

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

Courtyard by Marriott Kahului, 532 Keolani Pl, Kahului, HI 96732

and Zoom: Meeting ID: 941 8234 4190

Monday, November 21, 2022, at 9:30 a.m. to be continued, if necessary, on

Tuesday, November 22, 2022, at 9:30 a.m.

Livestream available at www.dhhl.hawaii.gov/live

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Wednesday, November 16, 2022.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes: October 17 & 18, 2022 Regular Meeting,
- D. Public Testimony on Agendized Items – see information below

Public testimony on any item **relevant to this agenda** may be taken at this time, or a testifier may wait to testify at the time the agenda item is called for discussion. Pursuant to section 92-3, Hawaii Revised Statutes, and section 10-2-11(c), Hawaii Administrative Rules, the Chair of the Commission has the authority to impose reasonable conditions to ensure an orderly and efficient meeting.

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-5 Approval to Certify Applications of Qualified Applicants for the Month of October 2022 (see exhibit)
- D-6 Approval of Assignment of Leasehold Interest (see exhibit)
- D-7 Approval of Amendment of Leasehold Interest (see exhibit)
- D-8 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-9 Commission Designation of Successor of a Tenant-In-Common Interest – **WILDER K.E. MATSUDA**, Residential Lease No. 2145, Lot No. 226, Kewalo, Oahu
- D-10 Commission Designation of Successor – **ROBERT HANOHANO**, Residential Lease No. 12842, Lot No. 126, Kauluokahai, Oahu
- D-11 Commission Designation of Successor – **STANLEY S. REYES**, Residential Lease No. 11853, Lot No. 18645, Kanehili, Oahu
- D-12 Request to Surrender Interest in Lease – Residential Lot Lease No. 3880, Lot No. 80, Kalamaula, Molokai, Co-Lessees: **CORINA N. GOMES (fka) CORINA N. KEAHI, ANDREW GOMES (fka) ANDREW KEAHI-NAKI, DAVID GOMES (fka) DAVID KEAHI-NAKI and PRECIOUS KEAHI**
- D-13 Commission Designation of Successor to a Tenant-In-Common Interest – **VIOLET K. KAHOKULOA**, Residential Lease No. 6482, Lot No. 42, Anahola, Kauai

B. REGULAR AGENDA

Office of the Chairman

- C-1 Approval of Lease Award Pu‘ukapu Village House, Residential Vacant Lot to Relocatee-Waimea, Hawaii (see exhibit)
- C-2 Approval of Lease Award Anahola Residential Vacant Lot - Anahola, Kauai (see exhibit)
- C-3 Approval of DHHL Kupuna Rental Subsidy Program Policy

Land Development Division

- E-1 Land Court Deregistration of Hawaiian Home Lands, Various Oahu Parcels

Land Management Division

- F-1 Approval to First Amendment to Right of Entry No. 688, Waiohuli Hawaiian Homesteaders Association, Inc., Waiohuli-Keokeya, Maui, TMK: (2) 2-2-028:181(por.), (2) 2-2-002:014 (por.)
- F-2 Approval to First Amendment to License Easement No. 527, Donald J. Batbie and Barbara B. C. Batbie, Waiohuli, Makawao, Kula, Maui, Lot 135 of the Kula Residence Lots Subdivision, Unit 1 (File Plan 2321), Tax Map Key No. (2) 2-2-027:049 (por.)

Planning Office

- G-1 Adoption of the DHHL General Plan Update 2022

III. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-4 For Information Only – Update on Supplemental Dwelling Unit Pilot Program
- C-5 For Information Only – Final Report and Recommendations of the Act 279 Permitted Interaction Group Including Act 279 Strategic Plan

Homestead Services Division

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

Land Development Division

- E-2 For Information Only – Land Acquisition and Development, Statewide Request for Proposals
- E-3 For Information Only - Transfer of Approximately 403 acres, including various improvements within and around the Villages of Leiali‘i from Hawaii Housing Finance and Development Corporation to the Department of Hawaiian Home Lands, various Tax Map Key parcels, Wahikuli, Lahaina, Maui, Hawaii.
- E-4 For Information Only – Central and Up-Country Maui Projects Update

B. WORKSHOPS

Homestead Services Division

D-14 For Information Only – District Office Workshop on Lease Successorship

Land Management Division

F-3 For Information Only - Approval of Recycled Water Allocation Agreement and Issuance of License as Easement to County of Maui, Department of Environmental Management, Honokowai, Maui, TMK: (2) 4-4-002:018(por.)

Planning Office

G-2 For Information Only – Update on Climate Change Impacts Affecting Hawaiian Home Lands Statewide

G-3 For Information Only – ‘Ewa Beach Homestead Project, Master Plan and Environmental Assessment

G-4 For Information Only – Status Update on Plan Implementation in Kula, East Maui, and Kahikinui

Administrative Services Office

H-1 For Information Only - Amendment No. 1 – DHHL FY 2023 Operating Budget DHHL Water System(s) Debt Service and Reserve Accounts

IV. ANNOUNCEMENTS AND RECESS

1. DHHL Community Meeting Monday, November 21, 2022, 6:30 p.m., Iao Middle School Cafeteria, 260 S. Market Street, Wailuku, Maui, Hawai‘i.

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

Courtyard by Marriott Kahului, 532 Keolani Pl, Kahului, HI 96732

and Zoom: Meeting ID: 912 8263 5006

Tuesday, November 22, 2022

Livestream available at www.dhhl.hawaii.gov/live

I. ORDER OF BUSINESS

A. Roll Call

B. Public Testimony on Agendized Items - see information below

Public testimony on any item **relevant to this agenda** may be taken at this time, or a testifier may wait to testify at the time the agenda item is called for discussion. Pursuant to section 92-3, Hawaii Revised Statutes, and section 10-2-11(c), Hawaii Administrative Rules, the Chair of the Commission has the authority to impose reasonable conditions to ensure an orderly and efficient meeting.

II. ITEMS FOR DECISION MAKING

Office of the Chairman

C-6 Approval of the 2023 Hawaiian Homes Commission Meeting Schedule

Land Management Division

F-3 Approval of Recycled Water Allocation Agreement and Issuance of License as Easement to County of Maui, Department of Environmental Management, Honokowai, Maui, TMK: (2) 4-4-002:018(por.)

Administrative Services Office

H-1 Amendment No. 1 – DHHL FY 2023 Operating Budget DHHL Water System(s) Debt Service and Reserve Accounts

III. EXECUTIVE SESSION

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

1. Update on license negotiations with Hawaiian Telcom
2. Update on State and Federal litigation related to Telecommunications and Broadband services on Hawaiian Home Lands

IV. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Elizabeth Lee Loy Masaoka and Lucienne Pukahi– Panaewa Resiliency and Agricultural Innovation Hub Master Plan
- J-2 Kekoa Enomoto – Maui/Lanai MokuPuni Council and Pa‘upena Community Development Inc.
- J-3 Catherine Lefevre -Molokai Water
- J-4 Joyce Elaban-Unciano – Regulation of DHHL Re-sale Prices
- J-5 Blossom Feiteira – Various Concerns
- J-6 Homelani Schaedel – Various Concerns
- J-7 Donna Sterling – Kahikinui Concerns
- J-8 JoAnn Haae – Keaulana Avenue
- J-9 Kaleo Cullen – Ka Ohana O Kahikinui
- J-10 Kilia Purdy-Avelino – Molokai Veterans Center
- J-11 Bo Kahui – La‘iopua Development Corporation
- J-12 Allen Cardines – Nanakuli Neighborhood Security Watch
- J-13 Waianae Valley Homestead Community Association – Right-of-Entry

V. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next HHC Meeting – December 19 & 20, 2022, Hale Pono‘ī, Department of Hawaiian Home Lands, Kapolei, Oahu
- B. Next DHHL Community Meeting – December 19, 2022 – 6:30 p.m. Kamehameha Schools Community Learning Center, 89 Farrington Hwy, Waianae, O‘ahu, 96792
- C. Adjournment



William J. Aila Jr., Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

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

Zachary Z. Helm, Moloka‘i
Vacant, West Hawai‘i
Dennis L. Neves, Kaua‘i
Russell K. Ka‘upu, O‘ahu

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 620-9512, or michael.l.lowe@hawaii.gov, as soon as possible, preferably by November 17, 2022. If a response is received after then, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

Public Testimony on Agendized Items can be provided either as: (1) in person at the meeting location, by filling out a form at the reception table, (2) written testimony mailed to *Commission Testimony, P.O. Box 1879, Honolulu, HI, 96815*, or emailed to *DHHL.icro@hawaii.gov* by November 17, 2022, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, video camera and microphone to participate. Testimony may be limited to a maximum of three (3) minutes per person.

ITEM C-1 EXHIBIT

APPROVAL OF LEASE AWARD PU'UKAPU VILLAGE HOUSE, RESIDENTIAL VACANT LOT
TO RELOCATEE-WAIMEA, HAWAII

<u>NAME</u>	<u>RELO DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
WAYLENE U. TOYOZAKI	11/22/2016	7A	(3) 6-4-007-007	12989

ITEM C-2 EXHIBIT

APPROVAL OF LEASE AWARD ANAHOLA RESIDENTIAL VACANT LOT-ANAHOLA, KAUAI

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
DEBORAH R ASANO	01/08/1991	7	(4) 4-8-022-096	12990

ITEM D-2 EXHIBIT

APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AANO, Allison	8609	Nanakuli, Oahu
AKAO, Iris	10792	Laiopua, Hawaii
ARAKAKI, Marcelle L.	8383	Princess Kahanu Estates, Oahu
COELHO, Joshua B. N.	3803	Kewalo, Oahu
DELOS REYES, Eddie	8722	Waianae, Oahu
HELEPOLOLEI, Daiylne	12972	Kauluokahai, Oahu
HETT, Hannah H.	11508	Leialii, Maui
HETT, Peter K.	11508	Leialii, Maui
HIGA, Micah L.	12119	Kaupea, Oahu
HIGA, Sheila K. N.	3910	Panaewa, Hawaii
HIRAYAMA, Kyle H.	9667	Kawaihae, Hawaii
KAHOOHANO HANO, Teana M. N.	5419	Paukukalo, Maui
KALANI, David P., IV	11498	Leialii, Maui
KANE, Cameron K.	7662	Waiohuli, Maui
KEALOHA, Pauline	6768	Waianae, Oahu
MANUIA, Walter Kent	3898	Panaewa, Hawaii
VAN GIESON, Alfred P.	4871	Nanakuli, Oahu
WOOD, Darcie N.	10084	Waiehu Koa III, Maui
YEE, Alan M. L. K.	2251	Waimanalo, Oahu
ZABLAN, Barnaby K.	10006	Nanakuli, Oahu

ITEM D-3 EXHIBIT

RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
ALAPAI, Lambert P.	11141	Anahola, Kauai
LAAU, James E., Jr.	12169	Kaumana, Hawaii
NAKOA, Robert	5398	Waiehu Kou I, Maui
NAMUO, Elizabeth K.	6601	Anahola, Kauai
NAMUO, Sunday-Lee	6601	Anahola, Kauai

ITEM D-4 EXHIBIT

APPROVAL OF HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
ASANO, Matthias I.K.S.	Molokai IW Res
BARNES, Ilima K.M.	Oahu IW Res
CABEBE, Andrew F.	Kauai IW Res
FROST, William H.R.	Oahu IW Res to Kauai IW Res
GOO, Tanya S.K.	Oahu IW Res
KAIHENUI, Abraham	Oahu IW Res
KEA, Tracy K.	Oahu IW Res
MALANI, Carol L.	Hawaii IW Agr
MONIZ, Kamuela K.	Hawaii IW Res to Oahu IW Res
PIIMAUNA, Jeffrey N.	Hawaii IW Pas to Oahu IW Agr
PIIMAUNA, Jeffrey N.	Hawaii IW Res to Oahu IW Res
USHIJIMA, Larrynette R.	Molokai IW Agr

* IW = Islandwide

ITEM D-5 EXHIBIT

APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS FOR THE MONTH OF
October 2022

APPLICANT	AREA
AGLIAM, Delphine M.	Oahu IW Agr
AGLIAM, Delphine M.	Oahu IW Res
AIKALA, Jensen I.	Hawaii IW Agr
AIKALA, Jensen I.	Oahu IW Res
ALAMEIDA, Ah Lan K.	Kauai IW Agr
ALAMEIDA, Ah Lan K.	Kauai IW Res
APAO, Mersburg K. Jr.	Oahu IW Agr
APILADO, Juliette N.	Kauai IW Agr
APILADO, Juliette N.	Kauai IW Res
APO, Alvina K.	Oahu IW Agr
APO, Alvina K.	Oahu IW Res
AUWAE, Stephen K.I.	Oahu IW Res
BACTAD, Roberta L.	Kauai IW Agr
BACTAD, Roberta L.	Kauai IW Res
BALAI, Maile A.P.	Kauai IW Agr
BALAI, Maile A.P.	Kauai IW Res
BANDALAN, Simone K.H.	Maui IW Agr
BANDALAN, Simone K.H.	Maui IW Res
BATCHELDER, Blanche L.	Hawaii IW Agr
BISSSEN, Joel M.	Maui IW Res
BISSSEN, Joel M.	Maui IW Agr

BLACK, Tania Christine A	Hawaii IW Res
BLACKSTAD, Alohilani K.	Hawaii IW Res
BLACKSTAD, Alohilani K.	Hawaii IW Pas
BLOCK, Teisyn K.	Maui IW Res
BLOCK, Teisyn K.	Maui IW Agr
BLOCK, Virginia D.	Maui IW Res
BLOCK, Virginia D.	Maui IW Agr
CAMINOS, Travis Rayale T.S.	Oahu IW Res
CARVALHO, Joaquin P.	Hawaii IW Agr
CHANG, Edward A.Y., Jr.	Kauai IW Res
CHING, CherylInne P.	Hawaii IW Res
CULLEN, Irene L.V.	Oahu IW Agr
CULLEN, Irene L.V.	Oahu IW Res
DAVIDSON, Elijah M.	Hawaii IW Pas
DAVIDSON, Elijah M.	Oahu IW Res
FAAMAILE, Sara K.	Oahu IW Agr
FAAMAILE, Sara K.	Oahu IW Res
FOSTER, Glenn L.	Maui IW Agr
FREITAS, Brian Keith H.	Hawaii IW Res
FREITAS, Brian Keith H.	Hawaii IW Agr
GILMAN, Kaena L.	Hawaii IW Agr
GILMAN, Kaena L.	Oahu IW Res
GILMAN, Kealakaikulaemaikalani K.	Oahu IW Agr
GONZALES, Angel B.	Oahu IW Agr
GONZALES, Angel B.	Oahu IW Res
GOULD, Ilikea K.	Hawaii IW Agr
GOULD, Ilikea K.	Oahu IW Res
HANOHANO, Daniel K.	Maui IW Res
HAUKI-WILLIAMS, Sterling M.	Oahu IW Agr
HAUKI-WILLIAMS, Sterling M.	Hawaii IW Res
HEZEKIA, Kauilani M.K.	Oahu IW Agr
KAAIWELA, Alyssa H.	Oahu IW Agr
KAAIWELA, Alyssa H.	Oahu IW Res
KAAWA, Dansetta K.	Hawaii IW Res
KAAWA, Dansetta K.	Hawaii IW Agr
KAEO-GARCIA, Mary M.K.	Oahu IW Agr
KAEO-GARCIA, Mary M.K.	Oahu IW Res
KAHAUOLOPUA, Cadelynn H.	Hawaii IW Agr
KAHAUOLOPUA, Cadelynn H.	Hawaii IW Res
KAIHEWALU, Glenn S	Maui IW Agr
KAIHEWALU, Glenn S	Maui IW Res
KALAMAU, Kuuipo	Oahu IW Agr
KALAMAU, Kuuipo	Oahu IW Res
KALEIOHI-DUARTE, Marina Lynn L.	Kauai IW Agr
KALIMA, Sharon N.	Oahu IW Res

KAMAI, Kaleokalaniekapuanahenahe L.	Hawaii IW Agr
KAMAI, Kaleokalaniekapuanahenahe L.	Hawaii IW Res
KAMEALOHA, Wesley K.	Oahu IW Res
KAMELAMELA, Christopher K.	Lanai IW Res
KAWAI, Marie E.	Oahu IW Res
KEALIINOHOMOKU, Robin L.	Maui IW Agr
KEALIINOHOMOKU, Robin L.	Maui IW Res
KERR, Joseph L.	Oahu IW Res
KIAAINA, Catherine K.	Oahu IW Res
KIPI, Jonathan E.K.	Oahu IW Agr
KIPI, Jonathan E.K.	Oahu IW Res
KU, Alvin Keola	Oahu IW Res
KUANONI, Bryson K.	Hawaii IW Agr
KUANONI, Bryson K.	Hawaii IW Res
KUOHA, Chester K.	Oahu IW Res
KUPAHU, Makoa K.	Hawaii IW Agr
KUPAHU, Makoa K.	Oahu IW Res
KUPAHU, Moani M.	Hawaii IW Agr
KUPAHU, Moani M.	Oahu IW Res
LABRADOR, Lene K.	Hawaii IW Res
LABRADOR, Lene K.	Hawaii IW Agr
LELEO-AKANA, Alessandria H.	Hawaii IW Agr
LITTLETON, Amber K.	Oahu IW Res
LOVELL, Harry K.	Oahu IW Res
MANOA, Stanley L., Jr.	Oahu IW Res
MEYERS, Kealiinoe G.	Maui IW Agr
MEYERS, Kealiinoe G.	Oahu IW Res
MOKUAHI, Katrell P.	Oahu IW Res
MOKUAHI, Krystal H.	Oahu IW Res
MOO, Lori L.S.S.F.L.	Hawaii IW Pas
MOO, Lori L.S.S.F.L.	Oahu IW Res
MOON, Lylet M.	Hawaii IW Agr
MOON, Lylet M.	Hawaii IW Res
NAAUAO, Danielle K.	Oahu IW Agr
NAKOOKA, Tyrone M.	Maui IW Agr
NAKOOKA, Tyrone M.	Maui IW Res
NIAU, Racine N.	Kauai IW Res
NIAU, Racine N.	Kauai IW Pas
NIAU, Samuel K.H.	Oahu IW Res
NIAU, Samuel K.H.	Oahu IW Agr
NIHEU-YONG, Hanaike L.Y.	Kauai IW Pas
NIHEU-YONG, Hanaike L.Y.	Kauai IW Res
PAVAO, Raynette R.K.	Hawaii IW Res
POTTER, Cheryl K.	Oahu IW Res
PUAOI, William K.	Hawaii IW Res

PULE, Jonah M.N.	Oahu IW Agr
PULE, Jonah M.N.	Oahu IW Res
SHINTANI, Gail K.	Kauai IW Pas
SHINTANI, Gail K.	Kauai IW Res
SHINTANI, Kenneth K., Jr.	Kauai IW Agr
SHINTANI, Kenneth K., Jr.	Kauai IW Res
SOLIMAN, Glenda L.	Kauai IW Agr
SOLIMAN, Glenda L.	Kauai IW Res
SPENCER-OLSEN, Taylor-Marie K.	Oahu IW Agr
SPENCER-OLSEN, Taylor-Marie K.	Oahu IW Res
TISALONA, Jeremiah K.	Oahu IW Agr
TISALONA, Jeremiah K.	Oahu IW Res
TODD, Brandon Duke K.	Oahu IW Res
WALLACE, Eltness L.	Maui IW Res
WALLACE, Eltness L.	Maui IW Agr
WELCH, Rachel P.	Maui IW Res
WILSON, George K.	Hawaii IW Agr
WILSON, George K.	Hawaii IW Res
WISE, David K., Jr.	Oahu IW Res
WONG, Ngaire	Hawaii IW Res
WONG, Ngaire	Hawaii IW Agr
YASUDA, Valerie R.L.	Oahu IW Res

* IW = Islandwide

ITEM D-6 EXHIBIT
APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AIWOHI, Colleen R.	12119	Kaupea, Oahu
ANDRES, Christy K.	313	Nanakuli, Oahu
HARADA, Barbara Lyn S.	2145	Kewalo, Oahu
MATSUDA, Ranceford T. A.	2145	Kewalo, Oahu
HILEA, Ora-Lee N. M.	2145	Kewalo, Oahu
KANOHO, Sherilyn V.	5483	Anahola, Kauai
KANOHO, Paul K.	5483	Anahola, Kauai
KEKINO, Lovelyn M.	12964	Kakaina, Oahu
KUPIHEA, Nathan K.	6449	Anahola, Kauai
CARVALHO, Destry	8840	Anahola, Kauai
KUPIHEA, Nathan K.	8840	Anahola, Kauai
LOPES, Vynida K.	5023	Anahola, Kauai
PASCUAL, Vanessa L.	5023	Anahola, Kauai
MEYERS, William K.	6841	Waiakea, Hawaii
PAAKAULA, Joachim R.	11976	Kaupea, Oahu
PERALTA, Marlene M.	12281	Waiehu Kou IV, Maui
ROBERTS, Lee K.	10860	Laiopua, Hawaii

MACOMBER, Bobby L.	10860	Laiopua, Hawaii
SOLOMON, Norman K.	8694	Anahola, Kauai
WALKER, Noel M.	6536	Anahola, Kauai
SOLOMON, Norman K.	6536	Anahola, Kauai
GRAHAM, Sharon U. W.	11119	Anahola, Kauai
MARTIN, Iwalani P.	11159	Anahola, Kauai
AKIM, Paulette K.	6981	Makuu, Hawaii
MANZANO, Davalynn K.	6089	Kalamaula, Molokai
VUICAKAU, Davadinn K.	6089	Kalamaula, Molokai
WERNER, Andrea L.	6856	Waiakea, Hawaii

ITEM D-7 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AKI, George R. W.	1936	Nanakuli, Oahu
AKIM, Paulette K.	6981	Makuu, Hawaii
ANDRES, Christy K.	313	Nanakuli, Oahu
HEW LEN, Muriel L.	611	Kewalo, Oahu
HO, Wilson Kekoa	729	Waimanalo, Oahu
KAHAWAI, Richard P. K.	1755-A	Waimanalo, Oahu
KEANU, Rosalynn K.	1406	Keaukaha, Hawaii
PERALTA, Marlene M.	12281	Waiehu Kou IV, Maui

ITEM D-8 EXHIBIT

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

LESSEE	LEASE NO.	AREA
CARDINES, Wanda K. A.	6281	Keaukaha, Hawaii
FERNANDEZ, Rodney K.	11301	Kaunala, Hawaii
HOKOANA, Le Roy L.	9464	Waiehu Kou II, Maui
HOKOANA, Keola I.	9464	Waiehu Kou II, Maui
HOKOANA, O'ha E. Jr.	9464	Waiehu Kou II, Maui
KAHEIKI, George O. K. Sr.	9906	Waiakea, Hawaii
KAIWI, Dondi S.	10416	Waiohuli, Maui
MASUDA, Bobbie N. K.	9527	Waiehu Kou II, Maui
MEYERS, Samuel Jr.	6946	Makuu, Hawaii
NAKEA-FRANCISCO, Corinna	12318	Kaniohale, Hawaii
OSORIO, Emil M., III	3611	Waimanalo, Oahu
PAHIA, Bishop H., III	12266	Waiehu Kou IV, Maui
PUALOA, Colleen U.	9427	Kaniohale, Hawaii
SPARKS, Dukie S. K.	12281	Waiehu Kou IV, Maui
SPINNEY, Howard H.	12815	Laiopua, Hawaii

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

C – ITEMS

OFFICE OF THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

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

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

SUBJECT: Approval of Lease Award

RECOMMENDED MOTION/ACTION

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

DISCUSSION

Pu'ukapu Village House Lots (Kuhio Village) Residential Vacant Lots Offer-Waimea, Hawaii

<u>NAME</u>	<u>RELO DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
WAYLENE U. TOYOZAKI	11/22/2016	7A	(3) 6-4-007-007	12989

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

91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i
Monday, November 21, 2016 at 9:00 a.m. to be continued, if necessary, on
Tuesday, November 22, 2016, at 9:00 a.m.

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov, by Saturday, November 19, 2016.

I. ORDER OF BUSINESS

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes for April 2014; September 21 & 22, 2015

II. ITEMS FOR DECISION MAKING

A. PUBLIC TESTIMONY ON AGENDIZED ITEMS

B. CONSENT AGENDA

Homestead Services Division

- D-2 Ratification of Loan Approvals (see exhibit)
- D-3 Approval of Consent to Mortgage (see exhibit)
- D-4 Approval of Refinance of Loans (see exhibit)
- D-5 Approval of Streamline Refinance of Loans (see exhibit)
- D-6 Approval to Schedule Loan Delinquency contested Case Hearings (see exhibit)
- D-7 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-8 Ratification of Designations of Successors to Leasehold Interest and Designation of Persons to Receive Net Proceeds (see exhibit)
- D-9 Approval of Assignment of Leasehold Interest (see exhibit)
- D-10 Approval of Amendment of Leasehold Interest (see exhibit)
- D-11 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-12 Commission Designation of Successor – **DOROTHY B. GASPAR**, Lease No. 5384, Lot No. 108, Waiakea, Hawai'i
- D-13 Request to Schedule Contested Case Hearing - **Lease Violations, SUSAN P.K. LAKE and SHALEEN L. WHITE**, Lease No. 2219, Lot No. 85, Kewalo, Oahu
- D-16 Relocation Request for **CATHRY MAHEALANI JENSEN**, Kawaihae Unit 1 Residential Lot Lease No. 7113, Lot No. 60, Kawaihae, Hawai'i
- D-18 Request for Relocation: **WAYLENE TOYOZAKI**, Lease # 7018 , Lot # 76, Maku'u, Hawai'i
- D-19 Commission Designation of Successor to Application Rights of **SYLVIA L. BECKHAM**, Deceased – Public Notice 2006

C. REGULAR AGENDA

Office of the Chairman

- C-1 Approval of the 2017 Hawaiian Homes Commission Meeting Schedule
- C-2 Designation of Presiding Officers for Public Hearings for Administrative Rulemaking Under Chapter 91, Hawaii Revised Statutes

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator 

FROM: Niniau Simmons, NAHASDA Manager
Louis Hao, East Hawaii District Office Supervisor

SUBJECT: Request for Relocation: WAYLENE TOYOZAKI, Lease #
7018, Lot #76, Makuu, Hawaii

RECOMMENDED MOTION/ACTION

To approve the relocation for Waylene Toyazaki to any suitable lot in DHHL inventory statewide, identical to the approval granted by the Hawaiian Homes Commission (HHC) on May 23, 2016, for other lessees in the same situation due to the issues with Unexploded Ordinances (UXO).

DISCUSSION

Popoki Target Area

The Popoki Target Area was located in the district of Puna, at Makuu, and comprised of 640 acres. These lands were utilized by the U.S. military during World War II as an aerial target site. As of November 1, 2011, USACE removed 96 UXO items: ninety-five (95) MK23 3-lb Practice Bombs and one (1) 60 mm Mortar HE M49. For most of 2015 the DHHL worked with the County of Hawaii, State Civil Defense, and the Federal Emergency Management Agency (FEMA) as the Popoki Target Area had been within the path of the June 27, 2014, lava flow. During that time, DHHL held monthly community meetings from December 2014 - May 2015 with the last meeting in August 2015 to discuss the UXO lease addendum. The lava flow has since ceased in approach to Makuu and has turned toward the Kalapana area along the sea coast.

Historical Context - Popoki Target Area

Like the history of the Puukapu lands of Waimea, the lands of Kaohe-Makuu were named in Section 203 of the Hawaiian Homes Commission Act of 1920, as amended. These lands were already under lease to W. H. Shipman, Ltd. and did not come into the Trust inventory until much later. The department issued agricultural leases in 1985 and, to date, there are 124 leases in the area of which approximately less than half are occupied.

RECOMMENDATION:

HSD recommends approval of the motion stated. If approved, East Hawaii District Office staff will continue to work with the lessee to select another lot currently in the Department's inventory or as they become available.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

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

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

SUBJECT: Approval of Lease Award

RECOMMENDED MOTION/ACTION

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

DISCUSSION

Anahola Residential Vacant Lot Lease– Anahola, Hawaii

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
DEBORAH R ASANO	01/08/1991	7	(4) 4-8-022-096	12990

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission

From: Lehua Kinilau-Cano, NAHASDA Government Relations
Program Manager *Lehua Kinilau-Cano*

Subject: Approval of DHHL Kupuna Rental Subsidy Program Policy

RECOMMENDED MOTION/ACTION:

The Hawaiian Homes Commission (HHC) approve the DHHL Kupuna Rental Subsidy Program Policy.

DISCUSSION

The Hawaiian Homes Commission accepted the 2022-2023 Native Hawaiian Housing Block Grant (NHHBG) Annual Housing Plan in April 2022, which was subsequently found by HUD to be in compliance. One of the programs included in the Annual Housing Plan is the DHHL Kupuna Rental Subsidy Program, which seeks to assist native Hawaiian kupuna who are sixty-two years of age or older on DHHL's waiting list or undivided interest lessees who are renting in the State of Hawaii and whose household income does not exceed 80% Area Median Income as defined by HUD for the NHHBG program with a rental subsidy. The maximum rental subsidy an eligible kupuna household can receive is the lesser of the actual rent which must be reasonable for a modest unit minus no more than 30% of the household's adjusted income. For example, if a household receives \$1000 adjusted income per month, the household will be responsible for a portion of the rent due up to no more than 30% of their monthly adjusted income or \$300, the rest of the rental payment will be provided by the DHHL Kupuna Rental Subsidy Program.

The Kupuna Rental Subsidy Program Policy, which is attached to this submittal details the program purpose, eligibility requirements, rent reasonableness factors, maximum subsidy, admissions requirements, management and implementation, and termination. Since this subsidy is not tied to any emergency relief, unit inspections must be conducted in accordance with federal requirements for all rental units to ensure that the

units meet property standards. All participants will be required to be recertified at least annually to determine continued eligibility. All households receiving the rental subsidy will be required to participate in housing counseling. Non-participation will result in termination of the subsidy.

RECOMMENDED MOTION/ACTION:

Staff respectfully requests approval of the motion as recommended.

DHHL KUPUNA RENTAL SUBSIDY
PROGRAM POLICY

November 2022

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I. INTRODUCTION

Section 1 - Overview

This policy describes the requirements for the Kupuna Rental Subsidy Program provided by the Department of Hawaiian Home Lands (DHHL). DHHL receives federal funding from the U.S. Department of Housing & Urban Development (HUD) under Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), 24 CFR Part 1006. As the Recipient, DHHL utilizes its funding to develop and support safe, decent, and affordable housing for native Hawaiians in accordance with NAHASDA. DHHL has authorized the Kupuna Rental Subsidy Program to create an affordable housing opportunity for Kupuna to access decent, safe, and sanitary housing in the private market.

Section 2 - Governance

DHHL is governed by the Hawaiian Homes Commission Act of 1920, enacted by the U.S. Congress creating a Hawaiian Homes Commission (HHC) to administer certain public lands, called Hawaiian Home lands (HHL), for homesteads.

Section 3 - DHHL Mission

DHHL's mission is to manage the HHL Trust effectively and to develop and deliver land to native Hawaiians. DHHL recognizes the need to develop a Kupuna Rental Subsidy Program that subsidizes rent for low-income native Hawaiian Kupuna whose needs are not currently being met through DHHL's existing housing programs.

A. Housing Area

Use of DHHL NAHASDA programs' funds is restricted to the State of Hawaii.

B. Applicability

- All participants are subject to the policies of DHHL as they now exist or as they may hereafter be amended and by this reference made a part hereof.
- General requirements of the DHHL NAHASDA General Admissions & Occupancy policy shall apply to the Kupuna Rental Subsidy Program.

C. Staff and Officials Authorizations

NAHASDA authorizes the Chairman as the DHHL Director to administer the NAHASDA programs. NAHASDA program staff shall establish the procedures to receive and determine eligibility to meet Kupuna Rental Subsidy program requirements. DHHL may enter into an agreement with a service provider to manage and operate the Kupuna Rental Subsidy program.

II. INTERPRETATION

Section 1 - Program Participants and Applicants

- A. Whenever used throughout this policy, "Tenant" and "Applicant" shall mean singular or plural of Tenant and Applicant.
- B. Whenever used throughout this policy, "Tenant" and "Applicant" shall mean a native Hawaiian family or a native Hawaiian individual who is receiving NAHASDA subsidy or who applies or expresses an intent to apply for NAHASDA housing subsidy.

Section 2 - Number and Gender

Whenever used throughout this policy, unless the context shall otherwise provide, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders.

Section 3 - Severability

If any one or more section, subsection, sentence, clause, phrase, word, provision, or application of this Policy shall for any person or circumstance be held to be illegal, invalid, unenforceable, and/or unconstitutional, such decision shall not affect the validity of any other section, subsection, sentence, clause, phrase, word, provision, or application of DHHL Policies which is operable without the offending section, subsection, sentence, clause, phrase, word, provision, or application shall remain effective notwithstanding.

Section 4 - Amendments

The DHHL Director reserves the right to make modifications to this policy if needed.

III. KUPUNA RENTAL SUBSIDY PROGRAM OVERVIEW

Section 1 - Purpose

The Kupuna Rental Subsidy Program will help Kupuna to afford decent, safe, and sanitary housing in the private market within the State of Hawaii. The purpose of this program is to:

- Allow Kupuna individuals/families to choose where they want to live.
- Allow Kupuna who are experiencing homelessness to secure affordable housing.

- Serve as a guide for DHHL staff and a service provider to manage and implement the Kupuna Rental Subsidy Program.
- Facilitate management in a manner that reflects DHHL's commitment to improving the quality of life by creating affordable housing opportunities for native Hawaiian Kupuna in a manner consistent with the overall mission of the DHHL.
- Enable qualifying Kupuna access to affordable housing.

Section 2 - Eligibility

Applicants must meet the following criteria:

- Kupuna, age 62 or older.
- Applicant on DHHL's waiting list or undivided interest lessee.
- Annual gross Income must not exceed 80% area median income (AMI) as determined and published annually by HUD.
- Complete an application.
- Consent to verification of information.
- Provide a fully executed written lease agreement.
- Participate in Kūkulu: Housing Counseling.
- Select a rental unit in Hawaii and use it as their principal residence.
- Applicant must not own a home.
- A household receiving Section 8 Rental Assistance is not eligible.

IV. INCOME

Section 1 - Determining Income for Eligibility

A. Definition of Income

The Kupuna Rental Subsidy Program will use one of the following definitions of annual income that is most advantageous to the family:

1. Section 8

“Annual income” as defined for HUD's Section 8 program in 24 CFR part 5, subpart F.

2. Internal Revenue Service

Gross income means Line 7 (subject to change by the IRS) “Adjusted Gross Income,” IRS Form 1040 series for individual federal annual income tax purposes.

Section 2 - Calculating Anticipated Gross Annual Income

Annual income shall be projected for twelve (12) months based on the best available information for each income recipient in the household.

A. Factors to be Considered

1. IRS 1040 form, Line titled “Adjusted Gross Income” for each member of the household provides the definition of NAHASDA gross income. IRS adjusted gross income determination is used by NAHASDA as gross income for eligibility only.
2. The previous year’s income or average of income, whichever is most advantageous to the Applicant.
3. Current circumstances by annualizing current income or using information available to average anticipated income from all known sources when the sources are expected to change during the year.
4. Known rate changes that will take effect during the projected year.

B. Income Eligibility Determination

Income eligibility is established by comparing the household's annual gross income to the applicable published income limits provided for in the Native Hawaiian Housing Block Grant (NHHBG) Program Guidance, adjusted for family size.

V. RENT

Section 1 - Fair Market Rent

Fair Market Rent (FMR) represents the cost to rent a moderately-priced unit in the local housing market as established by HUD for units of varying sizes (by number of bedrooms).

Section 2 - Determining Rent Reasonableness

Implement a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based upon current rents for comparable unassisted units.

A. Comparability and Rent Reasonableness Factors

When determining comparability and rent reasonableness, consider the following factors:

1. Location
2. Size
3. Type
4. Quality
5. Age
6. Amenities
7. Housing Services
8. Maintenance
9. Utilities provided by the owner under the lease

B. Rent Reasonableness Determination

A rent reasonableness determination must be made in the following instances:

1. Prior to an agreement with the landlord
2. Before any rent increase

Section 3 - Subsidy Amount

A. Calculating the Subsidy Amount

Factors used to determine the amount of subsidy to be paid to the landlord on behalf of the Kupuna are:

1. Annual income of the household adjusted as required by NAHASDA
2. FMR as a guide for areas in the State of Hawaii as determined by the service provider, HUD, or other rental market study

B. Maximum Subsidy

1. A qualifying Kupuna can receive the lesser of the actual rent which must be reasonable for a modest unit minus no more than 30 percent of the household's adjusted income.
2. The FMR will be used as a guide to determine the amount of subsidy.

VI. OTHER ADMISSIONS REQUIREMENTS

Section 1 - General Requirements

The admissions process contains various components as described in the DHHL Admissions and Occupancy Policy, including but not limited to the following:

A. Housing Counseling

The Kupuna Rental Subsidy Program is subject to the requirements of the Kūkulu: Housing Counseling Policy which requires:

All Applicants for NAHASDA housing assistance offered by DHHL will be required as a condition of acceptance to satisfactorily complete a minimum number of hours, as determined by DHHL staff, of homebuyer, financial literacy, maintenance, debt management, credit repair, foreclosure prevention, and one-on-one housing counseling as needed to meet the requirements with respect to property maintenance, financial management, and such other matters as may be appropriate to achieve mortgage readiness and meet financial obligations of homeownership or rental leasing.

B. Selection

1. Applicants are selected in the order of first-come, first-serve with DHHL criteria.
2. Once a household is determined eligible and selected to receive the subsidy, the service provider must ensure all requirements are met to issue the subsidy.

C. Lease

Prior to the delivery of subsidy, the landlord lease must meet the requirements of NAHASDA Section 814 (a) and the Hawaii Residential Landlord-Tenant Code, including but not limited to the following information on:

- Rental agreements
- Security deposits
- Repairs
- Prohibited practices
- Terminating rental agreements/tenancy
- Landlord and tenant obligations
- Landlord and tenant remedies

D. Term

The term of agreement will be in accordance with the Hawaii Residential Landlord-Tenant Code or applicable federal requirement.

VII. MANAGEMENT AND IMPLEMENTATION

The DHHL will enter into a contract with a service provider to operate and manage the Kupuna Rental Subsidy Program.

Section 1 - Service Provider Responsibilities

The service provider is responsible for:

- A. Completing the initial income verification to determine eligibility and conducting re-certifications for continued eligibility of participants at least annually.
- B. Informing the Applicant or tenant of the Kūkulu: Housing Counseling requirement.

- C. Determining rent reasonableness prior to making any agreement with the landlord.
- D. Conducting an inspection prior to approval of the unit.
- E. Disbursing the payment of the subsidy amount to the landlord each month.
- F. Providing notice to the landlord and tenant if subsidy amounts change or cease.

Additional Services to be provided by the service provider for the Kupuna Rental Subsidy Program include at least, but not limited to the following:

A. Marketing

Market and advertise the programs in collaboration with DHHL.

B. Application Intake and Process

Develop needed application materials and establish and implement an application process in accordance with the DHHL's policies.

C. Selection

Make selections based on first-come, first-serve.

D. Screening

Review individual applications, including income determinations, in accordance with the Kupuna Rental Subsidy Program.

E. Communications

1. Provide written notification to the tenant when the lease and unit are approved.
2. The tenant is informed in writing of the required obligations for participation in the program.

F. Supportive Services

Provide tenants with supportive services that place an emphasis on independent living skills, employment, education, rental assistance, behavioral health, and other issues.

G. Program Orientation

- Provide individual orientations to recipients and participating property owners explaining requirements of the applicable program.
- Ensure continued subsidy payments are not made after 60 days from initial occupancy unless there is compliance with the Kūkulu: Housing Counseling.

H. Inspections

Conduct unit inspections in accordance with federal requirements to ensure that such units meet the program's property standards, including but not limited to conducting visual assessments of potential lead-based paint hazards in any properties constructed prior to 1978 in accordance with 24 CFR part 35.

I. Recertification Requirements

All participants will be required to be recertified at least annually to determine continued eligibility and any adjustments. Interim-recertifications may be conducted for emergency purposes.

J. Program Policies

The DHHL NAHASDA General Admissions & Occupancy Policy shall apply to Applicants and Participants as applicable. Duties and responsibilities in implementing the Kupuna Rental Subsidy Program shall comply with Hawaii Revised Statutes Chapter 84 Standards of Conduct.

K. Reporting

Maintain and make available to the DHHL files for at least 5 years including, but not limited to, the following:

1. Application/tenant certification
2. Income & eligibility determination
3. Unit approval
4. Rental subsidy calculation
5. Rental subsidy contract/agreements

6. Rent reasonableness documentation, including but not limited to the FMR
 - a. Financial reports
 - b. Statistical reports
 - c. Correspondence (owner & tenant)
 - d. Completion/termination notice

L. Taxes

Provide the appropriate IRS 1099 form to report payments to contractors who do not have taxes withheld.

M. Policy and Procedures

The Hawaii Residential Landlord-Tenant Code is the name of Chapter 521 of the Hawaii Revised Statutes (HRS), which governs rental laws in Hawaii.

Service providers must develop and maintain policies and standard operating procedures for which a copy must be provided to DHHL.

Section 2 - Disbursement of Payments

- A. Once the lease and the unit have been approved, and the landlord has signed the Landlord Obligation Contract (LOC), the service provider will inform the landlord in writing of the following:
 1. Subsidy payment amount
 2. Effective date of payments
 3. The amount of the monthly payment
- B. If a tenant moves into a unit during the month rather than at the beginning of the month, the subsidy payment will be pro-rated for the remaining days left in the month and a check will be issued.
- C. Subsidy payments will be issued in accordance with the lease and this policy.
- D. Subsidy payments will stop unless there is documentation of participation in the Kūkulu: Housing Counseling Program.

Section 3 - Tenant Obligations

- A. Provide accurate family composition information.
- B. Report all income.
- C. Keep copies of papers, forms, and receipts which document income and expenses.
- D. Participate in mandatory Kūkulu: Housing Counseling Program.
- E. Report changes in family composition and income occurring between annual recertifications.
- F. Sign consent forms for income verification.
- G. Follow lease requirements and house rules.
- H. Use the property as principal residence.
- I. Comply with the service provider's and the DHHL Kupuna Rental Subsidy Program Policy, NAHASDA General Admissions & Occupancy Policy, and Kūkulu: Housing Counseling Policy.
- J. In addition, the family must not:
 - 1. Own or have any interest in the unit being leased.
 - 2. Sublease, assign, or transfer the unit.
 - 3. Receive any other housing subsidy for the same unit or a different unit from any source that duplicates the rent subsidy provided under the Kupuna Rental Subsidy Program.
 - 4. Request assistance for a property owned by a relative.

Section 4 - Landlord Obligations

Subsidy payments to the landlord on behalf of the family shall commence when the landlord signs the Landlord Obligation Contract (LOC) and agrees to the following obligations in the program prior to approval of the subsidy.

- A. The landlord is responsible for maintaining the property in good, safe, and sanitary condition.
- B. The landlord is responsible for conducting background checks and contacting references to determine the tenant's suitability as a renter. The service provider does not screen the tenants.

- C. The landlord is responsible for compliance with the Hawaii Residential Landlord-Tenant Code and addressing issues concerning any and all conditions of the lease.
- D. The landlord is responsible for providing the service provider with a copy of any eviction or lease termination notice.
- E. The landlord must notify the service provider if any tenant vacates a unit.
- F. The landlord must provide the service provider with a copy for approval of any changes to the lease during the tenancy of a tenant.
- G. The landlord shall provide to the tenant in writing, the name and address of the owner or the owner's agent authorized to receive rent, notices, and demands.
- H. The landlord shall not terminate tenancy for non-payment of the service provider's subsidy payment.
- I. Landlord must submit Form W-9 to provide the tenant's correct Taxpayer Identification Number (TIN) to the service provider.
- J. Landlord shall assume full responsibility for payment of all federal, state, and local taxes or contributions imposed or required under employment insurance, social security, and income tax laws, with respect to this program.

VIII. TERMINATION

Terminations must comply with the Hawaii Residential Landlord-Tenant Code.

Section 1 - Termination by the Landlord

During the term of the lease, the landlord may terminate tenancy for violations of the lease. The landlord may not terminate tenancy for non-payment of the service provider's subsidy payment.

Section 2 - Termination by the Tenant

The Tenant may terminate tenancy for landlord's violation of the Hawaii Residential Landlord-Tenant Code.

Section 3 - Termination by the Service Provider

The service provider may terminate the family subsidy for any of the following, but not limited to, reasons:

- A. Any violation of the Kupuna Rental Subsidy Program Policy, DHHL NAHASDA General Admissions & Occupancy Policy, and Hawaii Residential Landlord-Tenant Code as applicable.
- B. Noncompliance with the Kūkulu: Housing Counseling policy.
- C. If the landlord fails to maintain the unit in accordance with HQS standards.
- D. If available program funding is insufficient to support continued subsidy for the families.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer 
Andrew H. Choy, Planning Program Manager 
Juan Garcia, HSD Administrator 
Stewart Matsunaga, Acting Land Development Division Administrator

SUBJECT: For Information Only – Update Supplemental Dwelling Unit Pilot Program

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

The Department of Hawaiian Home Lands (DHHL) plans to launch the Supplemental Dwelling Unit (SDU) Pilot Program by the end of 2022. The SDU Pilot Program will enable lessees to build a second, smaller dwelling on qualifying lots, which can be rented to a native Hawaiian, as defined by the Hawaiian Homes Commission Act (HHCA), or can be used for 'ohana, as identified in section 209(a) of the HHCA.

At its November 2021 regular meeting the Hawaiian Homes Commission adopted administrative rules related to the SDU pilot program. Those rules were signed by the Governor and became effective the following month. Since that time, DHHL staff have been developing the process to implement the SDU program. The goal was to design an application and approval process that would provide the lessee with critical information before significant investment and minimize back and forth between the DHHL and the county. The application process boils down to four steps involving multiple divisions within the Department:

Step 1: Complete and submit DHHL's SDU application to the district office. DHHL will verify that the lessee qualifies under the rules:

1. Residential lessee;
2. In good standing with all your lease obligations and responsibilities;
3. Your lot is not landlocked;
4. Building an SDU is compatible with the DHHL Island Plan where you live; and
5. DCCRs do not prohibit an SDU, if you live in a DCCR homestead community.

All five requirements must be met for the application to be approved. DHHL will also check for wastewater upgrades and any coastal zone management and special management area issues as they may impact the lessee's decision because of added cost and time. After review, the

department will notify the lessee (1) of lease compliance issues that need to be addressed, (2) if there are other issues that prevent approval (DCCRs, landlocked, incompatible with Island Plan), or (3) to submit a site plan for the SDU within the specifications provided in the letter.

Step 2: Submit basic site plan to DHHL. The lessee can create this using a tape measure, 8.5 x 11 inch paper, and pen or pencil. The Department will review it and inform the lessee of any necessary adjustments or of placement on the HHC agenda for approval to proceed with the county permit application and construction plans. The site plan must be submitted to DHHL *before* going to the county. The county will not issue the permits without DHHL authorization.

Step 3: Apply to the county. If the HHC approves the request for SDU, the lessee may apply to the county for required permits. Construction plans submitted to the county must match the site plan approved by the Department.

Step 4: Construction may begin upon county approval. Construction must be completed within 1 year; DHHL may approve 60-day extensions upon request and demonstrated progress toward completion.

Attached as Exhibit A, is the FAQs for the Supplemental Dwelling Units application and approval process, which will be made available on the DHHL website.

RECOMMENDATION:

None. For information only.

**FAQs:
Supplemental Dwelling Units (SDU)
Application and Approval Process**

What is an SDU?

An SDU or “supplemental dwelling unit” is a second dwelling built on your lot that is smaller than your existing house. Some counties call it an “‘ohana unit,” others call it an “ADU” or accessory dwelling unit.

DHHL’s rules create a 5-year pilot program for residential lessees on Hawaiian Home Lands. The program will be evaluated after 3 years and if it is found to be successful, the program may become permanent. If you build an SDU during the pilot program, you will have to comply with the rules even if the program is not extended beyond the pilot program.

Who can build an SDU on their lot?

The basic requirements are:

1. Residential lessee;
2. In good standing with all your lease obligations and responsibilities;
3. Your lot is not landlocked;
4. Building an SDU is compatible with the DHHL Island Plan where you live;
5. DCCRs do not prohibit an SDU, if you live in a DCCR homestead community; and
6. You meet your county’s permitting requirements for building a second dwelling.

What is the process to get approval for an SDU?

The DHHL’s SDU steps are separate from the county’s permit process and must be completed before you apply to the county. Also, be aware that the SDU application process has been designed so you should not have to spend any money unless DHHL notifies you to proceed to the county. It is important to complete the steps in order to avoid wasting your money and possible lease violation.

Step 1: SDU application and review. Apply to DHHL for SDU approval. Complete and submit DHHL’s SDU application to your district office. DHHL will verify that you are a

1. Residential lessee;
2. In good standing with all your lease obligations and responsibilities;
3. Your lot is not landlocked;
4. Building an SDU is compatible with the DHHL Island Plan where you live; and
5. DCCRs do not prohibit an SDU, if you live in a DCCR homestead community.

All five requirements must be met for your application to be approved. DHHL will also check for wastewater upgrades and any coastal zone management and special management area issues as they may impact your decision because of added cost and time. After review, the department will notify you (1) of lease compliance issues that need to be addressed, (2) if there are other issues that prevent approval (DCCRs, landlocked, incompatible with Island Plan), or (3) to submit a site plan for the SDU within the specifications provided in the letter.

Step 2: Submit basic site plan to DHHL. Once you submit the site plan, the department will review it and inform you of any necessary adjustments or of placement on the Hawaiian Homes Commission (HHC) agenda for approval to proceed with the county permit application and construction plans. You must submit the site plan to DHHL *before* going to the county. Your county will not issue the permits without DHHL authorization.

Step 3: Apply to the county. If the HHC approves your request for SDU, you may apply to the county for required permits. Your construction plans must match the site plan approved by the department.

Step 4: Construction. If you receive county approval, you may begin construction. You must complete construction within 1 year; DHHL may approve 60-day extensions upon request and demonstrated progress toward completion.

How big can the SDU be?

The size of the SDU depends upon county regulations for ‘ohana units or ADUs. Your SDU must comply with county permitting requirements.

What amenities can the SDU have?

The SDU can have a kitchen, bathroom, bedroom, living area, and separate entrance.

What if I already built a second dwelling without approval or permits?

If you have an unpermitted or unapproved second dwelling on your residential lot, you can apply for after the fact approval. This may require improvements and retrofitting but can bring you into lease compliance and ensure the dwelling meets county building code standards. Coming into compliance now will make any future lease transfers, succession, refinancing, and improvements requiring DHHL approval easier.

Who can live in the SDU?

There are several options:

- A native Hawaiian, as defined by the HHCA, can rent the SDU;
- ‘Ohana, qualified under section 209(a) of the HHCA, can live in the SDU;
- The lessee can live in the SDU and a native Hawaiian can rent or qualified ‘ohana can live in the primary dwelling.
- NO SHORT TERM RENTALS. The shortest allowable rental period is six months.

What is the Lessee responsible for, and what is DHHL responsible for?

DHHL is responsible for reviewing your SDU application and informing you in a timely manner if there are lease issues that prevent you from building an SDU on your lot.

You as the Lessee are responsible for all costs associated with building the SDU including the county’s permitting process and any upgrades to infrastructure, such as water or wastewater, or other code or regulatory compliance items that the county may require. You must also comply with residential rental housing laws including the Hawaii Landlord Tenant Code and the Fair Housing Act.

Do I live in a DCCR homestead community?

Below is a chart of all DCCR homesteads. The rules for each community are not necessarily the same. Check your House Rules and Conditions, Covenants, and Restrictions and with your association board.

Kauai	Oahu	Maui	Hawaii
Piilani Mai Ke Kai	Kalawahine	Kahikinui	Discovery Harbour
	Kaupea	Leialii	Lai Opua
	Kaupuni	Waiehu Kou 2	Lalamilo
	Kumuhau and Kakaina	Waiehu Kou 3	
	Maluohai	Waiehu Kou 4	
	Princess Kahanu		
	Waiahole		

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21 & 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Jobie Masagatani, Special Assistant to the Chairman
SUBJECT: C-5 For Information Only – Final Report and Recommendations of the Act 279
Permitted Interaction Group Including Act 279 Strategic Plan

This submittal will be sent under separate cover.

ITEM NO. C-5



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION 2023 MEETING SCHEDULE

January 17, 2023 (Tue)	HHC Mtg, Kapolei – (No Community Mtg)
January 18, 2023 (Wed)	HHC Mtg, Kapolei, O‘ahu
February 21, 2023 (Tue)	HHC Mtg, Kapolei, Community Mtg - Kapolei
February 22, 2023 (Wed)	HHC Mtg, Kapolei, O‘ahu
March 20, 2023	HHC Mtg, Community Mtg – Waimānalo
March 21, 2023	HHC Mtg, Kapolei, O‘ahu
April 17, 2023	HHC Mtg, Community Mtg – Moloka‘i
April 18, 2023	HHC Mtg, Kalama‘ula, Moloka‘i
May 15, 2023	HHC Mtg, Community Mtg –Kawaihae
May 16, 2023	HHC Mtg, Waimea, Hawai‘i
June 19, 2023	HHC Mtg, Kapolei – (No Community Mtg)
June 20, 2023	HHC Mtg, Kapolei, O‘ahu
July 17, 2023	HHC Mtg, Community Mtg – Papakōlea
July 18, 2023	HHC Mtg, Kapolei, Hawai‘i
August 21, 2023	HHC Mtg, Community Mtg – Kaua‘i
August 22, 2023	HHC Mtg, Līhue, Kaua‘i
September 17, 2023(Sun)	HHC Community Meeting ONLY – Ka‘ū
September 18, 2023	HHC Mtg, Community Mtg – Hilo
September 19, 2023	HHC Mtg, Hilo, Hawai‘i
October 15, 2023(Sun)	HHC Community Meeting ONLY – Hana
October 16, 2023	HHC Mtg, Community Mtg – Paukūkalo
October 17, 2023	HHC Mtg, Wailuku, Maui
November 19, 2023 (Sun)	HHC Community Meeting ONLY – Lānai City
November 20, 2023	HHC Mtg, Kapolei, O‘ahu
November 21, 2023	HHC Mtg, Kapolei, O‘ahu
December 18, 2023	HHC Mtg, Community Mtg – Nānākuli/Wai‘anae
December 19, 2023	HHC Mtg, Kapolei, O‘ahu

O‘ahu meetings are held at Hale Pono‘i, DHHL, 91-5420 Kapolei Parkway, Kapolei, O‘ahu.

Community meetings are held in the evenings, except in Hana, Ka‘ū and Lāna‘i where it will be held during the day. No community meetings scheduled for O‘ahu in January and June.

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

D – ITEMS

HOMESTEAD SERVICES DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission
From: Juan Garcia, HSD Administrator 
SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

- Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports
- Exhibit B: Delinquency Report
- Exhibit C: DHHL Guarantees for FHA Construction Loans

November 21, 2022

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through October 31, 2022

	As of 9/30/22	Add	Cancel	As of 10/31/22
Residential	8,472	1	0	8,473
Agricultural	1,090	0	0	1,090
Pastoral	413	0	0	413
Total	9,975	1	0	9,976

The cumulative number of Converted Undivided Interest Lessees represents an increase of 540 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 9/30/22	Converted	Rescinded/ Surrendered/ Cancelled	As of 10/31/22
Undivided	773	0	0	773

Balance as of 10/31/2022

Awarded	1,434
Relocated to UNDV	7
Rescinded	118
Surrendered	6
Cancelled	4
Converted	540
Balance to Convert	773

Lease Report For the Month Ending October 31, 2022

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL LEASES		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU												
Kakaia	29	0	0	29	0	0	0	0	0	0	0	29
Kalaiahine	90	0	0	90	0	0	0	0	0	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	399
Kapolei	176	0	0	176	0	0	0	0	0	0	0	176
Kauloakahai	146	1	0	147	0	0	0	0	0	0	0	147
Kaupea	325	0	0	325	0	0	0	0	0	0	0	325
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kowalo	248	0	0	248	0	0	0	0	0	0	0	248
Kumuhau	51	0	0	51	0	0	0	0	0	0	0	51
Lualualei	147	0	0	147	30	0	0	30	0	0	0	177
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	270	0	0	270	0	0	0	0	0	0	0	270
Waiahole	0	0	0	0	17	0	0	17	0	0	0	17
Waianae	421	0	0	421	12	0	0	12	0	0	0	433
Waimanalo	714	0	0	714	2	0	0	2	0	0	0	716
TOTAL	4,369	1	0	4,370	61	0	0	61	0	0	0	4,430
MAUI												
Hikina	31	0	0	31	0	0	0	0	0	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	75	0	0	75
Keokea	0	0	0	0	64	0	0	64	0	0	0	64
Leialii	102	0	0	102	0	0	0	0	0	0	0	102
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	113
Waiehu 4	97	0	0	97	0	0	0	0	0	0	0	97
Waiholii	591	0	0	591	0	0	0	0	0	0	0	591
TOTAL	1,260	0	0	1,260	64	0	0	64	75	0	0	1,399
EAST HAWAII												
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	2
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25
Kaunana	43	0	0	43	0	0	0	0	0	0	0	43
Keaukaha	471	0	0	471	0	0	0	0	0	0	0	471
Kuristown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	119	0	0	119	0	0	0	119
Panaewa	13	0	0	13	260	0	0	260	0	0	0	273
Piihonua	17	0	0	17	0	0	0	0	0	0	0	17
Puueo	0	0	0	0	12	0	0	12	0	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	4
Waiakea	285	0	0	285	0	0	0	0	0	0	0	285
TOTAL	838	0	0	838	391	0	0	391	25	0	0	1,254
WEST HAWAII												
Honokala	0	0	0	0	0	0	0	0	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16
Kanihale	223	0	0	223	0	0	0	0	0	0	0	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	193
Laiopua	277	0	0	277	0	0	0	0	0	0	0	277
Lalalo	30	0	0	30	0	0	0	0	0	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21
Puukapu/Waimea/Kuhio VII	117	0	0	117	110	0	0	110	218	0	0	445
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
TOTAL	872	0	0	872	110	0	0	110	285	0	0	1,267
KAUAI												
Anahola	531	0	0	531	46	0	0	46	0	0	0	577
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1
TOTAL	695	0	0	695	46	0	0	46	1	0	0	742
MOLOKAI												
Hooilehua	153	0	0	153	345	0	0	345	21	0	0	519
Kalamaula	167	0	0	167	70	0	0	70	3	0	0	240
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	3
One Aili	27	0	0	27	0	0	0	0	0	0	0	27
TOTAL	394	0	0	394	418	0	0	418	27	0	0	839
LANAI												
Lanai	44	0	0	44	0	0	0	0	0	0	0	44
TOTAL	44	0	0	44	0	0	0	0	0	0	0	44
STATEWIDE TOTAL	8,472	1	0	8,473	1,090	0	0	1,090	413	0	0	9,978

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
October 31, 2022

AREA WAITING LIST

DISTRICT AREA	RESIDENCE			AGRICULTURE			PASTURE			TOTAL			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month		Add	Cancel	TOTAL
Oahu District	936	0	0	936	0	0	0	0	0	0	0	0	936
Maui District	50	0	0	50	4	0	0	4	5	0	0	5	59
Hawaii District	127	0	0	127	28	0	0	28	46	0	0	46	201
Kauai District	50	0	0	50	3	0	0	3	27	0	0	27	80
Molokai District	19	0	0	19	17	0	0	17	1	0	0	1	37
TOTAL	1,182	0	0	1,182	52	0	0	52	79	0	0	79	1,313

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE			AGRICULTURE			PASTURE			TOTAL			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month		Add	Cancel	TOTAL
Oahu	10,190	17	3	10,204	3,954	10	0	3,964	0	0	0	0	14,168
Maui	3,879	5	5	3,879	4,715	8	1	4,722	625	0	0	625	9,226
Hawaii	5,870	9	2	5,877	7,304	7	3	7,308	1,914	3	0	1,917	15,102
Kauai	1,669	1	1	1,669	2,272	0	0	2,272	307	1	0	308	4,249
Molokai	810	0	1	809	1,090	0	1	1,089	203	0	0	203	2,101
Lanai	74	0	0	74	0	0	0	0	0	0	0	0	74
TOTAL	22,492	32	12	22,512	19,335	25	5	19,355	3,049	4	0	3,053	44,920

AREA AND ISLANDWIDE LISTS

AREA AND ISLANDWIDE LISTS	RES				AG				PAS				TOTAL				ADDITIONS				CANCELLATIONS													
	RES	AG	PAS	TOTAL	RES	AG	PAS	TOTAL	RES	AG	PAS	TOTAL	RES	AG	PAS	TOTAL	New Applications	Application Transfers	Lease Rescissions	App Reinstatements	HHC Adjustments	TOTAL	New Lease Awards	Application Transfers	Succ'd and Cancel Own	Public Notice Cancel	Voluntary Cancellations	Lease Successorships	HHC Adjustments	Dec'd No Successor	Additional Acreage	NHQ Unqualified	TOTAL	
OAHU	11,140	3,964	0	15,104	3,929	4,726	630	9,285	6,004	7,336	1,963	15,303	1,719	2,275	335	4,329	55	6	0	0	0	61	8	6	3	0	0	0	0	0	0	17		
MAUI	3,929	4,726	630	9,285	6,004	7,336	1,963	15,303	1,719	2,275	335	4,329	55	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
HAWAII	6,004	7,336	1,963	15,303	1,719	2,275	335	4,329	55	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
KAUAI	1,719	2,275	335	4,329	55	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
MOLOKAI	839	1,106	204	2,149	74	0	0	74	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LANAI	74	0	0	74	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL	23,705	19,407	3,132	46,244	19,335	25	5	19,355	3,049	4	0	3,053	55	6	0	0	61	8	6	3	0	0	0	0	0	0	0	0	0	0	0	0	17	

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING

October 31, 2022

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
OAHU DISTRICT										
Nanakuli	159	0	0	0	0	0	0	0	0	159
Waianae	138	0	0	0	0	0	0	0	0	138
Lualualei	0	0	0	0	0	0	0	0	0	0
Papakolea/Kewalo	66	0	0	0	0	0	0	0	0	66
Waimanalo	548	0	0	0	0	0	0	0	0	548
Subtotal Area	936	0	0	0	0	0	0	0	0	936
Islandwide	10,190	17	3	3,954	10	0	0	0	0	14,168
TOTAL OAHU APPS	11,126	17	3	3,954	10	0	0	0	0	15,104
MAUI DISTRICT										
Paukukalo	50	0	0	0	0	0	0	0	0	50
Kula	0	0	0	4	0	0	4	0	0	4
Subtotal Area	50	0	0	4	0	0	4	0	0	54
Islandwide	3,879	5	5	4,715	8	1	4,722			9,226
TOTAL MAUI APPS	3,929	5	5	4,719	8	1	4,726	0	0	9,285
HAWAII DISTRICT										
Keaukaha/Waiakea	67	0	0	0	0	0	0	0	0	67
Panaewa	0	0	0	16	0	0	16	0	0	16
Humuula	0	0	0	0	0	0	0	0	0	0
Kawihāe	16	0	0	0	0	0	0	0	0	16
Waiāea	44	0	0	12	0	0	12	0	0	56
Subtotal Area	127	0	0	28	0	0	28	0	0	155
Islandwide	5,870	9	2	7,304	7	3	7,308	3	0	13,177
TOTAL HAWAII APPS	5,997	9	2	7,332	7	3	7,336	3	0	15,303
KAUAI DISTRICT										
Anahola	42	0	0	3	0	0	3	0	0	45
Kekaha/Puu Opae	8	0	0	0	0	0	0	0	0	8
Subtotal Area	50	0	0	3	0	0	3	0	0	53
Islandwide	1,669	1	1	2,272	0	0	2,272	1	0	3,942
TOTAL KAUAI APPS	1,719	1	1	2,275	0	0	2,275	1	0	4,329
MOLOKAI DISTRICT										
Kalamaula	4	0	0	0	0	0	0	0	0	4
Hoolihua	8	0	0	17	0	0	17	0	0	25
Kapaakea	6	0	0	0	0	0	0	0	0	6
One Alii	1	0	0	0	0	0	0	0	0	1
Subtotal Area	19	0	0	17	0	0	17	0	0	36
Islandwide	810	0	1	1,090	0	1	1,089	0	0	1,609
TOTAL MOLOKAI APPS	840	0	1	1,107	0	1	1,106	0	0	2,149
LANAI DISTRICT										
Islandwide	74	0	0	0	0	0	0	0	0	74
TOTAL LANAI APPS	74	0	0	0	0	0	0	0	0	74
TOTAL AREA ONLY	1,182	0	0	52	0	0	52	0	0	1,313
TOTAL ISLANDWIDE	22,492	32	12	19,335	25	5	19,355	4	0	44,920
TOTAL STATEWIDE	23,674	32	12	19,387	25	5	19,407	4	0	46,233

DELINQUENCY REPORT - STATEWIDE

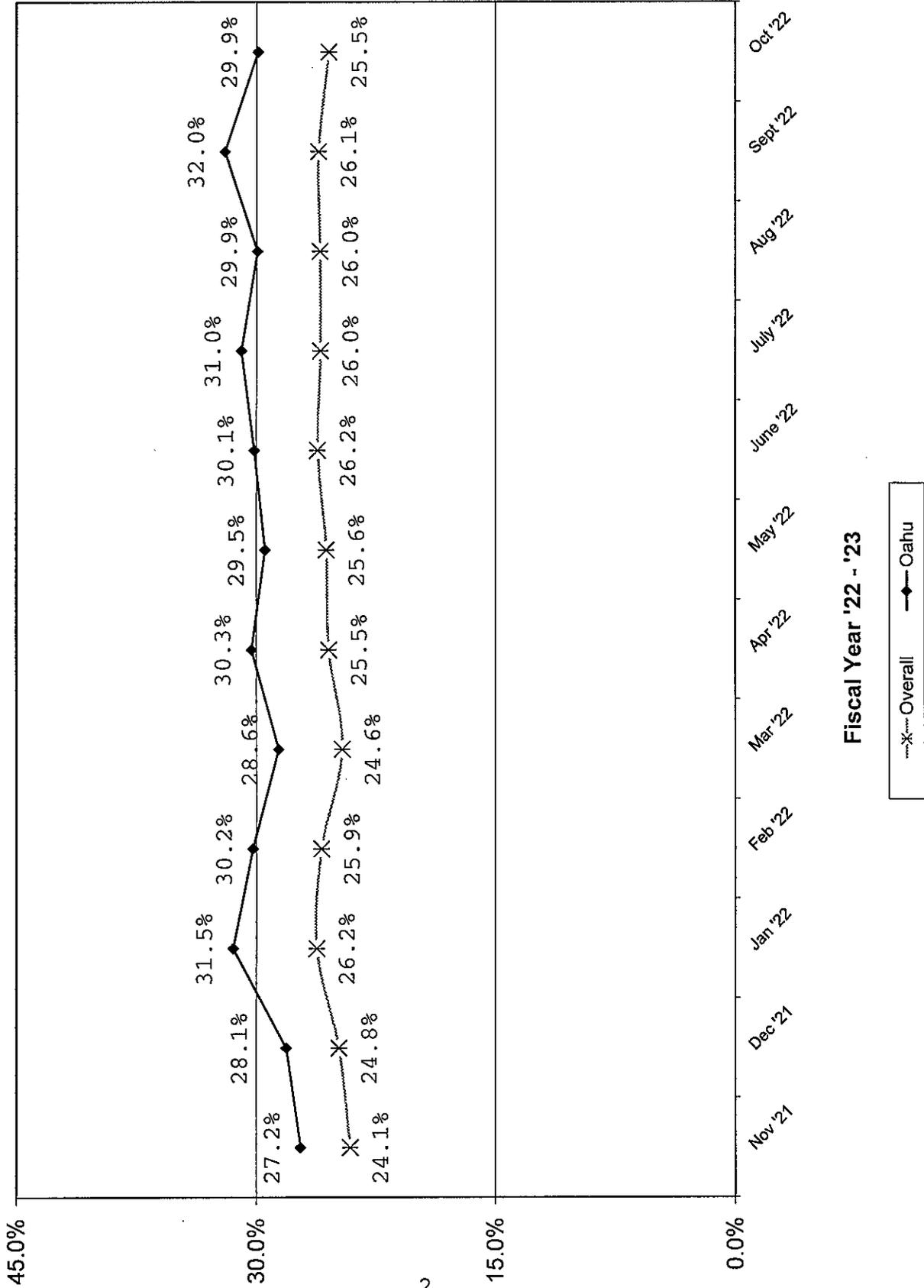
November 21, 2022
(\$Thousands)

DIRECT LOANS	R I S K										% of Totals 10/31/2022						
	Total Outstanding (000s)	Total Delinquency (000s)		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)							
		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.		Amt.					
OAHU	378	37,021	123	11,072	21	1,121	11	887	21	2,044	70	7,020	No.	Amt.	No.	Amt.	\$
EAST HAWAII	201	12,180	60	3,997	9	312	6	339	4	134	41	3,213	29.9%	32.8%			
WEST HAWAII	~78	8,059	9	1,066	2	258	3	451	0	0	4	358	11.5%	13.2%			
MOLOKAI	81	7,080	15	657	2	137	1	126	3	52	9	339	18.5%	9.3%			
KAUAI	90	6,989	11	586	4	273	0	0	0	0	7	313	12.2%	8.4%			
MAUI	105	14,033	31	4,365	6	664	5	912	3	627	17	2,463	29.5%	31.1%			
TOTAL DIRECT	933	85,362	249	21,744	44	2,764	26	2,415	31	2,856	148	13,706	26.7%	25.5%			
	100.0%	100.0%	26.7%	25.5%	4.7%	3.2%	2.8%	2.8%	3.3%	3.3%	15.9%	16.1%					
Advances (including RPT)	250	6,283	250	6,283	0	0	0	0	250	6,283	100%	100%					
DHHL LOANS & Advances	1,183	91,645	499	28,027	44	2,764	26	2,415	281	9,140	148	13,706	42.2%	30.6%			
LOAN GUARANTEES as of June 30, 2022																	
SBA	2	67	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%			
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613	15.7%	18.5%					
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429	50.0%	48.0%					
Maui County	5	74	0	0	0	0	0	0	0	0	0.0%	0.0%					
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7	100.0%	100.0%					
City & County	10	204	10	204	0	0	0	0	10	204	100.0%	100.0%					
FHA Interim	6	1,366	0	0	0	0	0	0	0	0	0.0%	0.0%					
OHA	1	6	1	6	0	0	0	0	1	6	100.0%	100.0%					
TOTAL GUARANTEE	331	38,448	71	7,259	0	0	0	0	71	7,259	21.5%	18.9%					
PMI Loans	124	17,233	5	907	1	129	1	86	3	692	4.0%	5.3%					
HUD REASSIGNED for Recovery	126	13,942	104	12,634	1	13	1	11	4	365	82.5%	90.6%					
FHA Insured Loans	2,941	533,887	213	33,274	0	0	0	0	213	33,274	7.2%	6.2%					
TOTAL INS. LOANS	3,191	565,062	322	46,815	2	142	2	97	220	34,331	98	12,245	10.1%	8.3%			
OVERALL TOTALS(EXC Adv/RP)	4,455	688,872	642	75,818	46	2,906	28	2,512	322	44,446	246	25,951	14.4%	11.0%			
ADJUSTED TOTALS	4,705	695,155	892	82,101	46	2,906	28	2,512	572	50,730	246	25,951	11.8%				

Note: HUD 184A loan program has 515 loans, with a total outstanding principal balance of \$112,252,547 as of June 30, 2022. 15 Loans, totaling \$3,590,830 are delinquent.

The deferred interest for 479 loans comes out to \$2,135,349.76 as of 10/31/2022.

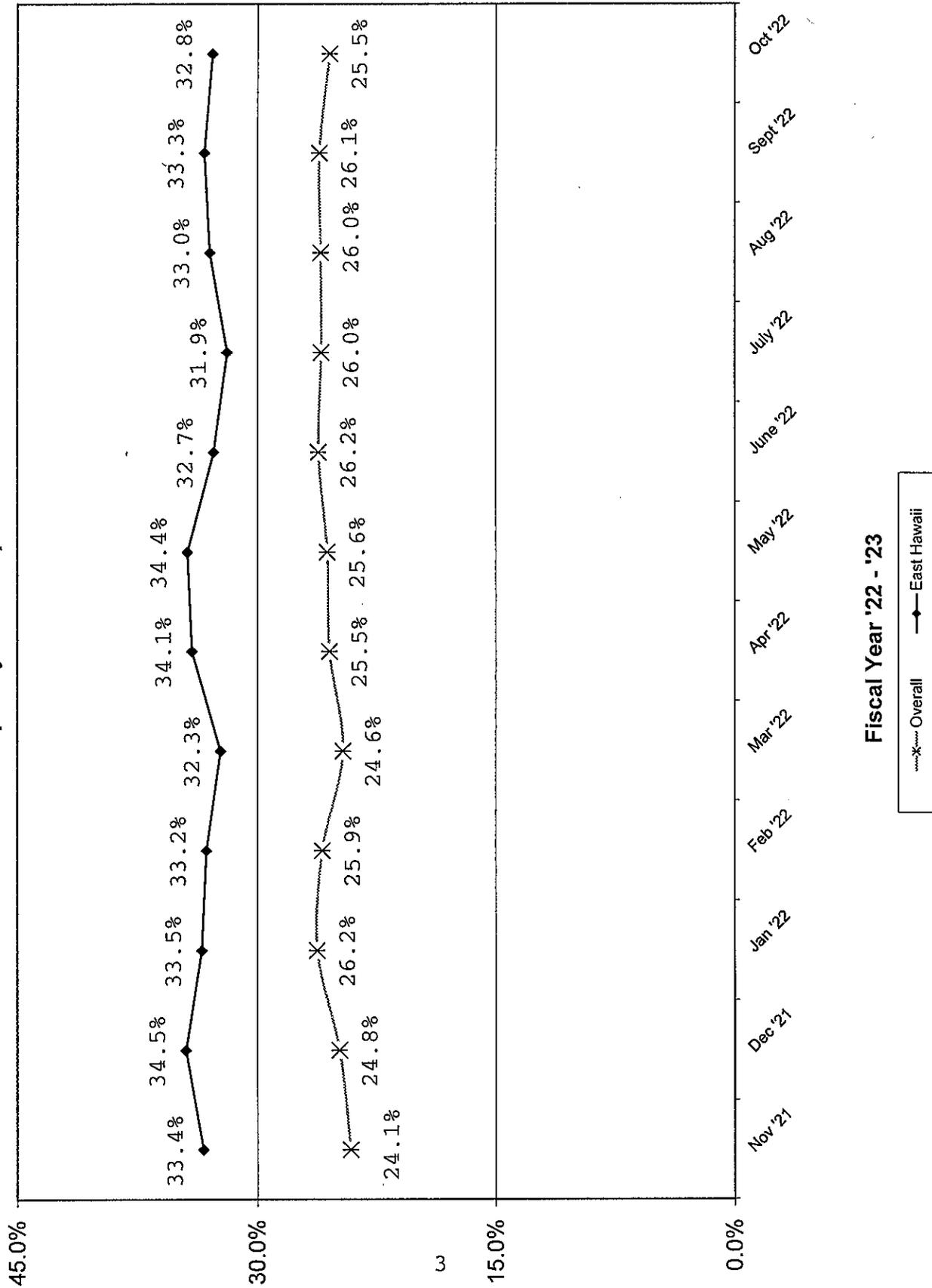
OAHU
Direct Loans
Delinquency Ratio Report



Fiscal Year '22 - '23

---X--- Overall ---◆--- Oahu

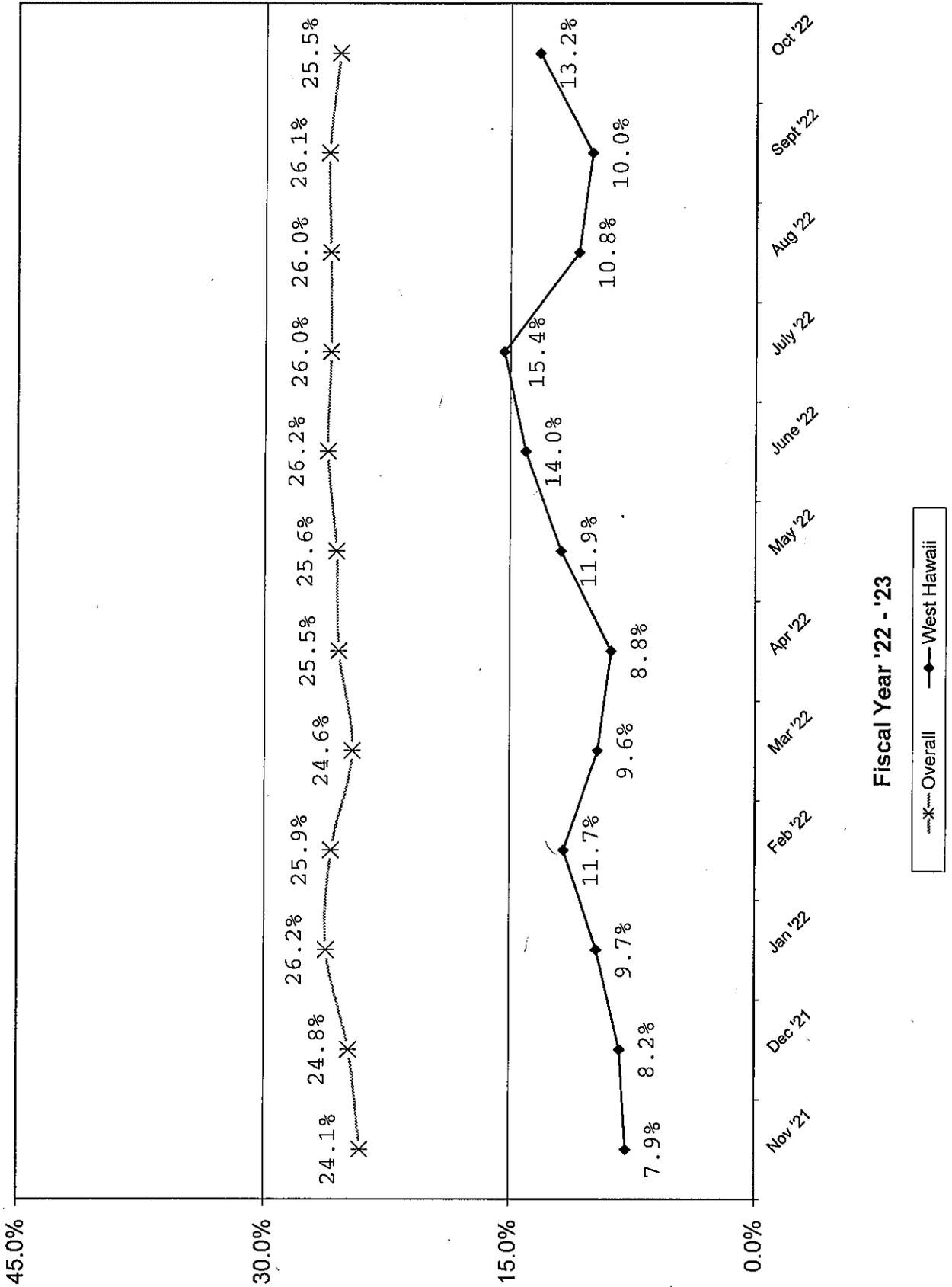
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '22 - '23

.....x..... Overall —◆— East Hawaii

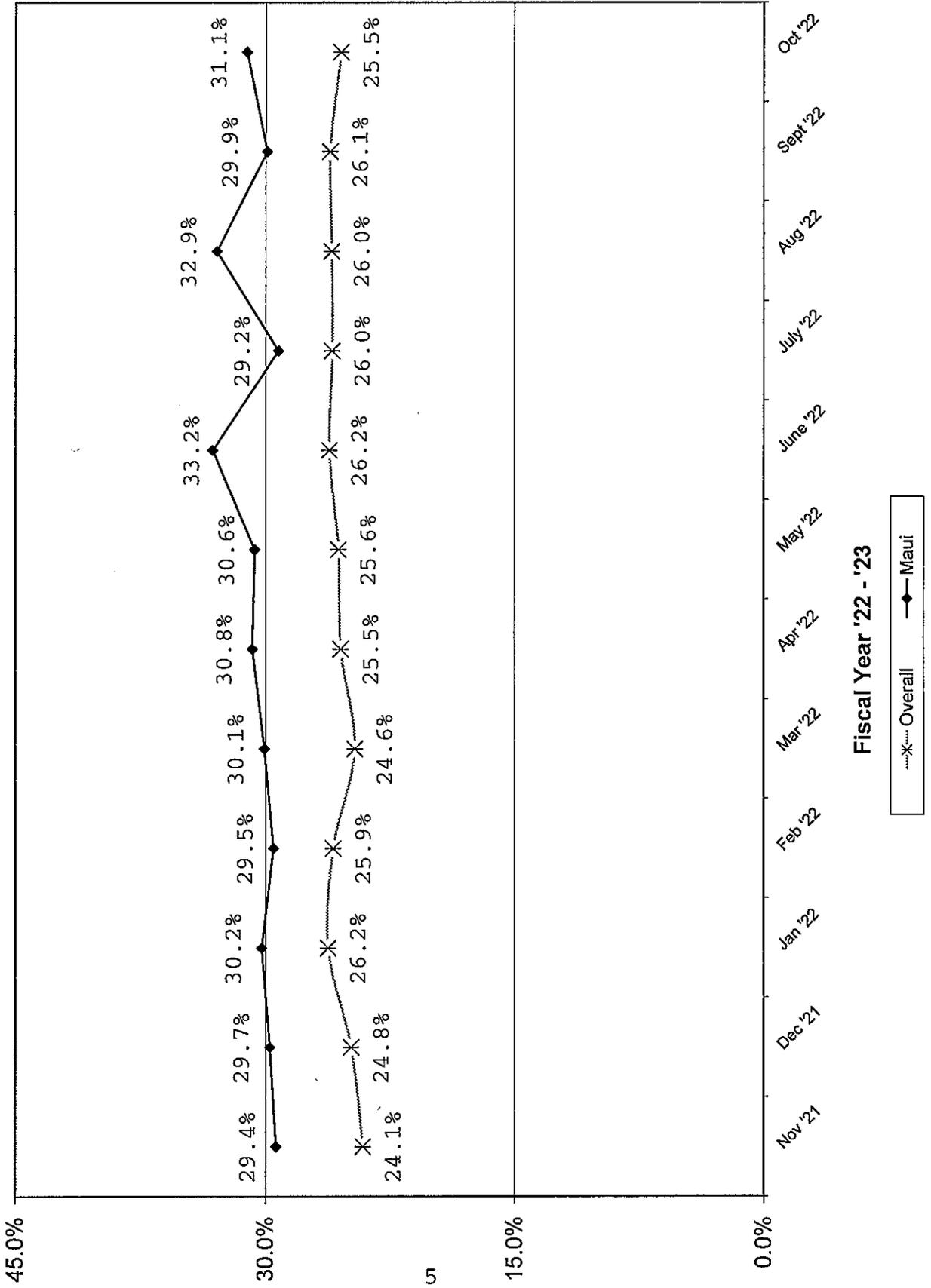
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



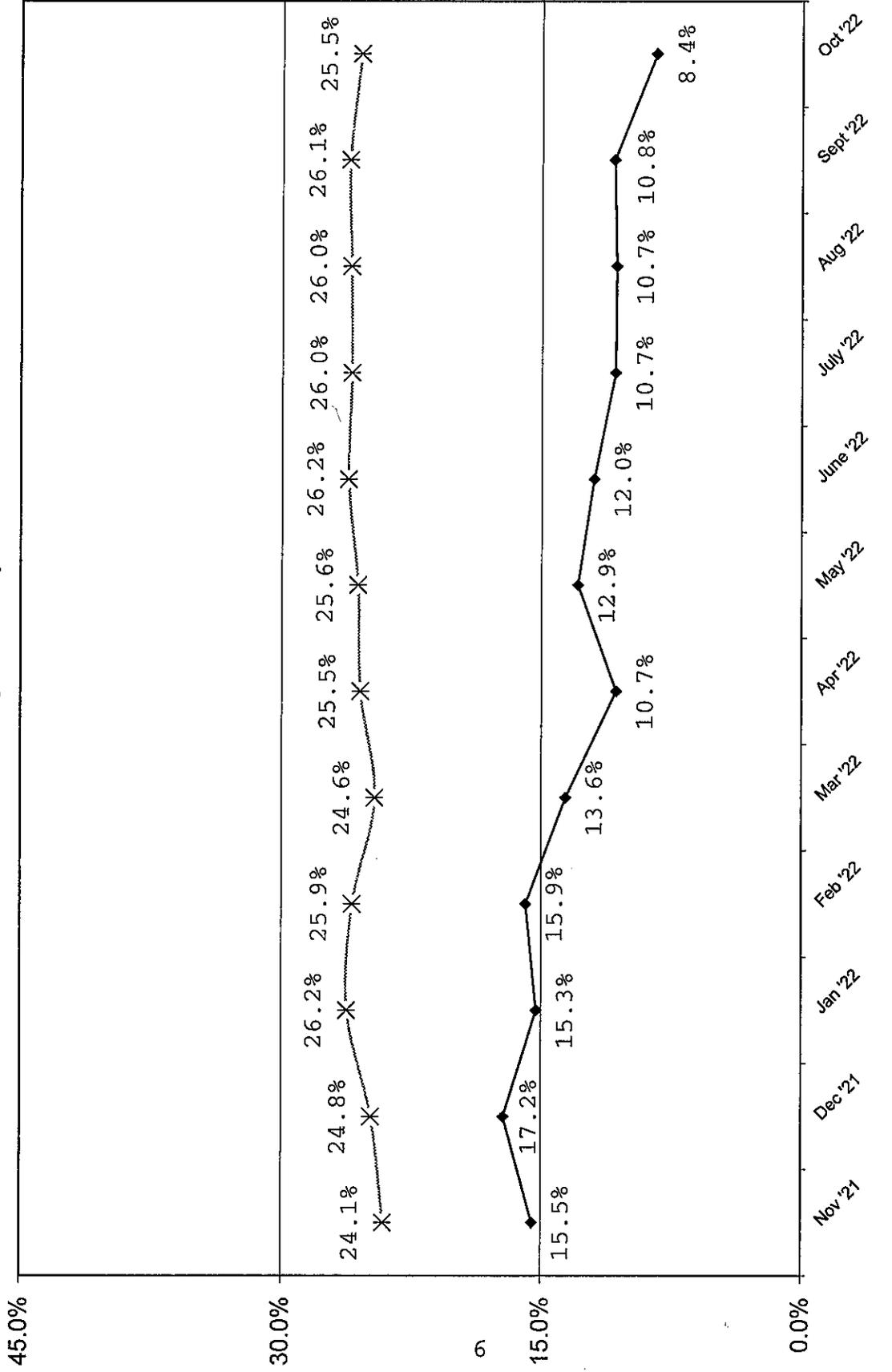
Fiscal Year '22 - '23

---x--- Overall —◆— West Hawaii

**MAUI
Direct Loans
Delinquency Ratio Report**



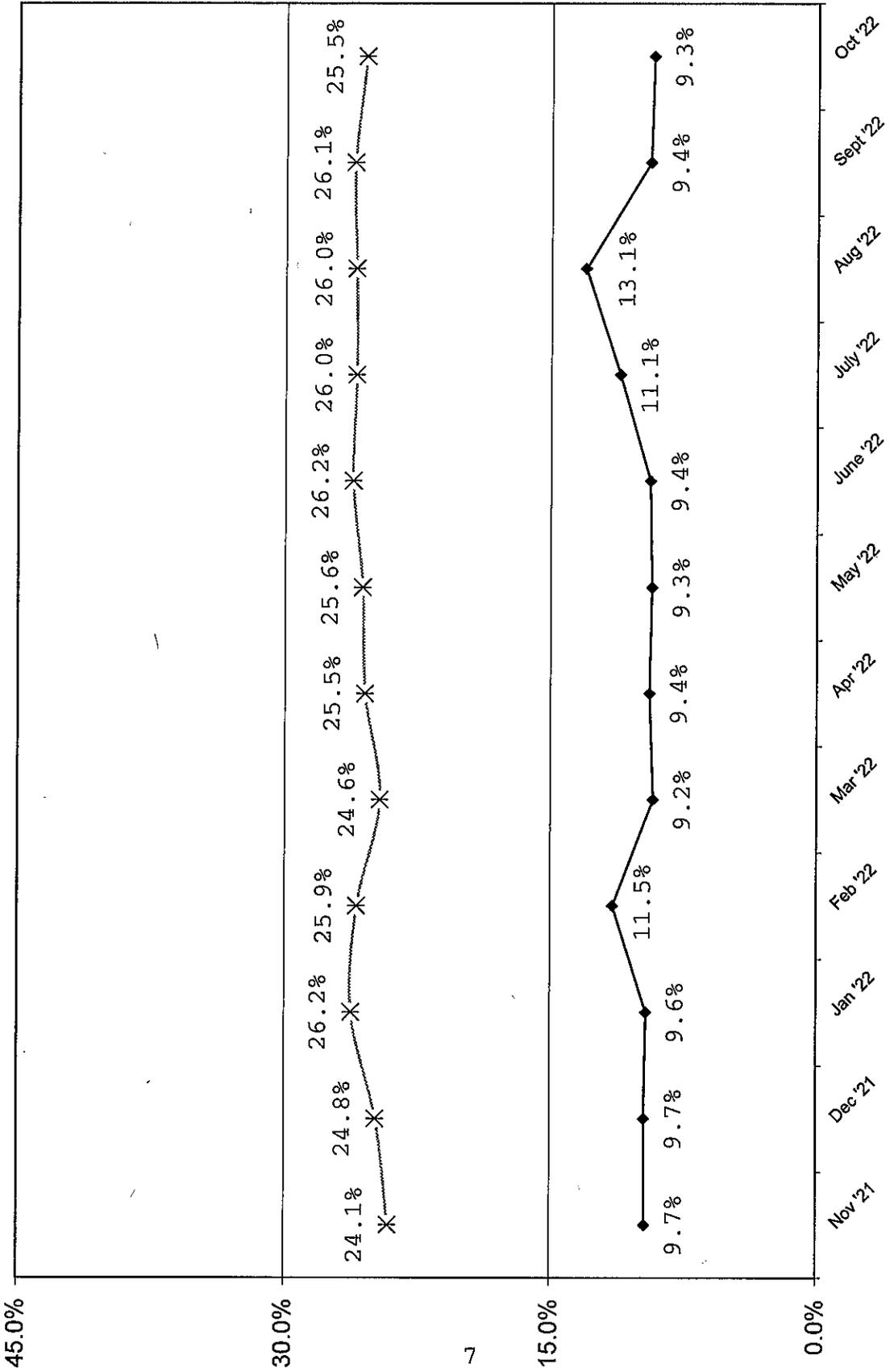
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '22 - '23

---x--- Overall —◆— Kauai

MOLOKAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '22 - '23

---x--- Overall ◆--- Molokai

November 21, 2022

SUBJECT: **DHHL Guarantees for FHA Construction Loans**

DISCUSSION: The Department issues guarantees to FHA lenders during the construction period of a home, as FHA does not insure the loan until the home is completed. The loan term for these loans do not exceed fifteen (15) months from the date of loan signing. The following FHA Interim Construction loans were issued guarantees:

*Note: FHA loans are insured by the U.S. Department of Housing and Urban Development (HUD) and do not impact the State's guaranty ceiling.

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
2276	Waimanalo	Johnson, Theodore K.	\$373,680	10/7/22

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/22	5	\$ 1,522,381
Previous Months	1	\$ 353,817
This Month	<u>1</u>	<u>373,680</u>
FY '22-'23 to date	2	\$ 727,497

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division 

FROM: Dean Oshiro, Loan Services Manager 

SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (HUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Kaupea Lease No. 12119 TMK: 1-9-1-140:024	HIGA, Micah L. (Purchase) HUD 184A	Bank of Hawaii	\$ 400,000
Nanakuli Lease No. 8609 TMK: 1-8-9-017:013	AANO, Allison (Cash Out Refi) FHA	Click N' Close, Inc.	\$ 152,000
Kewalo Lease No. 3803 TMK: 1-2-5-022:008	COELHO, Joshua B. N. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 544,687

MAUI

Waiehu Koa III
Lease No. 10084
TMK: 2-3-2-024:072

WOOD,
Darcie N. (Cash Out
Refi) FHA

Homebridge
Financial
Services,
Inc.

\$ 450,200

Waiohuli
Lease No. 7662
TMK: 2-2-2-027:131

KANE,
Cameron K.
(Purchase)FHA

Envoy
Mortgage

\$ 521,000

Leialii
Lease No. 11498
TMK: 2-4-5-036:060

KALANI,
David P. IV (Cash
Out Refi) FHA

Click N'
Close, Inc.

\$ 202,000

Paukukalo
Lease No. 5419
TMK: 2-3-3-006:037

KAHOOHANO,
Teana M. N.
(Purchase)FHA

SecurityNat-
ional Mortg-
age Co.

\$ 528,000

HAWAII

Panaewa
Lease No. 3898
TMK: 3-2-2-061:018

MANUIA,
Walter Kent
(Permanent take
out) FHA

V.I.P.
Mortgage
Inc.

\$ 250,000

Kawaihae
Lease No. 9667
TMK: 3-6-1-008:012

HIRAYAMA,
Kyle H.
(Purchase)FHA

V.I.P.
Mortgage
Inc.

\$ 303,000

Panaewa
Lease No. 3910
TMK: 3-2-1-025:109

HIGA,
Sheila K. N. (Cash
Out Refi) HUD 184A

Bank of
Hawaii

\$ 337,000

Laiopua
Lease No. 10792
TMK: 3-7-4-027:096

AKAO,
Iris (Cash Out
Refi) HUD 184A

HomeStreet
Bank

\$ 320,000

<u>RECAP</u>	<u>NO.</u>	FHA	<u>AMOUNT</u>	<u>NO.</u>	VA <u>AMOUNT</u>
FY Ending 6/30/22	381	\$	125,173,653	10	\$ 4,610,852
Prior Months	74	\$	26,053,323	3	\$ 819,375
This Month	15		4,916,869	0	0
Total FY '22-'23	89	\$	30,970,192	3	\$ 819,375
			<u>HUD 184A AMOUNT</u>		<u>USDA-RD AMOUNT</u>
FY Ending 6/30/22	54	\$	16,015,743	5	\$ 1,134,606
Prior Months	8	\$	2,745,692	0	\$ 0
This Month	4		1,187,000	0	0
Total FY '22-'23	12	\$	3,932,692	0	\$ 0

ITEM NO. D-2

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division
FROM: Dean Oshiro, Loan Services Branch Manager
SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

To ratify the approval of the following loan previously approved by the Chairman, pursuant to section 10-2-17, Ratification of Chairman's action, of the Department of Hawaiian Home Lands Administrative Rules.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Alapai, Lambert P.	11141, Anahola	NTE \$261,000 @ 4% interest per annum, NTE \$1,247 monthly, repayable over 30 years.

Loan Purpose: Refinance HUD 184A buyback Loan No. 19689 to reduce the interest rate. Original loan amount of \$256,691 @ 4.75% per annum, \$1,340 monthly, repayable over 30 years. A contested case hearing was held on August 4, 2022 for this account.

LESSEE

LEASE NO. & AREA

LOAN TERMS

Nakoa, Robert

5938, WK-I

NTE \$9,700 @ 4%
interest per annum, NTE
\$341 monthly, repayable
over 30 months.

Loan Purpose: Refinance of a USDA-RD buyback Loan No. 19777 to reduce the interest rate. Original loan amount of \$38,430 @ 7.5% per annum, \$645 monthly, repayable over 6 years. A contested case hearing was not held for this account.

Laau, James E., Jr.

12169, Kaumana

NTE \$130,000 @ 4%
interest per annum, NTE
\$621 monthly, repayable
over 30 months.

Loan Purpose: Refinance Contract of Loan No. 18314 to reduce the interest rate. Original loan amount of \$177,222 @ 6% per annum, \$1,063 monthly, repayable over 30 years. A contested case hearing was not held for this account.

Namuo, Elizabeth K. & 6601, Anahola
Namuo, Sunday-Lee

NTE \$143,000 @ 4%
interest per annum, NTE
\$755 monthly, repayable
over 25 years.

Loan Purpose: Refinance Contract of Loan No. 19679 in conjunction with a lease assignment to add a co-lessee and to reduce the interest rate. Original loan amount of \$149,487 @ 4.5% per annum, \$798 monthly, repayable over 27 years. A contested case hearing was not held for this account.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	6	\$ 1,275,214
Prior Months	3	295,225
This Month	<u>3</u>	<u>400,700</u>
Total FY '22-'23	6	\$ 695,925
<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '22-'23	0	\$ -0-
<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	1	\$ 250,000
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '22-'23	0	\$ -0-
<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '22-'23	0	\$ -0-
<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	1	\$ 133,000
Prior Months	0	-0-
This Month	<u>1</u>	<u>143,000</u>
Total FY '22-'23	1	\$ 143,000
<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	3	\$ 469,550
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '22-'23	0	\$ -0-
<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '22-'23	0	\$ -0-

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Specialist V
Application Branch, Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described below:

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

FROST, William H.R.	08/20/1996	KAUAI	RES	05/17/2022
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HAWAII ISLANDWIDE PASTORAL LEASE LIST

PIIMAUNA, Jeffrey N.	03/15/1993	OAHU	AGR	05/13/2022
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HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

MONIZ, Kamuela K.	06/16/1995	OAHU	RES	05/26/2022
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PIIMAUNA, Jeffrey N.	03/15/1993	OAHU	RES	05/13/2022
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2. Deceased Applicants

NONE FOR SUBMITTAL

3. Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

BARNES, Ilima K.M. Assigned Residential Lease
#8550, Lot 260 in Princess
Kahanu Estates, Oahu dated
09/09/2022. Remove application
dated 11/16/2007.

GOO, Tanya S.K. Assigned Residential Lease
#2482, Lot 14 in Waimanalo, Oahu
dated 09/28/2022. Remove
application dated 02/14/2022.

KAIHENUI, Abraham Assigned Residential Lease
#11259, Lot 15 in Kumuhau, Oahu
dated 09/14/2022. Remove
application dated 03/12/2014.

KEA, Tracy K. Assigned Residential Lease
#12966, Lot 41 in Ka'uluokaha'i,
Oahu dated 10/21/2022. Remove
application dated 08/02/1990.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

MALANI, Carol L. Assigned Residential Lease
#6954, Lot 9 in Makuu, Hawaii
dated 12/08/2020. Remove
application dated 09/29/1986.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

CABEBE, Andrew F. Assigned Residential Lease
#11746, Lot 18441 in Kanehili,
Oahu dated 11/10/2020. Remove
application dated 03/09/2017.

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

USHIJIMA, Larrynette R. Assigned Residential Lease
#5788, Lot 42 B1 B in Hoolehua,

Molokai dated 08/08/2022.
Remove application dated
06/04/1999.

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

ASANO, Matthias I.K.S.

Assigned Residential Lease
#3112, Lot 10 in Kapaakea,
Molokai dated 06/17/2022.
Remove application dated
12/05/2012.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

NONE FOR SUBMITTAL

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

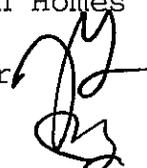
NONE FOR SUBMITTAL

Last Month's Transaction Total	17
Last Month's Cumulative FY 2022-2023 Transaction Total	141
Transfers from Island to Island	4
Deceased	0
Cancellations:	
Awards of Leases	8
NHQ	0
Voluntary Cancellations	0
Successorship	0
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	12
This Month's Cumulative FY 2022-2023 Transaction Total	153

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Specialist V
Application Branch, Homestead Services Division
SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of October 2022**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of October 2022. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

At its October 2020 regular meeting, the Hawaii Homes Commission adopted the recommendation of the HHC Investigative Committee on the Native Hawaiian Qualification Process to recall to the HHC, pursuant to Hawaii Administrative Rules § 10-2-16(a), the authority to accept the Native Hawaiian Quantum (NHQ) determination for an individuals as a function requiring the exercise of judgement or discretion. The recommendation included a process to implement the Commission's review and acceptance of NHQ determinations. These applicants have been deemed by the Department to have met the native Hawaiian blood quantum requirement through the kumu 'ohanaprocess.

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

NAAUAO, Danielle K.	06/08/2022
APAO, Mersburg K., Jr.	06/08/2022
FAAMAILE, Sara K.	06/15/2022
GONZALES, Angel B.	06/24/2022

SPENCER-OLSEN, Taylor-Marie K.	06/28/2022
KAAIWELA, Alyssa H.	06/28/2022
CULLEN, Irene L.V.	06/28/2022
TISALONA, Jeremiah K.	06/29/2022
PULE, Jonah M.N.	07/25/2022
KIPI, Jonathan E.K.	07/26/2022
NIAU, Samuel K.H.	07/27/2022
KAEO-GARCIA, Mary M.K.	08/01/2022
KALAMAU, Kuuipo	08/02/2022
HEZEKIA, Kauilani M.K.	08/08/2022
APO, Alvina K.	08/09/2022
HAUKI-WILLIAMS, Sterling M.	08/10/2022
AGLIAM, Delphine M.	08/11/2022
GILMAN, Kealakaikulaemaikalani K.	09/30/2022

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KALIMA, Sharon N.	06/07/2022
KAMEALOHA, Wesley K.	06/07/2022
DAVIDSON, Elijah M.	06/07/2022
LITTLETON, Amber K.	06/08/2022
TODD, Brandon Duke K.	06/08/2022
KU, Alvin Keola	06/09/2022
KIAAINA, Catherine K.	06/15/2022
FAAMAILE, Sara K.	06/15/2022
KAWAI, Marie E.	06/24/2022

GONZALES, Angel B.	06/24/2022
SPENCER-OLSEN, Taylor-Marie K.	06/28/2022
KAAIWELA, Alyssa H.	06/28/2022
CULLEN, Irene L.V.	06/28/2022
TISALONA, Jeremiah K.	06/29/2022
YASUDA, Valerie R.L.	06/30/2022
MOKUAHI, Katrell P.	07/22/2022
MOKUAHI, Krystal H.	07/22/2022
GOULD, Ilikea K.	07/22/2022
PULE, Jonah M.N.	07/25/2022
LOVELL, Harry K.	07/25/2022
AUWAE, Stephen K.I.	07/26/2022
KIPI, Jonathan E.K.	07/26/2022
NIAU, Samuel K.H.	07/27/2022
POTTER, Cheryl K.	07/29/2022
KAE0-GARCIA, Mary M.K.	08/01/2022
KUPAHU, Moani M.	08/02/2022
KUPAHU, Makoa K.	08/02/2022
MANOA, Stanley L., Jr.	08/02/2022
GILMAN, Kaena L.	08/02/2022
KALAMAU, Kuuipo	08/02/2022
KERR, Joseph L.	08/03/2022
CAMINOS, Travis Rayale T.S.	08/04/2022
AIKALA, Jensen I.	08/05/2022
MEYERS, Kealiinoe G.	08/05/2022

APO, Alvina K.	08/09/2022
KUOHA, Chester K.	08/09/2022
MOO, Lori L.S.S.F.L.	08/10/2022
AGLIAM, Delphine M.	08/11/2022
WISE, David K., Jr.	09/28/2022

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

BANDALAN, Simone K.H.	06/16/2022
KEALIINOHOMOKU, Robin L.	06/16/2022
BLOCK, Teisyn K.	06/17/2022
BLOCK, Virginia D.	06/17/2022
BISSEN, Joel M.	06/17/2022
WALLACE, Eltness L.	06/21/2022
KAIHEWALU, Glenn S	07/27/2022
NAKOOKA, Tyrone M.	07/27/2022
MEYERS, Kealiinoe G.	08/05/2022
FOSTER, Glenn L.	09/16/2022

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

WELCH, Rachel P.	05/10/2022
HANOHANO, Daniel K.	06/14/2022
BANDALAN, Simone K.H.	06/16/2022
KEALIINOHOMOKU, Robin L.	06/16/2022
BLOCK, Teisyn K.	06/17/2022
BLOCK, Virginia D.	06/17/2022
BISSEN, Joel M.	06/17/2022

WALLACE, Eltness L.	06/21/2022
KAIHEWALU, Glenn S.	07/27/2022
NAKOOKA, Tyrone M.	07/27/2022

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

LABRADOR, Lene K.	05/02/2022
FREITAS, Brian Keith H.	05/03/2022
KAHAUOLOPUA, Cadelynn H.	05/11/2022
WILSON, George K.	06/09/2022
WONG, Ngaire	06/15/2022
CARVALHO, Joaquin P.	06/15/2022
BATCHELDER, Blanche L.	06/20/2022
KAAWA, Dansetta K.	06/21/2022
LELEO-AKANA, Alessandria H.	06/24/2022
MOON, Lylet M.	06/24/2022
GOULD, Ilikea K.	07/22/2022
KAMAI, Kaleookalaniekapuanahenahe L.	07/28/2022
KUPAHU, Moani K.	08/02/2022
KUPAHU, Makoa K.	08/02/2022
GILMAN, Kaena L.	08/02/2022
AIKALA, Jensen I.	08/05/2022
KUANONI, Bryson K.	08/05/2022

HAWAII ISLANDWIDE PASTORAL LEASE LIST

DAVIDSON, Elijah M.	06/07/2022
BLACKSTAD, Alohilani K.	06/15/2022

MOO, Lori L.S.S.F.L.

08/10/2022

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

LABRADOR, Lene K.	05/02/2022
FREITAS, Brian Keith H.	05/03/2022
KAHAUOLOPUA, Cadelynn H.	05/11/2022
WILSON, George K.	06/09/2022
PAVAO, Raynette R.K.	06/14/2022
BLACKSTAD, Alohilani K.	06/15/2022
WONG, Ngaire	06/15/2022
BLACK, Tania Christine A.	06/20/2022
KAAWA, Dansetta K.	06/21/2022
MOON, Lylet M.	06/24/2022
CHING, Cherylne P.	06/30/2022
KAMAI, Kaleookalaniekapuanahenahe L.	07/28/2022
KUANONI, Bryson K.	08/05/2022
HAUKI-WILLIAMS, Sterling M.	08/10/2022
PUAOI, William K.	09/28/2022

KAUAI ISLANDWIDE AGRUCULTURAL LEASE LIST

BALAI, Maile A.P.	05/17/2022
SOLIMAN, Glenda L.	05/25/2022
KALEIOHI-DUARTE, Marina Lynn L.	05/26/2022
SHINTANI, Kenneth K., Jr.	07/05/2022
APILADO, Juliette N.	07/05/2022
BACTAD, Roberta L.	07/18/2022

ALAMEIDA, Ah Lan K.

08/04/2022

KAUAI ISLANDWIDE PASTORAL LEASE LIST

NIHEU-YONG, Hanaike L.Y.

05/13/2022

NIAU, Racine N.

06/02/2022

SHINTANI, Gail K.

07/05/2022

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

NIHEU-YONG, Hanaike L.Y.

05/13/2022

BALAI, Maile A.P.

05/17/2022

SOLIMAN, Glenda L.

05/25/2022

NIAU, Racine N.

06/02/2022

CHANG, Edward A.Y., Jr.

06/15/2022

SHINTANI, Kenneth K., Jr.

07/05/2022

SHINTANI, Gail K.

07/05/2022

APILADO, Juliette N.

07/05/2022

BACTAD, Roberta L.

07/18/2022

ALAMEIDA, Ah Lan K.

08/04/2022

LANAI ISLANDWIDE RESIDENTIAL LEASE LIST

KAMELAMELA, Christopher K.

06/07/2022

Previous Cumulative Total for Current FY	217
Current Month's Total	133
Fiscal Year Total: July 2022-June 2023	350

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

2. To approve and accept that the transferees are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.

DISCUSSION

Twenty-four (24) assignments of lease.

1. Lessee Name: Colleen R. Aiwahi
Res. Lease No. 12119, Lot No. 16966
Lease Date: 1/18/2008
Area: Kaupea, Oahu
Property Sold & Amount: Yes, \$400,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Micah L. Higa
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.

2. Lessee Name: Christy K. Andres
Res. Lease No. 313, Lot No. 117
Lease Date: 5/13/1930
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1 bath dwelling

Transferee Name: Christy K. Andres & Erica K. Damas
Relationship: Lessee & Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease."

3. Lessee Name: Barbara Lyn S. Harada & Ranceford T. A. Matsuda
Res. Lease No. 2145, Lot No. 226
Lease Date: 6/29/1949
Area: Kewalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Ora-Lee N. M. Hilea
Relationship: Sister
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.

4. Lessee Name: Ora-Lee N. M. Hilea
Res. Lease No. 2145, Lot No. 226
Lease Date: 6/29/1949
Area: Kewalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Chad K. T. Hilea
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Sherilyn V. Kanoho & Paul K. Kanoho
Agr. Lease No. 5483, Lot No. 19
Lease Date: 1/12/1989
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 3 bath dwelling

Transferee Name: Sherilyn V. Kanoho, Paul K. Kanoho & Isaiah
K. K. Kanoho
Relationship: Lessees & Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease."

6. Lessee Name: Lovelyn M. Kekino
Res. Lease No. 12964, Lot No. 35
Lease Date: 10/6/2021
Area: Kakaina, Oahu
Property Sold & Amount: No, N/A
Improvements: 2 bedroom, 2-1/2 bath dwelling

Transferee Name: Lovisa K. Kahawaii
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

7. Lessee Name: Nathan K. Kupihea
Res. Lease No. 6449, Lot No. 3
Lease Date: 6/30/1994
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 3 bath dwelling

Transferee Name: Kade A. Kupihea
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." See
simultaneous transfer below.

8. Lessee Name: Destry Carvalho
Res. Lease No. 8840, Lot No. 53
Lease Date: 7/1/1998
Area: Anahola, Kauai
Property Sold & Amount: Yes, \$395,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Nathan K. Kupihea
Relationship: None
Loan Assumption: No
Applicant: No

Reason for Transfer: "Correction of lease violation due to non-occupancy." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

9. Lessee Name: Nathan K. Kupihea
Res. Lease No. 8840, Lot No. 53
Lease Date: 7/1/1998
Area: Anahola, Kauai
Property Sold & Amount: Yes, \$395,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Kaira A. Kupihea
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.

10. Lessee Name: Vynida K. Lopes
Res. Lease No. 5023, Lot No. 25
Lease Date: 8/1/1979
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Vynida K. Lopes & Vanessa L. Pascual
Relationship: Lessee & Sister
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease." See simultaneous transfer below.

11. Lessee Name: Vanessa L. Pascual
Res. Lease No. 5023, Lot No. 25
Lease Date: 8/1/1979
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Steven T. K. Pascual
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

12. Lessee Name: William K. Meyers
Res. Lease No. 6841, Lot No. 29
Lease Date: 8/10/1988
Area: Waiakea, Hawaii
Property Sold & Amount: Yes, \$275,000.00
Improvements: 2 bedroom, 2-1/2 bath dwelling

Transferee Name: Kaleiokamaile K. Viena
Relationship: Cousin
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 9/26/2003

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.

13. Lessee Name: Joachim R. Paakaula
Res. Lease No. 11976, Lot No. 17089
Lease Date: 11/23/2007
Area: Kaupea, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Solomon K. Paakaula, Jr.
Relationship: Brother
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

14. Lessee Name: Marlene M. Peralta
Res. Lease No. 12281, Lot No. 26
Lease Date: 4/24/2009
Area: Waiehu Kou IV, Maui
Property Sold & Amount: Yes, \$35,342.00
Improvements: 2 bedroom, 1 bath dwelling
- Transferee Name: Dukie S. K. Sparks
Relationship: Nephew
Loan Assumption: No
Applicant: Yes, Maui IW Res., 3/6/2012
- Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.
15. Lessee Name: Lee K. Roberts
Res. Lease No. 10860, Lot No. 107
Lease Date: 5/22/2010
Area: Laiopua, Hawaii
Property Sold & Amount: Yes, \$450,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Bobby L. Macomber
Relationship: None
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 4/3/2000
- Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase
price.
16. Lessee Name: Bobby L. Macomber
Res. Lease No. 10860, Lot No. 107
Lease Date: 5/22/2010
Area: Laiopua, Hawaii
Property Sold & Amount: Yes, \$450,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Ginger L. Macomber Salis & Jordan I. K.
Macomber
Relationship: Daughter & Grandson
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 10/2/2020 (Ginger)
- Reason for Transfer: "Giving lease to relative." Special
Condition: Transferees to obtain funds to pay purchase
price.

17. Lessee Name: Norman K. Solomon
Res. Lease No. 8694, Lot No. 26
Lease Date: 7/15/1996
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Faisha K. T. Solomon
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.

18. Lessee Name: Noel M. Walker
Res. Lease No. 6536, Lot No. 6
Lease Date: 8/12/2003
Area: Anahola, Kauai
Property Sold & Amount: Yes, \$400,100.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Norman K. Solomon
Relationship: None
Loan Assumption: No
Applicant: No

Reason for Transfer: "Moving closer to family on the other side of island." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

19. Lessee Name: Norman K. Solomon
Res. Lease No. 6536, Lot No. 6
Lease Date: 8/12/2003
Area: Anahola, Kauai
Property Sold & Amount: Yes, \$400,100.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Norman K. Solomon, II
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.

20. Lessee Name: Sharon U. W. Graham
Res. Lease No. 11119, Lot No. UNDV118
Lease Date: 5/13/2006
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Haena M. Kaiu
Relationship: None
Loan Assumption: No
Applicant: Yes, Kauai IW Res., 4/19/2000

Reason for Transfer: "Giving lease to another eligible applicant."

21. Lessee Name: Iwalani P. Martin
Res. Lease No. 11159, Lot No. UNDV158
Lease Date: 5/13/2006
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Maile M. K. K. Martin-Medeiros
Relationship: Granddaughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

22. Lessee Name: Paulette K. Akim
Agr. Lease No. 6981, Lot No. U2-37
Lease Date: 12/1/1986
Area: Makuu, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Kahili K. Liu
Relationship: Granddaughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

23. Lessee Name: Davalynn K. Manzano & Davadinn K. Vuicakau
Res. Lease No. 6089, Lot No. 61
Lease Date: 04/10/2001
Area: Kalamaula, Molokai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Henry K. Keohuloa & Moana K. Keohuloa
Relationship: Nephew & Cousin
Loan Assumption: No
Applicant: Yes, Maui IW Res., 11/2/2005 (Henry)

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferees to build and occupy within one year
of execution date.

24. Lessee Name: Andrea L. Werner
Res. Lease No. 6856, Lot No. 20
Lease Date: 10/01/1986
Area: Waiakea, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Andrea L. Brack
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to build and occupy within one year
of execution date.

Assignments for the Month of November '22.	24
Previous FY '22 - '23 balance	<u>69</u>
FY '22 - '23 total to date	93
Assignments for FY '21 - '22	220

3. Lessee: Christy K. Andres
 Res. Lease No.: 313
 Lot No., Area, Island: 117, Nanakuli, Oahu
 Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
4. Lessee: Muriel L. Hew Len
 Res. Lease No.: 611
 Lot No., Area, Island: 14, Kewalo, Oahu
 Amendment: To amend the lease title and lessor's name, to update the property description, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
5. Lessee: Wilson Kekoa Ho
 Res. Lease No.: 729
 Lot No., Area, Island: 28, Waimanalo, Oahu
 Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
6. Lessee: Richard P. K. Kahawai
 Res. Lease No.: 1755-A
 Lot No., Area, Island: 73-A, Waimanalo, Oahu
 Amendment: To amend the lease title and lessor's name.

7. Lessee: Rosalynn K. Keanu
 Res. Lease No.: 1406
 Lot No., Area, Island: 74, Keaukaha, Hawaii
 Amendment: To amend the lease title and lessor's name.
8. Lessee: Marlene M. Peralta
 Res. Lease No.: 12281
 Lot No., Area, Island: 26, Waiehu Kou IV, Maui
 Amendment: To amend the lease to release the 10 year retention period established for the Native Hawaiian Housing Block Grant.

Amendments for the Month of November '22	8
Previous FY '22 - '23 balance	<u>34</u>
FY '22 - '23 total to date	42
Amendments for FY '21 - '22	133

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee can not issue his/her own licenses.

DISCUSSION

Thirteen (13) non-exclusive licenses.

1. Lessee: Wanda K. A. Cardines
Res. Lease No.: 6281
Lot No., Area, Island: 12-A, Keaukaha, Hawaii
Permittee: Sunrun Installation Services, Inc.

2. Lessee: Rodney K. Fernandez
Res. Lease No.: 11301
Lot No., Area, Island: 9, Kaumana, Hawaii
Permittee: Sunrun Installation Services, Inc.

3. Lessee: Le Roy L. Hokoana, Keola I. Hokoana
& O'ha E. Hokoana, Jr.
Res. Lease No.: 9464
Lot No., Area, Island: 26, Waiehu Kou II, Maui
Permittee: Sunrun Installation Services, Inc.
4. Lessee: George O. K. Kaheiki, Sr.
Res. Lease No.: 9906
Lot No., Area, Island: 83, Waiakea, Hawaii
Permittee: Sunrun Installation Services, Inc.
5. Lessee: Dondi S. Kaiwi
Res. Lease No.: 10416
Lot No., Area, Island: 100-A, Waiohuli, Maui
Permittee: Sunrun Installation Services, Inc.
6. Lessee: Bobbie N. K. Masuda
Res. Lease No.: 9527
Lot No., Area, Island: 89, Waiehu Kou II, Maui
Permittee: Sunrun Installation Services, Inc.
7. Lessee: Samuel Meyer, Jr.
Agr. Lease No.: 6946
Lot No., Area, Island: 44, Makuu, Hawaii
Permittee: Sunrun Installation Services, Inc.
8. Lessee: Corinna Nakea-Francisco
Res. Lease No.: 12318
Lot No., Area, Island: 73, Kaniohale, Hawaii
Permittee: Sunrun Installation Services, Inc.
9. Lessee: Emil M. Osorio, III
Res. Lease No.: 3611
Lot No., Area, Island: 104, Waimanalo, Oahu
Permittee: Sunrun Installation Services, Inc.

10. Lessee: Bishop H. Pahia, III
 Res. Lease No.: 12266
 Lot No., Area, Island: 34, Waiehu Kou IV, Maui
 Permittee: Sunrun Installation Services, Inc.
11. Lessee: Colleen U. Pualoa
 Res. Lease No.: 9427
 Lot No., Area, Island: 114, Kaniohale, Hawaii
 Permittee: Sunrun Installation Services, Inc.
12. Lessee: Dukie S. K. Sparks
 Res. Lease No.: 12281
 Lot No., Area, Island: 26, Waiehu Kou IV, Maui
 Permittee: Neighborhood Power Corporation
13. Lessee: Howard H. Spinney
 Res. Lease No.: 12815
 Lot No., Area, Island: 49, Laiopua, Hawaii
 Permittee: Sunrun Installation Services, Inc.

Non-Exclusive License for the Month of November '22	13
Previous FY '22 - '23 balance	<u>29</u>
FY '22 - '23 total to date	42
Non-Exclusive License for FY '21 - '22	53

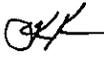
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor of a Tenant In Common Interest - WILDER K. E. MATSUDA, Residential Lease No. 2145, Lot No. 226, Kewalo, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Ora-Lee Natsuye Mamo Hilea (Ora-Lee) as successor to Wilder Kaala Eiji Matsuda's 25% tenant in common interest in Residential Lease No. 2145, Lot No. 226, Kewalo, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Ora-Lee is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

3. To stipulate that Ora-Lee's successorship right and interest in the Lease do not vest until Ora-Lee has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Ora-Lee does not sign all such documents on or before **January 31, 2023** (the Deadline), that the Commission's selection of Ora-Lee as a successor is automatically revoked;

4. To authorize the Department to extend the Deadline up to 60 days for good cause;

5. To declare and approve that if Ora-Lee's selection as a successor is revoked; citing the impracticality of returning the unclaimed 25% tenant in common interest to the Department's inventory, the unclaimed interest shall pass in equal parts to the Decedent's tenant in common co-lessees for the remaining term of the Lease; and

6. To amend the lease title and Lessor's name and to update the property description.

DISCUSSION

Wilder K. E. Matsuda (Decedent), Barbara Lyn S. Harada (Barbara Lyn), Ora-Lee, and Ranceford T. A. Matsuda (Ranceford) succeeded to the Lease on August 24, 2010, as tenants in common.

On January 15, 2015, the Decedent passed away without naming a successor to his 25% tenant in common interest in the lease.

On February 8, 2022, the Department received the decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on June 8, 15, 22, and 29, 2022, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received two successorship claims from the Decedent's sisters, Ora-Lee and Barbara Lyn, who have been determined to be of at least 25% Hawaiian ancestry and are thus eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the

children, widows or widowers of the brothers and sisters, or nieces and nephews.

Pursuant to Section 209, Ora-Lee and Barbara Lyn have the same priority to succeed to the Decedent's 25% tenant in common leasehold interest; however, on October 12, 2022, Barbara Lyn rescinded her claim leaving Ora-Lee as the sole claimant to succeed.

Improvements to the homestead lot consist of a 3 bedroom and 2 bath, single family dwelling, which was constructed in 1985.

There are no outstanding loans. The real property tax is current, and the next assessment will be in August 2023 tax year. The lease rent account reports a credit balance of \$8.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division

FROM: Ross K. Kapeliela, Acting District Supervisor
Oahu District Office
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
ROBERT HANOHANO, Residential Lease No. 12842,
Lot No. 126, Kauluokahai, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Jaku Kaena Hanohano-Baptista (Jaku) as successor to Residential Lease No. 12842, Lot No. 126, Kauluokahai, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Jaku is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

3. To stipulate that Jaku's successorship right and interest in the Lease do not vest until Jaku has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Jaku does not sign all such documents on or before **January 31, 2023** (the Deadline), that the Commission's selection of Jaku as a successor is automatically revoked;

4. To authorize the Department to extend the Deadline up to 60 days for good cause; and

5. To declare that if Jaku's selection as a successor is revoked; then under Section 209(a) of the Hawaiian Homes Commission Act, 1920, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands

and the department is authorized to lease the land to a native Hawaiian as provided by the Act;"

DISCUSSION

Robert Hanohano (Decedent) was awarded the Lease commencing on June 10, 2019.

On August 28, 2021, the Decedent passed away without naming a successor to his lease.

On January 21, 2022, the Department received the decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on June 8, 15, 22, and 29, 2022, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received a successorship claim from the Decedent's son, Jaku, who has been determined to be of at least 25% Hawaiian ancestry and thus eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or

5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consist of a 4-bedroom and 3-bath, single-family dwelling which was constructed in 2019.

There is an outstanding mortgage with HomeStreet Bank dated June 24, 2021, with an original amount of \$343,147. Jaku has been apprised of the outstanding loan.

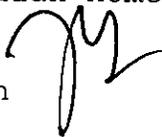
The lease rent account reports a credit balance of \$95 and the real property tax is still within the seven years exemption period and not being assessed.

The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
STANLEY SAMSON REYES, Residential Lease No. 11853,
Lot No. 18645, Kanehili, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Stephanie Leilani Reyes (Stephanie), as successor, to Residential Lease No. 11853, Lot No. 18645, Kanehili, Oahu, for the remaining term of the lease, subject to payment to the Department within 90 days from the completion of the lease successorship for the appraised value of \$345,000 or the outstanding lease-related debts, whichever is greater; and

2. To approve and accept that Stephanie, is no less than the required 25% Hawaiian ancestry and therefore is a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920;

3. To stipulate that Stephanie's right and interest in the Lease does not vest until Stephanie has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Stephanie does not sign all such documents on or before **January 31, 2023** (the Deadline) that the Commission's selection of Stephanie as a successor is automatically revoked;

4. To authorize the Department to extend the Deadline up to 60 days for good cause;

5. To declare that if Stephanie's selection as a successor is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "the lease shall resume its status as unleased Hawaiian home lands the department is authorized to lease the land to a native Hawaiian as provided by the Act."

DISCUSSION

Stanley Samson Reyes (Decedent) was awarded the Lease commencing on December 2, 2006, (amended to December 13, 2008).

On October 7, 2015, the Decedent designated his wife, Leslie Anne Reyes (Leslie), to receive the net proceeds of the appraised value of the leasehold improvements (*i.e.*, the value thereof, less any indebtedness to the department, or for taxes, or for any other indebtedness the payment of which has been assured by the department, owed by the deceased lessee or the previous lessee).

On April 29, 2020, the Decedent passed away.

On June 22, 2021, the Department received the Decedent's death certificate.

Upon receiving the Decedent's death certificate, the Department confirmed that Leslie was of non-Hawaiian ancestry and meets the criteria to receive net proceeds.

In compliance with Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, Hawaii Tribune Herald, West Hawaii Today, Maui News, and The Garden Island newspapers on December 6, 13, 20, and 27, 2021, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claim to the Lease.

The Department received a successorship claim from the Decedent's daughter, Stephanie, who has been determined to be at least 25% Hawaiian ancestry and thus eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee designates an ineligible successor, the Commission is authorized to terminate the Lease or to continue the Lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or

2. If there is no husband or wife, then the children;
or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consist of a 4-bedroom and 3-bath, single family dwelling, which was constructed in 2009.

The improvements have been appraised at a value of \$345,000 by Theodore R. Kesaji, Valley Isle Appraisal Company.

There is an outstanding loan with HomeStreet Bank dated February 2, 2017, with an original amount of \$320,220. Stephanie has been apprised of the outstanding loan.

The Lease rent account reports a credit balance of \$84. The real property taxes are paid current.

The Department requests approval of its recommendation.

There is an existing Department loan with an outstanding balance in the amount of approximately \$76,549 as of October 31, 2022. Real property taxes are past due in the amount of approximately \$6,500 and lease rent is paid current.

Improvements on the lot consist of a 4-bedroom and 2-bath dwelling built in 1972.

The Department request approval of its recommendation.

David H. K. Gomes
Po Box 290593
Hoolehua, HI 96729

2022 SEP 22 PM 1: 17

September 22, 2022

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

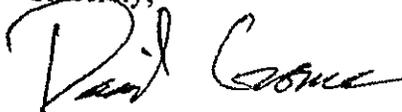
Department of Hawaiian Home Lands
Molokai District Office
PO Box 2009
Kaunakakai, HI 96748

Subject: Request to Surrender Lease No. 3880

To Whom it May Concern:

This letter is in regards to Lease No. 3880, located in Kalamaula, Lot 80. I David Gomes am requesting to surrender my one-quarter interest in the lease. Additionally, I am voluntarily waiving net proceeds associated with the lease.

Sincerely,



David H. K. Gomes

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division 

FROM: Erna Kamibayashi, Kauai District Office Supervisor
Homestead Services Division

SUBJECT: **Commission Designation of Successor to a Tenant in Common Interest,
Violet K. Kahokuloa, Residential Lease No. 6482, Lot No. 42, Anahola, Kauai**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Mark K Kahokuloa (Mark) and Philip Wailani Kahokuloa (Philip) as one-third tenant in common successors, to Residential Lease No. 6482, Lot No. 42, Anahola, Kauai (Lease), for the remaining term of the Lease;
2. To stipulate that Mark and Philip's right and interest in the Lease does not vest until Mark and Philip have signed that: (i) transfer through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Mark and Philip do not sign all such documents on or before **January 31, 2023** (the Deadline) that the Commission's selection of Mark and Philip as successor(s) is automatically revoked;
3. To authorize the Department to extend the Deadline up to 60 days for good cause;
4. To declare that if Mark and Philip's selection as successors is revoked, citing the impracticality of returning the unclaimed one-third tenant in common interest to the Department's inventory, the unclaimed one-third interest shall pass in equal parts to the remaining tenant in common lessees.

DISCUSSION

Violet K. Kahokuloa (Decedent), Philip W. Kahokuloa, and Violet H. Kahokuloa are the tenants in common lessees to the Lease.

On August 25, 2021, the Decedent passed away without naming a successor to her one-third tenant in common interest to the Lease.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island newspapers on June 8, 15, 22 and 29, 2022, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

On June 8, 2022, the Department received a successorship claim from the Decedent's son, Philip Kahokuloa, who is a tenant in common lessee on the Lease. On June 22, 2022, the Department received a successorship claim from Mark Kahokuloa, who is also a son of the Decedent.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives in priority order:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

The existing improvements to this lease include 3-bedroom and 2-bath home totaling 1,144 sq. ft. built in 1998. Improvement of A solar water heater was installed in 2011. Lease rent as of October 20, 2022, has a credit of \$63. County of Kauai trash pick-up fees through October 31, 2022, is delinquent in the amount of \$121.18.

The Department requests approval of its recommendation.



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Lease Successorship

November 21, 2022

HHCA SECTION 209: SUCCESSORS TO LESSEES

- Section 209 of the *Hawaiian Homes Commission Act, 1920*, as amended (Act), provides that upon the death of a lessee, the decedent's interest in the lease shall vest in a relative from among the following relatives:
 - A spouse, children, grandchildren, or siblings who are of not less than 25 percent Hawaiian ancestry; **or**
 - Parents, widows or widowers of children, widows or widowers of siblings, or nieces and nephews who are of no less than 50 percent Hawaiian ancestry.
 - Lease successors need not be eighteen years of age. [Note, however, probate court must appoint a conservator to handle the financial affairs of a minor which includes the execution of a DHHL lease, for example.]



HHCA SECTION 209: DESIGNATION OF SUCCESSOR

- The designation shall be in writing, may be specified at the time of execution of the lease with a right in the lessee in similar manner to change the beneficiary at any time and shall be filed with the department and approved by the department in order to be effective to vest the interests in the successor or successors so named.



SECTION 10-3-61 HAR: DESIGNATION OF SUCCESSOR

- A lessee may designate a successor or successors at the time of execution of the lease; provided that the lessee shall file the designation in writing at the department and the department shall acknowledge the designation in order for the designation to be deemed filed.
- A lessee may change the designation of successor or successors at any time; provided that the lessee shall file the designation in writing at the department and the department shall acknowledge the change of designation in order for the change of designation to be deemed filed.
- The lessee or designated successor shall provide documentation to establish eligibility of the designated successor and the department shall determine whether a designated successor is qualified to be a lessee of Hawaiian home lands.



SUCCESSORSHIP PROCESS: WHICH ONE?

- There are two separate processes by which an individual or individuals may succeed to a lease in the event of a lessee's passing—processes which are triggered solely by whether the lessee named a qualified designated successor prior to death.



WHERE A QUALIFIED NAMED SUCCESSOR EXISTS ...

- The successorship process begins with the family submitting a death certificate for the deceased lessee.
- Staff checks for a successor designation on file.
- Staff reviews documentation of the designee to ensure successor meets the requisite familial relationship to the decedent and the appropriate Hawaiian ancestry quantum per Section 209 of the Act.
- *Transfer Through Successorship* lease document drafted and reviewed by staff and the Department of the Attorney General.
- Successor signs the lease; Chairman executes on behalf of the department and the document is recorded.



PUBLIC NOTICE

§ 10-3-63 HAR Notice to successors.

- **Where a lessee passes away with no designated successor**, the department publishes a public notice at least once in each of four successive weeks in a newspaper of general circulation in the State.
- To fulfill the § 10-3-63 HAR publication requirement, the department publishes legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, West Hawaii Today, the Maui News and the Garden Island newspapers.



PUBLIC NOTICE (CONT.)

- The notice states that all persons claiming to be relatives of the lessee qualified to succeed to the lease shall present themselves at the department with proof of their qualifications, within four months from the first day of publication of the notice or be forever barred from succeeding to the lease. Those persons failing to present themselves within four months from the first day of publication of the notice shall be forever barred from succeeding to the lease in question.



WHERE THERE IS NO NAMED SUCCESSOR...

- The successorship process begins with the family submitting a death certificate for the deceased lessee.
- Staff checks for a successor designation on file.
- If there is no named successor, the department follows the public notice process provided in Section 10-3-63 HAR.
- A respondent to the notice shall submit a request to succeed along with proof of qualification within four (4) months from the first date of publication or be forever barred from succeeding to the lease in question.



WHERE THERE IS NO NAMED SUCCESSOR... (CONT.)

- Staff reviews the documentation of a respondent to ensure he or she meets the requisite familial relationship to the decedent and the appropriate Hawaiian ancestry quantum per Section 209 of the Act.
- Department drafts submittal recommending the Commission designate the qualified respondent(s) as successor(s) to the lease in question.
- *Transfer Through Successorship* lease document drafted and reviewed by staff and Department of the Attorney General.
- Designated successor(s) sign(s) the lease; Chairman executes on behalf of the department and the document is recorded.



LEASE SUCCESSORSHIP

Questions?



§209. Successors to lessees. (a) Upon the death of the

lessee, the lessee's interest in the tract or tracts and the improvements thereon, including growing crops and aquacultural stock (either on the tract or in any collective contract or program to which the lessee is a party by virtue of the lessee's interest in the tract or tracts), shall vest in the relatives of the decedent as provided in this paragraph. From the following relatives of the lessee who are (1) at least one-quarter Hawaiian, husband, wife, children, grandchildren, brothers, or sisters, or (2) native Hawaiian, father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews,--the lessee shall designate the person or persons to whom the lessee directs the lessee's interest in the tract or tracts to vest upon the lessee's death. The Hawaiian blood requirements shall not apply to the descendants of those who are not native Hawaiians but who were entitled to the leased lands under section 3 of the Act of May 16, 1934 (48 Stat. 777, 779), as amended, or under section 3 of the Act of July 9, 1952 (66 Stat. 511, 513). In all cases that person or persons need not be eighteen years of age. The designation shall be in writing, may be specified at the time of execution of the lease with a right in the lessee in similar manner to change the beneficiary at any time and shall be filed with the department and approved by the department in order to be effective to vest the interests in the successor or successors so named.

In case of the death of any lessee, except as hereinabove provided, who has failed to specify a successor or successors as approved by the department, the department may select from only the following qualified relatives of the decedent:

- (1) Husband or wife; or
- (2) If there is no husband or wife, then the children; or
- (3) If there is no husband, wife, or child, then the grandchildren; or
- (4) If there is no husband, wife, child, or grandchild, then brothers or sisters; or
- (5) If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father

and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

The rights to the use and occupancy of the tract or tracts may be made effective as of the date of the death of the lessee.

In the case of the death of a lessee leaving no designated successor or successors, husband, wife, children, grandchildren, or relative qualified to be a lessee of Hawaiian home lands, the land subject to the lease shall resume its status as unleased Hawaiian home lands and the department is authorized to lease the land to a native Hawaiian as provided in this Act.

Upon the death of a lessee who has not designated a successor and who leaves a spouse not qualified to succeed to the lease or children not qualified to succeed to the lease, or upon the death of a lessee leaving no relative qualified to be a lessee of Hawaiian home lands, or the cancellation of a lease by the department, or the surrender of a lease by the lessee, the department shall appraise the value of all the improvements and growing crops or improvements and aquacultural stock, as the case may be, and shall pay to the nonqualified spouse or the nonqualified children as the lessee shall have designated prior to the lessee's death, or to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness to the department, or for taxes, or for any other indebtedness the payment of which has been assured by the department, owed by the deceased lessee or the previous lessee. These payments shall be made out of the Hawaiian home loan fund and shall be considered an advance therefrom and shall be repaid by the successor or successors to the tract involved. If available cash in the Hawaiian home loan fund is insufficient to make these payments, payments may be advanced from the Hawaiian home general loan fund and shall be repaid by the successor or successors to the tract involved; provided that any repayment for advances made from the Hawaiian home general loan fund shall be at the interest rate established by the department for loans made from the Hawaiian home general loan fund. The successor or successors may be required by the commission to obtain private financing in accordance with section 208(6) to pay off the amount advanced from the Hawaiian home loan fund or Hawaiian home general loan fund.

(b) The appraisal of improvements and growing crops, or stock, if any, shall be made by any one of the following methods:

(1) By a disinterested appraiser hired by the department; provided that the previous lessee or deceased lessee's legal representative shall not be charged for the cost of the appraisal; or

(2) By one disinterested appraiser mutually agreeable to both the department and the previous lessee or the deceased lessee's legal representative, with the cost of appraisal borne equally by the two parties; or

(3) By not more than three disinterested appraisers of which the first shall be contracted for and paid by the department. If the previous lessee or the deceased lessee's legal representative does not agree with the appraised value, the previous lessee or the deceased lessee's legal representative shall contract with and pay for the services of a second appraiser whose appraisal report shall be submitted to the department not later than ninety days from the date of the first appraisal report; provided that the first appraisal shall be used if the second appraiser is not hired within thirty days from the date the department transmits the first appraisal report to the previous lessee or the deceased lessee's representative. If the appraisal values are different and a compromise value between the two appraisals is not reached, a third appraisal shall be made by an appraiser appointed by the first two appraisers not later than ninety days from the date of the second appraisal report and the third appraiser shall determine the final value. The cost of the third appraisal shall be borne equally by the department and the previous lessee or the deceased lessee's legal representative.

The department may adopt rules not in conflict with this section to establish appraisal procedures, including the time period by which the department and the previous lessee or the deceased lessee's legal representative shall act on appraisal matters.

(c) If a previous lessee has abandoned the tract or tracts

or cannot be located after at least two attempts to contact the previous lessee by certified mail, the department by public notice published at least once in each of four successive weeks in a newspaper of general circulation in the State shall give notice to the previous lessee that the lease will be canceled in accordance with sections 210 and 216 of this title and the department will appraise the value of the improvements and growing crops and stock, if any, if the previous lessee does not present himself or herself within one hundred and twenty days from the first day of publication of the notice. Following cancellation of the lease and appraisal of the improvements and growing crops and stock, if any, the department shall make the payout as provided in subsection (a).

(d) After the cancellation of a lease by the department in accordance with sections 210 and 216 of this title, or the surrender of a lease by a lessee, the department may transfer the lease or issue a new lease to any qualified native Hawaiian regardless of whether or not that person is related in any way by blood or marriage to the previous lessee.

(e) If any successor or successors to a tract is a minor or minors, the department may appoint a guardian therefor, subject to the approval of the court of proper jurisdiction. The guardian shall be authorized to represent the successor or successors in all matters pertaining to the leasehold; provided that the guardian, in so representing the successor or successors, shall comply with this title and the stipulations and provisions contained in the lease, except that the guardian need not be a native Hawaiian as defined in section 201 of this title. [Am Jul. 10, 1937, c 482, 50 Stat 504; Nov. 26, 1941, c 544, §3, 55 Stat 783; Jul. 9, 1952, c 614, §4, 66 Stat 514; am L 1963, c 207, §2; am L 1981, c 90, §3 and c 112, §1; am L 1982, c 272, §1; am L 1985, c 137, §1; am L 1987, c 36, §§2, 3; am L 1990, c 150, §8; am L 1992, c 92, §1; am L 1993, c 147, §1; am L 1994, c 37, §1 and c 109, §1; am L 2001, c 122, §1; am L 2005, c 16, §1]

Attorney General Opinions

A lessee surrendering a lease is entitled to payment for appraised value of pineapple crops growing on tract at date of

surrender less deduction for indebtedness. Att. Gen. Op. 61-66.

On discretion of commission in the selection of a successor to a lessee who dies without designating the lessee's own successor. Att. Gen. Op. 61-75.

Distribution of "pineapple money" which includes "advances" for expenditures. Att. Gen. Op. 61-88.

Person claiming to be common-law wife under relationship established in Hawaii is not a qualified successor to lessee. Att. Gen. Op. 73-5.

"Children" construed. Att. Gen. Op. 73-18.

Case Notes

Native Hawaiians have no standing to challenge constitutionality of Act on equal protection grounds as they would be asserting the rights of non-Hawaiian third parties. 795 F. Supp. 1009.

Lessee has right to change designated successor at any time and successor's interest vests only upon lessee's death; private agreement cannot alter that right. 4 H. App. 446, 667 P.2d 839.

[Previous](#)

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[Next](#)

§10-3-61 Designation of successor. (a) As provided in section 209 of the act and in this section, the lessee shall designate the relative or relatives to whom the lessee directs the interest in the tract to vest upon the lessee's death from among the following relatives:

- (1) Husband, wife, children, or grandchildren who are at least one-quarter Hawaiian; or
- (2) Father, mother, widows or widowers of the children, brothers and sisters, widows or widowers of the brothers and sisters, or nieces and nephews who are native Hawaiian.

A lessee may designate a successor or successors at the time of execution of the lease; provided that the lessee shall file the designation in writing at the department and the department shall acknowledge the designation in order for the designation to be deemed filed. A lessee may change the designation of successor or successors at any time; provided that the lessee shall file the change of designation in writing at the department and the department shall acknowledge the change of designation in order for the change of designation to be deemed filed.

The lessee or designated successor shall provide documentation to establish eligibility of the designated successor and the department shall determine whether a designated successor is qualified to be a lessee of Hawaiian home lands.

(b) An alleged qualified relative of a lessee may obtain genetic testing under section 10-3-2.2 to aid in establishing qualification as a successor to the lease. [Eff 7/30/81; am and comp 10/26/98;

am MAR 31 2017] (Auth: HHC Act §222) (Imp: HHC Act §209)

at the department and the department shall acknowledge the change of designation in order for the change of designation to be deemed filed.

The department shall determine whether a designated successor is qualified to be a lessee of Hawaiian home lands. [Eff 7/30/81; am and comp 10/26/98] (Auth: HHC Act §222) (Imp: HHC Act §209)

§10-3-62 Reversion to the department. Where a lessee dies having failed to designate a qualified successor, the department may select a successor under the procedure provided in section 209 of the act. If no selection can be made, the lease shall be cancelled. As provided in section 209 of the act and in this subchapter, the department shall make any authorized payments to the appropriate recipient. The land subject to the lease shall resume its status as unleased Hawaiian home lands, and the department shall be authorized to lease the land to a native Hawaiian as provided in the act. [Eff 7/30/81; am and comp 10/26/98] (Auth: HHC Act §222) (Imp: HHC Act §209)

§10-3-63 Notice to successors. Upon the death of a lessee leaving no designated successor, the department shall publish a public notice at least once in each of four successive weeks in a newspaper of general circulation in the State. The notice shall state briefly that all persons claiming to be relatives of the lessee qualified to succeed to the lease shall present themselves at the department with proof of their qualifications, within four months from the first day of publication of the notice or be forever barred from succeeding to the lease. Those persons failing to present themselves within four months from the first day of publication of the notice shall be forever barred from succeeding to the lease in question. [Eff

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

E – ITEMS

LAND DEVELOPMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission
From: Stewart Matsunaga, Acting LDD Administrator
Subject: Land Court Deregistration of Hawaiian Home Lands



RECOMMENDED MOTION/ACTION

Authorize the deregistration of lots listed below from Land Court pursuant to applicable law and regulations.

LOCATIONS

<u>Island</u>	<u>Area</u>	<u>TMK</u>	<u>Land Court Application / Map / Lot(s)</u>		
Oahu	Moiliili	(1) 2-7-018: 018	1583	4	3-A
		(1) 2-7-018: 020		5	6
Oahu	Ma'ili	(1) 8-7-010: 030	130	53	202-B
Oahu	Ewa Beach	(1) 9-1-001: 001	242	236	784-A-2-A
Oahu	Kapolei	(1) 9-1-017: 156, 157, 158, 159, 161	1069	1667	19890, 19891, 19892, 19893, 19895
Oahu	Kapolei	(1) 9-1-140: 159	1069	1264	16117

LEGAL AUTHORITY

Section 501-261.5, Hawaii Revised Statutes; Sections 204 and 206, Hawaiian Homes Commission Act, as amended

DISCUSSION

DHHL has executed a development agreement for an affordable rental redevelopment project at 820 Isenberg Street (former Stadium Bowl-o-Drome site), Moiliili, which involves a mix of Land Court and Bureau of Conveyances Regular System parcels. Before finalizing the general lease, DHHL seeks to deregister the Land Court portion and have the parcels moved to the Regular System. This would expedite closing of loan and other documents needed to implement the project. (Parcel map in Exhibit A)

DHHL received 84.399 acres from the federal government of a former Coast Guard transmitter site in Ma'ili, Waianae, ("Voice of America parcel"). A portion of the parcel is recorded in Land

Court, while the remaining portion is recorded in the Bureau of Conveyances Regular System. DHHL intends to subdivide the parcel for residential development. Before subdividing the Voice of America parcel, DHHL seeks to deregister the Land Court portion and have the parcels moved to the Regular System. (Parcel map in Exhibit B)

DHHL has received by quitclaim deed an 80.081 acre portion of the former U.S. Pacific Tsunami Warning Center site in Ewa Beach from the federal government. This parcel is recorded in Land Court. As conditions for conveyance, DHHL agreed to obtain approval of subdivision, and record the quitclaim deed. (Parcel map in Exhibit C)

In 2009 and 2014, by way of two quitclaim deeds, DHHL received 237.648 acres of land in East Kapolei, (“EKII Parcels”) from DLNR. Major roadways were excluded from the quitclaim deeds, so that they could be conveyed by DLNR to the City and County of Honolulu. The quitclaim deeds could not be recorded because the lands described therein are not parcels of record at Land Court. DHHL is seeking to deregister the EKII Parcels from Land Court and proceed with recording the subdivided lots and quitclaim deeds through the Regular System. Lot 19892 (Abutilon Conservation Reserve Area) was excluded from the quitclaim deeds pending completion of the Abutilon Habitat Conservation Plan (HCP) and re-location of the endangered plants. The HCP and related incidental take license (ITL) expired in July 2021 without the HCP goals being met. DHHL and other East Kapolei Land owners have been consulting with DOFAW to draft a new HCP and ITL. (Parcel map in Exhibit D)

DHHL and Hawaii Housing Finance Development Corporation (HHFDC) have executed a memorandum of agreement to convey a parcel within the Villages of Kapolei from HHFDC to DHHL. DHHL intends to record the conveyance at Land Court, deregister the parcel from Land Court, and proceed with subdivision through the Regular System. (Parcel map in Exhibit E)

The subject lots were registered in Land Court prior to acquisition by DHHL.

The principal benefit of land registered with the Land Court versus the regular system is that a landowner cannot lose title via adverse possession. For purposes of HRS § 501-261.5, the State is a self-insured sovereign. The State, therefore, by virtue of its sovereign status, cannot lose title to land via adverse possession, regardless of whether the land is registered in Land Court. Therefore, there is no obvious downside to deregistering the subject lots from Land Court.

The downside to keeping the subject lots in Land Court is the lengthy backlog at Land Court that frequently causes delays; the need to obtain additional surveys and documents that would not be required in the regular system; and the need to navigate Land Court procedures.

Exhibit A: 820 Isenberg Street

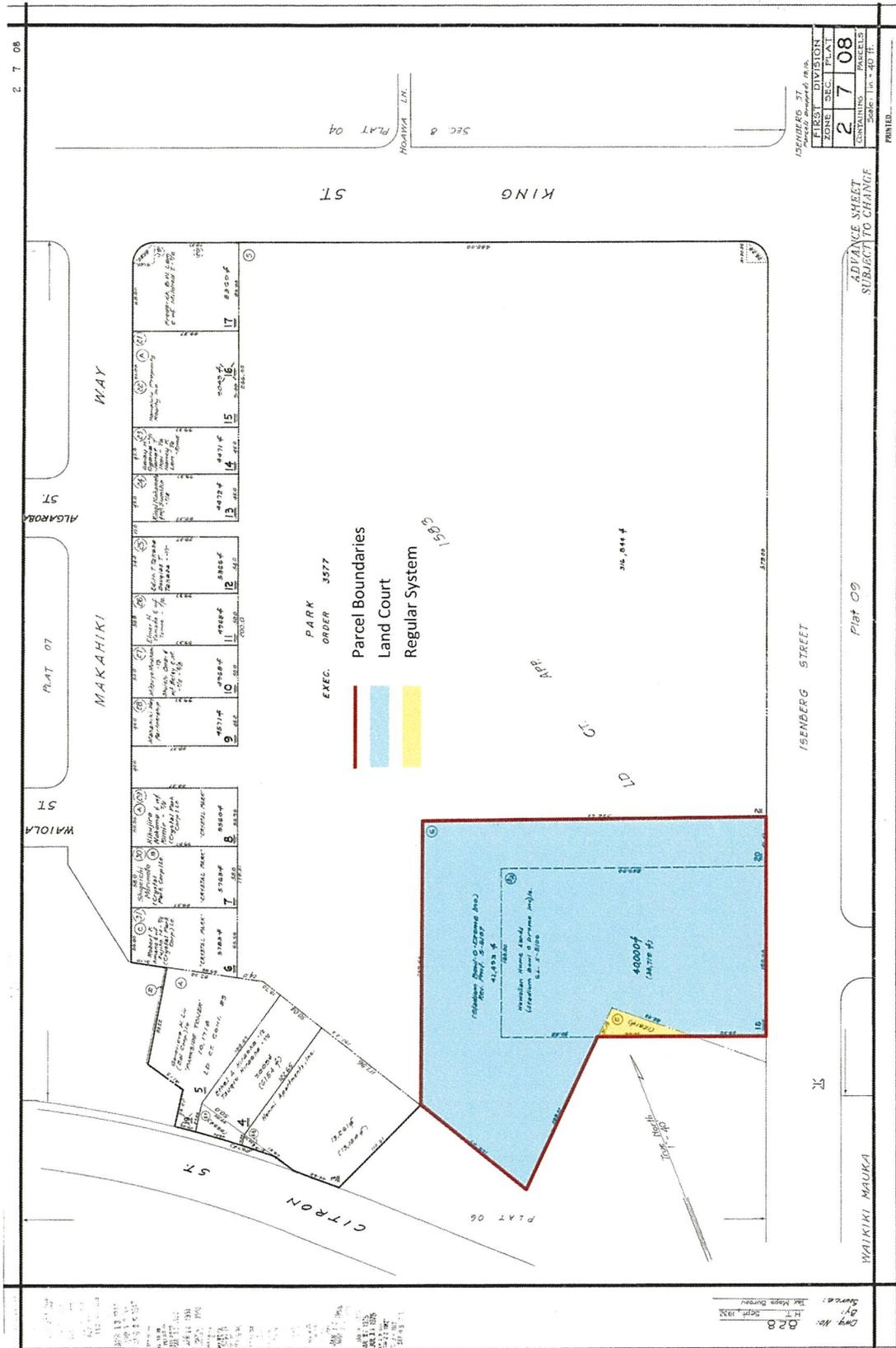


Exhibit C: Ewa Beach

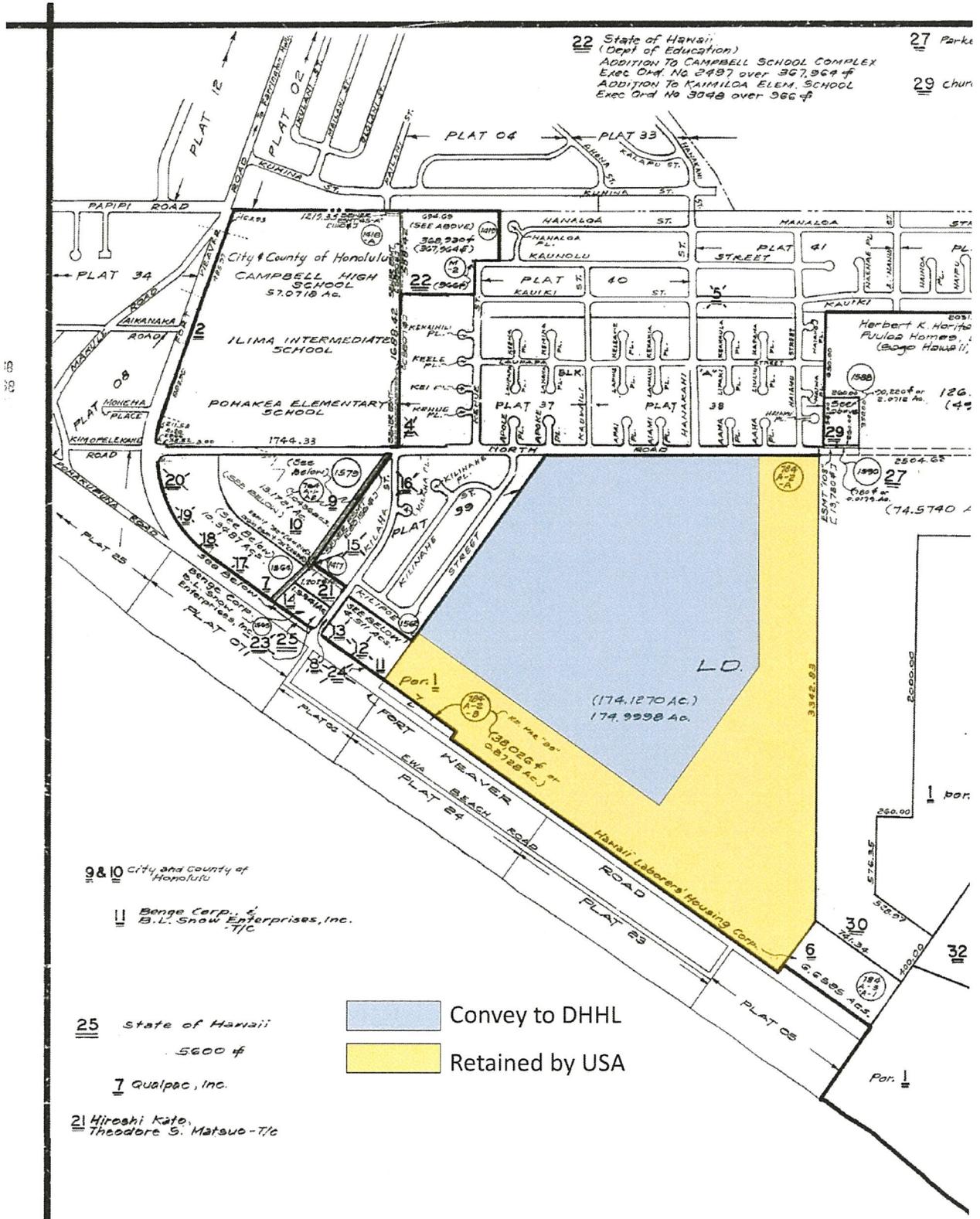
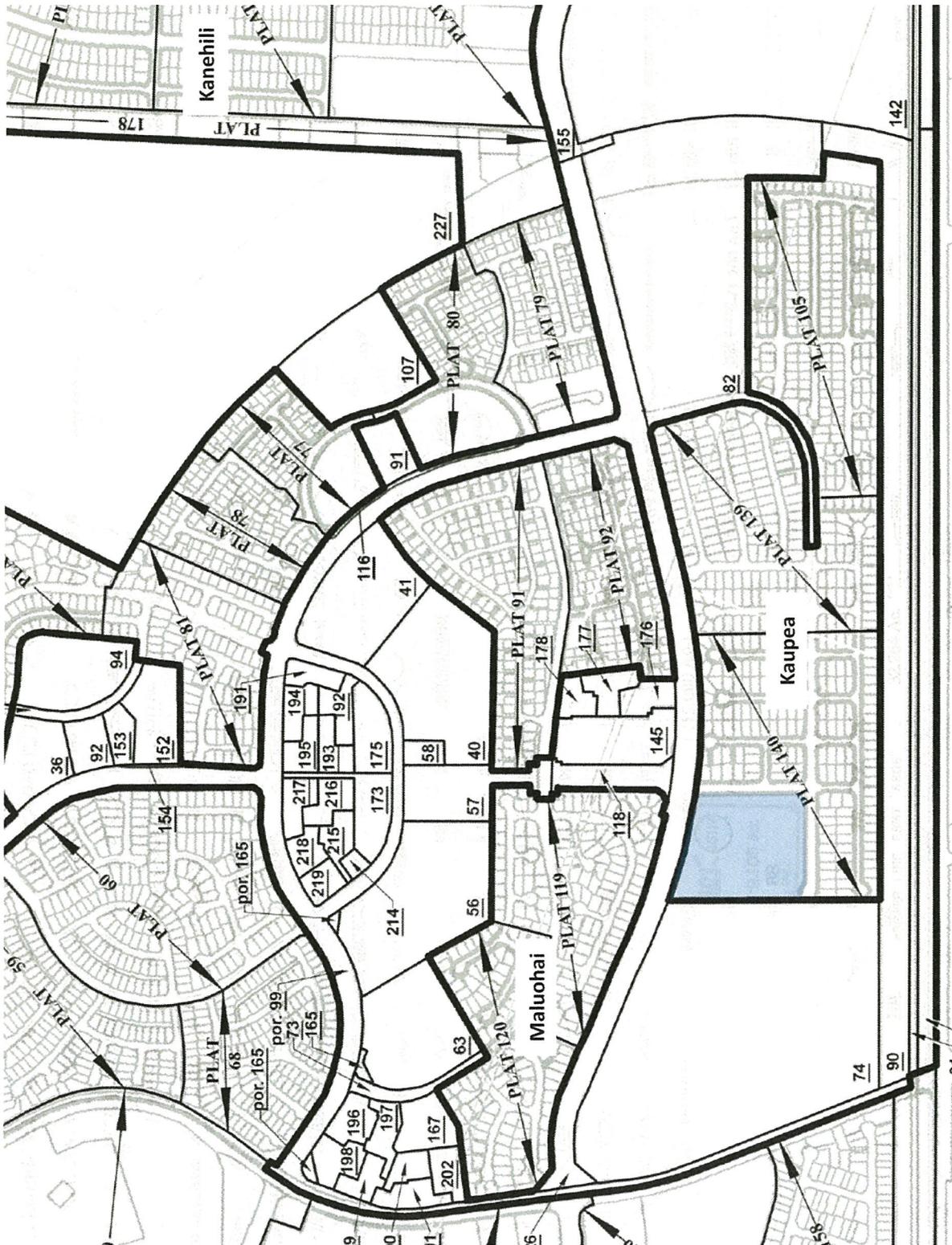
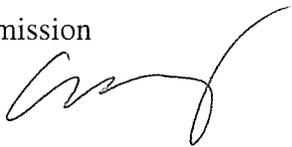


Exhibit E: Villages of Kapolei



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2018

To: Chairman and Members, Hawaiian Homes Commission
From: Stewart Matsunaga, Acting LDD Administrator 
Subject: Land Acquisition and Development, Statewide, Request for Proposals (RFP)

RECOMMENDED MOTION/ACTION

None, for information only.

BACKGROUND

Act 279, SLH 2022 appropriated \$600,000,000 in funds to address the needs of those on the DHHL waitlist and those beneficiaries still waiting to get on the land. The Hawaiian Homes Commission (HHC) has approved the Strategic Approach to Implement Act 279 - August 2022, which included: DHHL will entertain opportunities to acquire new lands close to existing infrastructure and suitable for residential use. DHHL may also entertain acquiring property needed for water source development in areas where DHHL lands do not have sufficient water for homestead development.

In addition, the Consolidated Appropriations Act, 2022 included \$22,300,000 for Fiscal Year 2022, the highest level of funding for the Native Hawaiian Housing Block Grant program as authorized under NAHASDA. The 2022-2023 Native Hawaiian Housing Block Grant Annual Housing Plan accepted by the HHC and subsequently determined to be compliant by HUD includes property acquisition as a program activity to increase affordable housing inventory.

DISCUSSION

DHHL shall request proposals from interested landowners/developers ("Offerors") to offer real property for acquisition and development by the Department.

The offer may include a proposal for the properties to be developed by the Offeror, including, but not limited to, the design and construction of on- and offsite infrastructure, and the design, construction, financing and marketing of residential units to DHHL beneficiaries.

DHHL may accept more than one submitted proposal, and reserves the right to reject unacceptable proposals. If the proposal includes both land acquisition and development, DHHL may accept only the acquisition portion of the proposal.

Evaluation Criteria

Evaluation criteria for offers to convey property to the department and develop said property are listed below. All proposals will be scored to determine which properties are suitable for acquisition by the department (potential acquisitions). Of the potential acquisitions, those with offerors for development will then be scored.

Criteria Description	Points	
Suitability of Property		40
Location and Site Characteristics	20	
Cost of Acquisition	10	
Off-Site Infrastructure	10	
Development Proposal		25
DHHL Cost	10	
Developer input	5	
Schedule	5	
Site and House Designs	5	
Development Team's Qualifications		35
Previous Projects	15	
Financial Capacity	20	
TOTAL POSSIBLE POINTS		100

Estimated RFP Schedule and Significant Dates

Release of Request for Proposals	November 14, 2022
Pre-proposal Conference	November 21, 2022
Due date to Submit Questions	December 2, 2022
State's Response to Questions	December 9, 2022
Proposals Due date/time	December 16, 2022, 2:00 pm
Proposal Evaluations	December 23, 2022
Discussion with Priority Listed Offerors (if necessary)	January 4, 2023
Best and Final Offer (if necessary)	January 11, 2023
Notice(s) of Acceptance	January 18, 2023
Execution of Sale Agreement(s)	February 1, 2023

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

To: Chairman and Members, Hawaiian Homes Commission

From: Stewart Matsunaga, Acting Administrator, Land Development Division 

Subject: For Information Only
Transfer of Approximately 403 acres, including various improvements within the Villages of Leialii from Hawaii Housing Finance and Development Corporation to the Department of Hawaiian Home Lands, various Tax Map Key parcels, Wahikuli, Lahaina, Maui, Hawaii.

RECOMMENDED ACTION:

None—For Information Only

DISCUSSION:

- 1) In December 2004 a transfer agreement was executed between Department of Land and Natural Resources, Department of Hawaiian Home Lands (DHHL) and Hawaii Community Development Corporation of Hawaii, now Hawaii Housing Finance and Development Corporation (HHFDC) conveying Village 8 of Villages of Kapolei, Villages of Laiopua, Waiahole Valley Agricultural Park Subdivision and Residential Subdivision, and Villages 1A (25 acres) and 1B (51 acres) of Villages of Leialii. In accordance with the Transfer Agreement, Villages 1A and 1B of the Villages of Leialii were conveyed to DHHL by quitclaim deed.
- 2) Under the implementation of a development agreement with developer, Dowling Company, DHHL funded the construction of site improvements, while Dowling Company financed the construction of houses on 104 lots within Village 1A. By 2007 104 beneficiaries occupied DHHL's first homestead in West Maui.
- 3) As a condition of the transfer agreement for Village 1B, DHHL is responsible to construct Honoapiilani Highway and Leialii Parkway improvements to improve the ingress and egress through the County of Maui Lahaina Civic Center. DHHL is currently in the planning and environmental compliance phase for Honoapiilani Highway and Leialii Parkway improvements. A Draft Environmental Assessment is expected to be completed in Spring 2023. Engineering designs are being prepared for approximately 250 homestead leases, including the development of multi-family housing. Additional offsite water transmission and storage infrastructure are being designed to be able to fully occupy Village 1B.
- 4) Discussions on a potential transfer of undeveloped land within HHFDC's Villages of Leialii first started in January 2002 between HHFDC and DHHL. In February 2022, HHFDC staff submitted drafts of a transfer agreement, modeled after the transfer

agreement for Villages 1A and 1B. In March 2022, HHFDC's Board of Directors further discussed the proposed transfer. Blossom Feiteira, beneficiary advocate testified in support of the proposed transfer of the 400+ acres to Hawaiian home lands.

- 5) The Draft of Transfer Agreement for Villages of Leialii, which contains the description of property to be transferred from HHFDC to DHHL is attached as Exhibit A.
- 6) DHHL staff continue to review the transfer conditions and have concerns with several issues, including conditions imposed by the Land Use Commission on HHFDC's current Villages of Leialii Master Plan for the provision of land for schools and County of Maui Department of Environmental Management's requirement to construct a private wastewater treatment facility for HHFDC's affordable rental project adjacent to Keawe Street. DHHL will follow-up with the Department of the Attorney General on whether DHHL would be subject to any of the conditions imposed by the LUC on HHFDC, as well as follow up with the County of Maui to determine if DHHL is able to connect the HHFDC development and future DHHL developments to the Lahaina Wastewater Treatment Plant.
- 7) When there is clarity and resolution of the issues above and other conditions proposed by HHFDC, DHHL will propose appropriate actions to the HHC for consideration.

RECOMMENDATION:

For Information only

2/11/22

TRANSFER AGREEMENT
VILLAGES OF LEIALI'I

This AGREEMENT, made this _____ day of _____, 2022, by the **HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION**, a public body and body corporate and politic of the State of Hawaii, whose principal place of business and post office address is 677 Queen Street, Suite 300, Honolulu, Hawaii 96813 (hereinafter referred to as "**Grantor**") and the **DEPARTMENT OF HAWAIIAN HOME LANDS**, State of Hawaii, whose principal place of business and post office address is P.O. Box 1879, Honolulu, Hawaii 96805 (hereinafter referred to as "**Grantee**").

WITNESSETH

WHEREAS, Grantor is the master developer of the Villages of Leialii'ii ("**Leialii'ii**") pursuant to a Memorandum of Understanding with the Department of Land and Natural Resources ("**DLNR**") dated January 4, 1983, and Section 10-13.6 and 171-18.5, Hawaii Revised Statutes ("**HRS**").

WHEREAS, Grantor acquired title in fee simple to approximately 544 acres makai of the proposed Lahaina Bypass Highway ("**Bypass Highway**") from DLNR by Land Patent Grant No. S-15,792 ("**Phase A**"). DLNR is the landowner of approximately 584 acres of Leialii'ii mauka (east) of the Bypass Highway ("**Phase B**"). See attached **Exhibit A-2**.

WHEREAS, Grantor paid Grantee \$8,360,406.60 for Phase A and tendered a check of \$5,573,604.40 to the Office of Hawaiian Affairs ("**OHA**"), who refused acceptance of the check. Grantee endorsed its check and paid it back to Grantor for Grantor's Keystone property, now known as Princess Kahanu Estates.

WHEREAS, on April 8, 2005, Grantor conveyed Villages 1A and 1B to Grantee by Quitclaim Deed¹ pursuant to a Transfer Agreement dated December 30, 2004, as amended. Village 1A include Tax Map Key Nos. (2) 4-5-036: 001 to 111 (portion of). Village 1B includes Tax Map Key No. (2) 4-5-021: 020. On April 8, 2005, Grantor conveyed an access easement over a portion of Leialii'ii Parkway to Grantee by Grant of Non-Exclusive Easement.²

WHEREAS, on February 21, 2018, Grantor issued a 65-year Ground Lease to the County of Maui for Tax Map Key Nos. (2) 4-5-021: 018 and 019 for any purpose

¹ Recorded at the State of Hawaii Bureau of Conveyances as Document No. 2005-070368.

² Lot 116 of File Plan 2135; recorded at the Bureau of Conveyances as Document No. 2005-070369.

permitted by law, including public parking, base yard, and expansion of County facilities.³

WHEREAS, on May 11, 2020, Grantor executed a Quitclaim Deed to the State of Hawaii Department of Transportation for the dedication of Keawe Street Extension and a portion of Phase 1A of the Bypass Highway traversing Leialii.⁴

WHEREAS, on November 16, 2021, Grantor executed a 75-year Ground Lease to A0703 West Maui, L.P. for Tax Map Key No. (2) 4-5-021: 041 for the Kaiaulu O Kūku'ia family rental housing project.⁵

NOW, THEREFORE, the parties hereby agree as follows:

1. PURPOSE. Transfer of the remaining undeveloped property at Leialii owned in fee simple by Grantor as described herein and in **Exhibits A-1, A-2, A-3, A-4, B, C, and D** attached hereto and made a part hereof.
2. PROPERTY DESCRIPTION. Grantor is fee simple owner of the real property described in **Exhibit A-1** and shown in **Exhibits A-3 and A-4** attached (herein described as "**Property**").

The Property shall be transferred to Grantee "AS IS," without any express warranties or representations, other than as described in this Agreement. Grantor shall incur no liability or expenditures in connection with the transfer of the Property to Grantee, the Property's development, and the Property's operation.

Transfer of the Property shall include all obligations and commitments relating to the Property made by Grantor as of the date of this Agreement, unless otherwise provided in this Agreement. Grantor's good faith estimate of all encumbrances, obligations and commitments relating to the Property are listed on the attached **Exhibits B and C**.

3. PROPERTY CONVEYED. Grantor shall convey its interest in the Property to the Grantee and Grantee shall accept the Property as may be conveyed from time to time by Grantor pursuant to the terms of this Agreement by quitclaim deed, vesting title, free and clear of encumbrances except those set forth in the attached Exhibit B.
4. TRANSFER PRICE. The total transfer price for the Property is Gratis.

³ Recorded at the Bureau of Conveyances as Document No. A-66330557.

⁴ Recorded at the Bureau of Conveyances as Document No. A-74430518.

⁵ Recorded at the Bureau of Conveyances as Document No. A-80180216.

5. APPROVALS REQUIRED:
- a. This Agreement shall be approved and ratified by the Board of Directors of the Hawaii Housing Finance and Development Corporation; the Hawaiian Homes Commission and the Governor prior to the execution by each party's authorized designated representative. Grantee shall be responsible for obtaining the written approval of the Governor.
 - b. Grantee shall obtain written consent from OHA for the transfer of the Property to Grantee. Any payments that may be assessed by OHA for the Property shall be paid by Grantee.
6. RECORDATION OF THE TRANSFER. The Grantor shall be responsible for the recordation of the transfer of the Property with the State of Hawaii Bureau of Conveyances.
7. ADDITIONAL TERMS. Specific Additional Terms for transfer of the Property to Grantee shall be specified in the attached **Exhibit C**.
8. INFORMATION PROVIDED HEREUNDER. Grantee acknowledges receipt of the documents referenced herein and listed in the attached **Exhibit D**. Grantor does not warrant the accuracy nor completeness of the information provided hereunder.
9. CLAUSE OR PROVISIONS CONTRARY TO HAWAIIAN HOMES COMMISSION ACT. In the event any clause or provision in this Agreement is found to be contrary to the Hawaiian Homes Commission Act, 1920, and or any clause or provision is such where it may put the Hawaiian Homes Commission in such a position where it would violate its Fiduciary responsibility to the Native Hawaiians, such clause or provision shall be removed from the Agreement without canceling or altering the intent of the Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned have executed these presents as of the day and year first written above.

Approved as to Form:

HAWAII HOUSING FINANCE AND
DEVELOPMENT CORPORATION

Deputy Attorney General
Representing Grantor

By _____
Its Executive Director

Approved as to Form:

DEPARTMENT OF HAWAIIAN HOME
LANDS

Deputy Attorney General
Representing Grantee

By _____
Its Chair
Hawaiian Homes Commission

APPROVED BY THE GOVERNOR

GOVERNOR DAVID Y. IGE

End of Transfer Agreement

2/11/22

EXHIBIT A-1
PROPERTY TRANSFERRED
VILLAGES OF LEIALI'I – TRANSFER TO DHHL

I.	Tax Map Key No. (2) 4-5-021: 021 Lot 5-B, Subdivision Plan Approved 4/6/20	366.436 Acres
II.	Tax Map Key No. (2) 4-5-021: 003 Remainder of Lot 5, Subdivision Plan Approved 4/6/20	32.682 Acres
III.	Portion of Leiali'i Parkway Lot 116, File Plan 2135 (134,045 square feet)	<u>3.077 Acres</u> 402.195 Acres
IV.	Tax Map Key No. (2) 4-5-021: 013 ¹	<u>1.580 Acres</u> 403.775 Acres
V.	Non-potable irrigation well (Well No. 6-5440-01) as described in Exhibit C, Paragraph 13.	
VI.	Wahikuli Well 1 (State Well No. 6-5439-01) and Wahikuli Well 2 (State Well No. 6-5439-02) as described in Exhibit C, Paragraph 14.	

End of Exhibit A-1

¹ If Grantor receives fee simple title from DLNR as described in Exhibit C, Paragraph 8.e.

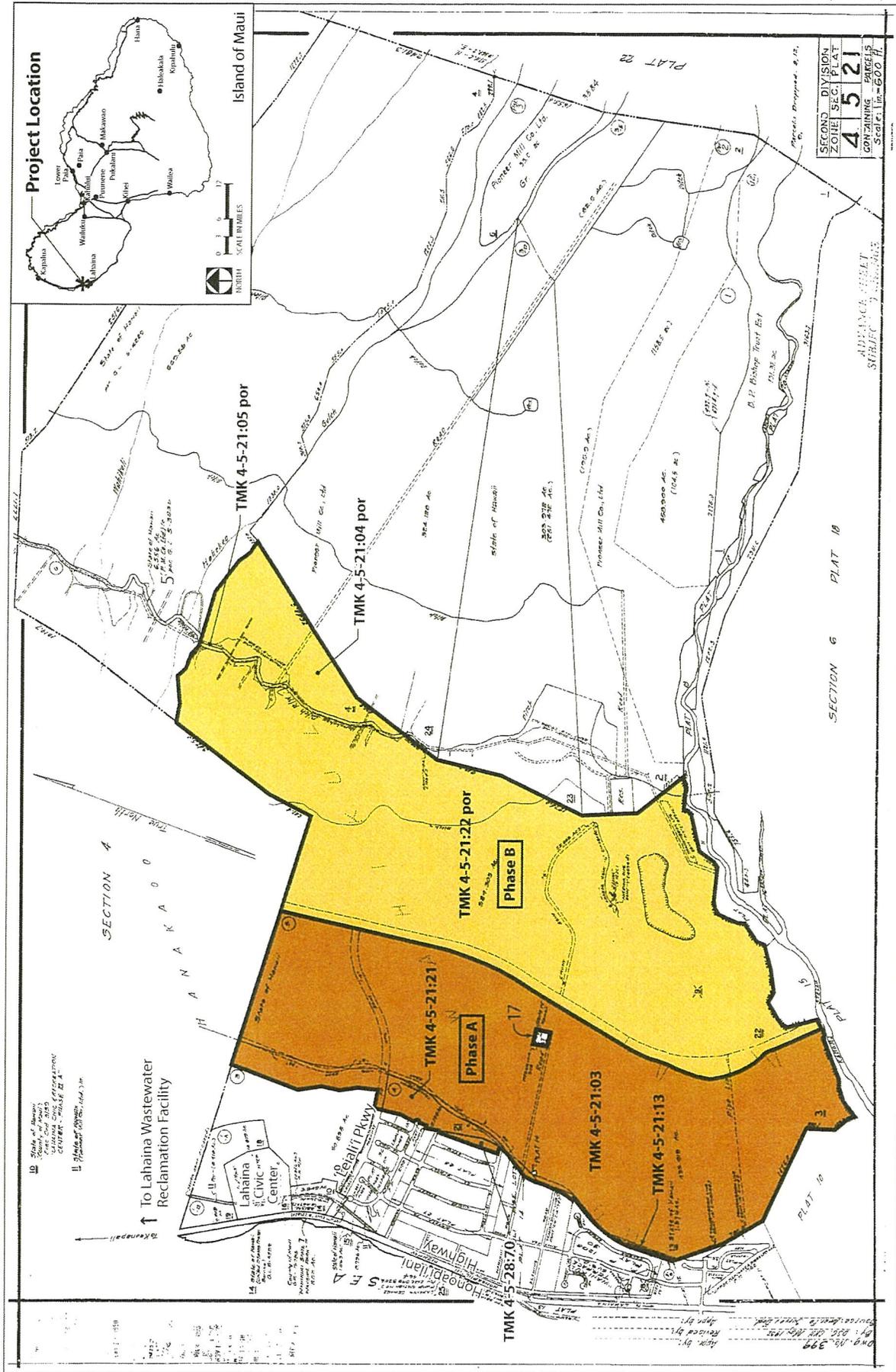


Figure 2a
SITE MAP WITH TAX MAP KEYS

Villages of Leialii
September 2009

EXHIBIT A-2

EXHIBIT "A"



2/11/22

EXHIBIT B
ENCUMBRANCES
VILLAGES OF LEIALI'I – TRANSFER TO DHHL

- I. Restrictions and encumbrances described in Land Patent Grant No. S-15,792.
- II. Encumbrances listed in title report dated March 8, 2021 for TMK (2) 4-5-021: 021 (Rev. 11/15/21).
- III. Encumbrances listed in title report dated October 13, 2016 for TMK (2) 4-5-036: 112 for Lot 116, File Plan 2135.
- IV. Encumbrances listed in title report dated _____ for TMK (2) 4-5-021: 003. (Proposal for title report requested.)
- V. Encumbrances listed in title report dated March 23, 2020 for TMK (2) 4-5-021: 013.
- VI. Grant of Non-Exclusive Easement, Leiali'i Parkway (Portion) to DHHL dated April 8, 2005 for Lot 116, File Plan 2135 (Leiali'i Parkway).

End of Exhibit B

EXHIBIT C
TERMS AND CONDITIONS
VILLAGES OF LEIALI'I – TRANSFER TO DHHL

1. Closing costs

Grantee shall pay for any closing costs required to effectuate this transfer that is not otherwise provided in this Agreement.

2. Water credits

Grantee acknowledges that there are no existing water credits for the Property.

3. Sewer capacity

Grantee acknowledges that there is no existing capacity reserved for the Property at the Lahaina Wastewater Reclamation Facility.

4. Compliance with conditions of Land Use Commission Decision and Order

The Property is subject to the Land Use Commission Decision and Order #A89-652 dated May 18, 1990 ("Decision and Order"). Grantor shall provide written notification to the Land Use Commission that the Property has been transferred to Grantee. Grantee shall comply with the conditions imposed by the Decision and Order, including Condition No. 21, requiring the annual filing with the Land Use Commission, the Office of Planning, and the County of Maui Planning Department on the status of the development of the Property and Grantee's progress in complying with the conditions imposed by the Decision and Order.

5. Environmental Impact Statement

The Villages of Leialii Affordable Housing Final Environmental Impact Statement (October 2012) was published in The Environmental Notice by the State Office of Environmental Quality Control on October 23, 2012 ("Leialii Final EIS"). The Governor of the State of Hawaii approved the Leialii Final EIS on December 7, 2012 and notice of the Governor's approval was published in The Environmental Notice on December 23, 2012.

6. Archaeological sites

Condition 1 to the Land Use Commission Decision and Order identifies mitigation requirements for previously identified historic sites at Villages of Leialii. Grantor has negotiated a process for satisfying mitigation requirements for historic properties at Leialii as described in Grantor's memorandum to the State Historic Preservation

Division (SHPD) dated February 19, 2021 (“HHFDC-SHPD Memo”). Grantee shall comply with the HHFDC-SHPD Memo, unless Grantee negotiates an alternative process with SHPD. The process is summarized as follows:

- a. Grantee will complete mitigation requirements for the previously-identified historic sites at Leiali'i. This will include re-describing the previously identified features, documenting the features to SHPD's current standards, and preparation of mitigation plan(s) with preservation and data recovery components. The scope of work for re-describing the previously-identified features will be coordinated with and approved by SHPD prior to the commencement of fieldwork. Please note that this requirement includes all previously-identified historic sites, including those that may be located on lands outside the Property being conveyed to Grantee (i.e., Phase B lands mauka of the By-Pass Highway).
- b. For specific on-site projects, Grantee will consult with SHPD on a project-by-project basis as soon as practicable when the on-site project is contemplated to determine whether an archaeological inventory survey or other archaeological work will be required for the on-site project area.
- c. Grantee acknowledges SHPD's suggestion to consult and coordinate on a regular basis on these and other projects on Maui as necessary.

Grantee acknowledges that Grantor has procured Aina Archaeology to prepare a preservation plan for previously-identified historic sites at Leiali'i. Work is on-going. Grantor will turn over a copy of this report to Grantee after completion by Aina Archaeology.

Grantee acknowledges receipt of the following archaeological reports done for the Kuku'ia Project (defined below):

- Review of Historic Preservation Documentation and Known Cultural Concerns for Phase A of the Villages of Leiali'i Affordable Housing Project, Aina Archaeology (4/8/19);
- Archaeological Inventory Survey for Kaiaulu O Kuku'ia Apartment Project at the Villages of Leiali'i, Scientific Consultant Services, Inc. (July 2021); and
- Archaeological Monitoring Plan for Kaiaulu O Kuku'ia Apartment Project at the Villages of Leiali'i, Scientific Consultant Services, Inc. (August 2021).

In the event any unanticipated sites or remains such as shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings or walls are encountered, Grantee and/or its contractors shall stop work and contact SHPD and comply with preservation requirements.

7. Memorandum of Understanding with Grantee for the Financing of Honokowai Well Improvements

Grantee shall assume Grantor's obligations under the Memorandum of Understanding ("MOU") with Grantee dated March 31, 2017 to finance the first \$10 million of the Honokowai Well improvements for Grantor and Grantee projects at the Villages of Leiali'i.

8. Kaiaulu o Kūku'ia Apartments

Grantor is in the process of developing the 200-unit Kaiaulu o Kūku'ia Apartments affordable family rental project at Leiali'i, north of the Keawe Street Extension at Tax Map Key No. (2) 4-5-021: 041 ("Kuku'ia Project"). A 75-year Ground Lease has been executed with the developer, A0703 West Maui, L.P. ("Kuku'ia Developer"), dated November 16, 2021, and recorded at the State of Hawaii Bureau of Conveyances as Document No. A-80180216 ("Ground Lease"). Commencement of construction is targeted for April 2022. Development of the Kuku'ia Project required commitments and obligations on the landowner of other lands at Leiali'i, including but not limited to the following ("Kuku'ia Obligations"):

- a. The Kuku'ia Project is connected to the County of Maui sewer system pursuant to a Memorandum of Understanding, Sewer Connection for Keawe Street Apartments with the County of Maui dated April 15, 2020 ("Sewer Agreement"). The Sewer Agreement requires that at the time that the next project is developed at Leiali'i, a private sewage treatment facility will be developed at Leiali'i, and the next project and all future projects at Leiali'i will be connected to such private treatment facility. The Kuku'ia Project shall also be disconnected from the County system and connected to the private sewage treatment facility at Leiali'i. Grantee shall assume Grantor's obligations under this Sewer Agreement, which includes the disconnection of the Kuku'ia Project from the County system and re-connection to the private sewage treatment facility at Leiali'i.
- b. As part of the Kuku'ia Project, the Kuku'ia Developer will be subdividing and dedicating Kuku'ia Street and constructing it to County standards. Kuku'ia Street is subject to a Grant of Non-Exclusive Access and Utility Easement dated January 29, 2021 and recorded at the State of Hawaii Bureau of Conveyances as Document No. A-80180214 ("Kuku'ia Access Easement"). In the event Kuku'ia Street is dedicated to the County, the Kuku'ia Access Easement is automatically terminated. Grantee agrees to allow Grantor and the Kuku'ia Developer to continue their efforts to develop and subdivide the Property for Kuku'ia Street and dedication to the County. Kuku'ia Street will not be transferred to Grantee as part of the Property. In the event that Kuku'ia Street is not dedicated, and Grantee proposes additional development at Leiali'i that requires access over Kuku'ia Street, Grantor reserves the right to provide access by granting Grantee a non-exclusive easement or by conveying Kuku'ia Street in fee simple, subject

to the Kuku'ia Access Easement, to Grantee, at Grantor's discretion.

- c. Resolution 20-11 adopted by the Maui County Council on February 7, 2020, approved certain exemptions for the Kuku'ia Project pursuant to Section 201H-38, Hawaii Revised Statutes ("HRS"). Item #4 of Exhibit "B" of Resolution 20-11 requires that the Kuku'ia Developer, in coordination with the County, must make best efforts to provide a second access road to the project site. The Grantor and the Kuku'ia Developer are pursuing efforts to construct to County standards, subdivide and dedicate to the County an extension of Kuku'ia Street to a connection, first, to Fleming Road, and in the alternative, to Wahikuli Road, as a secondary access for the Kuku'ia Project. Grantee agrees to allow Grantor and the Kuku'ia Developer to continue their efforts to develop, subdivide and dedicate to the County the Property for a secondary access from Kuku'ia Street to either Fleming Road or Wahikuli Road. In the event this secondary access is not dedicated to the County for any reason, Grantor does not plan to have it operated as a private road under an access easement. In the event that this secondary road is subdivided but not dedicated, the road will be transferred to Grantee.

- d. The makai (western) edge of the Kuku'ia Project is subject to a 35' setback easement described in Grant of Non-Exclusive Access Easement, Kapunakea Street Extension, dated January 29, 2021, and recorded at the Bureau of Conveyances as Document No. A-80180213 ("Setback Easement") required by the County Department of Planning during the 201H exemption and subdivision approval processes for the Kuku'ia Project. The Setback Easement allows for a potential future 60' Right-of-Way ("ROW") roadway, together with remnant parcel Tax Map Key No. (2) 4-5-021: 013 ("DLNR Remnant Parcel"), along the makai (western) edge of the Kuku'ia Project, from any extension of Kapunakea Street to the Kuku'ia Project at the south end, to the Leiali'i Property to the north. Grantee acknowledges that pursuant to the Setback Easement, should Grantee need or desire to develop a 60' ROW roadway along the makai edge of the Kuku'ia Project within the easement area, Grantee shall be responsible for holding the Kuku'ia Project harmless against any damages to the Kuku'ia Project and for the maintenance of the easement area.

- e. On July 9, 2020, Grantor's Board of Directors approved a request to DLNR for the DLNR Remnant Parcel for a future 60' ROW roadway along the makai (western) edge of the Kuku'ia Project pursuant to County requirements. On July 15, 2020, Grantor requested DLNR for the DLNR Remnant Parcel. On September 11, 2020, the Board of Land and Natural Resources approved Grantor's request for the DLNR Remnant Parcel. On January 22, 2021, Grantor forwarded to DLNR the legal description and survey map as requested. If the fee simple title to the DLNR Remnant Parcel is transferred to Grantor, Grantor will convey the property to Grantee.

- f. The Property is subject to a Grant of Non-Exclusive Easement, Mauka Detention Basin, dated January 29, 2021, and recorded at the Bureau of Conveyances as Document No. A-80180215 for a mauka detention basin for the Kuku'ia Project ("Detention Basin Easement"). Grantee acknowledges that pursuant to the Detention Basin Easement, there shall be no drainage discharge into the easement area or the Kuku'ia Project drainage system such that the Kuku'ia Project's peak flow rate for a 100-year, 24-hour storm event does not exceed approximately 230 cfs at the triple 5-foot by 2.67-foot box culvert at Keawe Street for discharge into Kahoma Stream per the master plan as described in the Leialii Final EIS. Grantee shall share in the prorated cost of the operation and maintenance of the drainage system of the Kuku'ia Project that is impacted by any drainage discharge of the next project on the Property that directly discharges into the easement or the Kuku'ia Project drainage system, based upon the number of units in Grantee's next project and the Kuku'ia Project.
- g. The makai (western) edge of the Kuku'ia Project is subject to a Grant of Non-Exclusive Easement, Onsite Drainage and Utility Easement dated January 29, 2021, and recorded at the Bureau of Conveyances as Document No. A-80180212 for drainage and utilities from development at the Property ("Onsite Drainage and Utility Easement"). Grantee acknowledges that pursuant to the Onsite Drainage and Utility Easement, there shall be no drainage discharge into the easement area or the Kuku'ia Project drainage system such that the Kuku'ia Project's peak flow rate for a 100-year, 24-hour storm event does not exceed approximately 230 cfs at the triple 5-foot by 2.67-foot box culvert at Keawe Street for discharge into Kahoma Stream per the master plan as described in the Leialii Final EIS. In the event that the next project on the Property discharges drainage into the Kuku'ia Project drainage system, Grantee shall share in the prorated cost of the operation and maintenance of the drainage system of the Kuku'ia Project, based upon the number of units in Grantee's next project and the Kuku'ia Project.
- h. During the entitlement process for the Kuku'ia Project, Grantor submitted to the County Department of Planning, a letter dated March 2, 2020 on the District Boundary Amendment Compliance Report for Villages of Leialii (Docket No. A89-652) for Subdivision File No. 4.1018. The letter included the following comments to conditions in the Decision and Order that may impact future development at the Property and at Leialii:
- (1) Condition No. 3. If the golf course is not developed, Grantee will take appropriate action with the Land Use Commission to address compliance with conditions relating to the golf course.
 - (2) Condition No. 8. Should Grantee decide to proceed with further development of Leialii, Grantee will coordinate with the Department of Education ("DOE") on an Educational Contribution Agreement as required

by Condition No. 8. Grantee acknowledges DOE's comment letter dated November 6, 2019 requesting an Educational Contribution Agreement to implement Condition No. 8 and Grantor's response letter to DOE dated November 13, 2019.

- (3) Condition No. 20. Provides that the Setback Easement will be designated along the west edge of the Kuku'ia Project to allow future extension of Kapunakea Street northward, should such extension be necessary for future development at Leiali'i.

Grantee shall comply with Grantor's representations in its letter to the County Department of Planning for the subdivision of the project site for the Kuku'ia Project.

i. Alternate Plan for Leiali'i

The Leiali'i Final EIS provides for a roadway connection at Wahikuli Road makai (west) of the Property. The Grantor and the Kuku'ia Developer are pursuing efforts to construct to County standards, subdivide and dedicate to the County an extension of Kuku'ia Street to a connection, first, to Fleming Road, and in the alternative, to Wahikuli Road, as a secondary access for the Kuku'ia Project. In an EIS Determination of the connection at Fleming Road in lieu of Wahikuli Road as discussed in the Leiali'i Final EIS, the County Department of Planning submitted a comment letter dated September 29, 2020, which included the comment that development patterns being pursued at Leiali'i are deviating from the site plans illustrated in the Leiali'i Final EIS, notably Figures 2-12 a, b, and c, and in that context, a proposed alternate plan should be put forward in a comprehensive manner by Grantee before future extensive development at Leiali'i. Grantee acknowledges the County's suggestions for an alternate plan and will comply with its requirements before future development at Leiali'i.

j. Right-of-Entry to the Kuku'ia Developer for Maintenance of the Kuku'ia Project

Section 2.h. of Exhibit "B" to the Ground Lease provides for the lessee of the Ground Lease to be responsible for the monthly trimming of weeds and vegetation on the undeveloped portions of the adjacent Property for a distance of 50 feet from the boundary of the Kuku'ia Project for fire and rodent control for protection of the Kuku'ia Project, until such time that the adjacent lands are developed. Grantee acknowledges that Grantor has granted a right-of-entry over Grantor's adjacent land for the purpose provided in this subsection until revoked in writing by Grantor or such land is developed by Grantor. Grantee acknowledges and agrees with the right-of-entry to the lessee of the Ground Lease for the purpose provided in the Ground Lease.

10. Waterline Easement to the Department of Water Supply

On January 8, 2009, Grantor's Board of Directors approved a 15-foot wide easement to the Department of Water Supply ("DWS") for a new 8" waterline along Easement A and B of Executive Order No 2189 at Tax Map Key No. (2) 4-5-021: 021, near Tax Map Key No. (2) 4-5-014: 058. Easement A and B and Executive Order No. 2189 would be cancelled and Tax Map Key No. (2) 4-5-014: 058 returned to the State of Hawaii Department of Land and Natural Resources ("DLNR"). The new waterline was completed on or about June 30, 2009 and a final Nonexclusive Waterline Easement executed by Grantor was submitted to DWS on January 26, 2012 but DWS has not processed the easement. Conveyance of the Property shall be subject to Grantee's conveyance of this easement to DWS if requested by DWS.

11. Subdivision and Conveyance of Parcels 8 and 9 to the County and the State of Hawaii Department of Transportation

On October 11, 2012, Grantor's Board of Directors approved the fee simple conveyance of Parcels 8 (0.147 acres) and 9 (1.859 acres) at Tax Map Key No. (2) 4-5-021: 003 to the County and the State of Hawaii Department of Transportation ("DOT"), for Kahoma Stream Flood Control Project and Phase 1A of the Bypass Highway, respectively. Parcels 8 and 9 are designated on File Plan 2132 as Proposed Kahoma Stream Right of Way. On April 1, 2013, DOT indicated that they would subdivide out the portion of Parcel 9 within the ROW of Phase 1A of the Bypass Highway but not the rest of Parcels 8 and 9 after DOT completes the subdivision of its parcel under the Bypass Highway. On April 17, 2013, the County indicated that they would administratively re-subdivide Parcels 8 and 9 after DOT completes the subdivision of its parcel under the Bypass Highway. Conveyance of the Property shall be subject to Grantee's conveyance of Parcels 8 and 9 to the County and DOT, respectively, subject to legislative approval pursuant to Section 171-64.7, HRS.

12. Set Aside to the DLNR Division of Fish and Wildlife and Management Right of Entry to HHFDC

On August 14, 2009, the Board of Land and Natural Resources approved the set aside of Tax Map Key No. (2) 4-5-021: 004 to the Division of Fish and Wildlife ("DOFAW") for their off-highway vehicle park (subject to withdrawal of lands south of Hahakea Gulch for development of Leiali'i). The same action approved a management right of entry to Grantor over the portion of Leiali'i mauka of the Bypass Highway (including all of Tax Map Key No. (2) 4-5-021: 022). Grantor executed DLNR's management right of entry for the mauka lands dated September 3, 2009 ("Management Right of Entry"). After conveyance of the Property to Grantee, Grantor will seek to terminate the Management Right of Entry.

13. Irrigation Well

Grantee has been operating an irrigation water well (Well No. 6-5440-01) located

mauka (east) of Village 1A at Tax Map Key No. (2) 4-5-021: 021 under a right of entry agreement ("ROE") from Grantor. Grantee acknowledges that this irrigation water well is subject to the requirements of the Pump Installation Permit issued by the State of Hawaii Commission on Water Resource Management ("CWRM") dated September 29, 1993 and under its ROE from Grantor, Grantee has agreed to be responsible for compliance with the requirements of CWRM, including the regular reporting of water usage from this well. Transfer of the Property to Grantee includes the transfer of Grantor's interest in this well to Grantee and Grantee shall be responsible for compliance with CWRM requirements including the regular reporting of water usage from this well.

14. Wahikuli Wells 1 and 2

In the early 1990's Grantor drilled exploration wells Wahikuli Well 1 (State Well No. 6-5439-01) on land formerly owned by an affiliate of Pioneer Mill Company, LLC, Tax Map Key No. (2) 4-5-021: 002, and Wahikuli Well No. 2 (State Well No. 6-5439-02) on DLNR land, Tax Map Key No. (2) 4-5-021: 023. Transfer of the Property to Grantee includes transfer of Grantor's interest in these wells to Grantee and Grantee shall be responsible for compliance with CWRM requirements including the regular reporting of water usage from these wells. Grantee acknowledges that Grantor has no legal access to Wahikuli Well 1 on private land and that Grantor has not been submitting monthly water usage reports to CWRM for this well.

15. Subject to Transfer Agreement for Villages 1A and 1B

This Agreement shall be subject to the Transfer Agreement between Grantor and Grantee dated December 30, 2004, as amended, for the transfer of Villages 1A and 1B at Leiali'i.

16. On-site and off-site infrastructure

Grantee agrees to assume all costs and expenses related to on-site and off-site infrastructure required for development of the Property, including planning, design, permit fees and utility charges.

17. Maintenance

Grantee shall be responsible for the repair and maintenance of the Property.

18. No Grantor financing

Grantee understands and agrees that it shall be responsible for securing financing for development and construction of all improvements on or off the Property. Grantor makes no commitment to lend or to grant money for this work.

19. Assumption of responsibility

Grantee shall assume all responsibility for its actions and omissions in the acquisition, planning, design, construction, and occupancy of the Property.

20. Observance of laws, ordinances, and regulations

Grantee, its officers, agents, assigns, employees, consultants and/or contractors, or persons acting for or on its behalf, shall comply with all applicable laws, statutes, ordinances, rules and regulations of the Federal, State and County of Maui governments.

21. Information provided by Grantor

Information provided herein and under this Agreement are obtained from available Grantor resources on a best-efforts basis. Grantor shall not be responsible for the accuracy of the information provided herein, or the absence of any other relevant information not provided hereunder.

GENERAL PROVISIONS

22. Amendments, waiver

This Agreement can only be changed by an instrument in writing signed by Grantor and Grantee. The terms of this Agreement may not be waived, modified, or in any way changed by implication, through conduct, correspondence, or otherwise, unless such waiver, modification, or change shall be specifically agreed to in writing by Grantor and Grantee. Any waiver in whole or in part to any of the terms and conditions hereunder, shall be specific and not general. Each waiver shall only apply to specific conditions and circumstances.

23. Binding effect of Agreement

This Agreement shall be binding upon and inure to the benefit of Grantor, its successors and assigns, and upon and to Grantee, its successors and assigns.

24. Gender and number

The use of any pronoun in reference to Grantor and Grantee shall be construed to mean the singular or plural, the masculine, feminine or neuter, as the instrument and context may require.

25. No party deemed drafter

The parties agree that neither Grantor nor Grantee shall be deemed to be the drafter of this Agreement and in the event this Agreement is ever construed by a court of law, such court shall not construe this Agreement or any provision hereof against any party as the drafter of this Agreement.

26. Counterparts

This Agreement may be executed in any number of counterparts. Each such counterpart hereof shall be deemed to be an original instrument but all such counterparts together shall constitute but one Agreement.

27. Invalidity of provision

If any provision of this Agreement as applied to any party or to any circumstances shall be adjudged by a court of competent jurisdiction to be void or unenforceable for any reason, the same shall in no way effect any other provision under circumstances different from those adjudicated by the court, or the validity or enforceability of this Agreement as a whole.

End of Exhibit C

file: x:\c:\leialii\2022\exh c – dhhl trans agmt vol

2/11/22

EXHIBIT D
DOCUMENTS REFERENCED AND PROVIDED HEREUNDER
VILLAGES OF LEIALI'I – TRANSFER TO DHHL

- I. Land Patent Grant No. S-15,792.
- II. Title report dated March 8, 2021 for TMK (2) 4-5-021: 021 (Rev. 11/15/21).
- III. Title report dated October 13, 2016 for TMK (2) 4-5-036: 112 for Lot 116, File Plan 2135.
- IV. Title report dated _____ for TMK (2) 4-5-021: 003. (Proposal for title report requested.)
- V. Title report dated March 23, 2020 for TMK (2) 4-5-021: 013.
- VI. Grant of Non-Exclusive Easement, Leiali'i Parkway (Portion) to DHHL dated April 8, 2005 for Lot 116, File Plan 2135 (Leiali'i Parkway).
- VII. Land Use Commission Decision and Order #A89-652 dated May 18, 1990.
- VIII. Leiali'i Final EIS (October 2012).
- IX. The Environmental Notice of the State Office of Environmental Quality Control ("OEQC") dated October 23, 2012.
- X. Governor's approval of the Leiali'i Final EIS dated December 7, 2012.
- XI. The Environmental Notice of OEQC dated December 23, 2012.
- XII. Grantor memorandum to SHPD dated February 19, 2021. Review of Historic Preservation Documentation and Known Cultural Concerns for Phase A of the Villages of Leiali'i Affordable Housing Project, Aina Archaeology (4/8/19). Archaeological Inventory Survey for Kaiaulu O Kuku'ia Apartment Project at the Villages of Leiali'i, Scientific Consultant Services, Inc. (Final July 2021). Archaeological Monitoring Plan for Kaiaulu O Kuku'ia Apartment Project at the Villages of Leiali'i, Schientific Consultant Services, Inc. (Final August 2021).
- XIII. Memorandum of Understanding between Grantor and Grantee dated March 31, 2017 for the financing of Honokowai Well for projects at Leiali'i.
- XIV. Ground Lease for the Kuku'ia Project dated November 16, 2021.
- XV. Sewer Agreement for the Kuku'ia Project dated April 15, 2020.

Reviewed by ____, _____

Page 1 of 3

EXHIBIT "A"

- XVI. Grant of Non-Exclusive Access and Utility Easement for Kuku'ia Street, Kaialulu o Kuku'ia dated January 29, 2021.
- XVII. Resolution 20-11 for the Kuku'ia Project adopted on February 7, 2020.
- XVIII. Grant of Non-Exclusive Access Easement, Kapunakea Street Extension dated January 29, 2021 for the 35' setback easement along the makai edge of the Kuku'ia Project.
- XIX. Grantor's Board approval of a request to DLNR for the DLNR Remnant Parcel, Tax Map Key No. (2) 4-5-021: 013, dated July 9, 2020.
- XX. Board of Land and Natural Resources ("BLNR") approval dated September 11, 2020 of the fee simple conveyance of the DLNR Remnant Parcel to Grantor.
- XXI. Legal description and survey map of the DLNR Remnant Parcel.
- XXII. Grant of Non-Exclusive Easement, Mauka Detention Basin, dated January 29, 2021, for the Kuku'ia Project.
- XXIII. Grant of Non-Exclusive Easement, Onsite Drainage and Utility Easement dated January 29, 2021 for drainage and utilities from the next project at the Property.
- XXIV. Grantor's letter to the County Department of Planning dated March 2, 2020 on the District Boundary Amendment Compliance Report for Villages of Leiali'i (Docket No. A89-652) for Subdivision File No. 4.1018.
- XXV. DOE's letter to Grantor dated November 6, 2019 and Grantor's letter to DOE dated November 13, 2019 regarding Condition No. 8 of the LUC Decision and Order for an Education Contribution Agreement for Leiali'i.
- XXVI. County Department of Planning's letter dated September 29, 2020 providing comments to an EIS Determination for a proposed secondary roadway connection to Fleming Road for the Kuku'ia Project.
- XXVII. Grantor's Board approval dated January 8, 2009 for an easement to the Department of Water Supply for an 8" waterline along Easement A and B of Executive Order No. 2189.
- XXVIII. Grantor's Board approval dated October 11, 2012 approving the conveyance of Parcels 8 and 9 of File Plan 2132 to the County and DOT for the Kahoma Stream Flood Control Project and Phase 1A of the Bypass Highway.
- XXIX. File Plan 2132.

XXX. File Plan 2135.

XXXI. Subdivision Plan for File No. 4.1018 approved on April 6, 2020.

XXXII. BLNR approval dated August 14, 2009 for a management-right-of-entry to Grantor over Leiali'i mauka of the Bypass Highway.

XXXIII. DLNR's management-right-of-entry to Grantor dated September 3, 2009 for Leiali'i mauka of the Bypass Highway.

XXXIV. Pump Installation Permit issued by the State of Hawaii Commission on Water Resource Management dated September 29, 1993 for the non-potable well (Well No. 6-5440-01).

XXXV. Transfer Agreement between Grantor and Grantee dated December 30, 2004 for the transfer of Villages 1A and 1B at Leiali'i.

XXXVI. Amendment No. 1 to Transfer Agreement between Grantor and Grantee dated May 2, 2006 for the transfer of Villages 1A and 1B at Leiali'i.

End of Exhibit D



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

Central and Up-Country Maui Projects Update

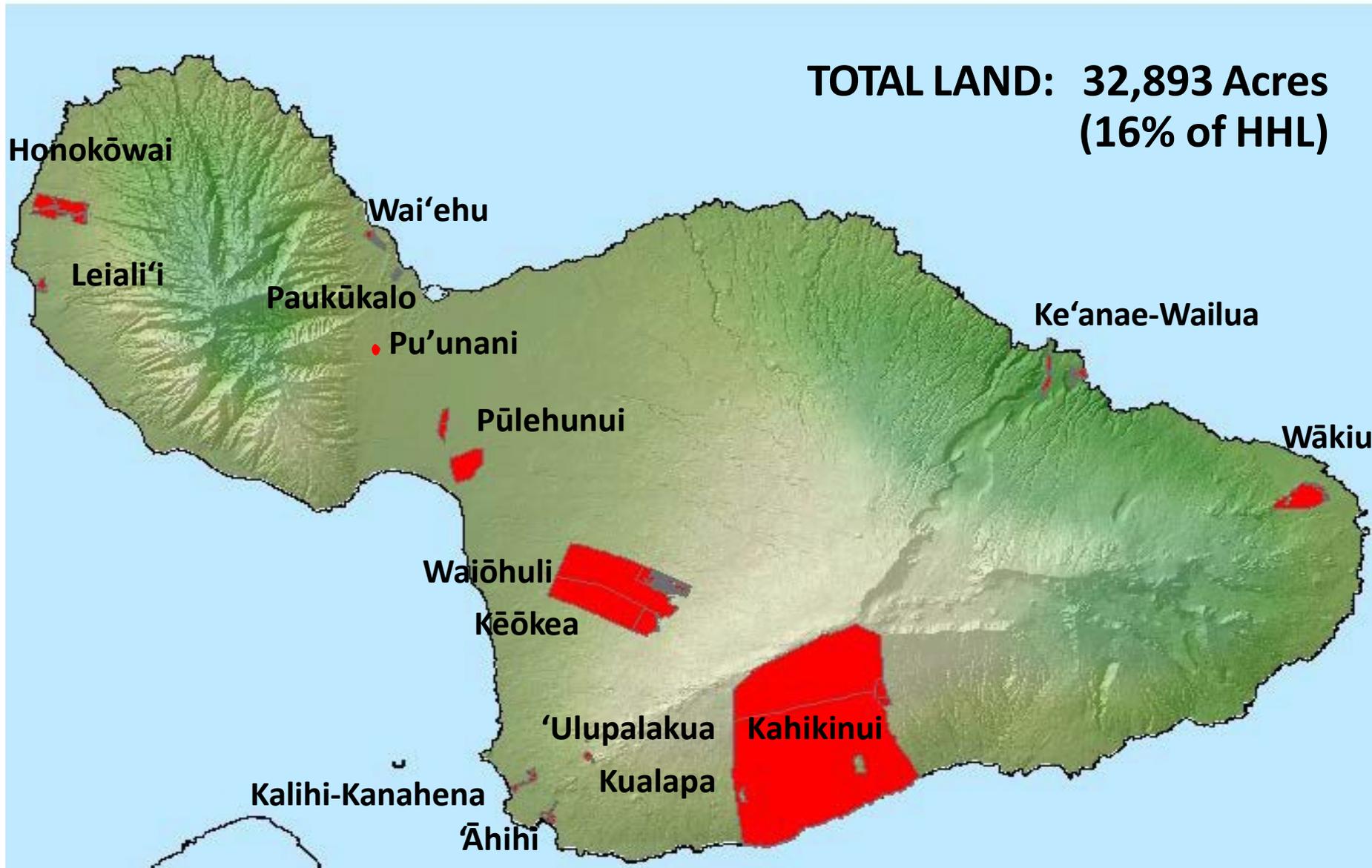
LAND DEVELOPMENT DIVISION

Item E-4 (FOR INFORMATION ONLY)

November 21-22, 2022



Island of Maui



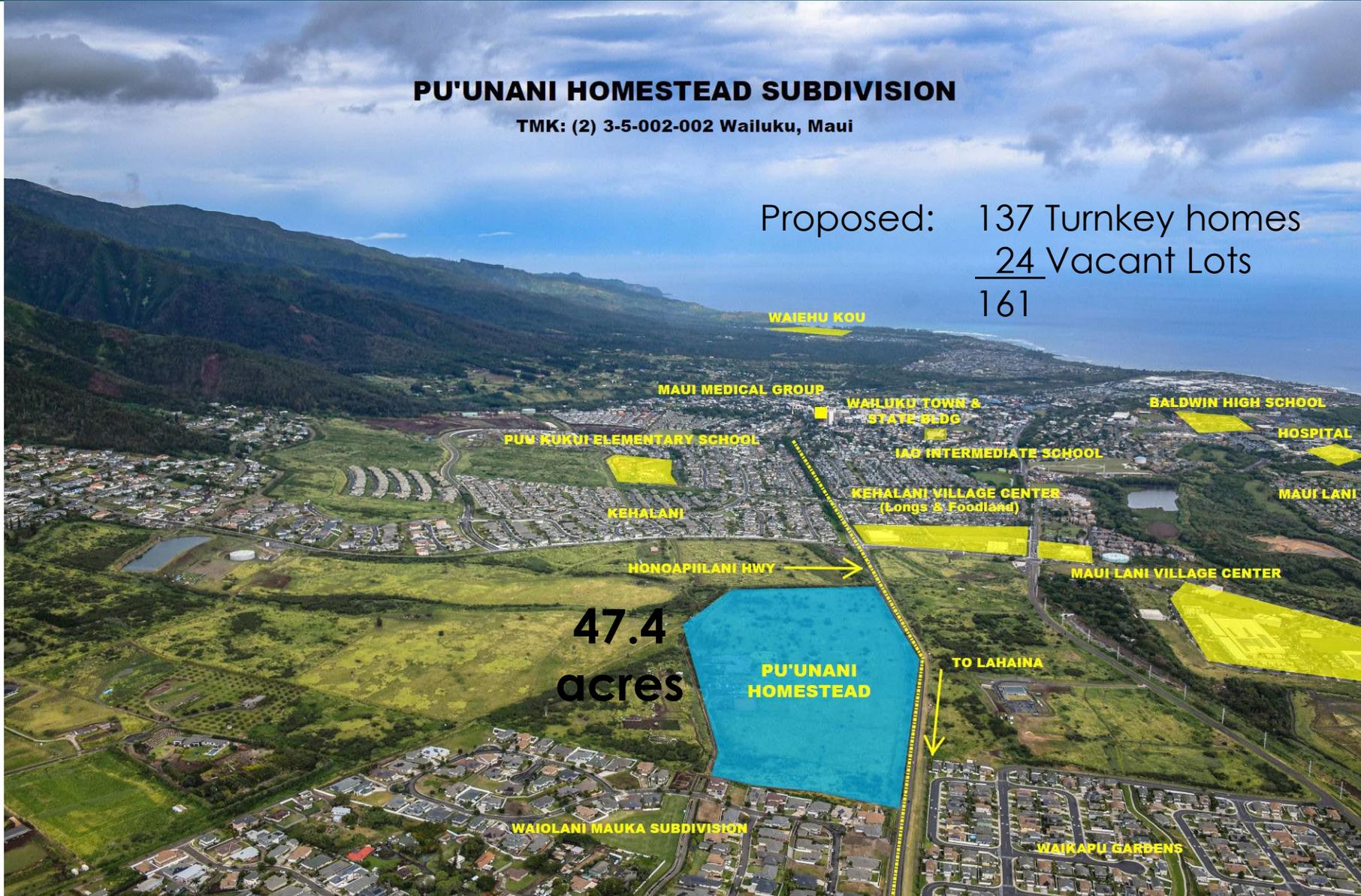


Pu'unani Homestead Subdivision

PU'UNANI HOMESTEAD SUBDIVISION

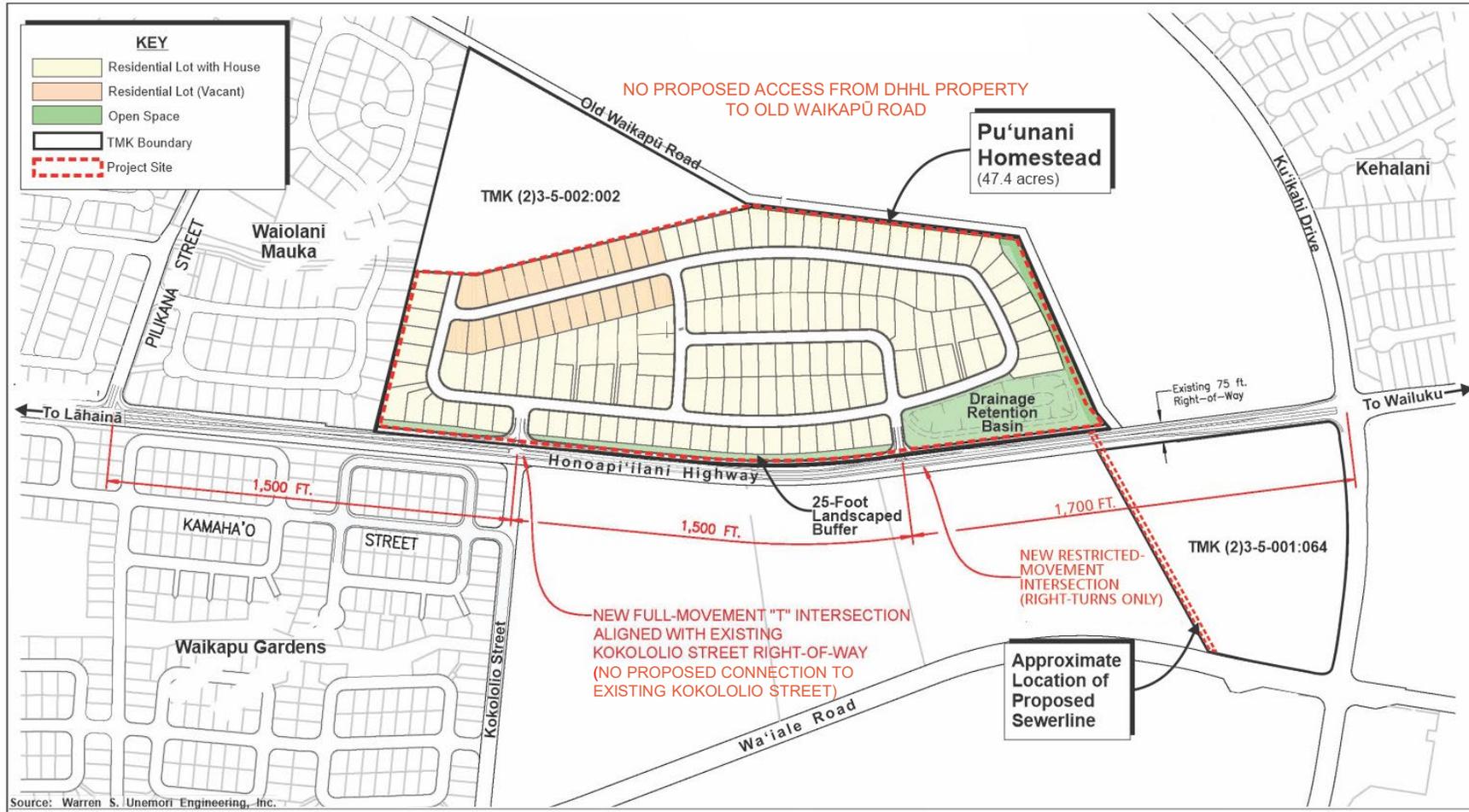
TMK: (2) 3-5-002-002 Wailuku, Maui

Proposed: 137 Turnkey homes
24 Vacant Lots
161





Pu'unani Site Plan



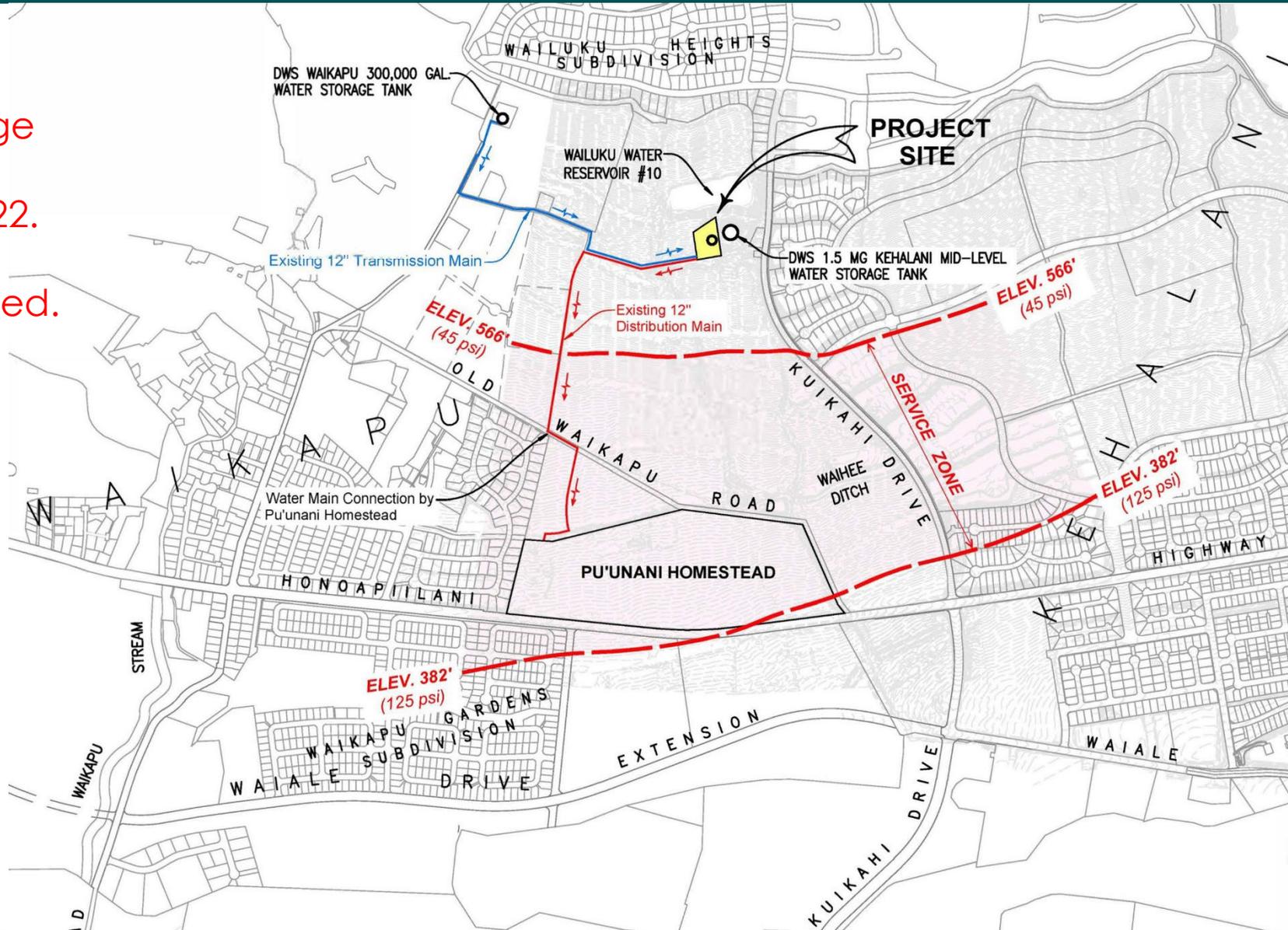
- Environmental Assessment Complete – Fall 2020
- Water allocation approved in early 2022. otiating water source and storage
- Sitework Construction Bids due December 2, 2022**
- Construction estimate of \$17.5M from ACT 279, SLH 2022.**
- Begin Sitework Construction – Spring 2023
- Begin Home Construction – Spring 2024
- Housing Completion – Winter 2025



Pu'unani Homestead Offsite Water Tank

Final EA challenge
period ended
November 7, 2022.

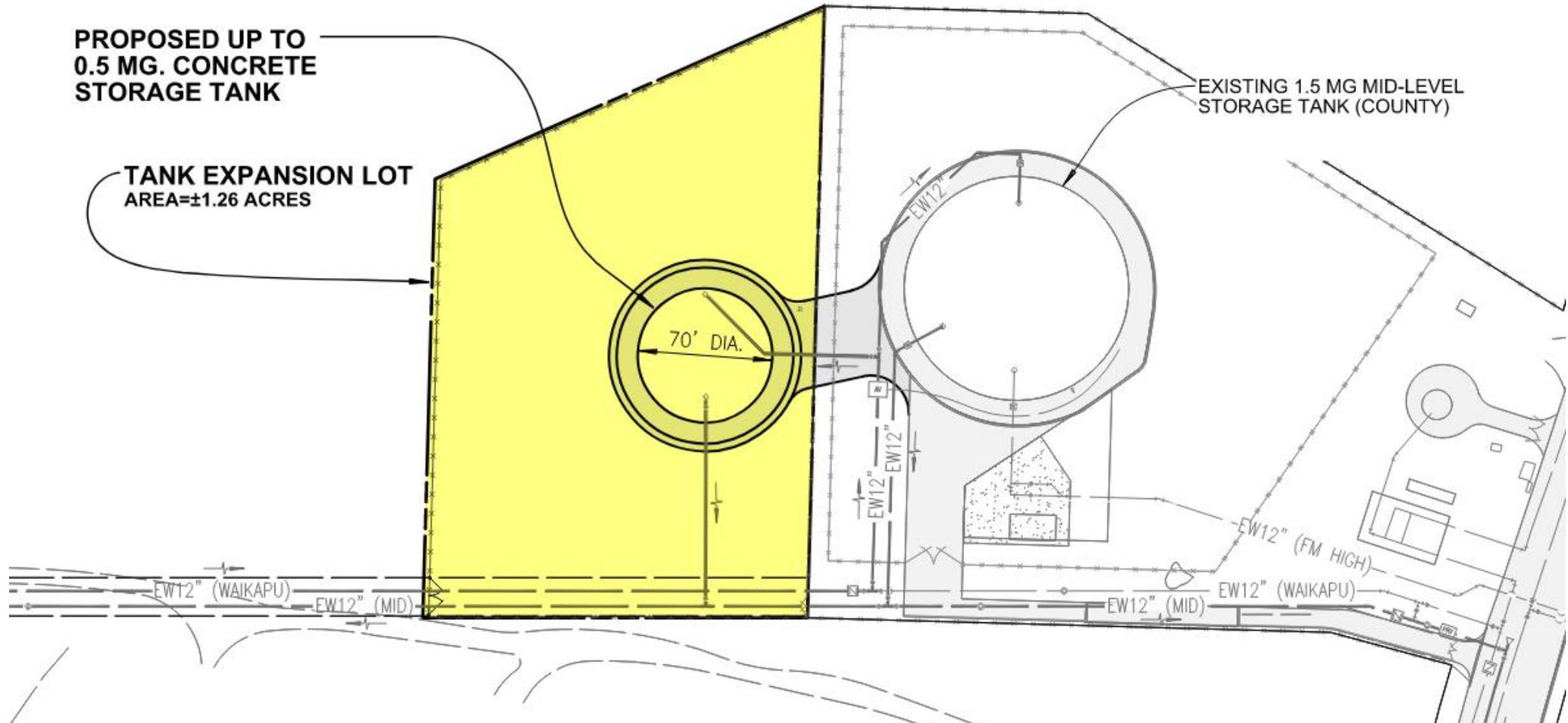
No challenges filed.





PRELIMINARY SITE PLAN – WATER TANK

Construction procurement subject to approval of construction plans from County Department of Water Supply. Approximately \$5,000,000 funding from ACT 279, SLH 2022.





PŪLEHUNUI REGIONAL INFRASTRUCTURE MASTER PLAN



PGF - 01 May 2014, Pūlehuui IIP Revised
Date: 2/23/2014 10:58 AM, Pūlehuui IIP Revised



Figure 1-2:
Aerial Photograph
PŪLEHUNUI REGIONAL
INFRASTRUCTURE MASTER PLAN



DESIGN AND CONSTRUCTION OF REGIONAL WASTEWATER COLLECTION SYSTEM

LEGISLATIVE CIP:

\$ 4,000,000	PLANNING AND DESIGN
\$17,500,000	CONSTRUCTION
\$ 3,000,000	ADDTL CONSTRUCTION

CONSTRUCTION OF COLLECTOR SYSTEM:

\$12,711,045	ALPHA CONSTRUCTION
--------------	--------------------

Notice to Proceed subject to compliance with State Historic Preservation requirements.

DHHL responsibilities end at the Maui Humane Society.

NEW COUNTY OF MAUI CENTRAL MAUI WASTEWATER TREATMENT FACILITY (CMWTF)

CMWTF will accept wastewater flows from State properties.

Private wastewater package plant no longer required

County to provide wastewater transmission to CMWTF

County proposes to return R-1 water to State properties.

Hawaii Community Development Authority marshalling regional infrastructure development



Central Maui Non-Potable Water Reservation

Commission on Water Resource Management
11/15/22 Agenda

RECOMMENDATION:

CWRM Staff recommends that the Commission on Water Resource Management approve a surface water reservation of 15.24 cfs (9.85 mgd) for the Department of Hawaiian Home Lands (DHHL) to meet their foreseeable future non-potable water needs in Central Maui serviced by the East Maui Irrigation System from the Nāhiku, Ke‘anae, and Honomanū Streams.



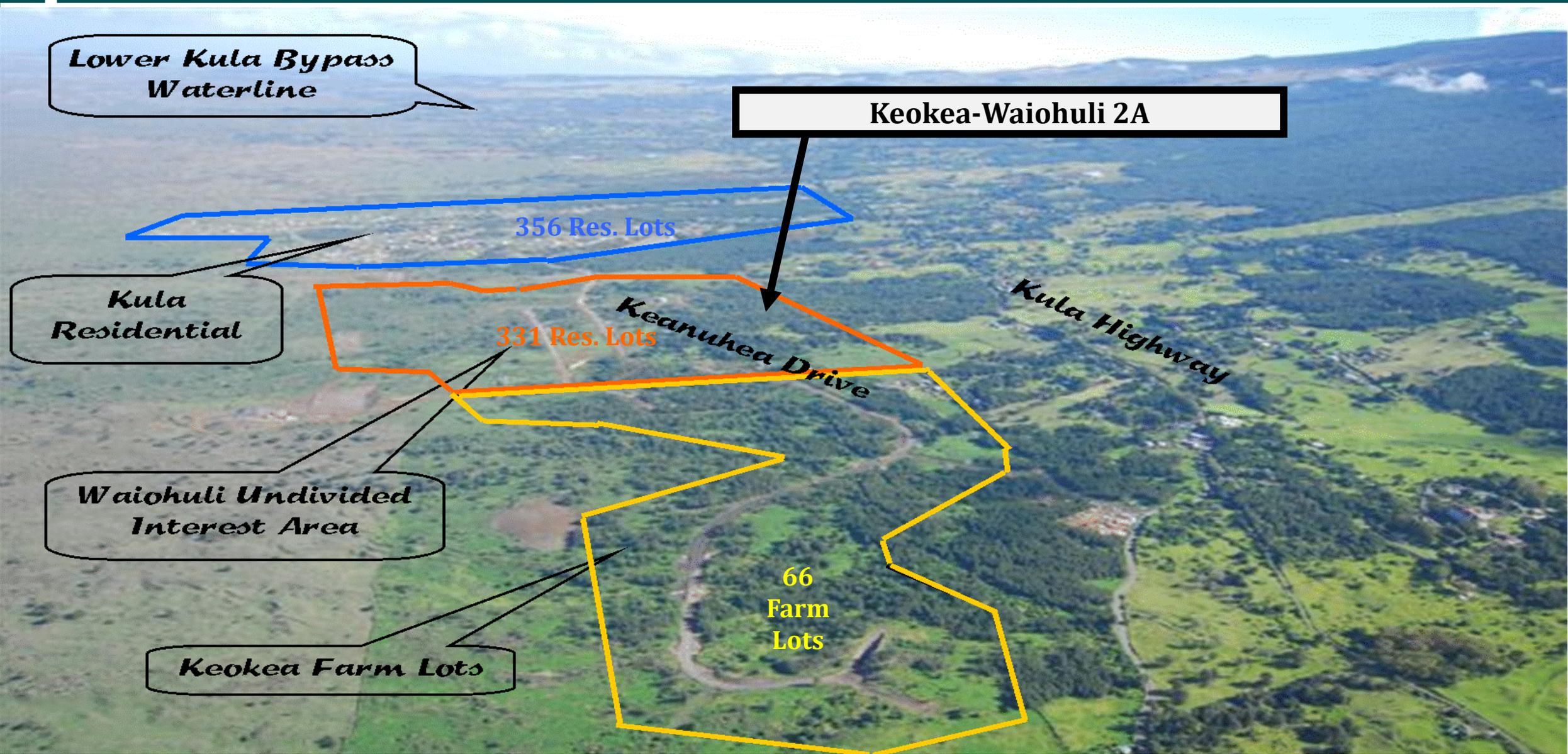
PGF - 01 May 2014, Pūlehunui IIP Report
Title: Pūlehunui Regional Infrastructure Master Plan



Figure 1-2:
Aerial Photograph
PŪLEHUNUI REGIONAL
INFRASTRUCTURE MASTER PLAN

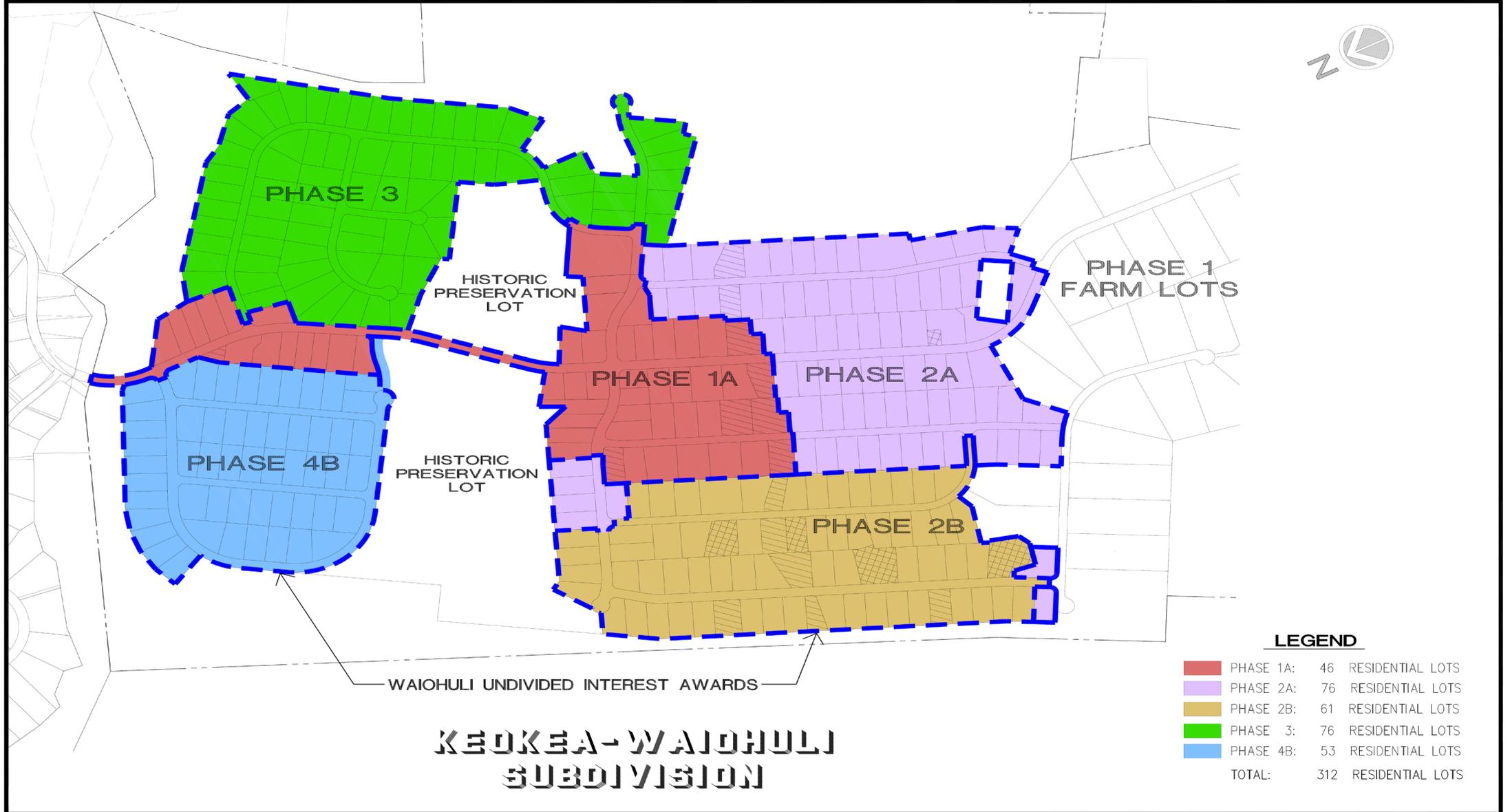


Kula – Waiohuli - Kēōkea Development





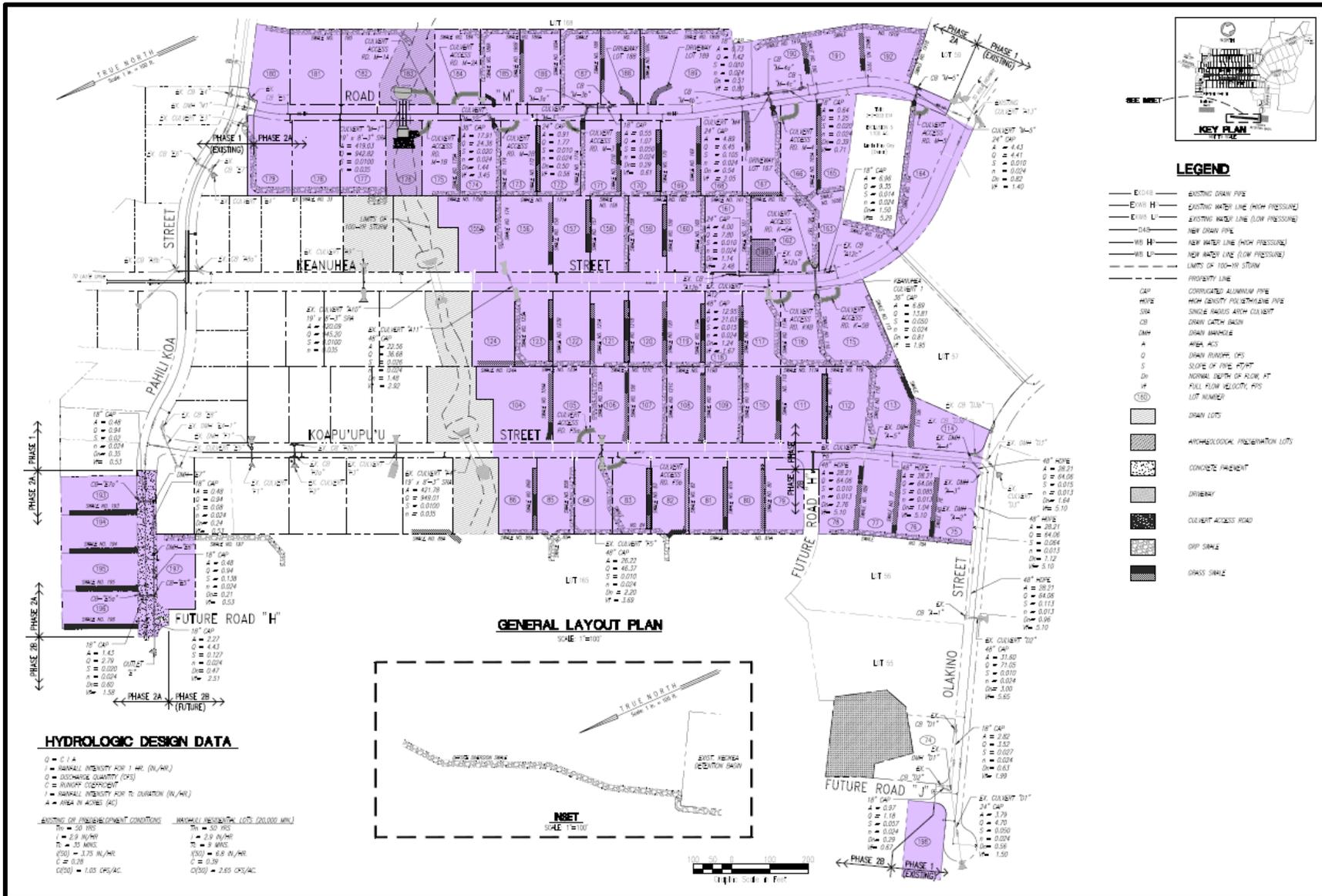
Kēōkea – Waiohuli Development



KEOKEA-WAIOHULI SUBDIVISION



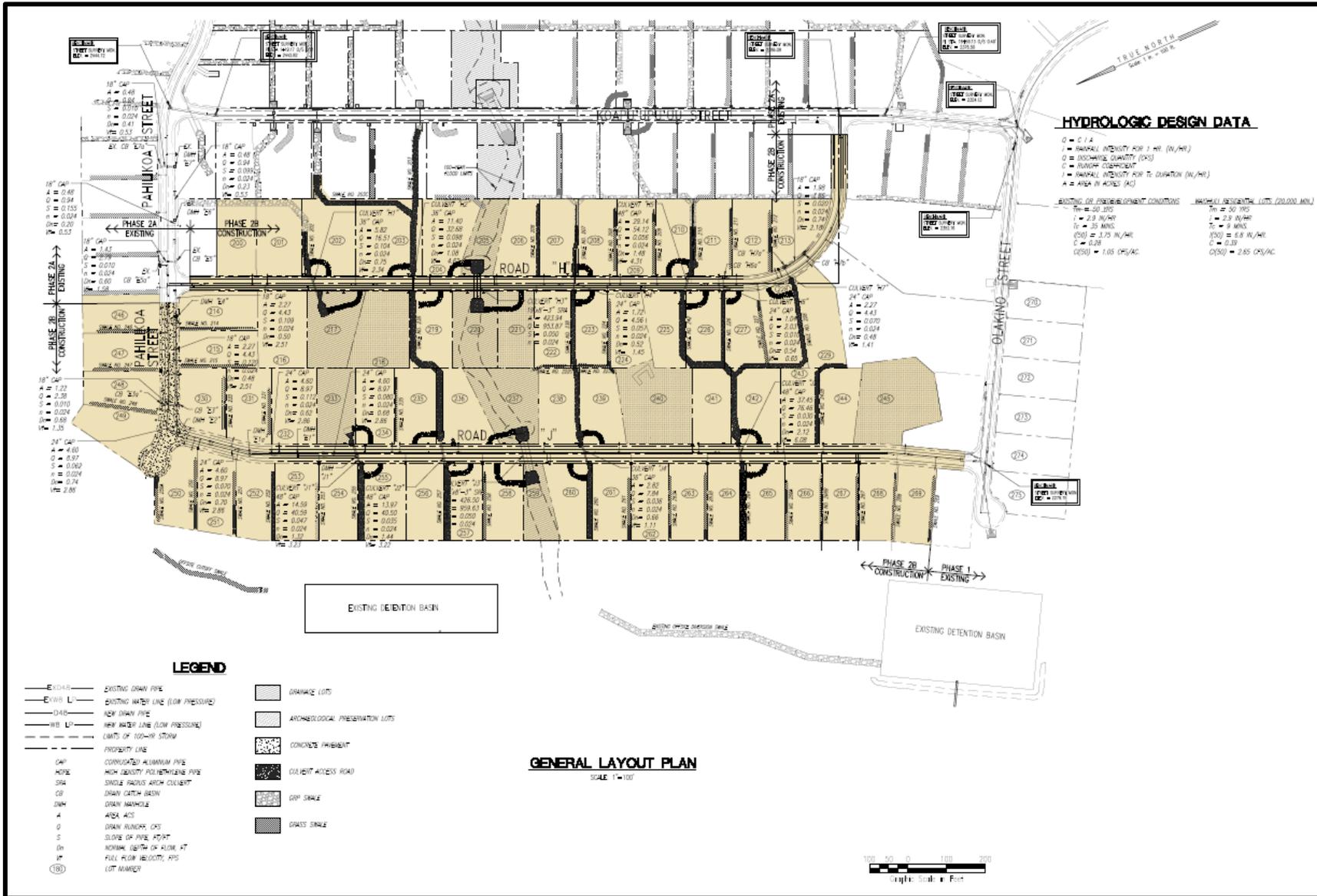
Kēōkea – Waiohuli Development: Phase 2A



- ▶ \$8,709,566 Construction Contract awarded to Mira Image Construction
- ▶ Construction start in mid-2023; subject to SHPD and permitting approval in early 2023
- ▶ 76 Residential Lots



Kēōkea – Waiohuli Development: Phase 2B



- ▶ Design in Process
- ▶ Construction Bid posting in late-2023
- ▶ 61 Residential Lots

Waiohuli High Pressure Waterline Extension

- ▶ High Pressure Waterline Extension from Keanuhea Street down Pahiliko Street and Koapuupu Street.
- ▶ Waterline to Service Lessees Experiencing Low Pressure Water Service
- ▶ Design Plan Review in Process
- ▶ Construction scheduled for mid-2023, subject to approvals





Lot Assessment & Preparation for Award

(Kula Residence Lots)

Lot 45



Lot 85



Lot 112



Lot 206



Lot 209



Lot 121



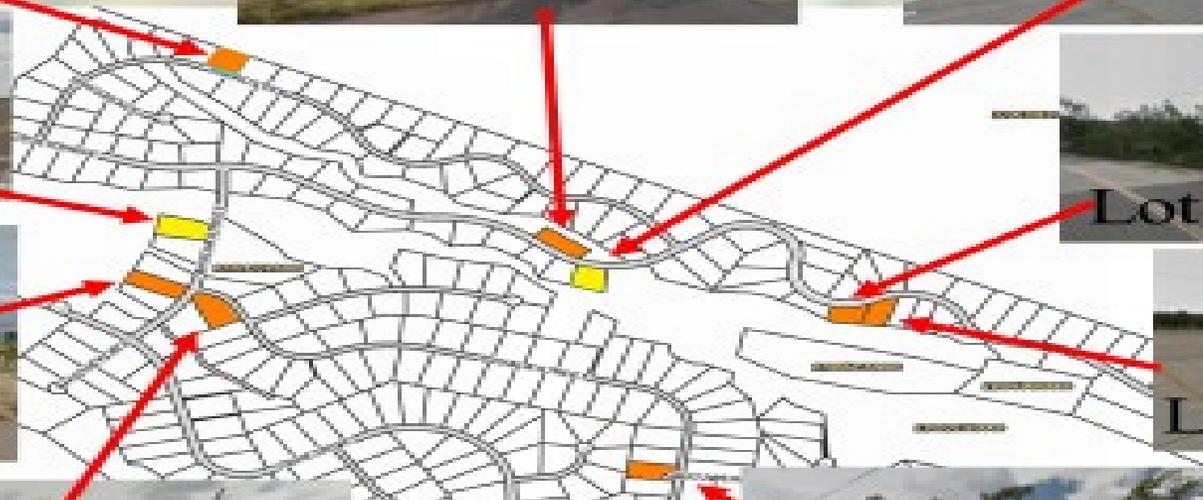
Lot 122



Lot 213



Lot 235





Preparation for Award

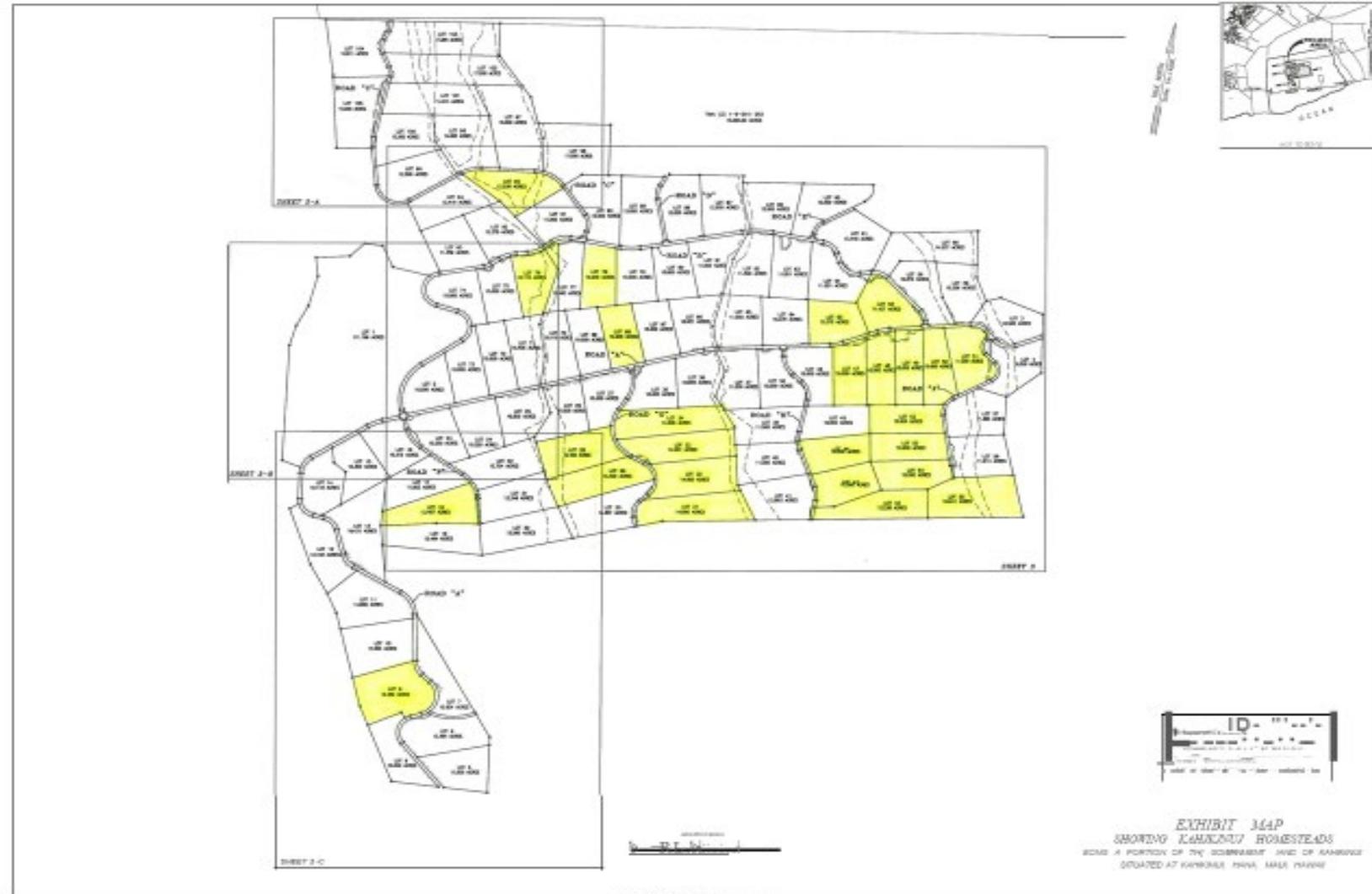
(Hikina Residence Lots)





Kahikinui Pastoral Kuleana Lots for Award

26 Pastoral
Lots to be
offered for
award





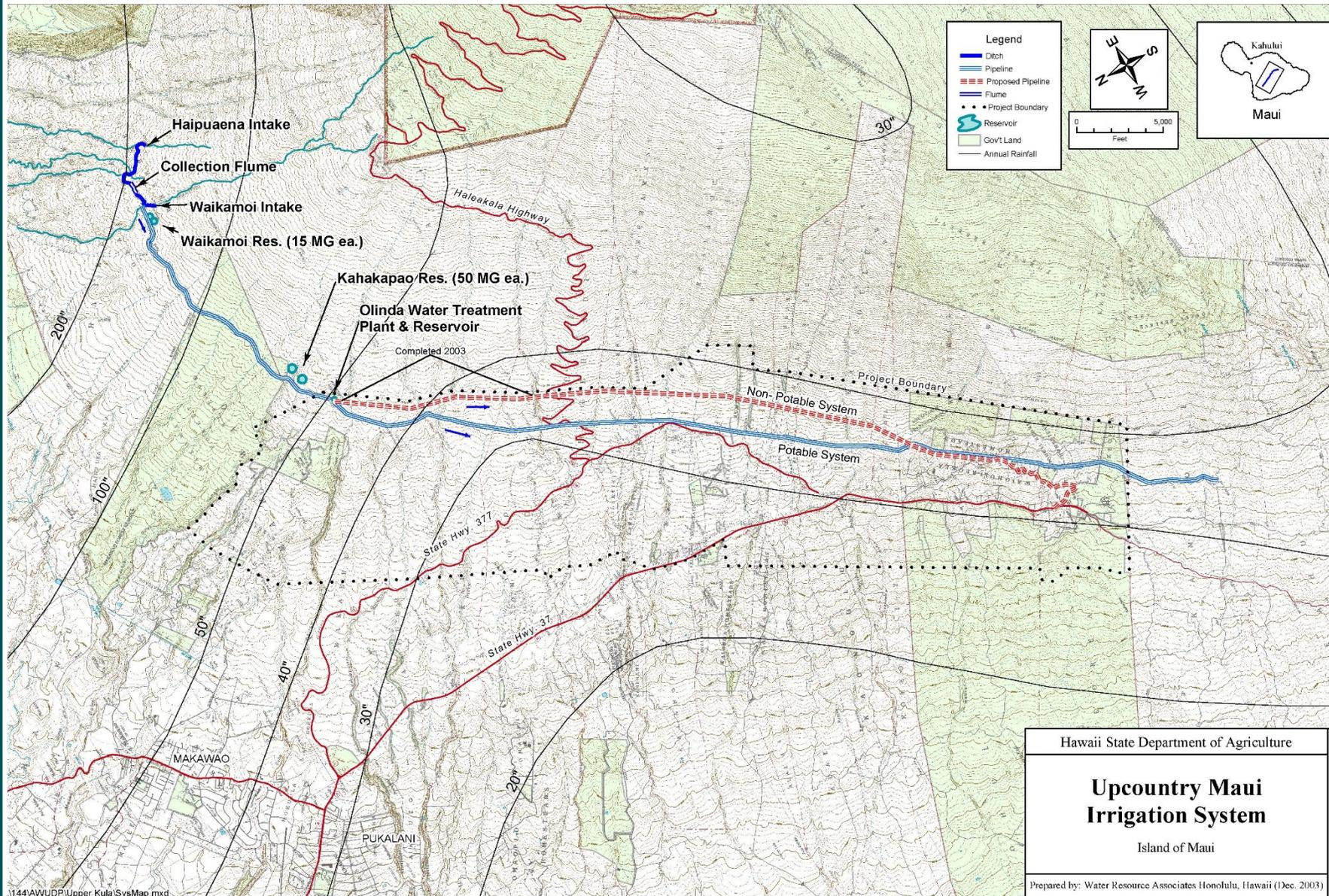
Kahikinui Road Improvements

Phase 1 (completed)





Keokea Offsite Water Development



► DHHL Reservation from EMI; CWRM recommendation:

“Approve a reservation of 2.05 cfs (1.3275 mgd) for DHHL from the East Maui Irrigation System from the Huelo region streams.”

- Design connection from EMI to Non-potable system.
- Design DOA extension to Keokea.



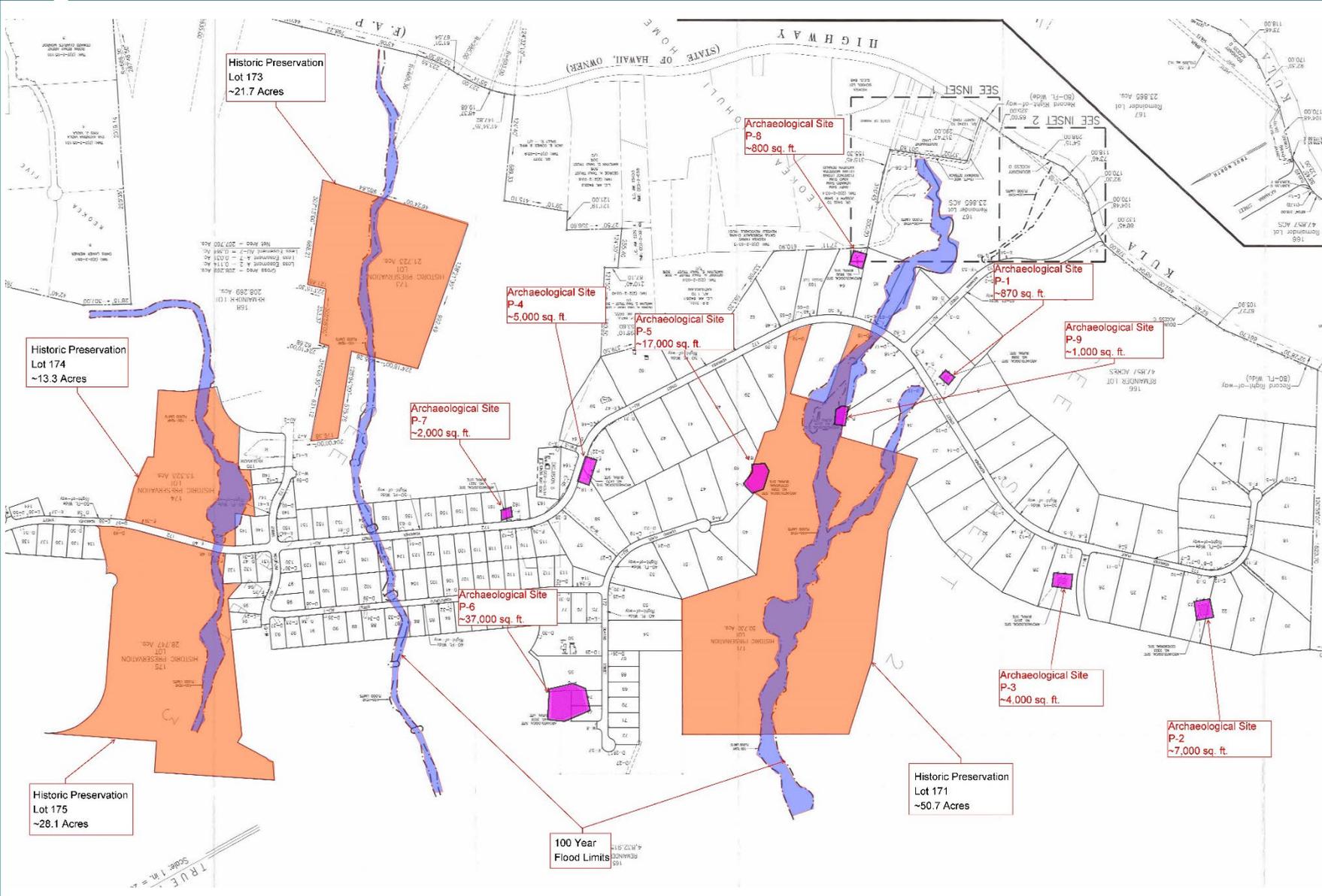
Keokea Offsite Water Development



- ▶ \$4M contract with Community Planning and Engineering
- ▶ DHHL Reservation from EMI
- ▶ Connection to State non-potable system
- ▶ Design of DOA extension to Keokea.
- ▶ Exploratory well investigation for future development.



Waiohuli Archaeological Improvements



- ▶ \$1M contract with Community Planning and Engineering
- ▶ Phase 1 Keokea/Waiohuli Lots with Arch Preserve Easements
- ▶ Phase 2 Historic Preservation Lots
- ▶ Site inspections in 2023



Paukukalo Community Center

- Invitation for Bids scheduled for February 2023
- Subject to procurement and permit approvals
- Estimated budget: \$750,000

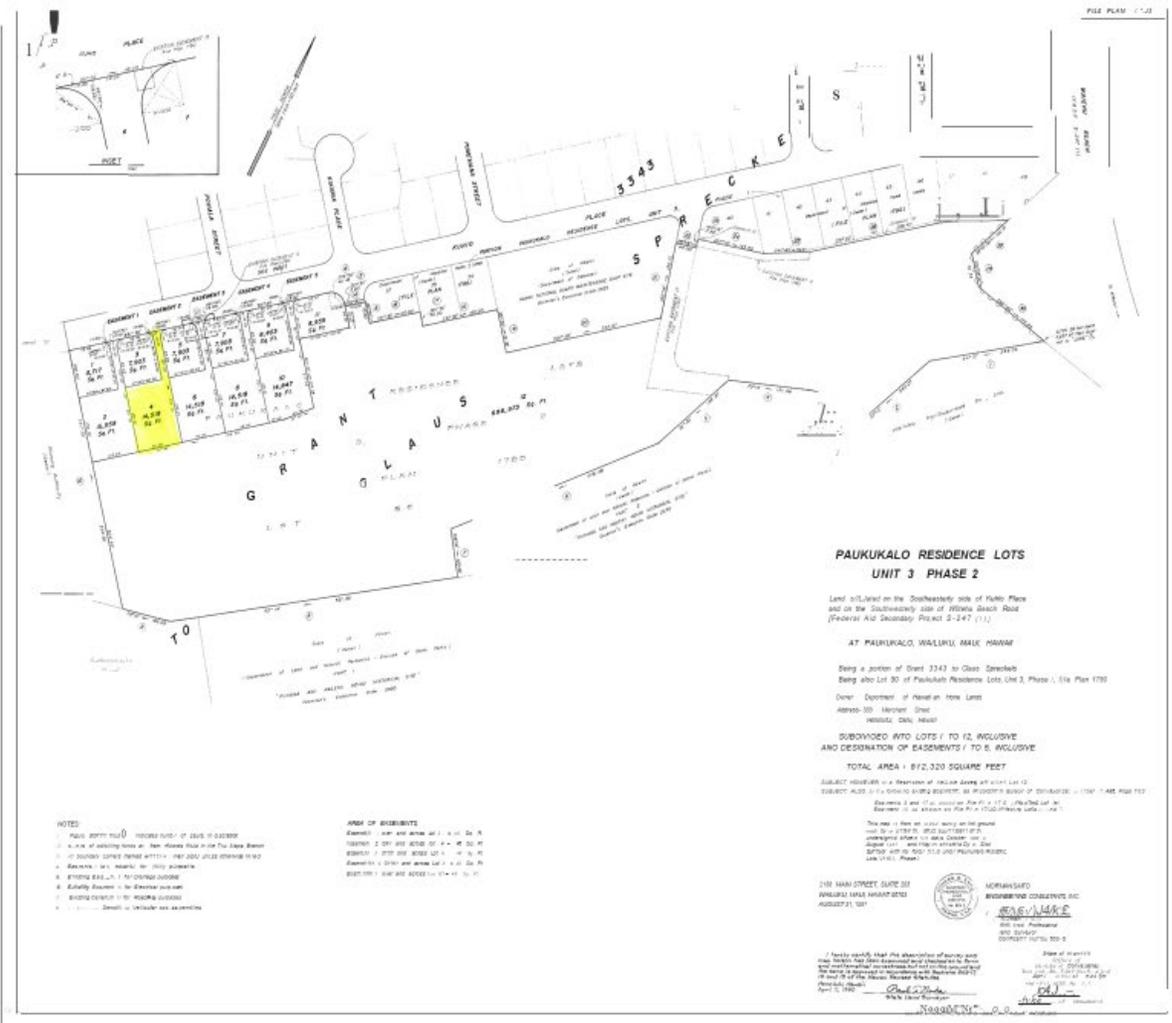
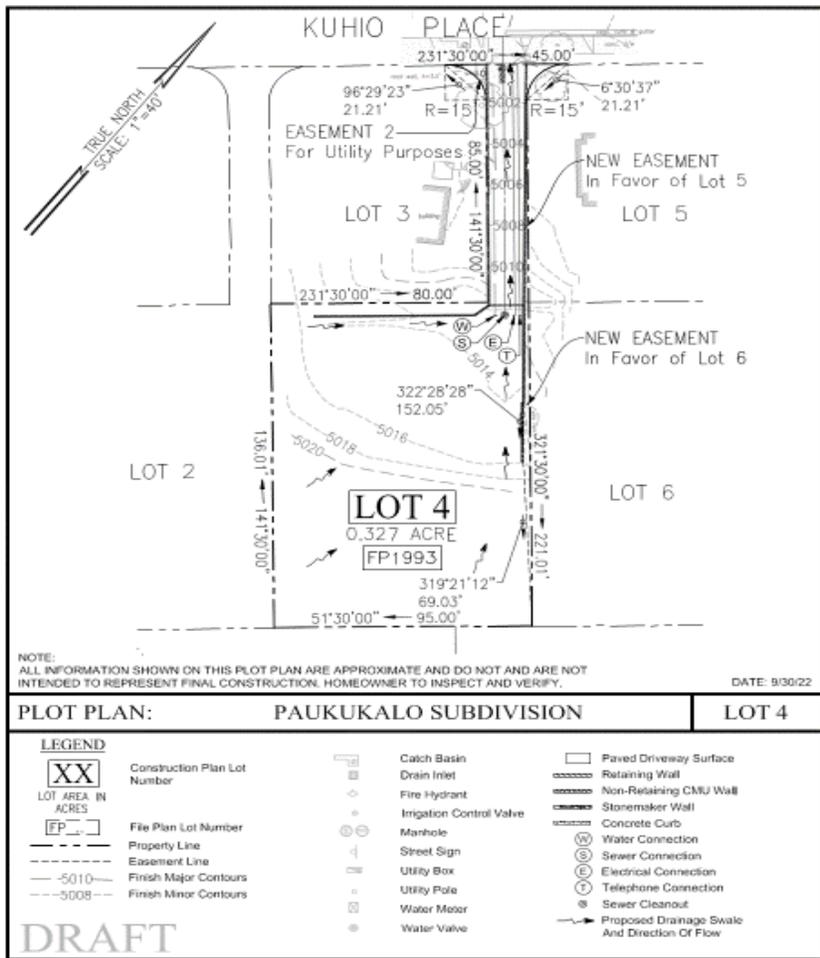
STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
PAUKUKALO COMMUNITY CENTER RENOVATION
657 KAUMUALII STREET, WAILUKU, MAUI HI 96793

IFB-23-LDD-000
DRAWINGS PREPARED BY HAWAII ENGINEERING GROUP
1088 BISHOP ST. #2506 HONOLULU, OAHU, HI 96813
T.M.K.: 3-3-05:87

<p>SEE LOCATION MAP</p>	<p>GENERAL NOTES</p> <ol style="list-style-type: none">1. THE INFORMATION CONTAINED HEREIN IS BASED UPON UNLIMITED FIELD INVESTIGATIONS AND AVAILABLE RECORD DRAWINGS.2. DRAWINGS ARE INTENDED TO PROVIDE A GRAPHIC ILLUSTRATION OF DESIGN CONCEPT ONLY AND DEPICT THE GENERAL PLACEMENT OF CERTAIN COMPONENTS IN RELATION TO EACH OTHER.3. FOR CLARITY, DETAIL DRAWINGS DO NOT SHOW ALL COMPONENTS OR ILLUSTRATE ALL FIELD CONDITIONS THAT MAY BE PRESENT.4. CONTRACTOR SHALL TAKE MEASUREMENTS AND FIELD VERIFY ALL CONDITIONS AND CONDITIONS PRIOR TO CONSTRUCTION AND/OR FABRICATION.5. ALL CONSTRUCTION SHALL CONFORM TO THE FOLLOWING BUILDING CODES: 2010 IBC 2012 IBC/A 1, UBC 2016 UPC WITH STATE AMENDMENTS 2016 IBC/C 2014 NBC TITLE 11 CHAPTER 30	<p>PREPARED FOR</p> <p>DEPARTMENT OF HAWAIIAN HOME LANDS LAND DEVELOPMENT DIVISION 31-5420 KAPOLEI PARKWAY KAPOLEI, HAWAII 96761</p> <p>CONTACT: WILLIAM J. ALA, JR. CHAIRMAN, HAWAIIAN HOME COMMISSION</p>	<p>PROJECT DATA</p> <p>TRV SHEET: 3-3-25:87 LOT SIZE: 70,842 S.F. PLANNING ZONE: R2 OCCUPANCY GROUP: (LESS THAN 300) A-3 CONSTRUCTION TYPE: V-4</p>																																			
		<p>ISLAND MAP</p> <p>PAUKUKALO COMMUNITY CENTER - SEE OVERALL PLAN</p>	<p>PREPARED BY</p> <p>HAWAII ENGINEERING GROUP, INC. 1088 BISHOP STREET, SUITE 2506 HONOLULU, HAWAII 96813 CONTACT: GREGORY S. SHAFER, P.E.</p>	<p>INDEX TO DRAWINGS</p> <table border="1"><thead><tr><th>SCALE</th><th>SHEET NO.</th><th>SHEET DESCRIPTION</th></tr></thead><tbody><tr><td></td><td>000</td><td>COVER SHEET</td></tr><tr><td></td><td>001</td><td>TITLE SHEET</td></tr><tr><td></td><td>002</td><td>GENERAL NOTES</td></tr><tr><td>3</td><td>003</td><td>SITE PLAN</td></tr><tr><td></td><td>A100</td><td>EXISTING FLOOR PLAN</td></tr><tr><td>0</td><td>A102</td><td>PROPOSED CEILING PLAN</td></tr><tr><td>7</td><td>A103</td><td>ROOF PLAN</td></tr><tr><td>0</td><td>A201</td><td>EXTERIOR ELEVATIONS</td></tr><tr><td>0</td><td>A301</td><td>BUILDING SECTIONS</td></tr><tr><td>10</td><td>A401</td><td>ENLARGED PLANS AND INTERIOR ELEVATIONS</td></tr><tr><td>10</td><td>B001</td><td>ELECTRICAL PLAN</td></tr></tbody></table> <p>APPROVED</p> <p>DIRECTOR DIVISION OF PLANNING AND PERMITTING CITY AND COUNTY OF HONOLULU FOR THE COUNTY OF OAHU</p>	SCALE	SHEET NO.	SHEET DESCRIPTION		000	COVER SHEET		001	TITLE SHEET		002	GENERAL NOTES	3	003	SITE PLAN		A100	EXISTING FLOOR PLAN	0	A102	PROPOSED CEILING PLAN	7	A103	ROOF PLAN	0	A201	EXTERIOR ELEVATIONS	0	A301	BUILDING SECTIONS	10	A401	ENLARGED PLANS AND INTERIOR ELEVATIONS	10
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0	A301	BUILDING SECTIONS																																				
10	A401	ENLARGED PLANS AND INTERIOR ELEVATIONS																																				
10	B001	ELECTRICAL PLAN																																				
<p>LOCATION MAP</p> <p>SCALE: 1"=200'</p>	<p>OVERALL PLAN</p> <p>SCALE: 1"=200'</p>	<p>DEPARTMENT OF HAWAIIAN HOME LANDS PAUKUKALO COMMUNITY CENTER IMPROVEMENTS 657 KAUMUALII STREET, WAILUKU, MAUI, HAWAII T.M.K.: 3-3-05:87</p> <p>TITLE SHEET</p> <p>DATE: 02/22/23 DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: 1"=200'</p> <p>22-038 001</p>																																				



Paukukalo Unit 3 Phase 2 Lot 4



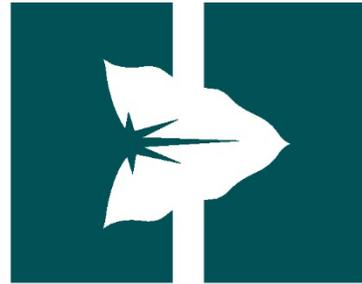
Completion Jan. 2023



Paukukalo Unit 3 Phase 2 Lot 4



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

F – ITEMS

LAND MANAGEMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 
Kalei Young, Supervising Land Agent
Land Management Division

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Approval to First Amendment to Right of Entry No. 688, Waiohuli Hawaiian Homesteaders Association, Inc., Waiohuli-Keokea, Maui, TMK: (2) 2-2-028:181(portion), (2) 2-2-002:014 (portion)

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to the First Amendment to Right of Entry No. 688 (ROE 688) issued to Waiohuli Hawaiian Homesteaders Association, Inc., for an additional twelve (12) month period for the purpose of conducting due diligence studies including but not limited to project master plan, business plan and related Chapter 343, HRS and Chapter 6E, HRS compliance requirements on portions of TMKS: (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion).

Approval of this first amendment is subject to the following conditions:

1. The term shall be extended for an additional twelve (12) month period, commencing on January 7, 2023;
2. The processing and the documentation fee, \$150.00 shall waived; and
3. With the exception of the current requested action, all of the terms, conditions, covenants and provisions of Right of Entry No. 688 shall continue and remain in full force and effect.

LOCATION:

Portion of Hawaiian home lands situated in Waiohuli-Keokea, Island of Maui, identified as TMK: (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion) (See Exhibit "A")

AREA:

150.0 Acres (more or less)

BACKGROUND/DISCUSSION:

At its meeting of August 19, 2019, the Hawaiian Homes Commission approved the issuance of Right of Entry No. 688 (ROE 688) to the Waiohuli Hawaiian Homesteaders Association (WHHA) for the purpose of conducting due diligence necessary to validate feasibility, collaborations and resources related to developing the subject parcels (see Exhibit "B"). Their proposed plan includes development of residential and agricultural lots, economic and educational opportunities, energy projects and water source development through collaboration and partnerships which would result in career development and employment opportunities.

Approval of the recommended motion will allow the ROE 688 to continue while Chapter 343 and Chapter 6E compliance is in process.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

1) DHHL General Plan (2002) goals and objectives:

Land Use Planning

Goals: Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.

Objectives: Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian friendly environment.

2) Maui Island Plan, September 2004

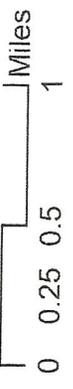
- Land Use Designation: General Agriculture, September 2004, Figure B, Keokea/Waiohuli Land Use Plan

3) Regional Plan: The proposed use of Hawaiian Home Lands was not identified in the Keokea-Waiohuli Regional Plan dated June 2010. As mentioned previously, a beneficiary consultation meeting was conducted on May 30, 2019 to get beneficiary feedback on the proposed use of Hawaiian Home Lands.

RECOMMENDATION

Land Management Division recommends approval of the requested motion/action as stated.

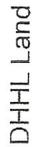
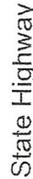
ITEM NO. F-1
EXHIBIT A

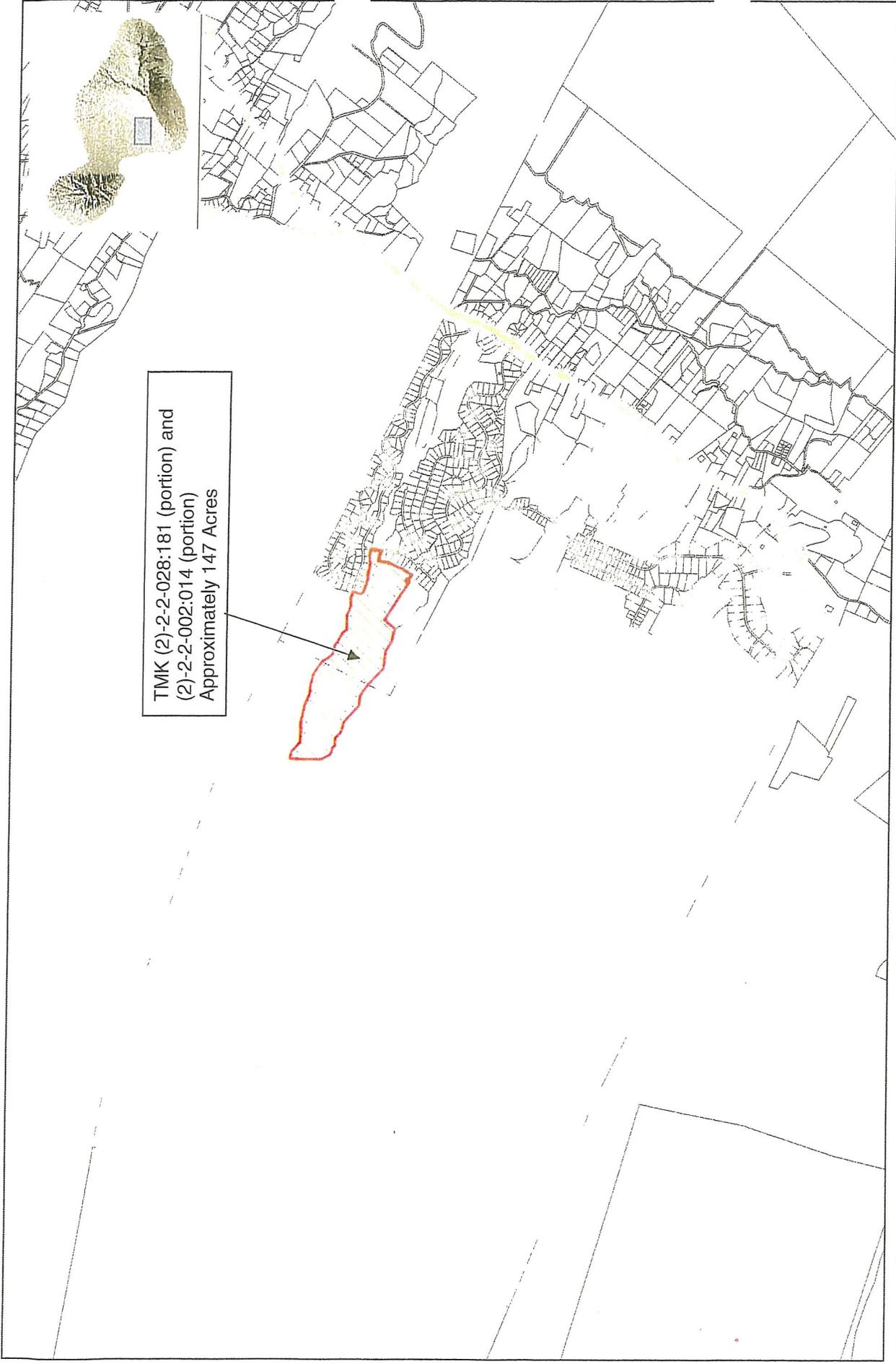


TMK (2)-2-2-028:181 (portion) and
(2)-2-2-002:014 (portion)
Approximately 147 Acres



Legend

-  Waiohuli_ROE_boundary
-  DHHH Land
-  State Highway



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

RIGHT-OF-ENTRY NO. 688

This Right-of-Entry ("ROE") No. 688 is dated this 7th day of January, 2020, by and between the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707, and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter as "PERMITTOR," and Waiohuli Hawaiian Homesteaders Association, Inc., whose address is P.O. Box 698, Kula, Hawaii 96790-0698, hereinafter the "PERMITTEE."

PERMITTOR hereby grants to PERMITTEE a Right-of-Entry upon that certain parcel of Hawaiian home lands in Waiohuli, Makawao, Island of Maui, for the non-exclusive, use of approximately 150.0 Acres of Hawaiian home lands, identified as Tax Map Key No. (2) 2-2-028:181 (por.), (2) 2-2-002:014 (por.) and further described in the attached Exhibit "A", subject to the following conditions:

1. TERM. The term of the ROE shall be month-to-month up to thirty-six (36) months, commencing upon execution, with the option for two (2) additional twelve (12) month extensions at the sole discretion of PERMITTOR. This ROE may be cancelled by PERMITTOR, at PERMITTOR'S sole discretion and for any reason whatsoever, at any time during the term of the ROE, upon 30 days advance notice in writing to PERMITTEE;
2. PERMITTED USE. The Premises shall be used for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS compliance requirements and Chapter 6E, HRS compliance requirements;
3. FEE. The fee for the term of this ROE shall be gratis;
4. CONSTRUCTION AND MAINTENANCE. During the period of the ROE, PERMITTEE shall keep the Premises and all improvements thereon in a strictly clean and sanitary and orderly condition, and shall not make, permit nor suffer any waste, spoil, nuisance, nor any unlawful, improper or offensive use of the Premises. PERMITTEE shall comply with all rules, regulations, ordinances and/or laws of the State of Hawaii

Exhibit "B"
Item No. F-1



and any other municipal and/or Federal Government authority applicable to the Premises and improvements thereon;

5. RIGHT TO ENTER. PERMITTEE shall allow PERMITTOR, and the agents and representatives thereof, at all reasonable times, free access to the Premises for the purpose of examining the same and/or determining whether the covenants herein are being fully observed and performed, or for the performance of any public or official duties. In the exercise of such rights, PERMITTOR and government officials shall not interfere unreasonably with PERMITTEE and PERMITTEE'S use and enjoyment of the Premises;
6. NO TRANSFER, MORTGAGE, AND SUBLEASE. This ROE shall be non-transferable, and PERMITTEE may not in any manner transfer to, mortgage, pledge, sublease, sublet, or otherwise hold or agree so to do, for the benefit of any other person or persons or organization of any kind, its interest in this ROE, the premises and the improvements now or hereafter erected thereon;
7. EXPIRATION. Upon the expiration of the ROE, or its sooner termination as herein provided, PERMITTEE shall peaceably and quietly leave and surrender and deliver up to PERMITTOR possession of the premises. This includes the clean-up and removal of all property belonging to PERMITTEE;
8. TERMINATION/ABANDONMENT. Upon termination or abandonment of the specified purposes for which this ROE is granted, all interests granted by this ROE and any approved improvement constructed by PERMITTEE on the Premises shall revert to, and become the property of PERMITTOR;
9. PREMISES. The term "Premises", when it appears herein, includes and shall be deemed to include the lands described above and all improvements whenever and wherever erected or placed thereon;
10. INSURANCE. PERMITTEE shall, at its own expense, effect, maintain and keep in force throughout the life of this ROE, a comprehensive public liability insurance policy, with limits of not less than \$1,000,000.00 for each occurrence, including property damage, personal injury and advertising injury; \$100,000.00 for fire damages to the Premises for any one fire; \$10,000.00 in medical expenses for any one person, and an aggregate limit of \$2,000,000.00 per policy year.



The specification of these limits as contained herein shall not be construed in any way to be a limitation on the amount of liability of PERMITTEE for fees, interest or other charges under this ROE.

PERMITTEE at its own expense shall maintain and keep in force Workers Compensation Insurance to include Employer's Liability. Such coverage shall apply to all of its employees.

PERMITTEE at its own expense shall maintain and keep in force Automobile Insurance, covering all owned, non-owned and hired automobiles in the following amounts: Bodily Injury: \$1,000,000.00 per person and \$1,000,000.00 per occurrence; Property Damage: \$1,000,000.00 per accident; or a combined single limit of \$1,000,000.00

PERMITTEE shall provide certificate(s) of insurance necessary to evidence compliance with the insurance provisions of this ROE. PERMITTEE shall keep such insurance in effect and the certificate(s) on deposit with PERMITTOR during the entire term of this ROE.

In addition:

- a. Failure of PERMITTEE to provide and keep in force such insurance shall be regarded as material default under this ROE. PERMITTOR shall be entitled to exercise any or all of the remedies provided in this ROE for default of PERMITTEE.
- b. The procuring of such required insurance policies shall not be construed to limit PERMITTEE'S indemnification obligations under this ROE.
- c. PERMITTOR is a self insured State agency. PERMITTEE'S insurance shall be primary. Any insurance maintained by PERMITTOR and/or the State of Hawaii shall apply in excess of, and shall not contribute with, insurance provided by PERMITTEE.

Such insurance policy shall (a) be issued by an insurance company or surety company authorized to do business in the State of Hawaii or approved in writing by the Chairman, Hawaiian Homes Commission; (b) name the State of Hawaii and its DEPARTMENT OF HAWAIIAN HOME LANDS as an insured; (c)



provide that the DEPARTMENT OF HAWAIIAN HOME LANDS shall be notified at least thirty (30) days prior to any termination, cancellation or material change in the insurance coverage; and (d) cover all injuries, losses or damages arising from, growing out of or caused by any acts or omissions of PERMITTEE, its officers, agents, employees, invitees or licensees in connection with PERMITTEE'S use or occupancy of the Premises.

PERMITTEE shall insure during the term of this ROE the entire Premises, including all buildings now existing and hereafter built or located on the Premises, improvements and grounds, and all roadways and sidewalks on or adjacent to the Premises in the control or use of the PERMITTEE. The insurance shall cover loss or damage by fire and other hazards, casualties and contingencies, including vandalism and malicious mischief. The insurance shall be for the full insurable value of such improvements.

PERMITTEE shall furnish to PERMITTOR upon the execution of this ROE, certificates showing such insurance policy or policies to be in favor of PERMITTOR and to be in force, and shall furnish like certificates upon each renewal thereof. In the event of loss, damage or destruction, PERMITTOR shall retain from the proceeds of the policies such amounts deemed by it to be necessary to cover the loss, damage or destruction of or to the improvements and the balance of such proceeds, if any, shall be delivered to PERMITTEE.

The procuring of this policy shall not release or relieve PERMITTEE of its responsibility under this ROE as set forth herein or limit the amount of its liability under this ROE.

PERMITTEE shall provide proof of liability insurance for such activities prior to the effective date of this ROE, or this ROE shall be null and void.

11. DEFENSE AND INDEMNITY. PERMITTEE shall release, defend, indemnify and hold harmless PERMITTOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expense, including all attorneys' fees, and all claims, suits, and demands therefore, arising out of or resulting from the acts or omissions of PERMITTEE and/or PERMITTEE'S officers, employees, agents, or contractors occurring during or in connection with the exercise of this ROE. The provisions of this paragraph



shall remain in full force and effect notwithstanding the expiration or early termination of this ROE.

12. HAZARDOUS MATERIAL. PERMITTEE shall not cause or permit the escape, disposal, or release of any hazardous materials. PERMITTEE shall not allow the storage or use of such materials in any manner not sanctioned by law or by the highest standards prevailing in the industry for the storage and use of such materials, nor allow to be brought onto the premises any such materials except to use in the ordinary course of PERMITTEE'S business, and then only after written notice is given to the PERMITTOR of the identity of such materials and upon PERMITTOR'S consent, which consent may be withheld at the PERMITTOR'S sole and absolute discretion. If any lender or governmental agency shall ever require testing to ascertain whether or not there has been any release of hazardous materials by PERMITTEE, then PERMITTEE shall be responsible for the costs thereof. In addition, PERMITTEE shall execute affidavits, representations and the like from time to time at PERMITTOR'S request concerning PERMITTEE'S best knowledge and belief regarding the presence of hazardous materials on the Premises placed or released by PERMITTEE.

For the purpose of this ROE, the term "hazardous material" as used herein shall include any substance, waste or material designated as hazardous or toxic or radioactive or other similar term by any present or future federal, state or local statutes, regulation or ordinance, such as the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and the Federal Clean Water Act, as amended from time to time, and also including but not limited to petroleum, petroleum based substances, asbestos, polychlorinated-biphenyls ("PCB"), formaldehyde, and also including any substance designated by federal, state or local regulations, now or in the future, as presenting a risk to human health or the environment;

Prior to the termination of the ROE, PERMITTEE may be required to conduct a Level One (1) Hazardous Waste Evaluation and conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health and PERMITTOR;



13. SPECIAL CONDITIONS.

A. PERMITTEE shall submit a Master Plan. Master plan shall include but not be limited to:

- i. Narrative description that clearly articulates permittee's project goals for the project area and detailed description of each proposed programmatic element and land use by the permittee.
- ii. Narratively and graphically describe characteristics of the project area including topography, portions of the project area susceptible to natural disaster events, location of known sensitive or unique natural and cultural resources, water resources, access points for vehicle and pedestrian ingress and egress, identification of level of infrastructure improvements required and location of improvements;
- iii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.

B. PERMITTEE shall submit a Project Business Plan. The Project Business Plan shall include a description of expense and income budget (start-up/initial costs, operating budget, reserve fund, fundraising campaign). Business plan shall identify rough order of magnitude (ROM) cost for all capital improvements proposed by PERMITTEE to the premises including off-site infrastructure. Business plan shall include ROM cost for operation and maintenance expenses. Business plan shall include ROM for programmatic expenses including but not limited to staff salary and compensation. Business plan shall identify potential revenue sources and reasonably justified estimated revenue projections from each of these sources.

C. PERMITTEE shall consult with and work closely with PERMITTOR on completing HRS Chapter 343 and HRS Chapter 6E compliance documentations and studies. If HRS Chapter 343 Environmental Assessment study or Environmental Impact Study is required, approval of these studies is subject to the approval of the Hawaiian Homes Commission. Chapter 6E compliance is subject to the



approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division.

D. As part of the PERMITTOR's regular review of PERMITTEE activities, and in exchange for gratis base rent, PERMITTEE shall submit a bi-annual progress report to the PERMITTOR and to the Hawaiian Homes Commission every six months starting from the ROE commencement date. The bi-annual progress reports shall document the PERMITTEE's activities of the previous period and shall include but not be limited to the following:

- i. Timeline and schedule to complete due diligence studies as described in Sections A thru D of this agreement. Timeline and schedule should identify major milestones in the completion of due diligence studies.
- ii. Description of major activities related to the project timeline and schedule that were conducted and/or completed in the six-month period.
- iii. Progress report shall also include description of circumstances that may affect the permittee's timeline and schedule for completion of due diligence studies.
- iv. Progress report shall identify any professional service provider or third-party assisting the permittee in the completion of due diligence studies.

E. The documentation and processing fee shall be waived;

F. This ROE is subject to other terms and conditions that may be deemed prudent by the Chairman of the Hawaiian Homes Commission.

[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]



IN WITNESS WHEREOF, PERMITTOR and PERMITTEE have caused this ROE to be executed by the duly authorized officers/individuals as of the day and year first above written.

APPROVED BY THE HHC
AT ITS MEETING HELD ON
August 18, 2019

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:



Deputy Attorney General
State of Hawaii

By 

William J. Aila, Jr., Chairman
Hawaiian Homes Commission

PERMITTOR

WAIHOLI HAWAIIAN HOMESTEADERS
ASSOCIATION INC.

By 

Print Name: Perry O. Aikates

PERMITTEE



STATE OF HAWAII)
) ss:
CITY & COUNTY OF HONOLULU)

On January 7, 2020, in the First Circuit, State of Hawaii, before me appeared WILLIAM J. AILA, JR., to me personally known, who, being by me duly sworn or affirmed, did say that such person is the CHAIRMAN of the HAWAIIAN HOMES COMMISSION, and the person executed the foregoing instrument identified or described as RIGHT-OF-ENTRY NO. 688, as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

The foregoing instrument is undated and contained eleven (11) pages at the time of this acknowledgment/certification.



Abigail L. Tubera

Print Name: Abigail L. Tubera

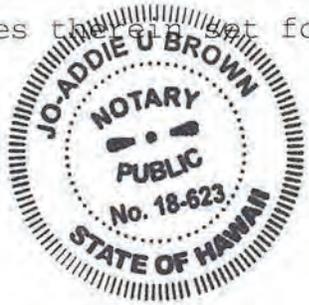
Notary Public, State of Hawaii

My commission expires: November 21, 2020



STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 16th day of December, 2019, before me appeared Perry O. Artates, _____, and _____, to me personally known, who, being by me duly sworn, did say that they are the person who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the use and purposes therein set forth.



Jo-Addie U. Brown
Notary Public, State of Hawaii

Printed Name: JO-ADDIE U BROWN
My commission expires: 11/04/2022

NOTARY CERTIFICATION STATEMENT

Document Identification or Description:
Right of Entry No. 688, Waiohuli Hawaiian
Homesteaders Association, Inc.

Date: _____ or Undated at time of notarization

Pages: 11 Jurisdiction: Second Circuit
(in which notarial act is performed)

Jo-Addie U. Brown 12/16/2019
Signature of Notary Date of Notarization and
Certification Statement

JO-ADDIE U BROWN

Printed Name of Notary

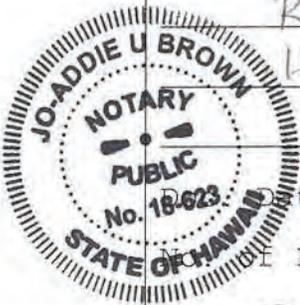
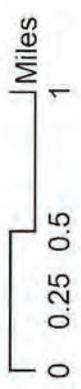


EXHIBIT A



TMK (2)-2-2-028:181 (portion) and
(2)-2-2-002:014 (portion)
Approximately 147 Acres

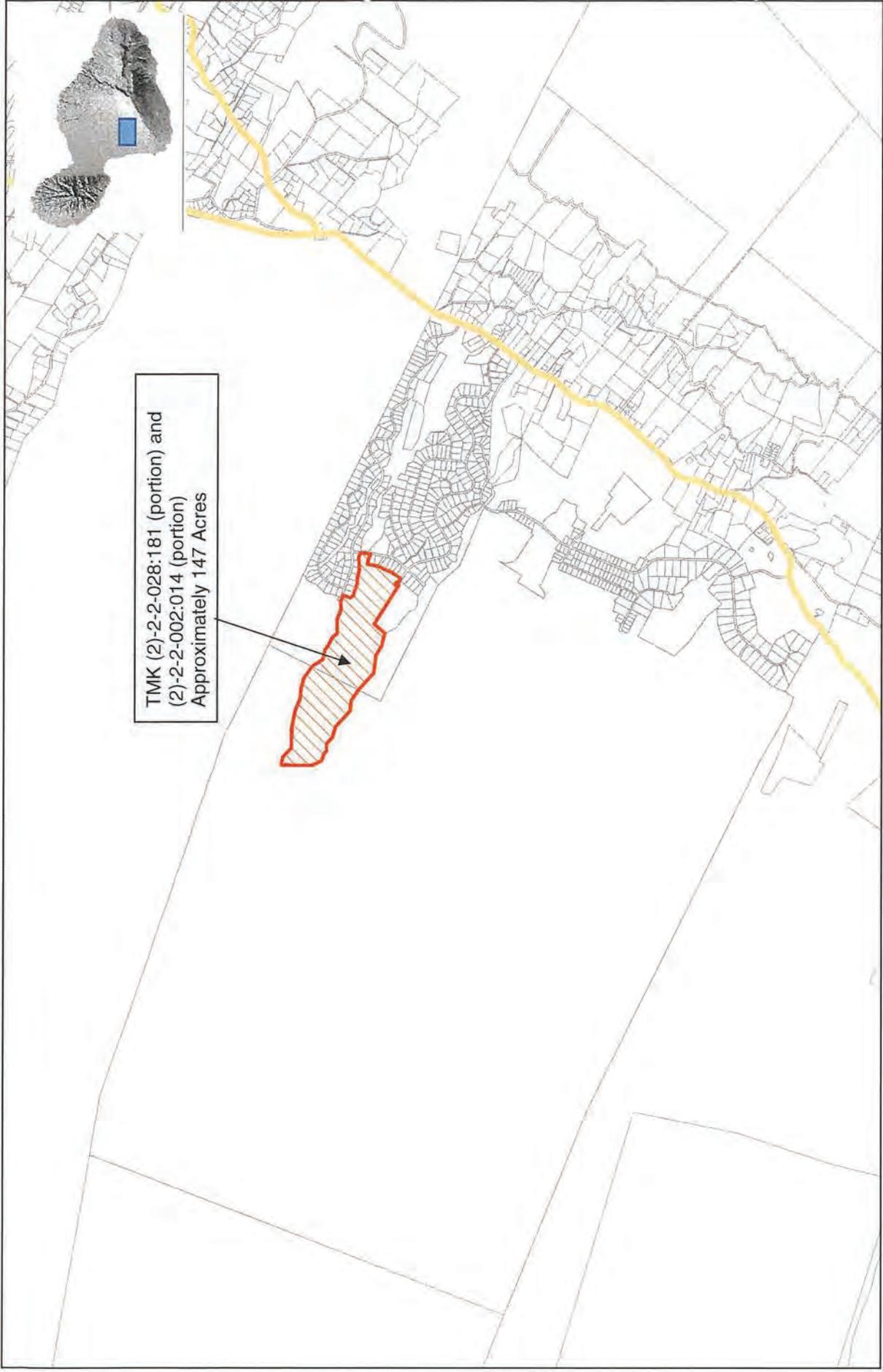


Legend

 Waiohuli_ROE_boundary

 DHHL Land

 State Highway



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 
 Kalei Young, Supervising Land Agent
Land Management Division

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Approval to First Amendment to License Easement No. 527, Donald J. Batbie and Barbara B. C. Batbie, Waiohuli, Makawao, Kula, Maui, Lot 135 of the Kula Residence Lots Subdivision, Unit 1 (File Plan 2321), Tax Map Key No. (2) 2-2-027:049 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) approves the First Amendment to License Easement No. 527 issued to Donald J. Batbie and Barbara B. C. Batbie, for the purpose of realigning the access and utility easement area affecting Hawaiian home lands Lot 135 of the Kula Residence Lots Subdivision, Unit 1 (File Plan 2321), Waiohuli, Makawao, Kula, Maui.

Approval of this first amendment is subject to the following conditions:

1. The licensed area shall be amended, as shown in conceptual on Exhibit "A", which shall be substituted with a certified survey map with metes and bounds description;
2. The Licensee shall be responsible for and bear all cost associated with obtaining a professional surveyor to extinguish Easement A-3 and to produce a new survey map with metes and bounds description of the new easement area.
3. Licensee is responsible for and bear all cost associated with recording the extinguished Easement A-3 and the new survey map with metes and bounds description of the new access and utility easement with the Bureau of Conveyances;
4. The Licensee shall pay the processing and the documentation fee, \$150.00; and
5. With the exception of the current requested action, all of the terms, conditions, covenants, and provisions of License Agreement No. 527 shall continue and remain in full force and effect.

LOCATION:

Lot 135 of the Kula Residence Lots Subdivision, Unit 1 (File Plan 2321) and further described as Tax Map Key No. (2) 2-2-027:049 (por), Waiohuli, Makawao, Kula, Maui.

DISCUSSION/BACKGROUND

The Kula Residents Lots, Unit 1, Phase 1, were developed surrounding five (5) kuleana land locked parcels. The land locked fee simple landowners requested access through Hawaiian home lands for ingress/egress and utility purposes. At its meeting of September 25, 2001, the Hawaiian Homes Commission approved the issuance of non-benefit and non-exclusive license for easements to various fee simple landowners.

License Easement No. 527 was issued to Donald and Barbara Batbie (Licensee) for ingress/egress and utility access through Easement A-3, located Hawaiian home lands Lot 135 in the Kula Residence Subdivision, Unit 1, for a term in perpetuity commencing on October 1, 2002 (see Exhibit "B").

Through the attached letter shown as Exhibit "C", Mr. and Mrs. Batbie (Licensee) is requesting a realignment to Easement A-3 due to a curvature within the easement that crosses over a portion of the of communication building constructed by Sandwich Isle Communication (see Exhibit "D"). The Licensee is proposing a realignment that runs straight from the entry point at Kula Highway to the back of lot 135 and parallel with the existing northern perimeter fence line.

The Department of Hawaiian Home Lands, Land Management Division is recommending the Licensee procure a professional surveyor to extinguish Easement A-3 and survey the new easement area.

RECOMMENDATION

Land Management Division recommends approval of the requested motion/action as stated.

KULA RESIDENCE LOTS SUBDIVISION UNIT I

LAND SITUATED ON THE NORTHWEST SIDE OF KULA HIGHWAY,
(FEDERAL AID PROJECT E-13-A) AND ON THE SOUTHWEST SIDE
OF THE LAND OF KOHEO
AT WAIOHULI, MAKAKIAO, MAUI, HAWAII

BEING THE FOLLOWING LANDS OF WAIOHULI DESIGNATED
AS HAWAIIAN HOME LANDS UNDER SECTION 203 OF THE
HAWAIIAN HOMES COMMISSION ACT, 1920:

1. PORTION OF THE GOVERNMENT (CROWN) LAND OF WAIOHULI;
2. PORTION OF R.P. 1808, L. C. AX. 6592, AP. 4 TO PUANA;
3. ALL OF R.P. 1808, L. C. AX. 6592, AP. 1 TO PUANA;
4. ALL OF R.P. 6586, L. C. AX. 5832, AP. 1 TO PAELE AND;
5. ALL OF R.P. 6493, L. C. AX. 6786, AP. 2 TO LUHELHE

BEING, ALSO ALL OF LOT A OF THE
WAIOHULI-KEOKEA LARGE LOT SUBDIVISION

SUBDIVIDED INTO LOTS 1 TO 380, INCLUSIVE

AND

DESIGNATION OF EASEMENTS A-1 TO A-5, INCLUSIVE

EASEMENTS D-1 TO D-56, INCLUSIVE

EASEMENTS E-1 TO E-136, INCLUSIVE

EASEMENTS F-1 TO F-6, INCLUSIVE

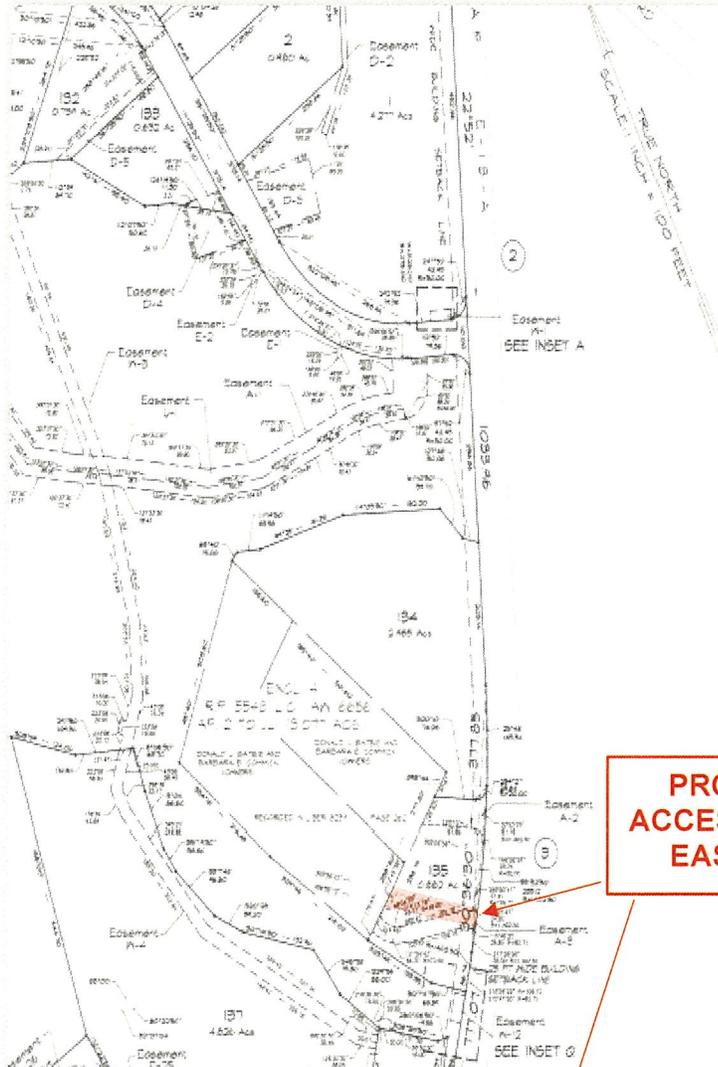
EASEMENTS G-1 TO G-7, INCLUSIVE

EASEMENTS H-1 TO H-21, INCLUSIVE

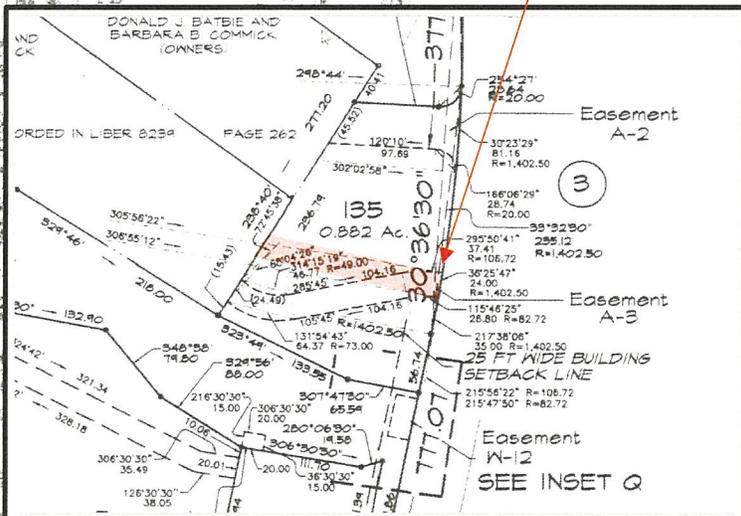
AND EASEMENTS U-1 AND U-2,

AND

DILINEATION OF 25 FT. WIDE BUILDING SETBACK LINE
ALONG THE NORTHWEST SIDE OF KULA HIGHWAY (F.A.P. E-13-A)
AFFECTING LOTS 1, 134, 135, 136, 332 AND 346



**PROPOSED
ACCESS/UTILITY
EASEMENT**



GROSS AREA = 664.206 ACRES

LESS EXCLUSIONS 1, 2, 3 AND 4 = 19.338 ACRES

NET AREA = 644.867 ACRES

OWNER: DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII

ADDRESS: All Place 12th Floor
1049 Aiea Street
Honolulu, Hawaii 96813

This map was made from an actual survey of the ground
made by or under the direct supervision of the undersigned
between September, 1983 and September, 1985 and may
be checked by the State Surveyor with our field books
and calculation and worksheets referenced to job folder
M-23-610

AUSTIN TSUTSUMI, AND ASSOC., INC.

501 DANNER STREET
SUITE 50
HONOLULU, HAWAII 96817



FEBRUARY 28, 2002

Austin Tsutsumi
AUSTIN TSUTSUMI
LICENSED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NUMBER 104

**ITEM NO. F-2
EXHIBIT "A"**

Certified to be a true and correct copy of the original recorded
DEC 2 2004 in the Bureau of Conveyances of the
State of Hawaii as

DOC # 2004 - 243441

By: RB
FIDELITY NATIONAL TITLE INSURANCE COMPANY

After Recordation Return By: Mail () Pickup () To:

Barbara B. Batbie
P.O. Box 788
Kula, HI 96790

600382-A

Affects Tax Map Key: **Second Division, 2-2-02:056 (Por)**
Waiohuli, Makawao, Maui

LICENSE EASEMENT NO. 527
(Non-Exclusive Right)
(Private Party - Non Benefit)

between

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
as LICENSOR

and

DONALD J. BATBIE
BARBARA B. C. BATBIE
as LICENSEE

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

LICENSE EASEMENT NO. 527
(Non-Exclusive Right)
(Private Party - Non-Benefit)

THIS LICENSE made and issued this _____ day of _____, 2004 by the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, whose principal place of business is 1099 Alakea Street, Suite 2000, Honolulu, Hawaii and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter called "LICENSOR," and DONALD J. BATBIE and BARBARA B. C. BATBIE, husband and wife, whose mailing address is P. O. Box 788, Kula, Hawaii 96790, hereinafter called "LICENSEE."

WITNESSETH THAT:

LICENSOR, pursuant to the authority granted to it by Section 207(c)(1) of the Hawaiian Homes Commission Act, 1920, as amended (HHCA), is authorized to grant licenses as easements for railroads, telephone lines, electric power and light lines, gas mains and the like.

LICENSOR has determined that the perpetual, non-exclusive easement as established herein is not detrimental to the LICENSOR or its beneficiaries.

NOW THEREFORE, LICENSOR, for and in consideration of a one time payment of SIX THOUSAND FIVE HUNDRED EIGHTY ONE AND NO/100 DOLLARS (\$6,581.00), and of the terms, covenants and conditions herein contained on the part of LICENSEE to be kept, observed and performed, hereby grants and conveys unto LICENSEE, and their successors and assigns, a right and privilege for a non-exclusive perpetual easement across Hawaiian home lands situate at Waiohuli, Makawao, Kula, Island of Maui, County of Maui, being Easement A-3 (4,684 square feet) for access and utility purposes only, as described on Exhibit "A" and as shown on File Plan No. 2321, incorporated by reference herein, and situate at Kula Residence Lots Subdivision, Unit 1, and further identified as the "easement area".

LICENSOR COVENANTS and agrees with LICENSEE that upon payment of the license consideration and the observance and performance of the covenants, terms and conditions hereof on the part of LICENSEE to be observed and performed, LICENSEE, their successors and assigns, shall have, hold, and enjoy the easement

area for ingress/egress and/or utility purposes in perpetuity commencing on October 1, 2002, unless sooner terminated as hereinafter provided, without hindrance or interruption by LICENSOR or any other person or persons lawfully claiming by, through and under it, except as otherwise provided herein.

AND LICENSEE hereby covenant and agree with LICENSOR, that:

1. TAXES. During the term of this License, LICENSEE shall pay when due all real property taxes and any other assessments against and upon the easement area and the improvements, if any, but not upon the land through which the easement area passes, whether assessed to or payable by either LICENSOR or LICENSEE.

2. INDEMNITY. LICENSEE shall, to the extent permitted by law, indemnify and hold harmless LICENSOR, their officers, agents, employees, invitees or any person acting on their behalf from any and all claims or demand by third persons for loss, liability or damage, including claims for property damage, personal injury or wrongful death, arising from any accident on, about, or in connection with the easement area in the exercise by LICENSEE of the rights herein granted, or occasioned by any act or nuisance made or suffered on the easement area in the exercise by LICENSEE of such rights, or any fire thereon or growing out of or caused by any failure on the part of LICENSEE to maintain the easement area in a safe condition and will reimburse LICENSOR for all costs and expenses in connection with the defense of such claims.

3. LIABILITY INSURANCE. LICENSEE shall procure, at its own cost and expense, and maintain and keep in force, a policy or policies of comprehensive public liability insurance, with an amount acceptable to LICENSOR, insuring against all claims for personal injury, death and property damage, and against the claims of third persons for property loss or damages; that such policy or policies shall cover the entire easement area, including all improvements in the control or use by LICENSEE.

Such insurance policy or policies shall (a) be issued by an insurance company or surety company authorized to do business in the State of Hawaii; and (b) name the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, as an insured; and (c) provide that LICENSOR shall be notified at least thirty (30) days prior to any termination, cancellation or material change in the insurance coverage; and (d) cover all injuries, losses or damages arising from, growing out of or caused by any acts or

omissions of LICENSEE, their officers, agents, employees, invitees, or any person acting on their behalf in connection with LICENSEE'S use or occupancy of the easement area.

4. CONSTRUCTION OF IMPROVEMENTS. LICENSEE, prior to the construction or installation of any improvements under or within the easement area, shall submit plans and specifications to LICENSOR for approval. Said plans and specifications shall not be submitted or approved unless they are in full compliance with any and all governmental rules and regulations applicable thereto.

5. DUE CARE AND DILIGENCE. LICENSEE shall use due care and diligence in the construction, installation, repair, maintenance, and removal of improvements and shall keep the easement area free of waste, rubbish, hazardous materials, scrap and debris, and all improvements within the easement area in good and safe condition and repair. And should said improvements cause any damage or nuisance or waste or spoil the easement area, LICENSEE shall repair and restore the easement area within a reasonable time thereafter. All shrubbery and overgrowth within the easement area shall be kept neatly trimmed.

6. CONDEMNATION. If at any time the easement area across which the License extends, or any part thereof, shall be condemned or taken for any public project by any governmental authority, LICENSEE shall have the right to claim and recover from the condemning authority, but not from LICENSOR, such compensation as is payable for License and for LICENSEE'S improvements, if any, used in connection with this License, which shall be payable to LICENSEE as their interest may appear.

7. ABANDONMENT. In the event the easement area hereby granted shall be abandoned or shall remain unused for the purpose granted for a continuous period of five (5) years, all rights granted hereunder shall terminate, and LICENSEE will remove its appliances, equipment, and improvements and restore the land as nearly as is reasonably possible to the condition existing immediately prior to the time of construction of their improvements, if any, LICENSOR hereby consenting and agreeing to such removal. Failure of LICENSEE to remove their improvements and/or to restore the land within 90 days after notification to do same from LICENSOR by certified mail at LICENSEE'S last known address, will constitute a breach and LICENSOR may remove LICENSEE'S improvements and/or restore the land to a condition similar to that existing immediately prior to the time of

construction and LICENSEE will reimburse LICENSOR for all reasonable costs in connection with the removal and/or restoration.

8. RELOCATION. If LICENSOR determines that the continued exercise of the easement rights granted constitutes an undue interference with a subdivision or development of the land over which the granted easement crosses, LICENSOR shall have the right to terminate the easement granted to the extent necessary to eliminate such interference, provided, that it shall grant to LICENSEES a substitute easement or easements within the reasonable vicinity to permit LICENSEES to effect relocation of any improvement or portion thereof, which substitute easement or easements shall be subject to the same terms and conditions as contained in this License. The cost of any such relocation shall be borne by LICENSOR.

9. BREACH. If LICENSEE fails to observe or perform any of the covenants, terms, and conditions herein contained, and on its part to be observed and performed, LICENSOR shall deliver written notice of the breach or default by service as provided by section 634-35 or 634-36, Hawaii Revised Statutes, or by registered mail or certified mail to LICENSEE at its last known address, making demand upon LICENSEE to cure or remedy the breach or default within sixty (60) days from the date of the receipt of the notice. Upon failure of LICENSEE to cure or remedy the breach or default within the time period provided herein or within such additional period as LICENSOR may allow for good cause, LICENSOR may terminate this License without prejudice to any other remedy or right of action.

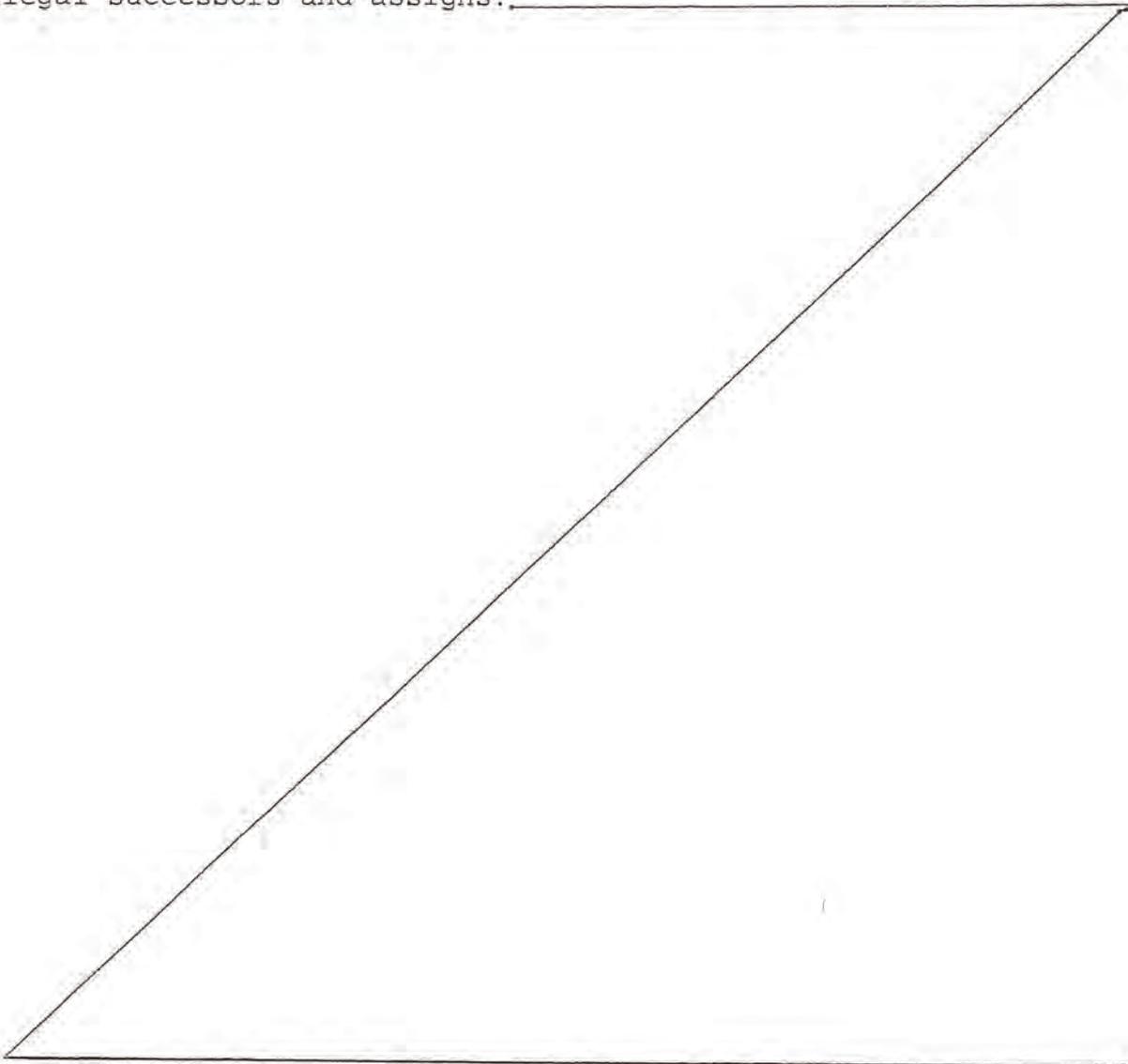
10. TRANSFERABILITY. LICENSEE, its successors and assigns, may transfer or assign this License without LICENSOR'S prior written approval; provided however, that LICENSEE shall notify and identify in writing all names of its successors and assigns, and successor LICENSEE shall have this easement appurtenant to LICENSEE'S Kulena parcel identified as Tax Map Key 2nd Division 2-2-05:07, Waiohuli, Makawao, island of Maui, County of Maui, State of Hawaii.

11. RIGHT TO ENTER. LICENSOR or the County of Maui, its agents or representatives thereof, shall have the right to enter and cross any portion of the easement area for the purpose of performing any public or official duties, provided, that in the exercise of such rights, LICENSOR or the County shall not interfere unreasonably with LICENSEE or LICENSEE'S use and enjoyment of the easement area.

12. SEVERABILITY. Whenever possible, each provision of this License shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this License should be prohibited, or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity without invalidating the remaining provisions of this License.

13. SINGULAR/PLURAL. The singular or plural depends on its appropriate use.

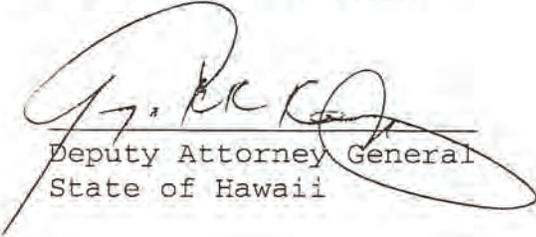
14. AGREEMENT. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal successors and assigns.



IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed the day and year first above written.

Approved by the
Hawaiian Homes
Commission on
September 25, 2001

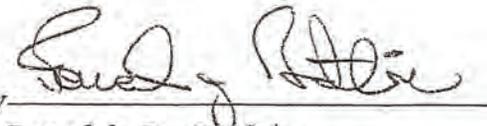
APPROVED AS TO FORM:


Deputy Attorney General
State of Hawaii

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

By 
Micah A. Kane, Chairman
Hawaiian Homes Commission

LICENSOR

By 
Donald J. Batbie

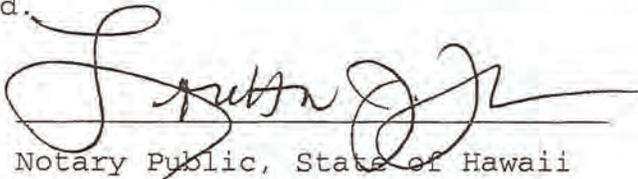
By 
Barbara B. C. Batbie

LICENSEES

STATE OF HAWAII)
) SS:
COUNTY OF MAUI)

On this 20th day of October, 2008, before me appeared Donald J. Rathie, personally known to me to be the person described herein and who executed the foregoing instrument and acknowledged that he executed the same as his own free act and deed.

J.S.


Notary Public, State of Hawaii

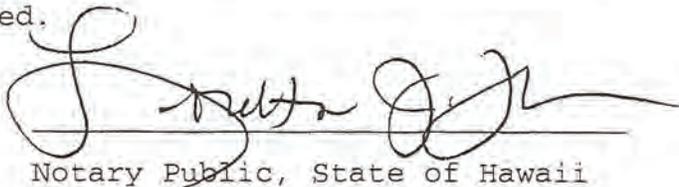
Printed Name of Notary Public _____
My Commission expires _____

LORETTA J. HOLLERN
NOTARY PUBLIC, STATE OF HAWAII
MY COMMISSION EXPIRES: 3-27-2007

STATE OF HAWAII)
) SS:
COUNTY OF MAUI)

On this 20th day of October, 2008, before me appeared Barbara B.C. Rathie, personally known to me to be the person described herein and who executed the foregoing instrument and acknowledged that she executed the same as her own free act and deed.

J.S.

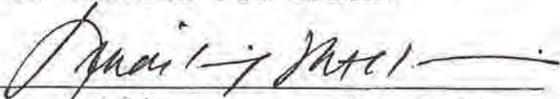

Notary Public, State of Hawaii

Printed Name of Notary Public _____
My Commission expires _____

LORETTA J. HOLLERN
NOTARY PUBLIC, STATE OF HAWAII
MY COMMISSION EXPIRES: 3-27-2007

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 16th day of November, 2004 appeared MICAH A. KANE, to me personally known, who, being by me duly sworn, did say that he is the chairman of the Hawaiian Homes Commission and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.



Notary Public, State of Hawaii

LINDALING TAT CHINN

Print Name of Notary Public

My commission expires: 12/27/2007

65

EASEMENT A-3

Being an Easement for Access and Utility Purposes

Affecting Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321). Situate at Waiohuli, Makawao, Maui, Hawaii.

Beginning at the East corner of this easement, along the Northwest side of Kula Highway (Federal Aid Project E-13-A), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI", being 1,831.72 feet South and 15,480.54 feet East and running by azimuths measured clockwise from true South:

Along the Northwest side of Kula Highway (Federal Aid Project E-13-A), on a curve to the right with a radius of 1,402.50 feet, the chord azimuth and distance being:

1. 36° 25' 47" 24.00 feet;

Thence along the remainder of Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321), on a curve to the left with a radius of 82.72 feet, the chord azimuth and distance being:

2. 115° 46' 25" 28.80 feet;

3. 105° 45' 00" 104.16 feet along the remainder of Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321);

Thence along the remainder of Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321), on a curve to the right with a radius of 73.00 feet, the chord azimuth and distance being:

4. 131° 54' 43" 64.37 feet;

EXHIBIT "A"



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

501 SUMNER STREET, SUITE 521
HONOLULU HAWAII 96817-5031

1871 WILI PA LOOP, SUITE A
WAILUKU, MAUI, HAWAII 96793

5. 238° 40' 00" 24.49 feet along Royal Patent 5548, Land Commission Award 6656, Apana 2 to Uli;

Thence along the remainder of Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321), on a curve to the left with a radius of 49.00 feet, the chord azimuth and distance being:

6. 314° 15' 19" 46.77 feet;

7. 285° 45' 00" 104.16 feet along the remainder of Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321);

Thence along the remainder of Lot 135 of the Kula Residence Lots Subdivision, Unit I (File Plan 2321), on a curve to the right with a radius of 106.72 feet, the chord azimuth and distance being:

8. 295° 50' 41" 37.41 feet to the point of beginning and containing an area of 4,684 square feet.



Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Erik S. Kaneshiro exp 04/04

ERIK S. KANESHIRO

Licensed Professional Land Surveyor
Certificate No. 9826

Honolulu, Oahu, Hawaii
January 27, 2003

TMK: 2nd Division 2-2-02: Por. 56



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

Mr. William J. Aila jr., Chairperson

October 3, 2022

Hawaiian Homes Commission

P.O. Box #1879

Honolulu, Hawaii 96805

Re: License Easement #527 (A-3) File Plan Map #2321

Aloha Chairperson Aila:

We are writing to you to ask for your help in correcting a license easement that was approved by the commission in September of 2001. This is License Easement #527 (A-3), shown on File Plan Map #2321.

My wife and I purchased a 1.83-acre lot in upcountry Kula, Maui in 1990. At that time, we used a dirt road across Hawaiian Homelands lot # 135 to access our lot. We were told that the access was not legal at the time of purchase of our lot and were advised to contact Hawaiian Homelands to try and rectify the access.

Sometime later, I contacted Ms. Carolyn Darr, land agent for the Department of Hawaiian Homelands regarding obtaining a license easement across DHHL Lot #135 to access our lot. Ms. Darr informed me that the department was going to be developing a very large residential lots adjacent to our lot. She said that she would start the process for the license easement but that I would not hear anything until they started developing the Kula Residential Lots. I spoke with her again after the contractors were doing earthwork and putting roads in.

In October of 2004, we executed the license easement and paid \$6,581.00 as fair market payment for the land that our easement encumbered. We were shown by the DHHL rep how our easement crossed DHHL Lot #135 and a gate was installed to allow us to go onto our lot.

On the same lot our license easement is on, the telephone and internet contractor, Sandwich Isles Communications sometime later built a telephone building and associated equipment for their business.

In May of this year, we decided to sell our lot in Kula. We contacted Mr. Steve Parker an upcountry realtor to list the property for us. A week or so later we received a call from Mr. Parker telling us that there was a problem with our license easement that we need to straighten out before he could list the lot for sale.

Our license easement comes in the main gate and then turns at about a forty-degree angle and goes through the Sandwich Isles Communications building, then turns again to the right and ends at the left side of DHHL Lot #135. This is contrary to what we were told back in 2004. We were told that our license easement went straight back from the entrance gate to the right rear of DHHL Lot #135. In fact, the contractor when the fencing was installed, had a twelve-foot gate installed for us to access our lot. The

ITEM NO. F-2

EXHIBIT "C"

first we heard about the license easement going through the Sandwich Isles building was in May from our realtor.

In researching the map and associated documents, I believe that I have concluded how this mistake happened. The license easement #527 (A-3) states that the license easement was approved by the Hawaiian Homelands Commission on September 25, 2001. In 2001 there was no Sandwich Isles Communications building. I believe that it was built in 2002 or 2003. In looking at File Plan Map #2321 which shows our license easement. There is nothing on this map regarding the Sandwich Isles building and structures. This map shows our license easement but nothing about Sandwich Isles.

I assume that the Engineering Surveyors that did our easement, Austin, Tsutsumi and Associates was not aware that the Sandwich Isles Communications building was going to be built on the same lot as our license easement. We did not hire Austin Tsutsumi or have any interaction with them about the easement.

In conclusion, we hope that you can help us fix this license easement that we cannot use. We are requesting that our license easement be realigned according to the two accompanying drawings that I submitted. We are willing to bear the costs to redo our easement and have it recorded as well as having the original license easement #527 (A-3) extinguished.

Mahalo for taking the time to read my letter.

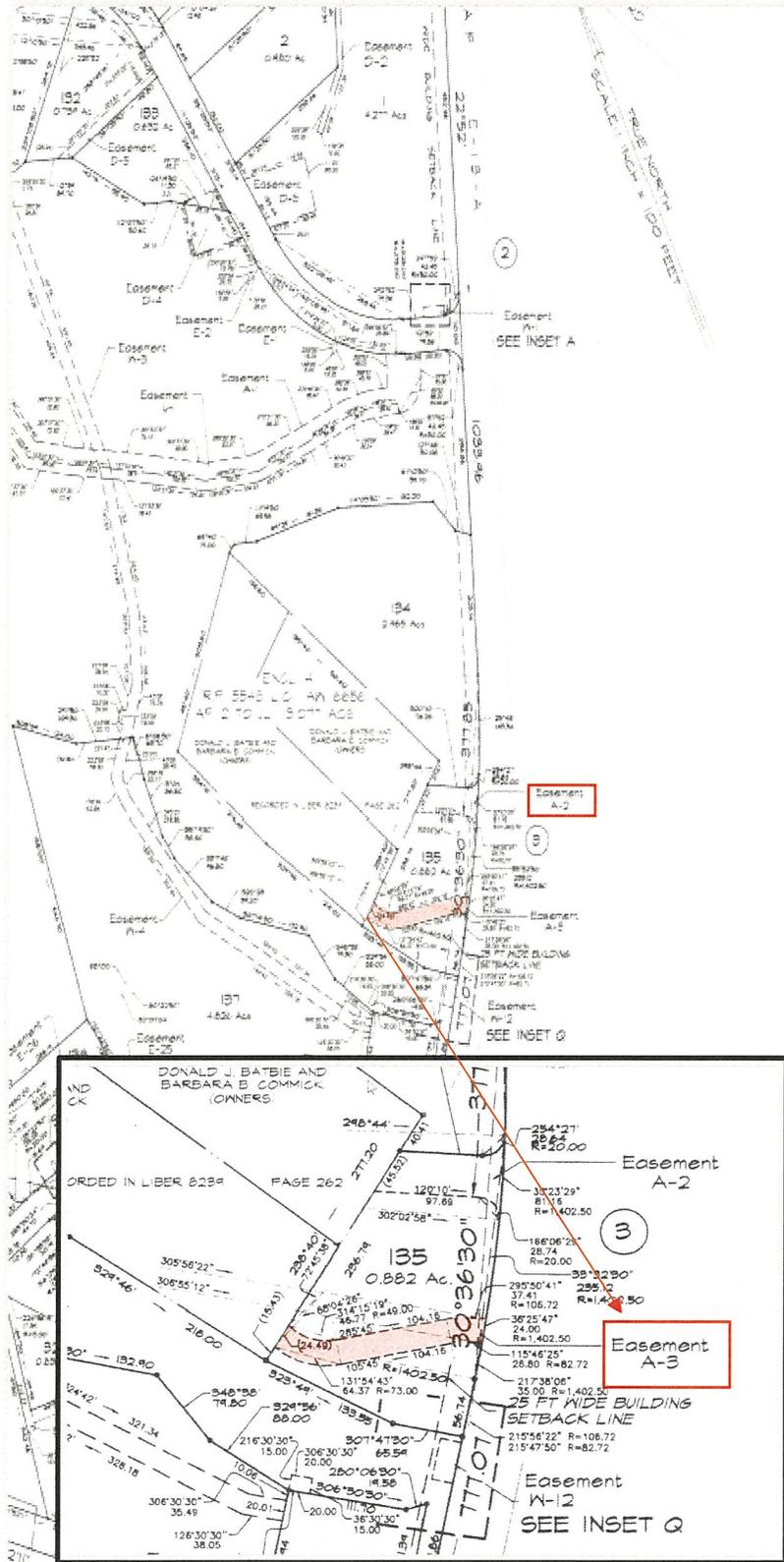
A handwritten signature in cursive script, reading "Donald J. Batbie", written over a horizontal line.

Donald J. Batbie

A handwritten signature in cursive script, reading "Barbara B. Batbie", written over a horizontal line.

Barbara B. Batbie





KULA RESIDENCE LOTS SUBDIVISION UNIT 1

LAND SITUATED ON THE NORTHWEST SIDE OF KULA HIGHWAY
(FEDERAL AID PROJECT E-13-A) AND ON THE SOUTHWEST SIDE
OF THE LAND OF KOHEO
AT WAIHULU, MAKAKAO MAUI, HAWAII

BEING THE FOLLOWING LANDS OF WAIHULU DESIGNATED
AS HAWAIIAN HOME LANDS UNDER SECTION 203 OF THE
HAWAIIAN HOMES COMMISSION ACT, 1920:

1. PORTION OF THE GOVERNMENT (CROWN) LAND OF WAIHULU;
2. PORTION OF R.P. 1506, L. C. AX. 6592, AP. 4 TO PUANA;
3. ALL OF R.P. 1506, L. C. AX. 6592, AP. 1 TO PUANA;
4. ALL OF R.P. 6536, L. C. AX. 5332, AP. 1 TO PAELE AND;
5. ALL OF R.P. 6493, L. C. AX. 6788, AP. 2 TO LIHELIELE

BEING ALSO ALL OF LOT A OF THE
WAIHULU-KEOKEA LARGE LOT SUBDIVISION

SUBDIVIDED INTO LOTS 1 TO 350 INCLUSIVE

AND

DESIGNATION OF EASEMENTS A-1 TO A-5, INCLUSIVE
EASEMENTS D-1 TO D-56, INCLUSIVE
EASEMENTS E-1 TO E-136, INCLUSIVE
EASEMENTS F-1 TO F-6, INCLUSIVE
EASEMENTS S-1 TO S-7, INCLUSIVE
EASEMENTS W-1 TO W-21, INCLUSIVE
AND EASEMENTS U-1 AND U-2,

AND

DELINEATION OF 25 FT. WIDE BUILDING SETBACK LINE
ALONG THE NORTHWEST SIDE OF KULA HIGHWAY (F.A.P. E-13-A)
AFFECTING LOTS 1, 134, 135, 136, 532 AND 546

GROSS AREA = 694,206 ACRES

LESS EXCLUSIONS 1, 2, 3 AND 4 = 19,339 ACRES

NET AREA = 664,867 ACRES

OWNER: DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII

ADDRESS: A-11 Place, 12th Floor
1049 Aieha Street
Honolulu, Hawaii 96813

This map was made from an actual survey on the ground
made by or under the direct supervision of the undersigned
between September, 1993 and September, 1995 and may
be checked by the State Surveyor with our field books
and calculations and north-sheets referenced to job leader
M-23-610

AUSTIN TSUTSUMI AND ASSOCIATES, INC.

501 BANNER STREET
SUITE 501
HONOLULU, HAWAII 96813

FEBRUARY 28, 2002



Austin Tsutsumi
AUSTIN TSUTSUMI
LICENSED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NUMBER 120

**ITEM NO. F-2
EXHIBIT "D"**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission

Thru: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 
Stewart Matsunaga, Acting Administrator 
Land Development Division
Andrew Choy, Manager 
Planning Office

From: Shelly Carreira, Land Agent 
Land Management Division
Julie-Ann Cachola, Planner
Planning Office

Subject: Approval of Recycled Water Allocation Agreement and Issuance of License as Easement to County of Maui, Department of Environmental Management, Honokōwai, Maui
TMK: (2)4-4-002:018 (por.)

APPLICANT:

County of Maui, Department of Environmental Management "LICENSEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission grants approval to the following:

A. Recycled Water Allocation Agreement (Agreement) to be executed by and between the Department of Hawaiian Home Lands (DHHL) and the County of Maui, Department of Environmental Management.

Approval and issuance of the Agreement shall be subject to the following conditions:

1. In exchange for cash payment for license easements, the County of Maui, Department of Environmental Management agrees to provide 500,000 gallons per day of Recycled Water Allocation to DHHL for DHHL's R-1 water demand for agriculture use on DHHL lands in Honokōwai, West Maui;
2. The Hawaiian Homes Commission delegates authority to the Chairman of the Hawaiian Homes Commission to negotiate the terms and execute the Agreement;
3. The Agreement will be subject to the review and approval by the Office of the Attorney General, State of Hawaii; and

4. The Agreement shall be subject to other terms and conditions deemed prudent and necessary by the Hawaiian Homes Commission.

B. That the Hawaiian Homes Commission (HHC) approve the issuance of a perpetual, non-exclusive license for easement to County of Maui, Department of Environmental Management for purposes of widening the existing roadway and infrastructure connecting the County of Maui's Lahaina Wastewater Reclamation Facility to its Honokōwai Reservoir property and drainage improvements for a total land area consisting of approximately 2.575 acres or 112,000 square feet (more or less) on that certain Hawaiian home lands parcel situated in Honokōwai, Island of Maui, identified more specifically by Tax Map Key No. (2) 4-4-002:018 (por.) as delineated on Exhibit "A".

Approval and issuance of this license shall be subject to the following conditions, but not limited to:

1. The term for this license shall be in perpetuity, effectively commencing upon full execution by the respective parties;
2. LICENSEE shall use the premises strictly for access and utility purposes, which shall include the right to construct, install, modify, repair, maintain and operate LICENSEE'S access and utilities over, across and under the easement area and also including the right to remove, trim and keep trimmed any vegetation, shrubbery, bushes, trees and rocks within the easement area;
3. Execution of the license for easements is subject to the full execution of the Recycled Water Allocation Agreement made and entered by and between the Department of Hawaiian Home Lands and the County of Maui, Department of Environmental Management;
4. LICENSEE shall not undertake any construction or improvements whatsoever on the licensed premises until LICENSOR has reviewed and approved the plans in writing (which approval shall not be unreasonably withheld or delayed);
5. LICENSEE shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals;
6. LICENSEE shall pay the standard non-refundable processing and documentation fee of \$175.00;
7. LICENSEE shall comply with all applicable governmental laws, rules, regulations, and procedures relating to the operation and activities under this license;
8. LICENSEE shall keep and maintain the premises and any and all equipment and personal properties of LICENSEE upon the premises in a strictly clean, neat, orderly and sanitary condition, free of waste, rubbish and debris and shall provide for the safe and sanitary handling and disposal of all trash, garbage and other refuse resulting from its activities on the premises;
9. LICENSEE shall exercise due care and diligence to prevent injury to persons and damages to or destruction of property belonging to DHHL;
10. Entry under the license is limited to LICENSEE'S employees, agents, and subcontractors solely for the purposes stated herein;
11. LICENSEE shall be responsible for the security of the premises and all of LICENSEE'S

personal property thereon;

12. The license document shall be subject to other standard terms and conditions of similar documents issued by DHHL and will be subject to the review and approval by the Office of the Attorney General, State of Hawaii; and
13. The license shall be subject to other terms and conditions deemed prudent and necessary by the Hawaiian Homes Commission.

LOCATION:

Portion of Hawaiian Home Lands situated in Honokōwai, Island of Maui, identified as Tax Map Key: (2)4-4-002:018 (See Exhibit "A")

AREA:

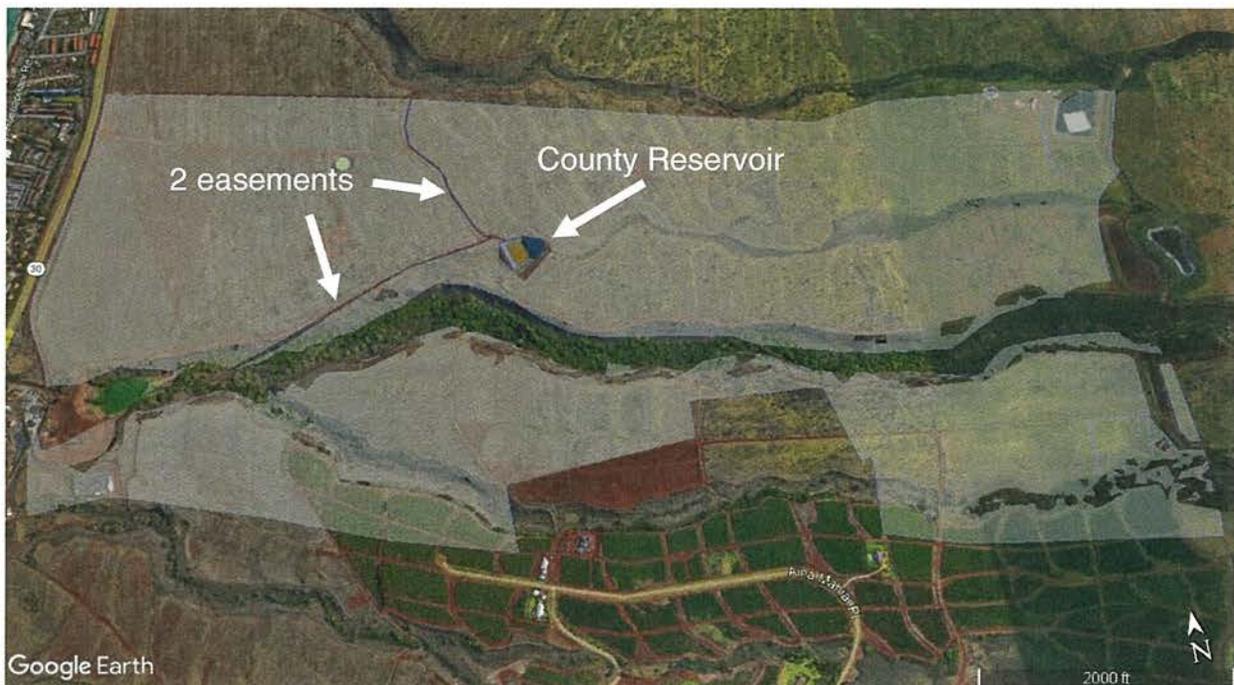
Non-Exclusive Easement Area: 112,000 square feet or 2.575 acres (more or less)

Table 1. Requested Uses and Acreages

USE	ACREAGE (more or less)
1. Roadway and Waterline Infrastructure	1.910
2. Drainage Improvement – Trapezoidal Cutoff Ditch	0.665
TOTAL ACREAGE	2.575

DISCUSSION:

The Department of Hawaiian Home Lands (DHHL) acquired the subject parcel from the Department of Land and Natural Resources (DLNR) in 1995 which is part of the DHHL’s Honokōwai tract (also comprised of TMKs (2) 4-4-002:003 and 008). The County of Maui’s Honokōwai Reservoir property, TMK: (2) 4-4-002:019 is situated within the center of DHHL’s Honokōwai lands and includes two narrow rights of way easements that extend outward from the reservoir.



Since the Hawaiian Homes Commission Act did not set aside any land in West Maui, there was a lot of excitement and interest in Honokōwai. In 2003, DHHL contracted Kimura International, Inc. to work with beneficiaries to develop a master plan for the tract. The project proposed up to 1,000 residential lots, kupuna housing, a commercial area and spaces for community centers, health care facilities, a school, churches and open space on 800 acres. However, after the completion of the plan, DHHL acquired land in the Villages of Leali'i near Lahaina Civic Center which provided an opportunity to develop residential homesteads within a developing community. As a result, DHHL's focus shifted from Honokowai to Leiali'i.

In 2019, DHHL re-engaged beneficiaries to update the Honokōwai Master Plan. This time, since Leiali'i was developing residential homesteads, DHHL looked at how Honokōwai could address the agricultural wait list. DHHL surveyed the Maui Agricultural Wait List to get updated information regarding the demand for homestead types and to identify desired types of development, community, and other uses. DHHL conducted a series of beneficiary outreach and consultation meetings where beneficiaries could discuss the pros and cons of various development alternatives. In January 2022, DHHL published the Final Environmental Assessment/Finding of No Significant Impact for the DHHL Honokowai Master Plan.

At its May 2021 meeting, the state Commission on Water Resource Management (CWRM) approved a DHHL surface water (water from streams) reservation request of 2.0 MGD to meet DHHL's foreseeable future irrigation water demand for its lands in Honokōwai. The DHHL 2.0 mgd surface water reservation would be serviced by the Honokohau Ditch from the Honokohau Stream. However, in the CWRM approval of DHHL's surface water reservation, CWRM strongly encouraged DHHL to utilize R-1 water from the DEM treatment plant to fulfill part of DHHL's irrigation water demand as utilization of R-1 water would minimize the amount of water DHHL would need to divert from streams and better protect in-stream uses. As such, a major recommendation in the Honokōwai Master Plan was to explore opportunities to utilize R-1 water from the County system.

The DHHL recognizes the need for recycled (R1) water to support DHHL's Honokōwai development. The DHHL and DEM are working towards an agreement wherein the DEM would provide a recycled water allocation to the DHHL from the County's Honokōwai Reservoir in exchange for the license. Through negotiations, DHHL and DEM reached an agreement of an initial allocation of 500,000 Gallons Per Day (GPD) of recycled water from DEM to DHHL. A draft copy of the R-1 water agreement is attached as Exhibit "B". In exchange for the 500,000 GPD allocation, the County of Maui would receive a license for the areas described in Exhibit "A". DHHL has determined the 500,000 GPD of recycled water allocation suitable for servicing Phase I of DHHL's Honokōwai subsistence agriculture lot development. The 500,000 GPD reservation is 25 percent of DHHL's total projected water demand of 2 MGD for non-potable water uses in Honokōwai. This initial agreement does not preclude DHHL from requesting additional R-1 water from DEM in the future. Additionally, as previously mentioned, DHHL has a surface water (streams) reservation from CWRM of 2 MGD and is another source of irrigation water for DHHL's Honokōwai lands.

DHHL will be responsible for installation, connection, and reclaimed water service fees, pursuant to applicable County Codes in order to access water from the County DEM system.

PLANNING AREA:

Honokōwai

LAND USE DESIGNATION:

Recommended for Residential, General Agriculture, Community Use, Industrial, Commercial Use, Supplemental Agriculture, Maui Island Plan (2004), Figure 5-12 – Honokōwai Land Use Plan, Maui Land Inventory

CURRENT STATUS:

DEM currently operates and maintains its Honokōwai Reservoir site located on TMK: (2) 4-4-002:019. Vacant and Fallow - Development, pursuant to DHHL’s Honokōwai Master Plan.

CHARACTERER OF USE:

Roadway and infrastructure development.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Honokōwai Master Plan, Final Environmental Assessment, prepared for Department of Hawaiian Home Lands by PBR Hawaii & Associates, Inc. (2022-02-08-MA-FEA)

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

Maui Island Plan (2004)
Water Policy Plan (2014)
Villages of Leiali‘i and Honokōwai Regional Plan (2009)
Honokōwai Master Plan (2022)

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities and community services in a native Hawaiian-friendly environment.
- Develop improved relationships with the Counties to ensure reliable and adequate delivery of services to homesteaders

Water Resources

Goals:

- Provide access to quality water in the most cost-effective and efficient manner
- Ensure the availability of sufficient water to carry out Hawaiian Home Lands’ mission.

Objectives:

- Establish water partnership arrangements.

Land and Resource Management

Goals:

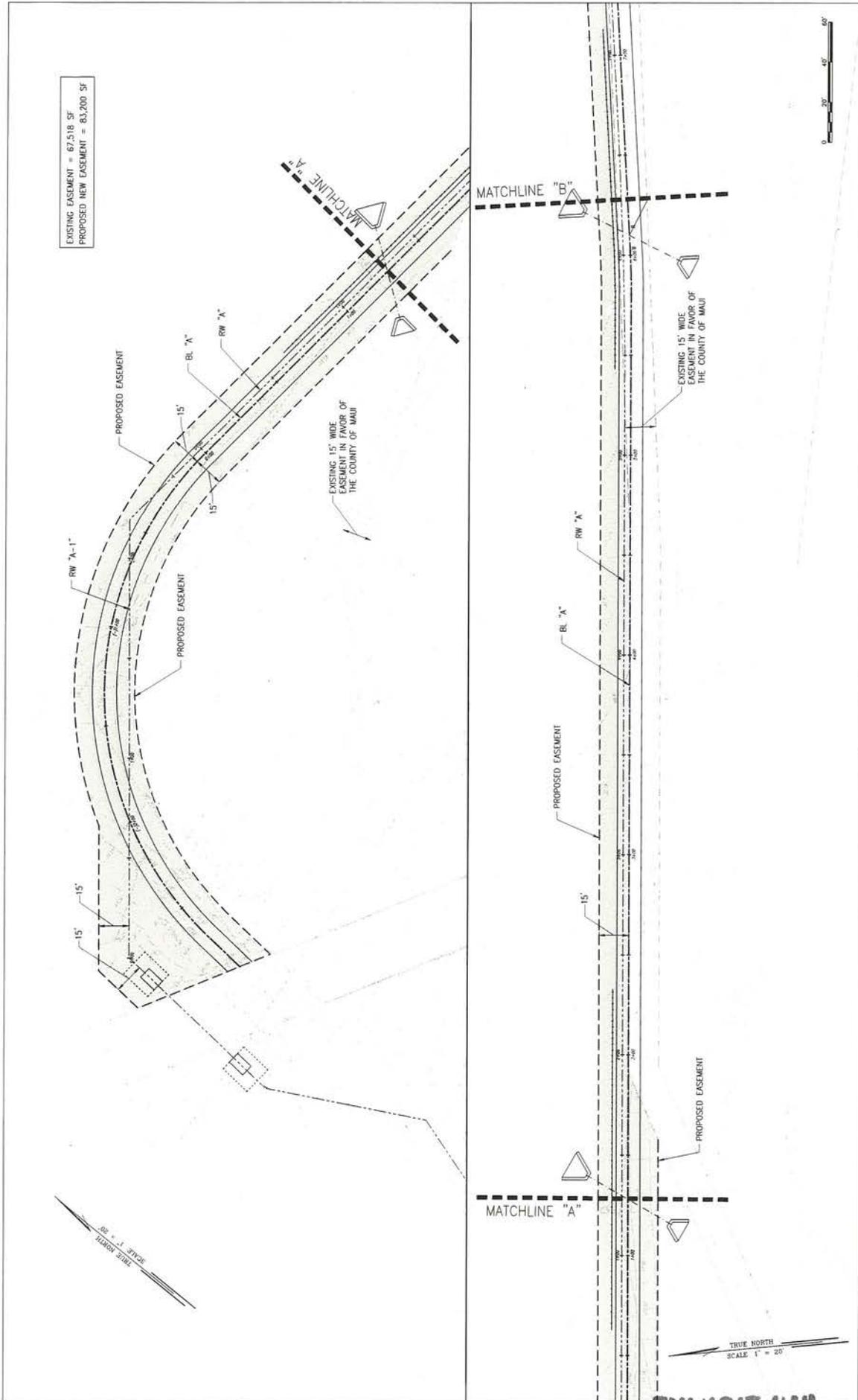
- Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands.

Objectives:

- Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.

RECOMMENDATION:

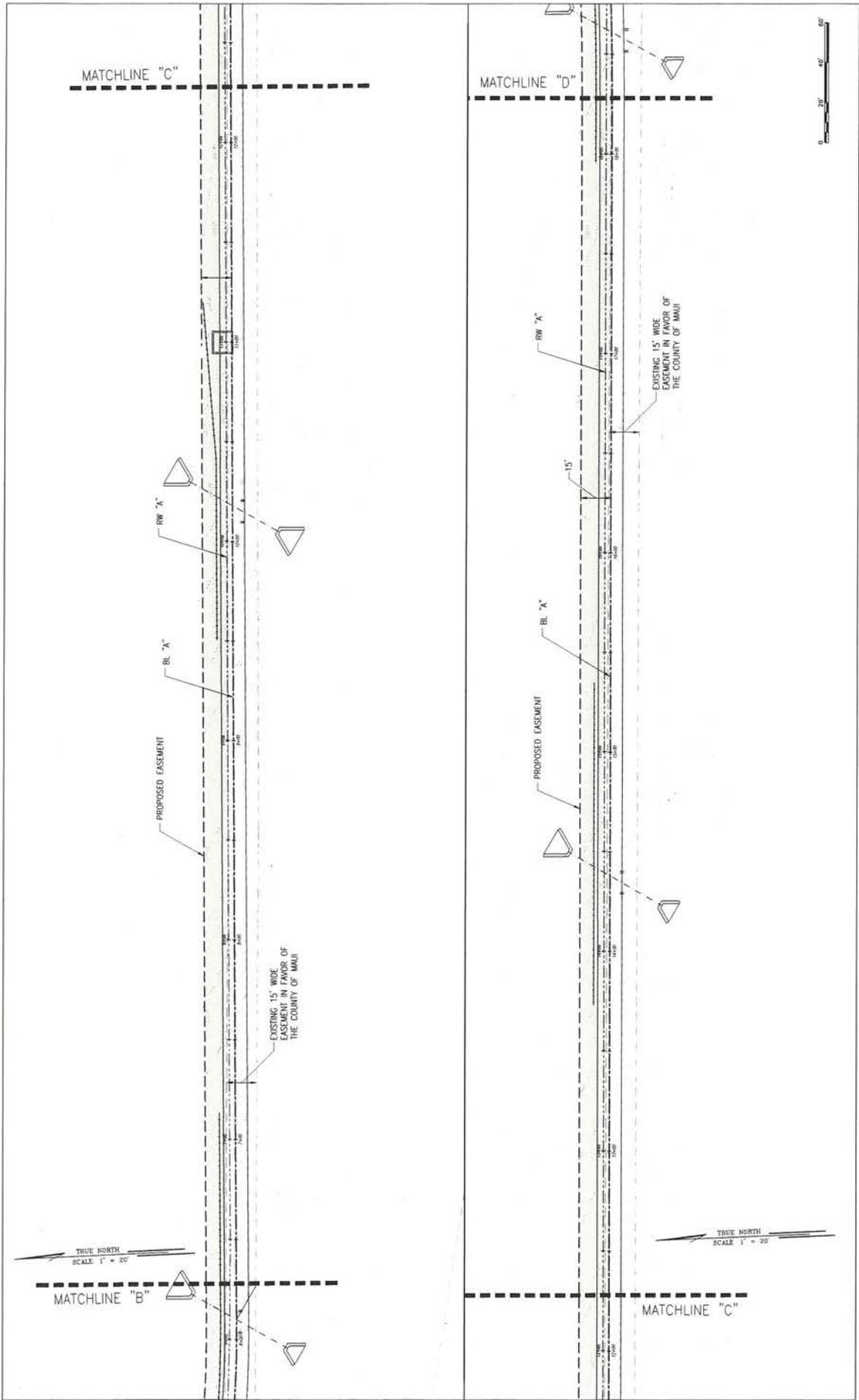
DHHL staff respectfully request approval of the motion as stated.



West Maui Recycled Water Expansion
 Access Road Repair

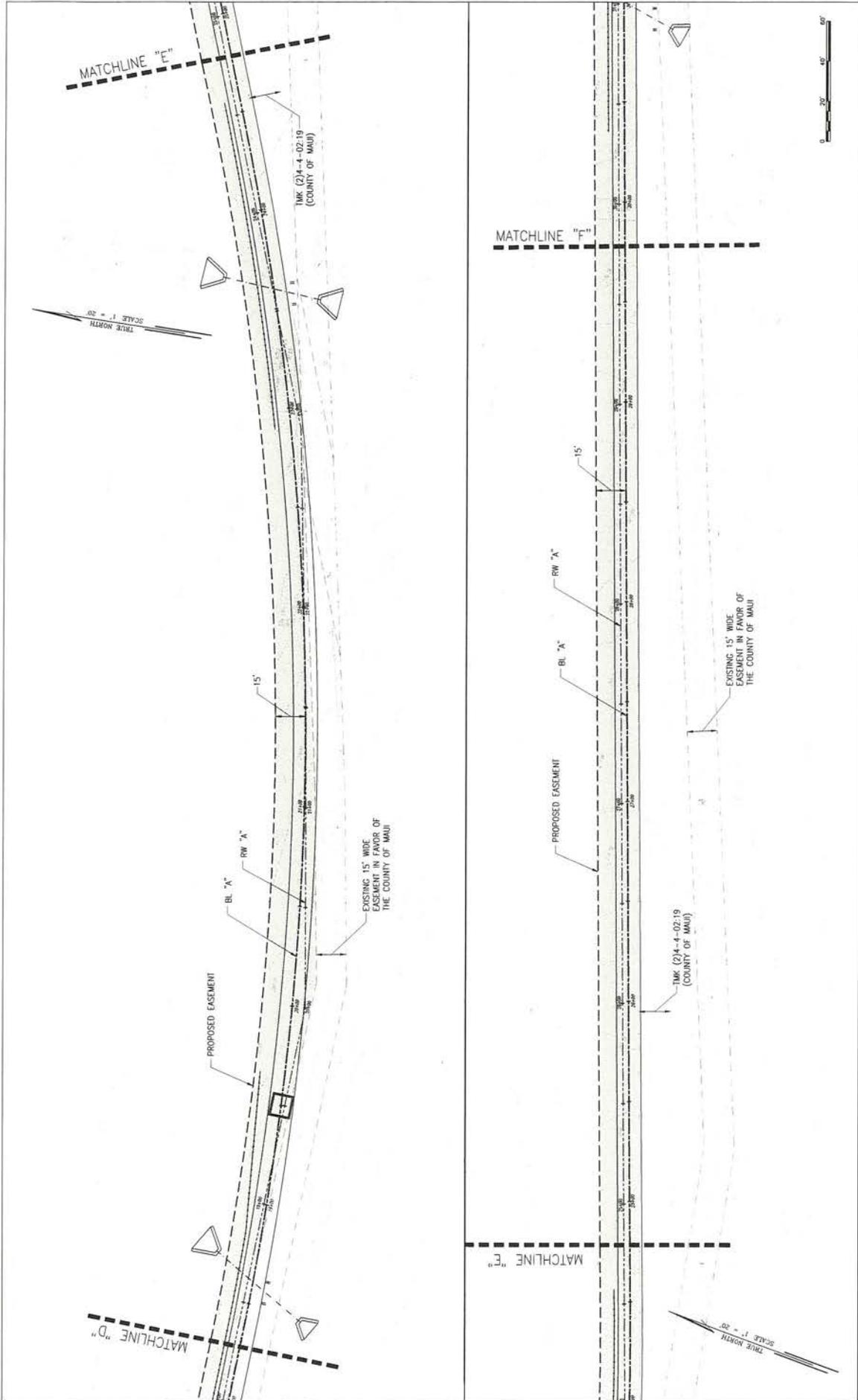
PROPOSED EASEMENT PLAN (1 OF 4)

EXHIBIT "A"
ITEM NO. F-3



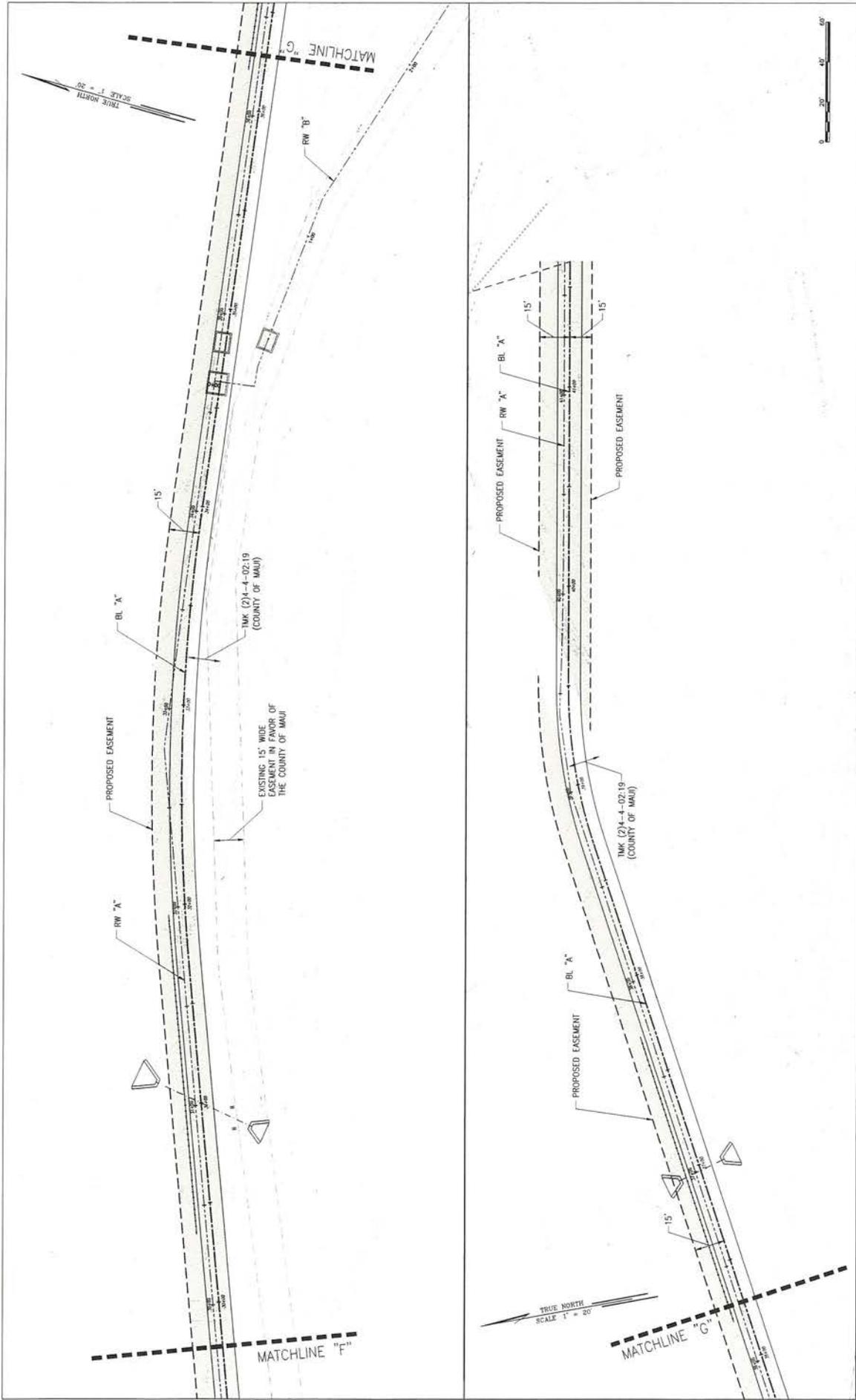
PROPOSED EASEMENT PLAN (2 OF 4)

West Maui Recycled Water Expansion
Access Road Repair



West Maui Recycled Water Expansion
 Access Road Repair

PROPOSED EASEMENT PLAN (3 OF 4)

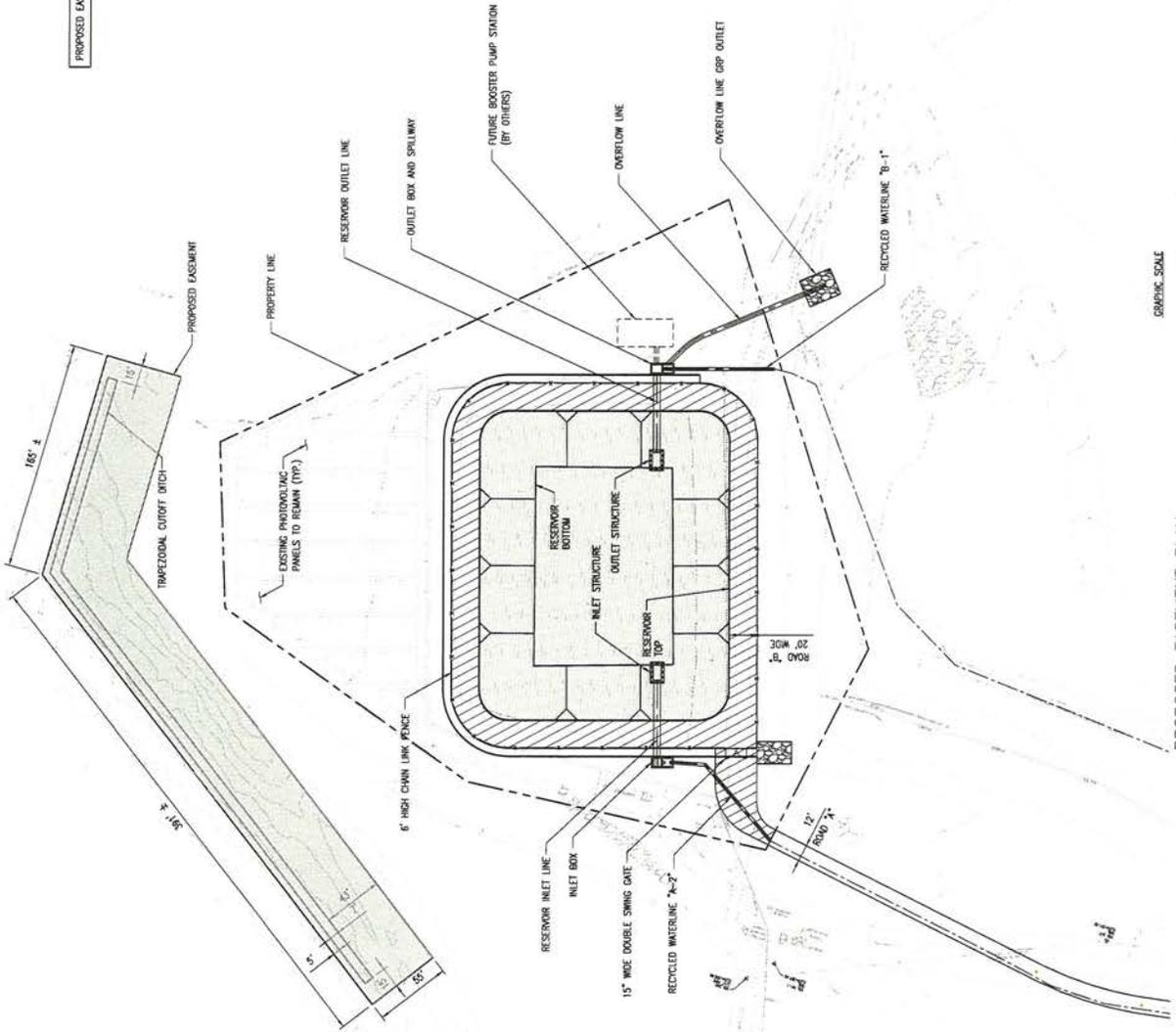


West Maui Recycled Water Expansion
 Access Road Repair

PROPOSED EASEMENT PLAN (4 OF 4)



PROPOSED EASEMENT 20,000 SF



GRAPHIC SCALE
 0 40' 80' 120'
 SCALE: 1"=40'-0"

- LEGEND:
- RESERVOIR COVER AND LINER
 - RESERVOIR CREST (ROAD 20') AND DRIVEWAY
 - TOP BANK
 - BOTTOM BANK

PROPOSED EASEMENT PLAN

RECYCLED WATER ALLOCATION AGREEMENT

THIS AGREEMENT made this _____ day of _____, by and between the DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, COUNTY OF MAUI, whose principal place of business and post office address is 2145 Kaohu Street, Suite 102, Wailuku, Maui, Hawaii, 96793, hereinafter called "County", and DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII, whose principal place of business is 1099 Alakea Street, Suite 2000, Honolulu, Hawaii 96813, and whose post office address is P.O. Box 1879, Honolulu, Hawaii 96805, hereinafter called "DHHL",

WITNESSETH

WHEREAS, the DHHL plans to develop 1,128 lots/units and various community, commercial and industrial developments within a master planned community project at Lahaina, Maui, Hawaii, known as "DHHL Honokōwai Master Plan", Tax Map Key No's. (2) 4-4-001:015, (2) 4-4-002:003, 008, 009, 011, 015, 018 and 038, as further described in Exhibit "A" attached hereto and made a part hereof ("Project"); and

WHEREAS, the existing wastewater treatment capacity at the Lahaina Wastewater Treatment Facility ("Facility") is approximately 9.0 million gallons per day (mgd), actual flows into the Facility and R-1 availability are approximately 4.4 million gallons per day and current peak recycled water usage in the West Maui area is less than 2.0 million gallons per day; and

WHEREAS, the County wishes to provide recycled water for beneficial uses

and minimize injection well use for disposal of any unused recycled water; and

WHEREAS, the County intends to construct recycled water system improvements which include a new recycled waterline from the Lahaina Wastewater Reclamation Facility to the existing Honokowai Reservoir, improvements to the Honokowai Reservoir, the construction of a maintenance area at the reservoir, the construction of drainage improvements, the construction of a stormwater diversion berm above the reservoir, and related water system improvements, hereinafter referred to as the West Maui Recycled Water Expansion Phase XXX; and WHEREAS, the County is planning to expand the recycled water system from the Honokowai Reservoir to the County's existing reservoir at the 730 foot elevation level; and

WHEREAS, the County is requesting easements from DHHL for a portion of the West Maui Recycled Water Expansion Project Phase XXX improvements, as well as future waterline improvements between the Honokowai Reservoir and the County's 730 foot elevation reservoir, and.

WHEREAS, the DHHL is requesting an allocation of R-1 water be reserved for the DHHL's Honokowai Master Plan development (PROJECT).

WHEREAS, it is in both the County and DHHL interests to pursue this agreement as it will mutually benefit both parties and both parties will continue to discuss water access points and optimal method to deliver water to DHHL lands.

NOW, THEREFORE, in consideration of the recitals hereinabove set forth and the mutual covenants hereinafter contained, the parties hereby agree as follows:

1. The DHHL will be granted a reserved allocation of R-1 Recycled Water of an amount of 500,000 gallons per day through December 31, 2030. If 500,000 gallons

per day is utilized by DHHL, then DHHL use of R-1 water can continue in perpetuity.

2. In the event the DHHL is not completely using an average of 500,000 gal/day of the R-1 recycled Water as anticipated during the year prior to the expiration date noted above, the County may utilize any remaining DHHL R-1 water allocation for other uses. This will not prevent the DHHL from using additional water if it is available.

3. The County shall be granted an easement(s) by DHHL to construct, own and maintain the recycled water improvements for the West Maui Recycled Water Expansion Project Phase 2 & 3 as further described in Exhibit B and Exhibit C, a future waterline between the Honokowai Reservoir and the County's 730' elevation reservoir to be installed adjacent to the existing and will be granted an additional 15' width to the existing easement as further described in Exhibit D.

4. Recycled water made available to the Project shall be used within all common-owned landscape areas (traffic medians, parks, etc.), commercial properties, schools, multi-family developments, agricultural lots and other acceptable properties as (1) allowed by the State of Hawaii Department of Health (DOH) Recycled Water Guidelines, Volume 2, as amended; and (2) can be accommodated with adequate R-1 water supply and water pressure.

5. The DHHL shall design and build a distribution system within the project to serve its properties. Each user shall be required to connect to the recycled water system at the expense of the user and/or DHHL, utilize the recycled water, and pay any applicable recycled water fees as established by County of Maui Revised Ordinance Chapter

20.30.080. DHHL recognizes that the County system can provide water but may not provide adequate pressure for each lot in the development.

6. The County shall put forth its best efforts to supply water daily to its permitted users. In the event that recycled water is not available due to equipment failures, plant upsets, necessary construction projects, lack of source water or other issues related to the treatment of wastewater, the County shall not be liable for any adverse effects to any recycled water user.

7. The County shall provide R-1 water as defined by the State of Hawaii Department of Health (DOH) Recycled Water Guidelines, Volume 1. Physical/chemical properties of the water (chloride levels, pH, etc.) required to be altered for specific uses within the Project shall be born by the users.

8. This agreement does not impose a promise or requirement that further improvements between the Honokowai reservoir and the Upper Lahaina Reservoir be completed by any specified date or at all.

9. This agreement is binding upon, and shall inure to the benefit of the parties, and their respective successors and assigns. No other person or entity shall be a beneficiary under this Agreement.

10. Neither party may assign its interest in this agreement without the prior written consent of the other party, which consent shall not be unreasonably conditioned, delayed or withheld and provided that any DHHL assignee shall first execute an addendum in form reasonably satisfactory to the County whereby such assignee agrees to assume legal responsibility for each and all of DHHL's obligations under this

agreement.

11. Either party may request an extension or amendment to this agreement. Any modification of this agreement shall be done by an instrument in writing signed by both parties.

[The rest of this page is intentionally left blank. The next page is the signature page]

DRAFT

IN WITNESS WHEREOF, the parties have duly executed this Agreement
as of the date and year first above written.

COUNTY OF MAUI

By: _____
Michael Victorino
Its: Mayor

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

By: _____
William J. Aila Jr.,
Its: Chairman

APPROVAL RECOMMENDED:

Eric A. Nakagawa
Director of Environmental Management

APPROVED AS TO FORM:

Deputy Attorney General

Name Printed: _____

APPROVED AS TO FORM AND LEGALITY:

RICHELLE THOMSONN
Deputy Corporation Counsel
County of Maui

S:

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this _____ day of _____, 20____, before me personally appeared MICHAEL VICTORINO, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the County of Maui, a political subdivision of the State of Hawaii, and that the seal affixed to the foregoing instrument is the lawful seal of the said County of Maui, and that the said instrument was signed and sealed on behalf of said County of Maui pursuant to Section 7-5.11 and Section 9-18 of the Charter of the County of Maui; and the said MICHAEL VICTORINO acknowledged the said instrument to be the free act and deed of said County of Maui.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public, State of Hawaii

Print Name: _____

My commission expires: _____

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this _____ day of _____, 20____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public, State of Hawaii

Print Name: _____

My commission expires: _____

EXHIBIT A – DHHL Honokowai Master Plan Map

EXHIBIT B – Waterline Easement Exhibit

EXHIBIT C – Diversion Berm Easement Exhibit

EXHIBIT D – Recycled Waterline Expansion to 730' Reservoir Easement Exhibit

DRAFT

Honokōwai Beneficiary Community Master Plan

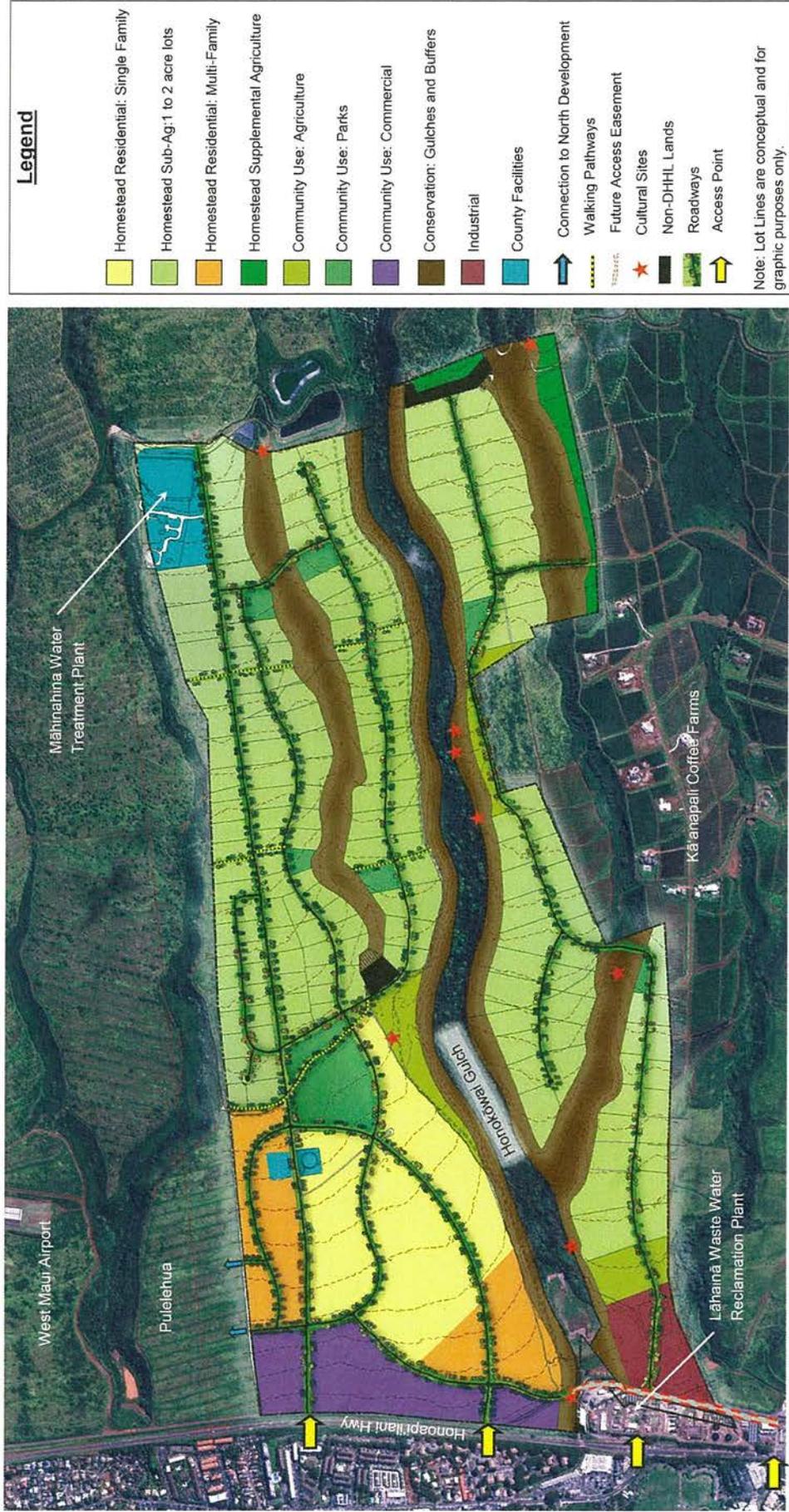
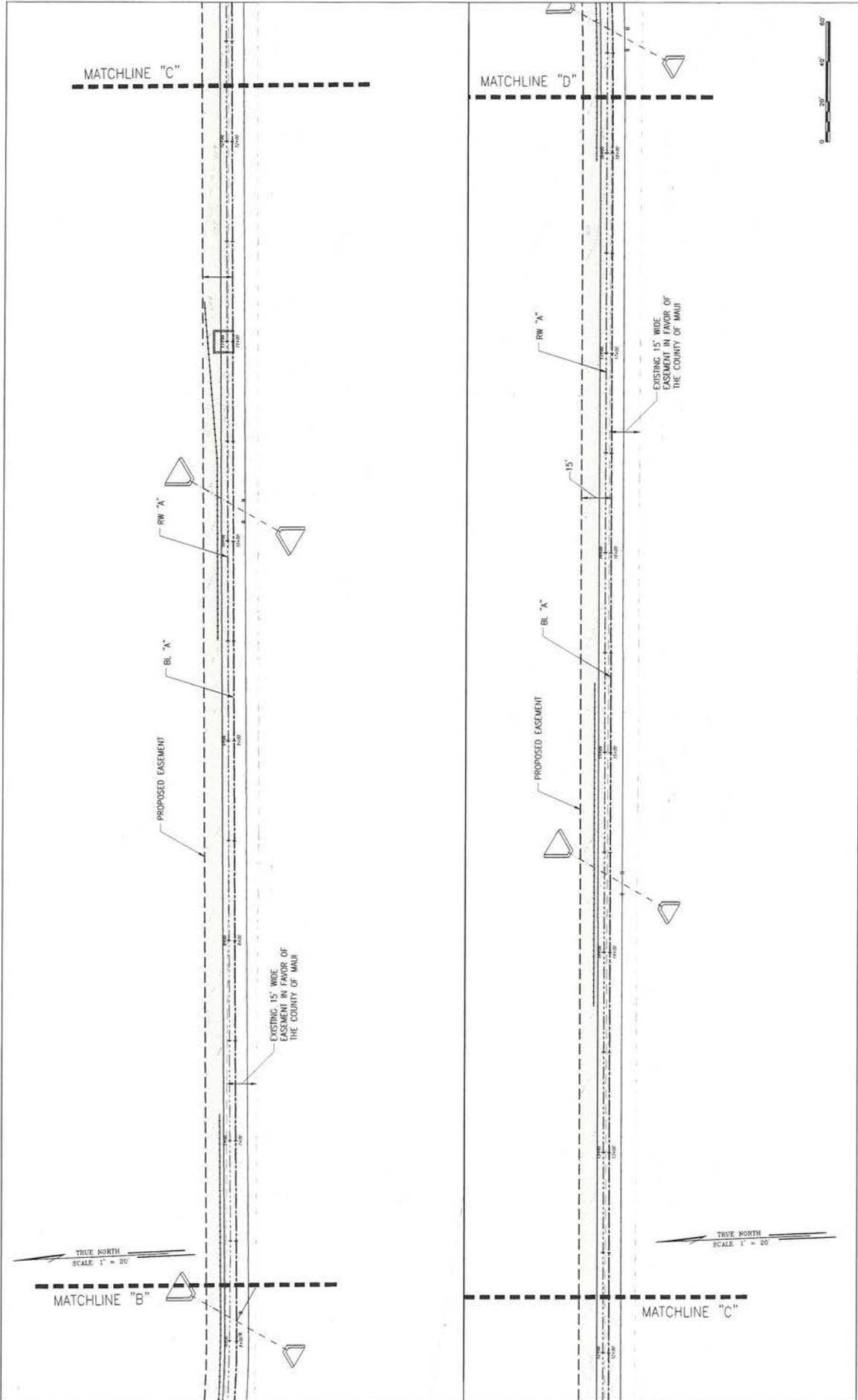


Figure No. 11: Illustrative Site Plan

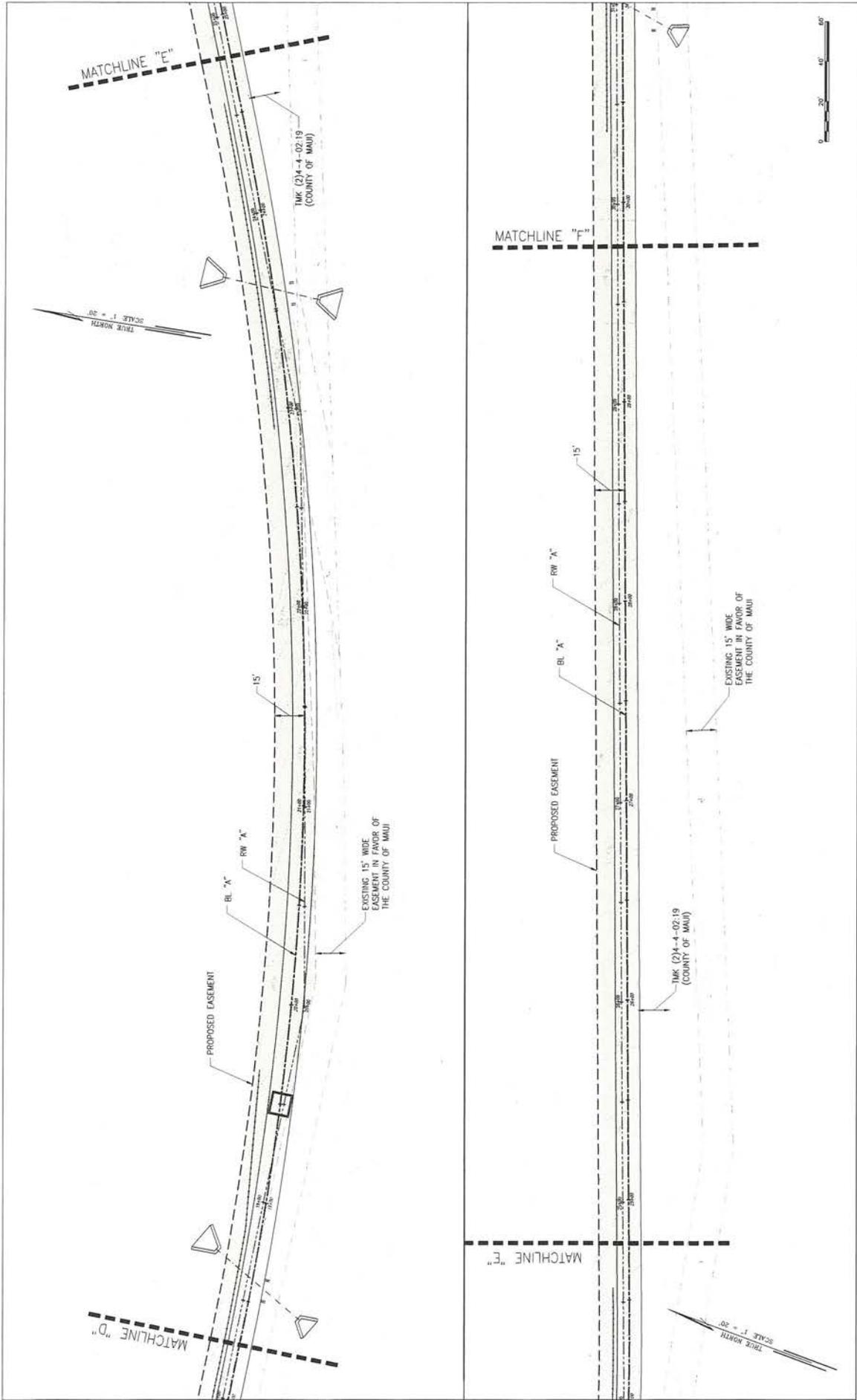
11-2-21



West Maui Recycled Water Expansion
Access Road Repair

PROPOSED EASEMENT PLAN (2 OF 4)

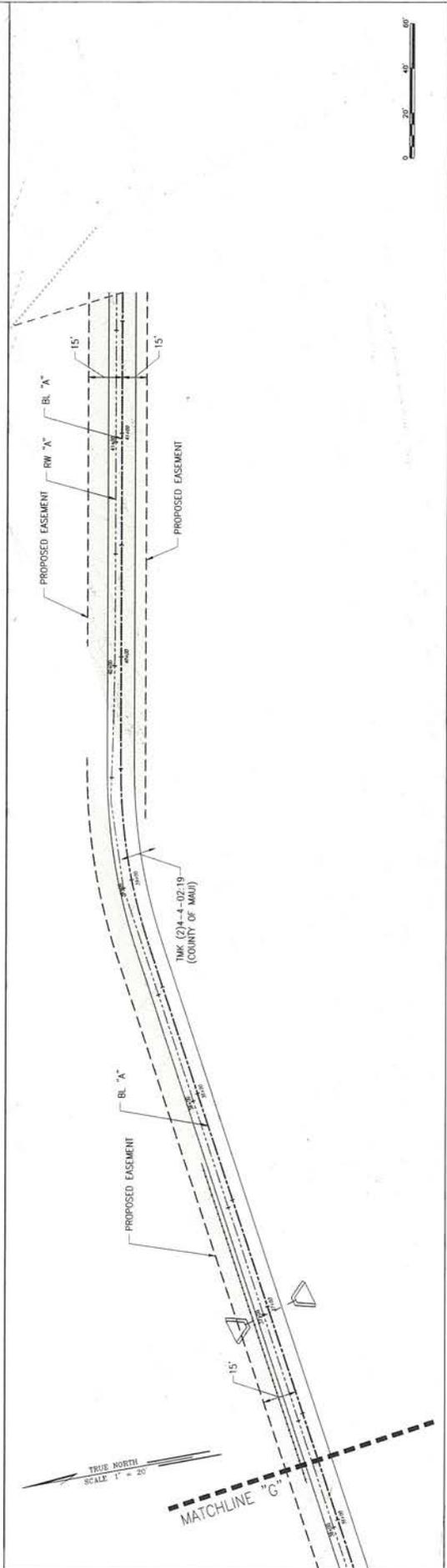
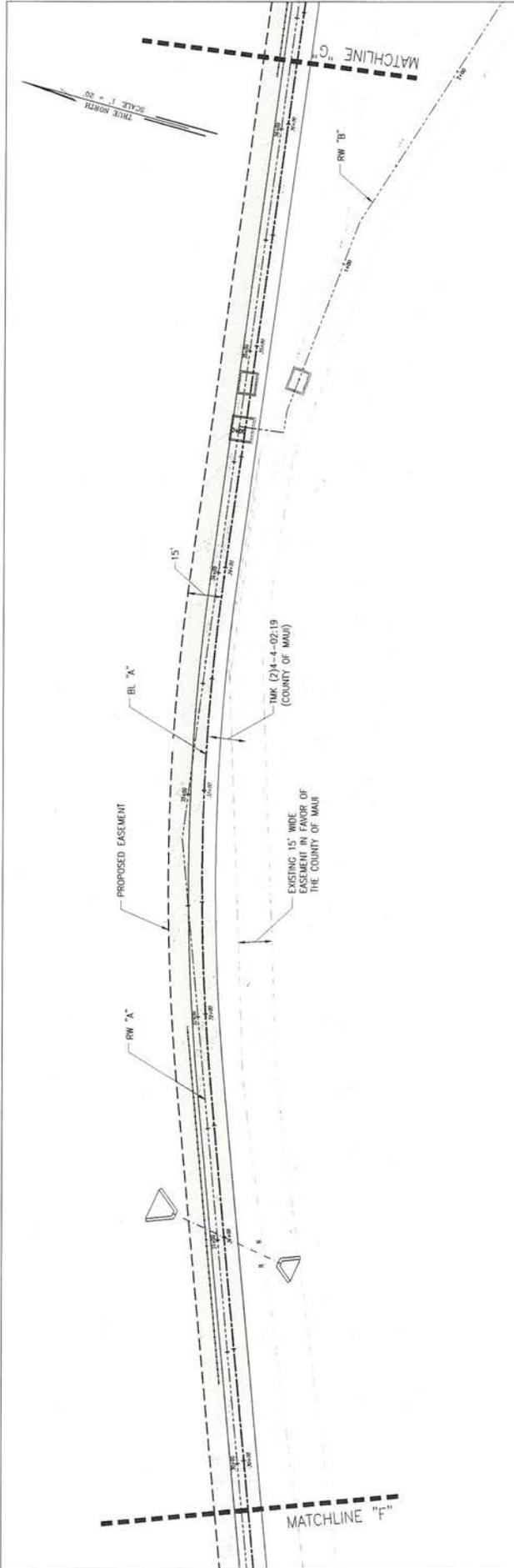
Exhibit B-2' - WATERLINE EASEMENT



West Maui Recycled Water Expansion
Access Road Repair

PROPOSED EASEMENT PLAN (3 OF 4)

Exhibit 'B-3' - WATERLINE EASEMENT



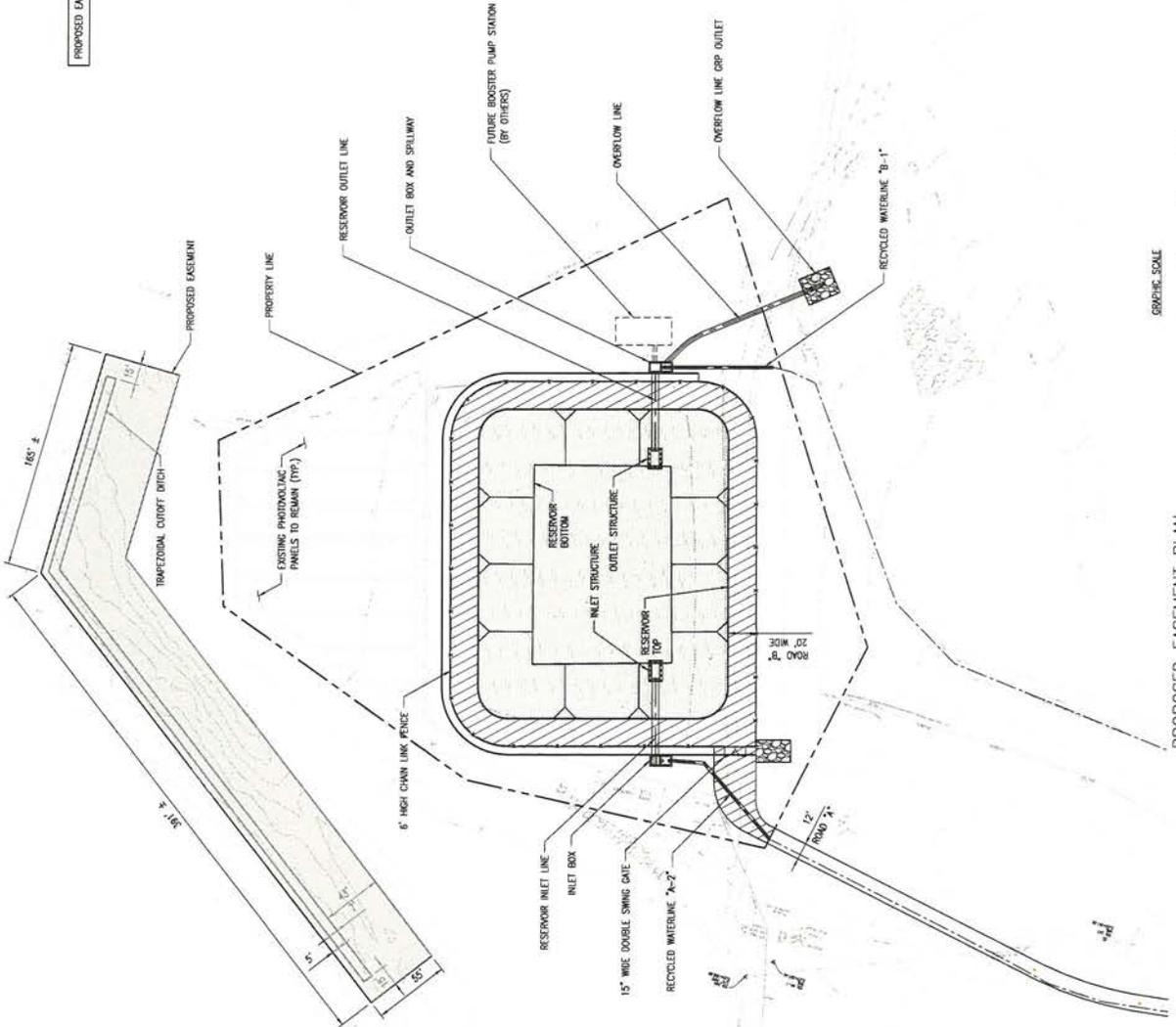
West Maui Recycled Water Expansion
Access Road Repair

PROPOSED EASEMENT PLAN (4 OF 4)

Exhibit 'B-4' - WATERLINE EASEMENT



PROPOSED EASEMENT 21,000 SF

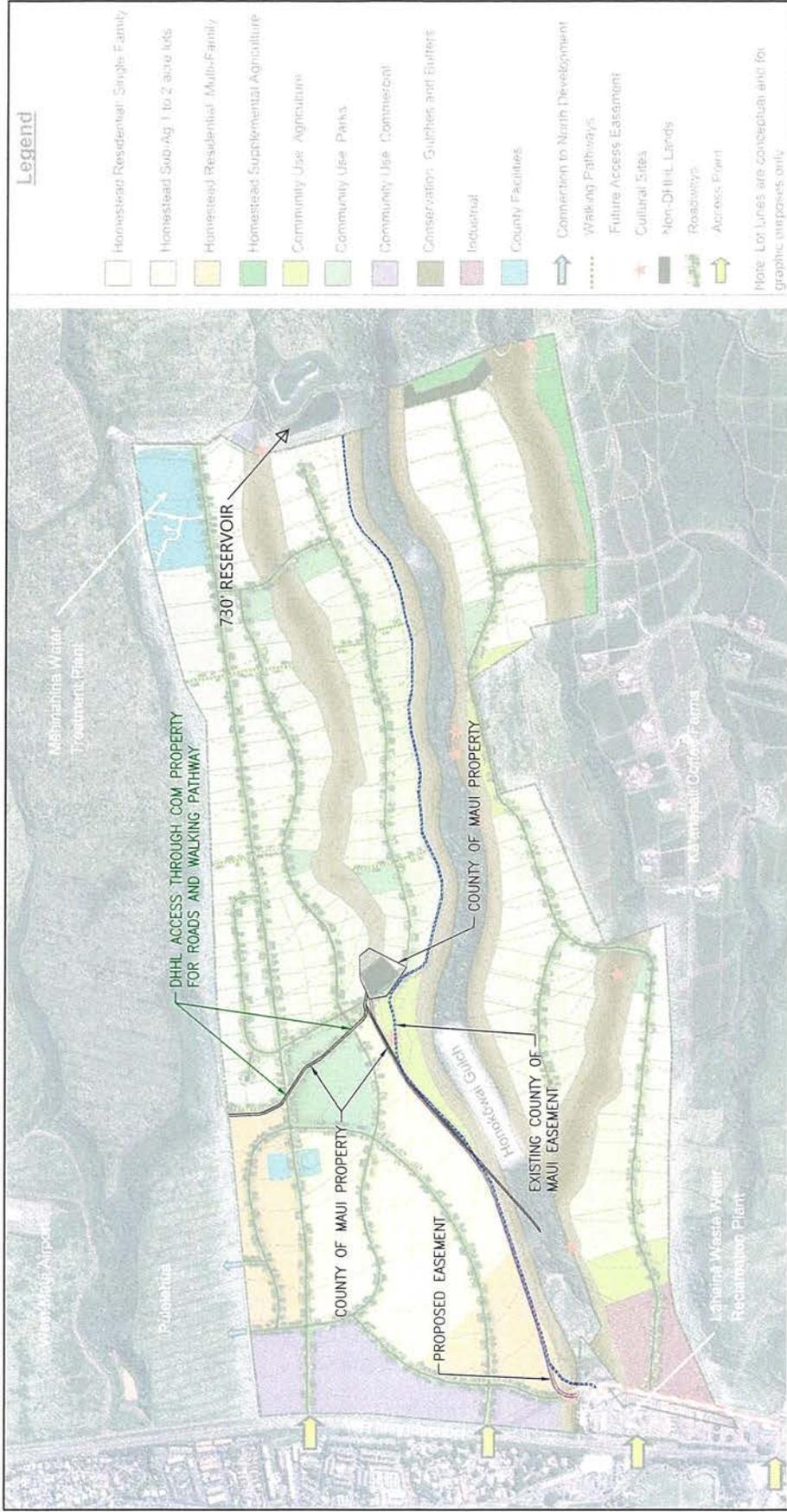


- LEGEND:
- RESERVOIR COVER AND LINER
 - RESERVOIR CREST (ROAD "B") AND DRIVEWAY
 - TOP BANK
 - BOTTOM BANK

GRAPHIC SCALE
 0 40' 80' 120'
 SCALE: 1"=40'-0"

PROPOSED EASEMENT PLAN

ENR-117-C



BACKGROUND IMAGE: Honokaa Beneficiary Community Master Plan - Illustrative Site Plan
 NOTE: Locations are approximate. Figure is for discussion purposes only.

WEST MAUI RECYCLED WATER EXPANSION
 COORDINATION BETWEEN DHHL AND COUNTY OF MAUI WASTEWATER RECLAMATION DIVISION
 FIGURE 1

Exhibit 'D' - Recycled Waterline Expansion to 730' Reservoir Easement

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

**G – ITEMS
PLANNING OFFICE**

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew H. Choy, Planning Program Manager *AC*
Subject: Adoption of the DHHL General Plan Update 2022

Recommended Action

1. That the Hawaiian Homes Commission adopts the DHHL General Plan Update 2022 to provide comprehensive direction and guidance to the Department of Hawaiian Home Lands (Exhibit B Draft Final Plan and Appendices Exhibit C) and;
2. Authorize dissemination of the DHHL General Plan Update and Appendices via the DHHL website.

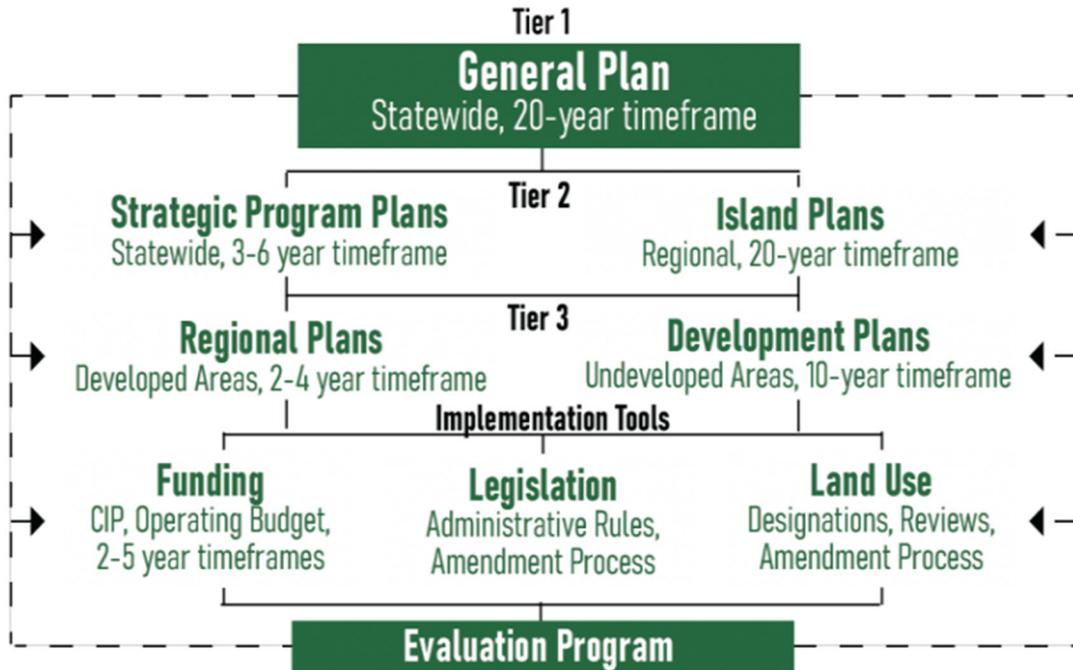
Discussion

Prior to this meeting, there were four presentations to the Commission on the General Plan update at various points in the planning process. The first was in February 2021, to announce the project and provide an overview of the plan development process. The second was in October 2021, to provide an overview of beneficiary consultation results and an update on the plan process. The third was in July 2022, to present the Draft Plan and announce the final round of beneficiary consultation, and the fourth presentation was in October 2022 to present the pre-final draft General Plan Update and allow Commission members a month to review the draft final plan prior to deciding on whether to adopt the draft final plan as final. No substantive changes were made to the draft final General Plan Update (Exhibit B) and General Plan Update Appendices (Exhibit C) since the October 2022 HHC meeting.

Background

Hawaii Administrative Rules (HAR) 10-4-51 establishes the DHHL Planning System (Figure 1). The latest update to these rules took effect in August 2018. The purpose of the DHHL Planning System is to further the objectives of the Hawaiian Homes Commission Act (HHCA) by systematically coordinating the management of Hawaiian Home Lands and programs in a manner that is comprehensive, consistent, and collaborative. The Planning System establishes a three-tier hierarchy of plans. Tier 1 is the top tier consisting of the DHHL General Plan. Tier 2 and Tier 3 are the lower tiers that are guided by the General Plan and have more specific geographic and/or programmatic focusses.

Figure 1 DHHL Planning System



Tier 1 of the Planning System contains the General Plan, which identifies long-term goals, articulates a vision, and organizes priorities for DHHL and the Hawaiian Homes Commission. The General Plan sets the foundation for all the programs, policies, and plans of the Department which are then implemented through available funding, federal and state legislation, and DHHL Development Plans.

Per HAR 10-4-55, the General Plan at a minimum shall:

1. Establish a uniform system of Land Use Designations that all Island Plans shall use;
2. Establish the relationship between land use designations and the applicable types of land dispositions;
3. Establish criteria to identify suitable lands for homesteading;
4. Establish criteria to determine available lands not required for homesteading within the planning period;
5. Establish criteria to identify lands for revenue generation;
6. Establish criteria to identify lands for community use and policies to govern how the community could manage such lands for community building;
7. Establish level of service standards for infrastructure and community facilities, or specify a program plan or methodology to develop such standards; and
8. Specify indicators to measure progress and evaluate effectiveness in meeting policy goals.

GENERAL PLAN UPDATE SCHEDULE

The HHC adopted the first DHHL General Plan in 2002 (Exhibit B). Per HAR 10-4, the DHHL General Plan must be updated at least once every 20 years. Additionally, the existing 2002 DHHL General Plan does not meet the new requirements of HAR 10-4 enacted in August 2018. As such, DHHL initiated the process to update its General Plan in the fall of 2020. The update process began in September 2020, with anticipated conclusion in Fall of 2022. The time of performance for the initial contract was twenty (20) months. A contract amendment was executed in September 2021 extending the time of performance twelve (12) months to May 31, 2023. It is anticipated that the Final General Plan Update will be presented to the Hawaiian Homes Commission for adoption in November 2022. Key components of the project scope and updates to the project schedule are summarized herein.

BACKGROUND RESEARCH

Background research, interviews, and a series of policy topic white papers were completed as part of the General Plan update process to document key developments and explore policy issues that have emerged or evolved since the 2002 General Plan:

- A background research memo was completed in December 2020 that synthesized the findings of research related to HHCA, DHHL and the General Plan. The memo documents key events and developments shaping its history, evaluates the performance of goals and objectives in the 2002 General Plan and summarizes findings around key issues, gaps, and considerations that should be addressed in the General Plan Update. The Memo is included as an Appendix to the draft Plan.
- As part of background research, the project team conducted interviews with two former Department chairs as well as current and former staff. These interviews informed the project team's understanding of historical and current policy developments and helped to assess lessons learned since the last DHHL General Plan.
- The project team prepared four white papers focusing on topic areas that had emerged or evolved since the 2002 General Plan and where further research and analysis was needed to inform General Plan policy development. The white papers also addressed General Plan criteria specified under HAR §10-4-55. White Papers were completed for the following topics:
 - o Climate Change
 - o Land Use
 - o Infrastructure
 - o Monitoring and Evaluation

The White Papers are included as Appendices to the Draft Final General Plan (Exhibit C).

INVESTIGATIVE COMMITTEE

An investigative committee of the Hawaiian Homes Commission was appointed on August 18, 2020. In accordance with HRS § 92-2.5(b), the members of the investigative committee include Randy K. Awo, Russell K. Ka'upu, Zachary Z. Helm, and William Aila, Jr., Chair. Initially, the investigative committee's work was

expected to be completed over a series of five meetings spread out over the course of a 20-month planning process. The initial assumption of five meetings was based on conducting five full-day in-person meetings. However, due to COVID-19 gathering restrictions, the investigative committee meeting format and frequency was changed to more frequent and shorter virtual meetings (approximately two hours per meeting).

To date, the investigative committee has met on the following dates in November 2020, December 2020, January 2021, July 2021, March 2022, twice in April 2022, twice in September 2022, and October 2022. During the investigative committee meetings, members advised the Planning Office and project team on plan development, including background research, identification of policy issues, development of vision and policy updates, and stakeholder engagement.

The investigative committee reviewed and provided feedback on drafts of the General Plan as well as white papers and draft goals, policies, and metrics. For the draft final General Plan Update, the Investigative Committee discussed all policies that received mixed feedback and comments during beneficiary consultation and reviewed final policy revisions. It is the finding of the Investigative Committee that the draft Final DHHL General Plan is reflective of the policy areas that DHHL needs to address over the course of the next 20-years and therefore the recommendation of the Investigative Committee is that the Commission consider adopt the DHHL General Plan Update at its next regular meeting.

BENEFICIARY CONSULTATION

Three rounds of beneficiary consultation were held during General Plan Update process. Traditionally, beneficiary consultation meetings on statewide initiatives such as the General Plan have been conducted via in-person meetings held on each island. However, due to COVID-19 restrictions, the first two rounds of beneficiary consultation were conducted virtually via Zoom. The third round of beneficiary consultation was held statewide with

eight in-person open-houses coinciding with the release of the Beneficiary Review Draft of the General Plan Update.

DHHL also hosted a virtual "open house" during all three rounds of beneficiary consultation. The virtual open house websites provided an overview of the information presented during the beneficiary meetings and opportunities for beneficiaries to submit comments and feedback on the General Plan topics covered in each round. The virtual open houses were hosted on the project website, which is linked to from DHHL website.

The results of the first two rounds of beneficiary input were presented to the Hawaiian Homes Commission at the July 2022 HHC meeting. Summaries of beneficiary input received during each consultation meeting are also included on the DHHL website at:
<https://dhhl.hawaii.gov/po/general-plan-2022/>.

ROUND 3 BENEFICIARY CONSULTATION - IN-PERSON OPEN HOUSES

The third round of beneficiary consultation coincided with the release of the draft General Plan in August 2022. The purpose of this round of consultation was to provide beneficiaries the opportunity to review and comment on the vision, guiding principles, goals and policies included in the draft General Plan Update. This final round of consultation consisted of an online open house and eight in-person open houses statewide(see Table 1 below).

Table 1 Round 3 Beneficiary Consultation Schedule

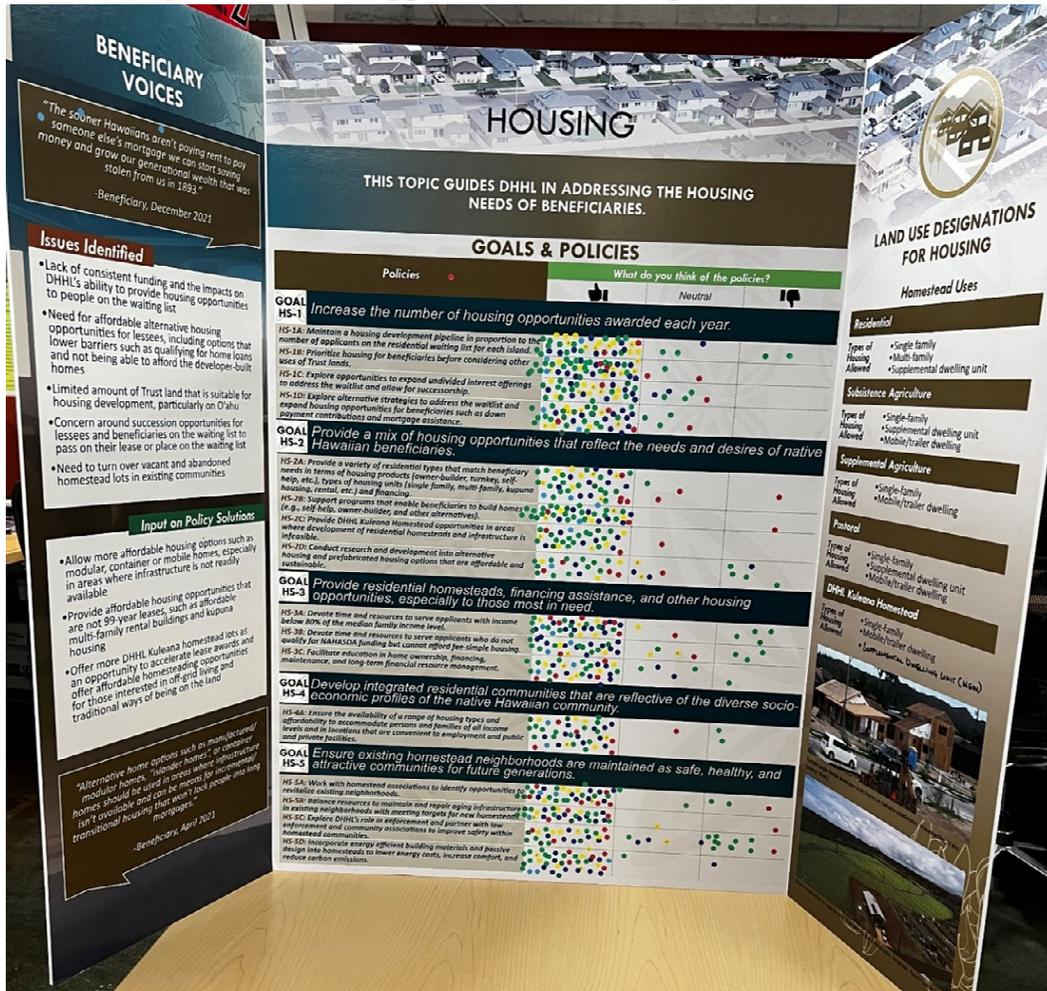
Island - Location	Date, Time	Venue
O`ahu - Kapolei	Thu., 8/4/22 6-8 PM	DHHL - Hale Pono`i (Kapolei)
Lāna`i - Lāna`i City	Sat., 8/6/22 11 AM-1 PM	Lāna`i Elementary/ High School
East Hawai`i - Hilo	Mon., 8/8/22 6-8 PM	Keaukaha Elementary
West Hawai`i - Waimea	Tue., 8/9/22 6-8 PM	DHHL - Kūhiō Hall (Waimea)
Moloka`i - Kaunakakai	Sat., 8/13/22 11 AM-1 PM	DHHL - Kūlana `Ōiwi (Kaunakakai)
Kaua`i - Līhu`e	Wed., 8/17/22 6:30-8:30 PM	King Kaumuali`i Elementary
Maui - Kula	Thu., 8/18/22 6-8 PM	Waiohuli Homestead Assoc. Community Center
O`ahu - Honolulu	Mon., 8/22/22 6-8 PM	Stevenson Middle School

Each open house presented the same interactive and informative displays organized in three main sections: orientation, policy stations, and resource table.

The orientation station included an orientation video summarizing the General Plan purpose, the update process, draft vision and guiding principles, and information on the virtual open house. Poster boards summarizing this information were also presented at this station. Comment cards were available for beneficiaries to submit written comments on the vision & guiding principles.

Policy stations covered the seven policy topics included in the Beneficiary Review Draft, providing summaries of previous input received from beneficiaries on each topic, the applicable land use designations and allowable uses, and tables with draft goals and policies. Attendees were invited to place dots indicating whether or not they supported each policy. Comment cards were also available for beneficiaries to submit written comments on the goals and polices.

Figure 2 Interactive poster board with beneficiary sticker dots indicating level of support for draft policies



The resource table included hard copies of the Beneficiary Review Draft General Plan Update as well as QR codes linking to the draft plan with online commenting capabilities & draft plan appendices, information on the \$600 million legislative funding allocated to DHHL, and waitlist information.

A total of 223 beneficiaries attended the eight in-person meetings. Based on the information provided on the open house sign-in sheets, 69 attendees were lessees, 61 we applicants, 25 were both lessees and applicants, and 68 did not respond.

The online open house had 489 unique users visit the

website and a total of 2,985 page views during the open period between July, 18, 2022 through September 22, 2022.

The input and comments received in Round 3 beneficiary consultation was overall overwhelmingly supportive of the Draft General Plan vision, guiding principles, goals, and policies. The draft policies that received mixed support in dot voting and substantive comments were revisited in consultation with the investigative committee.

DRAFT FINAL GENERAL PLAN UPDATE

Due in part to the updated HAR 10-4-55 criteria outlining what is required in the General Plan, this General Plan update includes several components that were not present in earlier General Plans. These include an updated land use framework for use across all DHHL plans, that establishes land use designations, identifies allowable land uses and land dispositions for each designation, and articulates criteria for applying land use designations and providing appropriate levels of infrastructure.

This General Plan is also the first to include a Vision statement, representing where the Department, beneficiaries, and the Trust would like to be in 2040, and Guiding Principles, representing the values that need to be embraced to achieve the vision. The General Plan update also includes measurable metrics for each policy and a new section on implementation and monitoring with reporting guidelines to track progress toward the vision, goals, and policies to enhance accountability and transparency. Finally, this General Plan is the first to consider the impacts of climate change. It includes a discussion of climate change considerations for each policy topic.

Some of the goals and policies have been carried forward from the 2002 General Plan, and others have been modified or replaced to represent current conditions and priorities of the Trust and its beneficiaries.

As a vision-based document, all goals and policies in the Draft Final General Plan flow from the Vision. They are

intended to be carried out in accordance with the Guiding Principles, with progress measured and reported using metrics. The components of the General Plan policy framework include:

- Vision: Describes the desired outcome in 20 years.
- Guiding Principles: Broad themes that articulate key values that the Department should uphold and advance in implementing the Vision.
- Goals: General descriptions of desired outcomes for each policy topic.
- Policies: Specific guidelines or actions called for to achieve the Goals.
- Metrics: How progress on the Vision, Goals and Policies will be measured.

The Draft Final General Plan Update includes 10 chapters, beginning with two introductory and background sections:

1. General Plan Overview
2. Framework, Vision, and Guiding Principles

These are followed by seven chapters providing policy direction along with specific goals, policies, and metrics for the Department in the following topic areas:

3. Land Use and Water Resources: How DHHL determines appropriate uses for trust lands and water resources.
4. Infrastructure: How DHHL provides infrastructure to homestead developments, including level of service recommendations for different land use designations and contexts.
5. Housing: How DHHL addresses the housing needs of its beneficiaries.
6. Food Production: How DHHL manages its lands to support food production through homestead leases and other means.
7. Healthy Communities: How DHHL fosters beneficiary communities that are self-sufficient, healthy, resilient, and grounded in cultural knowledge and traditions.
8. Natural and Cultural Resource Management: How DHHL stewards and manages lands that are undeveloped or have ecological and cultural resources.

9. Revenue Generation and Economic Development: How DHHL generates revenue to support the continued advancement of native Hawaiians and provides economic opportunities for beneficiaries on Trust lands.

Climate change considerations are also addressed in each policy topic chapter.

Implementation, monitoring, and evaluation of the Plan is covered in Chapter 10. This section acknowledges the challenges DHHL has faced in terms of funding, resources, and consistent support from the legislature over the years. It introduces a monitoring and evaluation framework for tracking and reporting progress on implementation.

SUMMARY OF REVISIONS TO BENEFICIARY REVIEW DRAFT

While the feedback received during round was overwhelmingly supportive, with the majority receiving 100% supportive or neutral votes, a handful of received more mixed support. Each policy that received mixed support during beneficiary consultation was revisited and discussed by the Investigative Committee.

Table 2 summarizes these policies, the revisions made (where applicable) and rationale for each decision. Changes to policies are noted in the revised policy column; deleted text is shown with ~~striketrough~~. New text is underlined. Relevant beneficiary input as well as the rationale for the policy revisions are summarized in their respective columns.

SEE TABLE 2 BEGINNING ON PAGE 12.

Recommended Action

Staff respectfully asks that the Hawaiian Homes Commission approve the recommended action as previously stated.

Table 2 – Summary of Draft Final General Plan Policy Revisions

Original Draft Policy	Revised Policy for Final Draft	Beneficiary Comments	Rationale for Revisions
GOAL LU-1	Utilize Hawaiian home lands for uses most appropriate to meet the needs and desires of the beneficiary population.		
<p><u>POLICY LU-1C</u> Consider opportunities to acquire or exchange for lands best suited for purposes of the Hawaiian Homes Commission Act.</p>	<p>Consider opportunities to acquire or exchange lands best suited for purposes of the Hawaiian Homes Commission Act, <u>including increasing homesteading opportunities for native Hawaiians.</u></p>	<ul style="list-style-type: none"> • Concern that exchanged or acquired lands not being accessible or used for Hawaiians. • Prioritize lands that can be built with homesteads. • Only exchange or acquire land suitable for homesteads. 	<ul style="list-style-type: none"> • Commission has a range of responsibilities, so keeping purposes of the HHCA in the language is important. • Good to add increasing homesteading opportunities to speak to beneficiary comments.
GOAL LU-4	Responsibly steward and manage Hawaiian home lands not planned for development within the Island Plans in a manner that is culturally grounded, environmentally sound, and maintains opportunities for future uses.		
<p><u>POLICY LU-4C</u> Establish a standardized process for partnering with organizations to facilitate access to and responsible management of undeveloped Hawaiian home lands.</p>	<p>Establish a standardized process for partnering with <u>organizations sponsoring projects aligned with the Trust</u> to facilitate access to and responsible management of undeveloped Hawaiian home lands.</p>	<ul style="list-style-type: none"> • Limit the applicants to Native Hawaiian organizations. • Having other organizations coming in to manage areas for DHHL is not acceptable. • Allow access to religious/cultural practices – no gates. 	<ul style="list-style-type: none"> • There are situations where DHHL does not have authority or ability to manage lands (e.g., hunting) and must use partnerships. • Saying “aligned with the Trust” is broad enough to not limit partnerships, and ensures they benefit Trust and beneficiaries.
<p><u>POLICY LU-4D</u> Obtain funding for hiring qualified staff to develop and communicate protocol and kuleana for accessing undeveloped Hawaiian home lands.</p>	<p>Obtain funding for hiring qualified staff to develop and communicate protocol and kuleana for accessing undeveloped Hawaiian home lands <u>with non-homesteading land use designations. Qualifications and training should address the ability to work with beneficiaries, build</u></p>	<ul style="list-style-type: none"> • Staffing needed to implemented GP policies. • Not just about manpower but hiring people who care and are able to work with beneficiaries, build relationships, and can follow through on commitments. 	<ul style="list-style-type: none"> • Communities have come to commissioners asking for better guidance and rules on this and it was heard in prior beneficiary consultation as well. • Commissioners noted that this should apply not just to “undeveloped” lands, but to all. Added “non-homesteading” to

Table 2 - Summary of Draft Final General Plan Policy Revisions

Original Draft Policy	Revised Policy for Final Draft	Beneficiary Comments	Rationale for Revisions
	<u>relationships, and follow through on commitments.</u>		description to broaden the scope to all lands not designated for homestead leases.
<p><u>POLICY LU-4E</u> Obtain funding to hire staff and establish a branch for enforcement of unauthorized activities and uses on Hawaiian Home Lands.</p>	<p>Obtain funding to hire staff and establish <u>an enforcement and compliance division to better manage possible unauthorized criminal, administrative, and civil matters</u> on Hawaiian Home Lands.</p>	<ul style="list-style-type: none"> • Hire homestead beneficiaries for enforcement, not staff. 	<ul style="list-style-type: none"> • Hiring homestead beneficiaries for enforcement who are not DHHL staff not feasible. • Many homestead communities have come to commissioners asking for help addressing criminal activities and lease violations in community. • Issues go beyond criminal activity – lease enforcement is also needed. • There is a need for more robust enforcement by DHHL and this policy holds Dept. accountable to create a unit responsible to do so.
<p><u>POLICY LU-4F</u> Explore sustainable commercial activities for revenue generation in undeveloped areas that are compatible with responsible management and conservation objectives.</p>	<p>Explore sustainable commercial activities for revenue generation in undeveloped areas that are compatible with responsible management and conservation objectives <u>and consistent with underlying DHHL land use designations.</u></p>	<ul style="list-style-type: none"> • Commercial uses in these areas should match state and county zoning. 	<ul style="list-style-type: none"> • Should not give up authority vested in HHC to set its own land use – clarify that should be consistent with underlying DHHL land use designations, not County or state. • “Commercial” does not need to be stated in policy, but can still be allowed by HHC.

Table 2 – Summary of Draft Final General Plan Policy Revisions

Original Draft Policy	Revised Policy for Final Draft	Beneficiary Comments	Rationale for Revisions
GOAL IN-1			
Provide and maintain infrastructure for homestead communities within resource limitations.			
<p><u>POLICY IN-1A</u> Design infrastructure to County standards and dedicate systems to the Counties whenever possible for development within Residential, Commercial, and Industrial areas.</p>	<p>Design infrastructure to County standards and dedicate <u>license</u> systems to the Counties whenever possible for development within Residential, Commercial, and Industrial areas.</p>	<ul style="list-style-type: none"> • People may want their land however they may not know or are not educated to know their full option. Cost of the current economy. • Awards & full infrastructure should be as stated within the HHCA. • Partner with other adjacent landowners to replace and install infrastructure where possible. 	<ul style="list-style-type: none"> • County licensing is strongly supported by DHHL and is the basis for the Level of Service criteria developed for the GP land use designations. • Confusion may have been around word “dedicate” in original policy – change to “license” which is the correct term used by LDD and better communicates that it does not mean transferring ownership.
<p><u>POLICY IN-1B</u> Establish agreements with the Counties around infrastructure standards and dedication processes on Trust lands.</p>	<p>Establish agreements with the Counties around infrastructure standards and dedication <u>licensing</u> processes on Trust lands.</p>	<ul style="list-style-type: none"> • DHHL should operate & own its own infrastructure. Establish our own self-sufficiency. 	<ul style="list-style-type: none"> • See above.
GOAL HC-2			
Establish livable, sustainable, resilient, and healthy communities on Hawaiian home lands that provide space for or access to the amenities that serve the daily needs of its residents.			
<p><u>POLICY HC-2A</u> Partner with homestead communities, non-profits, government agencies, and other ali'i trusts to provide needed services to communities.</p>	<p>No revisions. Keep as is.</p>	<p>None</p>	<ul style="list-style-type: none"> • In general, project team conversations with beneficiaries substantiated the need and desire to work with these kinds of organizations to serve native Hawaiians, and the majority were in strong support.

Table 2 - Summary of Draft Final General Plan Policy Revisions

Original Draft Policy	Revised Policy for Final Draft	Beneficiary Comments	Rationale for Revisions
<p><u>POLICY HC-2B</u> Conduct a feasibility study related to establishing a law enforcement and compliance division within DHHL that would have full police powers, investigative capabilities, and adequate staff to serve all islands.</p>	<p>DELETE</p>	<p>No comments</p>	<ul style="list-style-type: none"> • HHC/DHHL is already past this point and pursuing an enforcement branch through legislation. • Support for enforcement and more enforcement staff is included under Policy LU-4E
<p><u>POLICY HC-2C</u> Explore the use of non-homesteading lands for community-serving uses such as parks, gathering spaces, paths and trails, schools, cemeteries, pasture management, and community agriculture in current and future homestead developments. Gather beneficiary input on desired community uses during the development planning process.</p>	<p><u>Balance the need for resources to place waitlist beneficiaries on the land while exploring use of non-homesteading lands for beneficiary-serving uses such as parks, gathering spaces, paths and trails, schools, cemeteries, pasture management, and community agriculture in current and future homestead developments that can be managed through partnerships.</u> Gather beneficiary input on desired community uses during the development planning process.</p>	<ul style="list-style-type: none"> • This policy needs to be specific to reference "homestead community" or any other way or small N but not general community. • We need a community center for every homestead as a place to gather and practice our culture, Also can be utilized in time of disasters and also preschool, community, kitchen. 	<ul style="list-style-type: none"> • Beneficiary feedback was supportive of the general concept but wanted to ensure uses are beneficiary serving. • Need to balance the desires to have these amenities in communities with desire for more housing opportunities for applicants. • Important to emphasize that community serving uses are implemented through partnerships. Added language about management through partnerships, in alignment with policy HC-2A.

Table 2 - Summary of Draft Final General Plan Policy Revisions

Original Draft Policy	Revised Policy for Final Draft	Beneficiary Comments	Rationale for Revisions
GOAL RM-1			
<p><u>POLICY RM-1A</u> Obtain funding for dedicated and qualified staff within DHHL for natural and cultural resource management.</p>	<p>Obtain funding for <u>increased hiring of</u> dedicated and qualified <u>DHHL staff to promote, protect, and manage natural and cultural resources.</u></p>	<ul style="list-style-type: none"> • Funding to hire expert "Native Hawaiian" not DHHL staff for natural & resources. • These people are already working in our communities and nonprofits. • Need an independent cultural team to execute (preferably from the area). 	<ul style="list-style-type: none"> • Committee previously supported the need for dedicated staff within DHHL for natural and cultural resource management. It is understood that staffing is critical to achieving the vision and goals, and should be included in this 20-year plan.
GOAL ED-1			
Provide economic opportunities for beneficiaries on Hawaiian home lands.			
<p><u>POLICY ED-1I</u> Explore opportunities to reinvest funds into homestead communities by hiring beneficiary businesses for maintenance and management of Trust assets.</p>	<p>Explore opportunities to reinvest funds into homestead communities by hiring beneficiary businesses for maintenance and management of Trust assets, <u>as allowed by law.</u></p>	<p>NONE</p>	<ul style="list-style-type: none"> • Need to be careful whenever specifying preference for beneficiary businesses. • Addition acknowledges legal constraints of procurement.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 17-18, 2022

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew H. Choy, Planning Program Manager *AC*
Subject: For Information Only - Report of the
Investigative Committee on the DHHL General Plan
Update and Presentation of the Final Draft DHHL
General Plan Update

Recommended Action

For information only. No action required.

Purpose

The purpose of this informational submittal is to update the Commission on the status of the DHHL General Plan Update process, share the results of the statewide beneficiary consultation completed for the beneficiary review draft General Plan Update between August and September 2022, and lastly, in accordance with HRS § 92-2.5(b)(1)(B), to report back to the Commission the findings and recommendations of the DHHL General Plan Investigative Committee, which are included in the pre-final draft of the DHHL General Plan Update (Exhibit A) and Appendices to the General Plan Update (Exhibit B). The investigative committee's findings and recommendations took into consideration beneficiary feedback from the numerous consultation meetings that were conducted during the two-year General Plan Update planning process. The members of the Investigative Committee reviewed and confirmed the vision, values, goals, policies, metrics and recommended land use designations that are presented in the General Plan Update.

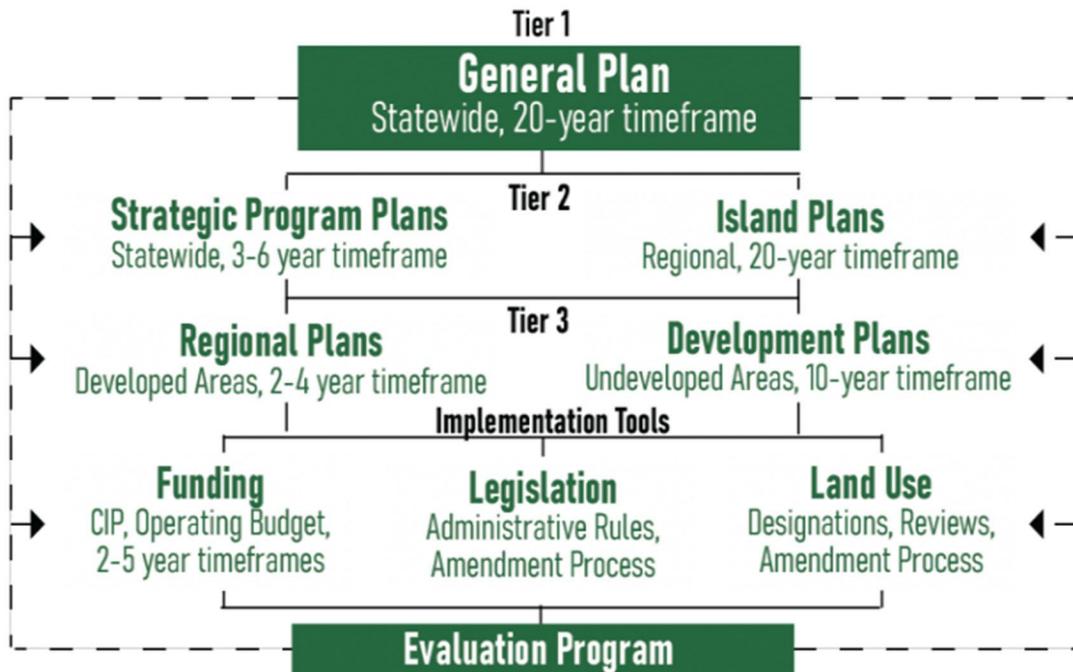
This is the fourth presentation to the Commission on the General Plan update. The first was in February 2021, to announce the project and provide an overview of the plan development process. The second was in October 2021, to

provide an overview of beneficiary consultation results and an update on the plan process. The third was in July 2022, to present the Draft Plan and announce the final round of beneficiary consultation.

Background

Hawaii Administrative Rules (HAR) 10-4-51 establishes the DHHL Planning System (Figure 1). The latest update to these rules took effect in August 2018. The purpose of the DHHL Planning System is to further the objectives of the Hawaiian Homes Commission Act (HHCA) by systematically coordinating the management of Hawaiian Home Lands and programs in a manner that is comprehensive, consistent, and collaborative. The Planning System establishes a three-tier hierarchy of plans. Tier 1 is the top tier consisting of the DHHL General Plan. Tier 2 and Tier 3 are the lower tiers that are guided by the General Plan and have more specific geographic and/or programmatic focusses.

Figure 1 DHHL Planning System



Tier 1 of the Planning System contains the General Plan, which identifies long-term goals, articulates a vision, and organizes priorities for DHHL and the Hawaiian

Homes Commission. The General Plan sets the foundation for all the programs, policies, and plans of the Department which are then implemented through available funding, federal and state legislation, and DHHL Development Plans.

Per HAR 10-4-55, the General Plan at a minimum shall:

1. Establish a uniform system of Land Use Designations that all Island Plans shall use;
2. Establish the relationship between land use designations and the applicable types of land dispositions;
3. Establish criteria to identify suitable lands for homesteading;
4. Establish criteria to determine available lands not required for homesteading within the planning period;
5. Establish criteria to identify lands for revenue generation;
6. Establish criteria to identify lands for community use and policies to govern how the community could manage such lands for community building;
7. Establish level of service standards for infrastructure and community facilities, or specify a program plan or methodology to develop such standards; and
8. Specify indicators to measure progress and evaluate effectiveness in meeting policy goals.

GENERAL PLAN UPDATE SCHEDULE

The HHC adopted the first DHHL General Plan in 2002 (Exhibit B). Per HAR 10-4, the DHHL General Plan must be updated at least once every 20 years. Additionally, the existing 2002 DHHL General Plan does not meet the new requirements of HAR 10-4 enacted in August 2018. As such, DHHL initiated the process to update its General Plan in the fall of 2020. The update process began in September 2020, with anticipated conclusion in Fall of 2022. The time of performance for the initial contract was twenty (20) months. A contract amendment was executed in September 2021 extending the time of performance twelve (12) months to May 31, 2023. It is anticipated that the Final General Plan Update will be presented to the Hawaiian Homes Commission for adoption in November 2022. Key components of the

project scope and updates to the project schedule are summarized herein.

BACKGROUND RESEARCH

Background research, interviews, and a series of policy topic white papers were completed as part of the General Plan update process to document key developments and explore policy issues that have emerged or evolved since the 2002 General Plan:

- A background research memo was completed in December 2020 that synthesized the findings of research related to HHCA, DHHL and the General Plan. The memo documents key events and developments shaping its history, evaluates the performance of goals and objectives in the 2002 General Plan and summarizes findings around key issues, gaps, and considerations that should be addressed in the General Plan Update. The Memo is included as an Appendix to the draft Plan.
- As part of background research, the project team conducted interviews with two former Department chairs as well as current and former staff. These interviews informed the project team's understanding of historical and current policy developments and helped to assess lessons learned since the last DHHL General Plan.
- The project team prepared four white papers focusing on topic areas that had emerged or evolved since the 2002 General Plan and where further research and analysis was needed to inform General Plan policy development. The white papers also addressed General Plan criteria specified under HAR §10-4-55. White Papers were completed for the following topics:
 - o Climate Change
 - o Land Use
 - o Infrastructure
 - o Monitoring and Evaluation

The White Papers are included as Appendices to the Draft Final General Plan.

INVESTIGATIVE COMMITTEE

An investigative committee of the Hawaiian Homes Commission was appointed on August 18, 2020. In accordance with HRS § 92-2.5(b), the members of the investigative committee include Randy K. Awo, Russell K. Ka'upu, Zachary Z. Helm, and William Aila, Jr., Chair. Initially, the investigative committee's work was expected to be completed over a series of five meetings spread out over the course of a 20-month planning process. The initial assumption of five meetings was based on conducting five full-day in-person meetings. However, due to COVID-19 gathering restrictions, the investigative committee meeting format and frequency was changed to more frequent and shorter virtual meetings (approximately two hours per meeting).

To date, the investigative committee has met on the following dates in November 2020, December 2020, January 2021, July 2021, March 2022, twice in April 2022, twice in September 2022, and October 2022. During the investigative committee meetings, members advised the Planning Office and project team on plan development, including background research, identification of policy issues, development of vision and policy updates, and stakeholder engagement.

The investigative committee reviewed and provided feedback on drafts of the General Plan as well as white papers and draft goals, policies, and metrics. For the draft final General Plan Update, the Investigative Committee discussed all policies that received mixed feedback and comments during beneficiary consultation and reviewed final policy revisions. It is the finding of the Investigative Committee that the draft Final DHHL General Plan is reflective of the policy areas that DHHL needs to address over the course of the next 20-years and therefore the recommendation of the Investigative Committee is that the Commission consider adoption of the DHHL General Plan Update at its next regular meeting.

BENEFICIARY CONSULTATION

Three rounds of beneficiary consultation were held during General Plan Update process. Traditionally, beneficiary consultation meetings on statewide initiatives such as the General Plan have been conducted via in-person meetings held on each island. However, due to COVID-19 restrictions, the first two rounds of beneficiary consultation were conducted virtually via Zoom. The third round of beneficiary consultation was held statewide with eight in-person open-houses coinciding with the release of the Beneficiary Review Draft of the General Plan Update.

DHHL also hosted a virtual "open house" during all three rounds of beneficiary consultation. The virtual open house websites provided an overview of the information presented during the beneficiary meetings and opportunities for beneficiaries to submit comments and feedback on the General Plan topics covered in each round. The virtual open houses were hosted on the project website, which is linked to from DHHL website.

The results of the first two rounds of beneficiary input were presented to the Hawaiian Homes Commission at the July 2022 HHC meeting. Summaries of beneficiary input received during each consultation meeting are also included on the DHHL website at:
<https://dhhl.hawaii.gov/po/general-plan-2022/>.

ROUND 3 BENEFICIARY CONSULTATION - IN-PERSON OPEN HOUSES

The third round of beneficiary consultation coincided with the release of the draft General Plan in August 2022. The purpose of this round of consultation was to provide beneficiaries the opportunity to review and comment on the vision, guiding principles, goals and policies included in the draft General Plan Update. This final round of consultation consisted of an online open house and eight in-person open houses statewide (see Table 1 below).

Table 1 Round 3 Beneficiary Consultation Schedule

Island - Location	Date, Time	Venue
O`ahu - Kapolei	Thu., 8/4/22 6-8 PM	DHHL - Hale Pono`i (Kapolei)
Lāna`i - Lāna`i City	Sat., 8/6/22 11 AM-1 PM	Lāna`i Elementary/ High School
East Hawai`i - Hilo	Mon., 8/8/22 6-8 PM	Keaukaha Elementary
West Hawai`i - Waimea	Tue., 8/9/22 6-8 PM	DHHL - Kūhiō Hall (Waimea)
Moloka`i - Kaunakakai	Sat., 8/13/22 11 AM-1 PM	DHHL - Kūlana `Ōiwi (Kaunakakai)
Kaua`i - Līhu`e	Wed., 8/17/22 6:30-8:30 PM	King Kaumuali`i Elementary
Maui - Kula	Thu., 8/18/22 6-8 PM	Waiohuli Homestead Assoc. Community Center
O`ahu - Honolulu	Mon., 8/22/22 6-8 PM	Stevenson Middle School

Each open house presented the same interactive and informative displays organized in three main sections: orientation, policy stations, and resource table.

The orientation station included an orientation video summarizing the General Plan purpose, the update process, draft vision and guiding principles, and information on the virtual open house. Poster boards summarizing this information were also presented at this station. Comment cards were available for beneficiaries to submit written comments on the vision & guiding principles.

Policy stations covered the seven policy topics included in the Beneficiary Review Draft, providing summaries of previous input received from beneficiaries on each topic, the applicable land use designations and allowable uses, and tables with draft goals and policies. Attendees were invited to place dots indicating whether or not they supported each policy. Comment cards were also available for beneficiaries to submit written comments on the goals and polices.

website and a total of 2,985 page views during the open period between July, 18, 2022 through September 22, 2022.

The input and comments received in Round 3 beneficiary consultation was overall overwhelmingly supportive of the Draft General Plan vision, guiding principles, goals, and policies. The draft policies that received mixed support in dot voting and substantive comments were revisited in consultation with the investigative committee.

DRAFT FINAL GENERAL PLAN UPDATE

Due in part to the updated HAR 10-4-55 criteria outlining what is required in the General Plan, this General Plan update includes several components that were not present in earlier General Plans. These include an updated land use framework for use across all DHHL plans, that establishes land use designations, identifies allowable land uses and land dispositions for each designation, and articulates criteria for applying land use designations and providing appropriate levels of infrastructure.

This General Plan is also the first to include a Vision statement, representing where the Department, beneficiaries, and the Trust would like to be in 2040, and Guiding Principles, representing the values that need to be embraced to achieve the vision. The General Plan update also includes measurable metrics for each policy and a new section on implementation and monitoring with reporting guidelines to track progress toward the vision, goals, and policies to enhance accountability and transparency. Finally, this General Plan is the first to consider the impacts of climate change. It includes a discussion of climate change considerations for each policy topic.

Some of the goals and policies have been carried forward from the 2002 General Plan, and others have been modified or replaced to represent current conditions and priorities of the Trust and its beneficiaries.

As a vision-based document, all goals and policies in the Draft Final General Plan flow from the Vision. They are

intended to be carried out in accordance with the Guiding Principles, with progress measured and reported using metrics. The components of the General Plan policy framework include:

- Vision: Describes the desired outcome in 20 years.
- Guiding Principles: Broad themes that articulate key values that the Department should uphold and advance in implementing the Vision.
- Goals: General descriptions of desired outcomes for each policy topic.
- Policies: Specific guidelines or actions called for to achieve the Goals.
- Metrics: How progress on the Vision, Goals and Policies will be measured.

The Draft Final General Plan Update includes 10 chapters, beginning with two introductory and background sections:

1. General Plan Overview
2. Framework, Vision, and Guiding Principles

These are followed by seven chapters providing policy direction along with specific goals, policies, and metrics for the Department in the following topic areas:

3. Land Use and Water Resources: How DHHL determines appropriate uses for trust lands and water resources.
4. Infrastructure: How DHHL provides infrastructure to homestead developments, including level of service recommendations for different land use designations and contexts.
5. Housing: How DHHL addresses the housing needs of its beneficiaries.
6. Food Production: How DHHL manages its lands to support food production through homestead leases and other means.
7. Healthy Communities: How DHHL fosters beneficiary communities that are self-sufficient, healthy, resilient, and grounded in cultural knowledge and traditions.
8. Natural and Cultural Resource Management: How DHHL stewards and manages lands that are undeveloped or have ecological and cultural resources.

9. Revenue Generation and Economic Development: How DHHL generates revenue to support the continued advancement of native Hawaiians and provides economic opportunities for beneficiaries on Trust lands.

Climate change considerations are also addressed in each policy topic chapter.

Implementation, monitoring, and evaluation of the Plan is covered in Chapter 10. This section acknowledges the challenges DHHL has faced in terms of funding, resources, and consistent support from the legislature over the years. It introduces a monitoring and evaluation framework for tracking and reporting progress on implementation.

SUMMARY OF REVISIONS TO BENEFICIARY REVIEW DRAFT

While the feedback received during round was overwhelmingly supportive, with the majority receiving 100% supportive or neutral votes, a handful of received more mixed support. Each policy that received mixed support during beneficiary consultation was revisited and discussed by the Investigative Committee.

Table 2 summarizes these policies, the revisions made (where applicable) and rationale for each decision. Changes to policies are noted in the revised policy column; deleted text is shown with ~~striketrough~~. New text is underlined. Relevant beneficiary input as well as the rationale for the policy revisions are summarized in their respective columns.

SEE TABLE 2 BEGINNING ON PAGE 12.

Recommended Action

For information only. No action required.



DHHL GENERAL PLAN

Department of Hawaiian Home Lands
General Plan Update

October 2022

Draft Final

Both Exhibits can also be found on the DHHL Website
<https://dhhl.hawaii.gov/wp-content/uploads/2022/10/Item-G-7-General-Plan-Update-Draft-Final-EXHIBIT-B-1.pdf>

- ***DHHL General Plan***
- ***General Plan Appendices A-K.***

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APPENDIX A: MASTER LAND USE TABLE

ITEM G-1 EXHIBIT C

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Planning Program Manager ↩
From: Nancy M. McPherson, Planner *Nancy McPherson*
Subject: For Information Only - Update on Climate Change Impacts
Affecting Hawaiian Home Lands, Statewide

RECOMMENDED ACTION

None; for information only.

BACKGROUND

Context

This informational submittal is one of a series of updates to the Hawaiian Homes Commission (HHC) given by the Planning Office regarding the latest scientific information and Department of Hawaiian Home Lands (DHHL) initiatives and activities in the areas of climate change adaptation (CCA), sea level rise mitigation (SLR), community resilience planning (CRP) and hazard mitigation (HazMit), framed within the general category of sustainability. See Table 1, "CCA/SLR/CRP/CZM Info Submittals", below, which lists all informational submittals and presentations on these topics provided to date to the HHC by the Planning Office and invited subject matter experts, in descending chronological order.

This update's primary focus will be on the most recent data on sea level rise projections and groundwater upwelling modeling that currently is and will continue to be impacting Hawaiian Home Lands located along the coastlines of Kaua'i, O'ahu, Maui, Molokai and Hawai'i islands. The primary source of this data is the PacIOOS (Pacific Islands Ocean Observing System) Viewer, which can be accessed here: www.pacioos.hawaii.edu/shoreline/slr-hawaii. Other SLR reports and tools can be accessed via the State Climate Change Portal, under HI Adaptation, here: climate.hawaii.gov/hi-adaptation/state-sea-level-rise-resources

Also shared in this submittal will be a viewer that shows drought patterns and projections for Hawai'i. Additional information on sea level rise, drought and other climate change-related impacts and strategies may be viewed and/or downloaded via other weblinks provided in this submittal and attached exhibits.

HHC Meeting	Item No. & Title	Topics/Description
March 21-22, 2022	Item G-3, The Importance of Land Stewardship in the Face of Climate Change in Hawai'i	Presentation by Dr. Thomas Giambelluca, Dir., UH Mānoa Water Resources Research Center, on temperature and rainfall changes and projections; how improving land stewardship can mitigate climate change impacts.
January 18-19, 2022	Item G-5, In-Depth Update on Climate Change and Resilience Planning Affecting Hawaiian Home Lands, Statewide	Response to HHC request for Climate Change "Deep Dive"; update by Dr. Charles "Chip" Fletcher, UH Mānoa SOEST on carbon dioxide emissions and climate change; update by Leah Laramee, DLNR-DoFAW, on State of Hawai'i climate change-related land use initiatives.
July 19-20, 2021 (Virtual)	Item G-3, Update on Statewide Initiatives and Actions Related to Climate Change and Resilience	Reviewed federal, state & county activities July 2019 to July 2021; summarized DHHL initiatives re: community resilience planning, wetland restoration, and cesspool conversion; discussed climate justice and climate adaptation ideas for natural and working lands.
June 17-18, 2019 (O'ahu)	Item G-1, Update on DHHL Efforts: Climate Change and Sea Level Rise Adaptation, Community Resilience and Hazard Mitigation on Hawaiian Home Lands, Statewide	Reviewed federal, state & county activities June 2018 to June 2019. Emphasis placed on best practices and integration of coastal zone management, community resilience, disaster preparedness, vulnerability analysis & hazard mitigation planning.
April 15-16, 2019 (Moloka'i)	Item G-3, Moloka'i Planning Projects Status (pages 5-15)	So. Molokai Shoreline Erosion Management Plan (SM-SEMP) Phase I; CCA & SLR planning activities at federal, state & county levels.

HHC Meeting	Item No. & Title	Topics/Description
June 18-19, 2018 (O'ahu)	Item G-4, Update on DHHL Efforts: Climate Change & Sea Level Rise Adaptation, Community Resilience & Hazard Mitigation on Hawaiian Home Lands, Statewide	First update, per HHC request at April 2018 meeting. Reviewed federal, state & county activities Sept. 2016 to June 2018. Continued to recommend integrated, ahupua'a based approach.
September 19-20, 2016 (Maui)	Item G-6, Planning for our Makai Communities - Integrating Coastal Zone Management, Community Resilience & Hazard Mitigation on Hawaiian Home Lands Along the Shoreline, Statewide	Outlined CZM jurisdictional issues, DHHL CZM reviews, CZM, CCA, CRP & disaster preparedness efforts at state, county & homestead community levels; listed potential funding sources.

Table 1 - CCA/SLR/CRP/CZM Info Submittals

Since the March 2022 informational update, the pace of governmental responses and initiatives at national, state and county levels of government to plan for and adapt to climate change and sea level rise impacts has continued to accelerate in an effort to avoid the worst potential impacts of climate change.

This submittal's discussion of potential climate change impacts, primarily in the form of sea level rise and drought modeling, will focus on federal, state and local initiatives that have implications for Hawaiian Home Lands, DHHL beneficiaries, and the Hawaiian Homes Commission. For the latest in climate change information specific to Hawai'i, the activities of the Hawaii Climate Change Mitigation and Adaptation Commission (of which the Hawaiian Homes Commission is an official member) as well as adaptation and mitigation strategies such as "Climate Ready Hawai'i" please access the State's Climate Change Portal at climate.hawaii.gov.

Given these daunting issues, in an effort to provide the HHC with some inspiration, a presentation will be made by Dr. Kawika Winter, a member of the Biocultural Initiative of the Pacific at the University of Hawai'i at Mānoa, who will share his multidisciplinary action research on biocultural restoration of social-ecological systems in Hawai'i, specifically the revival of traditional resource management methods such as lo'i and loko i'a to increase resilience to climate change.

DISCUSSION

With the advent and increasing availability of Geographic Information Systems (GIS) -based applications and more sophisticated computer-based modeling made possible by advances in computing power, more and better information on climate change-related projections and anticipated impacts are available now than ever before. The Planning Office will be providing a more in-depth discussion of homestead-specific climate change and sea level rise vulnerabilities to the HHC in the next several months.

Federal Initiatives

While current federal initiatives are too numerous to mention in their entirety in this submittal, there are several that will be noted here. For more information, please follow the weblinks provided.

National Climate Assessment

The U.S. Global Change Research Program (USGCRP) is currently developing the Fifth National Climate Assessment, the National Academies of Sciences, Engineering, and Medicine are currently reviewing the draft, and the report is expected to be finalized and released in Fall of 2023. The Assessment will include a chapter specifically on Hawai'i and U.S.-Affiliated Pacific Islands, with input from University of Hawai'i at Mānoa researchers. For more information on the USGCRP and the National Climate Assessment, go to www.globalchange.gov/climate-change. To view the Fourth National Climate Assessment, Volume II: Impacts, Risks and Adaptation in the United States, which assesses the science of climate change and variability and its impacts across the United States, now and throughout this century, go to: nca2018.globalchange.gov.

Climate Mapping for Resilience and Adaptation Portal

The Biden administration has partnered with Esri (formerly the Environmental Systems Research Institute), the most prominent GIS software company in the world, to produce the new Climate Mapping for Resilience and Adaptation (CMRA) Portal, which provides scientific data to help us better understand, at a local level, what's happening with our changing climate. The portal presents information on climate-related hazards in real-time, such as extreme heat, drought, wildfire, inland flooding and coastal flooding. The CMRA Assessment Tool provides information on past, present, and future climate conditions. See Exhibit A, "White House Portal Helps Communities Assess Exposure to Climate Hazards". To access the CMRA portal, go to: resilience.climate.gov.

Sea Level Rise Scenarios and Projections

While the estimates of how soon we will see significant changes in sea levels, and the models of how those changes will be experienced in different parts of the world, are undergoing constant revision, what we do have access to is compelling spatial data on the potential impacts of SLR, inundation and groundwater upwelling, based in part on work done by Dr. Chip Fletcher's team at the UH Mānoa School of Ocean and Earth Science and Technology (SOEST). Their research is used by government agencies and State and City Climate Commissions for designing and administering coastal policies and guidelines and planning resilient infrastructure projects.

Sea Level Rise Viewers

The National Oceanic and Atmospheric Administration (NOAA) provides an easy-to-use sea level rise (SLR) viewer that is accessible here: coast.noaa.gov/slr. At three (3) feet of SLR, the extent of impacts to the southern coast of Molokai can be seen in Figure 1, So. Shore Molokai w/3 ft. SLR, below.



Fig. 1 So. Shore Molokai w/3 ft. SLR

The State of Hawaii also has a SLR Viewer, mentioned at the beginning of this submittal, which is accessible here: www.hawaiisealevelriseviewer.org. This viewer allows the user to select various components (passive flooding, annual high wave flooding and coastal erosion) that make up the Sea Level Rise Exposure Area (SLR-XA), for SLR scenarios at 0.5, 1.1, 2.0 and 3.2 feet, or see all three combined. The viewer also can show vulnerability in the form of potential economic losses and flooded highways, and has other layers that can be shown, such as ahupua'a boundaries, flood hazard areas, and TMK boundaries. See Exhibit B, "Hawai'i Sea Level Rise Viewer." For comparison purposes, application of the SLR-XA at 3.2 feet (1 meter) of SLR to a portion of the Molokai shoreline is shown in Figure 2, "SLR-XA So. Shore Molokai," below.



Fig. 2 SLR-XA So. Shore Molokai

While these scenarios illustrate potential SLR impacts that are sobering and concerning, DHHL and other state and federal agencies are exploring mitigation and adaptation measures such as nature-based solutions and green infrastructure, that will buy us some time while we

plan for relocation of critical infrastructure and, in some cases, areas of commercial and residential development. These measures could include shoreline restoration and “soft” erosion mitigation projects, wetland restoration and enhancement, Best Management Practices (BMP’s) and “green infrastructure” measures for stormwater management and flood mitigation, BMP’s for managing natural and working lands, forest and watershed restoration projects, etc. See Figure 3, Nature-Based Solutions guidelines, below.

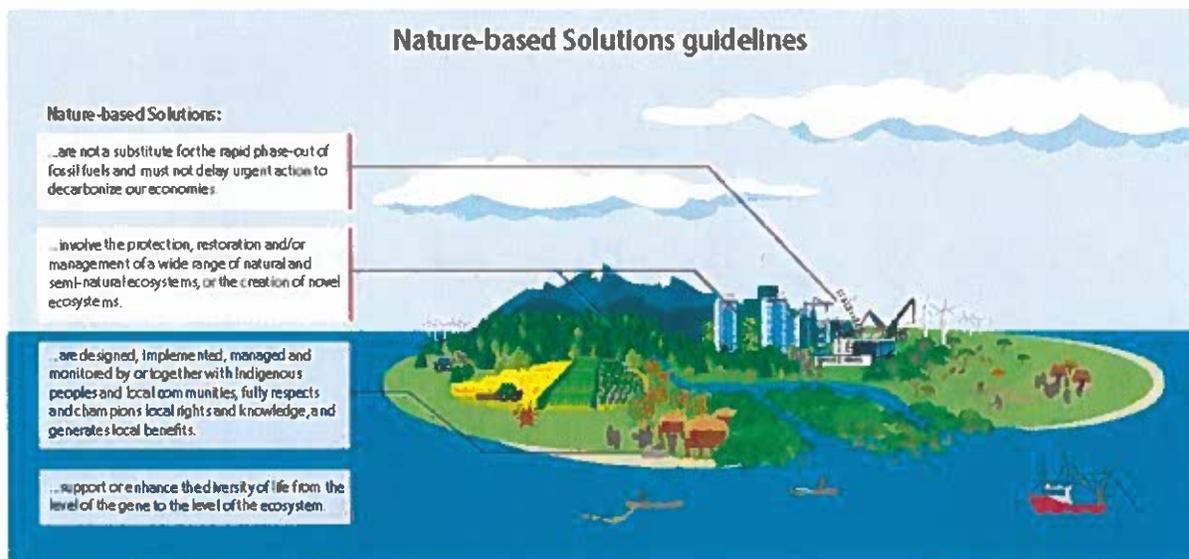


Fig. 3 Nature-Based Solutions guidelines

Drought and Wildfire Hazards

Planning Office staff attended one of a series of statewide Drought Monitoring and Knowledge Exchange meetings held by the National Drought Mitigation Center in early October of this year. The goals of the meetings were to increase awareness of the United States Drought Monitor (USDM), enhance drought monitoring coordination, and build collaborations and encourage partnerships between agencies and organizations. Overcoming government silos will be critical to developing effective responses to climate change impacts such as extended droughts, which may be followed by extreme rain events that can result in severe flooding and soil erosion events.

The U.S. Drought Monitor (USDM) provides real-time information on drought conditions for each state, with data provided by a network of volunteer monitors, and is updated weekly. All areas of Hawai'i have been experiencing some level of extended drought, as shown by the USDM.¹ The latest drought outlook released by the National Weather Service

¹ <https://www.drought.gov/states/hawaii>

states that "Portions of the main Hawaiian Islands received increased amounts of rainfall over the past month, especially along the east-facing slopes. Unfortunately, the uptick in rainfall did not get into the worst drought areas of the state. These areas include exceptional drought, or the D4 category on the U.S. Drought Monitor map, in Maui's central valley, and extreme drought, or the D3 category, in Upcountry Maui and southwest Molokai."²

Drought and periods of high heat increase wildfire hazards, especially in leeward areas. See Exhibit C, "Forecast shows high probability of more brush fires for Hawaii". Also, see Figure 4, "Current U.S. Drought Monitor Conditions for Hawaii," below. Due to the blessing of recent rains, drought conditions have improved since last month, but as stated above, extreme and exceptional drought still persists in several areas in Maui County.

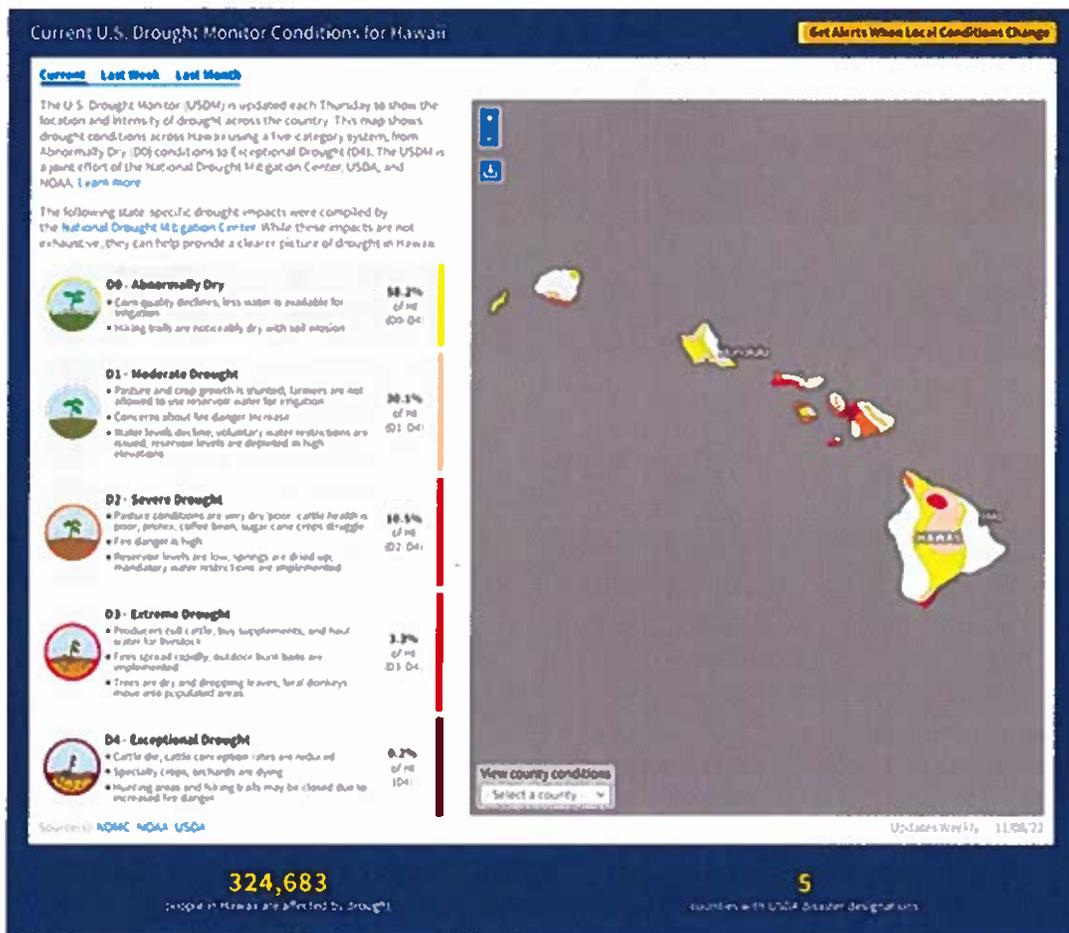


Fig. 4 Current U.S. Drought Monitor Conditions for Hawaii

2

<https://w1.weather.gov/data/HFO/DGTHFO#:~:text=LOCAL%20DROUGHT%20OUTLOOK%3A%20The%20Long,Prediction%20Center%20on%20October%202020.>

Relationship to DHHL Planning System

The Planning Office has started reviewing all plans and programs, per State law, through a climate change lens and will be initiating plan updates over the next few years to incorporate this new policy direction.

DHHL General Plan Update

The Planning Office initiated an update to the DHHL General Plan in 2020. A white paper on climate change with policy recommendations was prepared by the consultants with input from Planning Office staff. Climate change-related statements and policies are incorporated into every policy chapter of the Draft General Plan (presented to the HHC in July 2020) and presented to beneficiaries in a series of eight in-person consultation meetings across the state in August 2020. The General Plan Update will be presented to the HHC in November for approval.

Island Plans and Regional Plans

The Planning Office will incorporate best practices in integrated coastal zone management, community resilience, disaster preparedness, vulnerability analysis and hazard mitigation planning in future Island Plan updates. Once the revised General Plan is approved by the HHC, it is recommended that the Island Plans be updated on an accelerated timeline to incorporate climate change and sea level rise mitigation measures and revise Land Use Plans.

Regional Plans

Regional Plan updates should continue to prioritize disaster preparedness and hazard mitigation projects for emergency shelters, drainage and flooding, climate change and shoreline erosion, and overall disaster preparedness and response strategies.

DHHL Water Policy Plan and DHHL Energy Policy - Ho'omalūō

These plans should be revised in the near future to incorporate the latest information on climate change mitigation and adaptation strategies, promote efficiency measures and alternatives technologies, and consider ways to combine water and energy projects, e.g. hydroelectric and solar generation and storage.

Coastal Zone Management (CZM) and Shoreline Erosion

The DHHL Planning Office will continue to pursue opportunities to proactively plan for and mitigate shoreline erosion and other coastal hazards, such as flooding and inundation, via community-involvement projects to produce and implement shoreline erosion management plans and community resilience plans, as well as planning and implementation of responses to coastal hazards. The South Molokai Shoreline Erosion Management Plan is in the Draft Plan stage and is being commented on by beneficiaries before bringing it to the Hawaiian Homes Commission in December to request final approval.

A follow-on project will be the "Developing Resilience for Molokai Coastal Homesteads" community resilience planning project scheduled to begin in early 2023. This project has been funded by the National Fish and Wildlife Federation (NFWF) National Coastal Resilience Fund (NCRF), and will hopefully lead to additional grant opportunities to support planning, design and implementation of shoreline erosion and flood mitigation measures.

Next Steps

- Bring a homestead-specific analysis of climate change-related risks and vulnerabilities, via GIS mapping, to the HHC in the next several months.
- Conduct a workshop for the Commission in early 2023 to generate recommendations and direction on prioritization of DHHL responses to climate change impacts - to include a summary of climate change-related legislation in 2022 and proposed legislation for 2023 - and an annual update on statewide initiatives.
- Continue to include climate change-related policies in the General Plan update process, then implement via the Island Plan and Regional Plan updates.
- Continue to work on a more coordinated approach to DHHL representation and involvement in various disaster preparedness and community resilience planning processes, policies, and implementation activities at the federal, state and county levels.
- Schedule cross-training on climate change and community resilience planning for the Planning Office, Land Management, and Land Development Division staff.
- Continue to include considerations of sea level rise, climate change and hazard vulnerability in the criteria for evaluating land exchanges and acquisitions.

- Initiate island-specific climate change "deep dives" in 2023, following the HHC's meeting schedule, to present more detailed updates on climate change and SLR impacts for each island.
- Finalize the SM-SEMP and develop an implementation schedule in consultation with Molokai coastal homestead communities.
- Conduct a Community Resilience and Capacity Building Planning process for Molokai's coastal homestead communities, starting in early 2023.

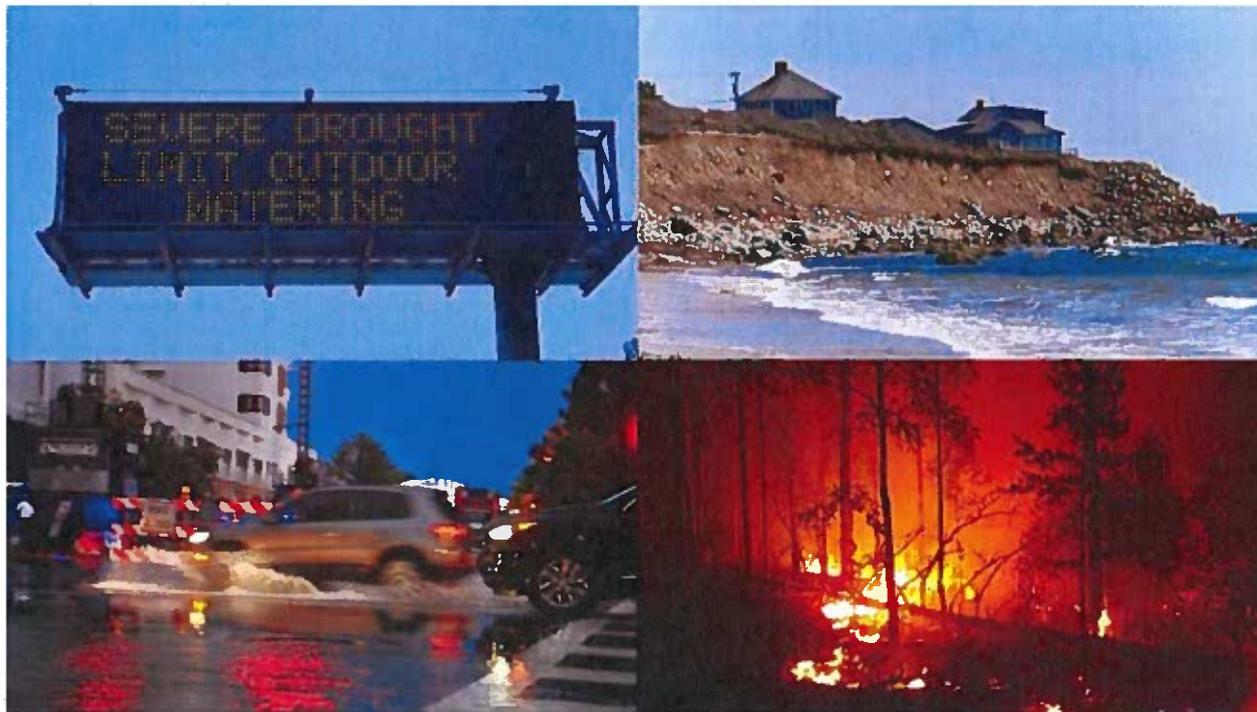
RECOMMENDATION

None; for information only.

White House Portal Helps Communities Assess Exposure to Climate Hazards

esri.com/about/newsroom/blog/white-house-climate-mapping

September 16, 2022



At the center of the new Climate Mapping for Resilience and Adaptation portal is a tool that features data relevant to making decisions and projections about climate conditions that can be searched by address to help communities adapt.

Key Takeaways

- Americans can look up their communities on a map and get a sense of the current and future climate threats they face.
- Using GIS, the maps indicate if a community is considered disadvantaged, which would make it eligible for priority federal funding through the Justice40 initiative.
- The portal includes links to federal funding opportunities and stories about solutions achieved by other communities.

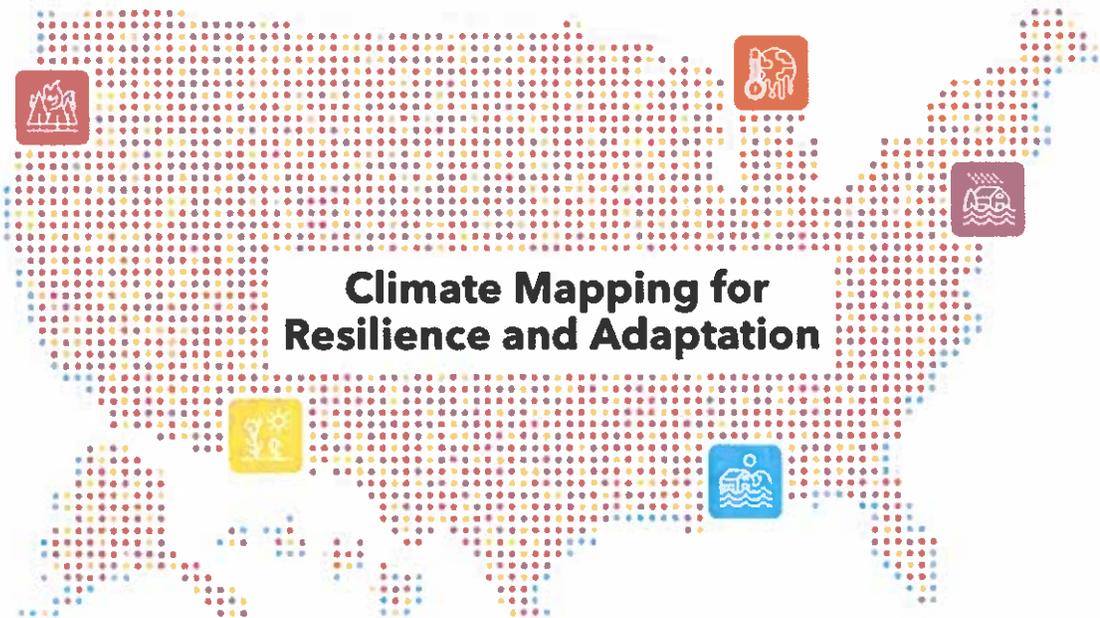
Finding common ground on our most complex issues—including how to collectively act on our changing climate to safeguard our common home—starts with a foundation of shared knowledge, expertise, and information.

ITEM G-2
EXHIBIT A

As the US advances on its climate action goals with the passage of a massive legislative package, the White House is debuting a new tool—developed with the National Oceanic and Atmospheric Administration, the Department of Interior, and the US Global Change Research Program—that offers scientific data to help us better understand, at a local level, what’s happening with our changing climate.

Esri is proud to collaborate with the Biden administration on the new Climate Mapping for Resilience and Adaptation (CMRA) Portal, that can help cities, counties, states, and tribes to make better decisions about where and how they need to act. Central to the portal, colloquially being called “camera” by its creators, is the CMRA Assessment Tool; with it, we can explore current and projected climate conditions where we live and work.

With the historic investment to overhaul infrastructure in the United States under way, we urgently need to make sure the roads, bridges, railroads, power grids, water systems, transit routes, airports, and ports that we build and renovate achieve climate resilience for all people in all communities. To do so, we need to understand before we act.



Climate Mapping for Resilience and Adaptation (CMRA or Camera) integrates information from across the federal government to help people consider their local exposure to climate-related hazards.

Much of this information isn’t new. The new portal builds on years of scientific knowledge and investments in geospatial platforms, but in the past these resources have been difficult to find and understand, particularly since they were not integrated to provide a more complete picture. That’s where geographic information system (GIS) technology plays a key role, integrating information to help us understand our complex problems in the crucial context of location.

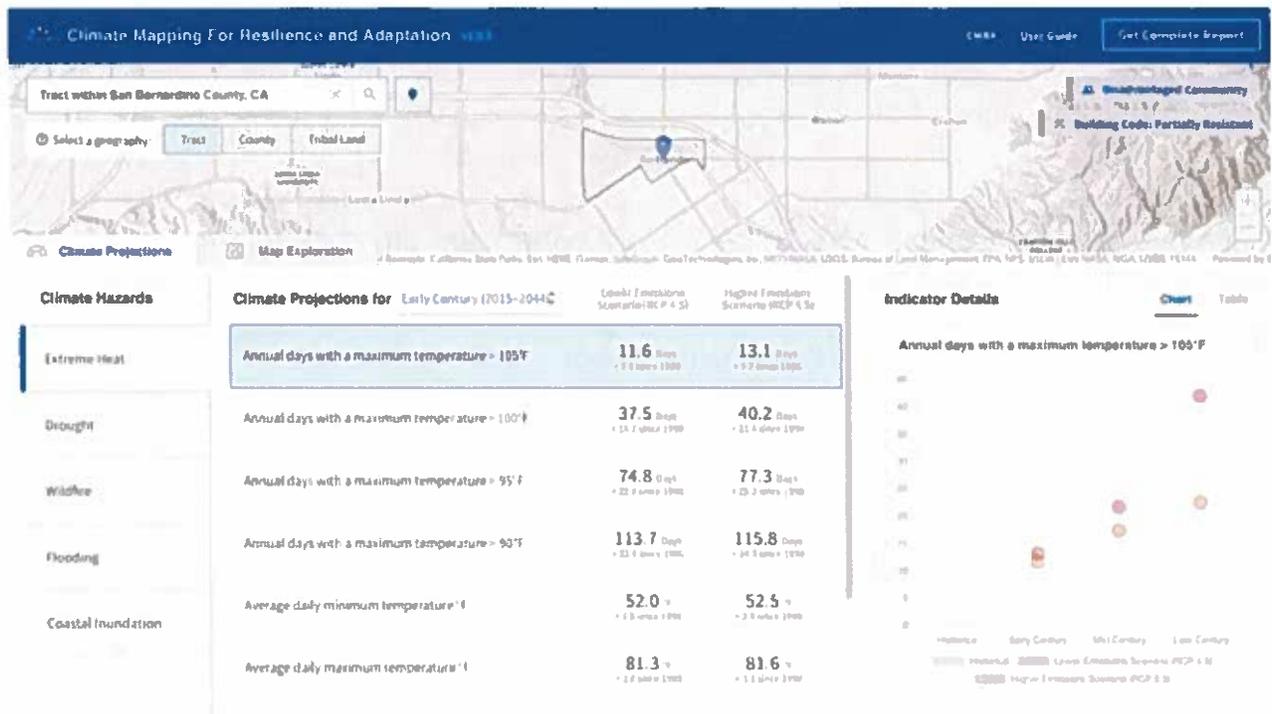
This portal brings the data together, for everyone to see, into one place—on maps, in charts, and in reports. Environmental data, as well as the social and economic factors that shape how well we can bounce back from climate-related hazards, can be explored by anyone, including city planners, resilience officers, transportation planners, tribal leaders, and residents.

Visualizing Our Risks

Type in an address or pick a point on a map in the new CMRA Assessment Tool and it reveals future climate projections related to extreme heat, drought, inland flooding, coastal flooding, and wildfire. The results show projections for the early years of the 21st century (2015–2044) as well as the middle (2035–2064) and late (2070–2099) years of the century, based on two climate change scenarios: one in which we reduce global emissions of heat-trapping gases to zero by about 2040, and one in which emissions increase through 2100. Among the many indicators are projections related to extreme rain or heat, number of consecutive dry days, and percent of coastal counties impacted by global sea level rise.

Extreme heat can be judged based on the annual number of days exceeding 105 degrees Fahrenheit. In the census tract that includes Esri's Redlands, California headquarters, for example, the results reveal possibly 22–42 days per year by the late century (compared to fewer than 4 days in 1990, the year used as a baseline for emissions calculations by many international organizations). In Washington, DC, the number of days with temperatures exceeding 95 degrees Fahrenheit grows from nearly 19 days per year in the early part of the century to as many as 64 days by the last years of the century.

While climate action strategies have become commonplace in some larger metropolitan areas, including Boston, Miami, and Los Angeles, a data-driven approach may have been out of reach for others. The CMRA Portal aims to fill knowledge gaps—helping communities identify climate threats so they can prioritize resilience-building actions and discover programs offering funding to make solutions happen.



The CMRA tool gives users a national view as well as the ability to drill into local details, such as this analysis of extreme heat in Redlands, California. (Click on the image to view the tool.)

If I’m a state, local or tribal leader, I could use the tool to better understand how temperature, precipitation, and flooding conditions are projected to change locally and generate straightforward hazard reports that can be incorporated into strategies for future projects, a climate action plan, or to support a data-driven proposal seeking funding. In addition to a wealth of climate data, the tool also shows areas designated as a disadvantaged community—based on an environmental justice score—making it eligible for prioritized funding. The aim is for equity to be top of mind when government leaders design and implement resilience measures. The White House’s Justice40 initiative ensures 40 percent of an eligible program’s federal funding goes to benefit disadvantaged communities that are “marginalized, underserved, and overburdened by pollution.”

If I’m a grant officer deciding who gets funding, I can use the tool to review proposed projects by their locations, ensuring that the funds go to projects that are the most needed now and that address a community’s resilience for future generations. I can also help ensure that funding awards are distributed equitably by quickly verifying priority eligibility funding through the Justice40 initiative.

If I’m a concerned and curious citizen, I can learn more about the climate-related hazards that may impact me and my neighbors, browse maps in the assessment tool, and create a report to share with others to inspire action.

Providing Evidence to Back Funding Requests

In addition to information about projected climate conditions in the future, the portal highlights links to federal funding resources, federal climate policies, and proven solutions from other communities. The linked [US Climate Resilience Toolkit](#) offers videos and stories about what others are doing. For instance, one case study shows how a tribe in northern Wisconsin are replanting their forests to adapt to future conditions, and another shows how cities in Minnesota have modified their transportation system and extended the hours that cooling centers are open to ensure that people who need relief from the heat can get it.

Technologies such as the CMRA Portal enable the dynamic collaboration we so greatly need—gathering information from across multiple agencies to enable better decisions, expose solutions that are working for others, and create a means for supporting evidence-based funding requests for all communities.

Open Data Extends the Value

The CMRA Portal’s collection of relevant climate data, essential for decision-making, also includes open data that can be accessed from the portal and combined with your local GIS data, or incorporated into your own assessment tools. The curated content and open data services invite you to configure new tools and maps that address your local concerns.

As David J. Hayes, special assistant to President Biden for climate policy, said during the annual Esri User Conference in July, “There is no more important service that the federal government can provide to all Americans right now than completely up-to-date information on the climate impacts, on a geographic basis, that are hitting our communities, causing the loss of lives and loss of livelihoods.”

Today we have better data, better tools, and even more appetite for climate information than in years prior.

We all need to do our part—and this portal can engage everyone and get leaders started with data-informed decision-making, leading to impactful interventions.

Maps have sparked the imagination and offered a way of communicating and navigating for centuries. We’ve used maps to see beyond where we’re standing—answering what or who is on the other side of that mountain range, across that sea, or beyond that horizon.

Now we have high-tech maps that accurately illustrate the conditions we face now as well as those we’ll be confronting in the future. My hope is that this new online portal inspires us all to see what we face in our neighborhoods, our regions, and our nation and to take on the challenges collectively.

Seeing—on a dynamic, data-rich map—brings understanding.

Together, let’s use that understanding to map a better future.

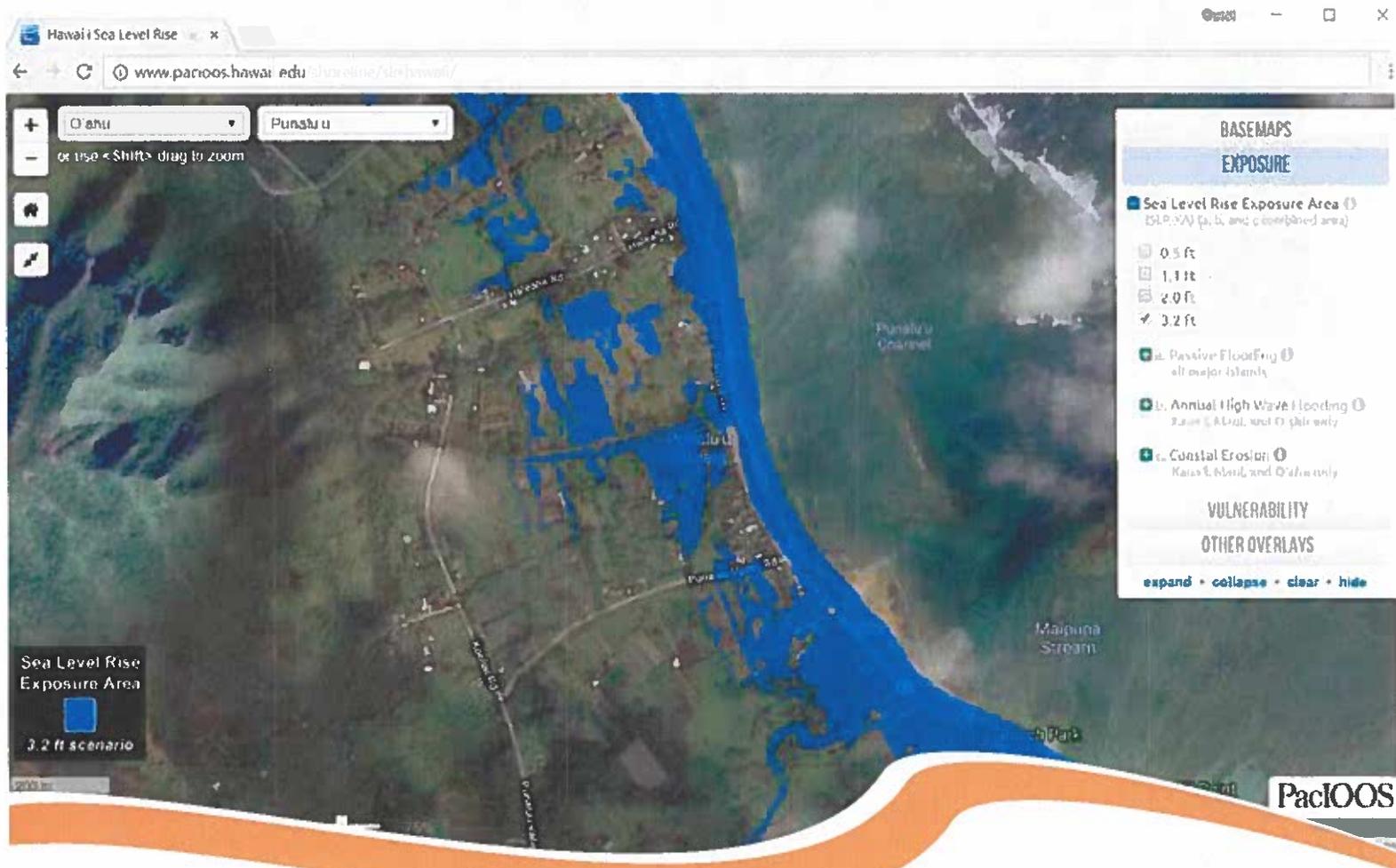
ITEM G-2
EXHIBIT A



A publication of the University of Hawai'i Sea Grant College Program

Hawai'i Sea Level Rise Viewer

www.hawaiisealevelriseviewer.org



ITEM G-2 EXHIBIT B



PACIFIC ISLANDS
CLIMATE ADAPTATION SCIENCE CENTER



TETRA TECH

Funding from the NOAA NOS FY16 Regional Coastal Resilience Grants Program

A project under the program Building Resilience to Coastal Hazards and Climate Change in Hawai'i led by the University of Hawai'i Sea Grant College Program in partnership with the State of Hawai'i Department of Land and Natural Resources and Office of Planning. UNIHI-SEAGRANT-GG-16-05. 2017.

Support for this project is provided by the National Oceanic and Atmospheric Administration (NOAA) 2016 Regional Coastal Resilience Grants Program and the Department of Land and Natural Resources through the Hawai'i Climate Adaptation Initiative. The Hawai'i Sea Level Rise Viewer was developed by the Pacific Islands Ocean Observing System (PacIOOS) at the University of Hawai'i.

Cover image: Hawai'i Sea Level Rise Viewer showing 3.2 ft Sea Level Rise Exposure Area (SLR-XA) www.hawaiisealevelriseviewer.org



High tide flooding at Ala Moana Regional Park, O'ahu in April 2017. Hawai'i Sea Grant King Tides Project

Across the Hawaiian Islands vulnerability to coastal hazards is increasing with climate change and sea level rise and as development along our shorelines continues to expand. Access to high-resolution local hazard exposure and vulnerability data and maps is critical for communities to understand and plan for increased coastal flooding and erosion with sea level rise. The Hawai'i Sea Level Rise Viewer serves as an online interactive atlas accompanying the Hawai'i Sea Level Rise Vulnerability and Adaptation Report, completed in December 2017¹. The Report and map data in the Viewer incorporates the best-available science on sea level rise and potential impacts.

¹Hawai'i Climate Change Mitigation and Adaptation Commission. 2017. Hawai'i Sea Level Rise Vulnerability and Adaptation Report. Prepared by Tetra Tech, Inc. and the State of Hawai'i Department of Land and Natural Resources, Office of Conservation and Coastal Lands, under the State of Hawai'i Department of Land and Natural Resources Contract No: 64064. Available at: <http://climateadaptation.hawaii.gov/>

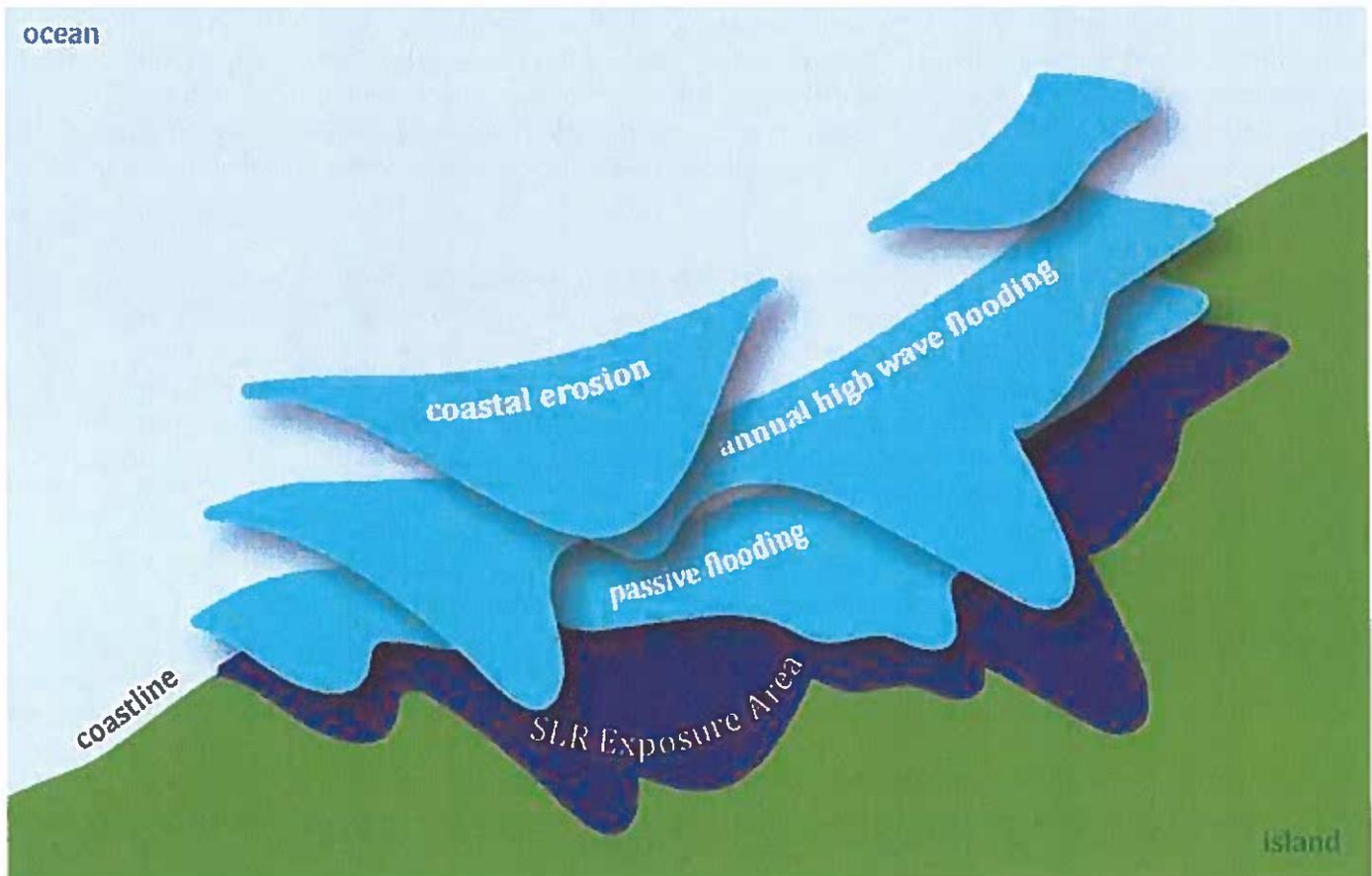
Project Description

The Hawai'i Sea Level Rise Viewer provides interactive maps of projected exposure and vulnerability to coastal hazards with sea level rise. Users will be able to view data and map layers for:

- Coastal hazard exposure areas with sea level rise including passive flooding (still water high tide flooding), annual high wave flooding (over-wash during the largest wave events of the year), and coastal erosion.
- A combined Sea Level Rise Exposure Area integrating the individual hazard layers above and coastal hazards.
- Vulnerability assessment layers showing potential economic loss of land and structures with sea level rise.
- A variety of base maps and other overlays to support adaptation planning.

Project Outcomes

This project developed an online interactive map viewer for Hawai'i depicting exposure and vulnerability to coastal hazards, including erosion and flooding with sea level rise. The viewer is empowering communities, planners, and decision makers across Hawai'i to prepare for increasing vulnerabilities to coastal hazards with sea level rise at various spatial and temporal scales.



Sea Level Rise Exposure Area (SLR-XA) Tetra Tech Inc.

The Bigger Picture: Building Resilience to Coastal Hazards and Climate Change in Hawai'i

As an island community where much of the population and infrastructure is concentrated along low-lying shores, Hawai'i is uniquely vulnerable to sea level rise and coastal hazards. Scientists and policy makers are responding to these risks with a variety of innovative projects, plans, and technologies.

The Hawai'i Sea Level Rise Vulnerability and Adaptation Report

In 2014, the Hawai'i State Legislature passed the Hawai'i Climate Adaptation Initiative Act (Act 83, Session Laws of Hawai'i) declaring that climate change poses both an urgent and long-term threat to the state's economy, sustainability, security, and way of life. This legislation created an Interagency Climate Adaptation Committee and called for the development of a statewide Sea Level Rise Vulnerability and Adaptation Report. This report, completed in December 2017, is helping Hawai'i prepare for the impacts of sea level rise and is also intended to serve as a model for future efforts to address other climate related threats and climate change adaptation priorities, ultimately leading to a Climate Adaptation Plan for the State of Hawai'i. In 2017, the State Legislature passed Act 32 further solidifying Hawai'i's commitment to climate change mitigation and adaptation and created a Hawai'i Climate Change Mitigation and Adaptation Commission to further the work of the Committee established in 2014. The Report is available at climateadaptation.hawaii.gov.

Resilience-Focused Disaster Reconstruction Planning

With climate change and rising sea levels, Hawai'i is expected to experience more severe impacts from coastal disasters such as hurricanes, tsunamis, and extreme high wave events. A critical aspect of community resilience is the ability to build back safer, stronger, smarter, and faster after a damaging disaster. This project works with state and county government to promote resilience-focused recovery practices that enable communities to rebuild quickly while also protecting sensitive environmental and cultural resources, and increasing preparedness for future disasters. This project is under the direction of Hawai'i Sea Grant and the State of Hawai'i with funding from the NOAA 2016 Regional Coastal Resilience Grant and the Hawai'i Department of Land and Natural Resources.

Integrating Coastal Hazards and Sea Level Rise Resilience in Community Planning

It can be challenging to translate statewide policy into action at the local level. This project focuses on developing practical guidelines for incorporating recommendations from the Hawai'i Sea Level Rise Vulnerability and Adaptation Report and the Hawai'i Climate Adaptation Priority Guidelines into the community planning process. Ultimately, this project will build capacity in state and county government to address climate change, sea level rise, and coastal hazards through appropriate entry points in the comprehensive community planning process.

Assessing the Feasibility and Implications of Managed Retreat Strategies for Vulnerable Coastal Areas

The Hawai'i State Office of Planning, Coastal Zone Management Program, as part of its implementation of the Ocean Resources Management Plan, is leading this project to facilitate discussion on the feasibility of managed retreat as a strategy for climate change adaptation in Hawai'i. Research on strategic retreat options and lessons learned from communities around the globe will be compiled into a background report. The project also explores the potential nexus and additional benefits of a managed retreat framework to provide and enhance public access to the shoreline and state land-use management policies. Stakeholder consultations, local case studies, and a statewide symposium will contribute to a final report on the feasibility of managed retreat in Hawai'i.

ITEM G-2
EXHIBIT B



CENTER FOR
COASTAL & CLIMATE
SCIENCE & RESILIENCE

For more information, please contact:

Katy Hintzen, University of Hawai'i Sea Grant College Program
(808) 956-3349 • hintzen@hawaii.edu • hawaii.seagrant.org

Forecast shows high probability of more brush fires for Hawaii

staradvertiser.com/2022/09/05/hawaii-news/forecast-shows-high-probability-of-more-brush-fires-for-hawaii

By Timothy Hurley Sept. 5, 2022

September 5, 2022



CINDY ELLEN RUSSELL / 2019

Drought conditions are expected to persist for most of the Hawaiian Islands until the December rainy season. Above, fire crews battled a brush fire which broke out in Nanakuli in 2019.

ITEM G-2
EXHIBIT C



CINDY ELLEN RUSSELL / NOV. 26

More than 46,000 acres of land in Hawaii burned in 2021, according to the Hawaii State Data Book. Above, a brush fire burned behind Kalihi Valley Homes last year.

Following months of drought, Hawaii's wilderness and undeveloped lands are tinder dry and in danger of blowing up into a raging wildland fire.

The National Interagency Fire Center just released its latest national fire forecast, and it describes Hawaii as being especially vulnerable to wildland fire over the next three to four months.

The forecast comes from the Boise, Idaho, home to the fire management programs of the U.S. Fish and Wildlife Service, National Park Service, U.S. Forest Service, Bureau of Land Management and Bureau of Indian Affairs. The National Weather Service is also a partner agency.

The center's four-month weather outlook for Hawaii calls for near- to below-normal rainfall with the rainy season expected to start up sometime in December.

Until then, drought conditions are expected to persist on most of the islands, with La Nina-influenced tradewinds helping to generate periods of "critical fire weather and flammable fuel conditions."

ITEM G-2
EXHIBIT C

“A few National Weather Service Red Flag Warnings were issued during August and that potential remains the next few months. Significant fire potential is projected to be above normal from September through December, especially impacting the leeward sides of the islands,” the forecast says.

Honolulu Fire Department Capt. Keith Ito called the drought concerning, especially on the dry west side of Oahu, which generally experiences more wildland fires.

“Personally, for me, I’m on edge a little bit more,” said Ito, who is stationed in Nanakuli.

“Warmer temperatures and dry conditions? Sounds like a recipe for fire behavior to grow,” said state climatologist Pao-Shin Chu, a member of the Hawaii Drought Council.

Hawaii’s wildfire concern is largely a reflection of the ongoing drought that has continued to worsen this summer.

The latest U.S. Drought Monitor, released Thursday, now indicates that all areas of Hawaii are experiencing some level of drought, the first time that’s happened in five months.

The National Weather Service also released its latest drought outlook indicating that drought will persist across most of islands through at least November. Even the state’s wetter windward regions are expected to experience drought development, according to the forecast.

On Friday, Board of Water Supply Chief Engineer Ernie Lau urged Oahu residents to continue to conserve water in order to help compensate for the loss of a key source of city water due to the Navy Red Hill water contamination crisis.

“The National Weather Service is predicting dry conditions well up to November and possibly even into next spring. So if it goes into next spring, we will need everybody’s kokua to try to save water,” he told the Honolulu Star-Advertiser’s “Spotlight Hawaii” show.

Chu, a meteorology professor at the University of Hawaii at Manoa, said drought — and the associated danger of wildfire — likely will be a growing issue for Hawaii as the weather heats up under the spell of climate change.

Chu said Hawaii used to experience more frequent wet weather during years (such as this one) influenced by La Nina, the opposite of the El Nino weather pattern.

But La Nina’s relationship to rainfall, he said, appears to have changed over the past 40 to 50 years under the influence of another oceanwide climate pattern known as the Pacific Decadal Oscillation. Add an even larger phenomenon, global warming, and it could further influence how much moisture the islands see, Chu said.

ITEM G-2
EXHIBIT C

According to the Hawaii State Data Book, more than 46,000 acres burned in 2021 — more acres than any other year in at least 20 years.

Much of that acreage was consumed in late July 2021 when the Big Island experienced what may have been the largest brush fire in Hawaii County’s history. The blaze destroyed two homes and prompted the evacuation of three communities, including Waikoloa Village.

So far in 2022, Oahu has seen nearly as many brush fires — 449 — as the island experienced all of last year — 458, according to the Honolulu Fire Department. More than half of them this year have occurred in Oahu’s parched leeward region.

“This past year we’ve had to fight a lot of brush fires — a lot of small ones,” said HFD’s Ito.

Interestingly, the amount of acreage burned on the Waianae Coast has generally stayed the same over the past 25 years, Ito said. That may have to do with the amount of development in the area.

“The brush fire footprint is smaller,” said Ito, one of the leaders in the department’s wildland program.

Wildfire tips from HFD

>> Create at least a 30-foot safety zone around the house by removing brush and other vegetation.

>> Store flammable materials safely away from the exterior of your home.

>> Remove or cut back anything touching your house that can cause it to catch fire.

>> Report suspicious activity you may have seen before, during or after a fire.

>> Keep fire lanes and access points unobstructed to ensure fire apparatuses can reach your home.

>> Make and practice a family evacuation plan.

>> Wildland fire can spread to treetops.

>> Prune trees so the lowest branches are 6 to 10 feet from the ground.

ITEM G-2
EXHIBIT C

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Planning Program Manager *AC*
From: Pearlyn Fukuba, Planner *plf*
Subject: For Information Only - 'Ewa Beach Homestead
Project, Master Plan and Environmental Assessment,
'Ewa Beach, O'ahu, TMK (1)9-001-001(por.)

Recommended Action

None, for information only.

Background

In March 2020, the Department of Hawaiian Home Lands (DHHL) received a Notice of Availability from the General Services Administration (GSA) regarding the availability of surplus government real estate in 'Ewa Beach, O'ahu. The approximately 80-acre parcel, the former location of the Pacific Tsunami Warning Center, was offered to the DHHL as provided by the Hawaiian Homelands Recovery Act, Public Law 104-42, that authorizes the transfer of non-ceded federal property to the DHHL. DHHL conducted due diligence actions to investigate the parcel's potential to develop and deliver homesteads to beneficiaries. In August 2020, the Hawaiian Homes Commission delegated its Chairman to respond to the GSA and negotiate the terms and conditions for DHHL's acceptance of the property. The parcel was conveyed to DHHL by quitclaim deed in July 2021.

The next step is for DHHL to go through the Master Plan (MP) and Environmental Assessment (EA) processes for the 'Ewa Beach Homestead Project. The department and its consultants SSFM, International, commenced with project planning in Fall 2022. The Master Plan and EA has been funded with NAHASDA monies.

Parcel Location Map



The project site is approximately five (5) miles from DHHL's Kapolei administrative offices and is located within the residential neighborhood of Pu'uolo in 'Ewa Beach, O'ahu. It is bounded by North Road and the USGS Honolulu Magnetic Observatory to the northwest, 'Ewa Beach Golf Club to the east, and Fort Weaver Road to the south. The surrounding neighborhood primarily consists of single family homes and low-rise apartments.

Project Description

The purpose of the project is to:

- Provide residential homesteads to DHHL beneficiaries on the O'ahu waiting list.
- Create a thriving homestead community in 'Ewa Beach that honors culture, environment and sense of place.
- Involve beneficiary lessees, waiting list applicants, and the surrounding community in envisioning and shaping the future homestead community.

The project will include development of a MP and completion of environmental compliance in accordance with Hawaii Revised Statutes (HRS) Chapter 343 and Environmental Assessment Determinations and Compliance Findings for U.S. Department of Housing and Urban Development (HUD)-assisted Projects, 24 Code of Federal Regulations Part 58, including consultations in accordance with National Environmental Policy Act.

Project tasks include:

- A community MP and infrastructure analysis to identify design alternatives for the homestead development and determine water, sewer, drainage, traffic, and electrical infrastructure improvements needed to support the alternatives. A preferred alternative will be identified for inclusion in the EA.
- An EA and associated technical studies to assess environmental impacts of the proposed land use plan in accordance with the requirements of HRS Chapter 343.
- A community engagement program that includes three rounds of beneficiary consultations, as well as presentations to the Hawaiian Homes Commission, meetings with elected officials, presentations to the 'Ewa Neighborhood Board, and two public meetings with the surrounding community of 'Ewa Beach to seek their input and involvement throughout the project. This task will also include a survey of O'ahu waitlist beneficiaries to gather input on the design alternatives and types of communal use areas and facilities for the homestead community.
- Compliance with HUD environmental review requirements will ensure that the EA includes all required elements of the HUD Environmental Review Online System. Coordination with the Environmental Protection Agency and consultations with relevant agencies for endangered species and historic preservation will be undertaken as part of this task.

While the master planning and environmental compliance has been funded by NAHASDA monies, it is anticipated that homestead construction will be funded with a portion of the \$600 million appropriation provided by the 2022 Hawaii State Legislature to implement Act 279, the "Waitlist Reduction Act."

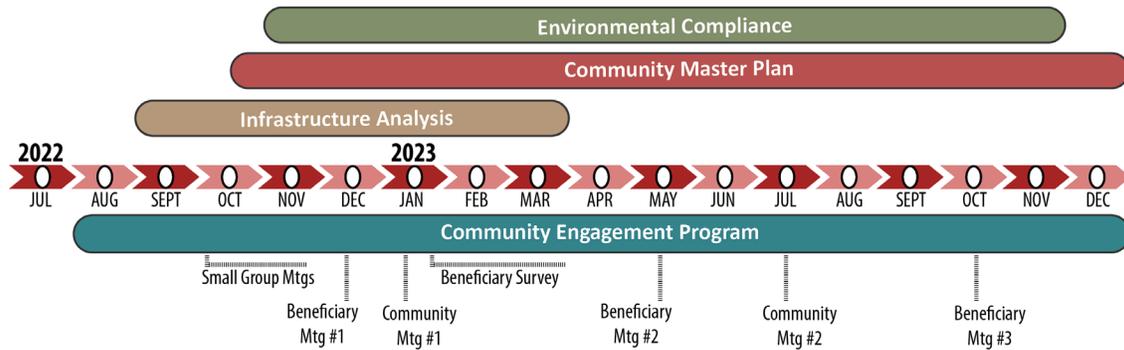
Anticipated Project Schedule

In Fall 2022, the project team started laying out the groundwork with the following actions:

- DHHL ‘Ewa Beach Project Master Plan & Environmental Assessment Kickoff
- Project Work Plan and Schedule
- Project Fact Sheet (Exhibit A) and Website
- Initial Site Visit
- Initiated infrastructure studies
- Elected Officials meetings
- Kapolei Homestead Leaders meeting

The anticipated project schedule is included below as Figure 1.

FIGURE 1 - ANTICIPATED PROJECT SCHEDULE



Additional description of each of the project tasks is included in the sections below.

Master Plan & Environmental Assessment

Development of the MP involves research and technical study of the proposed homestead development area to develop three feasible master plan alternatives for the ‘Ewa Beach Homestead Project. These alternatives will be developed and refined with agency, beneficiary, and community input, and once finalized will be evaluated in the EA.

A Preliminary Engineering Report (PER) will be conducted to evaluate existing and needed infrastructure

(water, sewer, drainage, electrical). The PER will include technical studies, consultation with utilities and other relevant agencies, and preparation of rough order of magnitude cost estimates. Soil testing and additional hazardous materials investigation will also be conducted, building on the Phase 1 Environmental Site Assessment conducted as part of due diligence. Once the three master plan alternatives are identified and vetted through agency review and stakeholder input, a preferred alternative will be identified.

Prior site investigations found that while the site does not show significant recognizable environmental contaminants nor conclusive evidence of unexploded ordinance, climate change, flooding, and other hazards may impact portions of the property. Sea level rise (SLR) models indicate that SLR could impact the makai portion of the property, which is also located within the tsunami inundation zone. Additionally, previously identified site constraints will be investigated further, if necessary. Infrastructure capacity for water at maximum development is confirmed, however wastewater improvements and traffic improvements may be required.

The final MP report will utilize the findings of the research, technical studies, agency guidance, and stakeholder input to identify desired program elements and land uses, describe how those uses are compatible with the plans for the surrounding area and compliant with existing regulations, and provide land use plans and concept drawings for the preferred alternative.

The project also involves preparation of an EA and associated activities in compliance with HRS Chapter 343 and HAR Chapter 11-200. The EA will incorporate the results of the technical studies and MP report as well as cultural, archaeological, biological, and traffic studies to evaluate impacts associated with the master plan alternatives including "No Action." Where possible, mitigation measures will be identified to mitigate impacts. The EA process will include a pre-consultation phase, followed by preparation and distribution of the Draft EA. Community and beneficiary engagement will occur around the release of the Draft EA, as described further in the next section. Following the comment period and preparation of responses, the Department will prepare a Final EA.

Beneficiary Consultation & Community Engagement

The 'Ewa Beach Homestead Project is expected to be of high interest to beneficiaries, elected officials, and the surrounding community. The project offers an attractive opportunity for providing residential homesteads in an urban setting close to jobs, services, and destinations. Obtaining input from waitlist applicants that may be future residents of the homestead is a priority, however given the large beneficiary population in the region and the project site's location within the existing 'Ewa Beach community, community engagement is also designed to include existing beneficiary organizations, neighboring residents, elected officials, and community organizations.

A project fact sheet and website were developed in October 2022 to provide information about the project and opportunities for participation and input by beneficiaries and the public.

Early stakeholder engagement occurred in October and November 2022 to apprise key stakeholders of the project and gather input on community and beneficiary concerns. Dialog with elected officials began in October 2022 and briefings were provided to Senator Kurt Fevella, Councilmember Augie Tulba, and Councilmember Andria Tupola. In addition, a virtual meeting with Kapolei homestead leaders from Kapolei Community Development Corporation, Malu'ohai, Kaupe'a, Kānehili, and Ka'uluokaha'i homesteads was held on November 2, 2022.

Three rounds of beneficiary consultation are planned as part of the project:

- The first beneficiary consultation meeting is scheduled to be held virtually on December 8, 2022. The meeting will introduce the project and engage beneficiaries, particularly applicants on the O'ahu residential wait list, in envisioning and planning for the future 'Ewa Beach homestead community.
- Two subsequent beneficiary consultation meetings will be scheduled in 2023, including a MP alternatives workshop and final MP and EA presentation.
- Beneficiary consultation meetings will be advertised

through the website and by mailing postcards to applicants on the O'ahu residential wait list.

Three presentations are anticipated to the Hawaiian Homes Commission. The first is this informational briefing. The second will be provided prior to the release of the Draft EA. The third presentation will occur leading up to the final round of beneficiary consultation as the final EA is being prepared.

In addition to beneficiary consultation, the project team will conduct two public meetings with stakeholders from the 'Ewa community. The first meeting will gather input relevant to informing the preliminary master plan alternatives in early 2023, and the second will coincide with the release of the Draft EA and will be held around mid-2023.

Presentations to the 'Ewa Neighborhood Board will be made in the lead up to both community meetings to apprise the Neighborhood Board of the project and opportunities for community input.

A mail and online survey of O'ahu residential waiting list applicants is also planned. The survey will gather beneficiary input on the preliminary master plan alternatives, including the desired types of housing, communal use areas and facilities. SMS Research will design the survey instrument in consultation with the Department and project team, deploy the survey by mail (with an online option), and analyze the responses. A report summarizing the results will be prepared.

Recommended Action

For information only. No action required.



DEPARTMENT OF HAWAIIAN HOME LANDS

'Ewa Beach Homestead Project

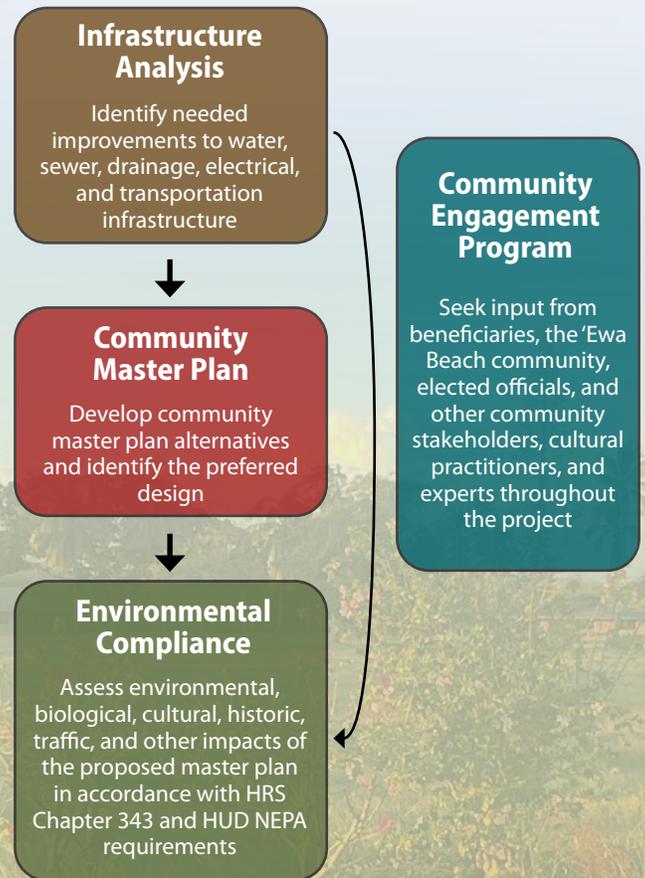
Project Overview

The State Department of Hawaiian Home Lands (DHHL) is developing a master plan and preparing an environmental assessment for approximately 80 acres of recently acquired land in 'Ewa Beach, O'ahu.

Homestead development is the highest priority in DHHL's O'ahu Island Plan. The 'Ewa Beach homestead community is primarily intended to provide residential homesteading opportunities to native Hawaiian beneficiaries on the O'ahu Residential Waitlist, which currently has the most beneficiaries waiting for homesteads. The parcel is located adjacent to an existing residential neighborhood, with access to employment centers, public transit, community services, and recreational facilities.

The master planning and environmental compliance is expected to be funded by the Native American Housing Assistance and Self-Determination Act. It is expected that the construction will be funded with a portion of the \$600 million appropriation provided by the 2022 Hawai'i State Legislature to implement Act 279, the "Waitlist Reduction Act."

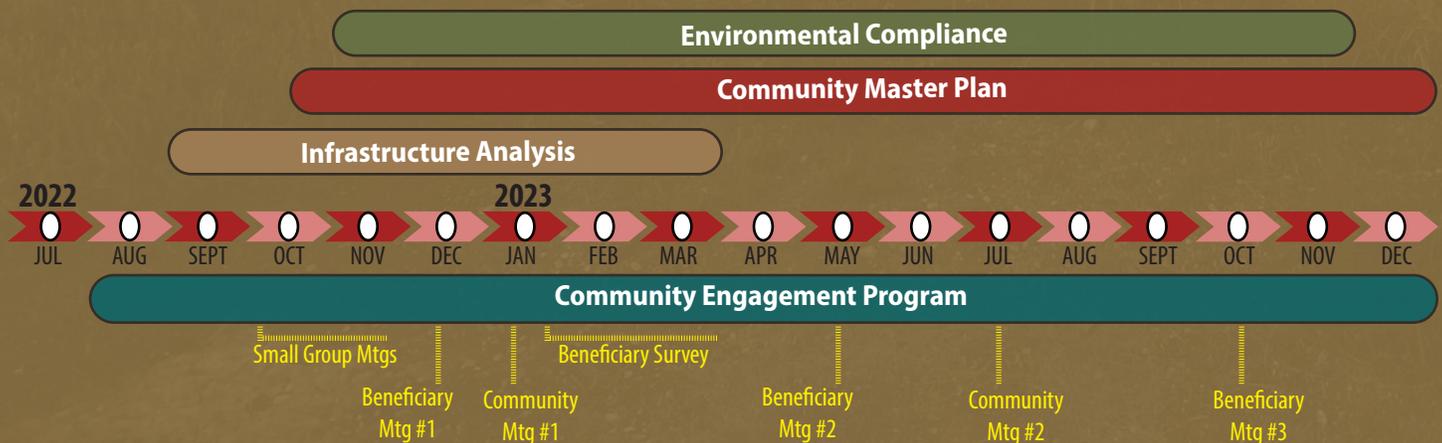
Master Plan and Environmental Assessment Phase



Project Objectives

1. Provide residential homesteads to DHHL beneficiaries on the O'ahu waiting list.
2. Create a thriving homestead community in 'Ewa Beach that honors culture, environment and sense of place.
3. Involve beneficiary lessees, waiting list applicants, and the surrounding community in envisioning and shaping the homestead community.

Anticipated Project Schedule



Project Area Map



How to get involved

Beneficiaries

- Attend Beneficiary Consultation Meetings
- Complete the Beneficiary Survey (mail or online)
- Testify at Hawaiian Homes Commission

Public

- Attend and provide comments at Neighborhood Board meetings
- Attend Community Meetings

For more information and to sign up for the project mailing list,
please visit the project website:

dhlh.hawaii.gov/po/oahu/ewa-beach-homestead-project/



SCAN ME!



Pearlyn Fukuba, Project Manager

DHHL Planning Office
Phone: (808) 620-9279
Email: pearlyn.l.fukuba@hawaii.gov



Melissa May, Project Manager

SSFM International, Inc.
Phone: (808) 628-5861
Email: mmay@ssfm.com

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21-22, 2022

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Julie-Ann Cachola, Planner, Maui Liaison
Subject: For Information Only - Status Update on Plan
Implementation in Kula, East Maui, and Kahikinui

RECOMMENDED ACTION

None; For information only.

BACKGROUND/DISCUSSION

Mahalo Commissioners, the Commission Secretary, and our Information and Community Relations team for resuming monthly Commission meetings at different locations across the State, while still providing live stream viewing and virtual meeting participation. You have provided Beneficiaries the best of both worlds. Mahalo!

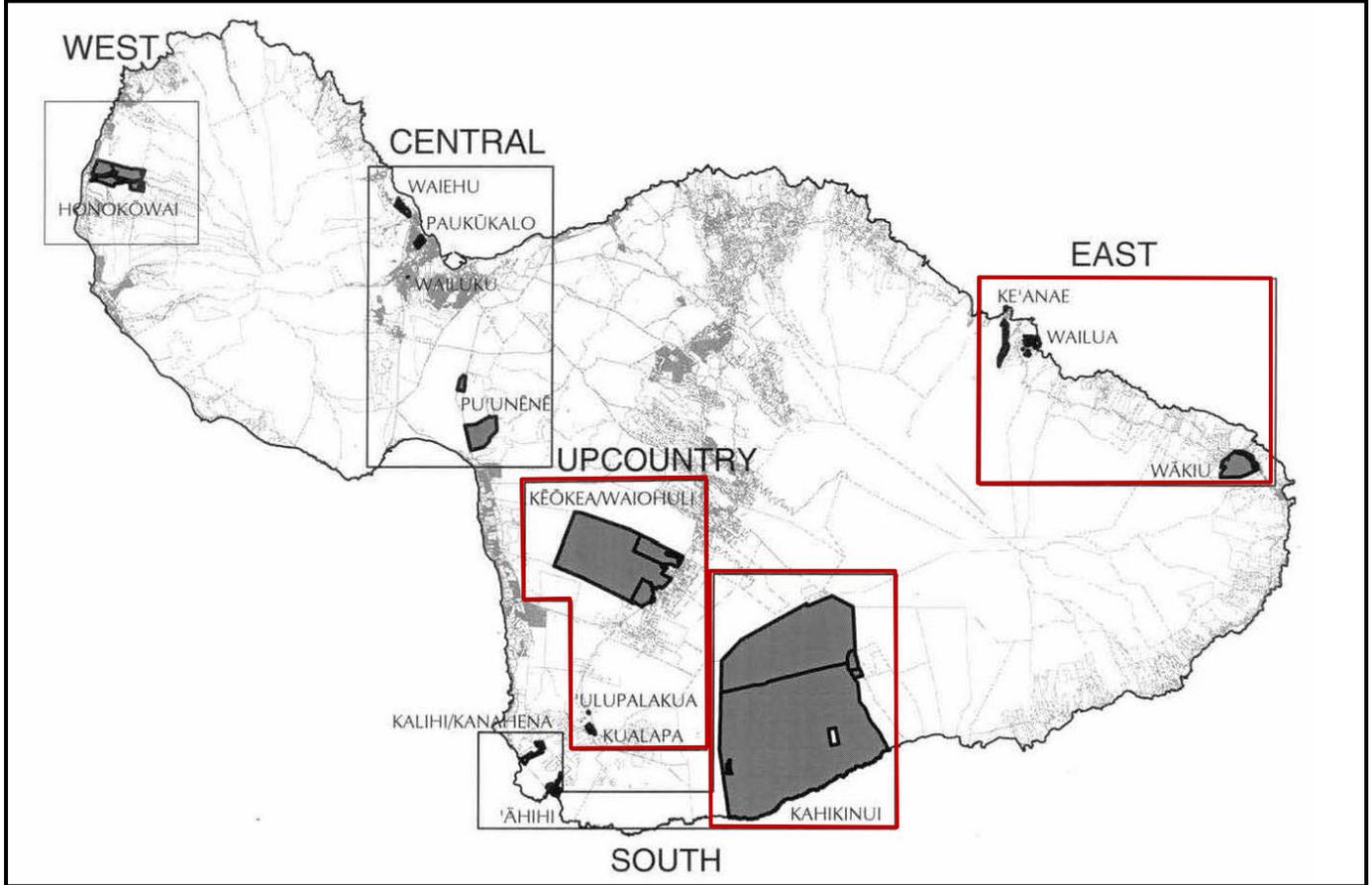
Two months ago, the Commission was in West Maui and staff provided an update on projects and opportunities in West Maui (Honokōwai and Leiali'i) and Central Maui. This informational submittal provides an update on projects and opportunities in Upcountry Maui, South Maui, and East Maui.

EXISTING LANDS, PLANS AND IMPLEMENTATION STATUS

Maui Island Plan

The Maui Island Plan was adopted by the HHC in September 2004. The Island Plan delineated five planning regions for the island of Maui: Central, West, East, Upcountry, and South Maui. Today we are focusing on the areas outlined in red

Figure 1: DHHL Planning Regions, Maui Island Plan



It should be noted that after the adoption of the Maui Island Plan in 2004, additional lands were acquired, adding an additional 227-acres to Maui's land inventory, including:

- 76-acres in Leiali'i, West Maui
- 104-acres in Pūlehunui, Central Maui
- 47-acres in Waikapū (Pu'unani Homestead), Central Maui

Table 1 below, presents the inventory of Maui Hawaiian Home Lands by homestead area, grouped into the five (5) planning areas identified in the Maui Island Plan. Lands acquired after the Maui Island Plan are identified in the highlighted column. Today's focus on South Maui, Upcountry, and East Maui encompasses 94% of our Maui lands.

Table 1: Land Inventory by Homestead and Planning Region

HOMESTEAD TRACTS BY PLANNING REGION	2004 ISLAND PLAN ACRES	LANDS ACQUIRED AFTER 2004	2022 LAND INVENTORY BY HOMESTEAD AND PLANNING REGION	PERCENT OF ISLAND INVENTORY
1. SOUTH MAUI				
Kahikinui	22,860		22,860	
Kalihi/Kanahena	100		100	
ʻĀhihi	75		75	
Sub-Total:	23,035		23,035	72%
2. UPCOUNTRY				
Kēōkea/Waiohuli	6,112		6,112	
Kualapa	41		41	
ʻUlupalakua	2		2	
Sub-Total:	6,155		6,155	19%
3. EAST MAUI				
Wākiu	743		743	
Keʻanae	151		151	
Wailuanui	91		91	
Sub-Total:	985		985	3%
4. CENTRAL MAUI				
Pūlehunui	726	104	830	
Waifēhu	91		91	
Paukūkalo	61		61	
Wailuku	0.20		0.20	
Waikapū (Puʻunani)	-	47	47	
Sub-Total:	878	151	1,030	3%
5. WEST MAUI				
Honokōwai	777		777	
Lealiʻi	-	76	76	
Sub-Total:	777	76	853	3%
TOTAL	31,831	227	32,057	100%

Table 2 presents an island wide summary of Land Use Designations. The Land Use Designations have been separated into those that support homestead development and those that are non-homestead land use designations. Approximately 8,500 acres (27%) are designated for homestead uses; approximately 23,500 acres (73%) are designated for non-homestead uses. This disproportionate amount of land for non-homestead uses is due to Kahikinui’s large acreage and its designation in Special District.

Table 2: Maui Land Use Designations

MAUI LAND USE DESIGNATIONS	ACRES	PERCENT
Homestead Land Use Designations:		
Residential	5,384	16.8%
Subsistence Ag	1,582	4.9%
Supplemental Ag	675	2.1%
General Ag	599	1.9%
Pastoral	233	0.7%
Non-Homestead Land Use Designations		
Special District	15,485	48.4%
Conservation	7,513	23.5%
Commercial	195	0.6%
Community Use	190	0.6%
Industrial	115	0.4%
MAUI ISLAND TOTAL:	31,971	100%

MAUI ISLAND REGIONAL PLAN PRIORITY PROJECTS

1. Kēōkea-Waiohuli Regional Plan

The Kēōkea-Waiohuli Regional Plan was approved by the HHC in June 2010. Outreach, planning activities, and discussions with beneficiaries in the region during the planning process identified the following priority projects:

- (1) Develop Water Source Related Infrastructure for Agricultural and Residential Lots
- (2) Identify and Support the Development of Community Facilities for Waiohuli and Kēōkea
- (3) Support the Development of a Kīhei to Kula Road Through Hawaiian Home Lands
- (4) Support Efforts to Implement/Mālama Cultural Preserve Management Plans
- (5) Awareness Campaign/Letter Writing Campaign to Address Safety Concerns

2. Kahikinui Regional Plan

The Kahikinui Regional Plan was approved by the HHC in July 2011. Outreach, planning activities, and discussions with

beneficiaries in the region during the planning process identified the following priority projects:

- (1) Homestead Development Facilitation Program
- (2) Homestead Roads--Improve and Develop Roadway Network
- (3) Resource Management
- (4) Develop a New Stewardship Economy for Kahikinui
- (5) Pūnāwai Project and Water Infrastructure Improvements

REGIONAL PLAN IMPLEMENTATION

For each priority project, Table 3 provides a description of the project and identifies efforts to implement the project.

Table 3: Description and Status of Regional Plan Priority Projects

PRIORITY PROJECT	DESCRIPTION	STATUS
1. Kēōkea-Waiohuli Regional Plan (June 2010)		
Develop Water Source and Related Infrastructure for Agricultural and Residential Lots	Develop new water source, storage and transmission infrastructure for the build-out of Waiohuli-Kēōkea. Coordinate with NRCS, DOA, County DWS and the Maui County Farm Bureau to extend the agricultural water line from Na’alae Road to Kēōkea Agricultural lots.	Water diversions necessary to maintain water pressure for the domestic water line to Waiohuli-Kēōkea have been completed. In meetings with NRCS and Soil and Water Conservation District Board members, the PLO learned that development of the Ag Water line stopped because they couldn’t find an acceptable alignment. They are now looking at higher elevations to bring the line through. Since the existing water lines end in our homestead, the DWS has to routinely flush the lines, releasing a lot of water that is unused. Some homesteaders have been capturing and using the water. In addition, Pa’upena CDC received a grant to install 10 water catchment tanks in Kēōkea which has provided a source of ag water for some ag lots and the area they have licensed for a community facility. DHHL is also seeking a surface water reservation of up to 9.85 MGD from the East Maui Irrigation System. The reservation request is pending state Commission on Water Resource Management approval at its November 2022 meeting.
Identify and Support the Development of Community Facilities for Waiohuli and Kēōkea	A total of 69 acres are allocated for community and park use throughout the Waiohuli and Kēōkea homesteads. Beneficiaries expressed the need for a community area in the Kēōkea.	Several phases of the Community center at Waiohuli have been completed. There are plans in place for additional development. DHHL assisted Kēōkea to develop a master plan and Environmental Assessment for their community center facility.

PRIORITY PROJECT	DESCRIPTION	STATUS
Support the Development of a Kīhei to Kula Road Through Hawaiian Home Lands	Beneficiaries expressed a desire for a new roadway that would connect the Waiohuli-Kēōkea lands to Kīhei. The new roadway would run through the DHHL lands.	DOT has committed to a capital intensive road project from Kīhei to Hali'imaile which does not help our lessees. We lease our lands at Kanahena-ʻĀhihi to Haleakala Ranch which gives the Ranch access to their road going from Kīhei to 'Ulupalakua. Lessees have asked DHHL to negotiate with Haleakala Ranch to allow our lessees to use the access road.
Support Efforts to Implement/Mālama Cultural Preserve Management Plans	Beneficiaries expressed a need to maintain and care for the various archaeological and cultural sites located within the Waiohuli-Kēōkea area. Both Waiohuli and Kēōkea have approved Cultural Preserve Management Plans in place.	DHHL staff conducted training sessions with lessees when they were first awarded. There was a legislative appropriation to develop the cultural preserves.
Awareness Campaign/Letter Writing Campaign to Address Safety Concerns	Beneficiaries have expressed concerns about safety and vandalism issues in Waiohuli and Kēōkea. To address these issues, a letter writing/awareness campaign was proposed.	No movement on this priority project.

2. Kahikinui Regional Plan (July 2011)		
Homestead Development Facilitation Program	This program helps lessees build and settle in Kahikinui by providing a safe and secure place to temporarily store construction material and a place to stay while lessees build their homes. A secure site close to the highway allows larger volumes of material to be easily and safely stored. A "How To" manual on kuleana homesteading would also be provided that reflects the direct experience of the homesteaders so new residents minimize mistakes.	DHHL is extending the Kuleana Homestead lease to other islands. In this expansion, DHHL is developing a Kuleana Homesteading program that will provide technical assistance, education, and possibly some financial assistance to kuleana lessees. In addition, DHHL will be awarding the remaining 23 lots at Kahikinui. The new lessees will be able to participate in kuleana training workshops.
Homestead Roads – Improve and Develop Roadway Network	The lack of an improved roadway network is the greatest impediment to homesteading at Kahikinui. Improved roadways will ease the daily burden of travel and will reduce commute times and the toll it takes on automobiles and tires. Improved roadways will provide access to emergency vehicles, including, police vehicles, fire trucks, and ambulances. Roadways can also create natural fire breaks that slow or stop the progress of out-of-control fires. Roads facilitate the logistics involved in land stewardship and reforestation work.	The DHHL allocates \$100,000 each year for road repair, but it is not enough to complete new sections of the road. As a result, the LDD Division contracted the completion of the main road. In subsequent phases, additional lengths of the road will be completed.
Resource Management	Kahikinui is a pilot project in the relationship of people to the land, to live sustainably in harmony with the nature. The native forest at Kahikinui has been significantly impacted by herds of cattle and goats that freely roam the land. Resource Management Fencing is needed to protect the forest. It must be designed to prevent alien species (cattle, goats, deer and sheep) from decimating the native ecosystem. An Alien species eradication and control program is needed.	The Leeward Haleakala Watershed Partnership has diligently secured funding, materials, and labor to construct a fence that will enclose approximately 4,500 acres. As plans were being made to close the fence, LMD worked with DOFAW to develop an Ungulate Management Plan. With the major stakeholders in agreement, we were able to hire a contractor that is employing different methods to capture and remove animals from the forest.

<p>Develop a New Stewardship Economy for Kahikinui</p>	<p>There is support for developing new economic opportunities for Kahikinui that are in tune with its resources, compatible with the land and Hawaiian cultural values. Sustainable living and a sustainable economy is envisioned to work in concert and create a pioneering lifestyle that is appropriate for the 21st century, based on sustainable stewardship and resource management. It is something that is being invented as the Kahikinui experiment evolves.</p>	<p>The range of ideas is extremely broad, including:</p> <ul style="list-style-type: none"> • Develop the Hale Pili area as a commercial node for the region, including a convenience store, restroom facilities and a gift/craft shop. • Salt collection and the sale of local products that utilize natural resources of the land and sea. Tropical hardwoods, various jerky from the land and sea fall into this category. • Develop cabins for community use but allow rental to outsiders for a fee. • Develop eco/cultural tours that tread lightly on the land. • Residents feel the impacts of the Auwahi Wind Energy project and feel there should be some compensation to Kahikinui. • Develop a quarry/batch plant in Kahikinui that can make use of the all rocks at Kahikinui.
<p>Pūnāwai Project and Water Infrastructure Improvements</p>	<p>The availability of water is a constant constraint in Kahikinui. Homesteaders rely on hauling water, almost daily to store in water catchments. In the late 1990's, test fog mist capture structures were developed and constructed in various locations. The data indicated that the fog-catch system was more efficient than rain catchment systems. This project calls for the development of one or more tanks/reservoirs to retain the water. The initial capture area should be a 5-10 acre site which is fenced for protection from people and animals. The fog screens and reservoirs should be located above the homestead area between 3,200' to 6,500' feet above sea level. Water tanks should be installed in the lots toward Pu'u Pane. A large reservoir should also be developed below the community center. A 2-inch diameter pipeline is needed to bring the water from the reservoirs to the two 100,000 gallon storage tank. The program should include a subsidized 15,000 gallon tank for each lessee who could use one to kick start his/her settlement.</p>	<p>Dr. James Juvik who was the head of the UH, Hilo Geography and Environmental Studies Dept. conducted initial fog catchment studies at Kahikinui in 1996-1997. He has implemented these systems in parts of Africa. When he returned to Hawaii he wanted to construct a fog catchment system at Kahikinui. A detailed budget was developed, however, the costs have risen exponentially and there is a need to secure additional funds to implement the system. Related to the provision of water at Kahikinui, the State Drought Assistance Coordinator, submitted a request for drought assistance for Kahikinui, from the federal Bureau of Reclamation. The Bureau of Reclamation is providing deliveries of potable water to water tanks that they will pay for. The Bureau will pay the vendor \$593,000 for the delivery of potable water to Kahikinui for as long as the funding lasts.</p>

Recommendation

None; For information only

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

**H – ITEMS
ADMINISTRATIVE
SERVICES OFFICE**

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 21, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Rodney Lau, Administrative Services Officer *Rodney Lau*
Gigi Cairel, Grants Specialist *GC*

SUBJECT: Approval to Amend the DHHL FY 2023 Operating Budget

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve Amendment No. 1 to the DHHL FY 2023 Operating Budget.

DHHL Water System(s) Debt Service and Reserve Accounts

In September 2018, the Department of Hawaiian Home Lands (DHHL) was awarded a total of \$15,147,279 in federal grant and loan funds from the US Department of Agriculture Rural Development (USDA RD) Water Environment Program (WEP) for major capital improvements to the DHHL-owned Anahola Farm Lots and Ho'olehua Water Systems.

As a condition of these funding awards, DHHL committed to the following:

1. LOAN AND GRANT CONDITIONS - Anahola, Kauai

(a) The Department of Hawaiian Home Lands (DHHL) accepts the \$4,100,000 loan and subsequent \$1,999,946 grant (a prior USDA grant of \$3,055,137 was received by DHHL earlier in 2016), as part of a financing package awarded in September 2018 to the DHHL by the U.S. Department of Agriculture Rural Development (USDA RD) to fund major capital improvements to the DHHL-owned Anahola Water System (Public Water System #432) on the island of Kauai.

35 Year Loan; Interest only payments first 2 years; Amortized equal annual installments for the next 33 years; Interest rates to be determined at closing (estimated 3.125% rate in 2018); estimated annual debt service \$200,900.

FY 2023 BUDGET IMPACT: \$128,125 INTEREST ONLY DEBT SERVICE PAYMENT

(b) In accordance with the Letter of Conditions, dated September 26, 2018, DHHL certify that a Debt Service Reserve account be established and funded annually equal to 10% of the annual payment each year over the life of the loan until one annual installment is accumulated (i.e. annual installments for 10 years). Ten percent of the proposed loan installment would equal \$21,000 per year.

FY 2023 BUDGET IMPACT: \$0

FY 2023 DEBT SERVICE RESERVE ACCOUNT: Restrict Cash \$21,000; used in the event of loan default

(c) In accordance with the Letter of Conditions, dated September 26, 2018, DHHL certify that a Short-Lived Asset Reserve (based on preliminary engineering report) be established. DHHL must deposit at least \$43,790 into the Short-Lived Asset Reserve Fund annually for the life of the loan to pay for repairs and/or replacement of major system assets. DHHL shall assess the Anahola facility short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

FY 2023 BUDGET IMPACT: \$0, until reserve expended for repairs/replacement of major system assets

FY 2023 SHORT-LIVED ASSET RESERVE ACCOUNT: Restrict Cash \$43,790

2. LOAN AND GRANT CONDITIONS - Hoolehua, Molokai

(d) The Department of Hawaiian Home Lands (DHHL) accepts the \$7,455,000 loan and subsequent \$1,592,333 grant (a prior USDA grant of \$10,011,750 was received by DHHL earlier in 2016), as part of a financing package awarded in September 2018 to the DHHL by the U.S. Department of Agriculture Rural Development (USDA RD) to fund major capital improvements to the DHHL-owned Ho'olehua Water System (Public Water System #230) on the island of Molokai.

35 Year Loan; Interest only payments first 2 years; Amortized equal annual installments for the next 33 years; Interest rates to be determined at closing (estimated 3.125% rate in 2018); estimated annual debt service \$365,295.

FY 2023 BUDGET IMPACT: \$232,969 INTEREST ONLY DEBT SERVICE PAYMENT

(e) In accordance with the Letter of Conditions, dated September 26, 2018, DHHL certify that a Debt Service Reserve

account be established and funded annually equal to 10% of the annual payment each year over the life of the loan until one annual installment is accumulated (i.e. annual installments for 10 years). Ten percent of the proposed loan installment would equal \$36,530 per year.

FY 2023 BUDGET IMPACT: \$0

FY 2023 DEBT SERVICE RESERVE ACCOUNT: Restrict Cash \$36,530; used in the event of loan default

(f) In accordance with the Letter of Conditions, dated September 26, 2018, DHHL certify that a Short-Lived Asset Reserve (based on preliminary engineering report) be established. DHHL must deposit at least \$84,713 into the Short-Lived Asset Reserve Fund annually for the life of the loan to pay for repairs and/or replacement of major system assets. DHHL shall assess the Ho'olehua facility's short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

FY 2023 BUDGET IMPACT: \$0, until reserve expended for repairs/replacement of major system assets

FY 2023 SHORT-LIVED ASSET RESERVE ACCOUNT: Restrict Cash \$84,713

USDA DEBT SERVICE AND RESERVES FY 2023				
DEBT SERVICE	DEBT SERVICE RESERVE	SHORT-LIVED ASSET RESERVE		
\$130,000	\$21,000	\$43,790	ANAHOLA	DEBT SVC: INTEREST ONLY
\$270,000	\$36,530	\$84,713	HOOLEHUA	DEBT SVC: INTEREST ONLY
\$400,000	\$57,530	\$128,503		
BUDGET INCREASE: INTEREST EXPENSE	RESERVE	RESERVE		

RECOMMENDED MOTION

We respectfully request an increase of \$400,000 to the Hawaiian Home Operating Fund (HHOF) operating budget to finance the anticipated debt service payments in FY 2023.

**HAWAIIAN HOMES COMMISSION
NOVEMBER 21 & 22, 2022**

**J – ITEMS
REQUESTS TO ADDRESS THE
COMMISSION**

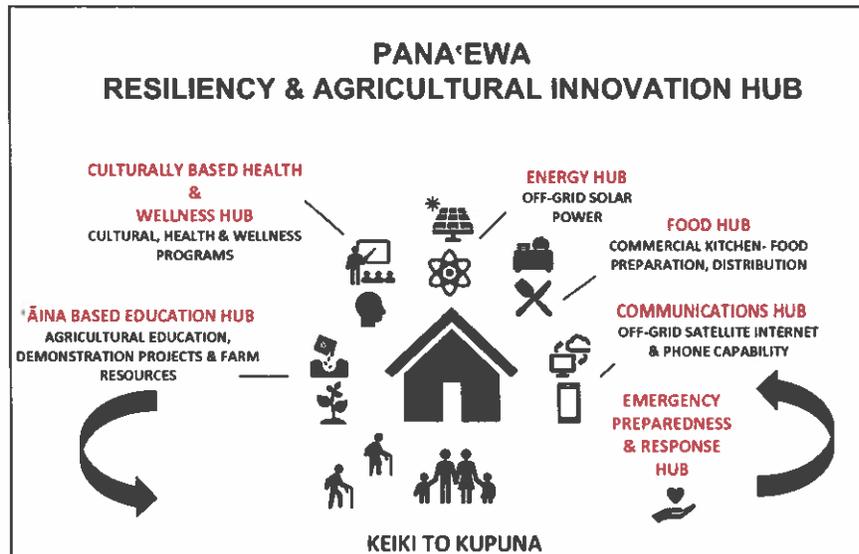
Hawaiian Homes Commission Meeting
November 22, 2022
General Agenda -
Requests to Address the Commission

- J-1 Elizabeth Lee Loy Masaoka and Lucienne Pukahi– Panaewa Resiliency and Agricultural Innovation Hub Master Plan
- J-2 Kekoa Enomoto – Maui/Lanai Moku-puni Council and Paupena Community Development Inc.
- J-3 Catherine Lefevre -Molokai Water
- J-4 Joyce Elaban-Unciano – Regulation of DHHL Re-sale Prices
- J-5 Blossom Feiteira – Various Concerns
- J-6 Homelani Schaedel – Various Concerns
- J-7 Donna Sterling – Kahikinui Concerns
- J-8 JoAnn Haae – Keaulana Avenue
- J-9 Kaleo Cullen – Ka Ohana O Kahikinui
- J-10 Kilia Purdy-Avelino – Molokai Veterans Center
- J-11 Bo Kahui – Laiopua Development Corporation
- J-12 Allen Cardines – Nanakuli Neighborhood Security Watch
- J-13 Waianae Homestead Association – Right-of-Entry



**Keukaha Pana'ewa Farmers Association
Hawaiian Homes Commission Presentation Outline
October 18, 2022**

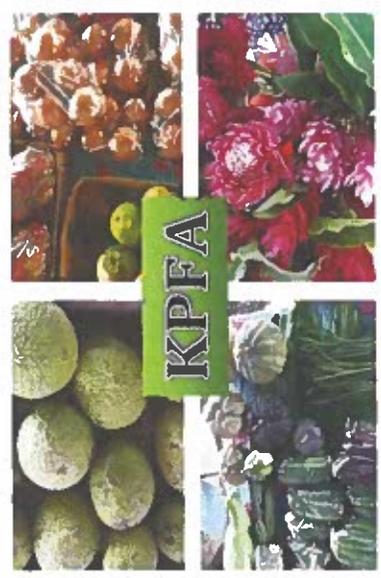
- I. **The Keukaha Pana'ewa Farmers Association – Who We Are**
- II. **Keukaha Pana'ewa Farmers Market / Pana'ewa Hub**
 - a. 2014 1-Acre Right-of-Entry
 - b. 2017-2022 KPFA Community Activities - See 2017-2022 Community Activities Handout
- III. **KPFA Community Driven Strategic Plan**
 - a. 2018-2019 Beneficiary-Driven Workshops
 - i. 1st Strategic Priority – A resilient community facility; our 'own space & place' to provide community programming, agricultural workshops, agricultural innovation projects, during disasters and community crises.
- IV. **Keukaha Pana'ewa Resiliency & Agricultural Innovation Hub**
 - a. G70 – Secured consultant services in 2020
 - b. Phase I - Master Plan - *Completed October 2021*
 - o See KPFA Resiliency & Agricultural Innovation Hub Design Charrette Executive Summary Handout
 - i. Archaeological Reconnaissance Survey
 - ii. Biological Assessment
 - iii. Traffic Assessment Report
 - iv. Utilities & Infrastructure
 - c. Next Steps - Phase II – *Estimated Completion April 2023*
 - i. Environmental Review Process – Environmental Assessment
 - 1. Submit DHHL Long Term License Application
 - ii. Civil Engineering Evaluation
 - iii. State Historic Preservation Review Process under HRS 6E-42



- V. **Kea'ahuli O Pana'ewa - Polyforestry & Climate Change Dashboard**
 - a. 2022 NOAA Grant – KPFA/NOAA/UH Manoa/East West Center Partnership
 - i. Year 1- \$150,000 / Potential for an additional 4 Year grant.
 - b. For Kea'ahuli Location - See Executive Summary Handout, Page 11
 - c. 2-Acre Right-of-Entry Application

PANA'EWA HUB REPORT: 2017-2022

Prepared by Justine Kamelamela for the Keaukaha Pana'ewa Farmers Association



PH 2017 - PRESENT

YEAR	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LESSEE	VOLUNTEER(S)	TOTAL VOLUNTEER HRS
2017	832	208	208	728	2080
2018	888	252	251	737	2109
2019	965	231	228	714	2105.5
2020	3627	2924	2616	286	986
2021	698	470	372	83	864
2022	908	619	502	134	245
TOTAL	7918	4704	4177	2682	8389.5

2017

DATE	EVENT/ACTIVITY	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LESSEE	NO. OF VOLUNTEERS	VOLUNTEER HRS	TOTAL HRS
01-12/2017	Hydroponics: Wednesdays (52 Weeks)	260	104	104	260	3	780
01-12/2017	Hydroponics: Saturdays (52 Weeks)	416	52	52	416	3	1248
01-12/2017	Pana'ewa Farmers Market (Every Saturday, 52 weeks)	156	52	52	52	1	52
	2017 TOTAL	832	208	208	728	•	2080

2018

DATE	EVENT/ACTIVITY	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LESSEE	NO. OF VOLUNTEERS	VOLUNTEER HRS	TOTAL HRS
01-12/2018	Hydroponics: Wednesdays (Every Saturday, 52 Weeks)	260	104	104	260	3	780
01-12/2018	Hydroponics: Saturdays (52 Weeks)	416	52	52	416	3	1248
01-12/2018	Pana'ewa Farmers Market (52 weeks)	156	52	52	52	1	52
9/22/2018	Site Blessing for Ho'oulu 'Aina Community Project (HACP)	5	5	4	3	1	12
10/6/2018	HACP Mālama Mahi'ai: Meet Your Extension Agent	9	5	5	1	3	3
11/10/2018	HACP Mālama Mahi'ai: 'Awa Propagation	3	2	2	1	2	6
11/17/2018	HACP Aloha Pana'ewa: Community Leadership	18	16	16	1	2	2
11/24/2018	HACP Mālama Mahi'ai Agroforestry Systems: Integrating Forest Trees and Crops	5	4	4	1	2	2
12/15/2018	HACP Huaka'i: Huaka'i i Wailuku Wahi Pana o Humu'ulu	13	10	10	1	2	2
12/22/2018	HACP Mālama Mahi'ai: 'Awa Mentorship and Talk story	3	2	2	1	2	2
	2018 TOTAL	888	252	251	737	-	2109

2019

DATE	EVENT/ ACTIVITY	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LESSEE	NO. OF VOLUNTEERS	VOLUNTEER HRS	TOTAL HRS
01/2019-12/2019	Pana'ewa Farmers Market (Every Saturday, 52 weeks)	156	0	0	0	0	0
01/2019-12/2019	Hydroponics: Wednesdays (52 Weeks)	260	104	104	260	3	780
01/2019-12/2019	Hydroponics: Saturdays (52 Weeks)	416	52	52	416	3	1248
1/5/2019	HACP Aloha Pana'ewa: History of the Department of Hawaiian Home Lands(DHHL)	12	11	11	1	2	2
2/9/2019	HACP Mālama Maht'ai: Composting 101	8	5	5	1	2	2
03/02-04/13/2019	Hydroponics: For the Home Gardener(5 Classes)	55	10	10	15	1.5	22.5
3/9/2019	HACP Malama Maht'ai: Learn to Graft	6	5	5	1	2	2
4/13/2019	HACP Mālama Maht'ai: Grow Your Own La'au Garden	8	7	6	1	2	2
4/16 - 4/20/2019	HACP Community Impact Research Trip: Huaka'i i Moloka'i	8	8	7	1	10	10
6/25/2019	HACP Mālama Maht'ai: 'Awa Mentorship and Talk Story	3	2	2	1	2	2
6/29/2019	HACP Malama Maht'ai: Mahina	10	8	7	1	2	2
8/24/2019	HACP Malama Maht'ai: Lā 'Ohana	15	14	14	15	2	30
12/15/2019	Hui Mālama Ola Na 'Ōiwi Garden Workshop: Grow Your Own Lā'au	8	5	5	1	3	3
	2019 TOTAL	965	231	228	714	.	2105.5

2020

DATE	EVENT/ ACTIVITY	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LESSEE	NO. OF VOLUNTEERS	VOLUNTEER HRS	TOTAL HRS
02-12/2020	Pana'ewa Farmers Market(44 Weeks)	176	44	44	0	0	0
1/4/20	Hydroponics: Wednesdays (18 Weeks)	90	0	0	5	3	270
1/7/2020	Hydroponics: Saturdays (17 Weeks)	136	0	0	8	3	408
04-05/2020	Keiki Care Packs(3 rounds)	180	140	120	9	2	18
4/22/2020	Earth Day Community Plant Giveaway	40	20	8	1	3	3
5/8/2020	Show Aloha Challenge: Kūpuna Bento	30	28	28	6	1	6
5/14/2020	Ola Nā Iwi Kūpuna Food and Hygiene Bags	50	49	45	2	2	4
05-06/12/2020	Show Aloha Challenge: Kūpuna Bento(5 rounds)	240	220	212	24	1	24
07/2020-08/2021	Ho'oulu 'Āina Community Project(HACP) - Funded by the Pawanka Fund	25	25	25	0	0	0
8/5/2020	Ola Nā Iwi Kūpuna Food and Hygiene Bags	50	49	45	2	2	4
09/25-12/10/2020	PFM & Resiliency Hub Meal Distribution & Delivery(50 meals x 2/wk. x 26 wks.)	2600	2340	2080	221	1	221
9/26/2020	CPR Training	5	5	5	4	4	16
11/7/2020	Volunteers Work Day	5	4	4	4	3	12
	2020 TOTAL	3627	2924	2616	286	.	986

2021

DATE	EVENT/ ACTIVITY	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LEESEE	NO. OF VOLUNTEERS	VOLUNTEER HRS	TOTAL HRS
01/02/2021-11/6/2021	Pana'ewa Farmers Market(Every Saturday, 45wks)	180	45	45	0	0	0
01/25-01/29/2021	Grant Onboarding with Vibrant Hawaii Grant Team(4 days)	2	2	1	1	4	16
01/27-10/27/2021	Pana'ewa Neighborhood Watch Meeting: 01/27/2021, 04/28/2021, 07/28/2021 & 10/27/2021	59	25	25	4	2	8
01/05/2021-05/29/2021	Vibrant Hawai'i Leadership Academy Cohort (1x/month)	2	2	1	2	3	30
02/09-05/29/2021	KPFA Hydroponics Program - Supported by Grant with Vibrant Hawai'i	6	6	4	6	2	12
03/26/2021	Plant Donation Received: 'Uala slips & Huli (60 plants)	2	2	1	1	1	1
2/12/2021	Pana'ewa Hydroponics Program	5	5	5	4	3	12
2/13/2021	Volunteer Day: Organize Container	2	2	1	1	2	2
2/16/2021	Pana'ewa Hydroponics Program	5	5	5	4	2	8
2/19/2021	Pana'ewa Hydroponics Program	5	5	5	4	2	8
03/27/2021	KPFA Community & General Membership Meeting	40	40	34	1	4	4
03/27/2021	Community Distribution: Huli - 3 varieties, Kou, Kukukupu, Leafy Green Starts, Lemongrass, Ma'o Hau Hele, Māmakī, Niu and 'Uala - 2 varieties (~150 plants)	40	39	34	1	4	4
04/03/2021	Workshop: Growing Canoe Plants to Increase Food Security with Kaiāna Runnels	22	7	3	1	4	4
04/23/2021	Plant Donation Received: Huli (Palehua)	2	2	2	1	1	1
05/01/2021	Food Distribution: KPFA Hydroponics Program	30	30	25	2	2	4
05/17-05/18/2021	Mural Painting with Susan Champeny (2 days)	8	4	3	7	4	56
05/29/2021	Workshop: Building Soil 101 with Donna Mitts	14	6	3	1	5	5
06/05/2021	Food Distribution: KPFA Hydroponics Program	30	27	25	2	2	4
06/08-08/20/2021	Volunteer Work Days (2x/wk. for 19wks)	6	6	4	6	2	384
06/26/2021	Workshop: Māmakī Forum	13	5	2	1	4	4
06/26/2021	Donation Received: Māmakī (40 plants)	2	1	0	0	0	0
08/21/2021	Community Distribution: Māmakī Plants	10	8	5	0	0	0
09/03/2021-11/05/2021	Volunteer Work Day (2x/wk. for 10wks)	6	6	4	6	2	240
09/09/2021	Donation Received: Māmakī (40) & Ala'ala wai nui (20)	2	1	1	1	1	1
09/24/2021	Donation Received: Pots and Seedling Trays	1	0	0	1	1	1
09/24/2021	Community Distribution: Pots and Seedling Trays	8	5	2	0	0	0
10/05/2021	Community Distribution: Kūpuna Produce Boxes (Partnership with Hawaii Rise Foundation, Hawaii Eco Experiences & the Pana'ewa Hub)	30	30	26	2	2	4
10/23/2021	Plant Donation Received: Chive Starts	1	0	0	1	1	1
10/31/2021	Pana'ewa Hub Reservation: Da Chop Sui Hui	9	6	3	1	1	3
11/05/2021	Community Distribution: 20 sets of Hydroponic Pot System	20	20	20	1	1	1
11/06/2021	Community Distribution: Māmakī Plants	2	2	2	1	1	1

11/12/2021	Volunteer Day: Organization of Storage Container	2	2	1	1	2	2
11/13/2021	Pana'ewa Hub Reservation: Ke Kula Nui O Waimanalo	42	38	19	0	0	0
11/13/2021	Community Distribution: 40 Plants Māmakī, Uhi and 'Ala 'ala wai nui	42	38	19	1	1	1
11/19/2021	Volunteer Day: Harvesting of 'Ōlena	6	6	4	5	2	10
11/26/2021	Volunteer Day: Cleaning and Harvesting of Kupukupu	6	6	4	5	2	10
11/28/2021	'Āina Mauna Legacy Program Distribution	30	30	30	6	2	12
12/03/2021	Volunteer Day: Pulling weeds and watering plants	6	6	4	5	2	10
2021 TOTALS		698	470	372	83	-	864

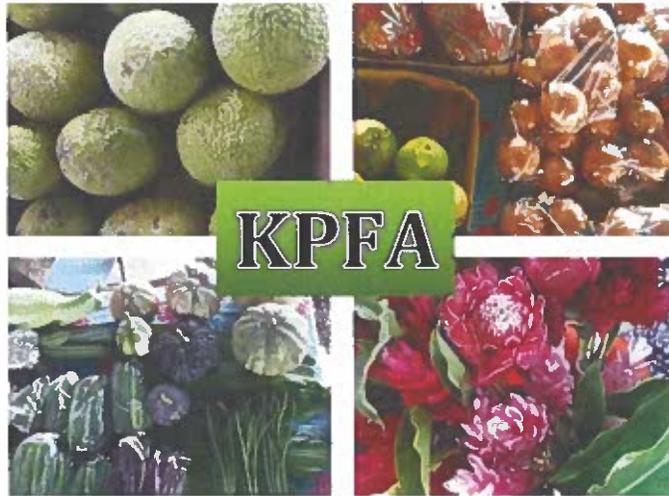
2022

DATE	EVENT/ACTIVITY	PARTICIPANTS	NATIVE HAWAIIAN	DHHL LEESEE	NO. OF VOLUNTEERS	VOLUNTEER HRS	TOTAL HRS
01-9/17/2022	Pana'ewa Farmers Market (Every Saturday, 37 weeks)	148	37	37	0	0	0
01/14/2022	Volunteer Day: PH Maintenance	6	6	4	5	2	10
01/22/2022	PH Site Reservation: KPFA Ag. Committee Meeting	4	4	3	3	2	6
01/22/2022	Community Distribution: Free Covid-19 Test Kits (Total 600 Kits)	150	135	135	6	2	12
01/22/2022	Community Distribution: Pots and 'Ōlena	2	2	2	0	0	0
01/26/2022	Pana'ewa Neighborhood Watch Meeting: 01/26/2022	9	9	8	1	2	2
01/28/2022	Volunteer Day	4	4	2	3	2	6
02/05/2022-2/26/2022	Pana'ewa Farmers Market (Every Saturday, 6 -10am x 4wks)	16	4	4	0	0	0
02/04/2022	Volunteer Day	6	6	4	5	2	10
02/05/2022	Community Distribution: Pots and Huli	2	2	2	0	0	0
02/05/2022	Donation Received: 60 Huli (3 varieties)	1	1	1	0	0	0
02/09/2022	Volunteer Day - Gather trash around site and in hot houses	2	2	1	1	1	2
02/11/2022	Volunteer Day - Truck trash to dump	4	4	2	3	2	6
02/12/2022	Community Distribution: Huli(30)	2	2	2	0	0	0
02/16/2022	Volunteer Day - Weeding of garden areas	5	5	3	4	1	4
02/18/2022	Volunteer Day - Ho'oma'ema'e Nursery tent	4	4	2	3	1	3
02/19/2022	Pana'ewa Community Nursery: Distribution Huli(20)	1	1	1	0	0	0
02/23/2022	Volunteer Day - Ho'oma'ema'e Nursery tent and construct nursery tables	4	4	2	3	2	6
02/25/2022	Volunteer Day - Huki Kalo	6	6	4	6	2	12
02/26/2022	KPFA General Membership + Community Meeting	60	60	60	6	2	12
02/26/2022	Community Distribution: Plants(30) and Produce(6)	25	25	25	3	3	6
03/02/2022	Volunteer Day: Weeding & Watering	1	1	1	1	2	2
03/04/2022	Volunteer Day: Harvested Lemongrass and repotting.	5	5	3	5	2	10
03/05-3/26/2022	Pana'ewa Farmers Market (Every Saturday, 6 -10am x 4wks)	16	4	4	0	0	0
03/05/2022	Community Nursery: Plant distribution - 40 (green onion, chives, 'uala, miniature pomegranate, peace lily, lemongrass, huli)	5	4	2	0	0	0

03/09/2022	Volunteer Day: Weeding & Watering	6	6	4	4	5	1.5	7.5
03/11/2022	Volunteer Day: Potting up plants for community nursery.	6	6	4	4	5	1.5	9
03/19/2022	Community Nursery: Plant distribution - 40 (green onion, culantro, 'uala, lemongrass, huli)	6	3	2	2	0	0	0
03/23/2022	Volunteer Day: Weeding & Watering	6	6	4	4	5	1.5	7.5
03/25/2022	Volunteer Day: Huki 'Uala. Made slips and cuttings to replant.	7	6	4	4	6	2	12
03/26/2022	Volunteer: Kanu 'olena(Hawaiian Sun & Black)	6	6	6	6	5	1	5
03/26/2022	Community Nursery: Plant Distribution - 10	4	1	1	1	0	0	0
03/30/2022	Volunteer Day: Weeding, watering & amending soil beds	4	2	2	2	3	1.5	4.5
04/01/2022	Volunteer Day: Weeding, harvesting and cleaning KI	4	4	1	1	3	1.5	4.5
04/02/04/02/2022	Pana'ewa Farmers Market(5 days)	20	5	4	4	1	5	5
04/02/2022	Community Nursery: 20 Plants	4	3	2	2	0	0	0
04/06/2022	Volunteer Day: Dump run	3	3	2	2	2	1.5	3
04/08/2022	Volunteer Day: Weeding and Watering	4	4	1	1	3	1.5	4.5
04/08-04/09/2022	Community Distribution: 300 at Home COVID Test Kits	75	50	30	30	0	0	0
04/08/2022	Community Nursery: 10 Plants	1	1	1	1	0	0	0
04/13/2022	Volunteer Day: Potting 'Uala	5	5	3	3	4	1.5	4.5
04/22/2022	Volunteer Day: Weeding, watering and harvesting lau KI	5	5	3	3	4	1.5	4.5
04/23/2022	Community Distribution: 150 At Home COVID Test Kits	38	30	25	25	0	0	0
04/27/2022	Neighborhood Watch Meeting	13	9	9	9	1	1.5	1.5
04/29/2022	Volunteer Day: Potting 'Uala	5	5	3	3	4	1.5	4.5
04/30/2022	Community Distribution: 84 At Home COVID Test Kits	21	15	13	13	0	0	0
04/30/2022	Community Nursery: Green Onion(4 bunches, sold + 3 kupuna)	5	2	2	2	0	0	0
05/07-05/28/2022	Pana'ewa Farmers Market(4 days)	16	4	4	4	2	5	10
05/06/2022	Volunteer Day: Weeding and Watering	3	3	1	1	2	1.5	3
05/07/2022	Community Distribution: 64 At Home COVID Test Kits	16	13	5	5	0	0	0
05/13/2022	Volunteer Day: Dump run	3	3	1	1	2	1.5	3
05/14/2022	Community Nursery: Plant distribution	2	2	2	2	0	0	0
05/28/2022	Community Distribution: 126 At Home COVID Test Kits	30	24	6	6	0	0	0
06/04-06/25/2022	Pana'ewa Farmers Market(3 days)	11	3	3	3	2	5	10
06/03/2022	Volunteer Day: Clean front fence line	4	4	4	4	3	1.5	4.5
06/04/2022	Community Distribution: 300 At Home COVID Test Kits	50	26	15	15	0	0	0
06/10/2022	Volunteer Day: Weeding Māla La'au	4	4	4	4	3	1.5	4.5
06/11/2022	Community Nursery: Plant Distribution	2	2	0	0	0	0	0
06/17/2022	Volunteer Day: Weeding Garden beds(along Puna side)	4	4	4	4	3	1.5	4.5
07/02-07/30/2022	Pana'ewa Farmers Market(5 days)	19	5	5	5	2	5	10

07/22/2022	Volunteer Day: Repotting	4	4	4	4	3	1.5	4.5
07/29/2022	Volunteer Day: Weeding	4	4	4	4	3	1.5	4.5
08/13/2022	Community Nursery: Plant donation(Kou and Milo)	2	2	2	2	0	0	0
08/18/2022	Community Nursery: Plant donation(Malabar Chestnut)	2	2	2	2	1	1	1
08/20/2022	Volunteer Day: Maintenance on Hydroponic tents (weedwacking and organizing)	3	3	3	3	3	4	12
8/27/2022	Volunteer Day: Weeding and replanting front raised bed	2	2	2	1	2	2	4
8/24-9/17/2022	Community Distribution: 600 At Home COVID Test Kits	343	-	-	-	-	-	-
08/30/2022	Kea'ahuli O Pana'ewa Blessing with NOAA x KPFA	32	17	15	2	2	5	10
09/12/2022	PH Hosted Sustainable Molokai	6	6	4	4	1	1	1
09/15/2022	Kūpuna Produce Box Distribution	30	30	30	30	0	0	0
09/17/2022	Community Nursery: Donation (Pots, 200 and Trays, 100)	1	0	0	0	1	1	1
	TOTAL	908	619	502	134	-	-	245

KEAUKAHA PANA'EWA FARMERS ASSOCIATION



RESILIENCY & AGRICULTURAL INNOVATION HUB DESIGN CHARRETTE EXECUTIVE SUMMARY

Waiākea, Island of Hawai'i,
Hawai'i

Tax Map Key: (3) 2-1-025:091

Prepared By:



111 S. King Street, Suite 170
Honolulu, Hawai'i 96813

OCTOBER 2021

Executive Summary

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PROJECT DESCRIPTION

Located in South Hilo, the Keaukaha Hawaiian Homestead was the first residential homestead developed on Hawai'i Island in 1921. In 1976, the Keaukaha Pana'ewa Homestead was established. The first agricultural land awards for this homestead were given to fifty Keaukaha native Hawaiians, who were forced to leave their homes and relocate due to the construction of the Hilo International Airport. Now named the Keaukaha Pana'ewa Farmer's Association (KPFA), its mission is to support, motivate and educate the Keaukaha Pana'ewa agricultural lessees to establish a viable sustainable farm community; preserve Hawaiian culture; achieve self-sufficiency, pono management, and respect for the 'āina (land).

KPFA is a Hawaiian Homes Commission Act Beneficiary Association controlled by beneficiaries, as defined by the Hawaiian Home Land Recovery Act, 109 §537, and is registered with the U.S. Department of the Interior, 43 CFR §§47.10 and 48.6. KPFA is also recognized by the State of Hawai'i Department of Hawaiian Home Lands as the representative organization for DHHL beneficiaries and their 'ohana on Pana'ewa Hawaiian Home Land trust lands.

In 2012, KPFA incorporated the Keaukaha Pana'ewa Community Alliance (KPCA) to serve as KPFA's non-profit 501(c)(3) partner entity and fiscal sponsor for private, state, and federal grants. KPFA also manages the Ho'oulu 'Āina Community Project (HACP), which encourages Native Hawaiian homesteaders to actively farm for cultural, economic, health and self-sufficiency benefits. In addition to community engagement workshops and instructional, hands-on demonstrations, HACP has documented oral histories and farming practices of Hawaiian homesteaders.

KPFA currently operates the Pana'ewa Farmer's Market and Resource Hub. KPFA has secured grants and established partnerships to provide agricultural workshops and resources for community members. KPFA coordinated the distribution and delivery of food, PPE, keiki supplies during the height of the COVID pandemic from 2020 to 2021 and continues to provide COVID testing kits to the community.

KPFA is proposing to develop a Resiliency & Agricultural Innovation Hub (Pana'ewa Hub) for a 10.63- acre parcel on Hawaiian Home Lands, identified as Tax Map Key (3) 2-1-025:091 located on 363 Railroad Avenue in Hilo Hawaii. The Pana'ewa Hub will consist of a series of pavilions connected by a lanai deck encompassing a central mound (piko). The pavilions will be designed as flexible spaces that can accommodate a range of programs. A kitchen and equipment storage area will also be included to support KPFA operations.



The structures will be orientated to honor the direction towards Mauna Kea and Mauna Loa. The grounds surrounding the hub will be utilized for parking, outdoor learning spaces, innovative agricultural demonstration areas, and a community garden.

Resiliency Hub

After a tumultuous hurricane season several years ago, Kilauea’s destruction in Puna, and the government’s response to these events, KPFA community members recognized that they needed their own resilient ‘place and space’, as well as a safe haven for community members to prepare for, during, and post-recovery from a natural disaster. Moreover, KPFA’s community experience with COVID enhanced our concerns that we should be fully prepared to respond to a community crisis.

Through intensive community driven strategic planning¹, the Pana’ewa Hub evolved as the number one community priority. The Pana’ewa Hub purpose is twofold. First, in accordance with KPFA’s strategic plan, the Pana’ewa Hub will be a community serving facility with a commercial kitchen and facilities for keiki to kūpuna programming; agricultural training; and include an agricultural demonstration area to support ‘ohana enrichment, community economic sustainability, and economic food security.

Second, the Pana’ewa Hub, in its design and capacity, can be activated to support the community, coordinate communication and resources, and ensure physical and social needs can be met in preparation of, during, and post-recovery of a natural disaster or pandemic related event. The primary resources will include water, food security, off-grid energy production, access to clean drinking water, emergency communication technologies, storage for emergency equipment, and training for disaster preparedness and response.

Table 1: Summary of Environmental Conditions

Tax Map Key (TMK)	(3) 2-1-025:091
Ahupua’a	Waiākea
Island	Hawai’i Island
State Land Use District	Urban
Hawai’i County Zoning	MG-1a (General Industrial District)
Department of Hawaiian Home Lands (DHHL) Land Use Classification	Commercial
Land Use Pattern Allocation Guide (LUPAG)	Urban Expansion
Topography	Relatively flat, undulating ground with an elevation change of 6 ft.
Rainfall	About 140 inches per year
Soils	Papai extremely cobbly highly decomposed plant material, 2 to 10 percent slopes
Land Study Bureau (LSB)	No Classification
Agricultural Lands of Importance to the State of Hawai’i (ALISH)	Prime
Flood Hazard	Zone X, minimal flood hazard

¹ All beneficiaries were invited to two all-day strategic planning workshops in 2018 and 2019. A community facility and innovative agricultural programs were identified by beneficiary participants as top priorities.

Sea Level Rise Exposure Area (SLR-XA)	This parcel is located outside of the SLR-XA
Tsunami Evacuation Zone	This parcel is located outside of the tsunami evacuation zone
Lava Hazard Zone	2
Wildfire Ignition Density	High (2.18 sq. mi/yr.)
Census Tract	206 Hilo: Keaukaha-Pana'ewa
Total Population	6,282
Native Hawaiian Population	1263 (20.11%)
Median age	34
Avg. Family Income	58,516
Below Poverty	629
Housing: Rented	491
Housing: Owned	3339

Methodology and Timeline

The Project was scoped for site condition analysis, conceptual master plan, infrastructure, and utilities assessment, three technical studies (Flora/Fauna, Traffic, Archaeology), and three workshops with KPFA community members (beneficiaries) and stakeholders. See Table 2 below.

Date	Name	Affiliation
Oct. 17, 2020	Charrette #1	KPFA Community Members & Stakeholders
Aug. 11, 2021	Justine Kamelamela	Ho'oulu 'Āina Community Project
Aug. 21, 2021	Charrette #2	KPFA Community Members & Stakeholders
Sept. 17, 2021	Dotty Kelley-Paddock	Hau'ula Community Association (HCA)
Sept. 17, 2021	Sean Naleimaile	State Historic Preservation Division (SHPD)
Sept. 25, 2021	Charrette #3	KPFA Community Members & Stakeholders
Oct. 1, 2021	Dr. Noa Lincoln	University of Hawai'i Department of Plant and Soil Sciences

CONCEPTUAL MASTER PLAN AND PROGRAMMING

The conceptual masterplan was formed through KPFA community member workshops that were specific to KPFA's mission and community driven priorities for the site. In the process of collecting foundational words and stories from KPFA, a vision statement was created to describe the project:

Our Keaukaha Pana'ewa Farmers community honors the first Pana'ewa Nui homesteaders by carrying on the vision of a sovereign and thriving people committed to the guardianship of our resources in this pu'uhonua of well-being, gratitude, and growth.

Within the balance between the existing site (abundance of water, sun, and life) and the origins of the site (ancestors who pioneered the land), lives legacy and honor. This vision is translated into the project's very own masterplan DNA where the spirit of the community coming together is embraced through creating a space for resiliency and agricultural innovation. Additionally, honoring the importance of Mauna Kea and Mauna Loa was incorporated into the site design. This simple, yet powerful, relationship anchors the hub and sits within the natural landscape of the site.

Masterplan DNA

KPFA Resiliency & Agricultural Innovation Hub Masterplan DNA:

1. Resilience

The Pana'ewa Hub represents shelter and the unique feeling of being safe, a Resiliency Hub that serves the community with protection and provision when they are in need. As a resilient strategy against hurricanes, natural disasters and community crisis's, the Pana'ewa Hub focuses on nature-based solutions that help mitigate wind and water. Surrounding the property are native tree species that are resilient to strong winds, and a moat to divert water or prevent flooding; all natural barriers that protect the site. Innovative agricultural areas will be located behind and intertwined around the Pana'ewa Hub facility. As a result, the Pana'ewa Hub and innovative agricultural areas will remain safe and protected throughout all seasons.

2. Central Mound

A Central Mound creates a communal space, further expressing the feeling of coming together and being protected. This open space can house small to large group activities and performances. A central location for demonstration activities such as Hula, Kilo Hōkū, Kilo Honua, Lā'au Lapa'au (native plants), and Ho'okani Pila (music) - an open space for amphitheater and stepped seating. The Central Mound also offers an open view and visual connection towards Mauna Kea and Mauna Loa.

3. Lumi (Pavilion)

In extension to the Central Mound, is the Lumi (pavilion). Depending on their use, each Lumi can grow and be flexible using sliding walls and screens.

- a. LUMI 1: Kūpuna/Keiki engagement activities, 'ohana gatherings, agricultural workshops (i.e., Indigenous Polyforestry)
- b. LUMI 2: Commercial Certified Kitchen, Restrooms, Storage, Office, Sleeping Quarters
- c. LUMI 3: Equipment Storage & Warehouse
- d. LUMI 4 & 5: Spaces for educators to host Kilo and Agriculture programs.

4. Lifted Lanai

The Lifted Lanai allows spaces to stay cooler and enables the ground underneath to help with rain and water mitigation. A protected indoor-outdoor deck connects all the Lumi pavilions together, providing additional spaces that can be used during private and public events. The Lanai ensures ease for Kūpuna to find their way to their next class.

KPFA's community driven strategic direction, programming and demographic workshops encompassed the understanding that the hub will meet a variety of community needs. Applying the strategy of flexibility and modularity, the conceptual masterplan incorporates large indoor-outdoor gathering spaces built on a structural grid; most of which are covered for protection and integrated with sustainable systems, such as photovoltaic panels for power, and rain collection for water. The full KPFA agricultural innovation and resilience hub site features and programming can be found in Table 3, Site Features and Programming.

Table 3. Site Features and Programming

Site Features	Area
Agriculture Innovation Projects (Green)	Up to 304,920 sf (7 Acres) Approximate
Central Mound	700 sf
Lifted Lanai (Covered, Open-Air)	8,000 sf
Parking #1 70 Stalls (Standard + ADA) Two Drop-Offs	30,000 sf
Parking #2 – Update- this area is included in the 2-Acre Agricultural Innovation Project. Figure 1 will be updated to reflect this change.	3,000 sf
Others (Paving & Decks)	TBD

Program	Area
Gathering Pavilion Front Lanai Back Lanai 250 people max Total	2,570 sf 500 sf 500 sf 3,570 sf (250 people max)
Commercial Certified Kitchen Outdoor Prep Process & Store/Refrigeration Vendor Stations Emergency Food Storage Backup Power Storage Total	1,960 sf 1,670 sf 3,630 sf
Imu Facility (Outdoor)	1,300 sf
Restrooms & Showers Male – Min. 3 stalls Female – Min. 3 stalls ADA – Min. 1 stall	1,160 sf
Office Storage Files	950 sf
Conference Room Classrooms & Storage	835 sf
Storage (Energy & Water Storage)	1,110 sf
Equipment Storage/ Warehouse	2,220 sf
Farm Dwelling	835 sf
Open (Kipuka) Pavilions Community Use Educational Use	1,900 sf
Program Total	17,490 sf

The Pana'ewa Hub is located within the DHHL Commercial district, which is designated for retail, business, and commercial activities. The purpose of this land is to provide revenue to DHHL Trust and/or Homestead Community Associations. Mixed uses are allowed. Permitted uses and minimum infrastructure on DHHL Commercial land must meet county standards. The programming is also applicable to Hawai'i State and County zoning. State Urban districts include activities or uses as provided by ordinances or regulations of the respective county. Likewise, permitted uses in the County MG-1a district include, but are not limited to: agricultural products processing, aquaculture, broadcasting stations, catering establishments, commercial parking lots, community buildings, food manufacturing, and greenhouses.

Summary of Reports

Archaeological Reconnaissance Survey

An Archaeological Reconnaissance Survey (ARS) was conducted by Keala Pono on July 12-13th, 2021. The pedestrian survey covered approximately 91% of the study area. One acre (9%) of the parcel was not walked due to impenetrable brush. One archaeological site (Site 1) was identified and consists of three abandoned cars, structural remains, and historic artifacts. The site as a whole likely dates to the 1960s or later, with the cars and at least one artifact probably dating to the 1950s. The site is in fair to poor condition, with all features heavily deteriorated. An archaeological inventory survey or data recovery program is recommended to document the site and more fully identify the cars and artifacts.

A consultation with the State Historic Preservation Division (SHPD) recommends completing an Archaeological Inventory Survey (AIS) to further document the sites. It is anticipated that documentation of the site would be adequate in moving towards a “no historic properties affected” determination.

Biological Assessment

A walk-through survey was completed by Hui Kū Maoli Ola and G70 on July 21st, 2021. The perimeter survey identified 59 plant taxa and three fungi taxa, of which seven species (~11%) may be considered native (either indigenous to Hawai'i or of Polynesian introduction). Eight species of avifauna and four species of terrestrial fauna were identified, all of which have been introduced to Hawai'i. There were no proposed or endangered species observed. Strawberry guava dominated the vegetation of the project's forested area. See Figure 3. Other abundant plant species include octopus tree, gunpowder tree, fruit trees, miconia, and bingabing. Indigenous plants include pockets of 'ōhia lehua, pepeiao, pōpolo, forked fimbry, and moa. Avifauna observed include cattle egret, red cardinal, zebra dove, spotted dove, red-billed leiothrix, house sparrow, saffron finch, and common mynah. Of the terrestrial fauna, green anole lizards and feral pigs were observed, and coqui frogs could be heard from the project area.

The report recommends the removal of invasive plant species to the extent possible, primarily, strawberry guava, miconia, bingabing, and a patch of juvenile gunpowder trees. Cleared areas should immediately be replanted and/or monitored to prevent invasive plants from reestablishing presence. The planting of traditionally cultivated plants that are compatible with the parcel, such as kukui, mai'a (banana), niu (coconut), noni, 'ōhi'a 'ai (mountain apple), 'ulu (breadfruit), 'awa, kalo (taro), kī, kō (sugarcane), māmaki, 'ōlena (tumeric), 'uala (sweet potato), and uhi (yam), is recommended. Furthermore, invasive species control is recommended for feral pigs and little fire ants. Project site should be monitored for possible Rapid 'Ōhi'a Death (ROD) and potential 'Ōpe'ape'a (Hawaiian Hoary Bat) populations.

Traffic Assessment Report

A Traffic Assessment Report (TAR) was conducted from August 11th, 2021, to August 15th, 2021, by Traffic Management Consultants to analyze the existing peak hour traffic in vicinity of the project site. Turning movement traffic count surveys were conducted at the intersections of:

- a) Maka'ala Street and Railroad Avenue
- b) The Home Depot Driveway and Railroad Avenue
- c) Pu'ainako street and Railroad Avenue

A highway capacity analysis was used to determine Levels of Service (LOS) ranging from best LOS "A" to the worst LOS "F". LOS "D" is the minimum acceptable LOS according to Hawai'i County Code "Concurrency Requirements". A traffic count survey was conducted on Railroad Avenue to determine peak periods of traffic. Peak weekday traffic hours occur from 7:15 AM to 8:15 AM and again from 3:15 PM to 4:15 PM. During peak AM traffic, Maka'ala Street and Railroad Avenue operated at LOS "D". Pu'ainako Street and the Home Depot Driveway operated at LOS "C" and "D", respectively. During peak PM hours, Maka'ala Street and Railroad Avenue operated at LOS "D". Pu'ainako Street and the Home Depot Driveway operated at LOS "C". Weekend traffic was higher on Saturday, and the peak hour of traffic on Saturday is from 10:45 AM to 11:45 AM. During this hour, Maka'ala Street operated at LOS "D". Pu'ainako Street and the Home Depot Driveway operated at LOS "C" and "B", respectively.

Utilities and Infrastructure

Proposed Site Access, Parking and Safety

The property will continue to be accessed off of Railroad Ave. Proposed improvements will include three new driveway aprons off of the public roadway, including a driveway in and a driveway out of the proposed parking lot. A third driveway will be located across the intersection with Maka'ala Street, which will function more as a service entry to the farm. Pedestrian access will continue to be limited with no surrounding public sidewalks serving the project site.

Proposed Water Infrastructure

The property is currently serviced by the County of Hawai'i Department of Water Supply (DWS). The existing 5/8-inch domestic water meter and lateral would likely be replaced with a larger service to meet the needs of the Pana'ewa Hub facility. In addition, it is expected that the building may need to have a fire sprinkler, which will require a new fire service lateral and backflow preventor to be installed off of the existing 12" public water main on Railroad Avenue.

Proposed Wastewater Infrastructure

Since municipal wastewater service is not available from the County, onsite wastewater treatment systems are required and will need to be design and constructed as required by State regulations. Due to the anticipated amount of wastewater generated, it is likely that a wastewater treatment plant (WWTP) is required. It is likely that some form of aerobic treatment would be used along with disposal of effluent in a large absorption field to be located somewhere on the property. Due to the variable flow expected as well as redundancy requirements an equalization tank and emergency generator are recommended.

Proposed Electrical/Telecom

The property does not currently have electrical or telecom service. However, at the appropriate time, a service request can be submitted to the utilities to bring in service to the proposed building and other facilities. The new service would likely come from the existing pole on the northwest corner of the property and run overhead to the building.

Proposed Drainage Infrastructure

The project site generally slopes from south to north and is heavily vegetated, except in the area currently cleared for the 1 -acre farmer's market. There is no existing drainage infrastructure onsite. The proposed drainage infrastructure for the project will be limited to swales, culverts, rain gardens and drainage sumps. Runoff will flow overland to swales and through culverts, then into landscape or farm areas. Rain gardens and sumps will be created in these areas to manage runoff, allowing for evapotranspiration and infiltration into the ground. Improvements will be designed and constructed as required by County Standards.

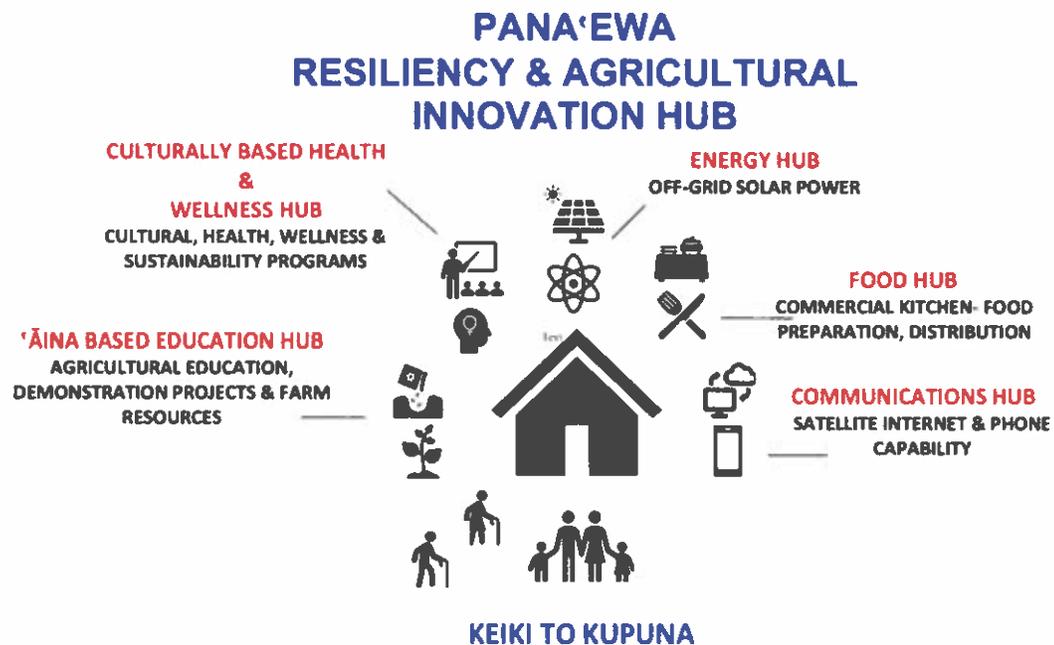
CONCLUSION

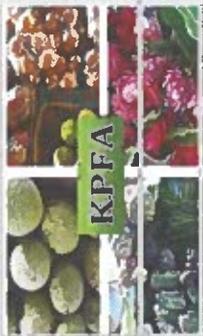
The Keaukaha Pana'ewa Farmers Association (KPFA) is proposing to develop a Resiliency & Agricultural Innovation Hub for a 10.63-acre parcel on Hawaiian Home Trust Lands located on 363 Railroad Avenue in Hilo, Hawaii. Resilience Hubs are community serving facilities that support residents and coordinate resource distribution and services before, during or after a hazard event.

Three design charrettes with KPFA were held, and four additional consultations were conducted. An Archaeological Reconnaissance Survey, Biological Assessment, Preliminary Traffic Assessment Report, and Conceptual Utility and Infrastructure Study have been completed for the site. The proposed conceptual masterplan is consistent with DHHL land use designations as well as State and County zoning.

With consultant G70, KPFA will complete an environmental assessment, preliminary engineering plan, and Chapter 6E HRS Historic Preservation Review by late fall or early summer 2023.

The KPFA Pana'ewa Hub Program DNA embodies resiliency through central components, including a central mound or piko, lumi pavilions, lifted lanai and agricultural sites encompassing the site. The pavilions will be designed as flexible spaces that can accommodate a range of agricultural, cultural, and educational programs. Through community-run programming and services, the Resiliency & Agricultural Innovation Hub will further the community's vision of becoming a sovereign and thriving people acting in guardianship of their own pu'uhonua.





Pana'ewa Resiliency & Agricultural Innovation Hub

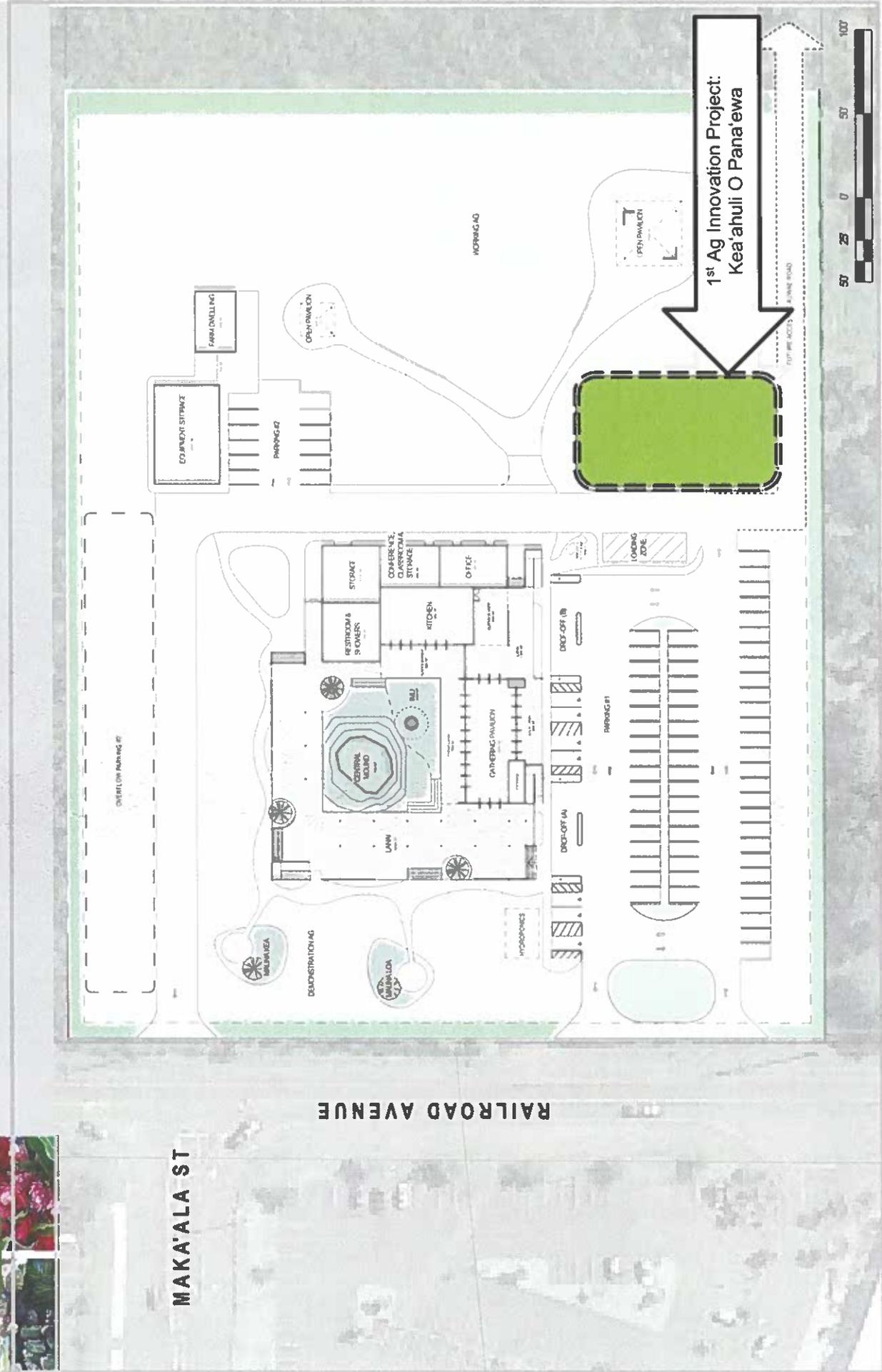


Figure 1. Conceptual Master Plan

Hiki no, I w/advocate in person on the J Agenda at the 11/22/22 Hawaiian Homes Commission meeting on Maui; mahalo a nui,

-`Anake Kekoa

On Oct 19, 2022, at 11:56 AM, Burrows-Nuuanu, Leatrice W wrote:

Aloha e Anake,
Mahalo for the notice, I will add you to the November J Agenda. We will see you next month in person?

Mahalo,

-

Name

Catherine Lefevre

Email

catelefevre@gmail.com

Message

Molokai ranch must be held held accountable, citizens in Molokai need water.

Aloha mai e commission secretary Leah,

I would like to RSVP to testify via Zoom on the J Agenda at/after 9:45 a.m. during the Tuesday 11/22/22 Hawaiian Homes Commission meeting. I will advocate about the need for DHHL or another entity to regulate homestead re-sale prices; so that Hawaiian homelands housing remains affordable for indigenous individuals.

Mahalo,

-Joyce Unciano

cell/text (808) 551-9933

Begin forwarded message:

Name

Home Schaedel

Email

homeschaedel@hawaii.rr.com

Message

Aloha e Leah,

Please place me on the "J" Agenda for 11/21/22. I would like to address the Commission on issues impacting our homestead residents.

Mahaho!

From: dhhl.icro1@hawaii.gov <dhhl.icro1@hawaii.gov>

Sent: Wednesday, November 2, 2022 2:38 PM

To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> **Subject:** New submission from Submit J-Agenda Testimony

Name

Blossom Feiteira

Email

blossom96708@yahoo.com

Message

N/A



Aloha Leah

I would like to be placed on the j agenda for the upcoming Dhhl commission meeting 11/21-22/22.

To speak on kahikinui.

Mahalo

Donna Sterling

Sent from Proton Mail for iOS

From:
To:
Subject:
Date:

First Name

JoAnn

Last Name

Haae

Email

haaejk@aol.com

Subject

To all Hawaiian Homes Commissioners

Message

I would like to address the commission regarding a lessee recently being improperly assigned to a current lease. The lessee has no relation to any of the current lessees nor previous lessees, therefore should not have been assigned so.

The lease involved is for 89-1096 NANAKULI AVENUE, and I am their neighbor and lessee living at 89-1102 NANAKULI AVE. For almost 20 years my family has had to deal with harassment, vandalism, property damage and extremely loud and unnecessary noise from these people. In 2020 I sent a long letter, complete with photos, addressed to Chairman Aila, detailing the most worst of the problems, including pellets being shot at us and our home by these people. This letter had been deemed, "lost" after a year and a half.

The issue of improperly assigning Valire Popa, direct family member to Chaiman Aila to their lease circumvents every process in place, allowing the family to remain in the home when a person of allowable blood quantum is unavailable. This process is what many Hawaiian beneficiaries have been denied lease assignments over. What is most upsetting is the protection these troublemakers have been afforded, will give them free reign to cause more, if not worse, problems for us.

Mahalo for your attention,

JoAnn K. Haae
(808) 216-4312
89-1102 NANAKULI AVENUE
WAIANAE, HI 96792-3942

**First
Name**

kaleo

**Last
Name**

Cullen

Email

Kaleoc67@gmail.com

Subject

To Commission Secretary

Message

Address Commission regarding additional funding for Ka Ohana O Kahikinui Inc. Fog drip project.

Aloha Leah,

I wanted to request to be on the commission agenda to share our mana‘o on the Lanikeha field Vet Center project and the data collected from the survey we have had out.

Mahalo,
Kilia

*"A‘ohe hana nui ke alu ‘ia!"
No task is too great when done together!*



Aloha Lea,

On behalf of Laiopua Community Development Corporation, we would respectfully request to be placed on the DHHL Commission Agenda for Nov 21st or 22nd at the next DHHL Commission hearing in Maui.

We appreciate your consideration in this matter.

Please send me confirmation.

Mahalo

Bo Kahui

Name

Cardines Jr Allen

Email

Message

Aloha HHC! I would love to give an update from Nanakuli and Kapolei Neighborhood Security Watch and Community Policing Teams. Mahalo :)

Aloha kakou:

I wanted to be sure to transmit this document in advance of the 4:30pm deadline for inclusion on the Nov 22 J agenda. We'll probably make some changes to these slides when the groups present on Nov 22, but this PDF will work as a placeholder. (Note: the webform isn't available on the testimony page, so I'm emailing the PDF here.)

And Andrew, we'll see you on Zoom on the 10th to prep for the Nov 14th Beneficiary Consultation.

Mahalo,

Ikaika 808-221-2843

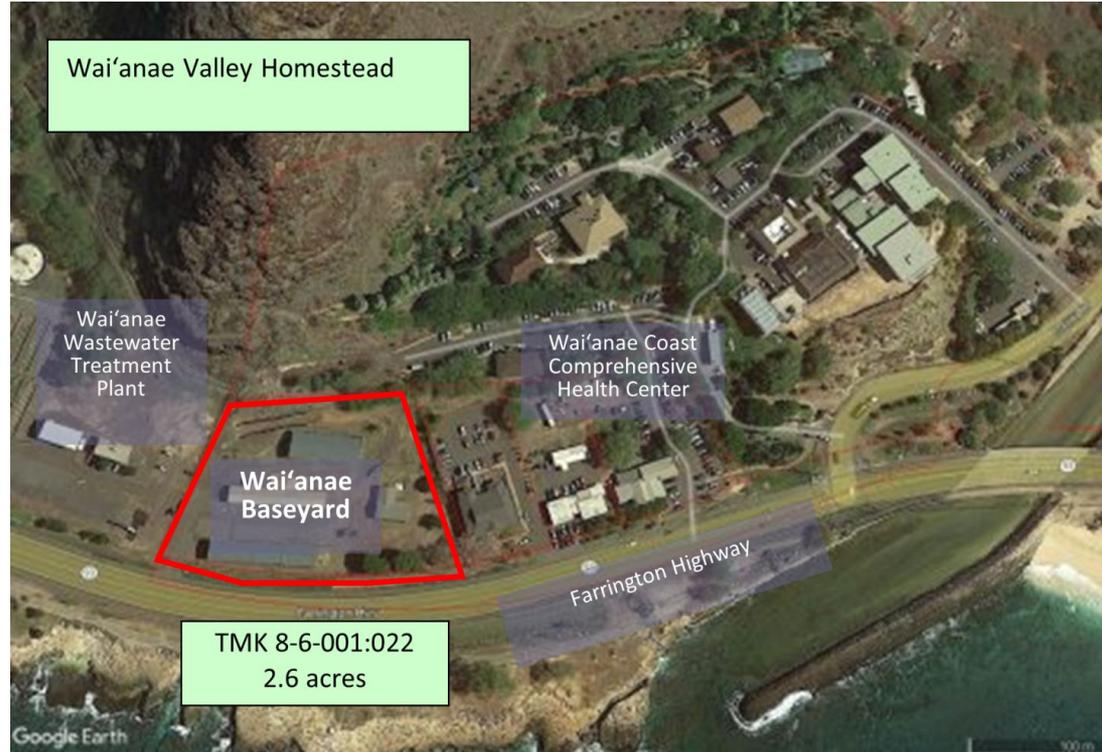
Wai'anae Valley Homestead Community Association

Beneficiary Consultation
11/14/2022



Overview

- Requesting a due diligence ROE to a DHHL industrial parcel at 86-220 Farrington Hwy
- Our vision is a community-based economic development center providing benefits to Homesteaders
- Currently exploring two projects on the site:
 - Wai'anae Sustainability Co-op, a community-owned solar project which will lower electricity costs for Homesteaders
 - West O'ahu Funeral Services, a crematorium service organization that will offer our community another alternative to their final end of life arrangements.



WAI'ANAE
SUSTAINABILITY COOPERATIVE
...
COMMUNITY-OWNED SOLAR

WHO ARE WE - COOPERATIVE BOARD



Kapua
Keli'ikoa-Kamai,
President



Georgette Stevens,
Vice President



Jan Makepea,
Secretary



Kaukaohu Wahilani,
Director

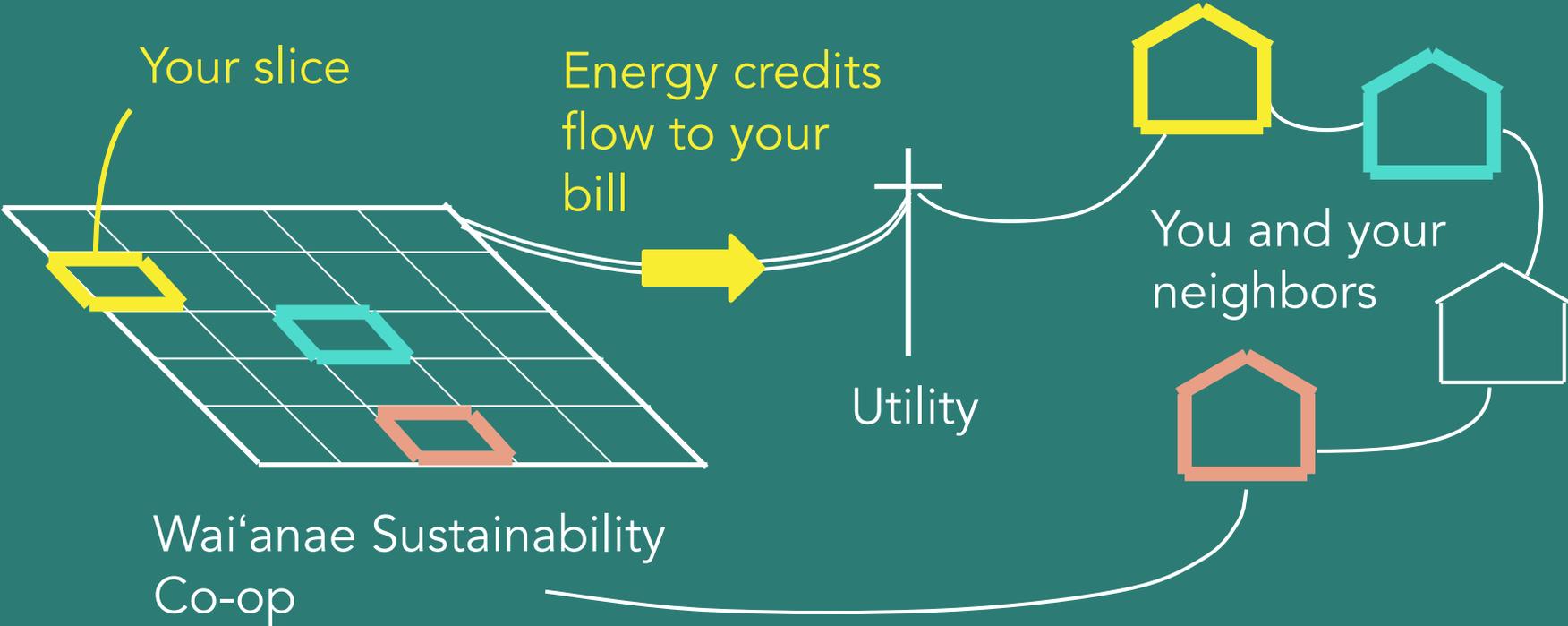
WHY A COOPERATIVE?

- Owned/controlled by members, not outside investors
- Limited return on capital
- Exist to serve members
- Motivated by service, not profit
- Return surplus revenue based on use, not investment

MISSION

- To produce locally-owned, affordable energy for the benefit of our homesteaders and our members
- Gives the Waianae Valley Homestead & 96792 community the ability to build from ground-up the type of energy system we want in our community. Not just sit around while another solar farm is built within our community.
- Allow for our people to purchase green energy without expensive repairs, modifications, or difficult financing

WE'RE STARTING WITH A COMMUNITY-BASED RENEWABLE ENERGY (CBRE) PROJECT



Wai'anae Sustainability Co-op



- 730 photovoltaic panels (250 kW)
- Panels mounted on rooftops and carports
- Big enough to serve 70-80 households



**West Oahu Funeral Service
Waianae, Hawaii 96792**

DHHL Beneficiary Consultation November 2022

West Oahu Funeral Services



Moku Buchanan



Lori Buchanan



Makana Buchanan
Darren Tsuchiya

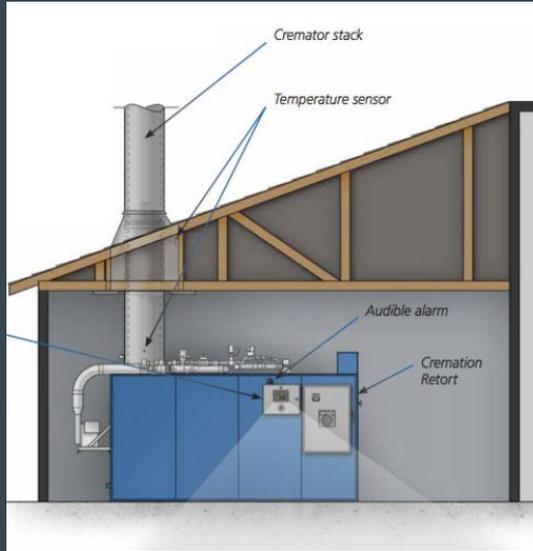


Leialoha and Harry Acedillo

Waianae Industrial Site Existing Structures



Cremator with Stack



Trilogy Combustion Control
& Monitoring System for Fuel Efficiency,
Advanced Monitoring and Diagnostics

A-250-WH Cremator

Height 8'4"

Length 15'6"

Width 6'9"

Weight 28,000 lbs

Fuel: Natural Gas, Propane or Butane

Electrical: 220V/60Hz/1 (Nationally)

Max Fuel Rating: 2.25MM BTU/HR

Warranty: 2-yr "Best in Class"



Benefits & Services

- Locally Owned and Operated
- Proximity
 - No Mortuary in West Oahu
- Expansion
 - Expanding services beyond cremation to full service Mortuary
- Community Economic Opportunity
 - Venue, Food, Flowers, Tables/Chairs, etc...



LOCAL ENERGY CAN LOWER THE COST OF LIVING

Figure 19. Since the COVID-19 outbreak in Hawai'i, has your household received food assistance (Food Bank/ Food Pantries or Commodity foods)?

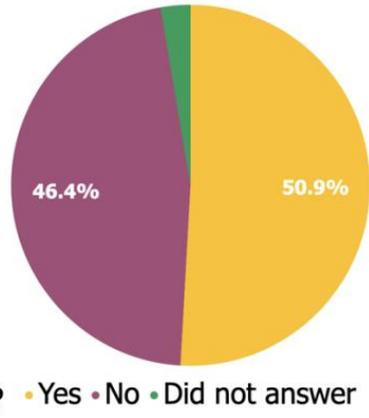
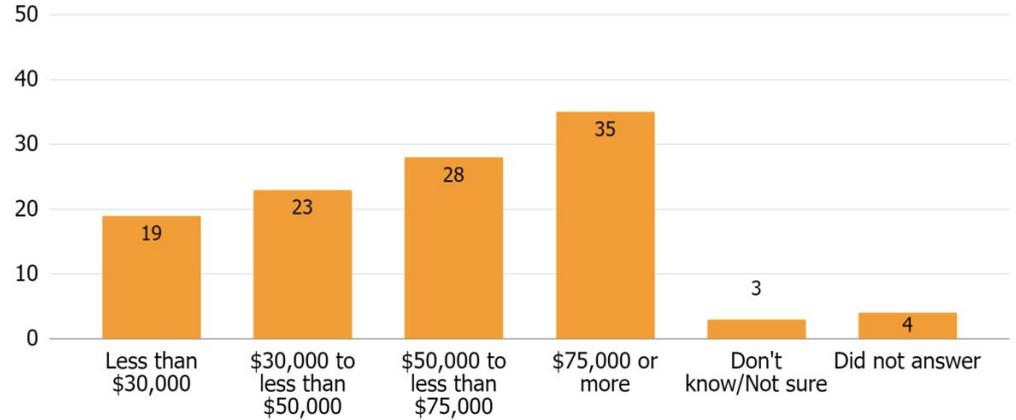


Figure 2. Annual Household Income



SOURCE: 2021 WAI'ANAE VALLEY HOMESTEAD HEALTH SURVEY REPORT

An aerial photograph of a coastal town, likely in Hawaii, with a clear blue ocean on the left, a sandy beach, and a dense residential area. In the background, there are green mountains under a blue sky with scattered white clouds. The text is overlaid on the center of the image.

Mahalo!

Questions or Comments

WSC: wvhcbre@gmail.com

WOFS: molokailori@gmail.com

WWHCA: wvhcabod@gmail.com