

HAWAIIAN HOMES COMMISSION

Minutes of August 16, 2021, via Interactive Conferencing Technology (ICT)

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held via teleconference, moderated by Chairman William Ailā Jr., from Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i, beginning at 9:30 a.m.

PRESENT William J. Ailā Jr., Chairman
Randy K. Awo, Maui Commissioner (via ICT)
David B. Ka‘apu, West Hawai‘i Commissioner (via ICT)
Michael L. Kaleikini, East Hawai‘i Commissioner (via ICT)
Russell K. Ka‘upu, O‘ahu Commissioner (via ICT)
Pauline N. Namu‘o, O‘ahu Commissioner (via ICT)
Dennis L. Neves, Kauai Commissioner (via ICT)
Patricia A. Teruya, O‘ahu Commissioner (via ICT)

EXCUSED Zachary Z. Helm, Moloka‘i Commissioner

COUNSEL Katie Lambert, Deputy AG (via ICT)

STAFF Tyler I. Gomes, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Andrew Choy, Acting Planning Manager
Kahana Albinio, Acting Land Management Division Administrator
Juan Garcia, Homestead Services Division Administrator
Cedric Duarte, Information & Community Relations Officer
Stewart Matsunaga, Acting Land Development Division Administrator
Paula Ailā, Acting Contact and Awards Division Administrator
Jamilia Pacheco, Information Specialist
Michael Lowe, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Ailā called the meeting to order at 9:35 a.m. eight (8) members were present via ICT at roll call.

Pursuant to the Governor’s emergency proclamation, related to COVID-19 Emergency, Hawai‘i Revised Statutes (“HRS”) Chapter 92 regarding public agency meetings and records are currently suspended through 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.

APPROVAL OF AGENDA

Chair Ailā announced that Item F-1 was updated and was emailed on Friday. The update is the inclusion of fees for the easement. Item C-4, the workshop on Awards and Relocations, addresses Item C-3 and would be taken first. The workshop is to help the Commissioners understand the Relocation process. The Commission would convene in an Executive Session for 60 minutes at noon. There are one or two items that would call for an executive session.

This month the live oral public testimonies on agendized items will start; there are 19 testifiers, and each will have 3 minutes. Written testimonies have been uploaded to the cloud folder.

MOTION/ACTION

Moved by Commissioner Awo, seconded by Commissioner Ka'apu, to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES FOR JULY 19 & 20, 2021

Commissioner Neves corrected page 4, paragraph 3; his comment was about a successorship that could take up to eight months.

Commissioner Teruya inquired about Item J-4, paragraph 3; whether staff received any updates from the Keaulana residents. J. Garcia stated several members of the community requested a contested case hearing, so the Department is doing its due diligence and will be coming before the Commission with a recommendation.

Commissioner Teruya asked for clarification about whether someone with an ROE could live on the property. She asked to discuss it in the executive session because she had personal questions that may affect beneficiaries and wanted to discuss them privately. Chair Ailā stated it could be discussed in the noon executive session.

Commissioner Kaupu stated he had a comment on page 21, the last sentence, the gist is to stay in touch for the Department or reach out for the Department. He stated he was willing to be in the loop with Kamehameha Schools with that discussion. Chair Ailā stated the appropriate change would be made to “reach out to Kamehameha Schools.”

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Ka'apu, to approve the July 19 & 20, 2021 Minutes, as amended. Motion carried unanimously.

Chair Ailā reminded Commissioners that although Act 220 does not take effect until January 2022, meetings via interactive conference technology have specific rules. Commissioners must say who else is present for open meetings if anyone is in the room with you. Cameras must be kept “on” unless you are excusing yourself from the meeting. A quorum of Commissioners must be visible during the meeting. In the executive session, no one can be in the room with you or hear the conversation. You will need to confirm this with the Chairman. You don't need to be visible during the executive session, and cameras can be turned off.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Rachel Nam – Item G-2

R. Nam is the Executive Director for Kukulu Kumuhana O Anahola. She testified regarding the land use for Ulupono Anahola Project. She asked that the Commission consider giving Kekoa Enomoto a lease instead of an ROE. She stated it is urgent because the grants received are contingent on a lease and not an ROE. They don't want to lose any of the fundings.

PT-2 Ku‘uleialoha Punua – Item G-2

K. Punua testified in support of the Commission giving KKOA a lease instead of an ROE for her Ulupono Anahola project for her agricultural garden and education. She stated the Master Plan for the 10-acres had been done.

PT-3 Cora Schnackenberg – Item G-1

C. Schnackenberg is the President of the Ahonui Association representing the waitlisters. She reiterated that there is no current policy or procedures for community benefits and encouraged that be installed. She stated the current tax map key (TMK) that the Fire Department is requesting for easement access is occupied by Hale Pōmaika‘i, whose lease expires September 2021. In 2020, the Commission approved the ‘Ualapu‘e Homestead project; she stated they would be occupying seven (7) TMKs, identified in her written testimony.

PT-4 Georgina Kuahuia – Item G-1

G. Kuahuia stated she is in support of community benefits for the ‘Ualapu‘e Homestead project.

PT-5 Judy Caparida

J. Caparida stated she waited 49 years for her homestead. The East End community needs a fire station. She asked the Commission to do what was right. She supports the ‘Ualapu‘e Homestead project.

PT-6 Keani Rawlins-Fernandez – Item G-1

K. Rawlins-Fernandez testified to support the recommendation to accept the beneficiary consultation report for the Maui County Fire Department to utilize Hawaiian home lands for the access easement in ‘Ualapu‘e, Moloka‘i. She noted a correction to be made on page 1 of the beneficiary report. “Without an access easement from DHHL, the site would NOT be feasible.” Add the word NOT.

PT-7 Jeremy Makepa – Item G-2

J. Makepa is with the Kaua‘i Fire Department’s Fire Prevention Unit. He stated they’ve been working on the Anahola area, cleaning up the abandoned cars, and creating firebreaks in the area. The Ulupono Project has created a good firebreak to protect the communities. The request is to expand the area and allow further use for the Ulupono Project to continue.

PT-8 Blossom Feiteira – Items C-7, C-8

B. Feiteira stated she advocated for a formalized Enforcement Division to address criminal activities and lease violations. She drafted legislation for the Commissioner’s review. For Item C-8, she had a request to rescind the undivided leases for people chosen to be tenants in the La‘i ‘Ōpua project. It’s been 15 years, and the people remain tenants and not officially lessees. Requesting the rescind removes their ability to continue to secure their lessee rights. If the lessee passes away within the 15-year timeline, their successors can seek Hawaiian home Lands awards. For Item D-7, she had questions regarding the Department disqualifying people who have been on the waitlist for 58-years. Item D-9 is a transfer where the couple will end up with two residential leases, and she believes a violation of the rules.

Note: Testimonies are attached.

ITEMS FOR DECISION MAKING

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- ITEM D-2** **Approval of Consent to Mortgage (see exhibit)**
- ITEM D-3** **Approval of Streamline Refinance of Loans (see exhibit)**
- ITEM D-4** **Approval of Homestead Application Transfers / Cancellations (see exhibit)**
- ITEM D-5** **Commission Designation of Successors to Application Rights – Public Notice 2014, 2018, 2019 & 2020 (see exhibit)**
- ITEM D-10** **Approval of Amendment of Leasehold Interest (see exhibit)**
- ITEM D-11** **Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)**

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:
Motion to approve the Consent Agenda items listed for the Commission's consideration.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Ka'apu, to approve the Consent Agenda. Motion unanimously passed.

DISCUSSION

Commissioner Ka'apu asked that No. 3 of Item D-10 be moved to the Regular Agenda.

Commissioner Ka'upu asked that J. Garcia go through each Item and explain the status of each.

Commissioner Ka'apu stated on Item D-10, No. 3, there was testimony last month for Alvin Chong Senior. Commissioner Ka'apu stated he got a call from Alvin Jr's son, indicating that he would file a contested case and other related issues. J. Garcia stated the family raised issues, and the action is necessary so the lease can be amended to update the property description as well as allow for an extension of 100-years. Regardless of who gets the lease, the amendment will be incorporated into the lease.

Commissioner Ka'upu asked J. Garcia about the items he needed clarification and understanding of relating to the numbers and status regarding consents to mortgages, actions to applications, cancellations, awards of leases, successorships, and numbers of transactions for applications.

Commissioner Ka'apu stated he reviewed Item D-8, No. 2, and asked to remove it from the Consent Agenda. Chair Ailā stated the Item is a potential contested case, and the concern is that the lease is extended before it expires.

Commissioner Ka'apu stated he is okay with it being extended, but his understanding is there will be a contested case hearing. The Department had made simultaneous transfers before, and he knows that someone can't hold two leases. Chair Ailā asked, due to personal matters, if that could be held and discussed in executive session.

Commissioner Ka'upu asked to approve the Consent Agenda with the Chong matter removed as requested by Commissioner Ka'apu.

Commissioner Awo asked about Item D-9's Nos. 7 & 8, whether it was a lease transfer where a lessee would have two residential leases. J. Garcia stated it is a simultaneous transaction where one lessee is transferring to a non-related individual and that individual is adding on the husband. He asked if the husband was a lessee. Commissioner Awo asked to add those items to the Regular Agenda.

Commissioner Teruya asked to clarify what is being approved or pulled out.

As the maker and seconder of the motion, Commissioners Neves and Ka'apu offered a friendly amendment to remove Nos. 7 & 8 of Item D-9, No. 3 of Item D-10, and No. 2 of Item D-8 from the Consent agenda. Those items will be added to the Regular Agenda for further discussion.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Ka'apu, to approve the Consent Agenda except Nos. 7 & 8 of Item D-9, No. 3 of Item D-10, and No. 2 from Item D-8.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka'apu		X	X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously- eight (8) Yes votes.						

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval of Lease Award Ka'uluokaha'i Subdivision Residential Vacant Lot-Increment B, Ewa Beach, O'ahu & Approval of Lease Award Ho'olehua Subdivision Residential Vacant Lot-Ho'olehua, Moloka'i (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Contact and Awards Division Administrator Paula Ailā presented the following:
Motion that the Hawaiian Homes Commission approve the Lot Lease Award Ka'uluokaha'i Subdivision Residential Vacant Lot-Increment B, Ewa Beach, O'ahu & Approval of Lease Award Ho'olehua Subdivision Residential Vacant Lot-Ho'olehua, Moloka'i.

MOTION/ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Neves, to approve the motion as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka'apu		X	X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously- eight (8) Yes votes.						

ITEM C-2 Approval of Resolution No. 305 Resolution of Consent for the National Telecommunications and Information Administration Tribal Connectivity Program

RECOMMENDED MOTION/ACTION

Special Assistant Office of the Chairman Niniau Kawaihae presented the following:
Motion that the Hawaiian Homes Commission approve Resolution No. 305 Resolution of Consent for the National Telecommunications and Information Administration Tribal Connectivity Program.

MOTION/ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Neves, to approve the motion as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo	X		X			
Commissioner Helm						X
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Commissioner Teruya			X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously- eight (8) Yes votes.						

Chair Ailā stated Item C-3 would be taken up after the workshop on Awards and Relocations.

HOMESTEAD SERVICES DIVISION

MOTION/ ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, <ul style="list-style-type: none"> • Defer Items D-7 and No. 2 from Item D-8 • To approve Items D-6 • To approve Item D-9, Nos. 7 & 8 • To approve Item D-10, No. 3 						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously- eight (8) Yes votes.						

ITEM 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

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:

Motion that the Hawaiian Homes Commission approve the 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

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the motion as stated.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously- eight (8) Yes votes.						

ITEM D-13 Request to Surrender Interest in Lease – Residential Lease No. 6529, Lot No. 22, Anahola, Kaua‘i, Co-Lessees, FRANCIS HERNANDEZ-MARTINEZ, and MAKAI PIA HO`OMANAWANUI

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:

Motion that the Hawaiian Homes Commission approve:

1. The surrender interest in Lease No. 6529, Lot No. 22, Anahola, Kaua‘i, Co-Lessees, FRANCIS HERNANDEZ-MARTINEZ, and MAKAI PIA HO`OMANAWANUI, subject to the waiver of any net proceeds to the respective interest held by Francis and Makai; and
2. To approve the amendment of the Lease to reflect Teresa as the tenant in severalty.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Teruya, to approve the motion as stated.						
Commissioner	1	2	`AE (YES)	A`OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka‘apu			X			
Commissioner Kaleikini			X			
Commissioner Ka‘upu			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- eight (8) Yes votes.						

ITEMS FOR INFORMATION/DISCUSSION

GENERAL AGENDA

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

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

DISCUSSION

None.

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves to convene in an executive session pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issue pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

EXECUTIVE SESSION IN

12:45 PM

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 these matters.

1. Discussion on Right of Entry Permit to Hawaiian Telcom, Inc., Portions of Various TMKs, Statewide – Islands of Kaua'i, O'ahu Moloka'i, Maui, and Hawai'i

EXECUTIVE SESSION OUT

1:45 PM

ITEMS FOR DECISION MAKING

REGULAR AGENDA

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Issue a Right of Entry Permit to Hawaiian Telcom, Inc. Portions of Various TMKs, Statewide – Islands of Kaua'i, O'ahu, Moloka'i, Maui, and Hawai'i

RECOMMENDED MOTION/ACTION

Executive Assistant to the Chairman Jobie Masagatani presented the following:
Motion that the Hawaiian Homes Commission approve to Issue a Right of Entry Permit to Hawaiian Telcom, Inc. Portions of Various TMKs, Statewide – Islands of Kaua'i, O'ahu, Moloka'i, Maui, and Hawai'i for the State of Hawai'i

MOTION ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Namu`o, to approve the motion as stated.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka'apu			X			
Commissioner Kaleikini	X		X			
Commissioner Ka'upu			X			
Commissioner Namu`o		X	X			
Commissioner Neves			X			
Commissioner Teruya			X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously- eight (8) Yes votes.						

ITEMS FOR INFORMATION/DISCUSSION

GENERAL AGENDA

REQUESTS TO ADDRESS THE COMMISSION

ITEM J-2 Donna Sterling – Kahikinui Lessee

D. Sterling stated the Lokahi Team worked on a fire break to protect the homesteads in case of a fire and planning an ungulate removal project. Chair Ailā clarified that they are only planning and that no ungulates have been removed. D. Sterling responded that they are only planning, Mr. Santos has submitted his resume. They are waiting on DHHL and DLNR.

D. Sterling spoke on the KOOK (Ka Ōhana o Kahikinui) Bylaws and stated that they prevented the election of new board members. Under the KOOK bylaws, they are automatic members who should have the right to vote but don't have that right. Part-time people don't have the right to vote. D. Sterling asked that the Department step in to help nudge KOOK on representation for all the lessees and waitlisters at Kahikinui.

ITEM J-3 Kekoa Enomoto – Maui/Lanai Mokupuni Council, Pa‘upena Community Development Corporation

K. Enomoto requested a right-of-entry (ROE) permit for 4,930-acres of land to prevent wildfires. She stated that a DHHL Maui Official gave the non-beneficiary Kaonoulu Ranch an ROE to run cattle as a fire prevention step at the Waiohuli-Kēōkea track. Pa‘upena CDC advocates for native Hawaiian beneficiary entities to have access to use their homelands. In December 2016, Pa‘upena CDC applied for the ROE to the Waiohuli-Kēōkea track, in which DHHL leased for 2-1/2 decades to a non-Hawaiian rancher. DHHL vacated 5500 acres of Valley Isles homelands. In August 2019, Pa‘upena received a 2-year diligence ROE of 127-acres of home land and completed the due diligence's final steps, a \$38K archaeological review and inspection. She stated DHHL did not require the non-Hawaiian to perform such due diligence.

K. Enomoto advocated renaming the State's Admission Holiday to the Hawaiian Homes Commission Act Day to recognize the essential role the HHC Act played in Congress in the 1959 Statehood. For the Maui Fire Department's request for easement access to 'Ualapu'e on Moloka'i, she stated Maui supports Ahonui Homestead Association's request for the benefits package. For item F-1, she proposed a 2023 – 2043 general plan that provides for a joint DHHL/Beneficiary task force to forge a DHHL policy on community benefits package; the latter for the gain of HHC Act beneficiary organizations in any cases of non-beneficiary uses of Trust lands.

K. Enomoto asked if the Commission will be approving a 2-year diligence ROE obligating the non-beneficiary Hawaiian Telcom Inc. to provide an EA and other assessments demanded of beneficiary organizations in any cases of non-beneficiary use of Trust lands?

ITEM J-6 Kimberly Mokuahi – Relocation Request

K. Mokuahi spoke on behalf of her husband, Leif Mokuahi. Their request is to relocate from their Papakōlea property for medical reasons. For them to get back on their Papakōlea property, regarding HomeStreet Bank and the contractors, would cost them almost \$1 million. Their

property takes 30 steps to the front door and 15 steps to the main bathroom and living quarters. With her and her mother-in-law's disability, it's not feasible for them. She stated they learned of one property returned to the Department, located across the street from them on Iaukea Street. She asked if it was possible to transfer to that lot? They want to stay in Papakōlea.

Chair Ailā stated her request is with the Homestead Division, which is in the process of contacting her. Chair Ailā stated there is a process for relocations. Juan Garcia will reach out to her to gather information. K. Mokuahi asked she was not on the list yet? Chair Ailā stated the Department would go back a look at the first contact with them as the date they would be eligible for the list. The Commission ultimately decides on relocation requests.

ITEM J-8 Asulu Laybon – Residence Lease No. 40501, Lot No. 64

A. Laybon stated her family has been living in their home for 31-years. (indiscernible) In 2020 they spoke with Homestead Assistant Lloyd Pagaduan and gave him the certification. He gave them paperwork which was signed and stamped on February 13, 2020. Her mom has called constantly and never received a call back from Mr. Pagaduan. On January 5, 2021, her mom passed away. A. Laybon called Mr. Pagaduan, and he finally returned her call and stated that Marion did not leave a successor and the house is still under her name. A public notice went out. It took a long for the Commission to approve her mom's blood quantum, and it is not recognized or perfected that her mom was the successor. Now they are waiting to know what will happen.

Chair Ailā proposed he talk to staff, gather the facts regarding documentation, time, and correspondence, and respond to her what the process is and go from there. A. Laybon stated the Commission approved her mom in December 2020 and was contacted on January 11, 2021, to finalize the paperwork. In June, she stated they were told that by Kana'i Kapeliela and was asked to write a letter to the Chairman, which they did. They were told it would take ten business days to get back to them, but today is the first contact.

ITEM J-7 Cora Schnackenberg – Ahonui Homestead Association

C. Schnackenberg stated Ahonui Homestead Association is seeking a community benefits package due to the Fire Department of Maui County's request for easement access to TMK 27. She stated there were inaccuracies on the map regarding the TMKs. She stated Ahonui requested the highest amount of \$2.60 and proposed that Maui County pays the \$2.60 per square foot per month. The monthly charge would help the waitlisters and future homesteaders to offset the cost. G70 will start approximately October 1, 2021, to do the environmental assessment. Ahonui's meeting with DHHL Planning Office and G70 is on the 24th of August. She asked that Ahonui have compensation for their future projects.

Chair Ailā stated the Commission had been asked to participate in and implement a community benefits policy, but in the past has chosen not to. The Commission hears the request of the Ahonui Homestead Association to reconsider, but at this time, he will talk to the Commission again, but not at this moment.

C. Schnackenberg stated she supports Pa'upena CDC's request.

- ITEM J-1 Lana Gambill-Aiona – Kawaihae Land Use Request (deferred)**
ITEM J-4 Jan Makepa – Waianae Valley Homestead Abandoned Vehicle Removal
ITEM J-5 Gil Campbell – Waimanalo Lease (deferred)

RECESS
RECONVENED

2:45 PM
2:50 PM

WORKSHOPS

OFFICE OF THE CHAIRMAN

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

RECOMMENDED MOTION/ACTION

None. For information only. Acting Contact and Awards Division Administrator Paula Ailā presented the following:

P. Ailā stated the Awards team started in 2016, and the team's work has evolved over the years to address the timing and needs of the beneficiaries. The presentation is an in-depth detailed presentation of the Contract and Awards Division.

The Awards Function focus is:

- To manage to offer of lots (residential, agricultural, pastoral)
 - An offering is an offering of a lot that doesn't always convert into an award
 - Someone might fall out of an offering
 - They don't get through the pipeline, so they don't get to a conversion of a lease award
- The awarding of leases to beneficiaries Statewide
 - The lease award is when all the work is completed
 - A 99-year lease is conveyed

The Awards Lot Inventory of how the awards get into the Awards Pipeline:

- Homestead Services Division (HSD)
 - Pre-Owned Lots due to
 - Lease Cancellation
 - Surrender
 - Relocation
- Land Development Division (LDD)
 - New Lots
 - Lots unselected from previous offerings

DHHL's Home Product Line:

- Rent with Option to Purchase
- Vacant Lot – Factory-Built Homes
 - Modular Construction
- Vacant Lot – Package Home Kit
- Vacant Lot – Owner Builder
- Turnkey

Note: Slide presentation attached.

DISCUSSION

Commissioner Ka'apu stated it seems like a lot of income to build a tiny home. P. Ailā stated the kit might be \$40k, but the labor cost goes \$100k or more. Commission Ka'apu asked if there

were problems with families qualifying. P. Ailā confirmed they are, basing it on \$100k for all costs. A vacant lot situation requires a construction loan.

Commissioner Ka'upu stated the income qualification and the cost of the house is different.

Commissioner Ka'upu asked about the rent with the option to purchase. He asked if that's where the Department goes away from awarding from the waitlist order criteria; instead, it goes down the list, but they also must qualify for the median income. P. Ailā stated at a 30, 40, or 60 percent area median income qualification. The goal is to promote as many opportunities as possible for the beneficiaries.

Commissioner Ka'upu stated that one of the Department's models for the rent to own is that the developer produced 60% median income product. Many people showed up that were in the 30% and 40% median income. There were only about five units in the 30%-40%, 60 units were in the 60% median.

Chair Ailā stated it had to do with how the prospectus would work out and based on what they thought the market would be. He believes the developer learned a lot from that exercise and has made some adjustments since then.

Commissioner Ka'upu asked if the Act dictated the requirement to maintain an award off the waitlist. When the Department builds on the alternative product, that award is based on the waitlist but has the other criteria of area median income. Where does Commission find the authority to offer that product? Is it in the Act itself, and does the Commission have that leeway?

Chair Ailā stated there is no restriction in the Act on the type of product that is offered. It is whoever the Department can partner with to build as many units as possible. Commissioner Ka'upu asked to get Commissioner Ka'upu's opinion on the question.

Commissioner Ka'upu stated he does not know the answer because it falls outside the normal product line of putting people on the land. Beneficiaries don't go off the waitlist unless the people make the 15-years, then they become a beneficiary. He reiterated earlier today that if somebody is in the program and dies, they are done. If they give up their potential lease award, and something happens, they are done, and the kids get nothing. Commissioner Ka'upu stated he thinks it's a good product but is trying to find comfort and guidance to the Commission doing it.

P. Ailā stated there are 70-steps to the Turnkey offering process, and there is a 12-month timeline. The Vacant Lot offering process is also a 70-step process from mailing to occupancy. The AG Lot offering is a 30-step process. The mailing process has 37-steps.

Commissioner Ka'upu asked if there is an authority in the Commission Act that allows the Commission to move away from offering according to the waitlist and offering these relocations. Is the answer that it's the right thing to do. There's no prohibition against doing it.

Chair Ailā stated that administrative rules govern some of the relocation procedures, but additional circumstances have come about since the rules were promulgated; amendments to the procedures for issuing relocation requests and fulfilling and implementing those requests. Chair Ailā stated there a basic Administrative Rules.

P. Ailā stated there are 17 on the relocation list. When a relocation comes up, it's an addition, and it goes to the bottom of the list as it is based on the date of approval. Commissioner Ka'upu

asked, on relocation, one can go from neighborhood A to neighborhood B through Z? Chair Ailā stated Pahe'ehe'e Ridge was an accelerated awards program. The infrastructure was minimal with possible rockfall issues. A past Commission decided to allow folks from Pahe'ehe'e Ridge to relocate to the new awards in Waiāhole. Not all relocation has occurred. It was agriculture to agriculture, and there weren't as many agricultural awards as possible in Waiāhole. Other Commission actions have resulted in a reprioritization of the existing relocation list. When the lava was coming down to Maku'u, the Commission's decision stated whoever applied for relocation action, at that time, on the Hawai'i Island had priority over everything. Paula Aila is trying to take all these actions chronologically to make sense of the Commission's actions.

Commissioner Ka'upu stated he guessed that he is advocating for the fairness of the people on the waitlist. He stated if the nature of the offering was fully disclosed. The people in Pahe'ehe'e accepted their lease with the minimal improvements and risk of rockfalls, then said they don't like it anymore and want to go to the front of the list in Waiāhole. He doesn't see the fairness to the people who were on the Waiāhole list waiting. P. Ailā stated the original intention for the relocation was based on health and safety as she understands it. There have been people who deferred their multiple relocation offers.

Chair Ailā stated the process is to come back with a policy that the Commission can approve that the people deferring their relocation be given one more shot at relocation. If they choose not to take it, the Commission will rescind the relocation request. Commissioner Ka'upu stated maybe it should be done on a broader scale, so it doesn't look like it's been done on an ad hoc basis and address relocation in general and create administrative rules or policies if needed.

Commissioner Ka'upu asked where the original intent is recorded. P. Ailā stated it is recorded in the Administrative Rules Section 10-3-23:

- (3) Award of a residence lot lease may be made to a present lessee of a residence lot if the department determines an emergency situation as follows:(A) Due to circumstances beyond the control of and not caused by the lessee, the lessee's health, safety, and welfare are endangered by continued occupancy of the premises, or the further rehabilitation of the lessee is highly improbable without relocation to another residence lot.

Commissioner Ka'upu asked if financial literacy, like the turnkey, is also for the lot selection. P. Ailā stated they are reassessing the Hale Program. The Hale Program could be provided one day, and the offering doesn't happen for another year. During that time, life happens, and people may not be financially ready. They've also been helping with retirement planning, Medicare, and Medicaid for the kupuna.

Commissioner Ka'upu stated it's a little troubling for him what the Awards and Hale personnel do for the beneficiaries in helping them through the process because the success is so people can do things on their own.

ITEMS FOR DECISION MAKING

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-3 Recommendation to Reinstate Brennen Roberts and Odetta Samson to the Relocation List

RECOMMENDED MOTION/ACTION

Acting Contact and Awards Division Administrator Paula Ailā and Hale Manager Michelle Hitzman presented the following:

Motion that the Hawaiian Homes Commission approve the recommendation to reinstate Brennen Roberts and Odetta Samson to the Relocation List due to the expiration of the relocation approval.

MOTION

Moved by Commissioner Ka'apu, seconded by Commissioner Awo, to approve the motion as stated in the submittal.

DISCUSSION

Commissioner Teruya asked what the Kaupe'a home for Mr. Roberts cost. M. Hitzeman stated it was \$322,000.

Commissioner Ka'apu asked if the Samson case had to be an Ag lot for an Ag lot, which is why she selected O'ahu. Given the severe shortage of Ag lots on O'ahu, can she rescind that and go back to another relocation elsewhere or back to Maku'u. Chair Ailā stated that there could be Ag lots in Lualualei if the Board of Water Supply puts in the water.

Chair Ailā recommended adding that the extension is granted for another 5-years. Commissioner Ka'upu asked that the two be taken separately because he would go differently on the two.

Commissioner Teruya felt 5-years was too long for Mr. Roberts. It should be 2-3 years. P. Ailā stated that it would take at least 3-4 years for another offer, so it may take up to 5-years. Commissioner Teruya stands with 3-years. Commissioner Ka'apu preferred 3-years. Commissioners Namu'o, Kaleikini, and Awo support 5-years.

Chair Ailā asked Commissioner Ka'apu to consent to a bifurcation and put it on the table for a 5-year extension.

AMENDED MOTION ACTION

Moved by Commissioner Ka'apu, seconded by Commissioner Awo, to bifurcate the motions in the submittal						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm						X
Commissioner Ka'apu	X		X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves				X		
Commissioner Teruya				X		
Chairman Ailā			X			
TOTAL VOTE COUNT			6	2		1
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passed with - six (6) Yes, and two (2) No votes.						

Commissioner Ka'upu stated Roberts wasn't a health and safety issue required by HAR 10-3-22 & 23, but a mess up by the Department. He doesn't know the basis for approving it.

Commissioner Ka'upu asked if there is a section on the regulatory rules for these situations. DAG Kanaka'ole stated he does not believe there are any other rules addressing relocation besides HAR 10-3-23.

Chair Ailā asked if Roberts had standing against the Department for losing his mother's lot and not having an opportunity to succeed. DAG Kanaka'ole stated he could request a contested case; however, as far as the standing question goes, that would come up after the Commission review and assess whether to grant or deny the contested case. DAG Kanaka'ole stated he does have a lease interest that is at risk. A suit could probably be filed.

Chair Ailā stated he couldn't see not allowing Roberts to reconcile the Department's mistake. The only opportunity is a relocation request to make things right. Commissioner Ka'upu stated he is trying to find the basis for the prior Commission's decision.

Commissioner Awo asked if it were reasonable to afford this person a shelter and home rather than create a health and safety issue for him if he has no other place to go. It was a result of the Department's shortcoming. DAG Kanaka'ole stated he would have to look at the HAR again, but he does not believe that facts fit the relocation criteria.

Commissioner Ka'upu read 10-3-23-A to the Commissioners and stated the health and safety for the emergency type, or you can look at the rehabilitation of the lessee is highly improbably without the relocation residence. He thinks that would fit for what happened to Mr. Roberts. DAG Kanaka'ole agreed with Commissioner Ka'upu because it's not just the health and safety circumstance that the Department is limited to relocations.

MOTION #1/ACTION

Moved by Commissioner Ka'upu, seconded by Commissioner Awo, to approve reinstating Brennen Roberts to the Relocation List for 5-years						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm						X
Commissioner Ka'upu	X		X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Commissioner Teruya				X		
Chairman Ailā			X			
TOTAL VOTE COUNT			7	1		1
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed with- seven (7) Yes votes, and one (1) No vote.						

MOTION #2/ACTION

Moved by Commissioner Ka'apu, seconded by Commissioner Awo, to approve reinstating Odetta Samson to the Relocation List for 5-years						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm						X
Commissioner Ka'apu	X		X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Commissioner Teruya			X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously- eight (8) Yes votes.						

PLANNING OFFICE

ITEM 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)-5-6-001:036 (por.) and 002 (por.)

RECOMMENDED MOTION/ACTION

Acting Planning Manager Andrew Choy and Planner Gigi Cairel presented the following: Motion that the Hawaiian Homes Commission 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)-5-6-001:036 (por.) and 002 (por.)

MOTION

Moved by Commissioner Teruya, seconded by Commissioner Ka'apu, to approve the motion as stated in the submittal.

DISCUSSION

Planner Gigi Cairel relayed Commissioner Helm's comment that he "supports the Maui County Fire Department's request and supports a lower fee per square foot for the easement instead of the proposed DHHL fee of \$1.89. It is a win-win situation for our beneficiaries and all the East Moloka'i residents and community. We must have a Fire Department Station on the East end to protect all our beneficiaries and residents in case of any medical emergencies."

G. Cairel stated Commissioner Helm asked that the Department get back to him regarding the following questions: Are there any State, County, or Federal agencies on Moloka'i that have general leases or ROEs on Hawaiian Home Lands, and are the rates and fees comparable?

A. Choy stated the questions could be answered tomorrow with Item G-2 as it is a more detailed report on the proposed license agreement.

ACTION

Moved by Commissioner Teruya, seconded by Commissioner Ka'apu, to approve the motion as stated.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm						X
Commissioner Ka'apu		X	X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously- eight (8) Yes votes.						

ITEMS FOR INFORMATION/DISCUSSION

WORKSHOPS

LAND DEVELOPMENT DIVISION

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

RECOMMENDED MOTION/ACTION

None. For information only. Acting Land Development Division Administrator Stewart Matsunaga introduced David Bissell of the Kaua'i Island Utility Cooperative.

Note: Slide presentation attached

D. Bissell stated to be eligible for the tax credits for 26% of the cost on the federal side, the project needs to be complete by the end of 2025.

DISCUSSION

Commissioner Kaleikini asked about the timeframe for construction once the PUC approval. D. Bissell stated they still must complete the HRS 343 and hope to have that done by mid-2022, assuming it gets accepted. They are hoping the EA shows no significant impacts.

PLANNING OFFICE

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

RECOMMENDED MOTION/ACTION

None. For information only. Acting Planning Manager Andrew Choy presented the following: Dr. Jonathan Likeke Scheuer presented the update on the Kauai Water Issues.

He covered the update on 5 Water Project Issues:

1. Wailua Well No. 1
 - a. 526 acres
 - b. 141,000 GDP potable demand up to 288 residences
 - c. FEA/FONSI issued
 - d. Well capped, ready for use
2. Wailua River Issues
 - a. KIUC seeks water for their Waiahi Power Plant
 - b. DHHL awarded a .513 mgd reservation on Oct. 16, 2018
 - c. CCH granted
3. Anahola Water System Improvements
 - a. DHHL received notice of \$3 million USDA RD funds in Aug. 2016
4. Molokaʻi Opportunities
 - a. 316 acres undeveloped
 - b. 47 three-acre homestead
 - c. 86 acres general ag
 - d. Currently on an RP
5. Waimea River Settlement Implementation Updates
 - a. HHC authorization to seek reservation
 - b. Secured reservation for 6.9 mgd
 - c. 2017 – 2021 Continued efforts to implement the settlement

ITEM G-2 For Information Only – Status Update on Plan Implementation on the Island of Kauaʻi (deferred)

RECESS

5:35 PM

HAWAIIAN HOMES COMMISSION
Minutes of August 17, 2021, via ICT
DHHL Main Office, Hale Pono‘ī, Kapolei, O‘ahu, Hawai‘i

PRESENT William J. Ailā Jr., Chairman
Randy K. Awo, Maui Commissioner (via ICT)
Zachary Z. Helm, Moloka‘i Commissioner (via ICT)
David B. Ka‘apu, West Hawai‘i Commissioner (via ICT)
Michael L. Kaleikini, East Hawai‘i Commissioner (via ICT)
Russell K. Ka‘upu, O‘ahu Commissioner (via ICT)
Pauline N. Namu‘o, O‘ahu Commissioner (via ICT)
Dennis L. Neves, Kauai Commissioner (via ICT)
Patricia A. Teruya, O‘ahu Commissioner (via ICT)

COUNSEL Craig Iha, Deputy AG (via ICT)

STAFF Tyler I. Gomes, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Andrew Choy, Acting Planning Manager
Kahana Albinio, Acting Land Management Division Administrator
Juan Garcia, Homestead Services Division Administrator
Cedric Duarte, Information & Community Relations Officer
Stewart Matsunaga, Acting Land Development Division Administrator
Paula Ailā, Acting Contact and Awards Division Administrator
Jamilia Pacheco, Information Specialist
Michael Lowe, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Commissioner Ka‘apu called the meeting to order at 9:36 a.m. seven (7) members were present via ICT at roll call.

Pursuant to the Governor’s Proclamation, related to COVID-19 Emergency, Hawai‘i Revised Statutes (“HRS”) Chapter 92 regarding public agency meetings and records are currently suspended through 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.

APPROVAL OF AGENDA

MOTION/ACTION

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

Items E-1 and G-2 were carried over from Monday’s agenda. The Commission intended to convene into executive session for about 60-minutes at noon and Commissioner Ka‘apu will run that portion of the agenda.

Chair Aila stated during the open portion of the meetings that the Commissioners must say who is in the room with them. The Commissioner's cameras must be kept on unless excusing yourself from the meeting. A quorum of Commissioners must be visible during the meeting. When the Commission goes into executive session, no one can be in the room with you or hear your conversation. You will need to confirm this with the Chairman. You won't need to keep your camera on and can turn it off if you want.

Commissioner Ka'upu stated he is in a shared office with his business partner, Trevor Maunakea, who will be present in the office from time to time except during executive sessions when he will ask his partner to step out does have earphones on.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Keani Rawlins Fernandez – Item F-2

K. Rawlins Fernandez is the Maui County Council Vice-Chair and testifying in strong support of Item F-2. Her office searched for a parcel to relocate the Puko'o Fire Station and found a parcel on the East end.

Regarding the rent, she understood that the fair market value was \$1.89 per square foot. She asked why that would be if the easement would be shared and not used exclusively and if there is a different formula for public service and business entities. She researched the DHHL 2020 Annual report and found discrepancies in the land annual rental amounts. She proposes to apply the \$1.42 per sq. ft. to the easement areas that would be more exclusive, which are 9,000 sq. ft., or \$12,780. She requested that the Commission remove the fence.

Commissioner Helm stated he supports the proposals for the Maui County Fire Station.

Commissioner Teruya suggested using the classification of "not for profit" instead of public service.

PT-2 Cora Schnackenberg – Item F-2

C. Schnackenberg asked to clarify a few statements made by K. Rawlins Fernandez in her testimony. She stated there is a discrepancy with the tax map key numbers in the submittal and that Zhantelle Lindo was the only person in communication with Ahonui. The difference in the valuation is that the parcel surrounds beneficiary lands. She does not want professionalism blocking the community's opportunity for benefits. The Commission is there to look out for the best interest of its people, the waitlisters.

PT-3 Lana Gambill Aiona – Kawaihae Land Use Request

L. Gambill Aiona requested assistance with an application for land in Kawaihae for the International Church of the Four-Square Gospel. The request is for a long-term lease.

Chair Aila stated he would ask Land Management to look at some sites. Kahana Albinio will reach out to L. Gambill Aiona.

PT-4 Mahina Poepoe – Item F-2

M. Poepoe testified in support of Item F-2 relating to the easement to the County of Maui, Department of Fire and Public Safety. She proposed one amendment for the Commission's consideration. As recommended, she supports the one-time fee and would be cautious about setting a precedent by diverting that fee to a group. She thinks the \$1.42 per sq. ft. is fair, and it's primarily for driveway widening, and the driveway will be shared with DHHL. For the land being requested for use, it is important to state that it will not take away land that would otherwise be used for housing. She also supports a lower fee structure as described by Councilmember Rawlins Fernandez. She urged the Commission to prioritize the invaluable service to maintaining the first emergency response on the East end of Moloka'i. She recommended removing Letter G – removing the fence.

Note: Testimonies are attached.

ITEMS FOR DECISION MAKING

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-5 Acceptance of the 2021 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant (NHHBG)

RECOMMENDED MOTION/ACTION

Legislative Analyst Lehua Kinilau-Cano presented the following:

Motion that the Hawaiian Homes Commission accept the 2021 Annual Performance Report (APR), Native Hawaiian Housing Block Grant (NHHBG) for transmittal to the US Department of Housing and Urban Development (HUD)

MOTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the motion as stated in the submittal.

DISCUSSION

L. Kinilau-Cano stated the draft was submitted at last month's Commission meeting with a minor addition from HUD for the operating rental subsidy for the Waimanalo Kupuna Housing. The addition was added to the Annual Performance Report. Regarding leveraging NAHASDA funds, she will look at better ways for leveraging NAHASDA funds. They are hoping to launch the Homeowner Assistance Fund on September 1st.

ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the motion as stated in the submittal.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm			X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- nine (9) Yes votes.						

ITEM C-6 Acceptance of the 2021 Abbreviated Annual Performance Report (APR) – Native Hawaiian Housing Block Grant (NHHBG) made available under the American Rescue Plan Act of 2021

RECOMMENDED MOTION/ACTION

Legislative Analyst Lehua Kinilau-Cano presented the following:

Motion that the Hawaiian Homes Commission accept the 2021 Abbreviated APR – NHHBG made available under the American Rescue Plan Act of 2021

MOTION

Moved by Commissioner Helm, seconded by Commissioner Neves, to approve the motion stated in the submittal.

DISCUSSION

L. Kinilau-Cano stated the U.S. Housing and Urban Development (HUD) reminded her of the 2021 Abbreviated APR. As shown in the report, she explained that no funds were expended in the last fiscal year. The American Rescue Plan became law in March, and the guidance from HUD on how to disperse the funds came in April; the earliest it could be brought to the Commission was in May. On the same day the Commission approved it, she sent the Abbreviated Housing Plan to HUD. The grant agreement was received from HUD on June 7th, entered a contract with CNHA (Council for Native Hawaiian Advancement) the same day, and by June 25th CNHA started accepting applications for the program. They submitted an invoice but did not receive funds until July 6th. As of August 6, only \$1 million of the \$5 million was dispersed to CNHA. To date, eighty-nine (89) applications have been approved. She stated that this bucket helps all native Hawaiians, not just beneficiaries.

ACTION

Moved by Commissioner Helm, seconded by Commissioner Neves, to approve the motion stated in the submittal.						
Commissioner	1	2	‘AE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm	X		X			
Commissioner Ka‘apu			X			
Commissioner Kaleikini			X			
Commissioner Ka‘upu			X			
Commissioner Namu‘o			X			
Commissioner Neves		X	X			
Commissioner Teruya			X			
Chairman Ailā			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- nine (9) Yes votes.						

LAND MANAGEMENT DIVISION

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

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following:
Motion that the Hawaiian Homes Commission approve the issuance of a License as Easement to County of Maui, Department of Fire & Public Safety, ‘Ualapu‘e, Island of Moloka‘i, TMKs: (2) 5-6-002:001 (por.) and :036 (por.)

K. Albinio stated that the motion has two parts:

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 (por.) and:036 (por.) for a 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, which are by this reference incorporated herein and further subject to the following: (see submittal)
3. Declare that, after considering the potential effects of the proposed disposition as provided in Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment.

MOTION

Moved by Commissioner Teruya, seconded by Commissioner Helm, to approve the motion as stated in the submittal.

DISCUSSION

Commissioner Teruya asked if there would be a discussion on concerns with the fence and the square footage cost.

K. Albinio stated the Fire Department had not finalized their survey. Once they do, the fee of \$1.42 will be applied. The square footage that they complete will be applied.

Commissioner Teruya asked if the Item would come back to the Commission or move forward. K. Albinio said it would move forward. Chair Aila stated that if Commissioners want to discuss the fence or the \$1.42, now is the time to discuss that.

Commissioner Ka`upu asked what the Department's position on the fencing was. He stated two people have said the Department should wait and do it later. K. Albinio asked Andrew Choy of Acting Planning Manager, to address the question.

A. Choy stated the Planning Department would be starting a Kuleana Settlement Plan for 'Ualapu'e for the land tracts that are surrounding the area. With the planning process, the Department would have a better idea of the ingress and egress to the property will be and the location of the homestead settlement. After the planning process, it would be better to decide if a fence would benefit or harm the Kuleana Settlement Plan.

Commissioner Ka`upu stated that the License states the installation of the fence as a requirement. It really should be installed at the Department's direction.

The last sentence states that fencing and design and installation are subject to DHHL's review and consent from the Chairman of the Hawaiian Home Commission. There was room for review based upon any settlement in the area.

Commissioner Neves asked if there was a one-time fee, not an annual fee? K. Albinio stated a one-time fee correctly for the easement.

Commissioner Teruya asked if it was feasible to ask for a community benefits package for a County Fire Station that provides public safety. A. Choy stated some beneficiaries requested community benefits during the beneficiary consultation, in addition to the services provided by the Fire Station. Whether or not the Department should be seeking community benefits from government services or non-profit entities that lease Hawaiian home lands is a subject for further discussion with the Commission.

Commissioner Teruya stated it is a healthy discussion, but she does not feel good about a request for a community benefits package from our first responders. Taxpayers pay for the County fire station, so it is like requesting community benefits from the County and the taxpayers. A. Choy stated the funding for the community benefits package would come from the County, financed by the taxes the County collects. Commissioner Teruya stated she supports waitlisters, and a fire station is important for the Moloka'i community.

Commissioner Awo stated he supports the Fire Station proposal, and it is prudent for the waitlisters to ask the Department how the easement will be used. There is a benefit to the beneficiaries and others. The Fire Station warrants that the Department consider reducing the amount required from the Fire Department.

Commissioner Neves stated he agrees with the project and the importance of having the fire station without strapping them with community benefits.

Commissioner Kaleikini stated he supports issuing a license for an easement. He thinks the fire station itself is a tremendous community benefit. He asked if Nanakuli and Kapolei fire stations have similar annual fees.

Commissioner Ka'apu asked that the entirety of the easement will be non-exclusive, and the Department will still have access. K. Albinio confirmed.

Commissioner Helm stated he appreciates the support of the Commissioners. When the time to put of the fence comes, will they let the community know? A. Choy repeated what he stated earlier that the Department would have a better idea after the planning process.

Commissioner Awo asked after the determination was made about the fence, is the County going to pay for it. K. Albinio stated the County would pay for it.

Commissioner Neves asked what the width of the easement was. Chair Aila stated the County is asking so that they can bring in their equipment. They haven't determined what the width will be yet, so that's why the one-time charge is awaiting the determination by the County how wide they must make the road for their equipment. The decision on the road and the fence will be better made after the planning process. After looking at the map, it was determined that the easement looks about 50 feet.

Commissioner Ka'upu asked what it was called in past situations regarding licenses for easements. K. Albinio stated he had seen it as a license for easement and a license as an easement.

Chair Aila asked if Commissioner Ka'upu wanted DAG to opine. Commissioner Ka'upu stated he wants to make sure the Department is getting the right approval. DAG Katie Lambert stated she thinks the use of licenses is because the Act specifically talks about licenses. There is a difference legally in how an easement is treated as it is considered real property versus a license for something. To clarify, what the Department would be giving the Fire Station, for now, is just a License for Access to the property, which would be unusual for DHHL because it's not part of their terminology.

Chair Aila asked DAG Lambert if the title had to be changed and what is her suggestion? DAG Lambert stated the Commission would make a motion to amend the submittal to approve a license for access to the County of Maui.

1st FRIENDLY AMENDMENT

Moved by Commissioner Teruya, and seconded by Commissioner Helm, to amend the submittal to be an approval to issue a license for access, to the County of Maui, Department of Fire & Public Safety, 'Ualapu'e, Island of Moloka'i, TMKs: (2) 5-6-002:001 (por.) and :036 (por.)

Commissioner Ka'apu stated if it's going to be amended for access, there needs to be a term. Chair Aila asked if perpetuity is proper, and DAG Lambert stated probably not as you would not want to give Licenses in perpetuity. You just want the License to run for as long as it's necessary. She does not know what that reasonable time maybe. Commissioner Ka'apu suggested 25-years and renewable.

2nd FRIENDLY AMENDMENT

Moved by Commissioner Teruya, seconded by Commissioner Helm, to amend the submittal for the approval to issue a license for access, to the County of Maui, Department of Fire & Public Safety, for 25-years subject to renewal, ‘Ualapu‘e, Island of Moloka‘i, TMKs: (2) 5-6-002:001 (por.) and :036 (por.)

Commissioner Teruya asked DAG Lambert if they must look at the beneficiary consultation submitted to the Commission. DAG Lambert stated she does not believe it is necessary for licenses.

Commissioner Awo questioned the practicality of non-exclusiveness because it implies mixed uses. He thinks it would be more practical to do an exclusive because the primary intent of the easement is to accommodate emergency response vehicles.

Chair Aila stated that once the License is granted, they will have two ingresses and egresses because the County (indiscernible) would be able to pull vehicles in and out. Commissioner Awo was curious to hear from the Fire Department about the practicality of that.

Commissioner Kaleikini asked if the Settlement Plan will come before the Commission once it's done. A. Choy stated all the Department plans come before the Commission.

Commissioner Ka`upu stated it might be workable as a non-exclusive because it is only when they are returning to the firehouse that they use that roadway. He also wondered about adding the term to the License and suggested a term that continues but is revocable when Maui County no longer uses the site as a fire station. DAG Lambert suggested adding limiting language that will terminate if no longer used for the purpose provided for. She stated it could be both, 25-years renewable and then terminate upon no longer being used for the purpose for which it was given or a license for as long as the Fire Station is there until it is no longer being used as a Fire Station. The reasonableness of the term is up to negotiation.

Acting Maui Fire Chief Bradford Ventura stated the road on the East end is just for ingress and not an issue of traffic when responding to emergencies. They would like access for as long as they will be using the Fire Station.

Commissioner Ka`upu stated DHHL needs to be careful not to cover the easement; it's a license, not an easement. Chair Aila addressed the Fire Chief, stating that the terminology will be a license for access if it is used to support the Fire Station. DAG Lambert stated, legally that would be fine, and it protects DHHL's interest.

Commissioner Teruya stated the motion would be as follows; approve to issue a license for access to the County of Maui, Department of Fire and Public Safety, until the property is no longer used for access as a Fire Station.

3rd FRIENDLY AMENDMENT

Moved by Commissioner Teruya, seconded by Commissioner Helm to approve to issue a license for access to the County of Maui, Department of Fire and Public Safety, for until such time that the property is no longer used for access as a Fire Station.

ACTION ON AMENDED MOTION

Moved by Commissioner Teruya, seconded by Commissioner Helm, to issue a license for access to the County of Maui, Department of Fire and Public Safety, for until such time that the property is no longer used for access as a Fire Station.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm		X	X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu					X	
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8		1	
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- eight (8) Yes votes. One (1) Abstained						

Commissioner Ka'upu stated he will vote kanalua on the amendment and the actual vote as his family still has property in the area.

ACTION MOTION AS AMENDED

Moved by Commissioner Teruya, seconded by Commissioner Helm, to issue a license for access to the County of Maui, Department of Fire and Public Safety, for until such time that the property is no longer used for access as a Fire Station.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm		X	X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu					X	
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya	X		X			
Chairman Ailā			X			
TOTAL VOTE COUNT			8		1	
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- eight (8) Yes votes. One (1) Abstained						

RECESS
RECONVENED

11:01 AM
11:11 AM

ITEMS FOR INFORMATION/DISCUSSION

WORKSHOPS

PLANNING OFFICE

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

RECOMMENDED MOTION/ACTION

Acting Planning Manager Andrew Choy presented the following:

None. For information only. A. Choy stated the presentation is an update on the Plan and Implementation on the island of Kaua‘i. DHHL’s Kaua‘i Island Liaison Nancy McPherson presented the PowerPoint and stated the focus would be on the Island Plan and the Regional Plan.

- General Plan – Statewide, 20-year timeframe
- Strategic Program Plans – Statewide, 3-6-year timeframe
- Island Plan – Regional, 20-year timeframe
- Regional Plans – 1-3-year timeframe
- Development Plans – 10-year timeframe

DISCUSSION

Commissioner Neves stated many in Anahola did not show up, and many did not have access to the virtual meeting. He does not advocate seeing the lands used as farmlands and thinks the lands can be reduced to get more people off the waitlist. He stated it would be interesting to see how many people want to do off-grid kuleana lands.

Note: Slide presentation is attached

LAND DEVELOPMENT DIVISION

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

RECOMMENDED MOTION/ACTION

Acting Land Development Division Administrator Stewart Matsunaga presented the following: None. For information only. S. Matsunaga presented a PowerPoint on the Projects on Kaua‘i.

The Anahola Farm Lots Water System Improvements services:

- 46 Farm Lots
- 31 Bayview Residential Lots

Funds Awarded by USDA RD for 2016 and 2018 totaled \$12,955,806.

Note: Slide presentation is attached

OFFICE OF THE CHAIRMAN

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

RECOMMENDED MOTION/ACTION

Legislative Analyst Lehua Kinilau-Cano presented the following:

None. For information only on the summary of responses to the Proposed Legislative Action Request for 2022 & Draft Legislative Proposals.

L. Kinilau-Cano stated there were 16 proposals received and went through some of the requests:

- The use of DNA and the possibility of indigenous ancestry for acceptance of Hawaiian Home Lands benefits. Admin rules allow for DNA for family ties.
- Funding to bring potable water to Kailapa
- Funding to help with asbestos removal
- Relocate Ka Waihona to DHHL land mauka of Farrington Hwy., Kalaeloa, or Kapolei
- Request from a lessee about a spouse on the mortgage that is not the beneficiary successor, responsible for the mortgage while the successor is allowed to live in the house for free. HSD did not feel any changes to the HAR, or the ACT should be done regarding the issue.
- Request to add a DHHL representative to CWRM and to the County Water Board

DISCUSSION

Commissioner Awo stated he would take a deeper dive into the proposal for gaming. Regarding the consideration now of statutory versus amending the Act, what is required to amend the Act? L. Kinilau-Cano stated amending the HHC Act or statutory, both require the Legislature. If it is just the statute, it can become law if the Legislature passes it. When it is an amendment to the HHC Act, it is subject to interpretation and requires review by the DOI, which takes longer.

Commissioner Namu`o stated she focused on enforcement and compliance and water rights and stated the Department should focus on the policy issues and be aggressive.

Commissioner Neves asked if the request for independent counsel is different from Act 14. L. Kinilau-Cano stated it would allow DHHL to have independent counsel. Currently, the Department has the Department of the Attorney General. The Attorney General opposes this Legislation every year.

Commissioner Kaleikini asked about HB499 and the effect it has on the Department. L. Kinilau-Cano stated that it still needs to be reviewed, but it was an amendment to Chapter 171, which did not amend the Hawaiian Homes Commission Act, so the DOI has no review. Any extension of leases requires Commission approval. There is a provision in the Hawaiian Homes Commission Act that allows for a 20-year extension still under review by the DOI.

Chair Aila stated DOI has not opined, and the Department is waiting for an analysis from the Attorney General's office. Suppose DHHL extends a lease, and the DOI decides that requires the consent of Congress. In that case, any lease extensions approved by this Commission could have some consequences for the entity requesting the implementation of the lease extension.

L. Kinilau-Cano stated the Commission would be asked to approve the Legislative proposals on the September agenda. She believes the Sufficient Sums Budget will be up for consideration at the same time. Once she gets the Commission's approval of the proposals, she submits them to the Governor's office and the Attorney General's office for review. Commissioner Teruya asked that L. Kinilau-Cano reach out to the neighborhood boards located in the Hawaiian homesteads.

Commissioner Teruya asked about asbestos, specifically at St. Rita's Church, if the Church is responsible for removing the asbestos. L. Kinilau-Cano stated it is the licensee's responsibility. She assumed that Ka Waihona had the same disposition. The concern is what kind of resources they may have as a Charter School.

Commissioner Teruya stated she would be supporting proposals 1-8, but not 9, and she will be reaching out to the neighborhood boards to support the Department and its initiatives.

Note: Submittal is attached

Chair Aila asked for a motion to go into the executive session. He will be recusing himself, and Vice-Chair Commissioner Ka'apu will be conducting the meeting.

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Helm to convene in an executive session pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issue pertaining to the Commission's powers, duties, privileges, immunities, and liabilities. Motion carried unanimously.

RECESS	12:30 PM
RECONVENED	12:35 PM

EXECUTIVE SESSION IN	12:40 PM
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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 these matters.

1. Discussion on Kalima, et al. v. State of Hawai'i, Civil No. 99-44771-12

EXECUTIVE SESSION OUT	2:20 PM
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ITEMS FOR DECISION MAKING

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-8 Approval of Rescission of Homestead Lease Award and Reinstatement of Application – La‘i ‘Ōpua Villages 4 & 5, Undivided Interest

RECOMMENDED MOTION/ACTION

Acting Contact and Awards Division Administrator Paula Aila presented the following:

Motion that the Hawaiian Homes Commission approve:

1. The Rescission of two Undivided Interest Residential Leases in the La‘i ‘Ōpua Villages 4 & 5, which commenced on December 3, 2005, and
2. To Reinstatement those two previous Undivided Interest Lessees back on to the residential lease applications waitlist according to their original date of application.

P. Aila stated these have to do with the La‘i ‘Ōpua rent to option to purchase, which there were 60-lots. After year-long discussions, they came up with an opt-in opportunity for the undivided interest lessees to be a part of the La‘i ‘Ōpua rent with the option to purchase. It is a rental agreement and not a lease. The Lease offers an opportunity for the lessee or the Department to rescind a lease. The value would be the ability to transfer the lease to a 25 percenter. The undivided interest lease is specific to an area and cannot be picked up and moved to another area.

Chair Aila stated the rent with the option to purchase is not the usual typical offer. If the UI's chose this option and to be fair to everyone, they understood they would be giving up their UI and go on the waitlist. The only loss to them is having a 25 percenter succeed them under the UI conditions. If the UIs did not choose this option, they would remain as UI's. The next build-up for UIs will probably happen in 2-years.

MOTION

Moved by Commissioner Teruya, seconded by Commissioner Helm, to approve the motion as stated in the submittal.

DISCUSSION

Commissioner Ka'apu had a procedural problem because if it affects the UI lessees' interest, it should have come to the Commission before the decision was made on the rental. He also doesn't see that they are renting at La‘i ‘Ōpua as mutually exclusive from their UI. It is within the Commission's purview for what to do with the UIs.

Commissioner Neves stated he sees it as more than two bites of the apple. If a beneficiary has a UI and selects a rent with the option to purchase, he now has two pieces of the apple. It's more than what a regular lessee can say. He stated there needs to be more discussion as to how this needs to move forward.

Chair Aila stated that while one is in the rental period, he is not a lessee.

Commissioner Awo asked what the intended purpose of creating this model was. Chair Aila stated the rent to purchase came up as a possibility. The Department had to figure out how to deal with the assignment of applicants to the product. The mechanism to allow undivided interest

beneficiaries to participate. They have a lease, but only when the Department can produce lots; otherwise, they are not eligible for anything in La‘i ‘Ōpua.

Commissioner Awo stated that it is a good deal regarding undivided interest in Maui, but only two people qualify. He isn't sure how this model would be received by beneficiaries on the UI pool. Chair Aila stated it was a Commission decision to allow the Waiohuli UI lessees to choose from any other area on Maui via a relocation effort. The Waiohuli UI beneficiaries have first choice before the regular applicants.

Chair Aila stated the Department decided what would happen to the UI lease interest by taking advantage of the right to own. He doesn't think the Department can affect, on its own, the UI lease without Commission action. He thinks it is a discussion the Commission should have.

MOTION/ACTION

Moved by Commissioner Ka‘apu, seconded by Commissioner Neves to convene in an executive session pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issue pertaining to the Commission's powers, duties, privileges, immunities, and liabilities. Motion carried unanimously.

EXECUTIVE SESSION IN

2:45 PM

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 these matters.

3. Discussion on Kalima, et al. v. State of Hawai'i, Civil No. 99-44771-12

EXECUTIVE SESSION OUT

3:56 PM

Commissioner Teruya withdrew the original motion for the record because administration rules were not followed.

DAG Kanaka'ole stated for Item C-8, the suggested staff motion and action is:

1. To remove the named lessees as participants in the La‘i ‘Ōpua rent with option to purchase program
2. To approve the rescission of two undivided interest residential leases, La‘i ‘Ōpua Villages 4 & 5 holders, which commenced on December 3, 2005, and
3. To reinstate two residential lease applications to the appropriate residential lease waiting list according to the original date of application for the purpose of participating in the La‘i ‘Ōpua rent to option purchase program

MOTION/ACTION

Moved by Commissioner Kaupu, seconded by Commissioner Kaleikini, to withdraw the original motion as stated by DAG Kanaka'ole.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm				X		
Commissioner Ka'apu			X			
Commissioner Kaleikini		X	X			
Commissioner Ka'upu	X		X			
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya					X	
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED Motion passed unanimously- eight (8) Yes votes. One (1) Abstained.						

ITEMS FOR INFORMATION/DISCUSSION

WORKSHOPS

LAND MANAGEMENT DIVISION

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

RECOMMENDED MOTION/ACTION

None. For information only.

Acting Land Management Division Administrator Kahana Albinio introduced Kali Watson, President and CEO of the Hawaiian Community Development Board.

Note: Slide Presentation attached.

DISCUSSION

Commissioner Teruya stated she supports the vision of the presentation. She spoke of the Waianae community's April 2011 proposal of an industrial business center in Lualualei for business residents to have an opportunity of owning their own business and to have an industrial site. She thanked Chris of CNHA for bringing up the point of helping to support native Hawaiians to have businesses. She asked for copies of the presentation.

Commissioner Teruya asked what the zoning is. K. Albinio stated that the site is zoned industrial. Commissioner Teruya asked if the zoning could include bars and nightclubs. K. Watson stated they weren't thinking of putting a bar or a nightclub at that site.

Commissioner Teruya asked if the water system there was drinkable or non-drinkable and whether an environmental impact statement (EIS) was required. K. Watson stated that there should be drinking water available and reclaimed water nearby. A team member stated an EIS was not required, but they were considering an environmental assessment.

Chair Aila stated the presentation is in Dropbox, and all the Commissioners have access to it.

Commissioner Ka`upu asked about the PV Solar Farm proposal, if they had a lease right now, and if he's changing the use. K. Watson stated it was not feasible.

Commissioner Kaleikini asked if there had been interest in this property by anyone else. K. Albinio stated yes for industrial development. Commissioner Kaleikini asked what the timeframe looked like, assuming it was approved.

Paul stated once an award is made, the permitting process can begin. The design has already been started, and he imagined it to be completed in 3-4 months or five months, depending on the renewable energy application. Paul stated construction could start in 9 months to a year, and if all goes well, it could be completed by the second quarter of 2023.

Commissioner Kaleikini asked if the community benefits were focused on a specific area. K. Watson stated they would like to replicate this model on the other islands.

Commissioner Teruya asked what does Ikehu mean and why did they pick that name? Patty stated they're bouncing around with different names, and Ikehu means energy.

Chair Aila asked K. Watson if the disposition he is seeking is a direct negotiation? K. Watson stated it is through a negotiation process.

ANNOUNCEMENTS AND ADJOURNMENT

A. Kaua'i Island Community Meeting

NEXT MEETING

The next meeting will be held on September 20 & 21, 2021, (ICT) Zoom

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Neves, to adjourn the meeting.
Motion carried unanimously.

ADJOURNMENT

4:57 PM

Respectfully submitted:

William J. Ailā Jr., Chairman
Hawaiian Homes Commission

Prepared by:

Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Chair Aila stated the presentation is in Dropbox, and all the Commissioners have access to it.

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ANNOUNCEMENTS AND ADJOURNMENT

A. Kaua'i Island Community Meeting

NEXT MEETING

The next meeting will be held on September 20 & 21, 2021, (ICT) Zoom

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Neves, to adjourn the meeting.
Motion carried unanimously.

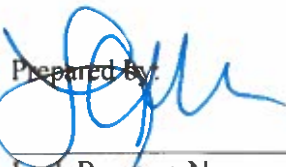
ADJOURNMENT

4:57 PM

Respectfully submitted:



William J. Ailā Jr., Chairman
Hawaiian Homes Commission



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments:

- 1) Public Testimony on Agendized Items – Index followed by testimonies
- 2) Slide Presentation – Item C-4
- 3) Slide Presentation – Item E-1 and KIUC WHEP Briefing
- 4) Slide Presentation – Item F-2
- 5) Slide Presentation – Ikehu Kalaeloa Renewable Energy Park
- 6) Slide Presentation – Item G-1
- 7) Slide Presentation – Item G-2
- 8) Slide Presentation – Item G-3

Public Testimony on Agendized Items

	Name	Item
1	Rae Nam	E-1
2	Kuuleialoha Punua	E-1
3	Cora Schnackenberg	G-1 & F-2
4	John Yossi	E-1
5	Keani Rawlins-Fernandez	G-1
6	Heather Lebrun	G-2
7	Kaala Clarke	G-2
8	Welina Wong	G-2
9	Kekoa Enomoto	C-7, F-1, F-2, G-1
10	Lauren Pelascini	G-2
11	Sybil Lopez	F-2
12	Dawn Mahi	G-2
13	Megan Fox	G-2
14	Karolyn Freuler	G-2
15	Meleana Keawe	G-2
16	Jeremie Makepa	G-2
17	Chris Molina	G-2
18	Blossom Feiteira	G-2
19	Erna Kamibayashi	G-2
20	Henry Lindo	F-2
21	Sean Chun	G-2

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Wednesday, August 11, 2021 6:55 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Rae Nam

Email

rae.nam@kkoa.org

Please Identify Agenda Item(s):

Lease for Ulupono Anahola Project - TMK (4) 4-8-003:019 (por.)

Message

I am representing a non-profit organization, Kūkulu Kumuhana O Anahola, who has been serving the Anahola community since 2008. We have been working with Kaipo Duncan and Nancy McPherson for almost 2 years now and would like to give testimony so we can get a lease on our property. We have been informing both Kaipo and Nancy of our progress and have both community support and financial support to move our project, Ulupono Anahola~An Agricultural Community Garden and Youth Center on 10-acres of land, forward. Please advise if this is the proper avenue for us to share to get a decision on a lease for our property.

August 16, 2021

Re: Testimony for: Agenda Item G-2 Anahola Land Use - Ulupono Anahola Project

To the Hawaiian Homes Commissioners,

My name is Rachelle Nam and I am the Executive Director for Kūkulu Kumuhana O Anahola (KKOA), a non-profit organization that has been serving the Anahola community on the island of Kaua'i since 2008. I am native Hawaiian, born and raised on Kaua'i, a 1974 graduate of Kamehameha Schools and a beneficiary of Hawaiian Homes. I was on the board of KKOA since 2013 as their secretary then Vice President. I recently accepted the role as KKOA's Executive Director on November 1, 2020 for the purpose of helping to launch the Ulupono Anahola project located across the street from the Pi'ilani Mai Ke Kai Subdivision and the programs/activities that will be held there.

My purpose was initially to request for a 30-year lease for the Ulupono Anahola site so we can begin the important work of providing a safe place for the Anahola community to receive education, build skills and perpetuate their culture through various programs/activities. This site is also intended to provide a food system that would help the community become a more healthy and sustainable community by bringing back its native plants. We recently found out that would not take place today. Nevertheless, we believe updating you on the work that KKOA is doing in the Anahola community is vital to your decision of providing a lease instead of an ROE, hopefully at your next Commissioners meeting being held in September (or if you decide upon it sooner).

Just to refresh your memory, both Ku'uleialoha Punua (KKOA Co-founder and President) and I attended a Commissioners Meeting on September 17, 2019 where we were granted a Right of Entry (ROE) to a 10-acre parcel now called the Ulupono Anahola project. We received a Limited ROE that covered us for 1 month, then one year later on November 1, 2020, we received the ROE for the Ulupono Anahola site. We worked diligently within that year to continue our due diligence. Our conceptual plans were revised to show more detail (see attachment).

In the meantime, we also received an ROE to a smaller site since Kalalea Anehola Hui was releasing their responsibility of the Anahola Farmers Market (referred to as "the mauka site"). No one knew that 4 months after receiving our ROE to the Ulupono Anahola site (now referred to as the makai site) that COVID-19 would begin to change the framework of our communities. This shift began to spotlight an important and urgent reality that a kalo farmer shared with me ~ "Not everyone is a farmer, but everyone is part of a farming community." KKOA began a "pilot" program of what we wanted to see at the Ulupono Anahola site. The "Resilient Leaders and Food Security" program began. It started as a 4-week program, inviting anyone who wanted to learn about growing our native foods, medicinal plants, windbreakers and diversified foods in a garden for the Ulupono Anahola site. Over 1,000 kalo plants were planted. This is only one initiative that we started.

Updates have been sent to Kaipo Duncan and Nancy McPherson from Sept 2019 to current. I would like to share some of those updates with you to help you see things from this community's perspective and from ours. Also, we have collaborated with many organizations as we continue to support the people in Anahola. We have also raised funds to provide for the plans of the Ulupono Anahola site which may be in jeopardy since we thought we'd be able to begin the work a year ago.

Our primary concern right now is to have the following accomplished within this upcoming year specifically because most of our funding relates to our afterschool program with middle & high school students and working with the community to be a part of the growth of the Ulupono Anahola project:

- 1 - Complete the soil/toxicity testing (Funds are secured)
- 2 - Complete an EA
- 3 - Install a complete water system which includes the 1" water meter and the well system (Funds are secured)
- 4 - Purchase (4) 40ft containers and outfit them for: 1) Storage for our tractor and tools 2) Refrigerated storage area for produce 3) Processing station to clean produce 4) Office & storage area for Farm and Program Manager (Matson has confirmed they will donate one, but we have to wait till one is available and Containers Hawaii has confirmed they will hold (4) 40ft High top containers for us @ \$5K ea + delivery charges. (Funds are pending)
- 5 - Hiring 4 Interns (Funds are secured)
- 6 - Secure portable toilets (Funds are secured for 1 year)
- 7 - Possibly have compost toilets built and the Hale Halawai built

It is our hope that when we meet again at next month's meeting, you will not forget the resilience of this community, the need for a lease to begin the work that was intended for the Ulupono Anahola site and the commitment KKOAA has to the people in the Anahola community. Attached please find: 1) KKOAA Updates, 2) Videos, and 3) Flyers. Mahalo for your time and consideration. Please feel free to contact me at any time if you have questions. You can reach me at (808)224-4245 or via email at:

rae.nam@kkoa.org

Mahalo,



KŪKULU KUMUHANA O ANAHOLA
AUGUST 2019 - AUGUST 2021 UPDATES

GREEN - FUNDING

PURPLE - ACTIVITIES

BLUE - UA DUE DILIGENCE

- Aug 2019 **Raised \$13K+ through HTL Charity Walk Fundraiser - good for 1yr (Programs & some operating expenses - received extension due to COVID19)**
- Sept 2019 **Awarded \$5K from Hawaii People's Fund (AG Conference / Youth Council-Suicide Prevention Training- GRANT COMPLETED)**
- Received verbal approval for ROE for Ulupono Anahola (UA) property at HHC meeting
Asked to move out from Anahola Clubhouse due to City & County renovating Kapaa Neighborhood Center. Friend agrees to store KKO items (no charge)
- Oct 2019 2 Board of Directors invited to AG Conference on Oahu by DHHL. 1 Advisory board member + 3 youth attend conference.
- Nov 2019 **Awarded \$10K from Hawaii Community Foundation-Flex Grant (Operational costs-GRANT COMPLETED)**
- Awarded \$300 from Kaua'i Families First (Scholarship for program-GRANT COMPLETED)**
- UA Blessing held at UA site and pa'ina after
Sent 3 Anahola residents to 2-Day workshop to make pohaku ku'i'ai for their 'ohana
(Partnered with Malama Kaua'i. All 3 completed workshop successfully)
- Feb 2020 Contracted Youth Coordinator (Note: In 2021, role changes to Assistant to Operations)
Coordinated Training for Suicide Prevention for Youth / Included Coconut Weaving & Lauhala Weaving by Cultural Practitioners held at UA site - (Partnered with KekuaAloha Foundation and SafeTALK trainer, Patricia Wistinghausen)
The following results and outcomes of the evaluations revealed that this activity was very successful: Attendance:12 youth (15-17yrs old)/The evaluations revealed several key things which met our goals: to provide a safe space and place to educate our youth that suicide is preventable, to build their life skills in this area so they will make wise choices in their future, to establish a healthy mindset so they can thrive and to raise up young leaders in the community to lead the way. All the evaluations concluded:
- 1) That the information provided them was useful because either they have struggled in that area or know friends and family that do,**
2) It gave them very practical steps that they felt they could use to help themselves and others,
3) They were encouraged to see someone like Kaylynn being courageous to share and help others. It encouraged them to do the same and not be afraid,

4) Having the cultural activities was fun and helped them to not feel so tense about the subject matter. We also saw the leadership within the team worked really well with each person bringing their skill set to the table. Giving the youth the opportunity to take the lead in this event definitely proved to be a great avenue to mentor them and for them to see success in it as well.

Mar 2020
COVID Hits

Prepared & delivered 1st 50 Kūpuna Care Packages

(Mar-Aug) Coordinated volunteer team (18 volunteers) to deliver CSA boxes to kūpuna. The unexpected arrival of COVID19 changed our plans in an instant. While various organizations (Malama Kauai, Kauai Elderly Affairs, Na Maka Onaona, Nourish Kauai, Show Aloha Challenge and Aina Ho'okupu) were being funded to provide food to our most vulnerable people, our kupuna (elders), KKOAA became the vital vehicle to mobilize volunteers to deliver this food. We had no idea of the magnitude of coordinating and planning routes with volunteers, but the Anahola community came through. This community showed their resilience when even those who lost their jobs still responded to the call.

The results of these activities:

1) We initially started off with our board members (2) delivering about 40 CSA boxes to kupuna 2x/week through Malama Kauai & Kauai Elderly Affairs. It increased within a month to a team of about 21 community members delivering 250 CSA/USDA boxes every week for approximately 8 months totalling approximately 8,000 CSA boxes.

2) It gave our Youth Council another opportunity to coordinate a distribution site for those in need to receive food 3 days/week providing 300 meals/day for 3 weeks. They served over 8,100 hot meals to Anahola residents during that period of time;

3) Simultaneously, the other volunteer teams KKOAA coordinated from the community picked up meals from the airport, delivered them to the drop off site where others distributed approximately 300 meals to kupuna 4 days/week for 3 weeks = 3,600 hot meals..

4) KKOAA's team of volunteers were called upon by several organizations providing meal kits, hot meals and more CSA boxes. Our teams were beginning to help KKOAA build capacity in our community and the island. We assisted Nourish Kauai who partnered with Child Family Services to reach 300 families in the Kekaha area and the Lihue area. Some of our volunteers were there at 5am-7am in the morning packing the meal kits before they were taken to their locations for distribution.

5) Show Aloha Challenge & the Hawaii Dental Service from Oahu was also referred to KKOAA. Their goal was to provide hot meals to kupuna while supporting smaller restaurants here on Kauai. Our teams delivered 60 meals for 5 days/week for 6 weeks that ran into September, reaching 300 households & houseless, serving 1,800 meals during this period of time. *COVID19 may have had negative effects in communities, but the Anahola community faced it head on. This is RESILIENCE! They were determined to be hands on and be there face to face even if they had to wear gloves and a mask. All of these activities allowed us to support literally thousands of people in need of food. It also helped us to build capacity by partnering with so many different organizations.*

Apr 2020

Awarded \$1K from Hawaii People's Fund - Urgent Action Grant (GRANT COMPLETED)

Purchased supplies for deliveries of hot meals from Malama Meals

Purchased supplies & preparation for Resilient Leaders & Food Security Series

May 2020

Awarded \$10K from Hawaii Community Foundation-Hawaii Resilience Fund (GRANT COMPLETED)

Prepared & delivered 50 care packages for kūpuna in Anahola

Resilient Leaders & Food Security Series begins at mauka site - approx 50 people attends 4-week series / Potted 1000 kalo plants, medicinal plants, fruit trees, and herbs in preparation for UA site

Jun 2020

Rented excavator to clear portions of Ulupono Anahola site. - **\$1400+**

(Note - after 2nd day, received a call from DHHL to stop clearing land. Reason: Unable to clear land until we receive ROE for property. We were able to continue for the length of time we rented the excavator - over the weekend)

Jul 2020

Awarded \$5,250 from Hawaii People's Fund (Operational, Mauka site programs, Contract Services-GRANT COMPLETED)

Contracted Farm Manager

Installed Irrigation for dryland kalo at mauka site (50' x 90' mala)

Put up posts & fencing for garden area at mauka site (30' x 40')

Contracted Jamie's Yard Services (Anahola resident) to prepare land to plant kalo and garden area.

Soil testing completed by Emilie Kirk, CTAHR / Brookside Laboratory Inc.

Recommendation: Take 2nd soil testing after land cleared for toxins - **Planned to do 2nd testing with students and CTAHR Master Gardeners - unable due to COVID. Scheduled for 2021 once we can clear land.**

Aug 2020

Awarded \$20K from Hawaii Community Foundation - OHA Kaua'i Strong Grant (Operational Costs / Fencing Supplies for UA site / Irrigation Supplies for mauka site / Abandoned car removal - GRANT COMPLETED)

Awarded \$7K from Honor The Earth Foundation (To begin Resilient Leaders & Food Security Program at UA site - GRANT ENDED 7/31/21... awaiting word if they will extend funds or if we need to return funds since we are not at UA site yet. Proposed using funds for program at mauka site instead)

Drive-In A'O Movie Night - held at UA site / 25 cars - approx 100 in attendance + 200 individually packed dinners, popcorn w/toppings and water distributed at site and in the community

(Partnered with Kamehameha Schools, Hawaii Pacific Health, Lili'uokalani Trust - provided books & resources)

Aug 2020

Initial conversation with Department of Water regarding application for water meter. (Note: DOW doesn't show our TMK. KKOAA sends maps. DOW doesn't show meter boxes - KKOAA sends photos of 3 meter boxes.)

Sept 2020 **AWARDED \$25K from Atherton Family Foundation (Operational Costs for UA project / \$14K specific to water meter - GRANT ENDS 9/7/21... all unused monies need to be returned at the end of the grant period - Waiting for lease so we can begin process to install water meter.**

Hired and completed survey of UA property by Esaki's Surveying & Mapping Inc
\$3K+ /In-kind \$8K (Note - boundary pegs were pulled out 3x. Esaki's team came out 3x at NO CHARGE to reset boundaries)

Oct 2020 **KAEC Event - sharing KKOA with visitors at event**
 Department of Water - Water Meter Request is approved conditionally. **Conditional requirements MUST BE MET BY OCTOBER 8, 2021 or we have to reapply.**
 - Need letter from DHHL approving the connection.
 - Need lease to begin trenching and putting in a water meter.
 - Civil Engineer drawings still need to be completed.(Note: City & County water was only to be used for potable water. Well system is planned for AG areas.)

Nov 2020 **AWARDED \$5K from Chan Zuckerberg Kauai Community Foundation (Revise conceptual drawing / supplies to install water meter / trench water lines - GRANT ENDS NOV 21 - \$3K remaining to assist with water system.**

INDIVIDUAL DONATION \$52K - \$50K to purchase Kubota Tractor / \$2K to pay for electricity @ mauka site
 Initial call regarding well system - Oasis Well System (note: no response until Mar 2021)
 Hired Executive Director

Dec 2020 **PURCHASED KUBOTA TRACTOR W/4 ATTACHMENTS - \$50K**

*Festival of Hope (Partnered with Child Family Services, Ka Hale Pono, Waipa Foundation and Wai'oli Valley Taro - Provided kalo plants to 250 households in Anahola)
 Lights on Anahola Streets (see flyer - partnered with KekuaAloha Foundation)*

Jan 2021 Completed revised conceptual drawings at the request of Nancy McPherson/DHHL
 Hired Program Director

Feb 2021 Removed all abandoned vehicles and scrap pieces from property.
(Worked with Ryan from All Kine Towing. He provided so much in-kind services for labor & time)

Completed fencing 10-acres of UA site. Coordinated volunteers - needed 5 volunteers and 13 showed up from youth to kūpuna - 4 part of KKOA team & the rest from Anahola community. **Note: 7/29/21-KKOA was notified that someone cut 2 places in our fence line.**
(Partnered with Jeff Rivera and Sean Asquith from Vandersloot Foundation. They picked all supplies we ordered, provided leadership, heavy equipment, and labor at NO

CHARGE. It took 2 days to complete because part of the equipment broke. Also received discounted cost for supplies from Aloha Roofing Supply)

- Mar 2021 Hired Lawn Maintenance - Anahola resident (**Note: Left in June due to finding a full-time job**)
Oasis Water Systems responds to request for proposal
Conceptual drawings of buildings completed (see attachment)
Water Meter Sizing Worksheet completed by NRM Architects and sent to Oasis Water Systems and Wayne Harada
- Apr 2021 **AWARDED \$75K from OHA Homestead Grant (Water System and Resilient Leaders & Food Security Program-6/1/21-5/31/22)**
- May 2021 **INDIVIDUAL DONATION: \$605 for signage**

AWARDED \$15K from KAMEHAMEHA SCHOOLS (Summer Activities & Resilient Leaders & Food Security Program-5/1/21-6/30/22)

A'O Drive In Movie Night - featured award winning short film "Hawaiian Soul" produced by Anahola resident, Kaliko Ma'i'i and "Moana" in Hawai'i olelo / Live Hawaiian music by Kaliko Ma'i'i and friends / Guest speaker: Kolea Fukumitsu - played George Helm in "Hawaiian Soul". Approx 25 cars / 120 people attended-does not reflect 'ohana watching from their homes in Pi'ilani Mai Ke Kai subdivision / (Partnered with Kamehameha Schools, Lili'uokalani Trust and prizes for drawings donated by Pono Market, Born Hawaii, Sole Mates*, Wailua Shave Ice, Individual donors) *Anahola resident owned stores*

Signage completed and put up at UA site
- Jun 2021 **INDIVIDUAL DONATION \$20K - Match donation to install Well System**

AWARDED \$10K from OHA AHAHUI GRANT - 'Āina to 'Ōpū Event scheduled in October 2021 (Educational and hands-on 2-day event with cultural practitioners specific to kalo)

AWARDED \$100K from OHA KULIA GRANT - (Salaries/Wages, Supplies, Equipment for UA Program-RLFS-10/1/21-9/30/22)

Provided Food Safety Training for 6 volunteer drivers - Received Certificate of Completion

*'Ohana Fishing Days - 8 families attended / Prizes given to all participants / 1st, 2nd, and 3rd place prizes given (fishing pole, cooler, Wailua Shave Ice gift certificate, backpack with goodies and bait container)
(Partnered with Kamehameha Schools and Families First)*

A'O Drive In Movie Night - featured "Finding 'Ohana". 10 cars / 40 people attended - does not include families watching from Pi'ilani Mai Ke subdivision

KKOA partners with Malama Kaua'i to provide Kaukau4Keiki Food boxes to families with children during the summer.

Oasis Water Systems visits the UA site and completes the proposal. (see attachment)

Hired lawn maintenance help - Anahola resident

Jul 2021

AWARDED \$30K from CONSUELO FOUNDATION (Operational Costs / Programs - Grant ends 12/30/21)

3-Day Workshop with 5 families (makua & keiki) - approximately 20 in attendance

- Day 1 (Huki, clean and cook kalo from mauka site; make kulolo and poi)
- Day 2 Make papa ku'i'ai
- Day 3 Learn about pohaku ku'i'ai and ku'i the kalo they harvested and cooked

Working with Kanuikapono Charter School to begin curriculum with middle school students 1x/week specifically focused on kalo.

Finalizing curriculum for Resilient Leaders & Food Security program.

Aug 2021

AWARDED \$50K from Direct Relief Fund (Operational Costs-Grant ends 9/30/22)

AWARDED \$3K from Whole Kids Foundation (Salary + Supplies for Resilient Leaders & Food Security program - 8/12/21-8/12/22)

Volunteers still providing meal kits through Nourish Kauai to 71 kūpuna/households once a week

A'O Drive In Movie Night - featured 3 short films: 1) Wahi Pana: Anahola, 2) The Kuleana Project: Nani Kaua'i; 3) Music Video by Nathan Kalama: I love Kaua'i / Live Music by Ipo Kauhanaele, Kihei Nahale, 3 Teens from the Kuleana Project / Families that attended 3-Day workshop presented their papa ku'i'ai and encouraged community they should have one in their homes. / Also honored volunteers

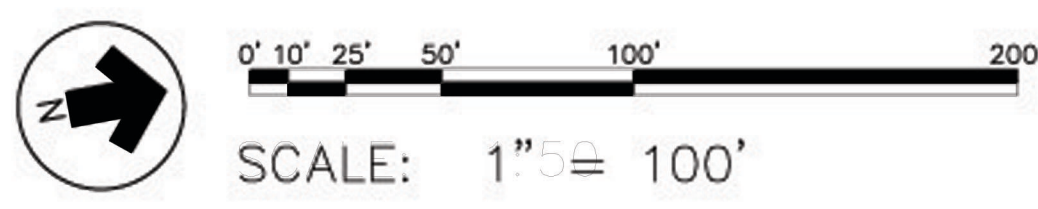
Drawings for irrigation plan in progress - Beau Henton, Kauai Irrigation

Water Master Plan in progress - Wayne Harada, Esaki's Surveying and Mapping Inc.

Oasis Water Systems sent updated proposal for a well - **\$38,379.04**

Working with Kaipo Duncan and Nancy McPherson to complete final portion of due diligence & preparing for September Hawaiian Homes Commissioners meeting.

Review PMKK EA to see what is applicable to UA site; prepare for EA to be completed.



ULUPONO FARM PLAN
HAWAIIAN HOME LANDS
ANAHOLA, KAUAI, HAWAII
TMK: 4-8-3: 19
Kukulu Kumuhana O Anahola
February 23rd, 2021
24"x36" Sheet



Kukulu Kumuhana O Anahola invites you to our "Resilient Leaders & Food Security Series"

Resilient leaders set an example of learning and teaching others how to embrace adversities and become overcomers.

Keoki Fukumitsu, Farm Manager for the **ULUPONO ANAHOLA** project, will give you hands-on experience on providing food security for your 'ohana and the Anahola community.

The ULUPONO ANAHOLA project is an upcoming Agricultural Community and Youth Center located on the makai side of Pilipoli Road in Anahola.

PLANTING SCHEDULE

Week #1 - Thursday, May 28

Rescue of 400+ Kalo Plants

Week #2 - Thursday, June 4

Food Resilience ~ Fruit Trees and Vegetables

Week #3 - Thursday, June 11

Windbreaks & Ground Coverings

Week #4 - Thursday, June 18

Healing Resilience ~ Herbs & Medicinal Plants

**KALALEA ANAHOLA
FARMERS MARKET
4501 HOKULELE RD
3:30P - 6P**

Please bring a water bottle, garden gloves, mask and covered shoes if you have.

SPACE IS LIMITED due to CDC guidelines. Please RSVP to Rae Nam @ (808) 224-4245

Mahalo to the Hawaii Resilience Fund of the Hawaii Community Foundation (HCF) for providing this opportunity to our 'ohana and community.

We're in this together...



Helping you get started...Watching you grow...Providing healthy choices ...



Planting deep roots
with opi'o and kupuna
working side by side.

Mahalo ke Akua!



It brings us great joy to share this "makana" with lots of Aloha. We hope this kalo (taro) from 3 ahupuaa (Halale'a: Moku of Waipa and Wai'oli / Ko'olau: Moku of Anahola / Puna: Moku of Kealia) will remind you that we are all part of a bigger ohana and we are to care for one another. Kalo has been cultivated as a staple and staff of life from ancient times. Every part of this plant is useful and also has many medical benefits.

We hope you will be a part of bringing this native canoe plant back to life in the Anahola community for generations to come by planting it, nurturing it and sharing a huli with a neighbor or ohana to continue its legacy and sustenance.

Kukulu Kumuhana O Anahola

invites you to join us in preparing for our upcoming 10-acre project,

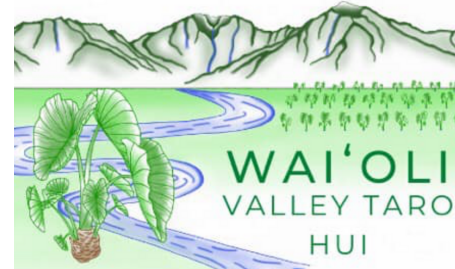
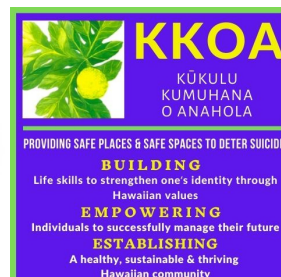
ULUPONO ANAHOLA~An Agricultural Community and Youth Center.

We are starting with kalo patches, a youth garden and garden plots available to beneficiaries in the Anahola community. If you are interested in being a part of bringing food security to your ohana, please contact Rae Nam @ (808)224-4245.

We meet every Thursday from 3pm-5:30p at the former Anahola Farmers Market at 4501 Hokualele Rd propagating plants for the Ulupono Anahola site. We look forward to seeing what we can do together for our community.



Ka Hale Pono, Inc



KekuaAloha Foundation Presents

Showcase your joy and holiday cheer! Shine your light everywhere!

LIGHTS ON ANAHOLA STREETS CONTEST!



Saturday, Dec 19
7pm - 8:30pm



Santa & his helpers will be "sleighbing" by, making a list of all decorated hale & passing out candy canes to all the keiki!
3 categories will be judged:



**MOST
CREATIVE**



**MOST
FESTIVE**



**MOST
INSPIRING**



Winners will receive a CHRISTMAS DINNER MEAL KIT for 4 people.
Includes: Turkey (frozen), sweet potatoes, stuffing, cranberry sauce,
fresh veggies, gravy, and homemade cinnabons.



**Santa's schedule: 7PM Mauka Side / 7:20PM Makai Side
7:50PM Anahola Village / 8PM Farm Lots**

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Thursday, August 12, 2021 7:12 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Ku'uleialoha Punua

Email

kuulei.punua@kkoa.org

Please Identify Agenda Item(s):

G-2 Anahola Land Use Requests

Message

Aloha Comissioner Aila & Comissioners representing each mukupuni:

It is imperative that we (DHHL & KKOA) move forward to implement this long term lease, as 2 years of action on due diligence and acquisitions of funds, equipment has already been provided.

GRANTS already attained need a LEASE from DHHL & Grants are TIME Sensitive (monies need to be spent or lost if not used by deadline!!!) .

Covid-19 has not slowed KKOA's work down.



I am presenting a simple outline that will meet all the criteria to secure KKOA'S lease w DHHL.

Kukulu Kumuhana O Anahola (KKOA) Ulupono Anahola Community Ag & Youth Center

Kukuihale Rd./ Pilipoli Rd.- next to Piilani Mai Ke Kai

* 1year Commissioners Approval given in Sept. 2019.

* Land Blessing: Nov. 2019



= Item started, completed or in process.

Due Diligence:

Phase 1

Jan. 2020- Dec. 2022

/// Who is doing job & where is funding coming from?



1. Signage: \$1200. Donated



2. Architecture Master Plan for 10acres w details.NRM Architecture. \$7000. total pd amt. due of \$2500. Grant/ Donated



3. Clearing: of Vehicle Debris Kauai Towing Ryan

3 acres- GrassPMKK neighbors, 2 addl acres HD Rental, Farm Manager; Maintenance; Evans Yard service. \$ Grant/ donated




4. Fencing: Leader: Jeff Rivera & Shaun Asquith & Community, Kauai Island Roofing \$ Grant/ Donate




5. Infrastructure: Ag irrigation; Kauai Irrigation \$


Electric & Photovoltaic Kukui Electric \$


Grants/ Donated


6.  Water Systems: DOW- Potable; grant \$14500. Well- Non potable water Oasis- Kauai \$60k Grant/ Donated


7. Waste Water System: TBA if we need (T4C- John)
Grants/ Donated

8.  EA (Land use (sugarcane fields) is the same as PMKK EA history)
& Testimonials from kupuna:
Att Makanani
Tommy Makanani
Essie Medeiros
Teddy Williams
Clyde White


9.  Soil Testing
John fr 4 cups, Emily CTAHR & Soil samples send out: \$ Grants/ Donate


10.  Toilet System:
1. Portable Rentals \$160 per mo.
2. Dry Composting \$
Grants/ Donate

 All initial buildings for Phase 1 will be shipping containers on posts, modified for specific projects:
11. Storages
12. Processing Center
13. Office
14. Youth
15. Nursery- Plants
\$ Grants/ Donate

 Programs:
Afterschool 2 days a wk
Partners w schools 1day a wk
Community:
Ohana & Youth gardens 1 day a wk
Mala Kalo, fruit trees, lā'au lapa'au sitting/ healing gardens,
nursery, privacy mounds, hedges: Farm & project mgr w Interns & community

Asset:  New Kubota Tractor  w 4 additional attachments. Donated

 Events: Anahola 'Ohana Free Drive In movie nights Papa Ku'i 'ai Workshop (KS- grant) Summer; 'Āina to 'Opu (OHA- event grant)- Oct 2021, Consuelo Foundation Grant
other Grants received from: Atherton Foundation, HCF, Honor the Earth, Hawaii Peoples Fund, Direct Relief, OHA - 2
community building... there may be others that KKOA ED can provide if needed.
Private Donors

 Sustainables:
kalo, lū'au, teas, veggies, added value products, Tractor service
MAHALO for your time



AHONUI HOMESTEAD ASSOCIATION

PO BOX 417

HOOLEHUA, HI 96729

TELEPHONE: 808 646-0051

8/13/2021

Chairman and Members of Hawaiian Homes Commission
Department of Hawaiian Home Lands
Main Office, Hale Pono'I
Kapolei, O'ahu, HI.

RE: Planning Office, Gigi Ciariel, email dated 7/21/21 (submitted in July 2021, HHC meeting)
Maui County, Community Benefits letter dated 7/30/21 emailed dated 8/4/21 (submitted in July 2021, HHC meeting)
Land Use Management Division, Mr. Albinio letter emailed on 7/30/21 (submitted in July 2021, HHC meeting)

Good morning! Chair and Commissioners,

My name is Cora Schnanckenberg, President of Ahonui Homestead Association, representing the waitlisters and beneficiaries on the island of Molokai. Ahonui Homestead Association's (AHA) priority project according to the 2019 Molokai Regional Plan and Approved by commissioners on 2/17-18/2020 as 'Ualapu'e Kuleana Homestead Project and Cultural Resources Management Plan. The AHA is a Hawaiian Homestead Community Association as identified under 201.6 of the Hawaiian Homes Commission Act of 1920 and federally defined Homestead Associations under 43 Code of Federal Regulations. Its goal is to return 175 beneficiaries to their land and to decrease the waitlist.

I will be testifying on items G-1 and F-2 in your agenda. I am, requesting your consideration to approve and support waitlisters in their "ASK" for Community Benefits as conditions by Maui County, Fire Department.

G-1 Last month (July 2021) HHC meeting, I testified that because there are no "community benefit policy and procedures" thus, waitlisters and/or lessees are VERY vulnerable for exploitation of land (non-Hawaiian identity), water, and non-compensation which directly impact the waitlisters/beneficiaries. Ahonui seek commissioner's support for Community Benefits by Maui County (See Exhibits E).

F-2 According to Ms. Carrieria, Land Agent from Land Management Division. It is recommended as terms and conditions as follows:

- a. Licensee could be amended from time to time
- b. Lease and license shall be terminated shall licensee ceases to operate and maintain fire department in fee simple lot.
- c. 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 (See fig3).

Ahonui Submitted: Letter to Maui County, Fire Department dated 7/30/21 emailed on 8/4/21, (emailed) letter to Planning Office, Gigi Ciariel, email dated 7/21/21, and letter to Land Use Management Division, Mr. Albinio emailed on 7/30/21. Ahonui made attempts to discuss Community Benefits with all parties. Ms. Ciariel

indicated that since there are no policy and procedures for Community Benefit it is the beneficiary responsibility to engage with Maui County.

Ahonui's "ASK": Community benefits to reflect fair market (highest) **value of \$2.60** instead of \$1.42, it is **NOT** one sum payment BUT **monthly** cost in the amount of \$3,307 ($\$2.60 \times 15,267 = \$39,694. /12 \text{ mo.} = \$3,307$). **And, funds are set on the side, specifically for Ahonui, for the purpose of Ualapue Kuleana Homestead (subsistence) Project.** Ahonui encourages Maui County, Fire Department to add a line item for budget allocation (See fig3).

- d. Licensee shall pay the non-refundable documentation fee of \$275.00
- e. Licensee shall be responsible for all cost.....to DHHL for record and filing.
- f. Licensee shall be installing fencing along the East boundary of easement area: TMK# (2) 5-6-002:036 and be responsible for all cost of fencing materials and installation. Fencing design and installation are subject to DHHL's review and consent from the Chairman of the HHC.

Ahonui Clarification: Fence installation on the eastside of property **is not presented accurately;** is "partial fencing" for TMK#(2) 5-6-002:036 **OR** TMK#5-6-002:027? The purpose was to secure safety for homesteaders in the location area due to the in and out of apparatus. However, there is a discrepancy on the TMK location for fence installation (See Fig.1, Fig.2, and Fig.#4).

Ahonui's "ASK": Please verify where the fence will be installed. Will there be fencing for **BOTH** TMK# (2) 5-6-002:036 **AND** TMK#5-6-002:027? **OR** which on TMK will be fenced? (See fig4)

- g. The license document shall be subject to the review and approval of the Department of the Attorney General and such other terms and conditions as may be prescribed by the HHC to best serve the interest of the Hawaiian Home Lands Trust.

Current & Future:

1. TMK# (2)5-6-002::001 is occupied by Hale Pomaikai (Licensed Lease) expire in September 2021.
2. Ahonui's priority project will assume all TMKs for the purpose of Ualapue Kuleana Homestead (subsistence) Project; especially **TMK# (2)5-6-002::001**, TMK# (2) 5-6-002:036, TMK#5-6-002:026, TMK#5-6-002:25, TMK#5-6-006:017, TMK#5-6-002:024, TMK#5-6-002:027 (see fig1).
3. Ahonui Homestead Association have requested to obtain and assume the **TMK# (2)5-6-002::001** lease to continue Hale Pomaikai service to our waitlisters, beneficiaries, and the community of Molokai.

I appreciate the opportunity to address these concerns, I pray that you will consider Ahonui's "ASK" in support of the waitlisters and beneficiaries.

Blessings,
Cora Schnackenberg
President of Ahonui Homestead Association
(waitlisters)

Project area to include the following Tax Map Key (TMK) Parcels:

- (2) 5-6-006:017
- (2) 5-6-006:040
- (2) 5-6-002:001
- (2) 5-6-002:024
- (2) 5-6-002:025
- (2) 5-6-002:026
- (2) 5-6-002:027
- (2) 5-6-002:036

Choy, Andrew H

From: Cara Schrackenberg <caraschrackenberg@yahoo.com>
 Sent: Friday, May 14, 2021 8:42 AM
 To: Choy Andrew H; Carol; Gg; D; Cathala, Julie Ann
 Cc: Zachary Haim; Kai MacDonald
 Subject: [REDACTED] Unique TMKs Consideration

To: Planning Department Staff, Andrew, Gg, and Julie
 From: Cara Capanda Schrackenberg, President of Ahnuu Homestead Association, Molokai

RE: Uialapu on License Renewal/New License request for TMKs [25-6-002-000]

Public Review, I agree Re Made Public's 2

Original license term was 9/30/2016

Requested for Extended and/or new license expired 9/2022.

7/1/1991, 6/30/2010, 8/20/2020/renown Registered via Act14 Settlement "Uialapu" 2

10/1/2016, 9/30/2021, 8/20/2022

I am requesting for immediate consideration to halt the recommendation for license to this parcel as the town parcel TMK [25-6-002-000] is designated for residential/recreation. Please consider that parcel rights as first preference to Ahnuu's garden Uialapu Puleana Subordinate Homestead Project which was approved on 2/2020 by Hawaiian Home Commission.

Also, these parcels TMK [25-6-002-000] and TMK [25-6-002-001] will provide dwelling/farming and service for our Rurouna and beneficiaries.

I would appreciate your consideration on this matter and request.



Fig1

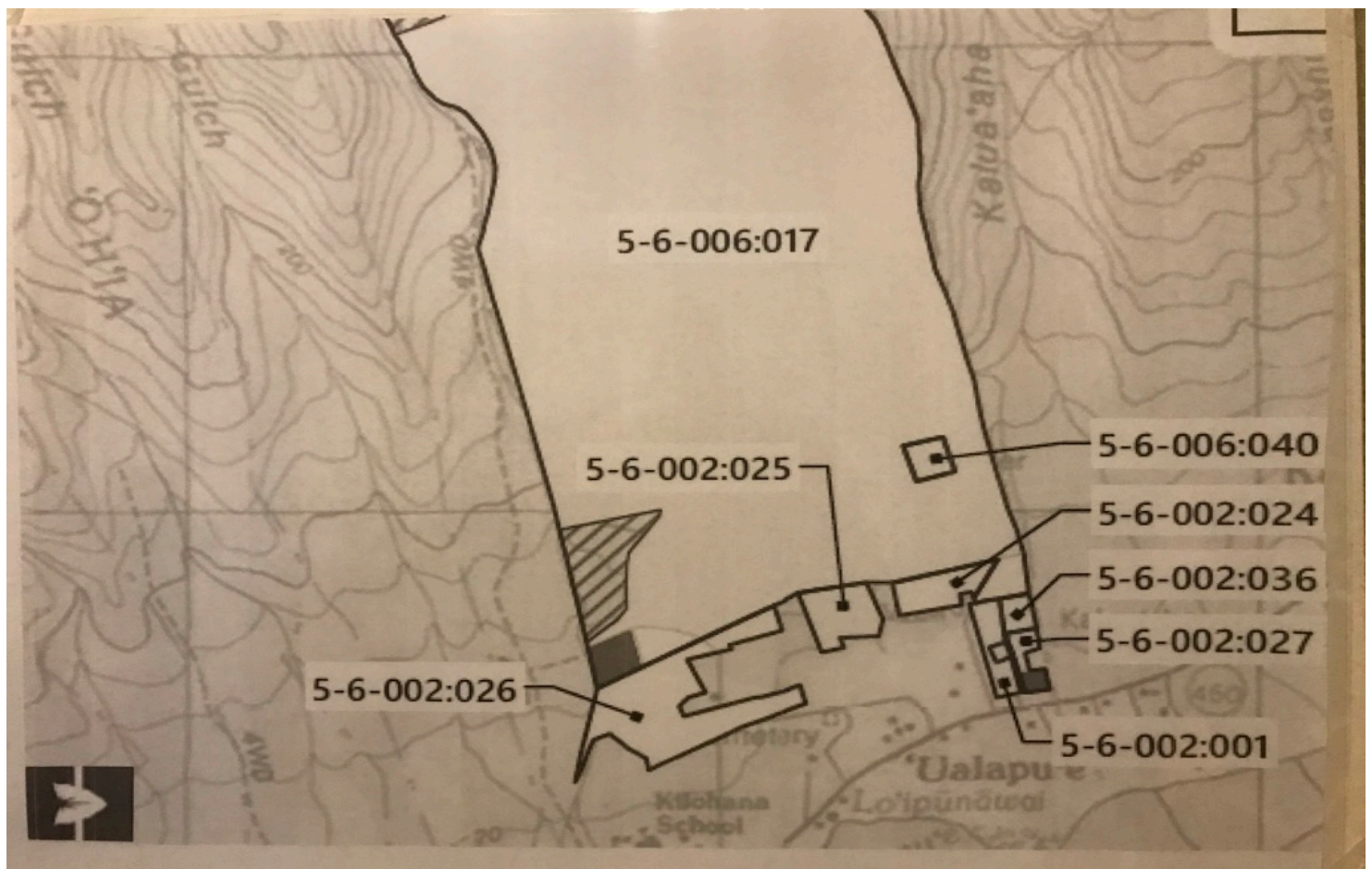


Fig2

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

Fig3.

6/23/2021

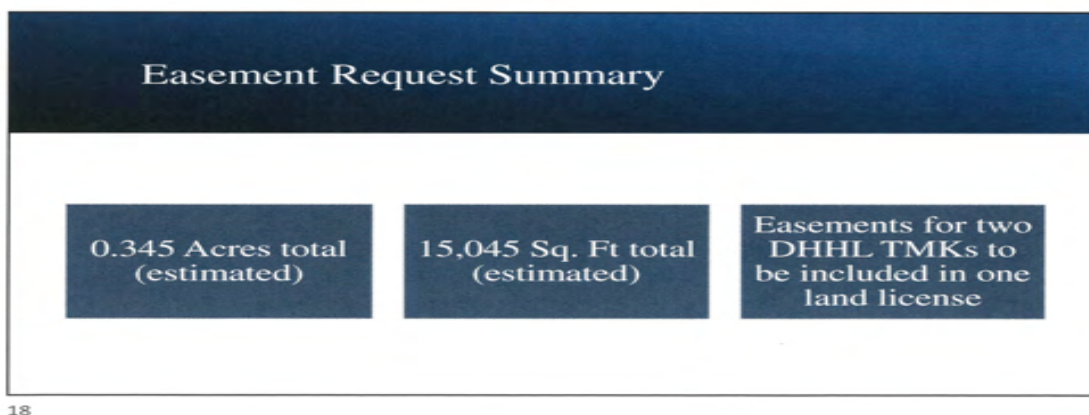


Fig4

Choy, Andrew H

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

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 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 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,

Kunani a me Ipo Nihipali
Ho'olehua Beneficiaries

Sent from my iPhone

EXHIBIT E

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.

- 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,

Cora Schnackenberg

808-646-0051

Choy, Andrew H

From: Valeny Dudoit [REDACTED]
Sent: Wednesday, July 21, 2021 1:47 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.

- 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,
Valeny Dudoit
6589542

Sent from my iPhone

Choy, Andrew H

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'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 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,

Kawika Farm
8088645003

Sent from my iPhone

Choy, Andrew H

From: Okalani Schnackenberg <okalschnackenberg@gmail.com>
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 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,

Okalani Schnackenberg

808-646-0246

Sent from my iPhone

Choy, Andrew H

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.

- 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,

Christine Ward

(808)646-1335

Sent from my iPhone

Choy, Andrew H

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 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 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,
Suzie Holtzman
(808) 558-0408

EXHIBIT E

Choy, Andrew H

From: Uilani Schnackenberg [REDACTED] >
Sent: Wednesday, July 21, 2021 7:18 AM
To: DHHL.Planning
Subject: [EXTERNAL] Support of Community Benefits - Ualapue

Aloha! Department of Hawaiian Homelands, Planning Office,

SUPPORT: I support the 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.

- 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,

U'ilani Schnackenberg

Choy, Andrew H

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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- 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,

Godfrey Akaka Jr. 808-213-1013

Choy, Andrew H

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 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,

Iwalani Kadowaki

Sent from Mail for Windows 10

Choy, Andrew H

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.


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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,

Alma K Gamiao. 808-927-3866

EXHIBIT E

Choy, Andrew H

From: Yolanda Tanielu 
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.

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- 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 Ualapu'e Master Plan.
- 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

From: Yolanda Tanielu [mailto:Yolanda.Tanielu@dhhl.hawaii.gov] >
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. 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

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Thursday, August 12, 2021 2:30 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit J-Agenda Testimony

Name

YOSSI JOHN

Email

alohakauai18@yahoo.com

Message

MAHALO DHHL PERSONS IN CHARGE: REGARDING KKO A KUKULU KUMUHANA O - ANAHOLA , ON KAUAI * THIS HAWAIIAN CHARITABLE EFFORT TO CREATE A SUSTAINABLE FOOD RESOURCE AND CHILDRENS CENTER IS AND HAS BEEN IN THE MAKING FOR SOME *YEARS NOW. , FOLKS IN THE COMMUNITY HAVE ALREADY DONATED TENS OF THOUSANDS OF DOLLARS TO THIS EFFORT , NOT TO SPEAK OF PROBONO YEARS OF TIME AND EFFORT IN THEIR OFFICES & HOMES STRATAGIZING PLANS FOR SUCCESS TO SAY THE LEAST !!! NOW DEAR FOLKS IT TIME ISSUE THE LEASE !!! PLEASE ISSUE THEIR LEASE IMMEDIATELY WHICH I S THE RIGHTEOUS THING FOR. Y O U.....

TO DO /  M A L A M A H O N U A 

Burrows-Nuuanu, Leatrice W

From: dhlh.icro1@hawaii.gov
Sent: Thursday, August 12, 2021 5:13 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name
Keani Rawlins-Fernandez
Email
keani.rawlins@mauicounty.us
Please Identify Agenda Item(s):
G-1
Message
Requesting to provide oral testimony on Aug 16 and 17. Mahalo!

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Friday, August 13, 2021 9:53 AM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Dr Heather Lebrun

Email

heather.ryan@ubc.ca

Please Identify Agenda Item(s):

G-2 Anahola Land use request

Message

Aloha! Thank you for allowing me to share my mana'o!
I lived and worked in Anahola in years past. I have worked with Kūkulu Kumuhana O Anahola since 2008. Most recently, I have collaborated with the founder and other KKOA associates on doctoral research that focused on the efficacy of food sovereignty programs for Anahola/Hawaiian youth.
KKOA staff work ceaselessly towards serving Anahola. They've obtained funding towards the implementation of food sovereignty and other cultural projects for the community, especially the youth. Procuring the lease at this time is critical for the successful implementation of these programs to the benefit of the community.
Thank you for your ongoing support for these outstanding women and their projects! I love Anahola and strongly support their work!
Mahalo!
E Malama Pomo,
Heather (Ryan) Lebrun, PhD

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Friday, August 13, 2021 11:00 AM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Kaala Clarke

Email

kaalaclarke@gmail.com

Please Identify Agenda Item(s):

G-2 Anahola Land Use Request

Message

Aloha DHHL commissioners, My name is Kaala Clarke and I am a resident of Anahola since 1980, from when I was 2 years old. I have been fortunate enough to be a part of numerous programs KKOA has facilitated with my daughter Welina Wong and mother Manulele Clarke. Every one and time has been life giving. The thing my community needs most is anything life giving. We need help and KKOA has been a constant for many families from their inception. We need food! We need a safe place to gather. We need encouragement! We need to be taught how to feed ourselves, heal ourselves. We need you to help us now! Not in 6 months and not in 10 years. We need this land use lease yesterday! A year ago! Especially in the times we are in. It's morally and ethically wrong to withhold life giving opportunity from us. The land we are talking about has sat desolate since I've been here and far longer then that. Now there is an opportunity to allow it to give hope, life, a safe place for learning, FEED us on every level and that's healing. That's life. That's what we need to simply survive. Please just do your jobs, do what's right, act now as if this is life or death for your own families because it is for ours.

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Friday, August 13, 2021 4:17 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Kekoa Enomoto

Email

kenomoto1@hawaii.rr.com

Please Identify Agenda Item(s):

C-7, F-1, F-2, G-1

Message

Aloha mai e `o Hawaiian Homes Commissioners,

`O Kekoa Enomoto ko`u inoa mai ka mokupuni a`o Pi`ilani, I am Kekoa Enomoto of Maui, advocating on behalf of the Maui/Lana`i Mokupuni Council and the Upcountry Maui nonprofit beneficiary organization, Pa`upena Community Development Corporation.

I would like to testify on agendized items, as follows:

- . C-7 For information only – Summary of responses to proposed legislative action request for 2022, and draft legislative proposals.
- . F-1 Approval to issue a Right Of Entry permit to Hawaiian Telcom Inc. Portions of various TMKs statewide – islands of Kaua`i, O`ahu, Molokai, Maui, Hawai`i.
- . F-2 and G-1 related to issuing a license to County of Maui Department of Fire & Public Safety to use Hawaiian homelands for an access easement at `Ualapu`e, island of Molokai TMKs (2)-5-6-002:001 (por.) and :036 (por.).

Concerning agendized item C-7 about draft legislative proposals: During this centennial of the 1921 Hawaiian Homes Commission Act (HHCA) and upon the advent of Aug. 21 Admission Day, I support the State of Hawai`i renaming the Admission Day holiday to Hawaiian Homes Commission Act Day. This revision would recognize the pivotal and essential role the HHCA played in Congress granting 1959 statehood to Hawai`i.

Regarding agendized items F-2 and G-1 pertaining to a Maui Fire Department access easement at `Ualapu`e, Molokai: I support Ahonui Hawaiian Homestead Association's request for a Community Benefits Package in the interest of the prospective lessees at `Ualapu`e kuleana homestead.

Likewise, with regard to agendized item F-1 on proposed Hawaiian Telcom Inc. ROEs: I propose a 2023-43 General Plan provision for a joint DHHL/beneficiary task force to forge a DHHL policy on Community Benefit Packages. The latter policy would be for the gain of HHCA beneficiary organizations in any cases of nonbeneficiary use of trust lands.

Finally, in the absence of "relevant material" in the packet, I ask, "Is the commission approving for Hawaiian Telcom Inc. a two-year due-diligence ROE requiring an EA (Environmental Assessment), archaeological LRFI (Literature Review and Field Inspection) and other assessments mandated for nonbeneficiary entities," as in the case of Pa`upena CDC?

Mahalo nui for this opportunity to present advocacy favoring (1) Admission Day being re-named Hawaiian Homes Commission Act Day; (2) Ahonui Homestead Association receiving a Community Benefits Package in exchange for a Maui Fire Department easement on Molokai trust lands, and (3) a General Plan provision for a DHHL/beneficiary task force to develop a Community Benefit Package policy. And I repeat my question: Will the commission be approving a two-year due-diligence ROE obligating the nonbeneficiary Hawaiian Telcom Inc. to provide an EA and other assessments demanded of beneficiary organizations, such as Pa`upena CDC?

Aloha no,

-Kekoa Enomoto 8/16/21
Chairwoman of the board, Pa`upena CDC at www.paupena.org;

2019-23 president of the Maui/Lana`i Mokupuni Council encompassing 18 homesteads and affiliated associations on two islands.
Cell/text (808) 276-2713

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Friday, August 13, 2021 4:19 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit J-Agenda Testimony

Name

Lauren Pelascini

Email

LAUREN.PELASCINI@GMAIL.COM

Message

I'd like to submit a testimonial to support the lease for Kūkulu Kumuhana O Anahola (KKOA). I have personally attended movie nights and supported the preparation and packing of meals for families during COVID. I have personally experienced the mana and aloha that this organization brings to families who are struggling to make ends meet, or perhaps families that just lack connection. KKOAs programs enable youth and families to learn from each other, aina, kupu and to establish or reconnect people to their community and Native Hawaiian practices. KKOAs personally touches individuals in a way that creates belonging and community. With their gentle and caring approach, KKOAs provides a vital community resource to prevent youth suicide through a holistic, culture and family based approach.

KKOA is the perfect steward of the 10 acre plot as a place for healing, learning, and growing current and future generations in Anahola. The team at KKOAs have leveraged the small makua plot as a place to teach growing fruits and vegetables as well as learning positive life skills. Their success at the makua center demonstrates their keen ability to educate and heal youth and families to create an even stronger Anahola community.

The KKOAs leadership not only has the love for community required to complete the project, but they have the right skills to get the job done responsibly and efficiently. The 10 acre plot will be an important source of learning, but also contribute to a local food system where the aina of Anahola can provide for the people of Anahola.

Please allow KKOAs to continue its transformational work to prevent youth suicide and strengthen the community of Anahola through Native Hawaiian principles.

Burrows-Nuuanu, Leatrice W

From: Sybil Lopez <lopezs808@gmail.com>
Sent: Friday, August 13, 2021 4:42 PM
To: Burrows-Nuuanu, Leatrice W
Subject: [EXTERNAL] Testimony in SUPPORT for Item F-2

Aloha Leatrice;

On behalf of Kalama'ula Mauka Homestead Association, we would like to support the license to issue to Maui County for an easement on HHL for the purpose of relocating the Puko'o Fire Station.

--

*Sybil K Lopez, President Kalama'ula Mauka Homestead Association
(808) 336-1587*

Burrows-Nuuanu, Leatrice W

From: Dawn Mahi <dmahi@consuelo.org>
Sent: Friday, August 13, 2021 4:48 PM
To: Burrows-Nuuanu, Leatrice W
Subject: [EXTERNAL] G-2 Anahola Land Use Request

Aloha e Leatrice,

My name is Dawn Mahi and I have known Kūkulu Kumuhana o Anahola (KKOA) for the past 6 years in my role as Program Officer and now Senior Program Officer at Consuelo Foundation.

Consuelo helped KKOA to attain their 501(c)(3) status and partnered with them because of their vision, mission, and dedication to the community. Their commitment to preventing suicide and empowering their community is critical in Anahola. They are well known in the community and are run by community members dedicated to the past, present and future of Anahola.

We were able to visit their programs last week and see first-hand their reach and impact. Proud families shared papa ku'ia'i they had just made, and we visited the ma uka garden where they are growing food for community. We tasted the 'ono poi that they grew and processed with the 'ohana in the program. This is a wholesome, holistic program by and for the community that has shown success. We also learned of their work to go door to door during the pandemic and provide food to local families. Through this, they were able to expand their knowledge of the community and help to identify those at-risk or in need of additional services.

The lease from DHHL for 10-acres would greatly increase their positive impact in the community and provide even more opportunities for them to engage local Anahola families with positive, culturally grounded programs and activities that increase the wellbeing of the lāhui and strengthen the community overall.

The organization has been working hard over the past two years to meet the requirements needed to be eligible for the lease. We stand by to support their work on the 10-acres and encourage you to approve their application.

If we can be of any further support, please contact me at the info below.

DAWN MAHI

Senior Program Officer

m: [808-628-8826](tel:808-628-8826) | o: [808-532-3939](tel:808-532-3939) | e: dmahi@consuelo.org



Consuelo Zobel Alger Foundation

110 N. Hotel Street

Honolulu, Hawaii, USA 96817

w: www.consuelo.org | ig: [@consuelofoundation](https://www.instagram.com/consuelofoundation)

Burrows-Nuuanu, Leatrice W

From: Megan Fox <megan.pittsley@gmail.com>
Sent: Friday, August 13, 2021 11:54 PM
To: Burrows-Nuuanu, Leatrice W
Subject: [EXTERNAL] Ulupono Anahola

Aloha DHHL Commissioners,

I'm writing to demonstrate our full support for KKOA for the Ulupono Anahola project. We humbly request that you expedite a long-term lease with their organization for the project site.

KKOA has provided immense benefit to the Anahola community with diverse, community-based programming and heartfelt leadership. From their movie nights to their educational programs, they have had monumental success in providing safe spaces for families and youth to connect and ground themselves as a community. This work has only become more needed as our communities have rapidly changed due to COVID with increased isolation, gentrification, and disconnection.

While so many Hawaiians sit on the waitlist for homes, this project site can offer a connection to DHHL lands and support for all to connect to the 'āina in a meaningful way. It can provide access for those who don't have an opportunity otherwise. Kaua'i, and Anahola especially, is beyond overdue for a project like this - and needs a landholder leader to solidify the opportunity. Please be that leader for our community.

Our organization has partnered with KKOA many times on various projects over the years and can say without a doubt that they are professional, organized, follow-through, are driven by core values and their love for their community, and would make an exceptional investment by DHHL. They are resilient, determined, resourceful, and deeply caring. We always look forward to working with them and hope to support them in their journey with this new venture as well.

Having a long-term lease is critical to their organization being able to obtain funding for their important work, making your commitment so vital and catalyzing for larger investments and community support. All culturally grounded nonprofits need a kipuka in their communities, and this is the right group to bestow the opportunity to do so in Anahola. By providing KKOA a foundation of a place to grow their roots, the benefits realized by the surrounding community will no doubt be enormous.

Mahalo nui for your consideration of this important project for our island,

Megan Fox
Executive Director
Mālama Kaua'i

[\(808\) 828-0685](tel:8088280685) x12
www.malamakauai.org

Increasing local food production and access for a resilient Kaua'i since 2006

Burrows-Nuuanu, Leatrice W

From: dhhl.icr01@hawaii.gov
Sent: Saturday, August 14, 2021 3:02 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit J-Agenda Testimony

Name

Karolyn Freuler

Email

karolynfreuler@gmail.com

Message

Hi, My name is Karolyn Freuler and I am the founder, Chairperson and Executive Director for Nourish Kaua'i, a nonprofit serving those in need on our island. We have partnered with KKOA since May of 2020. They have been so helpful and willing to work with us to get locally sourced food to those in need in the Anahola community. They know the community and their needs well. From our experience, it is so important to increase the growing our own foods, eating healthier, providing education to youth and families about eating our native foods. The Ulupono Anahola project would provide a safe place for families to learn, grow their own food and educate the next generation of the importance of having a food system in their community. Please provide the lease to KKOA so they can move forward with this project.

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Saturday, August 14, 2021 8:26 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Meleana Keawe

Email

meleanakeawe@gmail.com

Please Identify Agenda Item(s):

G-2 Anahola Land Use Request

Message

Aloha, I'm Meleana Keawe a 17 year old who lives in the same neighborhood as the land KKOA is trying to receive the lease for. I have recently participated in one of their many wonderful programs, and feel that if they were able to lease the land it would allow us to take these programs to the next level. I feel that it would do nothing but good to allow them to lease the land. Being able to eat fruits and vegetables from the same aina that I live in could help to bring back an "ahupua'a" style of living. One where, us as the next generation wouldnt have to rely on the stores. One where we could walk down the road and pick up food for dinner. One where we are more sustainable as a people. You can help us take a small step in this direction.

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Sunday, August 15, 2021 7:20 AM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit J-Agenda Testimony

Name

Jeremie Makepa

Email

jmakepa@kauai.gov

Message

Aloha DHHL,
I am the Fire Prevention Captain for Kauai Fire Department. I am writing in support of KKOA and the Anahola Ulupono project. This 10 acre parcel that they have maintained creates a critical fire break for the Brushfires that often ignite near this community. Prior to KKOA, the wind direction and intensity often carried flammable material into the nearby housing area. Now that it is being well maintained the community is safer from fires. Please consider allowing extended use with a lease so that they can start the farming phase of the project.

August 15th 2021

To Whom It May Concern,

My name is Chris Molina and I am a resident of Kaua'i and a Native Hawaiian. I have had the privilege of attending events and working alongside the members of KKOA in their movie nights and in other efforts to serve the community and provide safe spaces for our community and our keiki to come together. It is clear that KKOA cares about the future of our Native Hawaiian youth and the community of Anahola. KKOA has done a great job of bringing together nonprofits to these community events to do activities and share resources. Families have a chance to relax, eat together, and just have fun. These safe spaces provide the kind of connections and mana building that can bring people together and create a sense of togetherness and hope. Helping KKOA to establish a space in Anahola would allow them to sustain their efforts of bringing people together and investing in our keiki. I understand that KKOA has plans to utilize the 10-acre property to teach our keiki to plant and to create a source of nourishment for the community. I have personally seen the power of connecting our youth to 'āina, one another, and to something larger than themselves. I also recently saw how fragile our island food system is when barges were delayed due to Covid-19 and produce and other items were scarce on Kaua'i. While the barges began arriving again, the experience reminded me that a sustainable future involves access to more local food. Teaching these agricultural skills is an investment in our youth, the community of Anahola, and possibly the future of our food systems. Food insecurity is an issue that looms large on the horizon for our people and action is needed now. The seeds we plant today can be the nourishment for our communities in future generations. Providing opportunities for our youth to care for the land will provide immense cultural, economic, spiritual, and health benefits for them and their ohana. Mahalo for your time.

Very Respectfully,

Chris Molina

Kālaheo, Kaua'i

Blossom Feiteira
Beneficiary Advocate/Applicant
P.O. Box 2963
Wailuku, Maui, Hawaii 96793
Via email: blossom96708@yahoo.com

August 13, 2021

Mr. William J. Aila, Jr.
Chairperson, Hawaiian Homes Commission

RE: TESTIMONY ON AGENDIZED ITEMS FOR COMMISSION MEETING AUGUST, 2021

Aloha Chairperson Aila and members of the Hawaiian Homes Commission;

Mahalo for the opportunity to speak to various items on your Agenda for August 2021.

Item C-4: Awards and Contracts Division.

Mahalo for laying out the process in which beneficiaries will be able to secure a homestead lease. This step by step processes helps us to better plan and be more efficient in our activities in a turnkey and vacant lot opportunity. And, while I am grateful for the more relaxed timeline, I do have a couple of concerns regarding the schedule of steps outlined in the slide presentation.

In slide 12 of the submittal, I noticed that it will require the beneficiary to secure a construction loan in seven days. In slide 13, the General Contractor will secure all the necessary permits and subcontractors needed for the construction of the home.

The average timeline to secure a mortgage approval is 60-90 days for a government loan and 30 -60 days for a conventional mortgage. The timeline also is determined by the beneficiary submitting the required documents. Since the Contractor's Agreement is part of the list of documents on a construction loan, the General will need to secure price estimates on all parts of the job, which may take a bit of time.

Recommendation

I would recommend that an additional step be incorporated in the timeline to address the step before loan application to better identify what the beneficiary will need for their loan application.

In slide 14, the process is identified for an agricultural lot award. In this slide, beneficiaries will be required to submit a farm plan as part of the process.

Recently, the department recommended and the Commission approved rule amendments that would allow for the issuance of subsistence agriculture awards that would not require a farm plan be developed.

Recommendation

I would recommend that for clarification purposes, that the department identify the type of award being offered, (subsistence, supplemental, commercial, etc.) that would require additional information and plans necessary to complete the process.

**Item C-7 Office of the Chairman, Information only: Tuesday, August 17 Legislative Proposals
Compliance and Enforcement**

Mahalo to the Chair's office, and in particular Nicole Kinilau-Cano and her excellent work on legislative matters.

As you all know, I have been advocating for the development and establishment of a Compliance and Enforcement Division within the department with its own statutory authority and police powers to provide our beneficiaries and our trust resources with the protection they deserve. It has been gratifying that the commission feels as I do.

As a result, I am submitting draft legislation that would take the first step in this strategy. The development of such a division will be a long and expensive one. However, the department, nor the Commission can take any action unless the statutory requirements are in place.

As this item is for information only, I look forward to the next Commission meeting where decisionmaking will take place.

Item C-8 Office of the Chairman: Tuesday, August 17; Recission of Homestead Lease Award

The submittal of this item is in direct relation to Undivided Interest Awards for Hawaii Island.

Undivided Interest Lessee applied for and received approval for a lot in Lai'iopua's newest development of a rent with option to own program. This program is an affordable rental program with homeownership offered at the end of the affordability period which is 15 years. And, like any tenant based program, should the tenant violate the terms of the rental agreement, they will be made to vacate the unit.

The department is recommending that, since they are in a rental unit with option to purchase, they no longer need their UND lease, and is requesting that the lease be rescinded and the beneficiary be placed back on the wait list according to the date of application.

Please keep in mind that for the first 15 years, the beneficiary will be in a rental unit. There is no guarantee that they will remain in the rental unit for the duration. Rescinding their UND lease takes away their ability to 1) preserve their status as a lessee, and 2) removes the opportunity of receiving an offering of a lease within the 15 year time limit.

Further, I would ask the question: was the beneficiary offered the opportunity to transfer their lease to a qualified family members?

Recommendation

I would recommend that the Commission not approve this item.

Item D-7: Homestead Services; Approval to Cancel Applications of Non-Qualified Applicants with Application Dates up to April 30, 2021.

There are **currently** 13 applicants covering 22 applications on this exhibit, the oldest being 1968.

I am concerned about this proposed action as I am somewhat confused and have several questions:

- A. According to the submittal, these 13 applicants have dates of application that ranges from 1968 to early 1990's. They were approved for the waitlist, as they are on the current waitlist and have a rank number assigned to it. Yet, the purpose of this submittal is based on the lack of sufficient documents to verify quantum.

Question: If the applicant did not submit sufficient documentation, how did they get on the waitlist in the first place?

- B. The process to be placed on the Wait list is very clear. You submit your required documents, the department reviews, and if all is well, the applicant receives a letter approving them for the waitlist. If additional documents are needed, the department sends a letter requesting the documentation, the applicant submits the additional documents and the applicant receives a letter approving them for the waitlist. If the applicant fails to provide sufficient documentation within the timeframe established, the applicant receives a letter denying their application, and the applicant **IS NOT** placed on the waitlist.

Question: So, why were they placed on the waitlist?

- C. According to the current waitlist dated December 2020, of the 13 applicants on the list, 3 have a mail code designation "K", 2 have a mail code designation "D". The remaining 8 have no mail code designations, therefore able to receive and respond to the department.

Question: Has the department corresponded with the applicants on this issue prior to coming to the Commission?

- D. When the department submits a denial letter, the applicant is provided with the opportunity to appeal the decision to the Commission. If the Commission supports the department recommendations, will these people be afforded an opportunity in a reconsideration request?

I am further concerned Mr. Chair of the way this is being presented. I am concerned on what looks like an arbitrary way this is coming forward, and the result that could lead to potential litigation by these applicants. Since the public is not privy to the process used to determine quantum and eligibility, it looks like based on this submittal, that the department is "re-verifying" quantum of the applicants on the waitlist. This practice, based on previous experiences with other beneficiaries can be quite devastating and confusing. After waiting for years to take advantage of an opportunity, only to be told "Sorry, you don't have enough blood to qualify". How many more times will this process to disqualify applicants after approval will take place? And why is it taking place?

Mr. Chair, Commissioners, I want to thank you for taking on this kuleana on behalf of our beneficiaries. I know that in previous submittals, the Commission has been asked to take on this kuleana and as a

result, would respectfully request responses to my questions. If not at this meeting, I would ask that the Commission defer this item for further consideration and clarification to the process.

D-9: Homestead Services; Assignment of Leasehold Interest

On page 3 and 4 of this item, there are two items, numbers 7 and 8.

In most cases, when there are simultaneous transfers between lessees, one of the transfers would go to a family member. This item is different in that a lessee is selling his lease to another lessee, and the purchasing lessee is transferring this new lease by adding on their spouse. There is no other transfer request that shows this lessee is transferring to a family member. What this submittal shows is that there is a lessee who is a lessee of one residential lease who is acquiring another lease, adding on her spouse to the other lease, thereby having possession of two residential leases which could be a violation of HHCA sec 208 (1) and (4) and HAR 10-3-23(B).

I would ask the Commission to review this particular request further, before making a decision on this matter.

Once again Mr. Chair and members of the Commission, I want to extend my deepest appreciation for all you do on our behalf, and I especially want to recognize the hard work and dedication of the department staff in moving the mandates of our Trust forward, and working to meet the needs of all our beneficiaries, both lessees and applicants.

I look forward to a stimulating conversation with our Chair and our Commission.

Aloha,

Blossom Feiteira
Beneficiary Advocate

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Sunday, August 15, 2021 8:56 PM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit Agendized Testimony

Name

Erna A Kamibayashi

Email

erna.a.kamibayashi@hawaii.gov

Please Identify Agenda Item(s):

Agenda G-2 KKOA

Message

Good morning Commissioners:

Please accept my support of KKOA's request for long term use of Hawaiian Homes Lands for their Ulupono Anahola Project. As an employee of Hawaiian Home Lands for 35 years I have witnessed many request for land use consideration. As your Kauai Island Manager, I have observed firsthand the wonderful benefits this organization has provided for our beneficiaries. Currently they have been issued a Right of Entry and are limited in their goals without DHHL granting them long term partnership.

Led by Native Hawaiians in support of Native Hawaiians this organization has provided community education and activities. Movie Nights, Suicide education and prevention, and from the farm to the table are just a few of the activities provided. Their goals of providing community farming is to farm native plants such Kalo, Ulu, Niu, Uala and Maia and all medicinal plants and herbs as well as diversified foods such as tomatoes, cucumbers, lettuce, string beans. etc. Their goals is to have families and youth do community gardens to build skills and education and to perpetuate their cultural practices. It is their intent to teach our beneficiaries to be self-sustaining.

In addition to my asking you to support this group with a long-term lease, I want to also inform you that they need your support to obtain the water credit from DHHL that is necessary to fuel this project. Without water, which is life sustaining, they cannot be successful.

Much Aloha

Erna Kamibayashi
Kauai District Supervisor

Burrows-Nuuanu, Leatrice W

From: dhhl.icro1@hawaii.gov
Sent: Monday, August 16, 2021 10:20 AM
To: Burrows-Nuuanu, Leatrice W
Subject: New submission from Submit J-Agenda Testimony

Name

Henry Lindo

Email

hanalejr72@msn.com

Message

Aloha,

I writing a written testimony for agenda item F-2 in support of an easement for the proposed site for the Pukoo Fire Station. I am a Battalion Chief with the Maui Fire Dept and a resident of Molokai and a DHHL residential lessee. I am so thankful for the multiple training and property opportunities that DHHL has afforded our department. DHHL is a much valued entity on Molokai and their support in so many areas of our community especially with emergency services is one that I truly appreciate and take to heart. The station and the emergency services it provides to the east end of the island is truly contingent upon the easement being approved. The station we are currently in at Pukoo has provided years of wonderful service to the community but has reached the point where the facility cannot sustain its current housing needs much longer. It is regretful that the possibility of shutting down the current facility based on unsafe living conditions is real and the decision to do that has finally reached its critical point. Without another area to move it would be the only logical choice and right now all other venues of relocation have been looked at and determined unsuitable. And imagine this relocation aspect has been on the table for many many years to no avail. It is our hope that DHHL would continue to provide our department and community its continued support by approving the easement so necessary to move this project forward. I thank you for even allowing the discussions and input from our community to happen and no matter the decision I thank you for placing emergency response and the training opportunities with your land and waterways as a priority to continue serving our community. Please give me a call at (808) 336-6266 or email me if you have any questions or concerns regarding my testimony. Thank you for your time and God bless you all!

Mahalo,

Henry Lindo

Sean Chun
Pihana ka `Ikena
6512 Ahele Dr.
Kapaa, HI. 96746
(808)635-5255
seanchun@hawaii.edu
<https://www.facebook.com/Pihanakaikena-o-Kauai-103610369703850>

Rae Nam
Kukulu Kumuhana O Anahola

Aloha Rae,

We are so grateful and happy to support KKO. The programs you provide are much needed in the Anahola community. We at Pihana Ka `Ikena are happy to have provide resources and support at the last Papa Ku`i `Ai Workshop. It was great to see community come together for positive engagement. Please call us again, as we know that it is difficult sometimes alone, but together we can make great changes to our community. Keep up the positive work!

Me ka ha`aha`a,
Sean A. Puahi Chun
Pouhana, Pihana ka `Ikena
Community Advocate
Ho`ola Lahui Hawai`i
Native Hawaiian Health Care System



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

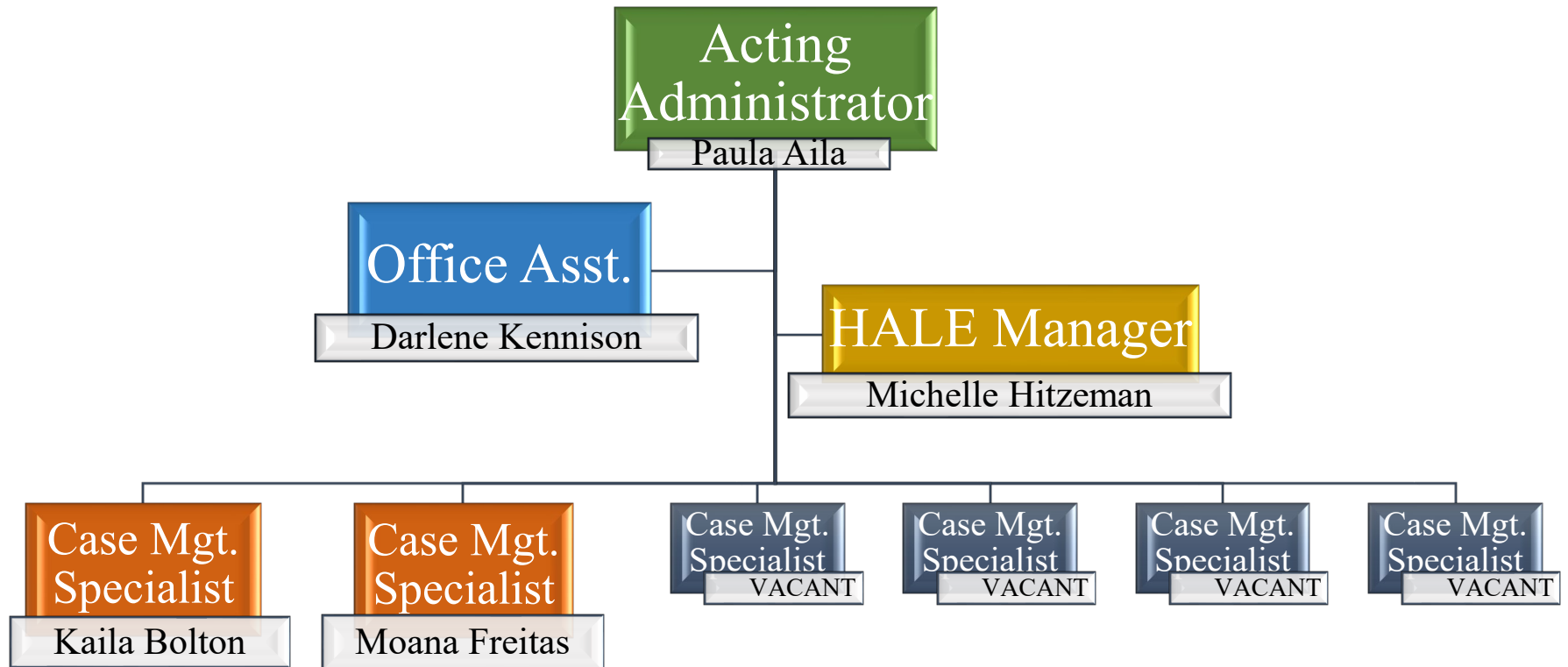
C-4

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?



Awards Offer Schedule

2021

As of 8/4/21

(SUBJECT TO CHANGE)

		4			LARGE PROJECTS															
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	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	UI, Relo, 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

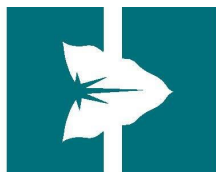
HHC Review & Decision

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)
<i>Rent with Option to Purchase</i> (Based on HUD County Area Median Income)	<u>Monthly rental:</u> \$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
<i>Vacant Lot - Factory-Built Homes</i> <i>Modular Construction</i>	Low (Based on construction loan amount)	Studio/bath to 2bd/1 bath	\$100,000 & higher	3 to 6 months
<i>Vacant Lot – Package Home Kit</i>	Low, mid, high (Based on construction loan amount)	Tiny home to large home	\$100,000 & higher	2 year minimum
<i>Vacant Lot – Owner Builder</i>	Low, mid, high (Based on construction loan amount)	Tiny home to large home	\$100,000 & higher	2 year minimum
<i>Turnkey</i>	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

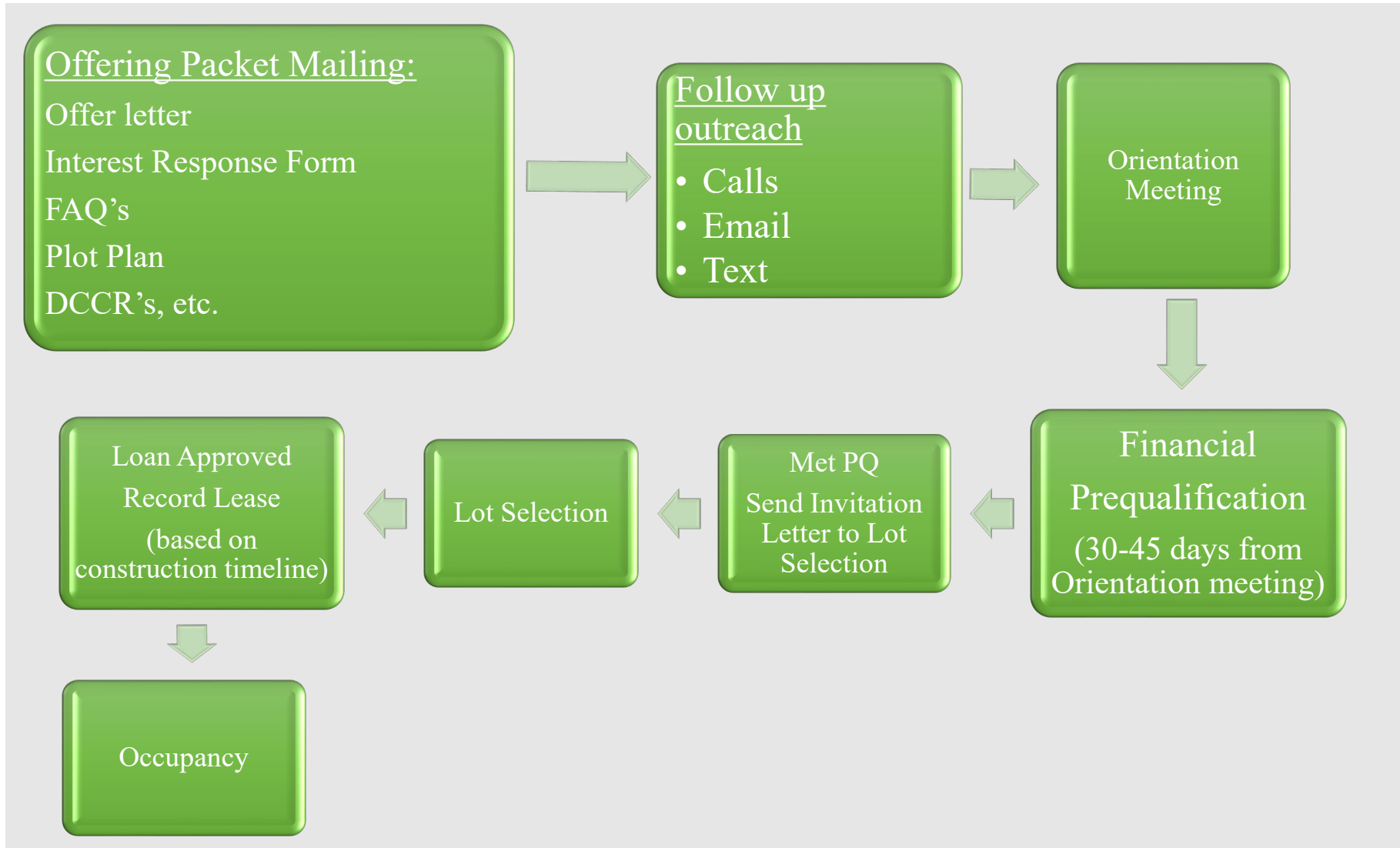
Three Lot Product types:

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



Period Highlight: 1

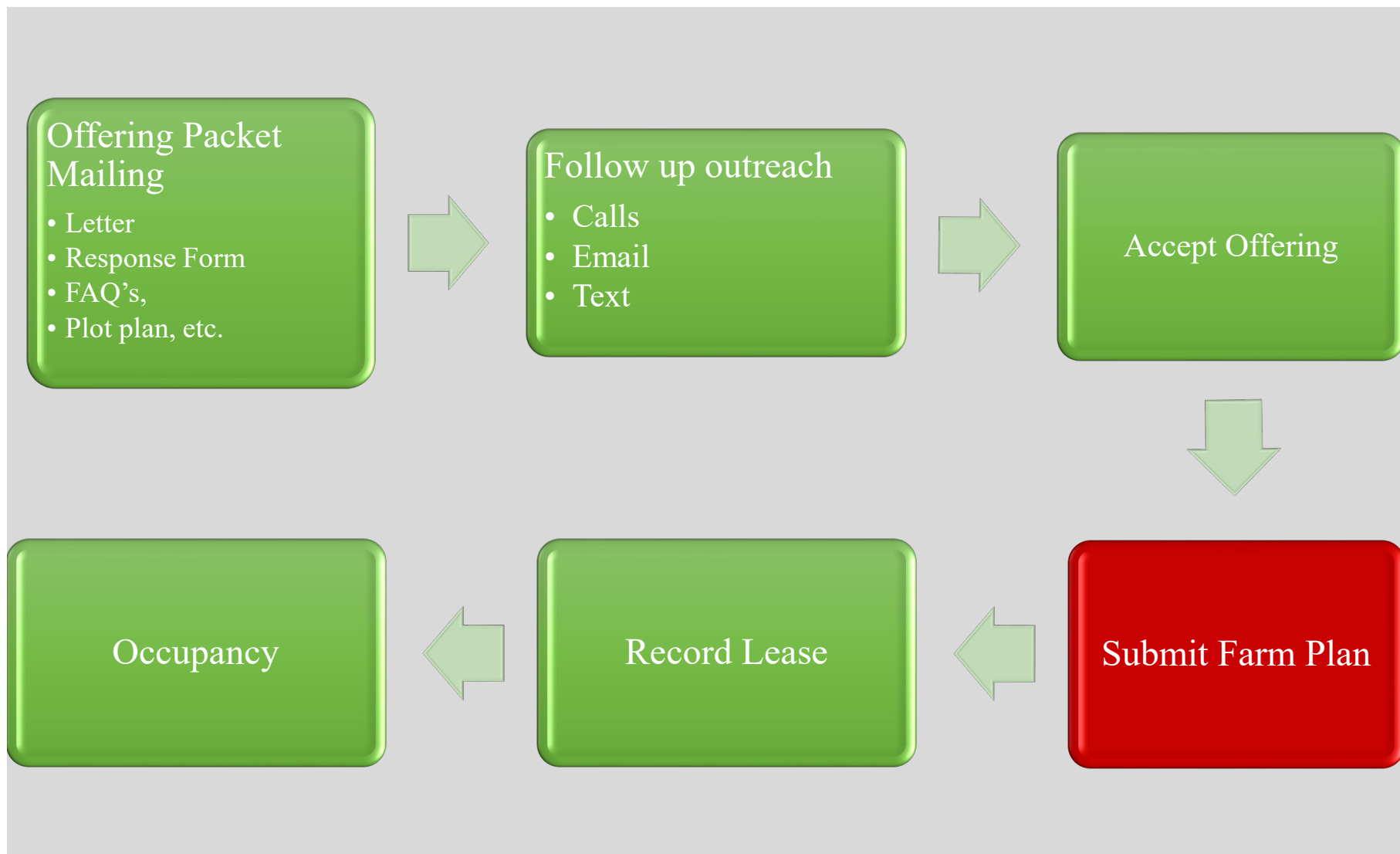
% Complete (beyond plan)





AG LOT OFFERING PROCESS – 30 STEPS

TIMELINE: NOT INCLUDING MAILING



Mailing Packet - 37 Steps



Name
Address
City, State, ZIP

Dear Applicant:

Subject: Discovery Harbour Residential Vacant Lot Offering
Lot Selection Meeting Invitation

The Department of Hawaiian Home Lands congratulates you on your dedication and hard work towards homeownership. We are very excited to host the upcoming lot selection meeting for thirty-eight (38) vacant lots in the Discovery Harbour Subdivision, located in Ke'e, Hawaii. This letter serves as confirmation that you have met the minimum requirements to proceed to the lot selection meeting.

Discovery Harbour Subdivision Lot Selection meeting information:

Date: Saturday, June 5, 2021
Registration: 9:00 am
Meeting: 10:00 am - 2:00 pm
Location: Nu'alea Community Center
95-5635 Hawaii Belt Road, Naalehu, HI 96772

Registration Process:

A DHHL staff member will register you at your car upon arrival. Please complete the enclosed Contact Information Form before arrival as that information will be used to contact you if an opportunity arises for you to select a lot.

Lot Selection Process:

The Department will call the eligible attendees by name in order of their rank number, which is based on the original date of application. If your name is called to select a lot, you may select any DHHL designated available vacant lot in the Discovery Harbour Subdivision. Please remain in your vehicle until you are contacted to select a lot. If you are not present when your name is called, you may be deferred from this offering. If you are not contacted, that means all lots have been selected.

Proxy:

As the official applicant, your attendance is required, however, if you are not able to attend the meeting, you may authorize someone to act as your proxy by way of a notarized "Lot Selection Authorization" form. This form serves as verification of your selected proxy and the form must be presented at the time of lot selection. *If this form is not notarized, or your proxy fails to provide the original notarized form, your designated proxy will not be allowed to select a lot.*

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



DEPARTMENT OF HAWAIIAN HOME LANDS DISCOVERY HARBOUR RESIDENTIAL VACANT LOTS OFFERING FREQUENTLY ASKED QUESTIONS

1 Do I need to respond to this offering?

If you are interested in this offering, you will need to fill out the Response Form and return it to the DHHL postmarked by May 3, 2021.

If you are not interested, you can complete the same form and indicate the reasons you are not interested. You will be deferred from this offering and remain on the wait list based on your original application date. You will not go to the bottom of the list.

If you do not respond, it will indicate that you are not interested, and you will be deferred from this offering to remain on the wait list based on your original application date. You will not go to the bottom of the list.

2 What is a vacant lot offering?

A vacant lot option provides the applicant with an opportunity to build the type and size home that meets their needs and is in the price range that is conducive to their financial capability.

3 Is the VIRTUAL Orientation meeting on May 8, 2021 mandatory?

No, participation in the orientation meeting is not mandatory. However, this is your opportunity to learn more about this offering and to ask questions. A lot of information will be shared at the orientation meeting. If you are not able to attend the meeting, all of the information will be available on the DHHL's website at <http://dhhl.hawaii.gov/awards/>, including a recording of the meeting.

4 Do I need a financial prequalification prior to lot selection?

No, it is not a requirement for selecting a vacant lot, however, within 7 days after selecting a lot, you will be required to contact an approved lender to start a construction loan application.

5 Do I need to do anything prior to selecting a lot?

Yes, you will need to attend a Vacant Lot Process meeting that will provide information about the process, timelines, kuleana, etc. If after this meeting you decide you want to proceed to the lot selection meeting, you will be required to sign a Lot Reservation Agreement. If you decide not to proceed to the lot selection meeting, you will be deferred from this offering and will remain on the waitlist based on your application date.

6 Do I need to be present at the Lot Selection Meeting to select a lot?

Yes, you do need to be present, however, if you are unable to attend you can have someone select a lot on your behalf with a notarized proxy. Your representative will need a hard copy of the notarized proxy and a Government or State I.D. in order to select a lot. If your representative does not have both, they will not be able to select a lot. A picture of the authorized proxy and/or ID will not be accepted.

7 Who is responsible for building the home on a vacant lot?

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

Department of Hawaiian Home Lands

Attn: Awards Branch
P.O. Box 1879
Honolulu, Hawaii 96815

RESPONSE FORM DISCOVERY HARBOUR RESIDENTIAL VACANT LOTS OFFERING MAY 2021

THIS RESPONSE FORM MUST BE RETURNED TO THE DEPARTMENT BY MAY 3, 2021.

If your response form is not received by this date, it will be viewed that you are not interested, and your application will be deferred from this offering.

PLEASE CHECK YOUR PREFERENCES (BELOW SIGN DATE AND RETURN THE COMPLETED FORM TO THE DEPARTMENT POSTMARKED BY MAY 3, 2021.

I am INTERESTED in this offering.

I am aware of all the requirements and qualifications of this offering and I am ready to qualify for a construction loan to build a house and relocate to the homestead property.

I am NOT INTERESTED in this offering.

Please **DEFER** my application from this offering.
I UNDERSTAND THAT MY APPLICATION WILL NOT GO TO THE BOTTOM OF THE LIST. I choose to defer from this offering for the following reason(s):

I cannot qualify for a construction loan at this time
I prefer a turnkey home
Current Homeowner
Location
Other: Please Explain: _____

PRINT NAME- LAST NAME-SUFFIX

Applicant's Name

Signature of Applicant

Date

XXX-XX-XXXX

Mailing Address

Social Security Number (last 4 digits)

City

State

Zip Code

Res. Phone No.

Bus. Phone No.

Email address

Cell Phone No.

OO/HA APPLICATIONS

FOR OFFICIAL USE ONLY

AWARDS BRANCH

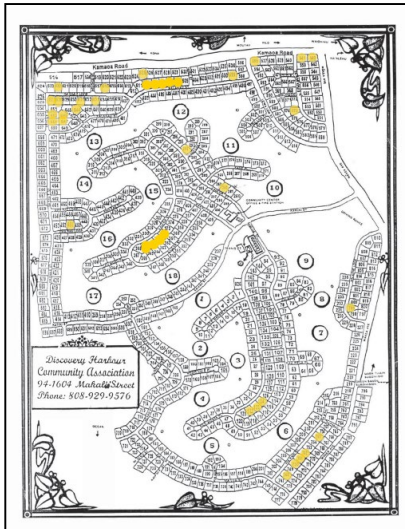
NAME ADDRESS PHONE

DATE

OTHER

COMPUTER ENTRY DATE

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
Oahu	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
	TOTAL	255	69	186	8
HAWAII	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
	Waiākea	0	0	0	1
	Panāewa	0	0	0	16
	Kawaihae	2	0	2	20
	TOTAL	104	85	19	71
Maui	Waiohuli (34 Awards cases; 11 NAHASDA cases)	45	30	15	0
	TOTAL	45	30	15	2
Kauai	Pi`ilani Mai Ke Kai	23	13	10	51
	TOTAL	23	13	10	51
Molokai	Ho`olehua	3	2	1	2
	Kalama`ula	1	1	0	4
	TOTAL	4	3	1	6
Lanai	Lanai City	16	0	16	1
	TOTAL	16	0	16	1
STATEWIDE	TOTAL	447	200	247	139



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

KAUAI ISLAND

Project Updates

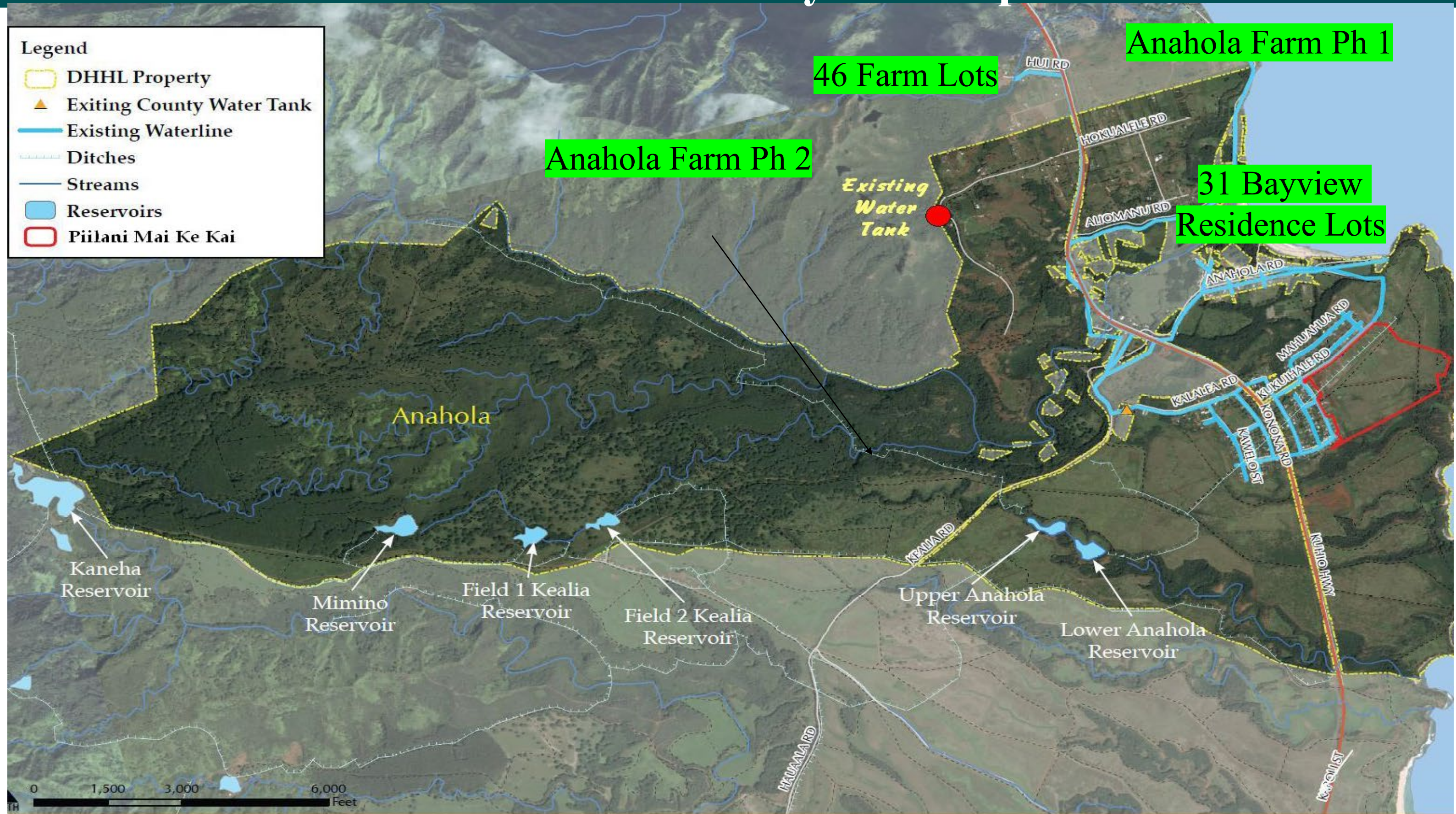
LAND DEVELOPMENT DIVISION

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

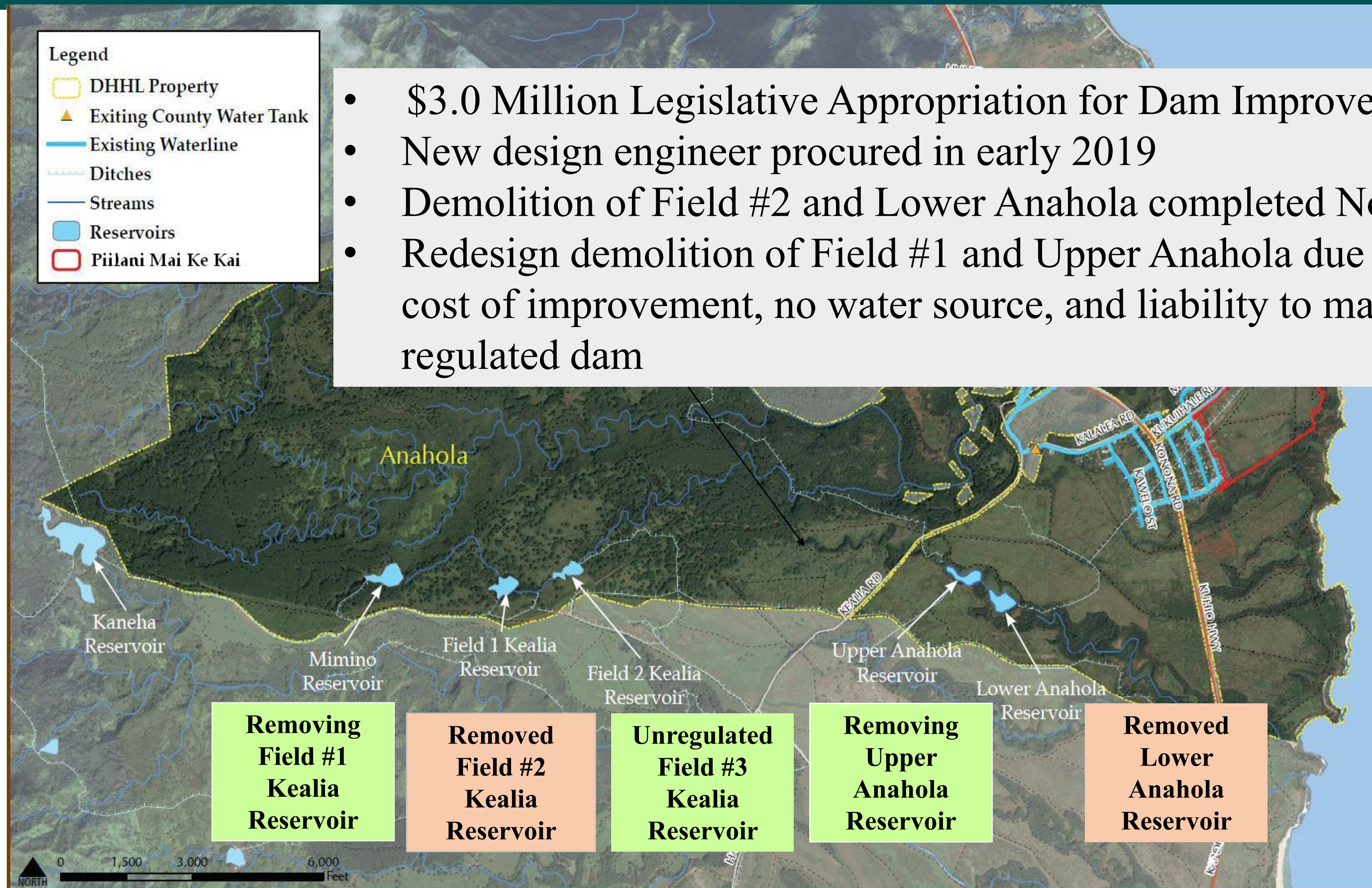
Est. Completion Phase 2: Nov. 2022

Expenditure to date: \$ 2.025 Million





Anahola Dam & Reservoir Improvements

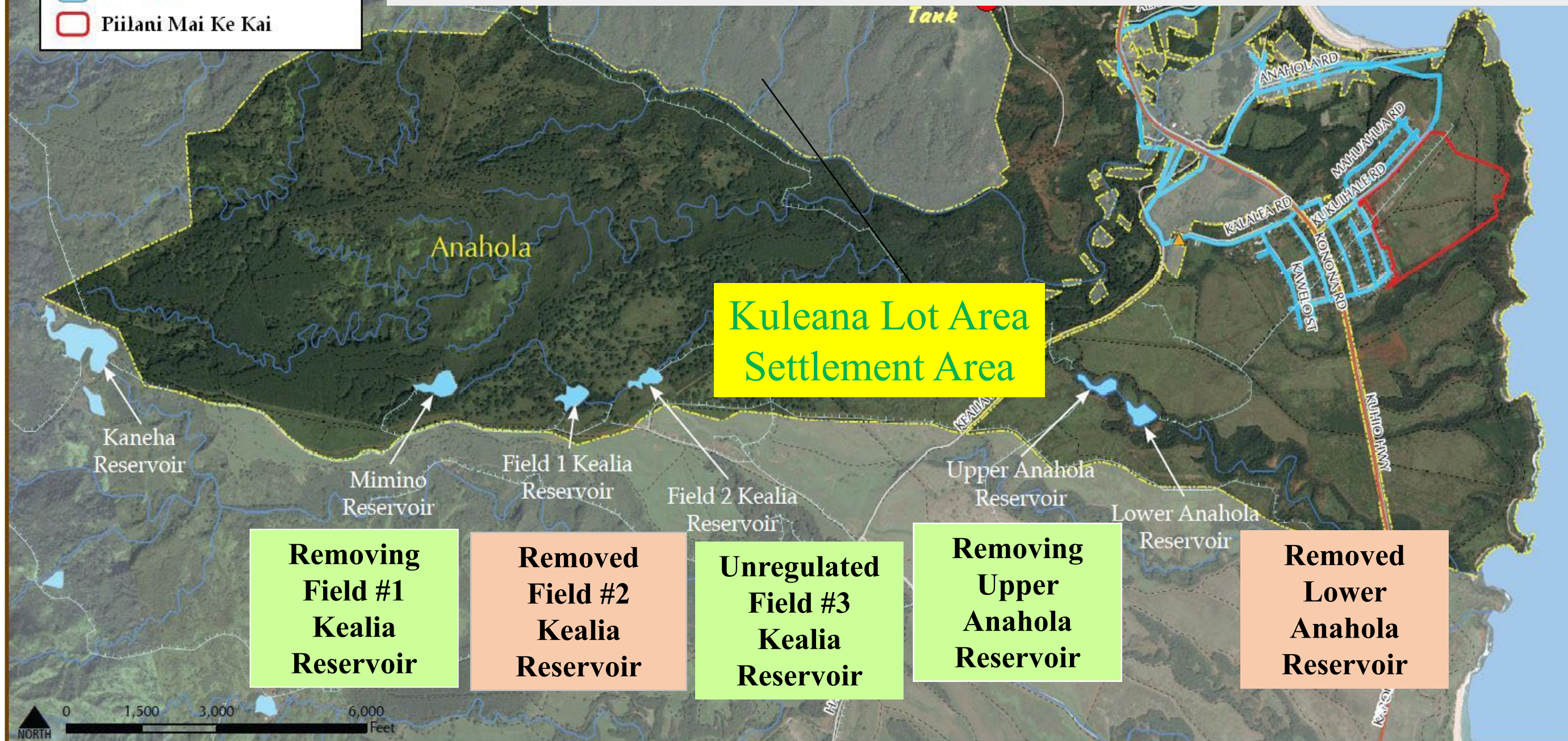


- \$3.0 Million Legislative Appropriation for Dam Improvements
- New design engineer procured in early 2019
- Demolition of Field #2 and Lower Anahola completed Nov. 2020
- Redesign demolition of Field #1 and Upper Anahola due to high cost of improvement, no water source, and liability to maintain a regulated dam

Assessment of Dams for Anahola Kuleana Lot Settlement Plan

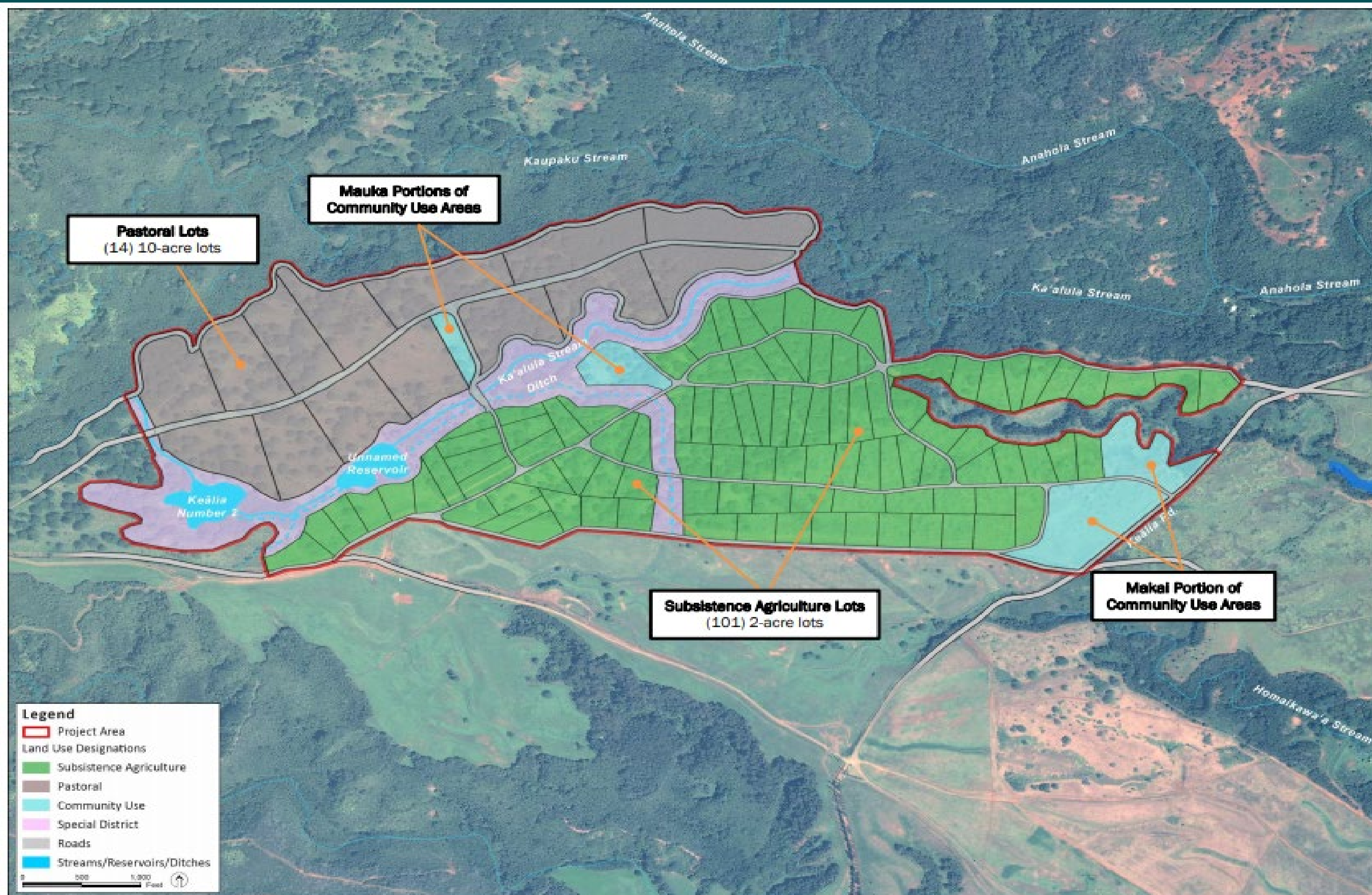


- Draft EA published May 2020; Final EA published June 2021
- Assessed Kealia Field #1 for non-potable; however not feasible
- Additional design funds required for redesign for demolition and removal and for Dam Safety permitting.



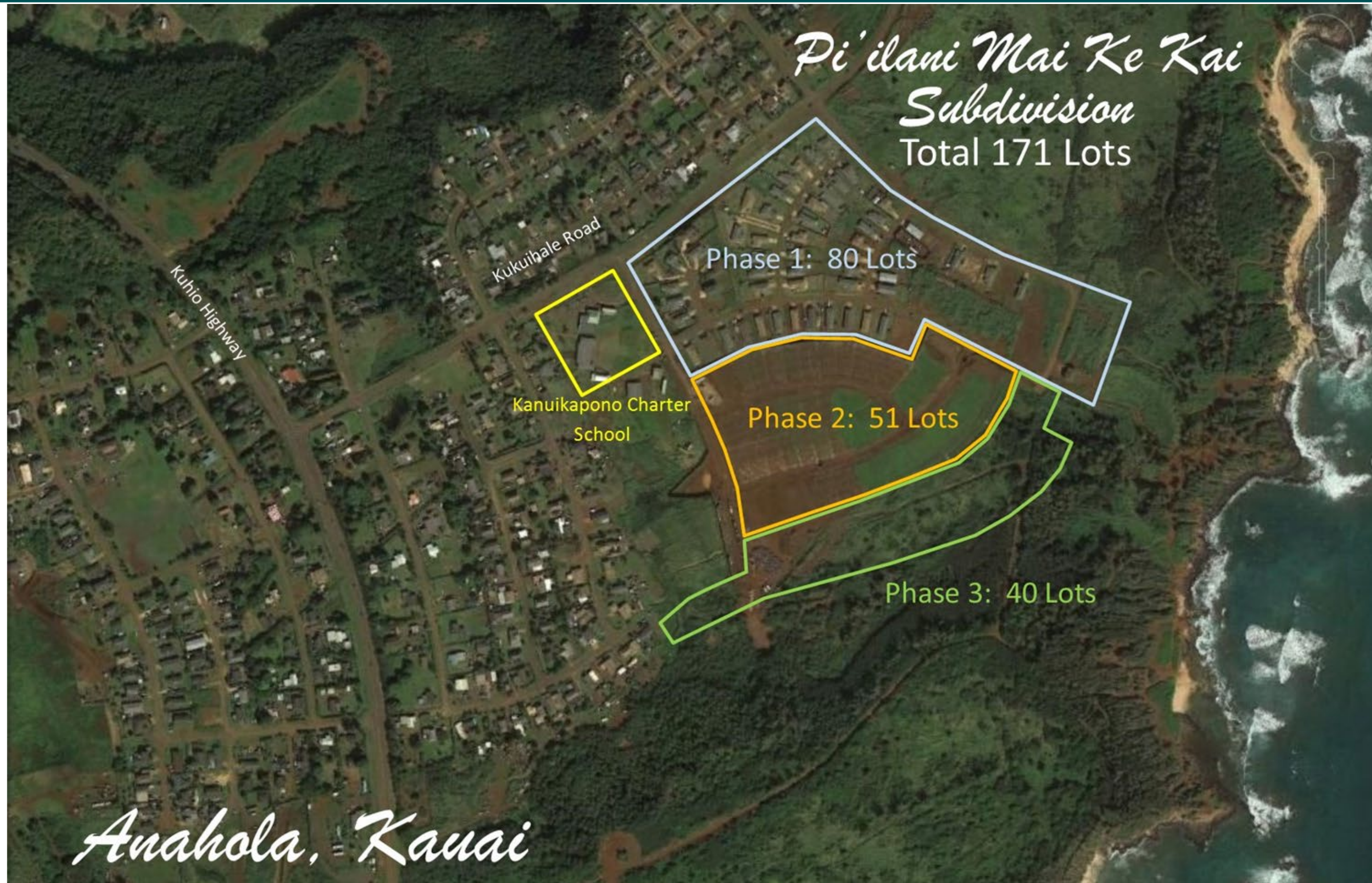


ANAHOLA KULEANA LOT SETTLEMENT





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)

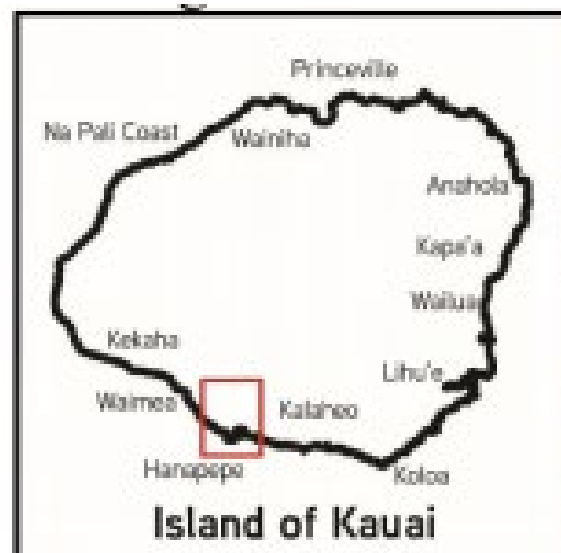
3 lots for Offer
10 lots in construction process

Phase 3 (50 lots)

Planned lots and roadway awaiting new determination.
Hold design until determination provided by U.S. Army Corp of Engineers.



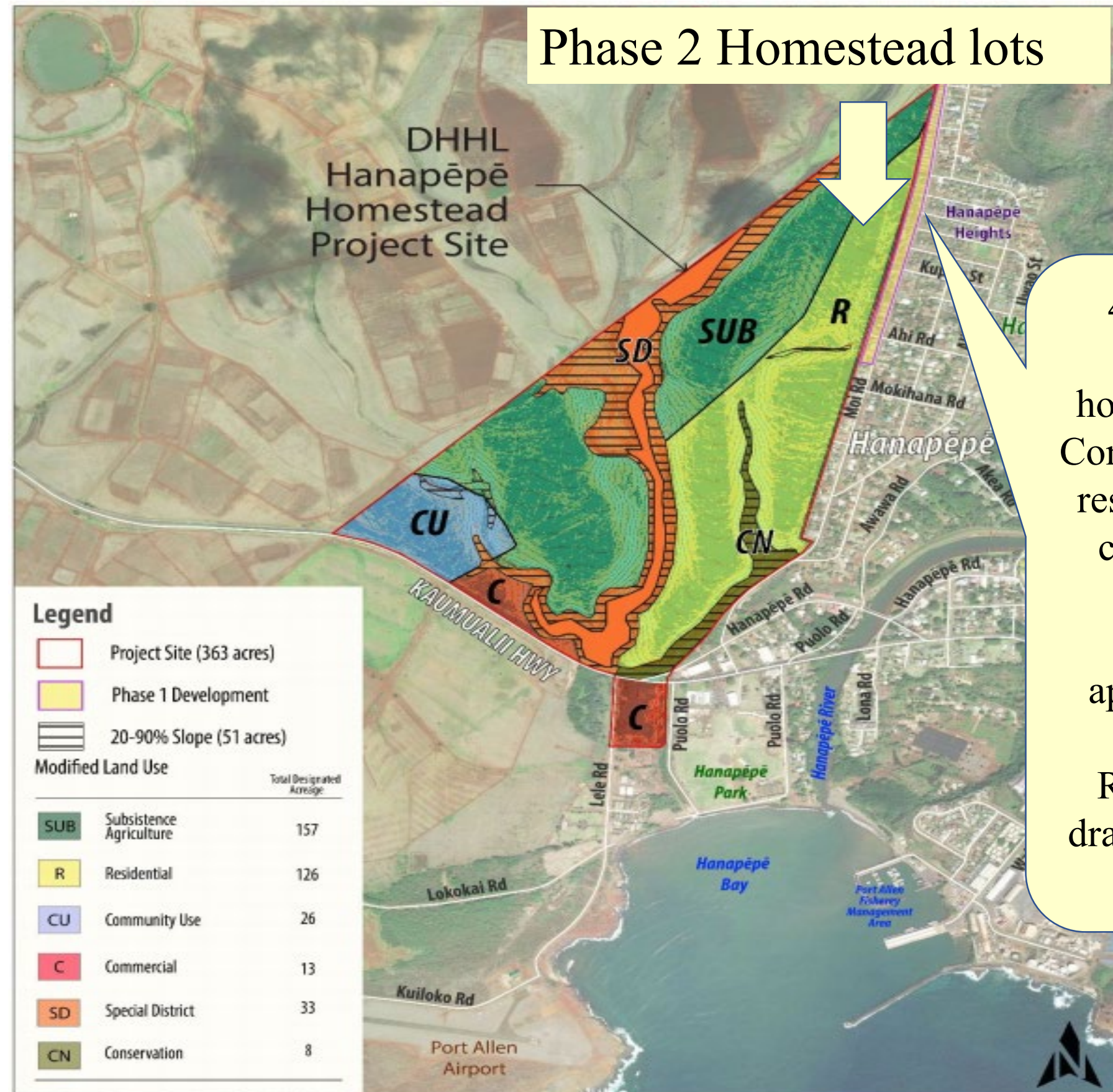
HANAPEPE MASTERPLAN AND ENVIRONMENTAL ASSESSMENT



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.

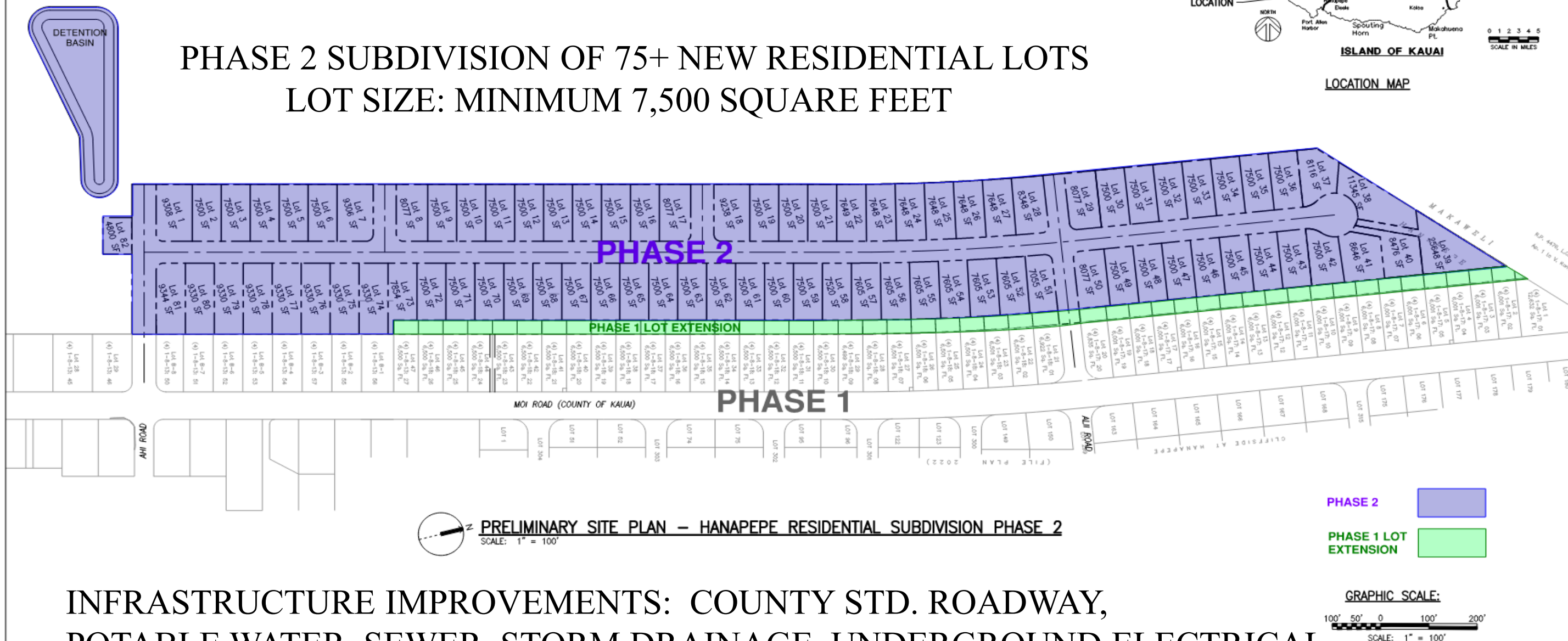


Hanapepe Residential Phase 2

CONCEPTUAL LAYOUT

PHASE 1 CONSOLIDATION AND RESUBDIVISION
ADD APPROXIMATELY 1,500 SQUARE FEET

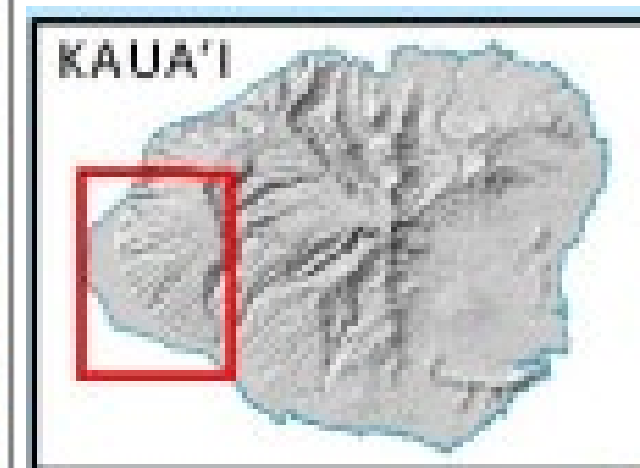
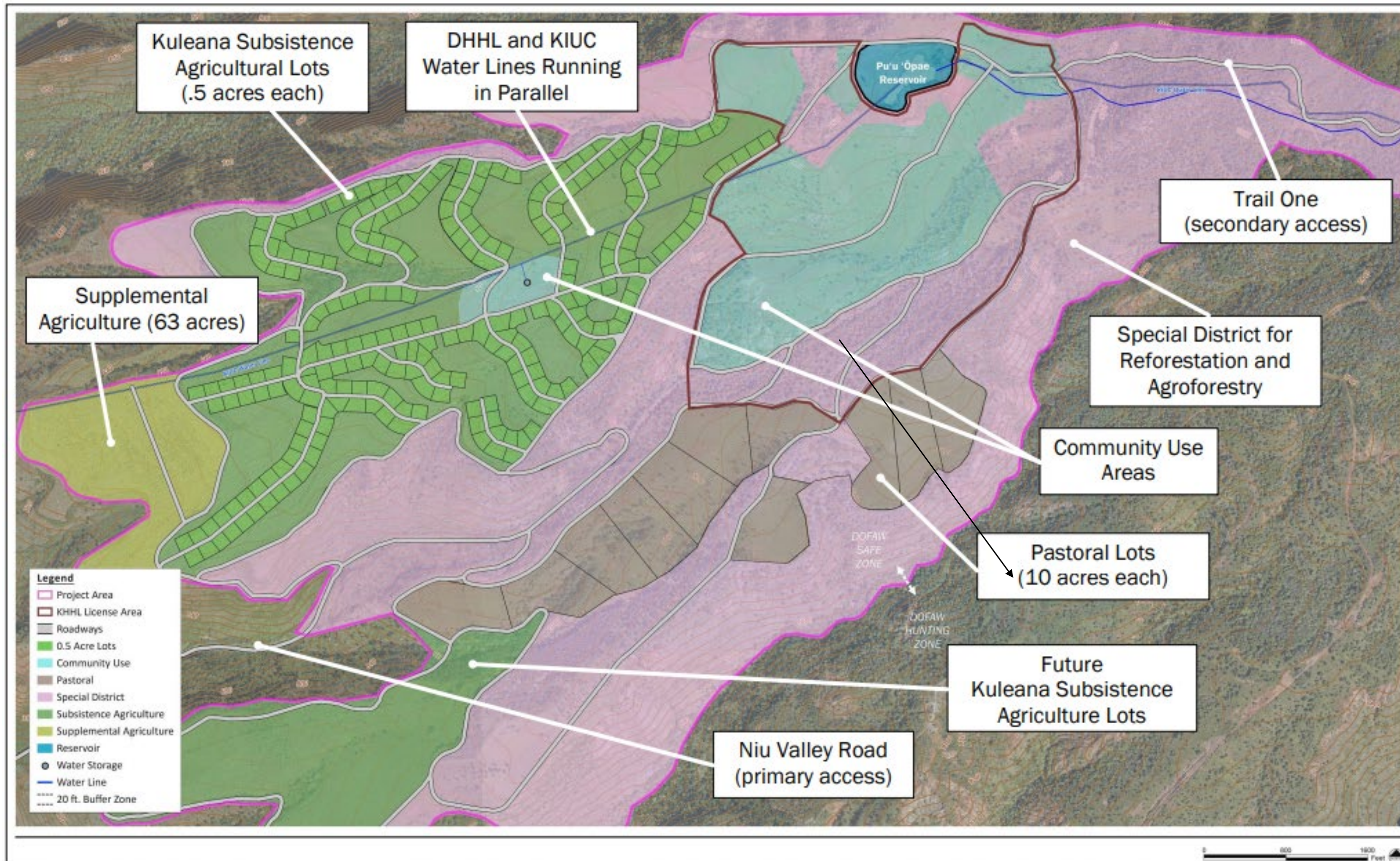
PHASE 2 SUBDIVISION OF 75+ NEW RESIDENTIAL LOTS
LOT SIZE: MINIMUM 7,500 SQUARE FEET



INFRASTRUCTURE IMPROVEMENTS: COUNTY STD. ROADWAY,
POTABLE WATER, SEWER, STORM DRAINAGE, UNDERGROUND ELECTRICAL

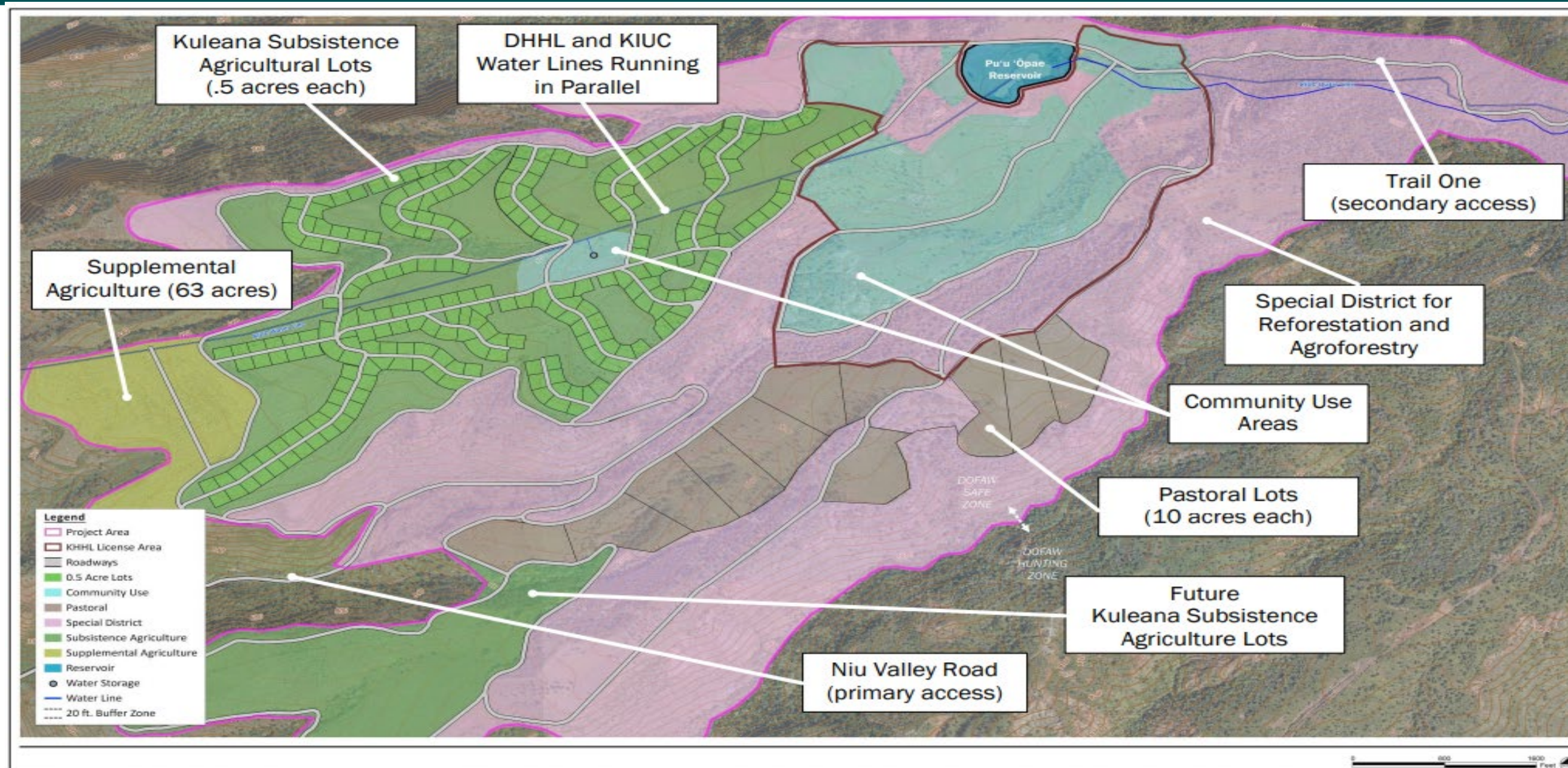


Pu'u 'Ōpae Kuleana Homestead Lots





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



Hawaiian Homestead Commission Briefing

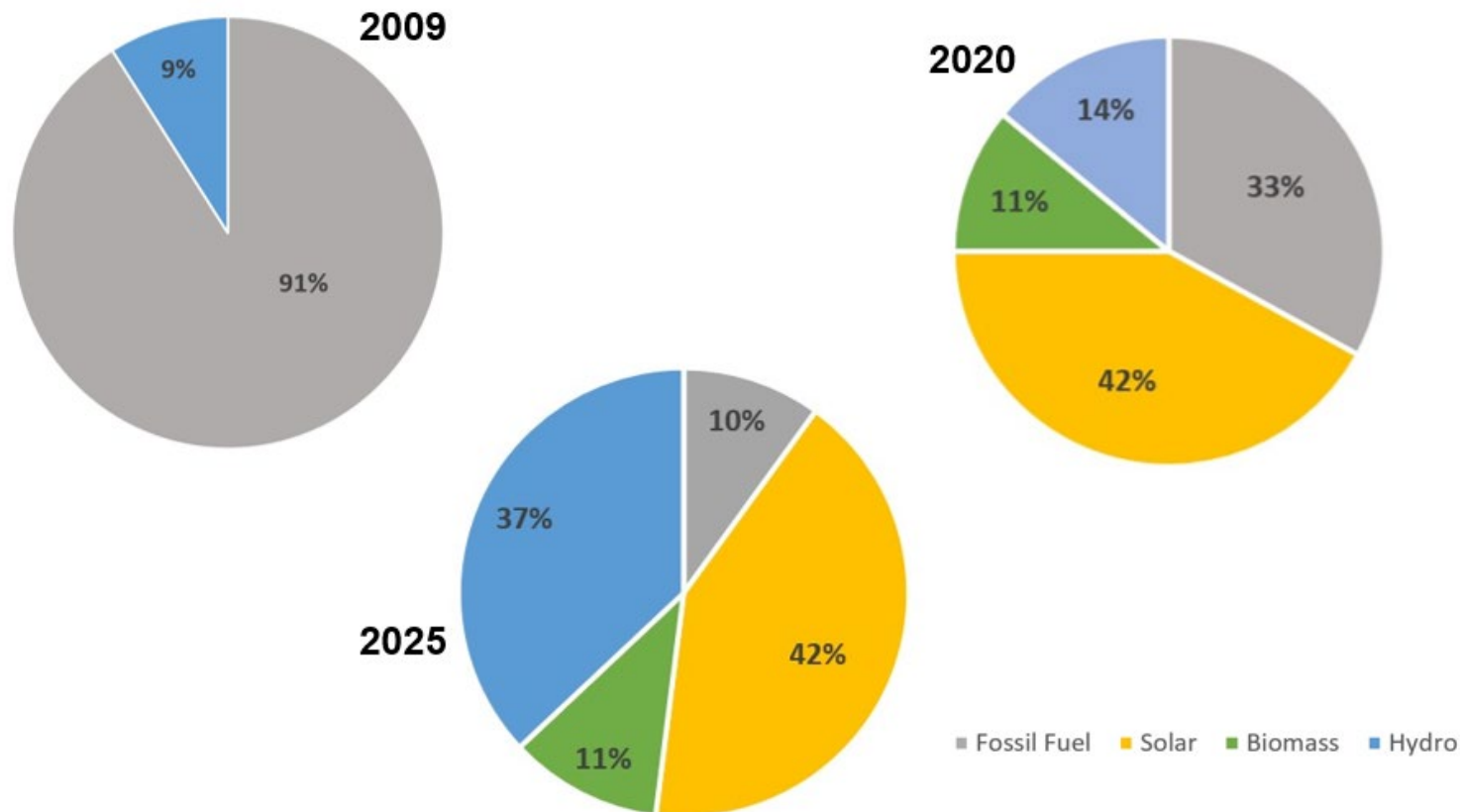
August 2021

Kaua'i's 100% Renewable Challenge

- 100% of Kaua'i's daytime demand for electricity routinely met by renewables
- Solar and battery limitations
 - Sun dependent
 - Short duration storage
- Long-duration storage needed to achieve 100% renewable at night and during prolonged periods without solar



KIUC Fuel Mix



WKEP Supports Existing HHC/DHHL Plans

- Ho‘omalūō (2009): Energy Policy
 - Facilitate the use of diverse renewable energy resources
 - Pursue the leasing of those lands that are identified as suitable for renewable energy projects
- West Kaua‘i Regional Plan (2011): Priority Projects
 - Development of renewable energy projects compatible with agriculture
 - Maintain and rehabilitate Pu‘u ‘Ōpae reservoir and irrigation system
- Modified Petition for Reservation of Surface Water (2017)
 - 6.9.9 MGD from Kōke‘e Diversions for use in Waimea, Kaua‘i Hawaiian Home Lands
- Pu‘u ‘Ōpae Kuleana Homestead Settlement Plan
 - 1,421 acres on mauka Waimea lands
 - HHC accepts final EA in July 2020

Waimea River Mediation Settlement

- Petition filed in July 2013 by Earth Justice on behalf of Pō'ai Wai Ola and West Kaua'i Watershed Alliance
 - Complaint filed against ADC and KAA for alleged waste of water on ditch systems
 - Amend interim instream flows
- Parties: Pō'ai Wai Ola and West Kaua'i Watershed Alliance/Earth Justice, ADC, KAA, DHHL, and KIUC
- Mediation Settlement approved by Commission on Water Resource Management on April 18, 2017
- Unprecedented resolution of a water dispute in Hawai'i

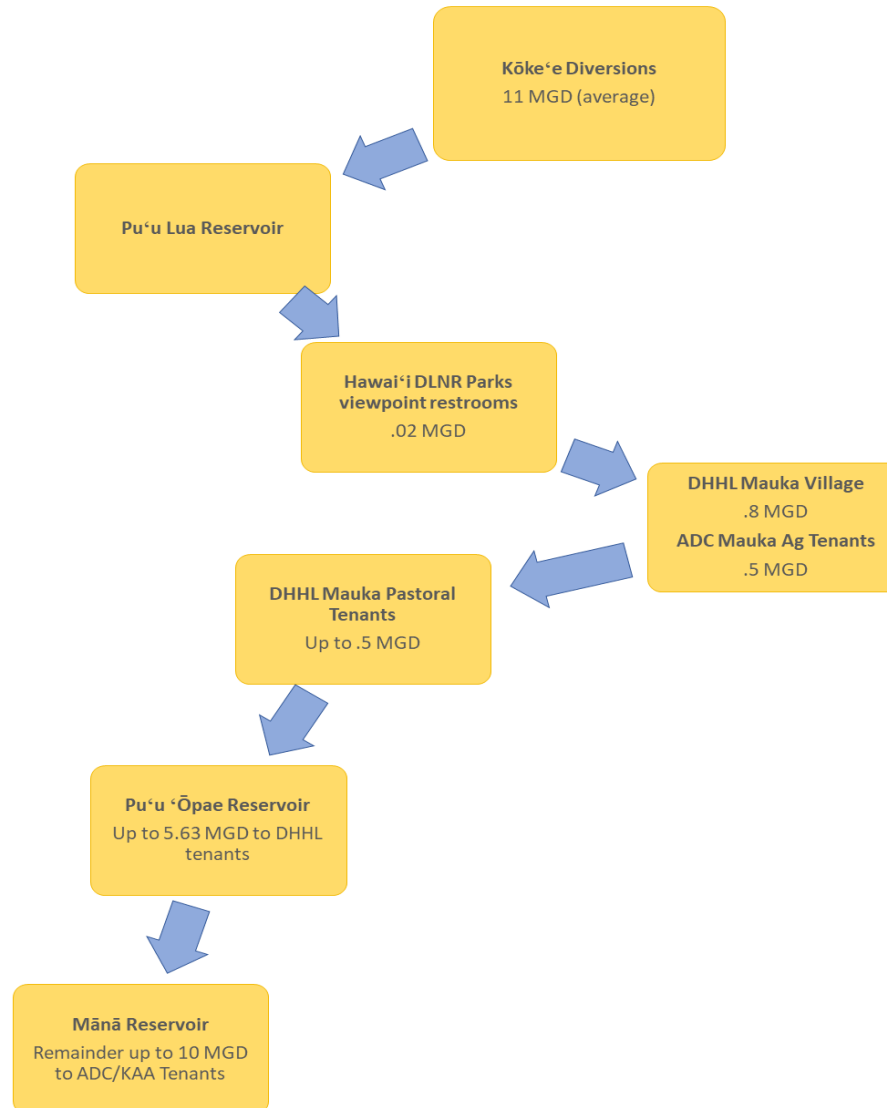
Mediation Settlement Points

- More water for streams and Waimea River
 - Required instream flow releases and modifications to diversions
 - Phase One IIFS
 - Phase Two IIFS
- Installation of monitoring equipment and stream flow data collection
- Water for DHHL lands
- Water for KIUC project
- Timeline with required action items

Integrated Energy Project Proposal

- Renewable energy resource for island of Kauaʻi
 - 24 MW of pumped storage hydro
 - Solar used as power source for pumping
 - Store and release hydro
- Irrigation water delivered through ditch and project pipeline to DHHL lands and ADC/KAA
- Primary project components
 - Kokeʻe ditch repairs and upgrades
 - Rehabilitation of Puʻu Lua, Puʻu ʻŌpae, and Mānā reservoirs
 - Two new sections of buried pipeline
 - Two new powerhouses

Flow of water from Kōkeʻe diversions with volume use at various points on the system



DHHL Benefits

- ✓ Delivery of DHHL water reservation of 6.9 MGD to DHHL lands
- ✓ Enables the development of DHHL's Pu'u 'Ōpae Kuleana Homestead Settlement Plan
 - ✓ Water delivery
 - ✓ Road improvements and maintenance
 - ✓ Electrical power available at Pu'u 'Ōpae
- ✓ Water delivery and new storage tank for DHHL pastoral lots
- ✓ Water delivery to KHHA licensed area
 - ✓ KIUC provides pump, power for pump and repairs/replacement to pump
- ✓ Annual lease payments to DHHL

DHHL Benefits

- ✓ Rehabilitation and maintenance of Pu‘u Lua Reservoir
 - ✓ Provides irrigation storage buffer that will increase water availability to DHHL lands during the dry seasons.
- ✓ Repairs/upgrades and maintenance and operation of Koke‘e ditch
 - ✓ The only mechanism providing water to DHHL lands, improved and more reliable water delivery throughout the project life.
- ✓ Collaboration with KHHA on seed banking program and reserving wood for designated purpose
 - ✓ Koa tree located on dam embankment and must be removed for dam safety requirements
 - ✓ Will continue to collaborate with KHHA on wood use/purpose and seed banking
- ✓ Increased wildfire protection

Benefits to KIUC Members

- Partnership with DHHL and other agencies to reduce the impact of climate change by eliminating usage of more than 8 million gallons of fossil fuel per year with an estimated annual reduction of 80,000 tons of CO₂e.
- Member-owned legacy project that provides long-duration storage, improved reliability and rate stability
- Capable of meeting up to 25% of island power needs
- Generates when solar isn't available
- Increased number of jobs available during the construction phase

WKEP Project Status

- 2013 – present: ongoing outreach with beneficiaries, beneficiary organizations and the community at large
- August 2017: Beneficiary consultation report accepted by HHC
- May 2018: Right of entry executed between KIUC and DHHL
- June 2020: 60% engineering complete, including repairs and new infrastructure on DHHL land; report shared with DHHL
- July 2020: HHC accepts final EA for Pu‘u ‘Ōpae Homestead Settlement
- December 2020
 - KIUC signed development/construction/operation agreement with AES
 - Power Purchase Agreement filed with Hawai‘i Public Utilities Commission

WKEP Project Status

- March –April 2021: Virtual Community Meeting and Open House held
- June 2021: DHHL offered pre-review of Draft EA and opportunity to comment
- July 2021: KIUC met with beneficiaries in Kekaha at invitation of DHHL
- August 2021: Draft WKEP EA to be published by OEQC
- September 2021: Monthly community outreach meetings to commence in Kekaha and Waimea

Role of AES

- Development/Construction/Operation
- AES is proven partner of KIUC
 - Presence in Hawaii for more than 25 years
- AES is a world leader in renewables; experience with similar projects
 - 6,379 MW of hydro capacity in Central and South America
- Financial risk shifted from cooperative to development partner
- AES can take advantage of federal and state tax credits; maintaining the cost of the project which translates into rate savings for KIUC members

Pu'u Lua Reservoir - Current



Pu'u Lua Reservoir after Rehabilitation



Pu'u 'Ōpae Reservoir - Current



Pu‘u ‘Ōpae Reservoir – During Sugar Operation

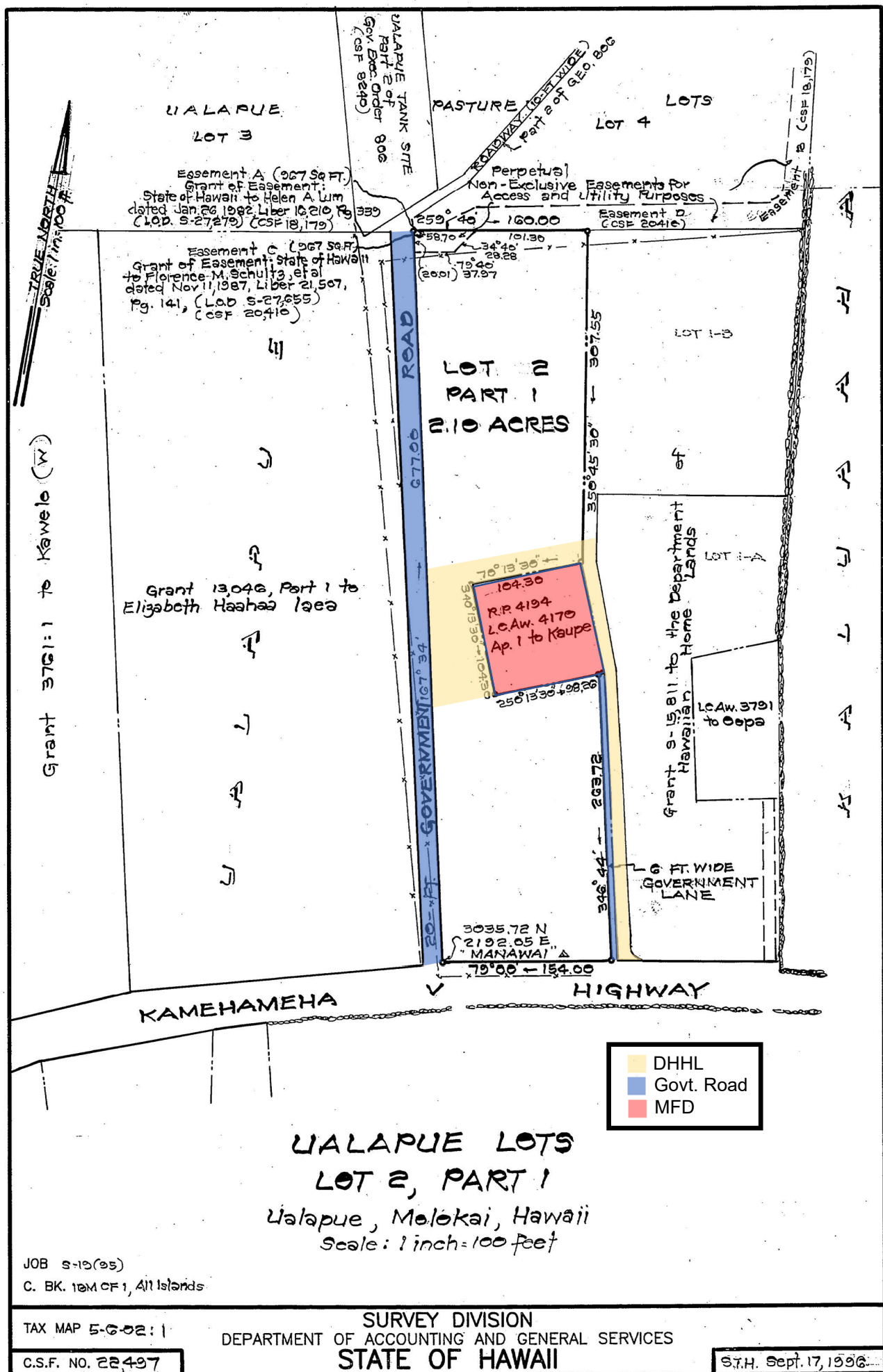


Mahalo and Questions



KIUC meeting with
DHHL/Beneficiaries July 2021





JOB S-15(95)

C. BK. 10M OF 1, All Islands

TAX MAP 5-6-02: 1

C.S.F. NO. 22,437

SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
 STATE OF HAWAII

S.T.H. Sept. 17, 1996



Hawaiian Community
Development Board

Ikehu Park

An Alternative Energy Park





Hawaiian Community Development Board



Agnes Kalaniho 'okaha Cope Community Learning Center



Hale Makana O Nanakuli



Nanakuli Commercial Center



Hale Makana O

Ma'ili



Kawelo Apartments



Kaulana Hale



Halawa View Apartments



Hale Makana O

Mo'ili'ili



Halawa Phase 2 & 3



Hale O Pi'ikea I



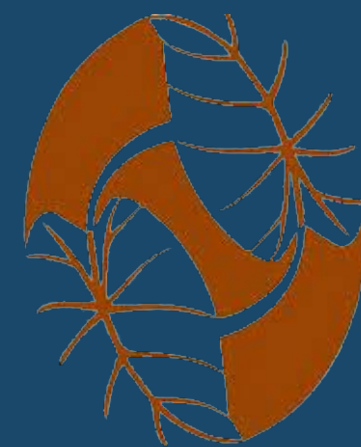
Hale O Pi'ikea II



Hale Makana O Uluwehi



Development Team & Partners





Hawaiian Community
Development Board

Purpose of Workshop

Amend Board action from solar farm to
alternative energy park



General Overview



HCDB is a leading affordable housing non-profit developer in Hawai'i and has the experience to execute this project



Development of an Alternative Energy Industrial Park paying market rent. Revenue would be shared between DHHL & HCDB

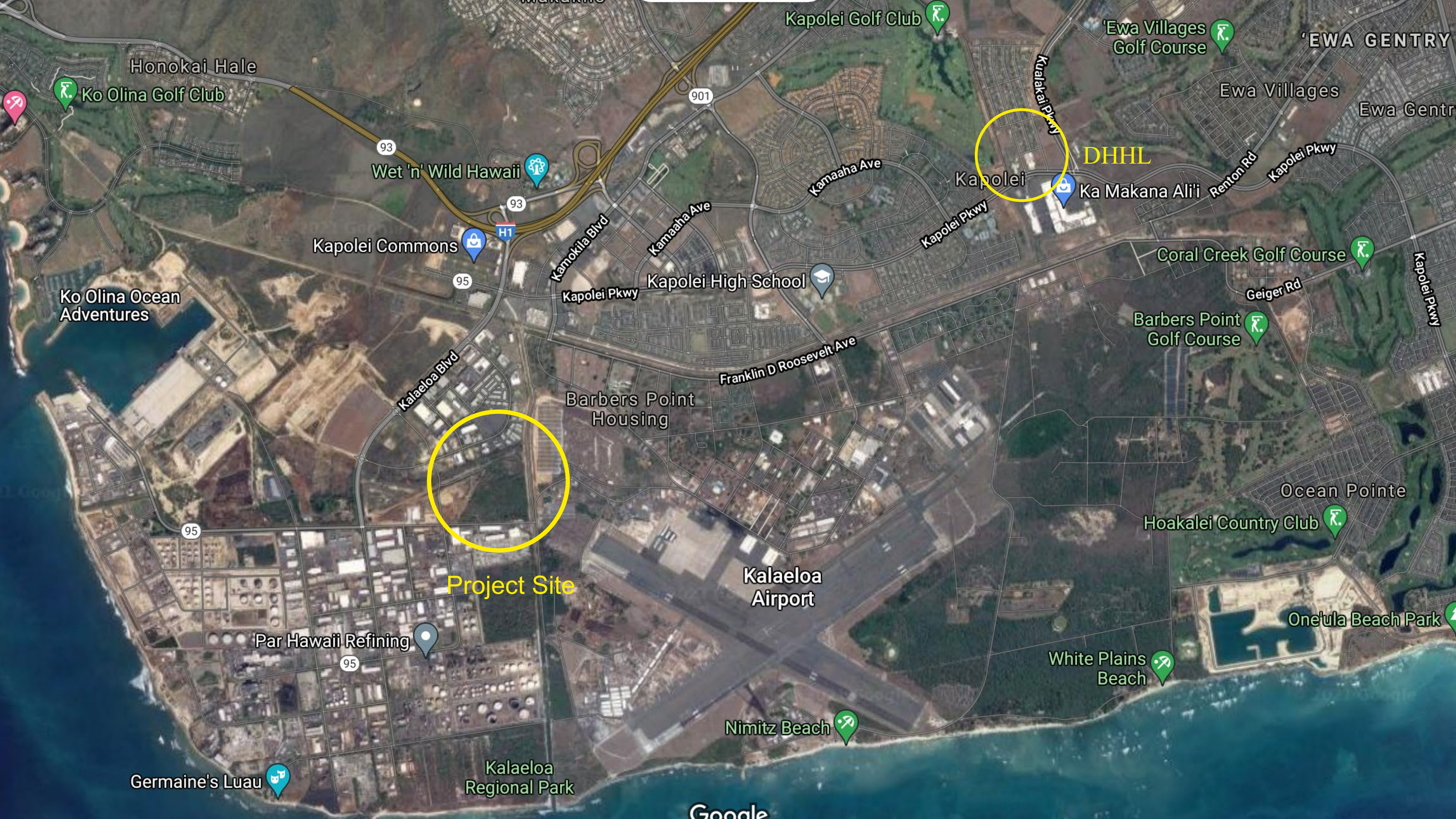


HCDB's revenue will go into developing homestead projects





Hawaiian Community
Development Board



Honokai Hale

Ko Olina Golf Club

Wet 'n' Wild Hawaii

Kapolei Commons

Ko Olina Ocean Adventures

Project Site

Par Hawaii Refining

Germaine's Luau

Kalaeloa Regional Park

Kapolei Golf Club

'Ewa Villages Golf Course

'EWA GENTRY

Ewa Villages

Ewa Gentry

DHHL

Ka Makana Ali'i

Coral Creek Golf Course

Barbers Point Golf Course

Kapolei High School

Barbers Point Housing

Kalaeloa Airport

Ocean Pointe

Hoakalei Country Club

One'ula Beach Park

White Plains Beach

Nimitz Beach

Google

Protective Zone

Archeological Survey showed 27 features

State Historic Preservation Division requires 10 meter buffer zone

7-10 acres of unusable area

Approximately 37 acres available





Current Site Plan



01

Energy Base Yard Lots:

1 - 8 acres

Biofuel digester anchor tenants

02

Small Base Yard Lots:

3,000 - 10,000 sf

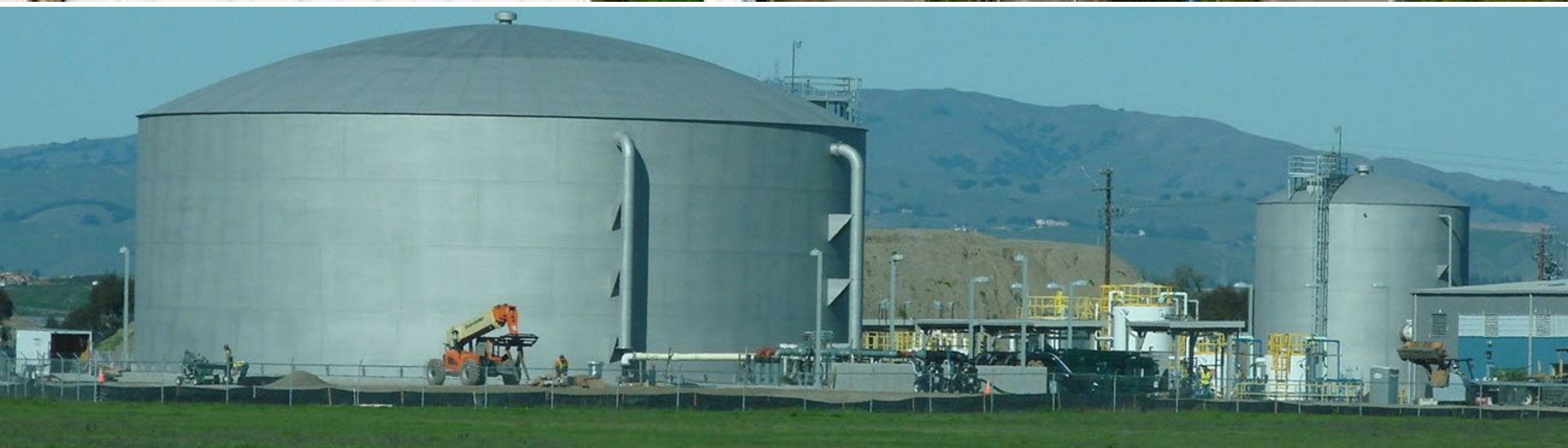
Start-ups and small businesses

03

Standard Base Yard Lots:

1 - 1.5 acres

Similar to surrounding parks



8/2021

Colliers International - Hawaii

INDUSTRIAL MARKET PRESENTATION

Presented for:

DHHL Commission Workshop

Current Economic Factors



Gov't Lockdowns

- › Business closures
- › Unemployment
- › Consumer spending



Tourism

- › Impact on economy
- › Expected Recovery



Construction

- › Positive momentum through pandemic
- › Speculation of slow down in 2021

Lease Comps



SHED SPACE	COMP 1	COMP 2	COMP 3	COMP 4
Yard (SF)	8,660	28,377	5,160	5,710
Shed (SF)	2,950	7,375	2,950	2,950
Term (Years)	5	5	3	3
Initial Rent	\$3,500	\$7,300	\$3,000	\$3,200
Rate (\$/SF)	\$0.40	\$0.26	\$1.58	\$0.56
Increases	2%	3%	3%	3%



YARD SPACE	COMP 1	COMP 2	COMP 3	COMP 4
Yard (SF)	106,500	46,067	4,900	10,000
Term (Years)	10	5	3	5
Initial Rent	\$12,780	\$6,500	\$980	\$1,571
Rate (\$/SF)	\$0.12	\$0.14	\$0.20	\$0.16
Increases	2%	3%	3%	3%

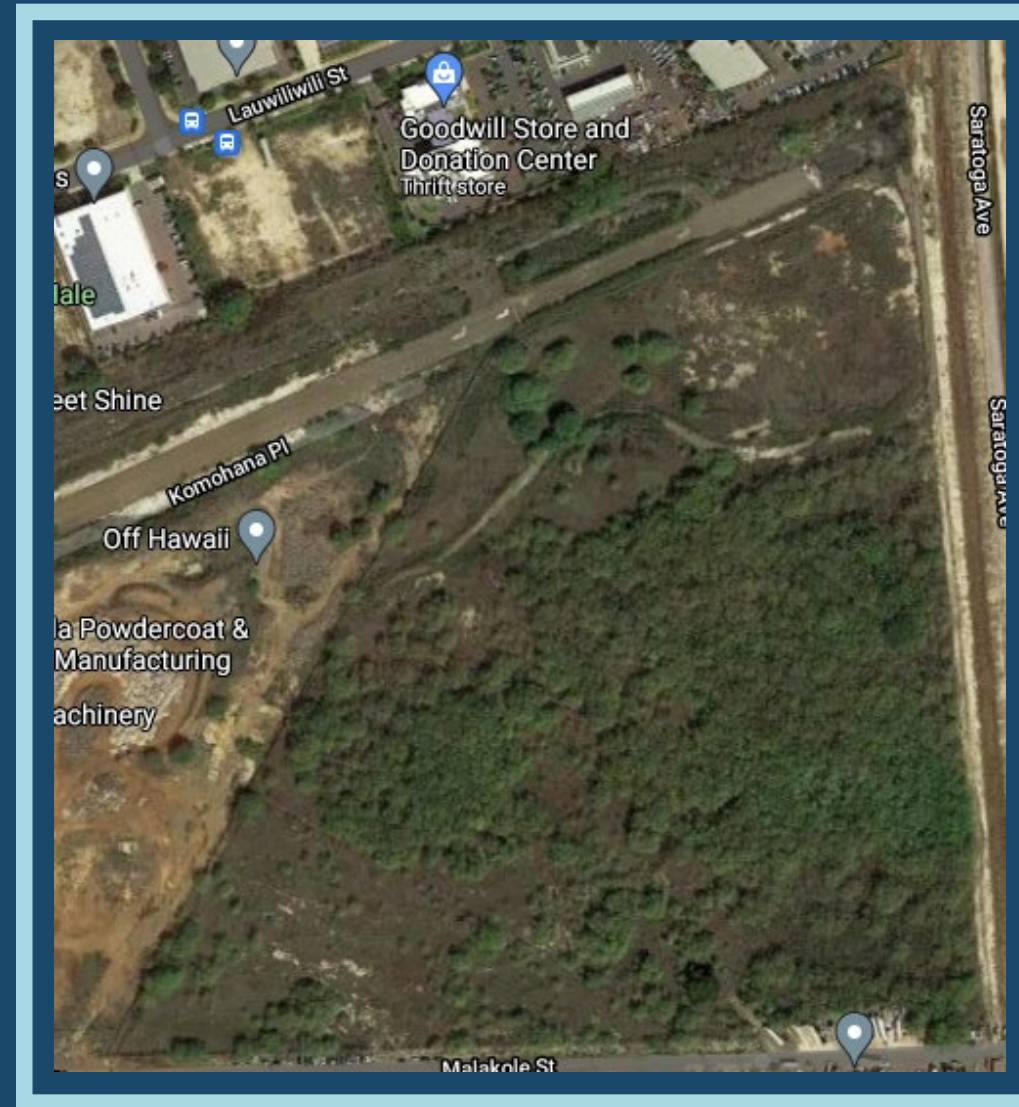
Fee Simple Comps and Ground Rent Analysis



	AC	SF
Total Area	43	1,873,080
Arch. Features (-)	10	435,600
Infrastructure/ Roads/Utilities	5.04	219,542
Useable Area	37.96	1,653,53

FMV	Value	Development Cost	Unimproved Value	\$ PSF	Ground Rent (at 7%)	PSF/Mo
\$35	\$57,873,816	\$29,052,656	\$28,821,160	\$57,873,816	\$2,017,481	\$0.10

\$100 million
DHHL Lease Rent



Ikehu Industrial Park

\$6.5 billion for
Housing





Community Benefits Package

business
baseyard Lots



Entrepreneurial
opportunities



EDUCATIONAL
OPPORTUNITIES



scholarships
& internships



CAPACITY
GRANT



BUSINESS
OPPORTUNITIES



CLEAN ENERGY
& BIOFUEL



Model Project



SUSTAINABLE
DEVELOPMENT



Hawaiian Workforce Initiative

- Target to employ least 20% of workers to be homesteaders or Native Hawaiians for the general contractor and subcontractors
- First preference to beneficiaries for property management, maintenance, landscape, security, and repair opportunities

Business
OPPORTUNITIES



Homestead Capacity Grants

grant
OPPORTUNITIES



- 5 grant awards
- \$10,000 per award
- Annual Award of \$50,000
(with 2.5% growth rate
every 3 years)

Internship Program

- Approximately 3 summer internships annually
- Available to homesteaders, children of homesteaders, waitlisters, children of waitlisters, and native Hawaiians
- Available to those in fields of engineering, alternative energy, finance, law, urban studies, and community development

EDUCATION
OPPORTUNITIES



George's overview: No Videos

Slides to come

Website links for videos

Sustainable Energy Education Development (SEED)

- Student Agricultural Science & Maintenance Program
- Homestead Farming Opportunities Demonstration Project
- Sustainable Energy Workshops

sustainability



Alternative Energy Ancillary Business Opportunities

- Two ancillary businesses will be created by HCDB
- Propane gas distribution company & organic fertilizer company
- Apply for ANA grants for start-up costs
- Preference for native Hawaiian employment

Business
OPPORTUNITIES

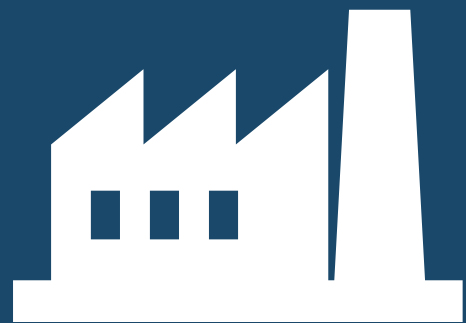




Industrial Lots for Native Hawaiians

- Lots will be offered with a preference to Hawaiians
- There is a demand for these type of lots by Hawaiians
- Discounted rents shall be provided

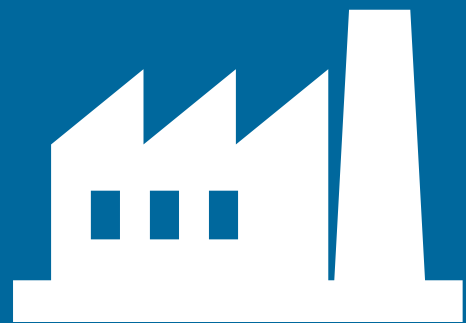
ECONOMIC
OPPORTUNITIES



Business Incubation Program

- Work with CHNA and Pono Shim to provide entrepreneurial training to start -up and tenants.

ECONOMIC
OPPORTUNITIES





Homestead Development Assistance

- Provide assistance in pre - development, design, financing, and construction of homestead projects

entrepreneurial
OPPORTUNITIES



Ikehu Industrial Park

Mahalo nui loa

Questions?





HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

Item G-1

Accept Beneficiary Consultation Report for Maui County Fire Department's Request to Utilize DHHL Lands for an Access Easement `Ualapu`e, Moloka`i

August 16 – 17, 2021



Maui County Fire Department Request





Maui County Fire Department Request

Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval:

1. Statewide Policy Issues
2. Amendments to Land Use Designations
3. Development of DHHL Plans
4. Long-term use of DHHL land for a non-homestead use



Maui County Fire Department Request

Beneficiary Consultation Meeting held on June 23, 2021

30-Day Comment Period June 23 to July 22.

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
TOTAL	40	30	44



Maui County Fire Department Request

Summary of Consultation Findings:

- Majority of participants support the easement to the Fire Department;
- A handful of participants do not support the easement to the Fire Department;
- During the 30-day comment period, there were comments received that the Fire Department should provide community benefits in support of the new `Ualapu`e Kuleana Homestead Community Development in exchange for an access easement through DHHL lands.



Mahalo



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G-2

Status Update on Plan Implementation

Island of Kauaʻi

August 16-17 2021

DHHL's Planning System





Existing Plans & Implementation Status

Kauaʻi Island Plan (KIP, adopted by HHC in 2004)

The purpose of each DHHL Island Plan is to:

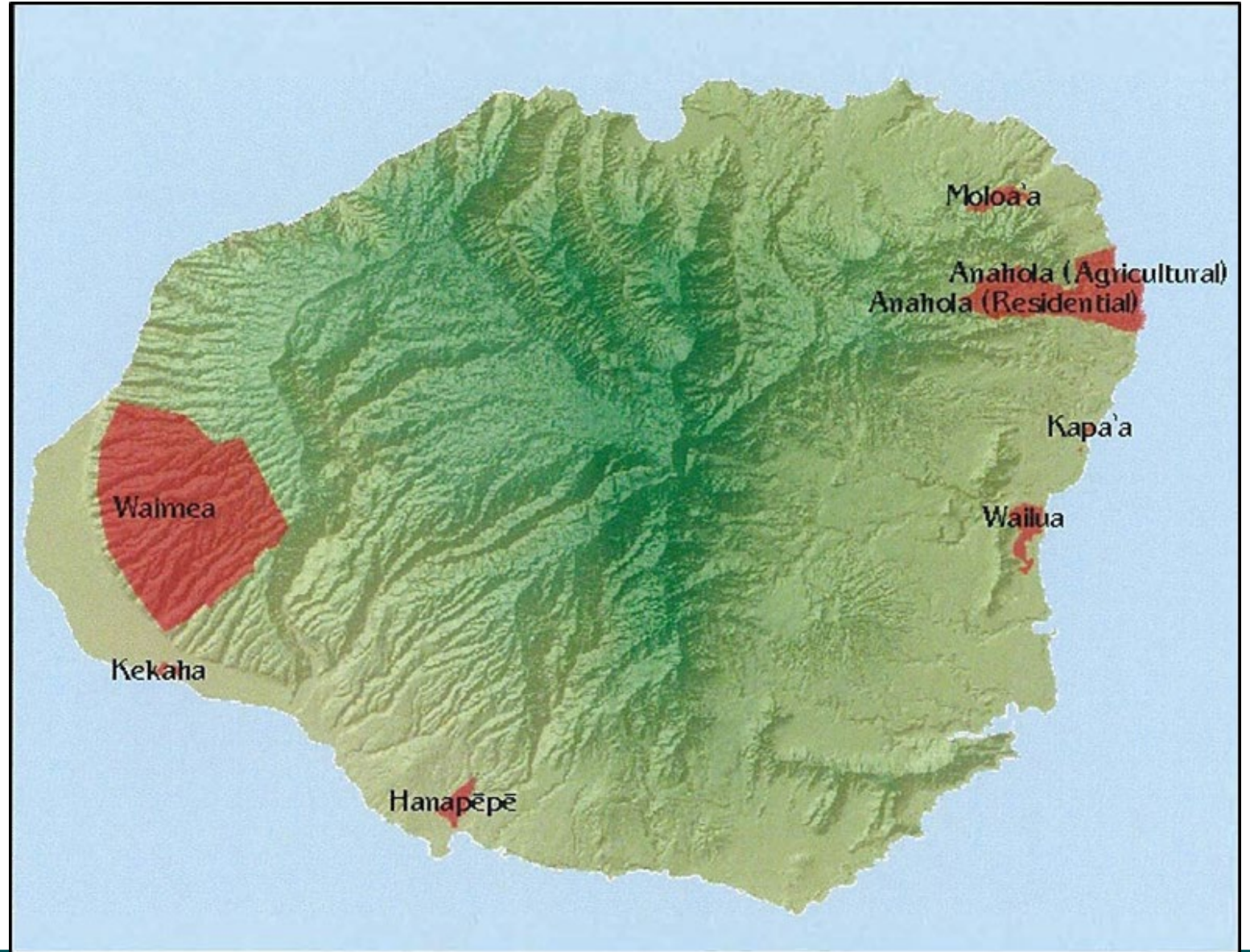
- 1) Provide a comprehensive resource for planning and land management purposes, including identification of land use goals and objectives of the General Plan specific to each island,
- 2) Identify island-wide needs, opportunities, and priorities, and
- 3) Assign land use designations (LUD's) for all land holdings to promote orderly land use and efficient development of infrastructure systems.



Kaua'i Planning Areas

The KIP identified seven planning areas:

- Waimea
- Kekaha
- Hanapēpē
- Wailua
- Kapa'a
- Anahola/
Kamalomalo'o
- Moloa'a



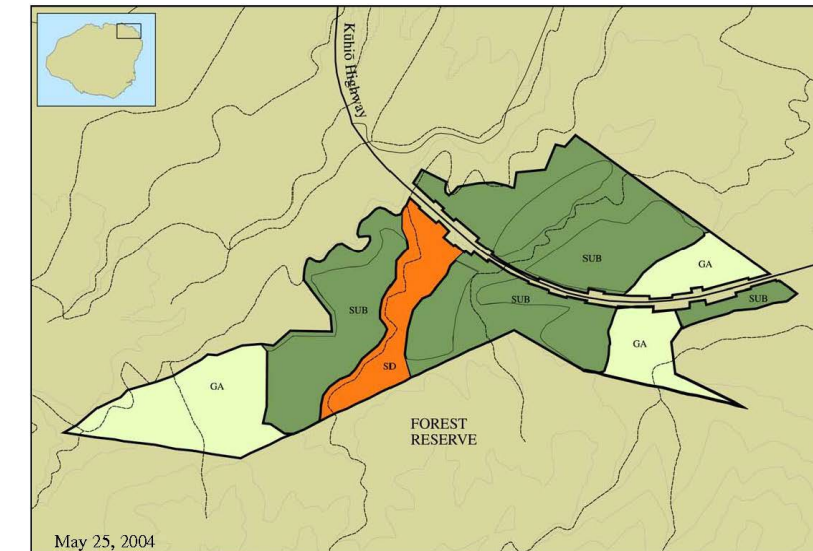
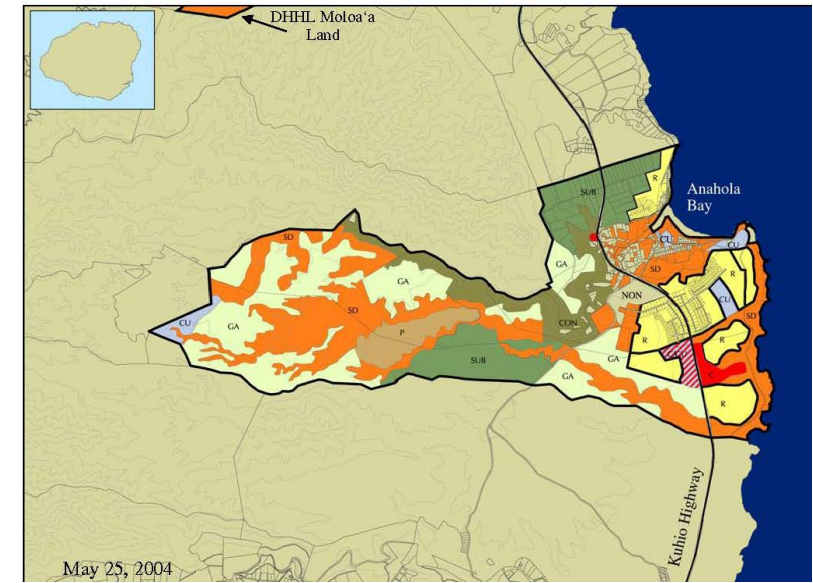
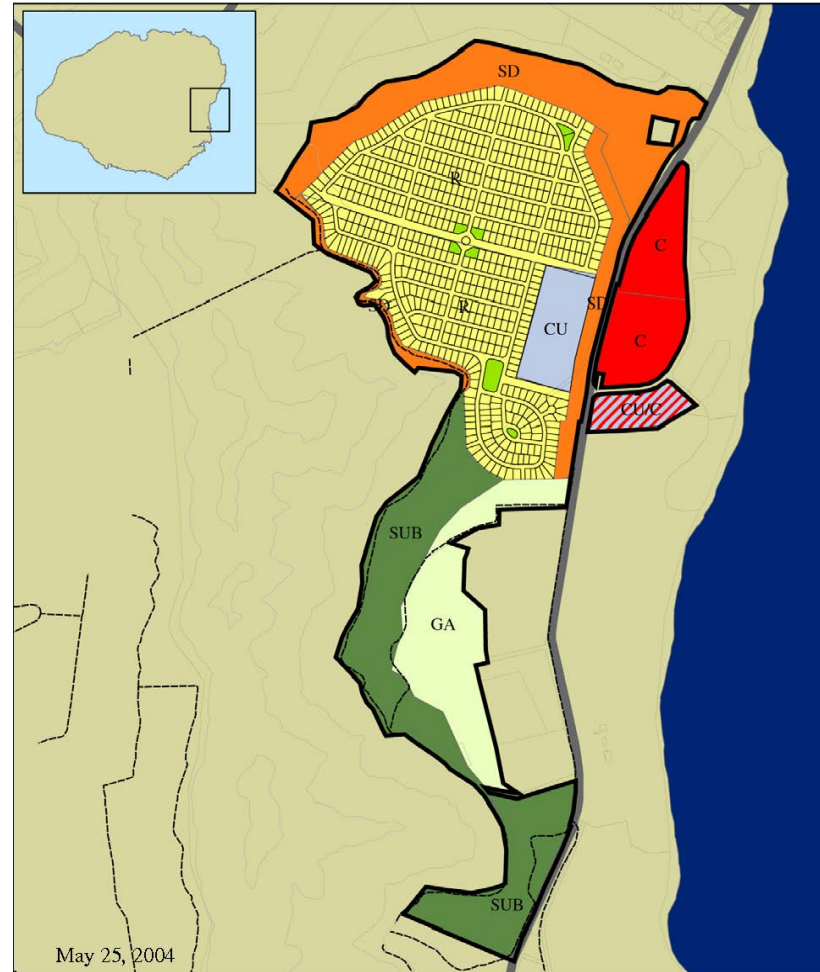
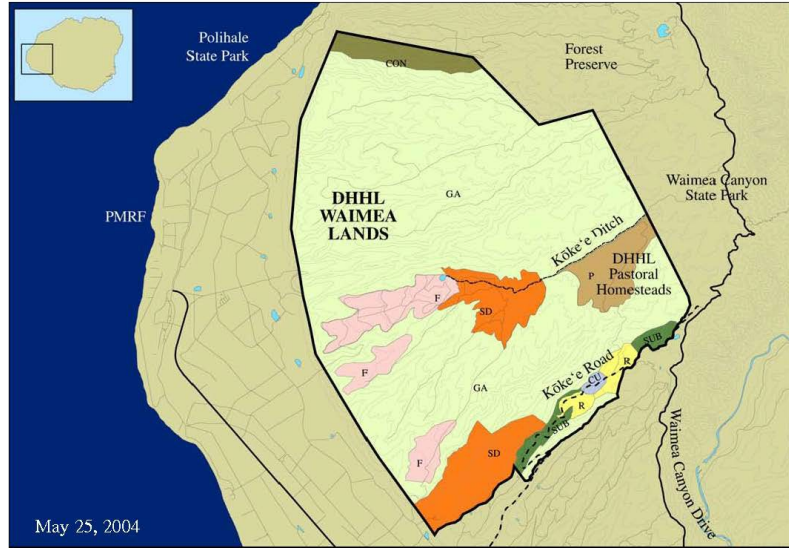


Kaua'i Island Acreage by Land Use Designation

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%



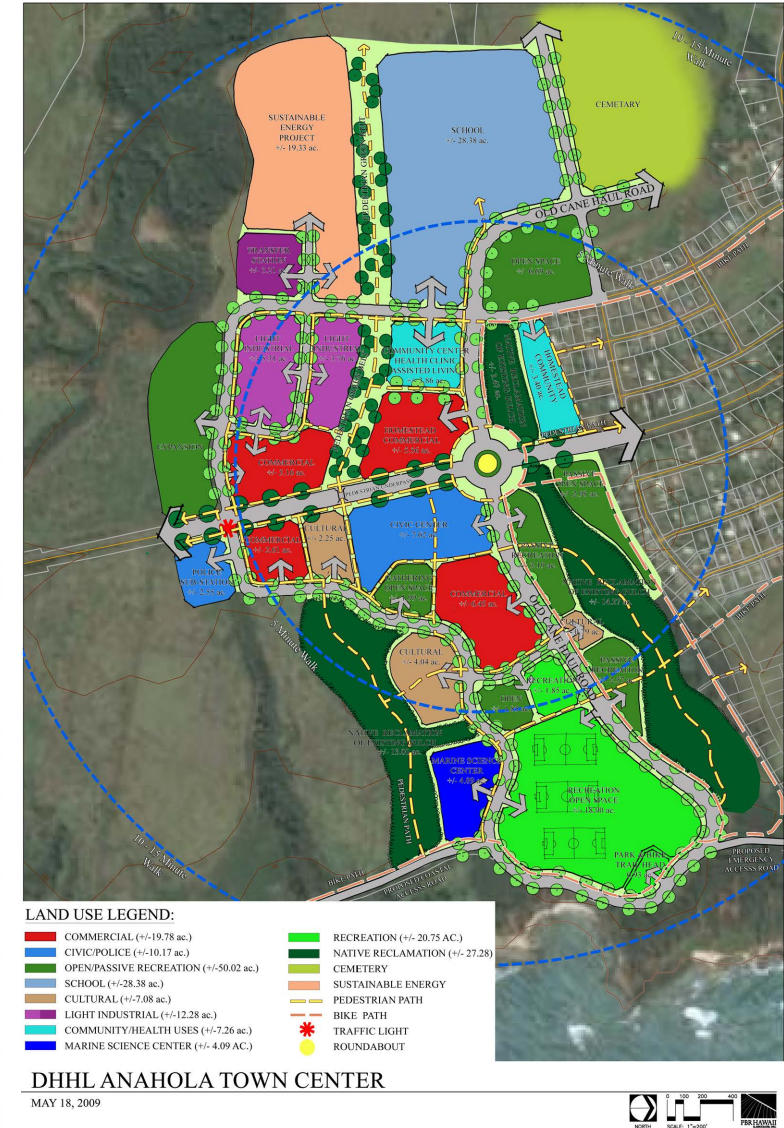
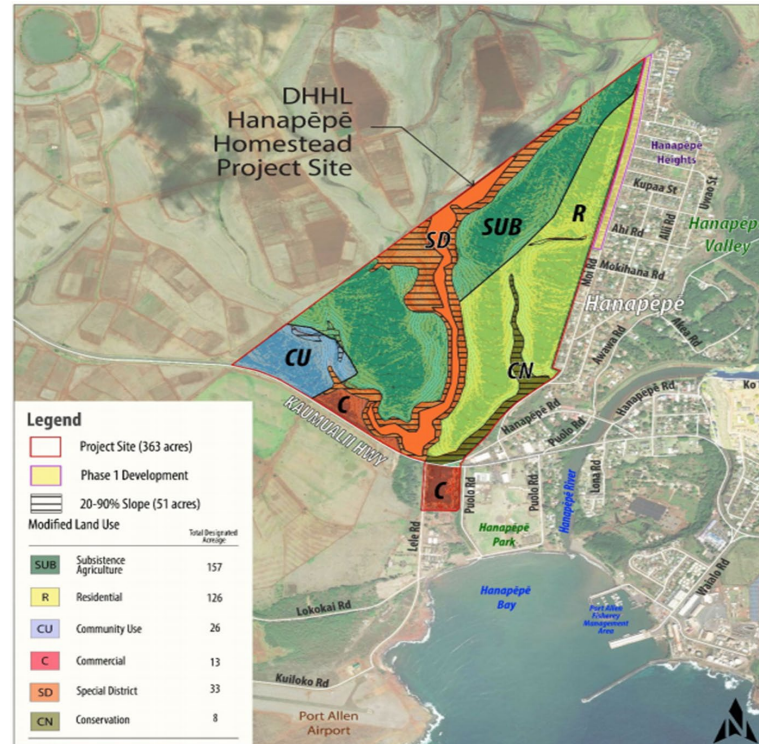
KIP Land Use Plans





KIP Amendments & Updates

No formal Island Plan Amendments have been made since 2004. However, several amendments to the KIP could be made to better reflect subsequent planning and development.





Homestead Development Priorities / Status

1. **Wailua** – 651 10,000 sq. ft. lots; Off-site water wells and storage facilities & on-site roads & water & sewage transmission lines required. Wailua Well #1 capped & cased; two more wells may be needed to provide adequate source.
2. **Hanapēpē Homestead** – Phases 2 and 3 master planned; FEA/FONSI approved by HHC in Oct. 2020. 75+ lots in Phase 2 in design phase. Phase 3 will require additional potable water supply and wastewater infrastructure.
3. **Anahola** – Pi'ilani Mai Ke Kai Residential Homestead (3 Phases) Underway

Not in KIP:

- Anahola Kuleana Homestead Lots – Settlement Plan & EA approved by HHC May 2021; 115 homestead lots (14 Pastoral and 101 Subsistence Agriculture) on 432 acres; Add'l work on surface water resources done for non-potable ag water
- Pu'u 'Ōpae Kuleana Homestead Lots -- Settlement Plan & EA approved by HHC July 2020; 251 homestead lots (11 Pastoral and 240 Subsistence Agriculture) on 1,421 acres



Kaua'i Regional Plans – Implementation

Reg. Plan	Priority Project	Description	Current Status
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.
Wailua (2009)	Potable Water Sources	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	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 longterm wastewater treatment capacity needs for Wailua-Kapa'a area.	Staff continue to coordinate with County of Kaua'i on potential relocation & expansion of WWTP.



Kaua'i Regional Plans – Implementation

Regional Plan	Priority Project	Description	Current Status
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.
Anahola (2010)	Anahola Clubhouse & Park Improvements	Improvements needed to ensure safety & continued use of resources: <ul style="list-style-type: none">– Motion sensor lights– General building improvements– upgrades to existing kitchen, restrooms & computer room– Improved maintenance of playground & basketball courts– Expansion of baseball field to support little league tournaments	In 2018-19, County of Kaua'i completed various projects that included: <ul style="list-style-type: none">- Complete basketball court renovation.- Parking lot paving & striping.- Complete playground renovation.- Construction of ADA walkways that connect Clubhouse with baseball & basketball amenities.- Baseball field improvements: new fencing, new ADA walkways, new dugouts, concrete pads for bleachers, concrete pad for announcers' booth, and reworking of infield dirt & outfield grass. Additional projects are on hold due to budget constraints.
Anahola (2010)	Secure & Manage Surface Water Resources (non-potable) (Refer to Item No. G-3, Kauai Water Issues Update, for more info)	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 Ahupua'a Place Based Labs	Kanuikapono is a charter school in Anahola which integrates resource management of natural & cultural resources within ahupua'a. 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.
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.



Kaua'i Regional Plans – Implementation

Regional Plan	Priority Project	Description	Current Status
W. Kaua'i (2011)	Develop Agricultural & Water Plan (Pu'u 'Ōpae) (Refer to Item No. G-3, Kauai Water Issues Update, for more info)	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.
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.



The site plan for Ulupono Anahola shows a rectangular area bounded by Pilioli Road to the north and Ulumanoa Road to the south. The plan includes several key features:

- North Section:** Contains an "OFFICE", "KIT (REST)", "MARAE", "YR T GARDEN", "GRASS DRIVE", "DRY KALO", "ULU", "RESTORE GARDEN", and "REST ISTO".
- Central Section:** Features a "YOUTH CENTER", "GARAGE", "WOOD CHIPS", "LANDSCAPE MOUND", "PESTORE GARDEN", "HALE HAL SWAI", "COMMUNITY GARDEN PLOTS", "BUSH CROP", "GREENHOUSE", "ROOT CROP (OLENA/GINGER)", "STORAGE CONTAINERS", and "REST ISTO".
- South Section:** Includes "KALO" plots, "PAPAYA", "PLUMERIAS", and "REST ISTO".
- Other Features:** "GRASS PARKING (230 STALLS)", "LANDSCAPE MOUND", "PILIPOLI ROAD", "ULUMANOA ROAD", "LOT 7", "LOT 8", "LOT 9", "LOT 10", "LOT 11", "LOT 12", "LOT 13", "LOT 14", "LOT 15", "LOT 16", "LOT 17", "LOT 18", "LOT 19", "LOT 20", "LOT 21", "LOT 22", "LOT 23", "LOT 24", "LOT 25", "LOT 26", "LOT 27", "LOT 28", "LOT 29", "LOT 30", "LOT 31", "LOT 32", "LOT 33", "LOT 34", "LOT 35", "LOT 36", "LOT 37", "LOT 38", "LOT 39", "LOT 40", "LOT 41", "LOT 42", "LOT 43", "LOT 44", "LOT 45", "LOT 46", "LOT 47", "LOT 48", "LOT 49", "LOT 50", "LOT 51", "LOT 52", "LOT 53", "LOT 54", "LOT 55", "LOT 56", "LOT 57", "LOT 58", "LOT 59", "LOT 60", "LOT 61", "LOT 62", "LOT 63", "LOT 64", "LOT 65", "LOT 66", "LOT 67", "LOT 68", "LOT 69", "LOT 70", "LOT 71", "LOT 72", "LOT 73", "LOT 74", "LOT 75", "LOT 76", "LOT 77", "LOT 78", "LOT 79", "LOT 80", "LOT 81", "LOT 82", "LOT 83", "LOT 84", "LOT 85", "LOT 86", "LOT 87", "LOT 88", "LOT 89", "LOT 90", "LOT 91", "LOT 92", "LOT 93", "LOT 94", "LOT 95", "LOT 96", "LOT 97", "LOT 98", "LOT 99", "LOT 100".



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Update on Kaua`i Water Projects and Issues

HHC Meeting

Andrew Choy, Acting Planning Program Manager

Jonathan Likeke Scheuer, Consultant

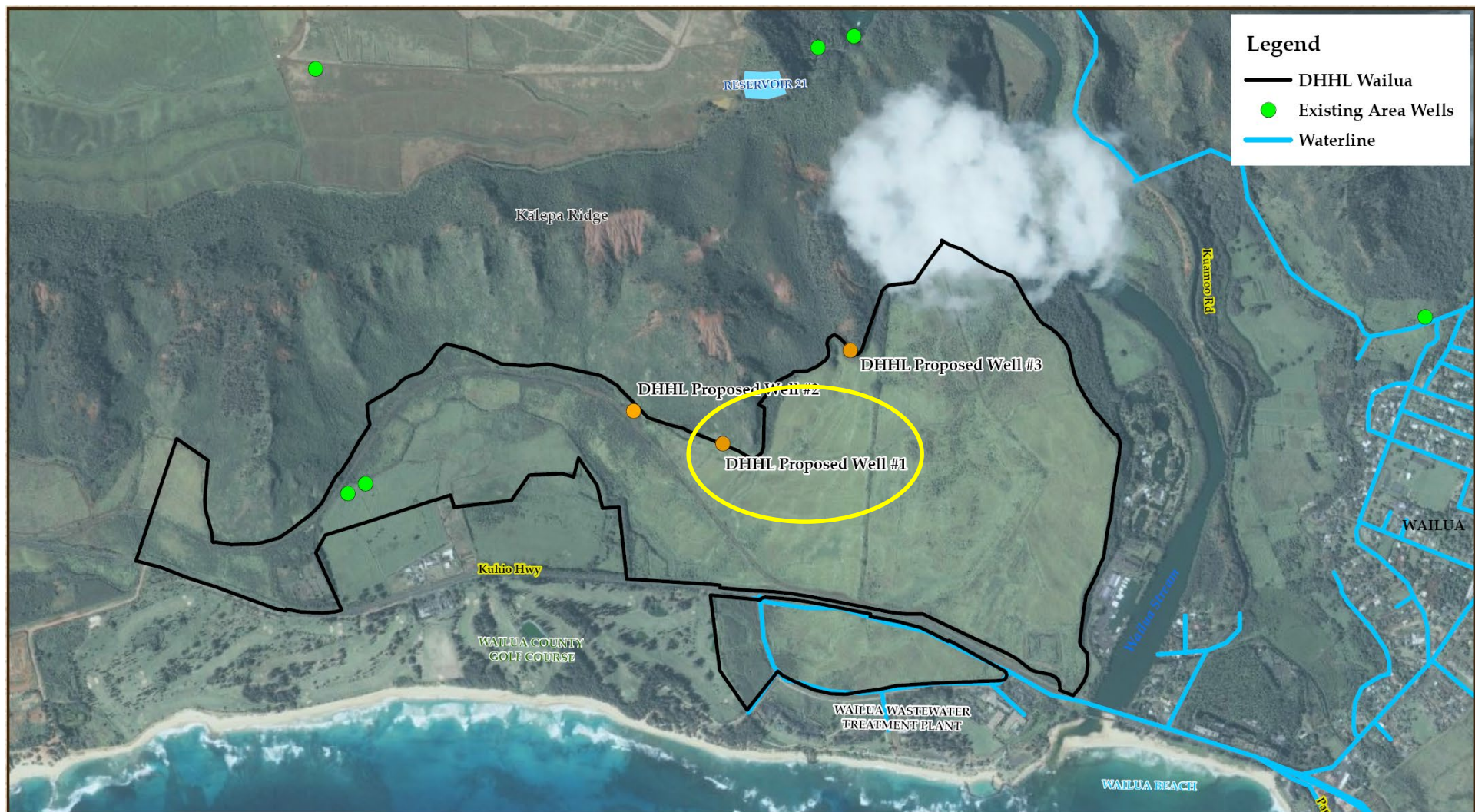
August 16-17, 2021

Pu`u `Ōpae, Kaua`i

Water Projects and Issues

- 1. Wailua Well No. 1**
- 2. Wailua River Issues**
- 3. Anahola Water System Improvements**
- 4. Moloa'a Opportunities**
- 5. Waimea River Settlement Implementation Updates**

1. Wailua Well No. 1



1. Wailua Well No. 1

- **Wailua in the Kaua`i Island & Regional Plan**
 - 526 acres
 - Minimum of 200 homestead residences
 - Resort / Timeshare
 - Commercial

1. Wailua Well No. 1

- 2009: Water Plan (engineering) prepared
 - 141,000 gpd potable demand up to 288 residences
- 2009: Wailua Well No. 1 drilled & tested
 - Capacity of 290,000 gpd
- 2014-16: Ream and Case well
- 2017: FEA / FONSI issued
- 2019: well capped, ready when needed
- Other sources needed for non-potable demands

2. Wailua River Issues

- **KIUC continues to seek a new lease for water for their Waiahi Power Plant**
- **HHC / DHHL / Beneficiaries have impacted rights**
 - Water reservations for DHHL use
 - 30% of license revenue (+OHA 20%)
 - Water needs for T&C uses
- **October 16, 2018: DHHL awarded .513 mgd reservation**
 - Means to deliver water undetermined
- **CCH on IIFS is still pending (petition granted March 19, 2019)**

3. Anahola Water System Improvements

- August 2016, DHHL received notice of \$3 million (USDA) RD funds (\$3.8 million DHHL match)
- System serves 77 users
- Improvements will
 - Replace components near end of life
 - Improve pressure
 - Address safety and security
 - Increase operational efficiencies
- See Item E-1

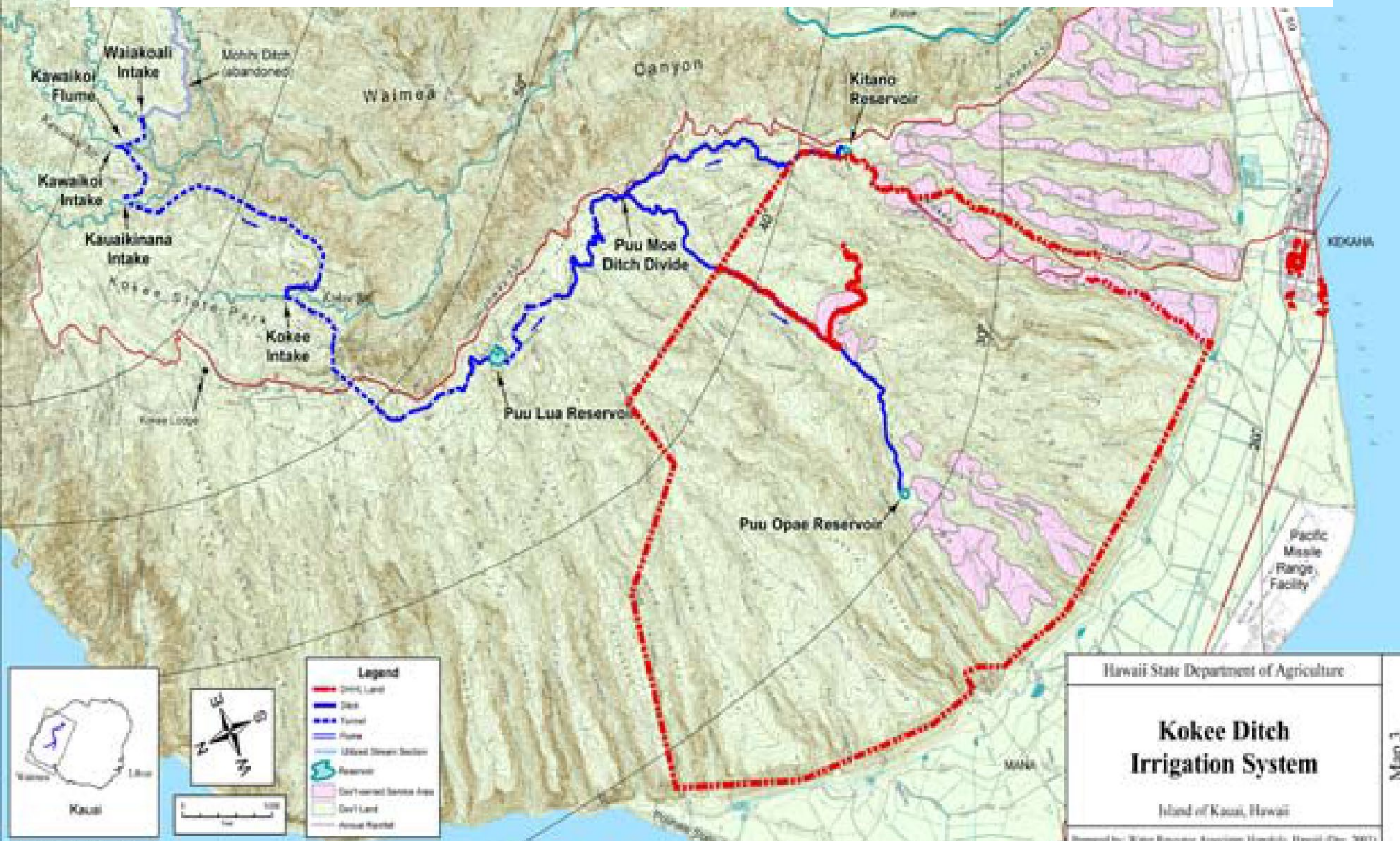
4. Moloa'a Opportunities

- **Moloa'a**
 - 316 acres undeveloped
 - 47 three acre homestead
 - 86 acres general ag
- **Potable & nonpotable needs**
- **State well nearby**
 - Currently on an RP
 - Being converted to a GL
 - HRS 171-58(g) reservations are needed



Diversion Ditch, Wailua River, Kaua'i

5. Waimea River Settlement Update



5. Waimea River Settlement Update

- **January 2013: HHC authorization to seek reservation**
- **July 2013: Po`ai Wai Ola Petition & Complaint**
- **November 2015: 1st DHHL Reservation Petition**
- **April 17, 2017: DHHL agrees to mediation**
- **April 18, 2017: CWRM agrees to mediation**
- **April 25 (DHHL files) June 20, 2017 (CWRM approves) modified Reservation**

5. Waimea River Settlement Update

- **2017 – 2021: Continued efforts to implement settlement**
 - **Progress slower than all anticipated**
- **Progress made on KIUC design of proposed “West Kaua’i Energy Project”**
- **August 10, 2020: FEA for Pu`u `Ōpae Settlement Plan Approved**
- **Continued work with beneficiaries and stakeholders**
- **Work begun to discuss operational agreement**



Nīnau?

Blue Hole Diversion, Kauaʻi