

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
**HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA**  
91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i, Interactive Conference Technology (ICT)  
Monday, August 16, 2021, at 9:30 a.m. to be continued, if necessary, on  
Tuesday, August 17, 2021, at 9:30 a.m.  
*Livestream available at [www.dhhl.hawaii.gov/live](http://www.dhhl.hawaii.gov/live)*

*Note: Commission Meeting Packets will be available at [dhhl.hawaii.gov](http://dhhl.hawaii.gov) by Thursday, August 12, 2021.*

**I. ORDER OF BUSINESS**

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes for July 19 & 20, 2021
- D. Public Testimony on Agendized Items – see information below

**II. ITEMS FOR DECISION MAKING**

**A. CONSENT AGENDA**

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Approval of Streamline Refinance of Loans (see exhibit)
- D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-5 Commission Designation of Successors to Application Rights – Public Notice 2014, 2018, 2019 & 2020 (see exhibit)
- D-8 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see exhibit)
- D-9 Approval of Assignment of Leasehold Interest (see exhibit)
- D10 Approval of Amendment of Leasehold Interest (see exhibit)
- D-11 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)

**B. REGULAR AGENDA**

Office of the Chairman

- C-1 Approval of Lease Award Ka‘uluokaha‘i Subdivision Residential Vacant Lot-Increment B, Ewa Beach, Oahu & Approval of Lease Award Ho‘olehua Subdivision Residential Vacant Lot-Ho‘olehua, Molokai (see exhibit)
- C-2 Approval of Resolution No. 305 Resolution of Consent for the National Telecommunications and Information Administration Tribal Connectivity Program
- C-3 Recommendation to Reinstate Brennen Roberts and Odetta Samson to the Relocation List

Homestead Services Division

- D-6 Approval to Certify Applications of Qualified Applicants with Application Dates up to April 30, 2021 (see exhibit)
- D-7 Approval to Cancel Applications of Non-Qualified Applicants with Application Dates up to April 30, 2021 (see exhibit)

- D-12 Request for Partial Advancement of Net Proceeds – **ROANNE HA** from **ROBERT M. HA**, Agricultural Lease No. 5110, Lot Nos. 9-A and 9-B, Pana'ewa, Hawai'i
- D-13 Request to Surrender Interest in Lease – Residential Lease No. 6529, Lot No. 22, Anahola, Kauai, Co-Lessees, **FRANCES HERNANDEZ-MARTINEZ** and **MAKAI PIA HO'OMANAWANUI**

#### Land Management Division

- F-1 Approval to Issue a Right of Entry Permit to Hawaiian Telcom, Inc.. Portions of Various TMKS, Statewide - Islands of Kauai, Oahu, Molokai, Maui, Hawaii

#### Planning Office

- G-1 Recommendation to Accept the Beneficiary Consultation Report for the Maui County Fire Department's Request to Utilize Hawaiian Home Lands for an Access Easement Ualapu'e, Moloka'i TMK (2)-5-6-002: 036 (por.) and 002 (por.)

### III. ITEMS FOR INFORMATION/DISCUSSION

#### A. GENERAL AGENDA

##### Requests to Address the Commission

- J-1 Lana Gambill-Aiona – Kawaihae Land Use Request
- J-2 Donna Sterling – Kahikinui Lessee
- J-3 Kekoa Enomoto – Maui/Lana'i Moku-puni Council, Paupena CDC
- J-4 Jan Makepa – Waianae Valley Homestead Abandoned Vehicle Removal
- J-5 Gil Campbell – Waimānalo Lease
- J-6 Kimberly Mokuahi – Relocation Request
- J-7 Cora Schnackenberg - Ahonui Homestead Association
- J-8 Asulu Laybon – Residence Lease No. 4501, Lot No. 64

### IV. EXECUTIVE SESSION

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

- 1. Discussion on Right of Entry Permit to Hawaiian Telcom, Inc., Portions of Various TMKS, Statewide - Islands of Kauai, Oahu, Molokai, Maui, Hawaii

### V. ITEMS FOR INFORMATION/DISCUSSION

#### A. REGULAR ITEMS

##### Homestead Services Division

- D-1 HSD Status Reports
  - A.-Homestead Lease and Application Totals and Monthly Activity Reports
  - B.-Delinquency Reports
  - C.-DHHL Guarantees for FHA Construction Loans



## B. WORKSHOPS

Office of the Chairman

C-4 For Information Only – Workshop on Awards and Relocations

Land Development Division

E-1 For Information Only – Status Update of Projects on the Island of Kaua'i

Planning Office

G-2 For Information Only – Status Update on Plan Implementation on the Island of Kaua'i

G-3 For Information Only – Kaua'i Water Issues Update

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
**HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA**

91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i, ICT - Zoom  
Tuesday, August 17, 2021, at 9:30 a.m.

**I. ORDER OF BUSINESS**

- A. Roll Call
- B. Public Testimony on Agendized Items

**II. ITEMS FOR DECISION MAKING**

Office of the Chairman

- C-5 Acceptance of the 2021 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant (NHHBG)
- C-6 Acceptance of the 2021 Abbreviated APR – NHHBG made available under the American Rescue Plan Act of 2021
- C-8 Approval of Rescission of Homestead Lease Award and Reinstatement of Application – La'i Opua Villages 4 & 5, Undivided Interest

Land Management Division

- F-2 Approval to Issue a License as Easement to County of Maui, Department of Fire & Public Safety, Ualapu'e, Island of Molokai, TMKS: (2)5-6-002:001 (por.) and :036 (por.)

**III. ITEMS FOR INFORMATION/DISCUSSION**

Office of the Chairman

- C-7 For Information Only – Summary of Responses to Proposed Legislative Action Request for 2022 & Draft Legislative Proposals

Land Management Division

- F-3 For Information Only – Hawaiian Community Development Board, Kalaeloa, O'ahu Island, TMK (3) 9-1-013:001

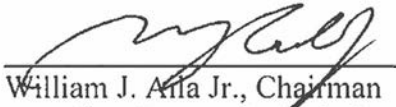
**IV. EXECUTIVE SESSION**

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

1. Discussion on *Kalima, et al. v. State of Hawai'i*, Civil No. 99-4771-12

## V. ANNOUNCEMENTS AND ADJOURNMENT

- A. Kaua'i Island Community Meeting
- B. Next Meeting – September 20 & 21, 2021, (ICT) Zoom
- C. Adjournment

  
William J. Afa Jr., Chairman  
Hawaiian Homes Commission

### COMMISSION MEMBERS

Randy K. Awo, Maui  
Patricia A. Teruya, O'ahu  
Pauline N. Namu'o, O'ahu  
Michael L. Kaleikini, East Hawai'i

Zachary Z. Helm, Moloka'i  
David B. Ka'apu, West Hawai'i  
Dennis L. Neves, Kaua'i  
Russell K. Ka'upu, O'ahu

Pursuant to the Governor's Proclamation Related to the COVID-19 Emergency, Hawai'i Revised Statutes Chapter 92 regarding public agency meetings and records is currently suspended in part through till October 6, 2021 to the extent necessary to enable boards to conduct business without holding meetings open to the public and to allow state agencies the ability to effectively and efficiently provide emergency relief and engage in emergency management functions.

Public Testimony on Agendized Items can be provided either as: (1) written testimony or (2) live, oral testimony online by submitting a form **at least 24 hours prior to the scheduled meeting**, at **<https://dhhhl.hawaii.gov/hhc/testimony/>**, with your name, phone number, email address, and the agenda item on which you would like to testify. Once your request has been received, you will receive an email with the Zoom link via which to testify. You will need a computer with internet access, video camera and microphone to participate. If you require access by phone only, please indicate that in your request. Testimony will be limited to a maximum of three (3) minutes per person.

Community Meeting Link available via the Department of Hawaiian Home Lands website at **<https://dhhhl.hawaii.gov/hhc/2021-hawaiian-homes-commission-meeting-schedule/>**

**ITEM C-1 EXHIBIT**APPROVAL OF LEASE AWARD KAULUOKAHAI SUBDIVISION RESIDENTIAL VACANT LOT  
INCREMENT B EWA BEACH, HAWAII

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
LEOLINDA NAIHE	10/24/1975	7	(1) 9-1-017-110	12962

APPROVAL OF LEASE AWARD HOOLEHUA SUBDIVISION RESIDENTIAL VACANT LOT  
HOOLEHUA, MOLOKAI

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
JACOB K. KAHOLOAA	02/14/1973	61-A-1	(2)-5-2-007-060	12963

**ITEM D-2 EXHIBIT**

## APPROVAL OF CONSENT TO MORTGAGE

<u>LESSEE</u>	<u>LEASE NO.</u>	<u>AREA</u>
AHUNA, Albert K. A., Jr.	6338	Keaukaha, Hawaii
AIKAU, Michelle H.	9047	Puukapu, Hawaii
AKEN, Gordon K., Jr.	8924	Lualualei, Oahu
AKO, James A.	9360	Kaniohale, Hawaii
ALAMEDA, Guy S.	6810	Keaukaha, Hawaii
APA, Ryan K.	9809	Maluohai, Oahu
BLACKBURN, Joseph, III	12233	Waiehu 4, Maui
CABRERA, Anthony K.	11775	Kanehili, Oahu
COX, Candace M. P.	2482	Waimanalo, Oahu
FUNAKI, Loreen H.	4801	Waiakea, Hawaii
GROANING, Trixy	8991	University Heights, Hawaii
GUERPO, Shawn K., Jr.	9836	Kawaihae, Hawaii
GUILLERMO, Keoni W.	11822	Kanehili, Oahu
HAILI, Chad	12574	Kanehili, Oahu
HANSON, Marcus Allan M.	5054	Keaukaha, Hawaii
ISAACS-ACASIO, Illinois	12938	Kauluokahai, Oahu
JIM, Lorna M. K.	12300	Hikina, Maui
KAHELE, Blaine, Jr.	2977	Waimanalo, Oahu
KAHELE, Jerica K.	2977	Waimanalo, Oahu
KAHUIHU, Leonard M. M.	12198	Waiehu 4, Maui
KAMAI, Abigail	11937	Kaupea, Oahu
KAMAI, Herman A., Jr.	11937	Kaupea, Oahu
KAPAKU, Germaine N.	11410	Kaupea, Oahu
KEALOHA, Pauline	6768	Waianae, Oahu
KEALOHA, Rodney K.	8574	Nanakuli, Oahu
KELIIOKA, Clifford, Jr.	8715	Waianae, Oahu
KEOHOKAPU-MERIA, Kahokulanai M.	4135	Waimanalo, Oahu
KUSUNOKI, Windy K.	12244	Waiehu 4, Maui
LEONARDI, Attilio K.	12087	Kaupea, Oahu
LINDSEY-SOARES, Kanoe L.	4969	Waimea, Hawaii
MAMALA-KELLER, Kamaehu K. P.	10244	Waianae, Oahu
NAKI, Alexandria N.	5939	Waiehu, Maui

PAIO, Russell K.	9244	Kaniohale, Hawaii
PIRES-KOHATSU, Rolinda K.	4015	Waimanalo, Oahu
PULI, Curtis L. K.	12230	Waiehu 4, Maui
PURDY, Guy P.	12195	Waiehu 4, Maui
RABANES, Andrew A., III	1925	Nanakuli, Oahu
SALE, Michael, Jr. II	563	Nanakuli, Oahu
TANIMOTO, Dawn H. P.	7093	Kawaihae, Hawaii
TRINIDAD, Jessica M. L.	12106	Kaupea, Oahu
WHITE, Paul E.	11729	Kanchili, Oahu
WRIGHT, Lauralyn	12947	Kauluokahai, Oahu

#### **ITEM D-3 EXHIBIT**

#### **APPROVAL OF STREAMLINE REFINANCE OF LOANS**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
HOLSKIL, Eloise V.	8190	Waianae, Oahu
KAIMI, Caleyann K.	12096	Kaupea, Oahu
KIPAPA, Malia L.	10171	Kaniohale, Hawaii
PALEKA, Leslyn M.	12890	Kawaihae, Hawaii
REYES, Barrett K.	4344	Anahola, Kauai
TITCOMB, Faith U. K. T.	4958	Nanakuli, Oahu

#### **ITEM D-4 EXHIBIT**

#### **HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS**

<b>APPLICANT</b>	<b>AREA</b>
AKIONA-ODEN, Jorji	Hawaii IW Agr
AKIONA-ODEN, Jorji	Lanai IW Res
ALEJO, Lenora L.	Hawaii IW Pas
AULD, David A.K.	Hawaii IW Res
BAKER, Shannon K.K.	Oahu IW Res
CHONG, Elizabeth V.A.	Oahu IW Res
DAY, Hollynn H.	Oahu IW Agr
DAY, Hollynn H.	Oahu IW Res
DEAN, Yolanda J.	Hawaii IW Res
FIELDS, Jamie P.K.	Hawaii IW Agr
GLASS, Katie J.P	Oahu IW Res
HELENIHI, Aaron J.M.	Hawaii IW Agr
HELENIHI, Aaron J.M.	Hawaii IW Res
IONA, Sheryl Ann W.	Hawaii IW Res
KAEA-KAILI, Kelii K.	Maui IW Res
KAPUAALA, Vernon Allan K.	Maui IW Agr
LACTAOEN, Dora K.	Hawaii IW Agr
LACTAOEN, Dora K.	Hawaii IW Res
LIUSA, Charlene	Oahu IW Agr
LIUSA, Charlene	Oahu IW Res

MAKAHANALOA, Anthony J.	Oahu IW Res
OLMOS, Clarence U.	Oahu IW Res
POEPOE, Blossom	Hoolchua Area / Molokai IWAgr
RODRIGUES, Moses M., Jr.	Oahu IW Res
SAITO-STAINBACK, Rosemary P.N.	Hawaii IW Agr
SAITO-STAINBACK, Rosemary P.N.	Hawaii IW Res
THOMAS, Michael K.	Hawaii IW Res
TREINEN-AEA, Adam K.	Oahu IW Res
TREINEN-AEA, Adam K.	Hawaii IW Pas
VARES, Stanette H.F.	Oahu IW Res

#### ITEM D-5 EXHIBIT

#### COMMISSION DESIGNATION OF SUCCESSORS – PUBLIC NOTICE 2014, 2018, 2019 & 2020

<b>APPLICANT</b>	<b>AREA</b>
AIHINA, Donna Lynne K.	Waimanalo Area / Oahu IW Res
AIWOHI, John D., III	Oahu IW Res
AKIONA-ODEN, Jorji	Hawaii IW Agr
AKIONA-ODEN, Jorji	Hawaii IW Res
ALEJO, Lenora L.	Hawaii IW Pas
ALMEIDA, Jonnille K.E.N.	Oahu IW Res
ALMEIDA, Jonnille K.E.N.	Kauai IW Pas
AULD, David A.K.	Hawaii IW Res
BAKER, Shannon K.K.	Maui IW Agr
BAKER, Shannon K.K.	Maui IW Res
DAY, Hollynn H.	Oahu IW Agr
DAY, Hollynn H.	Oahu IW Res
DEAN, Yoland J.	Hawaii IW Res
FIELDS, Jamie P.K.	Oahu IW Agr
GLASS, Katie J.P.	Molokai IW Res
HELENIHI, Aaron J.M.	Hawaii IW Agr
HELENIHI, Aaron J.M.	Hawaii IW Res
IONA, Sheryl Ann W.	Hawaii IW Res
JOHNSON, Puuoneomakapuu N.A.	Kauai IW Agr
KAEA-KAILI, Kelii K.	Maui IW Res
KALEIKINI, Gwendolyn L.	Oahu IW Res
KALEIKINI, Gwendolyn L.	Maui IW Agr
KAPUAALA, Vernon Allan K.	Maui IW Agr
LIUSA, Charlene	Oahu IW Agr
LIUSA, Charlene	Oahu IW Res
MAKAHANALOA, Anthony J.	Hawaii IW Res
MATTHEWS, Calvin J.K.H., Jr.	Oahu IW Res
OLMOS, Clarence U.	Waimanalo Area / Oahu IW Res
RODRIGUES, Moses M., Jr.	Maui IW Agr
RODRIGUES, Moses M., Jr.	Oahu IW Res

SAITO-STAINBACK, Rosemary P.N.  
 SAITO-STAINBACK, Rosemary P.N.  
 SEXTON, Andrew M.W. III  
 TREINEN-AEA, Adam K.  
 TREINEN-AEA, Adam K.  
 VICTOR, Arden M.

Oahu IW Res  
 Hawaii IW Agr  
 Waimanalo Area / Oahu IW Res  
 Maui IW Res  
 Hawaii IW Pas  
 Hawaii IW Agr

**ITEM D-7 EXHIBIT**

**NON-QUALIFIED HOMESTEAD APPLICANTS FOR CANCELLATIONS**

<b>APPLICANT</b>	<b>AREA</b>
GOHIER, Charlene E.	Waimanalo Area / Oahu IW Res
GRAHAM, Bernadette I.	Maui IW Res
GUMBS, Barbara G.	Maui IW Agr
GUMBS, Barbara G.	Maui IW Res
HELENIHI, Francis C.	Molokai IW Agr
HELENIHI, Francis C.	Molokai IW Res
HOSE, Harry J.	Hawaii IW Agr
HOSE, Harry J.	Hawaii IW Res
KEPOO, Arlyn K.	Oahu IW Res
KEPOO, Arlyn K.	Hawaii IW Agr
KEPOO, Arthur O.K.K.	Hawaii IW Pas
KEPOO, Arthur O.K.K.	Hawaii IW Res
KEPOO, Eric K.	Hawaii IW Pas
KEPOO, Eric K.	Hawaii IW Res
MOOSE, Carl D., Jr.	Hawaii IW Agr
MOOSE, Carl D., Jr.	Hawaii IW Res
NAKOA, Joseph W.P., Sr.	Hawaii IW Pas
NAMAUU, Naomi I.	Hawaii IW Agr
NAMAUU, Naomi I.	Hawaii IW Res
WILSON, Carl V.	Oahu IW Res
YNIGUES, Thomas	Hawaii IW Agr
YNIGUES, Thomas	Hawaii IW Res

**ITEM D-8 EXHIBIT**

**APPROVAL OF DESIGNATION OF SUCCESSORS TO LEASEHOLD INTEREST AND  
 DESIGNATION OF PERSONS TO RECEIVE THE NET PROCEEDS**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AKANA, Glory	6172	Puukapu, Hawaii
CHONG, Alvin E., Sr.	2679-A	Kuhio Village, Hawaii
EBERLY, Lorna K.	2569	Kalamaula, Molokai
HANO HANO, Charles G.	8043	Puukapu, Hawaii
KAHINU, Eric C.	40	Moomomi, Molokai
KAHINU, Eric C.	40	Kalamaula, Molokai
KALEIKINI, Paulette M.	5711	Nanakuli, Oahu

KANAE, Earl K.	12095	Kaupea, Oahu
KASSEBEER, Abraham A., Sr.	8800	Waimanalo, Oahu
MULLER, Godfrieda K.	664	Waimanalo, Oahu
REYES, Eliza K.	2718	Kalamaula, Molokai
SMYTHE, Orrin H.	8400	PKE, Oahu

#### **ITEM D-9 EXHIBIT**

#### **APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AMBROSE, Sybil K.	11937	Kaupea, Oahu
CARDOZA, Sadie L.	12163	Kaumana, Hawaii
EBERLY, Duke K.	2569	Kalamaula, Oahu
ISAACS, Donnalyn H.	4726	Waianae, Oahu
AH LOY, Henrietta H.	3216	Hooluhua, Molokai
KAALAKEA, David S.K.	12231	Waiehu Kou IV, Maui
KAHOLOKAI, Kai K.	7173	Kawaihae, Hawaii
GACUSANA, Maring	7173	Kawaihae, Hawaii
KAIALAU, Pat M.	6670	Lualualci, Oahu
KAIALAU, Pat M.	12940	Kauluokahai, Oahu
KAIALAU, Isaac T.	6670	Lualualci, Oahu
KALEIKINI, Kala W.	5711	Nanakuli, Oahu
KALELEIKI, Blossom M.	7379	Nanakuli, Oahu
KELLER, Alicia K.	10244	Waianae, Oahu
KUOHA, Chester K.	3920	Waimanalo, Oahu
LANI, Florence K.	9949	Waiehu Kou III, Maui
MALY, Irmalee K.P.	9118	Waiakea, Hawaii
NAKI, Edward K., Jr.	4079	Waimanalo, Oahu
NAWAHINE, Debrah-Mae H.	12948	Kauluokahai, Oahu
OILI, Shirleen D.	417	Nanakuli, Oahu
PALING, Stephen, III	9703	Waianae, Oahu
SANTIAGO, Eric J.	10072	Waiehu Kou III, Maui
TOGUUCHI, Germaine K.	8398	PKE, Oahu
ROBINSON, Deborah	12376	Kapolei, Oahu
ROSA, Marshall K.	6127	Kalamaula, Molokai
ROSA, Marshall K.	6118	Kalamaula, Molokai

#### **ITEM D-10 EXHIBIT**

#### **APPROVAL OF AMENDMENT TO LEASEHOLD INTEREST**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AH LOY, Henrietta H.	3216	Hooluhua, Molokai
BREDE, William A., Jr.	3372	Anahola, Kauai
CHONG, Alvin E., Sr.	2679-A	Kuhio Village, Hawaii
EBERLY, Lorna K.	2569	Kalaumaula, Molokai
FARAON, Rollanda K.	188	Hooluhua, Molokai
HOOMANAWANUI, Melvin	9273	Kaniohale, Hawaii
HOOMANAWANUI, Odetta I.	9273	Kaniohale, Hawaii



KAHINU, Eric C.	40	Moomomi, Molokai
KAHINU, Eric C.	40	Kalamaula, Molokai
KAHOLOKAI, Kai K.	7173	Kawaihae, Hawaii
MALIU, Vernetta K.	7	Kalamaula, Molokai
MARKHAM, Richard	2482	Waimanalo, Oahu
NAKI, Edward K., Jr.	4079	Waimanalo, Oahu
REYES, Eliza K.	2718	Kalamaula, Molokai
SANTIAGO, Eric J.	10072	Waiehu Kou III, Maui
SPENCER, Marla K.	175	Hoolehua, Molokai
SPENCER, Wilfred K.	111	Hoolehua, Molokai

#### **ITEM D-11 EXHIBIT**

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

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
DAVIS, Robert D.L.	10032	Waiehu 3, Maui
FOSTER, Glenn L.	9476	Waiehu 2, Maui
KAAIHUE, Jackie N.	9446	Waiehu 2, Maui
KAHAI, Abraham	8702	Nanakuli, Oahu
KALALAU, Matthew K.	10033	Waiehu 3, Maui
KAWAI, Kuuikaikapualiokekai	7735	Waiohuli, Maui
KEAULANI, Robert K.	5979	Waimanalo, Oahu
PONCE, Jaclyn U.	10574	Waiehu 3, Maui
RYUSAKI, Cassandra L.	5027	Waiakea, Hawaii
TABISOLA, Jose B., Jr.	12256	Waiehu 4, Maui
WONG, Annette L.	8237	Waimanalo, Oahu

#### **ITEM D - 6 - EXHIBIT**

#### **QUALIFIED HOMESTEAD APPLICANTS WITH APPLICATION DATES UP TO APRIL 30, 2021**

This exhibit contains 44,817 names(669 pages total).

The full list/agenda can be found at <https://dhhl.hawaii.gov/hhc/2021-hawaiian-homes-commission-meeting-schedule/>

**HAWAIIAN HOMES COMMISSION  
AUGUST 16 & 17, 2021  
INTERACTIVE CONFERENCE  
TECHNOLOGY  
9:30 A.M.**

**C – ITEMS  
OFFICE OF THE CHAIRMAN**

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Paula Aila, Acting Administrator,  
Contact & Awards Division



FROM: Michelle Hitzeman, HALE Manager  
Moana Freitas, Case Management Specialist  
Kaila Bolton, Case Management Specialist  
Contact & Awards Division

SUBJECT: Approval of Lease Awards

RECOMMENDED MOTION/ACTION

Approve the awards of Department of Hawaiian Home Lands Residence Lot Leases to the applicants listed below for ninety-nine (99) years, subject to the purchase of the existing improvements on the lot by way of a loan or cash.

DISCUSSION

Ka'uluokaha'i Subdivison – Increment B Residential Vacant Lot, Ewa Beach, Oahu

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
LEOLINDA NAIHE	10/24/1975	7	(1) 9-1-017-110	12962

Ho'olehua Subdivison, Residential Vacant Lot, Ho'olehua, Moloka'i

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
JACOB K. KAHOLOAA	02/14/1973	61-A-1	(2)-5-2-007-060	12963

With the execution of the foregoing lease, two (2) single family home award has been completed.



# **HAWAIIAN HOMES COMMISSION**

## **RESOLUTION NUMBER 305**

### **RESOLUTION OF CONSENT FOR THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION TRIBAL CONNECTIVITY PROGRAM**

WHEREAS, the U.S. Congress passed the Consolidated Appropriations Act in December 2020; and,

WHEREAS, the National Telecommunications and Information Administration's Tribal Connectivity Program was authorized by the aforementioned congressional action; and,

WHEREAS, the Tribal Connectivity Program provides new federal funding to expand access and adoption of: broadband service on Tribal Lands; or for programs that promote the use of broadband to access remote learning, telework, or telehealth resources during the COVID-19 pandemic; and,

WHEREAS, Section 905(a)(8)(iii) of the Act identifies the Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs, as the only applicant; and,

WHEREAS, the Act sets aside no less than \$30,000,000 for the Department of Hawaiian Home Lands; and,

WHEREAS, the NTIA recognizes the challenges faced by families residing on rural Tribal Lands where 46.6% of housing units have access to broadband service; and,

WHEREAS, the purpose of the Tribal Broadband Connectivity Program is to improve the quality of life, spur economic development and commercial activity, create opportunities for remote employment and online entrepreneurship



## **HAWAIIAN HOMES COMMISSION**

and inclusion programs to Native communities; and,

WHEREAS, the Department of Hawaiian Home Lands intends to submit an application to the Tribal Broadband Connectivity Program;


NOW, THEREFORE, BE IT RESOLVED, the undersigned, duly recognized as the chairman and members of the Hawaiian Homes Commission, on this 16th day of August 2021, give their consent for the Department of Hawaiian Home Lands to apply for the Tribal Broadband Connectivity Program.

ADOPTED THIS 16th day of August 2021, at Hale Ponoʻī, Kapolei, Hawaiʻi, by the Hawaiian Homes Commission in Regular Meeting assembled.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Paula Aila,   
Acting Administrator,  
Contact & Awards Division

SUBJECT: Reinstatement of Lessees to the Relocation List

RECOMMENDED MOTION/ACTION

Request to reinstate the following Lessees to the Relocation List.

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>	<u>RELO APPROVED</u>
Brennen Roberts	11/1/1986	109	1-8-9-007:002	7339	7/31/2021
Odetta Samson	10/1/1986	11	3-1-5-121:011	6956	6/30/2021

DISCUSSION

The request for reinstatement is due to an expiration of the relocation approval. The request is also based on a limitation to offer lots based on the restricted location for a relocation.

Brennen Roberts is the successor to his mother's lease and his relocation was approved on July 19, 2019 with an expiration date of July 31, 2021. The relocation is restricted to the Kapolei area ONLY. Brennen responded to an offering for a preowned home in the Kaupe'a subdivision in Kapolei but was denied a DHHL direct loan therefore he was unable to proceed through the Awards pipeline.

In addition, Awards has offered all of the available lots in the Kapolei area and future lots will not be available until the next phase in Ka'uluokaha'i in a few years (subject to change), or if lot is returned to the department due to a lease cancelation or surrender.

Odetta Samson's relocation from her lot in Maku'u was approved on June 18, 2018 based on health and safety reasons with an expiration date of June 30, 2021. The approved relocation restricted Odetta's opportunity to an AG lot on Oahu ONLY. AG lots on Oahu are scarce with only one (1) AG lot available to offer in Waiahole. This offering is already underway, however there are seven (7) other relocatees ahead of Odetta on the Relocation list. Awards currently does not know when an opportunity for an AG lot will be available on Oahu to offer Odetta Samson.



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

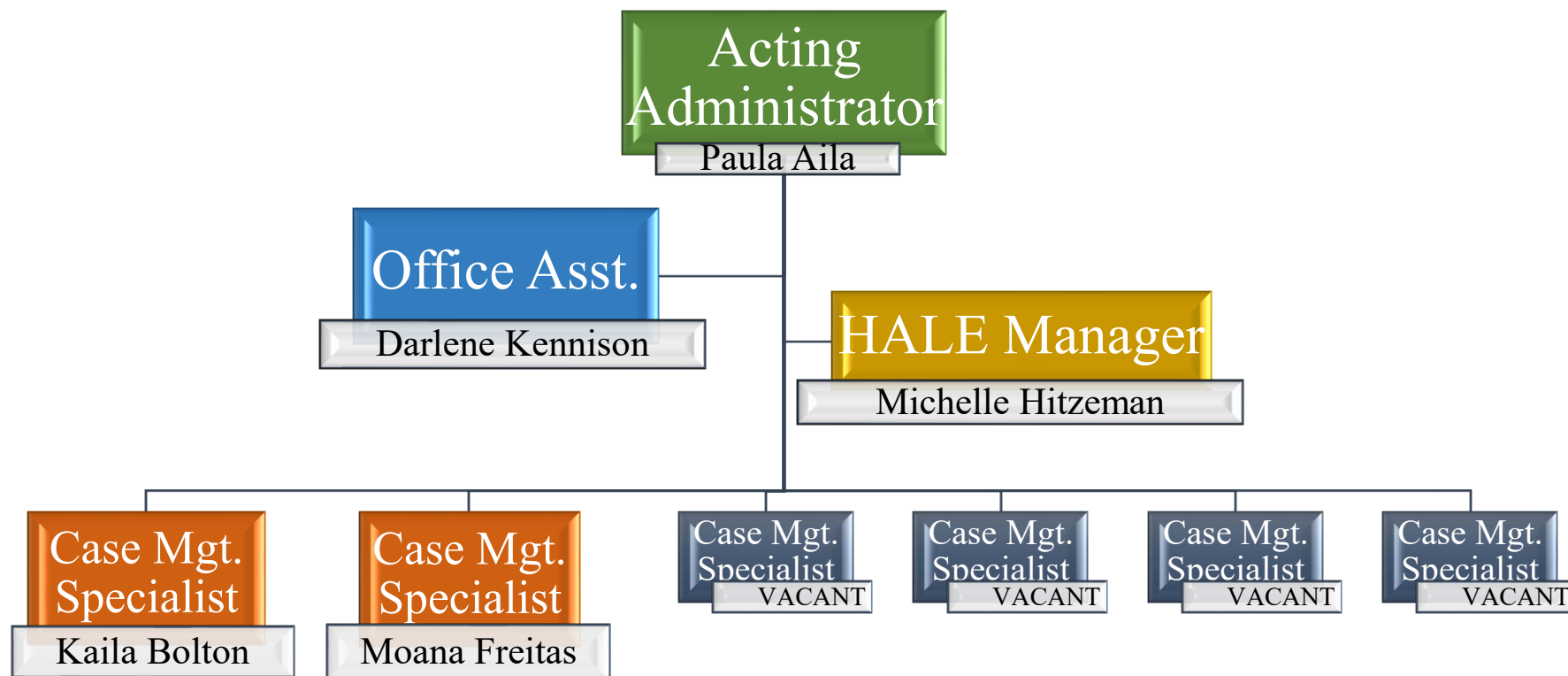
C-4

## Awards Pipeline & Process

August 16, 2021



# AWARDS STAFF - 2016







# AWARDS FUNCTION

## Focus:

- Manage *offering* of lots (residential, agricultural, pastoral)

*and*

- *Awarding of leases* to beneficiaries Statewide



# OFFERING VS. AWARD

Offering is an offering of *lot(s)*

Award is when an offered lot converts to a *lease award*



# Awards Lot Inventory Pipeline

## HSD

Pre-Owned Lots due to:

- 1) Lease Cancellation
- 2) Surrender
- 3) Relocation

## LDD

- 1) New Lots
- 2) Lots unselected from previous offerings

Awards Lot  
Inventory



# OFFER READY LOTS - DEFINITION

## HSD

### Pre-Owned Vacant Lot:

- ✓ Type of lot (Res, AG)
- ✓ TMK
- ✓ Address
- ✓ Utility connections & IWS requirements
- ✓ Etc.

### Pre-Owned With Improvements:

- ✓ Type of lot (Res, AG)
- ✓ TMK
- ✓ Address
- ✓ Utility connections & IWS requirements
- ✓ Reports
  - Appraisal
  - Termite Inspection
  - Home Inspection
  - Real Property Tax Information
  - Survey
- Etc.

## LDD

### Subdivision OR Scattered Lots:

- ✓ Type of lots (Turnkey, Vacant, Rental)
- ✓ Qty of lots
- ✓ Subdivision map
- ✓ EA/ERR (with Planning Office)
- ✓ Lot numbers
- ✓ Lot size: Metes & bounds
- ✓ TMK
- ✓ Plot plan
- ✓ Utility connections and IWS requirements
- ✓ DCCR's (if applicable)
- ✓ Etc.

## AWARDS

Can the buyer obtain financing?



# OFFERING SCHEDULE - SAMPLE

## Awards Offer Schedule 2021 As of 8/4/21 (SUBJECT TO CHANGE)

Island	# of Lots	Proceed to Offer	Month	Year	Project teams	Priority	Offer Time frame	Project/ Location	List	Form of communication	Contact by	Offer Type	Category Type	Address	Lot #	TMK	Former Lessee	Notes	Turned over from HSD or LDD	Lot size
Hawaii Island	60	Yes	Nov	2020	Paula/Moana	1	Jan-April	Lai Opua	Area	Letter	Offer Letter	Res	TK	Multiple	Multiple	TBD	NA		NA	Varied
Hawaii Island	38	Yes	Mar	2021	Paula/Kaila	1	Mar-May	Discovery Harbor	IW Res	Letter	Offer Letter	Res	VL	Scattered	Multiple	TBD	NA	22 of 38 lots selected on June 5, 2021	NA	Varied
Oahu	37	Yes	Nov	2020	Michelle/Moana	1	Jan-April	Ka'uluokaha'I B	IW Res	Letter	Offer Letter	Res	TK	Scattered	Multiple	TBD	NA		NA	Varied

# RELOCATION PROCESS & OFFERING

HSD

Relo request submitted to HSD

Consideration based on

- 1) Health & Safety
- 2) Other requests
  - \*Pahe'ehe'e
  - \*Nanakuli
  - \*Waiohuli
  - \*Maku'u
  - \*Neighbor dispute

HHC

HHC Review & Decision

Upon approval  
Hand-off Relo from  
HSD to Awards

AWARDS

Relocation Offered based on:

- 1) HHC approval date & circumstance

Order in Offering process

- 1) Undivided Interest Lessees
- 2) Relocation
- 3) Applicant Waitlists



## DEPARTMENT OF HAWAIIAN HOME LANDS

### DHHL Home Product Line

HOME PRODUCT	HOME PURCHASE OR RENTAL COSTS	HOME SIZE	INCOME QUALIFICATION	TIME TO MARKET (estimate)
<b><i>Rent with Option to Purchase</i></b> (Based on HUD County Area Median Income)	<b><u>Monthly rental:</u></b> \$340 to \$1936 per month (Based on La'i Opua RWOP-2021)	2bd/2 bath to 4bd/2 bath	Must meet 30%, 40%, 60% Area Median Income	9 to 12 months
<b><i>Vacant Lot - Factory-Built Homes</i></b> <b><i>Modular Construction</i></b>	Low (Based on construction loan amount)	Studio/bath to 2bd/1 bath	\$100,000 & higher	3 to 6 months
<b><i>Vacant Lot – Package Home Kit</i></b>	Low, mid, high (Based on construction loan amount)	Tiny home to large home	\$100,000 & higher	2 year minimum
<b><i>Vacant Lot – Owner Builder</i></b>	Low, mid, high (Based on construction loan amount)	Tiny home to large home	\$100,000 & higher	2 year minimum
<b><i>Turnkey</i></b>	High	2bd/1 bath to 5bd/3 bath	\$300,000 & higher	6-8 months

Information as of August 3, 2021  
Subject to change



# OFFERING PROCESSSS

Based on Product Type

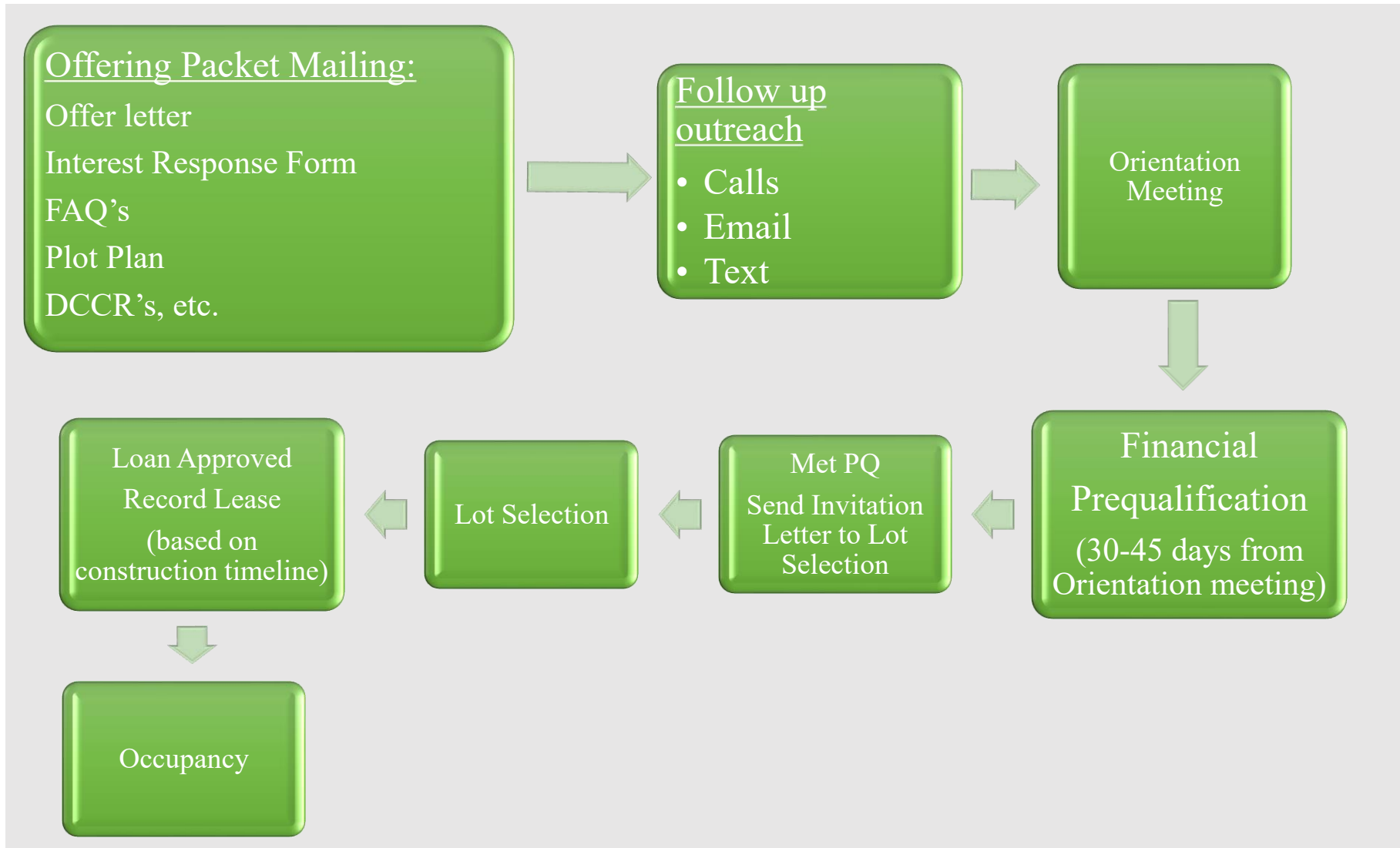
## **Three Lot Product types:**

1. Turnkey Homes
2. Vacant Lots
3. AG Lot



# TURNKEY OFFERING PROCESS – 70 STEPS

## 12-MONTH TIMELINE FROM MAILING TO OCCUPANCY





# VACANT LOT OFFERING PROCESS– 70 STEPS

MINIMUM 2-YEAR TIMELINE FROM MAILING TO OCCUPANCY

Offering Packet  
Mailing:

Offer letter  
Interest Response Form  
FAQ's  
Plot Plan  
DCCR's, etc.

Orientation  
Meeting

Educational  
Vacant Lot  
Workshop

Follow up  
outreach calls,  
Email, Txt

Lot Selection  
Meeting  
Sign Lot Reservation  
Form

Send Invitation  
Letter  
to Lot Selection

Minimum Requirements met  
1) Attend VL Workshop  
2) Signed VL Construction  
Procedures Form

Construction Loan  
Within 7 days of lot  
selection

Hire General Contractor,  
architect, plumber,  
building permits, water  
connection, submit  
building plans, etc.

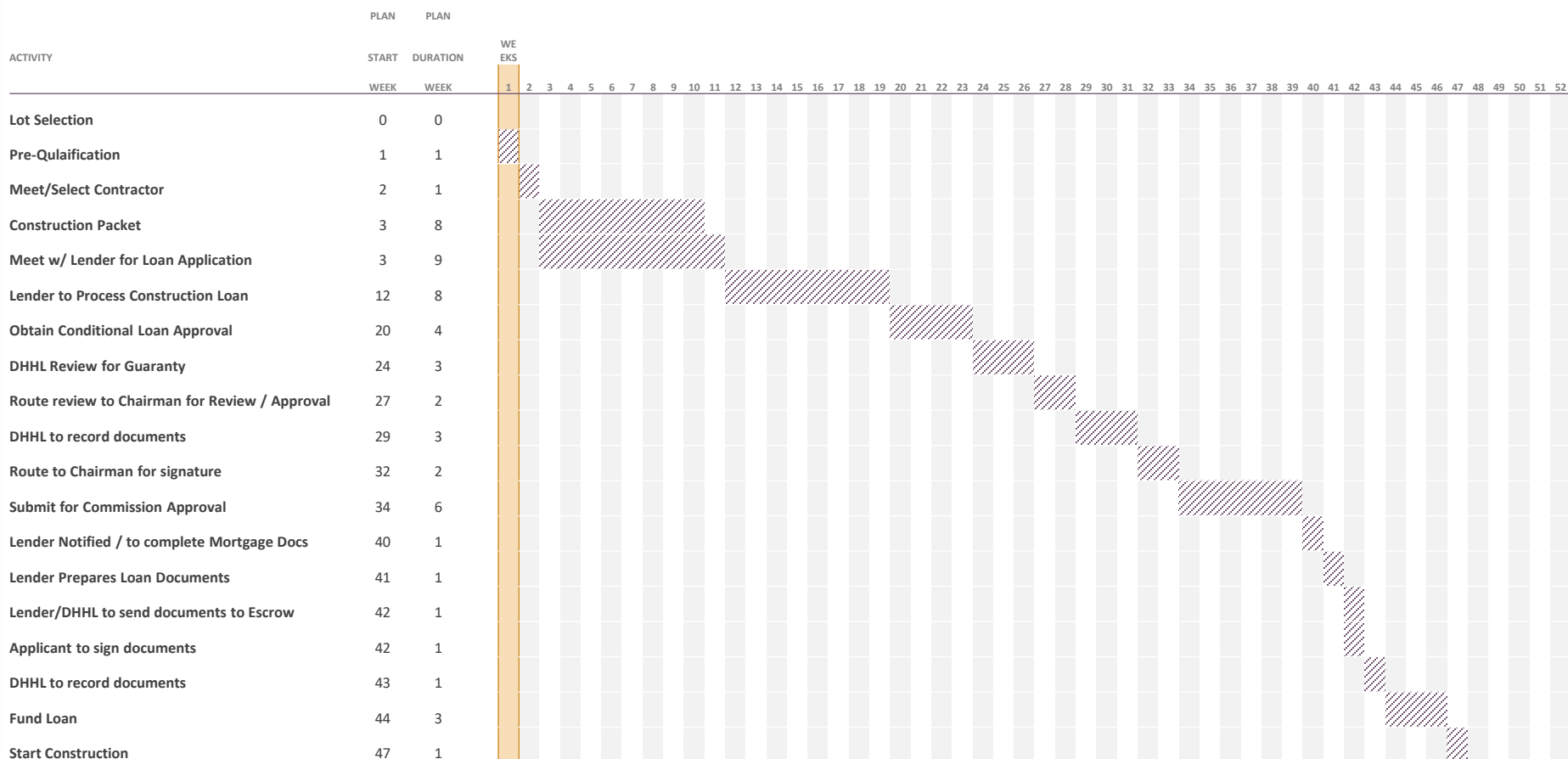
Loan Approved  
Record Lease  
(START CONSTRUCTION)

Occupancy



## Vacant Lot Process

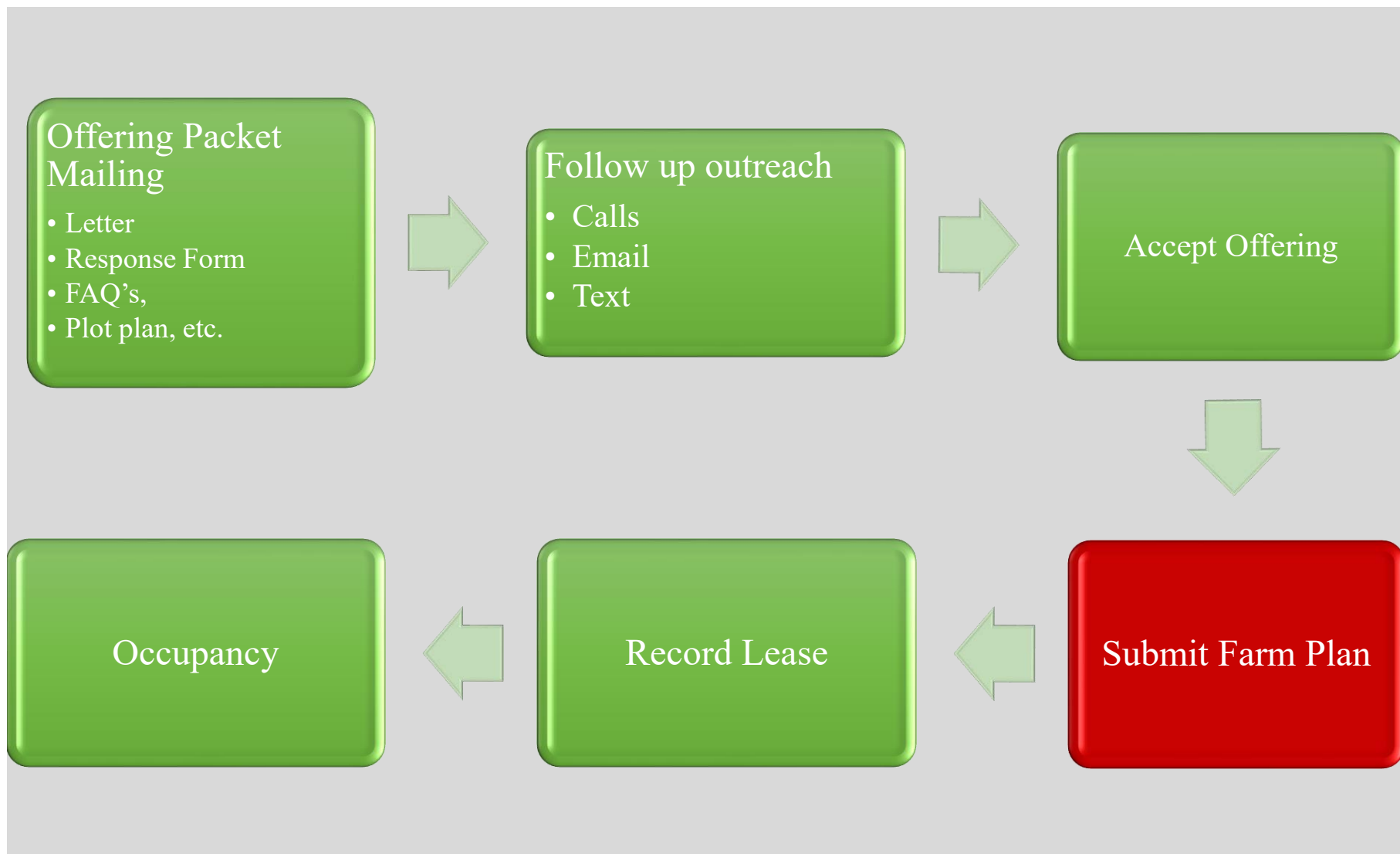
% Complete (beyond plan)





# AG LOT OFFERING PROCESS – 30 STEPS

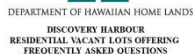
TIMELINE: NOT INCLUDING MAILING





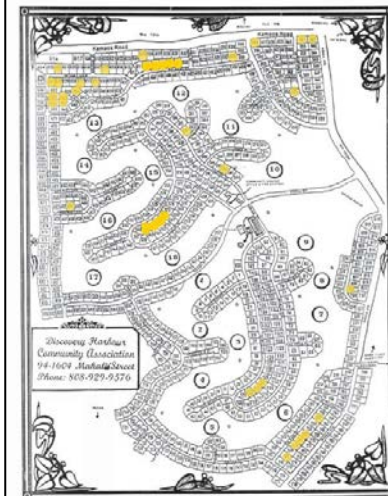
May 20, 2021

**DO NOT MAIL THE LOT SELECTION AUTHORIZATION FORM TO THE DEPARTMENT OR A  
DHHL DISTRICT OFFICE**



The beneficiary is responsible to manage the building process on a vacant lot. More information will be shared at the orientation and Vacant Lot Process meeting.

STAFF INITIALS: \_\_\_\_\_





# PARTNERS

## **Lenders:**

Bank of Hawaii

Home Street

USDA

Other lenders are available to beneficiaries

DHHL – Lender of last resort – Lessee's ONLY

Guild Mortgage

NAHASDA (Applicants & UI's)

VA (Veterans Administration)

## **Developers – Turn Key**

Gentry Homes

Armstrong Builders

## **Rent-with-option to Purchase**

Mark Development - Ho'olimalima

Ikaika Development - La'i Opu

## **Realtor:** Engel & Volkers

## **Non-Profits:**

Habitat for Humanity

Hawaii HomeOwnership Center

Hawaii Community Assets

Nanakuli Housing Corporation

Helen Wai, LLC.

## **Package Home Kits**

Honsador

HPM

Hardware Hawaii



# Cases – Status update

## AWARDS CASES - STATUS UPDATE August 2021

Island	Location	Offered	Active	Recorded/Rented	Future Lot Offering
<b>Oahu</b>	Kapolei	199	43	156	TBD
	Nanakuli/Waianae	9	6	3	8
	Papakolea	1	0	1	0
	Waimanalo	45	19	26	0
	Waiahole	1	1	TBD	0
	<b>TOTAL</b>	<b>255</b>	<b>69</b>	<b>186</b>	<b>8</b>
<b>HAWAII</b>	La`i Opuā - Rent-with-option-to-Purchase	60	47	13	24
	La`i PO/TK	1	0	1	0
	Discovery Harbour	38	38	0	0
	Keaukaha	3	0	3	5
	Maku`u	0	0	0	2
	Pu`ukapu	0	0	0	3
	Waiakea	0	0	0	1
	Panaewa	0	0	0	16
	Kawaihae	2	0	2	20
	<b>TOTAL</b>	<b>104</b>	<b>85</b>	<b>19</b>	<b>71</b>
<b>Maui</b>	Waiohuli (34 Awards cases; 11 NAHASDA cases)	45	30	15	0
	<b>TOTAL</b>	<b>45</b>	<b>30</b>	<b>15</b>	<b>2</b>
<b>Kauai</b>	Pi`ilani Mai Ke Kai	23	13	10	51
	<b>TOTAL</b>	<b>23</b>	<b>13</b>	<b>10</b>	<b>51</b>
<b>Molokai</b>	Ho`olehua	3	2	1	2
	Kalama`ula	1	1	0	4
	<b>TOTAL</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>6</b>
<b>Lanai</b>	Lanai City	16	0	16	1
	<b>TOTAL</b>	<b>16</b>	<b>0</b>	<b>16</b>	<b>1</b>
<b>STATEWIDE</b>	<b>TOTAL</b>	<b>447</b>	<b>200</b>	<b>247</b>	<b>139</b>



DEPARTMENT OF HAWAIIAN HOME LANDS

[www.dhhl.hawaii.gov](http://www.dhhl.hawaii.gov)



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

To: Chairman and Members, Hawaiian Homes Commission

From: Lehua Kinilau-Cano, HHL Legislative Analyst

Subject: Acceptance of the 2021 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant

RECOMMENDATION MOTION/ACTION:

To accept the 2021 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant (NHHBG) for transmittal to the U.S. Department of Housing & Urban Development (HUD).

DISCUSSION

Title VIII of the Native American Housing Assistance and Self Determination Act requires the Department of Hawaiian Home Lands, as the sole recipient of Native Hawaiian Housing Block Grant funds, to report annually on activities performed in the past year. The report, disseminated for thirty days of public comment on July 20, 2021 will be finalized and submitted to the U.S. Office of Housing and Urban Development by August 27, 2021.

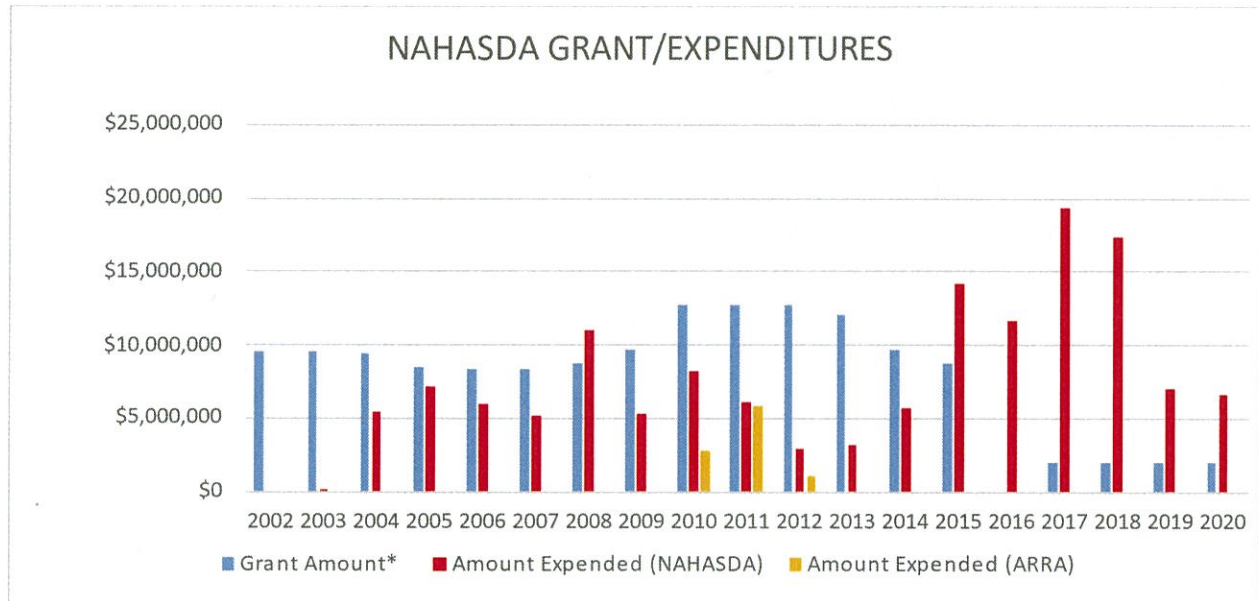
An emailed comment noted that if DHHL wants to truly build more housing, one step is to understand and use leveraging of their NAHASDA funds. Additional comments will be received and incorporated into the APR that will be submitted to HUD.

The shaded sections of the APR report on activities as approved in the Annual Housing Plan.

**Fiscal Year 2020 – 2021 Expenditures by AHP Activity:**

AHP 1. 2020 Capital Improvement Projects	\$ 34,373
AHP 2. Developer Financing	\$ 0
AHP 3. Homeowner Financing	\$ 259,532
AHP 4. Home Assistance Program	\$ 971,485
AHP 5. Rental Operating Subsidy	\$ 312,500

AHP 6. Rental Vouchers	\$2,970,985
AHP 7. Housing Counseling	\$ 607,108
AHP 8. Existing Potable Water Infrastructure Improvements	\$ 49,008
<b>TOTAL EXPENDITURES</b>	<b>\$5,568,961</b>



Current NAHASDA Balance:	\$15,582,273
Encumbered by Contract:	\$15,582,273
Available NAHASDA Balance:	\$ 0

**RECOMMENDED MOTION/ACTION**

Staff respectfully requests approval of the motion as recommended.

For DHHL's Use: July 1, 2020 thru June 30, 2021 Annual Performance Report

## **ANNUAL PERFORMANCE REPORT**

(NAHASDA §§ 803(b)(1), 803(c)(1) and 820(a)(2))

This form meets the requirements for a Native Hawaiian Housing Plan (NHHP) and Annual Performance Report (APR) required by the United States Department of Housing and Urban Development. The information requested does not lend itself to confidentiality.

Regulatory and statutory citations are provided throughout this form as applicable. The Department of Hawaiian Home Lands (DHHL) is encouraged to review these citations when completing the NHHP and APR sections of the form.

Under Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.), HUD will provide grants under the Native Hawaiian Housing Block Grant (NHHBG) program to DHHL to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on the Hawaiian Home Lands. To be eligible for the grants, DHHL must submit a NHHP that meets the requirements of the Act. To align the NHHBG program with recent improvements made to the Indian Housing Block Grant program, HUD is requiring DHHL to submit the NHHP to HUD at least 75 days prior to the start of its 12-month fiscal year. The APR is due no later than 60 days after the end of DHHL's fiscal year (24 CFR § 1006.410).

The NHHP and the APR (previously two separate forms) are now combined into one form. The sections pertaining to the NHHP are submitted **before** the beginning of the 12-month fiscal year, leaving the APR (shaded) sections blank. If the NHHP has been updated or amended, use the most recent version when preparing the APR. After the 12-month fiscal year, enter the results from the 12-month fiscal year in the shaded sections of the form to complete the APR. More details on how to complete the NHHP and APR sections of the form can be found in the body of this form. In addition, DHHL may find it helpful to refer to the IHP/APR form guidance available at [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/nahasda/guidance](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/nahasda/guidance) until a guidance specific to the NHHP/APR form is made available.

**FORM COMPLETION OPTIONS:** The NHHP/APR form may be completed either in hard copy or electronically. Hard copy versions may be completed either by hand or typewriter. Alternatively, the form may be completed electronically as it is a Word document. It is recommended that the form be completed electronically because it is more efficient to complete, submit, and review the form. Furthermore, electronic versions of the form may be submitted to HUD as an email attachment. To document official signatures on the electronic version, you should sign a hard copy of the pages and either fax (808-457-4694) that signed page or email ([claudine.c.allen@hud.gov](mailto:claudine.c.allen@hud.gov)) it as an attachment to the Office of Native American Programs – Attention: Claudine Allen in the HUD Honolulu Field Office. The sections of the NHHP that require an official signature are the Cover Page and Sections 13 and 14, if applicable. For the APR, the Cover Page requires an official signature.

The NHHP data is used to verify that planned activities are eligible, expenditures are reasonable, and DHHL certifies compliance with related requirements. The APR data is used to audit the program accurately and monitor DHHL's progress in completing approved activities, including reported expenditures, outputs, and outcomes. This form is exempt from OMB Approval pursuant to 5 CFR 1320.3(4)(c).



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**Note:** The page numbers in the Table of Contents can update automatically as the NHHP or APR is completed. To update the page numbers, right-click anywhere in the table, select "Update Field" and select "update page numbers only."

**Native Hawaiian Housing Block Grant (NHHBG)**

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

**NHHP/APR****U.S. Department of Housing and Urban Development**

Office of Public and Indian Housing

Office of Native American Programs

**COVER PAGE****(1) Grant Number: 14HGBHI0001; 15HBGHI0001; 17HBGHI0001; 18HBGHI0001; 19HBGHI0001****(2) Recipient Fiscal Year: 2020****(3) Federal Fiscal Year: 2020****(4)** ☐ Initial Plan (Complete this Cover Page then proceed to Section 1)**(5)** ☐ Amended Plan (Complete this Cover Page and Section 14)**(6)** ☒ Annual Performance Report (Complete items 24-27 and proceed to Section 3)

<b>(7) Name of Recipient:</b> Department of Hawaiian Home Lands		
<b>(8) Contact Person:</b> Lehua Kinilau-Cano, HHL Legislative Analyst		
<b>(9) Telephone Number with Area Code:</b> 808-620-9486		
<b>(10) Mailing Address:</b> PO Box 1879		
<b>(11) City:</b> Honolulu	<b>(12) State:</b> HI	<b>(13) Zip Code:</b> 96805
<b>(14) Fax Number with Area Code (if available):</b> 808-620-9529		
<b>(15) Email Address (if available):</b> Nicole.L.Kinilau-Cano@hawaii.gov		

(16) Tax Identification Number: 99-0266483
(17) DUNS Number: 809935661
(18) CCR/SAM Expiration Date: 10/03/2020
(19) NHHBG Annual Grant Amount: \$2,000,000
(20) Name of Authorized NHHP Submitter: William J. Aila, Jr.
(21) Title of Authorized NHHP Submitter: Chairman, Hawaiian Homes Commission
(22) Signature of Authorized NHHP Submitter:
(23) NHHP Submission Date: 04/30/2020 Revised 09/16/2020
(24) Name of Authorized APR Submitter: William J. Aila, Jr.
(25) Title of Authorized APR Submitter: Chairman, Hawaiian Homes Commission
(26) Signature of Authorized APR Submitter:
(27) APR Submission Date: August 30, 2021

**Certification:** The information contained in this document is accurate and reflects the activities actually planned or accomplished during the program year. Activities planned and accomplished are eligible under applicable statutes and regulations.

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under 18 U.S.C 1001. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional disclosure, is subject to a civil money penalty not to exceed \$10,000 for each violation.



## SECTION 1: FIVE YEAR PLAN

The Five Year Plan is intended to cover the Department of Hawaiian Home Lands' (DHHL) long range plans for affordable housing. Each housing plan must contain, for the five-year period beginning with the fiscal year for which the plan is first submitted, the following information.

Five Year Period: **2020** through **2025**

### MISSION STATEMENT (NAHASDA § 803(b)(2)(A))

A Mission Statement describes the mission of the DHHL to serve the needs of Native Hawaiian low-income families.

Enter the DHHL's Mission Statement here:

**To manage the Hawaiian Home Lands Trust effectively and to develop and deliver land to native Hawaiians.**

### GOALS, OBJECTIVES AND PROGRAMS/ACTIVITIES (NAHASDA § 803(b)(2)(B) and (C))

DHHL must provide a statement of the goals, objectives, and programs/activities planned for the beneficiaries over the five year period. The goals are the intended result of the NHHBG activity and are based on the types of outcomes that the DHHL will report in the APR. The objectives are the means or approach that the DHHL will use to reach the goal. The programs/activities are the specific programs/activities that will be funded in order to achieve the goal and the objective.

#### Goals May Include:

- |  |  |
|--|--|
| (1) Reduce over-crowding                 | (6) Assist affordable housing for college students     |
| (2) Assist renters to become homeowners  | (7) Provide accessibility for disabled/elderly persons |
| (3) Improve quality of substandard units | (8) Improve energy efficiency                          |
| (4) Address homelessness                 | (9) Reduction in crime reports                         |
| (5) Create new affordable rental units   | (10) Other   |

#### Objectives May Include:

- |  |   |
|--|---|
| (1) [RESERVED – DO NOT USE THIS NUMBER]                  | (14) Lending subsidies for homebuyers                 |
| (2) [RESERVED – DO NOT USE THIS NUMBER]                  | (15) Other homebuyer assistance activities            |
| (3) Acquisition of rental housing                        | (16) Rehabilitation assistance to existing homeowners |
| (4) Construction of rental housing                       | (17) Tenant based rental assistance                   |
| (5) Rehabilitation of rental housing                     | (18) Other Housing Service                            |
| (6) Acquisition of land for rental housing development   | (19) Housing Management Services                      |
| (7) Development of emergency shelters                    | (20) Operation and maintenance of NHHBG units         |
| (8) Conversion of other structures to affordable housing | (21) Crime Prevention and Safety                      |
| (9) Other rental housing development                     | (22) Model Activities                                 |
| (10) Acquisition of land for homebuyer unit development  | (23) [RESERVED – DO NOT USE THIS NUMBER]              |
| (11) New construction of homebuyer units                 | (24) Infrastructure to support housing                |
| (12) Acquisition of homebuyer units                      | (25) [RESERVED – DO NOT USE THIS NUMBER]              |
| (13) Downpayment/Closing cost assistance                 |   |

Use the sections below to describe the DHHL's goals, objectives, and programs/activities during the five year period.

<b>Goal(s) Number: I</b>	(2) Assist renters to become homeowners
------------------------------	---

Select from the goals listed above.

<b>Objective(s) Number: Ia.</b>	(24) Infrastructure to support housing
-------------------------------------	--

Select from the objectives listed above.

<b>Program/Activity Description:</b> Infrastructure Development (Statewide)	To develop lots statewide.
---	----------------------------

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number: II</b>	(2) Assist renters to become homeowners
-------------------------------	---

Select from the goals listed above.

<b>Objective(s) Number: IIa.</b>	(11) New construction of homebuyer units; (14) Lending subsidies for homebuyers; (13) Downpayment/Closing cost assistance
--------------------------------------	--

Select from the objectives listed above.

<b>Program/Activity Description:</b> Homeowner Financing (Statewide)	To provide NHHBG-funded home loans (including down payment assistance, individual development accounts) to lessee families participating in new construction. This activity also provides for down payment/closing cost assistance where NHHBG funds are not the primary loan source.
--	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number: III</b>	(2) Assist renters to become homeowners
--------------------------------	---

Select from the goals listed above.

<b>Objective(s) Number: IIIa.</b>	(8) Conversion of other structures to affordable housing
---------------------------------------	--

Select from the objectives listed above.

<b>Program/Activity Description:</b> Housing Conversion	This activity supports the exploration of converting existing land and structures to affordable housing whose general lease or license may soon expire and revert back to the department.
--	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.



<b>Goal(s) Number: IV.</b>	(5) Create new affordable rental units
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Select from the goals listed above.

<b>Objective(s) Number: IVa.</b>	(4) Construction of rental housing
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Developer Financing	This activity will provide NAHASDA funding for the development of urban rentals.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number: V.</b>	(5) Create new affordable rental units
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Select from the goals listed above.

<b>Objective(s) Number: Va.</b>	(4) Construction of rental housing
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Kupuna Housing Development	This activity will support the development of elderly housing for the aging native Hawaiian population. Sites may include the departments land at Isenberg and East Kapolei II.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number: VI.</b>	(7) Provide accessibility for disabled/elderly persons
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Select from the goals listed above.

<b>Objective(s) Number: VIa.</b>	(16) Rehabilitation assistance to existing homeowners
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Home Assistance Program (Statewide)	<p>This activity provides three types of assistance: (1) a deferred, no payment loan up to \$100,000; (2) a small repayment loan (up to \$100,000) for costs exceeding the original \$100,000 amount; and (3) a demolition/new build loan for properties where cost to repair exceed the appraised or tax assessed value.</p> <p>40 families identified for this program are located in: Kalamaula/Hoolehua, Molokai; Keaukaha-Panaewa, Hawaii; Nanakuli/Waianae/Waimanalo/Papakolea, Oahu.</p>
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number:</b> VII.	(1) Reduce over-crowding; (5) Create new affordable rental units; (2) Assist renters to become homeowners
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Select from the goals listed above.

<b>Objective(s) Number:</b> VIIa.	(10) Acquisition of land for homebuyer unit development; (6) Acquisition of land for rental housing development;
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Land Acquisition (Oahu – Priority)	This activity will support land purchase(s) for home development.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number:</b> VIII.	(1) Reduce over-crowding
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Select from the goals listed above.

<b>Objective(s) Number:</b> VIIIa.	(18) Other Housing Service
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Alternative Housing Design	This activity will support the design of alternative housing models, to include multi-family; multi-lease; and culturally-relevant housing models.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s) Number:</b> IX.	(8) Improve energy efficiency
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Select from the goals listed above.

<b>Objective(s) Number:</b> IXa.	(16) Rehabilitation assistance to existing homeowners
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Energy Retrofits	This program reduces the high cost of energy in the State by installing solar panels or photovoltaic panels on lessee homes thru the use of new construction loans.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s)</b> <b>Number: X.</b>	(3) Improve quality of substandard units
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Select from the goals listed above.

<b>Objective(s)</b> <b>Number: Xa.</b>	(19) Housing Management Services
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Waimanalo Kupuna Housing Operating Subsidy	This activity establishes an Operating Subsidy for the Waimanalo Kupuna Housing from 2019 – 2046. Built in 2002 utilizing Low Income Housing Tax Credits, the operating subsidy will assist in stabilizing rental increases over the remainder of the project's LIHTC existence. The use of NHHBG funds in the project will result in tenant's maximum contribution not exceeding 30% of their gross monthly income.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

<b>Goal(s)</b> <b>Number: XI.</b>	(4) Address homelessness
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Select from the goals listed above.

<b>Objective(s)</b> <b>Number: XIa.</b>	(17) Tenant based rental assistance
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Select from the objectives listed above.

<b>Program/Activity Description:</b> Rental Vouchers	This activity establishes the use of rental housing vouchers for eligible applicant beneficiaries. Provides financial assistance to families facing eviction, experiencing homelessness or at risk of homelessness.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.



# ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT

## SECTION 2: HOUSING NEEDS

(NAHASDA § 803(c)(2)(B))

- (1) **Type of Need:** Check the appropriate box(es) below to describe the estimated types of housing needs and the need for other assistance for low-income Native Hawaiian families (columns B and C) and non-low-income Native Hawaiian families, including non-Native Hawaiian essential families [809(a)(2)(B) and (C)] (column D) eligible to be served by DHHL.

(A) Type of Need	Check All That Apply		
	(B) Low-Income Native Hawaiian Families on Hawaiian Home Lands	(C) Low-Income Native Hawaiian Families on Wait List	(D) Non-Low- Income Native Hawaiian Families
(1) Overcrowded Households	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Renters Who Wish to Become Owners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Substandard Units Needing Rehabilitation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Homeless Households	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) Households Needing Affordable Rental Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(6) College Student Housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(7) Disabled Households Needing Accessibility	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(8) Units Needing Energy Efficiency Upgrades	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(9) Infrastructure to Support Housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(10) Other (specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**(2) Other Needs.** *(Describe the "Other" needs below. Note: this text is optional for all needs except "Other.")*:

The Hawaiian Homes Commission Act of 1920, as amended, established the Hawaiian Home Lands Trust and defined the population eligible to reside on Hawaiian home lands as those native Hawaiians with no less than 50% Hawaiian blood and their successors or assignees of less than 50% Hawaiian blood. With approximately 8,411 leases on homesteads stretching from Hawaii Island to Kauai, the Department of Hawaiian Home Lands was created at statehood to assist the commission in meeting its fiduciary obligations.

In 2019, Hawaii Housing Finance & Development Corporation contracted with SMS Research & Marketing Services, Inc. (SMS) to release *Hawaii Housing Planning Study*.

The native Hawaiian subset for the purpose of this plan is determined as follows:

8,411	Lessees residing on the DHHL lands — as of November 30, 2019 <sup>1</sup>
23,084	Unduplicated waitlist as of November 30, 2019 <sup>2</sup>
21,399	Estimated Potential Applicants based on SMS 2019 respondents <sup>3</sup>
<b>52,894</b>	<b>Total native Hawaiian individuals/households</b>

By applying the SMS 2014 Beneficiary/Applicant Study and the SMS 2019 Study percentage estimates, we anticipate the following NAHASDA eligible native Hawaiian households as follows:

4,542	Lessees residing on the DHHL Lands – 8,411 x 54%
10,387	Applicants – 23,084 x 45% (to determine 80% AMI)
12,197	Potential Applicants – 21,399 (SMS 2019 Study) x 57%
<b>27,126</b>	<b>Total native Hawaiian households eligible for NAHASDA</b>

If we extrapolate and say that the average DHHL turnkey home is \$350,000, then the sufficient funding amount for NAHASDA would look like this:

10,387	Applicants – 26,926 x 45%
12,197	Potential Applicants – 21,399 (SMS 2019 Study) x 57%
22,584	x \$350,000 = <b>\$7,904,400,000.00 sufficient funding for NAHASDA</b>

The SMS 2019 Study also indicated that of the 50,156 housing units needed to accommodate Hawaii's households between 2020 and 2025, approximately 14,407 will be needed by Native Hawaiian households. Fifty-seven percent (57%) of the 14,407 units would be needed to accommodate Native Hawaiian households that earned 80 percent or less of the HUD AMI (8,142 units). Since the SMS 2019 Study noted that among Native Hawaiian households, 20 percent had at least one member on the waitlist, an estimated 1,628 units (8,142 units x 20%) would be needed to accommodate Native Hawaiian households that earned 80 percent or less of the HUD AMI who had at least one member on the waitlist between 2020 and 2025. On an annual basis, this demand could be estimated at 325 units and if we extrapolate and say that the average DHHL turnkey home is \$350,000, then the sufficient funding per year would be \$113,750,000 (325 x \$350,000).

#### *Additional Research - 2017 HUD Report*

Some of the key findings of *the Housing Needs of Native Hawaiians: A Report From the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs* prepared for HUD and dated May 2017 include the following:

1 Homestead Services Division, 12/16/19 Commission submittal. Includes lessees residing on residential, agricultural and pastoral lots, one lessee per lease, one house per lease/lot, as applicable. 817 Undivided Interest lessees omitted.

2 *Ibid.*

3 The SMS 2019 Housing Policy Study included a category for native Hawaiians with at least 50% blood quantum and not DHHL lessees or applicants.



- Native Hawaiian households tend to be larger. In 2010, the average size of a Native Hawaiian's household was 4.1 people compared with 2.7 people for residents of Hawaii households.
- Although improvements were made during the 2000-to-2010 decade, Native Hawaiians living in Hawaii continue to be more economically disadvantaged: they have lower incomes, higher rates of assistance receipt, and higher poverty rates than do other residents of Hawaii.
- Native Hawaiian households also experience higher rates of overcrowding (15 percent) compared with residents of Hawaii households (8 percent).
- Homelessness among Native Hawaiians is prevalent. Although not typically chronically homeless, they are overrepresented in Hawaii's homeless population. Homeless Native Hawaiians often have jobs but cannot afford housing, so they double up (hidden homeless) or live in tents, shelters, cars, or garages.
- HHCA beneficiary households on the waiting list are more economically disadvantaged than are Native Hawaiian households overall, residents of Hawaii households, and Native Hawaiian households living on the home lands.
  - HHCA beneficiary households on the waiting list have the lowest median income of all four groups by a substantial margin: \$48,000 compared with more than \$60,000 for all other groups.
  - HHCA beneficiaries on the waiting list also receive public cash assistance at more than twice the rate of the other groups: about 20 percent of households on the waiting list received public cash assistance compared with about 7 percent of Native Hawaiians and those living on the home lands and 3 percent for residents of Hawaii.
- HHCA beneficiary households on the waiting list face more significant housing challenges across all dimensions than do the other groups.
  - Nearly 40 percent of HHCA beneficiary households on the waiting list were overcrowded compared with only 19 percent of households on sampled Hawaiian home lands, 15 percent of the state's Native Hawaiian households, and 8 percent of resident of Hawaii households.
  - About 10 percent of HHCA beneficiary households on the waiting list lack complete plumbing compared with 1 percent for all other groups.
  - Nearly one-half (46 percent) of HHCA beneficiary households on the waiting list experience cost burden compared with 40 percent of Native Hawaiian households, 42 percent of resident of Hawaii households, and only 21 percent of households on the sampled Hawaiian home lands. The much lower rate of cost burden among home lands households is due, at least in part, to the financial benefits of home lands leases, which reduce monthly housing costs, including minimal lease payments for the land and a 7-year exemption from real estate property tax.

#### *Native Hawaiian Rehabilitation*

The statistics shared in preceding paragraphs are not new to the native Hawaiians. Over 100 years ago, moved by the poor living conditions and low incomes of his people, Prince Jonah Kuhio Kalaniana'ole created the Ahahui Puuhonua o Na Hawaii, an organization comprised of royal men of lesser rank than



himself who collectively served as the catalyst toward the chronicling of the despair and destitution of the makaainana (commoner) in 1911.

By 1918, one of the Prince's closest confidants and the kahu (pastor) of Kawaiahao Church, put the results of many years of study in publishing, "*The Sinews for Racial Development*."<sup>4</sup> This book, which the Prince carried with him every day, was dedicated, "...for leaders, for those whose hearts are touched by the pressing needs of the race and are willing to offer the very best of their lives and service freely for its uplift."

The book provides a guide to the rehabilitation of the native Hawaiian people from the perspective of those who developed and championed the Hawaiian Homes Commission Act. It covers the following areas and seeks to offer counsel to any whose direction may not be clear:

1. Race Consciousness: to mean pride for, and faith in the race. That "Hawaiians must play the primary part in the solution" and that self-respect for oneself and others was a "true foundation for a successive progression in life."
2. Broadmindedness: to maintain a broad outlook on life and "a sympathetic attitude toward humanity as a whole." It encourages natives to "Give out to those about us, and to the community in which we live, the very best that we possess" and to "cultivate the ability to observe, to absorb, and to assimilate the good in other races."
3. Education: both 1 and 2 above need the "discerning power and the balanced judgment of proper education." He describes a "Thoroughly trained mind, and a broadly cultivated heart are luminous in the soul of a nation."
4. The Home Life: the home life is the foundation of the development of 1, 2 and 3. It is the "starting point of all social organization, the foundation of civilization."
5. Systematic Living: the execution of the afore-mentioned activities cannot be achieved at once or in burst of energy but rather cultivated over time in a systematic fashion. Regular, good habits such as mindful eating and exercise can help to develop the fortitude to continue no matter the circumstance.
6. Godliness: the thought of ke Akua; the worship and observance of His laws provides a stabilizing relationship that leads to one's fulfillment of one's purpose in life. Today, with the many religious beliefs, spirituality is important to the self-fulfillment each experience in his/her own life.

The work of the Ahahui Puuhonua o Na Hawaii and its members provided Prince Kuhio the much-needed data to create support, both at home in Hawaii and abroad in Washington, D.C. to pass the Hawaiian Homes Commission Act of 1920, as amended.

Through the Prince's leadership and participation in each of these community endeavors, the legacy of the Prince lives on for us today. This housing plan, a descendant of Kuhio's legacy thru the HHCA, is but a small piece of a much broader articulation of need in the State of Hawaii today. By focusing on housing, this most basic of needs acknowledged in the Western world by Maslow, the department attempts to participate in the rehabilitation of the Hawaiian people. Should every Hawaiian have a safe,

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4 Akana, Akaiko. (1992) *Light Upon the Midst*. Mahina Productions: Kailua-Kona, Hawaii.



affordable, decent home, with fresh water for bathing and eating and cooking and food grown or gathered nearby, we could claim success. But with a little under \$8 billion in need and as the average 57-year-old applicant dies on the waiting list, it does not seem likely we will be able to make such a claim without immediate and swift monetary assistance in the next few years.

**(3) Planned Program Benefits.** *(Describe below how your planned programs and activities will address the needs of low income families identified above. Also describe how your planned programs will address the various types of housing assistance needs. NAHASDA § 803(c)(2)(B)):*

DHHL is in the process of awarding 395 lots statewide and has over 1,300 lots in its production pipeline that are anticipated to be completed over the next five years. The planned programs and activities are aimed at assisting as many native Hawaiian households that earn 80 percent or less of the HUD AMI to realize homeownership as part of the ongoing lot awards and production given the estimated 325 units needed per year for the next five years to accommodate Native Hawaiian households that earned 80 percent or less of the HUD AMI who had at least one member on the waitlist. The 2017 HUD Report noted that “many renters (63 percent) on the HHCA beneficiary waiting list who would prefer to own a home are unable to do so because they cannot afford a downpayment or save enough for a house.” Thus, focus will be on homeowner financing, leveraged loans with USDA Rural Housing, or other downpayment assistance options to provide new awardees with the opportunity for safe, affordable and decent housing. This effort will be supported by credit counseling and homebuyer education funded by the department.

The 2017 HUD Report also noted that “a complementary approach might be to support affordable rental options as a stepping stone to homeownership.” The planned rental housing voucher is aimed at providing rent for families at risk of homelessness, overcrowding, or without shelter.

While the 2017 HUD Report noted that HHCA beneficiary households on the waiting list face more significant housing challenges across all dimensions than do the other groups, lessees, especially in our older homestead communities face aging substandard housing. The planned home assistance program is geared to addressing this need.

**(4) Geographic Distribution.** *(Describe below how the assistance will be distributed throughout the geographic area and how this geographic distribution is consistent with the needs of low income families, including the needs for various categories of housing assistance. NAHASDA § 803(c)(2)(B)(i)):*

In early 2013, the Department confirmed the Hawaiian Homes Commission’s commitment in the \$75 million NAHASDA spend down to addressing new housing opportunities for home ownership. Since the need for housing was statewide, a priority had to be developed that beneficiaries and lessees could readily understand and accept. It was determined that prioritizing based on the homestead mookuauhau would serve as the best methodology in prioritizing NAHASDA funding and the initial first three homesteads of Kalamaula, Hoolehua and Keaukaha were chosen. The programmatic funding of Home Assistance Program (home rehabilitation); HALE (financial



literacy/foreclosure prevention); and Homeowner Financing (60/40 split; Deferred Sales Price; Self Help; IDA; DPA) were utilized in these areas and then expanded to other homestead areas in the last two years. Homeowner Financing are direct loans (or Downpayment assistance) from the department and the availability is limited to new homestead awards coming online.

## SECTION 3: PROGRAM DESCRIPTIONS

(NAHASDA § [803(c)(2)(A)], [802(c)], [820(b)], 24 CFR §1006.410(b)(2) and (3)]

### Planning and Reporting on Program Year Activities

For the NHHP, the purpose of this section is to describe each program that will be operating during the 12-month fiscal year. Each program must include the eligible activity, its planned outputs, intended outcome, who will be assisted, and types and levels of assistance. Each of the eligible activities has a specific, measurable output. The first column in the table below lists all eligible activities, the second column identifies the output measure for each eligible activity, and the third column identifies when to consider an output as completed for each eligible activity. Copy and paste text boxes 1.1 through 1.10 as often as needed so that all of your planned programs are included.

For the APR, the purpose of this section is to describe your accomplishments, actual outputs, actual outcomes, and any reasons for delays.

#### Eligible Activities May Include (citations below reference sections in NAHASDA)

Eligible Activity	Output Measure	Output Completion
(1) RESERVED – DO NOT USE THIS NUMBER		
(2) RESERVED – DO NOT USE THIS NUMBER		
(3) Acquisition of Rental Housing [810(b)(1)]	Units	When recipient takes title to the unit
(4) Construction of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(5) Rehabilitation of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(6) Acquisition of Land for Rental Housing Development [810(b)(1)]	Acres	When recipient takes title to the land
(7) Development of Emergency Shelters [810(b)(1)]	Households	Number of households served at any one time, based on capacity of the shelter
(8) Conversion of Other Structures to Affordable Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(9) Other Rental Housing Development [810(b)(1)]	Units	All work completed and unit passed final inspection
(10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]	Acres	When recipient takes title to the land
(11) New Construction of Homebuyer Units [810(b)(1)]	Units	All work completed and unit passed final inspection
(12) Acquisition of Homebuyer Units [810(b)(1)]	Units	When recipient takes title to the unit
(13) Down Payment/Closing Cost Assistance [810(b)(1)]	Units	When binding commitment signed
(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]	Units	When binding commitment signed
(15) Other Homebuyer Assistance Activities [810(b)(1)]	Units	When binding commitment signed
(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]	Units	All work completed and unit passed final inspection
(17) Tenant Based Rental Assistance [810(b)(2)]	Households	Count each household once per year



(18) Other Housing Service [810(b)(2)]	Households	Count each household once per year
(19) Housing Management Services [810(b)(3)]	Households	Count each household once per year
(20) Operation and Maintenance of NHHBG-Assisted Units [810(b)(3)]	Units	Number of units in inventory at Fiscal Year End
(21) Crime Prevention and Safety [810(b)(4)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(22) Model Activities [810(b)(5)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(23) RESERVED – DO NOT USE THIS NUMBER		
(24) Infrastructure to Support Housing [810(b)(1)]	Improved Lots	All work completed and lot passed final inspection
(25) RESERVED – DO NOT USE THIS NUMBER		

### Outcome May Include:

(1) Reduce over-crowding	(7) Create new affordable rental units
(2) Assist renters to become homeowners	(8) Assist affordable housing for college students
(3) Improve quality of substandard units	(9) Provide accessibility for disabled/elderly persons
(4) Improve quality of existing infrastructure	(10) Improve energy efficiency
(5) Address homelessness	(11) Reduction in crime reports
(6) Assist affordable housing for low income households	(12) Other – must provide description in boxes 1.4 (NHHP) and 1.5 (APR)

### NHHP: PLANNED FISCAL YEAR ACTIVITIES (NAHASDA § 803(c)(2)(A))

For each planned activity, complete all the non-shaded sections below. It is recommended that for each program name you assign a unique identifier to help distinguish individual programs. This unique number can be any number of your choosing, but it should be simple and clear so that you and HUD can track tasks and results under the program and collect appropriate file documentation tied to this program.

- One way to number your programs is chronologically. For example, you could number your programs 2014-1, 2014-2, 2014-3, etc.
- Or, you may wish to number the programs based on type. For example rental 1, rental 2, homebuyer 1, homebuyer 2, etc. This type of numbering system might be appropriate if you have many programs that last over several years.
- Finally, you may wish to use an outline style of numbering. For example, all programs under your first eligible activity would start with the number 1 and then be consecutively numbered as 1.1, 1.2, 1.3, etc. The programs under the second eligible activity would be numbered as 2.1, 2.2., 2.3, etc.

### APR: REPORTING ON PROGRAM YEAR PROGRESS (NAHASDA § 820(b))

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual OMB Circular A-133<sup>\*</sup> audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

<sup>\*</sup>DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to existing grants. After HUD implements the new requirements in 2 C.F.R. Part 200 (after December 26, 2014), all grants will be subject to 2 C.F.R. Part 200, as implemented by HUD.



<p><b>1.1 Program Name and Unique Identifier:</b> 2020 Capital Improvement Projects (AHP I)</p>
<p><b>1.2 Program Description</b> <i>(This should be the description of the planned program.):</i></p> <p>This activity develops lots for residential use on Trust Lands statewide.</p>
<p><b>1.3 Eligible Activity Number</b> <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(24) Infrastructure to Support Housing [810(b)(1)]</p>
<p><b>1.4 Intended Outcome Number</b> <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(2) Assist renters to become homeowners</p>
<p><b>Describe Other Intended Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.5 Actual Outcome Number</b> <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(2) Assist renters to become homeowners</p>
<p><b>Describe Other Actual Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.6 Who Will Be Assisted</b> <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a <u>separate</u> program within this section.):</i></p> <p>Applicant lessees or undivided interest lessees who meet NAHASDA criteria will receive vacant or improved lots for new home construction.</p>
<p><b>1.7 Types and Level of Assistance</b> <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>This activity covers the cost of the infrastructure for projects. As most of the infrastructure is completed in areas where NHHBG had been expended over the past five years, and no new moneys exist to start new CIP developments, the outputs for this housing plan year may include expenditures made for planning and design.</p>
<p><b>1.8 APR:</b> <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>Engineering is in progress for East Kapolei IIC, Oahu (130 lots) as the consultant processed the plans for approval by the County and drafted the bid documents.</p>

**1.9: Planned and Actual Outputs for 12-Month Fiscal Year**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Improved Lots	0	0

**1.10: APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

**1.11: APR:** Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

**NOTE:** Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.



**1.1 Program Name and Unique Identifier:** Developer Financing (AHP II)

**1.2 Program Description** *(This should be the description of the planned program.):*

This activity utilizes previously appropriated NHHBG Funds for East Kapolei IIB wherein NHHBG funds are revolving for the development of turn-key homes eliminating the financing costs to the developer thereby keeping the price of the turn-key home affordable. The developer will repay these NHHBG funds upon the sale of all East Kapolei IIB turn-key homes resulting in the NHHBG funds revolving back for other NHHBG eligible activities.

**1.3 Eligible Activity Number** *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(11) New Construction of Homebuyer Units [810(b)(1)]

**1.4 Intended Outcome Number** *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(2) Assist renters to become homeowners

**Describe Other Intended Outcome** *(Only if you selected "Other" above.):*

**1.5 Actual Outcome Number** *(In the APR identify the actual outcome from the Outcome list.):*

(2) Assist renters to become homeowners

**Describe Other Actual Outcome** *(Only if you selected "Other" above.):*

**1.6 Who Will Be Assisted** *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Undivided interest lessees and applicants meeting the 80% AMI income guidelines will have the opportunity to qualify for turn-key homes in East Kapolei II.

**1.7 Types and Level of Assistance** *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

The assistance provided will go directly to the developer as part of the capital stack for vertical construction financing.

**1.8 APR:** *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

As reported in the APR for the program year ending June 30, 2020, the \$5 million in NHHBG funds provided the necessary financing for the developer to construct 25 housing units in the East Kapolei IIB project for NAHASDA income eligible families. When these families in turn secured financing for their home purchase, the \$5 million revolved to the developer to finance the construction of a portion of the remaining 37 turnkey units for NAHASDA eligible families in the East Kapolei IIB project offered in December 2020. One applicant has met the 80% AMI income guidelines and additional documentation is



needed for a second applicant. Construction of the turnkey units are expected by the end of this year and the \$5 million in NHHBG funds will revolve back to DHHL as program income and be used to assist other NAHASDA income eligible families.

#### 1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Units	2	0

#### 1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

The offering of the remaining 37 turnkey units in East Kapolei IIB occurred as scheduled even with the challenges that COVID-19 presented this fiscal year with a virtual lot orientation held in October 2020 followed by a walk-through event in December 2020 following social distancing and gathering guidelines, including the use of a virtual portion of the meeting. Construction is underway for these units and staff will continue to identify NAHASDA income eligible families.

#### 1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

**NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.**



**1.1 Program Name and Unique Identifier:** Homeowner Financing (AHP III)

**1.2 Program Description** *(This should be the description of the planned program.):*

This activity utilizes the Department's Direct Loan program, providing homeowner financing to eligible NAHASDA families for new construction. DHHL is working to identify families in upcoming project areas for direct loans or down payment assistance.

**1.3 Eligible Activity Number** *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]

**1.4 Intended Outcome Number** *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(2) Assist renters to become homeowners

**Describe Other Intended Outcome** *(Only if you selected "Other" above.):*

**1.5 Actual Outcome Number** *(In the APR identify the actual outcome from the Outcome list.):*

(2) Assist renters to become homeowners

**Describe Other Actual Outcome** *(Only if you selected "Other" above.):*

**1.6 Who Will Be Assisted** *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

**Molokai: 4 families**

**Maui: 5 families**

**West Hawaii: 5 families**

**East Kapolei: 8 families**

**Waimanalo: 4 families**

**Kauai: 4 families**

**1.7 Types and Level of Assistance** *(Describe the types and the level of assistance that will be provided to each household, as applicable.):* Financing for home loans statewide utilizing NHHBG funds for projects areas listed in 1.6.

**1.8 APR:** *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

Five homes – 2 in Waiohuli, Maui, 1 on Hawaii Island, 1 in Kalamaula, Molokai, and 1 in Kakaina, Oahu were completed and occupied in this fiscal year. The funding for these five homes were from prior fiscal years and three of these five homes were built in partnership with Habitat for Humanity.



Homeowner financing was provided in this fiscal year for 1 lessee in Kakaina, Oahu, a slight increase in costs required additional funding for 2 lessees in Kawaihae on Hawaii Island and an appraisal was completed for a lessee in Waiohuli, Maui.

Construction is underway for 6 lessees – 3 in Kanehili, Oahu, 2 in Kawaihae on Hawaii Island, and 1 in Waiohuli, Maui. Pre-construction is also ongoing for several families in Waiohuli, Maui.

#### 1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
<b>Units</b>	<b>5</b>	<b>5</b>

#### 1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

The construction process is lengthy and although an estimate of one year is projected, delays in securing permits, contractors willing to complete the necessary certified payroll to comply with labor requirements, and additional individual wastewater system requirements can extend the construction timeline.

#### 1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

Homeowner financing is a critical component for NAHASDA eligible families, so expanding options to include down payment assistance and individual development accounts before and during construction are additional programs that could stretch NHHBG funds across more families.

**NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.**



**1.1 Program Name and Unique Identifier:** Home Assistance Program (HAP) (AHP IV)

**1.2 Program Description** *(This should be the description of the planned program.):*

This program covers the department's attempt to address substandard and/or aging housing on the homelands. Despite numerous delays over the past six years, some families are finally seeing actual work being done on their demolition/new builds or have completed much needed health and safety repairs on existing homes.

**1.3 Eligible Activity Number** *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]

**1.4 Intended Outcome Number** *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(3) Improve quality of substandard units

**Describe Other Intended Outcome** *(Only if you selected "Other" above.):*

**1.5 Actual Outcome Number** *(In the APR identify the actual outcome from the Outcome list.):*

(3) Improve quality of substandard units

**Describe Other Actual Outcome** *(Only if you selected "Other" above.):*

**1.6 Who Will Be Assisted** *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Elderly families identified over the past 6 years are being assisted. No new kupuna are being assisted until NAHASDA funding levels increase or existing families have completed their projects.

**1.7 Types and Level of Assistance** *(Describe the types and the level of assistance that will be provided to each household, as applicable.):* Families determined and identified by HAP or subrecipient staff as eligible will be assisted. This includes the 20 families who were waiting for help from the C&C of Honolulu program.

Deferred, no-payment loans, subject to conditional recapture, as defined by HAP will be provided. NAHASDA eligible families will receive \$100,000 to repair their home according to HUD Housing Quality Standards. The standards would prioritize repairs for the home. Those families whose homes have been identified as needing more than \$100,000 to fix repairs are offered 1% loans on the amount that exceeds the first \$100,000, up to an additional \$100,000. A demolition/new build loan is the third option offered for properties where cost to repair exceed the appraised or tax assessed value.



**1.8 APR:** (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

Two home repairs in Hoolehua, Molokai and Panaewa, Hawaii Island and three homes – 1 in Papakolea, Oahu, 1 in Waimanalo, Oahu, and 1 in Hoolehua, Molokai were completed and occupied in this fiscal year.

Funding was provided in this fiscal year for another two homes – 1 in Papakolea, Oahu and 1 in Hoolehua, Molokai.

Pre-construction is also ongoing for a few families in Hoolehua, Molokai.

**1.9: Planned and Actual Outputs for 12-Month Fiscal Year**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Units	2	5

**1.10: APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

As similarly reported under homeowner financing, the construction process for home repair is also lengthy and although an estimate of one year is projected, delays in securing permits and contractors willing to complete the necessary certified payroll to comply with labor requirements can extend the construction timeline.

**1.11: APR:** Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

**NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.**



<p><b>1.1 Program Name and Unique Identifier:</b> Rental Operating Subsidy (AHP V)</p>
<p><b>1.2 Program Description</b> <i>(This should be the description of the planned program.):</i></p> <p>This activity provides funds for use as a rental operating subsidy to eligible rental housing on Trust Lands in Waimanalo.</p>
<p><b>1.3 Eligible Activity Number</b> <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(20) Operation and Maintenance of NHHBG-assisted Units</p>
<p><b>1.4 Intended Outcome Number</b> <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p><b>Describe Other Intended Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.5 Actual Outcome Number</b> <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist affordable housing for low-income households</p>
<p><b>Describe Other Actual Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.6 Who Will Be Assisted</b> <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>The rental housing project, with up to 85 units, on Trust Lands in Waimanalo will be assisted.</p>
<p><b>1.7 Types and Level of Assistance</b> <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>This project assisted with an annual operating subsidy paid directly to the development company. This elderly housing project was first occupied in 2002 and was constructed with funds from the state's Low Income Housing Trust Fund and Rental Housing Trust Fund along with funds from DHHL and the Office of Hawaiian Affairs. Many of the elderly are living on fixed income and cannot afford current rental rates under Hawaii Housing and Finance Development Corporation (HHFDC) which oversees the project and approves the rates from the developer. The subsidy covers the difference between the NAHASDA required 30% cap on tenant's adjusted gross income and the approved LITHC rent. The subsidy payments shall be used exclusively for the Project's operating expenses including property management fees; capital improvement projects such as solar water heating/photovoltaic panels/ADA accommodations; reasonable repair and replacement reserves; maintenance expenses; utilities; partnership management fees; interest on loans (whether or not currently payable); and all other costs reasonably related to the Project, such as accrued development and legal fees and costs, to ensure these costs are not passed on to the Project tenants.</p>



**1.8 APR:** (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

A subsidy agreement for the Waimanalo Kupuna Housing Project provides an annual subsidy of \$250,000 per year, which amounted to over \$13,000/month ranging from \$10/month to \$604/month for 75 Kupuna and the remaining funds covered other operating expenses as provided for in the agreement. The use of NHHBG funds to cover Project rental assistance, including operating and other expenses is aimed at maintaining the affordability of rents for Kupuna residing within the Project. The budget reflects an expenditure of \$312,500, which includes the first quarter payment for the next fiscal year. In order that payment is made in a timely manner, the first quarter payment was processed at the end of the current fiscal year rather than waiting until the new fiscal year.

**1.9: Planned and Actual Outputs for 12-Month Fiscal Year**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Units in Inventory	40	75

**1.10: APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

**1.11: APR:** Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

**NOTE:** Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.



<b>1.1 Program Name and Unique Identifier:</b>	Rental Vouchers (AHP VI)
<b>1.2 Program Description (This should be the description of the planned program.):</b>	
This activity provides funds for rental housing vouchers (first month rent/deposit/emergency rent) to non-profits already engaged in this activity. Eligible families will be 80% AMI and beneficiaries of the Hawaiian Homes Commission Act of 1920.	
<b>1.3 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</b>	
(17) Tenant Based Rental Assistance [8IO(b)(2)]	
<b>1.4 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</b>	
(6) Assist Affordable Housing for Low-Income Households	
<b>Describe Other Intended Outcome (Only if you selected "Other" above.):</b>	
<b>1.5 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):</b>	
(6) Assist affordable housing for low-income households	
<b>Describe other Actual Outcome (Only if You selected "Other." above.):</b>	
<b>1.6 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a <u>separate program</u> within this section.):</b>	
Eligible families under the HHCA and Title VIII of NAHASDA.	
<b>1.7 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):</b>	
At present a number of non-profits provide deposit/first months rent/emergency rent for families at risk of homelessness, overcrowding, or without shelter. The goal of this activity will have the DHHL conduct a Request for Proposals to provide funding to families eligible for this activity. With the average rent/deposit at approximately \$4000 per family, the DHHL anticipates assisting over 250 families with funds recently appropriated.	



**1.8 APR.: (Describe the accomplishments for the APR in the 12 months in accordance with 24 .CFR §1006.4JQ(b)(2) and (3)):**

Assistance for six families occurred this fiscal year, three of which continued from the prior fiscal year and two have since been completed and three new families whose homes are presently under construction.

The Hawaiian Homes Commission authorized the establishment of the DHHL COVID-19 Emergency Rental Assistance Program utilizing NHHBG funds to provide security deposit and/or rent to eligible Native Hawaiian families impacted by COVID-19. The program originally aimed at assisting Native Hawaiians currently on the Applicant Waiting List who may be experiencing difficulty paying rent as a result of income/job loss due to COVID-19 was expanded to include undivided interest lessees. After executing a contract with Aloha United Way (AUW), the program officially launched on May 11, 2020. As reported in the prior fiscal year, 24 families received assistance as of June 30, 2020. Those families continued to receive assistance in the current fiscal year along with another 118 families for a total number of 142 families assisted with over \$1.9 million in NHHBG funds through the contract with AUW.

The Consolidated Appropriations Act, 2021 made available \$25 billion to assist households unable to pay rent and utilities due to the COVID-19 pandemic. Of the \$800 million allocated to tribal communities, 0.3 percent or \$2.4 million was allocated to DHHL. The Hawaiian Homes Commission authorized the DHHL COVID-19 Emergency Rental Assistance Program pursuant to the Consolidated Appropriations Act, 2021 to provide for the payment of security deposit, rent, rental arrears, utilities and home energy costs, utilities and home energy arrears, and other expenses related to housing incurred due to the COVID-19 outbreak for up to 12 months subject to funding availability. After executing a contract with the Council for Native Hawaiian Advancement (CNHA), 246 families received assistance from this \$2.4 million, of which 41 of those families are duplicative of the families assisted in the contract with AUW because the assistance provided pursuant to the Consolidated Appropriations Act, 2021 allowed for utilities and home energy costs, utilities and home energy arrears, and other expenses related to housing that was not part of the contract with AUW.

Anticipating that additional funding beyond the \$2.4 million allocated to DHHL in the Consolidated Appropriations Act, 2021 for emergency rental assistance would still be needed, the Hawaiian Homes Commission authorized NHHBG funds to be made available, which was implemented through a separate contract with CNHA. 29 families were assisted with NHHBG funds as of June 30, 2021. NHHBG funds will continue to be disbursed. However, DHHL will likely be disbursing about \$5 million of the State of Hawaii's allocation from the Consolidated Appropriations Act, 2021 in order to obligate those funds prior to the deadline, thereby reducing the amount of NHHBG funds for emergency rental assistance next fiscal year.

**1.9: Planned and Actual Outputs for 12-Month Fiscal Year**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Households	15	<b>382</b>



**1.10: APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

DHHL was one of the first governmental entities offering emergency rental assistance in Hawaii. Early projections of the estimated need for emergency rental assistance resulted in a disbursement of \$2 million to AUW, which was actually disbursed over the course of this fiscal year. As more governmental entities have also offered similar emergency rental assistance, we are able to better project and estimate the need and are disbursing funds in alignment with federal requirements.

**1.11: APR:** Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). **NOTE:** It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

The housing plan should separate program activities for rental vouchers for temporary relocation assistance and emergency rental and utilities assistance to more appropriately reflect program outcomes.

**NOTE:** Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.



<p><b>1.1 Program Name and Unique Identifier:</b> Housing Counseling (AHP VII)</p>
<p><b>1.2 Program Description</b> <i>(This should be the description of the planned program.):</i></p> <p>Independent, expert advice customized to the need of the Native Hawaiian lessee, applicant or household to address housing barriers in order to achieve housing goals through homeownership counseling or rental housing counseling and include the following processes: intake, financial and housing affordability analysis, an action plan, and a reasonable effort to have follow-up communication when possible.</p>
<p><b>1.3 Eligible Activity Number</b> <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(18) Other Housing Service [810(b)(2)]</p>
<p><b>1.4 Intended Outcome Number</b> <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p><b>Describe Other Intended Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.5 Actual Outcome Number</b> <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist affordable housing for low-income households</p>
<p><b>Describe Other Actual Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.6 Who Will Be Assisted</b> <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian lessee, applicants or households who received or are eligible to receive NAHASDA assistance including but not limited to homeowner financing, home repair assistance, and rental assistance.</p>
<p><b>1.7 Types and Level of Assistance</b> <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>Initial contact will be made with lessee, applicants or households who received NAHASDA assistance informing them of housing counseling services available and any Native Hawaiian requesting assistance who is deemed eligible to receive NAHASDA assistance will also be referred to housing counseling services.</p>
<p><b>1.8 APR:</b> <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>A vendor provided homeownership counseling to 43 households – 8 of whom have previously received NAHASDA financing assistance, 4 households are currently in construction, and the remaining 31 in pre-homeownership.</p>



Of the 376 households that received emergency rental assistance, 337 households completed initial counseling, while services to 15 households were either closed or refused after several attempts by the vendor, and the remaining households have yet to schedule services as of June 30 reflecting a 90% rental housing counseling completion rate.

**1.9: Planned and Actual Outputs for 12-Month Fiscal Year**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Households	50	380

**1.10: APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

**1.11: APR:** Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

**NOTE:** Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p><b>1.1 Program Name and Unique Identifier:</b> Existing Potable Water Infrastructure Improvements (AHP IX)</p>
<p><b>1.2 Program Description</b> <i>(This should be the description of the planned program.):</i></p> <p>This activity will utilize NHHBG funding for engineering services for the Anahola Farm Lots Water System and the Molokai Water System Improvements. These funds will be leveraged with funding from USDA to improve potable water infrastructure for systems in Anahola, Kauai and Hoolehua, Molokai.</p>
<p><b>1.3 Eligible Activity Number</b> <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(24) Infrastructure to Support Housing [810(b)(1)]</p>
<p><b>1.4 Intended Outcome Number</b> <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(4) Improve quality of existing infrastructure</p>
<p><b>Describe Other Intended Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.5 Actual Outcome Number</b> <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(4) Improve quality of existing infrastructure</p>
<p><b>Describe Other Actual Outcome</b> <i>(Only if you selected "Other" above.):</i></p>
<p><b>1.6 Who Will Be Assisted</b> <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>New and existing lessees in homestead areas with approved USDA DHHL applications would be assisted with potable water infrastructure improvements.</p>
<p><b>1.7 Types and Level of Assistance</b> <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>Improved potable water service delivery and/or new potable water service delivery for lessees in homestead areas with an approved DHHL USDA water application.</p>
<p><b>1.8 APR:</b> <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>NHHBG funding for engineering services for the water system in Anahola, Kauai continued in this fiscal year.</p>



**1.9: Planned and Actual Outputs for 12-Month Fiscal Year**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Improved Lots	0	0

**1.10: APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

**1.11: APR:** Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

The housing plan should include this program if engineering services are expected to continue keeping in mind that over 90% of the contract amount for the water system in Hoolehua, Molokai and 84% of the contract amount for the water system in Anahola, Kauai have been expended.

**NOTE:** Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

## SECTION 4: AFFORDABLE HOUSING RESOURCES

This section of the NHHP is designed to provide the public with basic background information on the characteristics shaping DHHL's affordable housing programs. Each portion of the text below has several required components that must be discussed. DHHL is encouraged to carefully review the instructions for each section and provide text covering all required elements.

**Housing Market** (NAHASDA § 803(c)(2)(D)(i) and (ii)) *(Describe the key characteristics of the housing market in the State of Hawaii, currently, and in the period of time covered by the plan. Include a description of the availability of housing from other public sources and private market housing, and how this supply of housing affected the DHHL's program/activity choices.):*

Wages remain relatively low in Hawai'i making housing affordability a major issue for residents of the state. Because wages remain low, families living in Hawai'i often work more than one job to make ends meet. The SMS Study of 2006 indicated that 44% of all households in the state were at or below 80% of median income. According to the same report, even families with household incomes between 120% and 140% of median income in Hawai'i require affordable housing units given the high cost of housing.

Almost one fourth (22.7%) of all Hawai'i residents pay over 40% of their monthly household income toward their shelter costs and approximately one third (34%) pay over 30% of their monthly household income toward their shelter costs. However, when examined closer it is clear that those households with income levels below 80% of the area median income are more likely to be paying over 30% of their household income toward shelter costs. More specifically, for all households in the state that are at or below 80% of area median income levels, about half (52.22%) pay over 30% of their monthly income toward shelter costs and approximately 38.33% pay over 40% of their monthly income toward shelter costs. Shelter to income ratios are higher for native Hawaiian households in that 45.5% pay over 40% of their monthly household income toward their shelter costs whereas only 36.6% of non-native households pay over 40% of their monthly household income toward shelter costs.

The department's NHHBG funded mortgage loans provide single family housing for the same or lower price than a studio in a multi-family high rise built by another housing agency in the urban core. Without NHHBG funding, the department would be unable to build or finance housing for the 80% AMI or below target population.



**Cooperation** (NAHASDA § 803(c)(2)(D)(iii) *(Describe the structure, coordination, and means of cooperation between DHHL and other relevant partners and organizations [including private nonprofit organizations experienced in the planning and development of affordable housing] in the development, submission, or implementation of its housing plan. In addition, DHHL must indicate if it plans to use loan guarantees under Section 184A of the Housing and Community Development Act of 1992 and any other housing assistance provided by the Federal Government.):*

The department currently partners with a number of housing agencies and organizations either thru subject matter meetings or formal MOUs or agreements. Included in each of the activities of the plan above were the names of the organizations currently or about to receive, monies from the NHHBG.

The Section 184A Loan Guarantee Program, which is similar to the Section 184 Loan Guarantee Program giving Native Americans access to private mortgage financing by providing loan guarantees to lenders, was implemented in 2007. Currently, Bank of Hawai'i, Homebridge Financial Services, Inc. and HomeStreet Bank are approved lenders for the Section 184 A loan program.

DHHL has been utilizing the FHA 247 loan program since 1987. Almost \$495 million in mortgage loans are outstanding through the FHA 247 loan program to lessees on Hawaiian home lands. The Veterans Affairs direct loan, Rural Development (U.S. Department of Agriculture) loan programs, and low-income housing tax credits are other financing options and tools utilized on Hawaiian home lands.

**Demolition and Disposition** (NAHASDA § 803(c)(2)(D)(viii), 24 CFR 1006.101(b)(4)(viii)) *(Describe any planned demolition or sale of NHHBG-assisted housing units, or any other demolition or disposition that will be carried out with NHHBG funds. Be certain to include a financial analysis of the proposed demolition, the timetable for any planned demolition or disposition and any other information that is required by HUD with respect to the demolition or disposition.):*

There are no 1937 Act housing on Hawaiian home lands. The DHHL does not anticipate demolishing any units funded by the NHHBG.



**Coordination** (NAHASDA § 803(c)(2)(D)(ix) *(Describe how DHHL will coordinate with partners to promote employment and self-sufficiency opportunities for residents of affordable housing.):*

The State of Hawai'i Department of Human Services (DHS) administers individual and family financial assistance programs that provide cash payments to help individuals and families meet their basic needs. The programs include Temporary Assistance to Needy Families (TANF), Temporary Assistance to Other Needy Families (TAONF), General Assistance (GA), Aid to the Aged, Blind and Disabled (AABD) and the Food Stamps program. Medical assistance is provided through the Hawai'i QUEST and Medicaid fee-for-services programs. Vocational rehabilitation services are provided to persons with disabilities. Whenever the DHHL staff is made aware of a lessee in need, the families are referred to DHS or to an appropriate non-profit service provider.

**Safety** (NAHASDA § 803(c)(2)(D)(x)) *(Describe how DHHL will promote crime prevention and resident involvement in affordable housing.):*

The DHHL continues to coordinate efforts with the Police Narcotics Division, the Sherriff's Office and the Attorney General's Office—Investigative Division to do surveillance and to evict the offending occupants whenever there is evidence of drug problems or other crimes in the homestead areas. If investigation results in a conviction, the lessee is taken to a contested case hearing for lease cancellation.

**Capacity** (NAHASDA § 803(c)(2)(D)(xi)) *(Describe the structure, capacity, and key personnel of the entities that will carry out the program/activities of the housing plan.):*

The DHHL was created by the State Legislature in 1964 to administer the Hawaiian home lands program and manage the Hawaiian home lands trust. The DHHL is one of eighteen principal agencies of the Executive Branch of the State of Hawai'i.

The DHHL serves native Hawaiians or individuals of no less than 50% Hawaiian blood, as defined by the Hawaiian Homes Commission Act of 1920, as amended, and their successors and assigns. These native Hawaiians are the beneficiaries of the Hawaiian home lands trust consisting of a land trust of over 200,000 acres, settlement monies from the State for the mismanagement of trust lands, funds received from the State general fund for operating costs, and revenues and earnings from the land leasing program.

The DHHL is governed by a nine-member board of commissioners headed by the Chairman, who also serves as the executive officer of the DHHL. The Governor of the State of Hawai'i appoints each commissioner and Chairman to a four-year term. The terms of the commissioners are staggered.

Currently, there are 134 full time employees in DHHL with six offices statewide. DHHL's main administrative office is located in Kapolei, Oahu and the five (5) district offices are located on neighbor islands. There are two (2) district offices on the Big Island, one in Hilo (East Hawaii) and one in Waimea (West Hawai'i), Hawai'i; one (1) district office in Lihue, Kauai; one (1) district office in Wailuku, Maui; and one (1) district office in Kalamaula, Molokai. DHHL is organized into five offices and three divisions under the Hawaiian Homes Commission and Office of the Chairman. The various offices and divisions are described as follows:

Office of the Chairman (OCH) — 21 staff members

The Office of the Chairman consists of the Chairman of the Hawaiian Homes Commission, who is also the Director of Department of Hawaiian Home Lands; the Deputy to the Chairman, the Executive Assistant; the NAHASDA Manager, HALE Manager, NAHASDA Program Specialist, NAHASDA Compliance Specialist, NAHASDA Clerk; and executive staff.

Administrative Services Office (ASO) – 7 staff members

The Administrative Services Office provides DHHL staff support in the areas of personnel, budgeting, program evaluation, information and communication systems, risk management, facilities management, clerical services and other administrative services. This office also provides support services in preparation of legislative proposals and testimonies, coordinates the preparation of reports to the legislature and facilitates the rule-making process.

Fiscal Office (FO) – 12 staff members

The Fiscal Office provides accounting support for DHHL. One accountant is dedicated to the NHHBG whose position is currently vacant.

Planning Office (PO) – 10 staff members

The Planning Office conducts research and planning studies required in the development of policies, programs, and projects to benefit native Hawaiians. The PO coordinates and develops the Regional Plans, administers the Native Hawaiian Development Program, provides capacity building training



for homestead organizations, and provides community based grants for the implementation of Regional priority projects, community based economic development, and membership development.

Information and Community Relations Office (ICRO) – 5 staff members

The Information and Community Relations Office disseminates information to the public on Department issues, oversees community relations with the various homestead communities and coordinates DHHL's ceremonies. They also publish DHHL's annual reports to the State Legislature.

Homestead Services Division (HSD) – 43 staff members

HSD is composed of three branches: 1) Homestead Applications, 2) District Operations, and 3) Loan Services. HSD is the largest division in DHHL, has staff on all islands, and services more than 25,000 applicants and 8,000 lessees on five islands.

Land Management Division (LMD) – 10 staff members

LMD is responsible for managing Hawaiian home lands that are not used for homestead purposes. Unencumbered lands are managed and disposed of for long and short term uses in order to generate revenues and keep the lands productive while minimizing the occurrence of vegetative overgrowth, squatting or illegal dumping. LMD is responsible for properly managing the lands in DHHL's inventory.

Land Development Division (LDD) – 16 staff members

LDD is charged with the responsibility of developing trust lands for homesteading and income-producing purposes. This is accomplished through the development of properties for residential, agricultural, pastoral, and economic development uses. LDD has three operating branches: 1) Design and Construction – concentrating on the design and construction of off-site and on-site improvements for the various subdivisions; 2) Master-Planned Community – expediting the construction of housing options through partnerships with private sector and exploring other housing opportunities; and, 3) Housing Project—providing turn-key homes and assisting lessees of vacant lots in arranging financing and in contracting with a builder, including self-help and Habitat programs.

The following is a listing of the key personnel responsible for the implementation of DHHL and NAHASDA assisted programs:

Hawaiian Homes Commission (HHC)

William J. Aila, Jr., Chairman  
David Kaapu, West Hawaii Commissioner  
Michael Kaleikini, East Hawaii Commissioner  
Randy Awo, Maui Commissioner  
Zachary Helm, Molokai Commissioner  
Pauline Namuo, Oahu Commissioner  
Patricia (Patty) Kahanamoku-Teruya, Oahu  
Commissioner  
Russell Kaupu, Oahu Commissioner  
Dennis Neves, Kauai Commissioner

Department of Hawaiian Home Lands

William J. Aila, Jr., Director  
Tyler Iokepa Gomes, Deputy to the Chairman

Rodney Lau, Administrative Services Officer  
Pearl Teruya, Fiscal Management Officer  
Andrew Choy, Acting Planning Program Manager  
Cedric Duarte, Info Community & Relations Officer  
David Hoke, Enforcement Supervisor  
Niniau Simmons, Manager (NAHASDA)  
Trisha Paul, Program Specialist (NAHASDA)  
Cynthia Rezentes, NAHASDA Compliance Specialist  
Michelle Hitzeman, HALE Manager  
Juan Garcia, Homestead Services District Supervisor III  
Nina Fisher, East Hawaii Homestead District Supervisor  
James Du Pont, West Hawaii Homestead District Supervisor II  
Gene Ross Davis, Molokai Homestead District Supervisor II  
Dean Oshiro, Housing Services Division Administrator  
Lehua Kinliau-Cano, HHL Legislative Analyst  
Nadine Pomroy, Clerk (NAHASDA)  
Stewart Matsunaga, Land Development Division Administrator  
Kelbert Yoshida, Engineer III  
Jeff Fujimoto, Engineer VI



## SECTION 5: BUDGETS

(1) Sources of Funding (NAHASDA § 803(c)(2)(C)(i) and 820(b)(1)) (Complete the non-shaded portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month fiscal year. **APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month fiscal year.**)

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12- month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12- month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12- month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12- month fiscal year	(J) Actual unexpended funds remaining at end of 12- month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12- month fiscal year
1. NHHBG Funds	14,638,221	2,000,000	16,638,221	2,845,417	13,792,804	15,544,788	2,000,000	17,544,788	1,962,515	15,582,273	15,582,273
2. NHHBG Program Income	0	139,583	139,583	139,583	0	0	812,607	812,607	812,607	0	
LEVERAGED FUNDS											
3. Other Federal Funds					0		2,793,839	2,793,839	2,793,839	0	
4. LIHTC											
5. Non-Federal Funds											
TOTAL	14,638,221	2,139,583	16,777,804	2,985,000	13,792,804	15,544,788	5,606,446	21,151,234	5,568,961	15,582,273	15,582,273

### Notes:

- For the NHHP, fill in columns A, B, C, D, and E (non-shaded columns). **For the APR, fill in columns F, G, H, I, J, and K (shaded columns).**
- Total of Column D should match the total of Column N from the **Uses Table** on the following page.
- Total of Column I should match the Total of Column Q from the Uses Table on the following page.**
- For the NHHP, describe any estimated leverage in Line 3 below. For the APR, describe actual leverage in Line 4 below (APR).



**(2) Uses of Funding** (NAHASDA § 803(c)(2)(C)(ii)) (Note that the budget should not exceed the total funds on hand (Column C) and insert as many rows as needed to include all the programs identified in Section 3. **Actual expenditures in the APR section are for the 12-month fiscal year.**)

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHHP				APR		
		(L) Prior and current year NHHBG (only) funds to be expended in 12- month fiscal year	(M) Total all other funds to be expended in 12- month fiscal year	(N) Total funds to be expended in 12- month fiscal year (L + M)	(O) Total NHHBG (only) funds expended in 12-month fiscal year	(P) Total all other funds expended in 12- month fiscal year (O+P)	(Q) Total funds expended in 12-month fiscal year (O+P)	
2020 CIP	AHP I	265,000		265,000	6,171	28,202	34,373	
Developer Financing	AHP II						0	
Homeowner Financing	AHP III	1,260,417	139,583	1,400,000	44,357	215,175	259,532	
HAP	AHP IV	400,000		400,000	790,252	181,233	971,485	
Rental Operating Subsidy	AHP V	250,000		250,000	40,158	272,342	312,500	
Rental Vouchers	AHP VI	50,000		50,000	468,123	2,502,862	2,970,985	
Housing Counseling	AHP VII	250,000		250,000	407,467	199,641	607,108	
Water Improvements	AHP IX				29,679	19,329	49,008	
Planning and Administration		370,000		370,000	176,308	187,662	363,970	
Loan Repayment – describe in 3 and 4 below.								
TOTAL		2,845,417	139,583	2,985,000	1,962,515	3,606,446	5,568,961	

**Notes:**

- Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.**
- Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.**
- Total of Column Q should equal total of Column I of the Sources Table on the previous page.**

**(3) Estimated Sources or Uses of Funding** (NAHASDA § 803(c)(2)(C)). *(Provide any additional information about the estimated sources or uses of funding, including leverage (if any). You must provide the relevant information for any planned loan repayment. The text must describe which specific loan is planned to be repaid and the NAHASDA-eligible activity and program associated with this loan):*

The department anticipates using only program income and block grant balances for activities in this housing plan.

**(4) APR** (NAHASDA § 820(b)(1)) *(Enter any additional information about the actual sources or uses of funding, including leverage (if any)).*

Over \$800,000 in program income was realized this fiscal year. In addition, \$2.4 million was allocated to DHHL through the Consolidated Appropriations Act, 2021 to assist households unable to pay rent and utilities due to the COVID-19 pandemic and nearly \$400,000 in other refunds were processed.



## SECTION 6: OTHER SUBMISSION ITEMS

- (1) Useful Life/Affordability Period(s)** (NAHASDA § 813, 24 CFR § 1006.305) *(Describe your plan or system for determining the useful life/affordability period of the housing assisted with NHHBG funds. A record of the current, specific useful life/affordability period for housing units assisted with NHHBG funds must be maintained in DHHL's files and available for review for the useful life/affordability period.):*

DHHL has established the following affordability periods to describe the term during which DHHL will keep the unit affordable:

<u>NHHBG Funds Invested</u>	<u>Affordability Period</u>
Up to \$24,999	6 months
\$25,000 to \$50,000	1 year
\$50,001 to \$100,000	10 years
\$100,001 to \$150,000	20 years
\$150,001 and above	30 years

The affordability period is based on the total amount of NHHBG funds invested in the development and/or rehabilitation of a housing unit. Resale and recapture provisions will be included as a condition of the Hawaiian homestead lease to enforce the affordability restriction for each assisted housing unit.

- (2) Model Housing and Over-Income Activities** (NAHASDA § 810(b)(5) and 809(a)(2)(B), 24 CFR § 1006.225 and 1006.301(b)) *(If you wish to undertake a model housing activity or wish to serve non-low-income households during the 12-month fiscal year, those activities may be described here. Each approved model activity must be included as a separate program in Section 3 (Program Descriptions) and the APR portions of Section 3 must be completed in the APR submission for any approved model activity.):*

None.

- (3) Anticipated Planning and Administration Expenses** (NAHASDA § 802(d), 24 CFR § 1006.230)

Do you intend to exceed your allowable spending cap for Planning and Administration? Yes ☐ No ☒

If yes, describe why the additional funds are needed for Planning and Administration.

# Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

## (4) Actual Planning and Administration Expenses (NAHASDA § 802(d), 24 CFR § 1006.230)

Did you exceed your spending cap for Planning and Administration? Yes ☐ No ☒

If yes, did you receive HUD approval to exceed your spending cap on Planning and Administration? Yes ☐ No ☐

If you did not receive approval for exceeding your spending cap on Planning and Administration costs, describe the reason(s) for exceeding the cap.

## SECTION 7: NATIVE HAWAIIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE (NAHASDA § 803(c)(2)(E))

By signing the NHHHP, you certify that you have all required policies and procedures in place in order to operate any planned NHHBG programs.

- (1) In accordance with applicable statutes, the recipient certifies that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or with the Fair Housing Act (42 U.S.C. 3601 et seq.) in carrying out the NHHBG program, to the extent that such Acts are applicable, and other applicable federal statutes.

Yes ☒ No ☐

The following certifications will only apply where applicable based on program activities.

- (2) The recipient will require adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under NAHASDA, in compliance with such requirements as may be established by HUD.

Yes ☒ No ☐ Not Applicable ☐

- (3) Policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐

- (4) Policies are in effect and are available for review by HUD and the public governing rents charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐ and

- (5) Policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐



## SECTION 8: SELF-MONITORING

(NAHASDA § 819(b), 24 CFR § 1006.401)

(1) Do you have a procedure and/or policy for self-monitoring?

Yes ☒ No ☐

(2) Did you conduct self-monitoring, including monitoring sub-recipients?

Yes ☒ No ☐



**(3) Self-Monitoring Results.** *(Describe the results of the monitoring activities, including inspections for this program year.):*

Self-monitoring is currently underway and is expected to be completed in July 2021. The self-monitoring audit includes inspections and evaluations of DHHL's processes, procedures and records in the following areas: (1) Organizational Control Environment; (2) Complaint Management; (3) Financial & Fiscal Management (including finance system controls, cash management, indirect cost-cost allocation, reserve balances; total development costs, program income, investments, insurance); (4) Eligibility, Admissions and Occupancy (includes lead-based paint monitoring); (5) IHP and APR Compliance; (6) Procurement and Contract Administration; (7) Environmental Review Compliance Monitoring Plan; (8) Labor Standards; (9) Maintenance and Inspection; (10) Subrecipient Agreement; and (11) Self-Monitoring.

The FY20-21 program year was a year of transition for the NAHASDA Office at DHHL and the self-monitoring conducted is reflective of that change. The impacts of the COVID-19 world-wide pandemic (pandemic) created opportunities to reach out and provide positive impactful help to beneficiaries in a new manner while also requiring changes in the work environment. In addition, the makeup of the NAHASDA team changed with new leadership as well as other staff changes. These changes provided opportunities for growth that was captured as part of the self-monitoring activities. Following are a few highlights from various self-monitoring audit areas.

**Organizational Control Environment** - Although there has been a State-wide hiring freeze, DHHL was able to re-evaluate existing positions to create revised positions with responsibilities that better align with the services being provided as well as expand the use of existing consulting contracts. One revised position, with a focus on rental assistance has already been completed internally and the newly re-vamped environmental compliance position is under recruitment. The existing consulting contract was expanded to provide increase assistance in development of environmental documents until the environmental compliance position can be filled.

**Financial & Fiscal Management** (including finance system controls, cash management, indirect cost-cost allocation, reserve balances; total development costs, program income, investments, insurance) - The DHHL Fiscal department has continued to submit its reports with appropriately documented expenditure in a timely manner. In the first quarter of calendar 2021, all additional fiscal monitoring requirements, resulting from the 2016 HUD audit were eliminated.

**Environmental Review Compliance Monitoring Plan** - FY20-21 included the development of written ERR procedures to standardize the ERR review. While the draft procedures are still being finalized, it has provided staff with instructions to improve standardization of recordkeeping for new projects, as well as templates for development of mitigation plans and a visual flow chart for ease of understanding the process. The use of mitigation plans has improved the understanding of environmental requirements across divisions within DHHL. This increased understanding resulted in the integration of the mitigation plan into the Pre-award meetings held for potential recipients in the Discovery Harbor in-fill development improving their understanding of the on-going environmental requirements.

**Subrecipient Agreement** - Prior to the pandemic, DHHL had a single subsidy agreement providing housing to native Hawaiian kūpuna (elderly individuals age 55+). However, the need for rental and utility assistance increased as a result of changing financial conditions due to the pandemic. This provided DHHL an opportunity to impact more qualified native Hawaiian beneficiaries, in particular, those on the applicant waiting lists. As a result, DHHL now has additional professional services contracts providing services and expanding the Departments reach.

**Self-Monitoring** - DHHL utilized the 2018, NAHASDA IHBG Recipient Self-Monitoring Guidebook and associated checklists along with its own policies and procedures to conduct the FY20-21 Self-monitoring. The intent of the transition was to better match the auditing system utilized by HUD. In addition, the questions posed were different from those asked for the last 8 years requiring greater reflection by the staff. This made the self-monitoring process more time-consuming, and difficult for the various staff involved. However, the information collected has been actionable, and is providing opportunities to improve systems, processes, and procedures. It also has highlighted that the procedures and programs already in place are working in ensuring that DHHL is meeting its obligations regarding the administration of federal funds.



## SECTION 9: INSPECTIONS

(NAHASDA § 819(b))

(1) **Inspection of Units** *(Use the table below to record the results of inspections of assisted housing.)*

(A)		(B)	Results of Inspections
Activity		Total number of units inspected	Total number of units (Inventory)
<b>NAHASDA-Assisted Units:</b> Running inventory as of Fiscal Year Beginning (July 1) a 12-month total.			
a.	New Construction Completed	5	589
b.	Rehab/Repair Completed	5	102
c.	Rental Assistance (if applicable)	75	
d.	Other		
<b>Total</b>		<b>85</b>	<b>691</b>

(2) Did you comply with your inspection policy: Yes ☒ No: ☐

(3) If no, why not:



## SECTION 10: AUDITS

(24 CFR § 1006.375(d))

This section is used to indicate whether an Office of Management and Budget Circular A-133\* audit is required, based on a review of your financial records.

Did you expend \$500,000\* or more in total Federal awards during the APR reporting period?

Yes ☒ No ☐

If Yes, an audit is required to be submitted to the Federal Audit Clearinghouse and the Office of Native American Programs.

If No, an audit is not required.

\*DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. Audits covering recipients' fiscal years that begin in January 2015 will be subject to the revised audit requirements. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to grants until implementation of the new requirements.

## SECTION 11: PUBLIC AVAILABILITY

(NAHASDA § 820(d), 24 CFR § 1006.410(c))

- (1) Did you make this APR available to the beneficiaries of the Hawaiian Homes Commission Act before it was submitted to HUD?

Check one:

Yes



No



- (2) If you answered "No" to question #1, provide an explanation as to why not and indicate when you will do so.

- (3) Summarize any comments received from the beneficiaries (NAHASDA § 820(d)(2)).

Public comment will be received from July 20, 2021 thru August 23, 2021 and included an emailed comment noting that if DHHL wants to truly build more housing, one step is to understand and use leveraging of their NAHASDA funds. The final draft of the APR will be submitted to HUD by August 27, 2021.



**SECTION 12: JOBS SUPPORTED BY NAHASDA**  
**(NAHASDA § 820)**

Use the table below to record the number of jobs supported with NHHBG funds each year (including DHHL staff, Subrecipient staff, Contractors, etc.).

Native Hawaiian Housing Block Grant Assistance (NHHBG)	
(1) Number of <b>Permanent</b> Jobs Supported	24
(2) Number of <b>Temporary</b> Jobs Supported	22

(3) Narrative *(optional)*:



**SECTION 13: NHHP WAIVER REQUESTS**

(NAHASDA § 802(b)(2), 24 CFR 1006.20(b))

THIS SECTION IS ONLY REQUIRED IF DHHL IS REQUESTING A WAIVER OF A NHHP SECTION OR A WAIVER OF THE NHHP SUBMISSION DUE DATE. Fill out the form below if you are requesting a waiver of one or more sections of the NHHP. **NOTE:** This is NOT a waiver of the NHHBG program requirements but rather a request to waive some of the NHHP submission items because DHHL cannot comply due to circumstances beyond its control.

- (1) List below the sections of the NHHP where you are requesting a waiver and/or a waiver of the NHHP due date.  
(List the requested waiver sections by name and section number):

- (2) Describe the reasons that you are requesting this waiver (Describe completely why you are unable to complete a particular section of the NHHP or could not submit the NHHP by the required due date.):

- (3) Describe the actions you will take in order to ensure that you are able to submit a complete NHHP in the future and/or submit the NHHP by the required due date. (This section should completely describe the procedural, staffing or technical corrections that you will make in order to submit a complete NHHP in the future and/or submit the NHHP by the required due date.):

(4) Recipient:	
(5) Authorized Official's Name and Title:	
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

**SECTION 14: NHHP AMENDMENTS**

(24 CFR § 1006.101(d))

**Use this section for NHHP amendments only.**

Fill out the text below to summarize your NHHP amendment. Copy and paste Section 14 for each amendment. This amendment is only required to be submitted to the HUD Office of Native American Programs when the recipient is adding a new activity that was not described in the current One-Year Plan that has been determined to be in compliance by HUD. All other amendments will be reflected in the APR and do not need to be submitted to HUD.

NOTE: A Cover Page is strongly recommended but not required with a NHHP Amendment submission.

**APR: REPORTING ON PROGRAM YEAR PROGRESS (NAHASDA § 820(b))**

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual OMB Circular A-133' audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

\*DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to existing grants. After HUD implements the new requirements in 2 C.F.R. Part 200 (after December 26, 2014), all grants will be subject to 2 C.F.R. Part 200, as implemented by HUD.

**(1) Program Name and Unique Identifier:****(2) Program Description** (*This should be the description of the planned program.:*)**(3) Eligible Activity Number** (*Select one activity from the Eligible Activities list in Section 3. Do not combine homeownership and rental housing in one activity, so that when units are reported in the APR they are correctly identified as homeownership or rental.:*)



**(4) Intended Outcome Number** (Select one Outcome from the Outcome list in Section 3.):

**Describe Other Intended Outcome** (Only if you selected "Other" above.):

**(5) Actual Outcome Number** (Select one Outcome from the Outcome list in Section 3.):

**Describe Other Actual Outcome** (Only if you selected "Other" above.):

**(6) Who Will Be Assisted** (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median income should be included as a separate program within this Section.):

**(7). Types and Level of Assistance** (Describe the types and the level of assistance that will be provided to each household, as applicable.):

**(8). APR:** (Describe the accomplishments for the APR in the 12-month fiscal year. In accordance with 24 CFR § 1006.410(b)(2) and (3), provide an analysis and explanation of cost overruns or high unit costs.):

**(9). Planned and Actual Outputs for 12-Month Fiscal Year**

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year



**(10). APR:** If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

(11) **Amended Sources of Funding** (NAHASDA § 803(c)(2)(C)(i)) (Complete the non-shaded portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month fiscal year. **APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month fiscal year.)**

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12- month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12- month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12- month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12- month fiscal year	(J) Actual unexpended funds remaining at end of 12- month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12- month fiscal year
6. NHHBG Funds											
7. NHHBG Program Income											
LEVERAGED FUNDS											
8. Other Federal Funds											
9. LIHTC											
10. Non-Federal Funds											
TOTAL											

**Notes:**

- For the NHHP, fill in columns A, B, C, D, and E (non-shaded columns). **For the APR, fill in columns F, G, H, I, J, and K (shaded columns).**
- Total of Column D should match the total of Column N from the **Uses Table** on the following page.
- Total of Column I should match the Total of Column Q from the Uses Table on the following page.**



**(12) Amended Uses of Funding (NAHASDA § 803(c)(2)(C)(iii))** (Note that the budget should not exceed the total funds on hand and insert as many rows as needed to include all the programs identified in Section 3. **Actual expenditures in the APR section are for the 12-month fiscal year.**)

PROGRAM NAME <small>(tie to program names in Section 3 above)</small>	Unique Identifier	NHHHP			APR		
		<small>(L) Prior and current year NHHBG (only) funds to be expended in 12-month fiscal year</small>	<small>(M) Total all other funds to be expended in 12-month fiscal year</small>	<small>(N) Total funds to be expended in 12-month fiscal year (L + M)</small>	<small>(O) Total NHHBG (only) funds expended in 12-month fiscal year</small>	<small>(P) Total all other funds expended in 12-month fiscal year</small>	<small>(Q) Total funds expended in 12-month fiscal year (O+P)</small>
Planning and Administration							
Loan repayment							
TOTAL							

**Notes:**

- a. Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- b. Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- c. Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.
- d. Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.
- e. Total of Column Q should equal total of Column I of the Sources Table on the previous page.



**(13) Estimated Sources or Uses of Funding** (NAHASDA § 803(c)(2)(C)). (Provide any additional information about the estimated sources or uses of funding, including leverage (if any). You must provide the relevant information for any planned loan repayment listed in the Uses Table on the previous page. The text must describe which specific loan is planned to be repaid and the NAHASDA-eligible activity and program associated with this loan):

**(14) APR** (NAHASDA § 820(b)(1)) (Enter any additional information about the actual sources or uses of funding, including leverage (if any). You must provide the relevant information for any actual loan repayment listed in the Uses Table on the previous page. The text must describe which loan was repaid and the NAHASDA-eligible activity and program associated with this loan.):

<b>(15)</b> Recipient:	
<b>(16)</b> Authorized Official's Name and Title:	
<b>(17)</b> Authorized Official's Signature:	I certify that all other sections of the NHHP approved on                      are accurate and reflect the activities planned.
<b>(18)</b> Date (MM/DD/YYYY):	

STATE OF HAWAII'I  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

To: Chairman and Members, Hawaiian Homes Commission  
From: Lehua Kinilau-Cano, HHL Legislative Analyst  
Subject: Acceptance of the 2021 Abbreviated APR - NHHBG made available under the American Rescue Plan Act of 2021

RECOMMENDED MOTION/ACTION:

The Hawaiian Homes Commission accept the 2021 Abbreviated APR - NHHBG made available under the American Rescue Plan Act of 2021.

DISCUSSION

The American Rescue Plan Act of 2021 (ARP) became law on March 11 and made available \$5 million dollars to be used to prevent, prepare for and respond to coronavirus, including to maintain normal operations and fund eligible affordable housing activities under NAHASDA during the period that the program is impacted by coronavirus. In addition, amounts may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands.

Notice PIH 2021-13 issued by the U.S. Department of Housing and Urban Development (HUD) on April 26 explained that the NHHBG-ARP grant will be awarded as a separate NHHBG grant. In order for DHHL to receive an NHHBG-ARP grant, it must first submit an Abbreviated Native Hawaiian Housing Plan, which was done upon acceptance by the Hawaiian Homes Commission on May 17.

The Abbreviated Native Hawaiian Housing Plan identified one program, the Native Hawaiian Emergency Rental and Utilities Assistance program to provide for emergency assistance to mitigate financial hardships associated with the coronavirus pandemic to ensure housing stability. Upon signing the grant agreement with HUD on June 7, DHHL entered into a contract with the Council for Native Hawaiian Advancement (CNHA) for this program on the same day and CNHA began accepting applications on June 25, but CNHA didn't receive payment to assist eligible



households until July 6 after the end of the fiscal year, which will be reported in the next Abbreviated APR from July 1, 2021 thru June 30, 2022.

While this program is on schedule and DHHL has disbursed over \$1.3 million dollars to CNHA to assist eligible households, DHHL will likely be disbursing \$5 million of the State of Hawaii's allocation from the Consolidated Appropriations Act, 2021 in order to obligate those funds prior to the deadline of September 30. Thus, the disbursement of these funds may be delayed and if necessary, DHHL will consider if an amendment to the abbreviated Native Hawaiian Housing Plan will be needed to direct funds to activities, projects, or programs to prevent, prepare for or respond to COVID-19.

RECOMMENDED MOTION/ACTION:

Staff respectfully requests approval of the motion as recommended.

# Native Hawaiian Housing Block Grant (NHHBG)

## Abbreviated NHHP/APR

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

For DHHL's Use: July 1, 2020 thru June 30, 2021 Annual Performance Report for NHHBG-ARP per Notice PIH 2021-13 issued April 26, 2021

### ABBREVIATED NATIVE HAWAIIAN HOUSING PLAN/ANNUAL PERFORMANCE REPORT NAHASDA §§ [803(b)(1)], [803(c)(1)] and [820(a)(2)]

**This form meets the requirements for a Native Hawaiian Housing Plan (NHHP) and Annual Performance Report (APR) required by the United States Department of Housing and Urban Development for Native Hawaiian Housing Block Grant (NHHBG) funds made available under the American Rescue Plan Act of 2021 (ARP or "the Act").** The information requested does not lend itself to confidentiality.

Regulatory and statutory citations are provided throughout this form as applicable. The State of Hawaii's Department of Hawaiian Home Lands (DHHL) is encouraged to review these citations when completing the Abbreviated NHHP and Abbreviated APR sections of the form.

Under Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.), HUD will provide grants under the NHHBG program to DHHL to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on the Hawaiian Home Lands. To be eligible for the grants, DHHL must submit an Abbreviated NHHP that meets the requirements of the Act. DHHL must submit the Abbreviated NHHP to HUD prior to the release of NHHBG-ARP funding in the Line of Credit Control System (LOCCS) for the total amount of the NHHBG-ARP grant award. The Abbreviated APR is due no later than 60 days after the end of DHHL's fiscal year (24 CFR § 1006.410).

**FORM COMPLETION OPTIONS:** The Abbreviated NHHP/APR is to be completed electronically because it is more efficient to complete, submit, and review the form in that format. The form, as a Word document, may be submitted to HUD as an email attachment. To document official signatures, an electronic signature is acceptable. The electronic document may be submitted to the Office of Native American Programs – Attention: Claudine Allen in the HUD Honolulu Field Office via email to: [claudine.c.allen@hud.gov](mailto:claudine.c.allen@hud.gov). The sections of the Abbreviated NHHP that require an official signature are the Cover Page and Section 14, if applicable. For the Abbreviated APR, the Cover Page requires an official signature.

The Abbreviated NHHP data is used to verify that planned activities are eligible, expenditures are reasonable, and DHHL certifies compliance with related requirements. The Abbreviated APR data is used to audit the program accurately and monitor DHHL's progress in completing approved activities, including reported expenditures, outputs, and outcomes. This form is exempt from OMB Approval pursuant to 5 CFR 1320.3 (c) (4).

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**Note:** The page numbers in the Table of Contents can update automatically as the Abbreviated NHHP or Abbreviated APR is completed. To update the page numbers, right-click anywhere in the table, select "Update Field" and select "update page numbers only."



## COVER PAGE

(1) Grant Number: **21HRPHI0001**

(2) Recipient Fiscal Year: **2021**

(3) Federal Fiscal Year: **2021**

☒ NHHBG-ARP

(4) ☐ Initial Plan (Complete this Cover Page then proceed to Section 1)

(5) ☐ Amended Plan (Complete this Cover Page and Section 14)

(6) ☒ Annual Performance Report (Complete items 24-27 and proceed to Section 3)

(7) <b>Name of Recipient:</b> Department of Hawaiian Home Lands		
(8) <b>Contact Person:</b> Lehua Kinilau-Cano, HHL Legislative Analyst		
(9) <b>Telephone Number with Area Code:</b> 808-620-9486		
(10) <b>Mailing Address:</b> PO Box 1879		
(11) <b>City:</b> Honolulu	(12) <b>State:</b> HI	(13) <b>Zip Code:</b> 96805
(14) <b>Fax Number with Area Code (if available):</b> 808-620-9529		
(15) <b>Email Address (if available):</b> Nicole.L.Kinilau-Cano@hawaii.gov		

<b>(16) Tax Identification Number:</b> 99-0266483
<b>(17) DUNS Number:</b> 809935661
<b>(18) CCR/SAM Expiration Date:</b> 08/04/2021
<b>(19) NHHBG-ARP Grant Amount:</b> \$5,000,000
<b>(20) Date Started Preparing for COVID-19:</b> 4/1/2020
<b>(21) Name of Authorized Abbreviated NHHP Submitter:</b> William J. Aila, Jr.
<b>(22) Title of Authorized Abbreviated NHHP Submitter:</b> Chairman, Hawaiian Homes Commission
<b>(23) Signature of Authorized Abbreviated NHHP Submitter:</b>
<b>(24) Abbreviated NHHP Submission Date:</b> 5/17/2021
<b>(25) Name of Authorized Abbreviated APR Submitter:</b> William J. Aila, Jr.
<b>(26) Title of Authorized Abbreviated APR Submitter:</b> Chairman, Hawaiian Homes Commission
<b>(27) Signature of Authorized Abbreviated APR Submitter:</b>
<b>(28) Abbreviated APR Submission Date:</b> August 27, 2021

**Certification:** The information contained in this document is true, accurate and reflects the activities actually planned or accomplished during the program year. Activities planned and accomplished are eligible under applicable statutes and regulations.

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under 18 U.S.C. 1001. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional disclosure, is subject to a civil money penalty not to exceed \$10,000 for each violation.



## SECTION 3: PROGRAM DESCRIPTIONS

NAHASDA § [803(c)(2)(A)], [802(c)], [820(b)], 24 CFR §1006.410(b)(2) and (3)

### Planning and Reporting on Program Year Activities

For the Abbreviated NHHP, the purpose of this section is to describe each program that will be operating during the performance period of the NHHBG-ARP Grant. Each program must include the eligible activity, its planned outputs, intended outcome, who will be assisted, and types and levels of assistance. Each of the eligible activities has a specific, measurable output. The first column in the table below lists all eligible activities, the second column identifies the output measure for each eligible activity, and the third column identifies when to consider an output as completed for each eligible activity. Copy and paste text boxes 1.1 through 1.10 as often as needed so that all of your planned programs are included.

For the Abbreviated APR, the purpose of this section is to describe accomplishments, actual outputs, actual outcomes, and any reasons for delays.

#### Eligible Activities May Include (citations below reference sections in NAHASDA)

Eligible Activity	Output Measure	Output Completion
(1) RESERVED – DO NOT USE THIS NUMBER		
(2) RESERVED – DO NOT USE THIS NUMBER		
(3) Acquisition of Rental Housing [810(b)(1)]	Units	When recipient takes title to the unit
(4) Construction of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(5) Rehabilitation of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(6) Acquisition of Land for Rental Housing Development [810(b)(1)]	Acres	When recipient takes title to the land
(7) Development of Emergency Shelters [810(b)(1)]	Households	Number of households served at any one time, based on capacity of the shelter
(8) Conversion of Other Structures to Affordable Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(9) Other Rental Housing Development [810(b)(1)]	Units	All work completed and unit passed final inspection
(10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]	Acres	When recipient takes title to the land
(11) New Construction of Homebuyer Units [810(b)(1)]	Units	All work completed and unit passed final inspection
(12) Acquisition of Homebuyer Units [810(b)(1)]	Units	When recipient takes title to the unit
(13) Down Payment/Closing Cost Assistance [810(b)(1)]	Units	When binding commitment signed
(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]	Units	When binding commitment signed
(15) Other Homebuyer Assistance Activities [810(b)(1)]	Units	When binding commitment signed
(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]	Units	All work completed and unit passed final inspection
(17) Tenant Based Rental Assistance [810(b)(2)]	Households	Count each household once per year



(18) Other Housing Service [810(b)(2)]	Households	Count each household once per year
(19) Housing Management Services [810(b)(3)]	Households	Count each household once per year
(20) Operation and Maintenance of NHHBG-Assisted Units [810(b)(3)]	Units	Number of units in inventory at Fiscal Year End
(21) Crime Prevention and Safety [810(b)(4)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(22) Model Activities [810(b)(5)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(23) RESERVED – DO NOT USE THIS NUMBER		
(24) Infrastructure to Support Housing [810(b)(1)]	Improved Lots	All work completed and lot passed final inspection
(25) RESERVED – DO NOT USE THIS NUMBER		
(26) Other COVID-19 Activities Authorized by Waivers or Alternative Requirements	Households	When household receives services

### Outcome May Include:

(1) Reduce over-crowding	(7) Create new affordable rental units
(2) Assist renters to become homeowners	(8) Assist affordable housing for college students
(3) Improve quality of substandard units	(9) Provide accessibility for disabled/elderly persons
(4) Improve quality of existing infrastructure	(10) Improve energy efficiency
(5) Address homelessness	(11) Reduction in crime reports
(6) Assist affordable housing for low-income households	(12) Other – must provide description in boxes 1.4 (NHHP) and 1.5 (APR)

### ABBREVIATED NHHP: PLANNED FISCAL YEAR ACTIVITIES NAHASDA § [803(c)(2)(A)]

For each planned activity, complete all the non-shaded sections below. It is recommended that for each program name you assign a unique identifier to help distinguish individual programs. This unique number can be any number of your choosing, but it should be simple and clear so that you and HUD can track tasks and results under the program and collect appropriate file documentation tied to this program.

Further, each planned activity must either prevent, prepare for, or respond to COVID-19, or be a COVID-19 related reimbursement:

- COVID-19 Prevention
- COVID-19 Preparation
- COVID-19 Respond
- COVID-19 Reimbursement

More than one activity may prevent or respond to COVID-19; however, each activity must have a separate unique identifier. If an activity is to include two purposes, a separate program must be created for each purpose. One way to number your programs is chronologically. For example, you could number your programs ARP-I COVID-19 Prevention, ARP-II COVID-19 Preparation, ARP-III COVID-19 Respond, ARP-IV COVID-19 Reimbursement, ARP-V COVID-19 Respond, etc.

### ABBREVIATED APR: REPORTING ON PROGRAM YEAR PROGRESS NAHASDA § [820(b)]

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.



**1.1 Program Name and Unique Identifier:** Native Hawaiian Emergency Rental and Utilities Assistance (ARP-1 COVID-19 Respond)

**1.2 Program Description** *(This should be the description of the planned program.):*

This activity provides for rental housing vouchers (rent/security deposit) for emergency assistance (rent, rental arrears, utilities, or utility arrears) to mitigate financial hardships associated with the Coronavirus pandemic to ensure housing stability.

**1.3 Eligible Activity Number** *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(17) Tenant Based Rental Assistance [810(b)(2)]

**1.4 Intended Outcome Number** *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(5) Address homelessness

**Describe Other Intended Outcome** *(Only if you selected "Other" above.):*

**1.5 Actual Outcome Number** *(In the APR identify the actual outcome from the Outcome list.):*

(5) Address homelessness

**Describe Other Actual Outcome** *(Only if you selected "Other" above.):*

**1.6 Who Will Be Assisted** *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

☒ Low-income NH Households    ☐ Non-low income NH Households    ☐ Non-NH Households

Eligible families will be 80% or less AMI residing in Hawaii and Native Hawaiian as defined in Section 801(9) of NAHASDA, which means any individual who is a citizen of the United States and a descendant of the aboriginal people, who, prior to 1778, occupied and exercised sovereignty in the area that currently constitutes the State of Hawaii.

**1.7 Types and Level of Assistance** *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

DHHL will contract with a service provider to provide emergency assistance (rent, rental arrears, utilities, or utility arrears) for a period not to exceed 12 months except that assistance may be provided for an additional 6 months only if necessary to ensure housing stability for a household subject to availability of funds. The maximum monthly assistance for an eligible household to receive will be the greater of either the maximum monthly amount set by each County for similar emergency rental and utilities assistance programs or the Fair Market Rent within the zip code area.



**1.8 APR** (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3).):

DHHL entered into a contract with the Council for Native Hawaiian Advancement (CNHA) for this program on June 7 and CNHA began accepting applications on June 25, but CNHA didn't receive payment until July 6. Although CNHA submitted an invoice on June 23 and the Federal Financial Report reflects a disbursement was made on June 24, the State's processing of the invoice resulted in the check being received by CNHA to assist eligible households after the end of the fiscal year and will be reported in the next Abbreviated APR from July 1, 2021 thru June 30, 2022.

**1.9 Planned and Actual Outputs for 12-Month Fiscal Year:**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Households	100	0

**1.10 APR** (If the program is behind schedule, explain why (24 CFR § 1006.410(b)(2)).):

The program is on schedule. However, DHHL will likely be disbursing \$5 million of the State of Hawaii's allocation from the Consolidated Appropriations Act, 2021 in order to obligate those funds prior to the deadline. Thus, the disbursement of these funds may be delayed and if necessary, DHHL will consider if an amendment to the abbreviated Native Hawaiian Housing Plan will be needed to direct funds to activities, projects, or programs to prevent, prepare for or respond to COVID-19.

**NOTE:** Remember to complete all the text boxes in Section 3 in the Program Description section for each NHHBG-ARP funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.10 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy the Program Description section as needed to describe each of your programs.



## SECTION 5: BUDGETS

(1) **Sources of Funding** NAHASDA § [803(c)(2)(C)(i)] and [820(b)(1)] (Complete the non-shaded portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month fiscal year. **APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received under a grant agreement during the 12-month fiscal year.**)

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12-month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12-month fiscal year	(J) Actual unexpended funds remaining at end of 12-month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12-month fiscal year
1. NHHBG-ARP Funds	0	5,000,000	5,000,000	5,000,000	0	0	5,000,000	5,000,000	575,000	4,425,000	4,425,000
TOTAL	0	5,000,000	5,000,000	5,000,000	0	0	5,000,000	5,000,000	575,000	4,425,000	4,425,000

### Notes:

- For the Abbreviated NHHP, fill in columns A, B, C, D, and E (non-shaded columns). **For the Abbreviated APR, fill in columns F, G, H, I, J, and K (shaded columns).**
- Total of Column D should match the total of Column N from the **Uses Table** on the following page.
- Total of Column I should match the Total of Column Q from the Uses Table on the following page.**
- For the Abbreviated NHHP, describe any estimated leverage in Line 3 below. For the Abbreviated APR, describe actual leverage in Line 4 below (APR).



**(2) Uses of Funding** NAHASDA § [803(c)(2)(C)(ii)] (Note that the budget should not exceed the total funds on hand (Column C) and insert as many rows as needed to include all the programs identified in Section 3. **Actual expenditures in the APR section are for the 12-month fiscal year.**):

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHHP			APR		
		(L) Prior and current year NHHBG-ARP (only) funds to be expended	(M)	(N) Total funds to be expended (L + M)	(O) Total NHHBG-ARP (only) funds expended in 12-month fiscal year	(P)	(Q) Total funds expended in 12-month fiscal year (O+P)
Emergency Assistance	ARP I	5,000,000		5,000,000	575,000		575,000
Planning and Administration							
TOTAL		5,000,000		5,000,000	575,000		575,000

**Notes:**

- a. Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- b. Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- c. Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.
- d. Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.
- e. Total of Column Q should equal total of Column I of the Sources Table on the previous page.

**(3) Estimated Sources or Uses of Funding** NAHASDA § [803(c)(2)(C)] *(Provide any additional information about the estimated sources or uses of funding.):* The American Rescue Plan Act of 2021 (Public Law 117-2) provides \$5 million for the Native Hawaiian Housing Block Grant (NHHBG) Program to be used to prevent, prepare for, and respond to coronavirus. The funds for the NHHBG program may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home lands.

**(4) APR** NAHASDA § [820(b)(1)] *(Enter any additional information about the actual sources or uses of funding.):*

CNHA submitted an invoice on June 23 and the Federal Financial Report reflects a disbursement was made on June 24, but the State's processing of the invoice resulted in the check being received by CNHA on July 6 and will be reported in the next Abbreviated APR from July 1, 2021 thru June 30, 2022.



## SECTION 7: NATIVE HAWAIIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE

NAHASDA § [803(c)(2)(E)]

By signing the Abbreviated NHHP, you certify that you have all required policies and procedures in place in order to operate any planned NHHBG-ARP programs.

- (1) In accordance with applicable statutes, the recipient certifies that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or with the Fair Housing Act (42 U.S.C. 3601 et seq.) in carrying out the NHHBG program, to the extent that such Acts are applicable, and other applicable federal statutes.

Yes ☒ No ☐

The following certifications will only apply where applicable based on program activities.

- (2) The recipient will require adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under NAHASDA, in compliance with such requirements as may be established by HUD.

Yes ☐ No ☐ Not Applicable ☒

- (3) Policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐

- (4) Policies are in effect and are available for review by HUD and the public governing rents charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐

- (5) Policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐

## SECTION 10: AUDITS

(24 CFR § 1006.375(d))

This section is used to indicate whether a financial audit based on the Single Audit Act and 2 CFR Part 200 Subpart F is required, based on a review of your financial records.

Did you expend \$750,000 or more in total Federal awards during the Abbreviated APR reporting period?

Yes ☒ No ☐

If Yes, an audit is required to be submitted to the Federal Audit Clearinghouse and the Office of Native American Programs.

If No, an audit is not required.

**SECTION 14: NHHP AMENDMENTS**

(24 CFR § 1006.101(d))

**Use this section for Abbreviated NHHP amendments only.**

Fill out the text below to summarize your Abbreviated NHHP amendment. Copy and paste Section 14 for each amendment. This amendment is only required to be submitted to the HUD Office of Native American Programs when the recipient is adding a new activity that was not described in the current Abbreviated NHHP that has been determined to be in compliance by HUD. All other amendments will be reflected in the Abbreviated APR and do not need to be submitted to HUD.

NOTE: A Cover Page is strongly recommended but not required with an NHHP Amendment submission.

**ABBREVIATED APR: REPORTING ON PROGRAM YEAR PROGRESS NAHASDA § [820(b)]**

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

**(1) Program Name and Unique Identifier:****(2) Program Description** *(This should be the description of the planned program.):***(3) Eligible Activity Number** *(Select one activity from the Eligible Activities list in Section 3. Do not combine homeownership and rental housing in one activity, so that when units are reported in the APR they are correctly identified as homeownership or rental.):*



**(4) Intended Outcome Number** (Select one Outcome from the Outcome list in Section 3.):

**Describe Other Intended Outcome** (Only if you selected "Other" above.):

**(5) Actual Outcome Number** (Select one Outcome from the Outcome list in Section 3.):

**Describe Other Actual Outcome** (Only if you selected "Other" above.):

**(6) Who Will Be Assisted** (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median income should be included as a separate program within this Section.):

**(7) Types and Level of Assistance** (Describe the types and the level of assistance that will be provided to each household, as applicable.):

**(8) APR** (Describe the accomplishments for the APR in the 12-month fiscal year. In accordance with 24 CFR § 1006.410(b)(2) and (3), provide an analysis and explanation of cost overruns or high unit costs.):

**(9) Planned and Actual Outputs for 12-Month Fiscal Year:**

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year

**(10) APR** *(If the program is behind schedule, explain why (24 CFR § 1006.410(b)(2)).):*







**(12) SECTION 5: Amended Uses of Funding NAHASDA § [803(c)(2)(C)(iii)]** (Note that the budget should not exceed the total funds on hand and insert as many rows as needed to include all the programs identified in Section 3. **Actual expenditures in the APR section are for the 12-month fiscal year.**):

PROGRAM NAME (lie to program names in Section 3 above)	Unique Identifier	NHHHP			APR		
		(L) Prior and current year NHHBG-ARP (only) funds to be expended	(M)	(N) Total funds to be expended (L + M)	(O) Total NHHBG-ARP (only) funds expended in 12- month fiscal year	(P)	(Q) Total funds expended in 12-month fiscal year (O+P)
Planning and Administration							
<b>TOTAL</b>							

**Notes:**

- a. Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- b. Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- c. Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.
- d. Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.
- e. Total of Column Q should equal total of Column I of the Sources Table on the previous page.

**(13) Estimated Sources or Uses of Funding** NAHASDA § [803(c)(2)(C)] *(Provide any additional information about the estimated sources or uses of funding.)*

**(14) APR** NAHASDA § [820(b)(1)] *(Enter any additional information about the actual sources or uses of funding.)*

<b>(15) Recipient:</b>	
<b>(16) Authorized Official's Name and Title:</b>	
<b>(17) Authorized Official's Signature:</b>	I certify that all other sections of the Abbreviated NHHP approved on are true, accurate, and reflect the activities planned.
<b>(18) Date (MM/DD/YYYY):</b>	



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

To: Chairman and Members, Hawaiian Homes Commission

From: Lehua Kinilau-Cano, HHL Legislative Analyst

Subject: For Information Only – Summary of Responses to Proposed Legislative Action Request for 2022 & Draft Legislative Proposals

RECOMMENDED ACTION/MOTION:

None; For information only.

DISCUSSION

Outreach commenced since last month's Hawaiian Homes Commission meeting requesting input on DHHL's Legislative Package for the 2022 legislative session. An email was sent to the 9 Commissioners, 127 staff, 199 testifiers on DHHL related measures from the 2016-2021 legislative sessions, 39 legislative talk story attendees, and 116 homestead associations and other stakeholders. The outreach list is attached as Exhibit 'A'. ICRO assisted by posting the information on DHHL's website and social media platforms.

16 proposals were received. Here's a summary of the proposals:

Issue	Submitted by	Result
Use of DNA and possibility of all Polynesian and indigenous ancestry for acceptance of certain or limited HHL benefits	Stakeholder	Admin Rules allow DNA tests to establish family ties in order to qualify for Hawaiian Home Lands program
Funding to bring potable water from the Ouli well fields to Kailapa	Lessee	Sufficient Sums Budget included \$750k for Planning & Design for Kawaihae Water: Production, Storage & Transmission
Funding to help with asbestos removal from structures in Nanakuli leased or licensed for public purposes	Lessee	Consider for inclusion in Sufficient Sums Budget
Relocate Ka Waihona to DHHL land mauka of Farrington Highway or to DHHL lands in Kapolei, Kalaheo or Ewa	Lessee	More review



Issue	Submitted by	Result
A spouse on the mortgage and not the beneficiary/successor is responsible for the mortgage while the successor is allowed to live in the house for free	Lessee	More review
Transfer the Molokai Irrigation System from the State Department of Agriculture to DHHL	Lessee	More review
Determine who has the superior rights to water, DHHL or DLNR/CWRM	Lessee	The State Water Code already includes provision for Native Hawaiian Water Rights under HRS 174C-101
Add a DHHL representative to CWRM	Lessee	Included
Add DHHL representative on the County Water Boards	Lessee	Included
Petition Congress to reverse federal amendment to the HHCA that removed water free of charge	Lessee	More review
Make irrigation water available to every homestead in Kalamaula and Hoolehua by completing the Molokai Irrigation System infrastructure	Lessee	Consider for inclusion in Sufficient Sums Budget
Proposal to commit a percentage of TAT for administration of the HHCA	Lessee	More review
Permitted improvements are not given the same valuation as fee simple lots when refinance of home to reduce interest rates or pull equity for home improvement or expansion	Lessee	DHHL appraisals value lot improvements, but does not give value to infrastructure costs as these costs are borne by DHHL.
Interim Administrative Rules	Staff	Included
Compliance and Enforcement Program	Beneficiary	Included
Recognize biological relationship in adoptions to allow the transfer or successorship of a beneficiary interest	Staff	Included

After considering the responses received and measures previously approved by the Commission, twelve draft legislative proposals are summarized below and the actual draft of the bills and/or justification sheets are enclosed in Exhibit 'B'.

## PROPOSAL SUMMARY

### *Proposal HHL-01(22)*

#### *RELATING TO INDEPENDENT LEGAL COUNSEL*

This proposal allows the Department to retain independent legal counsel to be paid by the State and use the services of the attorney general as needed when the interests of the State and the department are aligned.

The Department has a trust duty to its beneficiaries and in the fulfillment of its trust obligations, the department may at times be at odds with the interests of the State. It is at these times that the department must be assured that its counsel provides legal guidance strictly in the interest of its client. Independent counsel that is hired and retained by the department eliminates any cloud of uncertainty that there is a conflict of interest that the department is represented by the Attorney General's office that also represents the State.

This measure has not been part of the Administration's legislative package, but has been introduced by several legislators over the past few years and has not passed.

### *Proposal HHL-02(22)*

#### *RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT*

This proposal adds the Chairman of the Hawaiian Homes Commission or the Chairman's designee to the Commission on Water Resource Management.

The Water Code requires that planning decisions of the Commission on Water Resource Management ensure that sufficient water remain available for current and foreseeable development and use of Hawaiian Home Lands. In order to further the interest of beneficiaries, the Chairman of the Hawaiian Homes Commission or the Chair's designee should serve as an ex officio voting member of the Commission on Water Resource Management.

This measure has not been part of the Administration's legislative package, but has been introduced and has not passed.

### *Proposal HHL-03(22)*

#### *RELATING TO TAX EXEMPTION*

This proposal exempts any homestead development for the Department of Hawaiian Home Lands from general excise taxes.

The Department provides homesteads for native Hawaiians at affordable rates when compared to similar development available in Hawaii. In order to further the interest of



beneficiaries, any homestead development for the Department should be exempt from general excise taxes.

This measure was included in the Administration's legislative package, but may continue to be impacted by provisions in the American Rescue Plan Act of 2021.

*Proposal HHL-04(22)*  
*RELATING TO CESSPOOLS*

This proposal establishes a low interest loan program to offer financial assistance for lessees on Hawaiian Home Lands with cesspools to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to existing sewer systems or any other wastewater treatment systems approved by the Department of Health.

Cesspools are a nonpoint contamination source of great concern. Collectively, the State's cesspools release more than 53 million gallons of untreated sewage into the ground each day. In response to the State's cesspool pollution problem, legislation was enacted in 2017 that requires all cesspools not excluded by the Director of Health to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to sewage systems or aerobic treatment unit systems, or connected to sewage systems by January 1, 2050. In order to work toward meeting this deadline, cesspools on Hawaiian Home Lands could be a good place to start.

This measure was approved by the Commission, but withdrawn after discussion with the Department of Health to await recommendations from the Cesspool Conversion Working Group. Nevertheless, beneficiaries are being impacted with increasing costs to upgrade, convert, or connect to existing sewer systems in the meantime.

*Proposal HHL-05(22)*  
*RELATING TO THE COUNTY BOARDS OF WATER SUPPLY*

This proposal requires County Boards of Water Supply to provide an accounting of water credits to and to reserve credits for the Department of Hawaiian Home Lands and requires Boards to develop policies that reduce nonpublic trust uses before other uses in cases of emergency.

The lack of available water has been and remains a significant barrier to the State's ability to develop Hawaiian Homes projects. Working with the Department of Hawaiian Home Lands, the Commission on Water Resource Management has set some ground water and surface water reservations for Hawaiian Homes projects on each island with lands set aside for homesteading purposes. Nevertheless, some Counties treat the Department of Hawaiian Home Lands like any other developer without differentiating or prioritizing water for Hawaiian Homes projects.



This measure was included in the Administration's legislative package, but has not passed.

*Proposal HHL-06(22)*

*RELATING TO THE COUNTY BOARDS OF WATER SUPPLY*

This proposal designates a certain number of board members to represent interests for water allocation on Hawaiian home lands.

This measure was included in the Administration's legislative package, but has not passed.

*Proposal HHL-07(22)*

*RELATING TO COUNTIES*

This proposal requires the Counties to maintain infrastructure on Hawaiian Home Lands that were built to County standards.

The Department of Hawaiian Home Lands complies with County requirement when developing subdivisions, yet the maintenance of roads, sewers, sidewalks, and other improvements are often still the responsibility of the Department.

This measure was included in the Administration's legislative package, but has not passed.

*Proposal HHL-08(22)*

*RELATING TO HISTORIC PRESERVATION REVIEWS*

This proposal allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

Instead of requiring the Department of Hawaiian Home Lands to consult with the Department of Land and Natural Resources regarding the effect of a project upon historic properties or burial sites, this proposal would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review .

This measure was included in the Administration's legislative package, but has not passed.

*Proposal HHL-09(22)*  
*RELATING TO GAMING*

This proposal authorizes the Department of Hawaiian Home Lands to commission a study to guide decision-making on gaming-related issues including projected revenues, the impact on vulnerable populations and surrounding communities, and issues to be considered when deciding on the location of an integrated resort property.

*Proposal HHL-10(22)*  
*RELATING TO INTERIM RULES*

This proposal creates a new section of the HRS that allows DHHL after consultation with beneficiaries and organizations representing beneficiaries to issue interim rules which shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of Chapter 91 as long as the interim rules shall be effective for not more than eighteen months.

The department is currently authorized to adopt rules in accordance with Chapter 91, HRS, which can be a lengthy and time consuming process when you factor in that the Department conducts consultation with beneficiaries and organizations representing beneficiaries prior to initiating the rule making process. This amendment will enable the Department to move quickly in issuing interim rules after consultation with beneficiaries and organizations representing beneficiaries on important programs and services, while preserving public access by ensuring that the interim rules will be made available on the website of the Office of Lieutenant Governor. The eighteen-month limitation on the life of the interim rules will further ensure that the Department has adequate time to adopt permanent rules through formal rulemaking procedures.

This measure was approved by the Commission, but has not been part of the Administration's legislative package.

*Proposal HHL-11(22)*  
*RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED*

This proposal establishes a compliance and enforcement program with the Department to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with the Hawaiian Homes Commission Act.

The draft proposal as submitted is attached for review, however, more analysis is needed to see if a new section of the Act is needed or if amendments to the Act or Hawaii Revised Statutes should be made instead. Only the draft bill proposal is attached, the justification sheet will be provided next month.

*Proposal HHL-12(22)*  
*RELATING TO ADOPTION*

This proposal recognizes the biological relationship in adoptions to allow the transfer or successorship of a beneficiary interest.

Only the justification sheet is attached, the bill proposal will be provided next month.

CONCLUSION

These draft legislative proposals will be finalized and submitted for approval by the Commission next month and submitted for review by the Governor, Department of the Attorney General, and the Department of Budget & Finance. The proposals are pending final approval and no proposal is considered part of the package until final approval is granted by the Governor. In this phase of the review process, the department may amend or withdraw any measure.

RECOMMENDED ACTION/MOTION:

None; For information only.



\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO INDEPENDENT LEGAL COUNSEL.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1.   Section 28-8.3, Hawaii Revised Statutes, is  
2 amended as follows:

3       (1)   By amending subsection (a) to read as follows:

4       "(a)   No department of the State other than the attorney  
5 general may employ or retain any attorney, by contract or  
6 otherwise, for the purpose of representing the State or the  
7 department in any litigation, rendering legal counsel to the  
8 department, or drafting legal documents for the department;  
9 provided that the foregoing provision shall not apply to the  
10 employment or retention of attorneys:

11       (1)   By the public utilities commission, the labor and  
12 industrial relations appeals board, and the Hawaii  
13 labor relations board;

14       (2)   By any court or judicial or legislative office of the  
15 State; provided that if the attorney general is  
16 requested to provide representation to a court or  
17 judicial office by the chief justice or the chief  
18 justice's designee, or to a legislative office by the

\_\_\_\_.B. NO.\_\_\_\_

1 speaker of the house of representatives and the  
2 president of the senate jointly, and the attorney  
3 general declines to provide such representation on the  
4 grounds of conflict of interest, the attorney general  
5 shall retain an attorney for the court, judicial, or  
6 legislative office, subject to approval by the court,  
7 judicial, or legislative office;

8 (3) By the legislative reference bureau;

9 (4) By any compilation commission that may be constituted  
10 from time to time;

11 (5) By the real estate commission for any action involving  
12 the real estate recovery fund;

13 (6) By the contractors license board for any action  
14 involving the contractors recovery fund;

15 (7) By the office of Hawaiian affairs;

16 (8) By the department of commerce and consumer affairs for  
17 the enforcement of violations of chapters 480 and  
18 485A;

19 (9) As grand jury counsel;

20 (10) By the Hawaii health systems corporation, or its  
21 regional system boards, or any of their facilities;

22 (11) By the auditor;

\_\_\_\_.B. NO.\_\_\_\_

1 (12) By the office of ombudsman;

2 (13) By the insurance division;

3 (14) By the University of Hawaii;

4 (15) By the Kahoolawe island reserve commission;

5 (16) By the division of consumer advocacy;

6 (17) By the office of elections;

7 (18) By the campaign spending commission;

8 (19) By the Hawaii tourism authority, as provided in

9 section 201B-2.5;

10 (20) By the division of financial institutions;

11 (21) By the office of information practices; [~~or~~]

12 (22) By the department of Hawaiian home lands; provided

13 that:

14 (A) The department of Hawaiian home lands may use the

15 services of the attorney general as needed and

16 when the interests of the State and the

17 department of Hawaiian home lands are aligned;

18 and

19 (B) Legal fees owed to independent counsel shall be

20 paid by the State; or

21 [~~(22)~~] (23) By a department, if the attorney general, for

22 reasons deemed by the attorney general to be good and



\_\_\_\_.B. NO.\_\_\_\_

1           sufficient, declines to employ or retain an attorney  
2           for a department; provided that the governor waives  
3           the provision of this section."

4           (2) By amending subsection (c) to read as follows:

5           "(c) Every attorney employed by any department on a full-  
6   time basis, except an attorney employed by the public utilities  
7   commission, the labor and industrial relations appeals board,  
8   the Hawaii labor relations board, the office of Hawaiian  
9   affairs, the Hawaii health systems corporation or its regional  
10   system boards, the department of commerce and consumer affairs  
11   in prosecution of consumer complaints, insurance division, the  
12   division of consumer advocacy, the University of Hawaii, the  
13   Hawaii tourism authority as provided in section 201B-2.5, the  
14   office of information practices, the department of Hawaiian home  
15   lands, or as grand jury counsel, shall be a deputy attorney  
16   general."

17           SECTION 2. Statutory material to be repealed is bracketed  
18   and stricken. New statutory material is underscored.

19           SECTION 3. This Act shall take effect upon its approval.

20

21                                   INTRODUCED BY: \_\_\_\_\_

22

BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

Department of Hawaiian Home Lands; Legal Counsel

**Description:**

Allows the Department of Hawaiian Home Lands to retain independent legal counsel as needed. Authorizes the Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned. Provides that funds owed to independent legal counsel shall be paid by the State.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INDEPENDENT  
LEGAL COUNSEL.

PURPOSE: Allows the Department of Hawaiian Home  
Lands to retain independent legal counsel  
to be paid by the State and also use the  
services of the Attorney General as  
needed when the interests of the State  
and the Department of Hawaiian Home Lands  
are aligned.

MEANS: Amend section 28-8.3(a) and (c), Hawaii  
Revised Statutes.

JUSTIFICATION: The department has a trust duty to its  
beneficiaries and in the fulfillment of its  
trust obligations, the department may at  
times be at odds with the interests of the  
State. It is at these times that the  
department must be assured that its counsel  
provides legal guidance strictly in the  
interest of its client. Independent counsel  
that is hired and retained by the department  
eliminates any cloud of uncertainty that  
there is a conflict of interest that the  
department is represented by the Attorney  
General's office that also represents the  
State of Hawaii.

Impact on the public: This proposal further  
protects the interest of beneficiaries of  
the Hawaiian Homes Commission Act by  
allowing the department to retain  
independent legal counsel.

Impact on the department and other agencies:  
This proposal could reduce the legal  
services provided by the Attorney General's  
office.

GENERAL FUND: \$500,000.



OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the requirements of  
2       section 174C-101(a), Hawaii Revised Statutes, providing that  
3       adequate reserves of water for current and foreseeable  
4       development of Hawaiian home lands be incorporated and protected  
5       decisions of the commission on water resource management can be  
6       improved through representation on the commission on water  
7       resource management. The purpose of this bill is to add the  
8       chairman of the Hawaiian homes commission or the chairman's  
9       designated representative to the commission on water resource  
10      management similar to the director of health or the director's  
11      designee.

12      SECTION 2. Section 174C-7, Hawaii Revised Statutes, is  
13      amended by amending subsections (a) and (b) to read as follows:

14      "(a) There is established within the department a  
15      commission on water resource management consisting of [~~seven~~  
16      eight members which shall have exclusive jurisdiction and final  
17      authority in all matters relating to implementation and

\_\_\_\_.B. NO.\_\_\_\_

1 administration of the state water code, except as otherwise  
2 specifically provided in this chapter.

3 (b) Five members shall be appointed by the governor  
4 subject to confirmation by the senate in the manner prescribed  
5 in subsection (d). Each ~~[member]~~ of these five members shall  
6 have substantial experience in the area of water resource  
7 management; provided that at least one member shall have  
8 substantial experience or expertise in traditional Hawaiian  
9 water resource management techniques and in traditional Hawaiian  
10 riparian usage such as those preserved by section 174C-101. The  
11 chairperson of the board of land and natural resources shall be  
12 the chairperson of the commission. The director of health or  
13 the director's designee shall serve as an ex officio[, ] voting  
14 member. The chairman of the Hawaiian homes commission or the  
15 chairman's designated representative shall also serve as an ex  
16 officio, voting member."

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

20

21 INTRODUCED BY: \_\_\_\_\_

22

BY REQUEST



\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

Water Commission; Membership; Chairman of the Hawaiian Homes  
Commission or Designee

**Description:**

Adds the Chairman of the Hawaiian Homes Commission or the  
Chairman's designated representative to the Commission on Water  
Resource Management.

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

PURPOSE: Adds the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to the Commission on Water Resource Management.

MEANS: Amend section 174C-7(a) and (b), Hawaii Revised Statutes.

JUSTIFICATION: The Water Code requires that planning decisions of the Commission on Water Resource Management ensure that sufficient water remain available for current and foreseeable development and use of Hawaiian Home Lands. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative should serve as an ex officio voting member of the Commission on Water Resource Management.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to serve as an ex officio voting member of the Commission on Water Resource Management.

Impact on the department and other agencies: An additional member would now serve on the Commission on Water Resource Management.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION: HHL 625.

OTHER AFFECTED

AGENCIES: Commission on Water Resource Management.

EFFECTIVE DATE: Upon approval.



\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO TAX EXEMPTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that lands utilized by  
2 the department of Hawaiian home lands to provide homesteads for  
3 native Hawaiians are offered at affordable rates when compared  
4 to similar development available in Hawaii. The purpose of this  
5 bill is to exempt any homestead development for the department  
6 of Hawaiian home lands from general excise taxes.

7       SECTION 2. Chapter 237, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10       "§237-       Exemptions for any homestead development for the  
11 department of Hawaiian home lands. (a) There shall be exempted  
12 from the measure of the taxes imposed by this chapter, all gross  
13 proceeds arising from the planning, design, financing, or  
14 construction of any homestead development for the department of  
15 Hawaiian home lands as provided in this section.

16       (b) The exemption shall be approved by the department of  
17 Hawaiian home lands and shall apply to the gross income derived  
18 by any qualified person or firm from a newly constructed or a

\_\_\_\_.B. NO.\_\_\_\_

1 moderately or substantially rehabilitated project that is

2 developed:

3 (1) For the department of Hawaiian home lands;

4 (2) Under a government assistance program approved by the

5 department of Hawaiian home lands;

6 (3) Under the sponsorship of a nonprofit organization

7 providing home rehabilitation or new homes for

8 qualified families in need of decent, low-cost

9 housing; or

10 (4) To provide affordable rental housing where at least

11 fifty per cent of the available units are for

12 households with incomes at or below eighty per cent of

13 the area median family income as determined by the

14 United States Department of Housing and Urban

15 Development.

16 (c) The allowable general excise tax and use tax costs

17 shall apply to contracting only and shall not exceed \$30,000,000

18 per year in the aggregate for all projects approved and

19 certified by the department of Hawaiian home lands; and

20 (d) All claims for exemption under this section shall be

21 filed with and certified by the department of Hawaiian home

22 lands and forwarded to the department of taxation by the

\_\_\_\_.B. NO.\_\_\_\_

1 claimant. Any claim for exemption that is filed and approved,  
2 shall not be considered a subsidy.

3 (e) The department of Hawaiian home lands may establish,  
4 revise, charge, and collect a reasonable service fee, as  
5 necessary, in connection with its approvals and certifications  
6 of the exemption under this section. The fees shall be  
7 deposited into the department of Hawaiian home lands  
8 administration account.

9 (f) For purposes of this section:

10 "Homestead development" means development of residential,  
11 agricultural, or pastoral lots to be awarded as homestead leases  
12 pursuant to the Hawaiian Homes Commission Act of 1920, as  
13 amended, including, but not limited to, on- and off-site  
14 infrastructure requirements, and dwelling units upon those lots.

15 "Moderately rehabilitated" means rehabilitation to upgrade  
16 a dwelling unit to a decent, safe, and sanitary condition, or to  
17 repair or replace major building systems or components in danger  
18 of failure.

19 "Substantially rehabilitated":

20 (1) Means the improvement of a property to a decent, safe,  
21 and sanitary condition that requires more than routine



\_\_\_\_.B. NO. \_\_\_\_\_

or minor repairs or improvements. It may include but

shall not be limited to:

(A) The gutting and extensive reconstruction of a

dwelling unit; or

(B) Cosmetic improvements coupled with the curing of

a substantial accumulation of deferred

maintenance; and

(2) Includes renovation, alteration, or remodeling to

convert or adapt structurally sound property to the

design and condition required for a specific use, such

as conversion of a hotel to housing for elders."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: \_\_\_\_\_

BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

Homestead Development; General Excise Tax Exemption

**Description:**

Exempts any homestead development for the Department of Hawaiian Home Lands from general excise taxes.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO TAX EXEMPTION.

PURPOSE: Exempts any homestead development for the Department of Hawaiian Home Lands from general excise taxes.

MEANS: Adds a new section to Chapter 237, Hawaii Revised Statutes.

JUSTIFICATION: The Department of Hawaiian Home Lands provides homesteads for native Hawaiians at affordable rates when compared to similar development available in Hawaii. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, any homestead development for the Department of Hawaiian Home Lands should be exempt from general excise taxes.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by exempting any homestead development for the Department of Hawaiian Home Lands from general excise taxes.

Impact on the department and other agencies: More funding could be allocated toward the development of homesteads instead of taxes.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.



\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

---

RELATING TO CESSPOOLS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the State's streams,  
2 groundwater, and ocean are being harmed by nonpoint  
3 contamination sources that flow directly off the land, rather  
4 than through pipes or ditches. Cesspools are a nonpoint  
5 contamination source of great concern. These substandard  
6 systems are essentially holes in the ground that do not treat  
7 wastewater but merely dispose of it.

8       The legislature further finds that there are approximately  
9 88,000 cesspools in the State, with nearly 50,000 on Hawaii  
10 island, approximately 14,000 on Kauai, over 12,000 on Maui, over  
11 11,000 on Oahu, and approximately 1,400 on Molokai.

12 Collectively, the State's cesspools release more than 53,000,000  
13 gallons of untreated sewage into the ground each day. Hawaii  
14 relies on groundwater for ninety per cent of its drinking water.

15       In response to the State's cesspool pollution problem,  
16 legislation was enacted in 2017 that requires all cesspools not  
17 excluded by the director of health to be upgraded or converted  
18 to septic systems or aerobic treatment unit systems, or

\_\_\_\_.B. NO.\_\_\_\_

1 connected to sewage systems by January 1, 2050. In order to  
2 work toward meeting this deadline, cesspools on Hawaiian home  
3 lands could be a good place to start.

4 The purpose of this Act is to establish a low interest loan  
5 program to offer financial assistance for lessees on Hawaiian  
6 home lands with cesspools to be upgraded or converted to septic  
7 systems or aerobic treatment unit systems, or connected to  
8 existing sewer systems or any other wastewater treatment systems  
9 approved by the department of health.

10 SECTION 2. Chapter 342D, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13 "§342D- Cesspool remediation and conversion loan  
14 program. (a) There is established the cesspool remediation and  
15 conversion loan program to be administered by the department in  
16 coordination with each county water and sewage department. The  
17 program may provide low interest loans to lessees of the  
18 department of Hawaiian home lands who:

19 (1) Upgrade or convert a cesspool to:

20 (A) A septic system; or

\_\_\_\_.B. NO.\_\_\_\_

1           (B) An aerobic treatment unit system, as defined in  
2                   section 342D-72 and approved by the department;  
3                   or

4       (2) Connect a cesspool to:

5           (A) An existing sewer system; or

6           (B) Any wastewater treatment system approved by the  
7                   department

8       (b) The loan program may include an on-bill financing  
9       option supported by the water pollution control revolving fund  
10       established in section 342D-83."

11           SECTION 3. Section 342D-83, Hawaii Revised Statutes, is  
12       amended by amending subsection (b) to read as follows:

13           "(b) The purpose of the revolving fund is to provide  
14       financial assistance to eligible parties for projects or  
15       activities to:

16           (1) Enable counties and state agencies to plan, design,  
17               and construct publicly owned wastewater treatment  
18               works in accordance with title 33 United States Code  
19               sections 1381 to 1387;

20           (2) Enable eligible parties to implement management  
21               programs established under title 33 United States Code  
22               section 1329;



\_\_\_\_.B. NO.\_\_\_\_

- 1           (3)   Enable eligible parties to implement conservation and  
2                   management plans established under title 33 United  
3                   States Code section 1330;
- 4           (4)   Enable eligible parties to construct, repair, or  
5                   replace a privately owned decentralized wastewater  
6                   treatment system and individual wastewater system that  
7                   treats municipal wastewater or domestic sewage under  
8                   title 33 United States Code section 1383;
- 9           (5)   Enable eligible nonprofit entities to provide  
10                  assistance to small and medium sized publicly owned  
11                  treatment works for training activities, planning,  
12                  design, and associated preconstruction activities  
13                  under title 33 United States Code section 1383;
- 14          (6)   Enable eligible parties to manage, reduce, treat, or  
15                  recapture stormwater or subsurface drainage water  
16                  under title 33 United States Code section 1383;
- 17          (7)   Enable eligible parties to develop and implement  
18                  watershed projects meeting the criteria under title 33  
19                  United States Code section 1274;
- 20          (8)   Enable counties and state agencies to reduce the  
21                  demand for publicly owned treatment works capacity

\_\_\_\_.B. NO.\_\_\_\_

1 through water conservation, efficiency, or reuse under

2 title 33 United States Code section 1383;

3 (9) Enable counties and state agencies to reduce the

4 energy consumption needs for publicly owned treatment

5 works under title 33 United States Code section 1383;

6 (10) Enable eligible parties to reuse or recycle

7 wastewater, stormwater, or subsurface drainage water

8 under title 33 United States Code section 1383; ~~and~~

9 (11) Enable eligible parties to increase the security of

10 publicly owned treatment works under title 33 United

11 States Code section 1383 ~~[-]~~; and

12 (12) Enable the department to coordinate with each county

13 agency responsible for wastewater to establish a low

14 interest loan program to upgrade or convert cesspools

15 for lessees on Hawaiian home lands to septic systems

16 or aerobic treatment unit systems, or to connect

17 cesspools to existing sewer systems or any other

18 wastewater treatment systems approved by the

19 department. "

20 SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

22

\_\_\_\_.B. NO.\_\_\_\_

1       SECTION 5.   This Act shall take effect upon its approval.

2

3                               INTRODUCED BY:\_\_\_\_\_

4   BY REQUEST



\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

Cesspools; Upgrade and Conversion; Low Interest Loan Program

**Description:**

Authorizes the Department of Health to coordinate with each county wastewater agency to establish a low interest loan program for lessees on Hawaiian Home Lands to upgrade or convert cesspools to septic systems or aerobic treatment unit systems, or to connect cesspools to existing sewer systems or other wastewater treatment systems approved by the department.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

## JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO CESSPOOLS.

PURPOSE: Establishes a low interest loan program to offer financial assistance for lessees on Hawaiian Home Lands with cesspools to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to existing sewer systems or any other wastewater treatment systems approved by the Department of Health.

MEANS: Adds a new section to Chapter 342D, Hawaii Revised Statutes.

JUSTIFICATION: Cesspools are a nonpoint contamination source of great concern. Collectively, the State's cesspools release more than 53 million gallons of untreated sewage into the ground each day. In response to the State's cesspool pollution problem, legislation was enacted in 2017 that requires all cesspools not excluded by the Director of Health to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to sewage systems by January 1, 2050. In order to work toward meeting this deadline, cesspools on Hawaiian Home Lands could be a good place to start.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by establishing a low interest loan program to offer financial assistance for lessees on Hawaiian Home Lands with cesspools to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to existing sewer systems or any other wastewater treatment systems approved by the Department of Health.

Impact on the department and other agencies:  
Reduce the number of cesspools across the  
State.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: Department of Health.

EFFECTIVE DATE: Upon approval.



\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO THE COUNTY BOARDS OF WATER SUPPLY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that article XII, section  
2   2, of the state constitution states in part that "The State and  
3   its people do further agree and declare that the spirit of the  
4   Hawaiian Homes Commission Act looking to the continuance of the  
5   Hawaiian homes projects for the further rehabilitation of the  
6   Hawaiian race shall be faithfully carried out." This obligation  
7   held by the State is also held by the counties, which are under  
8   article VIII of the state constitution political subdivisions of  
9   the State.

10       The legislature further finds that the lack of available  
11   water has been and remains a significant barrier to the State's  
12   ability to faithfully carry out Hawaiian homes projects. The  
13   county boards and departments of water supply have no  
14   administrative rules or policies for differentiating and  
15   prioritizing the development and provision of water for Hawaiian  
16   homes projects when compared to other State or even private  
17   projects and, therefore, some counties have treated the  
18   department of Hawaiian home lands like any other developer.

\_\_\_\_.B. NO.\_\_\_\_

1       The legislature further finds that working with the  
2 department of Hawaiian home lands, the commission on water  
3 resource management has set some ground water and surface water  
4 reservations for Hawaiian homes projects on Kaua`i, O`ahu,  
5 Moloka`i, Lāna`i, Maui, and Hawai`i islands, and continues to  
6 set additional reservations in partial fulfillment of the  
7 requirements of section 174C-101(a), Hawaii Revised Statutes.

8       The legislature further finds that this necessary action by  
9 the commission on water resource management will result in being  
10 nothing more than the noting of numbers on paper unless the  
11 counties as political subdivisions of the State, and  
12 particularly their boards and departments of water supply,  
13 fulfill their legal obligations to faithfully take actions  
14 within their powers to fulfill the Hawaiian Homes Commission Act  
15 in spirit and practice.

16       The purpose of this Act is to clarify requirements on the  
17 county boards of water supply to fulfill the Constitutional  
18 mandate.

19       SECTION 2. Chapter 54, Hawaii Revised Statutes, is amended  
20 by adding to part II a new section to be appropriately  
21 designated and to read as follows:

\_\_\_\_.B. NO.\_\_\_\_

1       "§54-     County boards of water supply and their obligation  
2 to the department of hawaiian home lands.   (a)   Prior to June 30  
3 of each fiscal year, each board of water supply shall transmit  
4 to the department of Hawaiian home lands an accounting of all  
5 water credits held by the county for all of their respective  
6 systems.   The department of Hawaiian home lands shall inform the  
7 counties by no later than September 30 of that same fiscal year  
8 the number of credits it requires for its uses under section 221  
9 of the Hawaiian Homes Commission Act. The boards shall reserve  
10 those credits for the use of the department of Hawaiian home  
11 lands and not allocate them to any other user unless the  
12 department of Hawaiian home lands surrenders those credits.

13       (b)   In the negotiation of any water development, water  
14 credit, or similar agreement, the counties shall not withhold  
15 any water developed by the department of Hawaiian home lands for  
16 the board of water supply's own use and allocation, but shall  
17 instead credit the department of Hawaiian home lands the full  
18 amount of credits justified by the water development.

19       (c)   Each board of water supply shall develop policies to  
20 implement in case of water shortage that do not call for equal  
21 percentage reductions in use, but rather first require  
22 reductions in non public trust uses of water, including the uses



\_\_\_\_.B. NO.\_\_\_\_

1 on Hawaiian home lands under section 221 of the Hawaiian Homes  
2 Commission Act.

3 (d) No later than July 30, 2023, each board of water  
4 supply shall apply for water licenses of any waters they develop  
5 or have in their system emanating from state lands, under  
6 section 171-58.

7 (e) This section shall apply to the board of water supply  
8 and the counties notwithstanding any provisions in a county  
9 charter or ordinance to the contrary."

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

14 INTRODUCED BY: \_\_\_\_\_

15 BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

County Boards of Water Supply; Department of Hawaiian Home Lands

**Description:**

Clarifies requirements on the County Boards of Water Supply.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE COUNTY  
BOARDS OF WATER SUPPLY.

PURPOSE: Clarify requirements on the County Boards  
of Water Supply.

MEANS: Add a new section to part II of chapter 54,  
Hawaii Revised Statutes (HRS).

JUSTIFICATION: The lack of available water has been and  
remains a significant barrier to the State's  
ability to faithfully carry out Hawaiian  
Homes projects. The County Boards and  
Departments of Water Supply have no  
administrative rules or policies for  
differentiating and prioritizing the  
development and provision of water for  
Hawaiian Homes projects when compared to  
other State or even private projects. In  
order to further the interest of  
beneficiaries of the Hawaiian Homes  
Commission Act, this bill clarifies the  
requirements on the County Boards of Water  
Supply.

Impact on the public: This proposal further  
protects the interest of beneficiaries of  
the Hawaiian Homes Commission Act by  
clarifying the requirements on the Boards of  
Water Supply.

Impact on the department and other agencies:  
More accountability for the allocation of  
water for current and foreseeable  
development and use of Hawaiian Home Lands.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM



DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO THE COUNTY BOARDS OF WATER SUPPLY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that working with the  
2 department of Hawaiian home lands, the commission on water  
3 resource management has set some ground water and surface water  
4 reservations for Hawaiian homes projects on Kaua`i, O`ahu,  
5 Moloka`i, Lāna`i, Maui, and Hawai`i islands, and continues to  
6 set additional reservations in partial fulfillment of the  
7 requirements of section 174C-101(a), Hawaii Revised Statutes.

8       The legislature further finds that this necessary action by  
9 the commission on water resource management will result in being  
10 nothing more than the noting of numbers on paper unless the  
11 counties as political subdivisions of the State, and  
12 particularly their boards and departments of water supply,  
13 fulfill their legal obligations to faithfully take actions  
14 within their powers to fulfill the Hawaiian Homes Commission Act  
15 in spirit and practice.

16       The purpose of this Act is to add representation on the  
17 county boards of water supply of the interests to be served by  
18 the allocation of water for current and foreseeable development

\_\_\_\_.B. NO.\_\_\_\_

1 and use of Hawaiian home lands as set forth in section 221 of  
2 the Hawaiian Homes Commission Act.

3 SECTION 2. Section 54-12, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§54-12 Board of water supply. If a county does not have  
6 an existing board of water supply, there shall be a board of  
7 water supply for each county consisting of seven members of whom  
8 five shall be nominated, and by and with the advice and consent  
9 of the council, appointed by the mayor, provided that at least  
10 one of the five members shall represent the interests to be  
11 served by the allocation of water for current and foreseeable  
12 development and use of Hawaiian home lands as set forth in  
13 section 221 of the Hawaiian Homes Commission Act, one of whom  
14 shall be the state district engineer of the state department of  
15 transportation and one of whom shall be the chief engineer of  
16 the respective county.

17 No employee or officer of any county shall be eligible to  
18 serve as a board member, except as otherwise provided herein.

19 The members of the board shall serve without pay, but shall  
20 be reimbursed for their reasonable expenses incurred in the  
21 discharge of their duties as members of the board.



\_\_\_\_.B. NO.\_\_\_\_

1       The term of office of each appointed member of the board  
2 shall be five years from the date of the member's appointment;  
3 provided that of the initial members one shall be appointed for  
4 a term to expire on January 1, 1963; one for a term to expire on  
5 January 1, 1964; one for a term to expire on January 1, 1965;  
6 one for a term to expire on January 1, 1966; and one for a term  
7 to expire on January 1, 1967. Any vacancy occurring on the  
8 board shall be filled in accordance with the foregoing  
9 provisions for the unexpired portion of the term concerned."

10       SECTION 3. Section 54-52, Hawaii Revised Statutes, is  
11 amended to read as follows:

12       "**§54-52 Appointment.** The eight appointive members of the  
13 board of water supply shall be appointed by the chairperson of  
14 the council of the county, with the approval of the council[÷],  
15 provided that at least two of the eight members shall represent  
16 the interests to be served by the allocation of water for  
17 current and foreseeable development and use of Hawaiian home  
18 lands as set forth in section 221 of the Hawaiian Homes  
19 Commission Act. The chairperson shall likewise designate the  
20 chairperson of the board of water supply from among the  
21 appointive members. The members of the board shall serve  
22 without pay, but shall be reimbursed for their reasonable

\_\_\_\_.B. NO.\_\_\_\_

1 expenses. Each member of the board shall be, at the time of the  
2 member's appointment, an elector of the county of Hawaii and  
3 shall have been such for at least three years next preceding the  
4 member's appointment. Any member of the board may be removed  
5 from office by the chairperson of the council of the county,  
6 with the approval of the council.

7 Membership of the board shall include four members who are  
8 residents of the district of North or South Hilo[+], provided  
9 that at least one of the four members shall represent the  
10 interests to be served by the allocation of water for current  
11 and foreseeable development and use of Hawaiian home lands as  
12 set forth in section 221 of the Hawaiian Homes Commission Act  
13 and; one of the four members shall be the person who for the  
14 time being shall be the legal incumbent of the office of the  
15 chief engineer of the department of public works of the county.  
16 In addition, one member shall be a resident of the district of  
17 North Kona or South Kona, one member shall be a resident of the  
18 district of North Kohala or South Kohala, one member shall be a  
19 resident of the district of Hamakua, one member shall be a  
20 resident of the district of Puna, and one member shall be a  
21 resident of the district of Kau. Of these five members from  
22 different geographic regions of the county of Hawaii, at least

\_\_\_\_.B. NO.\_\_\_\_

1 one of the five members shall represent the interests to be  
2 served by the allocation of water for current and foreseeable  
3 development and use of Hawaiian home lands as set forth in  
4 section 221 of the Hawaiian Homes Commission Act.

5       The term of office of the appointive members of the board  
6 shall be five years from and after the date of their respective  
7 appointments. Any vacancy occurring on the board shall be  
8 filled by appointment. The one appointed to fill the vacancy  
9 shall serve only for the unexpired term of the person whom the  
10 appointive member succeeds. Officers and employees of the  
11 county of Hawaii shall not be eligible for appointive membership  
12 on the board."

13       SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15       SECTION 5. This Act shall take effect upon its approval.

16

17                                   INTRODUCED BY: \_\_\_\_\_

18

BY REQUEST



\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

County Boards of Water Supply; Department of Hawaiian Home Lands

**Description:**

Adds representation on the County Boards of Water Supply of the interests to be served by the allocation of water for current and foreseeable development and use of Hawaiian Home Lands as set forth in section 221 of the Hawaiian Homes Commission Act.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE COUNTY  
BOARDS OF WATER SUPPLY.

PURPOSE: Adds representation on the County Boards  
of Water Supply of the interests to be  
served by the allocation of water for  
current and foreseeable development and  
use of Hawaiian Home Lands as set forth  
in section 221 of the Hawaiian Homes  
Commission Act.

MEANS: Amends sections 54-12 and 54-52, Hawaii  
Revised Statutes (HRS).

JUSTIFICATION: In order to further the interest of  
beneficiaries of the Hawaiian Homes  
Commission Act, this bill adds  
representation on the County Boards of Water  
Supply.

Impact on the public: This proposal further  
protects the interest of beneficiaries of  
the Hawaiian Homes Commission Act by adding  
representation on the Boards of Water  
Supply.

Impact on the department and other agencies:  
More accountability for the allocation of  
water for current and foreseeable  
development and use of Hawaiian Home Lands.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE:       Upon approval.



\_\_\_\_.B. NO.\_\_\_\_

---

# A BILL FOR AN ACT

---

RELATING TO COUNTIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that lands utilized by  
2 the department of Hawaiian home lands to provide housing for  
3 native Hawaiians are offered at affordable rates when compared  
4 to similar housing available in Hawaii. The purpose of this Act  
5 is to require counties to provide for the maintenance of  
6 infrastructure for any housing development for the department of  
7 Hawaiian home lands within a specified time and under certain  
8 conditions.

9       SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
10 by adding to Part I a new section to be appropriately designated  
11 and to read as follows:

12       "§46-   Infrastructure maintenance; housing development  
13 for the department of hawaiian home lands. (a) Notwithstanding  
14 any other provision to the contrary, infrastructure for any  
15 housing development for the department of Hawaiian home lands  
16 shall be maintained by the county in which the housing  
17 development is located commencing sixty days after the receipt

\_\_\_\_.B. NO.\_\_\_\_

1 by the appropriate county council of a completed application for  
2 maintenance request; provided that:

3 (1) Applicable meter and connection fees and utility costs  
4 relating to the infrastructure have been paid;

5 (2) The infrastructure conforms to applicable county  
6 standards in effect at the time of construction; and

7 (3) The completion of the improvements of the  
8 infrastructure is granted approval by the county.

9 (b) For the purposes of this section:

10 "Infrastructure" includes waterlines and appurtenances,  
11 storm drainage, including catch basins, sewerlines and  
12 appurtenances, waste disposal and waste treatment systems,  
13 roadway improvements including pavement, gutters, curbing,  
14 sidewalks, street trees, and street lighting that connect to  
15 county infrastructure."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

18  
19 INTRODUCED BY: \_\_\_\_\_

20 BY REQUEST

\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

Counties; Department of Hawaiian Home Lands; Infrastructure

**Description:**

Requires counties within sixty days to maintain infrastructure, under specified conditions, as part of any housing development for the Department of Hawaiian Home Lands.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*



JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO COUNTIES.

PURPOSE: Requires the counties within 60 days to maintain infrastructure, under specified conditions, as part of any housing development for the Department of Hawaiian Home Lands.

MEANS: Add a new section to part I of chapter 46, Hawaii Revised Statutes.

JUSTIFICATION: The Department of Hawaiian Home Lands complies with County requirements when developing subdivisions, yet the maintenance of infrastructure is often still the responsibility of the Department.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by requiring the Counties to maintain infrastructure as part of any housing development for the Department of Hawaiian Home Lands.

Impact on the department and other agencies: More funding could be allocated toward the development of housing instead of maintenance of infrastructure.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.

\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

---

RELATING TO HISTORIC PRESERVATION REVIEWS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that section 6E-8, Hawaii  
2 Revised Statutes, plays an important role in the protection and  
3 management of the State's historic properties and burial sites.  
4 Section 6E-8(b) requires the department of Hawaiian home lands,  
5 prior to any proposed project relating to lands under its  
6 jurisdiction, to consult with the department of land and natural  
7 resources regarding the effect of the project upon historic  
8 property or a burial site. The purpose of this Act is to allow  
9 the department of Hawaiian home lands to assume review of the  
10 effect of any proposed project on historic properties or burial  
11 sites for lands under its jurisdiction.

12       SECTION 2. Section 6E-8, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14       "(b) The department of Hawaiian home lands [~~7, prior to~~]  
15 may assume review of any proposed project relating to lands  
16 under its jurisdiction [~~7, shall consult with the department~~]  
17 regarding the effect of the project upon historic property or a  
18 burial site."

\_\_\_\_.B. NO.\_\_\_\_

1       SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3       SECTION 4. This Act shall take effect upon its approval.

4

5                           INTRODUCED BY:\_\_\_\_\_

6

BY REQUEST



\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

DHHL; Project Reviews of Proposed State Projects

**Description:**

Allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.

PURPOSE: Allow the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

MEANS: Amend section 6E-8(b), Hawaii Revised Statutes.

JUSTIFICATION: Instead of requiring the Department of Hawaiian Home Lands to consult with the Department of Land and Natural Resources regarding the effect of a project upon historic properties or burial sites, this proposal would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review.

Impact on the public: This proposal advances the interest of beneficiaries of the Hawaiian Homes Commission Act by streamlining the review process for any proposed project on Hawaiian Home Lands.

Impact on the department and other agencies: The Department of Hawaiian Home Lands would assume this function for lands under its jurisdiction freeing up those resources for the Department of Land and Natural Resources to service other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED

AGENCIES:

Department of Land and Natural Resources.

EFFECTIVE DATE:

Upon approval.



\_\_\_\_.B. NO.\_\_\_\_

---

# A BILL FOR AN ACT

---

RELATING TO GAMBLING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that gambling is now  
2 legal in 48 out of 50 states. For the people of Hawaii,  
3 gambling is as popular as it is in the rest of the country, but  
4 it remains illegal within its borders. With no local venues or  
5 tax for gambling, Hawaii is a target market for a growing number  
6 of jurisdictions where gambling is legal. Hawaii generates  
7 hundreds of millions of dollars, perhaps billions, in economic  
8 activity for other jurisdictions and in return, receives no  
9 benefit. Hawaii residents take a total of about 500,000 total  
10 trips to Las Vegas, and other gambling destinations each year  
11 with many taking multiple trips per year. In 2011, it was  
12 reported that Boyd Gaming, a Nevada-based gaming corporation,  
13 earns about \$600 million from Hawaii annually. In 2021, the CEO  
14 of Boyd Gaming disclosed on an investor call that the company  
15 relies heavily on gamblers coming from Hawaii. Gaming revenues  
16 for Boyd Gaming from downtown Las Vegas, where locals often  
17 visit, declined 63 percent to \$257.7 million as a result of  
18 COVID travel restrictions. A longtime lobbyist for gambling

\_\_\_\_.B. NO.\_\_\_\_

1 interests in Hawaii testified to the Committee on Tourism in  
2 2012 that the "prohibition of that which is legal nearly  
3 everywhere else costs Hawaii \$1 billion each year in outgoing  
4 dollars and returns none."

5 Even with prohibition, Hawaii also carries an economic  
6 burden from gambling. A 2009 study by the National Council on  
7 Problem Gambling estimated that the social costs of gambling  
8 addiction in Hawaii from twenty thousand problem gamblers and  
9 ten thousand pathological gamblers was \$26.3 million; however,  
10 no public funding was provided for gambling treatment and  
11 prevention. Although the Honolulu Police Department only  
12 reported fifty-one arrests in 2020 and thirty-four arrests in  
13 2019 for gambling offense, there are believed to be  
14 approximately seventy to one hundred illegal gambling rooms in  
15 Oahu alone.

16 Legislation introduced last year proposed to authorize  
17 limited casino gaming in the form of a single integrated resort  
18 property on Hawaiian home lands designated for commercial use on  
19 the island of Oahu excluding lands west of Ko Olina in order to  
20 address historic funding shortfalls to the department of  
21 Hawaiian home lands. With over twenty-eight thousand native  
22 Hawaiians awaiting homestead leases, the department of Hawaiian

\_\_\_\_.B. NO.\_\_\_\_

1 home lands struggles to develop land and lots. Current costs  
2 for infrastructure development, borne by the department, are in  
3 excess of \$150,000 per lot. In order to fulfill the needs of  
4 the current waitlist, the department requires over \$6 billion  
5 for infrastructure costs alone to serve its beneficiaries. This  
6 significant sum is separate and apart from costs for maintenance  
7 of existing lessee communities housing nearly ten thousand  
8 beneficiaries, upkeep of several utility systems, and other  
9 costs. Over the last decade, the legislature has funded the  
10 department at levels higher than in years past, which has  
11 provided increased opportunity for the department of Hawaiian  
12 home lands to increase its reach. However, by conservative  
13 estimates, it will take the department at least another hundred  
14 years to meet the needs of its beneficiaries at current funding  
15 levels.

16 In response to this legislation, the Hawaii state  
17 commission on the status of women released a gender impact  
18 statement titled "Gambling With Women's Safety: A Feminist  
19 Assessment of Proposed Resort-Casino" essentially concluding  
20 that gambling is a public health issue that is tied to  
21 significant community harm and linked to sex trafficking and  
22 other gender-based violence.



\_\_\_\_.B. NO.\_\_\_\_

1       The purpose of this Act is to require the department of  
2       Hawaiian home lands to study the feasibility and revenue to be  
3       generated by limited casino gaming, address the public health  
4       concerns, and determine ideal factors for the siting of an  
5       integrated resort property that would minimize the social impact  
6       or even provide a mechanism for host communities to bid for such  
7       a resort.

8       SECTION 2. The department of Hawaiian home lands shall  
9       conduct a study on the feasibility and revenue to be generated  
10      by limited gaming, address the public health concerns, and  
11      determine ideal factors for the siting of an integrated resort  
12      property that would minimize the social impact or even provide a  
13      mechanism for host communities to bid for such a resort.

14      The department shall submit a report of its findings and  
15      recommendations, including any proposed legislation, to the  
16      legislature no later than twenty days prior to the convening of  
17      the regular session of 2023.

18      SECTION 3. There is appropriated out of the general  
19      revenues the sum of \$500,000 or so much thereof as may be  
20      necessary for fiscal year 2022-2023 for the purpose of funding  
21      this study.

\_\_\_\_.B. NO.\_\_\_\_

1       The sum appropriated shall be expended by the department of  
2 Hawaiian home lands for the purposes of this Act.

3       SECTION 4. This Act shall take effect upon its approval.

4

5                                   INTRODUCED BY:\_\_\_\_\_

6   BY REQUEST

\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

Gambling; Study; Appropriation

**Description:**

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*



## JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO GAMBLING.

PURPOSE: Appropriates funding for the Department of Hawaiian Home Lands to study the feasibility and revenue to be generated by limited casino gaming, address the public health concerns, and determine ideal factors for the siting of an integrated resort property that would minimize the social impact or even provide a mechanism for host communities to bid for such a resort.

MEANS: Appropriates general revenues.

JUSTIFICATION: Hawaii generates hundreds of millions of dollars, perhaps billions, in economic activity for other jurisdictions and in return receives no benefit and must still address the social ills that occur in the State. In addition, the needs of the over twenty-eight thousand native Hawaiians on the DHHL homestead applicant waitlist requires over six billion dollars for infrastructure costs alone, which is separate and apart from costs for maintenance of existing lessee communities housing nearly ten thousand beneficiaries. A study on the feasibility and revenue to be generated by limited casino gaming while also addressing the public health concerns and factors for the siting of an integrated resort could help better inform decision making on this issue.

Impact on the public: This proposal advances the fiduciary obligation to study a funding alternative to develop land and lots for beneficiaries of the Hawaiian Homes Commission Act.

Impact on the department and other agencies:  
This study could identify funding that is  
leaving the State of Hawaii.

GENERAL FUND: \$500,000.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

# A BILL FOR AN ACT

HHL-10 (22)



\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

Interim rules; Department of Hawaiian Home Lands

**Description:**

Allows the Department of Hawaiian Home Lands after beneficiary consultation and upon approval by the Hawaiian Homes Commission to issue interim rules that shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes, as long as the interim rules shall be effective for not more than eighteen months.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

## JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INTERIM RULES.

PURPOSE: Allows the Department of Hawaiian Home Lands after beneficiary consultation and upon approval by the Hawaiian Homes Commission to issue interim rules which shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes (HRS), as long as the interim rules shall be effective for not more than eighteen months.

MEANS: Add a new section to chapter 91, HRS.

JUSTIFICATION: The Department of Hawaiian Home Lands is currently authorized to adopt rules in accordance with chapter 91, HRS, which can be a lengthy and time-consuming process when the Department conducts beneficiary consultation prior to initiating the rule making process. This amendment will enable the Department to move quickly in issuing interim rules after beneficiary consultation and upon approval by the Hawaiian Homes Commission on important programs and services. The eighteen-month limitation on the life of the interim rules will further ensure that the Department has adequate time to adopt permanent rules through formal rulemaking procedures.

Impact on the public: This proposal advances the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing the Department to issue interim rules on important programs and services that can be implemented soon after beneficiary consultation and upon approval by the Hawaiian Homes Commission.

Impact on the department and other agencies:  
Interim rules will allow the Department to  
better serve its beneficiaries.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.



**CHAPTER 204.5(5)**  
**COMPLIANCE AND ENFORCEMENT PROGRAM**  
**(DRAFT)**

Section

- 204.5(5)-1 Hawaiian Homes Commission, powers and duties
- 204.5(5)-2 Compliance and Enforcement special fund; established
- 204.5(5)-3 Hawaiian Homes Commission, delegation of authority
- 204.5(5)-4 Compliance and Enforcement officers, duties; other law enforcement officers
- 204.5(5)-5 Hawaiian Homes Commission, police powers
- 204.5(5)-6 Summons or citation
- 204.5(5)-7 Failure to obey a summons
- 204.5(5)-8 Search and seizure; forfeiture of property

**§204.5(5)-1 Hawaiian Homes Commission, powers and duties.** The Hawaiian Homes Commission shall establish within the department of Hawaiian home lands a compliance and enforcement program relating to the enforcement of the hawaiian commission act, and rules adopted thereunder, and shall employ or appoint, and remove, the following persons, subject to chapter 76 and section 78-1, who shall be provided with suitable badges or insignia of office by the department of Hawaiian home lands.

(a) An enforcement chief of the department of Hawaiian home lands, who shall be the head of the compliance and enforcement program and shall have charge, direction, and control, subject to the direction and control of the commission, of all matters relating to the enforcement of the Hawaiian Homes Commission Act and rules adopted thereunder and such other matters as the Commission may from time to time direct. The enforcement chief shall be an administrator experienced in law enforcement and management; and

(b) Personnel and enforcement officers of the compliance and enforcement program, including but not limited to enforcement officers on a voluntary basis and without pay.

**§204.5(5)-2 Compliance and enforcement special fund; established.**

- (a) There is hereby established in the state treasury a special fund known as the compliance and enforcement special fund, which shall be administered by the department.
- (b) The following shall be deposited into the compliance and enforcement special fund:

- (1) Grants, awards, donations, gifts, transfers, or moneys derived from public or private sources for the purposes of enforcing the provisions of the Hawaiian homes commission act, HAR Title 33-38 and HRS Chapters 134-139;

- (2) Fees, reimbursements, administrative charges, and penalties collected for activities related to the enforcement of the Hawaiian Homes Commission Act and Title 10 HAR except as otherwise provided by law that provides for deposits into other special funds administered by the department;

- (3) Moneys derived from interest, dividends, or other income from the above-mentioned sources; and

- (4) Appropriations by the legislature to the special fund.

- (c) The compliance and enforcement special fund shall be used for expenditures, including but not limited to:

- (1) Training;
  - (2) Research;
  - (3) Equipment;
  - (4) Preparation and dissemination of information to the public;
  - (5) Data collection and development;
  - (6) Information technology;
  - (7) Safety;
  - (8) Wireless communication;
  - (9) Management;

- (10) Travel;
  - (11) Equipment rental;
  - (12) Maintenance and Repairs;
  - (13) Planning;
  - (14) Information;
  - (15) Education;
  - (16) Operations;
  - (17) Maintenance functions authorized and deemed necessary by the Hawaiian Homes Commission;
  - (18) Funding for consultants or contractual hires related to the enforcement of:
    - (A) Hawaiian Homes Commission Act;
    - (B) Title 10 HAR
    - (C) Any rule adopted thereunder; and
  - (19) Work performed in cooperation with enforcement authorities of the State, the counties, and the federal government.
- (d) The fund shall be held separate and apart from all other moneys, funds, and accounts in the department, except that any moneys received from the federal government or from private contributions shall be deposited and accounted for in accordance with conditions established by the department and agencies or persons from whom the moneys are received. Any balance remaining in the fund at the end of any fiscal year shall be carried forward in the fund for the next fiscal year.
- (e) As used in this section, "department" means the department of hawaiian home lands.

**§204.5(5)-3 Hawaiian Homes Commission, delegation of authority.**

The Hawaiian Homes Commission may delegate to enforcement officers within the compliance and enforcement program, such authority as may be required for enforcement of Hawaiian Homes Commission Act, HAR Title 10, and rules adopted thereunder, and all other county, state and federal laws and rules adopted thereunder.



**§204.5(5)-4 Compliance and enforcement officers, duties; other law enforcement officers.**

(a) The compliance and enforcement officers, with respect to the Hawaiian Home Lands Trust, including all homestead communities, forest reserves, forests, aquatic life and wildlife areas shall:

(b) Investigate complaints, gather evidence, conduct investigations, and conduct field observations and inspections as required or assigned;

(c) Cooperate with enforcement authorities of the State, counties, and federal government in development of programs and mutual aid agreements for compliance enforcement activities within the State;

(d) Check and verify all homestead leases, general leases, permits, and licenses and all other land dispositions issued by the department of hawaiian home lands;

(e) Enforce the laws relating to firearms, ammunition, and dangerous weapons contained in HRS chapter 134;

(f) Carry out other duties and responsibilities as the Hawaiian Homes Commission as directed.

(g) Every state and county officer charged with the enforcement of laws and ordinances shall enforce and assist in the enforcement of the Hawaiian Homes Commission Act; title 10 and rules adopted thereunder and in the enforcement of HRS chapters 266 and of all rules adopted thereunder.

**§204.5(5)-5 Hawaiian Homes Commission, police powers.**

(a) The Hawaiian Homes Commission shall have police powers and may appoint and commission enforcement officers within the compliance and enforcement program. Persons appointed and commissioned under this section shall have and may exercise all of the powers and authority of a police officer, including the power of arrest, and in addition to enforcing the Hawaiian Homes Commission Act and rules adopted thereunder, may enforce all other state laws and rules, and county ordinances within all lands and waters of the Hawaiian Home Lands Trust; provided that such powers shall remain in force and effect only while in actual performance of their duties, which shall include off-duty employment when such employment is for other state departments or agencies. These enforcement officers shall consist of personnel whose primary duty will be the

enforcement of the hawaiian homes commission act and the rules adopted thereunder within the areas under the jurisdiction of the department of hawaiian home lands.

(b) An enforcement officer, upon arresting any person for violation of the hawaiian homes commission act or any rule adopted thereunder, may immediately take the person arrested to a police station or before a district judge, or take the name, address, and any licenses or permits, if any, of the person, and note the violation of the law or rule by the person, and issue the person a summons or citation, printed in the form described, warning the person to appear and to answer to the charge against the person at a certain place and time within seven days after the arrest. Any person failing to obey a summons issued pursuant to this section shall be subject to section 204.5(5)-7.

#### **§204.5(5)-6 Summons or citation.**

There shall be a form of summons or citation for use in citing violators of the hawaiian homes commission act and rules adopted thereunder, which do not mandate the physical arrest of the violators. The summons or citation shall be printed in a form commensurate with the form of other summons or citation used in modern methods of arrest and shall be so designed to include all necessary information to make it valid and legal within the laws and rules of the State. The form and content of the summons or citation shall be adopted or prescribed by the district courts.

In every case where a summons or citation is issued, the original of the same shall be given to the violator; provided that the district courts may prescribe the issuance to the violator of a carbon copy of the summons or citation and provide for the disposition of the original and any other copies. Every summons or citation shall be consecutively numbered and each carbon copy shall bear the number of its respective original.

#### **§204.5(5)-7 Failure to obey a summons.**

Any person who fails to appear at the place and within the time specified in the summons or citation issued by the officers or their agents or subordinates, upon that person's arrest for violation of hawaiian home commission act and rules adopted thereunder, shall be guilty of a petty misdemeanor and, upon conviction, shall be fined not more than \$500 or be imprisoned not more than thirty days, or both.

If any person fails to comply with a summons or citation issued, or if any person fails or refuses to deposit bail as required and within the time permitted, the officers shall cause a complaint to be entered against the person and secure the issuance of a warrant for the person's arrest.



When a complaint is made to any prosecuting officer of the violation of the hawaiian homes commission act and rules adopted thereunder, the officer who issued the summons or citation shall subscribe to it under oath administered by another official or officials of the department of hawaiian home lands whose names have been submitted to the prosecuting officer and who have been designated by the chairperson of the hawaiian homes commission to administer the same.

**§204.5(5)-8 Search and seizure; forfeiture of property.**

(a) Any police officer or agent of the department of hawaiian home lands upon whom the hawaiian homes commission has conferred police officers, shall have the authority to conduct searches on probable cause as provided by law and to seize any equipment, article, instrument, aircraft, vehicle, vessel, business records, or natural resource used or taken in violation of the provisions contained in the hawaiian homes commission act, and any rules adopted thereunder. For purposes of this section, "natural resource" includes any archaeological artifacts, minerals, any aquatic life or wildlife or parts thereof, including their eggs, and any land plants or parts thereof, including seeds.

(b) Any equipment, article, instrument, vehicle, vessel, business records, or natural resource seized is subject to forfeiture pursuant to HRS chapter 712A. Unless otherwise directed by the respective court pursuant to HRS chapter 712A, any item, other than a natural resource, seized shall be ordered forfeited to the State for disposition as determined by the department, or may be destroyed, or may be kept and retained and utilized by the department or any other state agency. If not needed or required by the department or other state agency, the forfeited items shall be disposed of as provided by HRS chapter 712A. Notwithstanding any other law to the contrary, any live natural resource seized may be immediately returned to its natural environment or suitable habitat or may be disposed of as determined by the department; provided that if the natural resource disposed of was unlawfully seized, the department shall be liable to the owner for the fair market value of the items disposed of.

(c) The department of hawaiian home lands shall compile a list of all equipment, articles, instruments, vehicles, vessels, or any natural resource forfeited as provided in this section and shall publish the list in its annual report.



JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO ADOPTION.

PURPOSE: Recognize biological relationship in adoptions to allow the transfer or successorship of a beneficiary interest.

MEANS: Amend section 578-16, Hawaii Revised Statutes.

JUSTIFICATION: The effect of adoption could impact the ability for a family member to succeed to a homestead lease, so allowing the Department discretion through the enactment of rules could help to address nuances for beneficiaries.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing for rules that could address issues specific to beneficiaries.

Impact on the department and other agencies: This proposal could minimize any amendments that could have a detrimental impact to the general public while addressing the nuances specific to the Department.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.


EFFECTIVE DATE: Upon approval.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Paula Aila, Acting Administrator,   
Contact & Awards Division

FROM: Moana Freitas, Case Management Specialist  
Contact & Awards Division

SUBJECT: **Rescission of Homestead Lease Award and Reinstatement  
of Application - Laiopua Villages 4 & 5, Undivided  
Interest**

MOTION/ACTION

1. To approve the rescission of two (2) Undivided Interest Residential Lease, Laiopua Villages 4 & 5, which commenced on December 3, 2005.
2. To reinstate two (2) residential lease applications to the appropriate Residential Lease Waiting list according to the original date of application.

DISCUSSION

On October 29, 2005, at the Laiopua Villages 4 & 5 Undivided Interest Selection Meeting, Mililani Raymond-Kanehailua and Lee Ann M. Kamoku executed the selection agreement and the lease award was approved on December 3, 2005.

The following leases will be rescinded because the Undivided Interest Lessee selected a unit in the Lai Opuu Village 4 - Akau Subdivision - Rent with Option to Purchase. They will return to the Application list according to their original date of application.

<u>NAME</u>	<u>LEASE INFORMATION</u>	<u>APPLICATION INFORMATION</u>
Raymond-Kanehailua, Lease No. 10870 Mililani	Commencement Date: 12/03/05 Area: Laiopua Village 4&5	Hawaii IW Res Area Code: 393 App Date: 11/29/01
Kamoku, Lee Ann M	Lease No. 10892 Commencement Date: 12/03/05 Area: Laiopua Village 4&5	Hawaii IW Res Area Code: 393 App Date: 05/21/03

ITEM NO. C-8


**HAWAIIAN HOMES COMMISSION  
AUGUST 16 & 17, 2021  
INTERACTIVE CONFERENCE  
TECHNOLOGY  
9:30 A.M.**

**D – ITEMS  
HOMESTEAD SERVICES DIVISION**



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission  
From: Juan Garcia, HSD Administrator   
SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

- Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports
- Exhibit B: Delinquency Report
- Exhibit C: DHHL Guarantees for FHA Construction Loans

August 16, 2021

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

# LEASE ACTIVITY REPORT

Month through July 31, 2021

	As of 6/30/21	Add	Cancel	As of 7/31/21
Residential	8,465	6	3	8,468
Agricultural	1,092	2	1	1,093
Pastoral	410	3	0	413
<b>Total</b>	<b>9,967</b>	<b>11</b>	<b>4</b>	<b>9,974</b>

The cumulative number of Converted Undivided Interest Lessees represents an increase of 532 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 6/30/21	Converted	Rescinded/ Surrendered/ Cancelled	As of 7/31/21
Undivided	790	1	0	789

Balance as of 7/31/2021

Awarded	1,434
Relocated to UNDV	7
Rescinded	111
Surrendered	5
Cancelled	4
Converted	<u>532</u>
Balance to Convert	789

**Lease Report For the Month Ending July 31, 2021**

	----- RESIDENCE -----				----- AGRICULTURE -----				----- PASTURE -----				----- TOTAL LEASES -----			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
<b>OAHU</b>																
Kakaina	25	0	0	25	0	0	0	0	0	0	0	0	25	0	0	25
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	0	90	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	0	399	0	0	399
Kapolei	182	0	2	180	0	0	0	0	0	0	0	0	182	0	2	180
Kau'ukaha'i	112	5	0	117	0	0	0	0	0	0	0	0	112	5	0	117
Kaupea	326	0	0	326	0	0	0	0	0	0	0	0	326	0	0	326
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	249	0	0	249	0	0	0	0	0	0	0	0	249	0	0	249
Kumuhau	52	0	0	52	0	0	0	0	0	0	0	0	52	0	0	52
Lualualei	147	0	0	147	31	0	0	31	0	0	0	0	178	0	0	178
Malu'ohai	226	0	0	226	0	0	0	0	0	0	0	0	226	0	0	226
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	0	1,045	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	271	0	0	271	0	0	0	0	0	0	0	0	271	0	0	271
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	421	0	0	421	11	1	0	12	0	0	0	0	432	1	0	433
Waimanalo	721	0	0	721	2	0	0	2	0	0	0	0	723	0	0	723
<b>TOTAL</b>	<b>4,349</b>	<b>5</b>	<b>2</b>	<b>4,352</b>	<b>60</b>	<b>1</b>	<b>0</b>	<b>61</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,409</b>	<b>6</b>	<b>2</b>	<b>4,413</b>
<b>MAUI</b>																
Hikina	31	0	0	31	0	0	0	0	0	0	0	0	31	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	75	0	0	75	75	0	0	75
Keokea	0	0	0	0	65	0	0	65	0	0	0	0	65	0	0	65
Leialii	104	0	1	103	0	0	0	0	0	0	0	0	104	0	1	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	0	178	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	114	0	0	114	0	0	0	0	0	0	0	0	114	0	0	114
Waiehu 4	97	0	0	97	0	0	0	0	0	0	0	0	97	0	0	97
Waiohuli	593	0	0	593	0	0	0	0	0	0	0	0	593	0	0	593
<b>TOTAL</b>	<b>1,265</b>	<b>0</b>	<b>1</b>	<b>1,264</b>	<b>65</b>	<b>0</b>	<b>0</b>	<b>65</b>	<b>75</b>	<b>0</b>	<b>0</b>	<b>75</b>	<b>1,405</b>	<b>0</b>	<b>1</b>	<b>1,404</b>
<b>EAST HAWAII</b>																
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2
Kamamao	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaumana	42	0	0	42	0	0	0	0	0	0	0	0	42	0	0	42
Keaukaha	474	0	0	474	0	0	0	0	0	0	0	0	474	0	0	474
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	121	0	0	121	0	0	0	0	121	0	0	121
Panaewa	13	0	0	13	260	0	0	260	0	0	0	0	273	0	0	273
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	12	0	0	12	0	0	0	0	12	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waialae	286	0	0	286	0	0	0	0	0	0	0	0	286	0	0	286
<b>TOTAL</b>	<b>841</b>	<b>0</b>	<b>0</b>	<b>841</b>	<b>393</b>	<b>0</b>	<b>0</b>	<b>393</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>25</b>	<b>1,259</b>	<b>0</b>	<b>0</b>	<b>1,259</b>
<b>WEST HAWAII</b>																
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24	24	0	0	24
Humu'ula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kanihale	224	0	0	224	0	0	0	0	0	0	0	0	224	0	0	224
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	1	193	0	0	193
Laiopua	283	0	0	283	0	0	0	0	0	0	0	0	283	0	0	283
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio VII	116	0	0	116	110	0	0	110	215	3	0	218	441	3	0	444
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	0	33	0	0	33
<b>TOTAL</b>	<b>878</b>	<b>0</b>	<b>0</b>	<b>878</b>	<b>110</b>	<b>0</b>	<b>0</b>	<b>110</b>	<b>282</b>	<b>3</b>	<b>0</b>	<b>285</b>	<b>1,270</b>	<b>3</b>	<b>0</b>	<b>1,273</b>
<b>KAUAI</b>																
Anahola	532	0	0	532	46	0	0	46	0	0	0	0	578	0	0	578
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	0	117	0	0	117
Puu Opa'e	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
<b>TOTAL</b>	<b>696</b>	<b>0</b>	<b>0</b>	<b>696</b>	<b>46</b>	<b>0</b>	<b>0</b>	<b>46</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>743</b>	<b>0</b>	<b>0</b>	<b>743</b>
<b>MOLOKAI</b>																
Hoolehua	153	0	0	153	344	1	0	345	21	0	0	21	518	1	0	519
Kalamaula	165	1	0	166	71	0	1	70	3	0	0	3	239	1	1	239
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
One A'ali	27	0	0	27	0	0	0	0	0	0	0	0	27	0	0	27
<b>TOTAL</b>	<b>392</b>	<b>1</b>	<b>0</b>	<b>393</b>	<b>418</b>	<b>1</b>	<b>1</b>	<b>418</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>27</b>	<b>837</b>	<b>2</b>	<b>1</b>	<b>838</b>
<b>LANAI</b>																
Lanai	44	0	0	44	0	0	0	0	0	0	0	0	44	0	0	44
<b>TOTAL</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>44</b>
<b>STATEWIDE TOTAL</b>	<b>8,465</b>	<b>6</b>	<b>3</b>	<b>8,468</b>	<b>1,092</b>	<b>2</b>	<b>1</b>	<b>1,093</b>	<b>410</b>	<b>3</b>	<b>0</b>	<b>413</b>	<b>9,967</b>	<b>11</b>	<b>4</b>	<b>9,974</b>



**HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING**  
**July 31, 2021**

**AREA WAITING LIST**

DISTRICT AREA	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
Oahu District	936	0	5	931	0	0	0	0	0	0	0	0
Maui District	50	0	0	50	4	0	0	4	5	0	0	5
Hawaii District	130	0	1	129	28	0	0	28	46	0	0	46
Kauai District	51	0	0	51	3	0	0	3	27	0	0	27
Molokai District	20	0	0	20	18	0	0	18	1	0	0	1
<b>TOTAL</b>	<b>1,187</b>	<b>0</b>	<b>6</b>	<b>1,181</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>53</b>	<b>79</b>	<b>0</b>	<b>0</b>	<b>79</b>
												<b>1,313</b>

**ISLANDWIDE WAITING LIST**

ISLAND	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
Oahu	10,049	11	9	10,051	3,865	3	4	3,864	0	0	0	0
Maui	3,837	4	6	3,835	4,698	3	10	4,691	619	0	0	619
Hawaii	5,833	6	9	5,830	7,292	7	16	7,283	1,909	1	2	1,908
Kauai	1,650	2	3	1,649	2,251	1	4	2,248	301	0	0	301
Molokai	819	1	3	817	1,083	1	4	1,080	204	1	0	205
Lanai	76	0	1	75	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>22,264</b>	<b>24</b>	<b>31</b>	<b>22,257</b>	<b>19,189</b>	<b>15</b>	<b>38</b>	<b>19,166</b>	<b>3,033</b>	<b>2</b>	<b>2</b>	<b>3,033</b>
												<b>44,456</b>

**AREA AND ISLANDWIDE LISTS**

	RES				AG	PAS	TOTAL	ADDITIONS				CANCELLATIONS			
	Last Month	Add	Cancel	TOTAL				Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU	10,982	3,864	0	14,846	3,864	0	14,846	New Applications	35	0	0	New Lease Awards	6	0	10
MAUI	3,885	4,695	624	9,204	4,695	624	9,204	Application Transfers	6	0	0	Application Transfers	6	0	6
HAWAII	5,959	7,311	1,954	15,224	7,311	1,954	15,224	Lease Rescissions	0	0	0	Succ'd and Cancel Own	3	0	3
KAUAI	1,700	2,251	328	4,279	2,251	328	4,279	App Reinstatements	0	0	0	Public Notice Cancel	0	0	0
MOLOKAI	837	1,098	206	2,141	1,098	206	2,141	HHC Adjustments	0	0	0	Voluntary Cancellations	0	0	0
LANAI	75	0	0	75	0	0	75	Lease Successorships	41	0	0	Lease Successorships	0	0	0
<b>TOTAL</b>	<b>23,438</b>	<b>19,219</b>	<b>3,112</b>	<b>45,769</b>	<b>19,219</b>	<b>3,112</b>	<b>45,769</b>	HHC Adjustments	0	0	0	HHC Adjustments	0	0	0
								Dec'd No Successor	58	0	0	Dec'd No Successor	58	0	58
								Additional Acreage	0	0	0	Additional Acreage	0	0	0
								NHQ Unqualified	0	0	0	NHQ Unqualified	0	0	0
								<b>TOTAL</b>	<b>77</b>			<b>TOTAL</b>	<b>77</b>		<b>77</b>

**HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING**

July 31, 2021

	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
<b>OAHU DISTRICT</b>												
Nanakuli	163	0	1	162	0	0	0	0	0	0	0	0
Waiānae	141	0	0	141	0	0	0	0	0	0	0	0
Lualualei	0	0	0	0	0	0	0	0	0	0	0	0
Papaikōlea/Kewalo	68	0	0	68	0	0	0	0	0	0	0	0
Waimanalo	564	0	4	560	0	0	0	0	0	0	0	0
Subtotal Area	936	0	5	931	0	0	0	0	0	0	0	0
Islandwide	10,049	11	9	10,051	3,865	3	4	3,864	0	0	0	0
<b>TOTAL OAHU APPS</b>	<b>10,985</b>	<b>11</b>	<b>14</b>	<b>10,982</b>	<b>3,865</b>	<b>3</b>	<b>4</b>	<b>3,864</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>MAUI DISTRICT</b>												
Paukukalo	50	0	0	50	0	0	0	0	0	0	0	0
Kula	0	0	0	0	4	0	0	4	5	0	0	5
Subtotal Area	50	0	0	50	4	0	0	4	5	0	0	5
Islandwide	3,837	4	6	3,835	4,698	3	10	4,691	619	0	0	619
<b>TOTAL MAUI APPS</b>	<b>3,887</b>	<b>4</b>	<b>6</b>	<b>3,885</b>	<b>4,702</b>	<b>3</b>	<b>10</b>	<b>4,695</b>	<b>624</b>	<b>0</b>	<b>0</b>	<b>624</b>
<b>HAWAII DISTRICT</b>												
Keaukaha/Waiākea	69	0	0	69	0	0	0	0	0	0	0	0
Panewa	0	0	0	0	16	0	0	16	0	0	0	0
Humuāla	0	0	0	0	0	0	0	0	0	0	0	0
Kawaihae	16	0	0	16	0	0	0	0	0	0	0	0
Waimea	45	0	1	44	12	0	0	12	46	0	0	46
Subtotal Area	130	0	1	129	28	0	0	28	46	0	0	46
Islandwide	5,833	6	9	5,830	7,292	7	16	7,283	1,909	1	2	1,908
<b>TOTAL HAWAII APPS</b>	<b>5,963</b>	<b>6</b>	<b>10</b>	<b>5,959</b>	<b>7,320</b>	<b>7</b>	<b>16</b>	<b>7,311</b>	<b>1,955</b>	<b>1</b>	<b>2</b>	<b>1,954</b>
<b>KAUAI DISTRICT</b>												
Anahola	43	0	0	43	3	0	0	3	20	0	0	20
Kekaha/Puu Opae	8	0	0	8	0	0	0	0	7	0	0	7
Subtotal Area	51	0	0	51	3	0	0	3	27	0	0	27
Islandwide	1,650	2	3	1,649	2,251	1	4	2,248	301	0	0	301
<b>TOTAL KAUAI APPS</b>	<b>1,701</b>	<b>2</b>	<b>3</b>	<b>1,700</b>	<b>2,254</b>	<b>1</b>	<b>4</b>	<b>2,251</b>	<b>328</b>	<b>0</b>	<b>0</b>	<b>328</b>
<b>MOLOKAI DISTRICT</b>												
Kalamāula	4	0	0	4	0	0	0	0	0	0	0	0
Hoolehua	8	0	0	8	18	0	0	18	1	0	0	1
Kapaakea	7	0	0	7	0	0	0	0	0	0	0	0
One Alii	1	0	0	1	0	0	0	0	0	0	0	0
Subtotal Area	20	0	0	20	18	0	0	18	1	0	0	1
Islandwide	819	1	3	817	1,083	1	4	1,080	204	1	0	205
<b>TOTAL MOLOKAI APPS</b>	<b>839</b>	<b>1</b>	<b>3</b>	<b>837</b>	<b>1,101</b>	<b>1</b>	<b>4</b>	<b>1,098</b>	<b>205</b>	<b>1</b>	<b>0</b>	<b>206</b>
<b>LANAI DISTRICT</b>												
Islandwide	76	0	1	75	0	0	0	0	0	0	0	0
<b>TOTAL LANAI APPS</b>	<b>76</b>	<b>0</b>	<b>1</b>	<b>75</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL AREA ONLY</b>	<b>1,187</b>	<b>0</b>	<b>6</b>	<b>1,181</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>53</b>	<b>79</b>	<b>0</b>	<b>0</b>	<b>79</b>
<b>TOTAL ISLANDWIDE</b>	<b>22,264</b>	<b>24</b>	<b>31</b>	<b>22,257</b>	<b>19,189</b>	<b>15</b>	<b>38</b>	<b>19,166</b>	<b>3,033</b>	<b>2</b>	<b>2</b>	<b>3,033</b>
<b>TOTAL STATEWIDE</b>	<b>23,451</b>	<b>24</b>	<b>37</b>	<b>23,438</b>	<b>19,242</b>	<b>15</b>	<b>38</b>	<b>19,219</b>	<b>3,112</b>	<b>2</b>	<b>2</b>	<b>3,112</b>

DELINQUENCY REPORT - STATEWIDE

August 16, 2021  
(\$Thousands)

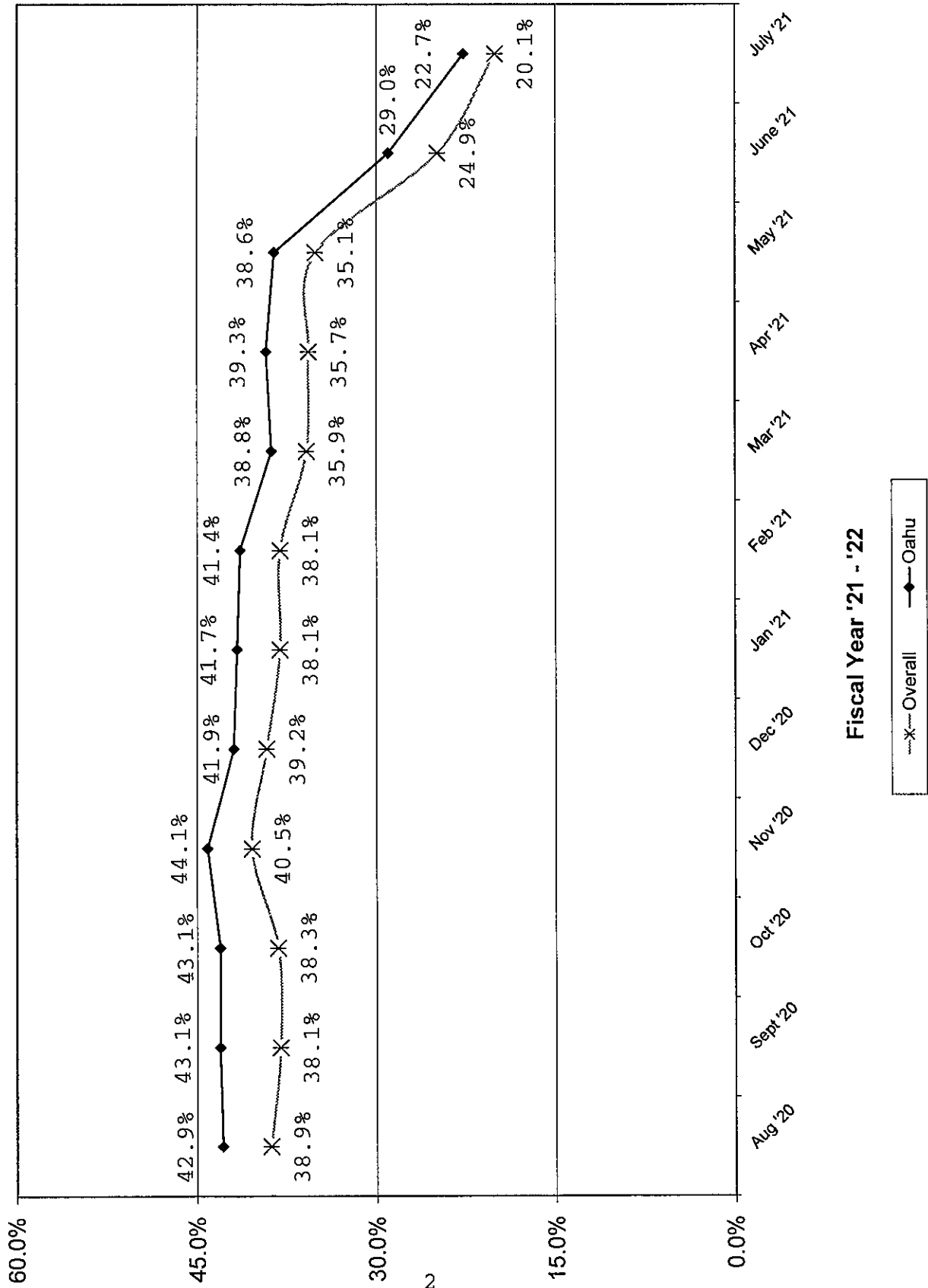
DIRECT LOANS	R I S K														% of Totals 7/31/2021
	Total Outstanding (000s)		Total Delinquency (000s)		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe) (000s)				
	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.			
OAHU	395	38,212	95	8,681	0	0	0	0	0	41	3,010	54	5,671	No.	\$
EAST HAWAII	208	12,456	53	4,114	0	0	0	0	0	13	737	40	3,377	24.1%	22.7%
WEST HAWAII	83	8,685	5	562	0	0	0	0	0	1	199	4	364	25.5%	33.0%
MOLOKAI	82	7,043	9	363	0	0	0	0	0	2	59	7	304	6.0%	6.5%
KAUAI	93	7,278	10	477	0	0	0	0	0	6	263	4	214	11.0%	5.2%
MAUI	94	12,333	23	3,063	0	0	0	0	0	12	1,420	11	1,643	10.8%	6.6%
TOTAL DIRECT	955	86,006	195	17,262	0	0	0	0	0	75	5,687	120	11,574	24.5%	24.8%
	100.0%	100.0%	20.4%	20.1%	0.0%	0.0%	0.0%	0.0%	0.0%	7.9%	6.6%	12.6%	13.5%	20.4%	20.1%
Advances (including RPT)	238	6,880	238	6,880	0	0	0	0	0	238	6,880			100%	100%
DHHL LOANS & Advances	1,193	92,886	433	24,142	0	0	0	0	0	313	12,568	120	11,574	36.3%	26.0%
LOAN GUARANTEES as of June 30, 2020															
SBA	2	102	0	0	0	0	0	0	0	0	0			0.0%	0.0%
USDA-RD	300	33,639	56	6,790	0	0	0	0	0	56	6,790			18.7%	20.2%
Habitat for Humanity	45	1,385	27	986	0	0	0	0	0	27	986			60.0%	71.2%
Maui County	5	74	0	0	0	0	0	0	0	0	0			0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	0	1	7			100.0%	100.0%
City & County	13	270	12	260	0	0	0	0	0	12	260			92.3%	96.3%
FHA Interim	15	2,531	0	0	0	0	0	0	0	0	0			0.0%	0.0%
OHA	9	22	2	9	0	0	0	0	0	2	9			22.2%	40.9%
TOTAL GUARANTEE	390	38,030	98	8,052	0	0	0	0	0	98	8,052			25.1%	21.2%
PMI Loans	151	21,508	6	1,195	2	415	2	321	2	2	459			4.0%	5.6%
HUD REASSIGNED for Recovery	147	17,741	121	16,084	0	0	0	0	0	5	484	116	15,600	82.3%	90.7%
FHA Insured Loans	2,873	496,064	273	44,906	0	0	0	0	0	273	44,906			9.5%	9.1%
TOTAL INS. LOANS	3,171	535,313	400	62,185	2	415	2	321	280	45,849	116	15,600	12.6%	11.6%	13.3%
OVERALL TOTALS(EXC Adv/RP)	4,516	659,348	693	87,498	2	415	2	321	453	59,588	236	27,174	15.3%	14.2%	14.2%
ADJUSTED TOTALS	4,754	666,229	931	94,379	2	415	2	321	691	66,469	236	27,174			

Note: HUD 184A loan program has 531 loans, with a total outstanding principal balance of \$116,367,560 as of June 30, 2020. 45 Loans, totaling \$10,558,792 are delinquent.

The deferred interest for 568 loans comes out to \$2,547,349.62 as of 7/31/2021.



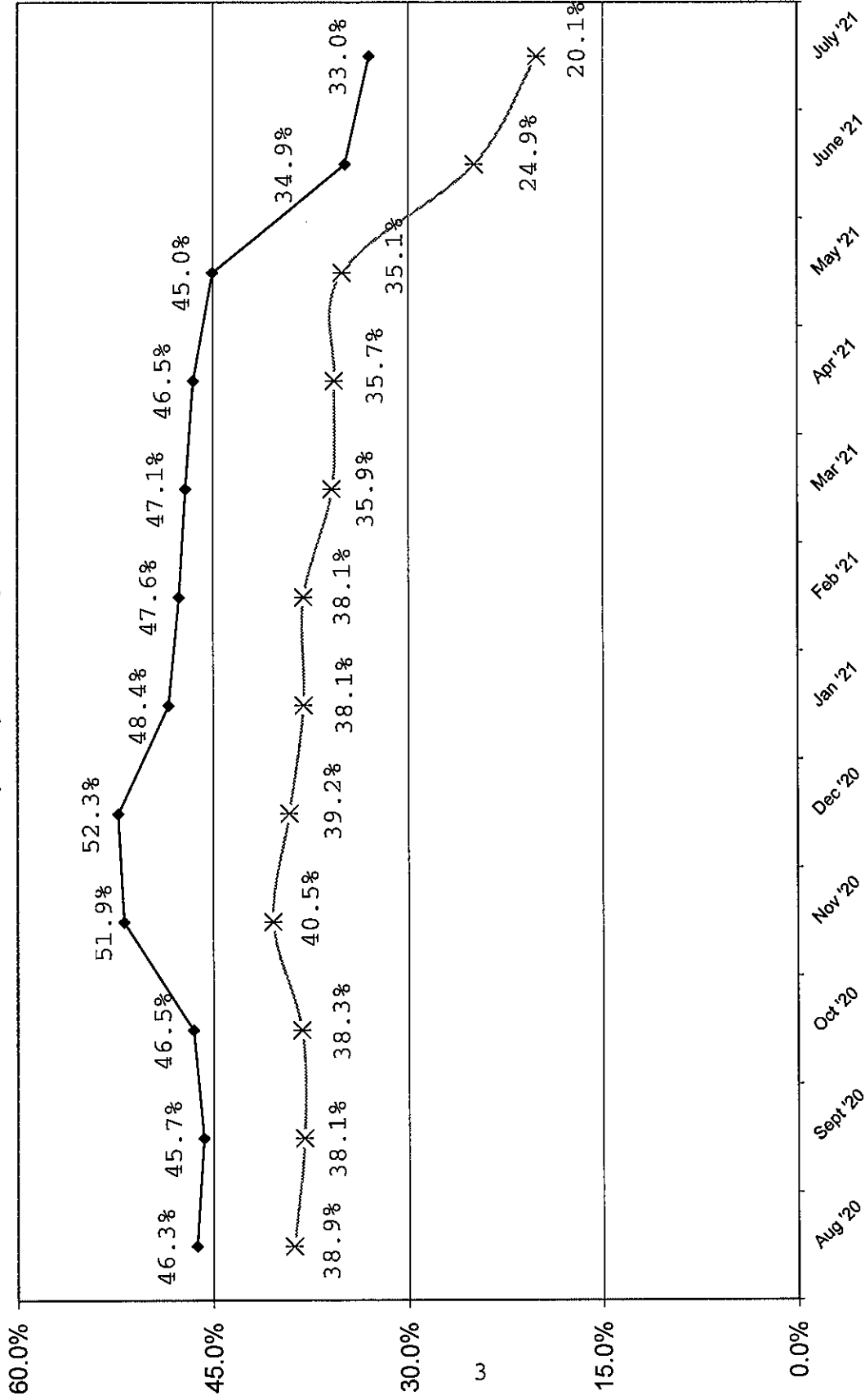
**OAHU**  
**Direct Loans**  
**Delinquency Ratio Report**



**Fiscal Year '21 - '22**

--x-- Overall    --◆-- Oahu

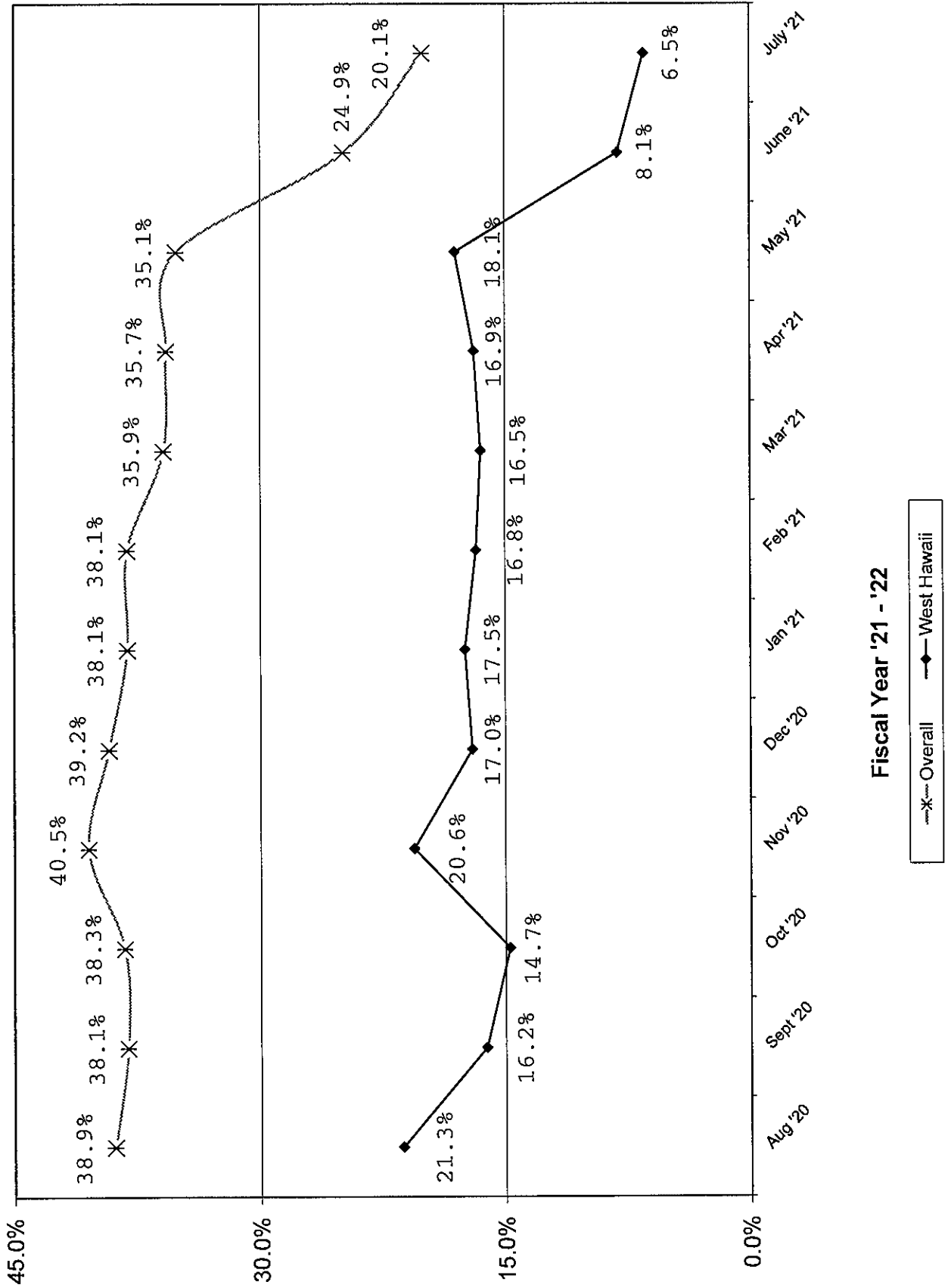
# EAST HAWAII Direct Loans Delinquency Ratio Report



Fiscal Year '21 - '22

x Overall    ♦ East Hawaii

**WEST HAWAII**  
**Direct Loans**  
**Delinquency Ratio Report**

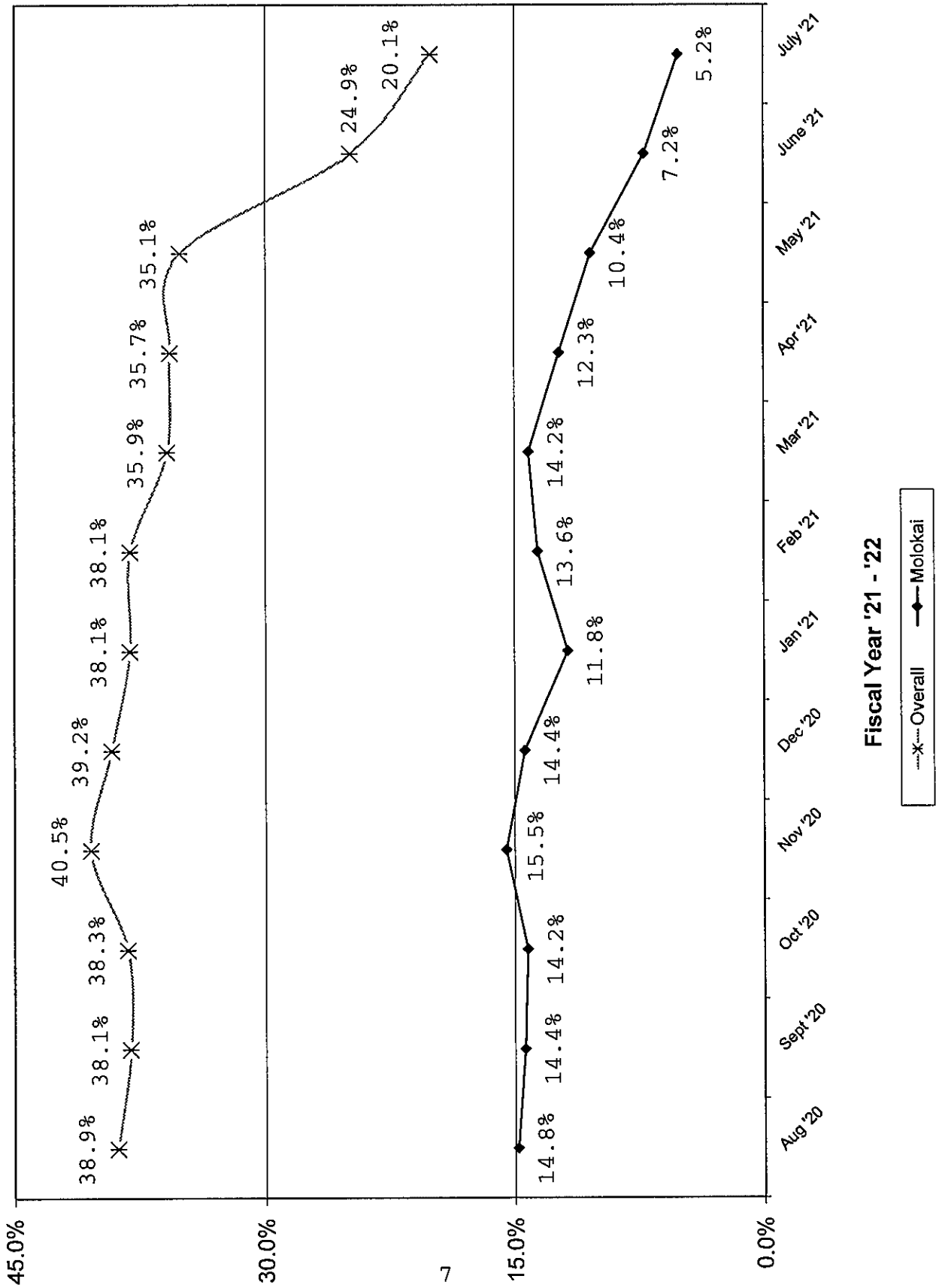


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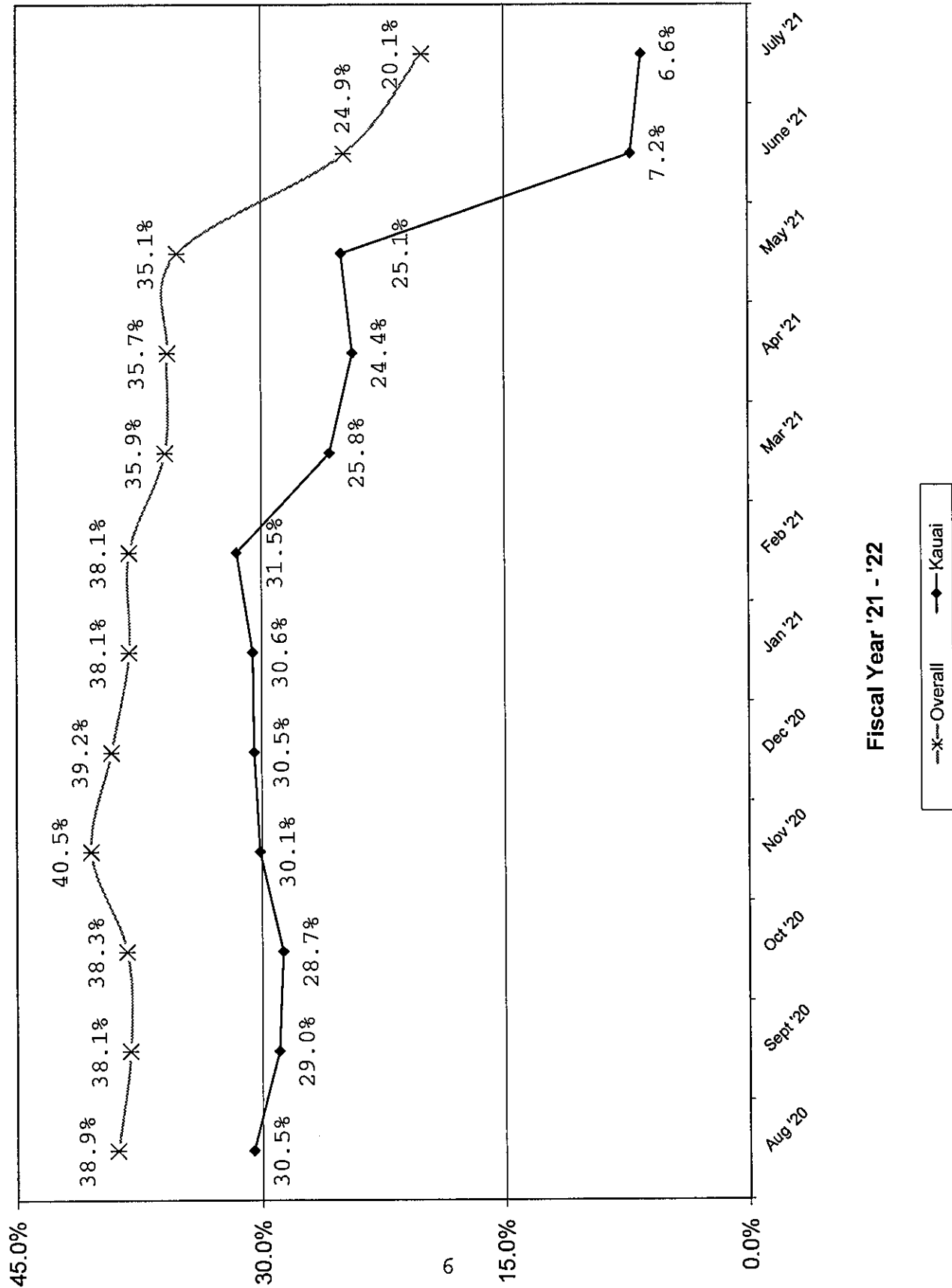
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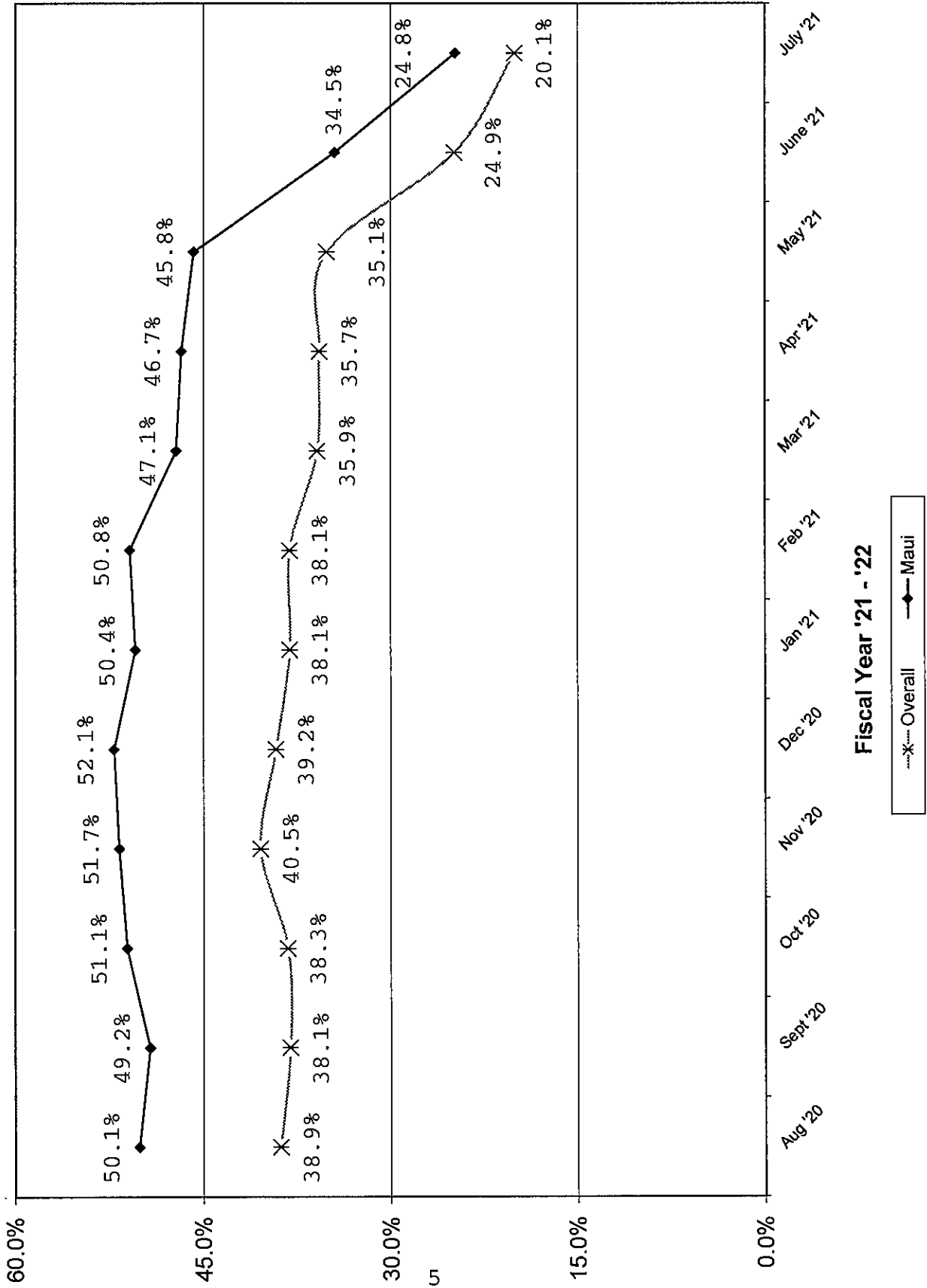
**MOLOKAI**  
**Direct Loans**  
**Delinquency Ratio Report**



# KAUAI Direct Loans Delinquency Ratio Report



**MAUI**  
**Direct Loans**  
**Delinquency Ratio Report**





August 16, 2021

SUBJECT:     **DHHL Guarantees for FHA Construction Loans**

DISCUSSION: The Department issues guarantees to FHA lenders during the construction period of a home, as FHA does not insure the loan until the home is completed. The loan term for these loans do not exceed fifteen (15) months from the date of loan signing. The following FHA Interim Construction loans were issued guarantees:

\*Note:       FHA loans are insured by the U.S. Department of Housing and Urban Development (HUD) and do not impact the State's guaranty ceiling.

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
11252	Waimanalo	Hatori, Alicia K.K.	\$360,525	7/23/21

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/21	7	\$ 1,917,178
Previous Months	0	\$ -0-
This Month	1	360,525
FY '21-'22 to date	1	<u>\$ 360,525</u>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator  
Homestead Services Division

FROM: Dean Oshiro, Loan Services Manager

SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Lualualei Lease No. 8924 TMK: 1-8-6-023:124	AKEN, Gordon K., Jr. (Cash Out Refi) FHA	Bank of Hawaii	\$ 465,000
Waimanalo Lease No. 2482 TMK: 1-4-1-021:017	COX, Candace M. P. (Purchase)FHA	Bank of Hawaii	\$ 759,000
Waianae Lease No. 8715 TMK: 1-8-5-033:117	KELIIKOA, Clifford, Jr. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 288,000

OAHU

Kauluokahai Lease No. 12938 TMK: 1-9-1-017:110	ISAACS-ACASIO, Illinois (Purchase)FHA	Celebrity Home Loans	\$ 385,000
Kaupea Lease No. 12087 TMK: 1-9-1-140:094	LEONARDI, Attilio K. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 543,000
Kanehili Lease No. 11729 TMK: 1-9-1-153:039	WHITE, Paul E. (Cash Out Refi) FHA	Bank of Hawaii	\$ 400,000
Kanehili Lease No. 11775 TMK: 1-9-1-152:128	CABRERA, Anthony K. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 603,337
Kauluokahai Lease No. 12947 TMK: 1-9-1-017:110	WRIGHT, Lauralyn (Purchase) HUD 184A	Bank of Hawaii	\$ 379,000
Waimanalo Lease No. 4135 TMK: 1-4-1-031:105	KEOHOKAPU-MERIA, Kahokulanai M. (Purchase)FHA	Mid America Mortgage Inc.	\$ 403,000
Waianae Lease No. 6768 TMK: 1-8-5-031:075	KEALOHA, Pauline (Cash Out Refi) FHA	HomeStreet Bank	\$ 180,000
Kanehili Lease No. 12574 TMK: 1-9-1-153:140	HAILI, Chad (Cash Out Refi) FHA	HomeStreet Bank	\$ 290,880
Nanakuli Lease No. 1925 TMK: 1-8-9-012:042	RABANES, Andrew A., III (Cash Out Refi) FHA	Bank of Hawaii	\$ 270,000

ITEM NO. D-2



OAHU

Waianae Lease No. 10244 TMK: 1-8-5-036:029	MAMALA-KELLER, Kamaehu K. P. (Purchase)FHA	Guild Mortgage	\$ 142,000
Waimanalo Lease No. 2977 TMK: 1-4-1-020:023	KAHELE, Jerica K. & KAHELE, Blaine, Jr. (Cash Out Refi) FHA	Guild Mortgage	\$ 428,175
Kaupea Lease No. 12106 TMK: 1-9-1-140:055	TRINIDAD, Jessica M. L. (Cash Out Refi) HUD 184A	Bank of Hawaii	\$ 374,000
Maluohai Lease No. 9809 TMK: 1-9-1-120:017	APA, Ryan K. (Cash Out Refi) FHA	Guild Mortgage	\$ 356,125
Nanakuli Lease No. 563 TMK: 1-8-9-006:017	SALE, Michael Jr. R., II (Cash Out Refi) FHA	Guild Mortgage	\$ 467,100
Nanakuli Lease No. 8574 TMK: 1-8-9-012:057	KEALOHA, Rodney K. (Cash Out Refi) FHA	HomeStreet Bank	\$ 363,300
Kaupea Lease No. 11410 TMK: 1-9-1-139:123	KAPAKU, Germaine N. (Cash Out Refi) FHA	HomeStreet Bank	\$ 363,300
Kanehili Lease No. 11822 TMK: 1-9-1-151:032	GUILLERMO, Keoni W. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 279,770
Kaupea Lease No. 11937 TMK: 1-9-1-139:041	KAMAI, Herman A., Jr. & KAMAI, Abigail (Purchase)FHA	HomeStreet Bank	\$ 648,750

ITEM NO. D-2

OAHU

Waimanalo	PIRES-KOHATSU,	HomeStreet	\$ 415,200
Lease No. 4015	Rolinda K. (Cash	Bank	
TMK: 1-4-1-016:050	Out Refi) FHA		

MAUI

Waiehu 4	KAHUUH,	Mid America	\$ 387,000
Lease No. 12198	Leonard M. M. (Cash	Mortgage Inc.	
TMK: 2-3-2-025:031	Out Refi) FHA		

Waiehu	NAKI,	HomeBridge	\$ 220,432
Lease No. 5939	Alexandria N.	Financial	
TMK: 2-3-2-021:009	(Purchase)HUD 184A	Services,	
		Inc.	

Waiehu 4	PURDY,	loanDepot.c-	\$ 520,835
Lease No. 12195	Guy P.	om, LLC	
TMK: 2-3-2-025:036	(Purchase)FHA		

Waiehu 4	PULI,	loanDepot.c-	\$ 520,825
Lease No. 12230	Curtis L. K.	om, LLC	
TMK: 2-3-2-025:016	(Purchase)FHA		

Waiehu 4	KUSUNOKI,	HomeBridge	\$ 345,000
Lease No. 12244	Windy K. (Cash Out	Financial	
TMK: 2-3-2-025:014	Refi) FHA	Services,	
		Inc.	

Waiehu 4	BLACKBURN,	HomeStreet	\$ 541,530
Lease No. 12233	Joseph, III (Cash	Bank	
TMK: 2-3-2-025:022	Out Refi) FHA		

Hikina	JIM,	HomeBridge	\$ 295,000
Lease No. 12300	Lorna M. K. (Cash	Financial	
TMK: 2-2-2-031:002	Out Refi) FHA	Services,	
		Inc.	

HAWAII

Keaukaha Lease No. 6338 TMK: 3-2-1-023:127	AHUNA, Albert K. A., Jr. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 294,000
Kawaihae Lease No. 7093 TMK: 3-6-1-007:029	TANIMOTO, Dawn H. P. (Construction/Perm- anent) USDA, RD	Mid America Mortgage Inc.	\$ 249,000
Kaniohale Lease No. 9360 TMK: 3-7-4-023:047	AKO, James A. (Rate & Term Refi) FHA	Mid America Mortgage Inc.	\$ 171,000
Kawaihae Lease No. 9836 TMK: 3-6-1-008:037	GUERPO, Shawn K., Jr. (Purchase) FHA	V.I.P. Mortgage Inc.	\$ 292,000
Keaukaha Lease No. 6810 TMK: 3-2-1-024:035	ALAMEDA, Guy S. (Cash Out Refi) FHA	RoundPoint Mortgage Servicing Corporation	\$ 352,000
Keaukaha Lease No. 5054 TMK: 3-2-1-023:162	HANSON, Marcus Allan M. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 193,000
Kaniohale Lease No. 9244 TMK: 3-7-4-022:031	PAIO, Russell K. (Rate & Term Refi) FHA	Mid America Mortgage Inc.	\$ 107,000
Puukapu Lease No. 9047 TMK: 3-6-4-038:005	AIKAU, Michelle H. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 306,000

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HAWAII

Waimea Lease No. 4969 TMK: 3-6-4-008:008	LINDSEY-SOARES, Kanoë L. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 87,000
University Heights Lease No. 8991 TMK: 3-2-4-024:154	GROANING, Trixy (203k Rehab) FHA	HomeStreet Bank	\$ 251,788
Waiakea Lease No. 4801 TMK: 3-2-2-062:032	FUNAKI, Loreen H. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 195,000

<u>RECAP</u>	<u>NO.</u>	<u>FHA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/21	535	\$ 172,610,901	26	\$ 8,186,829
Prior Months	51	\$ 15,986,814	2	\$ 885,687
This Month	35	12,630,145	0	
Total FY '21-'22	86	\$ 28,616,959	2	\$ 885,687


		<u>HUD 184A</u> <u>AMOUNT</u>		<u>USDA-RD</u> <u>AMOUNT</u>
FY Ending 6/30/21	77	\$ 23,021,162	13	\$ 5,288,000
Prior Months	11	\$ 3,552,022	0	\$ 0
This Month	4	1,253,202	1	249,000
Total FY '21-'22	15	\$ 4,805,224	1	\$ 249,000


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator  
Homestead Services Division 

FROM: Dean Oshiro, Loan Services Branch Manager 

SUBJECT: **Approval of Streamline Refinance of Loans**

RECOMMENDED MOTION/ACTION

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

DISCUSSION

The following lessees have met the "Streamline/Interest rate reduction loan" criteria, which was approved by the Hawaiian Homes Commission at its August 19, 2013 meeting. This criteria includes twelve (12) consecutive monthly payments, borrower's current interest rate is higher than the current DHHL interest rate, current with their Homeowners Insurance, Real Property Tax, Lease Rent, county sewer/refuse fees, and does not have any advances made by DHHL on the borrowers behalf.

HSD's recommendation for approval is based on actual payment history, over the past twelve (12) months and the review of the above-mentioned criteria. Streamline/Interest Rate Loan refinancing will provide lessees a chance to simply reduce their interest rate and payments without DHHL having to credit and/or income qualify the borrower.

The following lessee(s) has met the aforementioned criteria and is recommended for Streamline/Interest rate reduction loan refinance program:



<u>LESSEE</u>	<u>LEASE NO. &amp; AREA</u>	<u>REFINANCING LOAN TERMS</u>
Titcomb, Faith U.K.T.	4958, Nanakuli	NTE \$90,000 @4% interest per annum, NTE \$430 monthly, repayable over 30 years.

Loan Purpose: Refinance HUD Buyback Loan No. 19677.  
Original loan amount of \$64,850 at  
6.5% per annum, \$410 monthly,  
repayable over 30 years. A Contested  
Case Hearing was not held for this  
account.

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Holskil, Eloise V.	8190, Waianae	NTE \$63,970 @4% interest per annum, NTE \$474 monthly, repayable over 15 years.
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Loan Purpose: Refinance Contract of Loan No. 16871.  
Original loan amount of \$86,527 at  
7.75% per annum, \$620 monthly,  
repayable over 30 years. A Contested  
Case Hearing was not held for this  
account.

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Kaimi, Caleyann K.	12096, Kaupea	NTE \$235,300 @4% interest per annum, NTE \$1,124 monthly, repayable over 30 years.
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Loan Purpose: Refinance Contract of Loan No. 18880.  
Original loan amount of \$240,927 at  
6.375% per annum, \$1,504 monthly,  
repayable over 30 years. A Contested  
Case Hearing was not held for this  
account.

<u>LESSEE</u>	<u>LEASE NO. &amp; AREA</u>	<u>REFINANCING LOAN TERMS</u>
Paleka, Leslyn M.	12890, Kawaiahae	NTE \$112,430 @4% interest per annum, NTE \$547 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 19680.  
Original loan amount of \$113,818 at 4.5% per annum, \$577 monthly, repayable over 30 years. A Contested Case Hearing was not held for this account.

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Reyes, Barrett K.	4344, Anahola	NTE \$104,500 @4% interest per annum, NTE \$680 monthly, repayable over 18 years.
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Loan Purpose: Refinance Contract of Loan No. 19645.  
Original loan amount of \$110,424 at 4.5% per annum, \$679 monthly, repayable over 21 years. A Contested Case Hearing was not held for this account.

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Kipapa, Malia K.	10171, Kaniohale	NTE \$105,500 @4% interest per annum, NTE \$990 monthly, repayable over 11 years.
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Loan Purpose: Refinance Contract of Loan No. 19080.  
Original loan amount of \$136,170 at 4.5% per annum, \$862 monthly, repayable over 20 years. A Contested Case Hearing was not held for this account.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator   
FROM: Nicole F. Bell, Specialist V   
Application Branch, Homestead Services Division  
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

1. Requests of Applicants to Transfer

NONE FOR SUBMITTAL

2. Deceased Applicants

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

LACTAOEN, Dora K.	PN 11/2013	08/19/1987
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HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

LACTAOEN, Dora K.	PN 11/2013	01/03/1992
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3. Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CHONG, Elizabeth V.A.	Assigned Residential Lease #9621, Lot 29 in Kalawahine, Oahu dated
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06/03/2021. Remove application  
dated 09/16/2004.

VARES, Stanette H.F.

Assigned Residential Lease #12936,  
Lot 63 in Ka'uluokaha'i, Oahu  
dated 07/22/2021. Remove  
application dated 03/27/1986.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

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THOMAS, Michael K.

Assigned Residential Lease #12957,  
Lot 151 in Kawaihae, Hawaii dated  
06/25/2021. Remove application  
dated 03/31/1986.

HOOLEHUA AREA / MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

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POEPOE, Blossom

Assigned Agricultural Lease  
#12960, Lot 33-D 1 & 2 in  
Hoolehua, Molokai dated  
07/08/2021. Remove application  
dated 01/11/1962.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

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DAY, Hollynn H.

Succeeded to Oahu Islandwide  
Agricultural application of  
Parent, William A. Lopes III,  
dated 05/23/1986. Remove  
application dated 11/05/2012.



LIUSA, Charlene

Succeeded to Oahu Islandwide  
Agricultural application of  
Parent, Fredalyn H. Amina, dated  
11/09/2005. Remove application  
dated 01/12/2015.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

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BAKER, Shannon K.K.

Succeeded to Maui Islandwide  
Residential application of Parent,  
Francine K. Komomua, dated  
07/29/1986. Remove application  
dated 06/09/2008.

DAY, Hollynn H.

Succeeded to Oahu Islandwide  
Residential application of Parent,  
William A. Lopes III, dated  
05/23/1986. Remove application  
dated 11/05/2012.

GLASS, Katie J.P.

Succeeded to Molokai Islandwide  
Residential application of Parent,  
John I. Kalilikane Jr., dated  
06/07/1978. Remove application  
dated 10/12/1994.

LIUSA, Charlene

Succeeded to Oahu Islandwide  
Residential application of Parent,  
Fredalyn H. Amina, dated  
11/09/2005. Remove application  
dated 01/12/2015.

MAKAHANALOA, Anthony J.

Succeeded to Hawaii Islandwide  
Residential application of Parent,  
Patsy L. Makahanaloa, dated  
12/17/1999. Remove application  
dated 01/03/2018.

OLMOS, Clarence U.

Succeeded to Waimanalo Area / Oahu  
Islandwide Residential application  
of Sibling, Artesha K.W. K'Olmos,  
dated 02/10/1972. Remove  
application dated 04/16/1996.

RODRIGUES, Moses M., Jr.

Succeeded to Oahu Islandwide  
Residential application of Parent,  
Moses M. Rodrigues M., dated

04/13/1987. Remove application  
dated 06/12/2020.

TREINEN-AEA, Adam K.

Succeeded to Maui Islandwide  
Residential application of Parent,  
George K. Aea Jr., dated  
12/09/1992. Remove application  
dated 09/08/2020.

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MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KAPUAALA, Vernon Allan K.

Succeeded to Maui Islandwide  
Agricultural application of  
Parent, Roberta T. Kapuaala, dated  
02/05/1986. Remove application  
dated 03/12/2007.

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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KAEA-KAILI, Kelii K.

Succeeded to Maui Islandwide  
Residential application of Aunt,  
Joy M. Kaea, dated 04/09/1987.  
Remove application dated  
01/25/2021.

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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

AKIONA-ODEN, Jorji

Succeeded to Hawaii Islandwide  
Agricultural application of Aunt,  
Nonaina H. Makahi, dated  
04/14/1988. Remove application  
dated 08/09/2013.

FIELDS, Jamie P.K.

Succeeded to Oahu Islandwide  
Agricultural application of  
Sibling, Benjamin Kama Jr., dated  
06/18/1987. Remove application  
dated 05/21/2001.

HELENIHI, Aaron J.M.

Succeeded to Hawaii Islandwide  
Agricultural application of  
Parent, Myrtle V.P. Decanto, dated  
09/12/1984. Remove application  
dated 06/14/2011.

SAITO-STAINBACK, Rosemary P.N.

Succeeded to Hawaii Islandwide  
Agricultural application of  
Parent, Raynette Leialoha Saito,  
dated 03/06/1997. Remove  
application dated 04/15/2020.

HAWAII ISLANDWIDE PASTORAL LEASE LIST

ALEJO, Lenora L.

Succeeded to Hawaii Islandwide  
Pastoral application of Sibling,  
Gitilio Ebana, dated 04/29/1996.  
Remove application dated  
10/26/2005.

TREINEN-AEA, Adam K.

Succeeded to Hawaii Islandwide  
Pastoral application of Parent,  
George K. Aea Jr. dated  
12/09/1992. Remove application  
dated 09/08/2020.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

AULD, David A.K.

Succeeded to Hawaii Islandwide  
Residential application of  
Grandparent, Lorraine Auld-  
Medeiros, dated 01/13/2000.  
Remove application dated  
07/15/2014.

DEAN, Yolanda J.

Succeeded to Hawaii Islandwide  
Residential application of  
Sibling, Gitilio Ebana, dated  
04/29/1996. Remove application  
dated 08/22/2006.

HELENIHI, Aaron J.M.

Succeeded to Hawaii Islandwide  
Residential application of Parent,  
Myrtle V.P. Decanto, dated  
09/12/1984. Remove application  
dated 06/14/2011.

IONA, Sheryl Ann W.

Succeeded to Hawaii Islandwide  
Residential application of Aunt,  
Elizabeth Myers, dated 09/12/1983.  
Remove application dated  
07/31/2018.

SAITO-STAINBACK, Rosemary P.N.

Succeeded to Oahu Islandwide Residential application of Parent, Raynette Leialoha Saito, dated 03/06/1997. Remove application dated 04/15/2020.

LANAI ISLANDWIDE RESIDENTIAL LEASE LIST

AKIONA-ODEN, Jorji

Succeeded to Hawaii Islandwide Residential application of Aunt, Nonaina H. Makahi, dated 04/14/1988. Remove application dated 08/09/2013.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

Last Month's Transaction Total	77
Last Month's Cumulative FY 2021-2022 Transaction Total	77
Transfers from Island to Island	0
Deceased	2
Cancellations:	
Awards of Leases	4
NHQ	0
Voluntary Cancellations	0
Successorship	24
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	30
This Month's Cumulative FY 2021-2022 Transaction Total	30

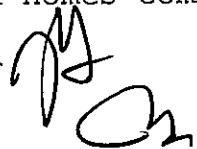


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Nicole F. Bell, Specialist V  
Application Branch, Homestead Services Division

SUBJECT: **Commission Designation of Successors to Application Rights - Public Notice 2014, 2018, 2019 & 2020**

RECOMMENDED MOTION/ACTION

To designate the following individuals as successors to the application rights of deceased applicants who did not name a qualified successor.

DISCUSSION

The following qualified applicants passed away on or after October 26, 1998, without naming qualified successors. Pursuant to 10-3-8(c) of the *Hawaii Administrative Rules*, a public notice listing the names of deceased applicants and calling for possible successors to their application rights was published in the Honolulu Star-Advertiser, The Maui News, Hawaii Tribune Herald, West Hawaii Today, and The Garden Island on the last two consecutive Sundays of November for the year the Department received notification. Requests to succeed to the decedents' application rights were submitted within the required 180 days following the last date of publication. Prospective successors were the sole respondents and are deemed by the Department to have met the requirements of successorship, including the verification of native Hawaiian blood quantum according to section 10-3-8(b) of the *Hawaii Administrative Rules*. HSD recommends approval of the following designees:

- |                           |  |
|---------------------------|--|
| 1. Deceased Applicant:    | Donald K. Ahina                            |
| Date of death:            | December 28, 2006                          |
| Successor to app rights:  | Donna Lynne K. Ahina                       |
| Relationship to decedent: | Child                                      |
| Island:                   | Oahu                                       |
| Type:                     | Waimanalo Area /<br>Islandwide Residential |

ITEM NO. D-5

Date of Application:	November 5, 1970
Date of Public Notice:	November, 2020
2. Deceased Applicant:	Artesha K.W. K'Olmos
Date of death:	January 15, 2020
Successor to app rights:	Clarence U. Olmos
Relationship to decedent:	Sibling
Island:	Oahu
Type:	Waimanalo Area / Islandwide Residential
Date of Application:	February 10, 1972
Date of Public Notice:	November, 2020
3. Deceased Applicant:	Leilani K. Sexton
Date of death:	February 8, 2003
Successor to app rights:	Andrew M.W. Sexton III
Relationship to decedent:	Grandchild
Island:	Oahu
Type:	Waimanalo Area / Islandwide Residential
Date of Application:	August 28, 1968
Date of Public Notice:	November, 2018
4a. Deceased Applicant:	Fredalyn H. Amina
Date of death:	May 30, 2020
Successor to app rights:	Charlene Liusa
Relationship to decedent:	Child
Island:	Oahu
Type:	Islandwide Agricultural
Date of Application:	November 9, 2005
Date of Public Notice:	November, 2020
4b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	November 9, 2005
5. Deceased Applicant:	Benjamin Kama Jr.
Date of death:	February 13, 2007
Successor to app rights:	Jamie P.K. Feilds
Relationship to decedent:	Sibling
Island:	Oahu
Type:	Islandwide Agricultural
Date of Application:	June 18, 1987
Date of Public Notice:	November, 2020

6a. Deceased Applicant:	William A. Lopes III
Date of death:	February 2, 2020
Successor to app rights:	Hollynn H. Day
Relationship to decedent:	Child
Island:	Oahu
Type:	Islandwide Agricultural
Date of Application:	May 23, 1986
Date of Public Notice:	November, 2020
6b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	May 23, 1986
7. Deceased Applicant:	Ginger A. Aiwohi
Date of death:	October 22, 2018
Successor to app rights:	John D. Aiwohi III
Relationship to decedent:	Child
Island:	Oahu
Type:	Islandwide Residential
Date of Application:	March 23, 1999
Date of Public Notice:	November, 2020
8. Deceased Applicant:	Calvin J. Matthews Sr.
Date of death:	February 23, 2020
Successor to app rights:	Calvin J.K.H. Matthews Jr.
Relationship to decedent:	Child
Island:	Oahu
Type:	Islandwide Residential
Date of Application:	February 9, 1990
Date of Public Notice:	November, 2020
9a. Deceased Applicant:	Jacob Piiakanoa
Date of death:	Kaleikini Jr.
Successor to app rights:	May 18, 2017
Relationship to decedent:	Gwendolyn L. Kaleikini
Island:	Spouse
Type:	Maui
Date of Application:	Islandwide Agricultural
Date of Public Notice:	February 16, 2006
	November, 2020
9b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	February 15, 1990

10. Deceased Applicant:	Roberta T. Kapuaala
Date of death:	May 7, 2010
Successor to app rights:	Vernon Allan K. Kapuaala
Relationship to decedent:	Child
Island:	Maui
Type:	Islandwide Agricultural
Date of Application:	February 5, 1986
Date of Public Notice:	November, 2020
11a. Deceased Applicant:	Francine K. Komomua
Date of death:	July 28, 2019
Successor to app rights:	Shannon K.K. Baker
Relationship to decedent:	Child
Island:	Maui
Type:	Islandwide Agricultural
Date of Application:	October 2, 1985
Date of Public Notice:	November, 2020
11b. Island:	Maui
Type:	Islandwide Residential
Date of Application:	July 29, 1986
12a. Deceased Applicant:	Moses M. Rodrigues
Date of death:	October 17, 2019
Successor to app rights:	Moses M. Rodrigues Jr.
Relationship to decedent:	Child
Island:	Maui
Type:	Islandwide Agricultural
Date of Application:	April 13, 1987
Date of Public Notice:	November, 2020
12b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	April 13, 1987
13. Deceased Applicant:	Joy M. Kaea
Date of death:	June 12, 2015
Successor to app rights:	Kelii K. Kaea-Kaili
Relationship to decedent:	Nephew
Island:	Maui
Type:	Islandwide Residential
Date of Application:	April 9, 1987
Date of Public Notice:	November, 2020



14a. Deceased Applicant:	Myrtle V.P. Decanto
Date of death:	September 2, 2016
Successor to app rights:	Aaron J.M. Helenihi
Relationship to decedent:	Child
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	September 12, 1984
Date of Public Notice:	November, 2019
14b. Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	September 12, 1984
15. Deceased Applicant:	Edwin J. Keohohou
Date of death:	December 30, 2013
Successor to app rights:	Arden M. Victor
Relationship to decedent:	Sibling
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	December 21, 1984
Date of Public Notice:	November, 2014
16a. Deceased Applicant:	Nonaina H. Makahi
Date of death:	May 11, 2019
Successor to app rights:	Jorji Akiona-Oden
Relationship to decedent:	Niece
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	April 14, 1988
Date of Public Notice:	November, 2020
16b. Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	April 14, 1988
17a. Deceased Applicant:	Raynette Leialoha Saito
Date of death:	May 8, 2018
Successor to app rights:	Rosemary Saito-Stainback
Relationship to decedent:	Child
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	March 6, 1997
Date of Public Notice:	November, 2020
17b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	March 6, 1997

18a. Deceased Applicant:	George K. Aea Jr.
Date of death:	May 21, 2016
Successor to app rights:	Adam K. Treinen-Aea
Relationship to decedent:	Child
Island:	Hawaii
Type:	Islandwide Pastoral
Date of Application:	December 9, 1992
Date of Public Notice:	November, 2020
18b. Island:	Maui
Type:	Islandwide Residential
Date of Application:	December 9, 1992
19. Deceased Applicant:	Gitilio Ebana
Date of death:	May 27, 2019
Successor to app rights:	Lenora L. Alejo
Relationship to decedent:	Sibling
Island:	Hawaii
Type:	Islandwide Pastoral
Date of Application:	April 29, 1996
Date of Public Notice:	November, 2020
20. Deceased Applicant:	Lorraine Auld-Medeiros
Date of death:	October 8, 2009
Successor to app rights:	David A.K. Auld
Relationship to decedent:	Grandchild
Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	January 13, 2000
Date of Public Notice:	November, 2014
21. Deceased Applicant:	Gitilio Ebana
Date of death:	May 27, 2019
Successor to app rights:	Yolanda J. Dean
Relationship to decedent:	Sibling
Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	April 29, 1996
Date of Public Notice:	November, 2020
22. Deceased Applicant:	Patsy L. Makahanaloa
Date of death:	April 17, 2004
Successor to app rights:	Anthony J. Makahanaloa
Relationship to decedent:	Child
Island:	Hawaii

Type:	Islandwide Residential
Date of Application:	December 17, 1999
Date of Public Notice:	November, 2020
23. Deceased Applicant:	Elizabeth Myers
Date of death:	September 13, 2019
Successor to app rights:	Sheryl Ann W. Iona
Relationship to decedent:	Niece
Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	September 12, 1983
Date of Public Notice:	November, 2020
24. Deceased Applicant:	Nelson K. Awo
Date of death:	October 5, 2009
Successor to app rights:	Puuneomakapuu N.A. Johnson
Relationship to decedent:	Child
Island:	Kauai
Type:	Islandwide Agricultural
Date of Application:	January 31, 1986
Date of Public Notice:	November, 2020
25a. Deceased Applicant:	Eliza K. Cummings
Date of death:	July 27, 2016
Successor to app rights:	Jonnille K.E.N. Almeida
Relationship to decedent:	Grandchild
Island:	Kauai
Type:	Islandwide Pastoral
Date of Application:	December 8, 1986
Date of Public Notice:	November, 2019
25b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	May 13, 1993
26. Deceased Applicant:	John I. Kalilikane Jr.
Date of death:	August 25, 2014
Successor to app rights:	Katie J.P. Glass
Relationship to decedent:	Child
Island:	Molokai
Type:	Islandwide Residential
Date of Application:	June 7, 1978
Date of Public Notice:	November, 2020

Previous Cumulative Total for Current FY	4
Current Month's Total	36
<b>Fiscal Year Total: July 2021-June 2022</b>	<b>40</b>




STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Nicole F. Bell, Specialist V  
Application Branch, Homestead Services Division

SUBJECT: **Approval to Certify Applications of Qualified Applicants  
with Application Dates up to April 30, 2021**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants with application dates up to April 30, 2021. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-8(b) of the Hawaii Administrative Rules.

DISCUSSION

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

Previous Cumulative Total for Current FY	0
Current Month's Total	44,813
<b>Fiscal Year Total: July 2021-June 2022</b>	<b>44,813</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator

FROM: Nicole F. Bell, Specialist V  
Application Branch, Homestead Services Division

SUBJECT: **Approval to Cancel Applications of Non-Qualified Applicants**

RECOMMENDED MOTION/ACTION

To approve the cancellations of applications from the Application Waiting Lists due to Native Hawaiian Qualification. The Department has been unable to verify the following applicant's native Hawaiian blood quantum requirement per the *Hawaiian Homes Commission Act, 1920*, as amended.

DISCUSSION

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

GOHIER, Charlene E.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 7/24/1968.
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OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KEPOO, Arlyn K.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 6/14/1996.
WILSON, Carl V.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 4/15/1980.

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

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GUMBS, Barbara G.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 6/4/1986.
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

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GRAHAM, Bernadette I.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 12/18/1984.
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GUMBS, Barbara G.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 6/4/1986.
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

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HOSE, Harry J.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 5/21/1993.
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KEPOO, Arlyn K.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 1/20/1993.
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MOOSE, Carl D., Jr.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 8/19/1985.
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NAMAUU, Naomi I.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 12/21/1987.
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YNIGUES, Thomas	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 10/9/1984.
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HAWAII ISLANDWIDE PASTORAL LEASE LIST

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KEPOO, Arthur O.K.K.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 9/20/1985.
KEPOO, Eric K.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 10/18/1989.
NAKOA, Joseph W.P., Sr.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 4/30/1979.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

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HOSE, Harry J.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 5/21/1993.
KEPOO, Arthur O.K.K.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 9/20/1985.
KEPOO, Eric K.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 10/18/1989.
MOOSE, Carl D., Jr.	Applicant unable to substantiate his native Hawaiian ancestry, cancel application dated 8/19/1985.
NAMAUU, Naomi I.	Applicant unable to substantiate her native Hawaiian ancestry, cancel application dated 12/21/1987.



YNIGUES, Thomas

Applicant unable to substantiate  
his native Hawaiian ancestry,  
cancel application dated  
10/9/1984.

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

HELENIHI, Francis C.

Applicant unable to substantiate  
his native Hawaiian ancestry,  
cancel application dated  
12/13/1999.

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

HELENIHI, Francis C.

Applicant unable to substantiate  
his native Hawaiian ancestry,  
cancel application dated  
10/22/1998.


Previous Cumulative Total for Current FY	0
Current Month's Total	22
<b>Fiscal Year Total: July 2021-June 2022</b>	<b>22</b>

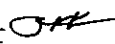
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator  
Homestead Services Division 

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

SUBJECT: **Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds**

RECOMMENDED MOTION/ACTION

1. To approve the designation of successor to the leasehold interest and person to receive the net proceeds, pursuant to Section 209, Hawaiian Homes Commission Act, 1920, as amended;

2. To approve and accept that designated successors are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 209, Hawaiian Homes Commission Act, 1920 as amended.

\*See attached list of Lessees.

Leasehold Interest:

Ratified for August 2021	12
Previous FY 2021 - 2022	<u>7</u>
FY 2021 - 2022 Total to Date	19

Ratified for FY '20 - '21	83
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Net Proceeds

Ratified for August 2021	0
Previous FY 2021- 2022	<u>0</u>
FY 2021 - 2022 Total to Date	0

Ratified for FY '20 - '21	0
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**LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR  
LEASEHOLD INTEREST  
FOR MONTH OF AUGUST 2021**

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. Glory Akana Lot No.: 14 Area: Puukapu, Hawaii Agr. Lease No. 6172	<u>PRIMARY: Joint Tenants</u> John Akana, Husband* *Omit due to death on March 13, 2020 Samuel E. L. Plunkett, Jr., Son  <u>ALTERNATE:</u> Liz L. Fernandez, Daughter  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
2. Alvin E. Chong, Sr. Lot No.: 64 Area: Kuhio Village, Hawaii Res. Lease No. 2679-A	<u>PRIMARY:</u> Alvin E. Chong, Jr., Son* *Omit due to death on April 1, 2021  <u>ALTERNATE: Joint Tenants</u> Lorraine L. Olsen-Chong, Wife Emrie L. Chong, Granddaughter  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A

3. Lorna K. Eberly  
Lot No.: 78  
Area: Kalamaula, Molokai  
Res. Lease No. 2569

PRIMARY: Tenants in Common  
Clifford Eberly, Husband\*  
\*Omit due to death on  
September 2, 2005  
Duke Eberly, Son

ALTERNATE:  
Adam Eberly, Son

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

4. Charles G. Hanohano  
Lot No.: 68  
Area: Puukapu, Hawaii  
Pas. Lease No. 8043

PRIMARY: Tenants in Common  
Trisha Christine N. Hanohano,  
Daughter  
Heidi Ann K. Hanohano, Daughter  
Amber M. H. Hanohano, Daughter

ALTERNATE:

DESIGNEE TO RECEIVE NET  
PROCEEDS:

5. Eric C. Kahinu  
Lot No.: 1  
Area: Moomomi, Molokai  
Agr. Lease No. 40

PRIMARY:  
Christin Kahinu, Daughter

ALTERNATE:  
Jewel-Marie Paleka, Daughter

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

6. Eric C. Kahinu  
Lot No.: 19-A  
Area: Kalamaula, Molokai  
Res. Lease No. 40

PRIMARY:  
Christin Kahinu, Daughter

ALTERNATE:  
Jewel-Marie Paleka, Daughter

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A



7. Paulette M. Kaleikini  
Lot No.: 2  
Area: Nanakuli, Oahu  
Res. Lease No. 5711

PRIMARY: Joint Tenants  
Jerry K. Kaleikini, Husband\*  
Kala W. Kaleikini, Son  
\*Omit due to death on  
August 25, 2010

ALTERNATE:  
N/A

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

8. Earl K. Kanae  
Lot No.: 17001  
Area: Kaupea, Oahu  
Res. Lease No. 12095

PRIMARY:  
Elsie Kanae, Wife

ALTERNATE: Joint Tenants  
Jeremiah K. Kanae, Son\*  
Eliza M. Kanae, Daughter\*  
\*Omit due to lack of  
genealogy documents to  
determine eligibility to  
successorship.

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

9. Abraham A Kassebeer, Sr.  
Lot No.: 36  
Area: Waimanalo, Oahu  
Res. Lease No. 8800

PRIMARY:  
Allen Lyle Kassebeer, Son

ALTERNATE:  
N/A

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

10. Godfrieda K. Muller  
Lot No.: 2  
Area: Waimanalo, Oahu  
Res. Lease No. 664

PRIMARY:  
Christine-Marie Tang,  
Granddaughter

ALTERNATE:  
Darnell Offer, Daughter

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

11. Eliza K. Reyes  
Lot No.: 59  
Area: Kalamaula, Molokai  
Res. Lease No. 2718

PRIMARY:  
Shannon Nishihira,  
Granddaughter

ALTERNATE:  
N/A

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

12. Orrin H. Smythe  
Lot No.: 109  
Area: PKE, Oahu  
Res. Lease No. 8400

PRIMARY: Tenants in Common  
Angeline R. K. Smythe, Wife  
Orrinlynn L. Smythe, Daughter\*  
\*Omit due to death on  
September 5, 2020

ALTERNATE:  
N/A


DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

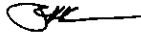
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

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

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

RECOMMENDED MOTION/ACTION

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

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

DISCUSSION

Twenty-six (26) assignments of lease.

1. Lessee Name: Sybil K. Ambrose  
Res. Lease No. 11937, Lot No. 17118  
Lease Date: 9/7/2007  
Area: Kaupea, Oahu  
Property Sold & Amount: Yes, \$649,000.00  
Improvements: 4 bedroom, 2-1/2 bath dwelling

Transferee Name: Herman A. Kamai, Jr. & Abigail L. K. Kamai  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 1/22/2009 - Herman A. Kamai, Jr.

Reason for Transfer: "Moving off island." Special Condition:  
Transferees to obtain funds to pay purchase price.

2. Lessee Name: Sadie L. Cardoza  
Res. Lease No. 12163, Lot No. 8  
Lease Date: 5/30/2008  
Area: Kaumana, Hawaii  
Property Sold & Amount: Yes, N/A  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: John W. Lorenzo  
Relationship: Son  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

3. Lessee Name: Duke K. Eberly  
Res. Lease No. 2569, Lot No. 78  
Lease Date: 2/14/1945  
Area: Kalamaula, Molokai  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 1 bath dwelling

Transferee Name: Kaycee N. E. Kawano  
Relationship: Cousin  
Loan Assumption: No  
Applicant: Yes, Molokai IW Res., 4/8/2021

Reason for Transfer: "Giving lease to relative."

4. Lessee Name: Donnalyn H. Isaacs  
Res. Lease No. 4726, Lot No. 102  
Lease Date: 1/13/1978  
Area: Waianae, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Tanya H. M. L. Isaacs  
Relationship: Daughter  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 3/16/2012

Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.



5. Lessee Name: Henrietta H. Ah Loy  
Agr. Lease No. 3216, Lot No. 36-G-2  
Lease Date: 12/18/1958  
Area: Hoolehua, Molokai  
Property Sold & Amount: No, N/A  
Improvements: 4 bedroom, 1 bath dwelling

Transferee Name: Donnalyn H. Isaacs  
Relationship: Daughter  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

6. Lessee Name: David S. K. Kaalakea  
Res. Lease No. 12231, Lot No. 30  
Lease Date: 3/11/2008  
Area: Waiehu Kou IV, Maui  
Property Sold & Amount: Yes, \$550,000.00  
Improvements: 4 bedroom, 2-1/2 bath dwelling

Transferee Name: Samson K. Kuanoni  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Maui IW Res., 5/20/2019

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

7. Lessee Name: Kai K. Kaholokai  
Res. Lease No. 7173, Lot No. 197  
Lease Date: 10/1/1999  
Area: Kawaihae, Hawaii  
Property Sold & Amount: Yes, \$455,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Maring Gacusana  
Relationship: None  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Moving off island." Special Condition:  
Transferee to obtain funds to pay purchase price. See  
simultaneous transfer below.

8. Lessee Name: Maring Gacusana  
Res. Lease No. 7173, Lot No. 197  
Lease Date: 10/1/1999  
Area: Kawaihae, Hawaii  
Property Sold & Amount: Yes, \$455,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Maring Gacusana & Edward K. Sagre  
Relationship: Lessee & Husband  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Adding relative to lease." Special  
Condition: Transferee to obtain funds to pay purchase price.

9. Lessee Name: Pat M. Kaialau  
Agr. Lease No. 6670, Lot No. 6  
Lease Date: 10/1/1989  
Area: Lualualei, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Isaac T. Kaialau  
Relationship: Son  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative." See  
simultaneous transfer below.

10. Lessee Name: Pat M. Kaialau  
Res. Lease No. 12940, Lot No. 59  
Lease Date: To be determined  
Area: Kauluokahai, Oahu  
Property Sold & Amount: Yes, \$384,000.00  
Improvements: 5 bedroom, 3 bath dwelling

Transferee Name: Isaac T. Kaialau  
Relationship: Son  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase price.  
See simultaneous transfer below.

11. Lessee Name: Isaac T. Kaialau  
Agr. Lease No. 6670, Lot No. 6  
Lease Date: 10/1/1989  
Area: Lualualei, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Pat M. Kaialau  
Relationship: Mother  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

12. Lessee Name: Kala W. Kaleikini  
Res. Lease No. 5711, Lot No. 2  
Lease Date: 10/10/1991  
Area: Nanakuli, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 5 bedroom, 3 bath dwelling

Transferee Name: Tuahine P. M. Kaleikini  
Relationship: Sister  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 5/27/1998

Reason for Transfer: "Giving lease to relative."

13. Lessee Name: Blossom M. Kaleleiki  
Res. Lease No. 7379, Lot No. 40  
Lease Date: 10/6/1994  
Area: Nanakuli, Oahu  
Property Sold & Amount: Yes, \$50,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Rondora L. Kaleleiki Kurtz  
Relationship: Stepdaughter  
Loan Assumption: No  
Applicant: No

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

14. Lessee Name: Alicia K. Keller  
Res. Lease No. 10244, Lot No. 29  
Lease Date: 8/18/2005  
Area: Waianae, Oahu  
Property Sold & Amount: Yes, \$144,000.00  
Improvements: 4 bedroom, 2 bath dwelling
- Transferee Name: Kamaehu K. K. Mamala-Keller  
Relationship: Son  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase price.
15. Lessee Name: Chester K. Kuoha  
Res. Lease No. 3920, Lot No. 1  
Lease Date: 2/14/1972  
Area: Waimanalo, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 1-1/2 bath dwelling
- Transferee Name: Ikaika C. Kuoha  
Relationship: Son  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative."
16. Lessee Name: Florence K. Lani  
Res. Lease No. 9949, Lot No. 98  
Lease Date: 3/1/2005  
Area: Waiehu Kou III, Maui  
Property Sold & Amount: Yes, \$200,000.00  
Improvements: 1 bedroom, 1 bath dwelling
- Transferee Name: George A. Plunkett  
Relationship: Son  
Loan Assumption: No  
Applicant: Yes, Maui IW Res., 1/23/1986
- Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase price.



17. Lessee Name: Irmalee K. P. Maly  
Res. Lease No. 9118, Lot No. 29  
Lease Date: 5/1/1991  
Area: Waiakea, Hawaii  
Property Sold & Amount: Yes, \$325,000.00  
Improvements: 3 bedroom, 2bath dwelling

Transferee Name: Samuel K. Miller  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Hawaii IW Res., 4/4/2006

Reason for Transfer: "After 30 years concerned about future with blood quantum." Special Condition: Transferee to obtain funds to pay asking price.

18. Lessee Name: Edward K. Naki, Jr.  
Res. Lease No. 4079, Lot No. 34-A  
Lease Date: 12/19/1973  
Area: Waimanalo, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Nadine E. Naki  
Relationship: Sister  
Loan Assumption: No  
Applicant: Yes Oahu IW Res., 11/4/2005

Reason for Transfer: "Giving lease to relative."

19. Lessee Name: Debrah-Mae H. Nawahine  
Res. Lease No. 12948, Lot No. 52  
Lease Date: To be determined  
Area: Kauluokahai, Oahu  
Property Sold & Amount: Yes, \$384,500.00  
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Maxine L. N. Honda  
Relationship: Daughter  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 10/10/2019

Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.

20. Lessee Name: Shirleen D. Oili  
Res. Lease No. 417, Lot No. 190  
Lease Date: 11/25/1930  
Area: Nanakuli, Oahu  
Property Sold & Amount: Yes, \$300,000.00  
Improvements: 4 bedroom, 2 bath dwelling
- Transferee Name: Jason K. W. Tollefson-Oili  
Relationship: Son  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 6/14/2007
- Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase price.
21. Lessee Name: Stephen Paling, III  
Res. Lease No. 9703, Lot No. 17  
Lease Date: 5/15/2001  
Area: Waianae, Oahu  
Property Sold & Amount: Yes, \$500,000.00  
Improvements: 6 bedroom, 2-1/2 bath dwelling
- Transferee Name: Dustin N. Paling  
Relationship: Son  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase price.
22. Lessee Name: Eric J. Santiago  
Res. Lease No. 10072, Lot No. 43  
Lease Date: 6/15/2005  
Area: Waiehu Kou III, Maui  
Property Sold & Amount: Yes, \$450,000.00  
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Darren K. Hewahewa  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Maui IW Res., 5/10/2010
- Reason for Transfer: "Selling home." Special Condition:  
Transferee to obtain funds to pay purchase price.

23. Lessee Name: Germaine K. Toguchi  
Res. Lease No. 8398, Lot No. 107  
Lease Date: 12/1/1995  
Area: PKE, Oahu  
Property Sold & Amount: Yes, \$320,000.00  
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Dezra K. H. Wright  
Relationship: Daughter  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 7/13/2020
- Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase price.
24. Lessee Name: Deborah Robinson  
Res. Lease No. 12376, Lot No. UNDV057  
Lease Date: 12/6/2008  
Area: Kapolei, Oahu  
Property Sold & Amount: No, N/A  
Improvements: None
- Transferee Name: Veronica K. Robinson  
Relationship: Daughter  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative."
25. Lessee Name: Marshall K. Rosa  
Agr. Lease No. 6127, Lot No. 131  
Lease Date: 9/1/1985  
Area: Kalamaula, Molokai  
Property Sold & Amount: No, N/A  
Improvements: None
- Transferee Name: Michael-Patrick Kamakana Jr.  
Relationship: Nephew  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative."

26. Lessee Name: Marshall K. Rosa  
Res. Lease No. 6118, Lot No. 111  
Lease Date: 4/10/2001  
Area: Kalamaula, Molokai  
Property Sold & Amount: No, N/A  
Improvements: None

Transferee Name: Michael-Patrick Kamakana Jr.  
Relationship: Nephew  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."


Assignments for the Month of August `21	26
Previous FY '21 - '22 balance	<u>21</u>
FY '21 - '22 total to date	47
Assignments for FY '20 - '21	201




STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

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

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

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Sixteen (16) amendments of lease.

1. Lessee: Henrietta H. Ah Loy  
Agr. Lease No.: 3216  
Lot No., Area, Island: 36-G-2, Hoolehua, Molokai  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.

2. Lessee: William A. Brede, Jr.  
Res. Lease No.: 3372  
Lot No., Area, Island: 66, Anahola, Kauai  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
3. Lessee: Alvin E. Chong, Sr.  
Res. Lease No.: 2679-A  
Lot No., Area, Island: 64, Kuhio Village, Hawaii  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
4. Lessee: Lorna K. Eberly  
Res. Lease No.: 2569  
Lot No., Area, Island: 78, Kalamaula, Molokai  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
5. Lessee: Rollanda K. Faraon  
Res. Lease No.: 188  
Lot No., Area, Island: 85, Hoolehua, Molokai  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.

6. Lessee: Melvin Hoomanawanui & Odetta I. Hoomanawanui  
Res. Lease No.: 9273  
Lot No., Area, Island: 60, Kaniohale, Hawaii  
Amendment: To amend the tenancy due to the death of a joint tenant lessee.
7. Lessee: Eric C. Kahinu  
Agr. Lease No.: 40  
Lot No., Area, Island: 1, Moomomi, Molokai  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
8. Lessee: Eric C. Kahinu  
Res. Lease No.: 40  
Lot No., Area, Island: 19-A, Kalamaula, Molokai  
Amendment: To amend the lease title and Lessor's name, and to incorporate the currently used terms, covenants, and conditions in the lease.
9. Lessee: Kai Kaholokai  
Res. Lease No.: 7173  
Lot No., Area, Island: 197, Kawaihae, Hawaii  
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval.

10. Lessee: Vernetta K. Maliu  
Res. Lease No.: 7  
Lot No., Area, Island: 29, Kalamaula, Molokai  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
11. Lessee: Richard Markham  
Res. Lease No.: 2482  
Lot No., Area, Island: 14, Waimanalo, Oahu  
Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
12. Lessee: Edward K. Naki, Jr.  
Res. Lease No.: 4079  
Lot No., Area, Island: 34A, Waimanalo, Oahu  
Amendment: To amend the lease title and Lessor's name, and to incorporate the currently used terms, covenants, and conditions in the lease.
13. Lessee: Eliza K. Reyes  
Res. Lease No.: 2718  
Lot No., Area, Island: 59, Kalamaula, Molokai  
Amendment: To amend the lease title and Lessor's name, update the property description, and to incorporate the currently used terms, covenants, and conditions in the lease.




14. Lessee: Eric J. Santiago  
 Res. Lease No.: 10072  
 Lot No., Area, Island: 43, Waiehu Kou III, Maui  
 Amendment: To amend the lease to update property description due to final subdivision approval.
  
15. Lessee: Marla K. Spencer  
 Agr. Lease No.: 175  
 Lot No., Area, Island: 18A&B, Hoolehua, Molokai  
 Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.
  
16. Lessee: Wilfred K. Spencer  
 Agr. Lease No.: 111  
 Lot No., Area, Island: 40, Hoolehua, Molokai  
 Amendment: To amend the lease title and Lessor's name, update the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.

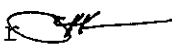
Amendments for the Month of August '21	16
Previous FY '21 - '22 balance	<u>16</u>
FY '21 - '22 total to date	32
Amendments for FY '20 - '21	112

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

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

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

RECOMMENDED MOTION/ACTION

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

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

DISCUSSION

Eleven (11) non-exclusive licenses.

1. Lessee: Robert D. L. Davis  
Res. Lease No.: 10032  
Lot No., Area, Island: 3, Waiehu 3, Maui  
Permittee: Vivint Solar Developer, LLC
  
2. Lessee: Glenn L. Foster  
Res. Lease No.: 9476  
Lot No., Area, Island: 38, Waiehu 2, Maui  
Permittee: Vivint Solar Developer, LLC

3. Lessee: Jackie N. Kaaihue  
Res. Lease No.: 9446  
Lot No., Area, Island: 8, Waiehu 2, Maui  
Permittee: Vivint Solar Developer, LLC
4. Lessee: Abraham Kahai  
Res. Lease No.: 8702  
Lot No., Area, Island: 16, Nanakuli, Oahu  
Permittee: Vivint Solar Developer, LLC
5. Lessee: Matthew K. Kalalau  
Res. Lease No.: 10033  
Lot No., Area, Island: 4, Waiehu 3, Maui  
Permittee: Vivint Solar Developer, LLC
6. Lessee: Kuuikaikapualiokekai Kawai  
Res. Lease No.: 7735  
Lot No., Area, Island: 247, Waiohuli, Maui  
Permittee: SunRun Installation Services, Inc.
7. Lessee: Robert K. Keaulani  
Res. Lease No.: 5979  
Lot No., Area, Island: 67, Waimanalo, Oahu  
Permittee: Vivint Solar Developer, LLC
8. Lessee: Jaclyn U. Ponce  
Res. Lease No.: 10574  
Lot No., Area, Island: 62, Waiehu 3, Maui  
Permittee: Vivint Solar Developer, LLC
9. Lessee: Cassandra L. Ryusaki  
Res. Lease No.: 5027  
Lot No., Area, Island: 104, Waiakea, Hawaii  
Permittee: SunRun Installation Services, Inc.
10. Lessee: Jose B. Tabisola, Jr.  
Res. Lease No.: 12256  
Lot No., Area, Island: 23, Waiehu 4, Maui  
Permittee: Vivint Solar Developer, LLC

11. Lessee: Annette L. Wong  
Res. Lease No.: 8237  
Lot No., Area, Island: 2, Waimanalo, Oahu  
Permittee: Vivint Solar Developer, LLC

Non-Exclusive License for the Month of August '21	11
Previous FY '21 - '22 balance	<u>5</u>
FY '21 - '22 total to date	16
 Non-Exclusive License for FY '20 - '21	 64




STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Homestead Services Division Administrator 

FROM: Olinda L. Fisher, East Hawaii District Office  
Homestead District Assistant Supervisor

SUBJECT: **Request for Partial Advancement of Net Proceeds -  
ROANNE HA from ROBERT M. HA,  
Agricultural Lease No. 5110,  
Lot Nos. 9-A and 9-B, Pana'ewa, Hawai'i**

RECOMMENDED MOTION/ACTION

To approve a partial advance payment of net proceeds to Roxanne Ha, in the amount of \$135,000, from the General Home Loan Fund, subject to her vacating Lot No. 9-A and Lot No. 9-B, 30 calendar days following her receipt of the advance payment.

DISCUSSION

On April 1, 1990, Robert M. Ha (Robert) received Lease No. 5110, Lot Nos. 9-A and 9-B, Panaewa, Hawaii, by way of Transfer through Successorship (Lease).

On October 24, 2013, Robert passed away.

Robert designated, Roanne Ha (Roanne), his non-Hawaiian spouse, to receive the appraise value of the improvements less any indebtedness to the Department and other costs. Pursuant to Hawaii Administrative Rule 10-3-65 (c), Roanne was informed that any net proceeds are generally paid only after a property has been re-awarded.

On June 15, 2018, an appraisal report by Valley Isle Appraisal Company valued the improvements on Lot No. 9-A, consisting of a 3-bedroom and 1-1/2 bath house at \$244,000 and Lot No. 9-B, consisting of a 1-bedroom and 1-1/2 bath house at \$135,000.

There is no mortgage on the improvements and lease rent is paid current. The County real property taxes are paid current.

By letter dated January 30, 2019, Roanne requested to receive an advance payment in the amount of \$135,000 to be used towards the purchase of another home.

By letter dated May 18, 2019, Roanne advised the Department of her intentions to have certain unpermitted improvements on Lot No. 9-B, including 1/2-bath, two porches, and a storage room, to be properly permitted by the County for the purpose of increasing the value of the structure.

By Department letter dated August 17, 2020, Roanne was notified to provide the Department with a report on or before August 31, 2020, with the status of her attempt to have the unpermitted improvements properly permitted by the County.

Roanne did not provide the Department with a report.

By Department letter dated June 10, 2021, Roanne was advised to vacate the premises by July 31, 2021.

Roanne continues to occupy the home located on Lot No. 9-A, but Lot No. 9-B is unoccupied.


The Department requests the approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: Erna Kamibayashi, Kauai District Office Supervisor  
Homestead Services Division

SUBJECT: **Request to Surrender Interest in Lease - Residential Lot  
Lease No. 6529, Lot No. 22, Anahola, Kauai, Co lessees  
Frances Hernandez-Martinez and Makai Pia Ho'omanawanui**

RECOMMENDED MOTION/ACTION

1. To approve the surrender of a 25% tenant in common leasehold interest, separately held by Frances Hernandez-Martinez (Frances) and Makai Pia Ho'omanawanui (Makai) in Department of Hawaiian Home Lands Residential Lease No. 6529, Lot No. 22, situated at Anahola, Kauai (Lease), and further identified as Tax Map Key: 4-8-021-022, subject to the waiver of any net proceeds to their respective interest in the Lease;

2. To approve the amendment of the Lease to reflect Teresa Leinaala Pia (Teresa) as the tenant in severalty.

DISCUSSION

Lot No. 22, covered by the Lease, is situated in the Bayview Residential Subdivision located in Anahola, Kauai, was awarded to Joseph K. Pia (Joseph), commencing on July 1, 1986.

On March 15, 2002 Joseph designated his children, Frances, Makai, Teresa L. Pia (Teresa), and Rayna L. Pia (Rayna), as the persons to succeed to all of his right, title and interest in and to the Lease together with all of his interest in and to all of the improvements on the land demised thereby as tenants in common.

On April 20, 2002, Joseph died.

By way of the Transfer Through Successorship document, dated July 25, 2007, all the rights title and interest to the Lease was transferred equally, as one-fourth tenant in common interest, to Frances, Makai, Teresa, and Rayna.

Rayna transferred her 25% tenant in common interest in the Lease to her sister, Teresa, by way of the Assignment of Lease and Consent, dated January 24, 2008. Receiving this transfer from Rayna increased Teresa's tenant in common interest to 50%.

On June 29, 2021, Frances submitted a Notice of Surrender to her 25% tenant in common interest in the Lease. She stated she owned a home in Kapa'a, Kaua'i and did not want to be responsible for the Hawaiian Home Lands property in Anahola. She Further stated she was not interested in any net proceeds to the Lease. (see Exhibit A)

On July 7, 2021, Makai submitted a Notice of Surrender to his 25% tenant in common interest in the Lease. He stated his aunt Teresa has been financially helping him through school and it is his hope the Department will allow her to receive his surrendered portion of the lease. He further stated he is not interested in any net proceeds to the Lease. (see Exhibit B)

The Department requests approval of its recommendation.



DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES  
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS**

3040 EIWA STREET, ROOM 203  
LIHUE, HAWAII 96766

**NOTICE OF SURRENDER OF LEASE**

I, Frances Hernandez-Martinez, hereby freely and voluntarily submit my notice of surrender of my interest in and to Department of Hawaiian Home Lands Agricultural/Pastoral/Residential ( Circle one) Lot Lease No. 6529, demising Lot No. 22, situate at Anahola, on the island of Kauai, Hawaii ("Lease") for the following reason(s) (must be completed):

I already own my own home in Kapa'a, Kaua'i and I do not want to be responsible for the Hawaiian Home Lands property in Anahola.

I understand that the surrender of my interest in and to the Lease is not effective until:

1. The surrender is accepted by the Chairman of the Hawaiian Homes Commission ("Commission");
2. The surrender is ratified by the Hawaiian Homes Commission; and
3. A Surrender of Lease Interest document is executed by the Department of Hawaiian Home Lands ("Department") and me.

Until the Surrender of Lease Interest document is executed, I remain responsible and liable for the following:

1. The premises demised under the Lease;
2. Payment of real property taxes on the premises demised under the Lease;
3. Payment of all taxes, assessments and charges of any kind arising out of the improvements on the premises demised under the Lease;
4. Maintaining homeowners' and hurricane insurance policies on any and all structures located on the premises demised under the Lease.

I further declare that I am not interested in any net proceeds to the lease. Currently this lease is shared by myself and my half-sister Teresa Pia and my nephew Makai Pia-Ho'omanawanui. My sister Teresa has been financially responsible for the lease in Anahola and should receive all financial value.

I further understand that, if I desire to rescind this Notice of Surrender, any such rescission will be permitted at the sole discretion of the Commission. If the Commission allows me to rescind this Notice of Surrender, I shall be responsible to repay the Department, upon demand, all costs incurred with the processing of my surrender.

Walter Martinez  
Lessee

Lease No. 6529 Lot No. 22

Date: 6/29/2021

Surrender Accepted/Rejected

\_\_\_\_\_  
William Aila, Jr.  
Chairman, Hawaiian Homes Commission

Date: \_\_\_\_\_

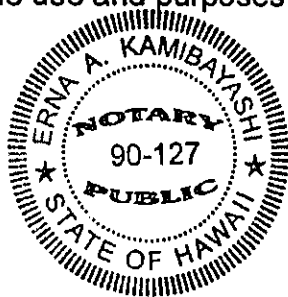
Ratified by the Hawaiian Homes Commission  
On \_\_\_\_\_

STATE OF HAWAII

COUNTY OF KAUAI

)  
)  
) SS.

On this 29 day of June, 2021, before me appeared **FRANCES HERNANDEZ-MARTINEZ**, to me personally known, who, being by me duly sworn, did say that he/she is the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.



Erna A. Kamibayashi  
Notary Public, State of Hawaii

Printed Name: Erna A. Kamibayashi

My commission expires: 3/6/2022

**NOTARY CERTIFICATION STATEMENT**

Document Identification or Description:

Surrender of interest in Lease 6529  
Anahola, Kauai

Document Date: 29 June 2021

No of pages: 3

Jurisdiction: 5th

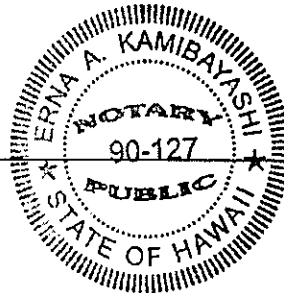
Circuit  
(in which notarial act is performed)

Erna A. Kamibayashi  
Signature of Notary

29 June 2021

Date of Notarization and Certification Statement

Erna A. Kamibayashi  
Printed Name of Notary



DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
L.T. GOVERNOR  
STATE OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

TYLER J. GOMES  
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879  
HONOLULU, HAWAII 96805

**NOTICE OF SURRENDER OF LEASE**

I, Makai Pia-Hoomanawanui, hereby freely and voluntarily submit my notice of surrender of my interest in and to Department of Hawaiian Home Lands Agricultural/Pastoral/Residential ( Circle one) Lot Lease No. 6529, demising Lot No. 22, situate at Anahola, on the island of Kauai, Hawaii ("Lease") for the following reason(s) (must be completed):

I am in college on the mainland and away from the home for long periods of time. I am unable to assist with proper maintenance of this property. My aunt Teresa Pia is interested in the property and has been investing her funds to maintain the property.

I understand that the surrender of my interest in and to the Lease is not effective until:

1. The surrender is accepted by the Chairman of the Hawaiian Homes Commission ("Commission");
2. The surrender is ratified by the Hawaiian Homes Commission; and
3. A Surrender of Lease Interest document is executed by the Department of Hawaiian Home Lands ("Department") and me.

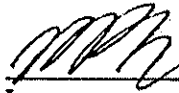
Until the Surrender of Lease Interest document is executed, I remain responsible and liable for the following:

1. The premises demised under the Lease;
2. Payment of real property taxes on the premises demised under the Lease;
3. Payment of all taxes, assessments and charges of any kind arising out of the improvements on the premises demised under the Lease;
4. Maintaining homeowners' and hurricane insurance policies on any and all structures located on the premises demised under the Lease.



I wish to further declare that I am not interested in any financial value of net proceeds to the lease. Currently this lease is shared by myself and my two aunts Teresa Pia and Frances Hernandez-Martinez. My aunt Teresa has been financially helping me through school and it is my hope that the Department will allow her to receive my surrendered portion of the lease and full financial value.

I further understand that, if I desire to rescind this Notice of Surrender, any such rescission will be permitted at the sole discretion of the Commission. If the Commission allows me to rescind this Notice of Surrender, I shall be responsible to repay the Department, upon demand, all costs incurred with the processing of my surrender.



\_\_\_\_\_  
Lessee

Lease No. 6529 Lot No. 22

Date: 07/07/21

Surrender Accepted/Rejected

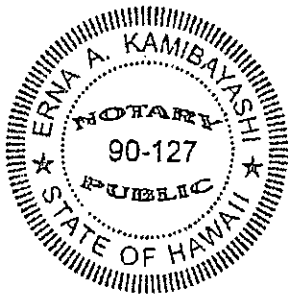
\_\_\_\_\_  
William Aila, Jr.  
Chairman, Hawaiian Homes Commission

Date: \_\_\_\_\_

Ratified by the Hawaiian Homes Commission  
On \_\_\_\_\_

STATE OF Hawaii )  
COUNTY OF Kauai ) SS.

On this 7 day of July, 2021, before me appeared **MAKAI PIA HO'OMANAWANUI**, to me personally known, who, being by me duly sworn, did say that he/she is the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.



Erna A. Kamibayashi  
Notary Public, State of Hawaii  
Printed Name: Erna A. Kamibayashi  
My commission expires: 3/6/2022

**NOTARY CERTIFICATION STATEMENT**

Document Identification or Description:

Notice of Surrender of Lease 16529

Document Date: \_\_\_\_\_

No of pages: 3 Jurisdiction: 5th Circuit  
(in which notarial act is performed)

Erna A. Kamibayashi 7/7/2021  
Signature of Notary Date of Notarization and Certification Statement

Erna A. Kamibayashi  
Printed Name of Notary



**HAWAIIAN HOMES COMMISSION  
AUGUST 16 & 17, 2021  
INTERACTIVE CONFERENCE  
TECHNOLOGY  
9:30 A.M.**

**E – ITEMS  
LAND DEVELOPMENT DIVISION**



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

# **KAUAI ISLAND**

## **Project Updates**

**LAND DEVELOPMENT DIVISION**

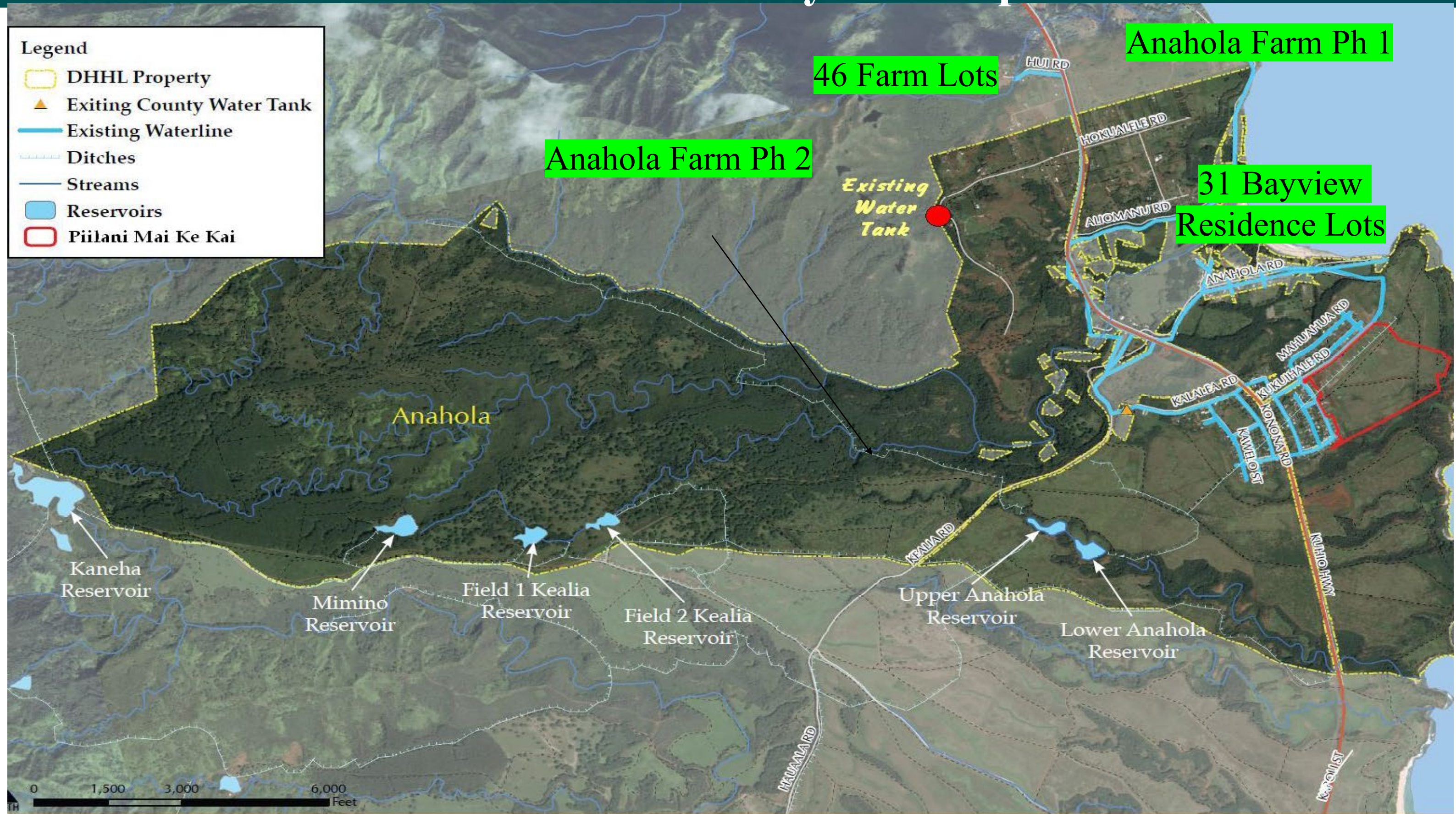
Item E-1 For Information Only  
August 16-17, 2021





# DHHL – USDA RD

## Anahola Farm Lots Water System Improvements







# FUNDS AWARDED BY USDA RD

(Accepted by HHC, Nov. 2018)

**USDA 2016 FUNDING PACKAGE**

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

**USDA 2018 FUNDING PACKAGE ADDS:**

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

**GRAND TOTAL                    \$12,955,806**



# ANAHOLA FARM LOTS WATER SYSTEM IMPROVEMENTS

Phase 1:

Kaiwa Construction: \$3,196,408

- Replacement of transmission and distribution lines
- Improvement of pressure in mauka and makai lots
- Install smart meters, new backflow preventers
- Upgrades to fire protection; new hydrants

Construction commencement: Feb. 2020

Substantial Completion: July 2021

Expenditure to Date: \$3.016 Million



# ANAHOLA FARM LOTS WATER SYSTEM IMPROVEMENTS

Phase 2:

Kiewit Infrastructure West Co.: \$ 6,692,786

- Construct 100,000 gallon temporary steel bolted water tank
- Demolish 500,000 gallon steel water tank
- Install new 440,000 gallon concrete water tank
- Construct pump station upgrades and install new submersible pump
- Construct new upper level distribution line and booster pump to increase pressure near tank

Construction commencement: Dec. 2020

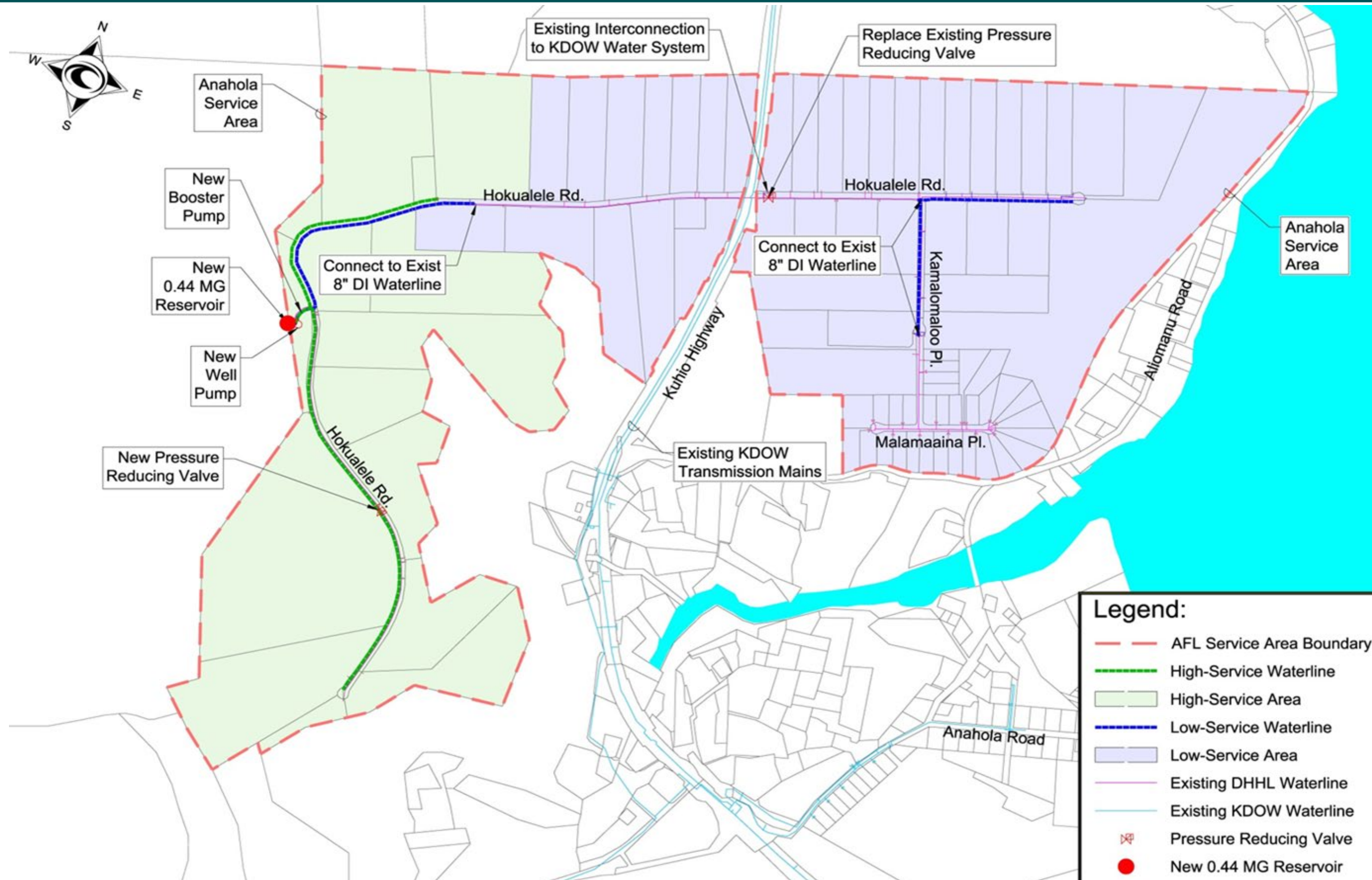
Est. Completion Phase 2: Nov. 2022

Expenditure to date: \$ 2.025 Million





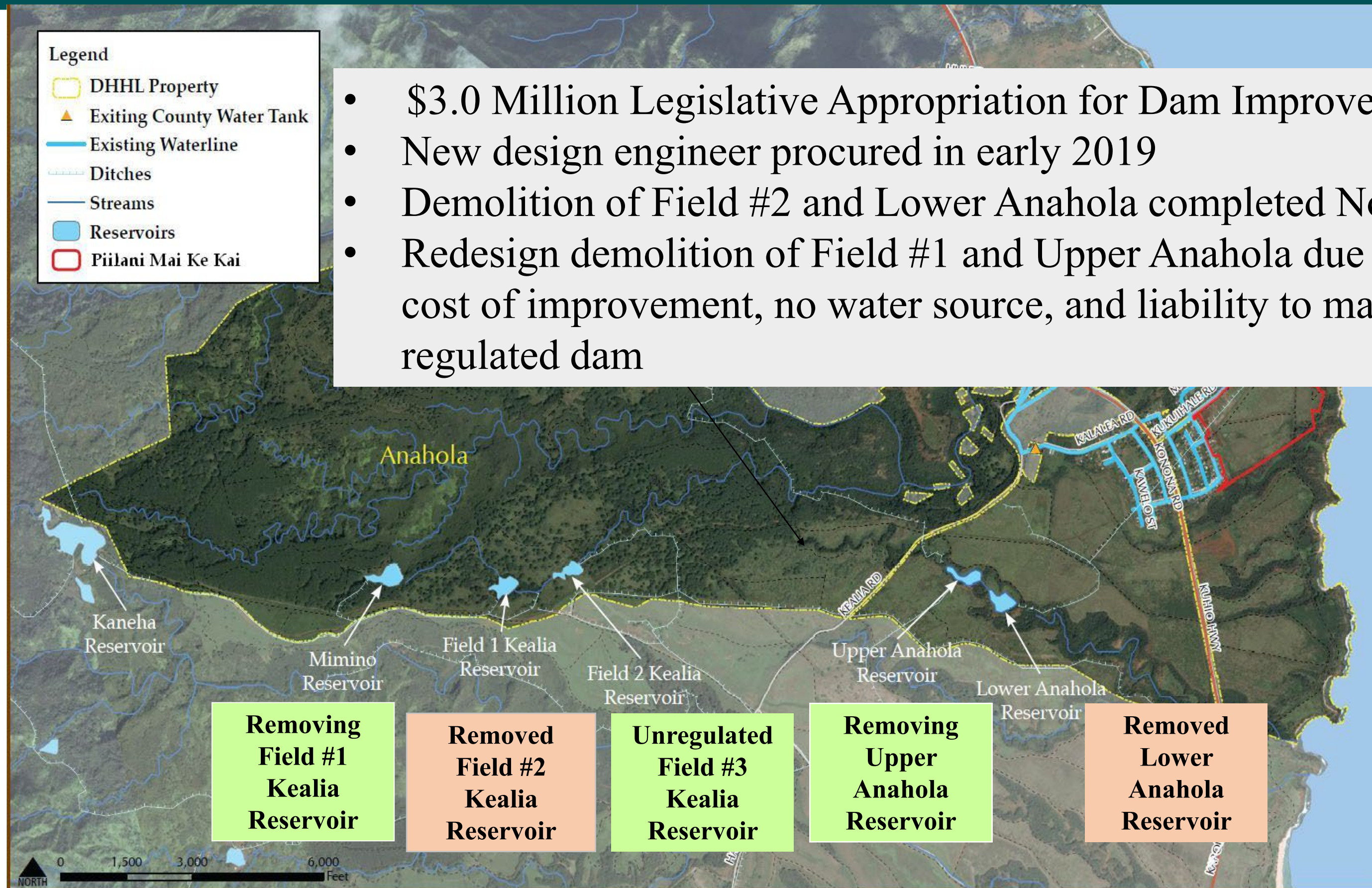
# ANAHOLA FARM LOTS WATER SYSTEM







# Anahola Dam & Reservoir Improvements



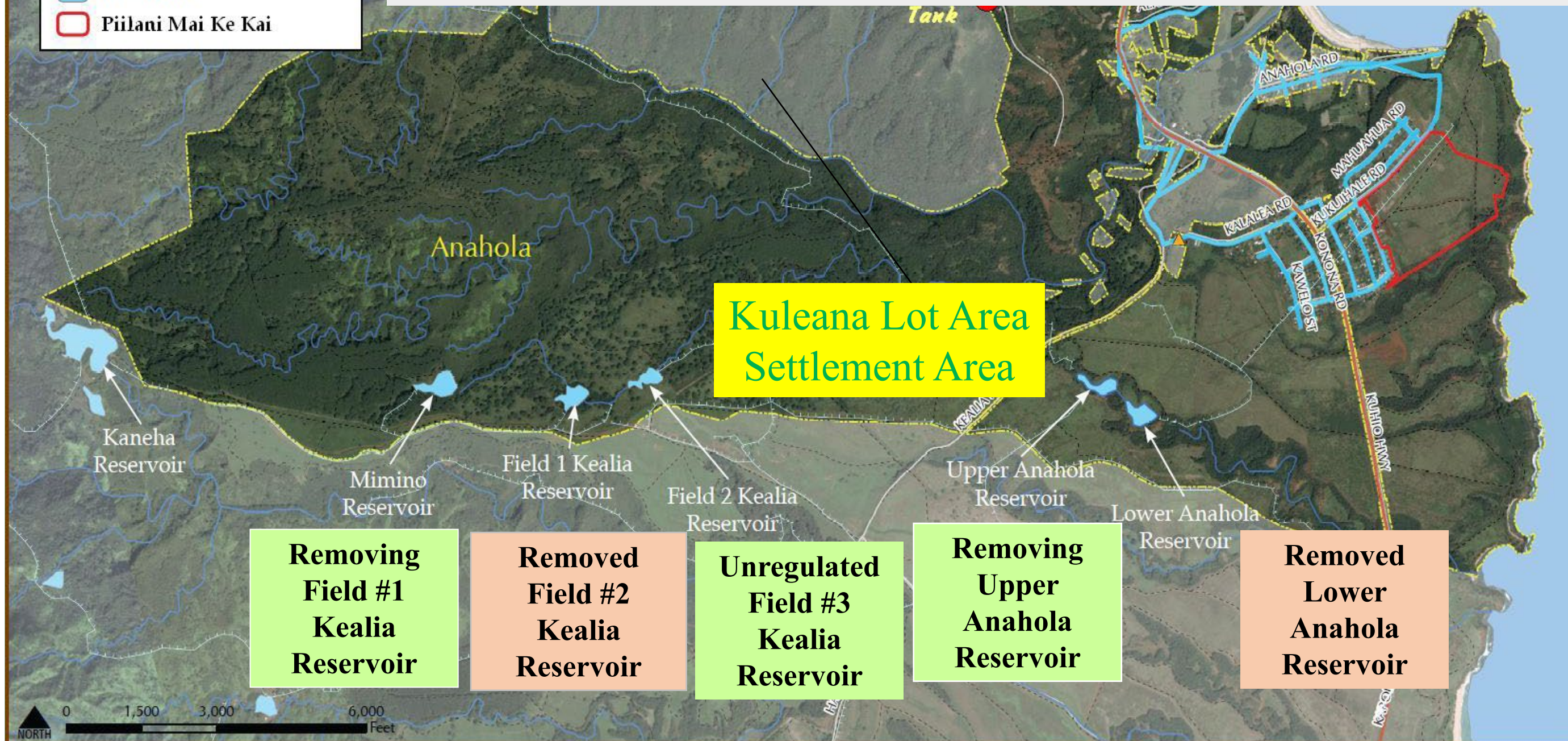
- \$3.0 Million Legislative Appropriation for Dam Improvements
- New design engineer procured in early 2019
- Demolition of Field #2 and Lower Anahola completed Nov. 2020
- Redesign demolition of Field #1 and Upper Anahola due to high cost of improvement, no water source, and liability to maintain a regulated dam



# Assessment of Dams for Anahola Kuleana Lot Settlement Plan



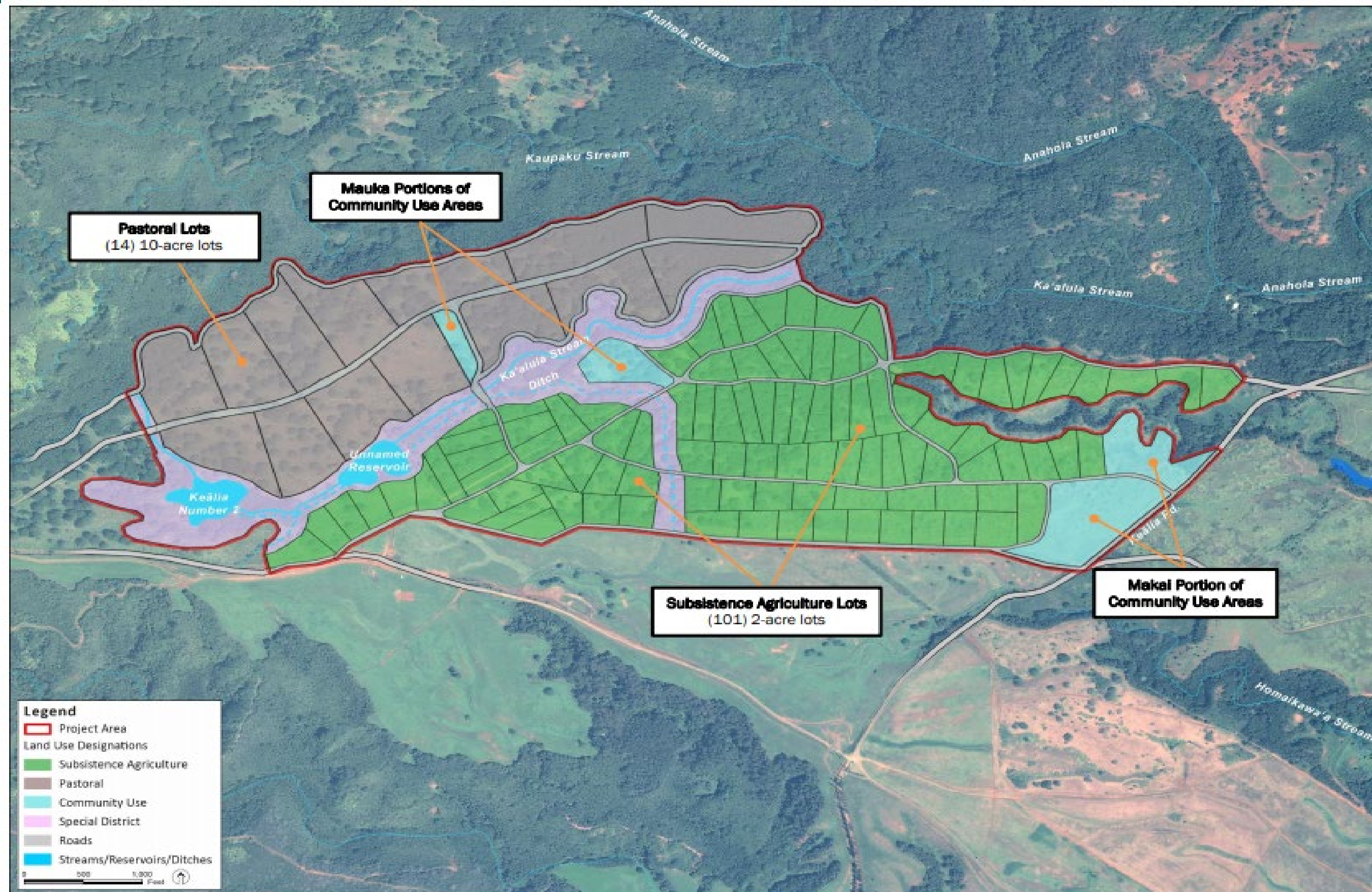
- Draft EA published May 2020; Final EA published June 2021
- Assessed Kealia Field #1 for non-potable; however not feasible
- Additional design funds required for redesign for demolition and removal and for Dam Safety permitting.







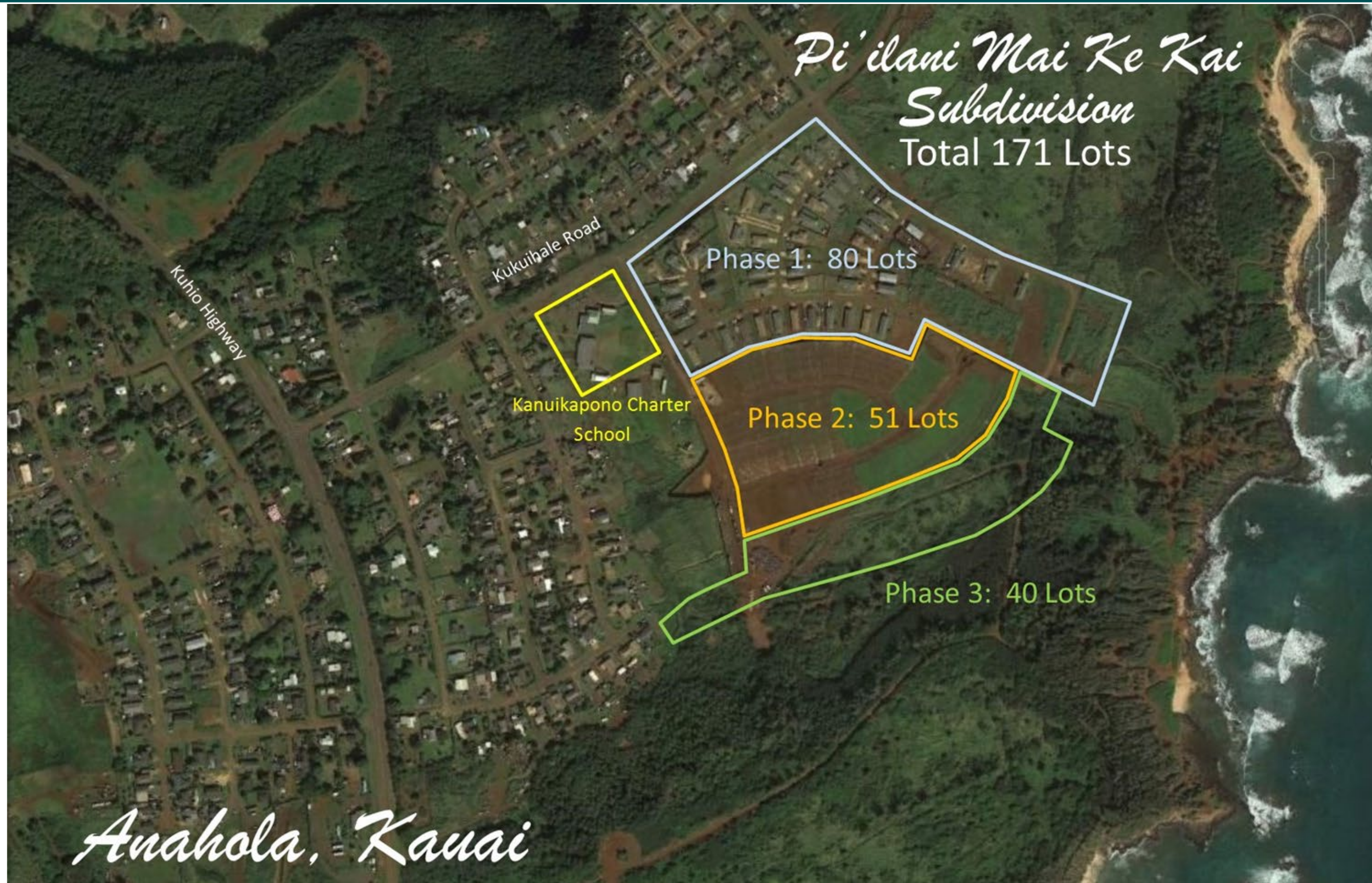
# ANAHOLA KULEANA LOT SETTLEMENT







# PI'ILANI MAI KE KAI





# Lot Assessment, Preparation for Award & Offering in Progress

## Piilani Mai Ke Kai

Total 181 Undivided Interest Leases

### Phase 2

(51 Lots)

- HUD ERR completed.
- No wetlands permitting required from U.S. Army Corp of Engineers for Phase 1 and Phase 2.
- Ready to offer 51 vacant lots in 2021.

### Phase 1

(80 Lots)

3 lots for Offer  
10 lots in construction process

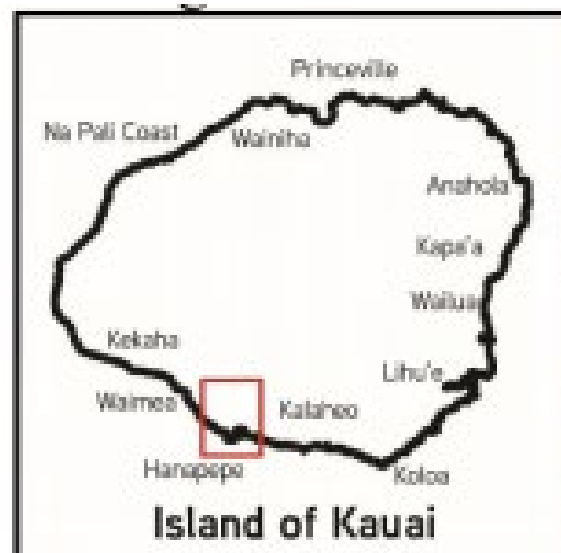
### Phase 3 (50 lots)

Planned lots and roadway awaiting new determination.  
Hold design until determination provided by U.S. Army Corp of Engineers.





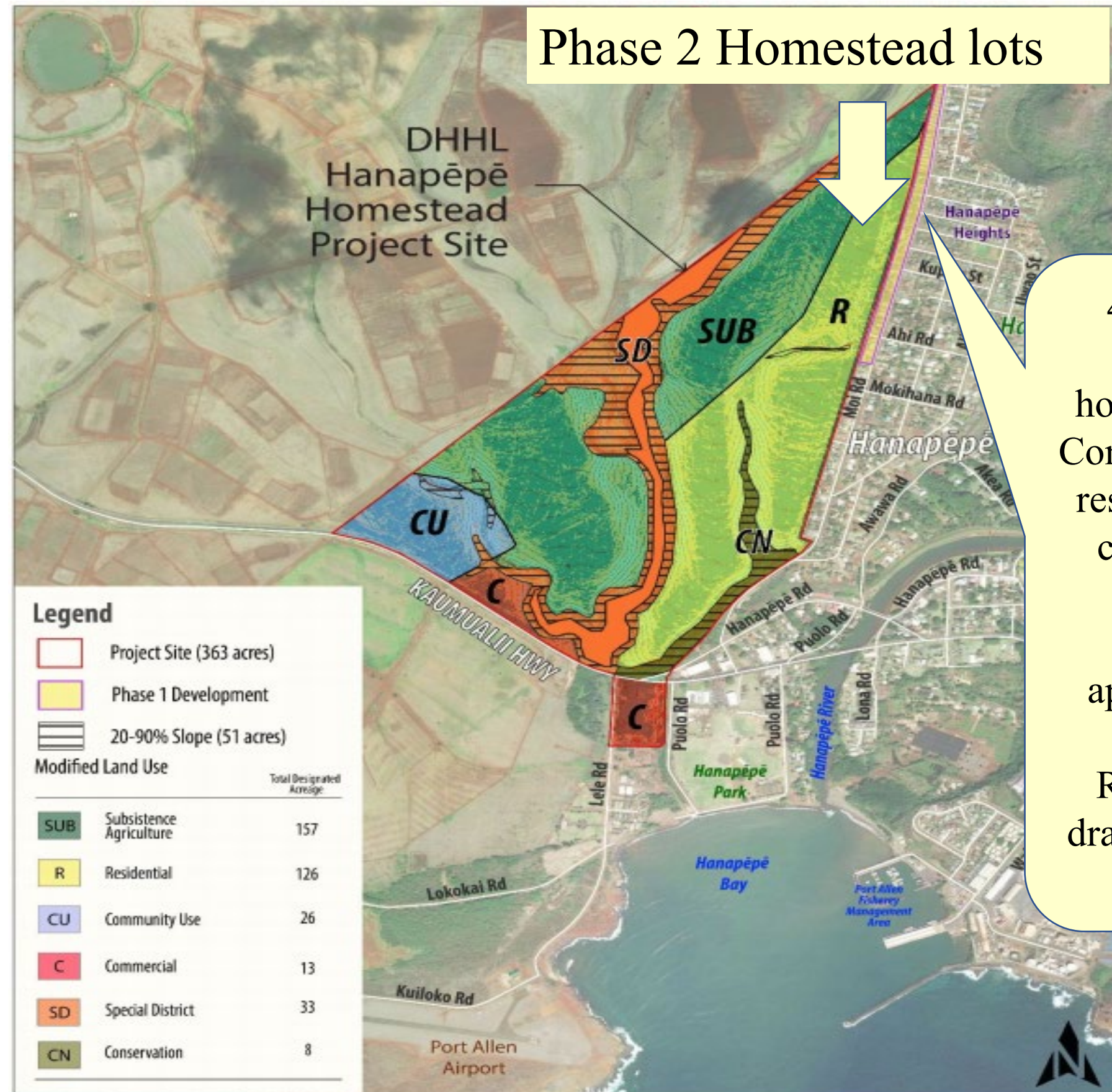
# HANAPEPE MASTERPLAN AND ENVIRONMENTAL ASSESSMENT



Legislative  
Appropriation:  
\$1,000,000 (Planning &  
Design)  
Masterplan & EA  
completed.

Phase 2, 75+ new  
residential lots.

Designs in process.  
Construction estimate  
\$19,000,000.



47 occupied  
residential  
homestead lots.  
Consolidation and  
resubdivision to  
commence in  
2021, with  
subdivision  
application for  
Phase 2.  
Relocation of  
drainage line and  
swale.



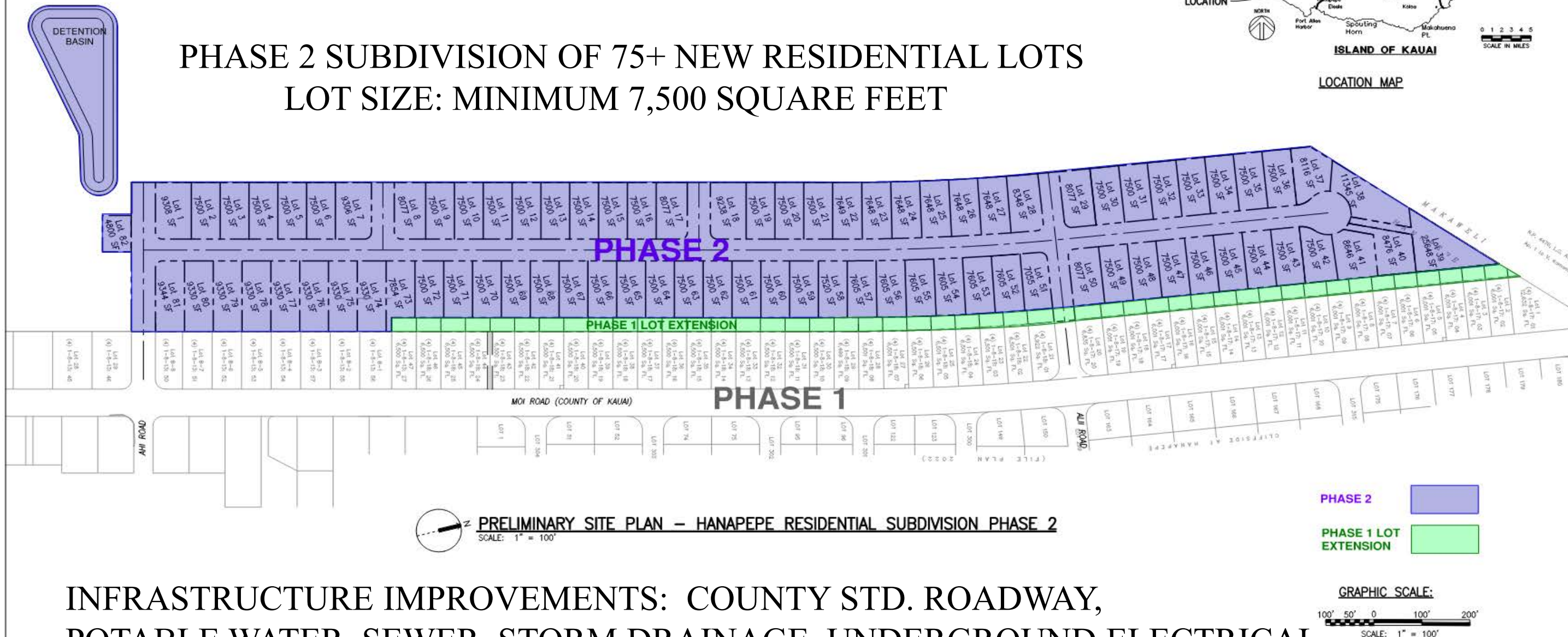


# Hanapepe Residential Phase 2

## CONCEPTUAL LAYOUT

PHASE 1 CONSOLIDATION AND RESUBDIVISION  
ADD APPROXIMATELY 1,500 SQUARE FEET

PHASE 2 SUBDIVISION OF 75+ NEW RESIDENTIAL LOTS  
LOT SIZE: MINIMUM 7,500 SQUARE FEET

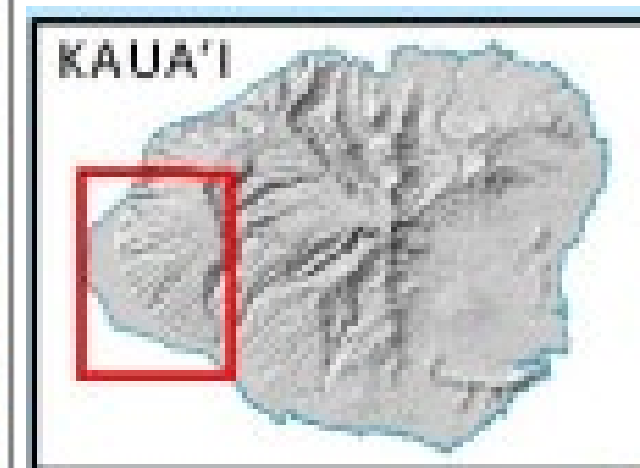
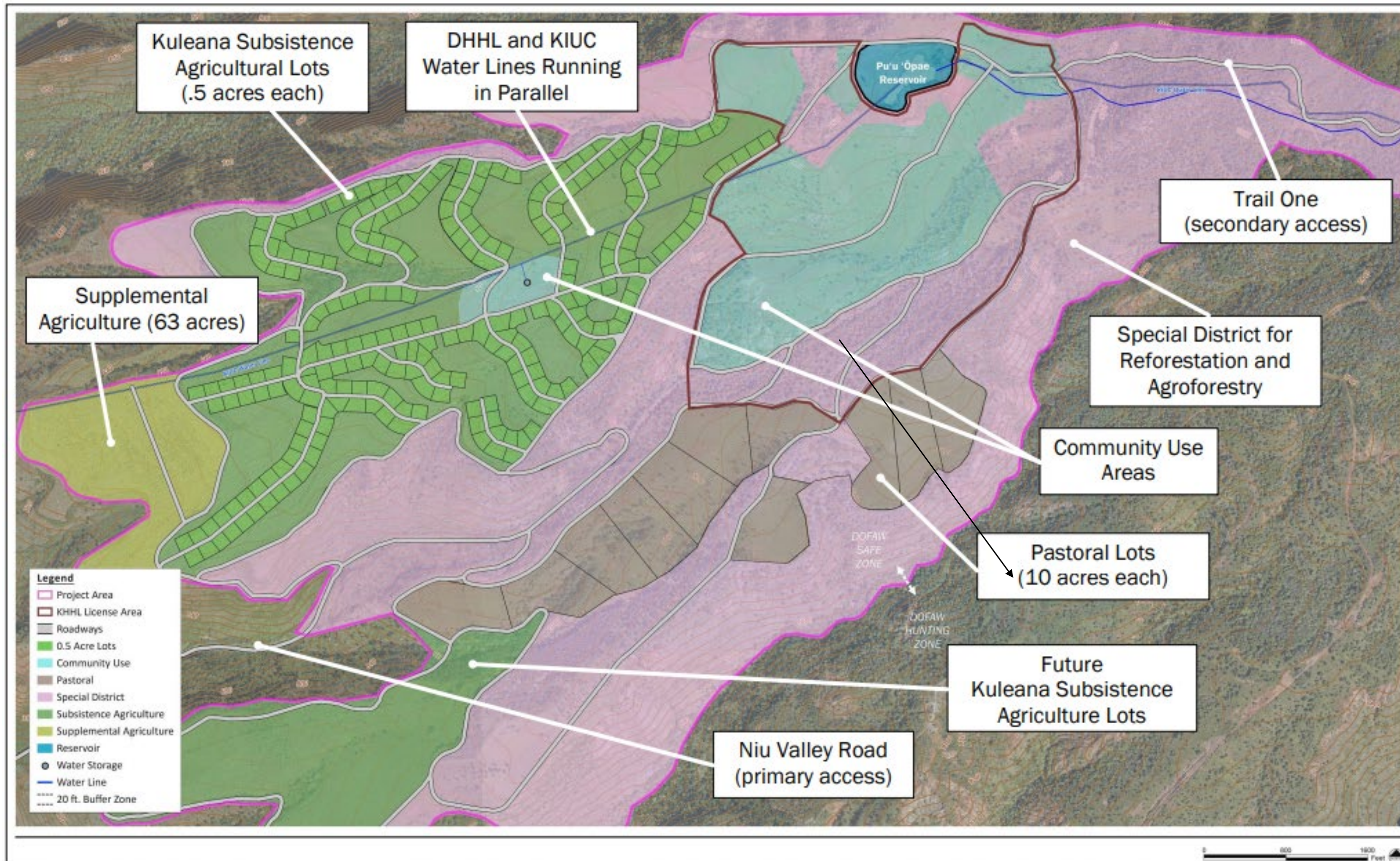


INFRASTRUCTURE IMPROVEMENTS: COUNTY STD. ROADWAY,  
POTABLE WATER, SEWER, STORM DRAINAGE, UNDERGROUND ELECTRICAL





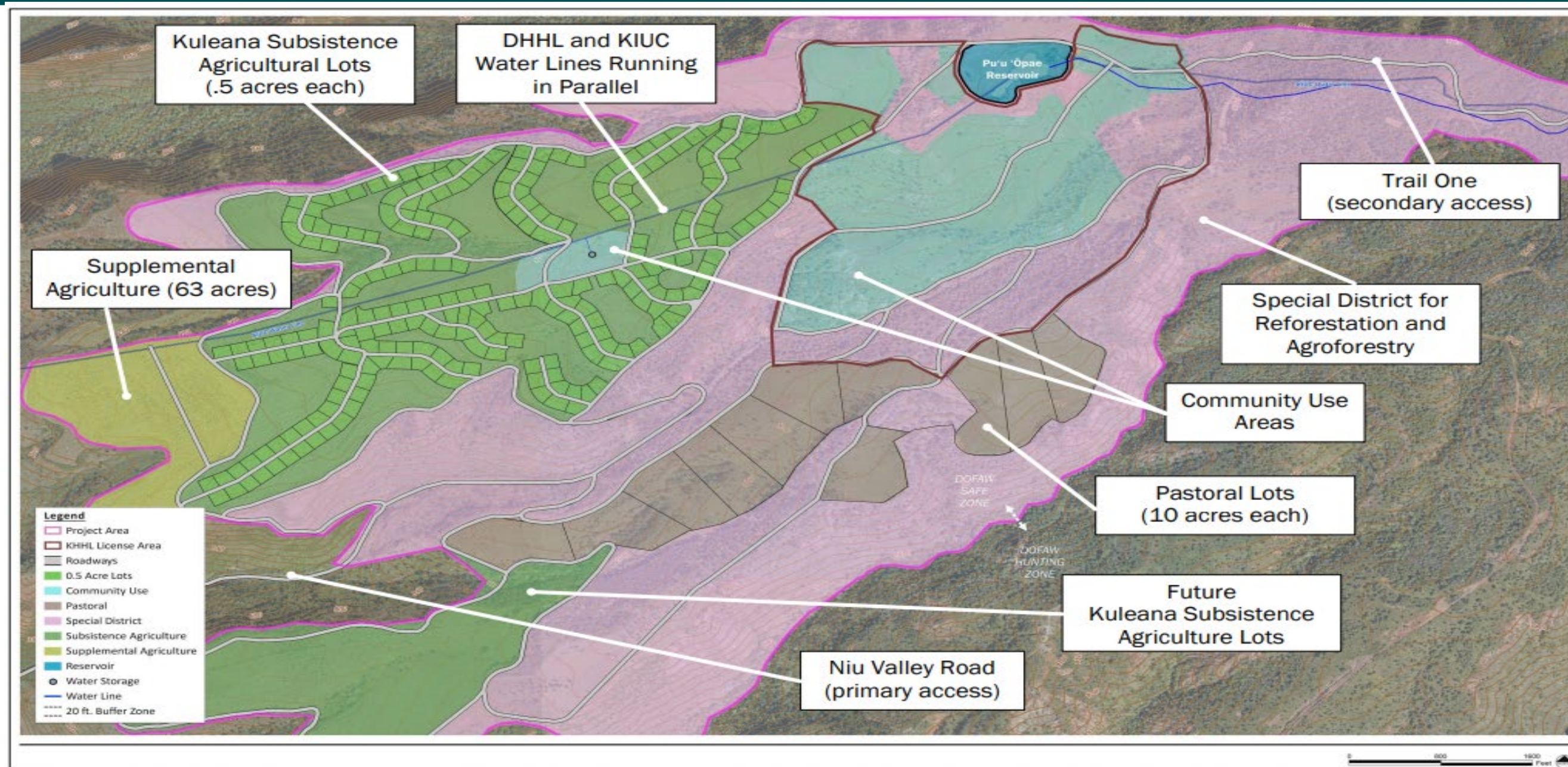
# Pu'u 'Ōpae Kuleana Homestead Lots







# Pu'u 'Ōpae Kuleana Homestead Lots



- Final EA approved by the HHC in July 2020
- KIUC has agreement with DHHL to make following improvements:
  - Ditch and transmission line improvements
  - Repair 3 existing reservoirs
  - Roadway improvements
- KIUC currently going through HRS 343 EA process





# Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

[www.dhhl.hawaii.gov](http://www.dhhl.hawaii.gov)

**HAWAIIAN HOMES COMMISSION  
AUGUST 16 & 17, 2021  
INTERACTIVE CONFERENCE  
TECHNOLOGY  
9:30 A.M.**

**F – ITEMS  
LAND MANAGEMENT DIVISION**



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16 & 17, 2021

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Jobie Masagatani, Executive Assistant

SUBJECT: F-1 Approval to Issue a Right of Entry Permit to Hawaiian Telecom, Inc., Portions of Various TMKS. Statewide – Islands of Kaua‘i, O‘ahu, Moloka‘i, Maui, and Hawai‘i.


*RELEVANT MATERIAL WILL BE DISTRIBUTED UNDER SEPARATE COVER.*


ITEM NO. F-1

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16 - 17, 2021

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator  
Land Management Division   
  
Kalei Young, Supervising Land Agent  
Land Management Division

From: Shelly Carreira, Land Agent   
Land Management Division

Subject: Approval to Issue a License for Easement, County of Maui, Department of Fire & Public Safety, Ualapu'e, Island of Molokai, TMKS: (2) 5-6-002:001 (por.) and :036 (por.)

APPLICANT:

County of Maui, Department of Fire & Public Safety, "Licensee"

RECOMMENDED MOTION/ACTION:

1. That the Hawaiian Homes Commission (HHC) grant its approval to issue a License for Easement to the County of Maui, Department of Fire & Public Safety for approximately 0.345 acres (15,045 sq. ft.) (more or less) of Hawaiian home lands TMKS: (2) 5-6-002:001 (portion) and :036 (portion) for non-exclusive easement for the purpose of ingress and egress roadway access, buffer zone, and parking.
2. Authorize the issuance of a License for Easement to Licensee covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current license form, as may be amended from time to time;
  - B. The term of the License Easement shall be perpetual and commence upon full execution of the license document and terminate should Licensee ceases to operate and maintain a fire station at its adjacent fee-simple lot;
  - C. The license fee for the easement area shall be established at \$1.42 per square foot of the total easement area and payable in one-lump sum upon the completion of a boundary survey that confirms the actual square footage of the entire easement area;
  - D. Security Deposit: None;

- E. Licensee shall pay the non-refundable processing and documentation fee, \$275.00;
  - F. Licensee shall be responsible for and borne all costs associated with obtaining a certified professional survey with metes and bounds description, staking and mapping of the licensed easement area which encompasses the respective portions of Tax Map Key Nos. (2) 5-6-002:001 and :036 and provide the completed survey map with metes and bounds description to DHHL for record and filing;
  - G. Licensee shall install fencing along the Eastern boundary of easement area TMK:(2) 5-6-002:036, and be responsible for and borne all costs of fencing materials and installation. Fencing design and installation are subject to DHHL's review and consent from the Chairman of the Hawaiian Homes Commission;
  - H. The license document shall be subject to the review and approval of the Department of the Attorney General; and
  - I. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trust;
3. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Portion of Hawaiian home lands situated in Ualapue, Island of Molokai, identified as TMK: (2) 5-6-002:036 & :002, and further shown in Exhibit "A".

AREA:

Approximately 0.345 Acres (15,045 Sq. Ft.)

BACKGROUND/DISCUSSION:

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

- 1) Molokai Island Plan, June 2005
  - Land Use Designation: Residential, Figure 3.2, Ualapue.
- 2) Molokai Regional Plan (2019)

While not identified as a potential project, the disposition will support emergency services to the East Molokai community.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Based upon HAR Section 11-200.1 exemption criteria and DHHL's approved exemption list, the DHHL Planning Office concluded that County of Maui, Department of Fire & Public Safety, easements for ingress, egress and parking on portions tax map keys: (2) 5-6-002:001 & 036, island of Molokai, meets the criteria for the following de minimis activities: Part II: General Types of Actions Eligible For Exemption; Type 3 – Construction and location of single, new, small facilities or structures and the alteration and modification of the facilities or structures and installation of new, small equipment or facilities and the alteration and modification of the equipment or facilities; Item 6 – Construction of interior roadways, driveways, parking lots, sidewalks, curbs, and gutters.

The County of Maui, Department of Fire & Public Safety is subject to compliance with Historic Preservation HRS Chapter 6E requirements.

### BACKGROUND/DISCUSSION

The County of Maui, Department of Fire & Public Safety (MFD) is planning to acquire a fee-simple private property within the Mana’e district. The fee-simple lot is surrounded by Department of Hawaiian Home Lands (DHHL) parcels and accessible by two government roads situated to the east and west of the lot. MFD is proposing to utilize the road to the east for ingress and the road to the west for egress access to Kamehameha V Highway. However, the road to the east is not wide enough for the apparatus and the road to the west requires easement access through a portion of the adjacent Hawaiian home lands parcel. MFD’s acquisition of the fee-simple lot is contingent upon securing access easements from DHHL.

Through MFD’s letter dated June 24, 2021 (Exhibit “B”), they’re requesting for perpetual easements through portions of Hawaiian home lands consisting of approximately 0.34 acres at two separate tax map keys. The proposed easement through a portion of TMK: 5-6-002:036 would serve to expand the east driveway and the easement through portions of TMK: 5-6-002:001 will create a buffer to the north and provide connection at the roadway to the west.

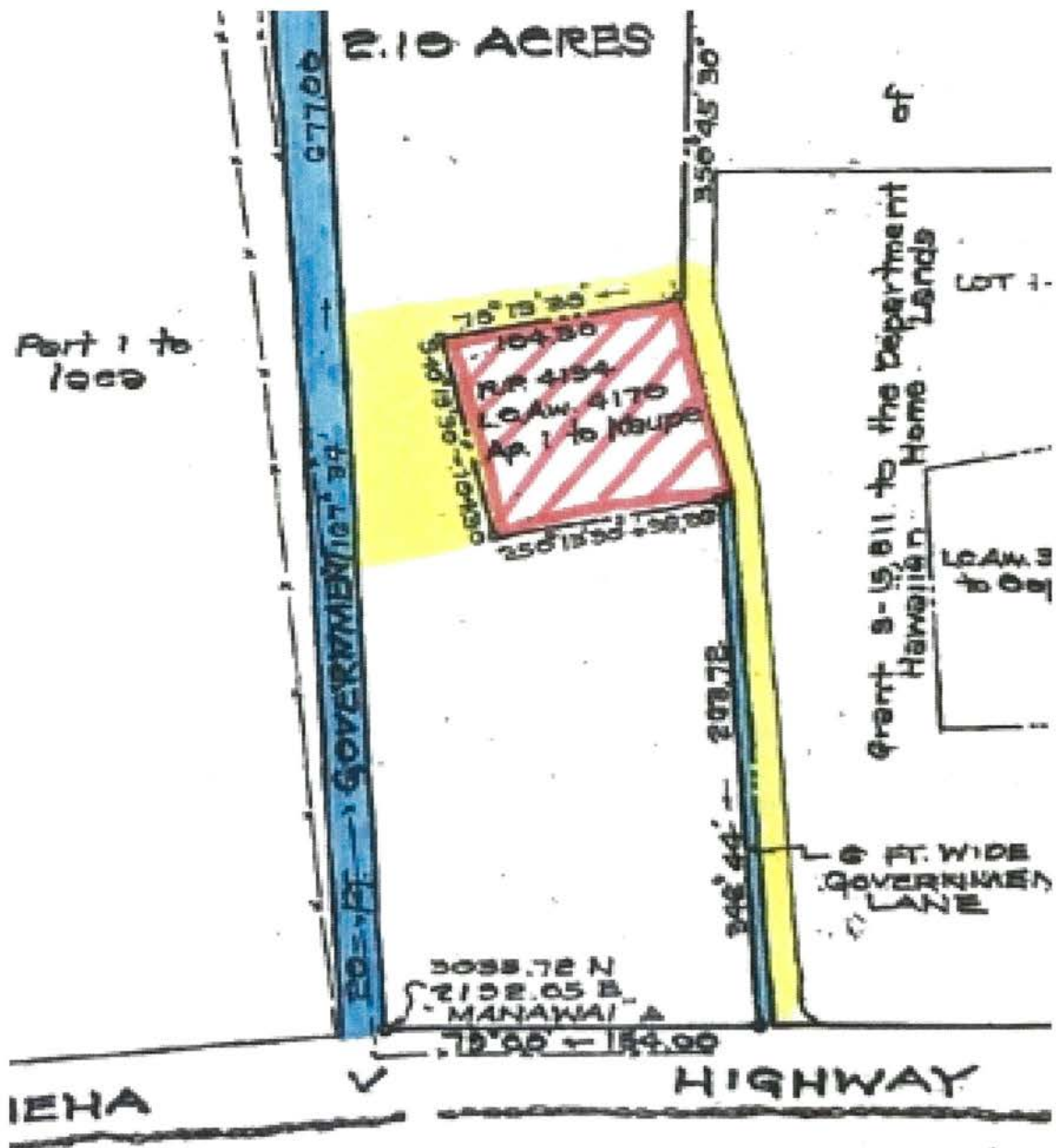
The proposed one-time lump sum fee for the total easement area is based on the assessed land value of adjacent fee simple residential lots, as reported by County of Maui Real Property Tax 2021 record information, and further detailed in Exhibit “C”. DHHL Planning Office (PO) Beneficiary Consultation Report was presented under Item No. G-1 for reference purposes.

Approval on the proposed easement will allow MFD the access necessary for acquiring the fee simple lot and relocating the Puko’o Fire Station to continue emergency response coverage to DHHL beneficiaries and the Mana’e community at large.

### RECOMMENDATION

Land Management Division recommends approval of the requested motion/action as stated.





= Easement Areas on Portions Hawaiian Home Lands TMKS: 5-6-002:001 & :036



= Government Roadway & Lane



= Fee Simple Lot - Location of New Fire Station  
TMK:

MICHAEL P. VICTORINO  
Mayor

BRADFORD K. VENTURA  
Acting Fire Chief



**DEPARTMENT OF FIRE & PUBLIC SAFETY**

COUNTY OF MAUI  
200 DAIRY ROAD  
KAHULUI, HI 96732

June 24, 2021

William Aila, Chair  
Department of Hawaiian Homelands

Subject: Easement for the Maui County Department of Fire and Public Safety

Aloha e Chair Aila,

First, I wanted to extend a big mahalo to your staff, Mr. Andrew Choy, Mr. Kahana Albinio, Ms. Shelly Carreira, and Ms. Gigi Cairel for their commitment to serving our beneficiaries by expediting this request to support critical emergency services.

Please accept this letter as a formal request for an easement of DHHL lands in Ualapu'e, Molokai. For the last several years, the Maui County Department of Fire and Public Safety ("MFD") has been seeking a new location for the current Pūko'o Fire Station, which services the district of Mana'e, Molokai on the east side of the island. It is currently located in the Irwin Center, managed by the State Department of Health, which was never meant to be its permanent site. The DOH has requested the MFD relocate, and while the MFD has been working on relocation, it has not been easy. If relocation is not accomplished, the fire fighters will be relocated to the Kaunakakai Fire Station, and the Mana'e district would be left without a fire station located in the district.

The availability of properties that fit the needs of both the fire station and community are very limited in the district. One important preference is that the property enable the fire truck to enter and exit the main highway without needing to reverse, for everyone's safety and to protect the fire apparatus.

In May 2021, the MFD was made aware of a fee-simple residential property for sale that is located at 7541 Kamehameha V. Hwy in 'Ualapu'e, Molokai. The property is surrounded by homestead land and is accessible by two government roads to the main highway; one to the east of the property, and one to the west. After receiving recommendations from the community, it has been determined that the road to the east would be used for entry and the road to the west would be used as an exit. The road to the east is currently not wide enough for the apparatus.

**ITEM NO. F-2**  
**EXHIBIT "B"**

With the support of an easement from DHHL to widen the road on the east and enable the apparatus a throughfare, we believe that this fee-simple property will be a great fit as a site for relocation, allowing for the long-term continuation of emergency response coverage to serve DHHL beneficiaries and the community as a whole within the Mana'e district.

We are requesting an easement that consists of about 0.34acres/15,267sq.ft total and includes portions of two separate TMKs: (2) 5-6-002-001-0000 and (2) 5-6-002-036-0000. The requested easements are indicated on the enclosed Exhibit 1: Easement Request Table and Exhibit 2: Maps.

Please contact Chief Ventura at (808) 270-7561, if you have any questions.

Mahalo!



BRADFORD K. VENTURA  
Acting Fire Chief

Exhibit 1 – Easement Request Table

TMK	*Estimated Acres/ sq.ft	Intended use	Length of term	notes
2560020010000	.20 acres 9,267sq.ft	West driveway access to cross from government road to Fee-simple property, parking  North buffer area, possible extra parking	perpetual	Easement area requested is only for a portion of the TMK.  Perpetual but shall remain with the county and shall terminate should the county dispose of the property.
2560020360000	.14 acres, 6,000sq.ft.	East driveway access, paved access lane	perpetual	Will be usable by beneficiaries to access DHHL lots.  Easement area requested is only for a portion of the TMK.  Perpetual but shall remain with the county and shall terminate should the county dispose of the property.

*\*In order to provide an idea of the approximate acreage being requested, we were able to make rough estimates using tax map measurements. Exact measurements may vary slightly and will require a survey of the land, which will be ordered upon (a) a commitment from DHHL to issue the easement and (b) the granting of permission to access the land for surveying.*

Yellow- Proposed area of easement

Pink stripe- Real property to be acquired for Fire Station



Exhibit 2: Maps- Q-public tax map (not to scale)



Yellow- DHHL TMKs

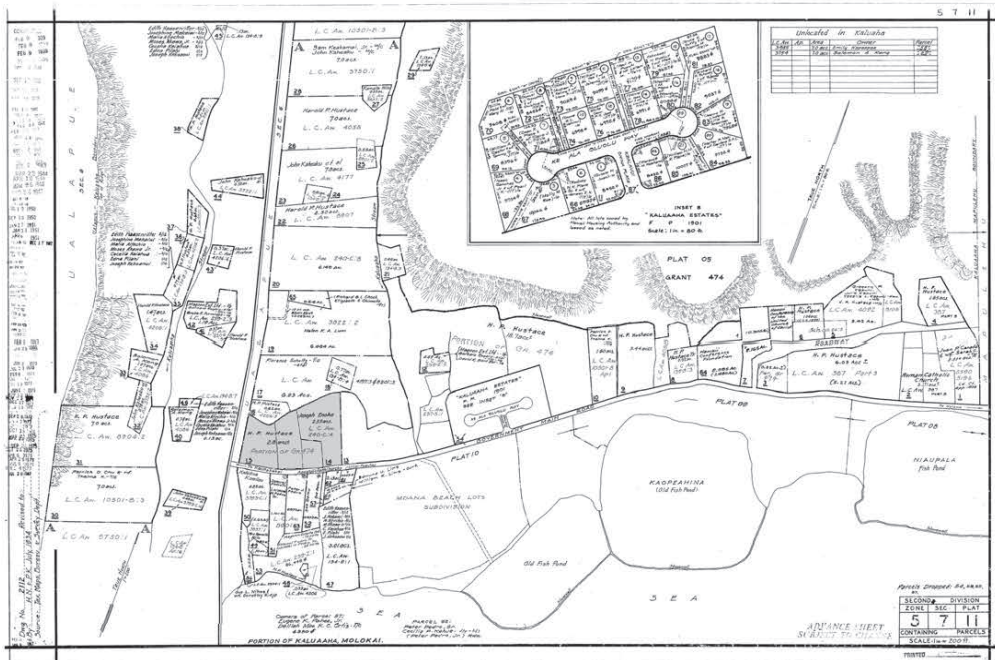
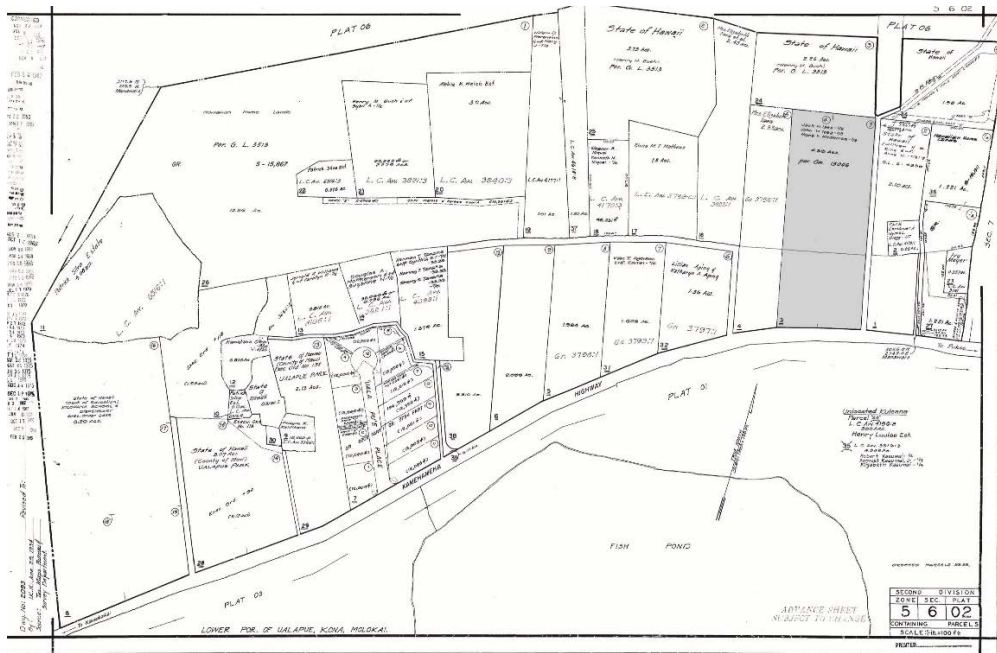
Red- Proposed area of easement

Blue- Government roads

Pink- Real property to be acquired for Fire Station

# 2021 RPT Information: County of Maui - Ualapue

TMK	Property Class	Land Area (approx sq ft)	Land Area (acres)	Assessment Year	Assessed Land Value	Land Cost per sf / yr
56002003	Residential	186,872	4.29	2021	\$229,400	\$1.23
57011014	Residential	108,944	2.501	2021	\$243,800	\$2.24
57011015	Residential	121,968	2.8	2021	\$316,700	\$2.60
Combined		417,784	9.59	2021	\$789,900	\$1.89
Average		139,261	3.19		\$263,300	\$1.89
				Discount	-25%	\$1.42




Item No. F-2  
**EXHIBIT "C"**

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: FOR INFORMATION ONLY - Hawaiian Community Development Board  
(HCDB), Kalaeloa, Island of O'ahu, TMK No. (1) 9-1-013:001

RECOMMENDED MOTION/ACTION:

None; For Information Only

BACKGROUND

The purpose of this informational briefing is to provide the Hawaiian Homes Commission ("HHC") with background regarding HCDB's request on previous action taken and approved by the HHC at its meeting held on March 19, 2012.

The following is a chronology of the significant events to date:

March 19, 2012	LMD Agenda Item No. F-4, presented and approved by the Hawaiian Homes Commission. (See Exhibit "A")
April 3, 2012	Formal letter transmitted to HCDB advising of HHC action and preliminary steps to processing appropriate documentation. (See Exhibit "B")
	No record of follow-up between HCDB and DHHL thereafter, therefore no ROE/GL was issued.

CURRENT STATUS:

To date, no formal ROE/GL disposition was issued. However, HCDB has prepared a presentation to update the Commission as to its desire in moving forward with its plan.



Commissioner Aiu asked if there is an expiration date on the contract. It's pretty much an open-ended grant, stated Chairman Nahale-a. The department will be able to enforce it just as other grants are made accountable. It is a good learning curve to deal with such sensitive issues, noted Commissioner M. Kahikina. Going through the process and vetting out the legal ramifications help for better understanding in dealing with community issues.

#### ACTION

No. Ayes. Motion failed.

#### ITEM NO. F-3

SUBJECT: Notices of Default and Revocations, Statewide

#### MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner K. Hopkins. Motion carried unanimously.

#### ITEM NO. F-4

SUBJECT: Approval to the Issuance of a General Lease to Hawaiian Community Development Board and SolarCity, Kalaheo, Oahu

#### RECOMMENDATION

Issuance of an exclusive general lease to Hawaiian Community Development Board (HCDB) and Solar City (jointly) to use approximately 34 acres of Hawaiian home lands located in Kalaheo for development, operation, management and maintenance of a solar power facility and a pilot integrated greenhouse system.

#### MOTION

Moved by Commissioner H. Tancayo, seconded by Commissioner K. Hopkins.

#### DISCUSSION

Hawaiian Community Development Board (HCDB) Executive Director Kali Watson thanked Chairman Nahale-a for making this program a better one and expressed his aloha to Chairman. He applauded Robin Danner for her efforts on the Anahola solar project and assisting his efforts.

With respect to this particular project it will be combined in a unique benefits package with a new marketing tax credit that will provide a revenue stream between 20-25%. Mr. Watson introduced Solar City partners Peter Cooper and Lani Keala who Mr. Watson claims have

tremendous expertise and resources on these types of projects. They plan to engage in beneficiary consultations with members of the homestead communities.

Patti (Tancayo) Barbi was introduced as project manager. Ms. Barbi says Ku'upono Initiative who manages a 4 billion dollar trust will assist in providing direct funding. She detailed a number of initiatives designed to fund various projects on Hawaiian home lands. She anticipates providing support to a number of Hawaiian homestead communities.

There is a difference in the types of technology utilized in both the Anahola Solar project and the SolarCity project, claims Peter Cooper. The Anahola project will produce 12 megawatt while the SolarCity project produces 5 megawatt. SolarCity production is limited to what HECO is offering to purchase from them while Anahola will provide KIUC all of its resources.

#### AMENDED MOTION

Moved by Commissioner L. DaMate, seconded by Commissioner K. Hopkins to add to this contract on Page 3, No. 19: "approval by the Chairman **and** the Hawaiian Homes Commission." And on Page 1, Introduction paragraph: "pilot integrated greenhouse or **warehouse** system."

#### ACTION

Motion carried unanimously on the changes. Commissioners M. Kahikina and H. Tancayo refused from voting due to conflict of interest.

#### ACTION

Motion carried on the amended motion, except from Commissioners Kahikina and Tancayo.

ITEM NO: D-1

SUBJECT: HSD Status Reports

#### MOTION/ACTION

None, for information only.

ITEM NO: D-2

SUBJECT: ~~Deferred Sales Price Loans Program (deleted)~~

ITEM NO: D-3

SUBJECT: Ratification of Loan Approval

# Exhibit "A"

## Agenda Item No. F-3



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 19, 2012

To: Chairman and Members, Hawaiian Homes Commission

From: Linda Chinn, Administrator  
Land Management Division

SUBJECT: Approval to the issuance of a General Lease to Hawaiian  
Community Development Board and SolarCity, Kalaeloa, Oahu

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission ("HHC") grant its approval to the issuance of an exclusive general lease to Hawaiian Community Development Board (HCDB) and SolarCity (jointly to be identified as "LESSEES") to use approximately 34 acres of Hawaiian home lands located in Kalaeloa, Oahu, further identified by TMK: (1) 9-1-013:001 (see Exhibit "A"), for the development, operation, management and maintenance of a solar power production facility and a pilot integrated greenhouse system, subject to the following conditions:

cc: *WHL/DALE* *audubert*

1. Purpose: The site shall be used for constructing approximately a 5MW photovoltaic system and to generate solar power to be fed into the Hawaii Electric Company grid, as well as other facilities to be used in conjunction therewith;
2. Land Area: thirty-four (34) acres, which is a portion of the larger land parcel, which may require subdivision.
3. Term: The term of the lease shall be for twenty (20) years and shall commence on the date the system is placed in service;
4. Upon approval of the HHC, the Chairman shall be authorized to issue a right-of-entry permit which will allow LESSEES to conduct due diligence studies and HRS Chapter 343 compliance. Upon the issuance of the lease, LESSEES may proceed to conduct site preparation and construction, provided LESSEES pays a good faith deposit of \$25,000.00. Said deposit shall be applied to the rent once the system is placed in service and the Lease commences, however the deposit shall be forfeited if the project is not placed in service within a reasonable time (approximately 18 months) after the date the Lease is executed and LESSEES fail to provide DHHL with compelling reasons, beyond LESSEES' control, that justify a full or partial refund;

5. Option to Extend: the Chairman is authorized to grant a one-time extension of the general lease term, up to a period of twenty (20) years, provided LESSEES are not in material default at any time during the term of the general lease, with 180 days written notice prior to the expiration of the initial term of the general lease;

Should an extension be granted beyond the initial 20-year term of the general lease, all of the terms and conditions of the general lease shall be subject to re-negotiation and amendments that are deemed prudent;

6. LESSEES shall complete and provide plans, design, engineer, and necessary environmental studies and interconnect studies at its own cost and expense;

7. LESSEES shall be required, at its sole cost and expense, to prepare the survey maps and description of the requested land parcel and if necessary subdivide the land from the larger parcel;

8. LESSEES shall have prepared one or more applications to offer to sell power to Hawaii Electric Company under a Power Purchase Agreement;

9. LESSEES shall provide its development budget with a breakdown of the costs of the major components and phasing of the development plan;

10. LESSEES shall provide firm financing plan and commitment from either a lending institution or other funding sources with a breakdown of how the project will be financed;

11. LESSEES shall provide development timeline from the conceptual plan through to construction;

12. LESSEES shall conduct at least two (2) Beneficiary Consultation sessions in the Kapolei area on the proposed use of the parcel and provide evidence of community and other homestead organizations in the same region support for the project;

13. Fees & Commencement: The rent commencement date shall be the date the system is placed in service. The annual rent shall be payable in monthly installment and shall not be less than:

For Years 1 - 10)	\$355,200.00	(\$29,600.00/month)
For Years 11 - 15	\$444,000.00	(a 25% increase) and
For years 16 - 20	\$499,500.00	(a 12.5% increase).

14. Processing Fees: There is a non-refundable processing and documentation fee totaling \$275.00 prior to issuance of the General Lease;

15. "As Is" Status & Residential Prohibition: The Premises shall be rented "as is" and LESSEES understand that there are no existing utility services to the site, and further agrees to pay for all costs of establishing and maintaining utility services to the property and pay for all consumption of utilities on the leased premises, as may be needed;

No residential use shall be permitted on the premises;

16. Insurance: LESSEES shall purchase general comprehensive liability insurance and other required insurance with a minimum coverage to be set at time of negotiation and name the Department of Hawaiian Home Lands as an additional insured;

17. Real Property Taxes: LESSEES shall pay all real property taxes assessed by the City and County of Honolulu for the leased area;

18. Security & Personal Property: LESSEES shall be responsible for the security of the leased premises and all of its personal property thereon. HCDB shall be allowed to install security fencing for public safety and a security system provided the Department has reviewed and approved the type of system to be installed;

19. Homestead Benefits Agreement: LESSEES shall provide a Homestead Benefits Agreement with the input of the community and other homestead organizations in the same region, such agreement shall be subject to negotiation and approval by the Chairman, Hawaiian Homes Commission; *and the Hawaiian Home Commission*

20. Regulations & Requirements: LESSEES shall comply with all federal, state and county regulations or requirements regarding environmental issues and the safe handling and disposal of toxic or hazardous materials and shall be responsible for environmental cleanup of any contamination or hazardous materials found on the site that is caused by its activities on the Premises;

21. Archaeological Sites: LESSEES are aware that there may be sensitive archaeological sites on the Premises and shall exercise caution when undertaking any disturbance of the existing ground surface. If a suspected archaeological site is discovered, LESSEES shall comply with all governmental requirements for properly handling such discovery;

22. Chapter 343 Compliance: The proposed project shall be subject to Chapter 343 compliance;

23. Attorney General Review: The Lease document shall be subject to the review and approval of the Department of the Attorney General;

24. Other Standard Terms and Conditions: Other standard terms and conditions of similar Leases issued by DHHL or other terms and conditions deemed prudent by the Chairman of the Hawaiian Home Land

Commission.

#### DISCUSSION

#### The Land parcel

*PV Integrate work*  
The Department of Hawaiian Home Lands (DHHL) acquired approximately 555,030 acres of land in the Kalaeloa District (former Naval Air Station Barbers Point) under the Hawaiian Home Lands Recovery Act. The parcel that is under this request is a 43-acre parcel, located on the Campbell side of the Kalaeloa District and is accessible from Kalaeloa Parkway. The intended use for this parcel is for light industrial use and photovoltaic development is an allowable use.

There is a documented archaeological site on this parcel and would need to be excluded from any development. Chapter 343 compliance must be prepared to assess the proposed project may have any impact on the property and the environment.

#### Hawaii Community Development Board (HCDB)

HCDB is a non-profit organization established in 2000 with the express mission of "supporting and promoting housing, community, and economic development projects that benefit low income Native Hawaiians and families living in Hawaiian Home Lands communities throughout the state of Hawaii". It is governed by a 100% Native Hawaiian Board, with community leaders throughout Hawaii and dedicated seats for homestead association officers and/or members (6 of 10 members are DHHL homesteaders).

HCDB's experience in development includes project management for the Nanakuli Village Center development, and another alternative energy project which is located on lands owned by the Hawaii Community Development Authority in Kalaeloa.

HCDB has completed the Land Request Form and is attached hereto as Exhibit "B".

#### SolarCity

Nationally, SolarCity has installed over 100MW of PV for 16,000 customers, has raised \$1.4 billion in solar project financing, and has over 1,200 employee-owners in 12 states. Just recently, U.S. Energy Secretary Steven Chu announced the offer of conditional commitment to help secure financing for SolarCity's "SolarStrong" project, which is expected to create more than 371 MW of new solar generation capacity, and may add another \$1 billion to its solar project financing portfolio.

Locally, SolarCity has over 18 MW of solar pv projects currently under contract and under construction (or award) in



Hawaii. Its Hawaii office currently employs 35 employees, and is growing quickly. It recently installed a 463 KW system at the Maui, Arts and Cultural Center, and the first SolarStrong eligible project is already underway at Hickam Communities at Joint Base Pearl Harbor-Hickam in Hawaii. When completed, that project will provide 4 MW of PV.

#### **Manu O Ka La Elua, LLC**

For liability and access to the federal and state energy tax credits and New Market Tax Credits, HCDB is anticipated that a limited liability company called Mana O Ka La Elua, LLC will be created for the Project. HCDB will be the substantive owner of this entity and Mana O Ka La Elua will act as the conduit for the transfer of net proceeds for the Hawaiian Homes Homestead Benefits Agreement.

HCDB and SolarCity propose a minimum 20-year lease at market rate based on similar projects in the area to DHHL plus a comprehensive Benefits Plan to support community development projects on Hawaiian Home Lands. HCDB is committed to continuing its efforts to support community development projects on Hawaiian Home Lands.

#### **General Lease**

LESSEES are seeking a 20-year general lease in an attempt to meet site control requirements to qualify for federal and state tax incentives, which may be eliminated in the future. Additionally, working with Pacific Growth Associates and Alaska Growth Capital, LESSEES are also pursuing New Market Tax Credits.

#### **About the Solar Project**

LESSEES support the Hawaii Clean Energy Initiative mandate, which requires Hawaiian Electric to convert 40% of its total electricity sources to be renewable energy generation by 2030. Currently, Hawaii is the most oil dependent state in the nation relying on 90% of energy needs on fossil fuels, almost four times more than any other state. Our islands are abundant in sunshine in Hawaii and especially in the Kalaheo area, which makes this project site ideal for producing renewable energy. Mana Elua will help to decrease Hawaii's reliance on fossil fuels and minimize impacts of climate change.

LESSEES propose to develop and operate a 5 Megawatt (MW) solar photovoltaic (PV) energy facility. The proposed Project site requirements are approximately 34 acres with good access to roads and interconnection.

As part of the overall project, LESSEES also propose to construct a pilot scale photovoltaic integrated greenhouse (PVIG) system. This would represent the first PVIG installation in Hawaii. The PVIG system

comprises an array of sloped photovoltaic panels configured as the roof of a framed greenhouse structure, with the purpose of combining two functions: generating electricity and providing a controlled, protected environment for growing crops. The physical dimensions of the structure (e.g., height of the panels above ground, horizontal spacing between adjacent rows of panels, tilt angle of the panels, etc.) are designed to minimize mutual shading between panels and satisfy the requirements for intended farming operations (e.g., sufficient space and ambient sunlight levels for plant growth, access for farm machinery, etc.).

It is very important that efforts be made to expedite the development of this project. As there is a limited grid capacity for these types of developments and significant competing development activities in the alternate energy industries, the present opportunity to generate such dedicated revenues will quickly disappear. HECO has also published a notice indicating that there is limited availability and a queuing list for applicants under its Tier 3 program for projects of this 5MW capacity. Alternatively, LESSEES will be seeking a bilateral power purchase agreement with HECO that is not as restrictive as the Tier 3 program.

#### **Project Financing**

HCDB and SolarCity intend to structure a multi-tiered financing package including: but not limited to, construction, bridge and traditional project financing. Additionally, the Project will qualify for several federal and state tax incentives that will work in conjunction with the financing package to fund the total project costs.

These incentives include the federal business energy investment tax credit of 30%, Hawaii state renewable energy credit program of 24.5%, and approximately 15% from New Market Tax Credits. Combination of these programs provides more than 60% of the total project costs, both hard and soft costs. The balance may be funded by a variety of options such as federally guaranteed CDFI bonds, Qualified Energy Conservation Bonds, US Department of Energy Guarantee or USDA Rural Energy for America Program.

HCDB and SolarCity may also seek a tax equity investor to monetize the remaining available tax benefits associated with the project, specifically, the accelerated depreciation. Ideally, HCDB and SolarCity are seeking a third party that can provide the full financing package to maximize the economic benefits to the Project while minimizing transactional costs. They believe it is reasonable that there is a third party in the market that can provide the full financing package in prevailing rates with market based terms, conditions, and transaction pricing.

HCDB and SolarCity intend to enter into a 20-year power purchase agreement with the Hawaiian Electric Company ("HECO"), a BBB-credit rated entity, as the power off-taker on an as available basis for the full electrical output of the solar farm. The Project will seek

recently PUC approved Tier 3 terms for the proposed power purchase agreement. The power purchase agreement, its terms and conditions, will be the basis for the long term financing package.

#### **Homestead Benefits Agreement**

LESSEES have proposed a Homestead Benefits Agreement (see Exhibit "C"). This will be subject to further negotiation and approval.

#### **HHC Authority**

The authority for the Hawaiian Homes Commission to issue general leases is found in Section 204(a)(2), HHCA 1920, as amended. The procedure to implement this or similar type leases is found in Section 10-4-1, DHHL Administrative Rules, as amended. With respect to a lease to an eleemosynary organization (nonprofit, which HCDB is), Hawaii Revised Statute 171-43.1, as amended, authorizes the Commission to lease, at nominal consideration or any rental amount the Commission deems appropriate; by direct negotiation and without recourse to public auction, public lands to an eleemosynary organization which has been certified to be tax exempt under sections 501(c)(1) or 501(c)(3) of the Internal Revenue Code of 1986, as amended; and on such other terms and conditions as the Commission may determine. It is the intent that the lands shall be used by such eleemosynary organizations for the purposes for which their charter was issued and for which they were certified by the Internal Revenue Service.

The same DHHL Rules permit DHHL, subject to the approval of the HHC, to negotiate and consummate the rental rate of a lease, when prudent management does not dictate that the rental rate to be established by appraisal.

Further, the Governor's renewable energy initiative authorizes State Departments to enter into direct negotiations with renewable energy producers pursuant to HRS Chapter 171-95. Section 171-95, Hawaii Revised Statutes, as amended, authorizes disposition to public utilities and renewable energy producers public lands for terms up to, but not in excess of, sixty-five years at such rental and on such other terms and conditions as the board may determine. For the purpose of this section, "renewable energy producer" means "any producer of electrical or thermal energy produced by wind, solar energy, hydropower, landfill gas, waste-to-energy, ocean thermal energy conversion, cold seawater, wave energy. Biomass, including municipal solid waste, biofuel...that sells all of the net power produced from the demised premise to an electric utility company regulated under Chapter 269..."

Section 171-95.3, Hawaii Revised Statutes, as amended, authorizes in part that issuance of any lease or renewal of a lease of public lands to renewable energy producers, as defined in Section 171-95, without public auction, is allowed only pursuant to a public process that includes public notice under Section 1-28.5 providing other

interested renewable energy producers opportunity to participate in the process, provided further that the renewable energy producer shall be required to submit as part of the proposal for the board's evaluation the following: (1) time line; (2) description of financial plan; (3) description of conceptual design; (4) description of business concept; and (5) description of landscape and acreage requirements.

#### **RECOMMENDATION**

Land Management Division recommends approval of the motion as stated.



# Request for Trust Lands from the Hawaiian Home Land Trust

## Department of Hawaiian Home Lands

This application is completed by an interested party in requesting lands designated as Hawaiian home lands under the Hawaiian Homes Commission Act (HHCA). HHCA lands are to be used for homesteading purposes for beneficiary native Hawaiians (residential, agricultural or pastoral), and when necessary, in the best interest of the trust and its beneficiaries, for public purpose, commercial and multipurpose use.

### Section I: Name of Applicant Requesting Trust Lands

Name of Requesting Organization: Hawaiian Community Development Board

Address of Organization: 1188 Bishop Street, Suite 907, Honolulu, HI 96813

Officers and/or Principal Representatives: See attachment

Mission of Organization: The Mission or purpose of this organization is to lessen the burdens of the governments of the State of Hawaii, in particular the Department of Hawaiian Home Lands, by developing or promoting the development, rehabilitation and preservation of quality neighborhood housing, multiservice centers and elderly housing which are affordable. It actively works with DHHL to assist it in its determination of affordable housing, service centers and elderly housing needs and in the development of projects to meet those needs in the Hawaiian communities.

Date Incorporated: March 16, 2000

State of Incorporation: Hawaii

### Section II: Type of Organization

☒ Requesting Organization – Non-Profit

Type of Non-Profit: ☒ Private Nonprofit – governed by self appointed board

☐ Member Nonprofit – governed by voting members

☒ \*Homestead Organization – governed by HHCA beneficiary members

\*Non-profit is Democratically Elected by and for HHCA Beneficiaries or a Subsidiary thereof

Capacity Assessed by DHHL Kula Ika Nui Program: ☐ Yes ☒ No

Current Capacity and Service to HHCA Beneficiary Community: In the approximately 11 years of its existence HCDB has established a strong Board made up of all Hawaiians with the majority being DHHL homesteaders (See attachment). They are successful leaders within the homesteading communities and businessmen in the private sector. HCDB's executives are also Hawaiian and have dedicated their lives to improving the conditions of native Hawaiians. See attachment. All of HCDB projects are designed to serve the various HHCA Beneficiary Communities. See HCDB's website [Hawndev.org](http://Hawndev.org). The most successful project has been the Nanakuli Village Center, where HCDB has helped develop a low-income housing project called Hale Makana which has raised \$14.2 million. Working with Kamehameha Schools, HCDB has got them to fund and build the Cope Learning Center which will have a preschool and admin offices, along with Waianae Comp, UHWO, and Hookulawili teachers program. The Nanakuli Commercial Center has signed Longs and Waianae Comprehensive Health Center as its anchor tenants. It has also successfully, in partnership with DHHL, done several housing projects within the various homestead communities – Kauhalepono Replacement Home Project and the Maui County/Kula new homes housing project.

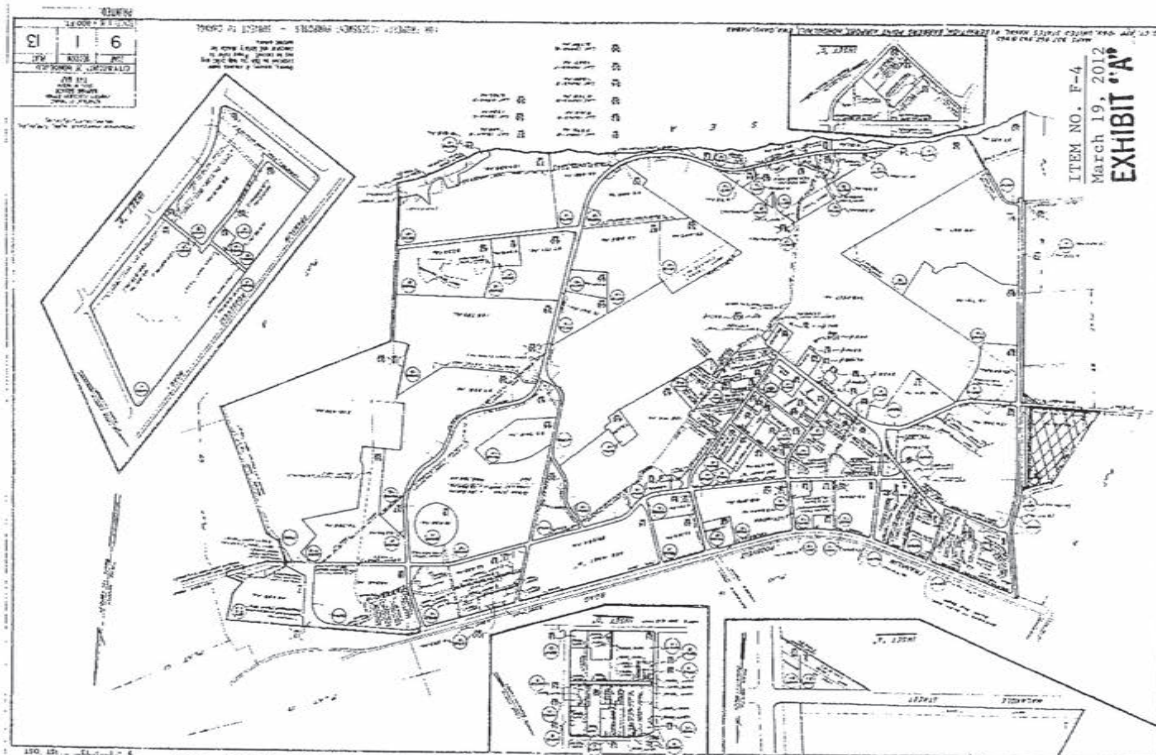
DHHL Land Request Form

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Form created/updated by the Native Hawaiian Policy Center, Administered by CNHA 12/01/2003 March 19, 2012

EXHIBIT "A"





**I. Requesting Organization — Individual or Business**

☒ Individual ☐ Sole Proprietorship ☒ Partnership  
☒ Corporation ☐ Limited Liability Corporation ☒ Other

Is an Individual HHCA Beneficiary/Is Owned by an HHCA Beneficiary ☐ Yes ☒ No  
Ejil Requesting Organization — Government Agency

☐ Federal ☒ State ☐ County

**Section III: Land Request Instrument, Terms & Purpose**

Applicant requests the following land transaction instrument:

☐ Right of Entry ☐ Revocable Permit ☐ Easement:  
☒ License ☒ General Lease ☐ Other:

**Land Description:** Unimproved land in Kalaheo, Oahu

**Island:** Oahu **Tax Map Key No.:** 9-1-13:38 (97,538 acres) or 9-1-13:1 (48,021 acres)

**Term:** 1 yr/30yrs **Payment Amount:** \$ Undetermined X Market value land rents

☐ Grats/for Less than Market — Explain Why the Trust Should Not be Compensated: \_\_\_\_\_

**Land Use or Purpose:** Develop a large utility PV farm and pilot PV Integrated Greenhouse (See attached a c h m e n t )

**Land Use Benefit to the Trust and/or its Beneficiaries:** HCDB will be paying significant lease rent which helps fund the Trust long-term. In addition, 100% of the net revenue will go to a Community Benefits P a c k a g e . S e e a t t a c h m e n t .

**If Applicant is Not a Homestead Beneficiary Organization or a Subsidiary Thereof, Describe How the Applicant is Partnered with Such Organizations:** Besides being connected to the various homesteads by representatives from these communities, which make up the majority of HCDB's Board, (See support letters attached from SCHHA President, Maluohai homesteader, Kewalo homestead President, Waianae Kai Homestead President) HCDB is working with CNHA, Hawaiian Community Assets, DHHL, OHA, and Nonakuli Hawaiian Homestead Community Association on various projects. Moreover, HCDB's executive director is the Chairman of the Economic and Housing Committee for the Sovereign Councils of Hawaiian Homelands Assembly (SCHHA) which represents 30 various homestead communities. He is tasked with partnering with these various homestead communities to assist the development of economic and housing projects within their communities.

**Section IV. Relevant HHCA Sections to Non-Homesteading Trust Land Disposition**

DHHL Land Request Form

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DHHL Land Request Form

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Form created/updated by the Native Hawaiian Policy Center, Administered by CNHA 12/01/2011

EXHIBIT "B"

The HHCA addresses non-home: ding public purpose licenses, such as mmunity facilities, commercial or multi-purpose functions, when such purpose supports the overall mission and well-being of the trust and its HHCA beneficiaries.

Section 207(c) — This application relates to which of the following four categories under Section 207(c) of the Hawaiian Homes Commission Act wherein a License may be issued:

- ☐ Section 207(c)(1) — Railroads, Telephone Lines, Electric/Utility Lines, Gas Mains, etc; OR
- X Section 207(c)(1)(A) — Churches, hospitals, public schools, post offices and other improvements for public purposes; (The PV Farm is intended to reduce State dependence on fossil fuel and create a source of electricity for use by the public — which is considered a public purpose) OR
- ☐ Section 207(c)(1)(B) — Theatres, garages, service stations, markets, stores and other mercantile establishments (all of which shall be owned by native Hawaiians or by organizations formed and controlled by native Hawaiians); OR
- ☐ Section 207(c)(2) — Reservations, roads and other right of way, water storage and distribution facilities and practice target ranges of the United States;

☒ None of the Above

Section 204(a)(1) — Lands not required for leasing under 207(a) (homesteading), DHHL may issue a general lease for public, commercial or multipurpose use in accordance to Chapter 171, HRS, as amended. This application is for a commercial or multipurpose use:

- ☐ Land use or improvements will generate commercial profit to the applicant
- ☐ Land use or improvements will not generate commercial profit to the applicant

Section 204(a)(2)/220.5— Lands not required for leasing under 207(a) (homesteading), DHHL is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to a native Hawaiian, or organization or association owned or controlled by native Hawaiians, for commercial, industrial or other business purposes in accordance to section 171 HRS.

- ☐ This Land Request IS made by an \*HHCA Homestead Beneficiary Organization. (While 1-ICDB is not an HBO because the Board is not elected, it is controlled by III ICA Beneficiaries)
- ☐ This Land Request IS NOT made by an \*HHCA Homestead Beneficiary Organization or individual or business owned and controlled by HHCA Beneficiaries.

X This Land Request is made by a 501(0)(3) nonprofit corporation controlled by HHCA Beneficiaries

The authority for the Hawaiian Homes Commission to issue licenses is found in section 207(c)(1), HHCA, 1920, as amended. The procedure to implement this or similar type licenses is found in Sections 10-4-21 and 10-4-22, DHHL Administrative Rules, 1998, as amended.

The authority for the Hawaiian Homes Commission to issue general leases is found in Section 204(a)(2), HHCA, 1920, as amended. The procedure to implement this or similar type leases is found in Section 10-4-1, DHHL Administrative Rules, as amended. With respect to a lease to an eleemosynary organization (nonprofit, which HC DLL is) Hawaii Revised Statute 171-43.1, as amended, authorizes the Commission to lease, at nominal consideration or any rental amount the Commission deems appropriate; by direct negotiation and without public auction, public lands to an eleemosynary organization which has been certified to be tax exempt under sections 501(0)(1) or 501(c)(3) of the Internal Revenue Code of 1986, as amended; and on such other terms and conditions as the

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EXHIBIT "B"



Commission may determine. The land shall be used by such eleemosynary organization for the purposes for which their charter was issued and for which they were certified by the Internal Revenue Service.

**Section V. Beneficiary Consultation, Applicant Capacity and Land Use Benefit Analysis**

Trust Lands represent a finite amount of land, with thousands of HHCA eligible beneficiaries awaiting an award under the Residential, Agricultural or Pastoral Homesteading program, as well as dozens of Homestead Associations controlled by HHCA Beneficiaries working on homestead based development projects.

As a result, the applicant acknowledges that part of the process of considering applications for trust lands should include the following:

**1. Beneficiary Consultation**

- A Notice of All Land Requests to License/Lease Hawaiian Home Lands for non-homesteading purposes should be sent to all Homestead Associations with an opportunity for beneficiaries of the trust to comment and provide input.
- All input received should be provided to the Hawaiian Homes Commission.

**2. Applicant Capacity**

- If a Nonprofit Organization – should be assessed by DHHL Kulia i ka Nuu capacity program to determine financial, programmatic, governance and leadership capacity and determine legal structure. Additional information may be required to be submitted to DHHL.
- If an Individual/Business – should be assessed by DHHL to determine financial and leadership capacity and legal structure. Additional information may be required to be submitted to DHHL.

**3. Land Use Benefit Analysis**

- The land requested should have a direct or significant indirect benefit to the trust or to the beneficiaries of the trust. Additional information may be required to be submitted to DHHL.
- The land requested should comply with the spirit and intent of Section 207(c) and Section 204(a)(2)1220.5 of the Hawaiian Homes Commission Act, as amended, by engaging beneficiary organizations. Additional information may be required to be submitted to DHHL to determine how Beneficiary Organizations are directly connected to the land request use.

The following authorized representative, submits this request for Hawaiian home lands:

Hawaiian Community Development Board January 27, 2012  
Print Individual or Organization Name Date

idedzhi.

Kali Watson, Executive Director  
Authorized Representative Name & Title Signature

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March 19, 2012

EXHIBIT "C"

HAWAIIAN COMMUNITY DEVELOPMENT BOARD

**Proposed Homestead Benefits Plan**

The primary purpose of this Project is to generate income to support community development programs and projects that impact Hawaiian Home Lands. **One hundred percent of the net profit will go to Hawaiian Community Development Board.**

HCDB has developed a Homestead Benefits Plan to direct the allocation of project-generated income to the following projects and programs:

- Hawaiian Workforce Initiative-** The Engineering Procurement Contractor and subcontractors will target to employ a minimum of 20% of the workforce to be residents from the nearby homestead areas. The estimated total value of the labor costs is \$5,000,000. Estimated value of Hawaiian Workforce is \$1,000,000.
  - Direct Value over Project Life \$1,000,000
  - Value with Economic Indicator 3,100,000
- Operations & Maintenance-** The operation & maintenance contract will be performed by Mana Elua or its Native Hawaiian affiliates. The estimated operations & maintenance cost is \$220,000 per year.
  - Direct Value over Project Life \$4,400,000
  - Value with Economic Indicator 13,640,000
- Rental Housing Development 5-Year Plan-** HCDB will fund a 5-year master plan for rental housing on Hawaiian Home Lands. It will include the analysis of appropriate housing sites, feasibility studies, schematic drawings, and the identification of resources. Estimated cost of Rental Housing Development Plan is \$100,000.
  - Direct Value over Project Life \$100,000
  - Value with Economic Indicator 310,000
- Rental Housing Development Projects -** HCDB will increase its capacity to develop rental housing by hiring additional staff or consultants. One in house staff plus benefits or consultant estimated at approximately \$95,000 per year.
  - Direct Value over Project Life \$1,900,000
  - Value with Economic Indicator 5,890,000
- Home Replacement Housing Specialist -** HCDB will increase its capacity to provide affordable housing by hiring additional staff or consultants. One in house staff plus benefits or consultant estimated at approximately \$58,500 per year.

# EXHIBIT "C"

- a. Direct Value over Project Life \$1,170,000  
b. Value with Economic Indicator 3,627,000
6. **Homestead Replacement Grant Program-This** fund will be used by HCDB to award down payment or demolition grants directly to homesteaders that participate in its Home Replacement Program.  
a. Direct Value over Project Life \$200,000  
b. Value with Economic Indicator 620,000
7. **Homestead Technology Program-** HCDB will create websites for all homestead association to establish Internet presence. HCDB will train and educate homestead associations to update and how to maintain websites. One in house staff plus benefits or consultant estimated at approximately \$79,800 per year.  
a. Direct Value over Project Life \$1,596,000  
b. Value with Economic Indicator 4,947,600
8. **Scholarships** - HCDB will provide Ke Ali'i Pauahi Foundation funds to administer a scholarship program for homesteaders or their children who are interested in studying in the field of alternative energy. Approximately ten \$2,500 scholarships or \$25,000 will be awarded each year.  
a. Direct Value over Project Life \$ 500,000  
b. Value with Economic Indicator 1,550,000
9. **Internships** - HCDB and its contractors/partners will provide a minimum of 5 summer internships in the alternative energy field that would be available to homestead residents. HCDB will fund approximately \$10,000 in stipends per year.  
a. Direct Value over Project Life \$200,000  
b. Value with Economic Indicator 620,000
10. **New Market Tax Credits** - Should NMTCs be deployed on the project, the potential subsidy is \$4,500,000. A portion of the proceeds will be dedicated to homestead related housing and economic development projects.

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March 19, 2012  
EXHIBIT "C"

# EXHIBIT "C"

The total direct funding and indirect economic impact estimates are summarized below:

Direct Funding Estimates		
DHHL Funding		8,269,500
Hawaiian Workforce Initiative (Items 1-2)		5,400,000
Rental Housing Development (Items 3-4)		2,000,000
Home Replacement Program (Items 5-6)		1,370,000
Homestead Technology Program		1,596,000
Scholarships		500,000
Internships		200,000
New Market Tax Credits		4,500,000
<b>Total Direct Funding Estimates</b>		<b>\$18,835,500</b>
Economic Impact Estimates		
DHHL Funding		25,635,450
Hawaiian Workforce Initiative (Items 1-2)		16,740,000
Rental Housing Development (Items 3-4)		6,200,000
Home Replacement Program (Items 5-6)		4,247,000
Homestead Technology Program		4,947,600
Scholarships		1,550,000
Internships		620,000
New Market Tax Credits		13,950,000
<b>Total Economic Impact Estimates</b>		<b>\$55,290,050</b>

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March 19, 2012

EXHIBIT "C"





ALBERT "ALMA" NAHALEA  
HAWAIIAN HOMES COMMISSION  
MICHELLE K. KAHANE  
DEPUTY TO THE CHAIRMAN  
M. WAIMEALE SARSONA  
EXECUTIVE ASSISTANT

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1379  
HONOLULU, HAWAII 96805

April 3, 2012

bc: LMD Reading File

LMD File: \_\_\_\_\_

LMD Staff: \_\_\_\_\_

Hawaiian Community  
Development Board  
Mr. Kali Watson,  
Executive Director  
1188 Bishop Street, Ste. 907  
Honolulu, Hawaii 96813

Aloha Mr. Watson:

Subject: Item No. F-4, Approval to the Issuance of a  
General Lease to Hawaiian Community Development  
Board and SolarCity, Kalaeloa, Oahu

This letter is to inform you that at its regular monthly meeting held on March 19, 2012, at the Department of Hawaiian Home Lands "DHHL" Kapolei Office on the Island of Oahu, the Hawaiian Homes Commission approved the enclosed recommendation as submitted by the Land Management Division (LMD).

Be advised, pursuant to the conditions as described in the submittal, the process for a Right of Entry Permit to be issued to your group (HCDB and SolarCity) as joint-lessees to the proposed project will be initiated and processed by LMD. The permit will allow for necessary due diligence studies as required under HRS Chapter 343 compliance and interconnect studies to be conducted by professional consultants as designated by your group. DHHL also acknowledges that any and all associated due diligence costs and expenses will be borne entirely by your group.

As further noted under the conditions described in the submittal, please proceed with preparing one or more applications to offer to sell power to Hawaii Electric Company under a Power Purchase Agreement. Upon completing the application please engage with HECO representatives to initiate negotiations for securing a Power Purchase Agreement, as this


Mr. Kali Watson  
April 3, 2012  
Page 2 of 2

will be a critical component to the success of your proposed development project.

In the interim the process for drafting the general lease document and having open dialogue with your group will be ongoing. The open dialogue will help to provide DHHL with an update on your group's status of its due diligence studies and Power Purchase Agreement with HECO.

If you have any questions, please contact me at 808.620.9451 or by email at linda.l.chinn@hawaii.gov.

Me ke aloha,

  
Linda Chinn, Administrator  
Land Management Division

Enc.

c: Ms. Lani Go-Keala (w/out enc.)

# Exhibit "B"

## Agenda Item No. F-3

**HAWAIIAN HOMES COMMISSION  
AUGUST 16 & 17, 2021  
INTERACTIVE CONFERENCE  
TECHNOLOGY  
9:30 A.M.**

**G – ITEMS  
PLANNING OFFICE**

PLANNING OFFICE  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Andrew H. Choy, Acting Planning Program Manager *AC*

FROM: Gigi Cairel, Grants Specialist

SUBJECT: Accept the Beneficiary Consultation Report for the Maui County Fire Department's Request to Utilize Hawaiian Home Lands for an access easement 'Ualapu'e, Moloka'i TMK (2)-5-6-002: 036 (por.) and 002 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to the Maui County Fire Department's request to utilize Hawaiian Home Lands for an access easement in 'Ualapu'e, Moloka'i.

DISCUSSION

Background

The Maui County Fire Department is looking to acquire private property to establish a new fire station on the east end of Moloka'i. The private property is adjacent to DHHL lands in 'Ualapu'e (See EXHIBIT A, Location Map). The Fire Department is seeking an easement from DHHL to better allow large fire trucks and vehicles to access a newly planned fire station at the site. Without an access easement from DHHL, the site would be feasible for the Fire Department to locate a fire station and the Fire Department would need to find another location for a fire station. The size of the area requested is approximately 15,000 square feet and is illustrated in EXHIBIT A. The purpose of the beneficiary consultation meeting was to provide more information regarding the Fire Department's request and collect beneficiary mana'o on the Fire Department's request to use DHHL 'Ualapu'e lands for an access easement.

The DHHL recognizes that meaningful, timely, and informative beneficiary consultation is necessary for the successful formulation and implementation of its policies, programs, and projects. In 2009, the HHC adopted a Beneficiary Consultation (BC) Policy (Policy). The purpose of the Policy is to ensure that appropriate beneficiary consultation processes and activities are incorporated into DHHL's planning and decision-making. The Policy requires BC for four types of proposals: 1) Statewide Policy Issues, 2) Amendments to Land Use Designations, 3) Development of DHHL Plans and 4) Proposed long-term use of DHHL lands for non-homesteading uses.

The request by the Fire Department to utilize DHHL lands for an access easement constitutes a long-term non-homesteading use of DHHL lands and therefore required a beneficiary consultation meeting prior to HHC action on the request. A beneficiary consultation meeting was held on June 23, 2021 with DHHL beneficiaries that reside on the island of Moloka'i. Because of the COVID-19 pandemic, the meeting was held on the Zoom virtual meeting platform.

#### Beneficiary Consultation Process

The proposed use of Hawaiian Home Lands went through the following steps prior to the BC to ensure that beneficiaries were informed about the opportunity to provide feedback on the legislative proposal.

#### STEP 1. THE PROPOSED ACTION IS DESCRIBED:

The Maui County Fire Department is looking to acquire private property to establish a new fire station on the east end of Moloka'i. The private property is adjacent to DHHL lands in Ualapu'e. The Fire Department is seeking an easement from DHHL to better allow large firetrucks and vehicles to access a newly planned fire station at the site.

#### STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT

Due to health and safety precautions from the COVID-19 pandemic, the Department conducted a beneficiary consultation meeting utilizing the Zoom virtual



meeting platform with DHHL beneficiaries that reside on Moloka'i.

1. Approximately 500 postcards were mailed to all Moloka'i homestead lessees. [Exhibit B]
2. Approximately 400 postcards were mailed to all waitlist applicants that either reside on Molokai or are on the Moloka'i waiting-list. [Exhibit B]

STEP 3. PRESENTATION MATERIALS FOR ALL MEETINGS ARE AVAILABLE FOR FEEDBACK:

DHHL created a webpage to disseminate information and provide easy access to information related to this request, including:

1. Weblink to the BC meeting and recording;
2. Meeting notes from the June 23, 2021 beneficiary consultation meeting

The webpage for this consultation meeting can be found here:

<https://dhhl.hawaii.gov/po/molokai/mfd-access-easement-land-use-request/>

STEP 4. COMMENTS ARE COMPILED INTO MEETING REPORTS:

The following table and data below captures the level of participation and engagement at the June 23, 2021 consultation and subsequent 30-day comment period:

Table 1: Summary of Proposed Limited Gaming Legislation

Beneficiary Consultation Meeting	Estimated Attendance	No. Self-ID as DHHL Beneficiaries	No. of Questions and/or Comments
June 23, 2021	40	30	28
Written Comments Submitted during the 30-Day Comment Period	--	--	16
<b>TOTAL</b>	<b>40</b>	<b>30</b>	<b>44</b>

BC attendees did not sign a physical sign-in sheet due to their participation via a virtual online platform. Instead, attendees were asked to sign-in to the "Chat-box" on Zoom and self-identify whether or not they were a DHHL beneficiary. However, it is uncertain whether all attendees complied with the request to sign-in. Also, there may have been multiple people participating from a single computer or mobile device. Therefore it is difficult to determine exact amount of participants during the meeting.

As reflected in Table 1, approximately 40 people attended the virtual meeting on June 23rd. Approximately three-quarters of the meeting participants self-identified as a DHHL beneficiary. In addition to comments received at the beneficiary consultation meeting, 16 additional comments were received from 14 individuals during the 30-day comment period.

DHHL also received 358 questions, comments and/or opinions during the BC process.

The following exhibits reflect BC meeting notes, participant opinions and/or comments:

1. Exhibit D - June 23, 2021 Meeting Notes
2. Exhibit E - June 23 - July 22, 2021:  
Correspondence submitted during the 30-day Comment Period

Summary of Beneficiary Comments:

In summary, the majority of beneficiaries that participated in the consultation process supported the Fire Department's utilization of DHHL lands as an access easement. There were a handful of commenters that opposed the utilization of DHHL lands by the Fire Department and several commenters expressed support for the Fire Department's request but would also like to have the County provide additional benefits to the community. Comments are further discussed below.

*Support for granting the Fire Department's Easement Request*

Beneficiaries that expressed support for the Fire Department's utilization of DHHL lands as an access easement supported the land use request because of the first responder emergency services that the Fire Department would provide to a future homestead community. Beneficiaries felt that having a fire station next to DHHL lands would be an asset for the future homestead and for beneficiaries that live on the east end of Moloka'i.

*"The response time if Fire Department is to respond from Kaunakakai Fire Station to Kamalō, that is only 10 miles out of town, it would take them a good 20-25 minutes and 20-25 minutes to someone's life who is having a CVA which is a stroke it could be fatal. If someone is having a heart attack and no one at the residence knows CPR and you do not have an AED at the residence, that person can die and most likely it's going to be a resident and not a visitor so people who live in that area they should be blessed and fortunate that they will have access to medical first responder, fire response should they have a house fire, any type of fire, brush fire."*

*"I'm on the waitlist. I've been waiting for a long time. My mother's been waiting for a long time. I know many people waiting. I don't know any of us would be willing to fight for that [homestead lot] at the loss of somebody's life. If we don't keep that Fire Station on the east end, we are not going to be there to help people who need their help."*

#### *Opposition to granting the Fire Department's Easement Request*

Beneficiaries that are not supportive of the Fire Department's easement request are opposed to the proposal because they feel that the land could be utilized for homesteading and that the Fire Department's use of DHHL land would take lands away from waitlist beneficiaries.

*"It is my mana`o and I know everybody's working hard to better Moloka'i and to better things, but there's gotta be a better way because when you take away just a little fragment, a parcel from DHHL, you're taking away from somebody who is on the waiting list just so you can move forward with something else."*

*"I love you guys, but I'm not for it because it's taking up our space. You know how long we've been waiting? I was supposed to be up there on homestead. You know how many years that is? I say no."*

#### *Additional Community Benefits Related to New Ualapu'e Kuleana Homestead Community*

There were several comments submitted during the consultation process that expressed a desire for the County to provide additional community benefits related to the planned 'Ualapu'e Kuleana Homestead community in exchange for DHHL granting the easement request to the Fire Department. Benefits requested by beneficiaries are summarized as follows:

1. A fence along the east side of the Fire Department easement to provide more security for the families that may reside in the area;
2. That Maui County provide future 'Ualapu'e lessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload the containers;
3. That DHHL identify and charge the county the fair market value for the area of land requested for the access easement and that 100 percent of the lease rent be set aside for the Ahonui Homestead Association's implementation of the Ualapu'e Master Plan;
4. That Maui County assist in the construction of paved roads to assist 'Ualapu'e lessees to access their



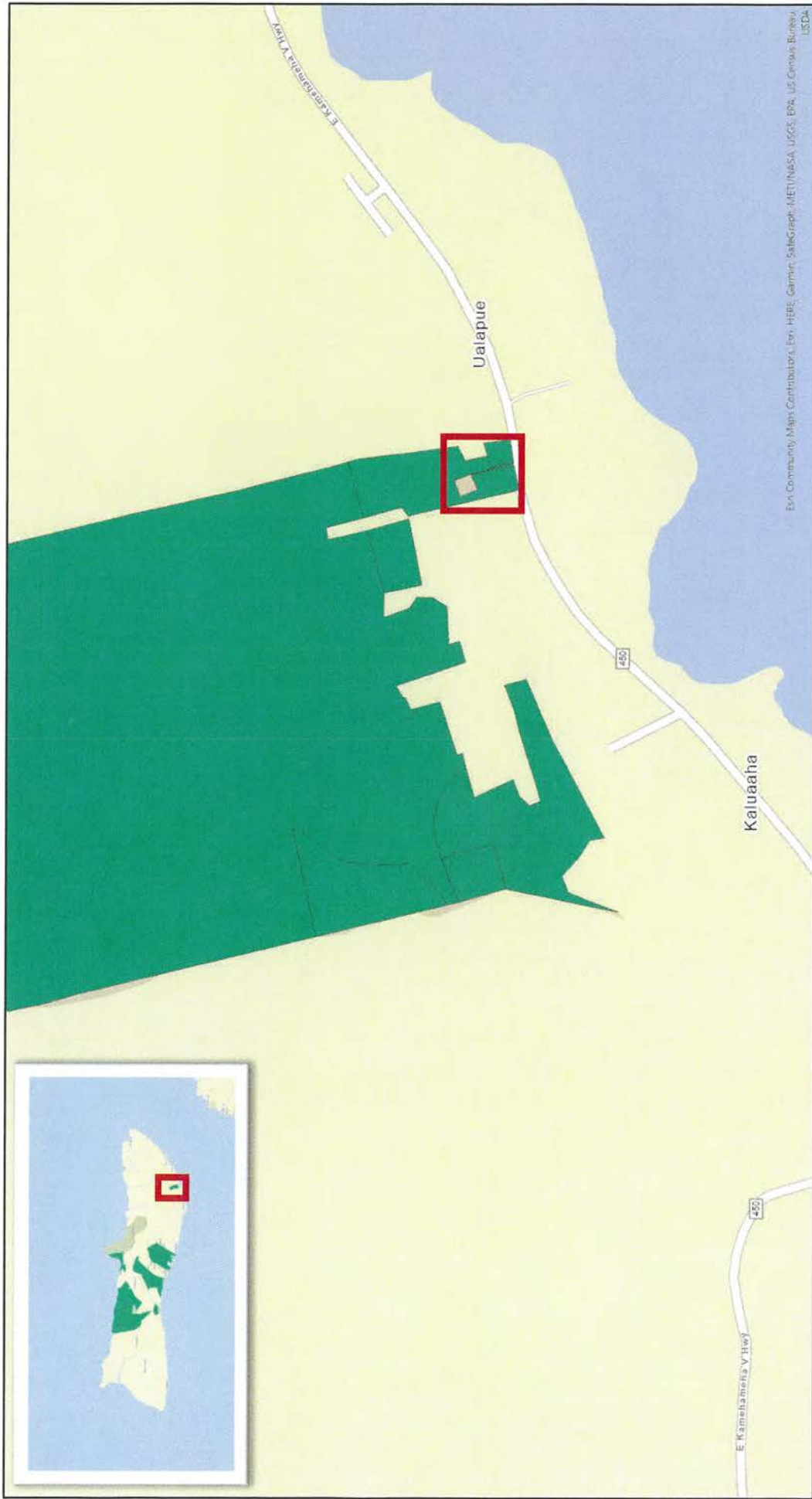
homestead lots which will be identified in the master plan.

The terms of the license agreement are more fully discussed in Agenda Item F-2. In brief, after negotiations with the Fire Department, access to water and the construction of a water tower and the construction of paved roads were not included as conditions in the license agreement with the Fire Department. The Fire Department expressed that other County Departments have direct kuleana over water and road development, not the Fire Department. However, the Fire Department did commit to making inquiries to the other County agencies (County Departments of Water Supply and Public Works) responsible for these types of improvements that beneficiaries are seeking for the new 'Ualapu'e homestead community.

The Fire Department did agree to a one-time license fee for the access easement. Also, the Fire Department was open to constructing a fence along the easement area if a fence is compatible with the future settlement plan for 'Ualapu'e. The access easement to the Fire Department will be a non-exclusive easement, meaning other users, such as future homestead lessees could utilize the easement as an ingress and egress. However, ingress and egress to the future homestead community has not been identified at this time and will be identified during the 'Ualapu'e Settlement Plan process.

#### Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motion as stated.



**EXHIBIT A  
LOCATION MAP**

Envi Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, US Census Bureau, USDA

# Map Mock-ups (not to scale)

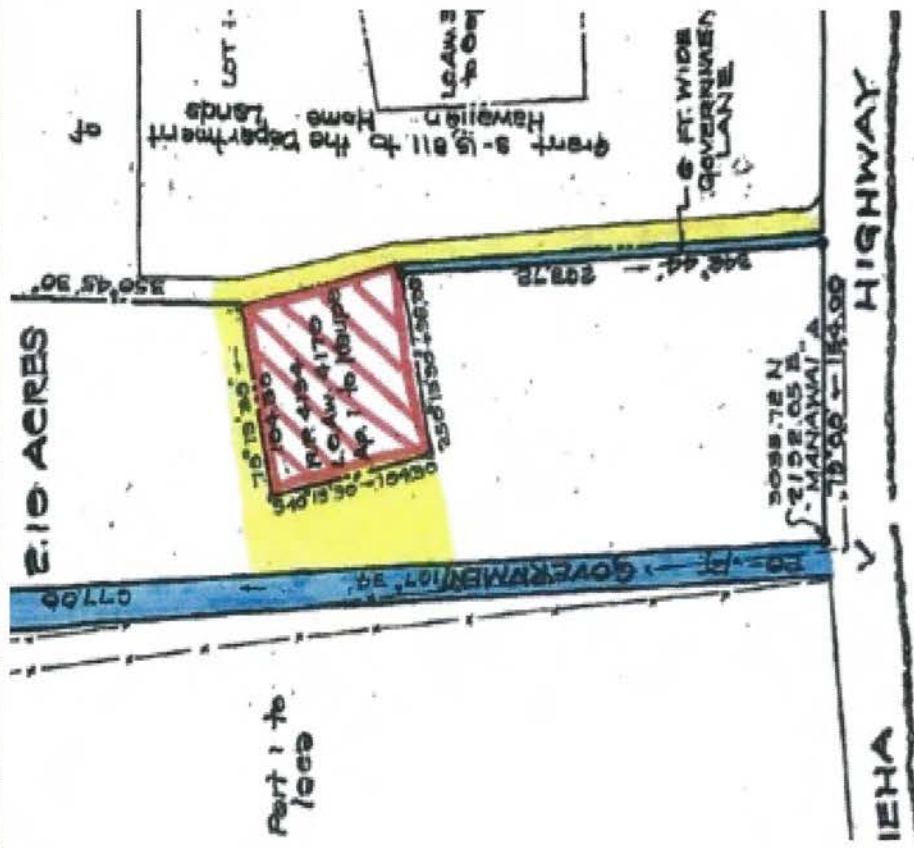


EXHIBIT "A"



# BENEFICIARY CONSULTATION VIRTUAL MEETING



Maui County Fire Department Access Easement Request, Ualapu'e, Moloka'i



This is Not an Awards Notice

[dhhl.hawaii.gov/po/Molokai](http://dhhl.hawaii.gov/po/Molokai)

EXHIBIT "B"



## **Beneficiary Consultation Virtual Meeting**



DEPARTMENT OF HAWAIIAN HOME LANDS  
P.O. BOX 1879 HON, HI 96805

PRESORTED  
STANDARD  
US POSTAGE PAID  
HONOLULU, HI  
PERMIT NO. 574

Maui County Fire Department Access Easement  
Request, Ualapu'e, Moloka'i

Wednesday, June 23, 2021  
6:00 p.m. to 7:30 p.m.

### **Meeting Purpose:**

Collect beneficiary mana'o on the  
Fire Department's request to use  
DHHL Ualapu'e lands for an access  
easement.

### **Join the Virtual Meeting:**

[dhhl.hawaii.gov/po/Molokai](https://dhhl.hawaii.gov/po/Molokai)

**Questions?** [dhhl.planning@hawaii.gov](mailto:dhhl.planning@hawaii.gov)

EXHIBIT "B"



HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

# **Beneficiary Consultation**

## **Maui County Fire Department Request**

### **to Utilize DHHL Land for Access Easement**

June 23, 2021  
Meeting will start at 6:00pm

1

### **Meeting purpose**

- To collect DHHL beneficiary feedback on proposed long-term use of DHHL land by the Maui County Fire Department

2

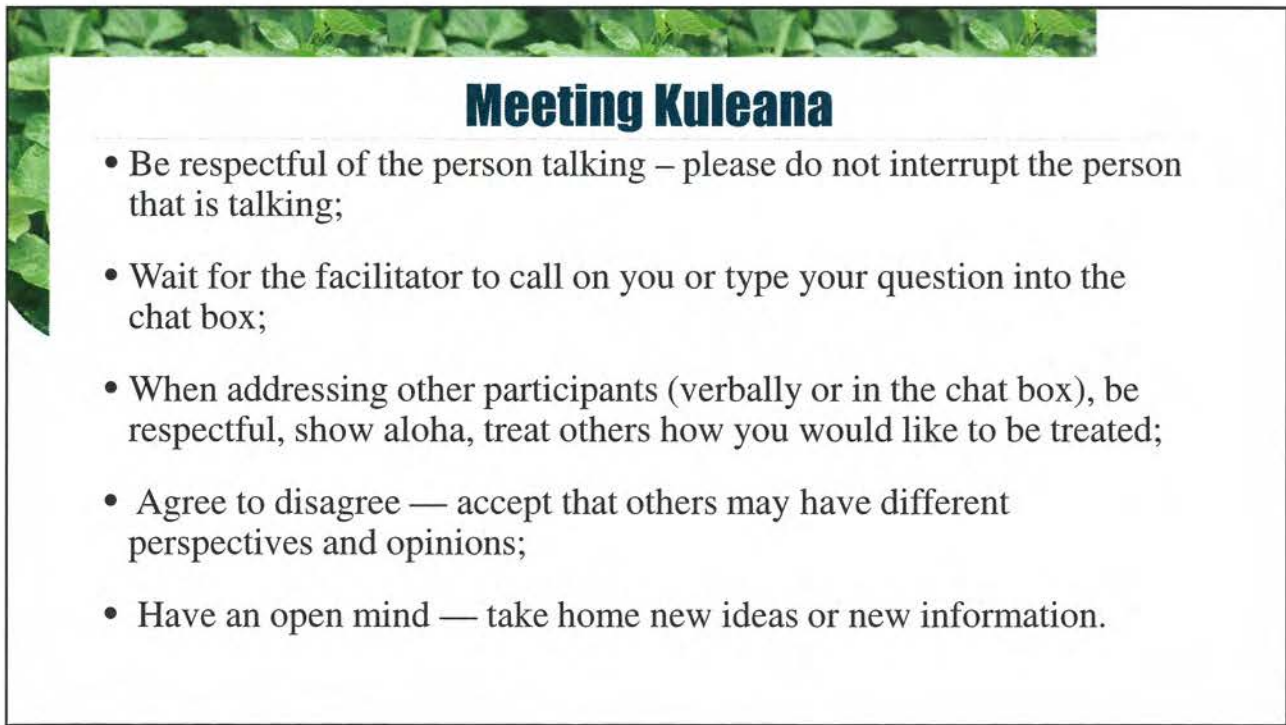


The screenshot shows a Zoom meeting interface. At the top, there is a toolbar with icons for Unmute, Stop Video, Security, Participants, Chat, Share Screen, Record, Reactions, and an End button. Below the toolbar, the main content area displays a slide titled "House Keeping" in blue text. The slide has a background image of green leaves. To the right of the image, there is a list of four bullet points.

### House Keeping

- Please keep your microphone on mute when you are not talking
- Type your questions in the chat or raise your virtual hand
- Please keep in mind this meeting is being recorded
- In the CHAT please sign-in (First & Last Name, where you live, applicant, lessee, or other)

3



The screenshot shows a Zoom meeting interface. At the top, there is a toolbar with icons for Unmute, Stop Video, Security, Participants, Chat, Share Screen, Record, Reactions, and an End button. Below the toolbar, the main content area displays a slide titled "Meeting Kuleana" in blue text. The slide has a background image of green leaves. To the right of the image, there is a list of five bullet points.

### Meeting Kuleana

- Be respectful of the person talking – please do not interrupt the person that is talking;
- Wait for the facilitator to call on you or type your question into the chat box;
- When addressing other participants (verbally or in the chat box), be respectful, show aloha, treat others how you would like to be treated;
- Agree to disagree — accept that others may have different perspectives and opinions;
- Have an open mind — take home new ideas or new information.

4



## **DHHL Beneficiary Consultation Policy**

- Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval
  - Statewide Policy Issues
  - Amendments to Land Use Designations
  - Development of DHHL Plans
  - Long-term use of DHHL land for a non-homestead use

5



## **Tonight's Agenda**

- Welcome & Introductions
- Presentation by Maui County on Proposed Use of DHHL Lands for an Access Easement
- Beneficiary Questions on Presentation
- Beneficiary Mana‘o on Proposed Use of DHHL Lands
- Next-Steps

6





## Meeting purpose

- To collect DHHL beneficiary feedback on proposed long-term use of DHHL land by the Maui County Fire Department

7

Pūkoʻo Fire Station  
Relocation

DHHL Beneficiary  
Consultation

June 23, 2021



8

## Issues with Current Site

Building is in  
disrepair

Flooding  
occurs on the  
site

Month-to-  
month lease  
from the State

9

## Brief Background on Relocation Efforts

Pre-May 2019      Maui Fire Department identified a potential relocation site behind the Kilohana Rec. Center

May 4, 2019 &      Public meetings were held at Kilohana Rec. to  
May 7, 2019      discuss relocation of Pūko'o Fire Station to the  
Kilohana site.

*\*Social impacts and cultural concerns were shared by community members regarding the specific Kilohana site, but overall, the community supported the general idea that relocation is needed.*

10

## Where we are at now

The availability of a new potential relocation site was brought forward as a viable option for consideration on May 22, 2021.

Fire Chiefs visited the site to confirm that it could fit the needs of the station.

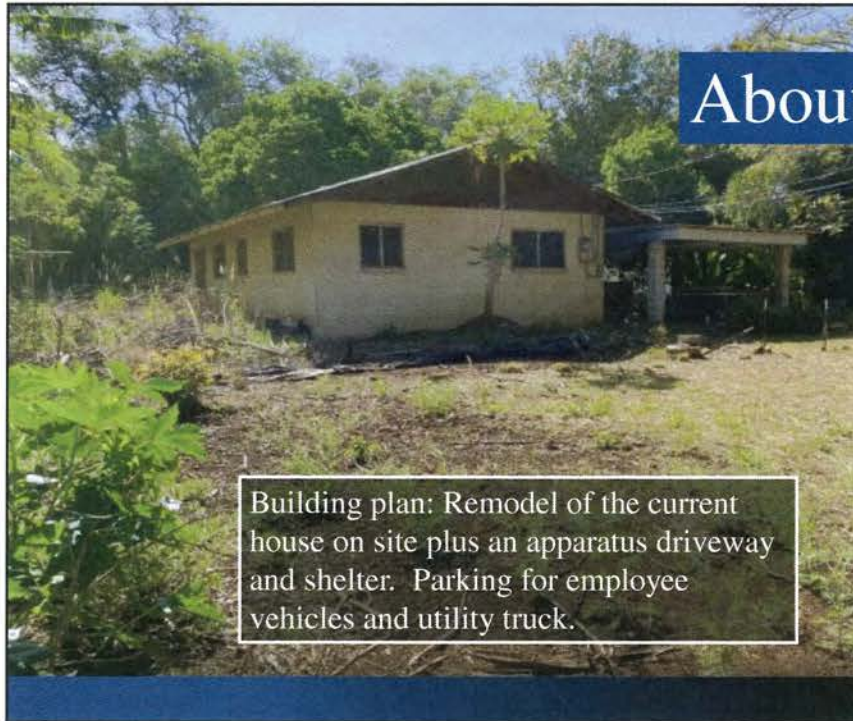
Council approved a budget amendment to move forward with acquisition and renovation.

Council Member Rawlins-Fernandez hosted a public community meeting to discuss the new site.

DHHL Beneficiary Consultation to discuss easement through Hawaiian Homelands properties.

11

## About the new site



Building plan: Remodel of the current house on site plus an apparatus driveway and shelter. Parking for employee vehicles and utility truck.

- 7541 Kamehameha V. Hwy, Fee-Simple
- Approx. 0.5 miles east of Kilohana School
- Listed for sale at \$339,000.00
- Tax map key # 2-5-6-002-002-0000
- 0.25acre, 3 bedrooms / 2 baths, masonry construction
- Outside of SMA, approx. 1,100ft from ocean
- Surrounding uses: Residential, farm/agriculture, Hale Pomaika'i
- Property is accessible through two government roads
- Property is surrounded by DHHL

12



## Why are we seeking an easement?

Extended roadway width to accommodate the firetruck.

Needed to cross over the mulch area and onto the proposed site.

Space for staff parking.

13




### East Easement

- Existing 6ft lane, government road
- Seeking additional 15x400ft
- 0.14 acres/6,000sqft
- Improvements:
- Vegetation clearing, ground preparation, asphalt lane
- Improved driveway will be usable for homestead/DHHL access
- TMKs: 2560020360000
- [link to tax map](#)

*\* all numbers are estimates only \**

14






### West Easement

- Needed to cross from government road to property
- Intended use: driveway access, parking area
- Approx. 0.13 acres, 6,000 sq.
- Estimated area: 42 x 115 x 57 x 120 ft
- TMK: 2560020010000
- [link to tax map](#)
- *\* all numbers are estimates only \**

15

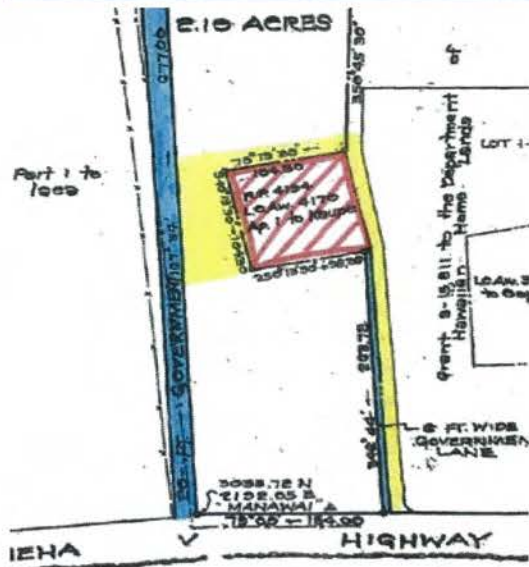


### North Easement

- 20ft extension to create a buffer zone
- Possible use for extra parking
- 0.075 acre, 3,267sqft
- 20 x 151.1 x 20 x 145.3ft
- *\* all numbers are estimates only \**

16

## Map Mock-ups (not to scale)



17

## Easement Request Summary

0.345 Acres total  
(estimated)

15,045 Sq. Ft total  
(estimated)

Easements for two  
DHHL TMKs to  
be included in one  
land license

18



## Benefits to DHHL Beneficiaries and Community



Secured first response emergency coverage in the Mana'e district for the health and safety of DHHL beneficiaries and entire community



A fire station near kupuna who will live at the future homestead



A paved driveway on the east side of the fire station TMK that will be usable by DHHL homesteaders



Mitigation of water run off from fire station TMK away from Ka Hale Pomaika'i

19

## What's at risk?

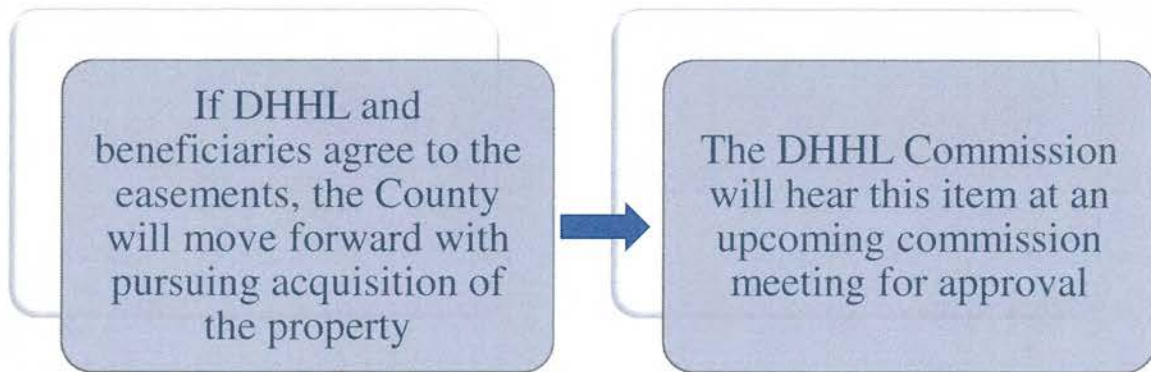
If a new site cannot be secured before the Irwin Health Center becomes too high a risk, the Mana'e firefighters will be relocated to the Kaunakakai Station.

If relocated to Kaunakakai, call response time will increase.

Properties that can accommodate the requirements of a fire station are limited in the Mana'e area.

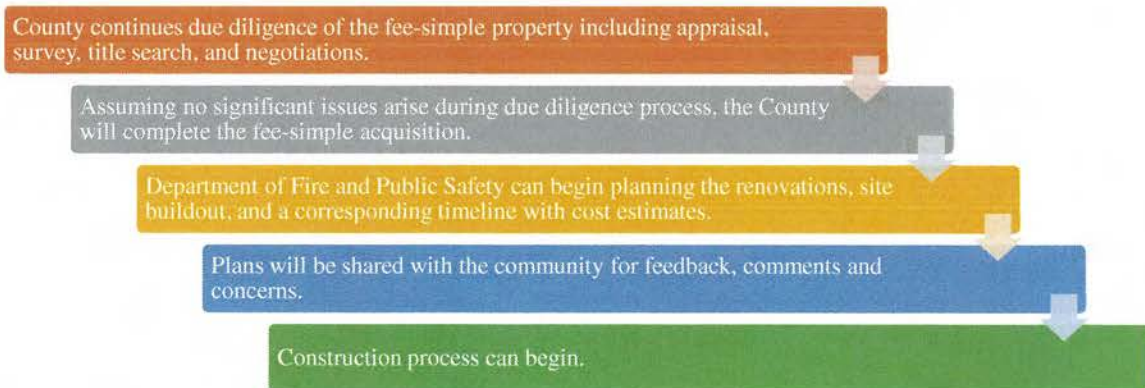
20

## DHHL Next Steps



21

## County of Maui - Next Steps



22



**Nīnau**

## Questions on the Presentation

23

**Mana'o**

## Comments and Feedback on the Proposed Use of DHHL Land as An Access Easement by the Maui County Fire Department

24

## Next-Steps

- 30-Day Beneficiary Consultation Comment Period (June 23 to July 22)

**Email comments to: [dhhl.planning@hawaii.gov](mailto:dhdl.planning@hawaii.gov)**

- Beneficiary Consultation Report to the Hawaiian Homes Commission and Seek Commission Approval on Easement Request (August)

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

## Background

The Maui County Fire Department is looking to acquire private property to establish a new fire station on the east end of Moloka'i. The private property is adjacent to DHHL lands in Ualapue. The Fire Department is seeking an easement from DHHL to better allow large fire trucks and vehicles to access a newly planned fire station at the site. The purpose of the meeting is to provide more information regarding the Fire Department's request and collect beneficiary mana'o on the Fire Department's request to use DHHL Ualapue lands for an access easement.

## Q&A (Beginning at 25:16 of recording)

- Andrew Choy: Mahalo Brad for your presentation
  - At this time, your folks' opportunity to ask questions on this request by the County of Maui Fire Department
  - Gigi, anything in the chats to talk about first
- Gigi: Not at this time Andrew
- Andrew Choy: Questions from the group?
- Sybil Lopez: Mahalo Chief for your presentation
  - Question maybe you covered but wasn't in presentation
  - What is your current capacity look like at Pūko'o Fire Station (PFS)
    - Who do you serve
    - How much do you serve
    - What is the area that you serve
- Chief Ventura: As far as PFS goes, you mean how large is the community, how much is the population of the community, or how many calls for service do we have
- Sybil Lopez: All of the above
  - What is the current capacity of Pūko'o Station
  - What is the area you serve
    - From Makolelau to Hālawā
    - From Kamahao to Hālawā
  - How many people in that area
  - What type of calls do you have on
    - Daily basis
    - Monthly basis
    - Those services that you provide right now
- Chief Ventura: Pūko'o Fire Station is only a two man station
  - They respond collectively with our Kaunakakai Fire Station on any major incidents
  - The Pūko'o Station is and will be the first from Hālawā back towards town
  - Couldn't tell you off the top of my head if Pūko'o and Kaunakakai were responding together in the same direction and they were coming towards each other where exactly they would meet, but if there were any type of house fire, ocean rescue then both Kaunakakai and Pūko'o would respond to that

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

- If was just a medical call and medics were responding with PFS, then medics and PFS would handle itself with the two personnel in the fire truck and two personnel in the ambulance
- I'd have to look up the area as far as number of houses and number of people, and number of square miles for service out there and get that to you later
- Sybil Lopez: Mahalo
- Andrew Choy: I see Cora's hand is up, go ahead Cora
- Cora Schnackenberg: Thank you for your presentation
  - I'd like to refer back to one of your slides
    - East side of slide, easement request for 15 feet on Manawai side
    - Just for clarification
    - Looking on my right side, you see the adjacent parcel is on the east of your redline easement, going mauka makai
      - Those two areas is possibly having homes
      - Will that be possible to... I didn't see any... you went through your community benefit...
        - I want to explore and expand that community benefit if I may
      - Because we possibly will be putting homes in this area, I'd like to include in your benefit to put a fence along the east side of your easement to provide more security for the families, whoever will be occupying that area
        - That is what I'd like to share with you for your folks' consideration
    - I like the idea of about your putting that swell or bump in the road to divert water
    - I like those ideas
    - Would like to further explore other things and speak to DHHL about and they will share at this point
      - I'd like to share with them first
  - Commissioner Helm: This is for Sybil's question
    - As far as the area that PFS serves, starts from Mile Post 10 in Kamalō and all the way to Hālawā
  - Sybil Lopez: Mahalo Commissioner
  - Andrew Choy: Other questions or comments
  - Cora Schnackenberg: I have another, might be for a Council Member but I'll address to Chief
    - Are you folks able to negotiate any type of recycle water for our community that is living on the east side of the island
  - Chief Ventura: That's not something our department would be able to leverage
    - Probably conversation for the Water Department
  - Cora Schnackenberg: So maybe I should speak to Council Member Keani
    - What is the plans of the recyclable water that is currently being flushed, both housing / domestic use and fire hydrants
      - Would like to ask that Ahonui be considered in obtaining the recycled water
  - Council Member Keani: Aloha Cora, mahalo for your question
    - Mahalo for clarifying the water you're referring to
    - That water is something the Water Department wants to be used
    - As I committed to before, I will help to facilitate those discussions between the Water Department and the community



## **EXHIBIT D – MEETING NOTES**

### **Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i**

#### **Virtual Beneficiary Consultation Meeting**

**June 23, 2021, 6:00 pm to 7:30 pm**

- It's just a matter of logistics
  - Working on a schedule so the community would be aware of when the department would be flushing and
  - Community having the necessary equipment to store the water
  - Can get into more detail offline
- Cora Schnackenberg: Mahalo Council Member Keani
  - Mahalo everyone, thank you
- Andrew Choy: Are there other questions, comments folks have regarding this request that you'd like to ask right now?
  - Or comments you'd like to make?
- Gigi: Faye has her hand up
- Andrew Choy: Thanks for pointing that out, Gigi
- Faye (Liko Wallace): I'm in support of the easement
  - I don't have any question
  - Thank you
- Andrew Choy: Mahalo Liko for that comment
  - Others with questions or comments?
- Lloyd: With Na'iwa Road Project
  - We want to support that project as well
- Andrew Choy: Mahalo Lloyd
- Cora Schnackenberg: Aloha, I have my mom here
- Auntie Judy (Cora's Mom): Aloha, I'm talking from experience
  - I love you guys but I'm not for it because it's taking up our space
  - You know how long we've been waiting?
  - I was supposed to be up there, on homestead
  - You know how many years that is?
  - I say no
    - You guys gonna have a fight on your hands if you do it that way
  - I know we suffered a lot
    - A lot about water
    - We supposed to have free water
    - We supposed to have the land
    - We no more space already
    - Everybody robbing us from our land
  - So what you guys talking about?
    - I'm not for it
- Andrew Choy: Mahalo for that comment
  - Are there other comments?
- Cora Schnackenberg: I'm going to reserve
  - Going to speak to DHHL and Maui County
  - Thank you
- Andrew Choy: Others want to share their mana'o on this proposed use of Hawaiian Home Lands?
  - Or any other information you'd like to have at this point?
- Charity Kekauoha: I'd like to say something

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

- I'm a homesteader on Ho'olehua
- I think it's great we have a fire department on the east side of Moloka'i, however
  - I don't believe as a DHHL resident we should give up a fragment / partial to make it happen
- Don't want to sound unreasonable, however, it feels like we're put on the spot as lessees that if we cannot move forward because there's a lot of people on the waiting list for homestead
- I'm fortunate I'm on homestead at my age, at 54
- I'm from Nanakuli and my home, my new residence is here on Moloka'i
  - I love Moloka'i
    - The people
    - Land
    - Everything about Moloka'i
- It's so sad we have to give up something
  - I wish somehow our delegates, County, State, DHHL can work on something that can benefit the lessee as well as the community instead of taking away from one or the other
- It is my own mana'o and I know everybody's working hard to better Moloka'i and to better things, but there's gotta be a better way because when you take away just a little fragment, a parcel from DHHL, you're taking away from somebody who is on the waiting list just so you can move forward with something else
- I know the State has property
  - Maybe there's another way
  - Or there's a timeline and everything gotta hurry up and rush
    - Rush this, rush that
  - How many years has this been on waiting
  - How many years has this been in the work
    - Now it's a rush
- Forgive me if I say anything that is not respectful, but I am a DHHL lessee and I love Moloka'i and I love where I come from, Honolulu / Nanakuli, and I wish the best for all us Hawaiians that been on the waiting list
  - My parents died on the waiting list
  - I hope my family no have to die on the waiting list because Hawaiian Homes, County, State is making decisions for the people and not listening to the people
- Please forgive me if I'm being disrespectful to anybody
- I'd like to see Moloka'i move ahead
  - We need fire department out there
  - We need a lot of things on Moloka'i to make it better for the people
  - That is the bottom line, for the people
- That's all I have to say
- Thank you
- Andrew Choy: I see two hands up
  - I'm going to call on Mahina and then Faye (Liko)
- Mahina Poepoe: I'm speaking on behalf of myself in support of the easement
  - I myself am not on the waitlist but my genealogy tells me that I could be if I wanted to be

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- However, I feel like that would be a little selfish considering I have a stable living situation
- I don't want to take up space so that's a conscious decision but if that would make my voice more meaningful then I guess I'll have to look into that
- I want to speak in support of the easement
  - I don't believe any of the requested space is necessarily taking away area that would be used for housing, especially the east driveway
  - Mana'e just have a significant population of Native Hawaiians and beneficiaries and waitlisters
  - I know that DHHL does realize that contributing to this effort to keep this critical emergency service in the district is providing critical services to your beneficiaries of whom I am one of them
  - My dad was a retired Fire Captain
    - He was also a waitlister
    - He died waiting
    - Before he died the Fire Department responded to our home and was able to help him
  - This may not actually put people on the land directly but may very well save the lives of those who are waiting
  - I just don't want that benefit to get lost in the attempt to nickel and dime
  - For me I'm very supportive and I just want to also share that it's not really bargaining
    - It seems like it is, but it's not really bargaining with the Department or County
  - The County or the Department are not going to suffer or face the consequences of removing the station
  - I actually think, from an operational and budgetary standpoint, they'll save money
  - Who's going to suffer is the community and is beneficiaries and is waitlisters
    - That is our kūpuna
    - Our families
    - Our children
- That is not something that I am comfortable with leaving hanging in the balance so for me it really is a yes or no answer
  - No would be disappointing and unfortunate
    - The fire station will very likely move to town and we'll lose coverage
    - If that's going to be the case, then we need to start planning for that
  - If the answer is yes
    - What a relief
    - The district and our community will be that much safer for years to come
- The truth is that the fee simple property is not going to be held for much longer
  - The owner agreed to hold it while we do these meetings, but they're not going to hold it for much longer
  - That's the purpose for expediting the process
- Thank you that's all I wanted to share
- Andrew Choy: I'm going to Liko, Commissioner Helm, Yolanda, then John

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- Commissioner Helm: Andrew, before you have the next person to testify, my wife would like to testify as a beneficiary as well
  - Can she do that
- Andrew Choy: Okay
- Commissioner Helm: Whenever it's her turn
- Andrew Choy: Okay, I will call on her after John
- Commissioner Helm: Thank you Andrew
- Andrew Choy: Liko, Yolanda, John, Commissioner Helm's wife, then Mango
- Liko: Thank you Andrew for giving me the opportunity to speak
  - I've attended the meetings that the Fire Station / Department has been having on the east end
    - Stating the concerns of the area that the station is currently at
  - It's been at a disrepair for a really long time as the Chief had talked about
    - Over two years
    - It hasn't been something that just happened
    - It's been an ongoing
    - Looking for a place on the east side that wouldn't hinder any cultural sites, so many things to consider that has been on the floor to consider that has made it very difficult
    - Finding this location and asking for the areas that they are asking for, basically the one on the east side
      - Basically a driveway anyway
      - It would just be broadening the driveway
  - I understand the fencing part
    - I agree with that
    - I would expect them to put a fence or something to protect any people from being in the way of the driveway
  - I look at it like how you look at Maunaloa School or Kilohana School
    - Once you close these schools, to open one back up in the location or district it's currently in might not happen
  - Zachary talked about the area covering from Kanalo to Hālawā but in reality they go to the backside of the island also so it goes even beyond Hālawā
  - Beneficiaries are right there
    - They would benefit from having the fire station on the east side
    - Another way they would benefit is it would keep their house insurance at a reasonable price
      - Without having a fire station in the area, that would jack their insurance up
  - To me, I think it's beneficial to be asking that 15 feet on the east side and 30 on the west so they can park it
  - This is a community
    - We work
    - We live
    - We play
    - We talk as a community
  - I'm not looking as a tourist on the east end



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- We have families that live there forever and they'd be deprived of having immediate response should anything happen so I think it's necessary for myself, born and raised here, I think it's a good thing
- I don't look at it as infringing on anyone's benefit of a property on that side
  - Especially on the side that they're asking
- Sorry for being so long winded
  - Thank you for giving me the opportunity to speak but I think it's a good thing and I stand in strong support of it
  - Mahalo
- Andrew Choy: Mahalo for your comments
  - Yolanda
- Yolanda Tanielu: Aloha
  - My concern, and this is a question
    - Is the Fire Department paying for DHHL land usage or DHHL donating the `āina or are we paying for it
    - I would like to have an honest answer please
- Andrew Choy: At this time, we haven't negotiated the terms of the agreement with the County so if that is one of the items that you would like to see included in the terms of an agreement, that's something the Department could certainly have the conversation with the County on
- Yolanda Tanielu: That would be, to me personally and I am a homesteader, but I'm also from Mana'e and, yes, the Moloka'i Fire Department there is needed
  - It is
  - I'm not saying that it's not
  - Just that I see too many of our `āina being used and donated and the people that living on the `āina, the homestead land, we paying taxes
    - I feel like, wait a minute, everybody should be paying taxes, especially land tax
  - That's my issue right now
    - I understand our Fire Department needs a place and what not
      - That's fine
      - That's good and well and done
    - But you also have to remember there are some of our families waiting on the waiting list
    - You have a long history of people waiting
      - I understand that
    - But I'm also a person that is thinking about getting ag land on the east end side because that is where my family is from and I just wanted to know who is going to pay for the usage of this `āina and if we have to pay for it like everything else then you guys should be paying your portion as well
  - Mahalo
- Andrew Choy: Mahalo for your comments
  - John and then Commissioner Helm's wife
  - Then Mango
  - Then Dickei
  - Then Alma
- Zhan Dudoit Lindo: I come from the east end of Moloka'i

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- I was born and raised there so plenty kuleana on that side just like Mahina
- I just wanted to share my history on this project
  - Back when Uncle Ron Davis was the Chief, this became one of the most important things based on the community's desire to have emergency services in Mana'e
  - He made this a reality but we knew from its inception that we would have to move so from that time until now it's always been looking for a facility, looking for some place that met the qualifications and the standards
  - A lot of the pushback, even at Kilohana, came from the balance between how do we take care of our archaeological and cultural inventory, how do we take care of our people
    - What's that balance
    - What does that mean to us
- Here we are now and I heard somebody say that this was a rush
  - Actually, this wasn't a rush
  - This was something that was talked about for a long time
  - I want to clarify that the rush is that the owner of this property can decide not to wait for us and to sell the property before we have the chance to go through all of the necessary community engagements
- As somebody who works for Council Member Rawlins-Fernandez, I just like say I work for the County, but I'm a keiki o ka 'āina of Mana'e
  - I was born and raised there
  - My 'ohana
  - My 'ohana's iwi
  - They all on that side
- Just like Mahina, my heart is that we no become so focused on what we gotta get to make this happen and the idea that we operating as one oppressed people trying to get something that we miss out on one blessing and I not coming against anybody, I just speaking as a resident
- My heart is sore because I cannot be on Moloka'i because I taking turns to care for my mother
- My personal testimony is a month ago I would've said easily to everybody, my Papa said you like live Moloka'i, you gotta make do with what get
  - What no more, no more, but that's the price we pay for live on this beautiful 'āina
  - A month ago my mother had one terrible accident and it took almost 40 minutes to respond to her in Maunaloa and that's one straight shot
  - I testified at the County meeting about this
  - My mom would not have survived if she was in Mana'e and they had to respond to her from Kaunakakai
  - Look at this whole scenario in a very different way when your family is dependent on every minute in order for them to live
    - All of a sudden, perspectives and priorities become a big deal
    - So I would just like to say that as a homesteader and resident of Mana'e, I fully support the Fire Department
    - I've done, personally, a lot of work in making sure we take care of our people and we don't take away from anybody

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- So I just wanted to say that I support and I really appreciate everybody on this call and the Department, and the staff, and DHHL so I hope we can come up with something really good for everybody
- Mahalo
- Andrew Choy: Mrs. Helm and then Mango, Dickei, and Alma, then I saw there was a comment in the chat we can read after these folks talk
- Henrietta Helm: Thank you very much
  - I recently retired with Maui Police Department as the Emergency Services Dispatch Supervisor
  - I want to say I am in support with the Maui Fire Department's request
  - We're only talking about 15,000 square feet
  - This is just to allow easement for their apparatus to get from the main highway to their station and access out when they're responding to their calls
  - I don't see much property being taken away from Hawaiian Homes
  - In regards to the cost that might be incurred, that has to be negotiated between Hawaiian Homes Department and the County
  - The only thing I'm worried about is if this proposal or request is not passed, the Fire Department is going to lose that property
    - If they should lose that property and the property they are currently located in Pūko'o, it will be a major impact to the residents and the visitors to the east end of Moloka'i
    - The response time if Fire Department is to respond from Kaunakakai Fire Station to Kamalō, that is only 10 miles out of town, it would take them a good 20-25 minutes and 20-25 minutes to someone's life who is having a CVA which is a stroke it could be fatal
    - If someone is having a heart attack and no one at the residence knows CPR and you do not have an AED at the residence, that person can die and most likely it's going to be a resident and not a visitor so people who live in that area they should be blessed and fortunate that they will have access to medical first responder, fire response should they have a house fire, any type of fire, brush fire
      - Fire Department is gonna be your neighbor right there for you
      - Not going to take them 25 minutes to respond if you're living right there in Ualapue
  - Now you can imagine if the Fire Department had to respond from Kaunakakai Fire Station to Hālawā Valley for a child that's drowning in that location
    - It takes them an hour and a half to get to that victim
    - We've lost a lot of children out there
    - I've worked with Police Dispatch for over 31 years and we have lost a lot of children out in Hālawā Valley because of drowning
    - We have lost children in Pukuo area, right there by current Fire Station because of drowning
  - Everyone has to look at their priority
    - How much do you value your life
    - Or value your loved one's life
    - Cannot put a price on it
  - That's all I want to say
  - Thank you very much

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- Andrew Choy: Mahalo Henrietta for your comments
  - Mango then Dickei, then Alma, then Sybil put a question into the chat that we'll get to after we get through these
- Mango Stephens: Mahalo Andrew
  - I wanna say mahalo to Auntie Henrietta for giving us those times
  - Everybody knows me as Uncle Mango but my real name Phillip Naono Pillani Stephens
  - I am a waitlister and successor on the island of Moloka'i
  - I live on the east end, but I need to tell you about something that happened thirty something years ago
    - I was trained as a dive paramedic
    - I spent two, two year sessions
    - The reason for that is I was living in Maui and when you have a incident that happens around the Pali area
      - And a lot of our local people used to go down to Olowalu
      - From Olowalu down to Pot Mountain, all the way to the Pali
    - You couldn't get anybody from Lahaina or Paaluhi to get there in any time
    - Like Auntie said, you have a heart attack, stroke, or even an arterial damage where you have blood coming from an artery, there's a number of different things that I had to deal with
      - Luckily I was in the area and able to be there for the people until the paramedics got there during those times
      - I can't tell you what it is like when they can't get there, especially, at least on that island, you've got traffic to cause a problem
      - Over here, we just got a road that is one way and that's all there is to it
    - I am a waitlister and I will say that I am completely pono with what you folks want to do
    - I also want to make a comment that you might not have mentioned it, but it was mentioned at another meeting that we had that that particular east side that you folks are requesting as an actual easement on that particular piece of property, nobody could live on that easement anyway
      - The County and the Fire Department are going to make that road passable for not only the Fire Department, but they're making it for those properties
      - Anybody who is on the Ahonui side of this, that is going to be our access to the properties at this point
      - They're not really asking to take away anything that we would be living on
        - That is an actual easement that they're asking to utilize but also giving back to us as well
    - Again, I just want to say I completely back you folks up on that and I love everybody and a hui hou
- Andrew Choy: Mahalo Mango
  - Next is Dickei then Alma, then we'll get to Sybil's question in the chat
- Dickenson Stone: (audio distorted throughout Dickei's section)
  - We all need it, we need them
  - We all going get hurt one of these days
  - We all going get...



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- It's a no brainer, we need this
- All of a sudden, it happens
  - I'm happy that it happened
- If there's anything the Department of Hawaiian Home Lands can do anything that you folks need..
  - ... the department... the Fire Department, by all means you guys can take a strip of my piece when I get awarded
- It's a place for them and a win-win situation for everybody
- Aloha
- Andrew Choy: Mahalo Dickei
  - Just a quick request of you because, on my end, you were cutting in and out a little bit
  - If you don't mind summarizing your comments and putting it in the chat, that will help to memorialize your comments
  - Thank you
  - Alma and then Sybil's question in the chat
- Alma Gamiao: I am a mother of a firefighter
  - I have a son-in-law who is also a firefighter
  - And also a waitlister
    - I've been waiting since 1966
      - A long time
  - I finally got a homestead in Ho'olehua but now I'm looking for an ag lot
  - I am fully in support of not only because of my children who are firefighters, but because I really don't see the problem of why we cannot give a little portion on the east side so our fire engines can get in and be there for us
  - I am in the Ahonui group and we are in support, well I am in full support to help get this new building on the road
  - It's been so many years that this project has been going on and on
  - I watched my son-in-law work at Pūko'o Station for many years
    - Watched the conditions they were in
      - That place is falling apart
    - We need to get them out of there and need to get a better place for them
  - I think Ualapue is a perfect spot because there's a school there and, if there's any emergency, our fire helicopters can come in and rescue
  - When they had an incident in Pūko'o, when they had to call the fire helicopter in, that place was so dangerous
    - So much wires all over
    - Watched them
      - But they did it
      - They helped save a man who got bit by a shark long time ago
        - Couple years ago I watched that
  - Also I need to get our paramedics out here
    - There's only one station
    - My son is a paramedic here also and he has to travel throughout the whole island

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- It would be nice if we could add a paramedic station out here on the east end in the future
  - Right now, they are handling the whole island
  - If it wasn't for the firemen, the Fire Department to be first there on call, we would have lost a lot of people, our people
  - Thank you Fire Department
    - You guys are awesome
    - My son has nothing but praise for you folks because you are there before the paramedics are
  - Thank you everybody for pushing this ahead
    - We need to get our Fire Department in a better place
    - I'm speaking from my heart
    - I'm speaking for my children
    - I'm speaking for the people out here on the east end
    - I was raised here in Mana'e and I would like to live here, which isn't too long cause I'm getting old
  - Thank you everyone for your time
  - Thank you everybody for everything you're doing for us
  - This comes from my heart and I love you all
  - Aloha
- Andrew Choy: Mahalo Alma
  - There was a question in the chat
  - I think, Chief, if you can answer this question
    - If there was a call to respond to Hālawā, what would be the response time from Kaunakakai versus the response time from Ualapu'e
- Chief Ventura: The difference in the stations is about 25 minutes
  - However, the response time from Kaunakakai as it mentions also in the chat is all the way to Hālawā would be about an hour and a half
  - Especially once we get out to the far east end, the big engine can't go quickly
    - Road conditions get narrow
    - We have to slow down so it's about an hour and a half to Hālawā
    - The difference in time is basically 25 minutes
  - Kaunakakai would be behind the Pūko'o crew
- Andrew Choy: Thank you
  - I see Cora has her hand up
- Cora Schnackenberg: Thank you
  - I really appreciate everyone's comment
  - I want to share this
    - Being on this with all of you, I have to keep in mind several things
      - I have benefitted from this Fire Department in Pūko'o
        - My dad had respiratory problems and he had used them
        - Not only for medical
        - Also when people get flat tire, they right there to put air

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- My daughter... there are personal stories we all have that is very helpful having the Fire Department there
  - I'm one that had benefited
  - I'm also in a role that represent the waitlisters that been waiting and waiting
    - Not only waiting, but they are victims of companies that are non-Hawaiian entities that totally take advantage
  - And the line goes further, longer and longer
- I am speaking for all of those who have been waiting and died on the waitlist
  - My heart is to support
  - But I wanted to speak to the Department and with Maui County because even if it's an inch it is still land that our people are entitled to
  - I know that seems petty, but not for those that died on the waitlist
- I totally support what the Fire Department is doing with conditions and that is to support our people
- It's not about if you like this, I like that
  - No, a'ole
  - I don't like to be in a position when they say if you guys no give us this, then we going have...
  - It shouldn't be blackmail situation
  - It should be done pono
  - It should be done in a business like situation and so I wanted to share that out of love that I'm here and I know the benefits of our Fire Department because I am one that have benefit that so I'm here to share and be the voice of those that aren't on this and just to share that there's got to be a middle ground and I think that fence that I spoke about earlier is the beginning and I really appreciate the opportunity to share my mana'o with love and also with the Department I ask that I'd like to schedule a meeting with you and also the County Fire Department
- Mahalo
- Andrew Choy: Thank you Cora
  - I don't see any other hands up at this time
  - I'm looking at the clock
    - It is 7:15
    - We had scheduled the meeting to go to 7:30
- Cora Schnackenberg: Wait, my mom is here
- Auntie Judy: I'm so sorry
  - Our first thing is about that it was so important for us guys, but you know the way it was said we caught up to like... I don't know how you can say it... nowadays they so tricky in the way they talk and yet they change things around
    - That's why it was really hard
  - For me, I am for our forces, everything
    - But the way people talk is a trip
    - The way they talk is not right
  - I know that God is the one that supplies all our needs

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- Everything on this island, we no can take it with us when we leave, but it's to the generation to come
  - That's what it's to be used for
- I thank the Lord because I'm so sorry the way I said it but I never meant it that way
- I wanted to hear everybody saying the things that was supposed to be said
- You know what, it is love that we get everything together because it's our people
  - This is our place
- I'm really sorry the way I said it and I love you guys and I thank you Jesus that we can be over here to say what we want to say and make it right
- Amen
- Aloha
- Andrew Choy: Mahalo Auntie Judy
  - I see Godfrey's hand is up
- Godfrey Akaka: Aloha
  - What's up Chief Ventura, good to see you
    - You looking handsome still yet
  - I'm a Ho'olehua homesteader
    - Retired Fire Captain with the Maui County Fire Department, 27 years
  - I live Ho'olehua so the decision I think to make regarding the Mana'e Fire Department really relies on the people in Mana'e
    - What do they want
  - I'm not going to say whether I support or don't support because I honestly haven't seen the location where it's being put up but I will say that I have worked in Pūko'o many years and even with Mahina's dad, Doug Lopes, and we serviced the community and we helped a lot of people out there
  - I know how critical and important the Fire Station is out in Mana'e
  - I was even present when Chief Davis and Chief Lindo went and put that station out there
  - For years, what Jan said, I just want to testify and back up what they said too
    - For years, we knew we needed to move
    - This was a long time, at one time there was a location but that got shut down
  - I wanna share with you guys the station is well needed
  - The emergency service is needed
  - Here, Ho'olehua Fire Station where I live, is on Hawaiian Homestead land
  - I will tell you that for me I feel proud
    - Very proud our Fire Station is on Hawaiian Homestead land
  - I've also personally received emergency services for one of my sons
    - He got shot
    - Had to get shipped out and time was of the essence
    - Even though was only oxygen that was needed, they had the oxygen to help him
  - Life is hard to put one price on that and that's all I wanted to share
  - I support the Fire Department
  - I support all that they stand for
  - I support the emergency services
  - I support all of the people that had helped to put this together



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- I know it's not easy because the process is very long and very difficult
- That's what I wanted to share with you and the community
- Mahalo
- Andrew Choy: Mahalo Godfrey
  - I thought I saw Dickei raise his hand but he lowered it
  - Dickei, did you have anything else to add?
- Dickei: I just wanted to say I'm in full support of this Fire Department
  - I hope the DHHL can help them in any way, in whatever way they need to make this thing possible
    - To make this thing happen
  - We all need it and that's it
  - Thank you
- Andrew Choy: Mahalo Dickei
  - Hana raised his real hand
- Battalion Chief Hanalei Lindo: Sorry, I got on late so I missed all of the wonderful conversation, but I wanted to throw some input
  - My name is Hanalei Lindo
    - I'm a Battalion Chief with Maui Fire Department currently
    - I'm Moloka'i homegrown
    - I live on Hawaiian Homestead in Ho'olehua
  - So blessed to be a part of our island, our people, our community, and a homesteader working hand in hand with the Department of Hawaiian Homes
  - We were fortunate, especially as a department, to work on a couple of different projects and being allowed to do a couple of things to enhance our operational capacities as firefighters on the island and even with our Ho'olehua Fire Station and the Department of Hawaiian Homes allowing us to be placed there and have a presence and also expand is truly awesome
  - We thank you guys for having this meeting and opening up the possibility of what we're asking for
  - Down on the east end, we've been fortunate to provide a station that has emergency services
    - Taking, as best as we can, the care of the community of Mana'e
  - We're in a place where, and you probably heard testimony from a lot of people the conditions of the Pūko'o Station as it continues to break down and we're at a dire point where we possibly could reach that timeframe where we gotta get our guys out and no longer have a presence on Mana'e
    - That would take away from the community and helping out
    - And the response times would be crazy coming out of town
  - This opportunity right here is absolutely one godsend
  - Things are lining up but we need your support to continue to make this happen
  - Thank you for our Hawaiian people and our community members supporting the Fire Department
  - Just know if this doesn't happen then the possibility is we not going have any presence down there
  - We who choose to live on Moloka'i gotta be alright with that

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- From my heart, my hope is that the Department of Hawaiian Homes will continue to support the commitment to emergency services by allowing this easement to happen and we'll work on all of these things together to benefit not only us but the Department of Hawaiian Homes and the community
- Thank you for hearing us out and allowing the community members to voice their opinions and their concerns
- That's all I wanted to say
- Thank you
- Andrew Choy: Mahalo for your comments
  - I see Sybil's hand is up
  - Go ahead Sybil
- Sybil Lopez: Mahalo Andrew
  - Mahalo Chief and the County for doing a presentation tonight with our beneficiary consultation
  - Mahalo Commissioner for being here and listening to what we have to say and Council Member as well for taking notes
  - I ask those questions because we well know on the east side of our island, when you say ocean rescue, majority of us is in the ocean
    - There's so much lawai'as over there and the keiki, we no more much area in town to go to the beach so majority of the island does end up on the east end, in the water, in the ocean, and there's a lot of activities in the ocean that we participate in
    - Our family frequents there
    - My kids own in that area
    - We have ranch in that area, on Mana'e side so very tied to the Mana'e community
  - I just wanted to read from the 2018 Molokaʻi Island Community Plan
    - It does say that the population served in that area is 1,782 that you guys service within the Pūkoʻo Fire Station and wanted to confirm it is from Kamalō to Hālawā Valley
    - The response time, like Auntie Henrietta did express, is 20-25 minute difference to save a life
  - Just hearing the stories already, that's real life
    - Real life we have to consider on a daily basis
      - Whether a regular house fire call
      - Domestic violence to medical
      - And back to our ocean where many of us frequent
  - I highly respect and mahalo for having that Pūkoʻo Fire Station and hoping we can have that in that Mana'e area to service that community
  - Whether it is the population of 1,700 or those going from Kaunakakai to Hālawā Valley just for a beach day versus Ho'olehua because all of our island somewhere or another goes into the Mana'e community and you never know what going happen on any given day
    - Like God said, tomorrow is never promised to us
    - Life is what we consider as a priority
  - I do understand the DHHL lease lands and understanding the waitlist
  - When you requesting 15,045 square foot of an easement
    - You taking out 6,000 square feet on the east side
    - You taking 6,000 square feet on the west side

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

- You taking out 3,265 on the north side
- Some of those square footage like you mentioned earlier is already populated by government road
- Some of those are already roadways so if you consider the waitlist and look at the numbers that are growing, Moloka'i alone, Andrew can correct me, should be about in the 2,000 just for Moloka'i
- In that proposed development in Ualapue, you looking at, you can correct me if I'm wrong, almost 175 homes, from 75 to 175 homes to be developed per the Moloka'i Island Plan of DHHL since 2005
- So you going see an influx of more people
- That population going up, 1,782
  - That was 2005
- Looking at more development in the next 5 to 10 years
  - That's more lives that this Fire Station would have to compensate for and serve
- Then you go back to the 15,000 square feet that is requested on this easement and you look at the square footage that is already taken by these government roads and these roadways and how much can you actually fit
  - How many are you taking away if the DHHL going propose 6,000 square feet per waitlister to get them off of the waitlist, that's maybe 2 waitlisters we can get off the 2,000 waitlist
- So there's a lot to consider and weigh when your priority is to save a life, looking at future development to house 75 to 175 more homes in the Ualapue development
  - We all gotta think about it
  - Even when Auntie Liko said once we lose em, we indefinitely
  - Look at Maunaloa, when Maunaloa had their Fire Station
    - Look now today, you drive up there, they no more
    - But you hear them, you hear Papohaku, you hear Maunaloa asking for one Fire Station
- So it's very vital to understand and weigh out what is being proposed so mahalo again for allowing us to speak
- Thank you
- I really want hope that DHHL can be more transparent if there are any more community meetings that you're proposing, like I heard someone propose earlier to the County
  - I really hope you do include the beneficiaries and Commissioner to be a part of those meetings as well if you're considering any more future meetings
- Mahalo
- Andrew Choy: Mahalo Sybil for your comments
  - I see two more hands up and also note that it's 7:30
  - First Aulani, then Mango
  - After that, will quickly go over next steps in our consultation process
- Aulani Herrod: I am Ana Keama's mo'opuna
  - I am also a daughter of a Fire Captain
  - A niece, by blood, to a fireman
  - And a niece, not by blood, to many firemen

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

- My uncle is also a paramedic so I was raised around the lifestyle of first responders and like Grandma mentioned, my dad has worked at Pūko'o Fire Station for years so we have experience with the whole living situation over there and we know how important it is to give the Fire Department the right honua or refuge or safe place
- My grandma has been on the waitlist but she still sees how waiwai the relocation of the Fire Station is
- If I was a beneficiary myself, I'd also give up a portion of my land too, just like Anakala Dickei said
- I am in full support of our first responders
- I am so grateful for the services they provide
- It is kūpono for our community to have them in an area where they can access people or vice versa in a quick manner especially knowing my kūpuna are out on the east end in Honouli by themselves
  - It really eases my nā'au knowing there is emergency services so close to them
  - As a kaiāulu, as a community and as a lāhui, I can only hope that we support those who really support us and that is my manao
- I am in full support of the easement
- Mahalo
- Andrew Choy: Mahalo Aulani
  - Mango, go ahead
- Mango Stephens: Aloha everyone, I'll just make this real quick
  - Now that I'm a kahu I look at things a little differently once in a while
  - I'm going to put it stripped
  - It's going to be rough on some people's ear
  - I don't know how many people would actually be willing
    - I'm on the waitlist
    - I've been waiting for a long time
    - My mother's been waiting for a long time
    - I know many people waiting
    - I don't know any of us who would be willing to fight for that at the loss of somebody's life
  - If we don't keep that Fire Station on the east end, we are not going to be there to help people who need their help
  - To say that we cannot
    - I apologize to those who do not want to back this up
    - That's the only way I can look at it
  - Right now, we're just looking at the possibility of taking away the help for people that could lose their life because of something that we choose that, to me, is actually selfish
    - I want my own land
      - I got seven children and nineteen grandchildren
      - I need something to leave for them
      - But if any of them come here, I hope these brothers are out here when my children go swimming and they get in trouble or when something happens physically for them
  - God bless you all



## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

- Andrew Choy: Mahalo Mango
  - I think that is a good comment to end on
  - Mahalo everyone for sticking with us
  - I'm just going really quickly over next steps for the Department's consultation process so you all are aware of what is coming up next
    - Next steps in our consultation process
      - Per our Beneficiary Consultation Policy, there is also a 30 day comment period after we hold a Consultation Meeting to give additional opportunities for our beneficiaries to comment on the proposal
      - That 30 day comment period is from June 23rd to July 22nd
      - You can submit your written comments to [dhhl.planning@hawaii.gov](mailto:dhhl.planning@hawaii.gov)
        - I also saw that Gigi put that email address in the chat so for those of you who would like to submit additional comments, please feel free to do so
      - Also if you know of beneficiaries that were not able to attend tonight who are interested in this subject, please let them know that they have an additional opportunity to submit their comments
      - The Department will be compiling all of these comments and presenting them to the Hawaiian Homes Commission in August and we will also, at the same time, be seeking Commission approval or asking the Commission to consider approval of the easement in August so we will package all of the comments we heard tonight and present them, along with seeking Commission approval in August
    - Once again mahalo everyone for taking the time to share your mana'o with us
    - Thank you Council Member Rawlins and Maui County Fire Department for joining us this evening, Commissioner Helm
    - Commissioner Helm, did you want to say something
  - Commissioner Helm: Can I ask that before we close to do a closing pule
    - Can I ask Battalion Chief Hanalei Lindo to do that if he doesn't mind
  - Andrew Choy: Sure, that will be a great way to end
  - Battalion Chief Hanalei Lindo: Absolutely, thank you Uncle
    - Thank you everybody for the comments and for the Department of Hawaiian Homes for allowing this presentation to happen
    - Let's pule
      - Heavenly Father, thank you for this awesome and wonderful time for us to gather; thank you Lord for all the response and the opinions and the hearts that you've brought together, Lord; on a project such as this, we know that it's not small and it's not large, it's whatever it needs to be based on each and every one of our perspectives so allow us to continue to see the love in the midst of all of this; thank you Lord God that you overflow in each and every one of our lives, you place us exactly where we need to be, in the positions that we are Lord God so that as a community we get to come together and kūkā kūkā and to share from our hearts, Lord; we know that you work everything out for the good as you said in your word so thank you, Lord God, for every person here, for all of our family and loved ones, for those who continue to be on the waiting list, Lord, and are waiting for the opportunity to have a place for themselves; thank you Lord God that even in this community, in Mana'e Lord God, that you provide an avenue for emergency

## **EXHIBIT D – MEETING NOTES**

### **Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i**

#### **Virtual Beneficiary Consultation Meeting**

**June 23, 2021, 6:00 pm to 7:30 pm**

service to continue to happen as a safety venue for our people, Lord God; in order to save lives and to continue to help and foster growth in this place, Lord God; allow love to always be the essence of who we are, Lord God, because that's what Moloka'i stands for, that's what our community stands for; it's love that brings us together; it's love that bonds us together; it's love that holds us together and love is found in God so thank you for this time, Lord God, and as we go our separate ways, Lord, I pray your protective hand upon each and every one of us, Lord God, and continue to strengthen each and every one of us and allow our opinions to never separate us, Lord; so we just give you all the praise and all the glory and thank you; in Jesus' name we pray; amen

- Commissioner Helm: Thank you Hanalei
- Andrew Choy: Mahalo everyone, I hope you have a good evening
  - Thank you so much
- Commissioner Helm: Thank you Andrew

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

## Themes

- **Current Situation**

- *Pūko'o Fire Station* -- two man station that responds collectively with our Kaunakakai Fire Station on any major incidents and is/will be the first from Hālawā back towards town. The current station is breaking down and at a dire point. Answers to specific questions include:
  - Couldn't tell you off the top of my head if Pūko'o and Kaunakakai were responding together in the same direction and they were coming towards each other where exactly they would meet, but:
    - If any type of house fire/ocean rescue, then both Kaunakakai and Pūko'o would respond to that.
    - If a medical call and medics were responding with PFS, then medics and PFS would handle itself with the two personnel in the fire truck and two personnel in the ambulance.
  - Service starts from Mile Post 10 in Kamalō and all the way to Hālawā.
- *Response Time* -- difference in response time from Kaunakakai and from Ualapu'e to Hālawā is about 25 minutes. But the response time from Kaunakakai all the way to Hālawā would be about an hour and a half, especially once the big engine gets to the far east end, it can't go quickly as road conditions get narrow and it would have to slow down. As such, Kaunakakai would be behind the Pūko'o crew.
- *Love for Each Other and the 'Āina* -- support for the County and DHHL as well as the community and the 'āina.
- *Inquiry into Recyclable Water Use* -- in response to a question around plans for the recyclable water that is currently being flushed, both housing / domestic use and fire hydrants Councilmember Keani Rawlins-Fernandez indicated that the Water Department currently wants to use the water and is committed to facilitating discussions between the Water Department and the community. She mentioned it involves some logistical considerations and is open to getting into more detail offline:
  - Working on a schedule so the community would be aware of when the department would be flushing
  - Community having the necessary equipment to store the water

- **Positives Expressed by the Community for the Proposed Project**

- *Need for Emergency Services* -- community members expressed a need for a station on the East End so residents and visitors have access to emergency services. This could result in lives saved in contrast to the distance between the current stations and the East End and resulting time it takes to respond and would bring peace of mind for folks who have family and kūpuna in the East End.
- *Improvements to Identified Property* -- no one is currently living on the identified property, which is small in size, and this is an opportunity to address disrepairs on the identified property, which may not be habitable.
- *Road Improvements* -- this opportunity would make the proposed road passable for anyone.

## EXHIBIT D – MEETING NOTES

### Beneficiary Consultation: MFD Access Easement Land Use Request - Ualapue, Moloka'i

#### Virtual Beneficiary Consultation Meeting

June 23, 2021, 6:00 pm to 7:30 pm

- *Support for Paramedics* -- the identified location would support paramedics who have to travel the whole island.
- *Support Future Infrastructure* -- the proposed project would support projected population increase in the area as noted in the Moloka'i Island Community Plan. There is also support for plans to put in a swell or bump in the road to divert water.
- **Concerns Expressed by the Community for the Proposed Project**
  - *Land Use* -- easement would take up homestead land.
  - *Timing* -- questions around the sudden rush after years of waiting.
  - *Current Landowner* -- patience of the current landowner of the parcel being considered for the station.
  - *Difficulty in Finding Another Parcel* -- may be difficult to find another parcel that would not hinder any cultural sites
  - *Desire for the County to Provide Compensation* -- should the transfer go through ensuring the County pays taxes on the land from DHHL to support homesteaders, especially those on the waitlist.
  - *Water Use* -- a general concern about water use.
  - *Holistic Considerations* -- how to balance taking care of our 'āina and our people.
  - *Process Considerations* -- should not feel like a blackmail situation.
- **Suggestions Pulled from Community Member Comments**
  - *Community Benefits* -- this is an opportunity to determine ways to create benefits for residents and lessees. One example that came up:
    - Erecting a fence along the east side of the potential easement to provide more security for whoever will be occupying that area.
  - *Share Current Condition of the Property* -- it appeared that current pictures and a description of the property may help with further discussion and decisionmaking.
  - *Share Current Usage* -- it appeared that creating a clear layout of current and proposed usage and related square footage measurements may help with decisionmaking.



**Choy, Andrew H**

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**From:** Dickenson Stone [REDACTED] >  
**Sent:** Tuesday, July 20, 2021 9:40 PM  
**To:** DHHL.Planning  
**Cc:** Dickenson Stone  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapu'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

- ☐ Priority 1: That Maui County provide future Ualapuelessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload the containers.
- ☐ Priority 2: That DHHL identify and charge the county the fair market value for the number of square footages or land requested (highest value) for the access easement and that 100% of the lease rent be set aside for AhonuiHomestead Association's implementation of the UalapueMaster Plan.
- ☐ Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,  
Dickenson Stone  
1-808-658-6919

Sent from my iPhone

**From:** [Kunani Nihipali](#)  
**To:** [DHHL.Planning](#)  
**Subject:** [EXTERNAL] Testimony  
**Date:** Tuesday, July 20, 2021 10:42:06 PM

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Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapu'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Kunani a me Ipo Nihipali  
Ho'olehua Beneficiaries

Sent from my iPhone

**EXHIBIT** E

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**From:** Cora Schnackenberg [REDACTED]  
**Sent:** Tuesday, July 20, 2021 9:52 PM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Cora Schnackenberg

808-646-0051

**Choy, Andrew H**

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**From:** Valeny Dudoit [REDACTED]  
**Sent:** Wednesday, July 21, 2021 1:47 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Testimony

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Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapu'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,  
Valeny Dudoit  
6589542

Sent from my iPhone



**Choy, Andrew H**

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**From:** K Farm [REDACTED]  
**Sent:** Wednesday, July 21, 2021 2:44 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Kawika Farm  
8088645003

Sent from my iPhone

**EXHIBIT** E

**Choy, Andrew H**

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**From:** Okalani Schnackenberg <okalschnack@hawaii.gov>  
**Sent:** Wednesday, July 21, 2021 2:59 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] TESTIMONY

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapu'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Okalani Schnackenberg

808-646-0246

Sent from my iPhone

**Choy, Andrew H**

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**From:** ckward <[REDACTED]>  
**Sent:** Wednesday, July 21, 2021 6:41 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] TESTIMONY

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Christine Ward

(808)646-1335

Sent from my iPhone

**Choy, Andrew H**

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**From:** Uilani Schnackenberg [REDACTED]>  
**Sent:** Wednesday, July 21, 2021 7:18 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Support of Community Benefits - Ualapu'e

Aloha! Department of Hawaiian Homelands, Planning Office,

SUPPORT: I support the Community Benefits as stated below to support future waitlisters projects for Ualapu'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

U'ilani Schnackenberg



**Choy, Andrew H**

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**From:** Suzette Holtzman <[REDACTED]>  
**Sent:** Thursday, July 22, 2021 8:13 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I support Community Benefits as stated below to support future waitlisters projects for Ualapue. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,  
Suzie Holtzman  
(808) 558-0408

**EXHIBIT E**

## Choy, Andrew H

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**From:** Godfrey Akaka <[REDACTED]>  
**Sent:** Thursday, July 22, 2021 7:16 AM  
**To:** DHHL.Planning  
**Cc:** Cora Caparida  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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Mahalo,

Godfrey Akaka Jr. 808-213-1013

**Choy, Andrew H**

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**From:** ivkadowaki [REDACTED]  
**Sent:** Wednesday, July 21, 2021 10:00 AM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Iwalani Kadowaki

Sent from [Mail](#) for Windows 10

**Choy, Andrew H**

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**From:** Alma gAMIAO [REDACTED]  
**Sent:** Wednesday, July 21, 2021 2:22 PM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] Testimony

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

- Priority 1: That Maui County provide future Ualapue lessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload the containers.
- Priority 2: That DHHL identify and charge the county the fair market value for the number of square footages or land requested (highest value) for the access easement and that 100% of the lease rent be set aside for Ahonui Homestead Association's implementation of the Ualapue Master Plan.
- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Alma K Gamiao. 808-927-3866

**EXHIBIT E**



**Choy, Andrew H**

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**From:** Yolanda Tanielu <[REDACTED]>  
**Sent:** Wednesday, July 21, 2021 4:32 PM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] TESTIMONY

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapu'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

- Priority 1: That Maui County provide future Ualapu'e lessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload the containers.
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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapu'e lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Ruth Y. Tanielu

## Choy, Andrew H

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**From:** Yolanda Tanielu [REDACTED] >  
**Sent:** Wednesday, July 21, 2021 4:35 PM  
**To:** DHHL.Planning  
**Subject:** [EXTERNAL] TESTIMONY

Aloha! Department of Hawaiian Homelands, Planning Office

SUPPORT: I, support Community Benefits as stated below to support future waitlisters project for Ualapue'e. Any one of the below conditions would be a suitable community benefit for the access easement. And, that the Commissioners will recommend to Land Use Management Division, Mr. Albino to insert Community Benefits as conditions in Agreement to Land Lease Disposition.

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- Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Mahalo,

Irene Ka'ahanui

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

To: Chairman and Members, Hawaiian Homes Commission  
Thru: Andrew H. Choy, Acting Planning Program Manager AC  
From: Nancy M. McPherson, Planner *NMM*  
Subject: For Information Only - Status Update on Plan  
Implementation, Island of Kaua'i

Recommended Action

For information only. No action required.

Background

By request of the Chairman, the Planning Office provides the Hawaiian Homes Commission (HHC) with a status report on prior policies and/or plans that affect lands and homestead communities located where the HHC conducts its monthly community meetings. For August 2021, the Planning Office is providing an update on implementation of various plans and programs for the island of Kaua'i. Due to the HHC's and the DHHL's COVID-19 response priorities, an update was not provided during 2020.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

*Kaua'i Island Plan (2004)*

The purpose of each DHHL Island Plan is to:

- (1) Provide a comprehensive resource for planning and land management purposes, including identification of land use goals and objectives of the General Plan specific to each island,
- (2) Identify island-wide needs, opportunities, and priorities, and
- (3) Assign land use designations (LUD's) for all land holdings to promote orderly land use and efficient development of infrastructure systems.

The Kaua'i Island Plan (KIP) was adopted by the HHC in 2004. The KIP delineated seven planning areas - Waimea, Kekaha, Hanapēpē, Wailua, Kapa'a, Anahola/Kamalomalo'o, and Moloa'a.

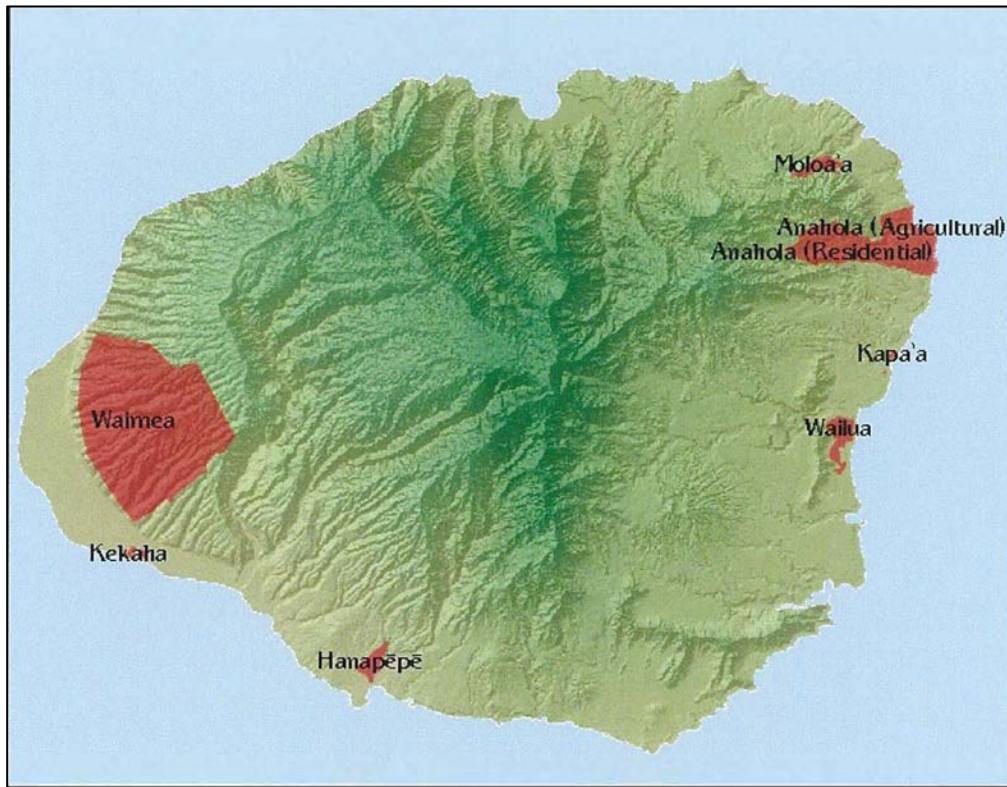


Fig. 1 Hawaiian Home Lands on Kaua'i

Land Use Designation	WAIMEA (Acres)	KEKAHA (Acres)	HANAPĒPĒ (Acres)	WAILUA (Acres)	KAPA'A (Acres)	ANAHOLA (Acres)	MOLOA'A (Acres)	TOTAL (Acres)	%
Residential	202	39	168	216	0	565	0	1,190	5.79%
Subsistence Agriculture	214	0	158	99	0	533	200	1,204	5.85%
Supplemental Agriculture	0	0	0	0	0	0	0	0	0.00%
Pastoral	475	0	0	0	0	148	0	623	3.03%
General Agriculture	12,527	0	0	52	1	1,018	86	13,684	66.54%
Special District	1,258	13	0	92	0	1,419	30	2,812	13.67%
Community Use	42	0	22	20	0	127	0	211	1.03%
Conservation	343	0	0	0	0	350	0	693	3.37%
Commercial	0	0	17	47	0	68	0	132	0.64%
Industrial	0	0	0	0	16	0	0	16	0.08%
TOTALS	15,061	52	365	526	17	4,228	316	20,565	100.00%

Table 1 Kaua'i Island Acreage by Land Use Designation



*Kaua'i Island Plan Residential Development Priorities and Implementation Status*

1. Residential Lots in Wailua (231 lots)

- Off-site water wells and storage facilities and on-site roads and water and sewer transmission lines are required. Additionally, intersection improvements and fill are needed to level a topographic depression.  
*Status: DHHL's Wailua Well #1 is now capped and cased and can be put into production when DHHL decides to move forward with homestead planning and development. This well will be the primary source of potable water for potentially 288 residential homestead lots on DHHL's 526 acres of land in Wailua. Refer to Item G-3 for additional information. Other issues, including relocation of a wastewater treatment plant, are still under discussion with County of Kaua'i.*

2. Hanapēpē (Phase 1: 40 lots, Phase 2: 208 lots, Phase 3: 234 lots)

- This area is a priority due to its moderate slopes and location near employment centers.
- Phase 1 (47 lots) completed in 2005 without major off-site infrastructure costs.
- Phase 2 (revised - 75 lots): Phasing of development was revised during the Hanapepe Homestead Master Plan and Environmental Assessment process. It is anticipated that Phase 2 can access existing County infrastructure capacity (water and wastewater).  
*Status: Legislature approved \$1 million in CIP funding for FY 18 for planning, design, and construction of Phase 2 of the residential subdivision. The HHC approved a Master Plan and Final Environmental Assessment/Finding of No Significant Impact for all 365 acres of its Hanapēpē lands in October of 2020. See Table 2, "Kaua'i Regional Plans Implementation Status," below, for additional information.*

3. Residential Lots in Anahola/Kamalomalo'o (350 lots)

- This area is prioritized because there are larger tracts of undeveloped land that can be served by the existing wells, but a sewage treatment plant may be needed.  
*Status: Pi'ilani Mai Ke Kai homestead subdivision has three phases planned. In Phase 1, 80 lots total, 3 lots are currently being offered and 10 more lots are in process. Phase 2 will be offering 51 vacant lots later in*

*Calendar Year 2021. Phase 3 design is planned for Fiscal Year 2023. Redesign of the masterplan was needed due to the presence of wetlands, and the lot count is to be determined.*

#### *Kaua'i Island Plan - Amendments and Updates*

Since the Kaua'i Island Plan was adopted in May 2004, there have been no formal amendments or updates. However, there was one significant planning initiative for the Anahola area, the Anahola Town Center Plan, which was approved by the HHC in July of 2009 and was included as a Priority Project in the Anahola Regional Plan update of 2010.

The Anahola Town Center Plan (ATCP) had a strong community-based planning emphasis, winning an award from the American Planning Association on that basis. Unfortunately, the Plan was not implemented via an amendment to the KIP. Subsequently, a solar farm and utility substation received approval from the HHC on land designated for General Agriculture in the KIP, but which was intended for other uses in the Anahola Town Center Plan. However, there may still be opportunities for implementation, via an update to the KIP and the upcoming update to the Anahola Regional Plan.

#### *Kaua'i Regional Plans - Implementation Status*

Kaua'i has three Regional Plans, for Wailua (2009), Anahola (2010), and West Kaua'i (2011). Table 2, "Kaua'i Regional Plans Implementation Status," below, lists Priority Projects for all Kaua'i Regional Plans and reports on the current status of each project.

<b>Regional Plan</b>	<b>Priority Project</b>	<b>Description</b>	<b>Current Status</b>
Wailua (2009)	Cultural Resources Inventory - Malae Heiau Restoration Project, Wailua River State Park	State-owned land to south & west of Malae heiau conveyed to DHHL in 1994. ACTION: Establish procedures, forms, electronic forms & databases necessary to inventory, document, map & catalog cultural resources located on DHHL's Wailua lands.	Project lacks a champion. KIP identifies cultural buffer on DHHL lands along Wailua River by designating lands as Special District. Further discussions on how best to protect & manage cultural sites need to take place at the time that development plans in Wailua move forward.

<b>Regional Plan</b>	<b>Priority Project</b>	<b>Description</b>	<b>Current Status</b>
Wailua (2009)	Potable Water Sources <i>(Refer to Item No. G-3, Kauai Water Issues Update, for more info)</i>	Water Master Plan for proposed DHHL Wailua subdivision completed in January 2009. Source, storage and transmission lines needed to support development. ACTION: Secure funding for design, drilling, casing, outfitting & testing of two new potable well sources. Second well is needed as backup source.	DHHL's Wailua Well #1 is now capped & cased, to be put into production when DHHL decides to move ahead with homestead planning & development. DHHL/DLNR/State need to secure land in Kālepa Forest Reserve for proposed 330' elev. 0.5 MG tank site.
Wailua (2009)	Kalepa Ridge Surface Water System Maintenance <i>(Refer to Item No. G-3 Kauai Water Issues Update, for more info)</i>	DHHL identifying opportunities to utilize surface water resource for agricultural uses for proposed Wailua development. Community has expressed interest in creating agricultural lots to feed their families.	Staff coordinating with Agribusiness Development Corporation (ADC) & Commission on Water Resource Management (CWRM) on potential allocation & use of water in the region.
Wailua (2009)	Kapa'a Relief Route	State Department of Transportation's (SDOT) #1 priority on Kaua'i was Kapa'a Relief Route; considered four alternative alignments through or abutting DHHL's Wailua lands.	Staff continue to coordinate with County of Kaua'i & DOT on road alignment alternatives.
Wailua (2009)	Wailua Wastewater Treatment Plant (WWTP) Facility	Wailua WWTP requires expansion & potential relocation due to recent growth in area & as a function of long-term wastewater treatment capacity needs for Wailua-Kapa'a area.	Staff continue to coordinate with County of Kaua'i on potential relocation & expansion of WWTP.
Anahola (2010)	Ke Aloha O Ko Kakou 'Āina -- Anahola Town Center Plan (ATCP)	Create a gathering place with recreational, educational, business, health & civic service opportunities, including a cemetery/final resting place for iwi kupuna.	Commercial kitchen constructed. Cemetery/secure resting place for iwi kupuna not yet implemented. ATCP & implementation strategy need to be revisited & KIP LUD's need amending.

Regional Plan	Priority Project	Description	Current Status
Anahola (2010)	Anahola Clubhouse & Park Improvements	<p>Improvements needed to ensure safety &amp; continued use of resources:</p> <ul style="list-style-type: none"> <li>– Motion sensor lights</li> <li>– General building improvements</li> <li>– upgrades to existing kitchen, restrooms &amp; computer room</li> <li>– Improved maintenance of playground &amp; basketball courts</li> <li>– Expansion of baseball field to support little league tournaments</li> </ul>	<p>In 2018-19, County of Kauaʻi completed various projects that included:</p> <ul style="list-style-type: none"> <li>- Complete basketball court renovation.</li> <li>- Parking lot paving &amp; striping.</li> <li>- Complete playground renovation.</li> <li>- Construction of ADA walkways that connect Clubhouse with baseball &amp; basketball amenities.</li> <li>- Baseball field improvements: new fencing, new ADA walkways, new dugouts, concrete pads for bleachers, concrete pad for announcers' booth, and reworking of infield dirt &amp; outfield grass.</li> </ul> <p>Additional projects are on hold due to budget constraints.</p>
Anahola (2010)	Secure & Manage Surface Water Resources (non-potable) <i>(Refer to Item No. G-3, Kauai Water Issues Update, for more info)</i>	USGS study conducted on Anahola Stream looked at availability of surface water resources. Assessed reservoirs, made recommendations for remediation, removal, & deregulation. Action: construction work to be conducted.	Funding was obtained. Construction has been initiated. Surface water resources were reevaluated in response to beneficiary feedback during the Anahola Kuleana Homestead Settlement Plan process.
Anahola (2010)	Support Kanuikapono 21st Century Ahupuaʻa Place Based Labs	Kanuikapono is a charter school in Anahola which integrates resource management of natural & cultural resources within ahupuaʻa. Actions: new Learning Resource Center, establishment of mobile educational place based learning labs throughout Anahola.	Funding needed for construction. DHHL to work with Anahola community to identify locations for educational learning labs in Anahola. Will be revisited when discussing Anahola Town Center Plan during upcoming Anahola Regional Plan Update.



Regional Plan	Priority Project	Description	Current Status
Anahola (2010)	Improve Road & Traffic Circulation to Kūhiō Highway	Increase direct access to Kūhiō Highway. Town Center Plan reflected need for access to highway & connectivity within existing community. ACTIONS: roadway circulation hierarchy & connectivity study; redesignation of segment of Kūhiō Highway to allow slower speeds & greater access.	Discussions with State Department of Transportation-Highways and County of Kaua'i are ongoing.
W. Kaua'i (2011)	Develop Agricultural & Water Plan (Pu'u 'Ōpae) <i>(Refer to Item No. G-3, Kauai Water Issues Update, for more info)</i>	Three-part project to integrate ag uses and water availability via: 1) Land exchange of mauka hunting lands for DLNR lands at a lower elevation that are better suited for homesteading; 2) Restoration of Pu'u 'Ōpae Reservoir & irrigation system; agricultural lease master plan; evaluation of increasing water diversion from Pu'u Moe Divide; diversified ag projects; 3) maintenance/ improvement & continued use of existing West Kaua'i Water System.	HHC issued Kekaha Hawaiian Homestead Association (KKHA) a 20-year license for 231 acres of land at Pu'u 'Ōpae to implement Phase I of their Farm & Irrigation Plan (FIP). DHHL contracted with G70 to prepare a Special Area Plan for 1,192 acres of Waimea lands that coordinates planning, design, & implementation of land uses & homestead development around & adjacent to Pu'u 'Ōpae. G70 is currently assisting with the Kuleana Homestead Lot Settlement Plan process.
W. Kaua'i (2011)	Develop a Multi-purpose Evacuation & Education Center/ Shelter	This multi-purpose facility would serve as a culture & education center when not used as a disaster shelter.	Need for Community Resilience Plan identified. Planning Office participated in County of Kaua'i's West Kaua'i Community Plan update & Community Vulnerability Assessment. Proposed site is in "Mauka Village" area off Koke'e Rd. Proposed modifications to original project will require Beneficiary Consultation.

Regional Plan	Priority Project	Description	Current Status
W. Kaua'i (2011)	Support Development of the Kekaha Enterprise Center	Kauai Community College & Council for Native Hawaiian Advancement developed a 2,000 square foot single story facility on 2.629 acres used to provide social & community services to beneficiaries living in Kekaha.	COMPLETED. Facility managed by the West Kaua'i Hawaiian Homestead Association (WKHHA).
W. Kaua'i (2011)	Develop Renewable Energy Projects Compatible with Agriculture	Community indicated a willingness to support renewable energy projects that meet goal of compatibility with agriculture.	DHHL is partnering with KIUC Energy Cooperative to develop a pumped hydroelectric project on its Waimea lands. Project will increase reliability of non-potable water & improve road access to Pu'u 'Ōpae for ag, pastoral, community & kuleana settlement uses.
W. Kaua'i (2011)	Develop Agricultural Uses for Hanapēpē Farm Lots/Lease Areas	Existing residential lots in Hanapēpē are too narrow & feel crowded. Residents have expressed a desire to use area behind their lots for agricultural, recreational or open space uses.	Hanapēpē Homestead Community Master Plan & Environmental Assessment ("Phase 2") for 349 acres of lands adjacent to existing Hanapepe Residential Homesteads ("Phase 1") approved by HHC Oct. 2020. Includes subsistence agricultural uses. Design for Phase 2, 75+ residential lots relocating drainage & enlarging Phase 1 lots underway.

Table 2 Kaua'i Regional Plans Implementation Status

### *Kaua'i Homestead Planning Projects*

#### Hanapēpē Homestead Master Plan and Environmental Assessment

Initiated in 2018, this project is a joint Planning Office and Land Development Division effort to use funds for planning, environmental review and design appropriated by the State Legislature to implement Phase 2 of the Hanapēpē Residential Homesteads. Hanapēpē was identified as a priority area for homestead development in the Kaua'i Island Plan. It was determined that the best use of the funds would be to master

plan the entire tract and clear environmental review to more efficiently develop future phases.

The Hanapēpē homestead project was identified in DHHL's Kaua'i Island Plan (2004) to include a mix of land uses including subsistence agricultural, residential, commercial, and community uses, and at buildout will be DHHL's largest residential and agricultural community on the west side of Kaua'i. The mauka lands include some of the most fertile agricultural lands within DHHL's holdings, and its location near Hanapēpē town and within commuting distance of regional job centers make it an attractive location for homestead development.

The Hanapēpē Homestead Master Plan and Final Environmental Assessment, with a Finding of No Significant Impact, was approved by the HHC in October of 2020. Based on site constraint information gathered during the master planning process, some adjustments were made to the land use designations and the Island Plan was amended to reflect those changes. The final proposed uses and areas are shown in Table 3, Hanapēpē Homestead Proposed Land Uses and Acres, and Figure 2, Hanapēpē Homestead Preferred Land Use Plan, below.

<b>Subsistence Agriculture</b> <ul style="list-style-type: none"> <li>• Small lot agriculture. Lots no larger than three (3) acres in size.</li> <li>• Up to 111 new Subsistence Agricultural homestead development lots.</li> <li>• Lessees are required to actively cultivate subsistence agriculture OR reside and cultivate subsistence agriculture on their lots.</li> <li>• Crops are expected to provide food for home consumption or small-scale commercial production.</li> </ul>	<b>157 acres (43%)</b>
<b>Residential</b> <ol style="list-style-type: none"> <li>1. Lots approximately 7,500 sf or less in size.</li> <li>2. Up to 449 new Residential homestead lots.</li> <li>3. Residential subdivisions are built to County standards in areas close to existing infrastructure and in conjunction with community use areas.</li> <li>4. Expansion of the existing 47 homestead lots along Moi Road from 5,000 sf (approx.) to 7,500 sf (approx.)</li> </ol>	<b>126 acres (35%)</b>
<b>Commercial</b> <ul style="list-style-type: none"> <li>• Commercial areas that could include retail, office, public space, public services and health care services.</li> </ul>	<b>13 acres (4%)</b>
<b>Community Use</b> <ul style="list-style-type: none"> <li>• Common areas for community use.</li> <li>• Possible uses include parks and recreation, cultural activities, community-based economic development, utilities, other facilities and amenities.</li> </ul>	<b>26 acres (7%)</b>
<b>Special District</b> <ul style="list-style-type: none"> <li>• Areas requiring special attention because of unusual opportunities and/or constraints, e.g. natural hazard areas. Possible uses include cultural uses, agricultural uses, open space or stormwater management.</li> </ul>	<b>33 acres (9%)</b>
<b>Conservation</b> <ul style="list-style-type: none"> <li>• Areas that include steep slopes (&gt;20% slopes)</li> <li>• Possible uses include preservation and open space.</li> </ul>	<b>8 acres (2%)</b>
<b>TOTAL</b>	<b>363 acres</b>

Table 3 Hanapēpē Homestead Proposed Land Uses and Acres

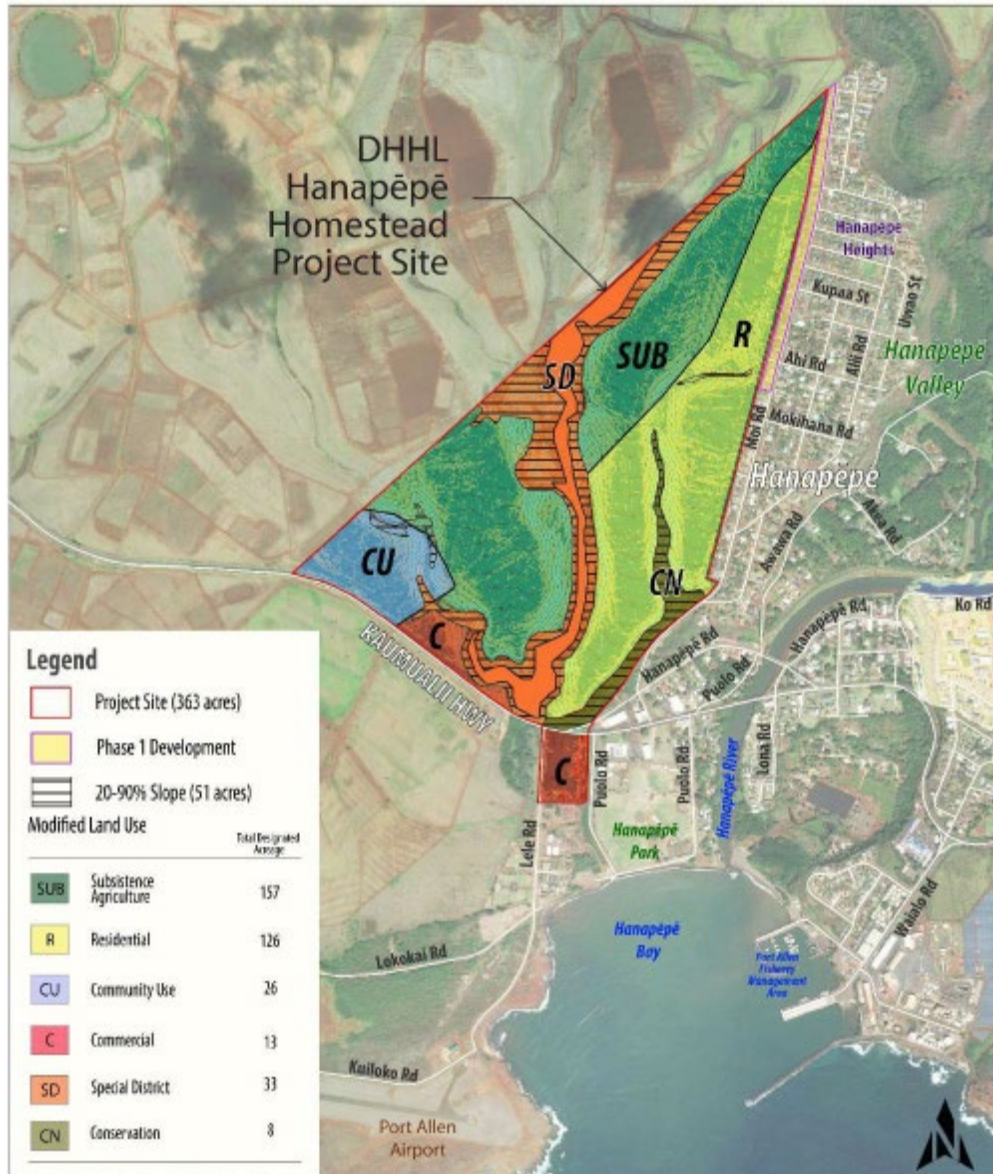


Figure 2, Hanapēpē Homestead Preferred Land Use Plan

## Pu'u 'Ōpae Special Area Plan & Kuleana Homestead Lot Settlement Plan

There are over 14,500 acres of Hawaiian Home Lands in the Waimea area (see Fig. 1), one of the original tracts identified in section 203 of the Hawaiian Homes Commission Act of 1920, as amended. Homestead development in this area was not a priority in the Kaua'i Island Plan (2004) but the area around Pu'u 'Ōpae reservoir was designated as Special District, meaning additional planning would be needed. The need to do planning for integrated agricultural development and water management was identified as a Priority Project in the West Kaua'i Regional Plan in 2011. A



Farm and Irrigation Plan (FIP) has been completed by the Kekaha Hawaiian Homestead Association. In addition, a historic water settlement in the Waimea area facilitated a 65 year lease with the Kaua'i Island Utility Cooperative (KIUC) to develop the Waimea Hydroelectric Project on Hawaiian Home Lands, which will include improvements to the Kekaha Ditch System and road improvements, benefitting agricultural uses in the Pu'u 'Ōpae area.

DHHL completed the Kuleana Settlement Plan process in July of 2020. Based on comments received at an August 2019 beneficiary meeting, DHHL included kuleana pastoral homestead development opportunities. Chapter 343 Environmental Review was also completed for this project. See Figure 3, Proposed DHHL Land Uses in Pu'u 'Ōpae, Waimea, Kaua'i.

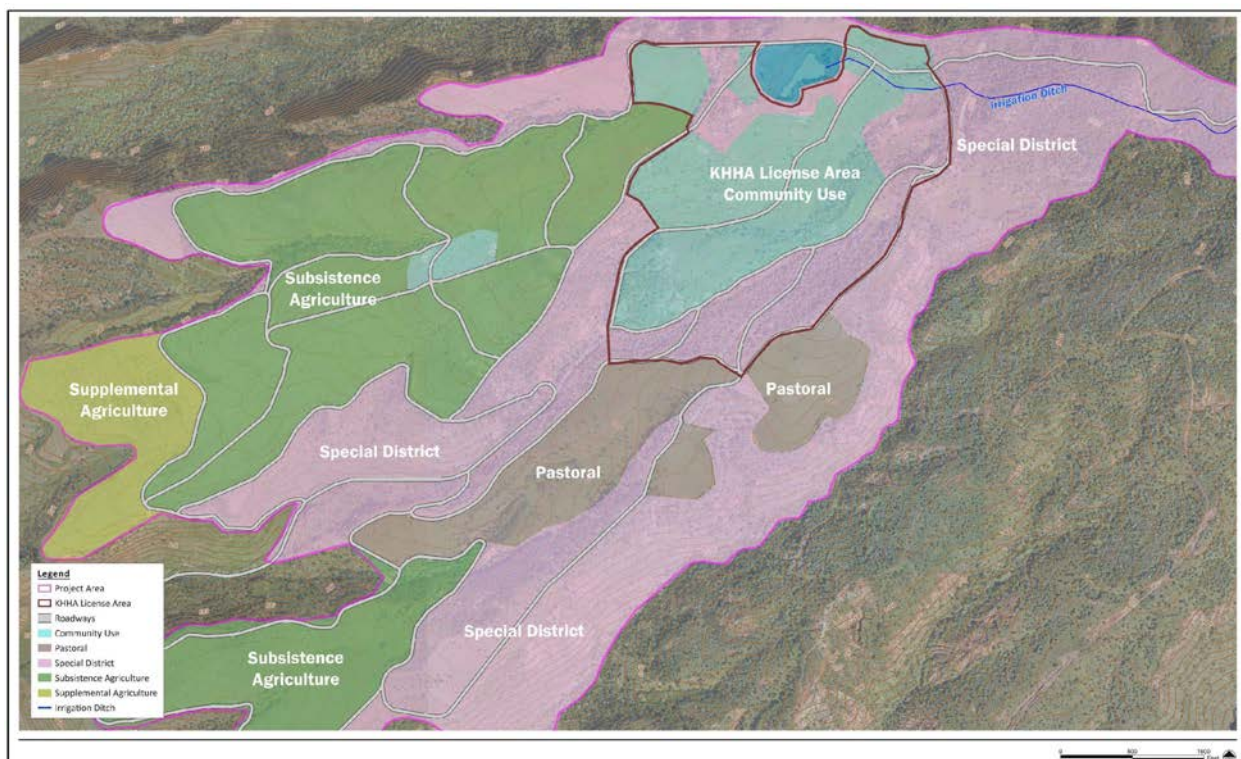


Figure 3 Proposed DHHL Land Uses in Pu'u 'Ōpae, Waimea, Kaua'i

#### Anahola Homestead Lot Settlement Plan

DHHL also intends to provide the following kuleana agriculture and kuleana pastoral opportunities on 275 acres of land in Anahola. See Table 4, Anahola Kuleana Settlement Plan Lot Strategy, below. The kuleana settlement planning process was completed in May 2021. A Chapter 343 Environmental Assessment

(EA) was also be prepared as part of this process. Albizia clearing and road improvements done by Green Energy will facilitate implementation of the Kuleana Settlement Plan. See Figure 4, Proposed Kuleana Settlement Plan.

Land Use	1987 Anahola Development Plan	2004 Kaua'i Island Plan	2020 Anahola Settlement Plan
Subsistence Agriculture Lots	(89) 3-acre lots	(103) 2-acre lots	(101) 2-acre lots
Pastoral Lots	(30) 5-acre lots	(14) 10-acre lots	(14) 10-acre lots
Community Use	0	0	28 acres

Table 4 Anahola Kuleana Settlement Plan Lot Strategy

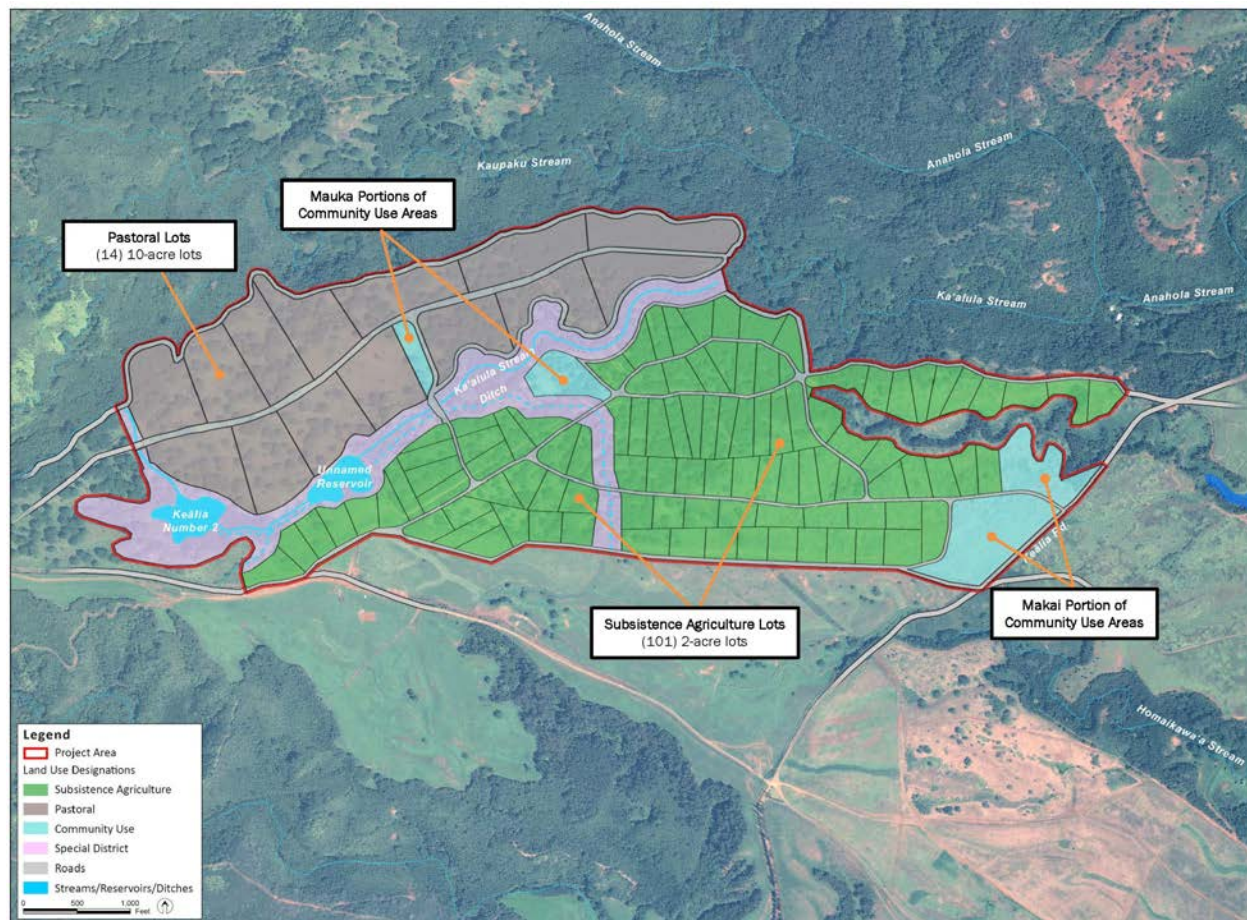
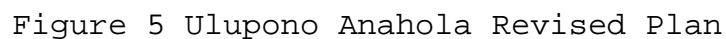


Figure 4 Proposed Kuleana Settlement Plan in Anahola, Kaua'i

The Planning Office has assisted the Land Management Division with Beneficiary Consultation and review of several applications for land use requests in Anahola, which are undergoing review. A top community priority is the Ulupono Anahola initiative for a new 10-acre community garden and youth training center, which is in its due diligence phase. The project is intended to support agricultural activities of Anahola homesteaders. The Ulupono Anahola project is also intended to focus on the youth of the community by providing training in agriculture and related skills. See Figure 5, Ulupono Anahola Revised Plan, below.



For information only. No action required.




STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 16-17, 2021

To: Chairman and Members, Hawaiian Homes Commission

From: Andrew Choy, Acting Planning Program Manager 

Subject: DHHL Kaua`i Water Projects and Issues

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

The following is an update to previous annual submittals to the Hawaiian Homes Commission (Commission) which also concerned water projects of significance to beneficiaries and the Department of Hawaiian Home Lands (Department) on Kaua`i. These updates are provided under the Commission's Water Policy Plan (WPP) Goal 1, to "Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis."

Several water issues and efforts of significance to beneficiaries and the Department of Hawaiian Home Lands (DHHL) have been ongoing on Kaua`i. This submittal updates the 2019 submittal to the Hawaiian Homes Commission (HHC)<sup>1</sup> and provides current information select items including:

- (1) Wailua Well No. 1
- (2) Wailua River Interim Instream Flow Standards and Licensing
- (3) Anahola Water System Improvements
- (4) Moloka`a Opportunities

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<sup>1</sup> While the Department has previously provided these updates annually, one was not provided in 2020 due to disruptions related to the COVID-19 Pandemic.

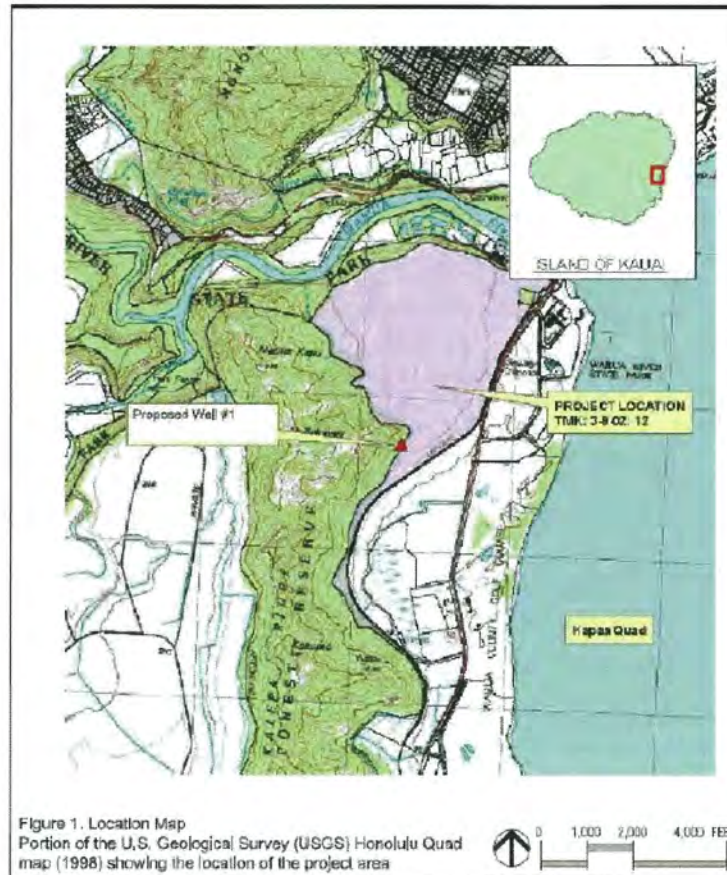


(5) Waimea River Settlement Implementation Updates

(1) Wailua Well No.1

As of 2019, DHHL's Wailua Well #1 is capped and cased and can be put in to production when DHHL decides to move forward with homestead planning and development. This well will be the primary source of potable water for DHHL's 526 acres of land in Wailua for residential homesteads and community and commercial uses. DHHL anticipates Wailua Well #1 to produce up to 216,000 gallons per day, enough to supply potable needs for up to approximately 288 residences subject to final pump installation. See Figure 1.

Figure 1. DHHL Wailua Well No. 1



*Figure 1. Location Map from Final Environmental Assessment DHHL Wailua Well No. 1 Project, August 2017*

Other non-potable water needs may be met through a surface water reservation secured from the Commission on Water Resources Management (CWRM), discussed more immediately below.

(2) Wailua River Interim Instream Flow Standards and Licensing

On October 16, 2018, at the request of DHHL, the CWRM unanimously approved a surface water reservation of 0.513 Million Gallons per Day of Surface Water from the Wailua River, Wailua Surface Water Hydrologic Unit, Kaua'i. DHHL had previously requested that reservations for DHHL be made simultaneously with the consideration Interim Instream Flow Standards, which are designed to protect public trust beneficial instream uses of water.

CWRM staff have concluded that currently, DHHL's Wailua lands can only be served via the Hanamā'ulu Ditch on the South Fork Wailua Stream based on how water was historically delivered during the plantation era. However, this does not account for other opportunities for DHHL to secure water from Wailua River downstream, which runs as close to 600 feet adjacent to DHHL's Wailua lands.

In related matters, the Kaua'i Island Utility Cooperative (KIUC) has been seeking a long-term water lease for these waters from the Board of Land and Natural Resources, and DHHL staff and consultants have continued to be actively involved in these processes and discussions to protect Department and beneficiary interests. As has been pursued by the DHHL in other water discussions, we may seek the provision of assistance in infrastructure development associated with the granting of any lease or license so that DHHL water reservations may be actualized.

Figure 2. Existing Anahola surface water system.

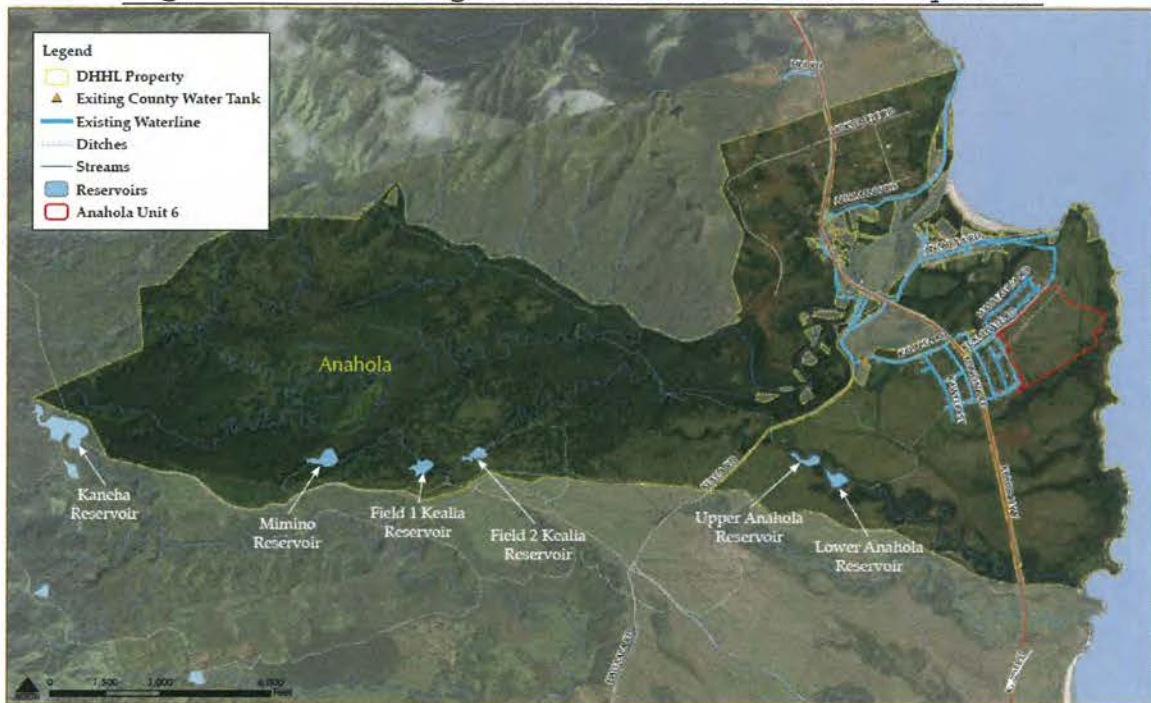


Figure 2. DHHL's Anahola lands include reservoirs created during previous plantation uses of the area. From DHHL, Anahola Regional Plan, at 16 (Jun. 2010).

### (3) Anahola Farm Lots Water System (PWS #432) Improvements Project

In August 2016, the Department of Hawaiian Home Lands (DHHL) received notice of a funding award of \$3 million in federal grant funds from the US Department of Agriculture (USDA) Rural Development. With DHHL's contribution of \$3.8 million, the total project cost is \$6.8 million. These funds are to be used for major capital improvements to the DHHL Anahola Farm Lots Public (drinking) Water System (PWS #432), as defined by the State Department of Health. The system serves the Anahola Farm Lots and Bayview residents on Kaua'i. The system has a total of 77 connections: 45 agriculture lessees; 30 Bayview residential lessees; 1 non-homestead lot under a DHHL Revocable Permit; and an inter-connection to the County of Kaua'i water system for emergency purposes. Improvements are needed to address the following:

- Many components of the system have reached their useful life span and need to be replaced, such as the storage tank and distribution lines.
- Improve water system pressure issues.
- Address safety and security measures at the DHHL Water Storage Tank Site and at the Inter-connect site with the KDOW system.
- Increase operational efficiencies of the well pumps, control valves, and fire protection facilities.

Project status will be covered in more detail under the Land Development Division Agenda Item E-1 presentation.

#### (4) Molokaʻa Opportunities

The Molokaʻa agricultural community is located north of Anahola. DHHL holds 316 acres of undeveloped land in Molokaʻa. There are no homesteads on the property and the land is currently used for grazing. The Kauaʻi Island Plan land use designations and proposed development for Molokaʻa consist of the following:

Subsistence Agriculture	47 three-acre lots on 200 acres
General Agriculture	86 acres on steep topography
Special District	30 acres along the stream

Wet conditions, intermittent stream flow and the steep topography make portions of these areas unsuitable for buildings. Rainfall averages 80 inches per year on the makai lands and 120 inches per year on the mauka lands. Rainfall catchment systems could provide sufficient potable water for uses in Molokaʻa.

The Commission on Water Resource Management and Department of Land and Natural Resources (DLNR) are looking at leasing water from Molokaʻa Well No. 1 (USGS no. 1020-02) per HRS 171-58. As part of that process, DHHL has been working with DLNR and the existing revocable permit holder to and determine a water reservation for DHHL's current and foreseeable needs. In addition, DHHL is entitled to 30% of all revenues from the water lease that will be issued via auction to qualified bidders. DHHL staff and consultants



need to continue to pursue matters related to this water source.

(5) Waimea River settlement implementation

DHHL was an essential party to the historic May 2017 settlement agreement on a number of water issues related to the Waimea River, Kaua'i. One of the results of that settlement was a subsequent reservation of water for DHHL by the CWRM for use on DHHL lands in and around Pu'u 'Ōpae, from waters delivered from those sources by the Koke'e Ditch Irrigation System (see Figure 3, below). Specifically, in June 20, 2017, the State of Hawaii Commission on Water Resources Management granted DHHL's Modified Petition for Reservation of surface water of 6.903 Million Gallons Per Day originating from the watershed of, and tributary to, the Waimea River and diverted by the Koke'e and Kekaha Ditch Systems (including water originating in Waikoali, Kawaikoi, Kauaikinana, and Koke'e Streams and other tributaries of the Waimea River) for use in the Waimea, Kaua'i Hawaiian Home Lands. This was the first surface water reservation ever issued to DHHL or any other entity.

Another major component of that agreement is the potential development of pumped storage and flow through hydropower by KIUC, which would be developed in a manner that rehabilitates reservoirs at Pu'u Lua and Pu'u 'Ōpae and allows for the efficient and reliable delivery of the reserved water to DHHL's lands.

Since the agreement was reached, the parties to the agreement have met regularly for updates on implementation on various aspects of the agreement. DHHL staff and consultants have continued to participate. Progress, while not as fast as anticipated due to regulatory issues, has been made. Simultaneously, DHHL has been engaged with detailed planning for land use in this area with the to be water provided in furtherance of the reservation held.

Since the last update on Kaua'i water issues in 2019 to the HHC, the following progress has been made:

- On August 10, 2020, DHHL published its Final Environmental Assessment (EA) with a Finding of No Significant Impact for the Pu'u 'Ōpae Homestead Settlement in Waimea, Kaua'i.
  - The Pu'u 'Ōpae Settlement Plan focuses on the development of a Kuleana Homestead on the mauka Waimea lands of Kaua'i. The project area consists of approximately 1,421 acres, 231 acres of which are under DHHL License No. 816 by the Kekaha Hawaiian Homestead Association (KHHA).
- Certain required permits from the Army Corps of Engineers have been secured by consultants necessary to undertake the required modifications to the ditches.
- KIUC and its consultants and project partner (AES) are close to publishing a Draft EA for what is now referred to as the West Kaua'i Energy Project, the pumped storage and through hydropower project referenced above.
- In July 2021 DHHL renewed engagement with beneficiaries on issues related to the successful implementation of the project and settlement plan, following the easing of public health restrictions related to the pandemic.

- Figure 3. Koke'e Ditch Irrigation System.

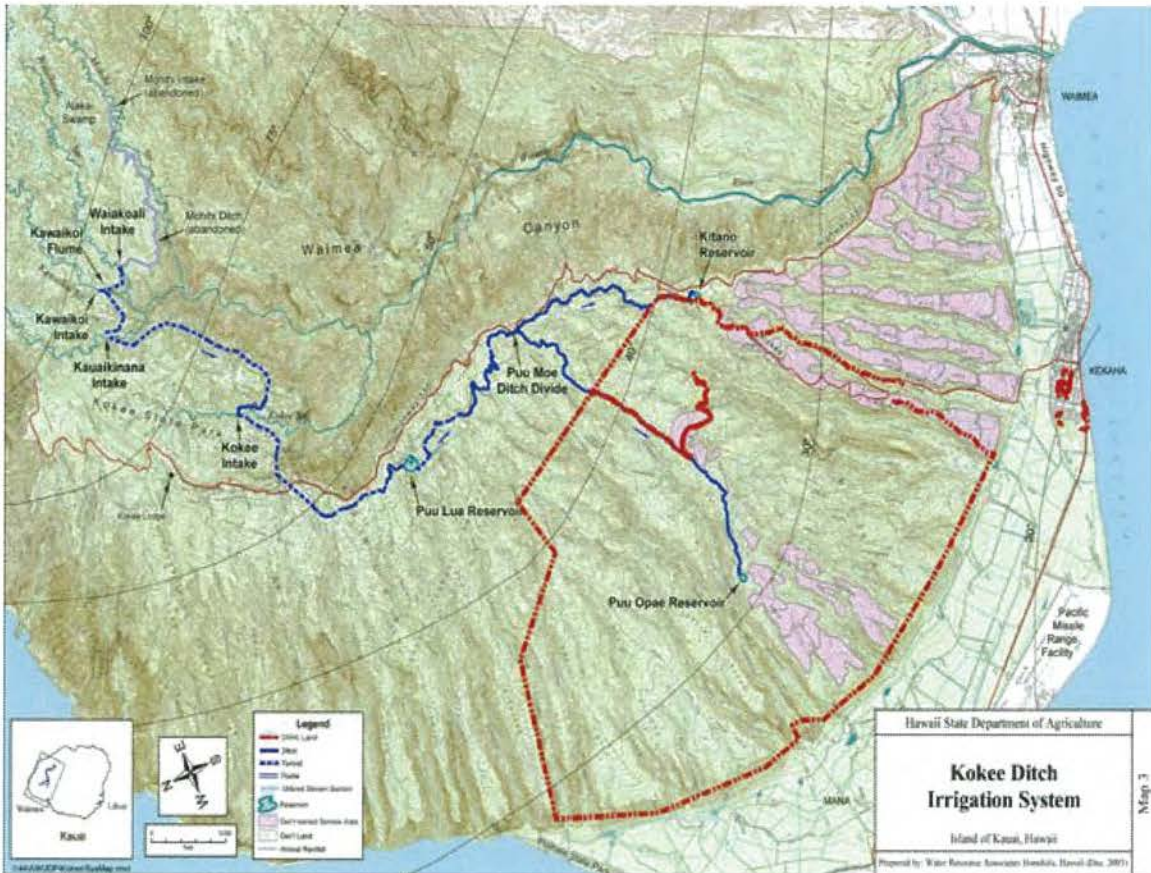


Figure 3. DHHL 's Waimea lands currently use some irrigation water from the Koke'e Ditch and could be further irrigated by that system. From DHHL, West Kaua'i Regional Plan, at 16 (Mar. 2011).

## RECOMMENDATION

None; for information only.

**HAWAIIAN HOMES COMMISSION  
AUGUST 16 & 17, 2021  
INTERACTIVE CONFERENCE  
TECHNOLOGY  
9:30 A.M.**

**J – ITEMS  
REQUESTS TO ADDRESS THE  
COMMISSION**



STATE OF HAWAI‘I  
DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP  
Monday, August 16, 2021

**J AGENDA INDEX**

- J-1 Lana Gambill-Aiona – Kawaihae Land Use Request
- J-2 Donna Sterling – Kahikinui Lessee
- J-3 Kekoa Enomoto – Maui/Lana‘i Mokupuni Council, Paupena CDC
- J-4 Jan Makepa – Waianae Valley Homestead Abandoned Vehicle Removal
- J-5 Gil Campbell – Waimānalo Lease
- J-6 Kimberly Mokuahi – Relocation Request
- J-7 Cora Schnackenberg - Ahonui Homestead Association
- J-8 Asulu Laybon – Residence Lease No. 4501, Lot No. 64

To: Hawaiian Homes Commission Meeting- July 19, 2021

Department of Hawaiian Homes Lands- Request to address the Commission

Written Testimony by Alaka'i Lana Gambill-Aiona – July 16, 2021

God Squad Kawaihae Church- Kawaihae, Hi

P O Box 1814 Kamuela, Hi 96743

[defender96743@gmail.com](mailto:defender96743@gmail.com)

Aloha Hawaiian Homes Commission Members,

I would like to address the panel by first sending my gratitude and appreciate for the opportunity to request land use at Kawaihae for a Church. I also apologize for not being able to be present in person due to the fact that I am a healthcare worker and Mondays are my scheduled day of work.

My name is Lana Leilani Gambill-Aiona, I am an alaka'i for the International Church of the Foursquare Gospel- evangelical Pentacostal Christian denomination, God Squad Kawaihae Church. I currently work for Queens North Hawaii Community Hospital in Kamuela. My ohana live on homestead land in Kamuela and Kawaihae. I am a wife, grandmother, a sister, an auntie, a passionate community member requesting land use at Kawaihae to re-establish once again a place where we can come together to be spiritually nourished.

The last standing Church was in 1959, the "Keola Hou" church which was established on Hawaiian Homes Land, it is a place where we still have our kupuna buried on these grounds at Kawaihae.

My grandmother Mary Kamila Akua was one of the original lessees in Kawaihae on the makai side of the old homestead. I am a third generation Akua, our mo'oku'auhau is from this special place we call home for many generations.

Our Ohana along with our God Squad Kawaihae Church humbly ask of the Commission members to prayerfully grant our request for land use at Kawaihae.

It is every community's spiritual right to have a decent place to worship, have fellowship, prayer, and share the gospel to nourish ourselves. A place where we can baptize our young and old, to marry our ohana, to bury our kupunas, to celebrate our birthday luau's, to have a place for our youth ministries and outreaches programs. A place where our communities can be spiritually nourished through our faith and hope which is our substance for life.

Our Kawaihae community has a definite need and through our church efforts which have been ongoing since August 2015 when our church planting humbly began at Pua-ka-'ilima, then onto Ohi'ula Spencer Beach, to where we currently are at in the Kailapa Community.

The U'hane Hemolele has been keeping us in the Kawaihae area for it is our long-term goal to fulfill our mission of God Squad Kawaihae Church- which is advancing God's Kingdom, our vision is to lead people to the transforming love of Jesus Christ. God Squad Kawaihae Church has been impacting our community through many outreaches in ministries till today in 2021.

We have established our connection in to our communities through our Keiki Snack Program which reaches one hundred fifty keiki within Kawaihae.

During our Christmas season we have our Keiki Fun Run motorcycle ministries which through our community partners giving the gifts of love through Jesus Christ poured out to our Kawaihae keiki.

During the pandemic our church reaches our most vulnerable families of domestic violence through our essential needs baskets which consist of the basic needs for personal hygiene which has been difficult for our ohana to be able to afford.

God Squad Kawaihae Church also has formed a three-way partnership with an organization called “Hope Scarves” and the Queens Healthcare system. Here at North Hawaii Community Hospitals oncology department, we support patients going through the cancer journey with these hope scarves we collect through our church and donate them through our partnerships.

Our animals are another extension of our love into the community. Kares Hawaii is an animal rescue and adoption organization here in Kawaihae. God Squad Kawaihae Church has seen Christ be the bridge which allows us to walk across and support this organization with donations and future volunteerism.

Through our presence in the community, we have a chance to share the love of Jesus Christ in many forms of love removing all barriers of race, religion, as well as social economics divides.

Hebrews 13:8 – Jesus Christ is the same yesterday, today, and forever. Amen

‘o ka ho’omanawanui ka hopena - means in hawaiian- patience will bring forth results- this is actually one of the spiritual fruits that has guided our hearts.

Kawaihae is a water man community with programs to support the education and safety around the ocean as well as the health benefits of canoeing, surfing, paddle boarding, even the sustainability of fishing, diving, aquaponics.

Some of the historical significance we have documented in our research is that Kawaihae is the portal of Christianity dating back to 1820. The impact of Imiola Church and Reverend Lorenzo Lyons, was instrumental in the original calling to plant the first church in Kawaihae.

In April 2018, our ohana and Church met with some of the Department of Hawaiian Homes staff members at the original church site which is located off the highway in the heart of Kawaihae to request land use. Unfortunately, no decision was made at that time there was a suggestion made on another piece of property in the industrial area at Kawaihae but that property was not adequate to support a Church building, and a parking area for a community church.



I will be prepared and able to join the meeting on Tuesday July 20, @ 9:30am if giving an opportunity to answer any questions you may have since I will be off on this day. I would again like to thank the commission members for your time and consideration in requesting the land use at Kawaihae.

Mahalo o ke akua pu me makou,

God Squad Kawaihae Church

Alaka'i- Lana Gambill-Aiona

**Burrows-Nuuanu, Leatrice W**

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**From:** donna sterling <dhelekunihi44@protonmail.com>  
**Sent:** Wednesday, July 28, 2021 5:32 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] Dhhl commission mtg j agenda 8/16/21

Aloha Leatrice

Just verifying with you that I am placed in the J agenda for August commission meeting.

I will be testifying as a beneficiary lessee on lot 41 Nawini Road , KAHIKINUI, Maui. I will also wait for your confirmation and link I will use to stage myself in the waiting room the day of the meeting.

I remain

Donna Sterling

Sent from ProtonMail for iOS

**Burrows-Nuuanu, Leatrice W**

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**From:** Kekoa <kenomoto1@hawaii.rr.com>  
**Sent:** Tuesday, July 27, 2021 7:49 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] RSVP to advocate on 8/16/21 J Agenda

Aloha mai e Leatrice,

I would like to RSVP to advocate (on behalf of the Maui/Lana`i Mokupuni Council and Pa`upena Community Development Corporation) via Zoom at/after 11 a.m. on the J Agenda during the 8/16/21 Hawaiian Homes Commission meeting.

Mahalo ia `oe for your kokua mai,

-`Anake Kekoa Enomoto

**Burrows-Nuuanu, Leatrice W**

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**From:** dhhl.icro1@hawaii.gov  
**Sent:** Thursday, July 29, 2021 1:44 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** New submission from Submit Testimony (J-Agenda and Agendized Items)

**Name**

Jan Makepa

**Email**

[jmakepa808@gmail.com](mailto:jmakepa808@gmail.com)

**Subject**

Request to be on the J-Agenda

**Message**

Aloha,

My name is Jan Makepa, myself and Georgiana Navarro, residents of Wai'anae Valley Homestead is requesting to be added to the J Agenda for the Commission's meeting on August 16, 2021.

This is in regards to abandoned vehicles in our homestead that we'd like removed.

Please let me know if there is any information we need to submit prior to the meeting.

Mahalo,  
Jan Makepa



**Burrows-Nuuanu, Leatrice W**

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**From:** Wil akana <wilakana@yahoo.com>  
**Sent:** Friday, July 30, 2021 10:23 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] HHL Meeting, August 16th and 17th, 2021

Gil Campbell,

Requesting to be on the HHL August 16th and 17th, 2021 J - Agenda.

Thank you,

Gil Campbell

Leif K Mokuahi Sr.  
3516 Ala Aloalo pl  
Honolulu, Hi 96818  
(808) 389-0403  
lmokuahi@gmail.com  
4/15/2021

William J. Ailā, Jr.,  
Chairperson  
Department of Hawaiian Homelands Commission  
P.O. Box 1879  
Honolulu, Hi 96805

Dear William J. Ailā, Jr. :

I am writing you this letter to formally request for an exchange of leased property, Parcel Number: 240400240000 (732 IAUKEA ST Honolulu, Hi 96813), to another property due to extensive physical and medical hazards that deem the property unlivable and a danger to my family's lives.

First off, our leased property is a 3 generation home. Originally leased to my grandfather, passed down to my father, and then myself. I have been raised and have raised 3 children and 1 grandson on this land. Our family is very active in the community and supporters of community programs. We have done everything, with-in our means, to maintain the property but over the years the up-keep had proved to be too much.

In 2015 we were forced to vacate the premises and rent elsewhere while we began plans to rebuild our home. Reasons for the vacancy are as follows:

- My wife, 53 yrs. old, became disabled due to renal failure. She is currently on dialysis, has glaucoma, chronic neuropathy and pain. She has been battling for 13 years. (attached is a letter from my wife's PCP to confirm the ailments)
- My mother, 80 years old, is hemiplegic to her right side due to a stroke.
- The 2<sup>nd</sup> floor of our living area became completely demolished due to rain, wind and sun exposure. As a result, the walls developed a dangerous mold.
- Due to the topography of the parcel, there is 30+ external steps to the 1<sup>st</sup> floor of the living quarters. Additionally, there is 15 internal steps to the 2<sup>nd</sup> floor which contains the 3 sleeping quarters and the 1 and only working full bathroom.

Our home had become a danger to my love one's physical wellbeing. Over the years, we have gone as far as meeting with a few contractors, completed a ground survey and met with Home Street Bank for a rehabilitation loan. In conclusion, due to the topography of the land, all the work needed to make my home livable and return my family back to the land I grew up on would cost us close to \$1,000,000. I am currently paying \$30,000+ a year to rent and a \$1,000,000 mortgage, on top of that, is near impossible for a blue collar worker.

As much as I would love to remain on this parcel of land and pass this down to my son, I am getting older myself and a \$1,000,000 30-year mortgage would not be prudent for our family's future.

In closure, I would like to thank you for your time, consideration, and reiterate my request to obtain a transfer of leased Parcel Number: 240400240000 (732 IAUKEA ST Honolulu, Hi 96813) to another parcel, preferably Papakolea (If available, Parcel Number: 240400340000 – 739 Iaukea st. Honolulu, Hi 96813). I want to return my family back to the land that I was raised on and was set aside for our rehabilitation as native people.

Sincerely,

Leif K Mokuahi Sr.  
3516 Ala Aloalo pl  
Honolulu, Hi 96818  
(808) 389-0403  
lmokuahi@gmail.com



**AHONUI HOMESTEAD ASSOCIATION**

PO BOX 417

HOOLEHUA, HI 96729

TELEPHONE: 808 646-0051

**J -7**

August 5, 2021

Hawaiian Homes Commission  
DHHL Main Office  
Hale Pono'I  
Kapolei, O'ahu, HI.

RE: Planning Office, Gigi Ciariel, email dated 7/21/21  
Maui County, Community Benefits letter dated 7/30/21 and emailed dated 8/4/21  
Land Use Management Division, Mr. Albinio letter emailed on 7/30/21  
Submitted Testimony List of 65 to Commissioners dated 4/20/2020

- Additional 16 names added to **list total of 81**

Ahonui Homestead Association, Cultural Resource Management Task Force Presentation  
Submitted Testimony to HH Commissioners dated 7/16/21

Aloha! Commissioners,

My name is Cora Schnackenberg, President of Ahonui Homestead Association, representing the waitlisters on the island of Molokai. There are several concerns I would like to bring to your attention and request your serious consideration for recommendations.

1. **Community Benefits:** I am requesting that **commissioners authorize** that a beneficiary from each island be assigned to work with DHHL in the development of Policy Procedures on Community Benefits for the following reasons.
  - a. Beneficiaries/Waitlisted cannot negotiate anything on their own as association or community If, they are not "legal stewards" of their land. And are unable to obtain or gain benefits as a beneficiary community.
  - b. Beneficiaries/Waitlisters are held voiceless to potential community benefits that may offset expenses or exchange value for value.
2. **Commissioner's consideration for recommendation** as follows:
  - DHHL Planning Office staff, negotiates with Maui County, Fire Department for Community Benefit on behalf of the waitlisters as requested in email dated 7/21/21 (see attachment).



- Land Use Management Division, Land Use Disposition with Maui County Fire Department be considered as conditions, a letter dated 7/30/21 and as stated:

Any one of the above conditions would be a suitable community benefit for the access easement.

Priority 1: That Maui County provide future Ualapue lessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload the containers.

Priority 2: That DHHL identify and charge the county the fair market value for the number of square footages or land requested (highest value) for the access easement and that 100% of the lease rent be set aside for Ahonui Homestead Association's implementation of the Ualapue Master Plan.

Priority 3: That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

3. Ahonui is requesting that the attached (waitlisted) list of names will be **authorized by Commissioners and submitted to DHHL Planning Office or the appropriate office**, so these names are contacted that will allow these **beneficiaries to be involved in the process of G70, who will be conducting the Environmental Assessment (EA) and its community meetings for off-grid ag-subsistence project.** Our Kupunas names are underlined as identified to be top priority. And these 81 names be given First Refusal Rights.

On 4/21/2020, Commissioners received my testimony dated 4/20/2020. Indicated that in February 2020, Ahonui submitted a letter recommending strong consideration with justified reasoning, to consider the **waitlisted of 65** names who are interested in off-grid ag-subsistence living, be given first refusal rights however there additional 16 names added to list an **increased to 81**

Our Molokai Commissioner, Zack Helm supports Ahonui Homestead Association Mission, to put our people (waitlisters) on their land. Ahonui understands that although this process is not "traditional" precedence has been set by Lanai and Hana associations on other islands. In 2005 and 2019, beneficiary's community meeting supported and advocated that Molokai residents that are waitlisted by given first refusal rights (see attached list).

4. Ahonui's Cultural Resource Management (CRM) Presentation PowerPoint:

The purpose for CRM involvement was for two (2) reasons.

First, to expedite the Environmental Assessment process so that our people the waitlisters can obtain land for food subsistence and dwellings to decrease hardship and homelessness. Second, to mitigate impacts and corrections necessary for cultural and traditional practices for current and future generations.

Ahonui appreciate your attention to these matters and thank you for your consideration for the above request. Should you have any questions, I may be reached at 808-646-0051 or [ualapue808@gmail.com](mailto:ualapue808@gmail.com). Mahalo for servicing our waitlisters/beneficiaries of Molokai.

Blessings,

Cora Schnackenberg, President of Ahonui Homestead Association

From: Cora Schnackenberg <cora.schnackenberg@yahoo.com>  
Subject: Community Benefits for Ahonui Homestead Association Meeting  
Date: July 1, 2021 at 7:05:24 AM HST  
To: Gigi Cairel <Gigi.O.Cairel@hawaii.gov>  
Cc: "Choy, Andrew H" <andrew.h.choy@hawaii.gov>, "Cachola, Julie-Ann" <julie-ann.cachola@hawaii.gov>

Aloha! Gigi,

I hope all is well. With, all these virtual meetings it is apparent that you folks are really busy. Ahonui appreciate your dedication. As we spoke last week, Ahonui are requesting for a meeting as soon as possible.

Last week, Ahonui Board met to solidify our list and prioritize top 3 items for Community Benefit request in exchange of beneficiaries/waitlisted project land with Maui County (non-Hawaiian entity). The below are for discussions with you and team (DHHL Planning Department) and Maui County, Mayor Victorina and Maui Fire Department. We request that your office arrange these meetings. But, we would like to meet with your team separately, first.

The below was our list and 3 priority.

3 Prioritization:

1. Water (Water Tower not spigot)
2. Fair value per square foot x MFD 6,000 foot asking for... revenue to support Ahonui's project and Ualapue community
3. Paved Roads/offset cost

List:

Water

Recycle Water

Solar Panels/offset cost

Paved Road/offset cost

Septic tanks (put off grid)

Water meters (water tower)

Water pipe to code (MFD) to support Ahonui project for water tower

10' wide Sidewalk from school to TMK26

Fencing MFD driveways

Fair value per square foot x MFD 6,000 foot asking for... revenue to support Ahonui's project and Ualapue community

Ahonui Homestead Association appreciate your time on this matter.

Mahalo,  
Cora



AHONUI HOMESTEAD ASSOCIATION  
PO BOX 417  
HOOLEHUA, HI 96729  
TELEPHONE: 808 646-0051

July 30, 2021

Fire Chief, Mr. Thyne,  
Maui County Department of Fire and Public Safety  
200 Dairy Road  
Kahului, HI 96732-2978

RE: Ualapue Community Benefits Request

My name is Cora Schnackenberg, President of Ahonui Homestead Association (AHA), representing the waitlisters on the island of Molokai. AHA are pleased to have an out-reach First Response, fire sub-station in Ualapue. These professionals are well-trained and paid as service providers. We as beneficiaries of Department of Hawaiian Homelands, have paid taxes so services are needed are provided.

We, understand and foresee benefits in future agreements between Ahonui and Maui County with the participation of DHHL. Ahouni's Board of Directors and Kupuna Advisory are submitting the followings benefits. Any **ONE** of the below conditions would be a suitable community benefit for the access easement.

**Priority 1:** That Maui County provide future Ualapue lessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload the containers.

**Priority 2:** That DHHL identify and charge the county the fair market value for the number of square footages or land requested (highest value) for the access easement and that 100% of the lease rent be set aside for Ahonui Homestead Association's implementation of the Ualapue Master Plan.

**Priority 3:** That Maui County assist in the construction of paved roads to assist Ualapue lessees to access their homestead lots which will be identified in the Master Plan.

Should you have any questions, I may be reached at 808-646-0051 or [ualapue808@gmail.com](mailto:ualapue808@gmail.com). Mahalo for servicing our waitlisters.

Blessings,  
Cora Schnackenberg  
President of Ahonui Homestead Association

From: Cora Schnackenberg <cora.schnackenberg@yahoo.com>  
Subject: Letter  
Date: July 30, 2021 at 3:08:56 PM HST  
To: Peter.K.Albinio,jr@hawaii.gov  
Cc: "Choy, Andrew H" <andrew.h.choy@hawaii.gov>, "Cairel, Gigi O" <Gigi.O.Cairel@hawaii.gov>, Julie-Ann Cachola <julie-ann.cachola@hawaii.gov>, Shelly Carreira <shelly.p.carreira@hawaii.gov>

Dear Mr. Albinio,

My name is Cora Schnackenberg, President of Ahonui Homestead Association, (DHHL agriculture waitlisters) specifically, for the island of Molokai. In 2020, the HHC have approved Ualapue Kuleana Homestead (Subsistence) Project as Priority and submitted by Ahonui.

Currently, Ahonui have been in discussion with DHHL Planning Office; Andrew Choy, Gigi Cairel, and Julie Cachola since 2019 and multiple times presently, in the project development especially with G70.

Most recently, I have attended the DHHL Beneficiary Consultation on Maui County, Fire Department on June 23, 2021, and another consultation held earlier and prior to 6/23/21 by Maui County.

I am writing to you as our beneficiaries, Land Use Management Division that while submitting your Land Use Disposition report to HHC for Maui County, Fire Department License of Land Use or as a lease. Ahonui's conditions be included as Community Benefits in lieu of, any land use to non-Hawaiian agency that is primarily set aside for the waitlisters.

Any **ONE** of the below conditions would be a suitable community benefit for the access easement.

**Priority 1:** That Maui County provide future Ualapue lessees access to free potable water by constructing a Water Tower that is high enough to allow trucks with containers of 250 gallons of water to drive up and fill the containers without having to unload



8/5/21

Ahonui is submitting 16 additional names to the original 65 as  
Submitted as

Testimony to Commissioners dated 4/20/2020

- Additional 16 names added below is to combine with  
original of 65 a **total of 81.**

Ualapue Kuleana 15 Names:

66. Johnette Kuahuia
67. John Kuahuia
68. Liliana Napoleon
69. Vanessa Gonzles
70. Stafford Caparida
71. Peter Dudoit
72. Charity Dudoit
73. Donna Miguel
74. Todd Kapuni
75. Sharlimar Maikui
76. Yolanda Tanielu
77. Nicole Monitizor
78. Vonda Stone
79. Makaila Purdy
80. Kanahelal Montizor
81. James Welch

Aloha! Commissioners,

RE: Administrative Rules 10-3-30 (d) and (e) Kuleana homestead leases

My name is Cora Caparida-Schnackenberg, President of Ahonui Homestead Association representing members of the "waitlisted applicants" of DHHL.

In February 2020, you the Commissioners have approved Ahonui "Ualapue Kuleana Homestead" projects as one of the 24 potential projects identified in the Molokai Regional Plan 2020.

We are so grateful as many of the beneficiaries have worked hard from the beginning to current in hope to expedite putting the "wait-listers" on the land.

On or about February 18, 2020, I have brought to your attention of the following.

1. 2005 Molokai Island Plan regarding TMK: (2) 5-6-006:017 and (2) 5-6-002:026 needs to be updated through a beneficiary consultation to alleviate the conflict between both the Island Plan and the updated 2019 Molokai Regional Plan.
2. Our project is a community-based project which "beneficiaries" (DHHL waitlisted applicants) involvement and commitment were important in the development of the plan thus, it was necessary and pivotal for DHHL to be involved in the process however three (3) staff (supervisory and planning position) from DHHL (Molokai, Maui, and Oahu) refused to assist (us) applicants in the development of our plan.
3. Thus, Ahonui Homestead Association made efforts and attempts for 8 months to stimulate interest on Molokai and statewide through radio station, newspaper, and community bulletins. We printed out and used DHHL waitlisted list on their website to stimulate beneficiaries' interest for agriculture Kuleana off-grid project on Molokai, Ualapue district. Again, I have sought assistance from Molokai DHHL office, Maui, and Oahu for their assistance, again refused.
4. Ahonui targeted 175 (DHHL) applicants (waitlisted) however only 65 registered for the project; 5 from neighbor island, 37 from the Ualapue area, and rest are scattered from different area on Molokai (Kaunakakai/Hoolehua).
5. Finally, Ahonui consulted with Molokai Commissioner, Zack Helm as to our efforts as stated above. Commissioner Helm encouraged Ahonui to proceed with our project.

**In regards, to administrative rules 10-3-30 (d) and (e) Kuleana homestead leases**

(d) The commission shall determine which homestead waiting list, or combinations thereof, may be used to make the awards and what list, or combinations thereof, may be used if the original list used to make the awards is exhausted.



(e) The department, together with interested applicants, shall develop a plan for settlement and development of the designated tract. All settlement plans shall be subject to approval by the commission. The plan shall include, but not be limited to the following...

We, the waitlisted applicants and members of Ahonui Homestead Association have done our fiduciary duties as best we knew how. We have included and sought assistance from DHHL as their involvement was necessary. We feel that the department did not meet their obligation and have violated their own "administrative rules" as indicated and stated "e" above.

We, the Ahonui Homestead Association are requesting that Our Commissioners would seriously consider and approve the adoption of the 65 waitlisted applicants as registered for the "Kuleana homestead leases" (off-grid, Ualapue Kuleana Project) as awardees and leases to the Ualapue project; to allow for further continuation of planning and development of the project and that a planner from DHHL be assigned.

I pray that you as our commissioners would seriously consider and grant our registered list as attached as the awardees. Should you have any questions, please contact me at 808-646-0051.

Mahalo for your time on this matter,

  
Cora Caparida-Schnackenberg  
Ahonui Homestead Association

# UALAPUE KULEANA PROJECT REGISTRY

1.	Rowan Puaa	973
2.	Samuel K. Pedro	43
3.	Charity Kekauoha	713
4.	William Kekauoha	672
5.	(sp. Iwalani) John Kadowaki	171
6.	Herbert Hoe	492
7.	Christine Kehau Ward	
8.	Terah-lynn Garces-Reyes	
9.	Fiona Benjamin	897
10.	Marilyn Kaulili	293
11.	Gussie Dudoit	1090
12.	Sandra Arce English	96
13.	Jody Kalilikane-Bocoboc	
14.	Ivan/Catherine Kawamae	86
15.	Bronson Kalipi	617
16.	Donovan Keliipueak	
17.	Zaidarene W Kalipi	595
18.	Palmer Naki	659
19.	Alma Gamiao	667
20.	Cynthia K. Gutierres	302
21.	Blossom Poepoe	2
22.	Garlie "Alfredo" Rin	7
23.	DeCosta Thelma/Norman	195
24.	Ramona Smith	947
25.	Phillip Stephens	
26.	Tyrah Kaapuni	1061
27.	Jonathan English	974



28.	Florence Kong	884
29.	Delbrine "Kauai" K Manera	240
30.	Cora Schnackenberg Caparida	164
31.	Nakooka, Dwight	43
32.	Kawika Farm	200
33.	Valeny Dudoit	767
34.	Clifford Kapono	36
35.	Colleen L Yarbrugh-Bordenx	117
36.	Issac Gloor /Cheryl	95
37.	Christopher K Chang	257
38.	Shawnsen Kong Manintin	270
39.	Mehana Pupuhi-Togia	
40.	Charles Pelekane	213
41.	John Kuahuia	
42.	Leimamo Kuahuia	920
43.	John W.K Keohuloa	650
44.	Hanalei Keohuloa	792
45.	Joe Yamamoto	572
46.	Dean K. Hoe	821
47.	Scott Dudoit	
48.	Nahiwa Naki	932
49.	Winnifred K Lopez	938
50.	William Kalipi Jr	105
51.	Lenora K Keomaka	1036
52.	Theodora P Sibayan	498
53.	Gavin Pelekane Tamashiro	962
54.	Pelekai, Robert Jr	47
55.	Kimberly English	986
56.	Issac Naki	1008

57.	Gordon Oliveria	
58.	Chadlyn "Chad" Hirata	1029
59.	Alika Nihipali	
60.	Deanna Foo	
61.	Dickson Stone	
62.	Juliana Bicoy	65
63.	Jerry Kehouloa	
64.	Mary Jane Kahalewai	
65.	Desiree A Ilima/Paaaina	

From: Cora Schnackenberg <cora.schnackenberg@yahoo.com>  
Subject: Re: [EXTERNAL] Ahonui Homestead Association  
Date: April 20, 2020 at 2:41:28 PM HST  
To: "Burrows-Nuuanu, Leatrice W" <leatrice.w.burrows-nuuanu@hawaii.gov>

I forgot this attachment.

Mahalo,

Cora

On Monday, April 20, 2020, 02:25:17 PM HST, Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Aloha e Cora,

Mahalo, for your timely submission, I'll make sure Commissioners get your testimony by close of business today.

Mahalo,



Leah Burrows-Nuuanu

Hawaiian Homes Commission

Department of Hawaiian Home Lands

91-5420 Kapolei Parkway

Kapolei, HI 96707

Phone: 808 620 9503/ Fax: 808 620 9529

Email: [Leatrice.W.Burrows-Nuuanu@hawaii.gov](mailto:Leatrice.W.Burrows-Nuuanu@hawaii.gov)

**From:** Cora Schnackenberg <cora.schnackenberg@yahoo.com>

**Sent:** Monday, April 20, 2020 2:22 PM

**To:** Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-

able to address the commissioners via zoom or phone etc...? How will communication be done?

I have not prepared any written or handout...I wanted to verbally express my request or address concerns. Please advise.

Mahalo, Cora Schnackenberg

Sent from my iPhone





## **ILAR AGENDA**

### **CE OF THE CHAIRMAN**

- ITEM C-1** Authorize the Chairman to Finalize Homestead Lease Conditions Associated with the Prohibition of Illegal Activity and/or Nuisance.

DEFERRED TO WEDNESDAY.

### **NING OFFICE**

- ITEM G-1** Adopt the Moloka'i Regional Plan Update (2020) and Authorize the Dissemination of the Regional Plan Update

#### **RECOMMENDED MOTION/ACTION**

Acting Planning Office Manager Andrew Choy and Grant Specialist Gigi Cairel recommended the following:

Motion that the Hawaiian Homes Commission:

1. Adopt the Moloka'i Regional Plan Update (2020) (Exhibit B);
2. Authorize dissemination of the Moloka'i Regional Plan Update (2020).

#### **MOTION**

Moved by Commissioner Helm, seconded by Commissioner Namu'o, to approve the motion as stated in the submittal.

#### **DISCUSSION**

Commissioner Ka'apu asked what the Commission can expect between acceptance of the Regional Plan and next year. He asked if there is an evaluation process to check on the progress of projects.

A. Choy stated the adoption of the plan would be a signal to staff to budget for the priority projects, especially the kuleana homesteads. The Planning Office will provide an update of the Regional Plan regarding that particular community. Communities with multiple regional plans, like West Hawai'i, an annual update is given on the implementation status.

G. Cairel stated for each priority project; there are clear steps as to what the Department's role is and what the community's role is. There are times when projects default to the Department, but there is clarity in what the Department would handle and what the community would handle.

Commissioner Ka'apu asked if that is normally part of the submittal or in addition to the submittal between the community and the Planning Office. G. Cairel stated it is detailed within the plan itself, and there are write-ups of each project in the plan with those steps.

A. Choy stated the length of the regional plans' time between the updates is seven years as specified in the Administrative Rules. Due to staffing issues, the average has been about ten years. The Moloka'i Regional Plan was last approved in 2010.

**Burrows-Nuuanu, Leatrice W**

**From:** dhhl.icro1@hawaii.gov  
**Sent:** Monday, August 02, 2021 5:27 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** HCC Contact:

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**First Name**

Asulu

**Last Name**

Laybon

**Email**[slaybon3@msn.com](mailto:slaybon3@msn.com)**Subject**

To all Hawaiian Homes Commissioners

**Message**

Aloha! Please find below a copy of the letter that was sent via USPS Certified Mail on June 24, 2021, which was received on July 8, 2021. This letter was sent to Chairperson Aila. We had not received a response by August 2, 2021 so Asulu Laybon visited the DHL Offices in-person on August 2 and met with Lloyd Pagaduan. He accepted and stamped a copy of the letter as received with the date of August 2, 2021.

We are kindly asking all Hawaiian Homes Commissioners to please read the letter and to respond to our inquiry. Though we know you handle many cases and uphold certain policies, we feel our plight is important and valid. We humbly ask for your kind consideration that we may be able to keep our home, which has served as our home for more than thirty years. Also, we ask that you honor the paperwork that was put into place by the original leaseholder, our beloved Aunt Marian Kahale, to ensure that we would receive the home.

A Public Notice regarding our home was issued in early June, so we responded accordingly with visits to the DHL Office and the letter below. However, we know time is of the essence. We look forward to your response to our questions enclosed below.

June 23, 2021  
 Hawaiian Homes Commission - Department of Hawaiian Home Lands  
 William J. Ailā, Jr., Chairperson  
 91-5420 Kapolei Pkwy.  
 Kapolei, HI 96707  
 Re: Kahale, Marian I., Residence Lease No. 4051, Lot No. 64

To Chairperson William Ailā, Jr.,

We, Sisifo Faleafine Jr., Cullen Lee, Shareen Dumlaio, and Asulu Laybon, are the children of Leetha L. Faleafine, designated successor to Marian I. Kahale for the above referenced Lease and Lot. We write this letter with heavy hearts at the possibility that our Aunt, Marian I. Kahale's, wishes and intent for the lease and lot will not be fulfilled. The purpose of this letter is to have the Hawaiian Homes Commission review the documentation naming Leetha L. Faleafine as the rightful successor to Residence Lease No. 4051, Lot No. 64 and withdraw the Public Notice to Successors issued on June 10, 2021 stating that Marian I. Kahale did not designate a successor.

Our Aunt Marian I. Kahale was the original leaseholder of Residence Lease No. 4051, Lot No. 64. Marian was very proactive and diligent in preparing and completing the paperwork to assure that her wishes and intentions were carried out after her passing. She wished and intended to pass

the home to her sister, our mother, Leetha L. Faleafine and our family, Leetha's children. On January 21, 2009 Marian signed and completed the Designation of Successor to DHHL Homestead Leasehold Interest (DHHL Form 00051) which designated Leetha L. Faleafine as her successor. It was stamped as received by DHHL on January 26, 2009. Marian then received a letter dated May 1, 2009 from DHHL approving this designation.

Marian passed away on April 3, 2019. Upon Marian's passing, Leetha called the Department of Hawaiian Home Lands office to see what are the next steps for successorship. Leetha learned that the representative for the Waimanalo area was Lloyd Pagaduan and so pursued calling him. Her daughter Asulu Laybon left several voice messages for Mr. Pagaduan on Leetha's behalf. After receiving no reply from Mr. Pagaduan, Leetha went to the DHHL office with Marian's death certificate and other supporting documents. At this meeting, she signed the Successorship to Lease Response Form which was stamped as received on February 13, 2020. In this form Leetha acknowledged that she wished to proceed with the successorship for the lease of Marian I. Kahale. During this meeting with Mr. Pagaduan, Leetha also provided the letter dated May 1, 2009 and Lloyd confirmed that these documents were all that was needed to complete the successorship process.

On January 5, 2021, Leetha L. Faleafine passed away. Her daughter Asulu called and left a message informing Mr. Pagaduan that she had passed away. Mr. Pagaduan responded via text email on January 20, 2021 and said that he would need Leetha's death certificate before proceeding any further. Asulu emailed and faxed Leetha's death certificate to Mr. Pagaduan on February 16, 2021. After receiving no response from Mr. Pagaduan, Asulu emailed the death certificate again on February 25, 2021. There was no response after this communication either. Asulu continued to call Mr. Pagaduan and received no response.

On April 5, 2021 Asulu text-emailed Mr. Pagaduan again to confirm that he had received the death certificate. Two days later on April 7, 2021 Mr. Pagaduan called Asulu and said that he did receive the death certificate and said DHHL had to do further investigation and that as of that date the lease was still under Marian and she had not designated a successor. Asulu stated to Mr. Pagaduan that in fact, Marian did designate a successor (Leetha L. Faleafine) and that all the documents were provided to Mr. Pagaduan himself who upon receiving the documents had said this was all that was needed. Mr. Pagaduan then stated to Asulu that because there was no designated successor that there would be a public notice where all relatives can file a claim for the home. Asulu asked if there was anything that she and her family could do, and Mr. Pagaduan said there's nothing you can do. He said there will be a public notice and family members can file their claims. Mr. Pagaduan asked if Asulu would like him to contact her prior to the notice coming out. She said yes, but he never did, so we were surprised to see that the public notice came out.

On June 16, 2021, Shareen and Asulu went to the DHHL office and met with Kana'i Kapeliela. After sharing the concerns mentioned above, Mr. Kapeliela shared the following information:

1. On January 11, 2021 the lease reflecting Leetha Faleafine as the leaseholder was drafted.
2. On January 14, 2021 the lease was reviewed by Legal.
3. On January 26, 2021 the lease was returned to the Hawaiian Homes Office for the successor signature.

When Shareen and Asulu asked why the lease took so long to be drafted, Mr. Kapeliela shared that Leetha's original application had been flagged with a P Code, indicating that her 50% Hawaiian had not been verified. Mr. Kapeliela stated that Leetha's 50% Hawaiian was verified in December 2020.

We take issue with this, as Leetha was not being considered for an original application or original lease. Mr. Kapeliela shared with us that being reviewed for successorship by a sibling only requires 25%. Further, why did her percentage of Hawaiian need to be verified again, since she was approved as a successor in May 2009?

Chairperson Ailā, what can be done to ensure that our Aunt's wishes and documents are honored and that the people she intended to live in the house continue to live in our home? We were not just tenants of Aunt Nana (Marian), we lived together and helped each other. We have raised our children and our grandchildren within its walls and under its roof. We have invested our love, time, and resources into the house and land. We continue to pay the mortgage as our mother did before she passed. It has been our home for over thirty years.

Leetha Faleafine is the rightful successor to Marian Kahale's Residence Lease No. 4051, Lot No. 64. Since Leetha has passed, the possible successors to the home should be Leetha's children. We feel that if the Department of Hawaiian Home Lands processed the successorship documents

in a timely manner and with due diligence, this would not have been an issue.

We look forward to your response. You may contact us at the contact information below.

Sincerely,  
Shareen Dumlao and Asulu Laybon  
On behalf of Leetha Faleafine's children

Shareen Dumlao  
808-292-3433  
shareen.dumlao@gmail.com

Asulu Laybon  
808-342-5912  
slaybon3@msn.com