

HAWAIIAN HOMES COMMISSION
Minutes of Monday, December 15 & 16, 2025, at 9:30 a.m.
Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707,
and Interactive Conferencing Technology (ICT) Zoom

PRESENT

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

EXCUSED

Shaylyn Ornellas, Kauai Commissioner

COUNSEL

Hokulei Lindsey, Deputy Attorney General

STAFF

Katie Lambert, Deputy to the Chairman
Richard Hoke, Executive Assistant to the Chairperson
Leah Burrows-Nuuau, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Kalani Fronda, Land Development Division Acting Administrator
Carlyle Handley, Land Management Division Land Agent
Russell Kaupu, Property Development Agent
Linda Chinn, Land Management Division Special Projects
Shelly Carriera, Land Management Land Agent
Andrew Sante, Land Management Division Land Agent
Kialoa Mossman, Planning Office Planner
Julie Cachola, Planning Office Planner
David Hoke, Enforcement Team Administrator

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 9:36 am by Chairperson Kali Watson. Eight (8) members were present in person, one (1) on Zoom, and one (1) excused, establishing a quorum.

APPROVAL OF AGENDA

Chair Watson moved to approve the agenda, noting that Items G2 and C2 regarding the beneficiary consultation workshop and the proposed 'Ewa donation would be addressed together. The Commission would recess at noon for a contested case hearing, deliberations, and lunch, and a DHHL community meeting was scheduled for 6:30 p.m. at the Kalaniho'okaha Community Center in Nānākuli.

MOTION/ACTION

Commissioner Kalepa moved and Commissioner Lasua seconded, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

November 1, 2025, and November 17 & 18, 2025 meeting minutes were called for edits or comments; none were offered.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Lasua, to approve the November 1 & 17-18, 2025 HHC minutes. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Garner Shimizu (ICT) - Item C-2 & C-4

State Representative for House District 32, acknowledged the respect owed to Native Hawaiian host people and stated his belief that the government and state had failed them and that significant work was needed to make things pono and support healing. Although no Hawaiian Homes projects were located in his district, he explained that, as a member of the House Judiciary and Hawaiian Affairs Committee, beneficiaries had contacted his office with serious concerns and objections to agenda items C-2 and C-4, citing possible violations of policies, fiscal procedures, and potentially state and federal requirements. His office had requested information from DHHL regarding these items through the Uniform Information Practices Act, and observed that DHHL had not fully provided all requested information, prompting a subsequent request that was still pending. Based on this, he expressed strong opposition to the approval of agenda item C-4 and requested that the matter be deferred until DHHL fully complied with all UIPA requests and adequate time was allowed to review all relevant documents, correspondence, and emails. He reminded Commissioners that, although they had authority to approve the item, they were entrusted with upholding the Hawaiian Homes Commission Act and ensuring all agreements met legal, ethical, and moral requirements to properly serve and protect beneficiaries, and he closed by offering his contact information and expressing appreciation for the opportunity to testify.

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-4 Approval to Certify Applications of Qualified Applicants for the month of November, 2025 (see exhibit)
- D-5 Commission Designation of Successors to Application Rights-Public Notice 2018 (see exhibit)
- D-6 Approval of Assignment of Leasehold Interest (see exhibit)
- D-7 Approval of Amendment of Leasehold Interest (see exhibit)
- D-8 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-9 Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 1370, Lot No. 152-A Keaukaha, Hawaii – IOANE K. KUA and KERWINA K. REIS
- D-10 Commission Designation of Successor – ADAM KELIPIO, Residential Lease No. 1592, Lot No. 16, Waiakea, Hawai‘i

RECOMMENDED MOTION/ACTION

HSD Administrator Juan Garcia presented 9 items (D2 to D10) for approval.

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			X			
Commissioner Lasua		X	X			
Commissioner Marfil	X		X			
Commissioner Namu'o			X			
Commissioner Ornellas						X
Chairman Watson			X			
TOTAL VOTE COUNT						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval to authorize the Chairperson to enter into negotiations with the Office of Hawaiian Affairs (OHA) pertaining to the development of Kaka'ako Makai Lot-I, Oahu, TMK No. (1)2-1-015:061

RECOMMENDED MOTION/ACTION

Land Development Division Acting Administrator Kalana Fronda and Land Agent IV Carlyle Handley presented the following:

Motion that the Hawaiian Homes Commission to the Approval to authorize the Chairperson to enter into negotiations with the Office of Hawaiian Affairs (OHA) pertaining to the development of Kaka'ako Makai Lot-I, Oahu.

C. Handley explained that the recommended motion was for the Hawaiian Homes Commission to delegate authority to the Chairperson to negotiate the terms and conditions of a proposed Memorandum of Understanding with OHA, consistent with policy direction, including negotiating both the MOU for development and site access for Kaka'ako Makai. OHA owned 29 acres in Kaka'ako Makai but had limited ability to develop the parcel on its own and was therefore open to exploring a collaborative development with DHHL to activate the land and benefit Native Hawaiians. He stated that the property, located at the corner of Forest Avenue and Ala Moana Boulevard, would be developed in partnership to unlock the area's full potential, foster economic growth, and provide community benefits. He noted that OHA's Investment and Land Management Committee approved negotiations with DHHL at its November 12 meeting, and that this item was a reciprocal action to allow DHHL's Chairperson to negotiate, adding that a recent letter from OHA had been received and deferring further details to K. Fronda.

K. Fronda explained that the letter provided to each Commissioner reflected what had been approved at the Office of Hawaiian Affairs meeting regarding the initiation of negotiations with the department and reiterated staff's recommendation that the Commission approve the motion as stated.

DISCUSSION

Commissioner Marfil stated that it was an important opportunity for DHHL to engage with other agencies that hold trust lands and kuleana and to ensure DHHL had a seat at the table.

Commissioner Namu‘o strongly supported the effort, emphasizing that OHA was constitutionally mandated to care for Hawaiians and that collaboration was essential.

Commissioner Kaneakua said the opportunity to work with OHA was long overdue and could lead to significant future partnerships.

Commissioner Kaleikini indicated he had no questions or comments. Commissioner Kalepa voiced full support, highlighting the potential to improve the quality of life for Native Hawaiians in the Kaka‘ako area and to foster broader collaboration with OHA on future projects.

Commissioner Freitas also supported the effort, noting the importance of working with OHA and other Native Hawaiian entities to address beneficiaries’ diverse needs.

Commissioner Lasua asked about DHHL’s role in the situation and whether the site was the former Fisherman’s Wharf area. K. Fronda clarified that the property under discussion was on the opposite corner of Fisherman’s Wharf, near Punchbowl Street and the Elections office, and included a medical building on one side. C. Handley explained that OHA owned it and DHHL was only partnering to explore opportunities. K. Fronda added that this gave the Chair a chance to “talk story” and explore possibilities, which Commissioner Lasua supported.

Chair Watson noted past collaborations with OHA, including support for bonding costs converted into infrastructure, loan funds, and a \$10 million Habitat for Humanity fund, while acknowledging that prior interactions had been limited. He emphasized that the current project was an opportunity to explore mixed-use development that provides housing and potential commercial income, drawing inspiration from the innovative Bowl-O-Drone [Isenberg] high-rise project with 278 homestead units, which was funded entirely through creative financing outside DHHL’s budget. He credited Sanford Carr for securing funding through legislative and federal channels and suggested that using a similar approach with this property could positively impact the waitlist and align with OHA’s mandate to generate revenue and provide services. Chair Watson concluded by inviting OHA Chair Kai Kahele to speak.

Public Testimony - Chairman Kai Kahele of the Office of Hawaiian Affairs – Expressed his strong support for agenda item C1, emphasizing the excitement and potential of a partnership between the Office of Hawaiian Affairs and the Department of Hawaiian Homelands. The collaboration could greatly benefit beneficiaries, particularly regarding housing under the Hawaiian Homes Commission Act in Kaka‘ako Makai, near Ala Moana Boulevard, with its exceptional views. Chair Kahele stated that OHA was fully committed to beginning the due diligence work described by Chair Watson if the agenda item was approved and looked forward to coordinating between the land division teams of both organizations to advance the project.

Public Testimony - Rodney Funakoshi - A retired land use administrator from the State of Hawai‘i Office of Planning and Sustainable Development and a resident of the Collection Kahuina in Kaka‘ako, testified in strong opposition to DHHL entering negotiations with OHA to develop lands in Kaka‘ako Makai. He urged the Commission to deny the action, citing that in 2006 the legislature prohibited residential development in Kaka‘ako Makai and that OHA had accepted 29 acres in 2012 to settle unpaid ceded land revenues with full knowledge of this restriction. He noted that OHA had unsuccessfully attempted to overturn the prohibition over the years, most recently in 2025. He emphasized that while DHHL could override land use laws, the Commission should respect legislative intent and the surrounding community’s consistent opposition, and that approving the project would disrupt decades of carefully planned land use. He also raised concerns about severe traffic congestion, soil contamination, aircraft noise, proximity to an industrial harbor, and the importance of preserving open space for public use. He added that OHA had rejected legitimate offers from legislators to return the land with compensation and

argued that if residential development were desired, OHA should seek legislative approval, warning that DHHL proceeding independently would contradict the legislatively imposed ban.

Public Testimony - Homelani Schaadel - Testified in support of developing Kaka‘ako Makai. She emphasized that Hawaiians should not resign themselves to despair but instead take responsibility for becoming knowledgeable about current issues, understanding their history, and practicing cultural values applicable today, citing Aunty Frenchy De Soto’s 1981 article in Kauai Ola OHA. She shared her personal experience of advocating for Kaka‘ako Makai since 2014, expressing frustration over political biases that allowed residential development mauka of Ala Moana Boulevard but not Makai, and described how seeing nearby developments caused her distress. She expressed renewed hope that OHA trustees would pursue the highest and best use of Kaka‘ako Makai with cultural sensitivity, balancing transformation with respect for ancestral practices, and urged the Commissioners to partner with OHA to change the trajectory of the past eleven years and inspire hope for all Hawaiians.

Public Testimony – DeMont Mana’ole - Testified in support of the Kaka‘ako Makai development. He shared his personal connection, noting that his family lived in Nanakuli and Kaka‘ako, and recalled the displacement of Hawaiians from the urban core to areas like Waianae and Waimanalo, which he found painful. He described memories of visiting his aunt’s home near the proposed development site and expressed frustration over the 2024 news that OHA had lost its bid to build in Kaka‘ako Makai, while Howard Hughes Corporation continued constructing towers, highlighting the inequities faced by Hawaiians. He suggested OHA could leverage TOD (transit-oriented development) credits for housing development in areas like Nālani, Kukui, and emphasized that this project was an obvious and important step to benefit the Hawaiian community, concluding his testimony with gratitude and support.

Public Testimony – Patty Kahanamoku-Teruya – Testified in strong support of DHHL negotiating with OHA, noting her personal connection through her mother, Joanne Kamuela Kahanamoku, who had served as an OHA administrator in 2014 and was dedicated to supporting Native Hawaiians and beneficiaries. She described the long history of legislation, meetings, and advocacy required to secure opportunities for beneficiaries to access residential and commercial properties in Kaka‘ako, emphasizing the importance of OHA and DHHL collaborating as strong agencies to serve the community. She expressed optimism that the partnership would deliver significant benefits and services to Native Hawaiians and reiterated her full support for the negotiation process.

MOTION/ACTION

Moved by Commissioner Freitas 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 Ornelas						X
Chairman Watson			X			
TOTAL VOTE COUNT						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

LAND DEVELOPMENT DIVISION

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

RECOMMENDED MOTION/ACTION

Acting Administrator Kalani Fronda presented the following:

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

K. Fronda presented five submittals and reviewed item E1, recommending approval of a 99-year residential lot lease in Puuhona subdivision, Waikapu, Maui, to applicant Daniel Moekeha, subject to purchase of existing improvements by loan or cash.

MOTION/ACTION

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

ITEM E-2 Approval of Lease Award – Nānākuli Subdivision Residential Vacant Lots - Wai‘anae, O‘ahu (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award – Nānākuli Subdivision Residential Vacant Lots - Wai‘anae, O‘ahu.

K. Fronda presented item E2, recommending approval of a 99-year residential lot lease in the Nānākuli subdivision to applicant Jesse Nihoa.

MOTION/ACTION

Moved by Commissioner Kalepa 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		X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Ornellas						X
Chairman Watson			X			
TOTAL VOTE COUNT						

ITEM E-3 Approval of Lease Award – Honomū Subsistence Agricultural Lot Hilo, Hawai‘i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award – Honomū Subsistence Agricultural Lot Hilo, Hawai‘i.

K. Fronda presented item E3, recommending approval of a 99-year agricultural lot lease in the Honomu subdivision to applicant Lillian Doman.

MOTION/ACTION

ITEM E-4 Approval of Lease Award – Kaūmana Subdivision Residential

Vacant Lots - Hilo, Hawai‘i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award – Kaūmana Subdivision Residential Vacant Lots - Hilo, Hawai‘i.

K. Fronda presented item E4, recommending approval of 99-year residential lot leases in the Kaumana subdivision to applicants Gwendolyn Ishibashi and Renee Kamohai Mohrmann.

MOTION/ACTION

Moved by Commissioner Marfil 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			
Commissioner Marfil	X		X			
Commissioner Namu'o			X			
Commissioner Ornellas						X
Chairman Watson			X			
TOTAL VOTE COUNT						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

ITEM E-5 Approval of Lease Award - Maku‘u Agricultural Lot Offering Pāhoa, Hawai‘i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Administrator Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Lease Award - Maku‘u Agricultural Lot Offering Pāhoa, Hawai‘i.

K. Fronda presented item E5, recommending approval of 99-year agricultural lot leases in the Maku‘u subdivision, Pāhoa, Hawaii, to applicants Jules Durois and Charlotte Lee Napeahi.

Chair Watson thanked staff for presenting a diverse range of homestead lease awards, noting that the five items included the new Puuhona subdivision with creative financing and the first Act 279 project, scattered vacant lots including the Nānākuli Village Center, Honomū subsistence agricultural lots that allow recipients to grow food, raise livestock, and build homes for their families, as well as the Kaumana residential and Maku‘u agricultural lots. He highlighted the variety of awards and expressed appreciation for staff’s work, emphasizing that many more similar awards would be made in the future.

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						

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Issuance of a Lease to Na Kupaa O Kuhio, a domestic 501(c)(3) Non-Project Corporation, Humu‘ula and Pi‘ihonua Mauka, Hawai‘i Island, TMK No. (3) 3-8-001:009 (por.)

RECOMMENDED MOTION/ACTION

LMD Acting Administrator Linda Chinn presented the following:

Motion that the Hawaiian Homes Commission to the Approval to Issuance of a Lease to Na Kupaa O Kuhio, a domestic 501(c)(3) Non-Project Corporation, Humu'ula and Pi'ihonua Mauka, Hawai'i Island.

L. Chinn requested approval for item F-1 for the Commission to issue a lease to Na Kupa‘a o Kūhiō for a reforestation project on a parcel in ‘Āina Mauna, noting that Neil Hannahs and Nicholas Koch were available to answer any Commissioner questions.

DISCUSSION

Commissioner Kaleikini asked about the proposed reforestation and koa wood project on the ‘Āina Mauna parcel. He inquired about the \$ 11-per-board-foot compensation rate listed in the submittal, noting it was based on 2018 state data, and whether that amount could be adjusted. L. Chinn explained that due to changes in the wood industry and the impact of COVID-19, the rate had been updated to \$8 per board foot to reflect current market conditions, and requested that the Commission approve the revised rate on the floor, as it was not included in the original submittal. Commissioner Kaleikini also asked if compensation could increase in the future if the value of koa wood rose. L. Chinn clarified that for the optional second 10-year lease period, the fee could potentially be renegotiated. Commissioner Kaleikini asked about the logging project, specifically whether a processing facility would be located on the 500-acre parcel or if the koa trees would be harvested and moved offsite for processing.

N. Hannahs explained that the project was guided by two principles: caring for the ‘āina to ensure its flourishing, which in turn supports beneficiaries, and creating an economic engine through commercial koa harvesting to generate funds that could be reinvested in the land for long-term abundance. He detailed that the project would include fencing, animal removal, weed eradication, and species promotion, and clarified that harvested logs would be transported off-site for processing due to the parcel’s remoteness.

Commissioner Kaleikini referenced historical koa salvage at Humu‘ula between 2003 and 2012, noting the creation of full-time jobs and the supply of wood to over 60 woodworkers. L. Chinn clarified that “woodworkers” referred to individual craftspeople who used leftover wood for small-scale projects, such as building, instruments, or crafts, beyond the standard board foot uses. Commissioner Kaleikini expressed his support for the project, emphasizing the importance of receiving updates from staff on progress if the project were approved, and encouraged ongoing oversight and feedback.

Commissioner Kaneakua expressed strong support for the ‘Āina Mauna reforestation project, noting that he was excited about the opportunity to restore and steward lands that had been neglected or overrun. He highlighted the importance of engaging Hawaiians directly on the land, creating jobs while caring for the ‘āina, and praised the long-term vision of the project, acknowledging that while the ideal time to plant trees was 20 years ago, the next best time was now.

Commissioner Freitas thanked staff for their hard work in preparing the ‘Āina Mauna reforestation proposal and expressed strong support, describing it as a win-win that would create an economic engine involving Native Hawaiians while reinvesting in the land. He noted that the project addressed challenges on the site, including ungulates and invasive species, and praised the collaborative effort to move the initiative forward.

Chair Watson emphasized the broader vision of the ‘Āina Mauna reforestation project, highlighting that it would preserve and protect existing forests threatened by feral cattle while creating opportunities for homesteaders through jobs and land use. He noted the potential to restore water resources, address wildfire risks, and develop a local timber supply to reduce reliance on imported lumber for new home construction. He also discussed partnering with neighboring landowners such as Kamehameha Schools and Parker Ranch, which have mills and forest resources, and exploring DLNR lands for future forestry projects. He framed the initiative as a catalyst for a new industry that would generate jobs, provide wood products for construction, and benefit both the community and the broader industry.

Public Testimony – Luana Keakealani – Testified that the community near Honokaia had not been adequately informed about the project and recommended scheduling a dedicated consultation session with local residents. She noted that while she had observed some activity on the site, the community lacked clear information, and she emphasized that further engagement with the local ‘ohana should occur before the Commission made any decisions on moving the project forward.

MOTION TO AMEND/ACTION

Moved by Commissioner Kalepa seconded by Commissioner Kaneakua to amend the per board foot fee from \$11 to \$8.						
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						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

Commissioner Kalepa asked if there would be annual progress reports on the harvesting and replanting activities. L. Chinn confirmed that staff would provide a yearly update during the Hilo meetings.

MOTION/ACTION

Moved by Commissioner Freitas seconded by Commissioner Lasua to approve the motion as amended						
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						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

ITEM F-2 Approval to the Settlement on Reopened Ground Lease Rent and Surrender of General Lease, General Lease No. 204, Pacific Waste, Inc., Kaei Hana II Industrial Subdivision, Kawaihae, Hawai'i Island, TMK No. (3) 6-1-006-008

RECOMMENDED MOTION/ACTION

Acting Administrator Linda Chinn presented the following:

Motion that the Hawaiian Homes Commission to the Approval to the Settlement on Reopened Ground Lease Rent and Surrender of General Lease, General Lease No. 204, Pacific Waste, Inc., Kaei Hana II Industrial Subdivision, Kawaihae, Hawai'i Island.

L. Chinn requested that the Commission approve the surrender of General Lease 204 issued to Pacific Waste for a property in Kawaihae and to authorize a final settlement payment of \$288,750 for longstanding rent issues from May 5, 2008, to December 31, 2025, subject to the listed conditions. She explained the history, noting that the 2008 rent reopening was delayed until 2010, and arbitration set the rent at \$42,000, which Pacific Waste contested due to the effects of the 2008 recession. Over the years, Pacific Waste had paid based on the old rent, leading to a balance owed, and they now sought to surrender the lease as they found a new location. The two-acre property with two warehouses presented an opportunity for DHHL to secure a new long-term tenant. She requested commission approval of the settlement and lease surrender, with Andy Naden from Pacific Waste available on Zoom to answer questions.

A. Naden testified in support of the lease surrender and settlement, expressing appreciation to Chair Watson and L. Chinn and noting that Pacific Waste had worked successfully with DHHL over the years. He explained that the dispute was solely over the correct rent amount and that both parties reached a compromise solution, likened to "splitting the baby," to resolve the issue while maintaining a positive relationship and supporting DHHL and the community. Commissioner Kaleikini inquired about the site's condition, and L. Chinn confirmed a staff visit in November, noting that the two warehouse buildings were solid and usable.

Public Testimony – Jojo Tanimoto - Testified that she and her Kailapa subdivision community had not been contacted by staff regarding the commercial area next to their neighborhood, leaving them unaware of plans or agenda items and unable to raise concerns. She explained that the commercial operations created safety hazards due to large vehicles, containers from the harbor, and blocked sightlines, especially during high winds, and noted that prior issues with other companies had also gone unaddressed.

MOTION/ACTION

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

ITEM F-3 Approval to Issuance of License Agreement to Molokai Community Federal Credit Union, Ho'olehua-Pāla'au, Molokai Island, TMK No. (2) 5-2-023:001

RECOMMENDED MOTION/ACTION

Acting Administrator Linda Chinn and Land Agent Shelly Carreira presented the following:

Motion that the Hawaiian Homes Commission to the Approval to Issuance of License Agreement to Molokai Community Federal Credit Union, Ho'olehua-Pāla'au, Molokai Island.

L. Chinn requested the commission's approval to issue a license agreement to Molokai Community Federal Credit Union for their Hoolehua, Molokai branch, subject to the listed conditions. S. Carreira explained that the Molokai Community Federal Credit Union's existing license for the Hoolehua branch had expired on February 1st, and they were requesting a new license to continue operations at that location.

DISCUSSION

Commissioner Lasua acknowledged the long history of credit unions, noting that the Molokai Community Federal Credit Union took over the First Hawaiian Homes Credit Union, which had operated under DHHL since 1937. He thanked the department for extending the lease, emphasizing that the credit union operates as a nonprofit with volunteer board members and relies on loans and fees to sustain itself. He highlighted that the lease allowed the credit union to continue serving beneficiaries with financial services, including loans, and expressed hope that they would maintain programs supporting homesteaders in the future.

Commissioner Marfil asked when processing fees are required and when they are waived, noting that two recent submittals had different treatments. L. Chinn explained that fees are typically waived for non-profit organizations, while other applicants are charged to cover the cost of processing documents with the Attorney General and setting up accounts.

MOTION/ACTION

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

ITEM F-4 Approval to Issuance of Right-of-Entry Permit to Charter Communications LLC, Pu'uhona Homestead Subdivision, Wailuku, Maui Island, TMK No. (2) 3-5-002:002

RECOMMENDED MOTION/ACTION

Acting Administrator Linda Chinn and Andrew Sante presented the following:

Motion that the Hawaiian Homes Commission to the Approval to Issuance of Right-of-Entry Permit to Charter Communications LLC, Pu'uhona Homestead Subdivision, Wailuku, Maui Island

A. Sante requested approval to issue a right of entry permit to Charter Communications (DBA Spectrum) for the Pool Owner Homestead subdivision in Wailuku, Maui, allowing them to conduct due diligence design work and coordinate with existing HECO poles for potential fiber attachments, with a term of up to 12 months or until replaced by a subsequent license.

MOTION/ACTION

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

ITEM F-5 Approval to Issuance of License to Kauai Emergency Management Agency, Anahola, Kaua‘i Island, TMK No. (4) 4-8-003:023

RECOMMENDED MOTION/ACTION

Acting Administrator Linda Chinn and Andrew Sante presented the following:

Motion that the Hawaiian Homes Commission to the Approval to Issuance of License to Kauai Emergency Management Agency, Anahola, Kaua‘i Island.

A. Sante requested approval to issue a license to the Kauai Emergency Management Agency for continued use of an emergency communications facility in Anahola for a 10-year term with two five-year extension options, at an initial annual fee of \$8,352 with 2.5% compounded annual adjustments, based on comparable tower sites and recognizing the essential need for emergency communications, and recommended approval.

MOTION/ACTION

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

ITEM F-6 Approval of Issuance of Revocable Permit to Agnes Marti-Kini, Anahola Farm Lots, Hokualele Road Mauka, Anahola, Kaua‘i Island, TMK No. (4) 4-8-005:036 & 4-8-005:037(por.)

RECOMMENDED MOTION/ACTION

Acting Administrator Linda Chinn and Kaipo Duncan presented the following:

Motion that the Hawaiian Homes Commission to the Approval of Issuance of Revocable Permit to Agnes Marti-Kini, Anahola Farm Lots, Hokualele Road Mauka, Anahola, Kaua‘i Island.

L. Chinn requested approval to issue a revocable permit to Agnes Martikini as a caretaker for a culturally sensitive property at the Anahola Farm Lots on Hokualele Road, Mauka, Anahola.

K. Duncan explained that the site at Anahola Farm Lots had experienced issues over the past 20 years, including squatting and late-night parties, and had not been awarded as a farm lot in the 1980s due to its cultural significance, including a heiau. He requested that Aggie Martikini be allowed to serve as caretaker to bring stability and prevent further squatting, then turned the presentation over to her.

A. Marti-Kini requested approval to mālama and steward the wahi kapu on Mauna Kalalea to honor kūpuna, educate keiki, kumu hula, schools, and the broader community, and preserve Hawaiian cultural knowledge. She described the area's sacred sites—including paleo papa, heiau, and pōhaku—as living repositories of genealogy, spirituality, and ancestral practice, with access governed by genealogical connection, kuleana, and protocol. She explained Kalalea Mountain's symbolism as a prostrate wahine and the complementary feminine and masculine energies represented by the paleo papa and phallic pōhaku, and their historic roles in fertility, ritual, genealogy, and the education of chiefly women and kahuna wahine. She noted the sites' continued use by cultural practitioners, hula hālau, schools, and community members for ceremonies, chanting, and mālama, emphasizing the importance of protecting these wahi kapu to sustain cultural practices, ecological knowledge, and the spiritual health of the land for future generations.

Commissioner Marfil asked about access and educational opportunities for youth and the community to perpetuate Hawaiian culture. A. Marti-Kini responded that they planned to have a center on-site and erect a small museum to feature the sacred knowledge of the wahi kapu. She explained that the community had already been invited, meetings had been held, and local groups, including a charter school and two hula halau, were involved in mālama and cleaning the ‘āina. She also noted that other non-profits had expressed interest in supporting the project, emphasizing that outreach and engagement had been significant.

MOTION/ACTION

Moved by Commissioner Marfil 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			
Commissioner Marfil	X		X			
Commissioner Namu'o			X			
Commissioner Ornellas						X
Chairman Watson			X			
TOTAL VOTE COUNT						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

PLANNING OFFICE

ITEM G-1 Declare a Finding of No Significant Impact for the Cultural Learning Center and Community Farm at Ka‘ala, Wai‘anae, O‘ahu TMKs: 8-5-005:007 and 8-5-005:036.

RECOMMENDED MOTION/ACTION

Planning Office Kialoa Mossman Planner V presented the following:

Motion the Hawaiian Homes Commission to Declare a Finding of No Significant Impact for the Cultural Learning Center and Community Farm at Ka‘ala, Wai‘anae, O‘ahu

K. Mossman introduced herself and Sherri Hiraoka as presenters for item G1, regarding the declaration of a finding of no significant impact (FONSI) for the Cultural Learning Center and Community Farm at Ka‘ala, Wai‘anae, O‘ahu (Team K 85005007 and 85005036). He explained that under HRS Chapter 343, the Hawaiian Homes Commission was the accepting entity responsible for determining whether the proposed

project would have a significant impact based on 30 criteria, or if a finding of no significant impact was appropriate. He stated that it was the planning office's responsibility to oversee the preparation of the document, technical studies, and present the project to the Commission. He emphasized that it was the Commissioners' kuleana to question the quality of the document and work to ensure compliance with HRS 343, and she invited the Commissioners to critique the FONSI and provide concerns as part of the check-and-balance process, before handing the presentation over to Sherri Hiraoka.

S. Hiraoka of Townscape Inc., the consultant for Ka'ala Farm, presented on the proposed Cultural Learning Center and Community Farm at Ka'ala, Wai'anae, O'ahu, requesting a finding of no significant impact (FONSI) on the environmental assessment. She explained that the project involved two parcels, a seven-and-a-half-acre parcel owned by Ka'ala Farm and a 97-acre DHHL parcel, and noted Ka'ala Farm had been conducting education, restoration, and outreach for nearly 50 years and held a license for the DHHL parcel since 2008. The proposed actions included agricultural expansion with two additional acres of lo'i kalo, two acres of dryland fields, a half-acre aquaponics system, and construction of a bunkhouse for educational overnight stays, a barn for small animals, and a field shelter for farm workers.

She reviewed the draft EA published on October 23, which had a 30-day comment period ending November 24 and received seven comments, including three substantive comments from the City Department of Planning and Permitting, the Division of Forestry and Wildlife, and the Commission on Water Resource Management. Concerns regarding land use compliance, access, traffic, and resource protection were addressed through updated project materials and incorporation of recommended best management practices. She concluded that the EA process resolved identified issues and that the project was not expected to result in significant environmental impacts and may provide positive environmental benefits.

K. Mossman stated that approval of the final EA would allow its publication in the next Environmental Notice, after which Ka'ala Farm would complete HRS Chapter 6E compliance and work with DHHL to pursue a long-term land disposition for future Commission action. He noted continued coordination on permitting and land use compliance, suggested a permitting task force as a pilot model, and recommended issuance of a finding of no significant impact based on the final EA.

E. Enos summarized that Ka'ala Farm had been active since the late 1960s under the Model Cities program, transforming former ranch land into a site for the Waianae RAP Center and working with at-risk youth to clear the land manually without water. After portions of the land were returned to Hawaiian Home Lands through legal and trust actions, Ka'ala Farm continued its programs, securing water rights in 1978 that aligned with the Richardson decision on minimum stream flow for traditional cultural practices, which allowed them to sustain their lo'i kalo and support Native Hawaiian community needs.

Commissioner Marfil personally experienced Ka'ala Farm with her 'ohana and through her nonprofit work, noting that the site provided a meaningful connection to 'āina, and she expressed her gratitude to Ka'ala Farms and Auntie for their continued work benefiting the lāhui.

Public Testimony - DeMont Manaole - Praised E. Enos, Hui Kulikikako, and others for their work harvesting kalo and maintaining the lo'i, describing Ka'ala Farms as an inspiration for returning to 'āina and Hawaiian culture. He expressed strong support for the project and gratitude for the opportunity to witness and be part of the work being done at Ka'ala Farms.

Public Testimony – Kapua Keliikoa-Kamai – Supported Eric Enos and Ka'ala Farms through its struggles and challenges. She has been involved in community days, kalo cultivation, and Prince Kūhiō Celebration Day with Hui Kulike Kākou since 2015, noting the participation of a third generation of members. She expressed gratitude for the opportunity to engage in the work at Ka'ala, emphasized the importance of community growth and mutual support, and urged the commissioners to approve the motion to allow the project to continue.

Public Testimony – Nani – She expressed her strong support for Uncle Eric, Uncle Butch, Faya Island family, and all staff and volunteers at Ka‘ala, noting their consistent work in cultural ho‘ola for the community. She emphasized that the ‘aina at Ka‘ala served as a healing space for the people and endorsed the motion, recognizing the site and its programs as vital for perpetuating cultural and community well-being. She closed with gratitude and aloha to all involved.

Public Testimony - Maysana Aldeguer - She shared her support for Ka‘ala, recounting that in 1995, after leaving rehab at Ho‘omaukeola, she was able to reconnect with the land by working in the lo‘i, which helped her remain clean and sober for nearly 30 years. She praised the Ka‘ala program as an effective, culturally based model that positively impacted the community, especially those at risk, and asked if the program would assist other communities in adopting this approach. Supporters emphasized the importance of working together as a ‘ohana and community, honoring the legacy of kūpuna, and sustaining long-term stewardship and aloha ‘āina.

Public Testimony - Pat Kahawaiolaa - Expressed support for Eric Enos and Ka‘ala Farms, noting that although she had not known him 30 years ago, she recognized him as a lasting model for helping people work with marginal agricultural lands. He highlighted Ka‘ala Farms’ expertise in diverse farming methods, including aquaponics, hydroponics, and above-ground cultivation, and echoed support from kupuna in Pana‘ewa and Keaukaha for the impactful work Eric and the farm have done on O‘ahu’s west side.

Public Testimony – Jan Makepa - Expressed support for Uncle Eric Enos and Ka‘ala Farms, thanking him for his efforts to uplift the moku and the pae‘āina and for everything he had done for the community.

DISCUSSION

Commissioner Kalepa praised E. Enos as a treasure to the Hawaiian people, recognizing his decades-long dedication on the Waianae Coast. He commended his work in replanting, harvesting, feeding the community, and cultivating young leaders, highlighting his humility, perseverance, and guidance over 30 years. He emphasized that his efforts were essential not only for Waianae but for all Hawaiian people, describing him as a beacon to the youth and the community.

MOTION/ACTION

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

ITEM G-2 Accept the Beneficiary Consultation Report for the Proposed Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease in 'Ewa, O'ahu, TMK Nos. (1) 9-1-181-031 and 037.

NOTE: Chair Kali Watson recused himself from participating in Item G-2 and C-2.

RECOMMENDED MOTION/ACTION

Planning Office Kialoa Mossman and Property Development Agent Russell Kaupu presented the following: Motion the Hawaiian Homes Commission to Accept the Beneficiary Consultation Report for the Proposed Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease in 'Ewa, O'ahu.

R. Kaupu explained the proposed land transaction, clarified concerns raised at the October meeting, and outlined the process leading to approval of a memorandum of agreement scheduled for the following day. He explained that the presentation was largely the same as what had been shared during the beneficiary consultation, with updates reflecting beneficiary feedback, and that the transaction was the same matter referenced earlier regarding an outstanding Uniform Information Act request. He stated that the workshop focused on identifying the properties and parties involved, explaining the transaction sequence, and summarizing the current status of the process.

He described the two parcels involved as TMK lots 31 and 37 near Fort Weaver Road, totaling approximately 22 acres, with the Roman Catholic Church as the seller and Kalanianaole Development, LLC (KDL) as the buyer, future donor, and lessor. After purchasing the land for \$6.025 million with a due diligence period through December 2026, KDL would lease the property to its subsidiary, Hale Ku'ai, LLC, for 65 years. The lease terms included an 8% base rent of fair market value, equaling \$482,000 in the first year with 10% increases every five years, and a participation rent providing DHHL 50% of distributable cash flow after the developer achieved a 25% internal rate of return, while all development, environmental, archaeological, and permitting costs would be the developer's responsibility.

KDL would then donate the fee interest in the properties, subject to the lease, to DHHL, allowing DHHL to step into the role of lessor with full due diligence rights. One-third of the base rent would be distributed to homestead associations within a four- to five-mile radius as a beneficiary benefits package. He emphasized that DHHL's land use authority would allow commercial mixed-use designation without rezoning, that all parts of the transaction would close simultaneously through coordinated escrows, and that the Commission would continue to serve as the reviewing body for the environmental assessment process as the project moved forward.

DISCUSSION

Commissioner Kalepa asked whether the five-mile radius referenced in the proposal could be clearly identified in the report by listing the affected community associations. R. Kaupu confirmed that this could be done and stated he would follow up, explaining that the radius included existing Kapolei associations, a new association coming online, and a new Ewa Beach association, with the possibility that future homesteads could also fall within that area.

Commissioner Kaleikini asked for clarification on the proposed base rent of \$482,000, confirming that one-third would be distributed to homesteads within a five-mile radius and that the remaining portion would go to the department. He then asked about the 50 percent participation rent, acknowledged the developer's need to recover investment costs, and inquired whether there was an estimate of the potential participation rent amount. R. Kaupu responded that this would be a developer question and noted that while an answer might not be available at that time, the information could be provided later.

Christian O'Connor of the Kalanianaole Development team noted that Dan Ford of Ford & Associates, the project's environmental consultant with prior experience on DHHL lands, was also present. He explained that estimating participation rent over a 65-year period was inherently uncertain and amounted to only a directional, conservative projection, given long-term factors such as economic changes and global events. He stated that if the project performed as expected, participation rent could generate an additional \$50 million to

\$60 million over the lease term, potentially doubling the estimated ground rent of approximately \$45 million, resulting in total projected income of about \$100 million or more over the period, excluding asset reversion value. He added that upon reversion, the assets were estimated to be worth in the hundreds of millions of dollars, acknowledging that such figures were difficult to quantify so far into the future, but emphasized the substantial long-term income, housing, and infrastructure benefits for DHHL.

Commissioner Kaleikini sought clarification on whether the \$50 to \$60 million estimate referred to funds going to the department or the total amount, and C. O'Connor responded that he had not segregated the values according to the earlier presentation but could provide a more detailed breakdown later. R. Kaupu then clarified that participation rent would go entirely to the department, while only one-third of the base rent would be distributed to community associations within the designated radius. Commissioner Kaleikini acknowledged the clarification and confirmed that it addressed his question.

R. Kaupu explained that at the end of the 65-year lease term, the department would regain the property without a lease in place, retaining full, unrestricted value and the flexibility to decide whether to extend the lease or pursue other uses, thereby realizing significant residual or end-of-transaction value. He also noted that C. O'Connor had introduced the environmental consultant and referenced the lengthy environmental document provided to the commissioners, then deferred to the consultant to begin the presentation.

Dan Ford, principal geologist with Ford & Associates, explained that his firm conducted a Phase I Environmental Assessment of the property to evaluate its environmental condition for lending, financing, and property transaction purposes. He stated that the assessment included a site inspection, a historical review, and an evaluation of all prior environmental work, which showed that the property had primarily been used for agriculture, with some historical features, including old construction areas, base yards, and a former slaughterhouse. He noted the presence of some randomly distributed items that could potentially pose environmental concerns, leading to a recommendation to test certain suspect soil areas, although no environmental contamination had been identified to date. Ford emphasized that these conditions were typical of agricultural vacant properties and that there were no historical operations warranting large-scale environmental investigations; he added that the next steps would involve removing identified items and further investigating suspect areas, as outlined in the submitted report.

Commissioner Marfil asked how the environmental issues identified on the property would be reported back once addressed. D. Ford explained that the next steps would involve removing the items of concern, testing specific areas, and preparing a Phase II report detailing the findings. If any areas required remediation, the reports would be submitted to the Department of Health, which would oversee the process and approve the work. Once all necessary remediation was completed and approved, the property would receive a “no further action” determination, though this process would only apply if any environmental issues were actually found.

R. Kaupu explained that under the piggyback due diligence rights, the department would review the developer’s reports and could request additional investigations as needed. If at any point the department was not comfortable taking assignment of the lease or accepting the property donation, it could withdraw from the transaction. He emphasized that departmental staff, with assistance from the Attorney General’s office, would monitor all environmental, archaeological, and other due diligence items to ensure the property’s profile was acceptable before proceeding. Commissioner Kaleikini asked whether the developer was preparing an Environmental Impact Statement (EIS), and R. Kaupu clarified that although it had not yet been prepared, the developer would need to complete an Environmental Assessment (EA), which the Commission would review before accepting the results.

Commissioner Kaneakua noted that the community and Commission were concerned about soil contamination and traffic impacts, highlighting these as key issues for assessment. C. O'Connor explained that they were awaiting topographic information, expected before Christmas, and that plans with the Department of Transportation included adding turn lanes and widening the intersection to address traffic from future developments, including the Ho‘opili parkway. He added that a Traffic Impact Analysis Report (TIAR)

by Austin Tsutsumi and Associates would address these issues and that civil engineers were also addressing flood risks at the lower portion of the site to improve conditions.

MOTION/ACTION

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

ITEMS FOR INFORMATION/DISCUSSION

A. WORKSHOP

OFFICE OF THE CHAIRMAN

ITEM C-2 **For Information Only – Workshop on the Proposed Donation and Acceptance of Ewa Parcels Encumbered by a Commercial Development Lease, in 'Ewa, O'ahu, TMK Nos. (1) 9-1-181:031 and 037**

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Office Kialoa Mossman Planner V presented the following:

K. Mossman summarized the beneficiary consultation report for the proposed donation of parcels 31 and 37, which would be encumbered by a commercial development lease. The consultation occurred on October 7, 2025, as a hybrid meeting, with 2,892 postcards sent to Hawaiian Homes applicants and lessees in the 96706 and 96707 zip codes. Twenty participants signed in in person, with an additional 20 attending without signing in, and 16–20 participating online. During the comment period, 22 online responses were submitted, mostly from beneficiaries, expressing concerns about environmental contamination, including prior industrial activity and potential chemical residues, traffic and infrastructure impacts, alignment with the DHHL mission favoring residential or agricultural homesteads over commercial development, and transparency regarding the developer's motives and the pre-existing 65-year lease. Concerns were also raised about the beneficiary consultation process itself, including meeting facilitation, participation boundaries, and the safety of voicing opinions.

Despite these concerns, some beneficiaries expressed strong support for the project, citing economic opportunities, union job creation, long-term lease revenue for homestead associations, youth development, business mentorship programs, entrepreneurship, and capacity-building in governance. Online survey responses showed roughly 80–85% support for the project, primarily from Kapolei homestead communities, while 10–15% opposed, citing environmental and process concerns. He also explained that next steps

included informal workshops scheduled for December 15, 2025, and that environmental concerns would be addressed as the developers complied with Chapter 343, after which the Hawaiian Homes Commission would review and consider acceptance. Staff recommended that the Commission approve the beneficiary consultation report as complete.

Public Testimony – DeMont Manaole - Expressed strong support for the project, emphasizing that it prioritized Hawaiians and expanded opportunities for the community. He highlighted that after the 65-year lease, the department would ultimately have full control of the development, ensuring long-term benefits. He praised the developer, a Kanaka from Molokai homestead, for their commitment to the community and ethical approach, and defended the department against critics, stating that opposition often came from individuals with questionable ethics.

Public Testimony - Iwalani McBrayer – Expressed her support for the land donation, emphasizing that it represented collaboration between developers and homestead/community leaders, demonstrating self-governance and self-determination. She acknowledged the department's efforts in conducting the beneficiary consultation and noted that while concerns were raised, they were addressed in a pono (righteous and respectful) manner that upheld Hawaiian values. She also highlighted the importance of a safe and respectful environment for beneficiaries to voice opinions without interference or conflict, comparing the Hawaiian Homes Commission to a tribunal ensuring fairness. She praised the department for considering the perspectives of community leaders, recognized the challenges faced in advocating for her community, and affirmed her commitment to pursuing opportunities that align with Prince Kuhio's vision.

Public Testimony – Shane Pale - Expressed strong support for the proposed donation and acceptance of the Ewa project parcel, emphasizing that it returned 22 acres of land to DHHL rather than creating a lease or transferring it out of the trust. He highlighted the project's importance for economic development, noting that over 29,000 Hawaiians remain on the waitlist and that legislative funding for Hawaiian homes is insufficient. He criticized individuals who opposed the project while previously opposing DHHL funding in the legislature, arguing that such positions contradicted their stated concern for the waitlist. He later concluded by urging the commission to focus on the facts, reject distractions, and approve the project for the benefit of Hawaiian homes and future generations.

Public Testimony – Annie Aea - Clarified that Kaupe'a had not authorized or endorsed the Ewa development land donation project. She stated that I. McBrayer, who had publicly supported the project at commission meetings, had done so without the consent of Kaupe'a's lessees, and that the homestead had not held proper community meetings or votes to approve the project for several years. She emphasized that the board lacked transparent and accountable governance, including access to bylaws, financial records, and regular community meetings, and noted that board members must be actual lessees, which McBrayer was not, as her lease was held in her husband's name. She raised serious governance and accountability concerns about McBrayer's advocacy on behalf of Kalanianaole Development LLC and urged the Commission to hear directly from the legitimate beneficiaries and lessees, stating that McBrayer did not represent the community's official position.

Public Testimony - Maysana Aldegeur - Expressed strong opposition to the Ewa development project, raising ethical concerns about the planning and representation of beneficiaries in the process. She criticized the project's organization, noting that prior meetings, including the October session and a November town hall, involved anger, confrontation, and intimidation, and felt that due diligence and transparency had been lacking. She also emphasized that the project would affect not only specific homesteads but also the broader Ewa Beach community and all Hawaiian Homes beneficiaries, and she questioned the fairness of a 65-year commercial lease given the historical struggles of Native Hawaiians over more than a century. Drawing on her personal experience as a 29-year-old recovering individual, she urged the Commission to carefully consider the project's impact and to make decisions that protect the rights and interests of waitlisted beneficiaries.

Public Testimony – Germaine Toguchi - Strongly opposed the Ewa development project proposed by Kalanianaole Development LLC. He argued that the project did not serve the interests of DHHL beneficiaries and criticized allowing third-party developers to profit from trust lands while circumventing proper bidding processes that could benefit local contractors and small businesses. She also raised governance concerns, noting that the Kaupe'a Homestead was misrepresented by a self-appointed president who endorsed the project without community input, failed to hold proper meetings or elections, and withheld essential documents such as bylaws and minutes. She emphasized that the project prioritized political and developer interests over the welfare of beneficiaries, questioned potential environmental impacts including underlying coral cavities, and urged the commission not to approve the donation, stating it conflicted with Prince Kūhiō's vision and fiduciary responsibility to the Hawaiian community.

Public Testimony - Sabrina Grace - Strongly opposed the Ewa development project, arguing that donations with conditions were not beneficial for the Hawaiian people and that Hawaiian Homes should prioritize building opportunities themselves. She expressed concern for homeless and low-income beneficiaries, including retirees and families living in tents on her farm, asking what provisions the trust had for them and highlighting the need to prioritize human welfare over environmental or aesthetic concerns. Sabrina criticized the handling of the October 7th meeting, claiming R. Kaupu performed poorly and allowed confrontations, and she questioned Chair Watson's participation given potential conflicts of interest, urging commissioners to make decisions that genuinely benefited all Hawaiian beneficiaries rather than select individuals. She emphasized that the project, as proposed, was not in the best interest of the community and stressed careful, ethical consideration for those most in need.

Public Testimony - Patty Teruya - Argued that the project was not a genuine donation benefiting DHHL or its beneficiaries and warned it could set a dangerous precedent, allowing developers statewide to encumber trust lands under similar arrangements. She questioned the legitimacy of three Hawaiian homestead organizations supporting the project, noting that they would stand to receive financial benefits despite having no direct impact on their own communities. She concluded by urging the Commission to carefully consider their fiduciary duty to protect beneficiaries, avoid rushing the decision, and uphold ethical governance in approving or rejecting the project.

Public Testimony - Senator Kurt Fevella - Noted that Commissioners faced a serious and far-reaching decision that would negatively affect the Ewa Beach community, where many homestead beneficiaries and wait listers lived. He spoke both as a senator and a community member with family on the wait list. He stated that the process had divided Hawaiians and homesteaders, while his constituents overwhelmingly opposed the project, noting that more than 90 percent of attendees at a community meeting opposed it and that support largely came from those tied to the developer. He raised concerns about locating the project in a tsunami area, worsening already severe traffic, and adding commercial and entertainment uses without addressing major roadway connections, calling proposed improvements inadequate and premature. He warned that approving the project would set a dangerous precedent for future developers, emphasized that developers were closely watching the outcome, and stressed that while he had nothing to gain personally, his community would suffer if the project moved forward, urging the commission to delay the decision and properly engage the Ewa Beach community.

Public Testimony – Robert Branco - Stated that he focused on what he described as factual concerns. He alleged that Kalanianaole Development was connected to Chair Kali Watson through nonprofit organizations, and questioned the ethics of the chair signing fast-track permits and facilitating funding, including NAHASDA funds, for projects linked to his own nonprofit, specifically referencing the Yorktown project. He suggested these actions reflected conflicts of interest, improper use of authority, and a pattern of nonprofits receiving DHHL contracts without open competition, resulting in significant financial benefit while limiting public oversight and dissent. He further claimed the approval process lacked ethics, described the situation as "smoke and mirrors," and raised concerns about environmental contamination at the project site, alleging diesel pollution and abandoned vehicles, while asserting that the surrounding community no longer primarily served Hawaiians. He concluded by questioning how the project truly benefited beneficiaries and emphasized that all these issues were interconnected and troubling.

Public Testimony - Kenna Stormogipson - She testified that she attended the beneficiary consultation, though not a beneficiary, due to longstanding concerns about the treatment of Waipouli Courtyard residents during a prior relocation process. She alleged that Christian O'Connor misrepresented relocation funding and environmental responsibilities to multiple public bodies, and stated that similar misinformation was presented during the consultation. She further asserted that O'Connor inappropriately coached DHHL staff during the meeting, raising concerns about accountability and the accuracy of information being relied upon by the Commission, particularly regarding environmental and relocation issues.

Public Testimony - Pat Kahawaiolaoa – Strongly opposed to the proposal, stating that his concerns echoed much of the prior testimony but focused specifically on governance and fiduciary responsibility. He expressed concern that Mr. R. Kaupu, a former commissioner who did not complete his term and later became a DHHL staff member, emphasized the commission's power to waive land use restrictions for commercial purposes, which Pat argued highlighted a double standard. He acknowledged that the commission had exclusive authority over Hawaiian homelands but stressed, citing the Nelson case, that the commission could not serve two masters and owed its sole duty to beneficiaries, who constituted the corpus of the trust, not to the State of Hawai‘i. He questioned why beneficiaries were not granted similar waivers for ‘ohana housing while commercial projects were considered for waivers. He further raised concerns about base rent and community benefit revenues, questioning whether such funds truly benefited beneficiaries, and referenced a 1968 lawsuit by Sonny Kaniho in which Judge Ernest Kubota ruled that lease rent income from Hawaiian homelands could not be used to operate the department and should instead be supported by general fund appropriations. He concluded by cautioning against hypocrisy and urging the commission to carefully examine conflicts of interest, specifically reiterating concerns about Chair Watson’s need to recuse himself, and closed by reaffirming his strong opposition to the project.

Public Testimony – Kahuna’ana’ana Hewahewa - Testified that they no longer considered themselves a DHHL beneficiary and asserted that DHHL was fraudulent and illegitimate. They claimed that all Kanaka Maoli were descendants of chiefs or royalty and accused DHHL of misleading and defrauding Kanaka people by developing on what they described as Crown Lands and lands subject to allodial title. They stated that they were an allodial title holder and royal heir and argued that DHHL’s actions were invalid because the lands in question should belong to original title holders identified through the Māhele, Royal Patents, and Palapala Sila Nui from the time of Kamehameha III. They asserted that DHHL and the State had no authority over these lands, called for a proper title search, and demanded that lands be returned to Royal Patent heirs and descendants.

Public Testimony - Kapua Keliikoa-Kamai - Explained that beneficiaries were asking for a delay because more people, including future ‘Ewa Beach beneficiaries, had not been informed or given a chance to weigh in. She noted that most attendees at the October beneficiary consultation were familiar faces, suggesting limited outreach, and she asked Director Watson to recuse himself due to his leadership role and continued connections to Kalanianaole Development, which she believed created bias and possible impropriety. She raised concerns about reports that I. McBrayer had not been elected and that required community meetings had not occurred, emphasizing she was stating facts rather than making personal attacks. She also cautioned against land donations with conditions, noting that commercialization often disadvantaged Hawaiians, and concluded that while the project was innovative, it remained suspect and required careful commissioner judgment.

Public Testimony – Healani Sonoda Pali – Testified in strong support of accepting the ‘Ewa parcel donation, stating that her grandmother had died on the DHHL wait list, reflecting a long-standing systemic failure by the state to fully fund Hawaiian homes. She emphasized that addressing the roughly 29,000 beneficiaries on the wait list could house over 119,000 people and significantly impact Hawai‘i’s housing crisis, noting that recent legislative efforts like HB 606 had failed, and that some opponents of the donation had even testified against additional funding. She stressed that the donation and its revenues would directly benefit DHHL and the Hawaiian Homes Association and highlighted that the developer was a Kanaka Maoli homestead wait lister who understood the urgency of building homes. She criticized opposition testimonies

for offering no concrete solutions to reduce the wait list and reaffirmed her long-standing advocacy for fully funding DHHL and supporting projects that return resources to the Hawaiian community.

ITEM G-2	Accept the Beneficiary Consultation Report for the Proposed Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease in 'Ewa, O'ahu, TMK Nos. (1) 9-1-181-031 and 037.
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RECOMMENDED MOTION/ACTION

Planning Office Kialoa Mossman Planner V and OCH Property Development Agent Russell Kaupu presented the following:

Motion the Hawaiian Homes Commission to Accept the Beneficiary Consultation Report for the Proposed Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease in 'Ewa, O'ahu.

Chair Watson announced that he would recuse himself from agenda item G2 regarding the acceptance of the beneficiary consultation report and turned the matter over to Commissioner Sanoe Marfil.

K. Mossman recommended that the Hawaiian Homes Commission accept the beneficiary consultation report for the proposed donation and acceptance of the Ewa parcels, which were encumbered by a commercial development lease on TMK parcels 031 and 037 in Ewa, Oahu.

Commissioner Marfil asked for a motion. Commissioner Freitas spoke in support, noting that he had backed the project from the start, acknowledged valid concerns raised, thanked staff for their work, emphasized the need to address contamination and ensure high transparency, and supported expedited permitting for beneficiaries due to rising costs. The vote was taken, resulting in seven ayes, and the motion carried.

MOTION/ACTION

Moved by Commissioner Freitas 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						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Eight (8) Yes votes						

RECESS
RECONVENE

1:16 PM
2:30 PM

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1	Approval of Transfer of Hawaiian Home Receipts Fund Balance End of 2nd Quarter, FY26
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RECOMMENDED MOTION/ACTION

Administrative Service Officer Phillip Nguyen presented the following:

Motion the Hawaiian Homes Commission to the Approval of Transfer of Hawaiian Home Receipts Fund Balance End of 2nd Quarter, FY26.

P. Nguyen presented item H1 regarding the quarterly transfer of Hawaiian Homes receipts funds for the second quarter of fiscal year 2026, recommending a transfer of approximately \$1.5 million from the Hawaiian Homes receipt funds to the Hawaiian Home general loans fund. Chair Watson confirmed no AG review was needed.

MOTION/ACTION

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

III. ITEMS FOR INFORMATION/DISCUSSION

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

RECOMMENDED MOTION/ACTION

None or Information Only. Homestead Services Division Administrator Juan Garcia presents the following:

- A. Homestead Lease Totals & Monthly Activity Reports
- B. Delinquency Report
- C. DHHL Guarantees for Hawaii Community Lending Permanent Loans
- D. DHHL Guarantees for Hawaii Community Lending Construction Loans

J. Garcia provided the HSD reports to the Commissioners, covering three exhibits: A, which detailed homestead leases, applications, and monthly activity; B, the delinquency report; and C, DHHL guarantees for HCL permanent and construction loans. He updated the commissioners on lease numbers, noting this was the first update since August 2027 due to the department's transition from the old Wang/Apex system to

Salesforce, with consultant Pacific Point assisting in ensuring accurate data transfer. He reported increases in leases, particularly in Ka‘uluokaha‘i and La‘i ‘Ōpua on the Big Island, though some adjustments were still ongoing. He noted that the number of applicants had slightly decreased from 29,596 to 29,589, as project lease awards were being removed from the list. The delinquency report showed approximately 23% by dollar amount. He emphasized that staff had been actively addressing delinquencies, partnering with Catholic Charities to provide over \$500,000 in homeownership assistance grants to multiple lessees, with additional cases in the qualification process. He also mentioned ongoing hiring for an additional collections officer to strengthen the department’s loan delinquency efforts and offered to answer any questions.

LAND DEVELOPMENT DIVISION

ITEM E-6

For Information Only: Strategic Approach to Implement Act 279 of 2022 (revised in December 2025) - Presentation & Booklet

RECOMMENDED MOTION/ACTION

None. For Information Only. LDD Administrator Kalani Fronda presented the following:

K. Fronda opened by recognizing the dedication of staff who had advanced development projects, maintained infrastructure, and awarded leases to wait-listers. He introduced agenda item E6, noting the progress achieved by collaboration across divisions and highlighting the updated plan shared with the State House Act 279 Working Group. He summarized the booklet in the packet, which included updates from 2022 with improvements approved in 2024, policy considerations, project updates, innovative partnerships, and funding strategies. He emphasized that the plan addressed budget uncertainties over a three-year period and incorporated beneficiary testimonies, \$600 million in encumbered expenditures, and details of the LIHTC program.

He detailed new approaches to project leases, explaining that roughly 2,500 leases had been issued this year, with about 3,500 planned for next year. These leases ensured access for 50 percent, designated successors, and included financial assessments to build homes within what beneficiaries could afford. He highlighted programs addressing credit challenges, down payment assistance, self-help options, and rent-to-own arrangements, aiming to walk beneficiaries through the homeownership process while partnering with developers to construct vertically based on assessments. This approach also allowed beneficiaries to purchase homes in the future at pre-determined prices, regardless of market appreciation.

He described strategies for land acquisition and development, emphasizing proximity to infrastructure, healthcare, and education to expedite housing delivery. He provided updates on 20 active projects, noting that \$511 million of the \$600 million in encumbered funds had been allocated to infrastructure, \$52 million to strategic acquisitions, and \$36 million toward financing and beneficiary services. Phase two funding was projected to complete additional projects, developing 22,230 lots by 2030 and addressing the waitlist. Innovative partnerships included pursuing federal grants, leveraging the Maui GAT set-aside, and collaborating with counties to reduce costs and share infrastructure, particularly in Lanai.

Finally, he highlighted creative funding solutions, including Hawaii Community Lending’s \$41 million revolving fund to assist beneficiaries with construction loans, down payments, and scattered lot development without tapping trust funds. He discussed alternative acquisition using state, county, and federal lands, monetizing affordable housing credits, and leveraging LIHTC funding and bond financing to support future projects. He concluded by encouraging commissioners to review the detailed booklet, which provided comprehensive information on Act 279, project financing, and progress, and opened the floor for questions or comments.

Commissioner Kaneakua noted that critics often focused on isolated projects and missed the broader accomplishments of the Department. He commended the booklet and digital materials for making the work accessible to beneficiaries and highlighted that the report reflected the collaborative efforts of all divisions and state departments. Commissioner Kaneakua emphasized that the plan demonstrated innovation, thinking

outside the box, and the department's dedication to serving beneficiaries, urging that the public recognize the progress and accomplishments being made.

Commissioner Marfil agreed, noting the importance of highlighting those testimonies and suggested using pages from the booklet at community events to repeatedly share the stories and build public understanding and support for the department's work.

Chair Watson noted that while \$600 million had been encumbered, significantly more funding was needed to meet DHHL's housing demand. He emphasized the importance of innovative financing tools, including LIHTC (Low Income Housing Tax Credits), bonds, and DURF (Dwelling Unit Revolving Fund), to ensure low-income beneficiaries were not left behind, and stressed the urgency of accelerating housing delivery.

Public Testimony – DeMont Manaole – Expressed support for the presentation, calling it informative and well-done, and noted that it clearly showed the department was moving in the right direction. He stressed that the Hawaiian Homes Commission Act was intended for homesteading, placing people on land to work it, and suggested that low-cost, practical housing solutions—like a \$3,000 framed structure with a tent—could serve families in desperate situations. He urged the Commission to consider alternatives for the “have-nots” on the waitlist, advocating for inclusivity and attention to the most financially vulnerable beneficiaries.

Public Testimony - Kainoa MacDonald – Testified on agenda item E6, emphasizing that Act 279, enacted in 2022 with \$600 million, was intended to prioritize shovel-ready projects, single-family homeownership, minimal land acquisition, and a 10% set aside to rapidly deliver homes, reflecting legally enforceable trust obligations. He raised concerns that the current implementation had strayed from its intent, with funds diverted to speculative land acquisitions, unauthorized rental or rent-to-own projects delaying home delivery, and Maui projects lacking beneficiary consultation or secured infrastructure, creating decades-long paper lease issues. He also highlighted governance and accountability problems, including committee changes, reliance on consultants, budget discrepancies, and unclear use of the \$60 million set aside.

Public Testimony - Kapua Keliikoa Kamai – Acknowledged the innovation in using LIHTC to provide opportunities for lower-income beneficiaries, but expressed concern that it might allow those with less than 50% Hawaiian ancestry to access units before native beneficiaries. She emphasized the importance of prioritizing beneficiaries on the waitlist, noting her own family's long wait, and highlighted the need to eventually honor Prince Kuhio's vision of extending eligibility down to a 1/32 blood quantum. While appreciative of the department's land acquisitions and innovative approaches, she stressed the ongoing need to ensure housing directly benefits Hawaiian beneficiaries and commended the commissioners for their service and commitment to moving the community forward.

OFFICE OF THE CHAIRPERSON

ITEM C-3 **Status Report of DHHL Enforcement Unit Efforts and Statistics (November 10, 2025 - December 7, 2025)**

RECOMMENDED MOTION/ACTION

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

D. Hoke provided a monthly update covering November 10 through December 7. During this period, the unit received 16 enforcement requests, bringing the calendar year total to 190, and submitted 45 reports, totaling 435 for the year. Legal assistant Casey Corporal sent 10 official correspondences regarding enforcement investigations. The team conducted several days of work securing four San Juan Jail telecommunication sites and performed two property inspections related to criminal activity, following procedures established in the 2024 organized criminal activity pilot program. They successfully assisted an elderly beneficiary in regaining control of a property from which they had been displaced, emphasizing both community safety and

preservation of leases. The unit continued beneficiary engagement through monthly emails and collaborated with multiple state agencies to maximize resources and outreach across Hawaii.

PLANNING OFFICE

ITEM G-3 Status Update on Plan Implementation in the Wai‘anae Moku, O‘ahu Island Plan (2014), Nānākuli Regional Plan (2018) and Wai‘anae & Lualualei Regional Plan (2018).

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Office Planners Kialoa Mossman and Julie Cachola presented the following:

K. Mossman, filling in for the acting planning manager, introduced the status update on the implementation of the Wai‘anae Moku, O‘ahu Island plan, Nānākuli regional plan, and Wai‘anae Lualualei regional plan.

J. Cachola, liaison for the Wai‘anae Coast, presented highlights of the plans, explaining the O‘ahu Island plan’s framework, implementation tools, and evaluation program. She reported that the island plan anticipated 320 additional residential lots on 75 acres, 140 subsistence agricultural lots on 100 acres, community use areas, industrial lands, and conservation lands. She noted that some undesignated lands in Lualualei remain under federal management, pending equal-value land transfer, representing about \$40 million worth of land. In Nānākuli, the plan identified 1,800 new homestead units on over 300 acres for high-density residential development.

At the regional plan level, the planning process involved existing lessees, where homesteaders identified their priorities, including disaster preparedness, improved access, street repairs, health and safety, community-based education, and economic development. She detailed ongoing projects such as Nānākuli flood channel repairs, traffic calming, and sewer system improvements. In Wai‘anae Lualualei, projects included general lease arrangements with the Wai‘anae Valley Homestead Community Association, environmental assessments for Ka‘ala Farm expansion, and the Elepai‘o Food Campus Master Plan, aimed at food security, workforce development, and cultural education for the community.

She emphasized the Wai‘anae Valley cesspool conversion pilot project, explaining the statewide requirement under Act 125 to close all cesspools by 2050 to protect human health and the environment. She described the collaborative effort with EPA, consultants, and community organizations to assess alternatives for sewage conversion, including sewer hookups, new sewer lines, pump systems, and updated septic systems. The project addressed the challenges of small lot sizes, elevation differences, and financing concerns, with a goal to provide safe, environmentally compliant wastewater solutions for the homesteads.

She concluded that the Planning Office, in partnership with multiple agencies and community stakeholders, was actively implementing residential, agricultural, and community infrastructure projects while also opening lands for broader community access and development. The Wai‘anae and Nānākuli plans integrated housing, disaster preparedness, food security, cultural education, and environmental protection, reflecting a comprehensive approach to supporting homesteaders and the surrounding communities.

ANNOUNCEMENTS AND RECESS

Chair Watson thanked participants, noting that there were no further questions, and officially concluded the day’s agenda. He reminded attendees that the next day’s agenda would begin at 9:30 a.m. with public testimony followed by item C4, and that a community meeting was scheduled that evening at 6:30 p.m. at the Kalaniana‘o Community Center in Nānākuli. He recessed the meeting and thanked everyone for their attendance and participation.

RECESS

3:45 PM

HAWAIIAN HOMES COMMISSION
Minutes of Tuesday, December 16, 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
Archie Kalepa, Maui Commissioner
Walter Kaneakua, O'ahu Commissioner
Makai Freitas, West Hawai'i Commissioner
Lawrence Lasua, Moloka'i Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner (ICT)
Sanoe Marfil, O'ahu Commissioner

EXCUSED Pauline N. Namu'o, O'ahu Commissioner
Shaylyn Ornellas, Kauai Commissioner

COUNSEL Hokulei Lindsey, Deputy Attorney General

STAFF Richard Hoke, Executive Assistant to the Chairperson
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Linda Chinn, LDD Acting Administrator
Julie Cachola, Planning Grants Specialist
Kalani Fronda, Land Development Division Acting Administrator
Ruby Nuesca, Office Assistant to the Commission

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 9:37 am by Chair Watson. Six (6) members were present in person, one (1) on Zoom, and two (2) excused, establishing a quorum.

Chair Watson announced that the morning would begin with public testimony, followed by item C4 and the J Agenda. The Commission planned to recess for lunch and contest case hearings at 12:00 p.m., and again at 2:00 p.m. for additional contest case hearings, with a reconvening scheduled at 3:30 p.m. to continue the J Agenda.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Tammy Chung - Successorship Issue

T. Chung testified regarding her husband, George Chung Jr.'s, succession to his late father's homestead in Princess Kahanu Estates Lot 159. The original designated successor, George Sr.'s daughter, passed away in 2023, and the property entered public notice with multiple claimants. DHHL had emphasized financial capability as a requirement for succession, but nearly two years later, they were asked to sign joint succession paperwork with an unemployed individual, creating financial and legal risk. The process had been delayed from the expected 6 months to 2 years, and she submitted documentation of her husband's long-term stewardship and contributions since 1995.

Homestead Services Division Administrator Juan Garcia apologized to the Chung 'Ohana for their difficult experience, and clarified that for lease successorship, financial qualification was not required; only the familial relationship and blood quantum mattered. He committed to working with the family to find a resolution.

ITEMS FOR DECISION MAKING

OFFICE OF THE CHAIRMAN

ITEM C-4	Approval of a Memorandum of Agreement for the Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease, in 'Ewa, O'ahu, TMK Nos. (1) 9-1-181:031 and 037
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Chair Watson recused himself from Item C-4. Commissioner Sanoe Marfil filled in as Chair pro tem.

PT-1 Danielle DeLima - Expressed concern and sadness over personal attacks and harassment among community advocates, and criticized the board's failure to adequately maintain respectful conduct. She stated that Kaupe'a's president, Iwalani McBrayer, had been subjected to baseless character attacks and false allegations of misconduct, which she affirmed were untrue based on her more than three years of working closely with I. McBrayer and witnessing her integrity and dedication to the community. She emphasized that disagreement should not lead to character assassination, called for evidence-based claims, and urged stricter enforcement of Robert's Rules of Order to ensure a safe and respectful space for beneficiary dialogue. She acknowledged the community's passion but condemned divisive behavior, affirmed the Kaupe'a board's support for Iwalani and the 'Ewa land donation, stressed the importance of engaging in both innovative and traditional development processes, and concluded that Kaupe'a's participation ensured the community's voices were represented, offering aloha to all, including those in opposition.

PT-2 Maysana Aldeguer – Testified as a Native Hawaiian beneficiary and wait lister requesting a contested case hearing on Agenda Item C4 regarding the donation and acceptance of an 'Ewa parcel encumbered by a commercial development lease, stating that its approval constituted a breach of the Hawaiian Homes Commission's fiduciary duties. She sought administrative relief under HRS Chapter 673-3, cited alleged violations of the Hawai'i State Constitution, the Hawaiian Homes Commission Act, applicable statutes, and administrative rules, and asserted her due process rights under relevant Hawai'i Supreme Court precedent with the Mauna Kea issue. She requested that the Commission take no action on this or any substantially similar item until the contested case hearing was conducted and noted she could not take questions because her attorney was not present.

PT-3 Shane Pale – Testified in strong support of the MOA and Agenda Item C4, stating that the project aligned with the purpose of Hawaiian Homes by expanding DHHL's land base, returning 22 acres to the trust, and creating ongoing revenue to support housing, infrastructure, and community needs. He emphasized that DHHL could not rely solely on legislative appropriations, given the nearly 29,000 wait listers and significant funding gap, and that economic development was necessary to fulfill the mission. He defended developer P. Tancayo, identifying her as a qualified Native Hawaiian beneficiary with over 30 years of experience and more than 1,000 affordable homes built, and condemned personal attacks, intimidation, and misogynistic treatment directed at her. He argued that the project was non-extractive, beneficiary-led, and reflected kuleana; criticized opponents for simultaneously blocking funding and economic development; and urged the Commission to focus on facts and long-term benefits and to move the project forward.

PT-4 DeMont Manalole - Testified in support of the project, stating that it was led by a Native Hawaiian developer, which he described as breaking barriers and creating opportunities for other Native Hawaiian women to enter development. He said the project benefited the department and the Commission by expanding the Hawaiian Homelands trust through the acquisition of new lands and would ultimately benefit beneficiaries, including future generations, by creating long-term value. He emphasized the kuleana of current leaders to set a positive path for those who would come after them.

PT-5 Princeslehuanani Kumaewakainakaleomomona - Testified in strong support of I. McBrayer, sharing that she personally understood the pain of being publicly attacked and described the situation as heartbreaking. She explained that she and Iwalani had participated in and graduated from an OHA business program for mana wahine about ten years earlier, which helped them advance as leaders, and she expressed

pride in Iwalani's growth and continued presence in community and professional spaces. She called on heirs and the community to stand up and protect their own, warning that harmful division was occurring among Kānaka Maoli.

PT-6 Kawika Kane - Testified in support of Agenda Item C4 by emphasizing the importance of considering the Kapolei Development Corporation as part of the MOU related to the 'Ewa land donation. He noted that longstanding relationships already existed between the department and partners such as DeBartolo and Kamakana and expressed the desire to continue and strengthen those relationships moving forward. He stressed the importance of unity among the homesteads in the moku, including Kanehili, Kaupe'a, Malu'uhai, Ka'ulu'okaha'i, and KCDC, and asked the commissioners to be mindful of maintaining that unity when considering this and future MOUs.

PT-7 Kapua Keliikoa Kamai - Expressed support for innovation under Agenda Item C4 but emphasized the need to proceed in the right way by ensuring equal opportunity for all developers, such as through an RFP-type process, so future opportunities would be fair and inclusive. She acknowledged developers who take initiative, but stressed that opening this door would invite others and must be handled equitably. She questioned the characterization of concerns as "attacks," stating that raising concerns about individuals, organizations, or projects was necessary and should not be dismissed or labeled derogatorily. She also raised concerns about governance and adherence to the bylaws, citing observations from a Zoom meeting she attended. She reaffirmed her support for projects that bring beneficiaries home, reduce the wait list, and benefit Kanaka, and urged that respectful disagreement be allowed, as silencing concerns would not serve beneficiaries or assist the commissioners.

DISCUSSION

R. Kaupu provided a detailed overview of Agenda Item C4 regarding the Memorandum of Agreement (MOA) for the Ewa land donation project. He explained the history, noting that the Commission had previously approved the donation process subject to a lease and authorized negotiation of an MOA. He recapped prior presentations, including a workshop and a Phase One environmental report by a consultant, and noted that the MOA had been revised to address concerns about EA/EIS compliance, with the donor party responsible for costs while the department would review the process. He described the contentious beneficiary consultation in October, acknowledging emotional responses and personal attacks, and credited moderators for calming the session. He detailed revisions to the MOA to address transparency concerns, including attaching a form of lease in the Hawaiian Homes format showing base rent at 8% of fair market value, participation rent sharing, and a community benefits package distributed to homestead associations within a five-mile radius, with oversight but not direct involvement by the department. He emphasized that final lease modifications could come from the attorney general's office and clarified that the department's role was to monitor, not negotiate, community benefit allocations. He concluded by requesting the commission approve the MOA and allow the transaction to proceed with the donor party.

MOTION

Commissioner Kalepa moved, Commissioner Kaneakua seconded to approve the motion as stated in the submittal.

Commissioner Kaleikini thanked staff for addressing prior concerns, including environmental issues and cleanup. He highlighted the importance of the community benefits, noting that one-third of the base rents—approximately \$106,000—would go to associations within a five-mile radius. Based on prior experiences, he suggested amending the community benefits package to have payments go directly to the associations rather than through the Department to reduce administrative challenges. He agreed, explaining that the base rent would be adjusted to reflect the community benefits allocation and that the lease would include a provision requiring the developer or donor party to transfer the designated benefits directly to the associations, ensuring enforceability while keeping the department out of the process.

Public Testimony – Homelani Schaadel - Expressed concern over the proceedings and emphasized respect in Hale Pono'i, the building dedicated in 2008 to honor past kupuna and ensure all interactions remain

respectful. She reflected on her prior year's advocacy and shared her concerns about the project, focusing on four key areas: acquisition and lease of parcels from the Roman Catholic Church, the donation with lease in place, lease rent assessment, and the community benefits package. She noted that while the lease rent had increased from 6% of appraisal value to 8% of fair market value, the developer had not meaningfully collaborated with Maluohai or KCDC on community benefits, and she advocated for including KCDC in these benefits to respect traditional teachings of shared responsibility. She concluded by urging respectful dialogue and consideration for all beneficiaries, expressing the heaviness of her heart over the ongoing tensions.

Public Testimony – Iwalani McBrayer - Testified in strong support of Agenda Item C4, introducing herself as president and long-standing advocate for beneficiaries and future generations. The proposed memorandum of agreement was a strategic and responsible action consistent with the Commission's fiduciary duties. She explained that accepting the parcel, even while encumbered, would create opportunities for revenue generation, prevent permanent loss of land, and support DHHL's broader goal of expanding its land inventory and strengthening long-term economic sustainability. The agreement would enable future housing, infrastructure, and revenue for homestead communities statewide while demonstrating forward-thinking leadership that balanced immediate needs with long-term benefits. She stressed the importance of transparency, compliance, and community engagement, noting that supporting the memorandum reinforced these responsibilities.

McBrayer explained that after a lapse in board meetings from 2017–2021, she reestablished operations with updated bylaws, addressed false claims about her conduct, and continued participating in association matters despite medical treatment in 2024. Her actions at an October beneficiary council were procedural, not discriminatory, corrected misconceptions about the association's 501(c)(3) status, and noted her ongoing efforts since 2021 to implement a democratic board election process, requesting departmental assistance to achieve proper self-governance.

Public Testimony - Myra Kanahele – Testified in support of infrastructure progress and solutions for Hawaiian homestead communities, sharing personal experience caring for her father, who had been on the waitlist, and witnessing the hardships families faced due to lack of access to land. She praised P. Tancayo for her selfless dedication to helping the community, emphasizing that her efforts were not personal but aimed at supporting all 'ohana and addressing the waitlist crisis. She stressed the urgency of enabling families to access land before it is lost to others, highlighting the importance of collective action and aloha to heal both the land and the community.

Commissioner Kaleikini stated that the process should also consider engaging beneficiaries, allowing them to contribute ideas where the permitting process could benefit the community, emphasizing inclusive participation in decision-making. Going back to his previous concern, he asked for an amendment to the motion.

R. Kaupu confirmed that the motion was to approve the MOA with amendments, including revising the rent to incorporate community benefits directly in the lease and specifying the associations receiving those benefits, along with any additional changes from the Attorney General.

MOTION TO AMEND

That the HHC: (i) approve the attached Memorandum of Agreement ("MOA") between the Department of Hawaiian Home Lands ("DHHL") and Kalanianaole Development LLC ("KDL"), with the specific changes that (a) the "Beneficiary Benefits" provisions in paragraph 9 of the draft MOA be moved to an appropriate section of the Development Ground Lease attached as Exhibit 1 of the MOA ("Lease"), (b) said "Beneficiary Benefits" provisions in the Lease be revised to specifically identify the qualified homestead associations that will receive beneficiary benefits, (c) said "Beneficiary Benefits" provisions in the Lease be further revised to provide that beneficiary benefits will be paid directly by KDL's affiliated development entity, Ku'ai Hale LLC ("KHL"), to the qualified homestead associations, and (d) the "Annual Base Rental" figures in Article Three, Section 1 of the Lease be revised to not include the amounts to be paid directly by

KHL to qualified homestead associations as beneficiary benefits; and (ii) authorize and direct the Deputy Director of DHHL to finalize, execute and deliver the MOA with such other added or revised terms deemed appropriate by DHHL's Attorneys General.

MOTION ON AMENDMENT/ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Kalepa to amend the motion to include the aforementioned.

Commissioner	1	2	AYE (YES)	A'OLE(NO)	KANALUA	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini	X		X			
Commissioner Kalepa		X	X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil			X			
Commissioner Namu'o						X
Commissioner Ornellas						X
Chairman Watson					X recused	
TOTAL VOTE COUNT			6		1	2
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Six (6) Yes votes						

ACTION ON MAIN MOTION AS AMENDED

Moved by Commissioner Kalepa, seconded by Commissioner Kaneakua to approve the main motion as amended.

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 recused	
TOTAL VOTE COUNT			6		1	2
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously, Six (6) Yes votes						

Commissioners Kaneakua and Kalepa commended R. Kaupu for his work representing the Department, noting his thorough handling of the beneficiary consultation process. Comm Kalepa highlighted that 2,892 postcards had been sent to inform beneficiaries, yet only 19 attended, emphasizing the department's diligence in ensuring proper notice and transparency. R. Kaupu acknowledged the support of the Planning Office, particularly L. Makaila and her team for leading the consultation efforts.

J-AGENDA

REQUEST TO ADDRESS THE COMMISSION

Chair Watson announced the start of the J Agenda, noting the large number of participants and emphasizing that each person would have a maximum of 10 minutes to testify to allow everyone a chance to speak. He encouraged cooperation and respect for others as a reflection of courtesy to the commission and asked the first group of seven participants whether they preferred to testify individually or through a spokesperson.

J-1 Kekaialoha Keahi - Leialii Master Planning Vacant Lots

K. Keahi explained that they are asking for clarity about the Leali'i build-out and available options. Noting that many questions were addressed in prior discussions with Kalani Fronda, but the Lahaina fire exposed broader issues, including that about 88% of Lahaina residents were renters, and emphasized that Hawaiian Homes opportunities could help shift this dynamic by getting Hawaiian families onto land, benefiting both Hawaiians and the wider community. He stressed affordability concerns, explaining that earlier misunderstandings suggested the development would be entirely turnkey, but it was now clearer that homeowner-built or self-help options might be available, significantly altering the possibilities for beneficiaries. He shared that many awardees on Maui preferred building their own homes rather than accepting turnkey units, raising concern that turnkey homes in Phase B could remain vacant if people chose to build on empty lots instead. While acknowledging concerns about lots sitting undeveloped, she noted that families have valid reasons for delays and stated that her group was willing to proactively help beneficiaries prepare for building, including loan readiness and down payment requirements, rather than remaining passive or disengaged.

Kapali Keahi - Added that the initial awarding of paper leases involved closely connected families and stressed that the Leali'i Master Plan needed to reflect post-disaster realities following the Lahaina fire, including lost jobs and income. Most Lahaina residents were renters, and the project represented hope for long-term stability and a return to the 'āina, cautioning that limiting options to turnkey homes would not meet beneficiaries' needs and urging that the same housing options offered elsewhere be made available in Lahaina.

Chair Watson responded that multiple options were available, including owner-builder, self-help, and modular housing, and noted that Kalaeloa modular pods could provide immediate housing for Native Hawaiian beneficiaries, including large families. He explained that these approaches could reduce costs and speed development, with DHHL assisting with financing and contractor options, and affirmed the department's commitment to working closely with the community to determine the best path forward.

Kekaialoha Keahi - K. Keahi explained that after the Lahaina fire many families were repeatedly displaced, causing frequent address changes that led beneficiaries to miss important DHHL notices and award letters, including her own placement on a backup list for a paper lease. He urged DHHL to support efforts to secure the FEMA Kilohana project, noting the mayor's support and HHFDC's hesitation, and emphasized that the Lahaina community was closely connected, organized, and willing to work collectively in planning and preparing families for financing rather than seeking handouts. She stressed that expanded housing options would benefit not only kanaka but the entire Lahaina community and affirmed, along with K. Keahi, their strong commitment to partnering with DHHL on the Leali'i plan and long-term recovery.

Commissioner Kalepa acknowledged the men's ongoing work and leadership, noting that their efforts were a reason he suggested their involvement in helping build a community center. He emphasized the high cost of living and building on Maui, which had intensified since the fire, and reflected that the disaster created an opportunity for the community to work through differences and unite. As recovery continued in Lahaina, he expressed gratitude for the collective effort, stating that the community was moving forward together as one lāhui to rebuild their home.

Kekaialoha Keahi - Emphasized that affordability was the primary factor in successfully placing families on the land, explaining that high mortgages and interest rates made long-term homeownership unrealistic and forced families into multiple jobs, reducing quality of life and family well-being. He described the severe rental costs in Lahaina and stressed that true affordability was necessary to ensure healthy families and a sustainable community.

Chair Watson responded by explaining that informed decision-making required understanding multiple housing options, highlighting the low-income housing tax credit approach, which covered infrastructure and home construction for households earning 30–60% AMI, set rents below market for 15 years, and provided immediate homestead leases, ultimately offering a viable path to homeownership for lower-income beneficiaries.

K. Keahi agreed that having multiple options was essential, and K. Keahi affirmed that the low-income housing tax credit sounded like a good option. Chair Watson confirmed it was another viable pathway alongside others. He then thanked those across the state who had supported Lahaina after the fire, expressed appreciation for their continued efforts, and encouraged everyone to move forward together.

J-2 Homelani Schaadel - Opened testimony on the J Agenda and yielded time to Eileen Lehua Camelo.

Eileen Lehua Camelo - Testified for the second time since August to request the removal of a shower tree on Kea‘au Street that she stated posed a serious safety hazard to her family and property, explaining that despite presenting photos and reasons for removal on August 19, she had received no response and continued to fear the tree or its branches would fall on her home during storms, given its height and proximity to her house. She expressed willingness to accept a safer replacement tree and emphasized the urgency of the matter due to her caregiving responsibilities for her handicapped husband and homeschooled grandchild, as well as her age, and asked for immediate action to prevent injury or damage.

Chair Watson responded that some trees had been trimmed and committed to having staff follow up on her specific concern, while H. Schaadel noted that the commission had previously assured staff review.

Raelene Like - Testified that residents of the Ka‘uluokaha‘i Hawaiian Homestead had, since 2017, repeatedly and responsibly sought resolution of a known and undisputed infrastructure failure involving dangerous slopes that threatened family safety, including a 45-degree slope previously identified by DHHL staff as an engineering mistake. She explained that residents petitioned legislators, met with DHHL leadership, and hosted site visits by elected officials and agency staff, and that this need was formally recognized in the 2024 legislative session through House Bill 2543, which explicitly identified construction of retaining walls at Ka‘uluokaha‘i as a capital improvement project. Although the bill did not advance, she stated it reflected clear legislative intent, especially in light of the \$22 million in CIP funding later approved for DHHL without project-level detail, and she respectfully requested that the commission consider using available CIP funds for the retaining walls and provide an expense report for the \$22 million allocation.

Commissioner Kalepa asked for a timeline for removing or trimming the tree once the request was submitted to the department. Chair Watson noted some trimming had already been done, but H. Schaadel clarified that although the safety concern was acknowledged, E. Camelo had received no contact—no calls or emails—regarding the removal. H. Schaadel explained that the purpose of having lessees present was to help them understand the process, as she had been guiding them for the past 20 years. She emphasized that R. Like should not have to apply for a grant herself because her petitions and advocacy had already fulfilled the necessary groundwork, and the department was responsible for completing the project, ensuring that her efforts were honored.

Chair Watson suggested they speak with either K. Lambert or K. Fronda, noting that she had already spoken to K. Fronda. Chair Watson clarified that while approval had been obtained on the House side, the bill did not pass the Senate and was instead incorporated into the CIP.

E. Camello explained that their persistent advocacy at the legislature had been recognized, and the \$22 million CIP funding was intended to cover projects for four homesteads, including Ka‘uluokaha‘i retaining walls, but there had been confusion about whether the money was immediately available. She noted that a construction schedule from K. Fronda was expected, but months later the community was still unsure about the funding, prompting her to encourage reviewing the House bill and the CIP for context.

J-3 Representatives of Aina Maluhia O Waianae

Regina Nani Peterson – She spoke about the importance of forgiveness, healing, and restoring the connection between kanaka ‘ōiwi and their ‘āina, acknowledging past failures of ali‘i, kupuna, and maka‘āinana to fulfill their responsibilities. She emphasized the need to revitalize Wai‘anae by returning life to both the land and the people through cultural, community, and identity restoration. She clarified that their movement, Aina Maluhia O Wai‘anae, was separate from Kalaniana‘ole pilot project, though inspired by shared knowledge, and highlighted the struggles of beneficiaries, especially those on the coastline, who had been excluded due to systemic barriers like income limits, blood quantum, and waiting lists. She criticized DHHL for focusing narrowly on housing and financial eligibility rather than on fostering pilina—the reciprocal relationship between people and land—which she described as central to the Hawaiian Homes Commission Act’s purpose. She detailed how Aina Maluhia works to reconnect beneficiaries with cultural knowledge, land stewardship, and community, proposing new land dispositions, programs, and stewardship pathways that prioritize identity, culture, and environmental restoration over credit scores or income thresholds. She emphasized that their efforts were not in opposition to DHHL but aimed to support and enhance its mission, citing examples of responsible, non-intrusive work on the ‘āina, and called for collaboration to restore pilina, promote land management, and rebuild identity, community, and dignity for kanaka ‘ōiwi, framing the initiative as both a healing pathway and a fulfillment of Prince Kūhiō’s vision of returning Hawaiians to their ancestral lands.

Dana Newman – She introduced Momi Lozano, emphasizing that her situation was deeply personal, having known her for 20 years and witnessed her as a Kanaka beneficiary living on the beach for three years. Newman highlighted the urgency of returning beneficiaries to the ‘āina, noting that departmental delays had left people on waitlists for decades, causing frustration and harm, including the erasure of their genealogy and kuleana. She stressed the harsh realities of life on the beach, including bullying and neglect, and contrasted that with the safe, supportive environment of ‘Āina Maluhia, where beneficiaries like Lozano could thrive. She underscored the department’s responsibility to build healthy communities as envisioned by Prince Kūhiō, noting that volunteers were actively working every week to identify over 50 qualified beneficiaries, with many more lost to death or bureaucratic inaction. She framed the effort as urgent and guided by both care and strategy, focused not on personal emotion but on restoring people to their rightful place within Hawaiian traditions, ensuring they could live, thrive, and be honored on their ancestral land.

Momi Lozano - Described her experience of being houseless for three years at Pokai Bay, where she found some comfort in her canoeing heritage but endured frequent sweeps that destroyed personal and cultural belongings, including pahu drums and divorce papers. The Wai‘anae Kupuna Council helped her transition to ‘Āina Maluhia, where she was asked to mālama a heiau, a task that initially overwhelmed her but ultimately deepened her connection to the land and cultural practices. She emphasized the difficulty of living pono while houseless, the spiritual guidance she received from kupuna through oli and proverbs, and the lessons of industrious care for the ‘āina. Reconnecting with the land restored her confidence, dignity, and sense of purpose, allowing her to plan to reopen her hula halau and thrive while honoring cultural values and ancestral guidance.

Kaukaohu Wahilani - Expressed deep gratitude to the ali‘i and DHHL commissioners for their foresight in preserving ‘āina for kanaka ‘ōiwi. He was moved to tears by the presentations of Nani, Dana, and Momi, reflecting on the generational trauma and ongoing challenges faced by beneficiaries on long waitlists. He emphasized that placing kānaka on the ‘āina allows both the land and the people to heal, connecting their present efforts to the resilience of their kupuna and the sustenance provided by Haloa since time immemorial. As a third-generation homesteader with family roots in Kalama‘ula and Ho‘olehua, he acknowledged the kuleana of the commissioners while stressing the importance of collaboration to support healing, cultural

restoration, and innovative approaches to land stewardship, urging all to visit ‘Āina Maluhia, participate in its work, and recognize it as a template for restoring community, identity, and ancestral connection.

Lynette Cruz - Emphasized the practical accomplishments of ‘Āina Maluhia, noting that the land had been transformed entirely through volunteer work without any financial cost. She highlighted the efforts of the Waianae Moku Kupuna Council over four years to address homelessness among kanaka, sharing that their data showed about 70% of those living along the coastline were kanaka, many of whom qualified for homestead land. Cruz underscored the urgency of helping kanaka who were living and dying on the beaches, stressing that it was everyone’s kuleana, particularly those with access to land, to take responsibility and provide support.

Chair Watson acknowledged the testimony and emphasized that the department needed to be involved and already was taking action. He recalled bringing kupuna from the beach area to be housed at Ulu Ke Kukui, which was undergoing renovation to include 40 upgraded units in Maili and a multi-service center managed by Lunalilo Homes with additional partner organizations to provide food, medical care, and other services. He explained that the site presented dual challenges of safety and care, requiring facilities to protect residents from the elements while meeting their basic needs. Chair Watson also addressed cultural preservation, noting that Agnes Marti-Kini from Anahola had been issued a revocable permit to care for and maintain a wahi kapu archaeological site, underscoring the importance of protecting cultural resources. He proposed collaboration with the community to combine resources, share knowledge, and move forward without enforcement actions, emphasizing dialogue and cooperative problem-solving as the best path to address both the human and cultural needs of the site.

Commissioner Marfil observed that Auntie Momi had regained her spirited energy and emphasized that ‘Āina provided a solution, highlighting the importance of building pilina (relationships) as central to moving forward. He invited the community to collaborate with HHL. Chair Watson acknowledged the comments and confirmed coordination with the department, designating Julie Cachola, a Waianae resident, as the lead contact to work with the community.

J-9 Princeslehuhanani Kumaewakainakaleomomona

Shared her personal and decades-long struggle to secure her rightful homestead, beginning with her experiences of homelessness, abuse, and displacement before moving to O‘ahu ten years ago. She described fighting multiple court cases to return home as a nā kupuna, emphasizing that she had been on the waitlist for 32 years and had faced repeated delays and displacement due to outsiders receiving land ahead of her. She raised concerns about the availability of pastoral land, urging that lands like Pūlehunui be prioritized before new, less viable parcels like Kamalani, and stressed that her long wait entitled her to proper compensation, requesting four lots to fulfill her entitlement of 2 acres for herself, her 4 children, and 11 grandchildren. She finally celebrated receiving her paper lease after decades, acknowledged the independence of her children, who had built their own lives, and insisted on receiving her full, rightful allotment to restore her family’s connection to the land. She concluded by emphasizing the need for fair, traditional practices in land distribution and thanked everyone for their attention and support.

RECESS	12:15 PM
RECONVENE	1:15 PM

J-7 Donna Sterling - Kahikinui

Summarized her experience working with the Kaho‘olawe Island Reserve Commission from 1999 to 2004 and her ongoing involvement with land and water management projects, including reforestation, fire plans, and the Naulu cloud water connection between Kahikinui and Kaho‘olawe. She explained that the Kahikinui projects were extensive and required more manpower than currently available, emphasizing the need to expand membership and collaborate with other organizations, including the KOOK ‘Ohana, to care for the

land and community. She also highlighted upcoming support and funding expected in 2026–2027, and she shared her appreciation for the community recognition she received at a recent Kamalani Residential awards event, praising the organization, staff, and energy of the gathering while reflecting on the significance of community and cultural connection.

J-5 Kekoa Enomoto – Maui Lot Selection, Wai‘ohuli Water Working Group

K. Enomoto presented on 4,907 acres of upcountry Hawaiian homelands, detailing plans for three wells costing at least \$262,000 each and a \$30 million transmission system to supply water to the proposed Kamalani subdivision. He reviewed Pa‘upena’s 2015 land-use application, 2016 incorporation, and 2018 license for 127 acres, emphasizing the land’s agricultural potential and the formation of the Waiohuli Water Working Group to coordinate DHHL and beneficiary interests. She highlighted unauthorized activities on neighboring ranches, wildfire impacts, and ongoing cultural preservation projects, including archaeology training, planting traditional crops, and installing water catchments and greenhouses. She noted G70 design firm’s support for community-driven master planning and proposed establishing 1,200 agricultural project leases by mid-2026 to ensure responsible land stewardship and community engagement.

J-13 Dominic Scanga – Waipouli

D. Scanga a resident speaking on behalf of Courtyard of Waipouli, expressed concerns about the DHHL acquisition and the relocation plan. He explained that tenants faced stress and uncertainty due to poor communication, a lack of available apartments, and unclear relocation procedures. He noted that residents were now asked to complete forms despite previous assurances from the board that funding and plans were in place, highlighting frustration and anxiety over the process.

J-15 Sam Wampler – Waipouli

Testified that the lack of transparency in the relocation process had deeply unsettled residents, leaving many in fear and mistrust. He explained that this uncertainty made it difficult for residents to feel calm or confident in the system and emphasized that transparency should not just be a legal requirement but a basic human expectation. Residents had recently received letters causing anxiety over potential evictions or eligibility for the relocation plan, which added significant stress. He urged the department to carefully review and correct any errors, ensure fairness, and provide clear communication, stressing that while they supported DHHL’s goals, being placed at a disadvantage left them feeling victimized and that greater transparency and accountability were essential.

J-12 Kira Miskalionova – Waipouli

Testified that she and her family were blindsided by the relocation plan, first learning of it on December 16, 2024, which caused them significant emotional and physical distress. She described the plan as negligent, deceitful, and noncompliant with required procedures, noting that, while she respected the intent to return land to Hawaiian people, the process threatened her family’s home and rights. She emphasized that her daughter, being 50% Hawaiian with deep ancestral roots in Niihau, and her family considered Kauai their home, and that attempts to relocate them to Oahu or the mainland were unacceptable. She explained that the stress from the plan had caused hospitalization and job loss, and she called on the commissioners to review the relocation plan carefully, protect their rights, and recognize them as human residents with legitimate claims to remain, asserting they would fight to stay.

Public Testimony - Marina Moscolone – Testified that she and her family were not informed that the property would be sold and only learned of it on December 16th, which caused severe stress to her and her mother. She expressed support for the plan to return the land to Hawaiians but emphasized that she and the other residents needed proper relocation on Kauai, not Oahu or another island, as their lives, family, and community were rooted there, and she urged the commissioners to ensure all residents had a suitable place to go.

Kira Miskalionova - Added that the relocation plan was misleading, with some properties listed as available being fraudulent, and that Melissa Mann was aware of this, yet included them on the plan. She noted that Mayor Raposo had confirmed on January 8th that \$1.9 million was insufficient to relocate the remaining units and emphasized that Kauai lacked available apartments, highlighting that she had been searching daily for the past decade. She urged the commissioners to ensure the relocation complied with the ERA plan's rules and regulations and to protect the residents accordingly.

Public Testimony - Kenna Stormogipson - Testified that the residents had endured significant stress and had been waiting for 18 months to see comparable housing as promised. She noted that the relocation plan had not been properly authorized by InterWest Group, which was a serious issue, and explained that the residents had engaged in litigation because they felt it was the only way to have their voices heard. She emphasized that the residents were seeking a resolution that respected their federal rights.

Public Testimony - Michelle Salas – Testified that she had lived at Waipouli Courtyards for 14 years as a single mother raising two sons. She explained that in late November, her 17-year-old son received a 90-day notice to move out, which caused her family significant fear and confusion, as she was not given proper legal notices, information about eligibility, comparable housing, or relocation assistance as required by law. Attempts to contact the responsible party were unsuccessful, adding to the stress. The 90-day notice was rescinded only after legal action, but the required information and protections were still not provided, leaving her family vulnerable. She asked the commission to ensure Candace 19 Development follows the law, provides clear communication, and protects her household from future notices, emphasizing the emotional toll this situation had on her family.

ANNOUNCEMENTS AND ADJOURNMENT

Chair Watson concluded the meeting by thanking participants for their engagement, announcing that the next regular commission meeting would be held January 21–22, 2026, at Hawai‘i Pono‘i in Kapolei, and directing attendees to the website for the 2026 meeting schedule and updates on awards, projects, and Salesforce. He officially adjourned the meeting and wished everyone happy holidays.

ADJOURNMENT

4:30 PM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments:

- 1) OHA – DHHL Letter Regarding Lot I – Item C-1
- 2) Public Testimony – Hawaii Housing Policy Foundation – Item C-4
- 3) Public Testimony - Kekoa Enomoto – Waiohuli Water, Item J-1
- 4) Public Testimony – Rodney Funakoshi – Item C-1
- 5) Public Testimony – Rep Garner Shimizu – Item C-2, Item C-4
- 6) Public Testimony – Tema Watson – Item E-6
- 7) Public Testimony – Association of Hawaiians for Homestead Lands Item E-6

- 8) Slide Presentation – Halo O Papa
- 9) Slide Presentation – Item C-1
- 10) Slide Presentation – Item C-2
- 11) Slide Presentation – Item E-6
- 12) Slide Presentation – Item G-3

Approved by the Hawaiian Homes Commission on January 20, 2026



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OFFICE OF HAWAIIAN AFFAIRS

KE'ENA KULEANA HAWAII
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

December 10, 2025

Mr. Kali Watson
Chairperson
Department of Hawaiian Homelands
91-5420 Kapolei Parkway
Kapolei, HI 96707

Subject: Lot I - Approximately 3.336 Acres of Land in Kaka'ako Makai

Aloha e Chairperson Watson,

Mahalo to you and your team for the constructive engagement regarding the potential opportunity to explore a Native Hawaiian housing project in Kaka'ako Makai. We appreciate DHHL's willingness to discuss the possibilities and understand that this remains an early stage in the process, with significant due diligence and legal considerations still ahead for both agencies. At its November 13, 2025 meeting, the Office of Hawaiian Affairs Board of Trustees approved the following action:

Approval for OHA to enter into negotiations with the Department of Hawaiian Homelands (DHHL) pertaining to the development of Lot I with a residential mixed-use project and authorize DHHL access to the property, subject to terms to be negotiated, in order to perform site due diligence related to its future development.

As noted in the Board's deliberations, a number of substantive matters must be fully evaluated before the Board can consider any action regarding a potential transfer of Lot I. We also understand that DHHL will have its own due diligence requirements before making any determinations about the viability of this project. The Board's action on November 13 authorizes OHA staff to begin these preliminary discussions and information-gathering steps. Funding was also approved to allow OHA's advisors to engage with DHHL as both agencies work to assess the feasibility of a comprehensive agreement for future Board consideration.

We look forward to continued dialogue as both agencies undertake the rigorous due diligence necessary to evaluate this proposal. Lori Walker will serve as your primary contact on this matter. She can be reached at 808-594-1798 or loriw@oha.org.

Me ka mahalo nui,



Summer Sylva
Ka Pouhana Kūikawā, Interim Administrator/Chief Executive Officer



Keoni Souza
Vice Chair, Board of Trustees
Investment and Land Management Committee Chair

Cc: OHA Board of Trustees



December 7th 2025

RE: MOA for Ewa land donation

Aloha Hawaiian Homes Commissioners,

The Hawaii Housing Policy Foundation respectfully requests that the current MOA regarding the EWA land donation be amended to protect beneficiaries from paying for clean-up costs related to the land being donated. According to long-time environmental attorney, William Saunders:

“the MOA is sorely lacking in protections for DHHL and leaves it at risk of liability in the event such contamination is discovered.” Pg 1

Furthermore, paragraph of 7 related to Chapter 343-

“does not in any way guarantee that the lessee, donor or some other party besides DHHL will be responsible for cleanup.” Pg. 2

To protect the public interest and MOA should be amended to *explicitly state that all cleanup costs will be paid for by Kalaniaole Development LLC*. For example, paragraph 7 could be amended to say:

“The Developer, KDL, shall be solely responsible for all costs associated with the investigation, cleanup, removal, remediation, or mitigation of any environmental contamination on the Property, regardless of when such contamination occurred. This obligation shall remain in effect and shall survive any conveyance or donation of the Property to any governmental agency or third party.”

Additionally, Christian O’Conner of KDL disclosed at the September 15th Hawaiian Homes Commission meeting that the Phase 1 environmental site assessment was complete and that Phase 2 would be happening soon.

It would be prudent to see the results of both Phase 1 and Phase 2 *before proceeding* with accepting any land with potential environmental concerns.

Mahalo for considering these concerns,

Kenna StormoGipson

WILLIAM W. SAUNDERS, JR.

ATTORNEY AT LAW
4111 Black Point Rd.
Honolulu, Hawaii 96816
WWSaundersJr@gmail.com
Phone: (808) 375-3588

November 14, 2025

Sent via Email To: kenna@hawaiihp.org

Ms. Kenna Stormogipson
Hawaii Housing Policy Foundation

Re: Donation of Potentially Polluted Land to DHHL

Dear Ms. Stormogipson:

You have asked me to review the proposed Memorandum of Agreement (“MOA”) between the Department of Hawaiian Home Lands (“DHHL”) and Kalanianaole Development LLC (“KDL”) concerning the transfer of two parcels of former industrial land located at 91-2002 Fort Weaver Road in Ewa, O’ahu. You have also asked for my opinion as to whether the MOA adequately addresses the possible contamination of that land and protects DHHL in the event such contamination is found. Specifically, you have asked me if paragraph number 7 of the MOA and the obligation imposed on the proposed lessee to prepare an HRS Chapter 343 environmental review document provides protection for DHHL in that regard.

Based on my training and experience as described in my attached *Curriculum Vitae*, it is my opinion as a long time environmental attorney, businessman and real property owner and developer that the MOA is sorely lacking in protections for DHHL and leaves it at risk of liability in the event such contamination is discovered.

I believe there is a reasonable likelihood that DHHL will be stuck “holding the bag” and ultimately become responsible for all or part of any cleanup that is required unless specific language is inserted to place the obligation for cleanup on another solvent party prior to DHHL taking title to the property. This is especially so in view of the proposed language stating that “DHHL agrees to accept the transfer of the Property “as is” and “where is.””

Ms. Kenna Stormogipson
November 14, 2025
Page 2

The preparation of an environmental review document pursuant to HRS Chapter 343, as proposed in paragraph 7, does not in any way guarantee that the lessee, donor or some other party besides DHHL will be responsible for cleanup. Those documents are prepared as disclosures to provide the public and government decision makers with adequate information to decide whether or not to support and approve development projects. They are not in any way an assurance of decontamination and other cleanup by the party preparing the document or anyone else. Even with the acceptance of such a document by the involved state agencies, and the issuance of a “Finding of No Significant Impact,” the ultimate landowner could have strict liability for cleanup obligations under federal law, specifically the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”) 42 USCA Chapter 103. I believe this is why the proposed deal is structured such that KDL never actually takes title to the property itself.

While it is helpful that the MOA contains language allowing DHHL to conduct its own due diligence or “piggyback” on that being done by the donor KDL during the 18-month inspection period, that period apparently began on May 17, 2024 and would therefore expire very soon. There is also no indication in the documents I have reviewed as to what progress has been made on any due diligence conducted by KDL, or what if any environmental and/or contamination sampling or studies have already been conducted. Nor is there any indication in the documents I have reviewed that the due diligence period can or will be extended or how long it would take to complete an adequate assessment of any contamination that might be present.

I believe DHHL should be provided with more information and documentation regarding any environmental studies or surveys which have been conducted to date, what sort of time-frame is needed to complete an adequate Phase 1 and, if necessary, Phase 2 and further assessments, and what the chances and mechanism are for extending the apparently soon-to-expire due diligence period. I also believe further protections should be provided which specifically provide that DHHL be fully indemnified by KDL or the proposed lessee, with appropriate bonding to assure solvency and compliance, if DHHL takes title before such studies and any necessary decontamination are fully completed.

Ms. Kenna Stormogipson
November 14, 2025
Page 3

Another issue that seems like a loose end is what happens if the proposed lessee is unable to obtain the permitting for its proposed development. The proposed lessee could simply walk away under the current deal structure and KDL would already be out of the picture. It seems DHHL takes the risk of holding a potentially contaminated property which cannot be profitably developed if that happens.

I hope this addresses your questions and expressed concerns about the proposed MOA and the underlying transaction. Feel free to share this letter with those involved. Please let me know if you have any questions or wish to discuss this further.

Very truly yours,



William W. Saunders, Jr.

William W. Saunders, Jr. Curriculum Vitae - 2025

Contact Info: 4111 Black Point Rd.
Honolulu, HI 96816
Phone: 808-375-3588
Email: c/o WWSRainbow@aol.com

Education:

Punahou School	1970 Graduation
University of California Santa Barbara	1970-72 (Drafted 6/72)
University of Hawaii	1974 to 1978 Graduation
University of California Davis Law School	1980-81
Stanford Law School	1981 to 1983 Graduation

Employment:

1967-70	Various summer jobs during high school including camera supply warehouseman, roofer and Foodland inventory clerk
Summer 1970	Ran parking concession at Pacific Beach Hotel
1971-72	Gardener for Doris Duke at Shangri-La Estate
1972-74	Driver/clerk/clinic worker at Hawaii Planned Parenthood (Drafted 6/72 - Conscientious Objector "Alternate Service" work)
1974-77	Partner in Kaiko'o Rainbow Surfboards (shaping and glassing)
1974-1978	Busboy/waiter at Black Angus and Chuck's Steak House Restaurants
1978-79	Shaper - Tropical Blends Surfboards
1979-80	Assistant manager at Kokua Country Foods Coop
1983-88	Associate attorney at Goodsill Anderson Quinn and Stifel law firm
1988-2004	Partner and Founding Member of Bickerton Saunders & Dang law firm

1987-present	Pro Bono Attorney for numerous environmental and community organizations focusing on coastal access, land use and environmental protection
1997-present	Trustee, CEO, President, Trustee and Manager of various family-owned businesses, partnerships, LLC's, trusts and properties

Involvement in Prior Cases and Issues

As an Attorney:

Environmental and Related Cases

Save our Surf, Surfrider Foundation vs. DLNR re Sand Island Park

Save Sunset vs. Obayashi - Save Sunset Beach Coalition, Opposing luxury housing development at Pupukea, Oahu

Life of the Land and myself (pro se) v. Sankyo Tsusho, Opposing Mokuleia resort development

Protect Diamond Head Assn. v. DLNR, Opposing large film studio on Diamond Head slopes

Protect Kalihiwai Association v. Kauai Electric, Opposing high-voltage power lines strung across pristine valley

Friends of Donkey Beach v. Kauai County Planning Commission, Opposing housing development at Kealia, Kauai

Ke Ala Pupukea - Ke Nui Rd. right of way case

Protect Puaena Point Coalition, Opposing “Eco-Camp” at Haleiwa Point

Save Laniakea Coalition vs. State DOT, Opposing State blockade of Coastal Parking as a means of traffic control

Friends of Haleiwa Park vs. City, Opposing closure of park sale of park lands to neighboring developer

Friends of Haleiwa Park vs. Anderson, Challenging unpermitted commercial construction & sewage discharge

Friends of Kahala v A&B, Opposing condos on beachfront residential land

League of Women Voters - City Charter Procedural Challenge

Coalition to Impeach Rene Mansho, Action to remove corrupt city councilmember

As a Citizen Volunteer/Member of Save our Surf

Inventory and Charting of O'ahu Surfing Sites

Opposing Reef Freeway between Diamond Head and Koko Head,

Opposing Filling of Inshore reefs between Magic Island and Kewalo Basin,

Academic Freedom demonstrations in support of UH Professor Oliver Lee

Lobbying and Demonstration for Passage of Shoreline Protection Act

Niumalu-Nawilili Tenants' Association, Opposing Evictions

Opposing Eviction of Fisherman Families and Establishment of Mokaua Island Fishpond & Reserve

Opposition to DLNR Demolition of Doris Duke Shangri La Breakwater,

12/15/25

Aloha mai e na Hawaiian Homes Commissioners,

I would like to advocate on agendized item J-1 regarding Leali`i phase 1-B, Lahaina, Maui, that is on the docket for tomorrow, Tuesday 12/16/25. During Thursday's Maui/ Lana`i/O`ahu Mokupuni Council Zoom meeting, attendees speculated that the seven listed J-1 testifiers — including three Keahi `ohana members, set to address "Leali`i Master Planning Vacant Lot" — will seek an amended Leali`i master plan. The amendment, it was speculated, would provide for owner/builder-constructed affordable housing on vacant lots vis-a-vis heretofore pricey developer homes in recent homestead subdivisions.

On behalf of the Maui-based beneficiary organization, Pa`upena Community Development Inc., I support beneficiaries — including the Keahi `ohana of Lahaina, who are construction tradespeople — to have Leali`i 1-B vacant lots for owner/builder affordable homes.

In the context of affordability, kudos to DHHL Land Development Division acting Administrator Kalani Fronda. Not only did he laudably attend 2.5 hours of Thursday's Mokupuni meeting, and discuss DHHL efforts to provide affordable housing; but he also had alluded to meeting Keokea farmers' need for an agricultural-water allotment, and helped organize the unprecedeted Waiohuli Water Working Group.

To wit, Fronda indicated that moving forward, DHHL will assess a prospective lessee's finances and will provide housing to match the respective beneficiary's financial capacity.

Also, Fronda was part of the inaugural meeting of the Waiohuli Water Working Group that convened 12/4/25 to discuss DHHL plans to dig three wells and a water-transmission system on Waiohuli-Keokea homelands. Maui Hawaiian Homes Commissioner Archie Kalepa spearheaded the working group that included three DHHL personnel and nine Upcountry beneficiary leaders. The preliminary discussions were mostly amicable and constructive.

Finally, Fronda indicated that he has "found money" to extend the Upcountry nonpotable-ag waterline to the Keokea farm lots, that are languishing from only a residential water allotment.

Mahalo nui for this opportunity support Leali`i master-planning vacant lots, and DHHL efforts to provide affordable housing, a nonpotable-ag waterline to Keokea farm lots, and the Waiohuli Water Working Group.

-Kekoa Enomoto
co-founding director
Pa`upena Community Development Inc.

December 12, 2025

The Honorable Kali Watson, Chairperson
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, HI 96707

Aloha Chair Watson,

Subject: Agenda Item C-1 regarding Kakaako Makai

I wish to testify in **strong opposition** to DHHL entering negotiations with OHA to develop OHA lands in Kakaako Makai. The Commission should deny this action.

My name is Rodney Funakoshi. I'm a retired Land Use Administrator from the State of Hawaii Office of Planning and Sustainable Development. I reside at The Collection condominium in Kakaako, which lies mauka of the proposed OHA development site. My opposition is based on:

1. In 2006, the Legislature prohibited residential development in Kakaako Makai. In 2012, OHA accepted 29 acres of Makai lands to settle unpaid ceded land revenue with full understanding of this restriction. OHA proceeded unsuccessfully with several bills over the next decade to overturn this prohibition, the most recent attempt in 2025.
2. DHHL can override land use laws, but I feel the Commission should respect the wishes of the Hawaii Legislature and the surrounding community which has consistently expressed strong opposition. This move would upend decades of well-conceived land use plans in Kakaako Makai undertaken in full consideration of the public interest.
3. The myriad of issues confronting residential development in Kakaako Makai include severe traffic congestion, soil contamination, aircraft noise and overflights, proximity to an industrial harbor, and desirable open space which should be retained long term for the use and enjoyment by the general public.
4. OHA received but has rejected bona fide offers from State Legislators to retake the lands with adequate compensation. If OHA still wishes to proceed with residential development, they should duly request the Legislature to remove the prohibition.

While DHHL can exempt itself from State land use laws, I believe such action would be in direct contradiction to the Legislatively-imposed ban. Just because you **can** doesn't mean you **should**!

Thank you for this opportunity to testify.


Rodney Funakoshi



HOUSE OF REPRESENTATIVES

Hale o nā Lūna Maka'āinana

STATE OF HAWAII
STATE CAPITOL
415 SOUTH BERETANIA STREET
HONOLULU, HAWAII 96813

12/15/25

Honorable Department of Hawaiian Homelands Commissioners
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707
Mr. Kali Watson, Chairman
Ms. Kati Lambert, Deputy DHHL

Subject: State of Hawaii
Department of Hawaiian Home Lands
Hawaiian Homes Commission Meeting/Workshop
Testimony for the following agenda items.

1. December 15, 2025 – Agenda Item III. A. C-2 Workshop on the proposed Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease, in 'Ewa, O'ahu TMK Nos. (1) 9-1-181:031 and 037
2. December 16, 2025 – Agenda Item II. C-4 Approval of a Memorandum of Agreement for the Donation and Acceptance of 'Ewa Parcels Encumbered by a Commercial Development Lease, in 'Ewa, O'ahu, TMK Nos. (1) 9-1-181:031 and 037

Aloha Chair & Commissioners, Happy Holidays! Thank you for the opportunity to testify.

I am State Representative Garner Shimizu, representing House District 32 which includes Ft. Shafter, Moanalua, Red Hill, Foster Village, Aloha Stadium, and parts of Aliamanu, Halawa, Aiea and Pearlridge. I'd like to begin by acknowledging the fundamental respect and honor that is owed to our Native Hawaiian host people. I firmly believe that we as a government and state have failed them, and much is needed to make things pono, and provide healing for wholeness.

While I do not have Hawaiian Homes projects within my district, as a member of the House Judiciary and Hawaiian Affairs Committee, beneficiaries have and continue to contact my office expressing their serious concerns and objections to this project agreement, citing the process has possible and suspected violations of policies, fiscal procedures, and state and federal requirements.

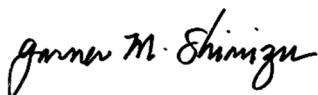
To determine the legitimacy of these claims, my office has communicated with the Department of Hawaii Homelands (DHHL) to provide information pertinent to agenda items C-2 and C-4, additionally requesting information via the Uniform Information Practices Act (UIPA). As we continue evaluation and review, it is our observation that DHHL has not completely provided all the UIPA information we have requested. Therefore, a subsequent request has been submitted and we are currently awaiting full compliance.

Therefore, in my capacity as a State Representative serving the people of Hawaii, including Native Hawaiian beneficiaries, I stand in strong opposition to the approval of agenda item C-4. I ask that the matter be deferred, until the DHHL has fully complied with all outstanding UIPA requests and sufficient time has been afforded to provide a proper examination of all documents, correspondence and emails pertinent to this agenda item.

Commissioners, while you are granted the authority to pass agenda item C-4, you are entrusted and relied upon, to be responsible for upholding the tenants of the Hawaiian Homes Commission Act by examining and knowing all documents and agreements are meeting all legal, ethical and moral requirements to ensure that beneficiaries are being rightly served and protected.

Should you have any questions regarding my position on this item, please feel free to call me at 808-586-9470 or RepShimizu@capitol.hawaii.gov
Mahalo and blessing,

Aloha ke Akua,



GARNER SHIMIZU

★ ★ ★ ★

HAWAII STATE HOUSE OF REPRESENTATIVES - DISTRICT 32
Fort Shafter, Moanalua, Red Hill, Aliamanu, Foster Village, Stadium,
and parts of Halawa, Aiea, and Pearlridge.

✉ State Capitol, Room 305
415 S. Beretania Street
Honolulu, HI 96813

✉ repshimizu@capitol.hawaii.gov
☎ (808) 586-9470
🌐 www.repshimizu.com

c.c.: Judiciary & Hawaiian Affairs Chair David A. Tarnas

Aloha Chair and Commissioners,

My name is Tema Watson and I am a Waiohuli undivided lessee. I am speaking on behalf of agenda item E-6, *Strategic Approach to Implement Act 279*. I stand with the Association of Hawaiians for Homestead Lands, our homestead associations, and the leadership who live in and steward these communities.

As beneficiaries of Hawaiian home lands, we must emphasize that DHHL and the State, as co-trustees, are obligated to ensure secure and timely access to § 207(a) homestead leases and clear pathways to homeownership. While § 207.5 permits limited rental programs, these were intended as temporary tools—not long-term substitutes for homestead leasing. Programs that delay or condition access to a § 207(a) lease, lack guaranteed conversion terms, or **shift financial risk to beneficiaries raise serious trust concerns.**

Under Act 279, these concerns are heightened. The Legislature approved \$600 million based on a Strategic Plan that prioritizes:

- Funding for shovel-ready projects
- Single-family homeownership
- Use of the 2020 Beneficiary Survey data
- Minimal land acquisition
- A 10% set-aside (\$60M), for which a Down Payment Assistance program was not specified

The fact that some initiatives, like raw land acquisitions, rental and rent-to-own projects, or extremely long-term developments, were not part of the original Plan raises serious questions. These approaches could take 10–15 years to deliver homes—if they ever do. Beneficiary consultations on development projects like **Kamalani in Kihei were never completed, leaving** paper lease holders in uncertainty. This is not what the Legislature authorized.

Another concern is that Waiohuli and Keokea subdivisions are still on hold. We have been waiting for 20 years for the completion and awarding of these leases. Us as undivided lessees, we are still waiting. Please consider to add this subdivision back into the budget.

The Hawaiian Homes Commission Act is a trust. DHHL and the State must act in the best interest of beneficiaries. Programs that delay § 207(a) homestead leases, replace ownership with rentals, or shift financial risk to beneficiaries violate that trust.

In our communities, this creates uncertainty. Infrastructure is unclear. Families face additional years of waiting—after decades already spent.

I respectfully submit my testimony today to be entered into the record for next month's Commission meeting.

Mahalo,

Tem a K Watson



The Association of Hawaiians for Homestead Lands (AHHL) is a national waitlist governed association founded in 2009. A member of the Sovereign Council of Hawaiian Homestead Associations (SCHHA). The AHHL is a Homestead Beneficiary Association (HBA) registered with the U.S. Department of Interior, meeting the federal definition under 43 CFR Part 48.6. Dedicated to *Ending the Hawaiian Home Land Waitlist* by pursuing reforms and delivering services that create success for native Hawaiians to homestead and build mercantile businesses.

Testimony Submission

RE: Strategic Approach to Implement Act 279

December 15, 2025

Aloha Chair Watson and Island Hawaiian Homes Commissioners,

My name is Kainoa Lei Macdonald, and I am testifying as Secretary/Director on behalf of the Association of Hawaiians for Homestead Lands (AHHL), a federally recognized homestead beneficiary association. Our mission is simple and urgent: Ending the DHHL waitlist. I am here to speak on **Agenda Item E-6, the Strategic Approach to Implement Act 279.**

Act 279 was enacted in 2022 to reduce the waitlist using \$600 million, the largest appropriation in the trust's history. The Legislature gave clear direction. The Strategic Plan required priority for shovel-ready projects, a focus on single-family homeownership, use of the 2020 Beneficiary Survey, minimal land acquisition, and a **10% set-aside—\$60 million—**to ensure rapid delivery of homes for beneficiaries ready to build.

These requirements matter because they reflect legal trust obligations, not policy preferences.

In *Nelson v. Hawaiian Homes Commission*, the Hawai‘i Supreme Court confirmed that DHHL's trust duties are legally enforceable, not merely political. The Court recognized that beneficiaries may challenge actions that delay placing families on the land within a reasonable time. That legal standard applies directly to how Act 279 is being implemented today.

AHHL is concerned that Act 279 implementation has shifted away from legislative intent.

First, funds intended for shovel-ready housing are being redirected toward speculative land acquisitions and long-term rental or rent-to-own projects that were not authorized in the original Strategic Plan. These approaches delay home delivery by years and do not reduce the waitlist.

Second, beneficiaries—especially on Maui—are at immediate risk. Projects like Kamalani (Kihei) NO Beneficiary Consultation, Waiehu Mauka have faced proposed fund reallocations without secured infrastructure funding, creating a pattern of paper awards without homes—similar to Maui's Undivided Interest Leases, where families have waited more than 20 years.

Third, governance and accountability issues remain unresolved. Repeated changes to Permitting Interaction Group P.I.G. committees, reliance on consultants over beneficiary input, budget discrepancies, and acknowledged “erroneous” budget entries raise serious questions about trust compliance. To date, there is still no clear accounting of how the 10%—\$60 million—set-aside was allocated or encumbered.



We remind our Island Hawaiian Homes Commissioners of your responsibility to protect the Hawaiian Home Lands trust. Out of the box thinking... We agree too. Act 279 was meant to end the waitlist—not extend it.

To DHHL and the State: the Hawaiian Homes Commission Act is a trust that must act solely in the best interest of beneficiaries. Strategies that delay lease delivery, shift affordability risk, or move away from ownership violate that duty. We call upon the State Legislature to exercise its oversight responsibility and question whether current implementation meets fiduciary obligations.

In ending, to my fellow beneficiaries—waitlisters, paper lease holders, and families still waiting—the call to action is now. Stay informed. Stay engaged. Participate while there is still time to course-correct.

As my Tutukāne would say: Pūpūkahi i holomua — together, we move forward.

Mahalo for the opportunity to testify. I respectfully submit this testimony for the record.

On behalf of the AHHL Board, we wish you Mele Kalikimaka a me Hau‘oli Makahiki Hou.

Kainoa Lei MacDonald

Secretary/Moku Honu Director



ANAHOLA

HALE O PAPA: WAHI KAPU

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Ānuenue Kalalea

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04 Cultural Preservation

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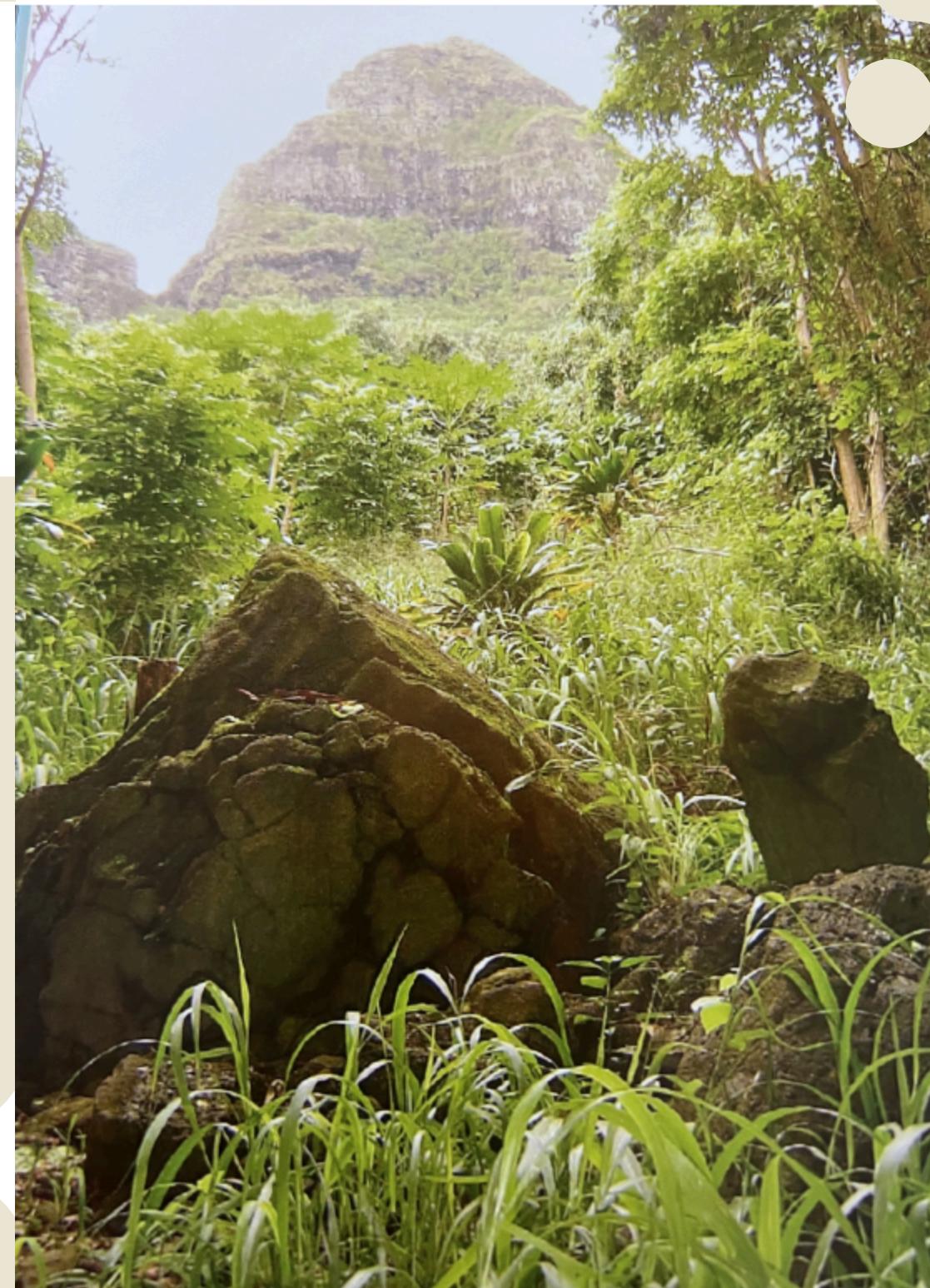
06 In Closing

07 Blessing

08 References

Cover photo: Hāpai wahine of Kalalea





Papa and Wākea pōhaku

INTRODUCTION

Hale o Papa are sacred spaces dedicated to the divine feminine — to Wahine Kapu, the sacred women of chiefly lineage who upheld balance and spiritual harmony across the land.

The hale o hapa were sacred women's temples dedicated to ritual, genealogy, and balance within Hawaiian spirituality. These sites stood beside great Heiau, forming paired sanctuaries: one for male ritual practice, the other for female ceremony and regeneration.

They formed an essential duality representing the sacred feminine and masculine aspects of creation. These wahi kapu served as ceremonial and educational centers for chiefly women (ali'i wahine), priestesses (kahuna wahine), and those who carried ancestral responsibilities of fertility and healing.



SIGNIFICANCE OF HALE O PAPA



Heiau wall

Hale o Papa were places where the spiritual essence of Papahānaumoku - Earth Mother — was honored. The kapu associated with these sites protected women's rituals of regeneration, birthing, and continuity of chiefly lines.

Located near royal centers or important heiau, Hale o Papa embodied the sacred relationship between land ('āina), sea (kai), and sky (lani).

Offerings, chants, and plant-based ceremonies were conducted in harmony with lunar cycles, reinforcing the deep ecological and spiritual knowledge of Hawaiian women.





Phallic pōhaku

SYMBOLISM

The pohaku hānau — or phallic stones - symbolize the male generative principle (kanaloa) and the fertility of the people and land. These upright stones often stand in view of Hale o Papa sites, representing the union of creation energies: Wākea (sun and sky) and Papa (earth mother).

These stones are not merely physical forms but living entities — pohaku ola - bearing ancestral presence and energy. Their presence is not obscene, they are meant to be profound. In Hawaiian cosmology, creation is not born from dominance but from union, respect, and aloha between all elements of being.

CULTURAL PRESERVATION



Petroglyph near entrance

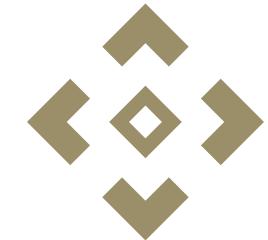
Preserving hale o papa sites safeguards not only the stone structures but the mo'okū'auhau (genealogical memory) of women and the living Hawaiian worldview.

Community practitioners continue to visit these wahi kapu to chant, clean, and maintain the energy flow (mana). Modern research and oral history projects - often led by cultural lineages — are reconnecting each site to its landscape story.





WHAT WE BELIEVE



In Anahola (Aneholo), the land still breathes with memory.

This hale o papa site, at the base of Kalalea, holds sacred associations with both chiefly women and elemental spirits. Oral histories speak of ceremonies held under moonlight, guided by kahu wahine whose chants called forth renewal of life and fertility.



Pueo (guardian) o hale o papa

IN CLOSING

To honor these places is to reconnect with the feminine foundation of Hawaiian spirituality. By protecting and acknowledging them, we uplift the sacred relationship between women, land, and creation — a truth that remains essential to the health of our 'āina today.

Community stewardship, ceremony, and education help ensure that these Wahi Kapu remain not as relics, but as living teachers.

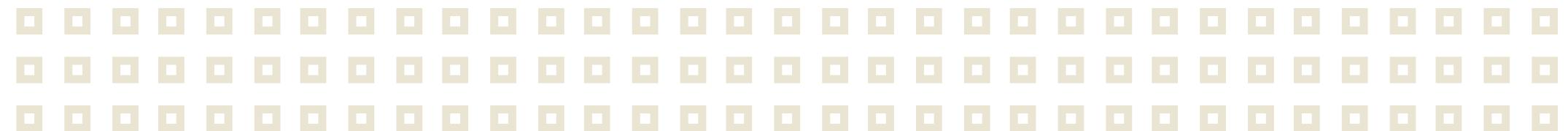




BLESSING

**E nā kupuna e,
E ho'ala mai i ka na'au o ka 'āina.
E kia'i i keia hana no ka pono o nā wāhine kapu a me
ka 'āina aloha.**

Beloved ancestors,
Awaken the heart of the land.
Guard this work done in honor of the sacred women and
the beloved earth.





HO'OKUPU

Let this work be an offering –
to the *Kupuna Wahine o ka 'āina*,
to the *Wahi Kapu o nā wāhine*,
and to the future generations who
will remember and continue this
sacred balance.





Birthing stone



Papa wahine pōhaku



Piko

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MAHALO PAU

Prepared by: Agnes D. Keaolani Marti-Kini
& Danielle Kaiolani Loo

Mahalo for your time, attention, and commitment to protecting our cultural heritage. I submit this with respect and aloha to help ensure that the traditions and sacred spaces of our Kupuna here in Anehola remain protected for future generations.

amartikini56@gmail.com
(808) 631-5956



C-1

“Approval to authorize the Chairperson to enter into negotiations with the Office of Hawaiian Affairs pertaining to the development of Kakaako Makai Lot-I”

Kaka'ako Makai

Parcels on which
**OHA WOULD
LIKE TO**
consider
residential uses

Parcels on which
**OHA
WILL NOT**
seek to develop
residential uses

Parcels on which
**OHA WOULD
LIKE TO**
consider
residential uses

Parcels on which
**OHA
WILL NOT**
seek to develop
residential uses

Kaka'ako Makai Revenues

20% gross
to OHA Grants to
benefit Native
Hawaiians
(FY21 \$883,804)

50% of net
to mālama Legacy
Lands
(FY21 \$1.5 million)

50% of net
for Kaka'ako Makai
operations
(FY21 \$1.5 million)

A - 1011 Ala Moana Blvd. and
Kewalo Basin



221,372 sq. ft.

B - 123 Ahui St. and 113 Ahui St.



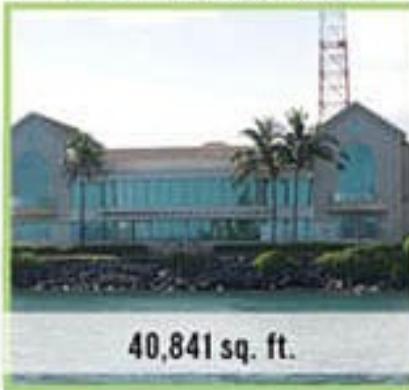
137,213 sq. ft.

C - 59 Ahui St.



88,996 sq. ft.

D - 45 Ahui St. and 53 Ahui St.



40,841 sq. ft.

E - 919 Ala Moana Blvd. (AAFES)



95,832 sq. ft.

F - 160 Ahui St.



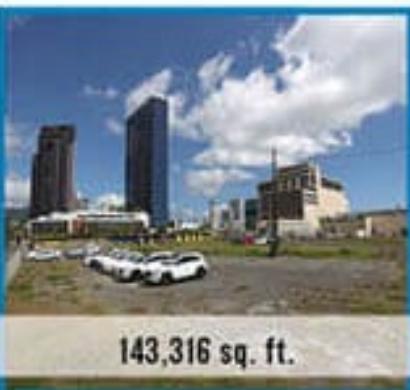
200,942 sq. ft.

G - 160 Koula St.



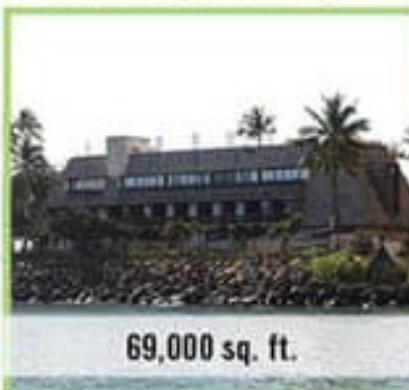
110,904 sq. ft.

I - Ala Moana Blvd.



143,316 sq. ft.

K - 40 Ahui St (Point Panic)



69,000 sq. ft.

L - End of Keawe St.



227,645 sq. ft.

Ewa Land Donation

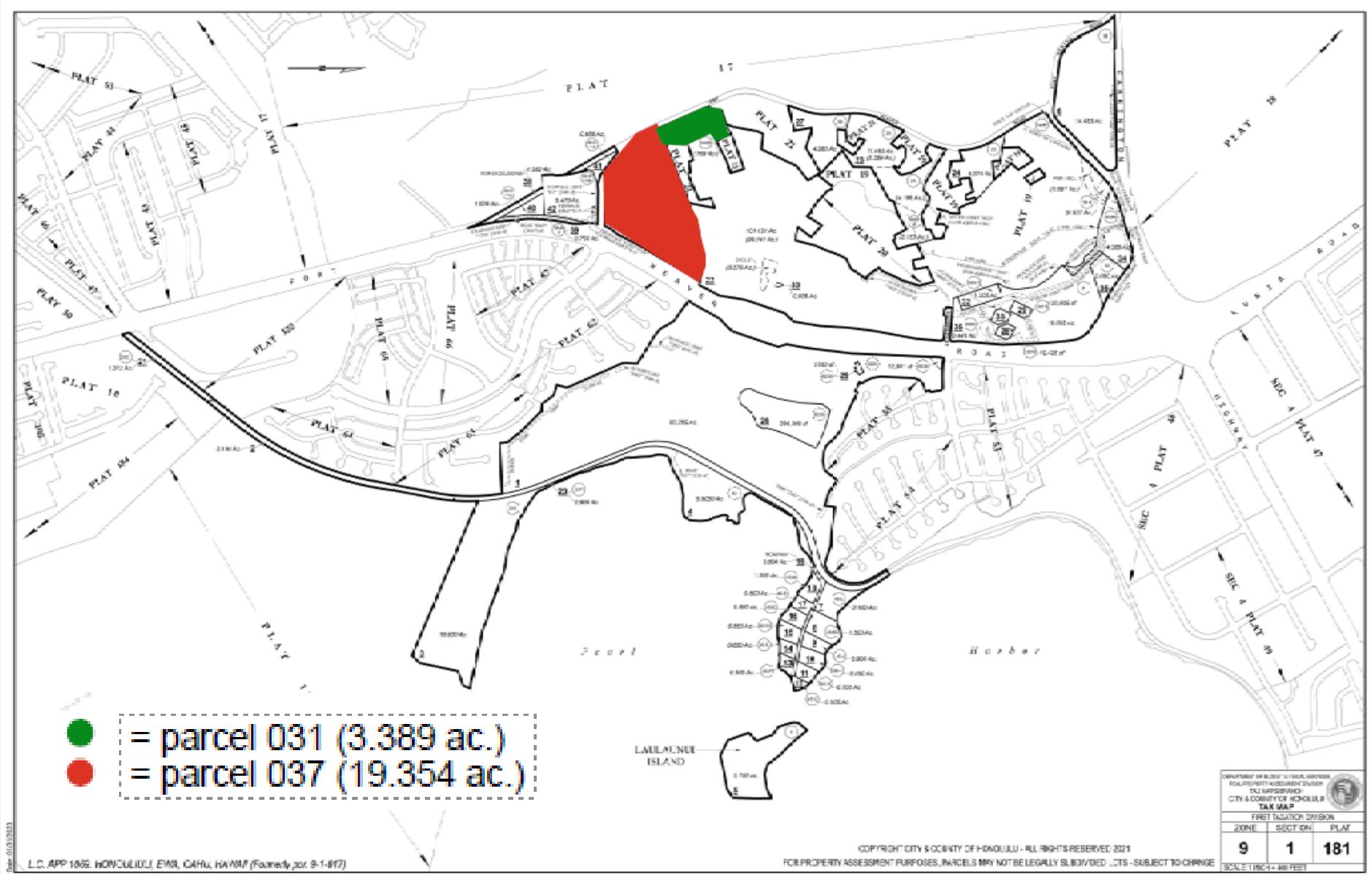
Workshop Presentation to The Hawaiian Homes Commission
December 15, 2025

Agenda

- The Properties
- The Parties
- The Transaction
- Where are we in the Process?

The Properties

TMK Nos. (1) 9-1-181-031 and 037



Item E-6 LDD Strategic Approach to Implement Act 279 of 2022

Revised December 2025



Department of Hawaiian Home Lands



E-6 LDD AGENDA

Summary of Booklet

Policy Considerations

Update on the Projects

Innovative Partnerships & Funding

Summary of Booklet

Summary of Booklet

Testimonies

- Sheldean Dudoit
- Tina Leikaha
- Auntie Esther

\$600M Update

- Encumbrances/Expenditures
- Partnerships
- LIHTC

Policy Considerations

- #1 Homeownership vs Rental Activities
- #2 Resources provided for Homeownership Activities
- #3 Prioritization of Homestead Development

Innovation

- Funding (Federal, County)
- Land Exchanges
- Technology
- New Construction Methods

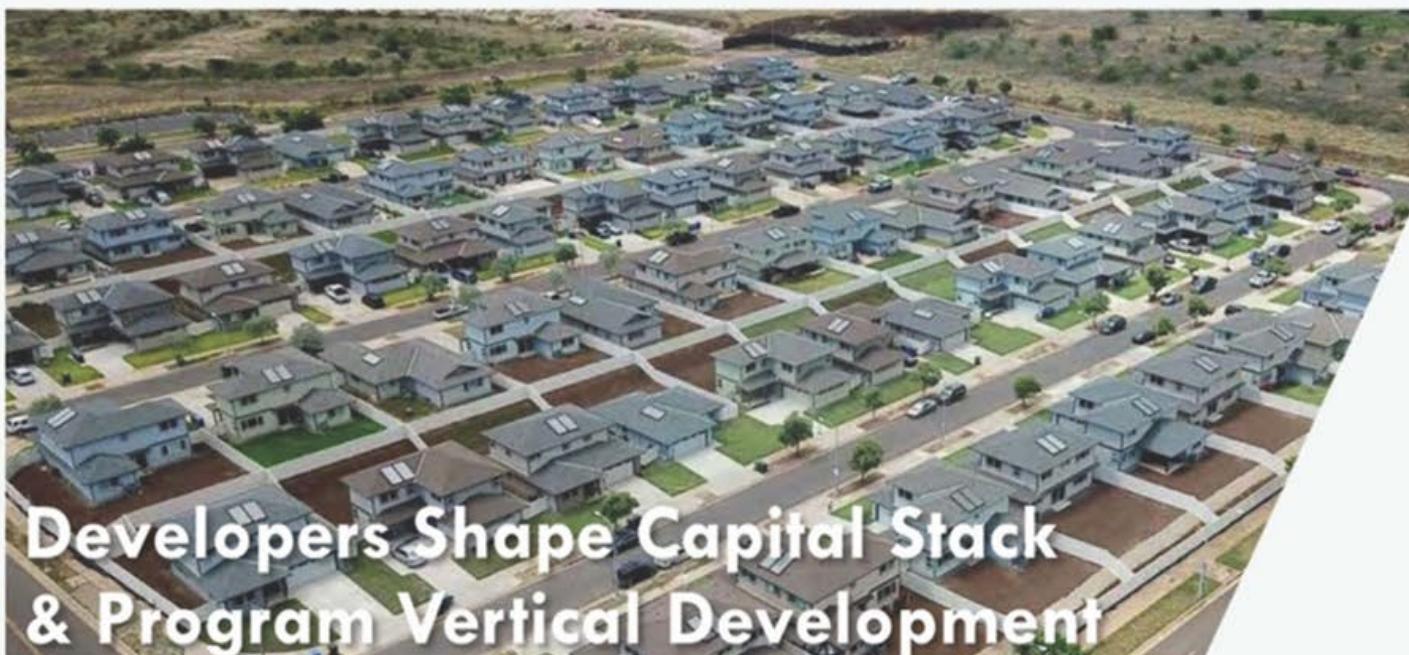
Awardee Testimony (Sheldean Dudoit)



Policy Considerations

Policy Consideration #1 & #2

NEW APPROACH



Developers Shape Capital Stack & Program Vertical Development

- Transforming Development to Better Serve Our Beneficiaries

Policy Consideration #1 & #2



Housing Options
Creating Pathways of Choice
for Our Beneficiaries

Policy Consideration #3



1. DHHL **acquires** the land



3. Private Developer
builds housing



4. DHHL Beneficiary **pays for**
house, land lease at \$1/year

‘Ōlelo No‘eau: “A ‘ohe hana
nui ka alu ‘ia.”

*No task is too big when
done together.*

Meaning: United we stand,
divided we fall.

Update on the Execution

Location/Site	Project	Cost	Total Leases	Total Lots	Construction (FY)		Occupancy (FY)	
					Start	End	Start	End
	28	\$ 600,000,000	5,792	2,103				
Hawaii County	Sub-Total	6	\$52M	1,684	280			
	Lā'ī 'Opua Villages	Residential Subdivision	\$39.2M	580	280	2022	2028	2026
	Honomu	Subsistence Agricultural Lots		40	0	2025	2026	2026
	Kaumana	Land Acquisition	\$2.0M	168	n/a	2026	2030	2030
	Honokaa	Land Acquisition	\$8.8M	n/a	n/a	2026	2031	n/a
		Residential Subdivision	\$1.3M	200	0	2026	2031	2029
	Panaewa	Residential Lots	\$1.0M	600	0	2026	2031	2031
Maui County	Sub-Total	12	\$297.6M	1,514	1,139			
	Lāna'i	Residence Lots	\$2.0M	75	0	2026	2028	2028
	Hoolehua	Scattered Agricultural Lots	\$3.5M	20	20	2025	2027	2027
	Nā'iwa	Agricultural Lots	\$6.0M	16	16	2025	2027	2027
	Pu'uhonua	Water Tank	\$5.5M	n/a	n/a	2023	2026	n/a
		Residential Subdivision	\$17.2M	161	161	2023	2026	2025
	Honokōwai	Subsistence Agricultural Lots	\$1.5M	50	0	2025	2027	2027
	Lele'ī	Offsite Water Development	\$15.0M	n/a	n/a	2024	2026	n/a
		Residential Subdivision	\$68.0M	181	181	2025	2029	2027
	Wailuku	Residential Subdivision	\$39.5M	207	207	2026	2031	2029
	Waiehu Mauka	Residential Subdivision	\$93.9M	404	404	2027	2032	2030
	Kamalani	Land Acquisition	\$10.5M	n/a	n/a	2024	2025	n/a
		Residential Subdivision	\$35.1M	400	150	2026	2031	2029
City and County of Honolulu	Sub-Total	5	\$169M	1,190	380			
	Kaupe'a	Acquisition	\$8.3M	n/a	n/a	2024	2025	n/a
	Kaupe'a	Residential Subdivision	\$13.7M	60	0	2026	2030	2028
	East Kapolei	Mixed-Use Subdivision	\$1.0M	350	0	2026	2031	2026
	East Kapolei	Residential Subdivision	\$143.2M	700	380	2026	2031	2029
	Maunalua	Land Acquisition & Multifamily Units	\$2.5M	80	0	2026	2027	2027
Kauai County	Sub-Total	4	\$43.5M	1,297	197			
	Hanapēpē	Residential Subdivision	\$17.8M	82	82	2022	2027	2026
	Anahola	Agricultural Lots	\$5.0M	115	115	2025	2027	2027
	Līhu'e	Land Acquisition	\$20.7M	n/a	n/a	2024	2025	n/a
		Residential Subdivision	\$0.0M	1,100	0	2026	2035	2029
	Sub-Total	1	\$38M	107	107			
	Scattered Lots	Residential Subdivision	\$2.0M	107	107	2024	2026	2025
	Other	Residential Subdivision	\$36.0M	107	107	2024	2026	2025

Breakdown of \$600M Encumbered

- Infrastructure: \$511.2M
- Acquisition: \$52.8M (new acreage: 555.94ac)
- Financing & Beneficiary Services: \$36M
- Encumbered as of 12/31/25: \$588.9M
- Encumbered as of 3/1/26: \$11.1M

DHHL COMMISSION APPROVED BUDGET

Spent as of 12/31/2025

- \$120M

Lot Development Completed With the \$600M

Statewide Lot Development Projects Leases

County	2022 Leases	2024 HHC	2025 Completed
Hawai'i	440	1,684	408
Maui	572	1,514	1,212
Honolulu	1,520	1,790	725
Kauai	190	1,297	82
Scattered Lots Statewide	0	107	45
TOTAL	2,722	6,392	2,472

*\$600M encumbered by 12/31/2025. Currently \$120M expended.

PHASE 2

COUNTY	LOTS DEVELOPED	NEW FUNDING
HAWAII RES: 1634 / HAWAII AG: 50	1684	\$315M
MAUI RES: 1105 / MAUI AG: 298	1514	\$182M
MOLOKAI RES: 20 / MOLOKAI AG: 16 / LANAI RES: 75		
KAUAI RES: 1082 / KAUAI AG: 215	1297	\$229M
OAHU RES: 1790	1790	\$145M

Island / Project	Lots Developed (2230)	Waitlist (23849/ 8257)
Hawaii RES/ LaiOpua	380	5991
Maui RES / (Puuhona, Wailuku SF, Waiehu Mauka, Kamalani, LeiAlii)	1017	3947
Maui AG / (Waiehu Mauka, Honokowai)	105	4813
Molokai RES / Hoolehua Scattered	20	815
Molokai AG / Naiwa	16	1133
Kauai RES / Hanapepe	82	1726
Kauai AG / Anahola	50	2311
Oahu RES / Kauluokahai	560	11370

Innovative Partnerships & Funding

Innovative Funding

June 2025

- USDOT – Regional Infrastructure Accelerator Program
- \$2M for East Kapolei

September 2025

- USDA – Rural and Tribal Assistance Pilot Program
- \$2.5M for Maui projects
- \$2.5M for East Kapolei TOD

September 2025

- USDA – Water and Environmental Program Application
- \$5M for Moloka'i water

October 2025

- USDOT – Innovative Finance & Asset Concession Grant Program
- \$2M for East Kapolei

DHHL's funding strategy uses a mix of public and private -sector mechanisms to amplify every dollar —leveraging federal grants as accelerators and maximizing the GET exemption to stretch resources.

Through this strategic approach, we achieved an impressive \$6 million in savings in FY2025, followed by a projected \$9 million in savings in FY2026.

Combined with the County of Maui's \$90 million GET Set -Aside through 2030 for housing infrastructure and homestead development, this forward -looking model demonstrates how innovative financial stewardship can unlock transformative support for beneficiaries.

Innovative Funding

DHHL will also consider innovative partnerships with other county and state entities that could expedite development schedules for DHHL projects. An example could be upsizing an ongoing county off -site infrastructure project and sharing in the cost. Public private partnerships may also be considered, to the extent they do not violate any statute, regulation, or procurement code.



Partnerships multiply funding.

Multiplied funding accelerates homesteads.

Importance of Relationships



Partnerships with County and State Entities

- Purpose: expedite development schedules for DHHL projects
- Example:
 - shared infrastructure
 - upsizing an ongoing county off-site infrastructure project and sharing in the cost

Public and Private Partnerships

- Financial assessments, financial literacy, and homebuyer education
- Leverage compensation of access easements in return for shared Infrastructure with neighboring landowners and developers

Pilina is the foundation that allows our partnerships with HCA, Helen Wai LLC, and the Hawai'i HomeOwnership Center to thrive, ensuring 7,000 beneficiaries receive trusted financial assessments, homebuyer education, and financial literacy that strengthen their path to housing.

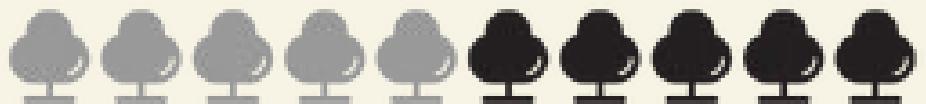
Through Act 279, our investment in infrastructure unlocks more than **\$2 billion in vertical development**, as private developers bring the full capital stack needed to actually build homes

In parallel, the **\$41 million revolving loan fund** with Hawai'i Community Lending empowers beneficiaries on owner-built vacant lots to finance construction and turn opportunity into reality.

Acquisition Alternatives

EXCHANGE OF STATE LANDS

50k acres



EXCHANGE OF COUNTIES LANDS

250 acres



Instead of spending limited funds to purchase land with existing infrastructure, we are exploring smarter acquisition alternatives that place beneficiaries closer to schools, health facilities, and essential services. By exchanging parcels with counties and state agencies —including leveraging Act 14 to bring whole the acreage still owed to DHHL —we can reposition our inventory to serve our people better, pursue federal surplus lands, and even monetize our 2,300 affordable housing credits to acquire private lands. This approach allows us to build capacity without depleting funding, while stewarding our trust assets with strategy and purpose.

MONETIZING AFFORDABLE HOUSING CREDITS

2,300



EXCHANGE OF FEDERAL LANDS

1,040 acres



These strategies diversify DHHL's future land base and ensure sustainable long term development.

Acquisition Alternatives

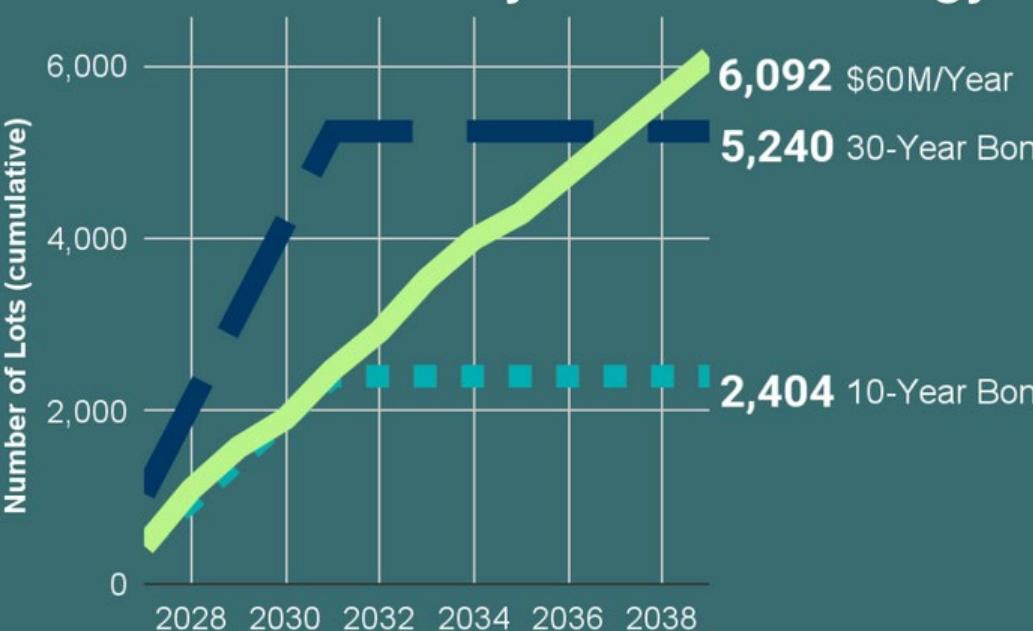
PROJECT PORTFOLIO BREAKDOWN

Project Name	Developer	FY	Units	DHHL LAND (\$175K/LOT)	TOTAL DEV COST	Leverage	LIHTC VALUE (FED + STATE)
MARK DEVELOPMENT (1 Project, 30 Units)							
Hanapepe Residence Lots - IIA	Hanapepe RLP 2 Ekahi, LLC	2024	30	\$5,250,000	\$29,271,150	5.58x	\$21,000,000
KALANIANA'OLE DEVELOPMENT (1 Project, 30 Units)							
Lai Opua V4 Hema RP	V4 Hema LP	2025	30	\$5,250,000	\$28,787,021	5.48x	\$20,939,625
PORTFOLIO TOTAL			60		\$58,058,171	5.53x	\$41,939,625

ANNUAL LIHTC AWARDS

Project Name	ANNUAL FEDERAL LIHTC	ANNUAL STATE LIHTC	10-YEAR FED CREDITS	5-YEAR STATE CREDITS	TOTAL LIHTC VALUE
Hanapepe Residence Lots - IIA (2024)	\$1,400,000	\$1,400,000	\$14,000,000	\$7,000,000	\$21,000,000
Lai Opua V4 Hema RP (2025)	\$1,395,975	\$1,395,975	\$13,959,750	\$6,979,875	\$20,939,625
TOTAL	\$2,795,975	\$2,795,975	\$27,959,750	\$13,979,875	\$41,939,625

Lots Produced by Finance Strategy



Bond Period:	10-Years	30-Years
Total Borrowed	\$505.3M	\$1,103.5M
Interest Rate:	3.25%	3.50%
Term (Years):	10	30
Annual Debt Service:	\$60M	\$60M
Annual Principal:	\$43.6M	\$21.4M
Annual Interest:	\$16.4M	\$38.6M
Total Payments	\$600.0M	\$1,800M
Interest Payments:	\$94.7M	\$696.5M
Principal Payments	\$505.3M	\$1,103.5M

DHHL considered a comprehensive range of financial options for Phase 2 Act 279 funding and delivered developed lots to beneficiaries, with a focus on balancing speed of development with long-term Departmental stability.

Recently, DHHL considered using annual state funding as a dedicated source for debt service payments. This would provide a significant influx of funds for construction activities.

Analysis of Bonding and Debt Financing

To determine the optimal finance strategy, DHHL considered the Return on Investment (ROI) for general obligation bonds. The results favor a direct cash-based approach. The findings were:

- High Cost, Reduced Output:
 - 10-Year Financing: This option would yield 60% fewer lots (only 2,404 developed vs. 6,092 projected), making it financially unviable.
 - 30-Year Financing: This option would produce 15% fewer lots (5,240 developed vs. 6,092 projected) while simultaneously incurring long-term debt.
- Bonding would require DHHL to allocate significant funds towards interest and financing costs instead of directly investing that capital into site construction and infrastructure development.

Ultimately, the analysis demonstrated that while debt financing might offer an upfront capital injection, its long-term cost drastically reduces the total number of lots DHHL can deliver, making it a poor fit for maximizing the program's impact.

INNOVATIVE FUNDING

Revenue Bond Financing

501(C)(3) Bond Structure

**LIHTC Structuring &
Syndication**

**Braiding LIHTC, bonds,
CDFIs, & impact investment**



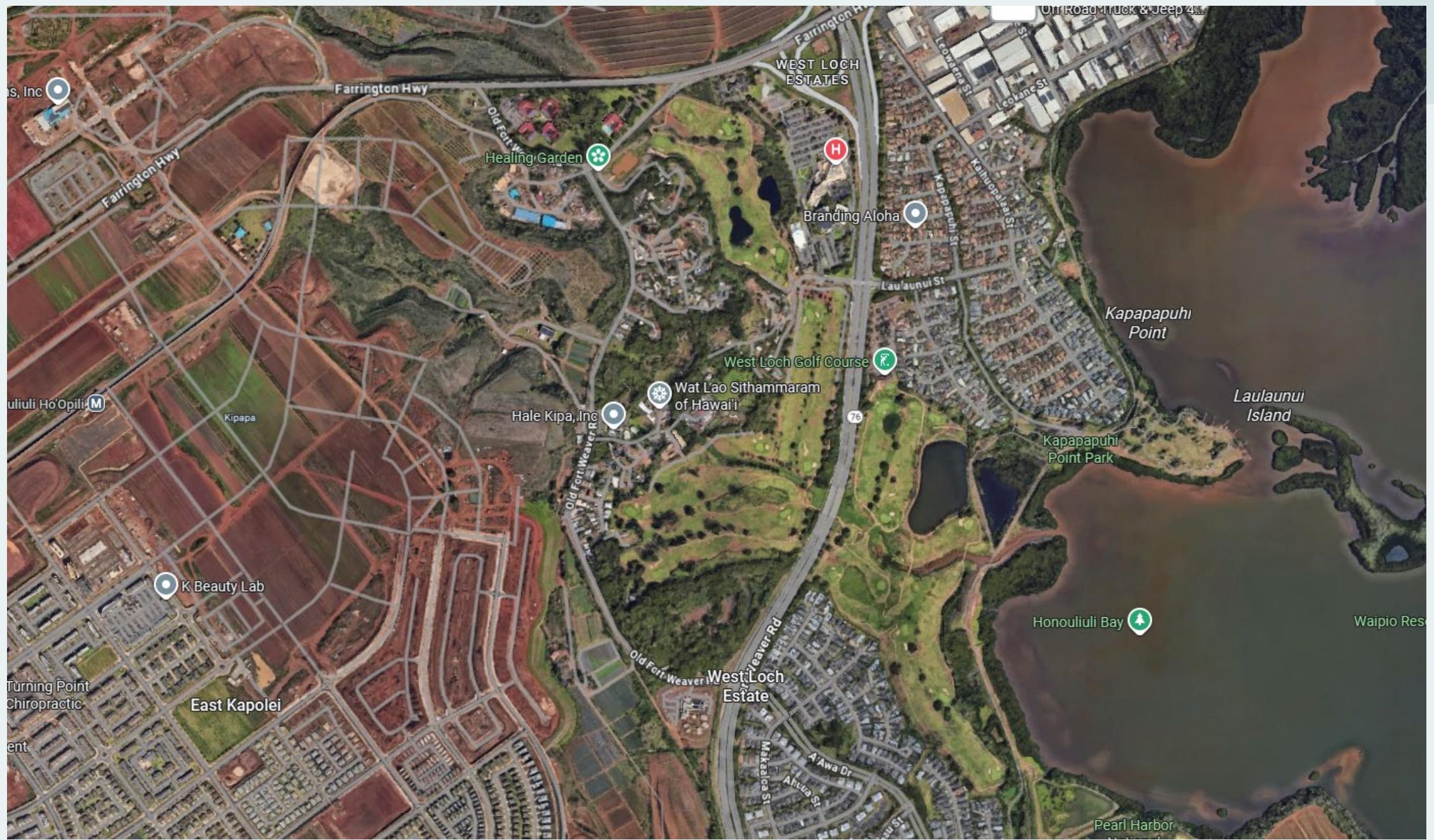
MAHALO PIHA!

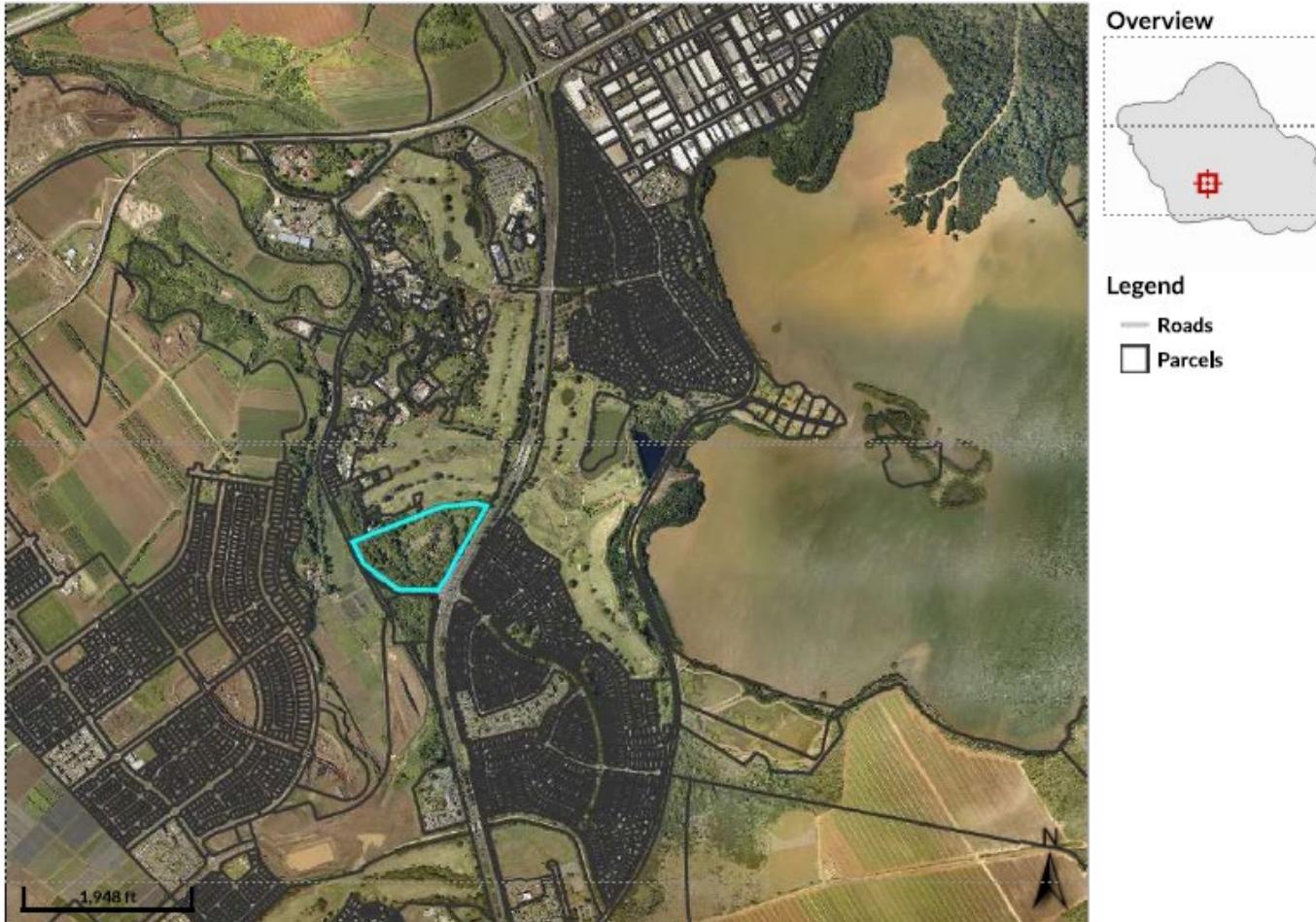


808 - 620 - 5900



dhh.hawaii.gov





Parcel 911810370000
ID
Acreage 19.345
Class VACANT AGRICULTURAL;
RESIDENTIAL; AGRICULTURAL

Situs/Physical
Address 91-2002 C FORT
WEAVER RD

Assessed Land \$3,321,700
Value

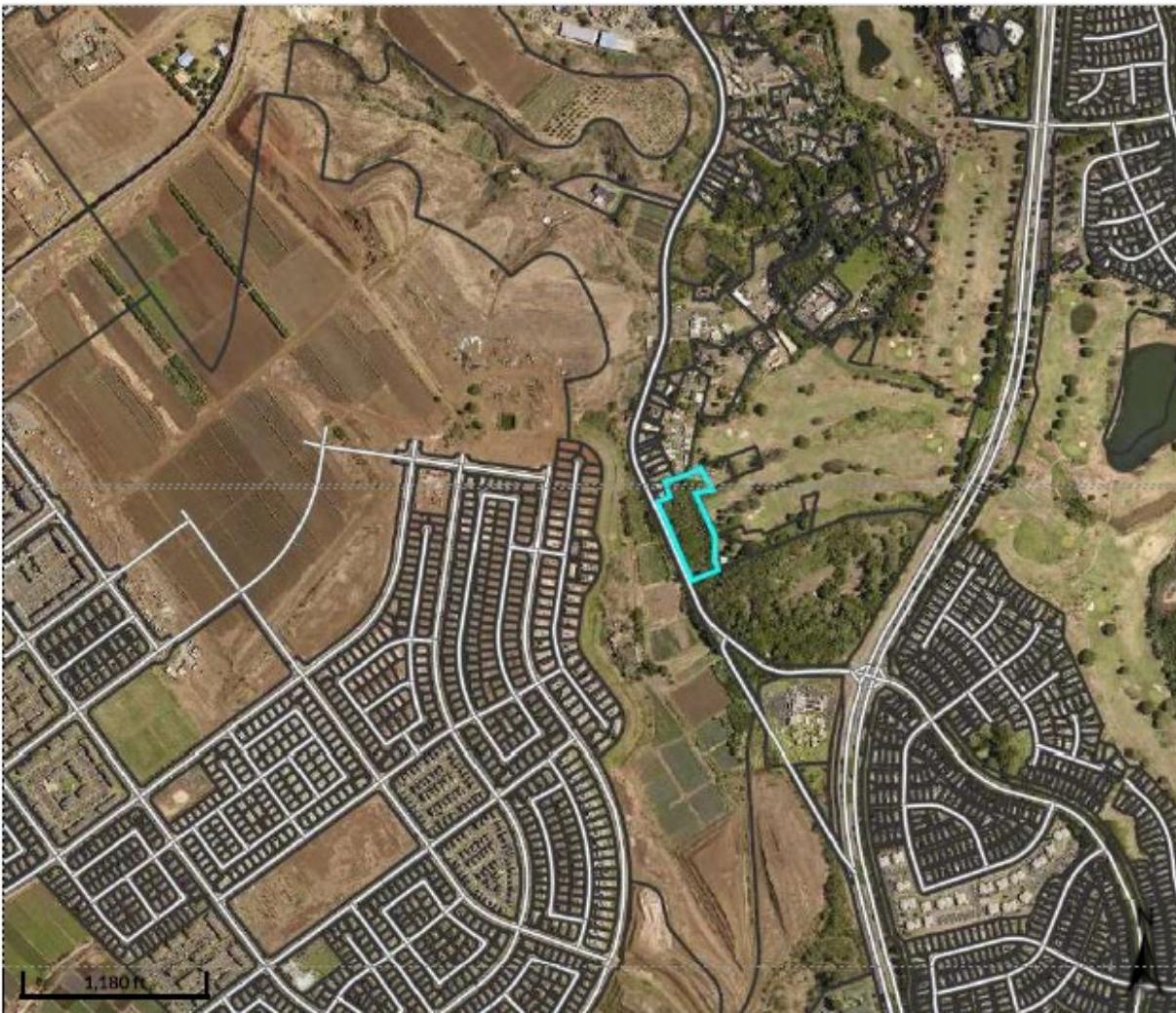
Assessed Building \$88,400
Value

Total Property \$2,239,400
Assessed Value

Total Property \$0
Exemptions

Total Net Taxable \$2,239,400
Value





Overview



Legend

- Roads
- Parcels

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

Brief Tax Description LOT 37-B (2.620 AC) & LOT 344-B (.769 AC) MAP 933 LCAPP 1069



The Parties

- * Seller – Roman Catholic Church in the State of Hawaii
- * Buyer/ Lessor/ Donator/ Assignor – Kalanianaole Development, LLC (KDL)
principals: Patty Tancayo and Nan Chul Shin)
- * Lessee/ Developer – Ku‘ai Halewai LLC (KHL)
(special purpose entity controlled by KDL)
- * Donee/ Assignee – Department of Hawaiian Home Lands (DHHL)

The Transaction

The Transaction

1. KDL purchases the properties from the Roman Catholic Church

The Transaction

1. KDL purchases the Properties
from the Roman Catholic Church

Terms (Purchase and Sale Agreement):

- * Purchase Price = \$6.025M
- * Customary Due Diligence
- * Due Diligence Period currently runs to December 2026
- * \$75K of non-refundable deposits already made

The Transaction

1. KDL purchases the properties from the Roman Catholic Church
2. KDL leases the properties to KHL for commercial development

The Transaction

1. KDL purchases the properties from the Roman Catholic Church

2. KDL leases the properties to KHL for commercial development

Terms (Ground Lease to KHL):

- * **Lease Term** – 65 years
- * **Base Rent** – 6% of appraised value
- * **Participation Rent** – 50% of distributable cash flow after 25% IRR achieved
- * **KHL pays all development costs**
 - ✓ Environmental (EIS/EA)
 - ✓ Archaeological (iwi kupuna)
 - ✓ Design and Permitting
 - ✓ Everything else

The Transaction

1. KDL purchases the properties from the Roman Catholic Church
2. KDL leases the properties to KHL for commercial development
3. KDL donates the properties, subject to commercial development lease to KHL, to DHHL

The Transaction

1. KDL purchases the properties from the Roman Catholic Church
2. KDL leases the properties to KHL for long term commercial development
3. KDL donates the properties, subject to the commercial development lease to KHL, to DHHL

Terms (Memorandum of Agreement):

- * Piggyback due diligence rights
- * DHHL accepts property subject to commercial development lease
- * Beneficiary Benefits Package = 1/3 (33.3%) of Base Rent to be paid over to homestead associations within a 5-mile radius
- * DHHL allowance of commercial/mixed use

Note: The combined, ordered closing of all of the separate parts of this transaction, including any acquisition and/or development financing to be obtained by KDL and/or KHL, will happen at the same time, either in the purchase escrow between Seller and Buyer (which DHHL will “join”), or in back-to-back purchase and development escrows, per the direction of KDL’s and/or KHL’s lender.

The Process (where are we?)

January 2025 – The Commission approved accepting the donation of the properties encumbered by the ground lease to KHL and directs the Department to: (a) negotiate the agreement to receive piggyback due diligence and approval rights and setting out the minimum required terms for the ground lease to KHL; and (b) to conduct beneficiary consultation.

September 2025 – The form of Memorandum of Agreement was presented to the Commission for its approval. This matter was deferred with the request that the Department provide further information regarding the environmental condition and liabilities of the properties and the logistics of the overall escrow and closing of the transaction (how do all the pieces fit together?).

October 2025 – The Department conducted beneficiary consultation.

December 2025 (now) – the Department: (i) presents the results of the beneficiary consultation conducted; (ii) does this workshop for the Commission; and (iii) submits the Memorandum of Agreement and form of Development Ground Lease for the Commission approval.

2026/2027 – The Commission serves as the reviewing body for HRS Chapter 343 (EA/EIS) compliance

PAU – Mahalo!



HAWAIIAN HOME LANDS

Hawaiian Homes Commission - Department of Hawaiian Home Lands

Russell K. Kaupu

*Property Development Agent
Office of the Chair*

91-5420 Kapolei Parkway, Kapolei, HI 96707

Office: (808) 730-0168 [voice]

Mobile: (808) 829-2630 [text]

russell.k.kaupu@hawaii.gov | [www.dhhl.hawaii.gov](http://dhhl.hawaii.gov)



HAWAIIAN HOME LANDS TRUST

Item G-3 Status Update on Plan Implementation in the Wai‘anae Moku, O‘ahu Island Plan (2014), Nānākuli Regional Plan (2018) and Wai‘anae Lualualei Regional Plan (2018)

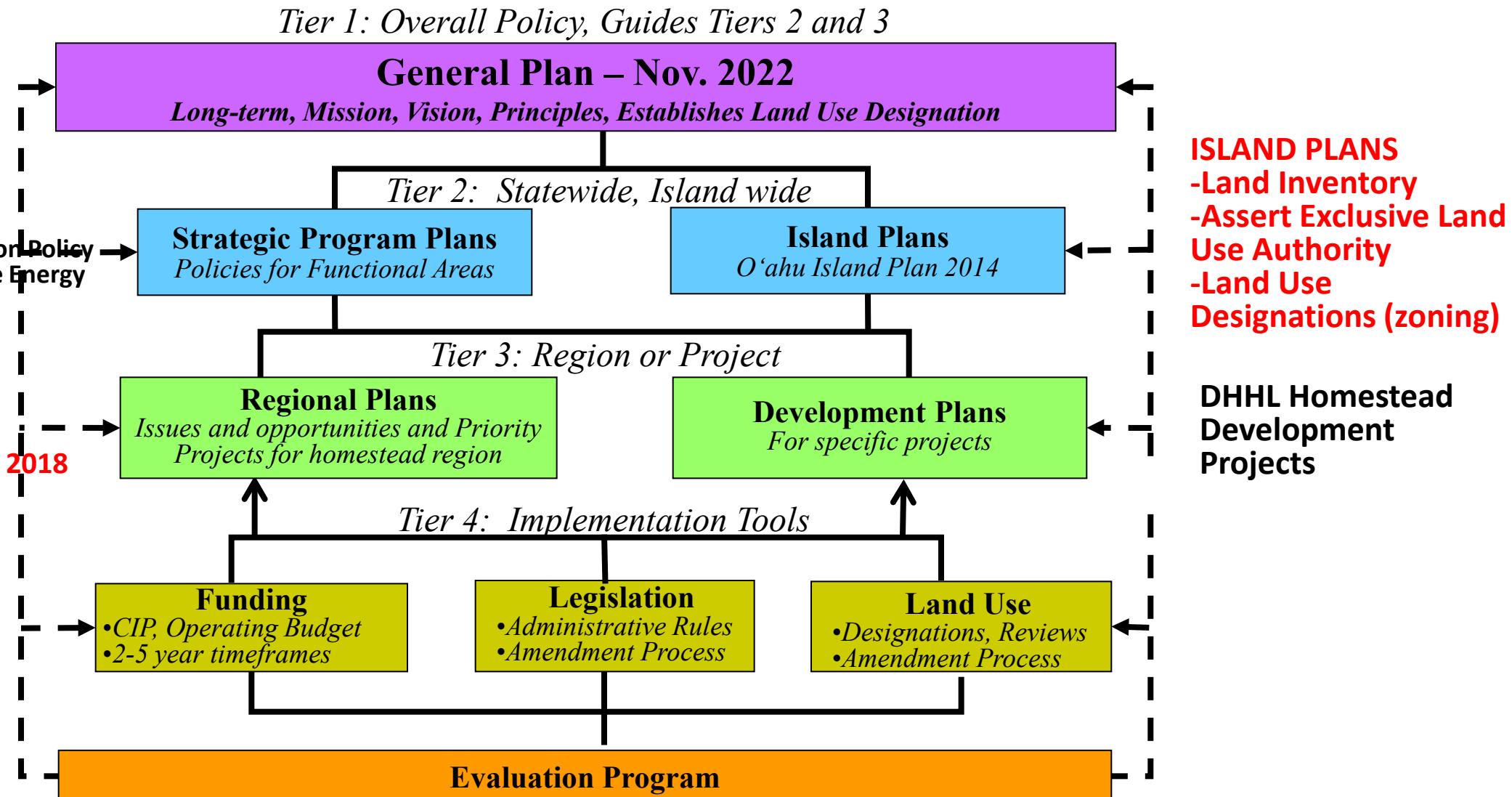
December 2025



Systematic coordination
in the management of
HHLs and programs

DHHL Planning System

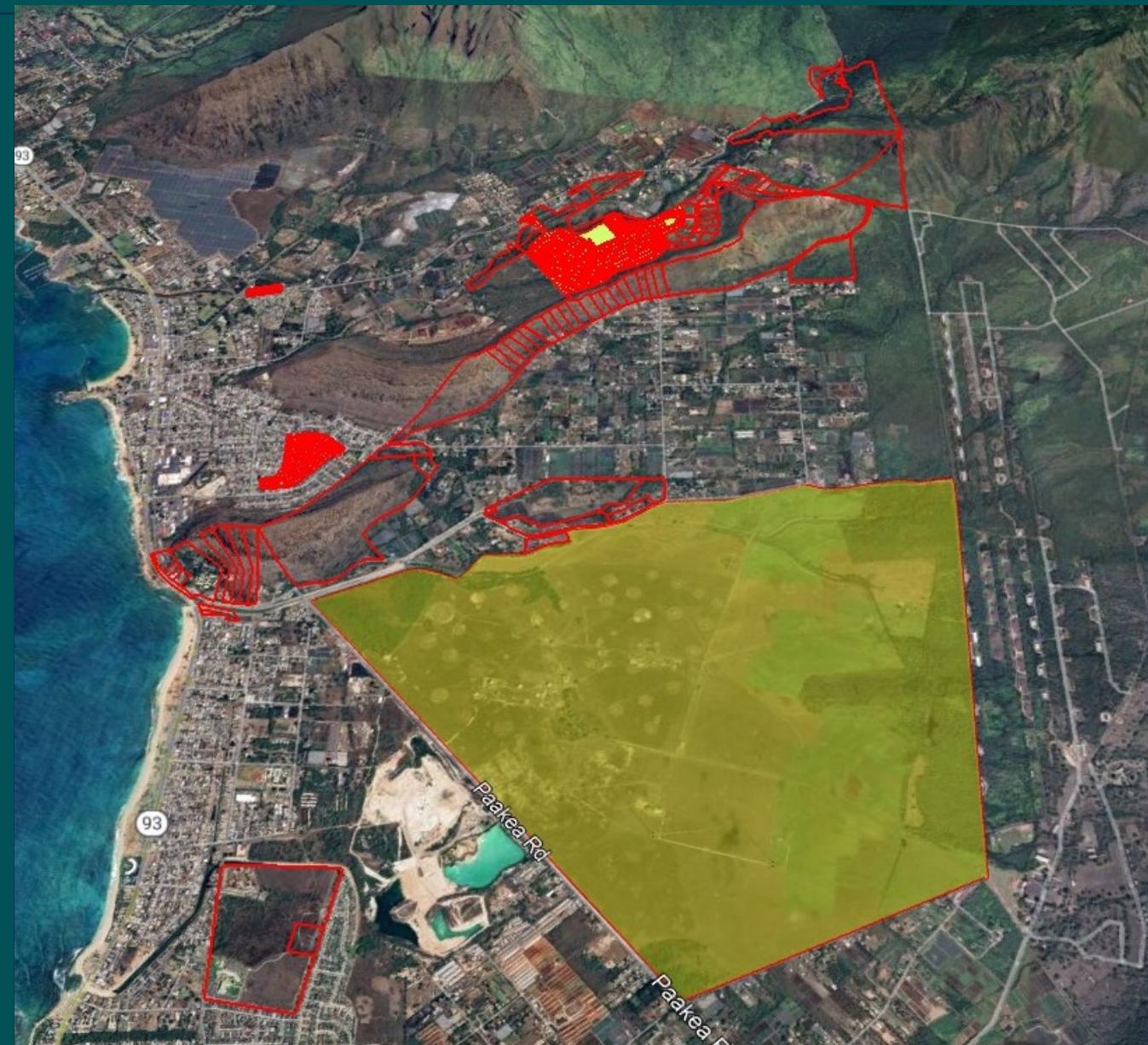
Codified in Administrative
Rules, 2018





Future Plans for Wai‘anae and Lualualei

Land Use Designation (LUD)	Wai‘anae Lualualei
Residential	
--Existing Residential Leases	590
--Existing Residential Acres	130
--Proposed New Residential	320
--Future New Residential Acres	75
Subsistence Agriculture	
--Existing Ag Leases	42
--Existing Ag Acres	90
--Proposed New Sub. Ag Leases	140
--Future New Sub. Ag Acres	100
Community Use	85
Special District (Ka‘ala Farm)	105
Conservation (Pu‘u, Ridgelines)	255
Industrial	3
General Agriculture	95
Undesignated Lualualei**	1,520
TOTALS	938 (2,548)

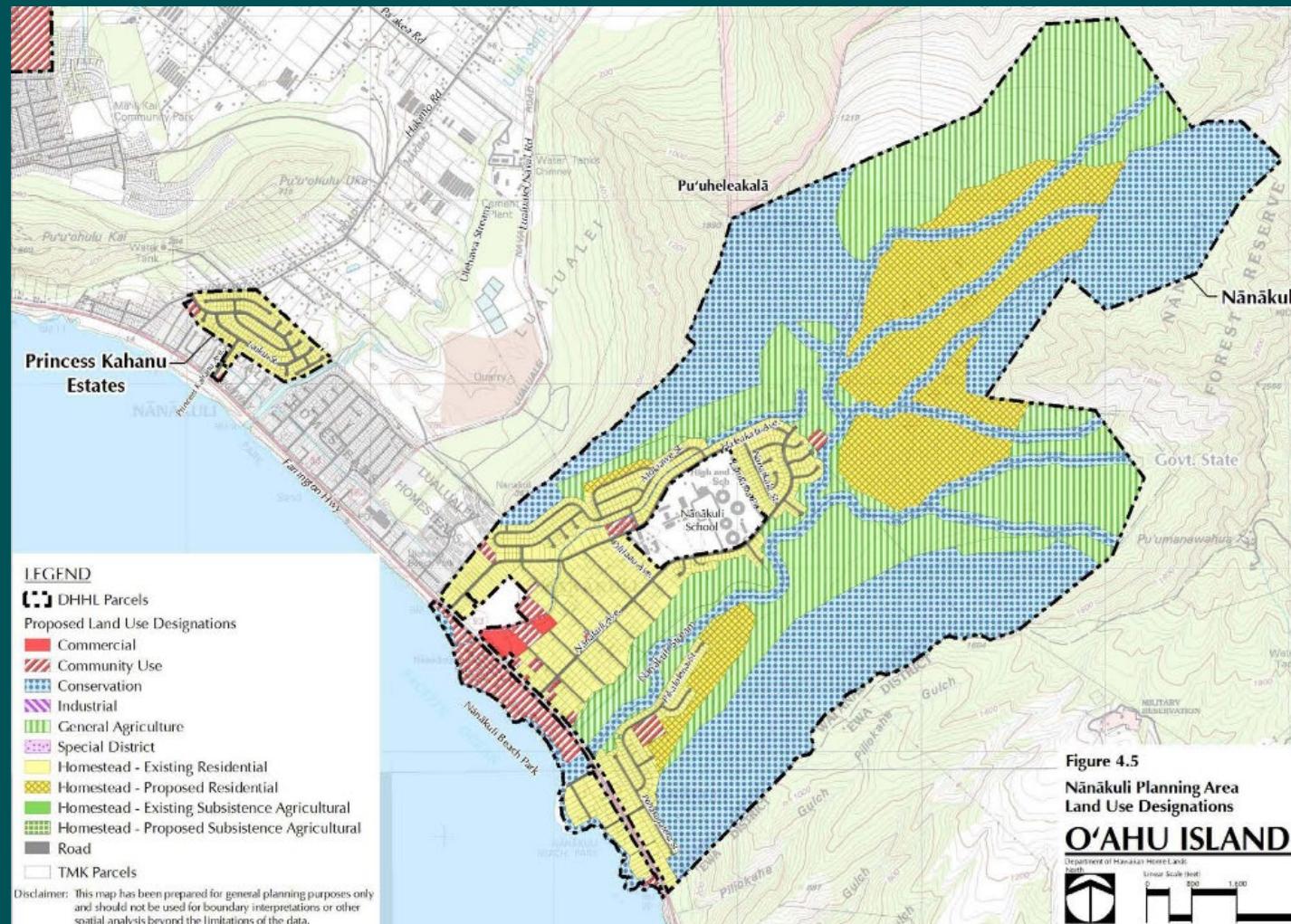




Future Plans for Nānākuli

Land Use Designation (LUD)	Nānākuli
Residential	
--Existing Residential Leases	1,319
--Existing Residential Acres	390
--Proposed New Residential	1,835
--Future New Residential Acres	320
Subsistence Agriculture	0
--Existing Ag Leases	
--Existing Ag Acres	
--Proposed New Sub. Ag Leases	
--Future New Sub. Ag Acres	
General Agriculture	710
Conservation	825
Community Use	50
Commercial	10
TOTAL	2,305

Source: DHHL's O'ahu Island Plan





NĀNĀKULI REGIONAL PLAN (2018)

PRIORITY PROJECTS

1. Disaster Preparedness
2. Improve Community Access to Non-Homesteading Areas
3. Street Repairs and Improvements for Health and Safety in the region
 - ▶ Nānākuli Flood Channel Lateral Repairs
 - ▶ Princess Kahanu Estates Traffic Calming Measures
 - ▶ Nānākuli Sewer System Improvements
4. Establish Community-Based Education Programs
5. Identify and Pursue Opportunities for “Pono Economic Development” and Community Action



Nānākuli Flood Channel Lateral Repairs



- Concrete relining
- Concrete crack repair
- Chain link fence repair
- Installation of security gates



WAI'ANAE – LUAUALEI REGIONAL PLAN (2018)

PRIORITY PROJECTS

1. Increase Capacity for Specific Community-Based Projects
2. Improve Community Access to Non-Homesteading Areas
 - ▶ June 2024: General Lease to Wai'anae Valley Homestead Community Association for Wai'anae Baseyard
 - ▶ Dec 2025: Final Environmental Assessment for the Cultural Learning Center and Community Farm at Ka'ala
 - ▶ Nov 2025: Approved Wai'anae Coast Comprehensive Health Center's 'Elepaio Food Campus Master Plan
3. Homestead Infrastructure & Maintenance
 - ▶ Wai'anae Valley Cesspool Conversion Pilot Project
 - ▶ Sewer Improvements
 - ▶ Sidewalks and Storm Basin Repairs in Wai'anae
4. Safety & Community Enforcement
5. Disaster Preparedness & Coordination



Improve Community Access to Non-Homestead Areas





General Lease to Wai‘anae Valley Homestead Community Assn





General Lease to Wai‘anae Valley Homestead Community Assn



1. 250 KW Community Solar Project
 - Mounted on Rooftops
 - Can serve 70-80 households
2. Crematorium
3. Youth/young adult work training site
 - Energy Efficient Technologies



Cultural Learning Center and Community Farm at Ka'ala



CULTURAL LEARNING CENTER

- Lo'i Kalo
- Dryland Fields - 'ulu, dryland kalo
- Hale Na'auao – teaching and gathering place
- Hale Hau – secondary teaching, gathering place
- Hale Kuke – open air multi-purpose facility
- Caretaker's Residence
- Hale 'Au'au

COMMUNITY FARM

- Dryland Fields/Edible Forest
- Small animals enclosure
- Storage, watchtower, caretaker's office
- Imu
- Gathering space/field kitchen
- Bunkhouse
- Parking



WCCHC'S 'ELEPAIO FOOD CAMPUS AND RESILIENCY HUB



'Elepaio Social Services, the social services arm of WCCHC, proposes to develop a food campus and resiliency hub, including:

- Food Warehouse
- Farm House
- Hawaiian Cultural Center
- Agriculture Growing Field
- Teaching Kitchen/dining area
- Multi-Purpose Building
- Administration building

GOALS:

- First emergency food warehouse
- Strengthen Wai‘anae Food system and food security
- Workforce to support emergency food warehouse
- Provide food, minimize hunger, merging different food systems from a centralized food hub
- Teach cultural significance of food as medicine



Wai'anae Valley Cesspool Conversion Pilot Project

Cesspools are an old...even ancient...method to dispose of our untreated sewage. It's a hole in the ground, no liner, that allow wastes to leach into subsurface soil or rock. They are often located above our groundwater aquifers, along our streams, coastlines and beaches. Over time, cumulative impact on our closed island environments must be addressed.

Pathogens
Bacteria
Viruses

Pose Significant Threats to:

- Human health
- Ecosystems
- Groundwater/drinking water
- Nearshore environments
- Coral Reefs

Island	Number of Housing Units	Number of Cesspools	Percent of Housing Units w/Cesspools
Hawai'i	82,000	49,300	60%
Kaua'i	29,800	13,700	46%
Moloka'i	3,700	1,400	38%
Maui	65,200	12,200	19%
O'ahu	336,900	11,300	3%
Statewide	517,600	87,900	17%

In 2017, to eliminate the pollution of groundwater and coastal waters from untreated sewage, the State Legislature passed Act 125 which requires the closure and conversion of all cesspools in the State to an approved wastewater system by Jan. 2050.



Network of Support

Project Management,
tracking, engineering,
management, funding
support

**EPA
CAWAG
Michael Mezzacapo**

Project
Leadership
-Initial Point of
Contact

ERG
-Theresa Connor
-Grayson Shanley Barr

Lead Project
Engineers,
investigate WW
alternatives for
WVCH

AECOM
-Jordan Fahmie
-Destin Takenaka-Amadoro
-Tim Huang

Water testing at
Pōkaʻi Bay,
mapping,
advocating for
sewer conversion

**Kingdom
Pathways**
Carmen
Guzman-
Simpliciano

**Capacity
Collaborative**
Sarah
Diefendorf

**Hawaiʻi Rural
Water
Association**
Ted Johns

Regulates the
state's
wastewater

**DOH
Environmental
Management
Division**

DHHL
Planning Office (PLO)
• Nancy McPherson
• Julie-Ann Cachola
• Cherie Kaʻanana

Landowner, Project
Partner, works with
all parties, organizes
community meetings,
sends mtg notices to
all lessees, provide
data/maps, applies
for funding,
administers funds

DHHL
Land Dev,
Division (LDD)
• Kehaulani
Quartero
• Sarah Okuda

Design and
Construction of
Sewer
infrastructure

Advocated
for TA
assistance



Wai'anae Valley Cesspool Conversion Pilot Project

