected during construction. Construction related impacts on public health can and will be mitigated through public health regulations, best management practices, other measures adaptable to the site and scale of a particular improvement. In the long term, growing, teaching, and distributing food provides residents with the tools and outreach for positively improving their health. It is anticipated that actions by individual households to improve their lot, collectively improves overall public health in the community.

(6) The Project will not involve adverse secondary impacts, such as population changes or effects on public facilities.

Adverse secondary impacts on population and effects on public facilities are not anticipated. The food hub is primarily planned to serve the existing population along the coast and it is not likely that the planned hub will significantly increase the population of the region and should not have a negative impact on public facilities.

(7) The Project will not involve a substantial degradation of environmental quality.

The Project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. Mitigation measures identified in the Environmental Assessment will reduce the probability that the proposed project will lead to a substantial degradation of environmental quality.

(8) The Project will not create cumulative impacts that would have substantial adverse effects upon the environment and does not involve a commitment for larger actions.

Cumulative adverse environmental effects are neither anticipated nor a commitment for larger actions are not expected beyond the Master Plan timeframe.

(9) The Project will not have a substantial adverse effect on a rare, threatened or endangered species, or its habitat.

Rare, threatened, or endangered flora and fauna were not observed on the properties. In the event said type of species or habitat are discovered during site work, work in the immediate area will cease and a botanist or wildfire specialist summoned to examine the finds.

(10) The Project will not have a substantial adverse effect on air or water quality or ambient noise levels.

As discussed in prior sections of this environmental assessment, substantial adverse effects on air, water quality, and ambient noise levels are not anticipated in the short and long term.

(11) The Project will not have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters.

Based on available information, the project is not located in an environmentally sensitive area as cited in this criterion. The environmental assessment disclosed that lower sections of the development are located in an Extreme Tsunami Evacuation Zone.

(12) The Project will not have a substantial adverse effect on scenic vistas and viewplanes, during day or night, identified in county or state plans or studies.

Buildings at the Food Campus will not totally block views of Puu Mailiili thus substantial effect on views is not anticipated. Depending on viewing location, some structures and trees may interfered with views of its lower south facing slope but not views of its sheer face and top ridgeline.

(13) The Project will not require substantial energy consumption or emit substantial greenhouse gases.

Substantial energy consumption or emission of greenhouse gases are not anticipated.

NEXT-STEPS

Here are the anticipated next steps for the planning and Environmental Assessment process for this project:

- DEA publication in the The Environmental Notice on June 8, 2025.
- 30-Day public comment period on DEA from June 8, 2025 to July 7, 2025.
- Incorporate and revise DEA based on public comments received.
- HHC preliminary approval of a General Lease June 2025
- HHC approval of the Final Master Plan and Environmental Assessment (FEA) July or August 2025, depending upon the extent of public comments received.
- Design and construction phases of project TBD

RECOMMENDED MOTION ACTION

None. For Information Only.

ITEM G-5
EXHIBIT A

ELEPAIO FOOD CAMPUS MASTER PLAN
DRAFT ENVIRONMENTAL ASSESSMENT

Can be found on the DHHL website here:

<https://dttl.hawaii.gov/po/oahu/waianae-land-use-requests-november-2022/>

See bottom of webpage

Hawaiian Homes Commission Meeting Packet
May 19 & 20, 2025
Sheraton Kauai Resort, Kauai, Hawai'i

J ITEMS

Hawaiian Homes Commission
J Agenda Requests to Address the Commission
May 20, 2025

- J-1 Jeremie Makepa – Aina Alliance Anahola
- J-2 Chanel Josiah & Jerry Almeida – Lease Subdivision Issue
- J-3 Kenna Stormogipson-Waipouli Relocation Plan
- J-4 JoAnn Yukimura - Waipouli
- J-5 Lourdes Torres -Waipouli Relocation Plan
- J-6 Chasetyn Hasegawa – Waipouli Relocation Plan
- J-7 Yun Park - Waipouli
- J-8 Rowena Pangan - Waipouli
- J-9 Isabell Reed Cargill - Waipouli
- J-10 Wallace Hardin - Waipouli
- J-11 Domenic Scanga – Waipouli
- J-12 Jesse Cummings – Successorship Lineal Descendency
- J-13 Henry Lacson - West Oahu Project Leases
- J-14 Francis Ah Loy West Oahu Project Leases
- J-15 Tiare Kolowena – Lowering Blood Quantum
- J-16 Leilani Aldrich- Subdividing Panewa Lot
- J-17 Nadine Vistoria – Public Notice Successorship Concern
- J-18 Kekoa Enomoto- Paupena Community Development Corporation

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Tuesday, April 29, 2025 12:13:27 PM

J1

Name

Jeremie Makepa

Email

aina.alliance.808@gmail.com

Please Identify Agenda Item(s):

Aina Alliance update for Anahola

Pick One:

Oral/Live Virtual Only - Enter N/A Below

Message

As required by our DHHL grant contract, I would like to provide a progress report for the Commission regarding our Anahola Hazard mitigation and Makai Management plan grants.



BUILDING BACK BETTER

Pre-disaster
Framework for
Anahola, Kaua'i

2025

INTRODUCTION

Location

Anahola, Hawai'i, is a rural coastal community that faces increasing risks from a wide range of natural disasters, including hurricanes, wildfires, floods, and tsunamis. As climate change accelerates and the frequency and severity of these events intensify, the need for an efficient recovery and rebuilding framework has become more urgent than ever. This project aims to identify key vulnerabilities across Anahola's diverse regions and propose a structured approach to post-disaster recovery that prioritizes resilience, equity, and long-term sustainability. By addressing the unique geographic, infrastructural, and social challenges of the community, this framework is intended to serve both the general public and government agencies as a practical guide for strengthening Anahola's ability to recover quickly and rebuild smarter after future disasters.



Island of Kaua'i, Google Maps

Zoomed in area of Anahola, Kaua'i, Google Maps

Building Back Better

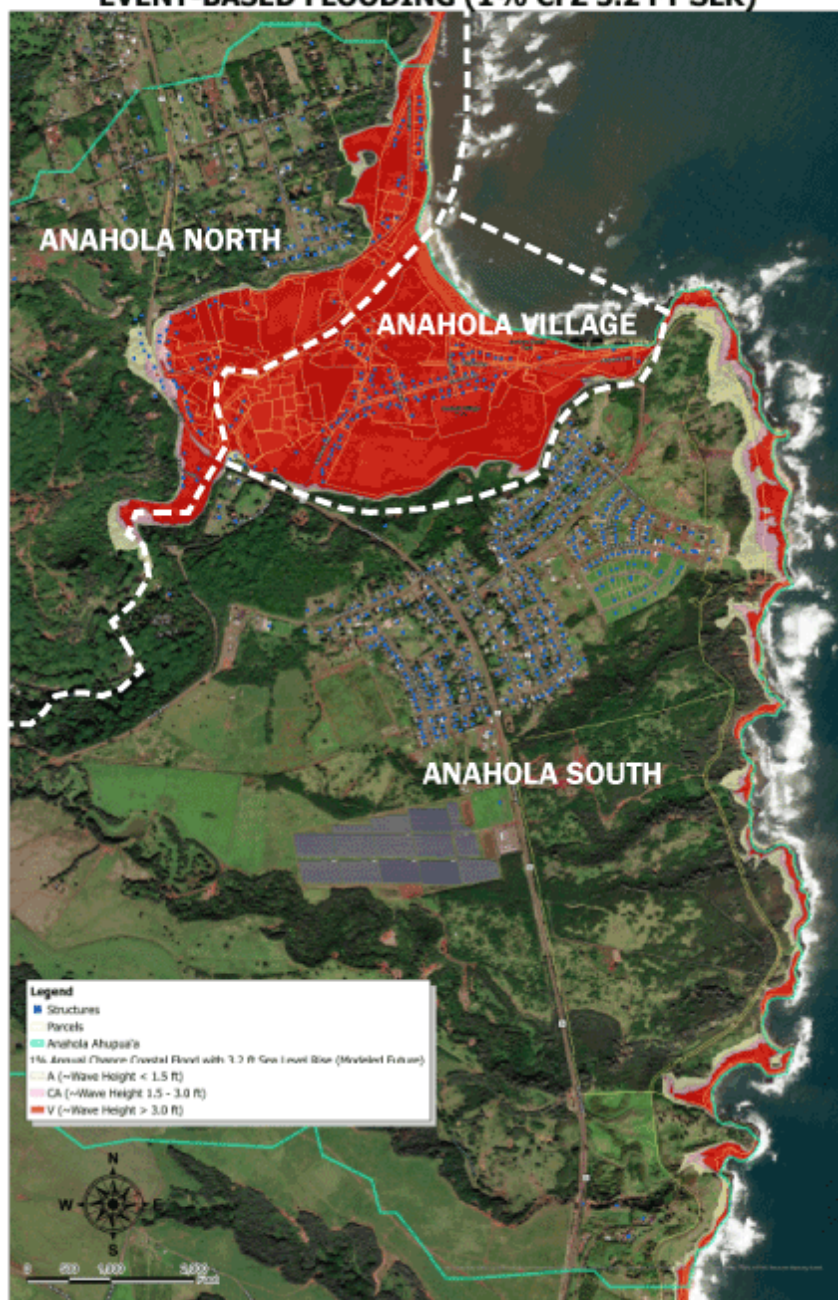
While relocation is often considered a standard strategy in disaster-prone regions, community members in attendance expressed a preference for preserving their connection to place by strengthening existing structures rather than moving homes or infrastructure. During community meetings, participants emphasized the cultural, historical, and emotional significance of remaining in their current locations, advocating instead for retrofitting buildings and enhancing resilience through improved drainage and construction standards. In addition to reinforcing what already exists, residents identified several critical infrastructure needs that are currently lacking in the area, such as a medical facility, fire and police stations, a gas station, grocery and hardware stores, and reliable emergency access routes. These gaps present both a challenge and an opportunity to design infrastructure that not only meets daily needs but also supports effective disaster response and long-term community resilience. Although there is a desire to remain in place, there are several structures along the shorelines and river banks that will need further discussion for relocation programs, particularly in sea level rise inundation areas.

AREA SPECIFICS

Isolation Zones

To encourage area specific problem solving and teamwork for participants, scenarios were based on potential isolation of neighborhoods caused by damaged bridges, landslides or flooded roads. Participants were grouped by the area they lived in to network with their neighbors to identify problems in their area and find solutions. The white dashed lines on the map below shows how are groups are separated along Anahola river and in the low flood zones of Anahola Village. The colored areas on this map shows areas most impacted by a significant flood event done through modeling. More details on the maps will be explained later in this report.

EVENT-BASED FLOODING (1% CFZ 3.2 FT SLR)



Anahola area map shown with potential isolation zones during natural disasters

Continuing forward with the theme of teamwork, this guide encourages the formation of a Community Action Team that empowers the community to “Be Your Own Hero.” Recommendations are directed toward the community to coordinate with government agencies to resolve and prepare for identified vulnerabilities, risks, and problematic situations.

References in this guide use area specific recommendations based on these three potentially isolated areas:

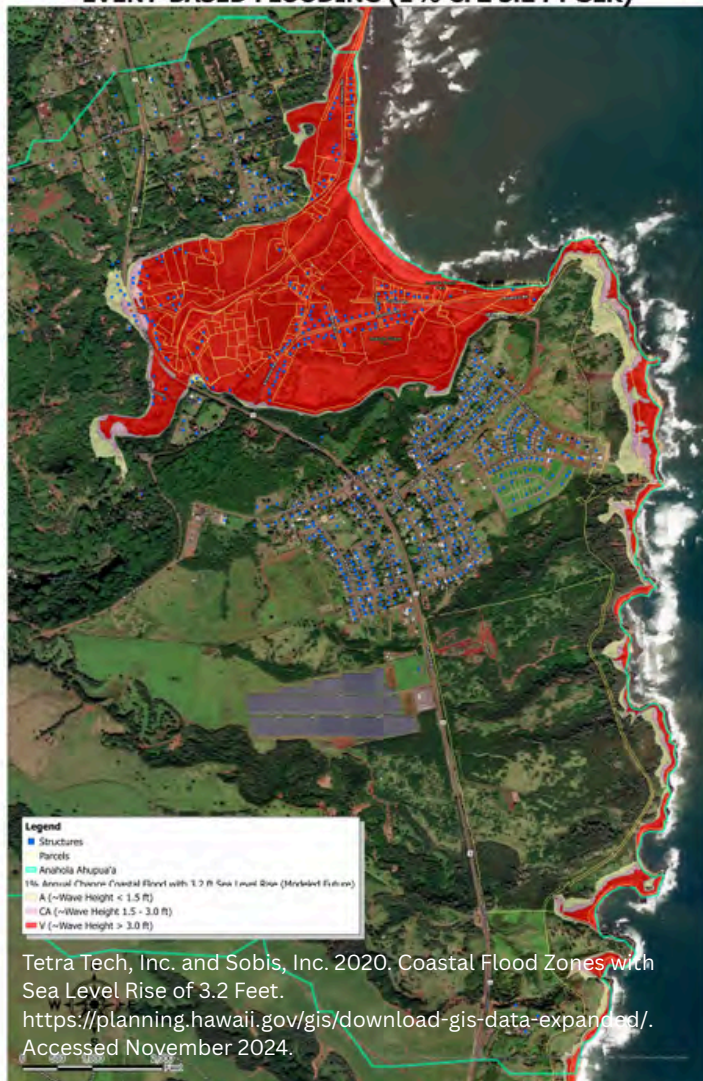
- NORTH ANAHOLA: All areas north of Anahola bridge and Anahola River extending to north Aliomanu road.
- ANAHOLA VILLAGE: Low lying coastal area south of Anahola River, East of Kūhiō Highway, primarily accessed by Anahola Road ending at Mana I Road.
- SOUTH ANAHOLA: Areas north of Keālia Kai and south of Anahola bridge, excluding Anahola Village, includes areas accessible along Keālia Road.

FLOODING SCENARIOS

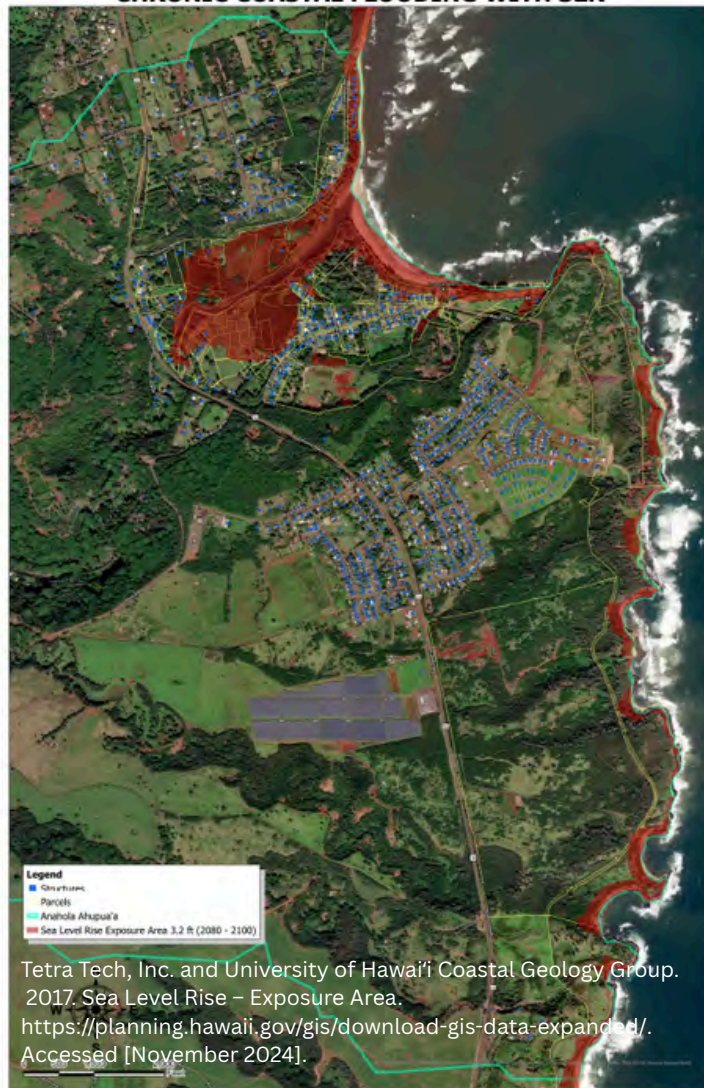
Event Based -vs- Chronic

The maps below show two different flooding scenarios that represent different types of risk to the community, “event-based” and “chronic”. Event-based flooding (1% CFZ 3.2 FT SLR) shows the 1% chance annual flood inundation area from the Federal Emergency Management Agency (FEMA) (commonly referred to as the 100-year flood) with 3.2 feet of sea level rise. Sea levels are expected to rise by 3 -4 feet by the latter half of the century. The 1%-annual-chance coastal flood zone with 3.2 feet of sea level rise (1%CFZ-3.2) was modeled to estimate coastal flood extents for wave-generating events including tropical storms, hurricanes, tsunamis, and other severe wave events with sea level rise. This map was created by Tetra Tech, Inc. The second map, “Chronic Coastal Flooding with SLR” shows the permanent inundated area when sea levels rise to 3.2 feet (what is commonly called the sea level rise exposure area). It includes passive flooding, annual high waves, and shoreline erosion. Unlike the event-based flooding, this will become a permanent flooded condition on the land. These maps are provided by the Hawai’i Climate Change Mitigation and Adaptation Commission, and can be accessed at <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>. Riverine flood maps and fire risk maps were also analyzed by the community. A full set of maps can be found starting on page 18.

EVENT-BASED FLOODING (1% CFZ 3.2 FT SLR)



CHRONIC COASTAL FLOODING WITH SLR



EXECUTIVE SUMMARY

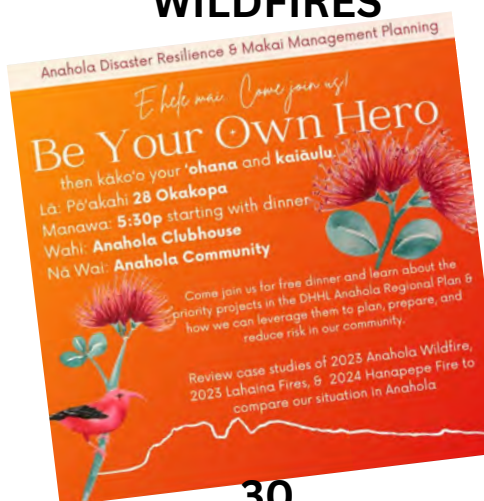
This report outlines a community disaster recovery visioning and resilience framework for Anahola, Hawaii. Developed in collaboration with the University of Hawai'i Sea Grant College Program and the County of Kaua'i, community stakeholders, and local organizations, this framework incorporates disaster recovery visioning, funding strategies, and a framework for long-term recovery. The plan is optimized to actively mitigate known vulnerabilities through community partnerships with government agencies, non-government organizations, private businesses and volunteer groups to create long-term resilience while simultaneously bringing awareness and education about the local situation. This framework provides a systematic phased approach that identifies critical needs and potential resources to assist in fulfilling those roles. Included are some historical funding opportunities relevant to the recommendations contained in this report.



Anahola Community meeting facilitated by Jeremie Makepa

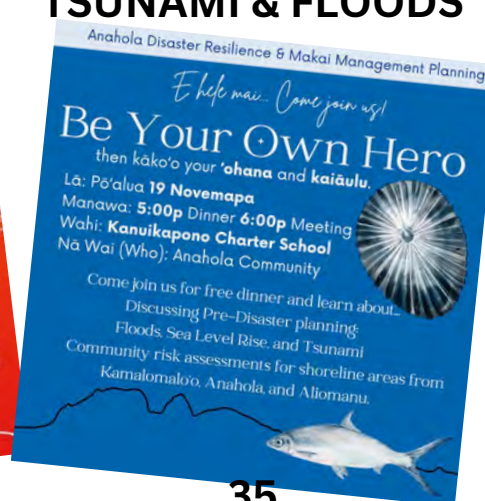
The process of developing this report partnered local community leaders to conduct three Disaster Recovery Visioning workshops in the Anahola community. This "Be Your Own Hero" series of workshops provided attendees the opportunity to learn how to prepare for #1 - Wildfires, #2 - Floods, Tsunamis, and Sea Level Rise, and #3 - Hurricanes. The workshops included situational awareness education for each scenario and visioning exercises on a 'recovered community'. Activities considered climate change, social equity, mapping exercises, discussion of vulnerable infrastructure, buildings, homes, etc. and options for rebuilding, including potential relocation after a disaster.

WILDFIRES



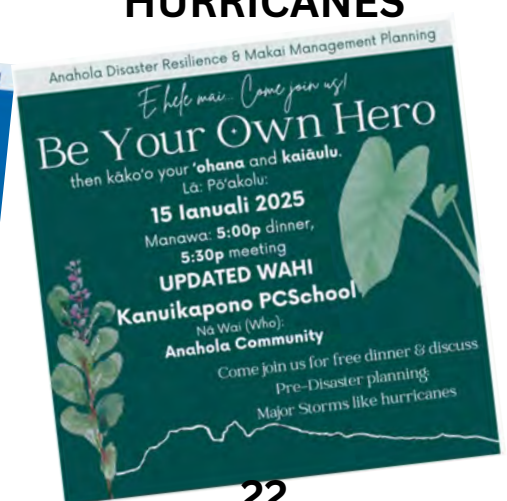
30
participants

TSUNAMI & FLOODS



35
participants

HURRICANES



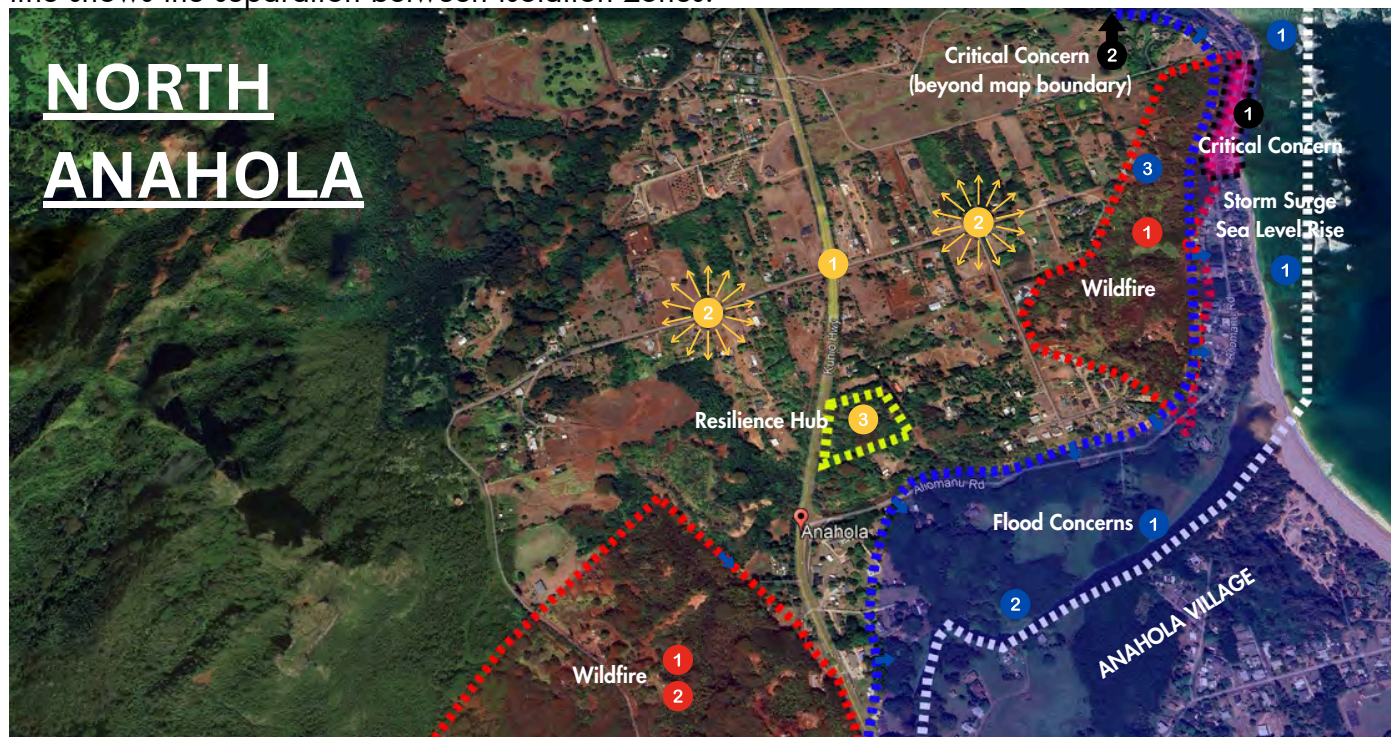
22
participants

COMMUNITY MAPPING

VULNERABILITY, RISK, AND RESILIENCE ACTIONS

Summarized Area Maps

Participants identified vulnerabilities, risks, and actions needed in their specific areas. These are their findings by isolation zone. Red areas are Wildfire related. Blue areas are related to Flood Risk. Yellow areas are a Community Need. Black with Pink areas are Critical Concerns. White line shows the separation between isolation zones.



Critical Concern

- 1 Coastal residents along Aliomanu Road are at risk of being trapped by storm surge if Aliomanu road is damaged/destroyed, particularly at the vulnerable area with the new seawall.
- 2 Repairing the end of Aliomanu road to connect to North Aliomanu road was suggested.

Wildfire

- 1 Large areas of unmanaged flammable vegetation.
- 2 Limited water supply for fire suppression.

Tsunami, Flood, Sea Level Rise

- 1 Floods and tsunamis will come and go, but sea level rise inundation will be a permanent condition, affecting low lying coastal areas.
- 2 Implement flood mitigation measures, such as enhanced drainage systems and wetland restoration in the areas along Anahola River
- 3 Develop an emergency evacuation route for coastal residents. A foot trail leading up to Hokuaalele was suggest as an immediate solution.

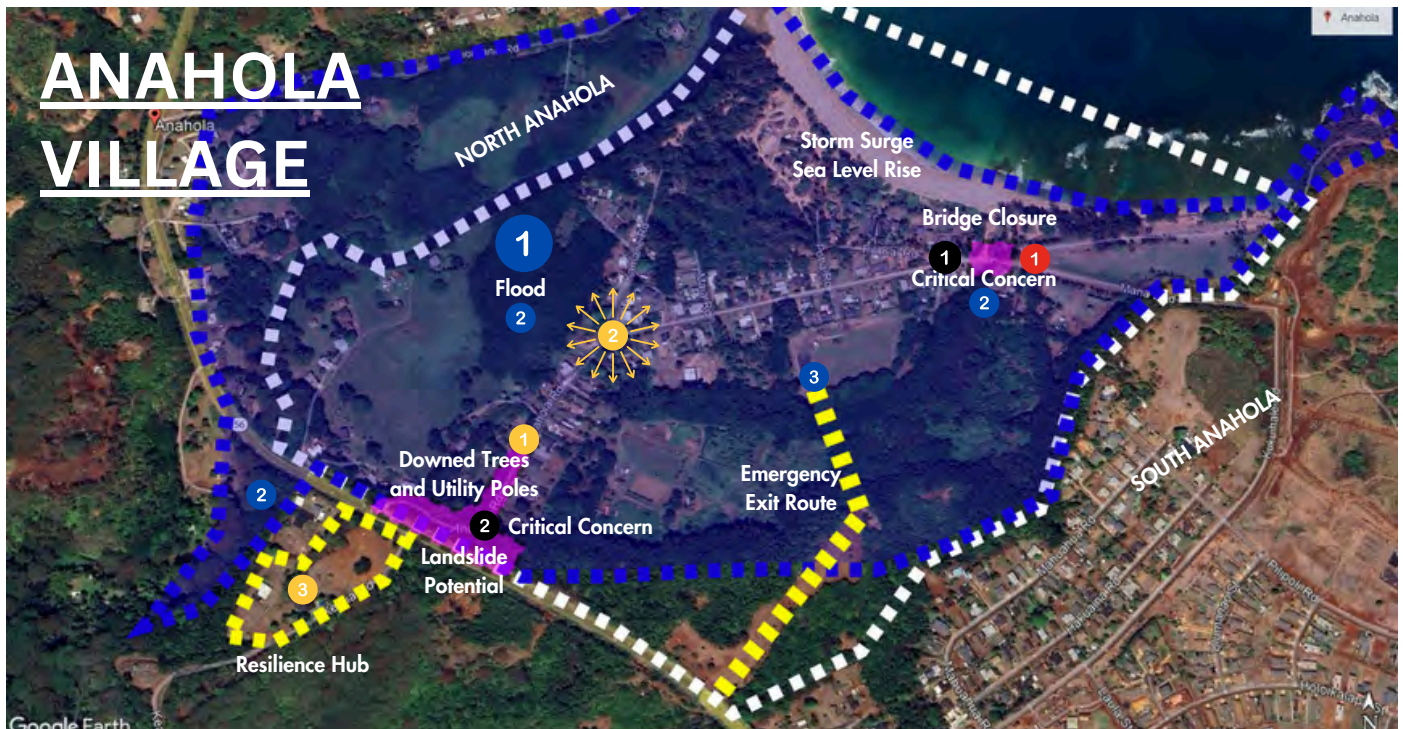
Hurricanes and General Safety

- All of the previous concerns are magnified during Hurricanes with additional concerns for high wind and storm surge.
- 1 Lack of escape routes and vulnerable power lines.
- 2 Many elderly Kupuna may need assistance with evacuation.
- 3 Establish Resilience Hubs for emergency shelters and supply distribution outside the tsunami zone.
- Establish a community network for emergency transportation resources to support evacuation and accountability of vulnerable populations, particularly Kupuna and medically dependent residents.
- Several homes have excessive debris accumulation, posing a hazard to neighboring properties.
- Strengthen community-wide hurricane-proofing initiatives for homes and buildings.

COMMUNITY MAPPING

VULNERABILITY, RISK, AND RESILIENCE ACTIONS

Refer to the colored tabs below for more information about this map. Colored numbers indicate the section and item referenced. Example: BLUE #1 refers to item 1 in the blue section.



Critical Concern

- 1 Anahola Village faces a critical concern with the bridge closure on Anahola Road, between Pilikai Road and Anahola Beach park. Bridge has been closed since January 2021, limiting emergency access and egress.
- 2 Residents in Anahola Village may be trapped to the North by landslide flooding at Kuhio Hwy and Anahola Road and to the South by the bridge closure.

Wildfire

- 1 Bridge closure blocks emergency access for firefighters and egress for residents.

Tsunami, Flood, Sea Level Rise

- 1 Anahola Village is at high risk of inundation during storm surges and tsunamis. Entire area is in tsunami zone. Most of the area is in a flood zone, sea level rise inundation will be a permanent condition, affecting low lying coastal areas.
- 2 Implement flood mitigation measures, such as enhanced drainage systems and wetland restoration in the areas along Anahola River
- 3 Develop an alternate emergency evacuation route for coastal residents.

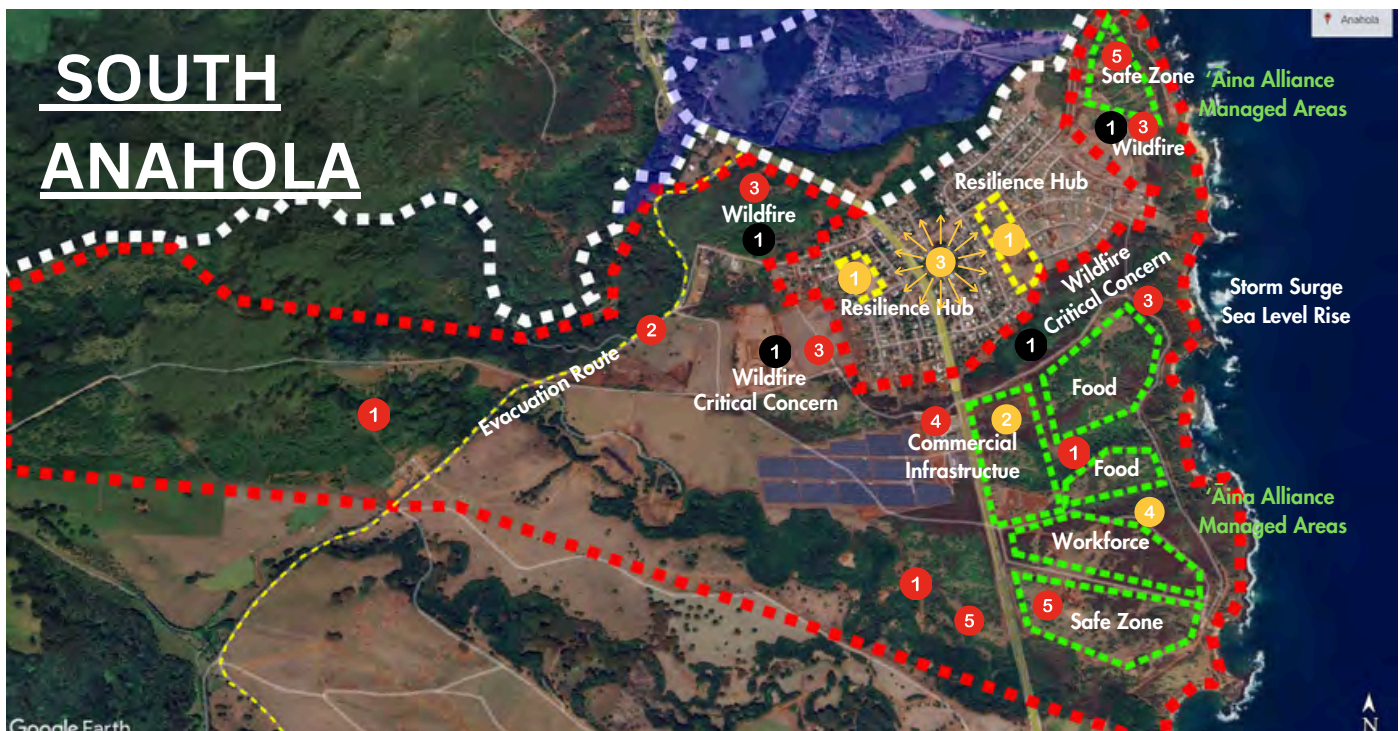
Hurricanes and General Safety

- All of the previous concerns are magnified during Hurricanes with additional concerns for high wind and storm surge.
- 1 Lack of escape routes, overgrown trees and vulnerable power lines could trap residents.
- 2 Many elderly Kupuna may need assistance with evacuation. Establish a community network for emergency transportation resources to support evacuation and accountability of vulnerable populations, particularly Kupuna and medically dependent residents.
- 3 Establish Resilience Hub outside tsunami zone by combining Ko'olauhuiia Church and the old Anahola preschool site for evacuation and supply distribution.
- Several homes have excessive debris accumulation, posing a hazard to neighboring properties
- Strengthen community-wide hurricane-proofing initiatives for homes and buildings.

COMMUNITY MAPPING

VULNERABILITY, RISK, AND RESILIENCE ACTIONS

Refer to the colored tabs below for more information about this map. Colored numbers indicate the section and item referenced. Green sections are potential solutions by a community partner.



Critical Concern

- 1 South Anahola has large areas of flammable vegetation near housing areas that need constant maintenance. Depending on wind direction, wildfires can quickly gain momentum.

Wildfire

- 1 Limited water supply for fire suppression in undeveloped areas. Install additional water storage tanks and fire suppression infrastructure.
- 2 Repave and maintain Kealia Road as an alternative emergency route.
- 3 Implement community-led vegetation management and firebreak maintenance programs.
- 4 Collaborate with Kauai Island Utility Cooperative (KIUC) to harden power lines against fire hazards. Residents stated there is underground infrastructure to make the transition.
- 5 Many large areas of flammable vegetation exist that could be repurposed for safe spaces to accommodate temporary emergency shelters for displaced individuals.

Tsunami, Flood, Sea Level Rise

There were no flooding concerns for Anahola South. Residents felt they could be a resource to assist Anahola Village at established Resilience Hubs for emergency shelters and supply distribution outside the tsunami zone. Residents liked the Resilience model used in Hanalei to Hā'ena with response trailers and emergency plans.

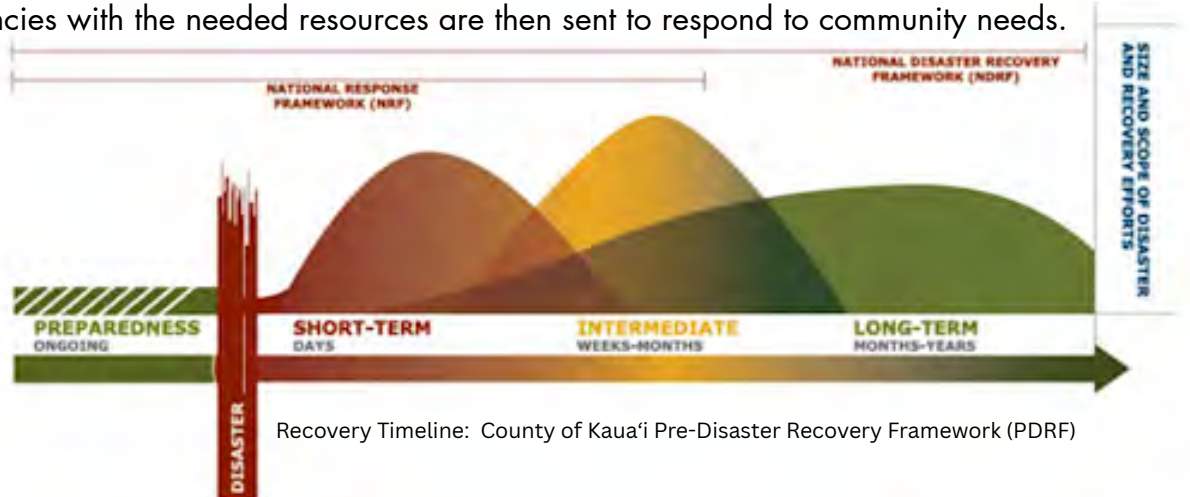
Hurricanes and General Safety

- 1 All of the previous concerns are magnified during Hurricanes with additional concerns for high wind and storm surge. Two potential resilience hubs were recommended.
- 2 South Anahola has better short-term resilience but requires long-term infrastructure upgrades such as a medical facility, fire and police stations, a gas station, grocery and hardware stores, and reliable emergency access routes.
- 3 Establish a community network for emergency transportation resources to support evacuation and accountability of vulnerable populations, particularly Kupuna and medically dependent residents.
- 4 Utilize 'Āina Alliance-managed DHHL land for emergency shelters, long-term critical infrastructure, food production, and industrial workforce development.

Response & Recovery Framework

Post Disaster Activities

The implementation of a successful recovery operation is dependent on effective coordination across the full spectrum of participating stakeholders. Response and recovery starts at the community level and continues to expand as information is gathered and sent to a Coordinating Agency within the Pre-Disaster Recovery Framework (PDRF). Support agencies with the needed resources are then sent to respond to community needs.



Formation of a Community Action Team (CAT) to coordinate with the PDRF

The Anahola Community Action Team (ACAT) will serve as the initial coordinating entity for disaster prevention, response, and recovery. This includes pre-disaster activities to follow up on identified vulnerabilities in this report and post disaster participation with the PDRF for efficient long-term recovery efforts. This team will be structured to coordinate with the County of Kaua'i Pre-Disaster Recovery Framework (PDRF) and the Recovery Support Function (RSF) agencies. Coordination with the Department of Hawaiian Homelands (DHHL) and community-based organizations not included in the PDRF will be needed to ensure an inclusive and community-led recovery process.

ACAT Key Roles & Responsibilities:

- Community Representatives (3) – North Anahola, South Anahola, and Anahola Village representatives to ensure equitable recovery across all neighborhoods.
- Resilience Hub Coordinators (3) – Oversee designated Resilience Hubs during disasters and recovery efforts.
- Infrastructure & Utilities Liaison – Communicate needs through the "Infrastructure Systems" Recovery Support Function (RSF) of the PDRF to restore power, water, and road access.
- Social Services & Equity Officer – Coordinate with "Health and Social Services" RSF of the PDRF to ensure vulnerable populations (kupuna, disabled residents, low-income families) receive priority assistance.
- Economic & Business Recovery Officer – Coordinates with "Economic Recovery" RSF of the PDRF and local businesses to restore economic activity.
- Nonprofit & Volunteer Coordination Officer – Works with 'Āina Alliance, Kaua'i COAD (Community Organizations Active in Disaster), and Voluntary Organizations Active in Disaster (VOAD) to coordinate local recovery efforts.
- Department of Hawaiian Home Lands (DHHL) Liaison – Works with DHHL to ensure proper recovery planning for Hawaiian Homestead lands and to secure funding for long-term rebuilding projects.

Response & Recovery Framework

Integration with Local & State Government



Photos: Anahola Community meetings on flood, tsunamis, and sea level rise with KEMA

Pre-Disaster Planning Integration:

- ACAT will participate in KEMA's annual emergency preparedness drills to train members and update Anahola's Community Disaster Plan accordingly.
- Work with DHHL to develop disaster-resistant infrastructure projects and strengthen emergency preparedness in homestead areas.
- Advocate for inclusion in COK's Hazard Mitigation Plan (HMP) to prioritize funding for vulnerabilities like evacuation routes, flood control measures, and wildfire mitigation projects.
- ACAT will participate in COK's Pre-Disaster Recovery Framework Working Group

Disaster Response Integration:

- With proper training, ACAT can fit in the PDRF to liaise with COK's Emergency Operations Center (EOC) to ensure Anahola's needs are represented in county-wide response efforts.
- Once developed, Resilience Hubs will be activated and staffed with volunteers from the Anahola community, and volunteer groups to coordinate food, medical aid, and sheltering efforts. Hubs can also provide assistance with applications for assistance and other documents.
- KIUC and HDOT will be prioritized partners in restoring power and clearing blocked roads to facilitate emergency response.
- ACAT can mobilize local heavy equipment and specialized services within the Anahola area to assist with response and recovery until the PDRF can provide these services.

Long-Term Recovery Coordination:

- ACAT will participate in community-driven rebuilding efforts, ensuring projects align with County of Kaua'i Multi-Hazard Mitigation Plan, General Plan, East Kaua'i Community Plan, Climate Adaptation Plan, HI-EMA's Resilient Communities Program and FEMA's Hazard Mitigation Grant Program (HMGP).
- Find partners like 'Āina Alliance to implement sustainable land restoration, wildfire buffer zones, and coastal resilience projects including coastline and wetland restoration.
- Depending on the disaster, trained ACAT members can serve as a member of COK's PDRF organizational structure (Recovery Support Function)
- Work with COK Planning Department to ensure rebuilding efforts align with long-term climate adaptation strategies.

Response & Recovery Framework

Establishing Resilience Hubs as Central Coordination Centers

Resilience hubs can come in a variety of shapes and sizes. Hubs are powered by trusted community leaders who provide access to services, programs, resources, and opportunities for community members to implement place based, culturally informed strategies that increase individual and islandwide resilience.



Sketch by Architect Rick Crandall for the proposed Kauai Resilience Center.

Resilience Hubs will serve as:

- Emergency Evacuation Centers with food, water, medical care, and emergency housing.
- Community Command Centers to coordinate volunteer efforts, information sharing, and damage assessments.
- Recovery Assistance Centers to connect residents with FEMA aid, insurance claims support, and rebuilding resources.

Identified Resilience Hubs & Government Support Needs

NORTH ANAHOLA

New Resilience Hub near the highway

State DOT, DHHL, County of Kaua'i

ANAHOLA VILLAGE

Combine Ko'olauhuiia Church and Anahola Preschool Site

Church Board, DOE, KEMA, DHHL, County of Kaua'i

SOUTH ANAHOLA HUB-1

Anahola Clubhouse

DHHL, County of Kaua'i

SOUTH ANAHOLA HUB-2

Kanuikapono School

School Board, DOE, County of Kaua'i, DHHL

Response & Recovery Framework

Volunteer & NGO Integration for Effective Transition to Recovery

Short-term recovery addresses the health and safety needs beyond rescue, the assessment of the scope of damages and needs, the restoration of basic infrastructure, and the mobilization of recovery organizations and resources including restarting and/or restoring essential services for recovery decision-making. Gaps in services can be filled by volunteer organizations to assist with needs like debris removal, temporary re-location of displaced residents, immediate restoration of services, and temporary financial assistance.



Hawaii
Voluntary Organizations
Active in Disaster

COOPERATION | COMMUNICATION | COORDINATION | COLLABORATION



Partnering with VOAD & Kaua'i COAD

VOAD (Voluntary Organizations Active in Disaster) and its local affiliate, Kaua'i COAD (Community Organizations Active in Disaster), will play a critical role in:

- Mobilizing volunteers for debris cleanup, home repairs, and humanitarian aid distribution.
- Coordinating with faith-based groups, non-profits, and community leaders to provide crisis counseling and emotional support.
- Managing food banks, clothing drives, and emergency medical aid in collaboration with local churches and nonprofits.

'Āina Alliance as a Key Implementation Partner

Leverage 'Āina Alliance's expertise in hazard mitigation and environmental stewardship to:

- Implement firebreak zones & native vegetation buffers to reduce wildfire risk.
- Lead coastal restoration projects to mitigate erosion and sea level rise.
- Develop sustainable, disaster-resilient housing prototypes for rebuilding efforts in partnership with DHHL.



Rapid housing solutions

Coastal Restoration
and
Wildfire Prevention



Disaster-resilient housing prototypes

Funding for Sustainable Recovery

Funding for recovery operations can come from a variety of sources. The County of Kaua'i Pre-Disaster Recovery Framework (PDRF) and the Recovery Support Function (RSF) annex lists potential resources. Funding may also be obtained through nonprofit organizations or other partnerships and donations.

Funding

- ① **Grants**
- ② **Donations**
- ③ **Partnerships**

Pre-Disaster Funding Strategies

- Explore the Hazard Mitigation Grant Program (HMGP) and similar funding resources to fortify evacuation routes, elevate homes in flood zones, establish and equip Resilience Hubs to modernize them as emergency shelters with emergency communication equipment.
- Work with DHHL to secure federal grants for disaster-resistant infrastructure in Hawaiian Homestead areas.
- Apply for Community Development Block Grants Disaster Resilience (CDBG-DR) and similar funding resources to strengthen local food security and supply chains.
- Stay aware of periodic grant opportunities that may provide partial support to mitigate disaster vulnerabilities identified in this report.

Post-Disaster Recovery Funding Strategies

**Disaster
Recovery
Plan
Funding**

Funding for post-disaster recovery and redevelopment projects is available both before and after a disaster occurs. Regardless of the type or quantity of resources considered for a project, it is important to identify all the potential resources, programs, and stakeholders that may be applicable for use in the post-disaster planning process. Proactive partnering with these funding organizations will provide an understanding of the organization's policies, timelines, funding uses and restrictions, types of aid, and recipient and project eligibility. Many funding programs may have local match requirements, which can include in-kind services.

- ACAT will work with KEMA and HI-EMA to expedite Individual Assistance and Public Assistance applications for residents.
- Kaua'i County and ACAT will partner to identify and secure rebuilding or resilience grants to fund climate-adaptive housing and critical infrastructure projects.
- All partners will monitor periodic grant opportunities from local organizations to implement parts of this plan as eligible.

Anahola Recovery Model

Community-Led, Government-Supported

The activities in this report are highly dependent on the establishment of the Anahola Community Action Team and their coordination with the County of Kaua'i Pre-Disaster Recovery Framework (PDRF) and the Recovery Support Function (RSF) along with other organizations during a disaster. Assuming the ACAT is trained and fully functional, these are the ideal recovery workflow steps.



Ideal Recovery Workflow

- ACAT & Resilience Hubs activate: Provide immediate relief (food, medical aid, shelter) until County, State, and volunteer group resources arrive to assist.
- ACAT participates with local damage assessments to support County & DHHL: With proper training, ACAT can assist to submit initial reports to EOC. EOC will then coordinate PDRF resources to mitigate needs.
- County & State agencies restore infrastructure: PDRF "Infrastructure Systems" RSF begins utility restoration, road clearing, debris removal. ACAT can support with local resources if available.
- Community Recovery Committees form: Develop a resident-driven rebuilding plan in coordination with DHHL and PDRF "Community Planning" RSF to expedite planning and permitting.
- Federal & state funds are allocated based on community priorities → ACAT communicates with PDRF "Economic Recovery" RSF to ensure equity and local decision-making.
- Sustainable rebuilding & mitigation measures implemented → ACAT members actively engage with COK & DHHL for long-term resilience.



*General Recovery Model as shown on MAUIRECOVERS.ORG

Ideal “Recovered Community” Vision

The ideal recovered community resource development strategy will build back better by including considerations for economic opportunity, climate resilience, and a high quality of life for Anahola residents. This vision is rooted in self-sufficiency, affordability, and environmental harmony.

4

Priority Goals

Key Components of a Recovered Anahola

Short-Term: 1-5 years

1. Affordable, Disaster-Resilient Housing

- Implement hurricane-resistant, energy-efficient homes built with locally sourced materials.
- Establish cooperative housing models that promote affordability and homeownership.
- Integrate solar power, rainwater catchment, and greywater recycling in new developments.
- Retrofit the most vulnerable homes. Continue discussions for programs to relocate chronically vulnerable homes out of flood-prone zones and offer elevation grants for existing homes.
- Find resources in PDRF and RSF’s for Community Planning, Infrastructure Systems, and Housing

Mid-Term: 2-7 years

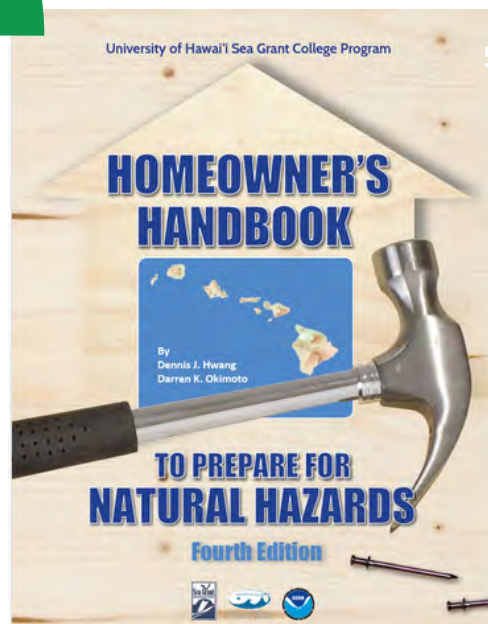
2. Sustainable Infrastructure & Climate Adaptation (Years 2-7)

- Expand road networks with elevated evacuation routes and bridge reinforcements on Kuhio Highway, Anahola Road, and Aliomanu Road.
- Construct living shorelines with native plant and dune restoration for coastal protection on Anahola Beach and along Aliomanu Road.
- Maintain defensible space around critical infrastructure to mitigate wildfire risks.
- Improve stormwater management to prevent urban flooding and erosion.
- Zero-Waste Infrastructure: Develop a community waste recycling and composting facility to process disaster debris and everyday waste.
- Renewable Waste-to-Energy Solutions: Implement small-scale biomass energy solutions that convert organic waste into fuel.
- Sustainable Construction Waste Reuse: Encourage recycling of building materials after disasters to reduce landfill overflow.
- Find resources in PDRF and RSF’s for Community Planning, Infrastructure Systems, and Housing

Mid-Term: 3-8 years

3. Economic Opportunity & Workforce Development (Years 3-8)

- Establish an eco-tourism and cultural learning center to generate revenue and promote Hawaiian traditions.
- Develop a Green Jobs Training Program in renewable energy, sustainable agriculture, and disaster resilience.
- Invest in aquaculture and regenerative farming to support long-term food security.
- Support small businesses through a local business incubator and micro-loan programs.
- Find resources in PDRF and RSF’s for Economic Recovery and Natural & Cultural Resources



Ideal “Recovered Community” Vision

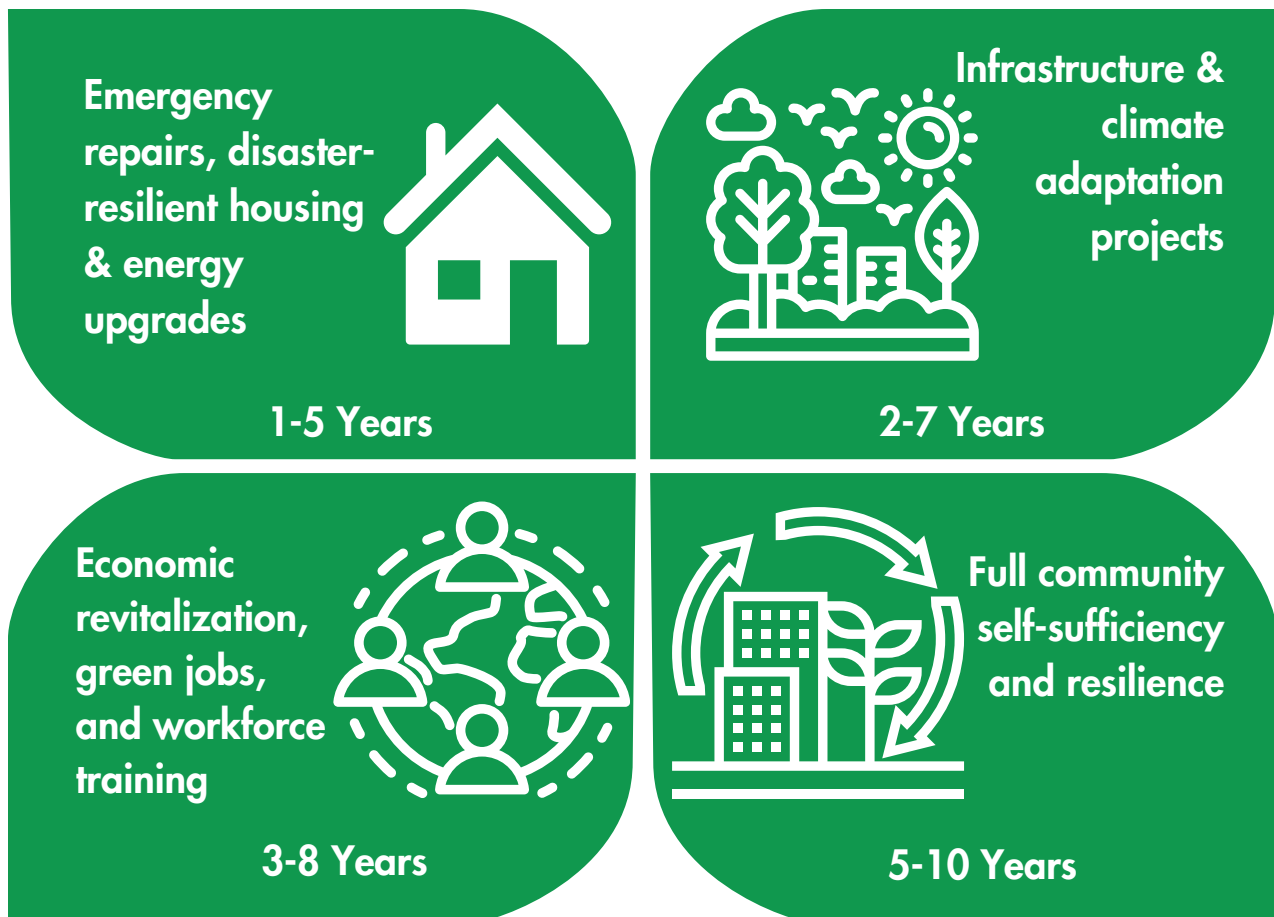
Key Components of a Recovered Anahola (continued)

Long-Term: 5-10 years

4. Community Self-Sufficiency & Essential Services (Years 5-10)

- Build a police station, fire station, and permanent medical facility for enhanced emergency response outside hazard areas and able to service all parts of Anahola.
- Develop a community resilience hub featuring food storage, emergency supplies, and backup power generation.
- Expand the cooperative farming model to strengthen local food production.
- Partner with educational institutions to create a vocational training center in construction, healthcare, and technology.
- Find resources in PDRF and RSF’s for Health & Social Services, Economic Recovery, Infrastructure and Community Planning

Timeline for Recovery & Growth



CONCLUSION

Visioning Process

This disaster response and recovery visioning process helps the Anahola community to emerge stronger, greener, and more resilient in the face of future challenges. Successful long-term disaster recovery in any community will be contingent on frequent and thoughtful community engagement, shared information about the status of recovery and available resources, and input from community members. This framework provides the basis to steer the community to engage in establishing the direction and priorities for recovery activities from pre-disaster preparedness and continuing through post-disaster response and recovery.



Community-Led, Government Assisted

The formation of the Anahola Community Action Team (ACAT) or similar type of community led group is critical for efficient integration into the County PDRF. Active discussions and team building now, will reduce the need for consultation and prevent hesitation later. Continued refinement of this framework is needed so that recovery is initiated efficiently and progresses at a visible pace.

Future Action

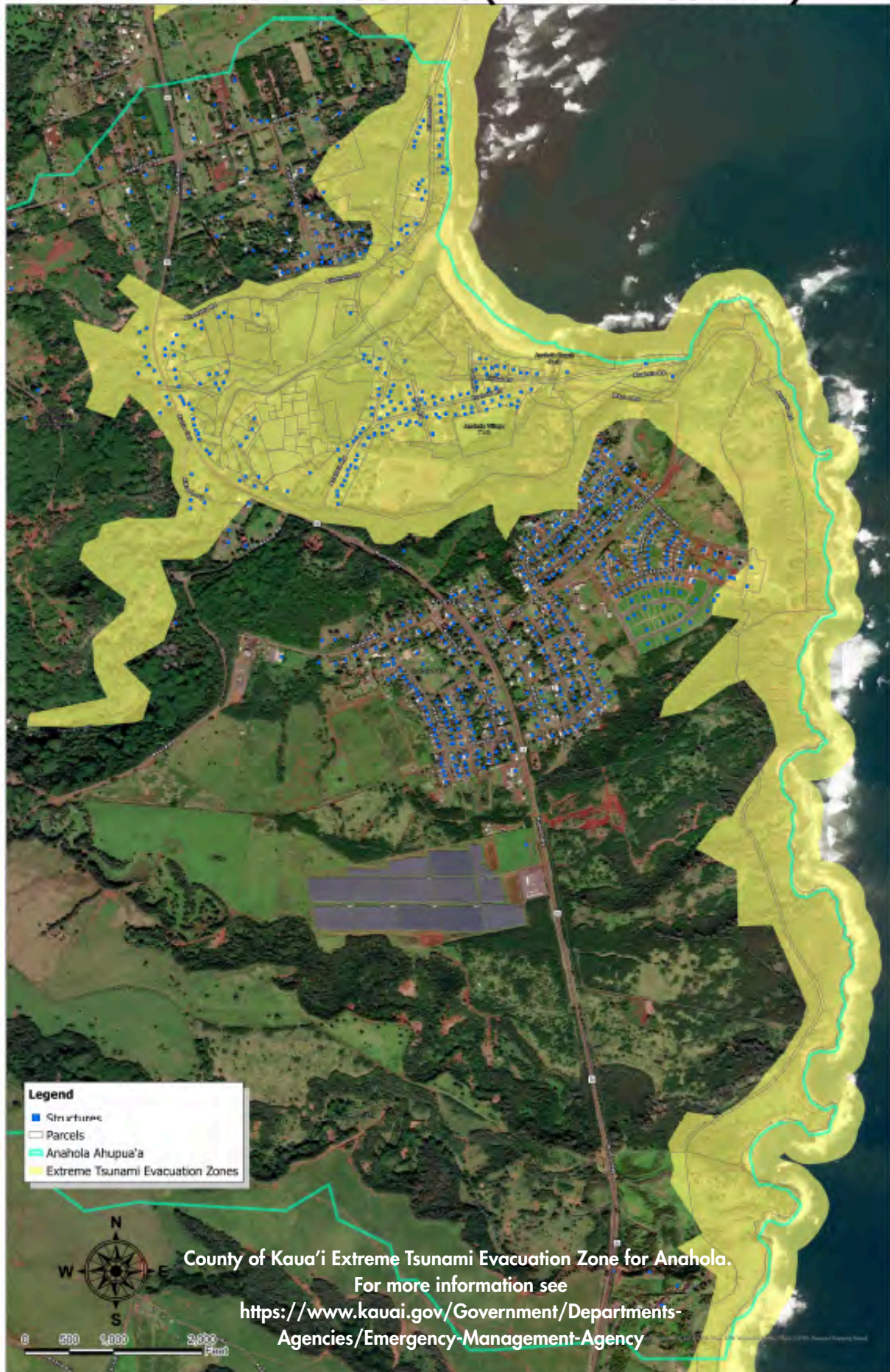
Future action is needed to develop disaster-specific community planning and the training necessary to effectively manage the activities described in this report. Valuable insight can be learned from historic disasters like Kaua'i 2018 Floods in Hanalei to Haena or the Maui Wildfires in 2023. Although this framework does not provide a comprehensive plan, it is a building block towards plan development. The Lahaina Long-Term Recovery Plan is an excellent model to follow for future recovery visioning. Deeper discussion is needed for disaster-specific waste management including household debris, sewage, and hazardous waste to ensure the process is respectful of cultural and natural resources.

Background

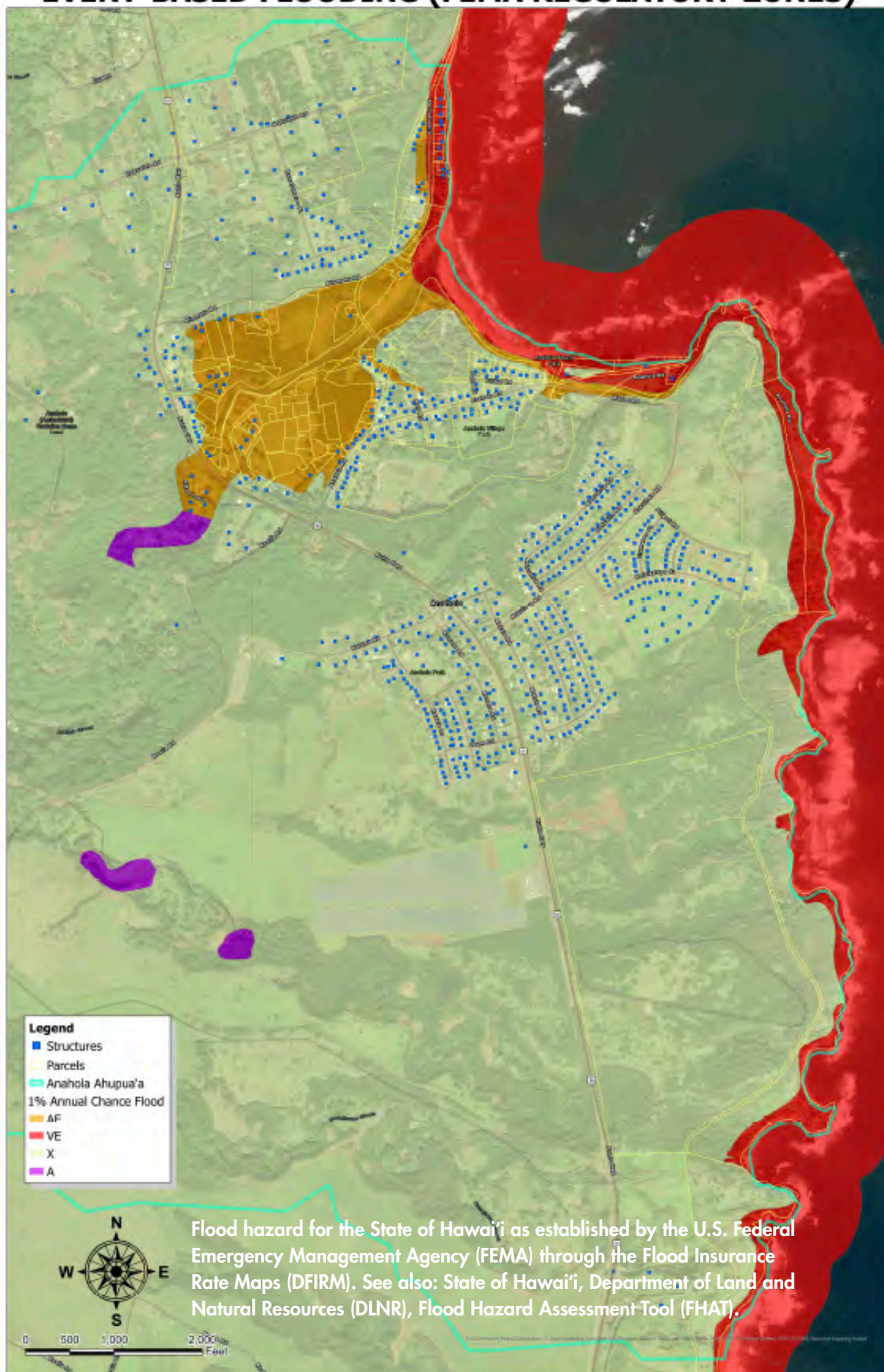
This framework was developed to support the NOAA funded: "Building Back Better: Pre-Disaster Recovery Planning in Kaua'i, Hawai'i," a project lead by Ruby Pap of the University of Hawai'i Sea Grant College Program in partnership with the County of Kaua'i to work with multiple County Departments, external organizational stakeholders, and community members in vulnerable and underserved communities. Anahola was chosen as the pilot community to participate in the disaster recovery visioning process, led by 'Āina Alliance with support from Hawai'i Sea Grant. The purpose was to develop a process for expediting recovery after a catastrophic natural disaster, such as a hurricane or a tsunami.



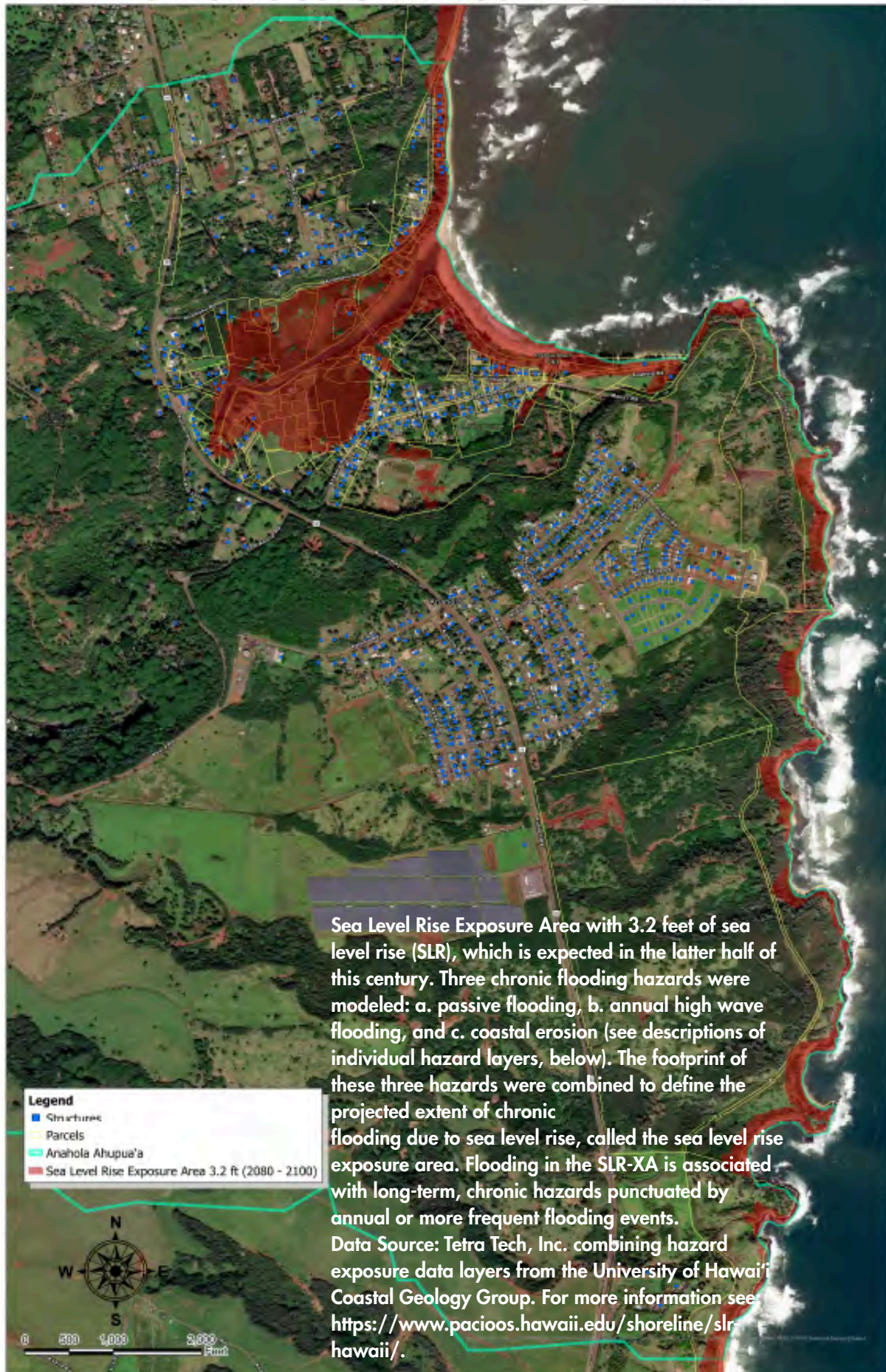
EVENT-BASED FLOODING (EXTREME TSUNAMI)



EVENT-BASED FLOODING (FEMA REGULATORY ZONES)



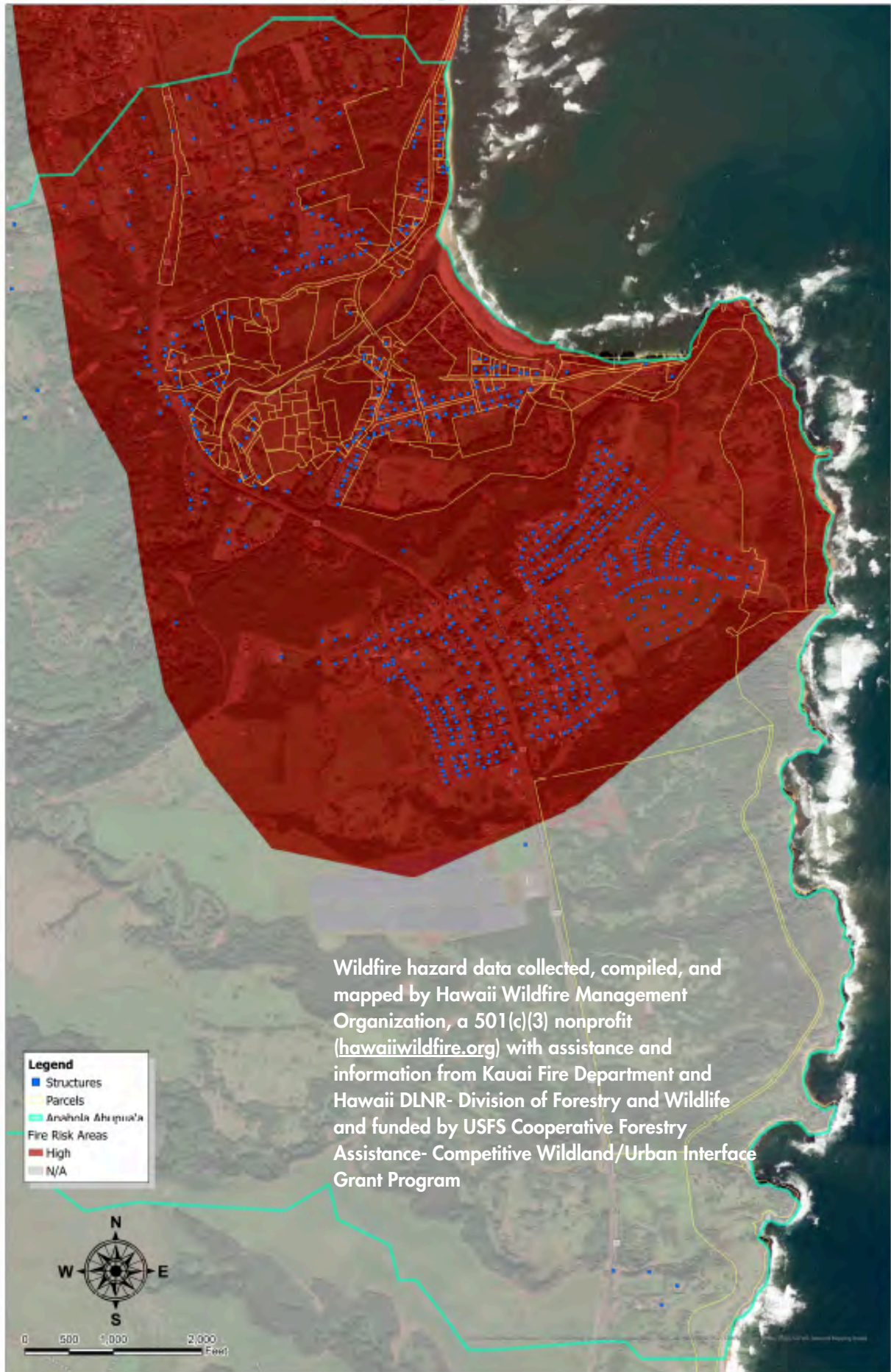
CHRONIC COASTAL FLOODING WITH SLR



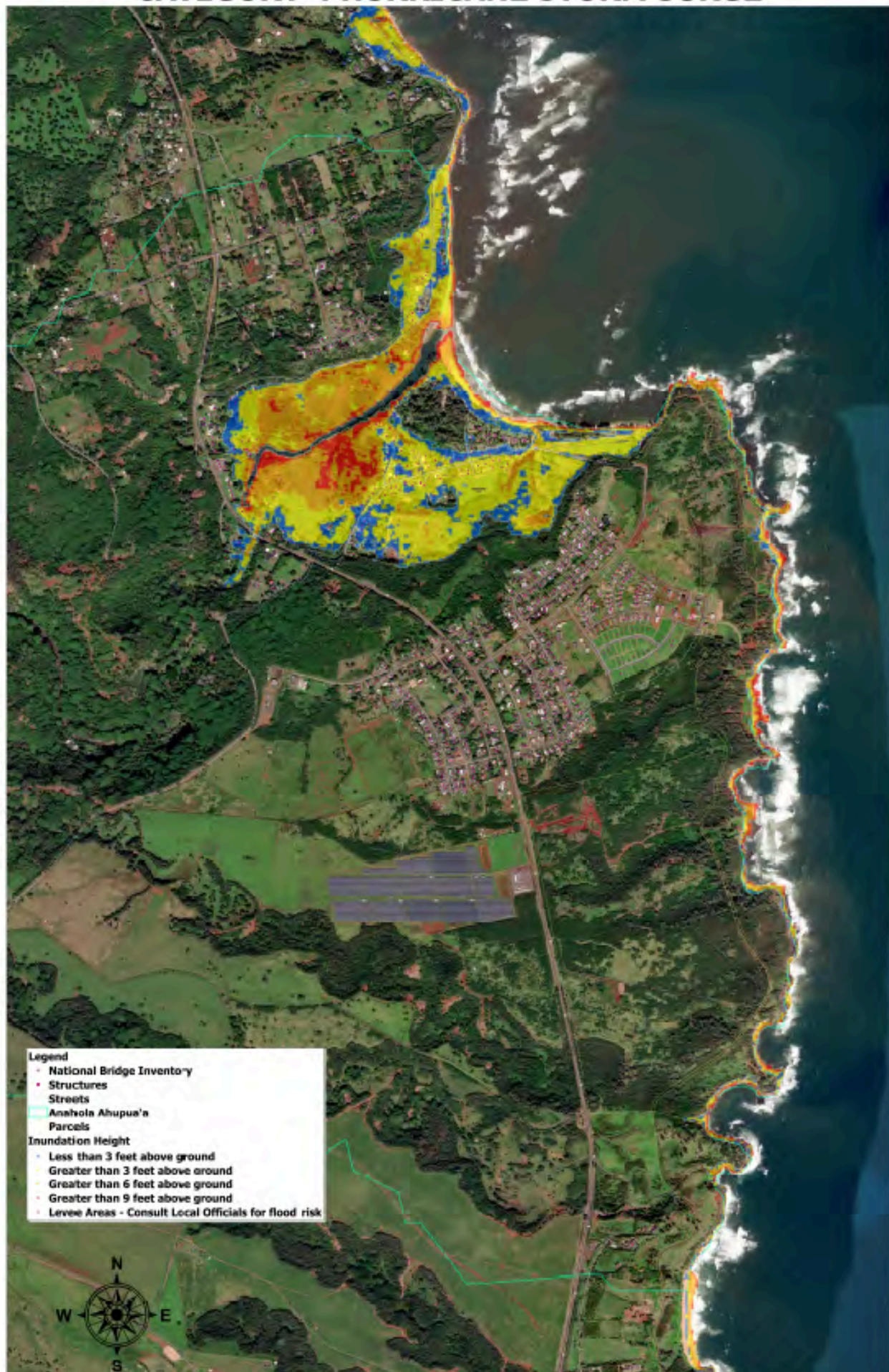
EVENT-BASED FLOODING (1% CFZ 3.2 FT SLR)



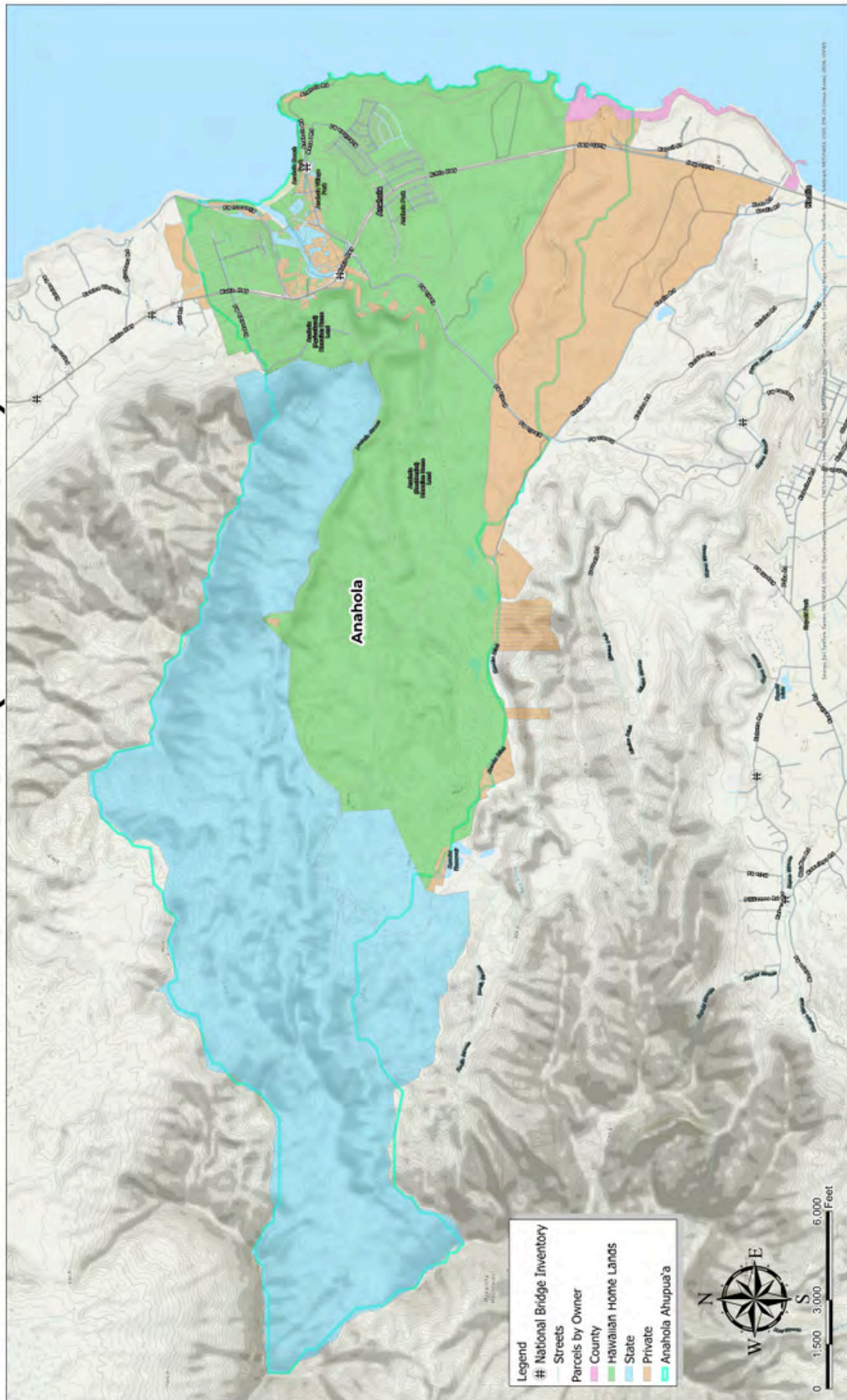
FIRE RISK AREAS



CATEGORY 4 HURRICANE STORM SURGE



ANAHOLA AHUPUA'A (LAND OWNERSHIP)



Conservation Plan Map - All Practices

Date: 9/23/2024 4:10 PM

Client(s): Aina Alliance

EQIP 749251240LH

Assisted by: JOHNATHAN KELLY

Land Units: FN 1370 TN 977

USDA-NRCS

FN 1372 FN 1811, 1812, 1813, 1814, 1816, 1817

LIHUE SERVICE CENTER

Kauai County, Hawaii

EAST KAUAI SWCD

Approximate Acres: 423.2

Legal Description: TMK: (4)4-8-003:018, 019 (por.), 021, 026; (4) 4-8-014:003; (4) 4-7-004:003, 004, 007



Legend

- | | |
|----------------------------|--|
| Farm Boundaries | High Tunnel System (325) |
| Irrigation Pipeline (430) | Irrigation System, Microirrigation (441) |
| Vegetative Barrier | Irrigation Water Management (449) |
| Irrigation Reservoir (436) | Mulching (484) |
| Obstruction Removal (500) | Critical Area Planting (342) & Mulching (484) |
| Pumping Plant (533) | Woody Residue Treatment (384) & Fuel Break (383) |
| Fuel Break (383) | |

1:18,000



0 0.25 0.5 Mi

0 0.25 0.5 Km



Tract and Field Map: EQIP 749251240LH

Client(s): AINA ALLIANCE
Kauai County, Hawaii
Approximate Acres: 423.2

Assisted By: JOHNATHAN KELLY
USDA-NRCS
LIHUE SERVICE CENTER

Land Units: Tract 977, Fields 7,8,9 Tract 1811, Fields 1 Tract 1812, Fields 2 Tract 1813, Fields 3 Tract 1814, Fields 4
Tract 1816, Fields 5 Tract 1817, Fields 6



Prepared with assistance from USDA-Natural Resources Conservation Service

0 1505
Feet

Practice Schedule PLUs



Conservation Plan Map - Fuel Break

Date: 9/23/2024 2:26 PM

Client(s): Aina Alliance

EQIP 749251240LH

Assisted by: JOHNATHAN KELLY

Land Units: FN 1370 TN 977

USDA-NRCS

FN 1372 FN 1811, 1812, 1813, 1814, 1816, 1817

LIHUE SERVICE CENTER

Kauai County, Hawaii

EAST KAUAI SWCD

Approximate Acres: 423.2

Legal Description: TMK: (4)4-8-003:018, 019 (por.), 021, 026; (4) 4-8-014:003; (4) 4-7-004:003, 004, 007



Legend

Farm Boundaries

Fuelbreak Section

— 1: 9.8 Acres

— 2: 11.3 Acres

— 3: 8.9 Acres



1:18,000



0 0.25 0.5 Mi

0 0.25 0.5 Km



Conservation Plan Map - Erosion Control

Date: 9/23/2024 4:13 PM

Client(s): Aina Alliance

EQIP 749251240LH

Assisted by: JOHNATHAN KELLY

Land Units: FN 1370 TN 977

USDA-NRCS

FN 1372 FN 1811, 1812, 1813, 1814, 1816, 1817

LIHUE SERVICE CENTER

Kauai County, Hawaii

EAST KAUAI SWCD

Approximate Acres: 423.2

Legal Description: TMK: (4)4-8-003:018, 019 (por.), 021, 026; (4) 4-8-014:003; (4) 4-7-004:003, 004, 007



Legend

- | | |
|---|---|
| Farm Boundaries | High Tunnel System (325) |
| Irrigation Pipeline (430) | Irrigation System, Microirrigation (441) |
| Vegetative Barrier | Irrigation Water Management (449) |
| ○ Irrigation Reservoir (436) | Mulching (484) |
| ○ Obstruction Removal (500) | Critical Area Planting (342) & Mulching (484) |
| ○ Pumping Plant (533) | Woody Residue Treatment (384) & Fuel Break (383) |
| Fuel Break (383) | |

1:3,020



0 0.04 0.08 Mi

0 0.04 0.08 Km



Conservation Plan Map - High Tunnels

Date: 9/23/2024 4:14 PM

Client(s): Aina Alliance

EQIP 749251240LH

Assisted by: JOHNATHAN KELLY

Land Units: FN 1370 TN 977

USDA-NRCS

FN 1372 FN 1811, 1812, 1813, 1814, 1816, 1817

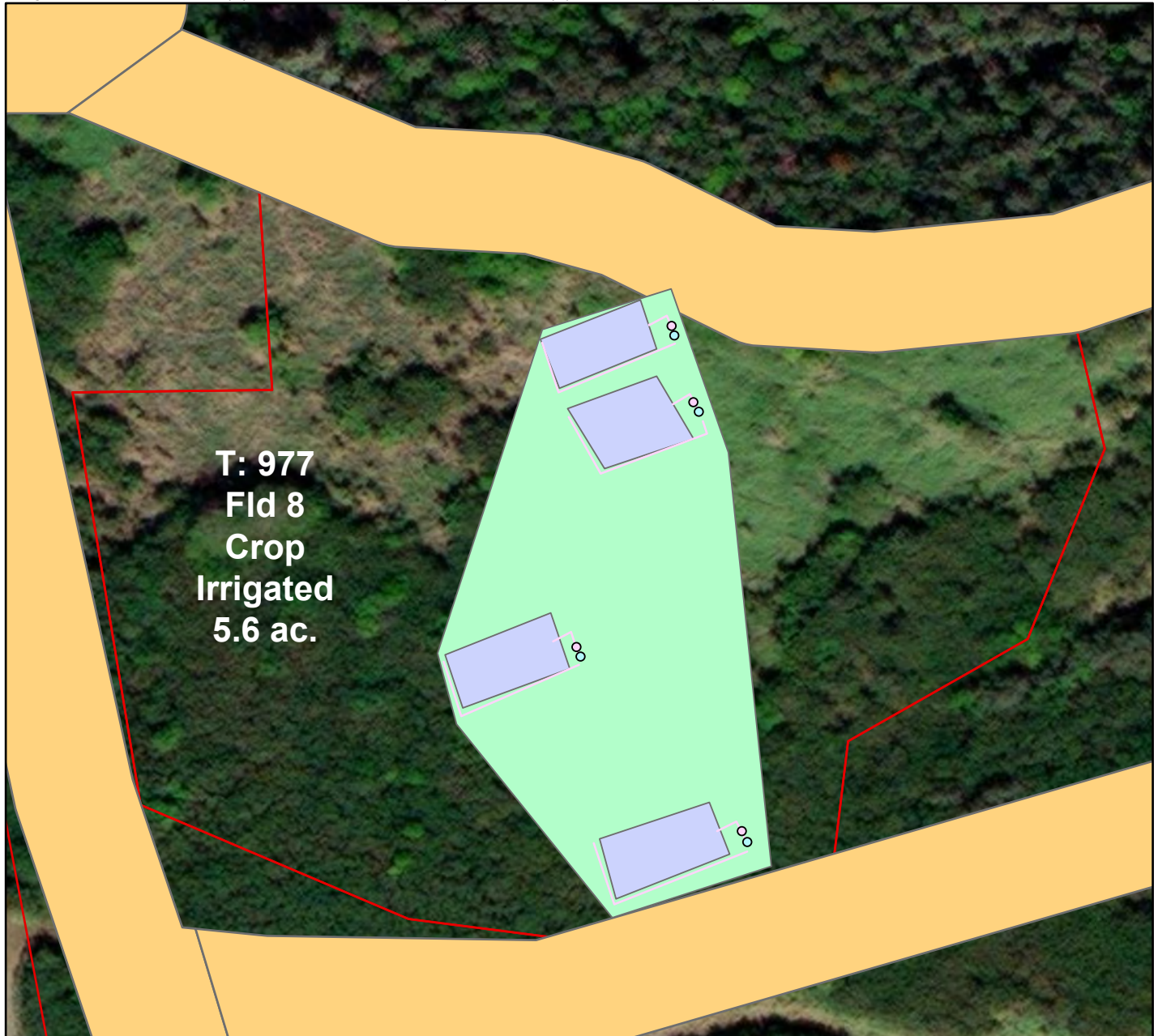
LIHUE SERVICE CENTER

Kauai County, Hawaii

EAST KAUAI SWCD

Approximate Acres: 423.2

Legal Description: TMK: (4)4-8-003:018, 019 (por.), 021, 026; (4) 4-8-014:003; (4) 4-7-004:003, 004, 007



Legend

- | | |
|--|--|
| Farm Boundaries | High Tunnel System (325) |
| Irrigation Pipeline (430) | Irrigation System, Microirrigation (441) |
| Vegetative Barrier | Irrigation Water Management (449) |
| Irrigation Reservoir (436) | Mulching (484) |
| Obstruction Removal (500) | Critical Area Planting (342) & Mulching (484) |
| Pumping Plant (533) | Woody Residue Treatment (384) & Fuel Break (383) |
| Fuel Break (383) | |

1:1,237

0 0.01 0.03 Mi

0 0.01 0.03 Km



From: [Chanel Josiah](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [almeidajerry262@gmail.com](#)
Subject: [EXTERNAL] May Agenda
Date: Saturday, April 19, 2025 1:08:23 PM

Hi Leah!

It's Chanel Josiah, I'm emailing you from my personal email, requesting to have me and my step-dad, Jerry Almeida, to the J-Agenda for May.

You can include us together on one line - Chanel Josiah/Jerry Almeida. I am his POA.

I'd like to present to the commission some issues and a proposal for a lease/homestead issues that he has.

Let me know if you have any questions or need more context. I copied Jerry on this email so he knows the request has been made.

Mahalo, Leah! Have a great weekend!

--Chanel

From: [Kenna Stormogipson](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda Testimony -May 20th Meeting
Date: Tuesday, April 29, 2025 2:16:24 PM

J3

Aloha Leatrice,

Hope you had a good weekend. Can you please add me to the J-Agenda for the May 20th Hawaiian Home Lands Commission meeting?

Mahalo!
-Kenna

|

From: [Lourdes Torres](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: Re: [EXTERNAL] Re: January 2025 HHC J Agenda Deadline Passed.
Date: Friday, May 2, 2025 5:23:02 PM
Attachments: [image003.png](#)
[image002.png](#)

J4

Aloha Leah,

Thank you for continuing to help us. I'm so grateful. May I please be added to news the meeting for later this month let me know if that's OK. Happy aloha Friday.

On Sat, Apr 5, 2025 at 9:26 AM Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Aloha e Torres,

Mahalo for your email. You are scheduled on the J Agenda for Tuesday, April 22, 2025, with an approximate start time of 9:45 AM, subject to any carry-over items from the previous day. You will have 10 minutes to present to the Commission, followed by a question-and-answer session.

If your presentation includes any written documents that you would like to be included in the Commission's meeting packet, please forward them to me by Monday, April 14, no later than 9:30 AM. This will ensure that your materials are properly included in the packet.

Please watch your email on Tuesday, April 15. I will forward the filed agenda along with the Zoom link for any virtual testifiers.

For further details, please visit our landing page for Public and J Agenda Testimonies: <https://dhhl.hawaii.gov/hhc/testimony>

Mahalo,



Leah Burrows-Nuuanu

Hawaiian Homes Commission

From: [Kenna Stormogipson](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: [EXTERNAL] J-Agenda for May 20th - 4 more residents
Date: Monday, May 5, 2025 1:07:16 PM

Aloha Leah,

Hope you had a good weekend. Can you please add the following Waipouli residents to the J-Agenda for May 20th?

1. Wallace Hardin
2. Samuel Wampler
3. Isabelle ReedCargill
4. Chasetyn Hasegawa

Mahalo nui for allowing these residents the opportunity to testify!

-Kenna

From: [terra](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] Regarding j agenda on 5/20
Date: Monday, May 5, 2025 10:55:19 AM

J7

Aloha Leah,

My name is Yun Park and I'm a resident of Courtyards at Waipouli. Can you please add me to the J-Agenda for the March 20th meeting?

Mahalo,
Yun

Sent from my iPhone

From: [Kenna Stormogipson](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J-Agenda for May 20th
Date: Monday, May 5, 2025 1:12:01 PM

Aloha Leatrice,

One more person to add to speak about Waipouli: Rowena Pangan.

Mahalo!

-Kenna

From: [Kenna Stormogipson](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: [EXTERNAL] J-Agenda for May 20th - 4 more residents
Date: Monday, May 5, 2025 1:07:16 PM

Aloha Leah,

Hope you had a good weekend. Can you please add the following Waipouli residents to the J-Agenda for May 20th?

1. Wallace Hardin
2. Samuel Wampler
3. Isabelle ReedCargill
4. Chasetyn Hasegawa

Mahalo nui for allowing these residents the opportunity to testify!

-Kenna

From: [Domenic Scanga](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] Courtyards Waipouli
Date: Monday, May 5, 2025 10:57:02 AM

Aloha Leah,

My name is Domenic Scanga and I'm a resident of Courtyards at Waipouli. Can you please add me to the J-Agenda for the March 20th meeting?

Mahalo,

Domenic Scanga
ITALFOODS

From: [Roslyn Cummings](#)
To: [Burrows-Nuuanu, Leatrice W](#); mana.eolakouhawaii@gmail.com
Subject: [EXTERNAL] Request for Agenda Placement – Assertion of Lineal Succession Rights and Inherent Birthright under HHCA §209
Date: Monday, April 7, 2025 10:13:25 AM

My name is Jesse K. Cummings, and I respectfully submit this formal written request to be placed on the agenda of the next available Hawaiian Homes Commission meeting, pursuant to my standing as the lineal descendant and lawful ho‘oilina of my father, Frank Cummings, a former lessee in Anahola, Kaua‘i.

In accordance with Section 209 of the Hawaiian Homes Commission Act (HHCA), which provides for the succession of homestead leases to surviving spouses, children, and lineal descendants of Hawaiian blood, I hereby assert my lawful and genealogically-based interest in the lease once held by my father. At no time was I notified of any administrative action regarding its succession, transfer, cancellation, or reassignment.

I submit this request:

1. To request full disclosure and clarification of the lease’s current status;
2. To assert my legal right to succeed said lease as a qualified lineal descendant;
3. To request placement on the Commission agenda to present oral and written testimony regarding my family’s claim and kuleana.

This is not a new claim for entitlement—it is a rightful continuation of kuleana and ‘ohana legacy. As ho‘oilina, I carry the responsibility to steward and restore what my father began. This lease is not merely a parcel—it is the ‘āina that reflects our living connection to our family, community, and ancestors.

My rights are supported not only under HHCA §209, but also under:

- Article XII, Section 7 of the Hawai‘i State Constitution, which affirms the protection of the traditional and customary rights of Native Hawaiians;

- HRS §1-1, which incorporates Hawaiian custom and usage as common law;
- HRS §7-1, affirming tenant rights to access, gather, and maintain relationship with the land;
- And the 14th Amendment of the U.S. Constitution, which guarantees due process and equal protection.

Should any legal determination be considered that impacts my standing, I reserve all rights under State and Federal law to seek redress, oversight, and remedy, including through the Office of Hawaiian Affairs (OHA), Office of Information Practices (OIP), and relevant judicial bodies.

Attached is a photo reflecting our family's connection to the 'āina and kuleana we seek to restore. A certified copy of this communication is also being mailed to DHHL for your official records.

Please confirm receipt of this request and advise of the next available meeting date in which this matter may be scheduled.

Me ha'aha'a, me ke aloha, a me 'oia'i'o,

Jesse K. Cummings



From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, April 24, 2025 2:47:32 PM

Name

Henry Lacson

Emailjay.lacson60@gmail.com**Please Identify Agenda Item(s):**

J agenda

Pick One:

Both - Submit Testimony Below

Message

West Oahu Project Lease award

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, April 24, 2025 6:53:21 PM

Name

Francis Ah loy

Emailfahloy@yahoo.com**Please Identify Agenda Item(s):**

J Agenda

Pick One:

Oral/Live Virtual Only - Enter N/A Below

Message

West Oahu project lease

J15

Tiare Kolowena
P.O. Box 51331
Eleele, Hi 96705
Phone: (808) 895-5333

'25 APR 30 15:13

April 30, 2025

DEPT OF
HAWAIIAN HOMELANDS
KOAHI BRANCH

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

Subject: Request to testify at the Kauai Hawaiian Homes Commission Meeting
Monday, May 19, 2025, J Agenda

I hereby request to address the Hawaiian Homes Commission at the Kauai Hawaiian Homes Commission meeting scheduled for May 19, 2025. The topic is lowering the Native Hawaiian Quantum for Successors to Lease to 1/32%.

Mahalo,

Tiare Kolowena



From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Thursday, May 1, 2025 1:43:25 PM

Name

Leilani Aldrich

Email

Lck1967@gmail.com

Message

I would like to submit testimony via zoom on my application to subdivide my pana'ewa ag. lot property. My application is currently in process, however, nothing on the application or the current DHHL handbook states, in writing, that a release letter is required if there is a mortgage on the house of the leased property. I was informed of this "release letter" verbally, after my application was completed and signed by both parties involved. There are other factors involved that I would like to bring to the table, and I kindly ask that I be allowed to address this with the Hawaiian Homes Commission.

Mahalo nui, Leilani Kerr Aldrich.

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: HCC Contact:
Date: Friday, May 2, 2025 12:01:38 PM

First Name

Nadine

Last Name

Visoria

Emailnadine.visoria@icloud.com**Email**jdnaki21@gmail.com**Subject**

To a Hawaiian Homes Commissioner

Message

Hi,
I'm the surviving sibling of James hikiona naki jr
I would really like the opportunity to schedule a meeting regarding my brothers seat on the list for Hawaiian homes.
I recently visited the kapolei office to see where things were as far as Ohana coming forward to take advantage of getting a better standing on Hawaiian home lands list by taking the seat of my brother. I was very disheartened by the information I was given that we as his immediate Ohana lost out on the chance due to no response to the newsletter.
Please I would like to be the advocate for my Ohana and somehow get a chance to explain why we missed the posting.
I sincerely believe it was miscommunication I should've asked more questions. The loss of a loved one and the grief that inflicted us all made life very challenging.
Please allow me to discuss my thoughts and honor my brothers wishes .
Aloha , Nadine visoria

From: [Kekoa Enomoto](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Jimmy Kincaid AG WAITLIST](#); [Keanuenueholowahine \(Shawnalison\) Kana'e FARMERS](#); [Noe Asuega-Stark WAIT](#); [Deb Kaiwi](#); [Norman Abihai](#)
Subject: [EXTERNAL] J Agenda RSVP
Date: Tuesday, May 6, 2025 1:53:07 PM

Aloha mai kāua e Hawaiian Homes Commission secretary Leah,
May I RSVP to advocate on behalf of Pā‘upena Community Development corporation (CDC),
on the J Agenda during the 5/20/25 Hawaiian Homes Commission session?

I anticipate presenting a PowerPoint covering the CDC’s:

- Installation of seven water catchment systems at Upcountry homestead farms.
- Request for three water meters to serve the entity’s 127-acre Kēōkea-Waiohuli ag-training parcel.
- Forward movement on its housing/farming vision for the 646-acre Pūlehunui South homelands tract.
- Collaboration with the fledgling Pūlehunui Hawaiian Homestead Association.
- Participation at a 4/5/25 G70 event.

Mahalo nui,

-‘Anakē Kekoa

Kekoa Enomoto
Member of the board,
Pa‘upena Community Development Inc.
(808) 276-2713

May 20, 2025

Aloha mai kākou a nā Hawaiian Homes Commissioners,

Pāʻupena Community Development corporation and the Pūlehunui Hawaiian Homestead Association have partnered to develop the 646-acre Pūlehunui South regenerative-farming homestead community at Puʻunēnē, Central Maui.

Paʻupena CDC submitted to DHHL Land Management Division a 10-page non-homesteading land-use pre-application 11/14/24 for the acreage, and eight weeks beyond the stated 90-day response threshold, still awaits LMD response on the CDC's submission.

Besides Paʻupena CDC and Pūlehunui Hawaiian Homestead Association (HHA), nine other project collaborators and supporters include Hawaiian Homes Maui Commissioner Archie Kālepa, County of Maui Housing Director Richard “Remi” Mitchell and the Honolulu-based G70 design/architectural firm.

The 11 project collaborators and supporters include, as follows:

- Hawaiʻi Taro Farm LLC and its proprietor, Uncle Bobby Pahia. He is a
 - . Waiohuli homestead lessee.
 - . Maui's master kalo cultivator.
 - . Vice president of Pūlehunui HHA.
 - . Past president of HFUU (Hawaiʻi Farmers Union United) Mauna Kahalawai Chapter.
 - . former Na Kai `Ewalu Canoe Club coach and still-active outrigger paddler.
- Hui `Ulu Ola O Maui and its founding CEO, Leihuanani Keahli`inohomoku.
 - . Maui residential and agricultural waitlister.
 - . President of Pūlehunui HHA.
 - . Proprietor of Maui Vegan Foods LLC.
 - . Mother of three and grandmother of one keiki wahine.
- Makana No Ke Kaiaulu and its founding president, Janice Herrick.
 - . Paukukalo homestead lessee.
 - . Immediate past Paukukalo Hawaiian Homestead Community Association treasurer.
 - . Advocate for photovoltaic solar-power systems at homestead homes.
- G70 has committed to the Pūlehunui South project, specifically its principals:
 - . President and principal cultural specialist Kawika McKeague.
 - . Chief Operating Officer and principal civil engineer Ryan Char.
 - . Principal architect Rene Matsumura.
- County of Maui 'Oiwi Resources Department Director Kapono`ai Molitau.

- . Serves as cultural advisor to Pūlehunui South.
 - . Kumu hula of halau Na Hanona Kulike `O Pi`ilani.
 - . Proprietor of Native Intelligence retail store in Wailuku.
- County of Maui Housing Director Richard “Remi” Mitchell.
 - . Lawyer.
 - . Wrote for Pūlehunui South a letter of support submitted to Senator Mazie Hirono in Pa`upena's grant request for \$478,000 in project planning/administrative fees.
 - Hawaiian Homes Maui Commissioner Archie Kalepa.
 - . Pūlehunui South site tour 3/21/25 with association officers/directors.
 - DHHL planner Julie-Ann Moanike'ala Cachola.
 - . Promoted Pa`upena developing a Pūlehunui South housing/farming project (during a 10/13/24 Zoom with Maui Commissioner Kalepa, Leihuanani Keali`inohomoku and myself) in place of developing the 184-acre Pūlehunui North parcel.
 - County of Maui/DHHL liaison Toni Eaton.
 - . Former DHHL Maui District supervisor.
 - Pūlehunui Hawaiian Homestead Association.
 - . Incorporated 12/18/24.
 - . Meets the fourth Sunday of each month for hikes/potluck meetings.
 - . Hosted an informational booth and backyard-gardening demonstration at the 3/22/25 Prince Kuhio Day Ho`olaule`a at Paukukalo homestead park.

Pa`upena CDC is grateful for this consortium of 11 Pūlehunui South project partners, collaborators and supporters. Mahalo e Commissioners for your attention to this presentation on a beneficiary-driven homestead development initiative manifesting beneficiary sovereignty, self-determination and self-governance.

-Kekoa Enomoto
Co-founding director
Pa`upena Community Development Inc.