

HAWAIIAN HOMES COMMISSION

Minutes of Monday, August 18, 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
Sanoe Marfil, O'ahu Commissioner
Lawrence Lasua, Moloka'i Commissioner
Archie Kalepa, Maui Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Shaylyn Ornellas, Kauai Commissioner
Pauline N. Namu'o, O'ahu Commissioner (ICT)
Walter Kaneakua, O'ahu Commissioner (ICT)

COUNSEL Rodney Char, Deputy Attorney General

STAFF Richard Hoke, Executive Assistant to the Chairperson
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Russell Kaupu, Property Development Agent to the Office of the Chair
Kalani Fronda, Land Development Division Acting Administrator
Kehau Quartero, Homestead Land Development Specialist IV (ICT)
Sara Okuda, Land Development Division Engineer (ICT)
David Hoke, Enforcement Administrator
Kahana Albinio, Land Management Income Property Manager
Kalei Young, Land Management Supervising Land Agent
Lilliane Makaila, Planning Office Acting Administrator
Lehua Kinilau-Cano, NAHASDA Government Relations Officer
Oriana Leao, NAHASDA Government Relations Program Specialists
Debra Aliviado, System Modernization Project Manager
Kerwin Yadao, IT Band B and Technical Lead for the System Modernization Project

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 9:40 am by Chair Kali Watson. Seven (7) members were present in person, two (2) on Zoom, establishing a quorum.

APPROVAL OF AGENDA

Chair Watson announced that the Commission will hold an executive session and break for lunch at noon. The DHHL community meeting is scheduled to begin at 6:30 p.m. at the Waimānalo Hawaiian Homestead Halau, located at 41-253 Ilaohole Street, Waimānalo, Hawaii 96795.

Motion/Action

Moved by Commissioner Marfil, seconded by Commissioner Lasua, to approve the agenda. Motion carried unanimously.

APPROVAL COMMISSION MINUTES – July 21-22, 2025

Chair Watson asked if there were any edits to the Hawaiian Homes Commission Minutes July 21-22, 2025. No amendments were needed.

Motion/Action

Moved by Commissioner Lasua, seconded by Commissioner Freitas, to approve the July 20-21, 2025 Hawaiian Homes Commission minutes. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 DeMont Manaole – Item C-1

D. Manaole voiced strong support for item C1 and acknowledged the extensive and respectful work done by Lehua and her team on the NAHASDA submittal. He supported several proposed bills, particularly those involving HHFDC and HCDA, and looked forward to the director or designee participating in those agencies. He also endorsed the geothermal issue. He gave strong backing to the Kalaeloa Solar project, mentioning a productive conversation with Auntie Jodi and Brother Randy. He congratulated Nānākuli Ranch for updating its DCCA registration and commended Supervising Land Agent Kalei Young and LMD for maintaining their commitment to the hui by correcting the filing. He emphasized the unity and progress among Hawaiians, expressed gratitude for the forward movement of various initiatives.

PT-2 Elisa Davis – Lease Transfer for Jeanette Kahahane-Fakavai

E. Davis requested that the transfer of her late mother Jeanette Kahahane-Fakavai's Hawaiian Homelands lease (#11520) be executed as her mom intended. She explained that her mother had completed all required steps, including submitting signed paperwork on July 7, 2024. The approval was delayed until August, and her mother passed away two weeks before the meeting, missing the chance to see their shared dream fulfilled. She emphasized that the lease transfer represented more than paperwork; it was her mother's life's work and their family's legacy. She asked the Commission to honor her mother's clear intent and use its authority to finalize the transfer without requiring her to restart the process through successorship. Chair Watson offered condolences and assured her that they would review the situation and try to do what is right.

PT-3 Cynthia Homa- Lease #GL-129

C. Homa attended the meeting on behalf of her father, Kenneth Antonio, regarding the lease of GL-129. She requested to speak when their item was addressed. She clarified that the item concerned the termination of the lease GL-129.

PT-4 Kanani Abe – Item F-3

K. Abe expressed her gratitude to the Commission for moving forward with the approval.

PT-5 Sheri Lynn – Ka Hale Pōmaika'i three-month lease extension request

Ka Hale Pōmaika'i Executive Director S. Lynn explained that she was speaking from the hale her family had been leasing in 'Ualapu'e, Moloka'i, since 2000. She expressed deep gratitude for their long-term tenancy and requested a three-month lease extension beyond the September expiration. The purpose of the extension was to allow time to clean and beautify the property before returning it to the Department. She emphasized their role as responsible stewards and neighbors, noting that their 'āina had been providing free food to the community. She hoped to continue this service a little longer until they could relocate. Chair Watson responded that the request would be reviewed and addressed accordingly.

II. ITEMS FOR DECISION MAKING

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals
- D-4 Approval of Streamline Refinance of Loans
- D-5 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-6 Approval to Certify Applications of Qualified Applicants for the month of July, 2025
- D-7 Commission Designation of Successors to Application Rights- Public Notice 2014, 2019, 2021, 2022, 2024 (See exhibit)
- D-8 Approval of Assignment of Leasehold Interest (see exhibit)
- D-9 Approval of Amendment of Leasehold Interest (see exhibit)
- D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-11 Commission Designation of Successor – GEORGE Y. W. CHUNG, Residential Lease No. 8450, Lot. 159, PKE, O‘ahu
- D-12 Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 3669, Lot No. 208- A, Keaukaha, Hawai‘i - WALTER C. AHUNA and KODY K.A. AGBAYANI

RECOMMENDED MOTION/ACTION

HSD Administrator Juan Garcia presented 11 items (D2 to D12) for approval.

J. Garcia explained that approximately 80 amendments related to Pu‘uhona were being addressed, specifically involving the conversion of undivided interest leases. He then presented item D-10, which requested approval to issue non-exclusive licenses for rooftop photovoltaic systems. Item D-11 involved the Commission’s designation of a successor for the deceased lessee George Chung, associated with lease number 8450 in Princess Kahanu. Initially, item D-12 was to be handled separately, but it was later included in the group for approval, while item D-13 remained separate. A motion was made and seconded to approve items D-2 through D-12.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Marfil to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A’OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil		X	X			
Commissioner Namu’o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Seven (9) Yes votes						

ITEM D-13 Amendment to Lease, Walter Ritte, Jr., Agriculture Lease No. 4821-A, Lot No. 69-E-2, TMK (2) 5-2-023-030, Ho'olehua, Moloka'i

RECOMMENDED MOTION/ACTION

HSD Administrator Juan Garcia presented the following:

Motion that the Hawaiian Homes Commission to the Amendment to Lease, Walter Ritte, Jr., Agriculture Lease No. 4821-A, Lot No. 69-E-2, TMK (2) 5-2-023-030, Ho'olehua, Moloka'i

J. Garcia presented amendment D13, which proposed updating lease number 4821-A to include an existing unencumbered lot, specifically Lot 69-E-1 in Ho'olehua, Molokai, identified as TMK25-2-23-008.

There was no discussion, and J. Garcia noted that W. Ritte Jr., who was expected to testify, likely had airline issues and was unable to join online.

MOTION/ACTION

Moved by Commissioner Lasua, 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		X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously, Seven (9) Yes votes						

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

**ITEM C-1 Approval of Memorandum of Agreement for Donation and Acceptance of Ewa
Parcels Encumbered by Long Term Commercial Lease(s), Ewa, O'ahu, TMK Nos.
(1) 9-1-181-031 and 037**

RECOMMENDED MOTION/ACTION

Property Development Agent Russell Kaup presented the following:

Motion the Hawaiian Homes Commission to the Approval of Memorandum of Agreement for Donation and Acceptance of Ewa Parcels Encumbered by Long-Term Commercial Lease(s), Ewa, O'ahu.

NOTE: Chair Watson recused himself from this item due to connections with the group and appointed Commissioner Marfil to lead the discussion.

R. Kaupu first welcomes and greets Commissioner Ornellas to the team This is a continuation of a transaction previously discussed in December and January. The proposal, submitted by Kalaniana'ole Development, involved acquiring two parcels in Ewa, Oahu, leasing them to its wholly owned subsidiary, and

then transferring the title to the Department of Hawaiian Homelands. The Department, not bound by existing zoning restrictions, would take ownership subject to the leases and proceed with commercial development, including a shopping center. The Commission had previously approved the transaction in concept and authorized R. Kaupu to negotiate an agreement, which he presented in draft form. The agreement included piggybacking on the developer's due diligence, allowing the department to participate and request additional checks to avoid hidden liabilities. R. Kaupu noted the agreement had not yet been reviewed by the attorney general and would be formally submitted for approval at the next meeting. He acknowledged the need to add a standard lease provision requiring the lessee to bear all approval-related expenses, including archaeological studies, appraisals, and environmental assessments under Chapter 343. He confirmed the department would hire the third-party appraiser, with costs covered by the developer, and explained the appraisal process. R. Kaupu then introduced representatives from Kalaniana'ole Development—Patti Tancayo, Christian O'Connor, and other community members—before stepping aside to allow them to speak.

P. Tancayo emphasized her unique perspective not only as a developer but as a beneficiary whose great-grandmother was the first lessee in Ho'olehua, with her family holding the same lease for nearly a century. She explained that her motivation stemmed from a deep personal connection to the Act, which she viewed as a vehicle for economic development, self-determination, and cultural preservation aimed at rebuilding the lāhui. When she and her partner C. O'Connor discovered the property, they chose not to pursue a conventional development approach, despite advice from a partner, and instead saw it as a chance to utilize the powers of the Act fully. She stressed that her intentions were rooted in the best interests of the Hawaiian Homelands and its beneficiaries, distinguishing herself from typical developers. P. Tancayo acknowledged community concerns about the transaction and invited beneficiaries to contact her directly with questions, offering to discuss the matter openly. She concluded by introducing C. O'Connor to address the technical aspects of the proposal.

C. O'Connor explained that the financial foundation of the transaction centered on unlocking the value of the land, which could be approached in two ways—one taking 18 to 24 months and the other offering a much quicker timeline. He emphasized that the opportunity was significant and drew comparisons to other Hawaiian trust structures, notably Kamehameha Schools, which in the 1940s and 1950s partnered with developers to build commercial properties like Bougainville, Windward Mall, and Waikiki, resulting in over \$100 million in annual revenue by 2017–2019. He noted that the Department of Hawaiian Home Lands (DHHL) had not yet achieved such income levels. Still, through the strategy developed by P. Tancayo, they aimed to refine a process that could unlock similar opportunities across the islands. C. O'Connor believed that if executed properly, other developers would also be interested. Initially, they considered a low-income housing tax credit approach. Still, they shifted to a market-driven commercial center model, which promised a long-term income stream similar to that of Kamehameha Schools.

Public Testimony – Iwalani McBrayer - Expressed support for the C1 donation, emphasizing that she and others had met with the developers and viewed the project as valuable and inclusive, with beneficiaries having a seat at the table. She referenced another successful ongoing project with the same developers and saw this new opportunity as a model for future collaboration between beneficiaries and developers. I. McBrayer stressed the importance of working with high-caliber individuals to achieve self-sustainability and economic self-determination for Native Hawaiian communities. She concluded that approving C1 would increase land, income, and capacity for the Department of Hawaiian Homelands to fulfill its mission to beneficiaries.

Public Testimony – Homelani Schaedel – Reiterated her continued opposition to the project, which she had previously opposed in January, February, and March. She clarified that her objection was not to the project's intent but to the process by which it was being carried out. H. Schaedel expressed confusion over roles within the Commission and emphasized her belief that the land should be donated first, followed by a lease request, aligning with her earlier testimonies. She acknowledged the formation of a project interaction group (PIG) to evaluate the process and stated that she would have to trust the judgment and intentions of those involved. She also noted that she had not yet reviewed the C-1 agreement due to its late addition to the meeting packet. Despite this, she stood by her previous statements and acknowledged P. Tancayo's openness and generosity in

offering to meet and discuss the project further. She expressed hope that their conversation would continue, but affirmed that her position remained unchanged.

Commissioner Lasua expressed continued discomfort with the project despite reviewing all the provided information. He acknowledged that the previous speaker had influenced his perspective and stated that as long as even one beneficiary opposed the project, he could not fully support it. He concluded by informing the Chair of his stance and thanking the group.

Public Testimony – Wendy Kaniaupio Crespo – Expressed support for the C-1 project, emphasizing that the land donation came from a Native Hawaiian beneficiary developer, which demonstrated that beneficiaries could help grow DHHL’s resources. She viewed the approval of C-1 as both a practical and symbolic act that encouraged a cycle of giving and development within the trust.

Public Testimony DeMont Manaole (ICT) - Expressed strong support for the project, echoing C. O’Connor’s point that other trusts sustain themselves by leasing property at high rents, such as in Waikiki. He emphasized that while the goal was to get Native Hawaiians on the land and into homesteads, it was equally important for the trust to become self-sufficient. He referenced Samantha’s remarks from a previous meeting about the need to stop relying on state funding. He highlighted that projects like this aligned with the Act’s purpose of promoting self-sufficiency.

DISCUSSION

Commissioner Ornellas introduced herself as the newest member and a realtor, acknowledging her limited knowledge of prior discussions. From a logical standpoint, she questioned why the developer chose to involve DHHL in the project and inquired about the developer’s motivations and potential benefits.

R. Kaupu explained that the developer sought a partnership with the Department because the property’s current zoning prohibited the intended commercial development. By transferring the land into the Hawaiian Homes Trust, those zoning restrictions no longer applied, allowing the Department to designate the land for commercial use. This change enabled existing leases to become valid under the trust’s ownership, whereas they would have been disallowed under the developer’s ownership. R. Kaupu clarified that this mechanism was what unlocked the property’s value, while the developer’s personal motivation for pursuing the arrangement was a separate matter.

C. O’Connor emphasized the virtue of the project and its alignment with their mission as affordable housing developers focused on building, not profit. He framed the effort as part of a triple bottom line approach, aiming to benefit people, the environment, and sustainability, and acknowledged that while there were many motivations, this simple, human one was foundational.

Commissioner Ornellas stated that she wanted clarity on the motivations behind the initiative. She expressed full support for diversification, noting that as a realtor, she understood the Department’s financial challenges and the need to become self-sufficient rather than relying on a legislature that frequently changes. She affirmed her backing of the project and on how R. Kaupu would respond to those who claimed the initiative was wrong, and she asked for a rebuttal based on the current plans.

Commissioner Kalepa stressed the need for self-sustainability and commercial revenue to support beneficiaries, especially given Hawai‘i’s high cost of living for Native Hawaiians. He acknowledged inevitable opposition but encouraged respectful dialogue and progress, believing the benefits would become clear. He cited Kamehameha Schools as a model and urged the department to follow similar paths to strengthen the Hawaiian Homes mission.

Commissioner Kaleikini acknowledged the memorandum of agreement under consideration and asked staff for clarification, noting that if it were approved, the next step would be entering a general lease. He emphasized that full details about Departmental benefits and plans would be provided at that stage, allowing time for thorough review and due diligence.

R. Kaupu stated that at the next month's meeting, he would present the Attorney General–approved memorandum of agreement for Commission approval, which confirmed intent to acquire or accept donation of property subject to existing leases. These leases had to follow DHHL standards, including developer responsibility for costs like environmental assessments. Since the leases were already in place, they didn't require formal Commission approval, but R. Kaupu planned to work with the developer to prepare draft leases in the approved format and include them with the memorandum for review.

Cer Kaleikini acknowledged that R. Kaupu's proposal to return with the memorandum of agreement (MOA) was helpful and agreed to proceed with that plan. Commissioner Kalepa then asked for clarification on the 65-year lease limit. R. Kaupu explained that, as a state agency, they were bound by regulations that capped lease terms at 65 years. He stated that developers must comply with this limit, and during the lease period, the Department would receive rent payments, including a share of sublease rents based on a standard formula. He noted this policy had long been in place and clarified that at the end of the lease term, the Department could either extend the lease following specific rules or reclaim the improved property to determine its future use.

Commissioner Kalepa asked how often rental fees in lease agreements were adjusted, and R. Kaupu explained that adjustments depended on the lease terms, typically occurring annually or every five to ten years, and were negotiated with the lessee. He noted that rent step-ups had not yet been discussed with the developer, but would need to be incorporated into the subsidiary leases. C. O'Connor suggested using the KS (Kamehameha Schools) model, which he was familiar with and described as aggressive and well-structured. R. Kaupu agreed to consider it, acknowledging that KS provisions were likely more assertive than DHHL's, and confirmed that a suitable structure would be developed and presented as part of the lease review process.

Commissioner Namu'o expressed strong support for the initiative and emphasized the importance of generating income revenue to benefit beneficiaries, noting that such efforts had been lacking over the years. She highlighted the need for a reliable revenue stream rather than continued dependence on legislative funding, which she believed the department was rightfully entitled to.

Commissioner Freitas supported the initiative, echoing concerns about inadequate state funding and noting that current funds barely sustained operations amid a 30–40 staff shortage. He emphasized the growing needs of beneficiaries and praised the department's creative approach to generating revenue through land diversification.

Public Testimony – Jenna Oda – Thanked everyone for their innovative ideas and support, emphasized the need for revenue, and echoed concerns about placing kanaka in rentals and high-rises instead of returning them to the land for sustainable living. She shared her mother's 40-year wait for agricultural homelands and, as a mahi'ai and foster parent, stressed her family's need for space. While supporting innovation and DHHL's financial goals, she urged education on self-sustainability and warned of the shrinking community. She appreciated P. Tancayo's efforts but reaffirmed that kanaka belonged on the land, not in rentals.

Public Testimony – Kainoa MacDonald - Supported C1 and the Kalaniana'ole Development for the Ewa parcels, emphasizing that Homestead Associations were included early in the process thanks to P. Tancayo's efforts. She valued beneficiary involvement before decisions were made and praised the Kapolei Homestead Associations, expressing hope for similar inclusion on Maui and other islands. She urged continued technical support to ensure beneficiaries had a seat at the table.

Public Testimony – Randy Akau - President of Kanehili, praised P. Tancayo as a rare and exceptional person whose deep knowledge, communication skills, and wholehearted dedication helped communities succeed. He believed she would support homesteads anywhere in the state and admired her articulate advocacy for Hawaiian culture and heritage.

Public Testimony – Iwalani McBrayer - president of Kaupe'a, supported R. Akau's remarks and emphasized their long-standing leadership and inclusion in decision-making. She respected H. Schaedel and supported KCDC, but expressed concern that Commissioner Lasua's opposition undermined their self-

governance. She highlighted the Ho'omaka initiative as a path to self-sufficiency and economic growth beyond housing, and urged that one person's disagreement should not jeopardize a unique and promising project.

Public Testimony- Kealohi Lenny Wong - speaking as both a beneficiary and lineal descendant of land recently acquired by DHHL for development, thanked the Commission and supported Commissioner Lasua's call for collaborative dialogue. She endorsed the idea of a regenerative and sustainable economy similar to KS, Bishop Estate, but stressed the importance of thorough due diligence, particularly regarding environmental and archaeological impact studies. She urged developers and the department to advocate for Hawaiians without harming other kanaka in the process.

R. Kaupu informed the Commissioners that the MOA was not up for approval this month and would be brought back next month with revisions, including the addition of the lease form as an exhibit, as suggested by Commissioner Kaleikini. He clarified that the current presentation was for informational purposes only, to allow Commissioners to begin reviewing it and consider the testimony received. Although there was some confusion among the Commissioners about whether action was required, R. Kaupu explained that he had not submitted it for approval yet because he was still waiting for feedback from the Attorney General's office.

Commissioner Marfil clarified that although action could be taken, the Hawaiian Homes Commission would be asked at next month's meeting to approve DHHL's acceptance of a property donation encumbered by a long-term commercial lease, in accordance with the finalized MOA.

Commissioner Lasua asked whether Attorney General review and approval were required beforehand, and Commissioner Marfil confirmed that all necessary information should be available by next month.

MOTION/ACTION

Moved by Commissioner Freitas, 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		X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Ornellas			X			
Chairman Watson					X Recused	
TOTAL VOTE COUNT			8		1	
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED Motion passed unanimously, Eight (8) Yes votes and One (1) Recused						

LAND DEVELOPMENT DIVISION

ITEM E-1 Approval of Lease Award - Pu'uhona Subdivision Residential Turnkey Offering, Waikapū, Maui (see exhibit)

RECOMMENDED MOTION/ACTION

Acting LDD Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award - Pu'uhona Subdivision Residential Turnkey Offering, Waikapū, Maui.

K. Fronda presented four items for decision, which included nearly 20 awards, and expressed appreciation for the ongoing efforts of the housing branch. Item E1 proposed approval of three DHHL lot lease awards to William H.K. II, Jaydina Kapu, and Samuel Villiarimo, each for a 99-year lease with stated contingencies.

MOTION/ACTION

Moved by Commissioner Marfil, seconded by Commissioner Kalepa, 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	X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil	X		X			
Commissioner Namu'o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Nine (9) Yes votes						

ITEM E-2 Approval of Lease Award - Pi'ilani Mai Ke Kai Subdivision Phase II Residential Vacant Lots – Anahola, Kaua'i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting LDD Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award - Pi'ilani Mai Ke Kai Subdivision Phase II Residential Vacant Lots – Anahola, Kaua'i.

MOTION/ACTION

Moved by Commissioner Marfil, seconded by Commissioner Lasua 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						
Commissioner Lasua		X	X			
Commissioner Marfil	X		X			
Commissioner Namu'o						
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Nine (9) Yes votes						

ITEM E-3 Approval of Lease Award – Kalawahine Pre-Owned Residential Offering – Honolulu, Hawai‘i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting LDD Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award – Kalawahine Pre-Owned Residential Offering – Honolulu, Hawai‘i.

K. Fronda clarified that Item E2 pertained to the Piilani Mai Ke Kai Subdivision Phase 2. Item E3 involved approving a 99-year lease for a pre-owned Kalawahine lot to applicant Barbara Phillips, contingent on her purchase of the existing improvements via loan or cash.

MOTION/ACTION

Moved by Commissioner Kalepa, seconded by Commissioner Lasua, 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		X			
Commissioner Kaneakua			X			
Commissioner Lasua		X	X			
Commissioner Marfil			X			
Commissioner Namu’o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously, Nine (9) Yes votes						

ITEM E-4 Approval of Lease Award - Ho‘olehua Subdivision Residential Vacant Lot Offer - Ho‘olehua, Moloka‘i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting LDD Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award - Ho‘olehua Subdivision Residential Vacant Lot Offer - Ho‘olehua, Moloka‘i.

K. Fronda presented item E4, recommending approval of a 99-year DHHL residential lease in the Ho‘olehua Subdivision for applicant Jonathan English.

MOTION/ACTION

Moved by Commissioner Kaneakua, seconded by Commissioner Kalepa, 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	X			
Commissioner Kaneakua	X		X			
Commissioner Lasua			X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously, Nine (9) Yes votes						

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to establish a Preliminary Condominium Property Regime (CPR) and amend General Lease No. 294, KALAELOA HOME LANDS SOLAR, LLC ("KHLS"), Kalaeloa, Island O'ahu, TMK No. (1) 9-1-013:029

RECOMMENDED MOTION/ACTION

LMD Income Property Manager Kahana Albinio presented the following:

Motion that the Hawaiian Homes Commission to the Approval to establish a Preliminary Condominium Property Regime (CPR) and amend General Lease No. 294, KALAELOA HOME LANDS SOLAR, LLC ("KHLS"), Kalaeloa, Island O'ahu,

K. Albinio introduced Pivot Energy Representative Michelle Sims, Director of Community Relations and Impact at Pivot Energy, Sam Frick, and Attorney Imakana Sato. Jasmine Shin presented agenda item F1, requesting approval for a two-part motion related to General Lease 294 issued to Kalaeloa Homeland Solar LLC. The first part sought approval for the lessee to establish a preliminary Condominium Property Regime (CPR) over 29.853 acres of Hawaiian homelands in Kalaeloa, as detailed in Exhibit A and subject to the listed conditions. The second part, contingent on CPR approval, proposed amendments to General Lease 294, as outlined in Exhibit B, including three components: a lease term extension, a non-benefit license easement amendment, and a community benefit package. K. Albinio noted that a PowerPoint presentation had been prepared, and M. Sims from Pivot would present it to the Commissioners.

M. Sims amended the proposal under motion B1. She withdrew the original request for a five-year lease extension from 20 to 25 years and instead proposed maintaining the 20-year term, with future extensions to be granted by the chairman in alignment with any extension of the Power Purchase Agreement (PPA) from Hawaiian Electric. Additionally, she announced the reintroduction of a revised second amendment to General Lease 294, which included a recital clarifying that Pivot Energy Development fully owned Haleiwa Homeland Solar LLC. This clarification was intended to reinforce the ownership structure through reference to previously executed assignment agreements. She noted that the second amendment remained conditional and required approval from the Attorney General before being finalized and submitted.

. When asked to clarify items two and three, M. Sims referred to her document and explained that under motion B1, the lease term should remain at 20 years starting from the commercial operations date of phase one. Any future extensions would be granted by the chairman and aligned with the later of either the termination of the phase one Power Purchase Agreement (PPA), including any extensions, or the terms of phase two and any future phase three PPAs.

Chair Watson acknowledged that the rest of the paragraph would align with the 20-year term, and K. Albinio affirmed that everything was correct. M. Sims stated that this was the only oral amendment being made during the meeting and added that a revised second amendment would be submitted, which would include the assignment agreement clarifying that Pivot Energy wholly owned Kalaeloa Homeland Solar LLC. K. Albinio also clarified that the version of Exhibit C included in the packet contained unexecuted copies of the community benefit agreements between the community associations and Pivot. He stated that he had the fully executed versions of those documents and offered to replace the unexecuted copies in the Commissioners' packets with the finalized ones. He specified that the replacement should occur behind the first page of Exhibit C, which was a table, and that all the existing packets in that section should be substituted with the fully executed agreements he had provided.

Chair Watson invited the presenters to share their PowerPoint, and M. Sims began the presentation, representing Kalaeloa Homeland Solar LLC (KHLS), a wholly owned subsidiary of Pivot Energy and the lessee under General Lease 294. She requested approval for three proposals included in the second amendment to the lease: establishing a condominium property regime on the TMK, allowing lease term extensions to be granted by the chairman in alignment with any Power Purchase Agreement (PPA) extensions from Hawaiian Electric, and amending the terms for obtaining a non-benefit license easement on the adjacent TMK. The presentation agenda included an introduction to Pivot Energy, an overview of the solar project's phases, timeline, and TMK details, a breakdown of the three proposals, and a summary of community outreach efforts and the executed community benefits agreements recently distributed by K. Albinio. M. Sims explained that Pivot Energy develops, owns, and operates solar and energy storage projects across the U.S., aiming to help communities benefit from renewable energy and expand grid resources.

S. Frick provided an overview of General Lease 294, located northwest of Kalaeloa Airport, with an annual rent of \$120,000 and a 1% increase, set to begin when Phase 1 of the solar project becomes operational in April 2026. A recent appraisal showed a decrease in land value compared to 2016, justifying the current rent rate. The lease also includes a 1% gross revenue share to be paid annually to DHHL's housing program.

She detailed the solar and storage projects on the TMK. Phase 1, a 5 MW solar project, was mechanically completed in December 2024 and was undergoing interconnection work with HECO, with commercial operations expected in April 2026. Phase 2 was under active development, with two bids planned for HECO's grid planning RFP: a 5 MW solar-plus-storage system and a 10 MW standalone storage system. Bids were due in January 2026, with awards expected in August 2026 and full operation by November 2030. A Phase 3 project was possible if Phase 2 left excess acreage. Due to the parcel's location at the end of a runway, no habitable structures were allowed, and height restrictions applied, making solar one of the few viable land uses. S. Frick concluded by requesting approval for a Second Amendment to General Lease 294 to implement a condominium property regime (CPR) with three spatial units for each project phase. She clarified that CPR would not affect rent payments, which would continue unchanged, and that this mechanism allowed separate project entities without subdividing the TMK, consistent with past DHHL approvals.

The third proposal requested an update to the process for securing a non-benefit license easement on the neighboring TMK to the north, which was necessary for interconnection to HECO's grid. The original payment of \$42,377 had been authorized under the first amendment, but the timeline had lapsed in December 2019 due to delays in Phase 2 development. Pivot Energy proposed to pay the same amount to the Department of Hawaiian Homelands and work collaboratively over three months to finalize the easement.

She also summarized extensive community outreach efforts, including executed agreements with all four Kapolei Area Homestead Associations and KCDC, supported by over 31 hours of engagement and 58 touchpoints since 2023. A public meeting had been held with island-wide outreach, and Honua Consulting was contracted to assist. Plans included forming an advisory board for co-creation activities with HECO's RFP process, hosting another public meeting in March 2026, and continuing outreach post-award. Community Benefits Agreements (CBAs) included both monetary and non-monetary elements, such as phased payments, prioritization of local labor, pro bono legal services, and biannual reporting. Pivot is committed to renegotiating CBAs prior to any future PPA extensions. In conclusion, S. Frick requested approval for three proposals: establishing a condominium property regime on the TMK, maintaining the 20-year lease term with conditional extensions, and updating the easement process. Chair Watson confirmed the amendment to reflect the 20-year term, and a motion was made and seconded to proceed.

DISCUSSION

Commissioner Kaleikini thanked the presenters for their presentation and asked for clarification on the term "CPR," stating that he did not understand what it meant and requested a more detailed explanation from any of the presenters.

J. Shin explained that CPR stands for Condominium Property Regime, a legal process in Hawaii that allows land to be divided into spatial units defined by coordinates, enabling different sections of a parcel to be leased to separate entities without creating new legal lots or formally subdividing the land. She clarified that this type of CPR had no relation to residential condominiums.

Commissioner Kaleikini asked about the timeline of General Lease 294, noting that it appeared to have been established in 2011. K. Albinio clarified that while the lease was executed by the Commission in 2011, the formal execution occurred in 2013. Commissioner Kaleikini then pointed out that it had been 14 years since 2011 and inquired whether any payments had been received under the lease during that time. K. Albinio confirmed that no payments had been made from 2011 to the present; rent payments were not required until the project reached commercial operation.

Over the course of General Lease 294, M. Sims explained that a series of milestone payments had been made at various times to maintain the right to enter and build on the leased property, with those payments documented in the first amendment to the lease. Although formal rent payments had not yet begun, M. Sims confirmed that rent would officially commence in April 2026 when Phase One of the project reached commercial operation with HECO, pending final interconnection to HECO's grid. Commissioner Kaleikini confirmed that Pivot had a power purchase agreement (PPA) in place and clarified that the annual rent of \$120,000 would begin at that time, escalating by one percent each year. M. Sims confirmed the PPA term was 20 years, aligning with the lease duration.

Chair Watson expressed concern about the second phase of the project. He acknowledged that applications were planned to help advance the phase and questioned whether recent changes in federal law, particularly regarding energy tax credits, had negatively affected the likelihood of success for Phase Two.

M. Shin acknowledged that recent changes in federal law had impacted solar and wind projects across the United States. She clarified that for Phase Two, the investment tax credit remained available for standalone storage systems, meaning those proposals would not be affected, while solar components in combined solar and storage systems would be impacted. She noted that Hawaii, like other regions, would experience changes in the overall economics for Hawaiian Electric's proposals, but emphasized that competitiveness would remain unchanged since all parties were equally affected. Shin also highlighted that Pivot Energy had a dedicated task force actively addressing the federal changes and reaffirmed their commitment to ensuring project success under the new legal framework. She concluded by expressing confidence that the nature of their proposed project positioned them well for future success.

Commissioner Kaleikini asked about the department's share of 1% of gross revenues, and M. Sims responded that for Phase One, the estimated amount was approximately \$6,600 annually, totaling around \$127,000 over 20 years. For Phase Two, although the figures were based on indicative modeling due to the absence of a

formal PPA with Hawaiian Electric, the projection was about \$812,000 per year, amounting to \$16.2 million over a 20-year term. Commissioner Kaleikini then inquired about additional compensation if rates exceeded \$0.15 per kilowatt hour, questioning whether the PPA with Hawaiian Electric had a variable rate. Sims explained that the lease provision likely predated the Phase One PPA and confirmed that the rate was approximately \$0.135, fixed for the 20-year term, and not expected to exceed \$0.15.

Chair Watson asked whether revenue could be generated from the storage approach, given that recent changes in federal law would not affect it. M. Sims explained that Hawaiian Electric required all proposals in the Phase Two RFP to include storage, either standalone or paired with generation, due to the need for dispatchable energy during peak usage times. She described how storage systems could charge from solar or wind sources and then release energy when demand was highest, such as in the evening. HECO planned to pay a lump sum for guaranteed energy availability, which would generate revenue for Pivot. M. Sims clarified that Phase One was strictly solar under its existing PPA and not currently planned for storage upgrades unless requested by HECO in the future. She emphasized that the storage component was exclusive to Phase Two, for which Pivot was submitting two bids and felt confident about their competitiveness. If neither bid succeeded, they intended to resubmit in future procurement rounds and potentially pursue a Phase Three if land remained available. Chair Watson acknowledged the challenges of the business, appreciated Pivot's investment, and noted that Phase One appeared to be progressing, with anticipated revenue starting in April of the following year.

Commissioner Kaneakua asked for clarification about the leasing mechanics, noting that the department leased to Kalaeloa Homeland Solar (KHLS) at a fixed rate and that the CPR allowed KHLS to sublease two of the CPR units. He confirmed that the department only had control over the 20-year lease under parcel 294 and not over the sublease rent. Commissioner Kaneakua then raised a concern about whether the department would benefit if the sublease values became extraordinarily high. K. Albinio responded that it was possible to negotiate with KHLS to share in that windfall. Commissioner Kaneakua acknowledged the response and emphasized the importance of ensuring that the Department of Hawaiian Home Lands did not miss out on potential financial opportunities from rising property values.

M. Sims explained that Phase 1, Phase 2, and Phase 3 would each be wholly owned subsidiaries of Pivot, with separate project companies to manage their respective operations. She stated that all units would share a proportional portion of the lease rent based on the total acreage, and there were no plans to charge different lease rates among them. M. Sims added that she did not expect subleases to exceed their proportional share, but agreed with K. Albinio's earlier point that if a sublease ever did generate more revenue than expected, Pivot would be open to renegotiating with the Department of Hawaiian Home Lands (DHHL) and the Hawaiian Homes Commission to determine a fair way to share in the additional lease payments. Commissioner Kaneakua acknowledged the response and noted the significance of managing 30 acres over a 20-year period.

Public Testimony – Homelani Schaedel – Advocated for trust beneficiaries and those on the waitlist for Hawaiian Home Lands, referencing the prior meeting where Chair Watson had required Pivot to return with a fully executed Community Benefits Agreement (CBA). She acknowledged that Pivot complied and that extensive email exchanges followed. Schaedel pointed out that the CBA presented to Commissioners involved five organizations—Malu'ohai, Ka Ulu, and KCDC on one agreement, and Kaupe'a and Kanehili on another—but initially did not include Pivot, which concerned her since negotiations had been with Pivot, not Kalaeloa Homeland. She emphasized the importance of having Pivot named in the agreement to ensure future accountability, given that current advocates may not be present in five, ten, or twenty years. She requested a deferment until the issue could be resolved. She clarified that the version of the CBA before the Commissioners was not the final executed copy due to pending edits, although she herself had signed the executed version. She specifically requested that language in the agreement be strengthened by replacing "may" with "shall" to ensure firm commitments, citing the impact of such wording in Article 12 of the Constitution. She concluded by acknowledging the hard work of Pivot representatives S. Frick and M. Sims and thanked the Commissioners.

Public Testimony – Chantal Keliioomalu for Michelle Kauhane on behalf of the Kapolei Community Development Corporation (KCDC) regarding the Community Benefits Agreement (CBA) reached with Pivot Energy, Malu‘ōhai Residents Association, and Ka‘uluokaha‘i. The testimony recalled that during Pivot’s last appearance, the Commission had directed them to work with Homestead leadership in the Hono‘uli‘uli Ahupua‘a to finalize a CBA. At that time, KCDC had declined to sign an agreement alone due to incomplete engagement with all Homestead leaders. Since then, Pivot has made significant efforts to collaborate, resulting in a finalized agreement with KCDC, Malu‘ōhai, and Ka‘uluokaha‘i, while Kanehili and Kaupe‘a pursued a separate agreement. The testimony emphasized that the CBA was not only about financial support but also about building a long-term, meaningful partnership with a developer on Hawaiian homelands. The process had been challenging but constructive, strengthening KCDC’s capacity and understanding of fair negotiations. KCDC expressed its commitment to continuing this partnership to benefit homestead communities and uphold Prince Kūhiō’s vision of rehabilitation and self-determination.

Public Testimony - DeMont Manaole -Expressed support for the current initiative, explaining that his previous opposition stemmed from the exclusion of two homesteads, Kanehili and Kaupe‘a. He appreciated that Pivot Energy had since made efforts to engage with all homesteads in the area, including those previously left out. D. Manaole emphasized the importance of companies listening to and including community voices, noting that such engagement helps rehabilitate corporate relationships with local residents. He commended Pivot for responding to the guidance given by the director and chairman last year and for actively reaching out to homesteaders. As a result, a positive relationship had begun to form, and with Kanehili and Kaupe‘a now satisfied, he felt satisfied as well. He reiterated his support for all homesteads and thanked everyone for the opportunity to speak.

Public Testimony - Iwalani McBrayer – Thanked Pivot for involving homesteads early in the project, marking it the first time in 18 years they were included from the start. She explained that two agreements were formed, one between Malu‘ōhai, Ka‘uluokaha‘i, and KCD, and another between Kanehili and Kaupe‘a—not due to conflict but to support growth in self-determination, economic and cultural preservation, and homesteading. The project enabled homesteads to create their own benefits agreements while continuing community development and preparing for self-governance. Kaupe‘a Homestead, despite lacking a community center and park, was now positioned to develop its own programs and explore surrounding land for future facilities, aligning with Prince Kūhiō’s vision and federal regulation CFR 43 rule 47.

MOTION/ACTION ON AMENDMENT

Moved by Commissioner Kalepa, seconded by Commissioner Lasua, to amend the motion to B1, the lease term should remain at 20 years, starting from the commercial operations date of phase one. The other amendment includes the assignment agreement clarifying that Pivot Energy wholly owned Kalaeloa Homeland Solar LLC.						
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	X			
Commissioner Marfil			X			
Commissioner Namu’o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously, Nine (9) Yes votes						

MOTION/ACTION ON MAIN MOTION AS AMENDED

Moved by Commissioner Kalepa, seconded by Commissioner Lasua to approve the motion as stated in the submittal.						
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	X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Nine (9) Yes votes						

ITEM F-2 Approval to Renewal of Revocable Permit No. 585, Wai'anae Valley Farm, Ltd., Nānākuli, Island of O'ahu, TMK No. (1) 8-9-007:002 (por.)

RECOMMENDED MOTION/ACTION

Income Property Manager Kahana Albinio and Supervising Land Agent Kalei Young presented the following: Motion the Hawaiian Homes Commission for Approval to Renewal of Revocable Permit No. 585, Wai'anae Valley Farm, Ltd., Nānākuli, Island of O'ahu.

K. Albinio was seeking approval to renew revocable permit number 585, which had been issued to West Valley Ranch Limited for operations at Nānākuli Ranch, covering 438 acres of TMK land in Nānākuli.

K. Young explained that the Land Management Division (LMD) had previously proposed several permit renewals, most of which were approved, except for one that was delayed due to the entity's failure to register its corporate status. Since then, the entity resolved the issue by forming a new corporation after missing the renewal deadline and losing its original corporate name to another registrant. Despite the name change, the new corporation retained the same three board members as the previous one. As promised, LMD returned to recommend renewal of the permit for another year. K. Young also noted that K. Fronda's Land Development Division was currently assessing the large parcel of land for future subdivision and use recommendations, such as pastoral or agricultural purposes. The month-to-month, annually renewed permit structure provided flexibility for future land use decisions. Chair Watson initiated the process by calling for a motion. Motion carried, after which the discussion began.

DISCUSSION

Commissioner Marfil asked if approving the renewal would allow one year for the department to explore creating smaller parcels of land, which K. Young confirmed. Chair Watson added that homesteading was being considered for this area and another property, Diamond Ranch. Commissioner Kaleikini clarified that the homesteading plan applied to the full 438 acres and asked if any livestock were being raised, to which K. Young responded that he wasn't sure, as the Land Development team handled planning and research, while his role focused on leases and rentals.

Commissioner Ornellas asked about the current use of the land, and K. Young explained that it had been used for ranching for over 30 years, with approximately 50 head of cattle. The parcel was large, located on mountain slopes and valleys, and covered in dense forest and thick brush, making it very different from open pasture ranching like in Kamuela. Commissioner Ornellas then asked if, in the event of development, the occupants

would receive a 30-day notice to vacate. K. Young confirmed that the contract required 30 days but emphasized they would try to provide more lead time due to the long history and logistical challenges of relocating the cattle.

MOTION/ACTION

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

ITEM F-3 Approval to Terminate General Lease No. 129, Kenneth L. Antonio, dba Ken's Towing Services, Waiākea, Hilo, Island of Hawai'i, Tax Map Key No. (3) 2-2-047:061

RECOMMENDED MOTION/ACTION

Income Property Manager Kahana Albinio presented the following:

Motion the Hawaiian Homes Commission for Approval to Terminate General Lease No. 129, Kenneth L. Antonio, dba Ken's Towing Services, Waiākea, Hilo, Island of Hawai'i.

K. Albinio requested approval to terminate General Lease No. 129, which had been issued to Kenneth L. Antonio, operating as Ken's Towing Services, located in Waiākea, Hilo, on the Island of Hawai'i, with the TMK referenced in the submittal. Ashley Tabalno, who prepared the submittal, was present to address any questions and support the recommendation. Commissioner Kaleikini moved to approve the termination, and Commissioner Lasua seconded the motion. The Chair then opened the floor for discussion.

DISCUSSION

Commissioner Kaleikini inquired about the condition of the property leased to Ken's Towing and whether any cleanup or mitigation would be required upon lease termination. K. Albinio responded that the area was quite run down and the lease included provisions for environmental remediation if necessary. He stated that the department had made numerous attempts to contact the lessee without receiving any response, although Ken's daughter, C. Homa appeared to be present online for the meeting. K. Albinio noted this was the first time he had heard of her interest in participating and mentioned that the lessee had also been delinquent on rent. Commissioner Kaleikini expressed interest in hearing from the representative before proceeding, and Chair Watson acknowledged the request while checking for any further questions from other Commissioners.

Chair Watson asked if there were any further questions from Commissioners, prompting Commissioner Kaneakua to confirm that his concern had been addressed in item two, which stated that the Attorney General would pursue collection of approximately \$36,000 in delinquent rent and obligations. K. Albinio affirmed that this was standard procedure and included in their notices. Commissioner Ornellas then asked about the department's role in remediation, particularly in cases involving potential environmental contaminants like oil

spills. K. Albinio responded that LMD would be responsible for taking necessary actions and would aim to recover those costs from the lessee if possible.

Public Testimony – Cynthia Homa - Kenneth Antonio's daughter, C. Homa, attended the meeting on his behalf due to his stroke in May of the previous year, which led to hospitalization and ongoing recovery in Hilo. As vice president and power of attorney, she was present to understand the next steps and explore a possible payment plan. Chair Watson asked if the business intended to continue and whether it had contracts or revenue sources. C. Homa clarified that the discussed location was used for equipment and tow truck storage, while the business continued operating from another owned site. She acknowledged the company's debt and expressed interest in arranging a payment plan, but was unable to propose a down payment amount without further review. Chair Watson noted the Commission was preparing to take action, and C. Homa confirmed her understanding.

Commissioner Kaleikini asked about the extent of communication between LMD and Ken's Towing over the past year. K. Albinio responded that there had been no replies from Ken's Towing despite numerous default letters. A. Talbano explained that a notice of default had been issued on May 16, 2025, followed by a termination notice on July 16, 2025. She stated that no communication had been received until that morning, when she called to confirm her participation in the meeting via Zoom. Commissioner Kaleikini confirmed that the first notice was in May and that payments had stopped in July 2024. K. Albinio added that earlier notices had also been sent prior to the most recent ones.

Chair Watson asked C. Homa if the company was still operating and using the location primarily for storage. C. Homa confirmed that Ken's Towing remained a full-fledged business, with the Hilo site used for storing tow trucks and the main operations based in Kea'au. She explained that her father had previously managed the Hilo location, and in his absence, she had taken over responsibilities, including catching up on lease payments. When asked if she intended to keep the Hilo site, C. Homa affirmed that she did. Chair Watson proposed deferring the Commission's action for one month to allow C. Homa time to develop a payment plan and avoid litigation costs, citing her father's recent health issues. C. Homa agreed and thanked the Commission for the opportunity.

K. Albinio stated that item F-4 involved the termination of a parcel adjacent to the one previously discussed, noting that both parcels had separate general leases but were part of the same issue. Commissioner Kaleikini supported deferring the matter to next month but questioned C. Homa about the lack of responses to inquiries since May. C. Homa clarified that she had been in contact with Cheyenne at DHHL since early in the year, had responded to a letter, and maintained correspondence, though she was unsure why this was not reflected in DHHL's records. K. Albinio acknowledged the oversight and mentioned that the responsible employee was currently on leave. Commissioner Kaleikini emphasized the importance of C. Homa preparing a plan for the next meeting, and Cynthia expressed her thanks. Chair Watson concluded the discussion with appreciation.

DEFERRED

Items F-3 and F-4 were deferred until next month due to being in similar situations. And will allow the lessees to prepare a payment plan for their deficiency.

ITEM F-4 Approval to Terminate General Lease No. S-4311, Kenneth L. Antonio, dba Ken's Towing Services, Waiākea, Hilo, Island of Hawai'i, Tax Map Key Nos.: (3) 2-2-058: 027 & 028 (p)

RECOMMENDED MOTION/ACTION

Income Property Manager Kahana Albinio presented the following:
Motion the Hawaiian Homes Commission for Approval to Terminate General Lease No. S-4311, Kenneth L. Antonio, dba Ken's Towing Services, Waiākea, Hilo, Island of Hawai'i.

DEFERRED

ITEM F-5 Approval to Extend License Agreement No. 847, Ka Hale Pomaika'i, Ualapue, Moloka'i Island, TMK No. (2) 5-6-002:001 (p)

RECOMMENDED MOTION/ACTION

Income Property Manager Kahana Albinio presented the following:

Motion the Hawaiian Homes Commission for Approval to Extend License Agreement No. 847, Ka Hale Pomaika'i, 'Ualapu'e, Moloka'i Island.

K. Albinio requested approval to extend license agreement number 847, issued to Ka Hale Pōmaika'i in 'Ualapu'e, Molokai, for an additional three months.

MOTION/ACTION

Moved by Commissioner Lasua, 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		X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Ornellas			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Nine (9) Yes votes						

III. ITEMS FOR INFORMATION/DISCUSSION

REGULAR ITEMS

OFFICE OF THE CHAIR

ITEM C-4 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (July 14, 2025 – August 10, 2025)

RECOMMENDED MOTION/ACTION

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

D. Hoke reported that between July 14 and August 10, there were 13 new investigation requests (totaling 203 for the year), 74 reports submitted (267 year-to-date), and 15 official correspondences sent to beneficiaries. His team conducted a two-day homeless trespassing operation in Kaua'i, coordinated with HAIMA and Civil Defense during the July 28 tsunami warning, and continued beneficiary engagement and interagency collaboration. He mentioned a pending AG proposal to expedite contested case hearings and noted the unit had fully transitioned to digital reporting as part of department-wide modernization.

DISCUSSION

Commissioner Ornellas asked D. Hoke whether the department quantified the cost of homeless sweeps, referencing the large-scale operation in Anahola. D. Hoke responded that costs had not been tracked, but

offered to begin doing so, noting that such sweeps were very expensive due to travel, staffing, and cleanup. He emphasized the importance of site control and having a follow-up plan to prevent recurring issues, though acknowledged that urgent situations sometimes required immediate action without full preparation. He explained that each sweep involved multiple trips for warnings and outreach, adding to the expense. Commissioner Ornellas agreed that quantifying costs was important and thanked D. Hoke and his department for the successful Anahola sweep, which cleared the area just before the Ko‘olaulimu festival, impressing both him and the Jose Alejo Foundation. D. Hoke responded with appreciation.

Commissioner Kaleikini inquired about the status of unauthorized occupants at the sheep station on Hawai‘i Island, referencing similar issues near Mauna. D. Hoke confirmed that unauthorized occupancy at the sheep station was still ongoing and stated that a writ had been submitted for filing. He noted that, based on the latest update, the Attorney General’s office was expected to proceed with the writ within the next couple of months, though he could not specify the exact timeline or responsible party. He then asked the Attorney General’s office to provide further clarification on the status.

Attorney General Rodney Char explained that due to limited staffing, he had only recently been assigned to assist with the case in February and had been occupied with the legislative session. He confirmed that he had gathered most of the documents and begun drafting a complaint, and planned to coordinate with D. Hoke and others on Hawai‘i Island to obtain the remaining materials. He hoped to file the complaint within the next month or two, but noted the complexity due to the volume of documents and the fact that the situation had been ongoing since 2020. Commissioner Kaleikini suggested that next month would be ideal timing, especially with their presence in Hilo, and R. Char agreed to try, emphasizing the need to identify all individuals involved for inclusion in the complaint.

Commissioner Kaneakua thanked D. Hoke and his team for their efforts, especially in transitioning to digital systems, which improved efficiency and transparency through monthly reports and outreach to associations. He acknowledged that encouraging people to report complaints had led to a surge in investigation requests. Commissioner Kaneakua supported Commissioner Ornellas’ call to quantify the costs of these operations, emphasizing that vacant homestead properties posed liabilities when misused or neglected by lessees. He noted the significant energy and resources required from D. Hoke’s team and suggested that, although tracking every detail might be difficult, the existing data could be used with additional support to assess the impact. He praised the team’s year-round dedication to serving responsible beneficiaries and thanked the chair for allowing him to share his thoughts.

Commissioner Ornellas confirmed with David that the second item involved beach racing in Anahola and emphasized that the long-delayed construction of the Anahola Village Bridge had finally begun, which could help reduce beach driving. He explained that, due to the lack of direct access, people had been using the beach as a highway, and although the bridge project—funded and scheduled through December—might not stop racing entirely, it was a critical step. He noted the recent homeless sweep had cleared the area for construction and asked D. Hoke to stay engaged with the issue.

D. Hoke stated that he had drafted proposed sign language for police enforcement the day after the meeting and submitted it to the Attorney General’s office for approval. He worked with K. Young to identify specific areas needing security and sign placement, as required by police, to enable enforcement against beach driving. He also mentioned ongoing discussions about alternative access routes, including Kumu Camp, and stressed the urgency of addressing safety concerns to avoid departmental liability. He committed to staying engaged, emphasizing the importance of leveraging current momentum and council support.

Commissioner Kalepa asked D. Hoke about the status of hiring more staff for the outer islands, especially with increased homebuilding in areas like Maui and Kaua‘i. D. Hoke thanked Chair Watson for consistently advocating for new positions and explained that, following one retirement, they were working to fill that vacancy but had no others currently open. He shared plans to request ten new positions next year to proactively address the growing number of lease-related issues. Hoke emphasized the importance of placing staff where the need was greatest and noted that, for safety reasons, staff should work in pairs, which made

island-wide staffing more complex. He expressed a goal to eventually have staff on every island and hoped to involve Commissioners in deciding placement based on need, acknowledging that some disappointment might arise if certain islands weren't prioritized. Commissioner Kalepa offered full support, and Chair Watson thanked the team and announced a recess until 1 p.m., when the meeting would resume with item C-2.

RECESS

12:16 PM

RECONVENE

1:05 PM

ITEM C-2 For Information Only – Draft 2025 Annual Performance Report (APR) - Native Hawaiian Housing Block Grant

RECOMMENDED MOTION/ACTION

None. For Information Only. NAHASDA Government Relations Officer Lehua Kinilau-Cano presented the following:

L. Kinilau-Cano presented the Draft NAHASDA annual performance report, highlighting increased funding from \$2 million to \$22.3 million and record-high expenditures. Capital Improvement Projects used over \$3 million for 127 single-family lots, with 44 awards anticipated for income-eligible families. Developer financing supported low-income housing tax credit projects in La'i-Ōpua and Hanapepe, with commitments for future builds. Homeowner financing assisted families across O'ahu, Kaua'i, and Maui, including partnerships with Habitat for Humanity. Turnkey loans totaled \$4.4 million for seven families in Pu'u'hona, with \$20 million more expected through 2026.

The Home Assistance Program addressed repairs in older homesteads, with 86 requests across islands and challenges in contractor availability, especially on Molokai. Kupuna housing subsidies supported 81 seniors, and a rental subsidy program with CNHA provided statewide aid. Infrastructure improvements continued in Molokai, and a housing conversion project repurposed former military lands for homeless beneficiaries. The Commission also approved a \$25 million property acquisition for the Courtyards at Waipouli. The report was submitted as a draft for review and not for immediate action.

DISCUSSION

Commissioner Kaleikini asked about potential federal-level impacts on their programs. L. Kinilau-Cano responded that she had already anticipated some effects, referencing past years when President Trump's budget had zeroed out their funding. Although the current budget also proposed zero funding, she clarified that Congress determines appropriations. For fiscal year 2026, the House proposed \$18.3 million, while the Senate aimed to maintain funding at \$22.3 million. She planned to visit Washington, D.C., the following month for updates, but expected funding to remain at the current level, which she emphasized was significant given the department's needs.

Commissioner Ornellas thanked the department for its work and asked how beneficiaries, especially kupuna who may not use computers or drive, could be supported in applying for home repairs. She expressed concern about not receiving such inquiries herself and sought guidance on how to direct these individuals to the appropriate resources.

L. Kinilau-Cano explained that the department had shifted toward modernization by implementing an online portal for application processing, replacing the previous mail-in system that often led to delays due to missing documents. She emphasized that the portal enabled quicker review and correction of deficiencies, noting that NAHASDA had taken the lead in this transition. To support kupuna, a staff member had personally guided applicants through the process in areas like Pu'u'hona and Ka'uluokaha'i, though future capacity was uncertain. L. Kinilau-Cano acknowledged ongoing efforts to improve access through district office enhancements and welcomed feedback to address challenges. She referenced the use of navigators during the COVID program as a model for future assistance and encouraged beneficiaries to embrace modernization for faster service, including transfers and successorships. NAHASDA had served as a test case to resolve issues

before full departmental adoption, and L. Kinilau-Cano remained open to improving support, especially for kupuna and communities facing language barriers like Ni‘ihau and Hawaiian-speaking residents.

Commissioner Marfil commented on a recent meeting held in Nānākuli, where kupuna were able to receive live information and better understand application processes, noting that the feedback was overwhelmingly positive. L. Kinilau-Cano confirmed that the meeting was conducted as a pilot initiative and expressed interest in replicating it statewide. She explained that, in addition to NAHASDA staff, the event included modernization, community relations, and HSD staff to address a broad range of beneficiary concerns beyond just housing. L. Kinilau-Cano emphasized the department’s openness to visiting other communities to support families directly. Chair Watson thanked her and moved the meeting forward.

ITEM C-3 For Information Only – Summary of Responses to Proposed Legislative Action Request & Draft Legislative Proposals

RECOMMENDED MOTION/ACTION

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

O. Laeo presented item C3, summarizing responses to proposed legislative action requests for 2026 and outlining 14 draft legislative proposals for the Department of Hawaiian Homelands (DHHL). Outreach began after the June 2025 Hawaiian Homes Commission meeting and included emails to 159 DHHL staff, 213 past testifiers, 36 legislative talk attendees, and 131 stakeholders and homestead associations. The outreach list was attached as Exhibit A, and information was posted online. NAHASDA also participated in virtual and in-person meetings to gather input. A total of 24 proposals were received, and 14 were selected for draft legislation, included in Exhibit B. Laeo noted that the Governor’s Policy Team limited the administrative package to 100 bills, with DHHL allotted five slots. These bills could not request appropriations and must have appeared in the Governor’s package within the past three years to be considered again.

The first six proposals included tax exemptions and governance changes. Several of these measures had been previously proposed but were not included in the Governor’s administrative package.

The Department of Hawaiian Homelands (DHHL) introduced several legislative proposals for consideration in the 2026 session. Proposal ‘ehiku (7) aimed to establish a Native Hawaiian-owned geothermal energy cooperative on Hawaiian homelands to promote energy sovereignty and community ownership, but the Permitted Interaction Group for Geothermal recommended its omission shortly after submission. Proposal ‘ewalu (8) sought authorization to transfer suitable lands from other state agencies to DHHL, addressing the issue of existing parcels lacking infrastructure and water access. Proposal ‘eiwa (9) proposed increasing the state’s loan guarantee cap from \$100 million to \$500 million to help lessees qualify for mortgages and afford construction costs amid rising interest rates and inflation.

Proposal ‘umi (10) requested funding for DHHL projects aligned with Act 96, also known as the Green Fee, which supports climate change mitigation and regenerative tourism. Many qualifying DHHL projects lacked adequate funding, and this measure aimed to secure direct appropriations. Lastly, ‘umikumakahi (11) proposed amending section 208 of the Hawaiian Homes Commission Act to uniformly include lease conditions prohibiting criminal activity on Hawaiian Home Lands. Currently, such conditions are added case-by-case, resulting in inconsistent lease documents. The amendment would ensure all leases contain provisions safeguarding health, safety, and peaceful enjoyment for residents and neighbors.

Three new legislative proposals were presented for consideration by the Hawaiian Homes Commission. Proposal ‘umikumalua (12), aimed to amend sections 208 and 209 of the Hawaiian Homes Commission Act to include nieces and nephews as qualifying relatives for lease transfer and successorship, addressing cases where lessees lacked eligible family members. Proposal ‘umikumukolu (13), proposed increasing the transient accommodation tax rate by one percentage point, with the additional revenue directed to the Hawaiian Home

General Loan Fund to support new development and maintenance projects on Hawaiian homelands. A similar measure had been introduced previously.

Proposal ‘umikumeha 14, focused on converting the Rental Housing Revolving Fund into a low-interest loan program for DHHL projects developed under the Low-Income Housing Tax Credit (LIHTC) program. After the required 15-year compliance period, the fund would transition into a loan structure to make financing more feasible for beneficiaries. All three proposals were new and pending final approval by the Hawaiian Homes Commission. Once finalized, they would be submitted to the governor, the Department of the Attorney General, and the Department of Budget and Finance. During this phase, the Commission retained the ability to amend or withdraw any measure.

DISCUSSION

Commissioner Kaleikini asked for clarification regarding the eligibility of legislative proposals for inclusion in the governor’s administrative package. O. Laeo confirmed that any proposals not submitted within the past three years would not be considered for the 2026 package. Commissioner Kaleikini acknowledged that several of the current proposals were new and confirmed with Laeo that those would need to be removed from consideration.

Commissioner Kaleikini then asked whether the Commission would be responsible for selecting five proposals from the list. O. Laeo clarified that the department, not the Commission, would determine which five proposals to submit to the governor’s policy team and other relevant offices. She listed the proposals that met the criteria that did not request appropriations and had not been previously rejected—including proposals on housing, historic preservation reviews, land transfers, loan guarantee increases, lease conditions for criminal activity, inclusion of nieces and nephews in lease successorship, and low-income housing tax credits.

Public testimony - Jojo Tanimoto- Raised concerns about the geothermal project discussed at the Waimea public outreach meeting, specifically questioning how the benefits would be directed to Native Hawaiian beneficiaries rather than just the general public. She pointed out that Kawaihae had received little assistance or communication and asked for clarification on how beneficiaries in her area would access tangible benefits from a project located on Hawaiian Home Lands. She emphasized the need to distinguish between public gains and beneficiary-specific outcomes.

Commissioner Freitas referenced a geothermal outreach initiative involving Waika and DBEDT that visited multiple communities across Hawai‘i Island, including Puna, Hilo, Kona, Waikoloa, and Waimea. R. Kaupu expanded on the potential economic benefits of such developments, drawing a comparison to Aotearoa, where Māori tribes receive direct electrical service from power facilities built on their land, essentially free from the national grid. He noted that while Hawai‘i operates under a regulated utility system with Hawaiian Electric owning the grid, the Māori model could inspire similar beneficiary-focused outcomes. Commissioner Freitas added that beyond financial benefits, geothermal projects could offer employment opportunities for Native Hawaiians. He suggested partnerships with labor unions, the University of Hawai‘i, Kamehameha Schools, and other organizations to train beneficiaries for jobs at these facilities, helping them build stable careers and support their families within homestead communities.

J. Tanimoto questioned how the geothermal project would deliver direct benefits to Native Hawaiian beneficiaries, especially those in underserved areas like Kawaihae. She expressed concern that while the general public would benefit from the energy produced, there was no clear financial stream or infrastructure support specifically for beneficiaries. Commissioner Freitas acknowledged ongoing water issues in Kailapa and noted financial and logistical constraints in addressing them. He emphasized that while the exact benefits of the geothermal project were still unknown due to the early stage of resource identification, the department and its committee had consistently prioritized Native Hawaiian beneficiaries. He reassured that if the project advanced responsibly, it would deliver direct economic, cultural, and environmental benefits to beneficiaries before extending any gains to the general public.

J. Tanimoto testified that DHHL made her community feel invisible. She clarified that her comments were not meant to place blame but to highlight the lack of outreach, specifically noting that Kawaihae had not been invited to participate in recent public engagement efforts.

Commissioner Ornellas asked why a proposal from the governor's administrative package hadn't passed, and O. Laeo explained it was introduced as HB1087 last session but wasn't scheduled by the assigned committees. Capacity concerns led to an amendment requesting a full-time position, and although NAHASA had one knowledgeable staff member, more support was needed. Stakeholders like DNNR and SHIPD emphasized accountability and transparency under HRS 6E-8.

O. Laeo confirmed the Attorney General's office would review the proposal's language after Commission approval, and if not included in the governor's package, a legislator could still introduce it independently.

Commissioner Ornellas explained that he raised the question due to an ongoing issue in Anapalau on Kaua'i's east side, where three nearly complete skeletons were discovered on the beach. The incident was reported to the Kaua'i Police Department and SHIPD, but responsibility was quickly redirected because the remains were located on DHHL lands. Ornellas noted that once state and county agencies are aware that iwi kūpuna are found on DHHL property, they routinely pass the matter back, avoiding involvement. She suggested revising the legislative language to make responsibilities clearer and reduce ambiguity, as agencies appeared unwilling to engage. O. Laeo acknowledged the recommendation and confirmed that such language could be added to the draft legislation to ensure proper departmental notification.

ITEM C-5 For Information Only – Status Report of DHHL System Modernization Initiative Phase I

RECOMMENDED MOTION/ACTION

None. For Information Only. System Modernization Project Manager Debra Aliviado and IT Band B and Technical Lead for the System Modernization Project Kerwin Yadao presented the following:

D. Aliviado presented item C5 alongside K. Yadao as an informational update on phase one of the DHHL system modernization initiative. She began by expressing gratitude to the enforcement and housing teams, with special thanks to NAHASDA and her team for their proactive, beneficiary-focused approach. D. Aliviado highlighted that phase one included migrating data from the legacy system—covering application waitlists, lessee details, and loan information, including direct loans and NAHASDA - and implementing core HSD processes within Salesforce. These processes now support online lease transfers, information changes, and successor designations. Additionally, an online beneficiary portal was launched, offering 24/7 access to lease and loan details, streamlined communication, faster notifications, and improved transparency. Access to the portal was restricted to invitation-only for security reasons.

K. Yadao clarified that although access to the DHHL online portal was by invitation only, beneficiaries could initiate the process by visiting dhhl.hawaii.gov and submitting their information, after which a DHHL staff member would verify it. He emphasized the importance of data security before advancing further with the portal, noting that the entire modernization initiative was powered by Salesforce, a leading platform in customer data management. Salesforce was chosen for its reliability and widespread use among state and federal agencies, including DCCA and DBED. It was certified to handle sensitive personal identifiable information (PII), with encryption serving as the primary security measure. This encryption technology masked data to protect it in case of attempted breaches by threat actors.

D. Aliviado presented a sample of how applicants could request pre-qualification through online submission forms and explained the features of the DHHL online portal. Applicants were able to initiate new applications, view the status of existing ones, request NAHASDA loan eligibility, and check loan statuses. Lessees could apply for agricultural or pastoral leases if they didn't already have one, manage existing applications, request island changes, apply for direct loans, initiate NAHASDA requests, and view their lease details—all through the portal.

K. Yadao explained that access to the beneficiary waitlist had been improved through a new search functionality, allowing users to input their identity and retrieve their information directly, rather than downloading and manually searching the entire list. He noted that notifications had been streamlined by introducing email correspondence, replacing the need to send physical letters. The system had launched the previous month and was entering phase two, which involved transitioning all HSD processes into Salesforce, followed by phase three to include LDD and LMD divisions. K. Yadao emphasized the commitment to beneficiary support, highlighting the implementation of a tech support hotline and a dedicated email for concerns. He also mentioned plans to conduct more workshops, especially for kupuna, in collaboration with homestead associations like Shaw, to assist them with online registration and portal navigation.

DISCUSSION

Commissioner Lasua asked whether the system improvements were connected to other state agencies, and D. Aliviado briefly mentioned integration. K. Yadao clarified that, at the time, there was no direct integration, but they were collaborating with other departments to learn from their implementations and draw inspiration. Commissioner Lasua suggested future functionality like accessing birth certificates, to which K. Yadao responded that such features could be considered in later phases, depending on leadership decisions. D. Aliviado added that they had been exploring discussions with the Department of Health regarding that possibility.

Chair Watson explained that the team was still deciding on which digital formats to adopt, and he had been advocating for the use of Salesforce, even offering partial funding if they chose that platform—otherwise, no funding would be provided. He noted that they currently had access to the relevant records. Commissioner Lasua acknowledged that such integration could significantly reduce work for beneficiaries. K. Yadao agreed and added that Salesforce could enable seamless data integration with other departments, including the Department of Health (DOH), which was also exploring modernization through Salesforce. Chair Watson confirmed that they already had a Memorandum of Agreement (MOA) with DOH, which had previously been a major obstacle but had since improved, allowing regular access and training. He emphasized that implementing Salesforce would further streamline access and mentioned ongoing efforts with the Office of Hawaiian Affairs (OHA), which had digitized many records they were trying to obtain and incorporate, along with plans to establish an MOA with OHA as well.

Commissioner Kalepa raised a concern about older individuals on the waitlist who might not receive an award in time and asked whether the current system could be used to apply for undivided interests. Chair Watson added that this was the first time Salesforce had been implemented, and although there were some minor glitches, staff managed them effectively. He concluded that future use of the system would be improved and encouraged the team to continue their good work.

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

- A. Homestead Lease and Application Totals and Monthly Activity Reports
- B. Delinquency Reports
- C. DHHL Guarantees for Hawai'i Community Lending Permanent Loans
- D. DHHL Guarantees for Hawai'i Community Lending Construction Loans

RECOMMENDED MOTION/ACTION

None. For Information Only. Homestead Services Administrator Juan Garcia presented the following:

J. Garcia presented item D1 for informational purposes, which included Exhibit A detailing homestead lease and application totals along with monthly activities. The statewide lease count had increased by 22 residential leases—19 in Pu'u'hona, 2 in Anahola, and 1 in Pu'ukapu on the Big Island. Exhibit A showed a total of

47,391 applications statewide, submitted by 29,596 applicants. Exhibit B contained the delinquency report, indicating that the delinquency rate had stabilized at 24%. Exhibits C and D reported on loan guarantees issued by the Department to Hawaii Community Lending, covering three permanent loans and two construction loans.

LAND DEVELOPMENT DIVISION

ITEM E-5 For Information Only: Development – O'ahu - Waimānalo

RECOMMENDED MOTION/ACTION

None. For Information Only. Acting Administrator Kalani Fronda, Homestead LDD Specialist IV Kehau Quartero, Engineer III Bladimir Gonzalez, Engineer V Sara Okuda and LDD/NAHASDA Finance & Development Specialist Riley Kawananakoa presented the following:

K. Fronda presented updates on development efforts and acknowledged the collaboration required to move projects forward. He referenced previous presentations on lot development funding and cost-reduction strategies, such as tax exemptions and land transfers. K. Fronda emphasized the urgency of development, noting that 50% of waitlisted applicants were over 65. He reviewed historical data and projections tied to the \$600 million appropriation, which supported over 7,000 new lots in development. The division focused on acquiring land with existing infrastructure and building complete systems, water, wastewater, power, and roads, with the goal of transferring management to counties due to limited internal staffing.

He further explained the shift toward project leases to make housing more accessible to beneficiaries who might not qualify under traditional models. Financial assessments and literacy programs were implemented to prepare applicants for homeownership. Housing options included rent-to-own, turnkey homes, self-help housing, and owner-builder lots, all with transferable leases. He outlined the award schedule through 2025, including a major lot selection event in East Kapolei and outreach across Maui, Kaua'i, Lāna'i, and Nānākuli. Specific projects were planned for Waipouli and Hanapepe, and the Lāna'i project was nearing completion. Fit tests were being conducted in Nānākuli Ranch to determine the number of lots that could be developed, including single-family and subsistence agricultural lots.

Updates on O'ahu included Ka'uluokaha'i, where 137 lots had been awarded, and additional phases requiring future funding. Multifamily developments were planned near UH West O'ahu and the rail line to address the 16,000-person waitlist. Kaupē'a's development agreement was expected to be finalized by the end of 2025. The division was also acquiring land from Kamehameha Schools in East O'ahu for 80 multifamily units. In Waimānalo, where land was limited, efforts were underway to acquire new parcels through affordable housing credits and land transfers. R. Kawananakoa was leading acquisition efforts and was invited to present further details

R. Kawananakoa reported that discussions were underway for acquiring additional lands in Waimānalo, which were seen as promising sites for agricultural, subsistence agricultural, and residential homesteads. The acquisition process was being guided by Act 14, legislation intended to compensate for lands previously removed from the trust, and the team was in the due diligence phase to ensure that the remaining Act 14 funds were used on properties offering high-quality homesteading potential. He expressed enthusiasm about the opportunity to provide homesteads to beneficiaries and confirmed that this was one of the active acquisition efforts. Following his remarks, K. Fronda introduced K. Quartero, B. Gonzalez, and S. Okuda from the Land Development Division to present further updates on ongoing work.

K. Quartero shared that Phase 1 of the Waimānalo Flood Control Channel Improvements, spanning Ka Mauna Place to Huli Street, had been completed for \$3,013,000 using CIP Purpose 4 funds. Phase 2, from Huli Street to Kalaniana'ole Highway, had been awarded to Kaikor Construction Group for \$3.5 million, with construction set to begin in late September and finish by June 2026. Lessees were asked to allow contractor access to easements and avoid placing structures or trees on them, as any removed encroachments would not be replaced. Easement changes could lead to lease amendments requiring Commission approval.

K. Fronda added that similar outreach in Papakōlea had led to strong community support, helping consultants access work areas. K. Quartero then introduced the Bell Street drainage project, which aimed to replace the existing system with a 1,000-foot pipe and a new outlet. A study confirmed the need, and \$800,000 was requested for design in fiscal year 2027, followed by \$8 million for construction the next year.

PLANNING OFFICE

ITEM G-1 For Information Only — Draft Waimea Nui Regional Plan Update.

RECOMMENDED MOTION/ACTION

Acting Planning Program Manager Lillianne Makaila presented the following:

Motion the Hawaiian Homes Commission to Accept the Beneficiary Consultation Report for Kealana Farm's Request for an Easement Thru DHHL Property to Keanuhea Street, Waiohuli, District of Kula, Island of Maui.

Public Testimony – Kenna Stormogipson – Raised concerns about whether spending on Kaua'i, including \$25 million in NAHASDA funds and \$20 million in department money for the Courtyards at Waipouli, actually reduced the island's 1,700-person residential wait list. She cited unresolved issues from the proposed 10-year rent-to-own model, including a lack of HUD-approved relocation plans, denial of the HUD 223F loan, and unclear successorship rights. She presented a petition signed by 70 beneficiaries criticizing the absence of proper consultation, deviation from the approved 2022 Kaua'i Island Plan, and lack of transparency. Additional concerns included Waipouli's need for electrical upgrades, limited land and parking, and whether residents would be removed from the wait list. She urged the Commission to clarify when meaningful beneficiary consultation would occur.

S. Okuda explained that the Waimānalo sewer improvement project aimed to repair the existing DHHL sewer system to meet city standards so it could be transferred to the City and County of Honolulu for maintenance, with an estimated construction cost of \$28 million.

K. Quartero added that the Kumuhau and Kakaina sewer systems were also scheduled for upgrades, with MEI Corporation awarded the \$1.8 million contract; construction was set to begin in September and finish by fall 2026. Lessees in both subdivisions were to receive notification letters, and while traffic delays, parking restrictions, and construction noise were expected, sewer service would remain uninterrupted.

S. Okuda also reported that the Waimānalo cesspool assessment had been completed the previous year, identifying 86 lots with cesspools and 55 lots with unknown status due to lack of access. The recommendation was to convert to gravity sewer systems where feasible and use low-pressure systems with grinder pumps and force mains where needed. DHHL was actively seeking funding to begin the conversion project.

PLANNING OFFICE

ITEM G-1 For Information Only — Draft Waimea Nui Regional Plan Update.

RECOMMENDED MOTION/ACTION

None. For Information Only. Acting Planning Program Manager Lillianne Makaila presented the following:

L. Makaila presented item G1, the draft update of the Waimea Nui Regional Plan, which replaced the original plan adopted over a decade ago. The planning process, which included initial meetings with regional leadership to coordinate logistics, followed by four beneficiary consultation meetings. After the third consultation, a priority project selection poll was conducted, and the draft plan was compiled and presented to homesteaders for feedback. The Commission would review the plan twice—first for information and then for adoption. Outreach efforts included a project website, postcard mailings to 878 recipients across Pauahi to

Nienie, email announcements, and support from homestead associations like Waimea Hawaiian Homesteaders Association and Hui Aloha Pu‘ukapu. Attendees were asked to provide contact information for updates.

She detailed the consultation process, where beneficiaries helped define regional vision, community values, and project ideas. The priority project poll received a record 107 responses, surpassing Kawaihae’s previous record, with nearly all participants using Google Forms, including kupuna. Multiple participation methods were offered, including mail, email, and phone. The fourth consultation, held on the 5th of the month, allowed beneficiaries to review project profiles and the draft plan. A comment period was also initiated. She shared the community’s vision, emphasizing traditional living, self-governance, food sustainability, and trust-building with DHHL. Core values included caring for kupuna and fostering a safe, secure community.

L. Makaila continued to emphasize the importance of perpetuating cultural traditions, building pilina (relationships), fostering self-sufficiency and self-governance, and collaborating with DHHL through shared kuleana. Seven project ideas were added to the priority project poll, with voting parameters determined by meeting participants. Voters self-identified as lessees, successors, applicants, or other homestead members, including spouses and keiki, to ensure inclusive participation. The majority of votes came from beneficiaries. The top priority project was the Waimea Nui Hawaiian Homestead Community Initiative, planned for a 161-acre parcel near Kanu O Ka Aina, which required continued support from the Commission and staff. The second was equitable and sustainable water access, especially addressing Honoka‘ia’s water challenges, some of which were under litigation. Third was strategizing and initiating subdivision and commencement dates for Pu‘ukapu Pastoral, with hopes for progress by next year’s Commission meeting in West Hawai‘i. Fourth was the Homestead Safety and Security Improvement Program, addressing wildfire risks and unauthorized access in areas like Pu‘ukapu, Nienie, and Kamuku. Fifth was the Waimea Nui Agricultural and Pastoral Pilot Program, which aimed to promote peer-led agricultural and ranching practices over externally imposed models. The meeting concluded with a reminder that the comment period for the draft plan would end on August 25. If feedback was not too substantive, the Commission hoped to adopt the plan in September.

ITEM G-2 For Information Only — Compliance Workshop: NEPA, Section 106, HRS Ch. 343, HRS Ch. 6E, Kā Pa‘akai Framework Analysis, and DHHL’s Beneficiary Consultation policy (2009).

RECOMMENDED MOTION/ACTION

None. For Information Only. Acting Planning Program Manager Lillianne Makaila and Kialoa Mossman presented the following:

L. Makaila presented item G2 as an informational compliance workshop, emphasizing the importance of adhering to federal and state regulations, particularly to protect Native Hawaiian rights and traditional practices. She explained that compliance was not only a legal requirement but also a fiduciary responsibility, and DHHL was uniquely positioned to lead by example. The workshop covered key regulations, including NEPA (National Environmental Policy Act), which is triggered primarily by the use of federal funds such as NAHASDA or Department of Defense grants, with the determining agency depending on the funder. Section 106 of the National Historic Preservation Act was also discussed, triggered by federal funding and overseen in Hawai‘i by the State Historic Preservation Office (SHPO), requiring studies and consultation with Native Hawaiian organizations and beneficiaries. Lastly, HRS Chapter 343 was reviewed, which governs environmental compliance for state land or funding use, with DHHL itself serving as the determining agency. L. Makaila stressed that compliance under Chapter 343 must follow one of three approved methods—environmental impact statement, environmental assessment, or exemption—otherwise, a determination of no significant impact would be invalid.

She also presented information on HRS Chapter 6E, which governs historic properties and is triggered by the use of state lands or funds. She explained that while most county permits are required for ground disturbance—such as grubbing over 15,000 square feet on O‘ahu—DHHL operates under a stricter standard where any activity, regardless of size or impact, can trigger compliance. She cited recent examples, including a call from SHPD regarding an action in Hilo and another at Isenberg, where gravel was added to a parking

area, both of which required consultation. L. Makaila emphasized that even minimal activities could prompt the need for compliance, and reminded DHHL staff and Commissioners that the threshold was extremely low. However, she clarified that full archaeological studies were not always necessary; often, a simple consultation with SHPD was sufficient, and SHPD typically responded positively when informed

L. Makaila presented a compliance matrix dividing federal and state regulations into environmental and historic preservation categories. She explained the Kā Pa‘akai Framework Analysis, developed from a Hawai‘i Supreme Court case involving Kā Pa‘akai O Ka Aina, which required agencies to assess impacts on Native Hawaiian traditional and customary practices. The framework was triggered by any agency determination, including under Chapter 343, with the Hawaiian Homes Commission serving as the responsible body. She also outlined a simplified three-step method: identifying existing practices, evaluating potential impacts, and proposing mitigation. She emphasized that Chapter 343 alone might not fully address these requirements and that the Commission held responsibility for ensuring compliance.

She also reviewed the beneficiary consultation policy, adopted in 2009 and amended in 2014, which required consultation for statewide policy changes, DHHL plans or updates, land use designation changes, and long-term land dispositions. She clarified that consultation typically involved one meeting and a 30-day comment period, followed by a report submitted to the Commission for acceptance. The Planning Office was responsible for managing compliance, reviewing technical documents, and conducting consultations. It also provided comments on environmental disclosures and informed the Commission about potential impacts and obligations.

L. Makaila emphasized that it was the responsibility, or kuleana, of all DHHL staff to be well-versed in regulations and especially in recognizing compliance triggers, since oversight often only occurred once issues arose. She stressed the importance of reaching out for guidance, particularly when dealing with unfamiliar federal funding sources, and recommended consulting the determining agency for compliance procedures. L. Makaila praised NAHASDA Compliance Specialist Malia Cox as the NAHASDA expert and reassured that the planning office was available to support others. She urged Commissioners to act responsibly in their decision-making roles and to ask questions, even requesting detailed explanations using tools like the compliance matrix. The planning office committed to submitting exhibits promptly to allow sufficient review time and expressed gratitude to the Commissioners for accepting documents and their kuleana.

DISCUSSION

Commissioner Kaleikini referred to the activity in Hilo, which involved trimming trees. He acknowledged that some form of approval was needed. L. Makaila confirmed that only consultation was required—no formal studies. She explained that the typical process involved DHHL issuing a determination letter, which was then sent to SHPD staff for review. SHPD would respond with a concurrence letter and approval. She also corrected a previous reference to "three pathways," noting it was mistakenly carried over from an earlier discussion.

L. Makaila concluded with a scenario directed at Commissioner Makai, asking what federal compliance would be required if DHHL received federal funds for water source development in North Kona. She then proceeded with the presentation, referencing Section 106 and prompting discussion on state compliance, which Commissioner Lasua correctly identified as Chapter 343. L. Makaila continued by asking about DHHL-specific compliance and encouraged clearer communication. She concluded the session by thanking everyone and noting she would return for one more agenda item.

Commissioner Kaleikini asked about the Supreme Court case that led to the development of the Kā Pa‘akai analysis, which was Kā Pa‘akai o ka ‘Āina v. Land Use Commission, involving land in Kā‘upulehu on Hawai‘i Island. She clarified that the location was in North Kona, near the salt ponds, and that Kamehameha Schools had sought to reclassify a large parcel of land from a state conservation district to an urban district to develop the Kona Village Resorts, adjacent to the Hualalai Resort. Multiple entities, including DHHL, participated in the proceedings as petitioners, not defendants. The process involved extensive meetings with the Land Use Commission between 1992 and 1994. Although L. Makaila was not personally involved at the

time, she explained that the Land Use Commission approved the boundary change, which led to litigation that reached the Hawai‘i Supreme Court. The Court ultimately ruled that the Land Use Commission failed to implement Article 12, Section 7 properly, by not conducting studies on Native Hawaiian rights and practices and by improperly delegating that responsibility to the developer. This decision resulted in the establishment of the Kā Pa‘akai Framework analysis—a three-part format now used to ensure compliance with Article 12, Section 7.

Commissioner Kalepa asked who conducts the Kā Pa‘akai analysis, and L. Makaila Lili explained that it is done by the person initiating the action. She gave an example of a water source development project in North Kona. In this complex area, a Kā Pa‘akai Framework analysis was completed to ensure compliance, educate beneficiaries, and engage practitioners. The analysis covered the region from Keauhou to Kealahou, examining historical, current, and projected uses, identifying impacts, and proposing mitigation measures to protect Native rights and practices. Due to the need for county, internal, and seaworm permitting, the analysis was done early to avoid delays and support the Lā‘ī ‘Ōpua community’s water needs. The report was prepared collaboratively by planning staff and consultant Noho Papa Hawai‘i, with her serving as project manager. She noted that such reports are rare but increasingly relevant, appearing frequently in seaworm and other meetings, and emphasized that greater familiarity with the regulation would improve the process.

Public Testimony – Jojo Tanimoto - Raised concerns about the regional and island plans for Kawaihae, noting that conservation lands were not included in the land designations. She explained that Hawai‘i Island lacked a functioning Burial Council due to the inability to reach quorum, which led the county to establish a cultural resource committee operating under SHPD statutes. J. Tanimoto pointed out that the presentation did not acknowledge the county’s role or the use of this alternative structure, despite its necessity. She shared that historical artifacts from Kawaihae were not reflected in the plan and questioned why the cultural resource council was excluded. J. Tanimoto emphasized that while the community was required to complete environmental impact statements (EIS) and environmental assessments (EA), Hawaiian Homes projects appeared to bypass these requirements. She asked L. Makaila to clarify the difference between the two processes and how both concerns were being addressed.

L. Makaila affirmed that environmental impact statements (EIS) and environmental assessments (EA) were indeed required for all homesteads. She explained that although these documents existed, most were completed in the 1980s, 1990s, or early 2000s due to the department’s slow development pace, which was largely attributed to limited funding. As a result, while the assessments were technically in place, they were outdated by the time development occurred. She acknowledged that ideally, development would follow immediately after completing EIS or EA, but that had not been the reality for DHHL. Regarding compliance with Chapter 6E, L. Makaila clarified that burial councils—administered by the State Historic Preservation Division (SHPD)—handled matters such as burial treatment plans and engagement with lineal descendants, and that this process applied statewide, not just to DHHL. She emphasized that DHHL’s responsibilities intersected with both SHPD and the burial councils, which typically operated at the county or island level.

J. Tanimoto asked if the upcoming island plan would identify conservation lands for Kawaihae, since the community was working with the county’s cultural resource council due to the lack of quorum in both the local and OHA burial councils. She emphasized that the county resource council needed to be included in the presentation, as it was the only functioning body available for cultural matters. In response, L. Makaila confirmed that the island plan addressed land use designations, including conservation areas under DHHL’s framework, but clarified that public plans did not specifically identify historic or sensitive sites, which was standard practice. She offered to discuss the issue further offline or at the next meeting before moving on to the next agenda item.

**ITEM G-3 For Information Only — Status Update on Plan Implementation in the
Ko‘olaupoko Moku, Waimānalo Regional Plan and O‘ahu Island Plan.**

RECOMMENDED MOTION/ACTION

None. For Information Only. Acting Planning Program Manager Lillianne Makaila presented the following:

L. Makaila presented an overview of DHHL's planning system, referencing O'ahu's island plan and its land use designations, particularly in Ko'olaupoko Moku. She explained that Haiku lands were unsuitable for homesteading due to access and development constraints, Waiāhole parcels were subsistence agriculture lots transferred from HHFDC, and Waimānalo held over 1,400 acres of land. She reviewed the updated Waimānalo regional plan, which identified five priority projects: increasing agricultural homesteads (only 2 of 685 leases were agricultural), developing a second halau space through the Kauhale Waimānalo project, creating a grant program for lessees using DHHL trust funds in response to Act 279, establishing a Waimānalo Business Park with a pending land use request, and exploring lease extensions in perpetuity beyond the current 99-year terms. She acknowledged the political challenges of changing the Hawaiian Homes Commission Act but encouraged research into future lease options, especially for aging homesteaders, and invited trained planners to join the effort.

Commissioner Kaleikini expressed strong support for priority project number five, emphasizing the need to have a plan ready in advance for when the political climate becomes more favorable, rather than waiting for a supportive administration to begin work. L. Makaila agreed, noting that the proposal aimed to benefit all homesteads, not just Waimānalo, and explained that staffing shortages in the planning office had hindered progress, with four planner positions still vacant. She then presented upcoming initiatives, including a map of the 52-acre parcel in Waimānalo adjacent to existing homesteads. The red area represented the parcel, while the white and yellow areas indicated locations for the halau, business park, and potential homestead expansion. A beneficiary consultation had been conducted, and the preferred design scenario—60% residential lots and 40% subsistence agriculture—was selected to address the long-standing Waimānalo area wait list, which included 514 applicants, all with pre-1978 application dates. This development aimed to reduce the wait list and implement the regional plan. Lastly, L. Makaila mentioned that the Ko'olau Foundation was conducting due diligence to use DHHL lands in He'eia for community purposes, as the area was unsuitable for homesteading, and would eventually seek a long-term land disposition.

ANNOUNCEMENTS AND RECESS

Chair Watson concluded the meeting by acknowledging everyone's participation and confirming that the day's agenda had ended. He announced that the community meeting would take place that evening at 6:30 p.m. at the Waimānalo Hawaiian Homestead Hālau, located at 41-253 Ilao Kōlei Street, and that the next day's agenda would begin at 9:30 a.m. The meeting was then recessed.

RECESS

3:26 PM

HAWAIIAN HOMES COMMISSION

Minutes of Tuesday, August 19, 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
Sanoe Marfil, O'ahu Commissioner
Lawrence Lasua, Moloka'i Commissioner
Archie Kalepa, Maui Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Shaylyn Ornellas, Kauai Commissioner
Pauline N. Namu'o, O'ahu Commissioner (ICT)
Walter Kaneakua, O'ahu Commissioner (ICT)

COUNSEL Rodney Char, Deputy Attorney General

STAFF Richard Hoke, Executive Assistant to the Chairperson
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Kahana Albinio, Land Management Income Property Manager
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 9:34 am. The meeting was held both virtually via Zoom. Seven (7) members were present in person, two (2) members were on Zoom, establishing a quorum.

Chair Watson announced the meeting would begin with public testimony, followed by the J Agenda with 14 items. The Commission planned a lunch recess at noon and would reconvene an hour later to complete the J Agenda.

PT-1 Homelani Schaedel – Item C-1

H. Schaedel, speaking in her individual capacity, clarified her position on item C1, stating she supported the intent to increase revenue and land access for beneficiaries but opposed the process used to approve the 65-year lease and MOA without following formal procedures. She emphasized that a formal process existed and should be upheld consistently, regardless of whether the project was a pilot. Drawing from her experience since 2008 and past support for Ka Makana Ali'i, she reminded Commissioners of their kuleana under Article 12, Section 1 of the state constitution. She urged them to act with integrity and foresight. She also addressed item F1, expressing personal hurt over testimony that misrepresented her organization, KCDC, and called on Commissioners and viewers to seek full context before forming opinions, encouraging respectful dialogue and thorough research in line with Hawaiian values.

REQUESTS TO ADDRESS THE COMMISSION

Chair Watson resumed leadership of the meeting and initiated the J-Agenda, reminding participants to keep their testimonies concise and efficient due to time constraints. He requested that remarks be limited to 10 minutes to ensure everyone had a chance to speak, expressing appreciation for their cooperation in maintaining a productive and timely session.

J-1 Homelani Schaedel – Malu‘ōhai Update

H. Schaedel advocated for a change in strategy by urging lessees to voice their concerns directly to the Commission. She pointed out that beneficiaries were often confused about who was responsible for maintenance after infrastructure was completed, citing Malu‘ōhai as a specific example. H. Schaedel emphasized that although the department’s goal was to settle people on the land, it also had to shoulder the costs of maintaining homesteads—including streetlights, trees, and sidewalks—since counties rarely assumed those responsibilities. She referred to a previous bill that proposed county takeover after 60 months and urged that future budget planning address both land access and ongoing maintenance across the state. She ended by raising safety concerns about large shower trees near homes in Malu‘ōhai, particularly during hurricane conditions.

J-2 Aileen Lehua Camello - Malu‘ōhai Lot 59 Concern

A. Camello, a Malu‘ōhai Homestead lessee, reported serious safety and health concerns caused by a shower tree planted in 2001 behind her home. The tree had grown dangerously large, damaging her roof, solar panels, and streetlight, while blocking visibility and posing a hurricane threat to her handicapped husband and family. Its constant shedding worsened her asthma, attracted pests, and made yard maintenance difficult under the homeowners' association rules. She feared root damage to her home’s foundation and reported electrical issues from geckos and centipedes entering her house. Criticizing past trimming efforts, she urged the Commission to remove the tree entirely due to its ongoing harm.

Chair Watson acknowledged that the comments raised potential legal concerns and needed to be discussed with the Commission’s attorneys. He asked for a motion to enter into an executive session under section 92-5A-4-HRS, allowing the Commission to consult legal counsel regarding its powers, duties, privileges, immunities, and liabilities.

MOTION/ACTION

Moved by Commissioner Lasua, seconded by Commissioner Kaleikini to convene in an executive session.

EXECUTIVE SESSION IN

9:55 AM

EXECUTIVE SESSION OUT

10:17 AM

The Commission reviewed and discussed matters related to its powers, duties, privileges, immunities, and liabilities concerning homestead maintenance.

Chair Watson acknowledged that the situation reflected a broader issue affecting the subdivision and possibly other homestead areas. Its focus was not on liability but on ensuring that beneficiaries lived in a safe and pleasant environment. Chair Watson noted that while the removal of certain trees might be necessary, the Commission aimed to explore ways to mitigate the impact and possibly replace them. He invited A. Camillo to share any ideas and confirmed that consultants would be engaged to assess the situation and help develop appropriate recommendations. He expressed appreciation for her bringing the matter to their attention.

J-5 Randy Akau – President Kānehili Community Association

R. Akau submitted a legislative proposal to the Hawaiian Homes Commission for Governor Josh Green’s 2026 package, requesting a 700-foot reinforced concrete safety wall along Kualaka‘i Parkway to replace a failing chain link fence. The proposal responded to a 2019 car crash and a 2020 wildfire that exposed safety risks, with R. Akau noting the fence’s noncompliance with city standards and threats to development, cultural practices, and public safety. He cited growing wildfire danger, traffic near the East Kapolei Rail Line, and broad support for the project. The wall aligned with the Hawaiian Homes Commission Act and the governor’s priorities, and its location near the DHHL office symbolized state commitment. R. Akao and the board urged approval of the proposal and housing block grant funds to protect Kanehili and honor Prince Kuhio’s legacy.

Chair Watson expressed strong support for R. Akau’s proposal, noting the impressive presentation and the accompanying letters of support and petition. He confirmed that the Commission would recommend including the proposal in the governor’s legislative package. Chair Watson inquired about the pricing details, and R. Akau explained that the quote came from a contractor. He added that he had been consulting with Brian Hill, a contractor who previously worked on the safe and sound lawn along Bordertown Parkway for 37 homes, and that Hill had provided him with ideas and information that contributed to the proposal.

RECESS

10:27 AM

RECONVENE

10:32 AM

J-8 Tatiana Von Oelhoffen – Trust Restrictions

T. Von Oelhoffen, a Nānākuli lessee, testified about the challenges she faced with estate planning and inheritance due to her children not meeting the blood quantum requirement to inherit the lease. She explained that upon her death, the property would be sold and her children would receive the net proceeds, but she was deeply concerned about the lack of clarity surrounding what “net proceeds” entailed, whether they would be taxed, and how the sale would be conducted. She questioned whether the proceeds would be treated as income or inheritance and whether capital gains taxes would apply, referencing standard inheritance laws. Despite her estate attorney’s inquiries about placing the property in a trust, DHHL failed to provide clear answers, and she was met with dismissive responses. She emphasized the financial risks for families without eligible successors. She urged the Commission to offer transparency and accountability, stating that she would not have needed to testify if her questions had been properly addressed.

She also expressed frustration over DHHL’s lack of guidance for families after a lessee’s death, especially those with young children, and called for a fact sheet outlining the process. She criticized the disrespectful treatment she received from DHHL staff and stressed the importance of equal respect for all lessees, regardless of income. Additionally, she raised concerns about recurring fires near her home on Piliokahe Avenue, describing a 2016 fire that spread rapidly and forced her to consider leaving. She recounted disturbing scenes of wildlife fleeing the mountain. She identified the electric pole as the likely source of the fires, urging officials to fix the issue rather than assign blame. She called for prioritizing firebreaks and working with the fire department to identify fire origins. She also addressed the problems caused by shower trees in Series 7, which had damaged sidewalks and were mostly removed by residents, advising against planting them in future developments. She concluded by emphasizing that she only came forward because she genuinely needed answers.

Chair Watson acknowledged the testimony regarding the suspected cause of recurring fires near the homestead, specifically the electric poles, and stated that the Commission would relay this concern to Hawaiian Electric. He referenced the Lahaina fire as a similar situation and emphasized the need to address the issue seriously. He mentioned that symposiums had been held and suggested that collaboration between the utility company and community members was essential for effective fire suppression. Transitioning to the topic of inheritance, Chair Watson requested clarification about the Hawaiian blood quantum of the speaker’s children to better understand the implications for lease succession.

T. Von Oelhoffen clarified that her children had approximately 22% Hawaiian blood, just below the current eligibility threshold, prompting Chair Watson to mention a bill in Congress aimed at lowering the requirement to 1/32. While she appreciated the legislative effort, she emphasized the urgency of needing answers now due to the unpredictability of life. Chair Watson acknowledged her concerns about placing homestead proceeds into a trust and the potential tax implications for her children, noting that he was not a probate attorney but would look into it. T. Von Oelhoffen explained that although she had both estate and probate attorneys, they struggled to understand the complexities of Hawaiian homestead law, especially the limitations of placing leasehold property into a trust. She pointed out that ownership of the home was subordinate to the lease, which could not be transferred into a trust due to the lessee not owning the land. Chair Watson agreed to investigate the matter further and promised to follow up with an answer.

Commissioner Kalepa asked if there was a Firewise program in place, and T. Oelhoffen admitted there wasn't one she was aware of, explaining that although she had lived in Nānākuli for years, she hadn't been involved in the community due to her business commitments. After semi-retiring, she tried to engage more by contacting State of Hawaii Nānākuli Representative Darius Kila and DHHL Information Specialists Stacy Eli, who visited the area, but she failed to send them a video due to technical issues and a lack of follow-up. She had also written to the fire department in 2016 after a fire, but never received a response. Commissioner Kalepa suggested that the Nānākuli Association likely had a Firewise program and stressed the importance of neighbors working together to prepare for future fires, since fire departments are often overwhelmed. Commissioner Marfil stated that two community members, Mark Kaawa and Uncle Paul Aio, had initiated the Firewise Initiative and received training from the department. The team also included Stacy Lynn Eli and Darius Kila. A community meeting had taken place the previous Tuesday, with another one planned. Marfil offered to collect contact information from interested individuals to invite them to the upcoming meeting and share a video, which, although of low quality, effectively conveyed the impact and proximity of the fire threat. He emphasized the importance of seeing the video to grasp the situation fully and expressed gratitude for everyone's time.

J-9 Ainaaloha Ioane – Mālama Ka 'Āina Hana Ka 'Āina

A. Ioane, president of the King's Landing Community Association, testified in support of a previous speaker and expressed deep empathy for her auntie Kapu's pain and frustration. She provided an update on the status of the King's Landing community, beginning with concerns about the recent tsunami evacuation, which exposed the lack of preparedness among civil defense and local officials, especially for homestead communities like Keaukaha and King's Landing. She recounted how her uncle took three hours to evacuate, highlighting gridlocked roads and poor coordination. She criticized the Hilo airport's failure to prioritize community safety and called for beneficiary consultations to allow residents to share their experiences and fears, which had not yet been acknowledged. She also reported ongoing safety issues, including an open community gate, illegal dumping, transient activity, and theft—specifically the loss of her father's inverter and water pump. Despite these challenges, she expressed gratitude for progress on the Kuleana homestead settlement plan and urged readiness for the upcoming administrative rule change, emphasizing that over 70% of the community were kupuna. She concluded by requesting paper leases to honor the contributions of the remaining founding kupuna, reminding the Commission that while those who have passed are patient, the living are anxious for action.

J-10 Kekoa Enomoto – Pa'upena Community Development Corporation

K. Enomoto, representing Pa'upena Community Development Corporation and the Pūlehunui Hawaiian Homestead Association, which she helped incorporate in December 2024. She proposed the Pūlehunui South farming and housing subdivision on 646 acres in Pu'unene, Central Maui, and urged the DHHL to designate 250 Maui agricultural wait listers as undivided interest lessees. Although 105 wait listers were designated for other homesteads at a July 12th meeting, no such designation was made for Pūlehunui. The association, guided by its cultural advisor, proposed 252-acre regenerative farming lots and requested a two-year due diligence right of entry. K. Enomoto also sought \$387,000 in planning and design fees for the G70 firm, which had collaborated with the association for a year. She noted the group's daily monitoring of the land to prevent wildfires and illegal dumping, their pursuit of USDA fencing for agroforestry, and plans to use two donated buses for office and site management. She asked the Commission to consider these requests during its October 20th meeting on Maui.

J-4 Al Hee – Communications

A. Hee apologized for the manner in which Commissioners were served legal documents the previous day, explaining that their outside attorney refused to accept service, forcing a more disruptive approach. He emphasized that his involvement stemmed from a lifelong commitment requested by former Chair Hoaliku Drake, who believed only a private company could overcome political obstacles and provide infrastructure-free service to all homesteaders regardless of location. He clarified that his actions were not for financial gain,

as he had set aside other business ventures to fulfill this mission. He expressed hope for a resolution that would avoid a full lawsuit, warning of significant financial damages to Sandwich Isles and Waimana if litigation proceeded. He pledged to ensure beneficiaries received the services promised by the previous Commission and to protect his children from bearing the consequences. He concluded by reiterating his regret over the way the service was carried out.

J-11 Kainoa MacDonald – SCHHA Maui/Lāna‘i Mokupuni Council

K. MacDonald gave a third-quarter update on SCHHA Maui, Lāna‘i, and O‘ahu Mokupuni, t. She described monthly Zoom meetings facilitated by the Homestead Community Development Corporation, which included DHHL staff, legislative advocates, and beneficiaries from across Hawai‘i and the continent. These meetings focused on education, transparency, and advocacy, especially supporting Pu‘uhona’s Hawaiian Homestead Association on Maui. Key issues addressed included waitlist discrepancies, mortgage barriers, lease processing, and NAHASDA. Over 40 beneficiaries participated, and Pu‘uhona families hosted house blessings. K. McDonald praised DHHL staff and advocated for funding through the Native Hawaiian Housing Block Grant. She also invited new board members to join and shared insights from his recent trip to Aotearoa, where he engaged with Māori communities, learned about land reclamation, and visited cultural and science-based educational sites, hoping the experience would inspire future community projects.

J-12 De Mont Manaole – Various Concerns

D. Manaole, manager of Ho‘omana Pono LLC, expressed optimism about the current momentum among Native Hawaiians, praising the leadership of DHHL, OHA, and the Hawaiian Homes Commission for fostering collaboration and innovation. He reflected on past frustrations but celebrated recent progress, including outreach efforts like Kai’s [MacDonald] work with SCHHA and connections to Aotearoa. D. Manaole recalled a 2016 wildfire in Nānākuli that highlighted the need for proactive fire mitigation and shared how a pilot project led to community support and the formation of a dedicated team ready to assist homesteaders with practical solutions. He emphasized a “how can” mindset over bureaucratic obstacles and described the success of his off-grid living efforts, including growing over 20 plant varieties like pia and banana. Despite personal health challenges, he felt empowered by working the land and saw transformation in areas once considered worthless. He thanked the Commission for its support and urged continued help for communities like Nānākuli, affirming that Native Hawaiians could turn desolate land into thriving spaces.

J-14 Hiwahiwa Kaheaku for Danell Medieros – Nānākuli Lease Concern

H. Kaheaku spoke on behalf of her mourning auntie Danell and the Medieros ‘ohana, whose son Keali‘i had recently passed away while houseless due to DHHL’s removal of their family from their longtime Nānākuli homestead. She urged compassion and requested the reopening of their contested case or a new hearing, emphasizing their readiness to proceed and asking that the prior dismissal not be held against them. The property at 89-129 Nanihahiahi Street had been occupied and maintained by their family for over three decades, with \$200,000 invested since a 1994 purchase agreement with the original lessee. She submitted formal objections to the dismissal, citing active communication with DHHL before the decision and clarifying that only one continuance was requested. She asserted their sovereign rights under HHCA Statute 101D and stressed that returning the family to the home would resolve the issue, preserve generational ties, and reduce departmental costs. She asked for their July 22, 2025, petition to be docketed, for meeting minutes to be shared, and for a fair hearing to be scheduled promptly. She concluded by urging the Commission to fulfill its fiduciary duty and allow the case to move forward so her ‘ohana could return home.

Chair Watson explained that the Attorney General’s Office was in the process of finalizing the decision and order regarding the dismissal of their contested case, and that until it was officially issued and filed, any request for reconsideration would be premature. He clarified that the dismissal had been based on their failure to appear and their pursuit of a sovereignty argument, which he acknowledged they were now stepping away from. Once the decision and order were formally completed and received, could submit a formal request for

reconsideration of the dismissal. Chair Watson confirmed that if granted, the Commission would then consider the merits of the case and allow them to present their evidence.

H. Kaheaku asked whether Leah had forwarded the notice she sent that morning to the Attorney General, emphasizing her desire for the record to reflect that she had been in consistent communication since early June to request reopening the case. She noted that the dismissal had occurred just the day before the previous month and wanted it to be acknowledged that efforts to reopen the matter had been ongoing. Chair Watson responded that this would be part of her argument for reconsideration, affirming that the Commission would take her communication efforts into account once she formally submitted a motion to request reconsideration of the dismissal.

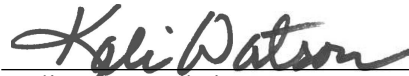
ANNOUNCEMENTS AND ADJOURNMENT

Chair Watson concluded the meeting by announcing that the next regular Hawaiian Homes Commission meeting would be held on September 15th and 16th at the Grand Naniloa Hotel in Hilo, starting at 9:30 a.m., with additional DHHL community meetings scheduled for the evenings of September 15th at Keaukaha Elementary School and September 16th at Pāhala Community Center, both at 6:30 p.m. He thanked attendees and officially adjourned the meeting.

ADJOURNMENT

11:38 AM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Approved on:

September 15, 2025,

Hawaiian Homes Commission Meeting, Hilo, Hawaii

Attachments:

1. Slide Presentation – Item C-2 NAHASDA Draft APR
2. Slide Presentation – Item F-1 GL 294 Pivot Energy
3. Slide Presentation – Item G-1 Waimea Nui
4. Slide Presentation – Item G-2 Compliance Workshop
5. Slide Presentation – Item G-3 Status Update on Plan Implementation
6. Public Testimony – Michelle Kauhane – Homestead Community Benefits Agreement
7. Public Testimony – Janice Herrick D-1
8. Public Testimony Packet for Item C-1 – (21)



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Presentation on the Draft 2025 Annual Performance Report – Native Hawaiian Housing Block Grant

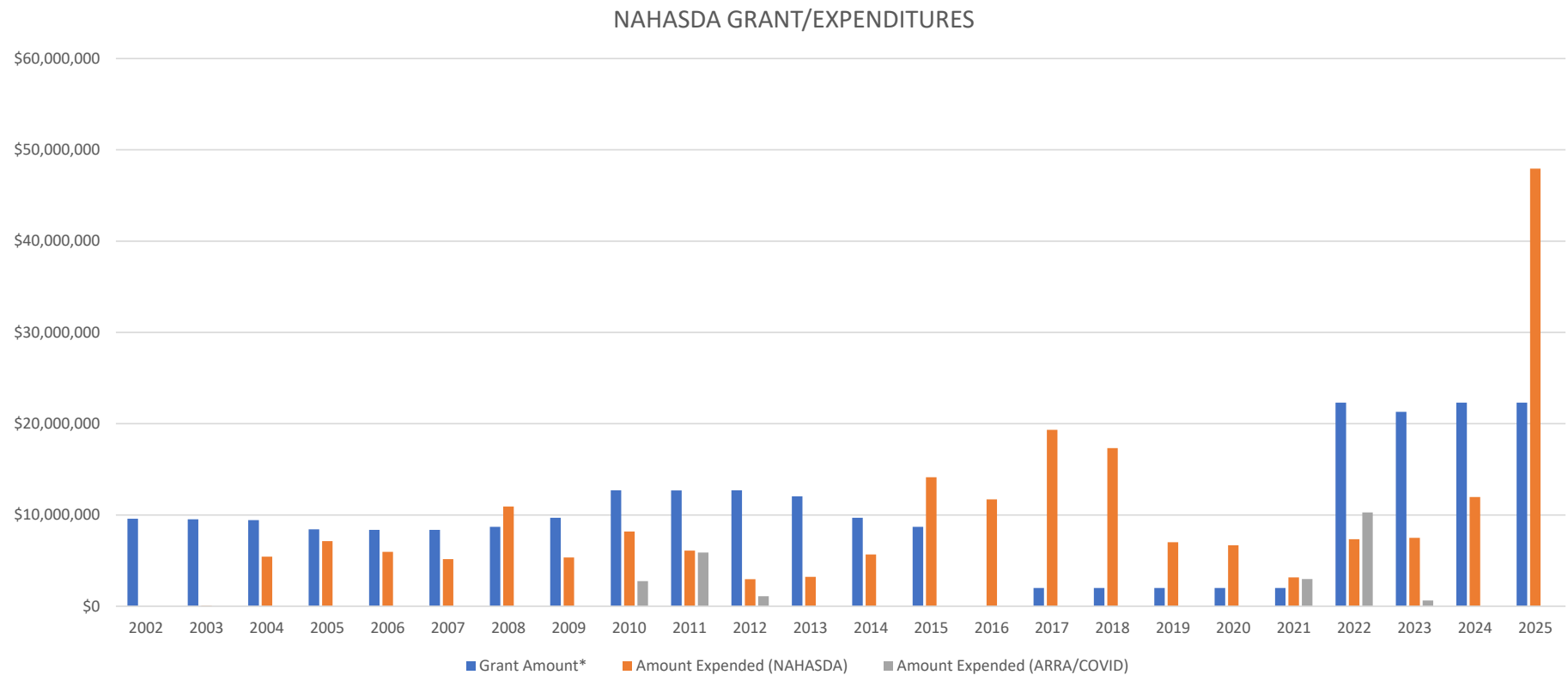
HHC Submittal Item C-2

August 18-19, 2025

DEPARTMENT OF HAWAIIAN HOME LANDS – OFFICE OF THE CHAIR



NAHASDA GRANT/EXPENDITURES





2024 CIP

East Kapolei IIC

127 Single Family Lots

\$29,039,673.10 – Total Cost

\$3,027,346.25 – NAHASDA

Expended in FY 25





2024 CIP

Ewa Beach Homestead Project Master Plan and EA

\$599,799.94 – Total Cost

\$ 48,036.40 – NAHASDA

Expended in FY 25



DEPARTMENT OF HAWAIIAN HOME LANDS – OFFICE OF THE CHAIR



Developer Financing

La'i 'Ōpua Village 4 - Akau

32 Single Family Homes

\$3,000,000 – NAHASDA

Expended in FY25



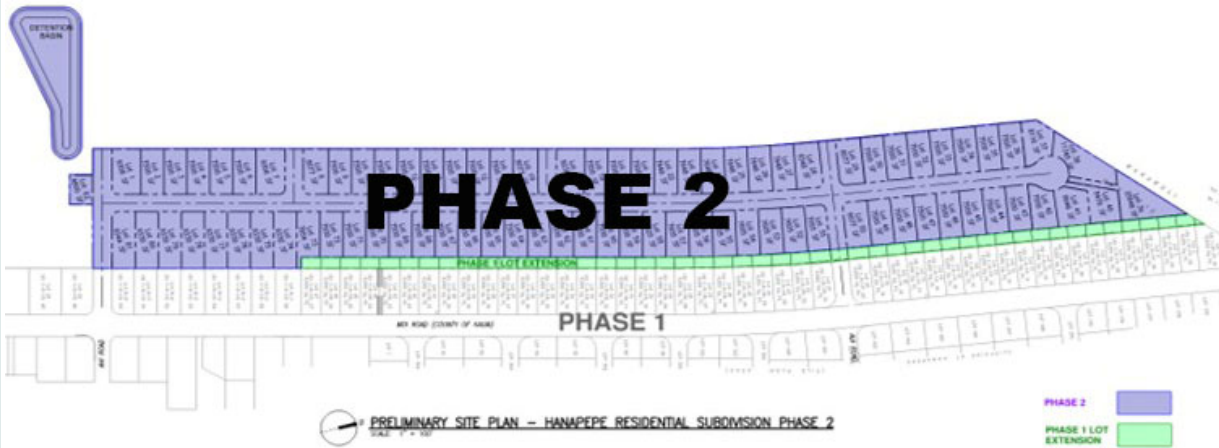


Developer Financing

Hanapēpē Residence Lots, Portion of Phase 2

30 Single Family Homes

Letter of Commitment for \$8,500,000





Developer Financing

La'i 'Ōpua Village 4 - Hema

30 Single Family Homes

Letter of Commitment for
\$2,400,000





Homeowner Financing

The Flores 'Ohana

Kakaina, O'ahu

- Partnership with Habitat
- Home dedication on 8/15/24
- Monthly mortgage under \$800/mo.





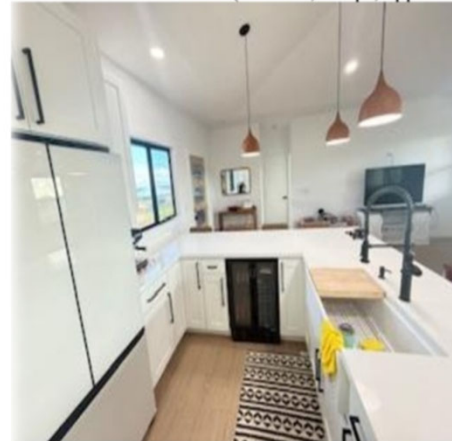
Homeowner Financing

The Cummings and Smith 'Ohana Anahola, Kaua'i

- Keys received on 12/19/24



Kitchen: all new finishes (cabinets, c'tops, appliances, plumbing, electrical & vinyl wood flooring)



Kitchen: all new finishes (vinyl wood floor, ceiling light, etc)



Homeowner Financing

The Moskwa and Santos 'Ohana

Waiohuli, Maui

- Partnership with Habitat
- Home dedication in February 2025





Homeowner Financing



\$4,405,452 in loans for 7 families in Pu'uhona



Home Assistance Program

Updates

- 1 Home Repair completed in Nānākuli
- 1 Home Repair nearly completed in Nānākuli
- 1 Demo/New Build nearly completed in Waimānalo
- Approximately 86 Requests in Different Stages
 - 44 in Nanakuli
 - 10 in Waimanalo
 - 6 in Papakolea
 - 11 on Hawaii Island
 - 11 on Molokai
 - 4 on Maui



Waimanalo Kupuna Housing Rental Assistance

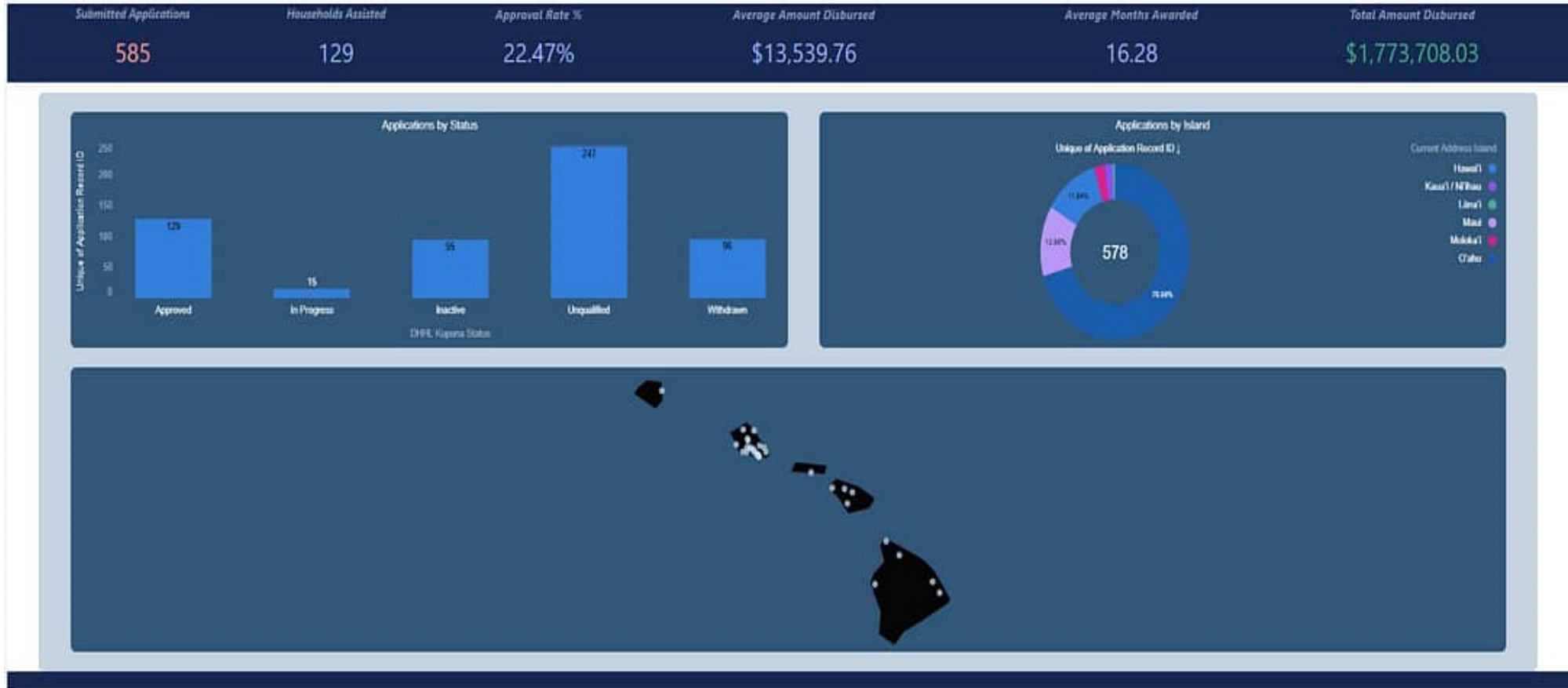
Waimānalo Kupuna Housing Project

- Annual subsidy of \$830,000
- Monthly subsidy ranging from \$300 to \$1380/month
- 81 Kupuna Assisted





Kupuna Rental Subsidy Program





Existing Potable Water Infrastructure Improvements

Water Infrastructure Improvements

Ho'olehua, Moloka'i

- Improvements underway
- Address deficiencies





Housing Conversion

Yorktown Rehab

Kalaeloa, O'ahu

- Rehab existing former military personnel quarters
- Temporary transitional housing for homeless beneficiaries on DHHL's wait list





Property Acquisition

Property Acquisition

Kapaa, Kauai

- \$25,000,000 – NAHASDA
Expended in FY 25





Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

DEPARTMENT OF HAWAIIAN HOME LANDS – OFFICE OF THE CHAIR



Pivot
Energy

**GENERAL LEASE 294:
KALAELOA HOME LANDS SOLAR LLC**
Clean Energy. Clear Choice.

GENERAL LEASE 294 - GOAL OF PRESENTATION

Kalaeloa Home Lands Solar, LLC (“KHLS”), Lessee of General Lease 294, requests approval to amend GL 294 as reflected in Lease Amendment Draft in Exhibit B of the packet, to include the following proposals:

1. Approval to establish a Condominium Property Regime (“CPR”) for the premises
2. Lease Term Extension
3. Non-Benefit License Easement Amendment

AGENDA

1. About Pivot Energy
2. Project Phases - Status & Timeline
3. Land/Parcel Characteristics
4. Proposal
 - a. Condominium Property Regime
 - b. Lease Term Extension
 - c. Non-benefit Licence Easement Amendment
5. Community Outreach & Benefits

WHO IS PIVOT ENERGY?



Pivot Energy is a national leader in the development of onsite and small utility solar projects, including community solar. The company has successfully completed more than 830 solar and energy storage projects nationwide.

Pivot Energy manages and operates community solar projects across the country, including customer acquisition, financing, and operations and maintenance.

Pivot Energy is a certified B Corporation and evaluates internal decisions on environmental, social, and governance (ESG) factors. Its headquarters is in Colorado.

PIVOT ENERGY IS A CERTIFIED B CORPORATION

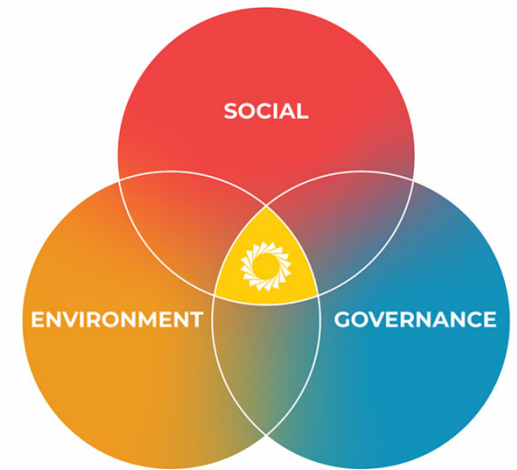
- Pivot Energy is a Certified B Corporation that proudly follows a corporate strategy aimed at providing a positive impact on society as measured by Environmental stewardship, Social leadership, and responsible Governance (ESG) factors
- We evaluate internal decisions on ESG factors to determine if our actions will result in a net positive impact on the community, our employees, customers, shareholders, and the environment.
- We are fiercely dedicated to accelerating the rapid transition taking place in the energy industry to a more decentralized and cleaner approach to power generation

Certified



Corporation™

- Pivot is a B Corp. B is for Benefit, and B Corps are redefining success in business to include benefits to workers, society, and the environment
- Certified by B Lab to meet rigorous standards of social and environmental performance, accountability, & ethics



Our B-Corp status and ESG commitments are key components of our operations and contribute to our award-winning company culture.

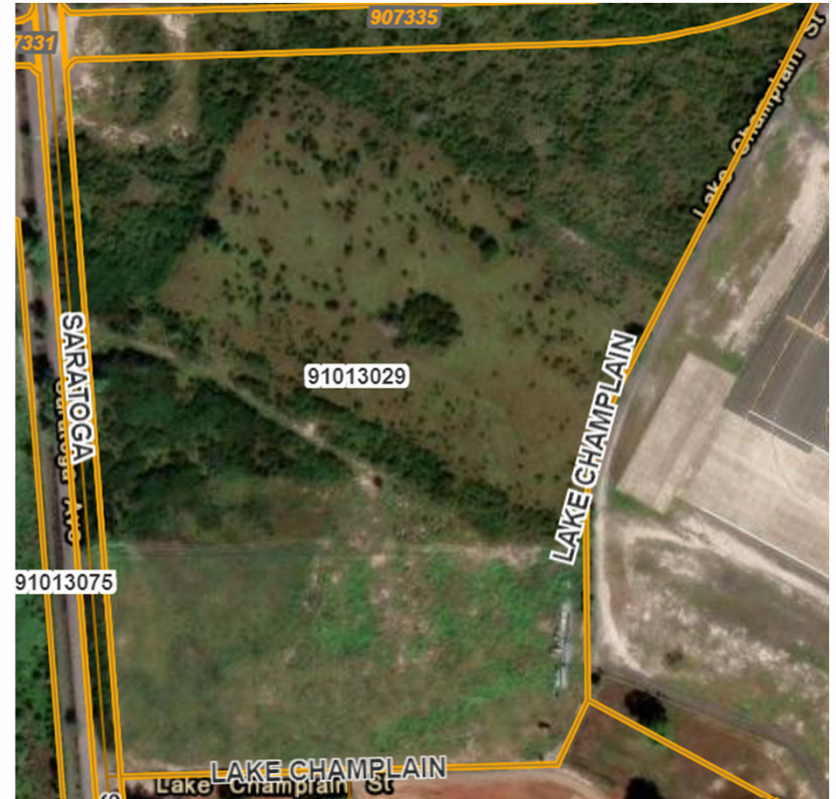
GENERAL LEASE 294

Rent

- \$120,000/year with 1% annual increase. Rent starts when Phase I reaches commercial operations (est. April 2026).
- Lease appraisal completed 5/2025 found a reduction in land valuation from 7/2016 appraisal. Given the reduction, KHLS and the Land Management Division agreed that rent may remain at the current rate.

Housing Program Contribution

- 1% of Actual Gross Revenue will be paid annually to fund DHHL's housing program.



GL294 STATUS & TIMELINE

Phase I: 5MW solar project

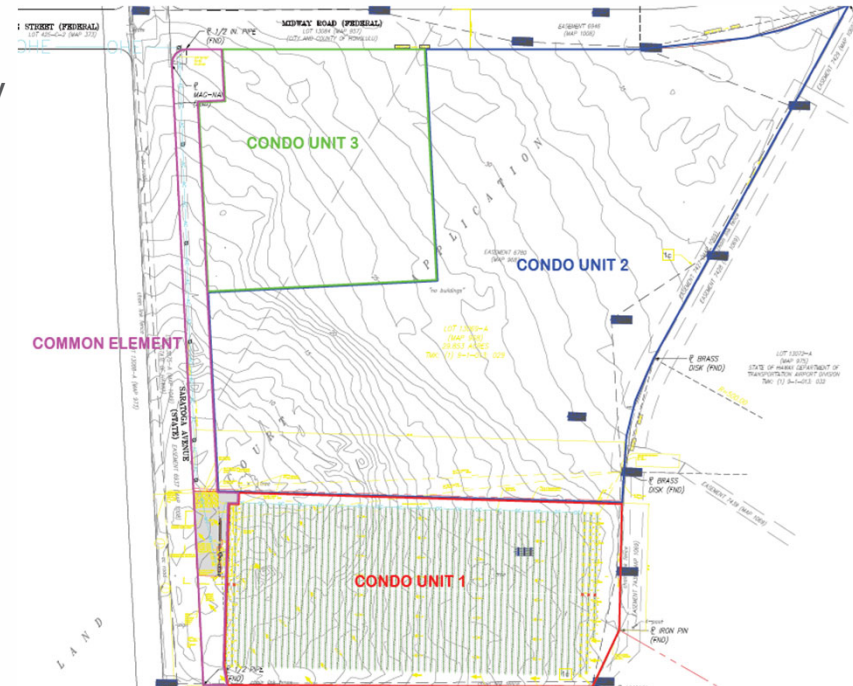
- Mechanically complete as of December 2024. Phase I is now constructing HECO's interconnection facilities, to be followed by testing. Commercial Operations is expected in April 2026.

Phase II: 5 MW solar & energy storage project or est. 10 MW standalone energy storage project

- Submitting bids to HECO in their IGP Request for Proposals.
 - Bids due: 1/9/2026 (as of latest draft)
 - Awards issued: 8/28/2026 (as of latest draft)
 - Development and construction: 8/2026 - 9/2030
 - Commercial Operation: 11/2030

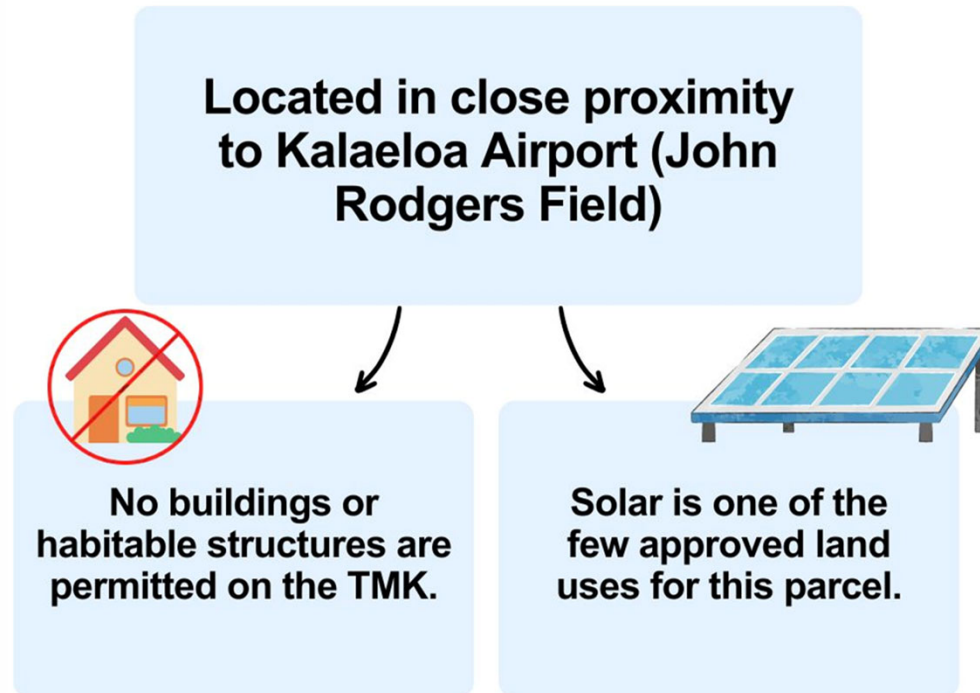
Phase III: Future solar, storage, or paired project

- If Phase II has leftover acreage for Phase III, then Pivot will endeavor to develop a third energy project on the TMK.



LAND/PARCEL CHARACTERISTICS

TMK (1) 9-1-013:029 is an ideal location to host solar and storage systems.



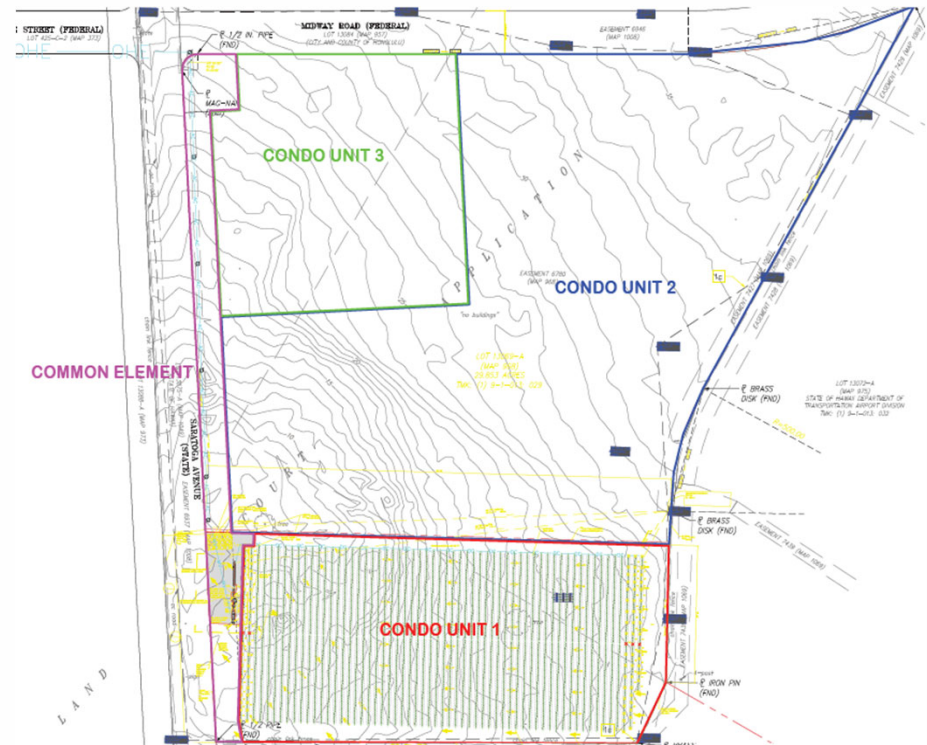
1. CONDOMINIUM PROPERTY REGIME PROPOSAL

KHLS requests approval of the GL 294 Lease Amendment to approve establishing a Condominium Property Regime with three Spatial Condominium Units.

- Unit 1 will be subleased to Phase I
- Unit 2 will be subleased to Phase II
- Unit 3 will be subleased to Phase III (if available acreage)

CPR Characteristics:

- Allows each project to be operated as separate affiliate entities, which is necessary for project financing.
- Established at the leasehold level - when GL 294 expires or is terminated, the CPR will also be terminated.
- The CPR does not impact GL 294 rent. Rent stays the same regardless of whether each Condo Unit is officially operating.
- CPR has been approved by DHHL on other projects in the past, and is a standard real estate process.



2. LEASE TERM EXTENSION

KHLS requests:

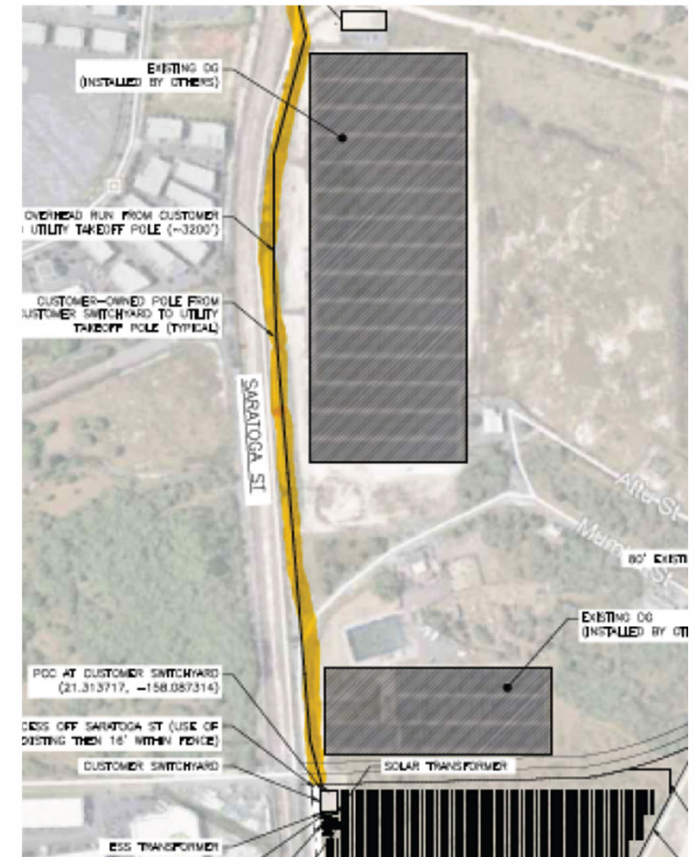
- Approval to extend the term of GL 294 from 20 years to 25 years, commencing on Commercial Operations Date of Phase I (est. April 2026).
- Approval for additional extensions of the term to be granted by the Chairman to extend to match any extensions of PPAs for Phase I, Phase II, and Phase III projects.

2. NON-BENEFIT LICENSE EASEMENT AMENDMENT

KHLS requests to update the process of obtaining the license easement on neighboring TMK (1) 9-1-013:119.

- Amend Section II.5 so that KHLS can make payment in the amount of \$42,377.54 for and receive the license easement on neighboring TMK within three months of the date of payment.
- The license easement is necessary for the Phase II and potential Phase III projects to interconnect to HECO's existing grid.

Approx. wiring route in license easement.



PIVOT ENERGY COMMUNITY OUTREACH TO DATE

- **Completed consultations with all four Kapolei area homestead associations** (Malu'ōhai, Kaupe'a, Kānehili, and Ka'uluokaha'i) and the Kapolei Community Development Corporation
- Resulting in **signed Community Benefit Agreements** with all parties on 8/12/25
- Held a public meeting on 3/12/2025 to consult with homestead associations, beneficiaries and community on Oahu. Conducted **island-wide outreach** to advertise the meeting including earned and paid media, and direct outreach to the associations
- Contracted with Elmer Ka'ai and Trisha Kehaulani Watson of Honua Consulting, a Native Hawaiian organization, for community outreach and mediation services

**31+ hours of
engagement**

**58+ touch points
since 8/17/2023**

COMMUNITY ENGAGEMENT & CO-CREATION PLAN

Eykywx\$467\$
Eykywx\$469

Eykywx\$469

Q evgl\$46:

Eykywx\$46:

Tlewi\$
Twnig\$
Stivensr

Community Engagement

- Consultations with homestead associations, beneficiaries and community island-wide
- Signed CBAs with Kapolei Homesteads + KCDC

Advisory Board & Community Co-Creation

- Virtual meetings with advisory board members as part of HECO RFP Co-creation and other mutually decided activities

Public Meeting

- Per HECO RFP requirements, another public meeting will be held after the proposal is submitted to HECO

Post Award Community Engagement

- Execute post-award outreach per HECO RFP requirements

Bi-Annual Reports

- Pivot will provide Malu'ōhai, KCDC, Ka'uluokaha'i with bi-annual reports on gross actual revenue and production for Phase 2

COMMUNITY BENEFITS - MONETARY

	Malu'ōhai	Kaupe'a	Kānehili	Ka'uluokaha'i	KCDC
Phase 1 Benefit	\$7,768.40 (paid w/in 45 days of CBA date)	\$7,768.40 (paid w/in 45 days of CBA date)	\$7,768.40 (paid w/in 45 days of CBA date)	\$7,768.40 (paid w/in 45 days of CBA date)	\$7,768.40 (paid w/in 45 days of CBA date)
Phase 2 Benefit	20% share of 1.5% of of Actual Gross Revenue, paid annually (i.e. 0.3% of AGR)	One time lump sum payment equal to \$1,800/MW/year paid w/in 45 days of Commercial Operations Date (i.e. 20% share of \$9,000/MW/yr)	One time lump sum payment equal to \$1,800/MW/year paid w/in 45 days of Commercial Operations Date (i.e. 20% share of \$9,000/MW/yr)	20% share of 1.5% of of Actual Gross Revenue, paid annually (i.e. 0.3% of AGR)	20% share of 1.5% of of Actual Gross Revenue, paid annually (i.e. 0.3% of AGR)
Phase 3 Benefit	20% share of 1.5% of of Actual Gross Revenue, paid annually (i.e. 0.3% of AGR)	One time lump sum payment equal to \$1,800/MW/year paid w/in 45 days of Commercial Operations Date (i.e. 20% share of \$9,000/MW/yr)	One time lump sum payment equal to \$1,800/MW/year paid w/in 45 days of Commercial Operations Date (i.e. 20% share of \$9,000/MW/yr)	20% share of 1.5% of of Actual Gross Revenue, paid annually (i.e. 0.3% of AGR)	20% share of 1.5% of of Actual Gross Revenue, paid annually (i.e. 0.3% of AGR)

COMMUNITY BENEFITS - NON-MONETARY

- During primary construction, make commercially reasonable efforts to **source local labor**
- **Prioritize sourcing post-construction project service contracts** from qualified beneficiaries from the host community
- Provide a **Pro Bono Service Program** including contract and grant application review
- Malu'ōhai, Ka'uluokaha, and KCDC CBA includes **bi-annual reporting** and the creation of an **Advisory Board**
- Prior to any PPA extension between HECO and Pivot, the entities will revisit/renegeotiate the community benefits package with the homesteads and CDCs described in the executed Community Benefits Agreement.

GENERAL LEASE 294 - CONCLUSION

Kalaeloa Home Lands Solar, LLC (“KHLS”), Lessee of General Lease 294, requests approval to amend GL 294 as reflected in Amendment Draft in Exhibit B of the packet, to include the following proposals:

1. Approval to establish a Condominium Property Regime (“CPR”) for the premises
2. Lease Term Extension
3. Non-Benefit License Easement Amendment



MAHALO!

QUESTIONS & DISCUSSION

Michelle Simms Israel

Sr. Manager, Strategic Partnerships

msimms@pivotenergy.net

M 612.619.9474

Samantha Frick

Director, Community Relations & Impact

sfrick@pivotenergy.net

M 906.440.4139

pivotenergy.net





BACKGROUND SLIDES



GENERAL LEASE 294 - BACKGROUND

October 1, 2011: Lease entered into between DHHL and Kalaeloa Home Lands Solar, LLC (“KHLS”), originally owned by AES Corporation.

April 22, 2013: HHC approved AES’ request for amendment to GL 294, extending the commencement date to August 1, 2014.

October 26, 2015: SunEdison (as new owner of KHLS) provides letter describing development milestone status and requests an extension of the land lease.

September 18-19, 2017: HHC approves request to assign GL 294 to Arion Energy.

February 13, 2018: Membership interests are assigned from SunEdison Holdings to Arion Energy.

June 1, 2018: Lease transfer to Arion Energy was memorialized in a Restated Lease. Arion Energy structured the solar projects into two Phases, informing our Proposals today.

April 18, 2022: KHLS was acquired by Pivot Energy Development LLC.

September 18, 2023: KHLS has completed nearly all development milestones, and construction has begun. We anticipate construction will be completed in December 2023.



EXECUTED COMMUNITY BENEFITS AGREEMENTS

VIII. Signatures

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of the date indicated below.

PIVOT ENERGY DEVELOPMENT LLC

By: [Signature] Name: Tom Hunt
Title: Authorized Representative Date: 8/12/2025

MALU'ŌHAI RESIDENTS ASSOCIATION

Signed by:
By: [Signature] Name: Homelani Schaedel
Title: President Date: 8/12/2025

'ĀHAHUI O KA'ULUOKAHA'I

Signed by:
By: [Signature] Name: KAMAEHU KEONE
Title: President Date: 8/12/2025

KAPOLEI COMMUNITY DEVELOPMENT CORPORATION

Signed by:
By: [Signature] Name: Chantal Keliihoomalu
Title: Executive Director Date: 8/12/2025

VIII. Signatures

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of the date indicated below.

PIVOT ENERGY DEVELOPMENT LLC

By: [Signature] Name: Tom Hunt
Title: Authorized Representative Date: 8/11/2025

KĀNEHILI COMMUNITY ASSOCIATION

Signed by:
By: [Signature] Name: Randy Akau
Title: President, KānehiliCA Date: 8/11/2025

KAUPE'A HOMESTEAD ASSOCIATION

Signed by:
By: [Signature] Name: Iwalani Laybon-McBrayer
Title: President Date: 8/11/2025



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

Item G-1

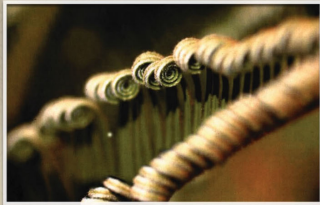
Draft Waimea Nui Regional Plan Update (For Information Only)

August 18-19, 2025

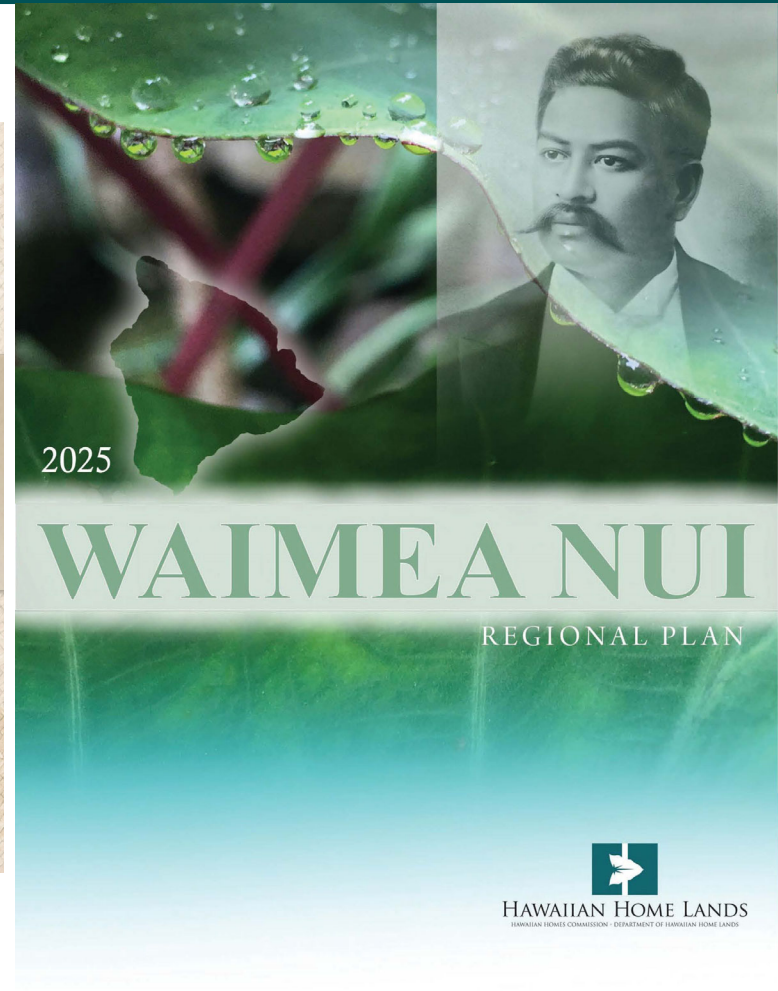


Waimea Nui Regional Plan

WAIMEA NUI REGION



JANUARY 2012





Planning Process & Timeline

The #5357# Ohdghuvk ls #P hhwlgj

Dsu#6 /#5358# EF &4

Dsu#4 : /#5358# EF #&5

Mxqh#3 /#5358# EF #&6

Mxqh#19063 /#5358# Sulrulw| #Surhfw#Sro

Dxj#8 /#5358# EF #&7

Dxj#1 ; /#5358# KKF #P hhwlgj #GUDIW ,

Vhsw#18 /#5358# KKF #P hhwlgj #IIQDO ,



Outreach & Engagement

- Outreach:

- Project website: <https://dhhhl.hawaii.gov/po/hawaii-island/waimea-nui-regional-plan-update-2025/>
- Postcard mailings (*878 recipients - current lessees & applicants in 96720 & 97627*)
- Email announcements & reminders
- Assistance from the WHHA & Hui Aloha Pu'ukapu to notify membership

- Meeting Series:

- BC #1 – values, vision, issues & opportunities (*34 attendees + keiki*)
- BC #2 – confirm values & vision and draft Projects list (*25 attendees + keiki*)
- BC #3 – create and refine project ideas list (*26 attendees + keiki*)
- Priority Projects Poll – 107 participants, able to vote via hardcopy mailer, online via Google Forms, by email, & by telephone.
(*35 lessees, 42 successors, 12 applicants & 18 other members of the homestead*)
- BC #4 – review & comments on Draft Regional Plan (*21 attendees + keiki*)



Community Vision & Values

“Waimea Nui is a community rooted in the old ways of living. We live in balance with the world around us, guided by the voices and ‘ike of our kūpuna. We know the names of our ‘āina and the names of our people. Across the different homesteads, we work together, advocate for one another, and uphold our values through self-governance. We grow and raise our own food and are sustained by our own ‘āina. We strive to build a relationship of trust with DHHL, staff, and Commissioners who work with us and for us. This way of life is our foundation, and it is what we pass down to the future generations of Waimea Nui.”



Caring for the
Wellbeing of
Our Kūpuna



Creating a Safe
and Secure
Community



Perpetuating
our Cultural
Traditions



Building
Pilina



Being Self-
Sufficient and
Self-Governing



Collaborating and
Building Shared
Kuleana with DHHL



Priority Projects

PROJECT	LESSEE VOTES	SUCCESSOR VOTES	APPLICANT VOTES	OTHER VOTES	TOTAL VOTES
Waimea Nui Hawaiian Homestead Community Initiative	85	144	27	22	278
Equitable and Sustainable Water Access	43	38	14	25	120
Strategize and Initiate Subdivision/Commencement Date	9	6	8	14	37
Homestead Safety and Security Improvement Program	13	7	3	13	36
Waimea Nui Agricultural and Pastoral Pilot Program	13	10	4	7	34



Next Steps

- Aug 18-19, 2025 – HHC Meeting (*Draft for info only*)
- Aug 25, 2025 – End Comment Period on Draft Plan
- Sept 15-16, 2025 – HHC Meeting (*Final for adoption*)



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

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DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

For Information Only

Compliance Workshop: NEPA, Section 106, HRS Chapter 343, HRS Chapter 6E, Ka
Paʻakai Framework, and DHHL's Beneficiary Consultation policy (2009)

Item G-2
Hawaiian Homes Commission

August 18-19, 2025



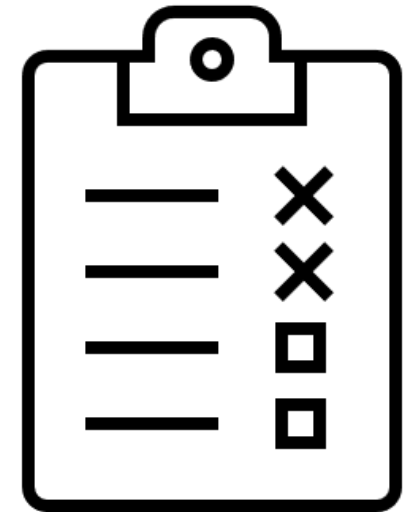
Compliance and why we do it:

- **To comply with federal and state regulation.**
 - National Environmental Policy Act (NEPA)
 - National Historic Preservation Act (NHPA), Section 106
 - Hawai'i Revised Statutes, Chapter 343
 - Hawai'i Revised Statutes, Chapter 6E
 - Hawai'i State Constitution, Article XII, Section 7
 - DHHL's policies
- **Because understanding potential impacts to people and places should be a priority ahead of development.**
- **Because protecting native rights & traditional and customary practices should be important to DHHL & the HHC.**
- **Because consulting with of beneficiaries is a part of our fiduciary responsibilities.**



COMPLIANCE QUIZ

1. DHHL receives federal funds for water source development on its lands in North Kona, Hawai'i. What compliance is required?
 - Federal Compliance?
 - State Compliance?
 - DHHL Compliance?





NEPA

- **REGULATION:** National Environmental Policy Act (NEPA)
- **COMMON TRIGGER:** Use of Federal Funds
 - NAHASDA
 - Waimea Nui EOC DOD Grant
- **DETERMINING AGENCY:** Whoever the funder says
- **HOW TO COMPLY:**
 - Each agency has their own process, ask them! Typically, a review of:
 - Environmental Impact Statement
 - Environmental Assessment
 - Exemption

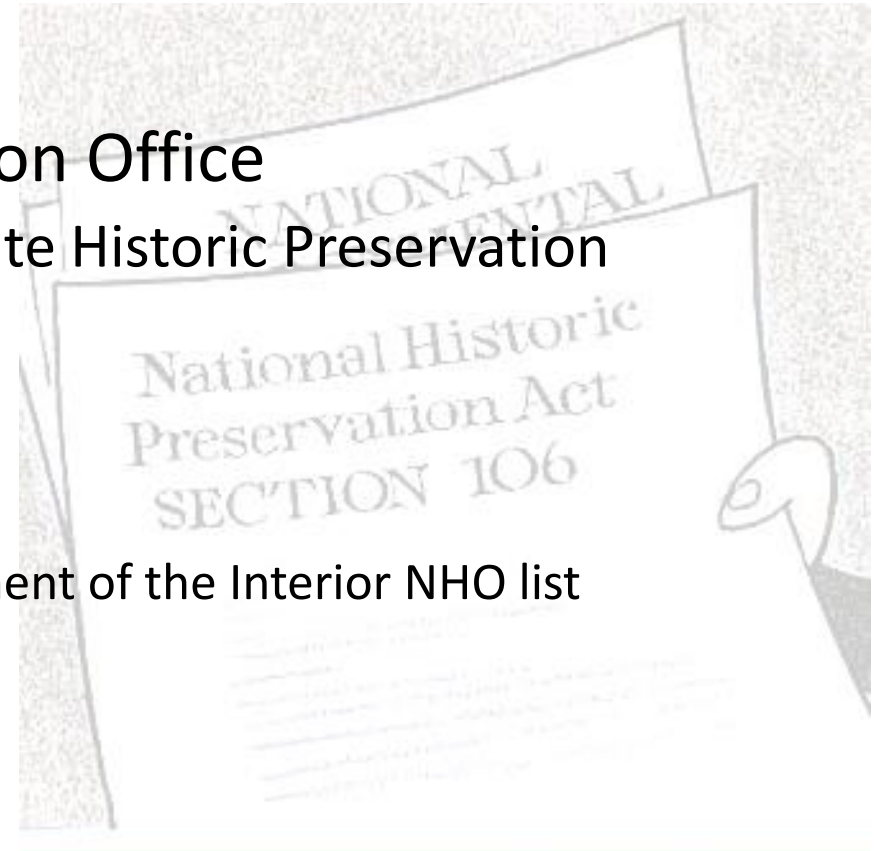


NEPA.GOV
NATIONAL ENVIRONMENTAL POLICY ACT



Section 106

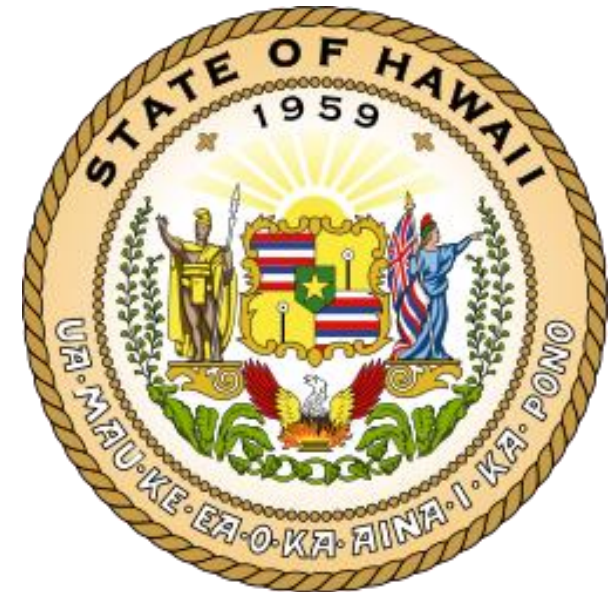
- **REGULATION:** National Historic Preservation Act (NHPA), Section 106
- **COMMON TRIGGER:** Use of Federal Funds
 - NAHASDA
 - Waimea Nui EOC DOD Grant
- **DETERMINING AGENCY:** State Historic Preservation Office
 - DLNR Chairperson, Dawn Chang, attn: Jessica Puff, State Historic Preservation Division Administrator
- **HOW TO COMPLY:**
 - Studies & Consultation
 - With Native Hawaiian Organizations (NHO) per the Department of the Interior NHO list
 - Agency Determination Letter
 - SHPO Concurrence Letter





HRS CHAPTER 343

- **REGULATION:** Hawai'i Revised Statutes, Chapter 343
- **COMMON TRIGGER:** Use of State Lands/Funds
 - Anything on DHHL lands
 - Anything using DHHL funds
- **DETERMINING AGENCY:** HHC
- **HOW TO COMPLY:**
 - Three (3) pathways for compliance with Ch. 343, HRS
 1. Environmental Impact Statement (EIS)
 2. Environmental Assessment (EA)
 3. Exemption
 - *anything OTHER than these is non-compliance





HRS CHAPTER 6E

- **REGULATION:** Hawai'i Revised Statutes, Chapter 6E
- **COMMON TRIGGER:** Use of State Lands/Funds
 - Anything on DHHL lands – NOT JUST GROUND DISTURBANCE, any “action”
 - Anything using DHHL funds
- **DETERMINING AGENCY:** State Historic Preservation Division (SHPD)
- **HOW TO COMPLY:**
 - Three (3) pathways for compliance with Ch. 343, HRS
 - Study & Consultation
 - With Native Hawaiian Organizations (NHO) per the Department of the Interior
 - With DHHL beneficiary organizations in the geographic region
 - DHHL Determination Letter
 - SHPD Concurrence Letter





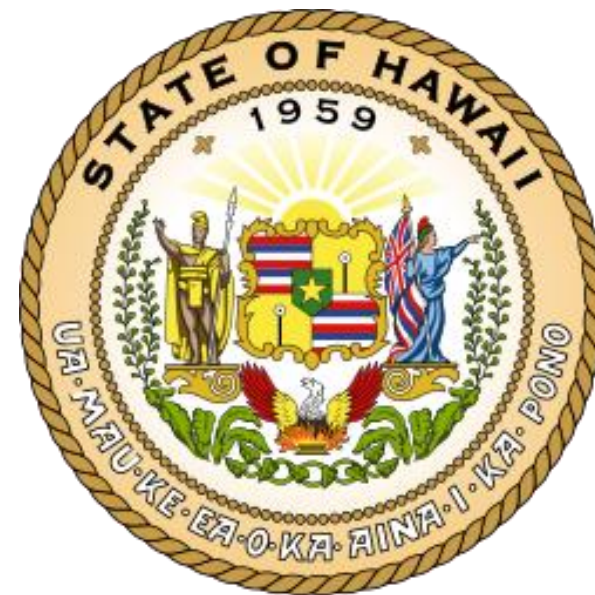
PLO COMPLIANCE MATRIX

FEDERAL COMPLIANCE	STATE COMPLIANCE
Common Trigger: Use of Federal Funds	Common Trigger: Use of State Lands/Funds
Regulation: NEPA Determining agency: Federal Funder (FF) How to comply: <ul style="list-style-type: none">- Each federal agency should have their own process for compliance, review and issuance of a determination.- Who is the determining agency? Whoever the agency that gives you money says.	Regulation: Ch. 343, HRS Determining agency: *HHC/DHHL <u>How to comply:</u> <ol style="list-style-type: none">1. EIS <i>*requires HHC approval</i>2. EA <i>*requires HHC approval</i>3. Exemption <i>*requires DHHL exemption letter</i>
Regulation: Section 106 Determining agency: State Historic Preservation Officer (SHPO) <ul style="list-style-type: none">- Dawn Chang, attn: Jessica Puff (SHPD Administrator) <u>How to comply:</u> <ul style="list-style-type: none">- FF or DHHL completes consultation- FF or DHHL issues determination letter- SHPO issues a concurrence letter	Regulation: Ch. 6E, HRS Determining agency: State Historic Preservation Division (SHPD) <u>How to comply:</u> <ul style="list-style-type: none">- DHHL makes a determination letter- SHPD issues a concurrence letter



KA PA‘AKAI FRAMEWORK ANALYSIS

- **REGULATION:** Hawai'i State Constitution, Article XII, Section 7
- **COMMON TRIGGER:** Determination
- **DETERMINING AGENCY:** HHC
- **HOW TO COMPLY:**
 - Complete a Ka Pa‘akai Framework Analysis to assess the following regarding native rights, traditional & customary practices:
 1. What get?
 2. What gon' happen?
 3. How we gon' make 'em pono?
 - Most often included in Ch. 343, HRS compliance
 - HHC is responsible for actions that could impact native rights





BENEFICIARY CONSULTATION POLICY (2009)

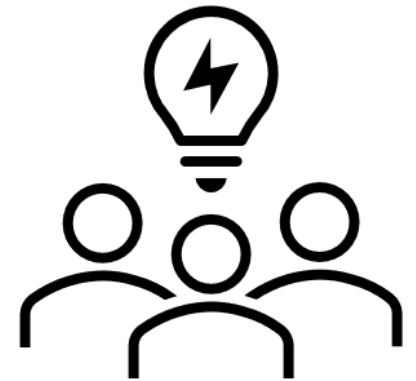
- **POLICY:** Adopted by the HHC in 2009, amended in 2014
 - **Four (4) Triggers:**
 - Statewide Policy changes
 - DHHL Plans or updates
 - Changes to Land Use Designations
 - Long-term Land Dispositions for non-homesteading uses
 - **Bonus Fifth Trigger:**
 - Water Policy Plan (WPP) Priority Policy #4: Affirmatively communicate our decisions, our reasoning, and our performance in managing, stewarding, and using water before and after making major water decisions.
- **HOW TO COMPLY:**
 - Consultation (two-part)
 - Meeting
 - 30-day comment period
 - Beneficiary Consultation Report to HHC for acceptance





Planning Office's Role

- Know the regulation & policies
- Provide guidance
- Project manage developments that include compliance
- Review environmental disclosure documents, historic sites surveys and other technical studies
- Provide comments on behalf of the Department
- Inform the HHC
- Conduct beneficiary consultation





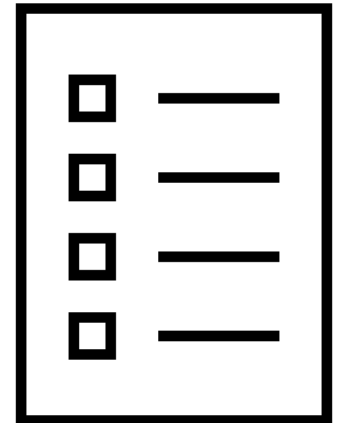
DHHL Staff Role

- **Know the regulation/policies**

- There is no one who will come along and say: “hey! Don’t do illegal things!”
- DHHL staff are expected to know the regulations and compliance pathways
- Illegal activity is easy to engage in if you do not educate yourself

- **Reach out for guidance**

- To the Planning Office or Malia/NAHASDA
- To the determining agency





HHC Role

- **Know the regulation/policies**

- There is no one who will come along and say: “hey! Don’t do illegal things!”
- HHC is expected to know the regulations and compliance pathways

- **Decision-making**

- Be responsible for how you act in your role as a decision-maker
- Ask questions of the staff & consultants
- Ensure you have enough time to review
- Accept documents that meet the requirements of the regulation





COMPLIANCE QUIZ

1. DHHL receives federal funds for water source development on its lands in North Kona, Hawai'i. What compliance is required?
 - Federal Compliance?
 - NEPA
 - Section 106
 - State Compliance?
 - Ch. 343, HRS
 - Ch. 6E, HRS
 - Ka Pa'akai Framework Analysis
 - DHHL Compliance?
 - Beneficiary Consultation



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

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HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

**STATUS UPDATE - PLAN IMPLEMENTATION IN THE KO'OLAUPOKO
MOKU, WAIMĀNALO REGIONAL PLAN AND O'AHU ISLAND PLAN.**

Item G-3

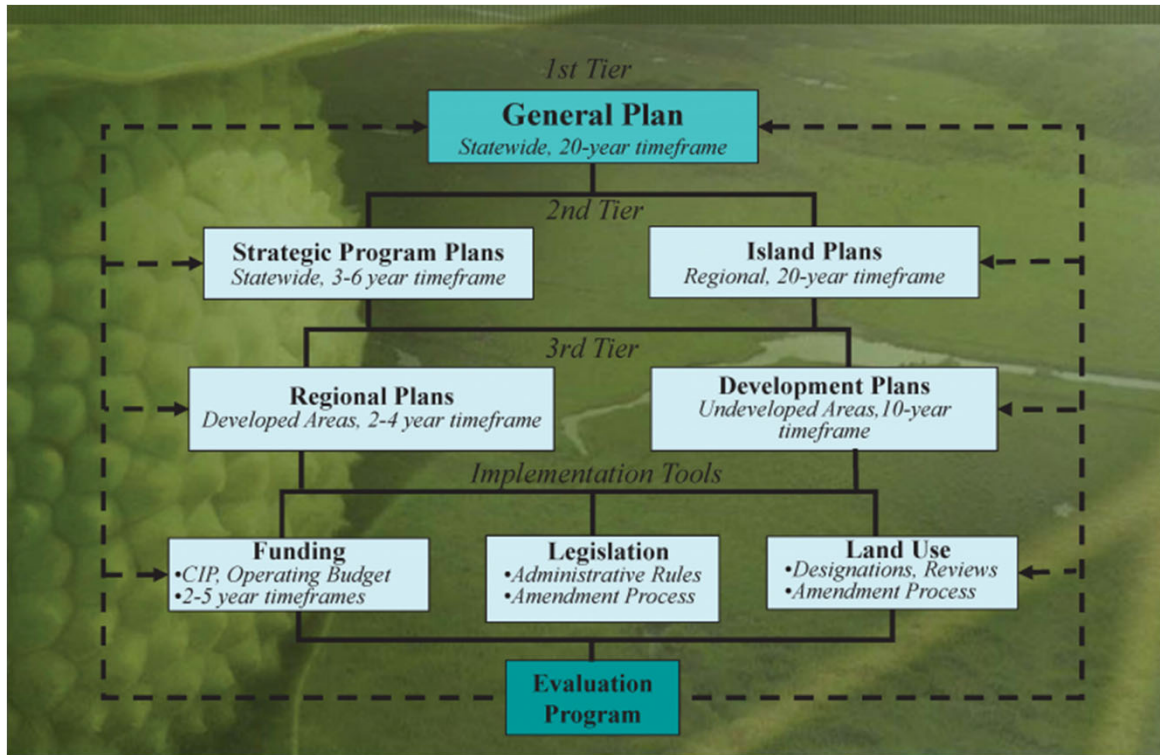
Hawaiian Homes Commission

August 18-19, 2025

DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE



DHHL PLANNING SYSTEM



Purpose of DHHL Regional Plans:

- To enable the community to be involved in planning for their region
- To assist the community with identifying and prioritizing projects within the region
- To identify detailed action steps needed to implement the priority

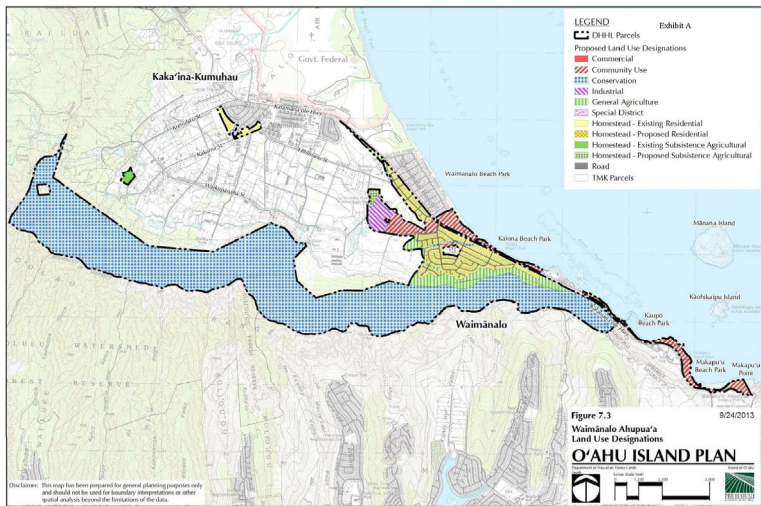


2014 O'ahu Island Plan: Land Use Designation

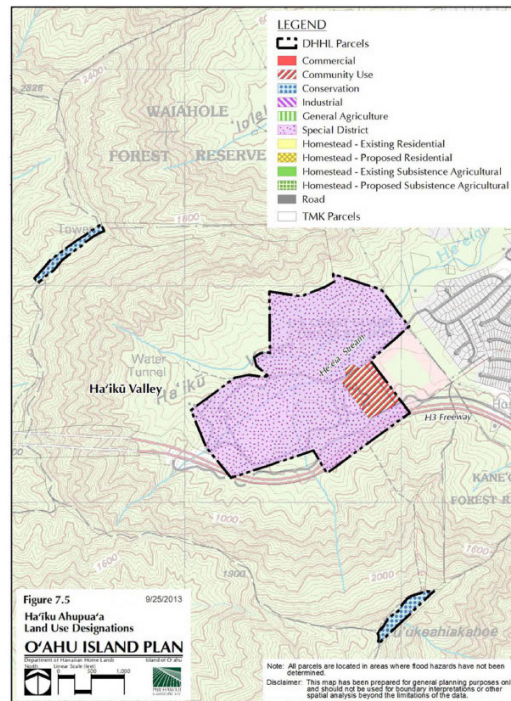
2014 O'ahu Island Plan Land Use Designation (LUD)	Ko'olaupoko Moku Acres	Percent of LUD in Ko'olaupoko Moku	Percent of LUD on O'ahu
Residential	210	10%	13%
Subsistence Agriculture	30	1%	14%
Industrial	35	2%	5%
General Agriculture	105	5%	11%
Community Use	130	6%	41%
Special District	130	6%	52%
Conservation	1,435	70%	55%
TOTAL	2,075	100%	29%



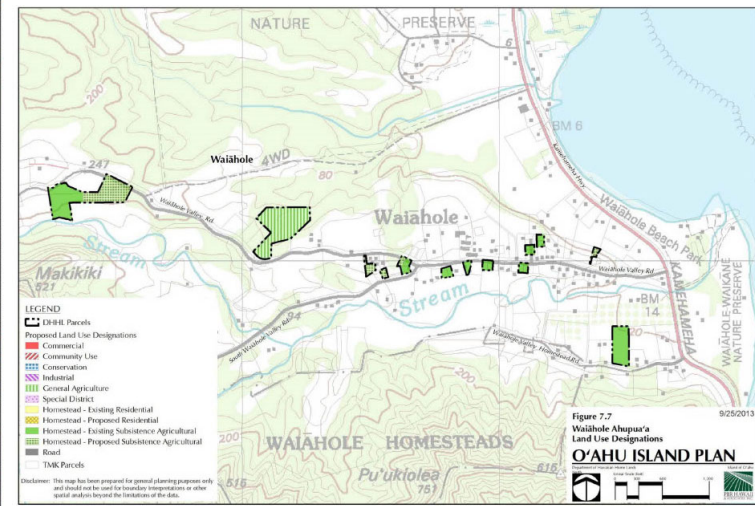
2014 O'ahu Island Plan: Ko'olaupoko Moku Land



Waimānalo



Ha'ikū



Waiāhole



2024 Waimānalo Regional Plan

PRIORITY PROJECTS:

(1) Create More DHHL Agricultural Homesteads in Waimānalo

Kuleana: DHHL Implementation Status: In-progress

(2) Kauhale Waimānalo

Kuleana: WHHA Implementation Status: In-progress

(3) Provide grants from DHHL trust funds to Waimānalo lessees

Kuleana: DHHL Implementation Status: Not started - need additional staff

(4) Waimānalo business park

Kuleana: WHHA Implementation Status: In-progress

(5) Allow extensions in perpetuity for homestead leases

Kuleana: DHHL Implementation Status: Not started – need additional staff



Upcoming Initiatives

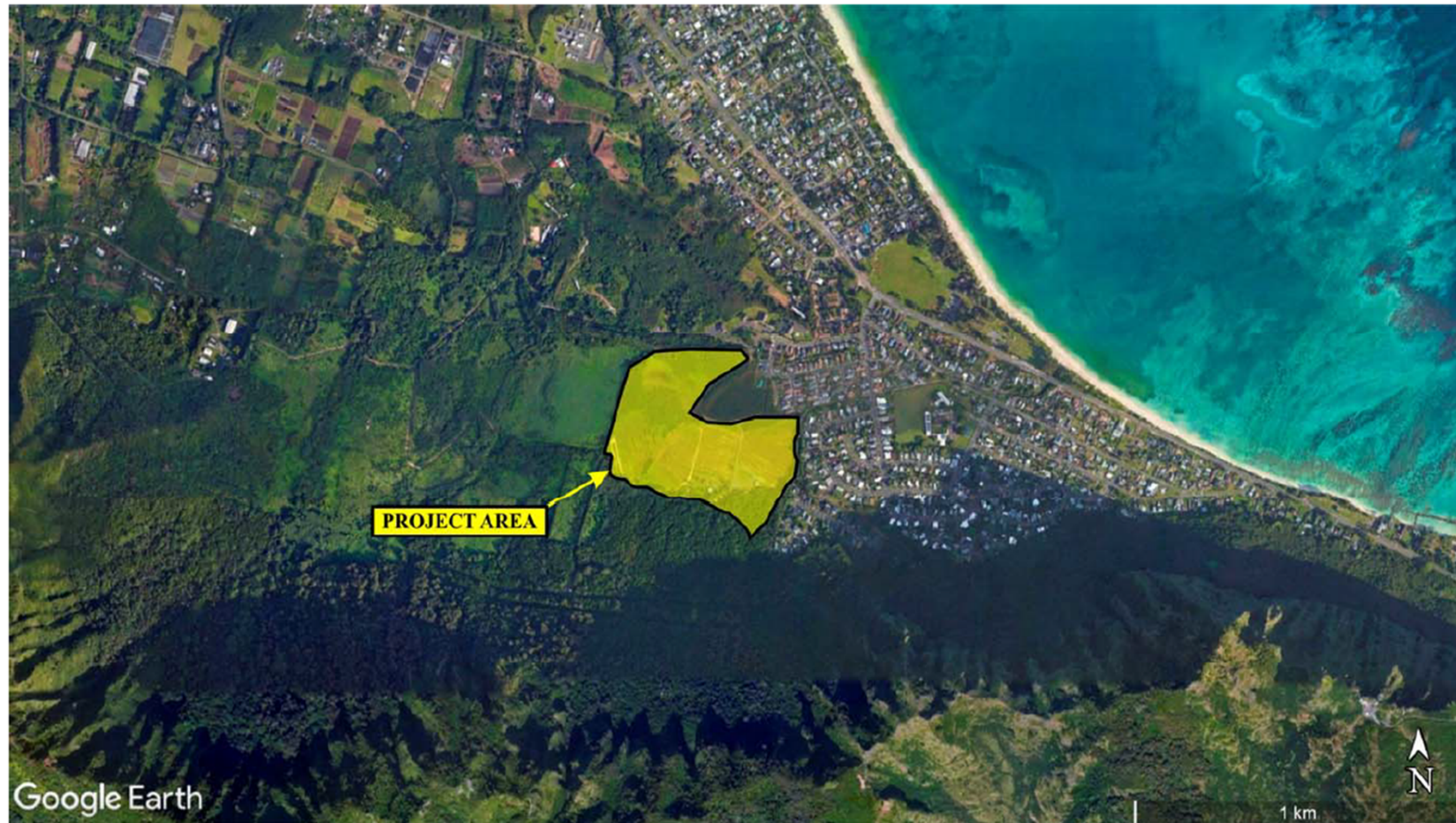
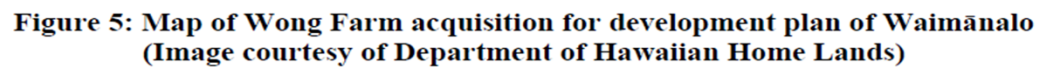


Figure 3: Aerial photograph (Google Earth 2016) showing the project area location

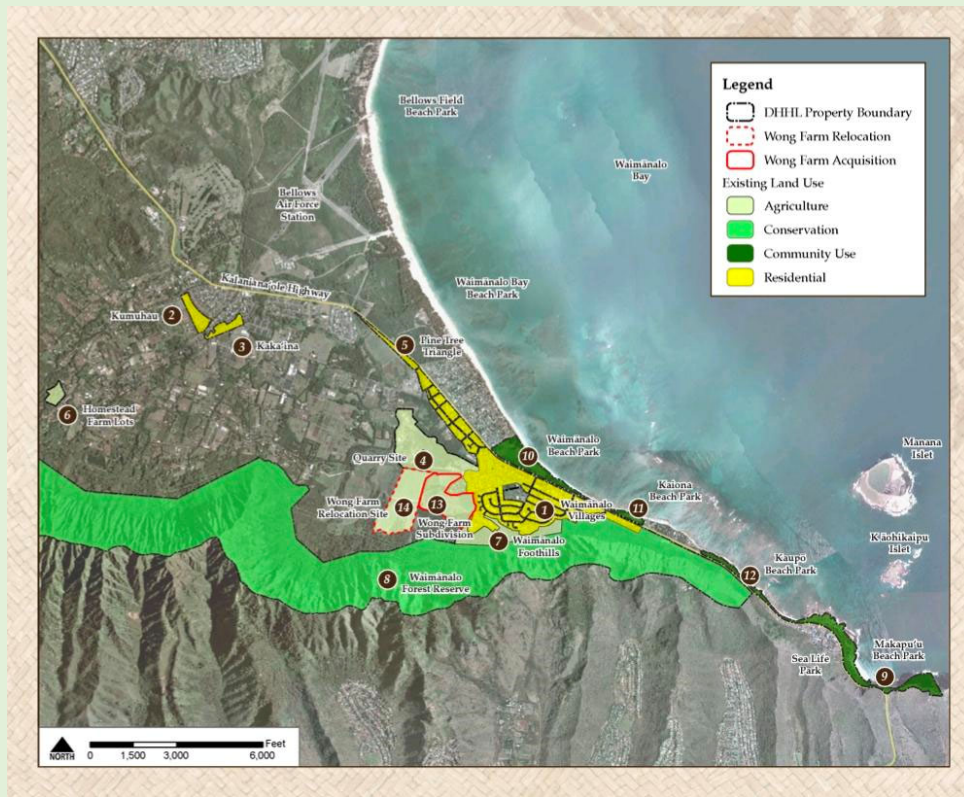
DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE



DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE



Upcoming Initiatives



1) Wong's Farm Development – 52 acres

- Consultants onboard to handle Engineering and Environmental Compliance
- Previous beneficiary consultation to determine design scenario in Nov 2023
- Design scenario selected is:
 - 60% residential lots
 - 40% subsistence ag lots
- Meant to address the existing Area Waitlist – 514 applicants at last count (longest area waitlist statewide)
- Meant to address the Regional Plan Priority Project asking for agricultural lots for homesteading in the region
- Department is looking to acquire additional lands in Waimanalo for homesteading



Upcoming Initiatives



2) Ko‘olau Foundation ROE for due diligence

- Due diligence is underway
- Compliance with HRS Ch 343 and Ch 6E required
- Environmental disclosure document (Environmental Assessment or Environmental Impact Statement) will come before the HHC for review and acceptance
- Concurrence with State Historic Preservation Division
- Long-term land disposition



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE

Testimony Before the Hawaiian Homes Commission

Re: Homestead Community Benefits Agreement (HCBA)

Submitted by: Michelle Kauhane, President, Kapolei Community Development Corporation (KCDC)

Aloha Chair and Members of the Commission,

Mahalo for the opportunity to provide testimony regarding the Homestead Community Benefits Agreement (HCBA), a partnership between DHHL and the DeBartolo Group that has enabled annual funding through December 2024 in the amount of \$144,720 to benefit the homestead communities of Kapolei. The recent step up in the lease rent to DHHL from DeBartolo will also increase our community benefit amount by \$31,926 annually.

KCDC, as the certified regional nonprofit under the DHHL Kūlia I Ka Nu‘u process, receives and administers these funds in a manner that upholds the collective interest of the four homesteads in the region: Kanehili, Kaupe‘a, Ka‘uluokaha‘i, and Malu‘ōhai. Our intent has always been to steward these resources equitably and transparently.

To ensure fairness and accountability, KCDC deducts a portion of the funds to cover the basic operating expenses of the Kapolei Heritage Center—a shared community space that directly benefits all homesteads—and sets aside a minimum of \$6,000 to support the Hāpai Pōhaku Scholarship Fund, ensuring one scholarship is available for each homestead after the payout of our endowed scholarship fund. After these shared community expenses are covered (46% of the total), the remaining balance is distributed equally among the five entities—four homesteads and KCDC—resulting in an annual allocation of \$15,504 for each. Due to the lease rent step up, in 2025 the HCBA will provide an additional \$31,926 annually. As such, the KCDC board approved a 5-way split of the increase raising the annual allocation amount for each entity to \$21,842.40.

While most homestead leaders have supported this inclusive approach, we acknowledge that the President from Kanehili has raised repeated objections and requested a direct disbursement of Kanehili’s portion from DHHL. In response, KCDC has taken extensive measures to address these concerns; meeting individually, presenting financial breakdowns, attending homestead meetings, and ultimately voting to support Kanehili's request for direct disbursement. I have even offered to co-sign a letter to DHHL to facilitate this transition. Despite this, ongoing opposition continues.

It is important to recognize that these issues have been discussed openly over multiple years, with representation from all homesteads present at key KCDC meetings and votes. In 2022, KCDC amended its bylaws to provide equal representation to each homestead on the board—an action supported by a resolution and acknowledged in writing by all homestead presidents present at the November 2022 leadership meeting.

KCDC remains committed to collaboration, transparency, and community-led solutions. We will continue to uphold our fiduciary duty to manage the HCBA funds in a way that serves the entire Kapolei homestead region while respecting the preferences of individual associations. We believe in pilina, collective responsibility, and the shared kuleana to uplift up all our homestead 'ohana.

Mahalo for your time and continued support.

Me ka ha'aha'a,

Michelle Kauhane

President, Kapolei Community Development Corporation

Public Testimony on Agendized Items

From: dhlh.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:35:59 PM

Name

Lehuanani Laybon

Email

randollynodetta@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support C-1 because it is a stable commercial revenue stream that can support housing programs even in tough markets. Diversification makes the trust more resilient and better equipped to fulfill its responsibilities. The Commission should approve this as a strategic portfolio move.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:11:47 PM

Name

Aaron Satoa

Email

aaronsatoa@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation because it secures decades of predictable revenue for DHHL. The long-term lease ensures stability, allowing DHHL to plan major projects and investments with confidence. This kind of dependable income is exactly what the trust needs to meet its obligations over time. Approving C-1 locks in a financial foundation that will benefit beneficiaries now and in the future.

Public Testimony on Agendized Items

From: dhlh.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:52:12 PM

Name

Anu Sapla

Email

anu-sapla@yahoo.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation because it comes from a Native Hawaiian beneficiary developer who is giving back to the trust. This is proof that beneficiaries themselves can create opportunities that grow DHHL's resources. Approving C-1 is both a practical and symbolic step in building a cycle of giving and growth.

Public Testimony on Agendized Items

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:46:59 PM

Name

Danielle DeLima

Email

danielle@superiorstaffingandservices.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation will be productive, profitable, and will start generating returns for DHHL immediately. That alone makes C-1 worth approving.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 10:52:04 PM

Name

Isaiah Fowler

Email

AOACHAWAII.ISAIAH@GMAIL.COM

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation from a Native Hawaiian beneficiary developer because it includes a 2% revenue-sharing commitment directly to nearby homestead associations. This ensures that not only DHHL, but also local communities, see a direct benefit from the property's success. That kind of built-in, localized support is exactly what we need to strengthen the connection between trust assets and the people they serve. The Commission should approve C-1 to make this model a reality.

Public Testimony on Agendized Items

From: dhlh.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 10:36:10 PM

Name

Iwalani Laybon-McBrayer

Email

kaupeahomesteads@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation in C-1 from a Native Hawaiian beneficiary developer because it adds high-value, income-producing commercial property to DHHL's land portfolio. Expanding the trust's holdings in this way strengthens the financial base needed to carry out our mission under the HHCA. This parcel comes ready to produce revenue, creating new resources without draining the trust's existing funds. By approving C-1, the Commission ensures DHHL has more land, more income, and more capacity to deliver on its promises to beneficiaries.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 10:17:43 PM

Name

Jodi Akau

Email

kanehilinsw@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation because it strengthens the trust on all fronts — adding valuable land, securing immediate and long-term revenue, and directly funding community needs. This is exactly the type of forward-thinking action DHHL should be taking. The Commission should approve C-1 without hesitation .

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:18:01 PM

Name

Josiah Canon

Email

jcft808@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

Aloha Chair & Commissioners, I live in Kanehili homesteads and work for the union in the construction industry. I support C-1 because it represents a no-cost, high-return opportunity for DHHL. The trust gains an income-producing property without having to spend capital on acquisition or construction. This allows DHHL to expand its revenue base without depleting funds that could be used for other beneficiary needs. Approving C-1 is simply sound financial stewardship.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 10:33:18 PM

Name

Kaai Westbrook

Email

ladykaai@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation under C-1 by Kalanianaʻole Development. This parcel is shovel-ready and comes with a long-term commercial lease already in place, which means DHHL can begin receiving substantial rent payments immediately after transfer. The agreement requires no upfront cost to the trust, eliminating the risks and delays typically associated with development. The income can be directed right away to critical infrastructure and housing needs, allowing beneficiaries to see tangible results without waiting years. This is exactly the kind of opportunity the Commission should act on today.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:09:53 PM

Name

Kaimana McBrayer

Email

Kaimana809@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

As a beneficiary of the Hawaiian Homes Trust, I support this item. This donation means new revenue can flow into housing projects, infrastructure work, and community programs. This is not a long-term promise with uncertain timelines — it is immediate, measurable impact for beneficiaries. The Commission should not delay in approving C-1.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Monday, August 18, 2025 6:06:40 AM

Name

Kainoa MacDonald

Email

808divergentgroup@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

TO: Members, Hawaiian Homes Commission (HHC)

FROM: Kainoa MacDonald

SUBJECT: Support for Approval of Memorandum of Agreement – Donation and Acceptance of ‘Ewa Parcels Encumbered by Long Term Commercial Lease(s); TMK Nos. (1) 9-1-181-031 and 037

Aloha Chair and Esteemed Commissioners,

As a Hawaiian Homes Commission Beneficiary on the Waitlist. I write to express my personal support for the Department of Hawaiian Home Lands’ acceptance of the donation by project developer KALANIANA‘OLE DEVELOPMENT of the ‘Ewa Parcels encumbered by long-term commercial leases through the Memorandum of Agreement (MOA) now before you for consideration.

We recognize that this opportunity reflects years of planning and careful negotiation. By approving this MOA, the Commission will:

- Secure valuable ‘Ewa trust lands under DHHL’s stewardship for the benefit of Native Hawaiian
 -
 -
 -
- beneficiaries.

Ensure that the long-term commercial leases already in place continue to provide reliable revenue streams to support homestead development and community needs.

Strengthen DHHL’s land portfolio with property that will serve both economic and cultural purposes for generations.

Demonstrate prudent management of trust resources by leveraging partnerships with developers while ensuring ultimate beneficiary control.

We mahalo the Commission and the DHHL staff for their diligence in working with the Attorney General’s office to review and finalize the MOA. This MOA under Ku‘ai Halewai LLC seeks the ground lease that seeks Hawaiian Homes Commission approval today. The process has been transparent in meeting with Kapolei Hawaiian Homestead Associations for acceptance. These meets were very deliberate, and focused to serve the best interests of beneficiaries.

This action will further the mission of the Hawaiian Homes Commission Act: to return Native Hawaiians to the land with opportunities for economic and community development.

For these reasons, I respectfully urge the Hawaiian Homes Commission to approve the Memorandum of Agreement for the acceptance of the ‘Ewa Parcels at your upcoming meeting.

Mahalo nui for the continued commitment in consulting with our beneficiaries on projects like these. It is a valuable step in the right direction to have beneficiaries at the table prior to decision making.

Kainoa MacDonald

DHHL Maui Waitlist RES/AG

Public Testimony on Agendized Items

File

- [081825_Support-Letter.pdf](#)

Public Testimony on Agendized Items

From: dhlh.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:57:20 PM

Name

Ka'iulani McBrayer

Email

kaupeanssw@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation will be productive, profitable, and will start generating returns for DHHL immediately. That alone makes C-1 worth approving.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:22:10 PM

Name

Keli'i Canon

Email

unkojo@icloud.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

Aloha Chair & Commissioners, I live in Kanehili Homesteads and work in the construction industry. I support the donation because it demonstrates how a Native Hawaiian beneficiary developer can partner with DHHL to grow the land base and produce ongoing revenue. This project could serve as a model for future agreements, showing that beneficiary-led initiatives can yield strong returns for the trust. Approving C-1 will send a clear message that DHHL supports innovative, mutually beneficial partnerships.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:06:10 PM

Name

Kina'u McBrayer

Email

Krkmcbrayer@yahoo.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I am a successor to my parent lease in Kaupe'a. I currently attend University of Providence in Great Falls, Montana, pursuing Business. I definitely support C-1 because it includes profit participation, rent escalations, audit rights, and continuous operation requirements. These provisions ensure that DHHL's revenue will grow over time and that the tenant remains accountable to the terms. Acquiring a property with such a favorable, protective lease is a strategic win for the trust and should be approved.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, August 17, 2025 12:18:41 AM

Name

Landace McBrayer

Email

landacemcbrayer@icloud.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

As a homestead beneficiary I support the donation because it strengthens the trust on all fronts — adding valuable land, securing immediate and long-term revenue, and directly funding community needs. This is exactly the type of forward-thinking action DHHL should be taking. The Commission should approve C-1 without hesitation .

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, August 17, 2025 12:12:15 AM

Name

Lono Koholua

Email

lonokapolei@yahoo.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

As a Kaupe'a kupuna and retired Honolulu Fire Department Captain I support C-1 because it is a rare opportunity to deliver tangible, visible benefits within the same year the property is transferred. The revenue, infrastructure funding, and community support will be real, measurable, and impactful. That is what beneficiaries want to see.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:26:37 PM

Name

Makayla Hirohara-Kawelolani

Email

hiroharamakayla@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

As a native hawaiian and fiancé to a homestead beneficiary, I support the donation because it delivers benefits on multiple levels — immediate revenue for DHHL, direct funding for infrastructure, and income for local homestead associations. Few projects are structured to produce such a balanced and comprehensive impact. By approving C-1, the Commission ensures that the trust, the beneficiaries, and the community all win.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:39:59 PM

Name

Sharon Pualani Freitas

Email

ronpua37@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I am a waitlist beneficiary for Oahu and a AHHL Representative for Central Oahu. I support the donation because it comes from a Native Hawaiian beneficiary developer who is giving back to the trust. This is proof that beneficiaries themselves can create opportunities that grow DHHL's resources. Approving C-1 is both a practical and symbolic step in building a cycle of giving and growth.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 10:49:32 PM

Name

Shaylee DeMello

Email

shayleedemello@aol.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation in C-1 because the lease dedicates a full 6% of gross rent directly to DHHL infrastructure improvements. Every homestead community depends on roads, water, and utilities to bring beneficiaries home, and this agreement provides a dedicated funding source for those needs. It is rare to see such a direct connection between a revenue stream and a critical trust responsibility. By approving C-1, the Commission ensures immediate, targeted investment in the foundations of our communities.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 10:26:18 PM

Name

Timothy McBrayer

Email

timothymcbrayer37@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I support the donation under C-1 by Kalanianaʻole Development. This parcel is shovel-ready and comes with a long-term commercial lease already in place, which means DHHL can begin receiving substantial rent payments immediately after transfer. The agreement requires no upfront cost to the trust, eliminating the risks and delays typically associated with development. The income can be directed right away to critical infrastructure and housing needs, allowing beneficiaries to see tangible results without waiting years. This is exactly the kind of opportunity the Commission should act on today.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Saturday, August 16, 2025 11:30:44 PM

Name

Wendy Kaniaupio-Crespo

Email

w crespo89@gmail.com

Please Identify Agenda Item(s):

C-1

Pick One:

Written Only - Submit Testimony Below

Message

I am a Kaupē'a Board member. I support the donation because it fulfills the HHCA's purpose — to create self-sufficiency, self-determination, and cultural preservation for Native Hawaiians. By expanding the land base with income-producing property, DHHL gains the resources needed to house families, support communities, and preserve culture. Approving C-1 is an act of living up to the law's intent.

Public Testimony on Agendized Items

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, August 14, 2025 2:33:55 PM

Name

Janice Herrick

Email

janhwailuku@gmail.com

Please Identify Agenda Item(s):

Use of Paukūkalo Hawaiian Homes Community Park

Pick One:

Oral/Live Virtual Only - Enter N/A Below

Message

Requirement for Certificate of Insurance for all Paukūkalo Hawaiian Homes Community Park usage by Homestead families. COI had not been required in the past 60 years.

Will COI be a requirement for using the community hall also?