

HAWAIIAN HOMES COMMISSION

Minutes of Monday, June 16, 2025, at 9:30 a.m.
Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707,
and Interactive Conferencing Technology (ICT) Zoom

PRESENT Kali Watson, Chairperson
Makai Freitas, West Hawai'i Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Walter Kaneakua, O'ahu Commissioner
Dennis L. Neves, Kauai Commissioner
Pauline N. Namu'o, O'ahu Commissioner

EXCUSED Sanoë Marfil, O'ahu Commissioner
Archie Kalepa, Maui Commissioner
Lawrence Lasua, Moloka'i Commissioner

COUNSEL R. Hokulei Lindsey, Deputy Attorney General

STAFF Katie Lambert, Deputy to the Chairperson
Richard Hoke, Executive Assistant to the Chairperson
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Kalani Fronda, Land Development Division Acting Administrator
Andrew Choy, Planning Office Administrator
David Hoke, Office of the Chair Enforcement Administrator
Kehaulani Quartero, Land Development Division Homestead Land Development Specialists
Kahana Albinio, Land Management Income Property Manager
Debra Aliviado, System Modernization Project Manager
Kerwin Yadao, IT Band B and System Modernization Lead Technician

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 9:36 am by Chair Kali Watson. Six (6) members were present in person, and three (3) members are excused establishing a quorum.

APPROVAL OF AGENDA

Chair Watson announced that after approving the minutes and hearing public testimony, the Commission would take up items C-1, C-2, C-3, and H-1 out of order before returning to the regular agenda. The Commission would also hold an executive session and break for lunch at noon. There would be no community meeting that evening; the next DHHL community meeting is scheduled for July 22 in Papakolea, O'ahu.

Motion/Action

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

APPROVAL OF MINUTES – May 19 & 20, 2025

Chair Watson asked if there were any edits to the May 19–20, 2025 meeting minutes. Commissioner Kaleikini requested that a sentence on page 12 regarding the Kawaihae lease be amended to say “the Commission “will schedule an update” rather than “should request an update.”

Motion/Action

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve May 19-20, 2025, with no other edits or amendments. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 DeMont Manaole – Items G-1, F-3 & F-4

D. Manaole, co-manager of Ho'omanapono, a Native Hawaiian advocacy group on the Wai'anāe Coast, began his testimony by congratulating Commissioner Dennis Neves, expressing appreciation for his contributions even when they didn't always agree, emphasizing their shared identity as kanaka. D. Manaole voiced strong support for agenda items G1, F3, and F4, stating he had prepared to elaborate on them but chose instead to raise an urgent matter concerning the homesteads, particularly in Kahikinui. He asked everyone to offer a silent prayer for the 'ohana there, highlighting that the situation mirrors the devastation experienced in Lahaina and poses a serious threat.

Chair Watson stated that the Department was actively addressing the wildfire situation, referencing the recent symposium and ongoing coordination with key agencies managing the fires. He confirmed that they were closely monitoring the Kahikinui area and receiving timely updates. At that point, there had been no damage to homestead structures, and residents in the area were in a protective situation.

PT-2 Robert Branco – NAHASDA Budget and concerns on the ERR

R. Branco spoke on agenda item C3, beginning with a personal account of his involvement in advocacy for Native Hawaiians, particularly regarding housing and support for his mother. He emphasized that many kupuna, especially in areas like Waimānalo and Nānākuli, qualified for NAHASDA but were blocked by delays in the Environmental Review Record (ERR) process—one case involved an auntie waiting nine years. He said 128 people in Waimānalo alone were waiting for ERRs. He expressed frustration with systemic corruption and delays, especially in how NAHASDA is applied in Hawai'i, criticizing the rejection of federal recognition by some Native Hawaiian leaders and suggesting that fear of losing privilege led to false narratives that hindered access to resources for the lāhui.

R. Branco questioned how \$6.3 million in NAHASDA funds was allocated to a project in Yorktown. He expressed distrust in federal and state governments and emphasized his commitment to transparency and exposing corruption, insisting that his actions aimed to make issues public and pono.

PT-3 Jojo Tanimoto – Item F-2

J. Tanimoto testified on item F2, requesting a renewal of revocable permit #496 until the Hawaiian Homes Commission could address long-standing community concerns in the Kailapa subdivision on Kaua'i. She noted that a 2010 regional plan prioritized an evacuation road connecting Kailapa to Kohala Estates, but no progress had been made. The current permit did not account for land, location, or access for this road, nor did it address flooding, erosion, loss of shoreline fish habitat, or the growing feral goat population, which impacts road safety. She further explained that while she had engaged with the county advisory councils and the Department of Public Works had secured funding for the evacuation road, DHHL had been unresponsive, causing delays. She also noted concerns from DLNR's West Hawai'i Fishery Council about gulch erosion affecting the harbor and fishing sustainability. Despite the Commission's prior approval of a firebreak and fencing project, the fencing was incomplete, lacked a gate, and an archaeological survey had not been conducted. Additionally, she raised a concern about property tax classification, stating Palekoki Ranch appeared under Kahua Ranch and questioned the permit's structure. She emphasized the community's vulnerability to flooding, which disrupts road access and commercial transport, and urged the Commission to respond favorably before approving the permit.

PT-4 Patty Kahanamoku-Teruya – Item F-4

P. Teruya began by commending the enforcement team, referencing their monthly outreach to homesteaders and the communication system they've developed for reporting issues like drug activity. However, she raised concerns about follow-ups in the Wai'anāe Moku, particularly with LMD-related matters, which she felt were not the responsibility of enforcement. P. Teruya then shifted focus to item F4, specifically the Ulu Ke Kukui

transitional housing project in Wai‘anae, which has been in development since 2018. The long-delayed project has been difficult to finance, particularly due to high rehabilitation costs worsened by COVID-19. She questioned the inclusion of a 65-year lease with a “Gratis” (free) rent term for the developer, though acknowledged that this may be justified if the housing is for homesteaders, waitlisters, or kupuna. She emphasized the need for affordable housing, raised questions about rental rates for two- and three-bedroom units, and urged commissioners to ensure affordability truly meets beneficiary needs. She also praised the efforts of Ikenākea for their work in promoting Native Hawaiian business and economic development at the Nānākuli Village Center. Lastly, she urged DHHL to ensure collection of rents from general lease tenants in areas like Mapunapuna and Kalaeloa, stressing the importance of recovering funds to support the trust, especially after the loss of \$650 million in funding.

PT-5 Donna Sterling from Kahikinui – Status update on fire

D. Sterling provided a detailed update on a wildfire incident that began around 9:46 a.m. the previous day near her home. With winds reaching 25 mph, the fire escalated quickly, prompting their homestead president to call 911. Emergency response units, including helicopters and bulldozers, were deployed. Eight residents were evacuated, and firefighting efforts included water drops from helicopters drawing water from a private source at Oahe Wind, facilitated by an open ranch gate. She maintained communication with the fire department via radio, prepared to evacuate if the wind shifted. Fortunately, no homes were lost, though some were threatened, and firefighters protected them through the night. Keōkea Park was set up with Red Cross aid, including water and snacks. D. Sterling reported that reconnaissance flights continued and that crews were planning ongoing containment efforts, with additional equipment and supplies en route. She expressed concern about potential respiratory health issues for residents due to smoke exposure and requested N-90 masks from the Red Cross and the Department.

ITEMS FOR DECISION MAKING

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval of Hawaiian Homes Commission Resolution 311 – Honoring Dennis Luke Neves for His Service To The Hawaiian Homes Commission

RECOMMENDED MOTION/ACTION

Hawaiian Homes Commission Secretary Leah Burrows-Nuuanu presented the following:

Motion to approve Hawaiian Homes Commission Resolution No. 311, Honoring Dennis Luke Neves for His Service to the Hawaiian Homes Commission

Randy Awo - Reading of the Hawaiian Homes Commission Resolution No. 311

Former Commissioner R. Awo read Resolution No. 311 expressing appreciation for Commissioner Dennis Neves’ service and advocacy on behalf of Native Hawaiian beneficiaries. R. Awo acknowledged Neves’ commitment to understanding the seriousness of his kuleana, carefully analyzing the extensive commission packets, and upholding the legacy and intent of Prince Kūhiō.

Walter Kaneakua - Reading of the Hawaii State Legislature Resolution

Commissioner Kaneakua read the Hawai‘i State Legislature certificate recognizing Commissioner Dennis Neves for his service.

David Kaapu - Reading of the Kauai County Resolution

Former Commissioner David Kaapu read the Resolution from the Kauai Mayor’s Office honoring Commissioner Dennis Neves for his service.

Note: Resolution No. 311, Hawaii State Legislature Resolution, and Kauai County Resolution are attached.

A slide show honoring Commissioner Neves was also presented.

DISCUSSION

Commissioner Namu‘o expressed admiration for his background, which she had only recently come to understand, and shared that working with him taught her a great deal. Despite occasional strategic differences, she recognized his deep love, commitment, and lifelong dedication to the Hawaiian people.

Commissioner Freitas thanked Neves for his mana‘o, guidance, and inspiring dedication to the community, expressing personal gratitude for the support Neves had given him. Commissioner Freitas praised Commissioner Neves' consistent and passionate commitment and closed by sincerely thanking him for everything.

Commissioner Kaleikini reflected on the journey he shared with Commissioner Neves, expressing deep appreciation for the mentorship, knowledge, and guidance. Commissioner Kaleikini noted that Neves' help was still needed, especially regarding the Hawai‘i Island airport agreement. He also personally thanked Neves for sharing Kaua‘i huli, which he brought back to Hilo.

Commissioner Kaneakua expressed personal admiration for Commissioner Neves, praising his strength, conviction, and integrity. He acknowledged Neves' actions as a reflection of his heart and spirit, thanked him for his guidance during difficult decisions, and closed with a heartfelt mahalo and blessing.

Former Commissioner Zachary Hill expressed heartfelt gratitude to Commissioner Dennis Neves for his leadership, service to Kaua‘i and the state, and unwavering dedication to beneficiaries. He praised Neves as a hardworking, principled commissioner who always prioritized the people, did his research, and led with strength and compassion. He thanked Neves for the gifts of poi, huli, and taro, and warmly welcomed him and his wife, Kauī, to visit anytime.

Former Commissioner Patty Teruya reflected on serving alongside Commissioner Dennis Neves since their joint appointment in 2019 by Governor Ige. She recalled his insistence on being well-prepared, especially encouraging commissioners to read their submittals, which inspired her to be more informed and effective. She closed with warm gratitude, love for him and his family, and a fond “a hui hou.”

Former Commissioner Russell Kaupu expressed his gratitude to Dennis Neves for his service, passion, and generosity, especially for sharing his kalo and his deep commitment to beneficiaries and the lāhui.

Commission Secretary Leah Burrows-Nuuanu humorously recalled Dennis Neves' frequent calls, noting she had a special ringtone just for him. She shared memorable voicemails he left her, including complaints about misaligned packet holes, not wanting to sit in row four, and upside-down pages in meeting materials.

Homestead Services Division Administrator Juan Garcia, on behalf of HSD staff, acknowledged the strong support Neves consistently provided. He reflected on Neves' visible dedication and impactful voice and actions at every commission meeting, noting that his commitment to fulfilling the department's mission and serving beneficiaries had been truly inspiring.

Land Management Division Income Property Manager Kahana Albinio echoed the praise for Commissioner Neves, expressed appreciation for meeting his wife, Auntie Kauī, and acknowledged her strength and support, noting they both shared roots in Waimānalo.

Land Development Division Acting Administrator Kalani Fronda expressed heartfelt gratitude to Commissioner Neves, praising his deep commitment to the mission, the beneficiaries, and his kuleana. He noted his diligence in always doing his homework and holding the department to a high standard, even catching errors in her work.

Information Specialist Michael Lowe, on behalf of the Information and Community Relations Office and the Public Information Officer, thanked Commissioner Neves for his consistent support, especially during community meetings on Kaua‘i.

Deputy to the Chairman Katie Lambert reflected on the honor of first serving as their counsel, noting how much she valued that they welcomed her direct approach. Continuing in her role as deputy, she felt it was a privilege to serve and thanked Commissioner Neves for his service and extended gratitude to Auntie Kauai for allowing them to be part of their journey.

Executive Assistant to the Chairman Richard Hoke thanked Commissioner Neves for bringing thoughtful insight and well-argued positions to the table, even when he represented the opposing view. R. Hoke emphasized that Commissioner Neves’ contributions ensured decisions were made with a full understanding of all sides and commended him as an excellent commissioner, stating that the Commission would be losing a good man.

Attorney General Hokulei Lindsey reflected on working with Commissioner Neves both as staff and as counsel, noting that his questions were often the toughest but ensured accountability and thoroughness. She expressed appreciation for the significant time and effort he invested in his role and thanked him sincerely for his service.

Enforcement Unit Administrator David Hoke thanked Commissioner Neves for his consistent support and advocacy, recalling his early involvement on the PIG for their unit. He praised Neves for always being prepared and for courageously standing by his convictions, whether popular or not.

Chair Watson concluded the tributes by presenting Commissioner Neves with a personalized Koa wood paddle as a token of appreciation. He praised Neves for consistently standing on the side of the beneficiaries, attributing it to his personal experience as a homesteader. Chair Watson emphasized that Commissioner Neves’ perspective, rooted in lived experience, always prioritized getting Native Hawaiians back to the ‘āina, aligning with Prince Kūhiō’s vision. He noted that although they didn’t always agree, Neves’ commitment to that principle was unwavering and necessary, especially in the face of limited land resources. Chair Watson commended Commissioner Neves’ exceptional preparation, analytical approach, and willingness to ask difficult questions, which strengthened the Commission’s work. He also expressed gratitude to Neves’ wife for her support and sacrifices and closed by affirming that the program had improved because of Neves’ service.

Commissioner Dennis Neves delivers a speech of appreciation, reflecting on his journey of service. He shares that he initially enjoyed retirement and playing golf before being asked to emphasize the importance of open dialogue and healthy disagreements within the Commission, noting that even disagreements are necessary to join the Commission. Coming from a large, service-oriented family, he felt a deep sense of responsibility as a Native Hawaiian to give back, regardless of his birthplace. Though initially drawn in by the opportunity to travel, he quickly realized the serious workload involved, often reading through 600 to 700-page packets, driven by his passion to put beneficiaries on the land. He credited his wife, Kauai, as his rock and acknowledged the sacrifices they made during their milestone-filled June, including their 55th wedding anniversary. Commissioner Neves emphasized that he served all beneficiaries across all islands and valued the relationships built through Commission work. He spoke about the importance of open dialogue and healthy disagreements within the Commission, noting that even arguments were part of ensuring transparency and accountability for beneficiaries. Though stepping down, he said his work was not done and that he had already begun grassroots efforts to improve community communication. He ended with love and gratitude, reaffirming his commitment to serve the lāhui and expressing that true commissioners must lead with heart, not ego.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Kaleikini to approve the Resolution						
Commissioner	1	2	AYE (YES)	A'OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes, and (3) Excused						

Chair Watson acknowledged the presence of the incoming Kauai Commissioner Shaylyn Ornellas.

RECESS

11:15AM

RECONVENE

11:23AM

ITEM C-2 Approval to Amend the 2025 Hawaiian Homes Commission Meeting Schedule

RECOMMENDED MOTION/ACTION

Hawaiian Homes Commission Secretary Leah Burrows-Nuuanu presented the following:
Motion that the Hawaiian Homes Commission for Approval to Amend the 2025 Hawaiian Homes Commission Meeting Schedule.

L. Burrows-Nuuanu presented a request to move the September community meeting in Ka'u from Wednesday the 17th to Tuesday the 16th in the evening, and the November meeting from Wednesday the 19th to Saturday, November 1st.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Neves, to approve the amended schedule						
Commissioner	1	2	AYE(YES)	A'OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes, and (3) Excused						

ITEM C-3 Approval of Fiscal Year 2026 DHHL Budget to Support the DHHL System Modernization Initiative

RECOMMENDED MOTION/ACTION

System Modernization Project Manager Debra Aliviado and Lead Technician for Sales Force Kerwin Yadao presented the following:

Motion that the Hawaiian Homes Commission for the Approval of Fiscal Year 2026 DHHL Budget to Support the DHHL System Modernization Initiative.

D. Aliviado presented item C3, requesting approval to allocate \$5 million from the Trust to continue phase two of the system monetization work. Chair Watson requested that they provide a summary of their request.

K. Yadao explained that the project was currently in phase one, which focused on most of the Homestead Services Division's processes, including lease transactions, management, successorship, applications, and loans. The requested \$1.145 million would fund phase two, which would complete remaining HSD processes and introduce tools like e-signatures, e-notaries, and AI integration to support staff by automating many manual tasks.

Chair Watson noted that the request also included authorization for the Chair to shift up to \$500,000 between budget line items within the overall department budget and asked if any commissioners had questions about the proposal.

Commissioner Neves sought clarification on the proposal, noting that it involved two parts: approving the \$5 million transfer from the trust and authorizing the Chair to shift up to \$500,000 between budget line items. He questioned whether the \$500,000 flexibility applied to the overall department budget or just the project's budget, pointing out that \$500,000 represented half the amount being requested and wanted to ensure everyone had the same understanding.

D. Aliviado clarified that the Chair would be authorized to shift funds between specific line items *within* the \$1.45 million project budget—such as between licensing, enforcement enhancement, or housing enhancement—as needs arise. Commissioner Neves confirmed the language should reflect that the flexibility applied only within the project budget, not the overall department budget, and noted the \$500,000 represented a large portion of the budget. Aliviado explained that the shift would be “up to” that amount and could be necessary if priorities changed, like reducing enforcement funding to increase housing-related work.

Commissioner Neves clarified that during the budget meeting, there had been discussion about the importance of prioritizing the Homestead Services Division (HSD), and he emphasized that he supported flexibility in fund shifting as long as it did not divert funds away from HSD priorities. Commissioner Neves stated he trusted the Chair to manage the funds appropriately, as long as any movement stayed within the overall *modernization* budget, not the department's overall budget.

Chair Watson agreed, and Commissioner Neves confirmed his approval with that clarification. It was agreed that the language could be corrected without a formal motion.

Public Testimony - Homelani Schaedel - Malu'ōhai asked about the former contact center, which she confirmed was no longer active. It had seven positions and asked what happened to those staff. Schaedel stated she had held one of those positions and asked if any were reassigned to the Homestead Services Division (HSD). Deputy Katie Lambert confirmed that one position was now assisting the records division and that the staffer came from the contact center. She further clarified that the position was reassigned to the Land Management Division and was currently being loaned to HSD to support the central file room.

K. Lambert further clarified that the former Call Center, now part of Modernization, was never an official division. The seven positions had been temporarily assigned from other divisions, and those positions returned

to their original divisions. The one position currently assisting HSD originally came from the Land Management Division, which is why it is now detailed back to HSD.

H. Schaedel raised concerns about the department’s new phone system, noting that the Homestead Services Division handled most beneficiary-related calls and that the system had become overly complicated. Based on her own experience and complaints from others, she found it difficult, even as a homestead leader, to reach staff or get basic information. She urged Commissioners to try calling themselves to understand the issue. H. Schaedel questioned whether feedback from the former call center was used in planning the modernization effort and asked how inclusive that process was. She also requested clarification on language about expanding access through portals, texts, and mobile tools, as the terms were unclear.

D. Aliviado explained that the modernization effort included creating an online portal to allow beneficiaries to independently access services such as checking waitlist status, requesting applications, updating addresses, naming successors, and reporting deaths. H. Schaedel responded positively but questioned the budget figures, noting a discrepancy between the initial approved amount of \$1.645 million and a \$2.657 million figure listed on the final page. D. Aliviado clarified that the \$2.7 million was for phase one, which had already been budgeted and paid, and the current request was for \$1.14 million for fiscal year 2026 to support phase two. H. Schaedel acknowledged the clarification and noted that she had expected a clearer budget breakdown in the presentation, which D. Aliviado indicated was included.

Commissioner Neves asked about the public training plan for new programs, emphasizing the importance of involving homestead associations early to prevent an overwhelming number of inquiries to community leaders. Staff confirmed they were coordinating with the Information and Community Relations Office (ICRO) to begin communications ahead of the Salesforce portal launch at the end of July. The training strategy included a tech support line, an online knowledge base with FAQs, instructional videos, and potentially in-person workshops at district offices to ensure beneficiaries felt confident using the new system.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Namu’o, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu’o		X	X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes, and (3) Excused						

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1 Approval of Fiscal Year 2026 Budget for the Department of Hawaiian Home Lands

RECOMMENDED MOTION/ACTION

Deputy to the Chairperson Katie Lambert and Acting Land Development Division Administrator Kalani Fronda presented the following:

Motion the Hawaiian Homes Commission for the Approval of Fiscal Year 2026 Budget for the Department of Hawaiian Home Lands.

K. Lambert presented item H1, requesting approval of the DHHL Fiscal Year 2026 Budget, which included administrative and operating expenses (Attachment A) and the development budget (Attachment B). She asked the Commission to authorize the Chair to shift funds between cost elements and funds, up to \$500,000 within the total budget, and up to \$1 million within the development budget. She also requested approval to carry over unencumbered FY 2025 development funds into FY 2026. K. Lambert noted these details were reviewed during prior workshops and included in the submittal's narrative, and she welcomed any questions.

DISCUSSION

Commissioner Neves expressed surprise that the budget package released after his previous comments did not reflect them and asked whether they would be included. K. Lambert explained that due to strict timelines, the budget package had to be finalized and released to the public before Commissioner Neves's comments could be incorporated. She acknowledged that many of his questions pertained to the development budget and offered to read them again so Kalani could follow up accordingly.

Commissioner Neves advocated for prioritizing development projects that align with existing infrastructure and community needs. He supported Anahola Residential Unit 4 due to its proximity to current infrastructure and urged full buildout of the Anahola Farm Lot development to eliminate the \$250,000 annual water subsidy and potentially reduce water rates. He pushed for progress on the Kuleana Project, suggesting that even if pastoral lots are delayed, awards should proceed so a strong association can manage shared responsibilities like roads. He questioned the \$5 million estimate for pastoral roadways, arguing that state-provided materials should lower costs. For Moloa'a agricultural and pastoral lots, he suggested issuing undivided interests and securing a DLNR well formerly used by Linder, who returned it after being denied a long-term lease. Commissioner Neves also emphasized reviving the Pu'u 'Opae project, describing existing road access and potential water supply using a 100,000-gallon tank from Anahola and authorization from CWRM. He noted enthusiasm from the Ni'ihau community and stressed the need to move forward, even on a small scale. He requested a financial update on the Courtyards at Waipouli project, citing rising electrical costs and concerns about per-unit cost. He highlighted the issue of long-vacant scattered lots and the need to award them, and finally, he asked for the status of encumbered funds for Wai'ehu on Maui.

K. Fronda confirmed that the funds for Wai'ehu Mauka had been encumbered, though the carryover amount still needed to be reflected in the budget. He also addressed Anahola's water systems, explaining that while not listed as a specific line item, funds within the repair and maintenance budget would be used to reactivate an unused water tank for agricultural lot use.

Commissioner Neves emphasized the importance of initiating negotiations quickly, especially since it would not require funding—only effort. K. Fronda acknowledged this but noted potential complications, as the site in question lies within a forest reserve, which could present regulatory issues. He referenced a prior site visit in Wailua where DLNR staff mentioned the area had been in use, though they might need to pump water out of the site and determine where to place the tank. K. Fronda agreed that starting negotiations was important. He also addressed Moloa'a, noting that planning discussions were ongoing among LMD, LDD, and Planning for future development steps. Additionally, he stated that several items were being considered for the supplemental budget in the upcoming fiscal year and legislative session. Finally, he addressed the issue of long-vacant

scattered lots, stating that the department had an active program underway with the enforcement unit and HSD to transition these lots to LDD so they could be prepared for award or directly awarded if already ready.

K. Fronda stated that there was an active program underway to address scattered lots throughout the pae'aina, and confirmed that the other items raised had been noted for inclusion in planning for the upcoming fiscal year and the fiscal year 2027 supplemental budget proposal. Commissioner Neves raised concerns about a drainage issue on Moloka'i caused by a state-created ditch, noting coordination with the state was ongoing to resolve it. He also emphasized the importance of ensuring beneficiary consultation in the Grove Farm Master Plan for the Lihue residential subdivision.

Commissioner Neves reiterated his opposition to the Kamalani project on Maui, expressing concern about its proximity to a former Monsanto-operated site, which he believed could pose health or safety risks to beneficiaries. He highlighted a section in the lease addendum that holds the State harmless for any issues related to the property's surroundings, questioning why the department would purchase land that could expose it and its beneficiaries to potential harm. He disagreed with the liability waiver and urged for a more thorough discussion and the selection of safer, more suitable land for development.

Public Testimony - Iwalani McBrayer – Express concerns on behalf of beneficiary leaders regarding budget items C-4 and H-1. She explained that the budget was released too late—on the Thursday before the Monday meeting—leaving insufficient time for review and proper vetting by beneficiary leaders from O'ahu Moku, Kapolei, and Maui Moku, including Kainoa MacDonald. McBrayer emphasized that this delay limited their ability to participate meaningfully in decisions that directly affect beneficiaries and undermined transparent and accountable governance of the trust. While she expressed support for the budget, she and others could not support it without adequate time for review and asked that this concern be entered into the record.

Public Testimony – Pua Freitas - Association of Hawaiians for Homestead Lands (AHHL), a homestead beneficiary association recognized under 43 CFR, addressed the Commission to raise serious concerns regarding agenda items C3 and H1, specifically the fiscal year 2026 budget. She stated that the Commission agenda and meeting packet were not posted in a timely manner, potentially violating the Sunshine Law (Chapter 92-7), and emphasized that such procedural failures limit beneficiary access and undermine transparent and accountable trust governance. P. Freitas reminded the Department that the funds at issue are held in trust under DHHL's fiduciary duty and that beneficiaries must be meaningfully included in planning and oversight. She urged the Commission to (1) restore transparency by requiring any budget changes to return to the Commission for review with time for public input, (2) amend vague line item justifications for over \$7 million in private financing and \$5 million in professional services, (3) support the creation of a Beneficiary Budget Oversight Committee to ensure beneficiary voices are reflected in decisions, (4) reprioritize infrastructure investments to meet longstanding community needs in places like Waimānalo, Nānākuli, and Moloka'i before pursuing new developments, and (5) uphold the trust's intent by opposing the expansion of rental housing on trust lands. She called on the Commission to defer final budget action until these issues are addressed and compliance with the Sunshine Law and fiduciary duties is ensured. P. Freitas concluded by thanking the Commission and stating that her testimony would be emailed and submitted for inclusion in the June meeting minutes.

Chair Watson called for a vote after the motion was moved and seconded. Commissioner Neves paused the closing of the motion for a moment to ask the Attorney General if there was any Sunshine Law violation, referencing a concern raised by a testifier. Deputy Attorney General Hokulei Lindsey responded there was no violation.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaleikini, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

ITEM H-2 Transfer of Hawaiian Home Receipts Fund Balance - End of 4th Quarter, FY25**RECOMMENDED MOTION/ACTION**

Deputy to the Chair Katie Lambert presented the following:

Motion the Hawaiian Homes Commission to the Approval to Transfer of Hawaiian Home Receipts Fund Balance - End of 4th Quarter, FY25

K. Lambert presented agenda item H2, a routine action to transfer the projected balance of the Hawaiian Home Receipts Fund as of June 30, 2025, into the Hawaiian Home General Loan Fund.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaleikini, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

ITEM H-3 Transfer of Monies from the Hawaiian Home Administration Account to the Hawaiian Home Operating Fund

RECOMMENDED MOTION/ACTION

Deputy of the Chair Katie Lambert presented the following:

Motion the Hawaiian Homes Commission for the Approval of Fiscal Year 2026 Budget for the Department of Hawaiian Home Lands.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Freitas, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-5 Approval to Certify Applications of Qualified Applicants for May 2025 (see exhibit)
- D-6 Reinstatement of Deferred Application (see exhibit)
- D-7 Approval of Assignment 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 – **LORRIN E.K. MANOI**, Residential Lease No. 4091, Lot No. 17, Waimanalo, Oahu
- D-11 Request for Partial Advancement of Net Proceeds – **HERBERT K. MAUNU, JR.** (decedent), Residential Lot Lease No. 9272, Lot No. 59, Kaniöhale, Hawaii

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented 10 items (D2 to D11) for approval.

MOTION/ACTION

Moved by Commissioner Namu’o, seconded by Commissioner Neves to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A’OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu’o	X		X			
Commissioner Neves		X	X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

LAND DEVELOPMENT DIVISION

ITEM E-1 Approval of Lease Award - Ka’uluokaha’i Subdivision Increments IID, E & F Residential Project Lease – Ewa Beach, O’ahu (see exhibit)

RECOMMENDED MOTION/ACTION

Land Development Division Acting Administrator Kalani Fronda and Housing Project Branch Manager Michelle Hitzeman presented:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award - Ka’uluokaha’i Subdivision Increments IID, E & F– Residential Project Lease – Ewa Beach, Oahu.

K. Fronda began by expressing gratitude to the staff and volunteers who contributed to the success of recent events, emphasizing that their efforts made it possible for thousands of individuals to participate and receive lease awards. He highlighted that many individuals, including lessees, staff, and service providers, volunteered their time, even when not on duty, to help beneficiaries, especially kupuna, navigate the process and understand timelines and expectations. He concluded by offering a heartfelt mahalo on behalf of the staff and the department and then turned the presentation over to Michelle Hitzeman to discuss submittals E1 and E2.

M. Hitzeman presented item E1 and recommended approval of 99-year residential project leases in the Ka’uluokaha’i Subdivision Increment 2D to the listed applicants.

DISCUSSION

Chair Watson expressed gratitude to the staff and volunteers for their efforts and emphasized the department’s new approach to project lease awards, thanked the commissioners for their support, and acknowledged the beneficiaries’ appreciation, commending staff for stepping up to move the program forward.

Commissioner Freitas thanked the team for their efforts throughout the process, sharing that he received calls from friends and family seeking guidance. He expressed appreciation for their willingness to meet face-to-face with beneficiaries and provide them with needed information and support.

MOTION/ACTION

Moved by Commissioner Kaneakua, seconded by Commissioner Neves, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua	X		X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

Public Testimony - Jan Makepa - Undivided interest lessee for Ka'uluokaha'i, expressed gratitude to the department and staff for their support during the long lease award day and for the information shared. However, she also voiced concerns about the affordability of the homes now that pricing letters had been sent out, noting that many families were struggling with how they would qualify. While multiple housing options were offered—turnkey, vacant lot, or rent-to-own, she felt the guidance provided was unclear and that misinformation circulating on social media added to the confusion and anxiety. She acknowledged that the department was working to address questions but emphasized the need for more workshops, clearer information, and personalized support, since each family's situation differs. While she felt joy in receiving a lease, she was also disheartened to see many others unsure of the challenges ahead due to a lack of clear information. She urged the department to continue supporting beneficiaries with humility, compassion, and patience, recognizing the difficult journey many are facing, and closed by thanking everyone for their hard work in getting the leases out.

K. Fronda thanked Jan for sharing her mana'o, acknowledging the difficulty of the process. He explained that workshops were being planned in collaboration with service providers, and the department was working with communications staff to ensure timely and accurate information was shared, especially regarding deadlines and next steps. K. Fronda noted that while the current awards were for 2C, future phases D, E, and F would follow a new strategy focused on building according to what beneficiaries could qualify for. He emphasized the department's goal of walking alongside beneficiaries through the process, with support from staff, service providers, lenders, and developers. He reiterated the importance of sharing concerns and committed to improving communication with both waitlisted and project lease applicants in Ka'uluokaha'i and Kaupe'a.

Commissioner Kaneakua expressed appreciation to everyone involved in conducting the workshops, recognizing the extraordinary effort required to educate the community and present housing options. He acknowledged the significant challenges beneficiaries face and emphasized that the team's work goes beyond just awarding leases; it involves helping people understand the full scope of what lies ahead. He pointed out the limited number of staff and service providers yet praised their tireless efforts in spreading information through websites, announcements, mailings, and one-on-one interactions. He stressed that this work should not be taken for granted, affirmed that progress is being made, and commended the team for becoming more determined and effective in reaching those who need support.

ITEM E-2 Approval of Lease Awards – Kaupe‘a Subdivision Phase 2 – Residential Project Lease - Kapolei, O‘ahu (see exhibit)

RECOMMENDED MOTION/ACTION

Land Development Division Acting Administrator Kalani Fronda presented the following:
 Motion that the Hawaiian Homes Commission to the Approval of Lease Award - Kaupe‘a Subdivision Phase 2 – Residential Project Lease - Kapolei, O‘ahu.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua		X	X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu‘o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously, Six (6) Yes votes and (3) Excused						

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Issue Right-of-Entry Permit to Ho‘ola, Upolu Point, North Kohala, Island of Hawaii, TMK: (3) 5-6-001:080

RECOMMENDED MOTION/ACTION

LMD Income Property Manager Kahana Albinio, Acting Administrator Linda Chinn, and Land Agent Ashley Tabalno presented the following:

Motion that the Hawaiian Homes Commission to the Approval to Issue Right-of-Entry Permit to Ho‘ola, Upolu Point, North Kohala, Island of Hawaii.

K. Albino presented agenda item F1, requesting Commission approval to issue a right-of-entry permit to Polo Point on North Kohala, Island of Hawaii, specifying the TMK. He noted that Ashley Tabano was available to answer any questions or provide justification for the recommendation. Chair Watson asked for a brief summary for public understanding.

A. Tabalno explained that the right-of-entry permit to Ho‘ola for Polo Point was for a due diligence period to conduct environmental assessments and an archaeological survey, which would support the submission of their master and business plans, with the goal of obtaining a license.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua		X	X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

ITEM F-2 Approval to Annual Renewal of Revocable Permit(s), North & West Hawaii Island, various TMK Nos. (See Exhibit)

RECOMMENDED MOTION/ACTION

LMD Income Property Manager Kahana Albinio and Land Agent Ashley Tabalno presented the following: Motion the Hawaiian Homes Commission for Approval to the Annual Renewal of Revocable Permit(s), North & West Hawaii Island, various TMK Nos.

K. Albino presented agenda item F2, seeking Commission approval for the annual renewal of revocable permits for properties in North and West Hawaii Island, as listed under various TMKs. He noted that Ashley Tabalno was available to answer any questions or justify the recommendation.

Public Testimony – Henderson Huihui - Staff attorney at the Native Hawaiian Legal Corporation, provided oral testimony supplementing written comments submitted on June 13, on behalf of Mr. Oliver Lum, a pastoral lessee in Kawaihae Uka. Mr. Lum opposed the renewal of Revocable Permit (RP) No. 495 under agenda item F2, which pertains specifically to land used by Kahua Ranch Limited, a non-beneficiary entity. H. Huihui explained that Kahua Ranch had failed to comply with RP terms, including a requirement to maintain a five-strand barbed wire fence. As a result, cattle branded by Kahua Ranch regularly entered Mr. Lum's homestead to graze without permission, reducing forage for Mr. Lum's own cattle and causing intermingling of herds. Mr. Lum also reported seeing his calves marked with Kahua Ranch's tags and branding. Despite repeated complaints to the Department, the situation remained unresolved, and the Department was now proposing to renew the RP. Citing the Commission's fiduciary responsibility to trust lands and beneficiaries under the Hawaiian Homes Commission Act, H. Huihui urged the Commission to deny the renewal of RP 495 and stated that Mr. Lum would request a contested case hearing if the renewal proceeded.

DISCUSSION

Commissioner Freitas asked for background on the situation, and K. Albino stated he had no current information. He recalled that the Deputy Attorney General and former Commissioner Russell Kaupu had previously met with Mr. Lum several times, which was the last update he had. K. Albinio added that Mr. Lum's homestead lease included fencing requirements, as did the revocable permit, and offered to further investigate the matter. Commissioner Freitas asked for specific details about the missing or insufficient five-strand barbed wire fence, including how many linear feet were involved and the size of the affected area.

H. Huihui responded that Mr. Lum's homestead lease covered approximately 300 acres, and the entire left side of the property—from the bottom left corner up to the boundary with the State Forestry Division—lacked fencing between his lot and the adjacent Kahua Ranch parcel. He emphasized that this absence of fencing was concerning, especially since one of the stated purposes of the Revocable Permit (RP) program, according to DHHL's own website, was to shift maintenance responsibilities—such as fencing and signage—from the department to the RP holder. Given that this key obligation was not being met, H. Huihui questioned the justification for continuing to issue the RP. Commissioner Freitas sought clarification, asking if the fence was located on Kahua Ranch's property and whether it was Kahua Ranch's responsibility to install and maintain it properly.

K. Albino explained that Mr. Lum was awarded his homestead property under conditions that included responsibilities related to fencing, as there had previously been no fence separating his parcel from the Kahua Ranch parcel when it was still under a revocable permit. He confirmed that Kahua Ranch did not have fencing in place at the time. Commissioner Freitas noted that Kahua Ranch had existed for generations and inferred that Mr. Lum's award came afterward, which Kahana confirmed, noting that Kahua Ranch's general lease expired in 2011. Commissioner Freitas then suggested that the issue might stem from a disagreement or misinterpretation between the parties over who is responsible for the fencing, and Kahana agreed. Commissioner Freitas asked Henderson if this was a fair characterization of the dispute.

H. Huihui responded that Commissioner Freitas raised a valid question and clarified that, according to documentation included in his written submittal, a Right of Entry (ROE) issued in 2013, before Mr. Lum's mother received her homestead award, explicitly required Kahua Ranch to erect and maintain a five-strand barbed wire fence. He noted that although an electric fence once existed on Kahua Ranch's RP parcel, it was no longer in place, as evidenced by posts visible in a photo he submitted. Huihui acknowledged that while Mr. Lum may also have fencing responsibilities, the primary issue was that Kahua Ranch staff repeatedly entered Mr. Lum's property without permission, which he detailed in his written testimony. Commissioner Freitas noted that installing a fence could resolve many of these issues and suggested possibly deferring the matter to gather more information and strategize with Mr. Lum. He also asked if Huihui had any additional background on the situation between Kahua Ranch and Mr. Lum.

Property Development Agent Russell Kaupu, provided detailed historical and contextual background regarding the land dispute involving Mr. Lum's homestead and the neighboring parcel held by Kahua Ranch. He explained that years ago, before the current Commission members were involved, Mr. Lum's mother entered into a settlement with the Commission, which carved out approximately 300 acres from the larger Kahua Ranch parcel for her homestead. That parcel included negotiated water rights related to a stream and a watering cell used by the ranch, which have since become a point of contention. R. Kaupu described a long history of disputes between Mr. Lum's family and the ranch, including issues with electric fencing, cattle incursions, and mutual allegations about maintenance responsibilities. To address this, the Department proposed allowing the ranch to amortize fencing costs over a longer period, with the Department reimbursing the ranch if the permit were canceled early. However, this proposal has been delayed pending the renewal of the RP on the Commission's agenda. Additionally, R. Kaupu suggested reclaiming around 90 acres along the border, including the disputed watering cell, for potential use by homesteaders to eliminate ongoing conflict. He acknowledged that a contested case hearing may ultimately be necessary, given the lack of clarity in the original settlement about fencing responsibilities and departmental water rights. He emphasized that the Land Management Division is actively working through these issues in stages: first, renewing the RP, then finalizing the fencing agreement, and finally pursuing a lease amendment to take back the disputed land.

Commissioner Freitas stated that, based on the information shared, the best course of action was to approve the matter on the agenda that day, with the understanding that the parties involved would continue working through the unresolved issues. He acknowledged his familiarity with the internal conflicts at Kahua Ranch and noted the complexity added by Mr. Lum's involvement. Commissioner Freitas emphasized the importance of maintaining communication with Huihui and his client throughout the process as the Land Management Division proceeds with due diligence. He also acknowledged that a contested case hearing might be the appropriate path, given the legal uncertainties that still need to be addressed.

R. Kaupu shared that he had met with Mr. Lum, describing him as a passionate and fiery individual who was rightfully advocating for his interests in his homestead and the prior settlement with the Department of Hawaiian Home Lands. R. Kaupu acknowledged that the situation lacked clarity and suggested that a contested case hearing might be the appropriate route to resolve these issues, though some boundary matters needed to be addressed first. Commissioner Freitas agreed, stating that a contested case hearing appeared to be the eventual outcome and emphasized the need to follow necessary steps beforehand. He also mentioned having spoken with Mr. Lum at a Waimea meeting, affirming Lum's passion and perspective, and concluded that the Commission was on the right path.

Chair Watson emphasized that the parcel in question was under a revocable permit (RP) and that long-term decisions should align with the homesteading program's goals. He expressed a strong desire to transition lands currently under RPs or general leases to non-Hawaiians into use by beneficiaries. In Mr. Lum's case, since he already held a homestead lease, Chair Watson supported resolving the specific issues related to fencing and water access and agreed that the Commission was taking the right approach.

R. Kaupu offered to stay involved in the matter, and Chair Watson confirmed that once the Commission took action, they would await and act on a formal contested case request. The motion was then put to a vote, passed unanimously, and the meeting moved to the next agenda item. Chair Watson thanked Henderson for his participation.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Freitas, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

ITEM F-3 Approval to Amend of Right of Entry Permit No. 706, State of Hawaii Department of Agriculture, Waimanalo, Island of O'ahu, TMK No.: (1) 4-1-011:001 (por.)

RECOMMENDED MOTION/ACTION

Income Property Manager Kahana Albinio presented the following:

Motion the Hawaiian Homes Commission to Approval to Amend of Right of Entry Permit No. 706, State of Hawaii Department of Agriculture, Waimanalo, Island of O'ahu.

K. Albino presented agenda item F3, seeking approval for an amendment to Right-of-Entry Permit No. 706 issued to the State of Hawaii Department of Agriculture for property in Waimānalo, O'ahu, as identified by TMK. He noted that Jonathan Ho or Jessica Mira were available to provide updates or answer questions. The amendment was for the annual renewal of the Department's ongoing work at the site.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

ITEM F-4 **Approval to the Assignment and Assumption of Interest of Development Agreement for Ulu Ke Kukui Rental Housing Project from Hawaiian Community Development Board to Ikenākea Uluwehi LLC and Approval to the Issuance of a Long-Term General Lease to Ikenākea Uluwehi LLC, Ulu Ke Kukui Rental Housing Project, Maili, Waianae, Island of Oahu, Tax Map Key No. (1) 8-7-010:030 (portion)**

RECOMMENDED MOTION/ACTION

LMD Income Property Manager Kahana Albinio and Acting Administrator Linda Chinn presented the following:

Motion the Hawaiian Homes Commission to the Approval to the Assignment and Assumption of Interest of Development Agreement for Ulu Ke Kukui Rental Housing Project from Hawaiian Community Development Board to Ikenākea Uluwehi LLC and Approval to the Issuance of a Long-Term General Lease to Ikenākea Uluwehi LLC, Ulu Ke Kukui Rental Housing Project, Maili, Waianae, Island of Oahu

NOTE: Chair Watson recused himself from the matter and asked Commissioner Kaneakua to lead the discussion, which Commissioner Kaneakua agreed to do.

K. Albinio introduced Ikenākea Development Senior Associate Keegan Flaherty, and the Project's community engagement coordinator, Iwalani McBrayer.

L. Chinn explained that the request involved a two-part motion. The first part was to approve the assignment and assumption of interest in the development agreement from the Hawaiian Community Development Board to Ikenākea Uluwehi LLC for the redevelopment of the Ulu Ke Kukui rental housing project on approximately six acres of Hawaiian Home Lands in Mā'ili, Wai'anae, O'ahu, subject to two listed conditions. The second part was to approve the issuance of a 65-year general lease to Ikenākea Uluwehi LLC for the same redevelopment project and parcel, also subject to listed conditions.

K. Flaherty explained that the project is a partnership between the Department of Hawaiian Home Lands (DHHL) and the development team to redevelop the existing Ulu Ke Kukui facility in Mā'ili, O'ahu, into affordable rental housing for Native Hawaiian beneficiaries. Originally awarded to the Hawaiian Community

Development Board (HCDB) through a 2020 RFP, the development rights are being transferred to Ikenākea Uluwehi LLC, a special-purpose entity formed for this project. The proposed redevelopment includes creating 40 larger, modernized two-bedroom, two-bath units affordable to beneficiaries earning 80% or less of the area median income (AMI), while preserving waitlist status. Rent will be capped at 30% of household income, with DHHL subsidizing the difference. The project includes on-site amenities like solar PV, energy-efficient appliances, and a community resource center. Construction is anticipated to begin in August 2025 and finish by August 2026.

I. McBrayer shared testimonials from various beneficiaries—kupuna, single parents, returning citizens, and waitlisters—underscoring the dire need for affordable housing and support services. She explained how the project addresses these needs and highlighted the vision for the Kuhio Kako‘o Center, a six-room community resource hub that will offer programs in financial literacy, health and wellness, job readiness, elder and family support, and housing preparation. The Center will also feature a commercial kitchen and connect beneficiaries with trusted lending partners to help them transition toward homeownership. The team emphasized ongoing community engagement, including outreach to local homestead associations and stakeholders, and encouraged beneficiaries to visit the project website for information, input opportunities, and future updates.

DISCUSSION

Commissioner Kaneakua thanked the presenters for their comprehensive overview and invited questions from the commissioners. Commissioner Neves directed a question to the department, referring to language on page three of the development agreement that prohibits assignment or transfer of rights. He asked what factors the department considered in deciding to allow the transfer in this case.

Public Testimony – Jan Makepa – Offered three key points regarding the Hale Makana o Uluwehi project. First, she expressed appreciation to Iwalani McBrayer for reaching out to the Wai‘anae Valley Homestead Community Association and incorporating community input into the development of services for future residents. She noted their productive conversation and that she had submitted written suggestions on behalf of the association. Second, she voiced concern over the project's stated option for long-term tenancy, advocating instead for a revolving rental model that prepares waitlist beneficiaries for homeownership and allows others on the waitlist to access affordable rental opportunities. Lastly, she addressed the issue of lease terms and rent, pointing out that the association’s general lease (No. 302) currently allows only a nominal rent as determined by the Commission, not Gratis, while the Uluwehi project appeared to be receiving a Gratis lease. She requested that the same Gratis status and 65-year lease term being offered to ‘Ikenākea Uluwehi be extended to the Wai‘anae Valley Homestead Community Association, asking the Commission to consider and act on this request.

Public Testimony - Pua Freitas - Expressed strong support for the Hale Makana o Uluwehi rental housing project. She stated that, as a waitlist beneficiary, the project would provide her with a much-needed opportunity to progress toward homeownership, especially given the current stagnation on the waitlist and the unaffordable price of homes at \$700,000. P. Freitas agreed with Jan Makepa’s recommendation for a revolving rental model that includes structured steps and requirements to help residents become homestead-ready. She emphasized the value of the wraparound resource center, which would provide essential connections and services to beneficiaries at various stages in their readiness journey.

Public Testimony – Pat Kahawaiolaa – Focused on the need for clarification and consistency in departmental decisions. He raised concerns about the implications of granting a Gratis lease for the project, noting that it could set a precedent prompting other Native Hawaiian groups or associations to expect the same treatment, including 65-year lease terms. He emphasized the importance of having a clear, standardized process aligned with the Hawaiian Homes Commission Act rather than decisions based solely on individual requests. P. Kahawaiolaa also sought clarification regarding Chair Watson’s earlier statements on transitioning land use control from non-Natives to Native Hawaiians, particularly in light of the current project involving non-beneficiary interests and the neighboring Kahua Ranch issue with beneficiary Mr. Lum. He concluded by reserving his right to bring further action, stating concerns that the meeting agenda may not have been posted within the required timeframe.

Public Testimony - Johnny Mae Perry – Testified from her long-standing familiarity with the property, which was formerly used as transitional housing for the homeless, and shared that she had participated in multiple Zoom meetings over the years discussing its future. She emphasized the urgent need for senior housing in Wai‘anae, noting that she and her husband had no successors for their property and that many Native Hawaiians in the area were unsheltered and not on the DHHL waitlist. She recommended repurposing the site into senior housing, similar to the Hale Makana o Ma‘ili project, while also noting prior community concerns related to narrow roads and infrastructure. She suggested the project coordinate with city and state officials to address key improvements, including traffic calming measures, accessible public transportation (such as HandyVan and bus service), ADA compliance, and infrastructure such as water-saving features and additional road access points. She concluded that creating senior housing made the most practical sense, as only two such facilities currently exist in Wai‘anae.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Neves to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu‘o			X			
Commissioner Neves		X	X			
Chairman Watson					RECUSED	
TOTAL VOTE COUNT			5		1	3
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Five (5) Yes votes, One (1) Recused and (3) Excused						

Chair Watson announced that the Commission would convene in an Executive Session under Section 92-5(a)(4) to consult with its attorneys regarding matters related to the Commission's powers, duties, privileges, immunities, and liabilities.

MOTION

Commissioner Neves moved the motion, and Commissioner Kaleikini seconded it. To approve the motion as stated in the submittal.

EXECUTIVE SESSION IN

1:15PM

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

1. United States Environmental Protection Agency: Large Capacity Cesspool Matter

EXECUTIVE SESSION OUT

2:15 PM

Chair Watson announced that the Commission had reconvened from Executive Session, during which it reviewed and discussed matters concerning the Commission's powers, duties, privileges, immunities, and liabilities related to a large capacity cesspool on the homestead.

PLANNING OFFICE

ITEM G-1 Approval to Extend the Implementation Period of the Native Hawaiian Development Program Plan

RECOMMENDED MOTION/ACTION

Planning Office Manager Andrew Choy and Grants Specialists Gigi Cariel presented the following: Motion the Hawaiian Homes Commission to the Approval to Extend the Implementation Period of the Native Hawaiian Development Program Plan.

A. Choy began by thanking Commissioner Neves for his years of service and echoed the praise given earlier, stating that his voice would be missed. He then introduced agenda item G1, recommending that the Hawaiian Homes Commission approve a two-year extension of the implementation period for the Native Hawaiian Development Program Plan through June 30, 2027.

G. Cariel presented the Native Hawaiian Development Program Plan (NHDPP), noting that although the rules require updates every two years, the plan had not been updated since 2014 and had been extended repeatedly. She requested another extension to allow the department to proceed with offering grants this year, including distributing \$9 million in state funds and continuing agriculture assistance through CTAHR (University of Hawaii's College of Tropical Agriculture and Human Resources) on Moloka'i, Hawai'i Island, and potentially Maui and Kaua'i. She explained that a consultant had been hired to conduct a comprehensive update reflecting current community needs and department priorities, but due to past staffing and resource limitations, an extension was needed to carry out the upcoming grant cycle.

Commissioner Kaleikini praised the presentation, and G. Cariel added that the department planned to reintroduce elements of the former Kūlia I Ka Nu'u program due to demand, especially with many new board members and associations forming. Commissioner Kaleikini agreed, noting he had also received positive feedback about the program. Chair Watson acknowledged its value, and with no further comments or questions, the motion to extend the Native Hawaiian Development Program Plan was unanimously approved.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Frietas, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa						X
Commissioner Kaneakua			X			
Commissioner Lasua						X
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			6			3
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Six (6) Yes votes and (3) Excused						

ITEMS FOR INFORMATION/DISCUSSION

OFFICE OF THE CHAIRMAN

ITEM C-4 For Information Only – Legislative Proposals for 2026

RECOMMENDED MOTION/ACTION

None. For Information Only. NAHASDA Government Relations Program Specialist Orianna Leao presented the following:

O. Leao presented agenda item C4 as an informational update on the legislative proposal process for 2026. She explained that DHHL annually prepares proposals for potential inclusion in the Governor's Administrative Package for the upcoming Hawaii State Legislature session and is now soliciting recommendations from the Hawaiian Homes Commission, DHHL staff, beneficiaries, stakeholders, and the public. She outlined that proposals must reflect sound public policy, address DHHL's operations or benefit the trust or its beneficiaries, and noted that amendments to the Hawaiian Homes Commission Act may require review by the U.S. Department of the Interior and possibly U.S. Congressional approval. She stated that DHHL staff will evaluate all submissions and determine which proposals to present to the Commission for approval. Approved proposals may be submitted to the Governor, who can choose whether or not to include them in the official package, although they may still be introduced independently. O. Leao shared the proposal timeline: the solicitation began that day, the submission deadline is July 28, a draft package will be presented at the August 18 Commission meeting, and the final package is due by September 15. She encouraged participation via DHHL's website, where an online submission form is available, and invited commissioners to inform her of any relevant community meetings to attend.

DISCUSSION

Commissioner Kaleikini confirmed that the upcoming legislative session would be the second year of the biennium. He asked if all bills previously submitted on behalf of DHHL would automatically carry over. O. Leao confirmed that bills not deferred in the last session would roll over into the new session and added that the department also has the option to reintroduce those bills with amendments. Commissioner Kaleikini acknowledged several such bills, including those from the Permitted Interaction Group (PIG).

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

A – Homestead Lease and Application Totals and Monthly Activity Reports

B – Delinquency Report

RECOMMENDED MOTION/ACTION

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

- A. **Exhibit A:** Homestead Leasing Application Total and Monthly Activity Reports.
- B. **Exhibit B:** Delinquency Report.
- C. **Exhibit C:** DHHL Guarantees for Hawaii Community Lending Permanent Loans

DISCUSSION

Commissioner Kaleikini asked Juan to clarify the difference between the 47,000 figure listed on the Statewide Lease Application Totals and the 29,589 number on the next page. J. Garcia explained that the 29,589 represented the number of individual applicants, while the 47,000 reflected the total number of applications, since applicants can apply for multiple lease types—such as residential and agricultural, or residential and pastoral.

LAND DEVELOPMENT DIVISION

ITEM E-3 For Information Only – Updates of Development Process & Awards Schedule

RECOMMENDED MOTION/ACTION

None. For Information Only. LDD Acting Administrator Kalani Fronda and Housing Project Branch Manager Michelle Hitzeman presented the following:

K. Fronda presented an overview of the division's current approach and efforts. He emphasized the historical and current scale of lease issuance, noting that while the department previously issued around 2,000 leases in the early 2000s, it was now working toward issuing 6,000 in the coming years. He explained that of the \$600 million appropriation, 85% had already been encumbered, with the remaining 15% awaiting fund release. He then outlined the comprehensive development process, from planning to lease award, and highlighted efforts to align these with the governor's housing pipeline. The department aimed to focus funds on infrastructure, which is key to getting beneficiaries onto homestead lands. He introduced a new approach involving project leases and financial assessments to better match housing development with what beneficiaries can afford. He emphasized the department's shift toward building homes that fit beneficiaries' financial realities, including offering options for rental housing and pathways to ownership through support services and financial literacy programs. K. Fronda underscored the importance of walking with beneficiaries through this process, removing fear, and offering tailored solutions.

M. Hitzeman presented an updated and more visually accessible award schedule. She reported that from January through May, DHHL had issued 665 project lease awards in West O'ahu and 390 in West Hawai'i, including 91 turnkey homes. She then outlined the remaining award schedule for the year, highlighting only major project leases and turnkey offers that would impact the waitlist. While the schedule displayed large-scale projects, she clarified that the department was also continuing to offer scattered lot awards. These included one home in Kalawahine, one in Kaupe'a, two in Lālāmilo (to be offered Friday), and two more in La'i'Ōpua and Kaniōhale expected in the next few weeks. She emphasized that these smaller, individual home offers were actively occurring alongside the larger projects.

K. Fronda provided a comprehensive update on DHHL's efforts to award scattered lots and advance infrastructure development across the islands. He explained that scattered lots come from returned awards, often requiring repairs before re-awarding. In some cases, homes were accepted despite issues like a tree growing inside. K. Fronda detailed ongoing infrastructure work, including collaborations with counties for projects in Hawai'i Island, Maui, Kaua'i, and Lāna'i. He emphasized building infrastructure—such as wastewater systems, roads, drainage, and lighting—to county and federal code standards to enable future turnover and maintenance by counties. He addressed the need to upgrade aging communities and discussed multiple award options for beneficiaries based on affordability, including rent-to-own programs, turnkey homes, self-help housing, and supported owner-builder models. K. Fronda shared a testimonial about a beneficiary who, after struggling to qualify, was finally able to secure a home through adjusted income and departmental support. He highlighted how service providers guide applicants through credit repair and homeownership readiness. He concluded by inviting commissioners to attend upcoming orientations and lot award events in their regions to support and celebrate with the beneficiaries.

PLANNING OFFICE

ITEM G-2 For Information Only — DHHL Water Policy Plan Implementation Status (FY 2025 Performance) and Implementation Plan for FY 2026

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Program Manager Andrew Choy and Program Specialists IV Cherie Kaanana and DHHL's Water Policy Consultant Jonathan Scheuer presented the following:

C. Kaanana greeted the commissioners and explained that the presentation on the Water Policy Plan would be divided into four parts. Jonathan Likeke-Scheuer would cover the first two sections, and she would present the final two.

J. Likeke-Scheuer began by acknowledging the significance of the meeting, marking Commissioner Neves's last and possibly Andrew Choy's final submittal. He highlighted the historical importance of the Hawaiian Homes Commission's adoption of the Water Policy Plan in 2014—the first consistent water policy in the trust's history since 1921. He provided historical context showing how water control by external entities has long been used to undermine the success of the trust, dating back to Congressional debates in 1920 and through discriminatory practices in the 1950s. He emphasized that, even after gaining legal authority in 1990 to reserve water for future homesteads, DHHL and the Water Commission had only secured minimal water reservations over more than a decade. The Water Policy Plan was developed in response to this legacy, after two years of beneficiary consultation, data gathering, and outreach to water agencies and homestead leaders. It established unified policies across all islands, replacing a case-by-case approach. The plan outlined values, goals, and implementation strategies, with four main goals and policies emphasizing advocacy, early and transparent beneficiary consultation, and partnerships in education and water-related efforts. J. Likeke-Scheuer concluded by explaining that the policy includes annual reporting requirements and introduced Cherie to present the accomplishments of the past year and plans for the next.

C. Kanana provided a detailed update on DHHL's water policy implementation efforts over the past fiscal year and outlined future goals. She reported continued advocacy for DHHL's and beneficiaries' water rights, with strong support at various water boards and commissions. Notable progress was made in developing water sources in Kona and Maui, including one North Kona well project that received no opposition during the environmental assessment process, a key indicator of successful beneficiary engagement. Two additional cohorts completed water law leadership training in partnership with the Ka Huli Ao Center, empowering beneficiaries to advocate more effectively at water-related hearings. DHHL also implemented the top-priority Water Viola Project to improve water affordability for Kailapa residents and created a formal selection process for the Commission's representative to the 'Aha Wai o Maui Hikina, marking the first time DHHL held a seat on such a board. Additionally, DHHL successfully advocated reforms to the state's well construction and pump installation permitting process, ensuring future permit applications are forwarded to DHHL for review. Looking ahead, DHHL aims to continue advocacy through permit reviews, watershed agreements, and education; increase beneficiary training in areas of high impact; conduct planning and studies for possible system acquisitions; protect and expand water reservations; and pursue source development projects in West Kaua'i and Maui.

ANNOUNCEMENTS AND RECESS

Chair Watson concluded the meeting with a mahalo for the participants. The meeting concluded with an announcement that the day's agenda had ended and a reminder that there would be no community meeting that evening. Commissioners were informed about a social event at the governor's mansion at 5:00 p.m., with a clear instruction not to discuss business during the gathering. The next day's agenda was scheduled to begin at 9:30 a.m. at Hale Pono'i, and the meeting was officially recessed for the day.

RECESS

2:52 PM

HAWAIIAN HOMES COMMISSION

Minutes of Tuesday, June 17, 2025, at 9:30 a.m.
Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707,
and Interactive Conferencing Technology (ICT) Zoom

PRESENT Kali Watson, Chairperson
Dennis L. Neves, Kauai Commissioner
Walter Kaneakua, O'ahu Commissioner
Makai Freitas, West Hawai'i Commissioner (ICT)
Pauline N. Namu'o, O'ahu Commissioner (ICT)

EXCUSED Sanoë Marfil, O'ahu Commissioner
Lawrence Lasua, Moloka'i Commissioner
Archie Kalepa, Maui Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner

COUNSEL R. Hokulei Lindsey, Deputy Attorney General

STAFF Katie Lambert, Deputy to the Chairperson
Richard Hoke, Executive Assistant to the Chairperson
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Andrew Choy, Planning Office Administrator
David Hoke, Enforcement Administrator
Ruby Nuesca, Office Assistant to the Commission

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the Hawaiian Homes Commission meeting to order at 9:33 am. The meeting was held both virtually via Zoom. Three (3) members were present in person, two (2) members attended via Zoom, establishing a quorum.

Chair Watson announced that the meeting would begin with public testimony, followed by proceeding through the agenda until 10:45 a.m., at which point they would take up items C-5 and C-6. After completing C-6, the Commission would return to the J agenda until it was finished.

REQUESTS TO ADDRESS THE COMMISSION

J-7 Bo Kahui – La'i'Ōpua Community Development Corporation

B. Kahui provided an update on several key initiatives. He apologized for not submitting his testimony earlier but emphasized its purpose as a general update. First, he advocated for a boat and vehicle storage facility on DHHL land at Honokōhau Harbor, noting that current DCCRs prohibit boat storage on homesteads, and existing facilities are full and expensive. He presented a proposal identifying nine acres within DHHL's 200-acre parcel near the harbor and pledged LCDC's continued advocacy. Second, he raised concerns about the stalled Nexamp photovoltaic project in Kalaoa, which had outbid the O'oma Homestead Alliance—of which he was a part—but has yet to fulfill its promised community benefits. He requested a departmental inquiry into Nexamp's status. Third, he reported that LCDC's preschool project suffered a funding setback following the transfer of \$200 million from the Lieutenant Governor's Office to the new State Facilities Administration (SFA), leaving their \$8 million previously earmarked support now unfunded. Despite the loss, he affirmed their commitment to seeking alternative funding. Lastly, he urged the Commission to ensure the timely closing of the North Kona water development agreement by the end of the month, stressing its critical importance for DHHL housing

development, as the department currently has no water credits and this project could generate up to 800. He concluded by emphasizing the urgency, citing his daughter's 12-year wait for a homestead award, and called on the Commission to act decisively.

Commissioner Kaneakua expressed appreciation to Mr. Kahui for consistently bringing forward not only issues but also practical solutions, noting that he never simply presents problems without offering ways to address them.

J-8 Diana Lokelani Kama – Villages of La'i 'Ōpua

D. Kama testified that the final wishes of her late husband, Rupert Noah Kama Jr., were that she succeed to their homestead lease. Her husband was awarded Lot 47 in Kailua-Kona in October 2020 after waiting 45 years on the wait list. She explained that they had been together for 30 years and married for 25. They moved into the home in December 2020 and lived there together while he was in remission for stage 3 lung cancer. In 2022, D. Kama became disabled due to a spinal cord injury and could no longer work, leading her to apply for Medicaid during the COVID emergency. When the emergency period ended, her husband's income made her ineligible for continued assistance, so the couple mutually agreed to divorce solely to allow her to qualify for medical coverage. Their divorce was finalized in November 2023 and included a clause awarding her the home in the event of his death. In March 2024, Rupert was diagnosed with stage 4 cancer and passed away in August 2024. D. Kama shared that although they were legally divorced, her husband had named her as the primary successor in his lease and intended for her to remain in the home. She has continued to live there and maintain financial responsibilities. However, she was denied successor status based on the divorce, per a letter from James DuPont.

Commissioner Neves stated that D. Kama's situation clearly warranted a contested case hearing. He emphasized the importance of gathering all relevant information so a hearings officer could make a recommendation to the Commission for a final decision. He expressed sympathy for the hardships Diana endured—losing her husband and facing eviction from the home due to what he called a technicality—despite her efforts to remain.

B. Kahui added that Diana had sought help from their organization, and based on his experience with contested cases, they advised her to pursue one due to the clear facts: had she remained married, she would have been entitled to the house. He cited her disability, financial challenges, and the divorce decree awarding her the house as compelling evidence in her favor. He also noted that the house had been vacant for seven years before the Kamas moved in, and that another nearby home has now been empty for five years, reflecting poorly on the process. B. Kahui urged the Commission to apply common sense, stressing that the documentation already grants her the home and questioning how she could now be denied. He concluded that, if nothing else, the hearing officer in a contested case should adjudicate the matter fairly.

Chair Watson then stated that her letter could be interpreted as a formal request for a contested case hearing, agreeing with Commissioner Neves that this was the appropriate path to resolve the matter. He explained that a hearings officer would review the evidence from both sides and provide a recommendation for the Commission to act on. He concluded that the current approach might need to be set aside in favor of the contested case process. D. Kama acknowledged this with agreement.

J-2 Homelani Schaedel – Malu'ohai

H. Schaedel, a beneficiary from Malu'ohai, testified that although she signed up to speak on multiple items (C3, G1, H1, E3), she was only called for C3 but had informal discussions on the others. She raised concern about a \$60,000 VOCA payment listed under H1 in the budget, noting it was previously \$32,000–\$38,000 and historically tied to Malu'ohai's unit shortfall. She questioned whether the increase was improperly covering Kaupe'a assessments, stating that former Chair Micah Kane had already prepaid for the unit difference, and if

so, VOCA should reimburse DHHL. Chair Watson referred her to Katie Lambert for clarification. Schaedel said she would return next month with additional prepared remarks.

J-6 Robin Keali'inohomoku – Various Updates

R. Keali'inohomoku of Kahului, Maui, testified as the niece of Thomas Kamuela Kealiinohomoku, stating she had previously advocated for his Waimānalo waitlist spot but had received no response from the Department, despite retaining legal counsel. She requested an update on the assignment of a hearings officer or a contested case date. She also pointed out a perceived inconsistency, noting that DHHL had posted a public notice in November 2024 seeking successors for applicants who died before 1998, yet her uncle, who applied in 1958 and was never awarded, was being disregarded. She urged the Department to act and added she would read a letter from Auntie Kekoa Enomoto. Chair Watson called upon Homestead Services Division Administrator Juan Garcia to respond.

J. Garcia acknowledged Robin Keali'inohomoku's concerns and shared that he was aware of her request. He explained that the department's recommendation memo regarding her contested case hearing was still pending, possibly in draft form and not yet reviewed by the Deputy Attorney General. He committed to following up and ensuring that someone would get back to Robin or her legal counsel that day. Chair Watson asked if the Commission could expect a recommendation by the next meeting, to which Garcia confirmed, and Chair Watson stated that action on her contested case request would be taken at that time.

J-5 Kekoa Enomoto – Pa'upena Community Development Corporation (Robin Kealiinohomoku reads a letter on behalf of Kekoa Enomoto)

R. Keali'inohomoku spoke on behalf of Kekoa Enomoto from Florida on behalf of Pā'upena CDC, requested that the Commission vote on Pā'upena's right-of-entry pre-application for 646 acres in Pūlehunui, Maui, submitted in November 2024, noting no response was received within the 90-day window and urging action by the October 2025 Commission meeting. She referenced a May 2025 email from LMD stating homestead projects were prioritized, but asked that Pā'upena's request be elevated. In the letter, K. Enomoto also introduced new DHHL AG Program Specialist Leihuanani Abrego and invited Commissioners, especially Archie Kalepa, to the July 17 Mokupuni Council meeting via Zoom. She concluded by honoring the 104th anniversary of the Hawaiian Homes Commission Act.

ITEMS FOR INFORMATION/DISCUSSION

OFFICE OF THE CHAIRMAN

ITEM C-5 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics

RECOMMENDED MOTION/ACTION

None. For Information Only. Enforcement Administrator David Hoke presented the following:

D. Hoke presented the monthly enforcement update covering May 12 to June 8. He began by announcing the retirement of Kip Akana, who served 20 years with DHHL and previously with HPD, totaling 30 years of community service.

He reported six new investigation requests during the period, totaling 76 for the year, and highlighted several complex cases to illustrate the unit's workload and dedication. On May 14, the unit processed a lease transfer involving a deceased lessee whose successor was implicated in a federal fentanyl case; staff expedited action

before the successor was incarcerated. On May 15, they secured a home with known drug activity, where the named successor had to be handled cautiously; staff made six visits before the occupants agreed to vacate. On May 22, two Maui properties were returned to inventory—one canceled in 2014 and another in 2022—through multiple engagements with families to avoid full eviction proceedings. On May 28, the unit secured a Big Island home flagged for non-occupancy, completing the lease transfer in 24 hours, reducing the waitlist. On May 29, they settled a contested case involving a property with safety issues and drug activity, securing compliance and removal of illegal structures through nine site visits and a 158-page evidentiary filing. On June 2–3, they removed a squatter from an agricultural parcel after receiving clearance from law enforcement to act, posting notices, demolishing structures, and maintaining overnight shifts to prevent re-entry.

He then emphasized the significant time, travel, and resources needed for each case, especially in outer island enforcement, and praised his team's dedication. He explained that the unit would begin taking the lead on contested case hearings related to technical lease violations (not involving loans or blood quantum), and advocated for a more efficient, graduated enforcement process. He proposed exploring alternatives to full contested case hearings to reduce costs and expedite compliance, stressing fairness for compliant beneficiaries and accountability for those violating lease terms. He expressed his intent to present formal proposals in the coming months.

DISCUSSION

Commissioner Neves acknowledged the extensive and difficult work being done by the DHHL Enforcement Unit despite its small size, noting that he frequently contacts them with questions. He highlighted progress on a long-standing issue in Anahola, where squatters had occupied a parcel known as “Ka‘iwi” for 15 years. After the original squatter passed away, others took over, and jurisdictional confusion delayed action. Neves confirmed the land was DHHL’s and emphasized the need for coordinated enforcement and fencing to prevent re-entry, stating that once cleared, the lot should be quickly awarded to someone on the waitlist. He stressed the importance of immediate and secure follow-through to avoid recurring trespass, and supported the idea of granting the unit more authority to resolve such issues efficiently without requiring burdensome 158-page reports. He closed by expressing appreciation for the unit’s efforts and acknowledging the high costs and dedication involved.

Commissioner Kaneakua appreciated the unit's role in reducing DHHL’s legal liability by addressing illegal activities and squatting, and commended their efforts to engage homestead communities as partners. He emphasized the importance of reclaiming abandoned or misused homesteads for those in need and asked how the Commission could further support the unit’s efforts.

D. Hoke explained that the DHHL Enforcement Unit, now 20 years old, needed to evolve by focusing on high-risk issues and streamlining processes like contested case hearings to improve compliance. He emphasized that issuing effective notices and showing real consequences—such as appearing before a hearings officer or the Commission—could change the perception that DHHL lacks enforcement, ultimately helping preserve leases. D. Hoke proposed creating lower-salary support positions to assist investigators, allowing the team to safely split into more units and expand coverage without increasing costs. He acknowledged ongoing staffing challenges but remained hopeful that with structural changes, the unit could gain momentum and address persistent, high-impact violations more efficiently.

Chair Watson commended David and the Enforcement Unit for their impactful work in May, highlighting their success in removing squatters and drug activity while also reducing the waitlist through quick re-awards. He stressed the importance of addressing problem properties promptly to prevent community decline, particularly in older homesteads, and supported shifting focus away from collections toward enforcement. Chair Watson encouraged strong coordination for reassigning cleared lots, approved an additional staff request, and emphasized the Commission’s commitment to creating safe, thriving communities. He also urged collaboration with homestead associations as essential partners in maintaining vigilance and outreach.

RECESS:

10:45am

RECONVENE:

11:00am

ITEM C-6 For Information Only – State of Hawaii Department of Law Enforcement and plans to assist with the safety of Hawaiian Home Lands

RECOMMENDED MOTION/ACTION

None. For Information Only. Enforcement Administrator David Hoke presented the following:

D. Hoke introduced State Department of Public Safety Director Mike Lambert, noting his prior appearance before the Commission in February 2024 when he was with HPD's Narcotics Vice Division. D. Hoke credited Mike Lambert for playing a key role in focusing attention on organized criminal activity affecting Hawaiian homelands, especially on the west side, and highlighted the strong, ongoing relationship between DHHL and Narco Vice, even after M. Lambert transitioned to a State role. D. Hoke recounted that shortly after Lambert's appointment, he reached out to congratulate him, and M. Lambert immediately inquired about a provision in the Department of Law Enforcement's establishing legislation that referenced the state's responsibility to protect health and safety on Hawaiian homelands.

M. Lambert presented a new "Safety via Technology" (SVT) initiative designed to enhance security in Hawaiian homestead communities through advanced surveillance tools. He explained that, due to a 20% staffing shortage in law enforcement statewide, it is unlikely that physical patrols will adequately cover communities. Instead, SVT leverages technology such as license plate readers, surveillance cameras at homestead access points, drone responders, and an app-based community reporting system called SaferWatch. The program aims to increase both actual and perceived safety by tracking vehicle activity, identifying potential threats, and enabling faster response times, particularly in rural areas where law enforcement access is limited.

He further detailed how license plate readers would help identify non-resident vehicles involved in crimes, such as theft or drug trafficking, by analyzing movement patterns. Drones would serve as first responders, arriving faster than police to document incidents and deter criminal behavior. He emphasized the importance of community engagement, encouraging neighborhood security groups to use the SaferWatch app to report incidents, share photos or videos, and receive alerts—providing law enforcement with real-time intelligence while giving communities a direct safety tool. M. Lambert requested DHHL's partnership to mount cameras on their infrastructure and use rooftops for drone stations. The state is covering costs during the pilot phase, but future expansion may seek DHHL support. He highlighted that the system would respect privacy, focusing surveillance on entry and exit points rather than homes, and could include features like tracking vulnerable individuals (e.g., dementia or autism cases) through wearable bands. M. Lambert concluded by reaffirming the goal of making homesteads safer and more secure through proactive, tech-enabled policing.

YouTube Video Presentation of the Skydio dock for the X10 drone was presented.

M. Lambert concluded his presentation by emphasizing that the State Department of Public Safety already had 10 operational drones available for immediate deployment, making the Safety via Technology (SVT) initiative a ready solution, not just a proposal. He explained that while technology cannot prevent all crimes, it can record incidents as they happen, enabling victims to seek justice and increasing the likelihood of offenders being caught. His goal was to create a strong deterrent effect in Hawaiian homesteads by signaling that criminal activity there carries a high risk of detection and prosecution.

He addressed potential privacy concerns by asserting that the system targets criminal behavior, not ordinary residents, and stressed that law enforcement has no interest in monitoring people who are not breaking the law. He encouraged participation through MOUs and community engagement to build trust and clarify usage boundaries. He reiterated that technology should be seen as a tool to support public safety, particularly in areas with limited law enforcement presence. The system would enhance security through drone response, real-time intelligence sharing with neighborhood watch groups, and law enforcement data integration, offering a meaningful response option even when officers are not immediately available.

Public Testimony – Homelani Schaedel - Asked how drone enforcement would function during fireworks events, particularly in homestead areas. M. Lambert explained that once SB 550 is signed into law, drones

would be used for fireworks enforcement, but unlike general surveillance where drones can be remotely operated, fireworks enforcement would require nearby officers to pilot the drones and issue citations on-site. He clarified that while drone docks can be installed in fixed locations like DHHL lands, drones typically operate within a 40-minute flight radius based on battery life, necessitating multiple docks across the state for broader coverage. Currently, the state has 10 drones and is planning to order 20 more, with some expected to be deployed from patrol vehicles.

H. Schaedel highlighted the severity of illegal fireworks in the Kapolei homestead communities of Kaupē'a, Kanehili, and Ka'ulokaha'i, and M. Lambert acknowledged the issue, noting he lives in nearby Ho'opili and is aware of the problem. He affirmed that while fireworks enforcement would be periodic, drones would primarily be used year-round to address burglaries and shootings. He reiterated the drones' capability to monitor community safety and confirmed that enforcement officers would actively engage during major fireworks periods to ensure compliance.

Public Testimony - Johnnie-Mae L. Perry (ICT) - Expressed support for using drone and surveillance technology in agricultural (AG) lots, noting that many farmers are experiencing crime and could benefit from added security. She asked whether the Department of Hawaiian Home Lands (DHHL) would be charged for the service, and M. Lambert clarified that while drone coverage might have costs later, current contracts cover the SaferWatch app and license plate readers for at least three years at no charge, thanks to initial funding provided during the creation of the Department of Law Enforcement. J.M. Perry, who lives in Wai'anae, highlighted illegal dumping as a major issue, particularly in remote areas where police presence is limited, and noted that the Wai'anae homestead community recently conducted a cleanup. M. Lambert responded that he would be at Our Lady of Kea'au on June 21 and confirmed ongoing discussions about launching a drone from that site to address AG-related issues, which would also benefit any nearby DHHL AG leases.

Commissioner Neves asked if the drone and surveillance initiative was primarily for O'ahu, and M. Lambert clarified that while O'ahu would have three pilot sites, he aimed to establish at least one or two on each outer island as well. He noted ongoing efforts to partner with Maui homesteads and emphasized identifying locations with manageable access points for optimal effectiveness. M. Lambert explained that the pilot program seeks to involve a dozen homestead communities statewide to evaluate the technology's impact. Commissioner Neves expressed strong support for the initiative on Kaua'i, where squatters, illegal dumping, and related nuisances are persistent problems.

M. Lambert appreciated the support and noted existing collaborations with DHHL enforcement, stating that drones could also assist with fire prevention planning or documenting community concerns like dumping. He emphasized the importance of community engagement through the SaferWatch app, which allows residents to submit photos or videos to help prioritize enforcement and response. Lambert underscored that visual evidence significantly aids his understanding of issues, enabling more efficient coordination with agencies such as DOT or the fire marshal to resolve them.

Public Testimony - Luana Keakealani – Expressed support for the use of drone and surveillance technology to address issues like squatting and theft in Hawaiian homestead areas on Hawai'i Island but urged the Commission to consider privacy rights, particularly regarding personal space and aerial trespass. She emphasized the need for clear internal guidelines before implementing such tools to prevent residents from feeling violated, especially in areas where homes are more isolated and vulnerable. L. Keakealani acknowledged the benefits of technology for catching criminals who trespass, steal tools, or damage property but stressed that some locations should be treated as no-fly zones. In response, M. Lambert agreed and clarified that current laws prohibit recording in private backyards, and drones must operate over public property, offering no more visibility than a helicopter would. He appreciated her feedback and confirmed that surveillance is legally limited to public areas.

Chair Watson asked Mike when the surveillance program could begin implementation, specifically mentioning interest in using the technology at DHHL's parkway area and main building. M. Lambert responded that the mobile app could be made available immediately, while license plate readers could be installed within four to

six weeks once a Memorandum of Understanding (MOU) was in place and access to utility poles was granted. He noted that drone deployment would take longer due to required FAA clearances, but confirmed that draft agreements were available for review. Chair Watson expressed appreciation for the presentation by Mike and Brandon, acknowledged the relevance of adopting new technology, and compared it to DHHL's efforts to modernize through Salesforce. He thanked them for their time and emphasized the department's interest in moving forward.


ANNOUNCEMENTS AND ADJOURNMENT

Chair Watson concluded the meeting by thanking all participants and expressing special appreciation to Commissioner Dennis Neves, his wife Kauai, and their 'ohana for his service to Hawaiian Homes beneficiaries, along with best wishes for his retirement. The next regular meeting was announced for July 21–22 at Hale Pono'i, and the session was officially adjourned.


ADJOURNMENT

11:48 PM

Respectfully submitted:


Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:


Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Approved On: July 21, 2025

Attachments:

1. Public Testimony – Aina Alliance - Water Policy Testimony G-2
2. Public Testimony – NHLC for Oliver Lum F-2
3. Public Testimony – Sherilyn Wahinekapu
4. DHHL Slide Presentation – Item G-2
5. DHHL Slide Presentation – Item E-3

Testimony on Water Policy Plan (Item G-2)

Aloha e Chair Watson and Commissioners,

My name is Jeremie Makepa a DHHL Beneficiary from Anahola, Kaua'i. I am testifying in **support of the Hawaiian Homes Commission's Water Policy Plan, with some revisions to include East Kaua'i in the plan.** I submit this testimony on behalf of my Ohana in Anahola and 'Āina Alliance, a Native Hawaiian nonprofit stewarding over 400 acres of DHHL land in Anahola.

We strongly support the continued advancement of the Water Policy Plan and respectfully request the following revisions to ensure East Kaua'i homesteads are not left behind:

Recommendations

1. Prioritize Water Access and Infrastructure for East Kaua'i Lands

Our project area currently has no access to water. This lack severely restricts 'āina-based activities and creates an unsafe wildfire environment due to high fuel loads of flammable vegetation. We urge DHHL to allocate planning funds and explore water development solutions for Anahola, including emergency fire water access.

2. Include Anahola in FY26 Beneficiary Trainings and Water Workshops

We support the Plan's effort to expand beneficiary leadership in water management. With community engagement and coordination already underway through our DHHL-funded program, Anahola is well-positioned to host or co-facilitate future trainings. We are open to assisting with coordination, within the scope of our grant.

3. Incorporate Water Asset Mapping into Existing Anahola Fire Risk Assessments

We encourage DHHL to coordinate with us to integrate water access considerations into these efforts, as it would strengthen both our shared wildfire mitigation and water planning goals.

Closing

We commend the Department for its ongoing commitment to water justice and offer our support in helping realize these goals in East Kaua'i. With the right coordination, this policy can be a turning point in unlocking the full potential of our 'āina and keeping our community safe.

Me ka ha'aha'a,
Jeremie Makepa
Board President, 'Āina Alliance



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June 13, 2025

Members of the Hawaiian Homes Commission
Department of Hawaiian Home Lands
Via email: dhhl.icro@hawaii.gov

**RE: WRITTEN TESTIMONY IN OPPOSITION TO JUNE 16-17, 2025,
HAWAIIAN HOMES COMMISSION MEETING, AGENDA ITEM NO. F-2
AS IT RELATES TO REVOCABLE PERMIT 495**

Welina me ke aloha:

The Native Hawaiian Legal Corporation (“NHLC”) represents Mr. Oliver Lum, lessee to Department of Hawaiian Home Lands (“DHHL”) Pastoral Lease No. 10174 (“Lease”). Mr. Lum **OPPOSES** Agenda Item F-2 as it relates to the renewal of Revocable Permit No. 495 (the “RP”). The permit holder of the RP, Kahua Ranch, Ltd. (“Kahua Ranch”) (a non-beneficiary entity), has failed to comply with the terms of the RP, negatively impacting Mr. Lum’s use of his homestead. Considering the high fiduciary duties imposed on the Hawaiian Homes Commission (“Commission”) by the Hawaiian Homes Commission Act (“HHCA”), the Commission must **DENY** the renewal of the RP.

Should the Commission proceed with decision-making on item F-2 with the inclusion of RP No. 495, pursuant to Hawai‘i Administrative Rule (“HAR”) §§ 10-5-31 and 10-5-32, Mr. Lum requests a contested case hearing.

Background

On March 22, 2013, Mr. Lum became the lessee to the Lease. The Lease demises approximately 300 acres of the total 1,720 acres in the parcel identified by Tax Map Key (“TMK”) (3)6-1-001:002 (“Homestead”). The Lease and the placement of Mr. Lum’s Homestead in the uppermost right corner of TMK (3)6-1-001:002 is the result of a settlement agreement with Mr. Lum’s mother, Momi Lum. Pursuant to the settlement agreement, the Commission agreed to carve out approximately 300 acres of trust lands from TMK (3)6-1-001:002 that were, at the time, demised by a revocable permit held by Kahua Ranch in order to award that portion to Ms. Lum for homesteading. The Homestead is landlocked, and according to the terms of his Lease, Mr. Lum is able to access his Homestead by a jeep access road that runs across Hawaiian Home Lands trust lands. The Homestead is the only property directly abutting the Kahua Ranch RP

Parcel that an individual occupies.¹ The State of Hawai‘i owns the mauka parcel, and Kahua Ranch owns the parcel on the North Kohala side of the Kahua Ranch RP Parcel.

On November 21, 2013, DHHL issued Right-of-Entry No. 484 (the “ROE”) to Kahua Ranch. Kahua Ranch operates a cattle ranch comprising approximately 2,100 acres of ranch land.² In addition to raising cattle, Kahua Ranch hosts horseback riding, a “Paniolo BBQ Sunset Dinner,” and a venue space.³ The ROE provided Kahua Ranch with exclusive use of the approximately 1,420 remaining acres within TMK (3)6-1-001:002 for cattle grazing (“Kahua Ranch RP Parcel”). Attached to the ROE as Exhibit “A” was a map marking the demised area. In 2013, annual rent for the ROE was \$6,000. The ROE required Kahua Ranch to “repair and maintain its perimeter fencing around the Premises **with a minimum of 5-strand barbed wire fencing** to protect neighboring farmers and/or other private property owners from grazing cattle within the Premises.”⁴ (emphasis added). In May 2024, the Commission approved DHHL’s request to convert all North and West Hawai‘i ROEs, including the ROE issued to Kahua Ranch, into revocable permits. Accordingly, at its May 20-21, 2024, meeting, the Commission approved the conversion of Kahua Ranch’s ROE into RP 495.

Renewal of RP 495

DHHL seeks the bulk renewal for several RPs issued in the West Hawai‘i area, including RP 495. In support of the renewal requests, DHHL prepared a DHHL staff submittal for Item F-2. However, the DHHL staff submittal is woefully deficient in its support of RP 495 for several reasons.

First, the DHHL staff submittal for Item F-2 states that the RPs already expired on May 31, 2025. The submittal does not indicate whether the RP holders have submitted a request for a renewal to DHHL. However, the submittal states, “Staff have conducted site visits to all North and West Hawai‘i revocable permit parcels and *affirms full compliance* and recommend the renewal of all revocable permits.” Item F-2, 2 (emphasis added). Thus, despite any indication that the RP holders, including Kahua Ranch, are requesting renewal of the RPs, DHHL is unilaterally proposing the blanket renewal of all RPs.

Second, the DHHL staff submittal for Item F-2 lacks sufficient information to support the renewal request and to enable the Commission to evaluate whether the renewal is appropriate in accordance with its fiduciary duties. The submittal does not include the current RP for Kahua Ranch, nor does it indicate whether there are any new or additional terms to the RP. Additionally, while the DHHL staff submittal asserts that the parcel was inspected and is in “full compliance,” there is no information as to when the parcel was inspected, or what parts of the parcel were inspected, etc. Rather, there is no information to confirm that the parcel was indeed inspected and is in “full compliance.” To demonstrate compliance with the RP, the submittal merely includes two photographs of the same area—a gate located on the parcel. Simply

¹ A ravine separates the Kahua Ranch RP Parcel with another adjoining parcel.

² *Our Legacy*, Kahua Ranch, <https://www.kahua-ranch.com/ranching.html>

³ *Be Our Guests!*, Kahua Ranch, <https://www.kahua-ranch.com/activities.html>.

⁴ The Premises is defined by “approximately 1,420 Acres of Hawaiian home lands, identified as [TMK] No. (3)6-1-001:002 (por.), and further shown as [the] shaded area on the map attached hereto as Exhibit “A”[.]”

confirming the existence of a single gate on a parcel of 1,420 acres is not what an ordinary and prudent person would do in dealing with their own property.

Finally, the DHHL staff submittal relies upon an incomplete or inaccurate property inspection report for RP 495. Aside from the two photographs discussed above, there are no other accompanying pictures of the 1,420 acres of Hawaiian Homes Trust lands demised to Kahua Ranch under the RP, which are also subject to perimeter fencing with a minimum of 5-strand barbed wire fencing. Photos included with this testimony confirm that Kahua Ranch is currently not in compliance, as significant portions of the perimeter of the parcel for RP 495 have no fencing. As depicted in Figure 1, the Kahua Ranch RP Parcel lacks perimeter fencing.

Figure 1 View from the Homestead facing the Kahua Ranch RP Parcel. NHLC April 16, 2025, site visit.



The Impact of the RP on Neighboring HHCA Beneficiary

Despite the clear terms of the RP requiring perimeter fencing, there is currently no fence along the perimeter between the Kahua Ranch RP Parcel and Mr. Lum's Homestead. There are several metal poles which run along the property line, indicating the boundary line between the Homestead and the Kahua Ranch RP Parcel. These posts were previously used for an electric fence. Today, however, there is no electric wire on the posts.

With no fence separating the Kahua Ranch RP Parcel, cattle branded by Kahua Ranch freely enter the Homestead to graze. On multiple occasions, Kahua Ranch staff have taken their cattle onto the Subject Property for grazing and watering without Mr. Lum's permission. Due to Kahua Ranch's cattle grazing on the Homestead, the amount of available grass for grazing by Mr. Lum's cattle is significantly reduced.

Additionally, Kahua Ranch's practice of regularly allowing its cattle to roam outside the boundaries of RP 495 and graze on Mr. Lum's Homestead has resulted in a co-mingling of Mr. Lum's cattle and Kahua Ranch's cattle. Mr. Lum has observed calves that he knows belong to him with Kahua Ranch tags and branding. When Mr. Lum confronted a Kahua ranch staff member regarding his calves being taken, the employee stated the cattle belonged to Kahua Ranch because they were on their property. Recently, on or around May 13, 2025, Mr. Lum warned a Kahua Ranch staff member to take care in ensuring Mr. Lum's cattle are not wrangled with Kahua Ranch's cattle. Upon receiving this directive, the staff member threatened Mr. Lum by rolling up their sleeve, balling up their fist, and calling Mr. Lum expletives. The Kahua Ranch staff member refused to comply.

On various occasions, Mr. Lum alerted DHHL to Kahua Ranch's continued unpermitted use of his Homestead. For example, on April 22, 2024, DHHL West Hawai'i District Supervisor James DuPont emailed Mr. Lum to set up a meeting to discuss the issues with Kahua Ranch. In attendance at this meeting were Mr. Lum, Mr. DuPont, and representing DHHL's Land Management Division, Russel Kaupu. Mr. DuPont explained in his email, "I want this to be a written record of the department's communication with you regarding this on-going dispute with [Kahua Ranch]."

DHHL's Trust Duties to Beneficiaries

As trustee of the Hawaiian Home Lands Trust, DHHL and the Commission are held to the highest fiduciary standards. *Ahuna v. Dep't of Hawaiian Home Lands*, 64 Haw. 327, 338-339, 640 P.2d 1161, 1168-69 (1982) (holding that as the agency directly responsible for executing provisions of the HHCA, DHHL "must adhere to high fiduciary duties" owed to native Hawaiian beneficiaries of the Hawaiian Home Lands trust). In addition to DHHL's constitutionally mandated duty, the Hawai'i Supreme Court charged DHHL with "the obligation to administer the trust solely in the interest of the beneficiary" and "to use reasonable skill and care to make trust property productive" and "simply to act as an ordinary and prudent person would in dealing with his own property." *Ahuna*, 64 Haw. at 340, 640 P.2d at 1169.

In *Ahuna*, the Hawai'i Supreme Court held that the Commission breached its fiduciary duty by failing to administer the HHCA in the sole interest of beneficiaries when it "impermissibly weighed" the interests of non-beneficiaries in awarding a portion of an available lot to a beneficiary. *Id.* In 1975, the County of Hawai'i proposed the construction of the Puainako Road Extension, which would occupy about 3.5 acres of a ten-acre lot. *Id.* at 332, 640 P.2d at 1165. The Commission awarded the beneficiary a homestead lease covering only 6.5 acres, rather than the full ten acres of the lot in order to accommodate the County's construction of the Puainako Road. *See id.* The Court highlighted the Chairperson's testimony regarding the ten-acre lot,

which made clear that the Commission was more interested in the potential savings for the State, County, and taxpayers than its beneficiaries. *Id.* at 340-41, 640 P.2d at 1170. Based on the benefit that could be provided to non-beneficiaries, the Commission decided to withhold 3.5 acres of the ten-acre lot. *See id.* In holding the Commission breached its fiduciary duties, the Court stated, “The *primary concern* of the Commission, however, must be the administration of the HHCA on behalf of those eligible *native Hawaiian beneficiaries*.” *Id.* at 341, 640 P.2d at 1170.

The Commission’s primary concern must be to act in the best interest of HHCA beneficiaries. DHHL has been aware of the issues Kahua Ranch has caused Mr. Lum. Enforcing the terms of the RP, specifically that Kahua Ranch erect and maintain a fence surrounding the Kahua Ranch RP Parcel, would prevent Kahua Ranch’s unauthorized use of Mr. Lum’s homestead. Failing to enforce the terms of the RP that protects a homestead lessee’s ability to use their homestead is not administering the trust solely in the interest of Mr. Lum, a beneficiary of the HHCA.

Conclusion

We respectfully request that the Commission **DENY** the renewal of RP 495. Should the Commission proceed with decision-making on item F-2 with the inclusion of RP 495, pursuant to Hawai‘i Administrative Rule (“HAR”) §§ 10-5-31 and 10-5-32, please construe this written testimony as a request for a contested case hearing on the request to renew RP 495.

Please call us at (808) 521-2302 or email us at henderson.huihui@nhlchi.org and kirsha.durante@nhlchi.org if additional information is needed from Mr. Lum.

Me ka ha‘aha‘a,



HENDERSON K. HUIHUI
KIRSHA K.M. DURANTE
Attorneys for
OLIVER LUM

Attachments:

ROE 484

April 22, 2024, Email from Mr. DuPont to Mr. Lum

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: HCC Contact:
Date: Wednesday, June 18, 2025 4:43:58 PM

First Name

Sherilyn

Last Name

Wahinekapu

Email

swahinekapu@gmail.com

Email

keakealaniohana@gmail.com

Subject

To all Hawaiian Homes Commissioners

Message

Aloha, I attended the meeting yesterday, 6/17, in which the drone idea was presented. After much thought and consideration, our 'ohana is firmly against the idea of having drones in Honokaia. We are an agricultural community and these drones feel invasive to us. I also think it would be a detriment to our animals. We've had horses try to run through fences when drones fly into their areas. Please consider that the drone may work in some homesteads but not in others. Waimea and Honokaia definitely don't seem to be the types of communities where such devices would be appropriate. Mahalo for your time and consideration. Me ke aloha, Luana Keakealani



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

Water Policy Plan Implementation Status for FY'25 and Implementation Plan for FY'26

Item G-2

Hawaiian Homes Commission

June 16 - 17, 2025

- 
- A photograph of a river flowing over rocks in a lush, green forest. The river is the central focus, with water cascading over numerous dark, mossy rocks. The surrounding forest is dense with various green plants and trees, creating a vibrant, natural backdrop. The lighting is soft, suggesting a shaded forest environment.
- I. Water and the HHCA: Historical Context**
 - II. The Hawaiian Homes Commission's 2014 Water Policy Plan (WPP)**
 - III. WPP Report of FY 2025**
 - IV. WPP Focus for FY 2026**

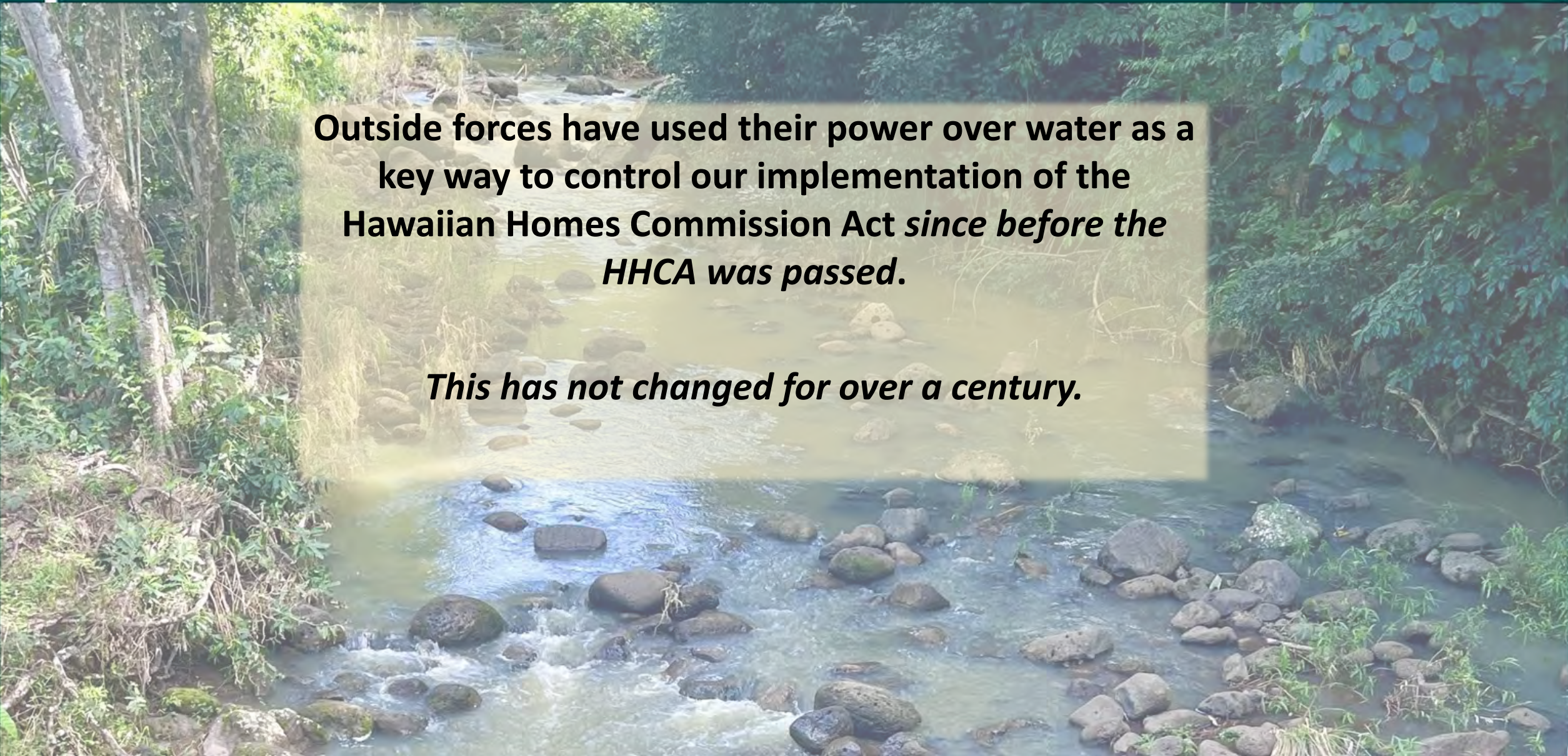


I. Water and the HHCA: Historical Context





The Main Point of Part I



Outside forces have used their power over water as a key way to control our implementation of the Hawaiian Homes Commission Act *since before the HHCA was passed.*

This has not changed for over a century.

1920: Albert Horner Used the Dry Proposed Lands as a reason to oppose passage of the HHCA



Albert Horner

“You will note that all ‘cultivated sugar-cane lands’ are excluded from ‘available lands’...thus confining the lands available for the rehabilitation project to those upon which it is not possible for the Hawaiian or anyone else to make good. In short, it gives the plantation all arable and the Hawaiians all arid lands.”

1920: AGM Robertson used the need for water (and racism) as a reason to oppose passage of the Act



A.G.M Robertson

“I have also pointed out that this would be a costly experiment. This \$1,000,000 revolving fund that would be set aside the first clatter out of the box, if this bill was passed would be only a part of the expense of this experiment. If they go to acquiring water rights and constructing irrigation systems, it will cost anything running up into the millions of dollars. And it all comes out of the white taxpayers’ pockets.



1957: Withholding water for homesteading continued

From the Honolulu Record:

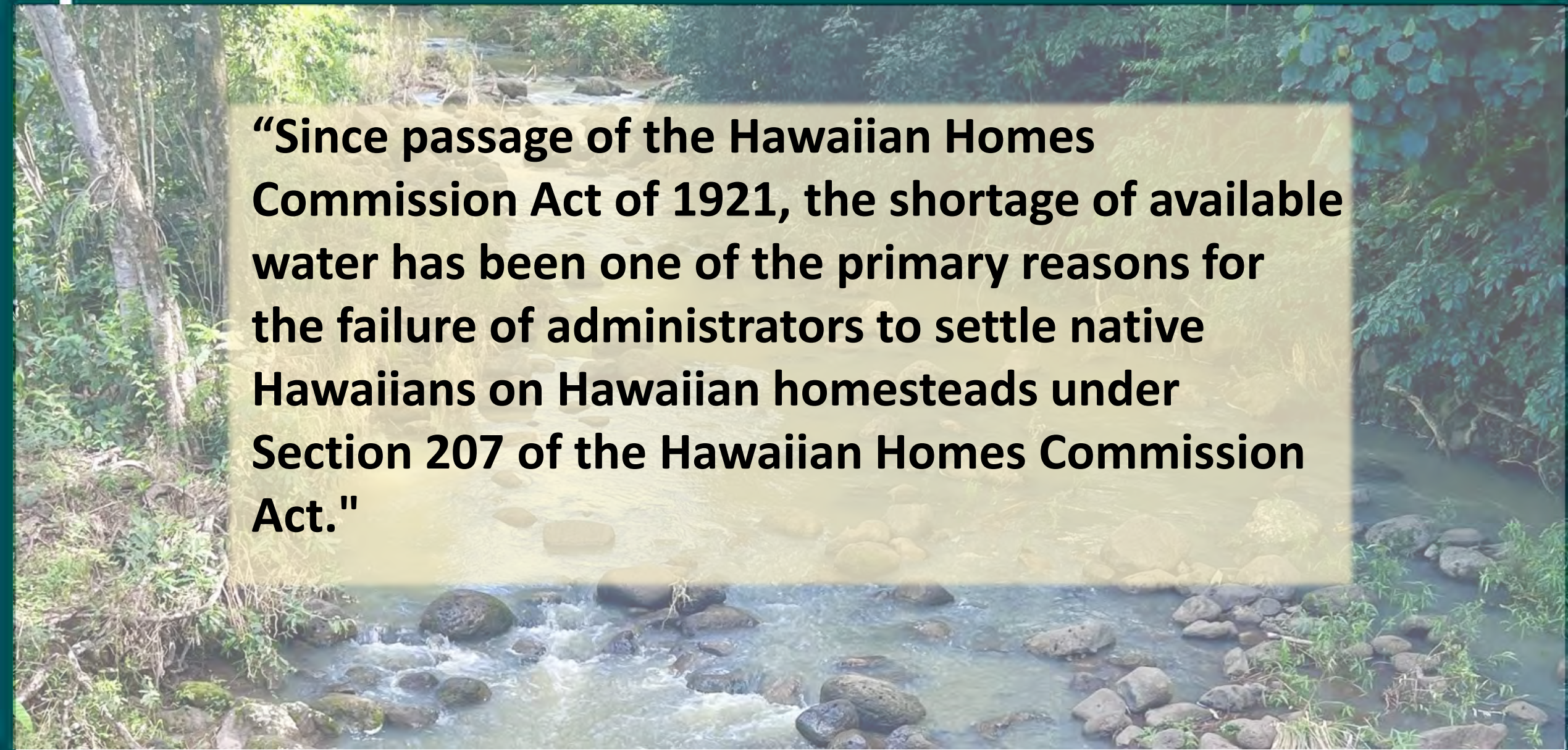
“One hundred qualified Hawaiians could be placed on Hawaiian Homes Commission land, at Waimanalo quickly if the Suburban Water System says it will supply water to families given homestead land.

“The Suburban Water System, which has been supplying water for new subdivisions near Waimanalo and plans to supply water to the huge subdivision at Waimanalo-Kailua junction area, says its water supply is low.

“Many are asking why this could be when Harold Castle's Kaneohe Ranch is getting ample water for its' subdivisions and is planning more subdivisions with hundreds of homes....

1991: The Legislature Gives CWRM the power to reserve water for DHHL

“Since passage of the Hawaiian Homes Commission Act of 1921, the shortage of available water has been one of the primary reasons for the failure of administrators to settle native Hawaiians on Hawaiian homesteads under Section 207 of the Hawaiian Homes Commission Act.”





1990 – 2014: CWRM Only passes three water reservations for DHHL

From a 2002 law journal article:

“Although native Hawaiian homesteaders do have a right to reserve water, reservations have been made for only the islands of O'ahu and Moloka'i, leaving Kaua'i, Maui, Lana'i and the Big Island without any reservation. It has even been argued that the amounts reserved for O'ahu & Moloka'i are not adequate and fail to meet the actual needs of homesteaders.”

Failing to ensure all homesteaders with adequate water reservations violates section 220 of the HHCA and the State Constitution, and places the DHHL in breach of its fiduciary duty.

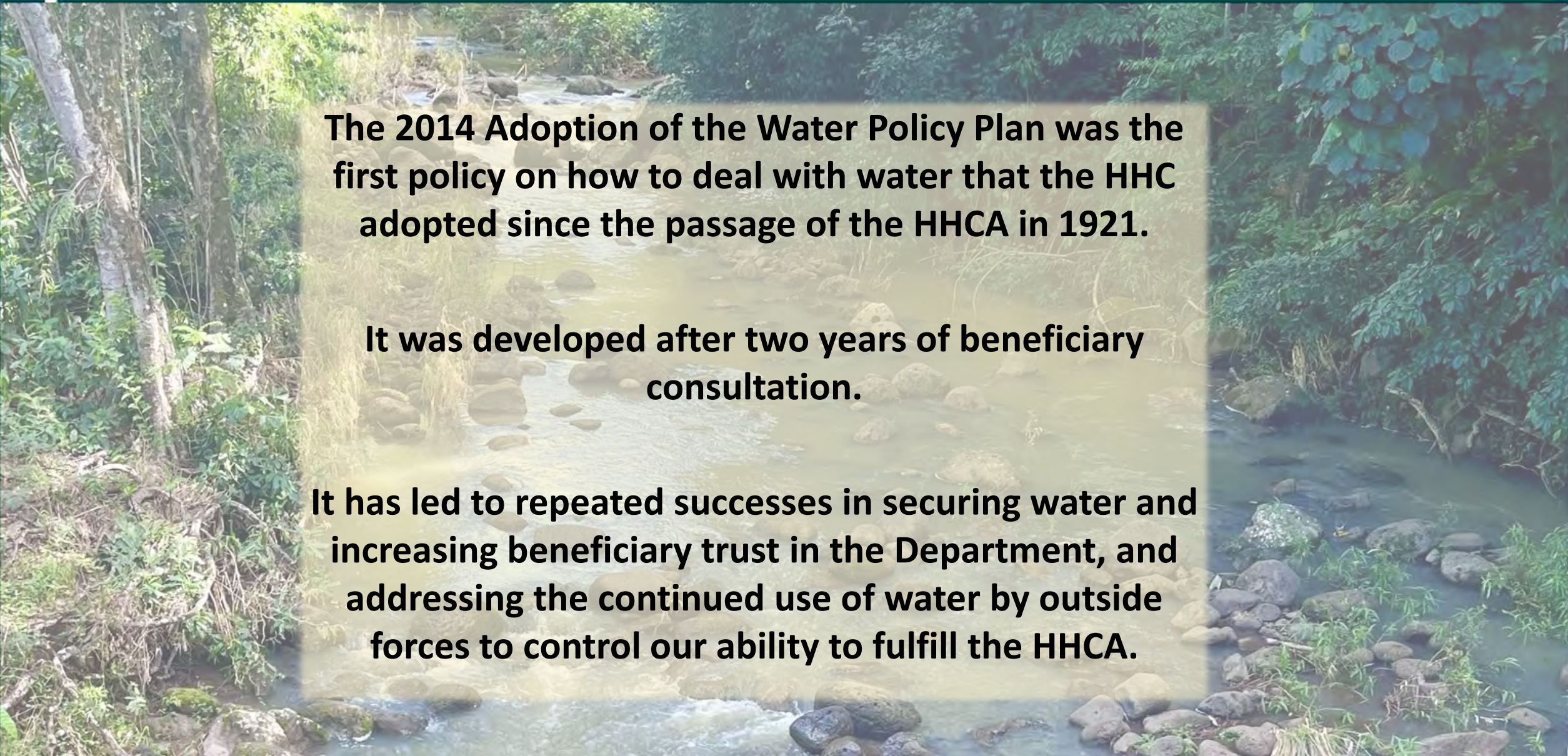


II. The HHC Water Policy Plan





The Main Points of Part II



The 2014 Adoption of the Water Policy Plan was the first policy on how to deal with water that the HHC adopted since the passage of the HHCA in 1921.

It was developed after two years of beneficiary consultation.

It has led to repeated successes in securing water and increasing beneficiary trust in the Department, and addressing the continued use of water by outside forces to control our ability to fulfill the HHCA.



Development of the Water Policy Plan

- ▶ **2012-2014**
- ▶ **Background Research**
- ▶ **Scoping Interviews**
- ▶ **2013 Beneficiary Meetings**
 - ▶ **Kaua'i**
 - ▶ **Maui**
 - ▶ **Moloka'i**
 - ▶ **Lāna'i**
 - ▶ **O'ahu (x3)**
 - ▶ **Hawai'i (x3)**

- ▶ **Key Themes Identified**
- ▶ **Feb 2014 Draft WPP Approved**
- ▶ **Final rounds (10) of Meetings with Beneficiaries**
- ▶ **June 2014 Final WPP Approved**

Water Policy Plan: Sections

- ▶ Vision
- ▶ Mission
- ▶ Values
- ▶ Policies
- ▶ Goals
- ▶ Implementation Program

HAWAIIAN HOMES COMMISSION WATER POLICY PLAN

July 22, 2014

Vision

Our vision is that there will be adequate amounts of [water](#) and supporting infrastructure so that homestead lands will always be usable and accessible, to enable us to return to our lands to fully support our self-sufficiency and self-determination in the administration of the Hawaiian Homes Commission Act (HHCA), and the preservation of our values, traditions, and culture.

Mission

In a manner consistent with our [values](#), the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL) shall strive to ensure the availability of adequate, quality [water](#) by working cooperatively to:

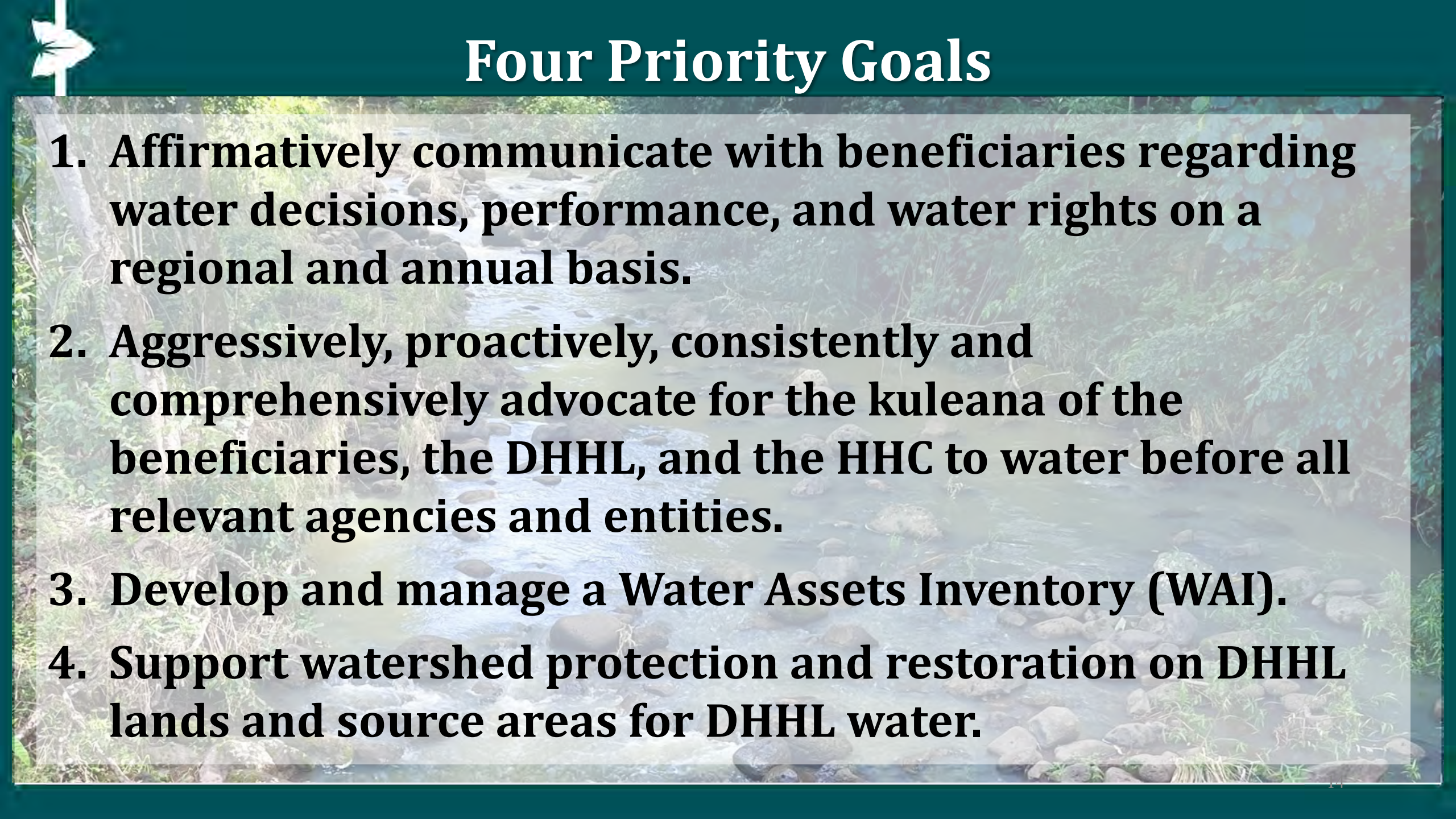
- Understand our trust [water](#) assets;
- Plan for our [water](#) needs;
- Aggressively understand, exercise and assert our [kuleana](#) as stewards of [water](#);
- Develop and protect [water](#) sources; and
- Manage [water](#) systems.

Values

1. **Waiwai:** [Mōhala i ka wai ka maka o ka pua](#). *Unfolded by the water are the faces of the flowers. The availability of [water](#) to our lands and people is integral to the trust and our mission.*
2. **Waihona:** [ʻUa lehu lehu a manomanō ka ʻikena a ka Hawaiʻi](#). *Great and numerous is the knowledge of the Hawaiians. Honoring and documenting our knowledge about [water](#) is essential to managing it.*
3. **Mālama:** [He aliʻi ka ʻāina: he kauwā ke kanaka](#). *The land is a chief; man is its servant. We consider [water](#) to be part of our genealogy and so we manage it in a manner that cares for its long-term sustainability for all things, as we also use it productively for our mission.*
4. **Laulima:** [ʻE lauhoe mai nā waʻa: i ke kō, i ka hōe; i ka hōe, i ke kō; pae aku i ka ʻāina](#). *Everybody paddle the canoes together; bail and paddle, paddle and bail, and the shore is reached. We are one people who now share Hawaiʻi with others. DHHL is only one of many Hawaiian serving institutions. We will assert our rights while considering our larger lāhui ʻōiwi and the larger world in which we live.*

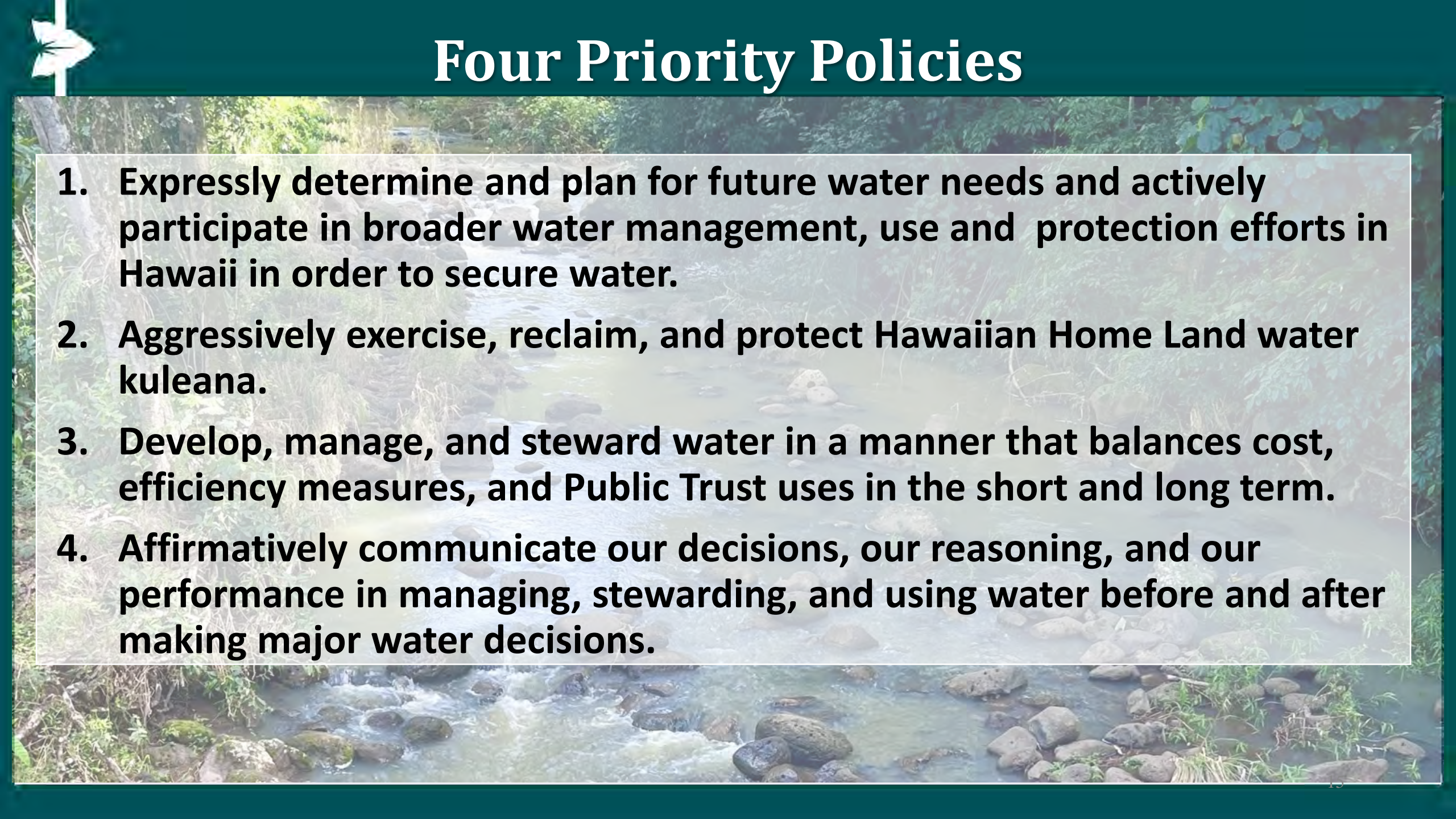


Four Priority Goals

- 
- 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.**



Four Priority Policies

- 
- 1. Expressly determine and plan for future water needs and actively participate in broader water management, use and protection efforts in Hawaii in order to secure water.**
 - 2. Aggressively exercise, reclaim, and protect Hawaiian Home Land water kuleana.**
 - 3. Develop, manage, and steward water in a manner that balances cost, efficiency measures, and Public Trust uses in the short and long term.**
 - 4. Affirmatively communicate our decisions, our reasoning, and our performance in managing, stewarding, and using water before and after making major water decisions.**



Annual Implementation Plan



The WPP requires an annual implementation plan, giving the HHCA and beneficiaries a chance to help direct water policy and communicate proactively.




III. Water Policy Plan Report for FY '25





Notable Accomplishments

- 
- Continued advocacy to defend our water rights
 - Continued progress toward water source development in Kona and Maui
 - Beneficiary empowerment through Water Law Leadership Training
 - Implementation of the top priority project for Hawai'i island
 - Approval of the Procedure for the selection of the HHC representative on the 'Aha Wai o Maui Hikina
 - Changes in the State's permitting process




IV. Water Policy Plan Focus for FY '26





Major Goals

- 
- **Continued water advocacy**
 - **Continued Training**
 - **Planning and studies**
 - **Reservations**
 - **Source Development**



Mahalo



Nīnau?





HAWAIIAN HOME LANDS

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E-3

LDD PROCESS & AWARDS SCHEDULE

June 16 2025



“After extensive investigation and survey on the part of various organizations organized to rehabilitate the Hawaiian race, it was found that the only method in which to rehabilitate the race was to place them back upon the soil.”

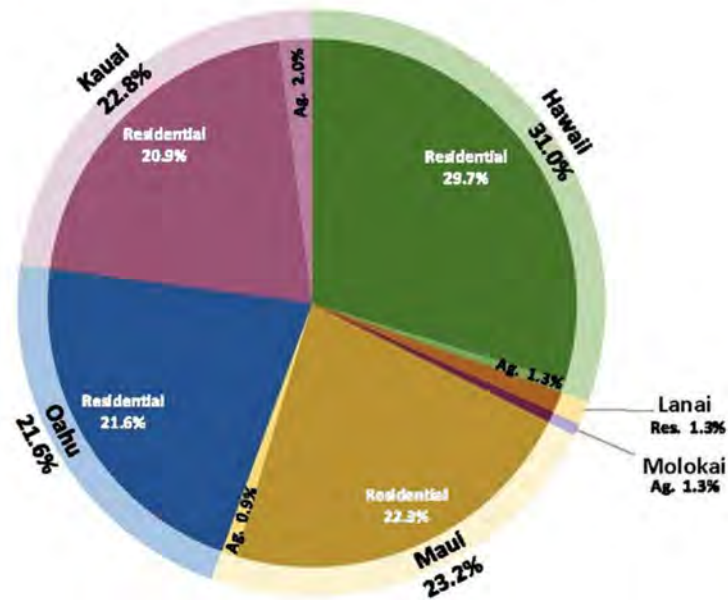
Prince Kuhio Jonah Kalanianaʻole



PAST & PRESENT

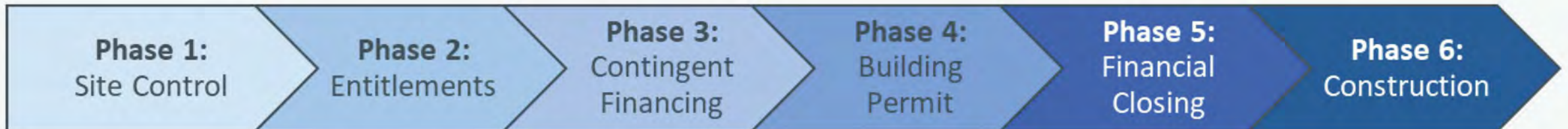
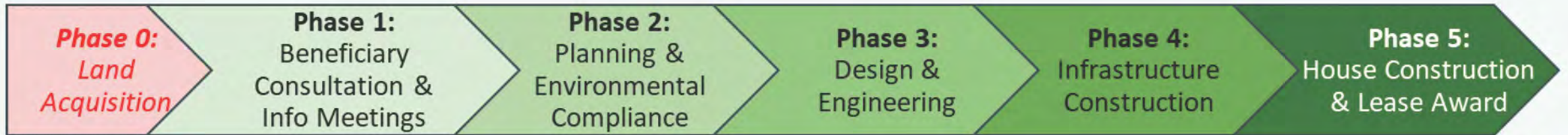


Development by Island and Type – Pie Chart



- **Past 100 Years:** DHHL delivered approximately 10,000 leases.
- **Next Several Years:** DHHL is on track to reduce the waitlist by approximately 6,000.
- **Since Act279 Passage:** Over \$600M has been obligated for 29 projects—100% launched, with 85% of funds already encumbered.

PHASES OF DEVELOPMENT



NEW APPROACH



Project Leases



Financial Assessments



Financial Literacy & Preparation



Developers Shape Capital Stack & Program Vertical Development

- Transforming Development to Better Serve Our Beneficiaries

AWARDS SCHEDULE FOR JANUARY - MAY 2025



- **West Oahu Project Lease Awards:** 665
- **Puuhona (Phase 1) Lot Awards:** 91
- **West Hawaii Project Lease Awards:** 390

AWARDS SCHEDULE FOR JUNE - DECEMBER 2025



June

- **Hawaii Residential Waitlist: 32**

July

- **Kauai Residential Waitlist: 96**

August

- **Oahu Residential UIs & Project Lessees: 115**

November

- **Lanai Residential Waitlist: 75**
- **Maui Agricultural Waitlist: 105**
- **Maui Residential UIs: 12**
- **Maui Residential Waitlist: 1,131**



1,566 Awards

DEVELOPMENT OF INFRASTRUCTURE



- Water Supply & Systems
- WasteWater Management
- Drainage Systems
- Roadway Infrastructure
- Lighting

OPTIONS



RWOP – Rent with
Option to Purchase



Turnk-Key Homes



Self Help Housing



Owner Builder Lots

- Creating Pathways of Choice for Our Beneficiaries



Department of Hawaiian Home Lands

MAHALO NUNUI!

Hope for the future

Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov