

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

91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i, and
Zoom: Meeting ID: 609 754 2925 PW:giU7Mf
Monday, June 26, 2023, at 9:30 a.m. to be continued, if necessary, on
Tuesday, June 27, 2023, 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, June 21, 2023.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. May 15 & 16, 2023 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 Approval of Streamline Refinance of Loans (see exhibit)
- D-4 Ratification of Loan Approvals (see exhibit)
- D-7 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-8 Approval to Certify Applications of Qualified Applicants for the Month of May 2023 (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 – **EUGENE M. GARCIA, JR.**, Residential Lease No. 4090, Lot No. 16, Waimanalo, Oahu
- D-13 Commission Designation of Successor – **JOSEPH KUAHUIA, JR.**, Residential Lease No. 7256, Lot No. 4, Nanakuli, Oahu
- D-14 Commission Designation of Successor – **CARMEN MATA**, Residential Lease No. 387, Lot No. 118, Nanakuli, Oahu
- D-15 Commission Designation of Successor – **ALVIN K. KAHANU**, Residential Lease No. 3954, Lot No. 9, Waimanalo, Oahu
- D-16 Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Agricultural Lease No. 5482, Lot No. 9, Anahola, Kauai – **SARAH K.L. MARTIN and SAMUEL MARTIN**
- D-17 Request for Extension of Deadline to Sign Successorship Documents – **SALLY K. HAINA**, Pastoral Lease No. 9051, Lot No. 1, Pu‘ukapu, Hawaii

- D-18 Commission Designation of Successor – **JANE M. KAAIKALA**, Residential Lease No. 4600, Lot No. 43, Waianae, Oahu
- D-19 Approval of Supplemental Dwelling Unit – **THOMAS K. SMITH**, Residential Lease No. 11214, Lot No. 21, Kakaina, Oahu
- D-20 Commission Designation of Successor – **AUDREY C.L.M.T. LIMA**, Residential Lease No. 11418, Lot No. 17142, Kaupea, Oahu
- D-21 Commission Designation of Successor – **LUCILLE L. TANAKA**, Residential Lease No. 4498, Lot No. 262-A-1, Nanakuli, Oahu

B. REGULAR AGENDA

Office of the Chairman

- C-1 Approval of Lease Award Lana‘i Pre-Owned Home Residential Lot-Lana‘i City, Lana‘i; Pi‘ilani Mai Ke Kai Subdivision Phase II – Residential Vacant Lots – Anahola, Kaua‘i; Pu‘ukapu Village House Lots (Kuhio Village) Residential Vacant Lots Offer – Waimea, Hawaii (see exhibit)

Land Development Division

- E-1 Approval of Budget Amendment No. 2 to Act 279, Session Laws of Hawaii 2022 Proposed Encumbrance Plan for Fiscal Year 2023

Land Management Division

- F-1 Authorization to General Lease, at Shafter Flats/Mapunapuna, O‘ahu, TMK No. (1) 1-1-064:010
- F-2 Authorization to General Lease, at Waiakea S. Hilo, Hawai‘i, TMK: No. (3) 2-2-060:019
- F-3 Approval to Annual Renewal of Right of Entry Permit(s), O‘ahu (see exhibit)
- F-4 Approval to First Amendment to License No. 847, Ka Hale Pomaika‘i, ‘Ualapu‘e, Moloka‘i, TMK: (2) 5-6-002:001 (por.)
- F-5 Approval to Issue a License Agreement and Consent to Assignment, Garret W. C. Hew, Mary Michael Hew, Kalihi, Makawao, Island of Maui, TMK: (2) 2-1-004:114 (por.)
- F-6 Approval to Issue a Right of Entry Permit, Alpha, Inc., Honokowai, Maui, TMK: (2) 4-4-002:018 (por.)

Planning Office

- G-1 Approve the Finding of No Significant Impact for the Keaukaha-Pana‘ewa Farmer’s Alliance Resiliency and Agricultural Innovation Hub Final Environmental Assessment, TMK (3) 2-1-025:091, Pana‘ewa, Waiākea, Hilo, Hawai‘i
- G-2 Accept the Beneficiary Consultation Report for the Ko‘olau Foundation Land Use Request, TMK (1) 4-6-015:014 (por.), Ha‘ikū, He‘eia, O‘ahu
- G-3 Selection of the Representative of the Hawaiian Homes Commission to the East Maui Community Water Authority; and Approval to Conduct Beneficiary Consultation to Create a Proposed Process for Future Appointments for the Hawaiian Homes Commission Representative on the East Maui Community Water Authority

Administrative Services Office

- H-1 Approval of Fiscal Year 2024 Budget for the Department of Hawaiian Home Lands
- H-2 Transfer of Hawaiian Home Receipts Fund Money at the End of the Fourth Quarter, Fiscal Year 2023

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. Discussion on *United States of America v. Sandwich Isles Commc'n, Inc., et al.*, Case No. 1:18-CV-00145 (JMS-RT) before the U.S. District Court for the District Court for the District of Hawai'i

IV. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-2 For Information Only – National Telecommunications and Information Administration (NTIA) Tribal Broadband Connectivity Program Update
- C-3 For Information Only – Summary of Legislative Session 2023 Concerning DHHL
- C-4 For Information Only – DHHL Legislative Proposals for 2024

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 USDA-Rural Development Mortgage Loans

Planning Office

- G-4 For Information Only – Water Policy Plan Implementation Program Report for FY 2023 and Draft Water Policy Implementation Plan for FY 2024

B. WORKSHOPS

Homestead Services Division

- D-5 For Information Only – Memorandum of Agreement Between the Department of Hawaiian Home Lands and Hawaii Community Lending Regarding the Guaranty of Interim Construction Loans

V. ANNOUNCEMENTS AND RECESS

- 1. No DHHL Community Meeting in June – Next Community Meeting July 17, 2023. Papakolea, O'ahu.

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

91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i, and Zoom: Meeting ID: 609 754 2925 PW:giU7Mf
Tuesday, June 27, 2023, at 9:30 a.m.

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

Homestead Services Division

- D-6 Approval of the Memorandum of Agreement Between the Department of Hawaiian Home Lands and Hawaii Community Lending Regarding the Guaranty of Interim Construction Loans

III. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Spencer Pae – NAHASDA Affordability Period
- J-2 Lydia Kamoku – Successorship Issues
- J-3 Lily Napoleon – Na‘iwa Agriculture Subdivision Alliance
- J-4 Cindy Freitas – Vacant Lot Concerns
- J-5 Allen Cardines – Nanakuli Neighborhood Security Watch
- J-6 Keani Rawlins- Regional Plan Amendment Process
- J-7 Germaine Meyers – Various Concerns, Ag Waitlist
- J-8 Blossom Feiteira – Act 279 Implementation
- J-9 Bo Kahui – Water Development La‘iOpua
- J-10 Faith Chase – Kahikinui Hawaiian Homestead Community Economic Dev.
- J-11 Janelle Kaohu Kauahi – Public Notice Application Process
- J-12 Robin Kealiinohomoku – Paupena Community Development Corp.
- J-13 Keone Kealoha – Right of Entry Application, DHHL designation for proxy voting

IV. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next HHC Meeting –July 17 & 18, 2023, Kapolei, Oahu
- B. Next DHHL Community Meeting – July 17, 2023, 6:30 p.m. Papakolea, O‘ahu
- C. Adjournment



Kali Watson, 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
Makai Freitas, 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 June 22, 2023. 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 such as large print, Braille, or electronic copy.

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 June 22, 2023, 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.

Disruption of Interactive Technology – If audiovisual communication cannot be maintained by all participating Commissioners and quorum is lost, the meeting will automatically be recessed for 30 minutes, during which time an attempt to restore audiovisual communication will be made. If such attempt to restore is unsuccessful within said 30 minutes, all Commissioners, members of the public, staff, and other interested individuals shall log on again to the Teams link on this Notice, whereby audio communication will be established for all participants and the meeting will continue. If reconvening the meeting is not possible because audio and visual communication cannot be re-established, the meeting will be terminated.

ITEM C-2

APPROVAL OF LEASE AWARD LANA'I PREOWNED HOME-RESIDENTIAL LOT-LANA'I CITY,
LANA'I

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
STACIE LEE K. KOANUI NEFALAR	04/27/2000	1175	(2) 4-9-024-005	13018

APPROVAL OF LEASE AWARD PI'ILANI MAI KE KAI SUBDIVISION PHASE II – RESIDENTIAL
VACANT LOTS – ANAHOLA, KAUA'I

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
REGENALD A MCCABE	09/24/1985	2	(4) 4-8-022-091	13019

APPROVAL OF LEASE AWARD PUUKAPU VILLAGE HOUSE LOTS (KUHIO VILLAGE)
RESIDENTIAL VACANT LOTS OFFER- WAIMEA, HAWAII

<u>NAME</u>	<u>APP DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
RICKY K. MAHI	06/13/1966	7B	(3) 6-4-007-130	13020

ITEM D-2 EXHIBIT

APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
ELI, Clyde K. M., Jr.	3299	Nanakuli, Oahu
GOMES, Patrick L.	8463	Princess Kahanu Estates, Oahu
GRIFFIN, Jonah K.	12577	Kanehili, Oahu
HERNANDEZ, Samson K.	12182	Kaumana, Hawaii
HOLU, Larry N.	7363	Nanakuli, Oahu
HOOPAI, Johanson L. K.	9469	Waiehu Kou II, Maui
JOSE, Donald L., Jr.	8417	Princess Kahanu Estates, Oahu
KAAIHUE, Robert K.	11061	Anahola, Kauai
KAANOI, Franklin	12358	Kanehili, Oahu
KALEIKULA-KELE, Malisa M.	3799	Nanakuli, Oahu
KAMIBAYASHI, Napua	8671	Anahola, Kauai
KUHAULUA, Daisha S. K.	11136	Anahola, Kauai
LEHANO, Eugene K.	7238	Kawaihae, Hawaii
MARTINEZ, Wendy L.	9271	Kaniohale, Hawaii
MERSBERG, Bruce P. F.	6791	Lualualei, Oahu
MERSBERG-GOHER, Brikayla Jordyn-Lee A.	6791	Lualualei, Oahu
NIHEI, George T, Jr.	3522	Kewalo, Oahu
PALING, Stephen, III	9703	Waianae, Oahu
ROBERTS, Tilana	5885	Kalamaula, Molokai
ROSEHILL, Markham	13015	Kaumana, Hawaii
SAGUCIO, Lance V.	11385	Kaupea, Oahu
SOLOMON, Alice L.	9054B	Waimea, Hawaii
SOTELO, Barnabas T. S.	6677A	Waianae, Oahu
TALON, Andrea C. W.	115-A-3	Hoolehua, Molokai
THOMPSON, Baylene K. K.	11364	Kaupea, Oahu

THOMPSON, Kevin L.	11728	Kanehili, Oahu
WAIALAE, Bobbie K.	12051	Kaupea, Oahu

ITEM D-3 EXHIBIT

APPROVAL OF STREAMLINE REFINANCE OF LOAN

LESSEE	LEASE NO.	AREA
IOKUA, Leinaala K. K.	4519	Nanakuli, Oahu

ITEM D-4 EXHIBIT

RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
AKI, Leejay L.	12685	Anahola, Kauai
DAVID, Elias	12967	Kauluokahai, Oahu
KEA-DAVID, Keolohilani	12967	Kauluokahai, Oahu
SHIMABUKURO, Francis S., Jr.	5463	Anahola, Kauai

ITEM D-7 EXHIBIT

APPROVAL OF HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
CAFA, Patricia Ann U.	Oahu IW Res
CRUZ, Mahealani K.V.K.	Oahu IW Agr to Kauai IW Agr
CRUZ, Mahealani K.V.K.	Oahu IW Res to Kauai IW Res
DEBLAKE, Barrington A.	Oahu IW Res
EVANS, Annabelle K.Y.	Kauai IW Res
GAGNON, Kathleen K.	Waimanalo Area / Oahu IW Res
HUE SING, Donald	Maui IW Agr to Kauai IW Agr
HUE SING, Donald	Maui IW Res to Kauai IW Res
KAHAIALII, Doreen L.	Lanai IW Res to Maui IW Res
LEONG, Robert L.	Hawaii IW Agr
LOPES, Charles K., III	Waimanalo Area / Oahu IW Res
MAHI-SEFO, Stacey K.	Oahu IW Res
MAHI-SEFO, Stacey K.	Hawaii IW Agr
MOOKINI, Waldynne K.	Maui IW Agr
MOOKINI, Waldynne K.	Maui IW Res
MOOKINI, Walter K.	Hawaii IW Agr
MOOKINI, Walter K.	Hawaii IW Res
NAUAHI, Kent G.	Oahu IW Res
PALAKIKO, Leslie A.	Oahu IW Res
ROSA, Arthur L.K.	Hawaii IW Agr
SHINTANI, Jerry K.	Kauai IW Agr
SIMEONA, Harry	Maui IW Res
WILLS, Zelia E.H.	Maui IW Pas to Molokai IW Pas
WILLS, Zelia E.H.	Maui IW Res to Molokai IW Res

* IW = Islandwide

ITEM D-8 EXHIBIT

**APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS FOR THE MONTH OF
May 2023**

APPLICANT	AREA
AIPOALANI, Elenoa K.	Oahu IW Agr
AIPOALANI, Elenoa K.	Oahu IW Res
BLANCO, Avery-Shane A.K.	Hawaii IW Pas
BLANCO, Avery-Shane A.K.	Hawaii IW Res
CONOL, Ualani R.	Oahu IW Res
CONOL, Ualani R.	Kauai IW Agr
GONSALVES, Marion P.K.	Oahu IW Res
HAWELU, Sheelana K.	Oahu IW Agr
HAWELU, Sheelana K.	Oahu IW Res
HERROD, Aulii	Hawaii IW Res
HERROD, Kalalea K.	Kauai IW Res
KAAHANUI, Tara R.P.	Oahu IW Agr
KAAHANUI, Tara R.P.	Oahu IW Res
KAILILAAU, Tammy Ann U.	Maui IW Agr
KAILILAAU, Tammy Ann U.	Maui IW Res
KAHAHAWAI-WELCH, Bailey K.	Oahu IW Res
KAHAHAWAI-WELCH, Bailey K.	Maui IW Agr
KAHAHAWAI-WELCH, Jonah K.	Oahu IW Res
KAHAHAWAI-WELCH, Jonah K.	Maui IW Pas
KAHAHAWAI-WELCH, Jordan K.	Maui IW Res
KAHAHAWAI-WELCH, Jordan K.	Hawaii IW Agr
KAHAHAWAI-WELCH, Payton K.	Oahu IW Res
KAHAHAWAI-WELCH, Payton K.	Maui IW Pas
KAHAPEA-CHOW, Desiree S.K.	Maui IW Agr
KAHAPEA-CHOW, Desiree S.K.	Maui IW Res
KALEOPAA BROWN, Waianuhe K.K.	Oahu IW Agr
KALEOPAA BROWN, Waianuhe K.K.	Oahu IW Res
KEALOHA, Danferd K., Jr.	Oahu IW Res
KEALOHA, Danferd K., Jr.	Hawaii IW Agr
KEALOHA, Paige P.	Oahu IW Res
KEY, Madison K.	Oahu IW Agr
KEY, Madison K.	Oahu IW Res
LANDFORD, William J.	Maui IW Res
LEONG, Rider K.S., III	Oahu IW Res
LEONG-FISHER, Lynn H.	Oahu IW Agr
LEONG-FISHER, Lynn H.	Oahu IW Res
LUTZ, Waynette L.M.	Hawaii IW Agr
LUTZ, Waynette L.M.	Hawaii IW Res
MANNERS, Levi A.	Oahu IW Res

NAMUO, Brock K.	Hawaii IW Agr
NAMUO, Brock K.	Hawaii IW Res
NAMUO, Haley K.	Hawaii IW Agr
NAMUO, Haley K.	Hawaii IW Res
NeSMITH, Kevin K.	Kauai IW Agr
NeSMITH, Kevin K.	Kauai IW Res
PULE, Pohaku T.J.R.M.	Oahu IW Res
PULE, Pohaku T.J.R.M.	Hawaii IW Agr
PUU, Charon P.	Oahu IW Agr
PUU, Charon P.	Oahu IW Res
PUULEI, Velvet N.O.M.	Kauai IW Pas
PUULEI, Velvet N.O.M.	Kauai IW Res
SECRETARIO, Spencer M.	Oahu IW Res
SOLOMON, Calvin K.	Oahu IW Agr
SOLOMON, Calvin K.	Oahu IW Res
SYLVA, Frank W.K.	Maui IW Agr
SYLVA, Frank W.K.	Maui IW Res
TOSON, Berlinda A.	Hawaii IW Res

* IW = Islandwide

ITEM D-9 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
MILIKINI, Melodie L.H.	9859	Maluohai, Oahu
NALIMU, John A.	6242	Panaewa, Hawaii
NEVES, Dodie Ann H.	6915	Puukapu, Hawaii
WOODARD, Daryle-Jean A.A.K.	13013	Waianae, Oahu
DAVID, Jessie	12967	Kauluokahai, Oahu
MARCELLINO, Peter H.K.	7792	Hoolehua, Molokai
MARCELLINO, Peter H.K.	12985	Waianae, Oahu

ITEM D-10 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AKANA, Lawrence K.	11591	Kapolei, Oahu
CONTADO, Rosemary L.	11588	Kapolei, Oahu
DEFRIES-SARONITMAN, Hiram S.K.	11041	Anahola, Kauai
DEITSCHMAN, Pauline T.	2474	Waimanalo, Oahu
DUDLEY, Nicole M.H.	11010	Anahola, Kauai
GLUSHENKO, Vera L.	11110	Anahola, Kauai
KEAULANA LUI-DYBALL, Tremaine M.K.	3913	Waimanalo, Oahu
MAHIAI, Naihe R.	11144	Anahola, Kauai
NIHEI, George T., Jr.	3522	Kewalo, Oahu
POKI, Allan R.	12489	Kapolei, Oahu

ITEM D-11 EXHIBIT**APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC SYSTEMS FOR CERTAIN LESSEES**

LESSEE	LEASE NO.	AREA
ANO, Stephanie P.	8683	Anahola, Kauai
ARMITAGE, Henry K.	4506	Nanakuli, Oahu
DUQUE, John L.	8459	PKE, Oahu
GARZA, Lael K.	598	Papakolea, Oahu
GUNDERSON, Greena U.	8172	Waimanalo, Oahu
HULAMA, Kristina L.	9859	Maluohai, Oahu
HULAMA, Kalani L.	9859	Maluohai, Oahu
HULAMA, Kristal L.	9859	Maluohai, Oahu
KAHANU, David W.	7210	Kawaihae, Hawaii
KAHOONEI, William M., III	567	Nanakuli, Oahu
KAIO, Delbert-Wayne K.	8752	Waianae, Oahu
KALEIOHI, Jill E.	12751	Maluohai, Oahu
KIPAPA, George K.K.	8772	Waimanalo, Oahu
PAI, Mabel M.	4906	Kuhio Village, Hawaii
POKIPALA, Corinne K.S.L.	608	Kewalo, Oahu
SALORICMAN, Lucinda Ann	8908	Nanakuli, Oahu
AKI, Wanda H.	3619	Anahola, Kauai
SUGAI, Jamie L.K.	3619	Anahola, Kauai
TOM, Issac K.	10233	Kaniohale, Hawaii
VAN GIESON, Dayne K.N.	8374	PKE, Oahu
VICTORINO, Frances Y.I.	8717	Waianae, Oahu

ITEM D-19 EXHIBIT**APPROVAL OF SUPPLEMENTAL DWELLING UNIT (SDU) FOR CERTAIN LEASES**

LESSEE	LEASE NO.	AREA
Smith, Thomas K.	11214	Kakaina, Oahu

ITEM F-3 EXHIBIT**ANNUAL RENEWAL OF RIGHT OF ENTRY PERMITS – OAHU ISLAND**

NO.	ACRE	USE	PERMITTEE	TMK	Date Started
525	20.000	Agricultural	Sports Turf Hawaii, Inc.	(1) 4-1-008:002(P)	2/1/2005
590	8.671	Agricultural	XianXing Huang & Hong Fang Gan	(1) 8-5-029:002(P)	3/1/2006
600	6.400	Agriculture	Kenneth Hicks	(1) 8-6-003:002 & 032(p)	11/1/2009
586	0.115	Caretaker	Charlene L. Ching	(1) 8-9-007:002(P)	9/1/2000
608	0.267	Caretaker	Luella K. Kanoa	(1) 4-1-030:053(P)	2/18/1999
609	0.070	Caretaker	Howard Doctorello	(1) 4-1-030:053(P)	4/14/1999
591	78.640	Commercial/ Agriculture	Aloun Farm, Inc.	(1) 9-1-016:108 (p)	12/1/2010
585	0.712	Community	Waianae Coast Comprehensive Health Center	(1) 8-9-005:014(P)	12/18/1995

593	2.000	Community	Waianae Coast Comprehensive Health & Hospital Board, Inc.	(1) 8-6-001:012 & 024(P)	5/2/2007
514	1.000	Industrial	Bears Trucking, Inc., 3411 Aliamanu Street	(1) 9-7-024:050(P)	11/1/2005
515	0.115	Industrial	La'au Structures	(1) 1-1-064: 010 (P)	11/1/2007
517	0.080	Industrial	Professional Commerical Services	(1) 1-1-064:010 (p)	7/1/2010
529	2.000	Industrial	Frances Kama-Silva	(1) 8-6-003:003(P)	1/8/1995
592	1.000	Industrial	Close Construction, Inc.	(1) 9-1-013-061(P)	7/1/2013
595	0.706	Industrial	R & KA Equipment, 94-1167 Mopua Loop	(1) 9-1-013:024(P)	4/1/2005
604	2.000	Industrial	Aiwohi Bros., Inc.	(1) 9-1-013:027(P)	9/1/2008
605	0.580	Industrial	Hawaii Steam, Inc.	(1) 9-1-013:061 (p)	7/1/2013
607	0.217	Industrial	Eugene Cacho, Kahu Trucking	(1) 9-1-013:024(P)	8/1/2005
611	2.295	Industrial	Discount Storage, LLC & Containers Hawaii dba The Storage Room, Inc.	(1) 9-1-013:024(P)	8/1/2005
615	0.220	Industrial	Na Kane Trucking	(1) 9-1-013:027 (p)	7/1/2013
616	0.570	Industrial	Pacific Isle Equipment Rental, Inc.	(1) 9-1-013:027(P)	3/15/2004
618	0.310	Industrial	Benjamin Kahalehoe	(1) 9-1-013:048(P)	10/1/2006
619	0.660	Industrial	Miller's Paving, LLC.	(1) 9-1-013:117 (p)	12/1/2008
620	4.753	Industrial	Coastal Construction Co.	(1) 9-1-013:027(P)	9/1/2005
621	0.210	Industrial	American Drilling Company	(1) 9-1-013:117 (por)	9/12/2008
623	1.033	Industrial	Devin B. Donahue	(1) 9-1-013:061(P)	8/1/2005
628	0.344	Industrial	D II's Welding Services, LLC	(1) 9-1-013:027 (p)	7/1/2009
630	0.689	Industrial	C J Peterson Services, Inc.	(1) 9-1-013:027 (p)	7/1/2009
631	0.359	Industrial	J. Jeramiah Trucking Co.	(1) 9-1-13:117 (p)	7/1/2010
632	0.344	Industrial	Xtreme Trucking, Inc.	(1) 9-1-013:027 (p)	7/1/2009
634	0.250	Industrial	F.P.S. Building Contractors	(1) 9-1-013:038 (p)	11/16/2009
636	0.137	Industrial	Panui, Inc.	(1) 9-1-013:117 (p)	7/1/2010
637	0.320	Industrial	T & C Plumbing	(1) 9-1-013:027 (p)	6/15/2009
638	0.017	Industrial	American Hauling, Inc.	(1) 9-1-013:024(P)	12/1/2003
639	0.505	Industrial	Maunalei Trucking	(1) 9-1-013:117 (p)	9/29/2008
647	9.000	Industrial	Road & Highway Builders	(1) 9-1-013:061 (p)	7/1/2013
648	4.000	Industrial	Hawaii Explosives and Pyrotechnics, Inc.	(1) 9-1-013:040(P)	10/1/2003
649	0.925	Industrial	Aloha Trucking LLC	(1) 9-1-013:027 (p)	12/1/2009
650	0.459	Industrial	JJS Construction	(1) 9-1-013:061(P)	12/1/2003
651	0.460	Industrial	Hawaiian Dredging Construction, Inc.	(1) 9-1-013:061 (p)	7/1/2013
693	0.105	Industrial	Servdor, Inc.	(1) 1-1-063:031(p)	7/1/2022
694	0.278	Industrial	WDI Companies, Inc.	(1) 1-1-064:031 (p)	7/1/2022
626	1.081	Industrial (Parking)	VIP Sanitation, Inc.	(1) 9-1-013:009	3/1/2005

640	25.000	Industrial (Storage)	The Pasha Group	(1) 9-1-013:061(P)	1/10/2004
511	1126.000	Pastoral	Robert D. Lyman	(1) 8-9-008:003	6/16/1991
527	438.100	Pastoral	Waianae Valley Farm, Ltd.	(1) 8-9-007:002(P)	2/1/1991
528	8.000	Pastoral	Frances Kama-Silva	(1) 8-6-003:003(P)	5/16/1994
645	0.700	Pastoral	Allan Silva	(1) 4-1-008:022 (P)	7/1/2013
512	5.000	Stabling	Albert Cummings, III and Ihilani T.D. Miller-Cummings	(1) 9-1-013:040(P)	3/1/2004
522	3.949	Stabling	Duroy Rosecrans	(1) 4-1-009:271 & 284	8/1/1993
523	3.250	Stabling	Honolulu Polo Club	(1) 4-1-009:281	8/4/1993
524	3.400	Stabling	Roy & June K. Pires	(1) 4-1-008:094	1/1/1995
603	1.200	Stabling	Mary Ann Higashi	(1) 8-9-007:002(P)	12/1/1994
613	2.400	Stabling	John Cook & Leiala Cook	(1) 4-1-008:093	8/1/1991

**Hawaiian Homes Commission Meeting
June 26 & 27, 2023
Hale Ponoī, Kapolei, Oahu**

C ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

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



FROM: Michelle Hitzeman, HALE Manager /Project Lead
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 Leases to the applicants listed below for ninety-nine (99) years, subject to the purchase of the existing improvements on the lot by way of a loan or cash.

DISCUSSION

Lana'i Pre-Owned Home Residential Lot – Lanai City, Lanai

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
STACIE LEE K. KOANUI NEFALAR	04/27/2000	1175	(2) 4-9-024-005	13018

Pi'ilani Mai Ke Kai Subdivision Phase II – Residential Vacant Lots – Anahola, Kauai

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
REGENALD A MCCABE	09/24/1985	2	(4) 4-8-022-091	13019

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

<u>NAME</u>	<u>APP DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
RICKY K. MAHI	06/13/1966	7B	(3) 6-4-007-130	13020

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

Thru: Katie L. Ducatt, Deputy to the Chairman

From: Jaren Tengan, TBCP Award Program Staff

Subject: For Information Only - National Telecommunications and
Information Administration Tribal Broadband Connectivity
Program Update

RECOMMENDED MOTION

None; for information only

DISCUSSION

This informational briefing is to provide an update on the Department of Hawaiian Homes Lands (the Department or DHHL) Tribal Broadband Connectivity Program (TBCP) award. The last submittal update was provided at the October 2022 Hawaiian Homes Commission (HHC) meeting. At the December 2022 HHC meeting, the news that the Department was awarded \$17,284,762.85 was shared with Commissioners.

BACKGROUND

The Consolidated Appropriations Act (CAA), which became law in December 2020, authorizes the creation of the Tribal Broadband Connectivity Program under the National Telecommunications and Information Administration (NTIA) of the U.S. Department of Commerce. Section 905(a)(8)(III) set aside no less than \$30 million to the Department of Hawaiian Homelands (DHHL) on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs. In November 2021, the Investment, Infrastructure & Jobs Act (IIJA) became law and Section 602.11 amended the TBCP to include an additional \$60 million set aside to the DHHL. Thus, there was a \$90 million total set aside under the TBCP for DHHL.

On June 3, 2021, the NTIA released its Notice of Funding Opportunity (NOFO). In consultation with the NTIA, DHHL amended

its original August 31, 2021 TBCP application and submitted its final application on September 30, 2022. As noted above, NTIA awarded \$17,284,762.85 in December of 2022, with the remaining balance of the \$90 million available to DHHL when it applies for the second TBCP NOFO, which is expected sometime this summer.

DHHL's TBCP application was structured into two parts: 1) Use and Adoption; and 2) a Feasibility and Assessment Study for broadband infrastructure. We provide an overview of each in turn below:

PROJECT UPDATES

Use and Adoption Projects

DHHL's TBCP application, as amended, was strongly influenced by the impact of the COVID-19 pandemic, which brought to the forefront the lack of access to sufficient internet bandwidth for telehealth, distance learning and teleworking for Native Hawaiian households. Thus, DHHL's Use and Adoption Projects reflect the need observed in its Native Hawaiian communities statewide during the global pandemic.

DHHL's Use and Adoption Projects are: 1) Charter Schools; 2) Community Networks and Broadband Digital Mapping; 3) Nānākuli Library; and 4) Telehealth (to include Maternal and Native Hawaiian Telehealth).

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1. Charter Schools \$4,003,913.00

The goal of this project is to increase the capacity of Hawaiian-focused public charter schools (HFCS) for distance learning, digital education access, and hybrid learning. This grant will help provide computers (MacBooks) and interactive white boards to HFCS. The Charter schools that have been identified in DHHL's proposal are: 1) Kanuikapono, Kauai; 2) Kamaile Academy and Malama Honua, Oahu; 3) Kualapu'u, Molokai; and 4) Kua o Ka la and Waimea Middle School, Island of Hawaii.

STATUS: The Department is currently in discussion with the Hawaii Broadband and Digital Equity Office and other stakeholders to help with data collection on closing the

digital divide, developing "train the trainer" courses with the charter schools for hybrid learning, and distribution of assets to the charter schools.

2. Community Network & Broadband Digital Mapping \$315,530.00

This project involves establishing the Hale Halawai Computer Lab and Training Space at Pu'uhonua o Wai'anae, a homeless encampment on the west coast of Oahu. The computer lab setup includes utility hook-ups, a telehealth center, Wi-Fi equipment for a community network, furniture, and laptops. Additionally, this project contains outreach to understand the amount of connectivity that is accessible in this community.

STATUS: This project is still in its infancy; the Department is working in cooperation with the University of Hawai'i (UH) and the Broadband Equity Office. The Broadband Equity, Access, and Deployment (BEAD) Program may overlap the same goals outlined in our project. We are working with UH and the Broadband Equity Office to understand and refine our goals within the limits of the project.

3. Nānākuli Public Library \$745,392.00

Funding is allocated for the buildout of a telehealth and digital literacy tech innovation hub at the Nānākuli Public Library, which serves the largest DHHL homestead in Waianae. This project serves to provide device access, digital literacy training, and assistance with the establishment of a digital recording studio. The recording studio will be utilized by Native Hawaiian language specialists for oral history, storytelling, and cultural information in Hawaiian. Additionally, solar powered charging stations for personal devices is projected to be set in Kapolei, Nanakuli, and Waianae.

STATUS: DHHL is working with the Hawaii State Public Library System on a Memorandum of Agreement to help facilitate this project. The State Librarian will be reconnecting with partner agencies on how to successfully collaborate and undertake the project work plan.

4. Telehealth (Maternal and Native Hawaiian Telehealth)
\$5,832,565.45

This project will support the access and adoption of telehealth through two subprojects: 1) maternal telehealth services, and 2) Native Hawaiian Telehealth. These initiatives seek to improve health outcomes by increasing access to remote health care services including remote patient monitoring devices and services that enable a patient's health care team to intervene quickly if conditions are indicated.

STATUS: DHHL has been working with the John A. Burns School of Medicine (JABSOM) and the Pacific Basin Telehealth Resource Center (PBTRC) to coordinate the implementation of the maternal telehealth portion of this program. DHHL is still working on the logistics of how Native Hawaiian telehealth can be most effectively implemented in the community.

Telecommunications Infrastructure Assessment and Feasibility Study

The second component of DHHL's award is for a telecommunications infrastructure assessment and feasibility study (Feasibility Study). This portion of the award totals **\$6,387,362.40 million.**

The Feasibility Study's findings will be used to inform the construction and maintenance of a modern, reliable telecommunications network on Hawaiian home lands. The study aims to identify existing infrastructure, assess barriers, and make recommendations for a design and infrastructure strategy.

On March 29, 2023, DHHL released a Request for Proposals for the Feasibility Study in accordance with the Hawaii Public Procurement Code. On April 26, 2023, DHHL awarded the Feasibility Study contract to Hawaiian Telcom. The Department is currently awaiting final resolution of a protest of the award filed by an opposing bidder, which has since been dismissed by the State of Hawaii Department of Commerce and Consumer Affairs, Office of Administrative Hearings (DCCA). As of the date of the drafting of this submittal, the DCCA has not filed its written order, which would be subject to judicial review if challenged. The Department

will proceed with negotiating a contract with Hawaiian Telcom once the award protest is resolved.

NEXT STEPS:

The Department is starting to work with the various stakeholders to start implementation of the projects, including but not limited to creating Memorandums of Agreement with various state agencies. State agency cooperation is key for DHHL to effectively execute these projects in a timely manner.

We anticipate that the MOAs the Charter Schools project; the Telehealth projects; and the Nānākuli Public Library project to be completed and agreed upon by late August.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

From: Oriana Leao, NAHASDA Government Relations Program
Specialist

Subject: For Information Only - Summary of Legislative Session 2023

RECOMMENDATION/ACTION:

None; For information only.

DISCUSSION

The State Budget

The Hawaii State Legislature appropriated funds to the Department in the State Budget reflected in HB300, HD1, SD1, CD1. The Legislature authorized funding for FY 24 and 25 in line with the Governor's Biennium Budget request and included \$16,428,191 in general funds for FY 24 and \$16,796,100 for FY 25 to cover the department's existing personnel, administrative and operating costs. The Legislature also included \$10 million in general funds for each fiscal year for planning and development for Hawaiian Homesteads and \$20 million in CIP funding for each fiscal year for repairs and maintenance to existing infrastructure on various Hawaiian Home Lands, Statewide. A chart highlighting the budget information is attached as Exhibit 'A'.

DHHL's Legislative Proposals

The Hawaiian Homes Commission approved 10 legislative proposals to be included in the Governor's Package for the 2023 Regular Session. Following this approval, the legislative proposals were reviewed by the Department of the Attorney General, the Governor's Policy Office, and the Governor, and 6 were included in the Administration's legislative package. 2 of the 6 legislative proposals were passed by the Legislature. HB1058, HD1, SD1 requires an adopted individual to be considered a child of both the adopted and natural parents for the sole

purpose of determining familial relationships for purposes of the Hawaiian Homes Commission Act. SB1357, SD1, HD1, CD1 extends the sunset dates for the issuance of county affordable housing credits to the Department of Hawaiian Home Lands pursuant to Act 141, Session Laws of Hawaii 2009, as amended, and Act 98, Session Laws of Hawaii 2012, as amended, to 7/1/2030.

Other DHHL Related Measures

The Legislature also passed the following DHHL related measures:

HCR125/HR126/SR71 - Requesting the Department of Hawaiian Home Lands to Identify Resources Needed to Execute a Plan to Repair Homes for Safe Habitation.

HCR153, HD1/HR154, HD1 - Requesting the Department of Hawaiian Home Lands to Conduct a Study that Evaluates Possible Methods of Flood Remediation and Flood Aversion for Certain Areas of the Island of Molokai.

HR10 - Establishing a Legislative Working Group to Oversee the Department of Hawaiian Home Lands' Execution of Funds Appropriated Pursuant to Act 279, Session Laws of Hawaii 2022, to Address the Beneficiary Waiting List.

SCR104, SD1, HD1/SR93, SD1 - Urging Hawaii's Congressional Delegation to Re-introduce and Support the Passage of the Hawaiian Home Lands Preservation Act, H.R. Res. 9614, 117th Cong. (2nd Sess. 2022), to Lower the Required Minimum Blood Quantum for Certain Department of Hawaiian Home Lands Successor Lessee Beneficiaries from One-Quarter Native Hawaiian Blood to One Thirty-Second.

SR205, SD1 - Urging the Hawaii Housing Finance and Development Corporation to Issue Loans or Grants to Buyers in High Priority Housing Categories, Including but Not Limited to Buyers with Incomes Above Sixty and at or Below One Hundred Forty Percent of the Median Family Income for the State, Owner-Occupants who Own No Other Real Property, Individuals on the Department of Hawaiian Home Lands Waitlist, and Public Employees.

RECOMMENDED MOTION/ACTION

None; For information only.

DHHL's "Sufficient Funds" & Executive Biennium Budget FY 2024 – Operating

	FY2024 DHHL	FY2024 GOV	FY2024 HB300, CD1
A & O Budget Request (A)	(212) \$33,332,326	(200) \$26,428,191	(200) \$26,428,191
Operating R&M for Existing Infrastructure (A)	\$12,700,000		
Rehab Projects (A)	*\$14,924,096		
Total HHC A & O Budget Request	\$60,956,422	\$26,428,191	\$26,428,191

*Includes \$2,639,996 requested by homestead leaders.



DHHL's "Sufficient Funds" & Executive Biennium Budget FY 2025 – Operating

	FY2025 DHHL	FY2025 GOV	FY2025 HB300, CD1
A & O Budget Request (A)	(212) \$33,332,326	(200) \$26,796,100	(200) \$26,796,100
Operating R&M for Existing Infrastructure (A)	\$12,700,000		
Rehab Projects (A)	*\$14,924,096		
Total HHC A & O Budget Request	\$60,956,422	\$26,796,100	\$26,796,100

*Includes \$2,179,996 requested by homestead leaders.



DHHL's "Sufficient Funds" & Executive Biennium Budget FY 2024 – CIP

	FY2024 DHHL	FY2024 GOV	FY2024 HB300, CD1
CIP R&M for Existing Infrastructure (C)	\$34,650,000	\$20,000,000	\$20,000,000
Lot Development (C)	\$62,650,000		
Loans (C)	\$73,100,000		
Rehab Projects (C)	*\$56,890,000		
Total	\$227,290,000	\$20,000,000	\$20,000,000

*Total reflects projects requested by homestead leaders.



DHHL's "Sufficient Funds" & Executive Biennium Budget FY 2025 – CIP

	FY2025 DHHL	FY2025 GOV	FY2025 HB300, CD1
CIP R&M for Existing Infrastructure (C)	\$113,700,000	\$20,000,000	\$20,000,000
Lot Development (C)	\$139,550,000		
Loans (C)	\$73,100,000		
Rehab Projects (C)	*\$40,400,000		
Total	\$366,750,000	\$20,000,000	\$20,000,000

*Total reflects projects requested by homestead leaders.



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission
From: Oriana Leao, NAHASDA Government Relations Program Specialist
Subject: For Information Only – Legislative Proposals for 2024

RECOMMENDATION/ACTION:

None; For information only.

DISCUSSION

In preparation for next legislative session, the focus now is on outreach both internally and externally. As the body charged with setting the policy for DHHL, it is most appropriate to begin outreach with each one of you. If there are issues that you believe require legislative action, this input is requested now and will be collected until July 31, 2023. Anyone interested in submitting recommended legislative action can fill out the form included with this submittal.

In addition to the Commission and DHHL staff, an email will be sent to homestead associations, beneficiary organizations, testifiers on DHHL related measures, and other stakeholders/ organizations. It is important to point out that a request for proposed legislative action by the HHC, DHHL staff, beneficiary organizations, beneficiaries or other stakeholders/organizations doesn't guarantee inclusion in DHHL's legislative package, but will be reviewed and considered. Requests for legislative action could be routed through area legislators and other requests such as Grant in Aid (GIA) applications must still be submitted as provided for by the legislature.

RECOMMENDED MOTION/ACTION

None; For information only.



HAWAIIAN HOME LANDS TRUST

Department of Hawaiian Home Lands

Proposed Legislative Action Request for 2024

Name: _____

Organization: _____

Address: _____

Email: _____

Lessee: Y / N

Applicant: Y / N

Beneficiary: Y / N

Issue: _____

Bill: Y / N

Resolution: Y / N

Other: Y / N

Statement explaining why you need the legislative action and what problem the legislative action is designed to correct?

Does your proposal require an amendment to the HHCA? Y / N

Does your proposal require funding? Y / N


If yes, how much funding? _____

**Hawaiian Homes Commission Meeting
June 26 & 27, 2023
Hale Pono, Kapolei, Oahu**

D ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

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 USDA-RD Mortgage Loans

June 26, 2023

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through May 31, 2023

	As of 4/30/23	Add	Cancel	As of 5/31/23
Residential	8,474	5	0	8,479
Agricultural	1,091	0	0	1,091
Pastoral	413	0	0	413
Total	9,978	5	0	9,983

The cumulative number of Converted Undivided Interest Lessees represents an increase of 546 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 4/30/23	Converted	Rescinded/ Surrendered/ Cancelled	As of 5/31/23
Undivided	766	0	0	766

Balance as of 5/31/2023

Awarded	1,434
Relocated to UNDV	7
Rescinded	119
Surrendered	6
Cancelled	4
Converted	546
Balance to Convert	766

Lease Report For the Month Ending May 31, 2023

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL LEASES		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU												
Kakaina	32	1	0	33	0	0	0	0	0	0	0	33
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
Kaulaokahai	148	1	0	149	0	0	0	0	0	0	0	149
Kaupea	323	0	0	323	0	0	0	0	0	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	248
Kumuohau	51	0	0	51	0	0	0	0	0	0	0	51
Lualualei	147	1	0	148	30	0	0	30	0	0	0	178
Maluohai	225	0	0	225	0	0	0	0	0	0	0	225
Nanakuli	1,043	0	0	1,043	0	0	0	0	0	0	0	1,043
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	269	0	0	269	0	0	0	0	0	0	0	269
Wahalea	0	0	0	0	17	0	0	17	0	0	0	17
Wahanae	420	0	0	420	12	0	0	12	0	0	0	432
Waimanalo	714	0	0	714	2	0	0	2	0	0	0	716
TOTAL	4,368	3	0	4,371	61	0	0	61	0	0	0	4,432
MAUI												
Hikina	31	0	0	31	0	0	0	0	0	0	0	31
Kahikini	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	103	0	0	103	0	0	0	0	0	0	0	103
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	98	0	0	98	0	0	0	0	0	0	0	98
Walohuli	589	1	0	590	0	0	0	0	0	0	0	590
TOTAL	1,260	1	0	1,261	64	0	0	64	75	0	0	1,400
EAST HAWAII												
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	2
Kamaea	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
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	120
Panewa	13	0	0	13	260	0	0	260	0	0	0	273
Pihonua	17	0	0	17	0	0	0	0	0	0	0	17
Puuoe	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	392	0	0	392	25	0	0	1,255
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
Kanilohe	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
Laopua	277	0	0	277	0	0	0	0	0	0	0	277
Lafamilo	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 Vil	118	0	0	118	110	0	0	110	218	0	0	446
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
TOTAL	873	0	0	873	110	0	0	110	285	0	0	1,268
KAUAI												
Anahola	533	1	0	534	46	0	0	46	0	0	0	580
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	697	1	0	698	46	0	0	46	1	0	0	745
MOLOKAI												
Hoolahua	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	8,474	5	0	8,479	1,091	0	0	1,091	413	0	0	9,983

AREA WAITING LIST

DISTRICT AREA	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL		
Oahu District	936	0	0	936	0	0	0	0	0	936
Mau District	50	0	0	50	4	0	0	4	5	59
Hawaii District	127	0	0	127	28	0	0	28	46	201
Kauai District	49	0	0	49	3	0	0	3	27	79
Molokai District	18	0	0	18	17	0	0	17	1	36
TOTAL	1,180	0	0	1,180	52	0	0	52	79	1,311

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE			AGRICULTURE			PASTURE			TOTAL		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL				
Oahu	10,266	16	2	10,282	3,999	8	0	4,007	0	0	0	14,289
Maui	3,894	11	0	3,905	4,735	9	1	4,743	625	4	0	9,277
Hawaii	5,896	3	2	5,899	7,326	4	2	7,328	1,922	0	0	15,149
Kauai	1,683	1	0	1,684	2,286	1	0	2,287	310	0	0	4,281
Molokai	808	0	0	808	1091	0	0	1091	203	0	0	2,102
Lanai	74	0	0	74	0	0	0	0	0	0	0	74
TOTAL	22,625	31	4	22,652	19,437	22	3	19,456	3,060	4	0	45,172

AREA AND ISLANDWIDE LISTS

	RES	AG	PAS	TOTAL	ADDITIONS	CANCELLATIONS
OAHU	11,218	4,007	0	15,225	New Applications 56	New Lease Awards 3
MAUI	3,955	4,747	634	9,336	Application Transfers 1	Application Transfers 1
HAWAII	6,026	7,356	1,968	15,350	Lease Rescissions 0	Succ'd and Cancel Own 2
KAUAI	1,733	2,290	337	4,360	App Reinstatements 0	Public Notice Cancel 0
MOLOKAI	826	1,108	204	2,138	HHC Adjustments 0	Voluntary Cancellations 0
LANAI	74	0	0	74	TOTAL 57	Lease Successorships 0
TOTAL	23,832	19,508	3,143	46,483		HHC Adjustments 0
						Dec'd No Successor 0
						Additional Acreage 1
						NHQ Unqualified 0
						TOTAL 7

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

May 31, 2023

	RESIDENCE				AGRICULTURE				PASTURE				TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	
OAHU DISTRICT													
Nanakuli	159	0	0	159	0	0	0	0	0	0	0	0	159
Waianae	137	0	0	137	0	0	0	0	0	0	0	0	137
Lualualei	0	0	0	0	0	0	0	0	0	0	0	0	0
Papakolea/Kewalo	66	0	0	66	0	0	0	0	0	0	0	0	66
Waimanalo	546	0	0	546	0	0	0	0	0	0	0	0	546
Subtotal Area	936	0	0	936	0	0	0	0	0	0	0	0	936
Islandwide	10,268	16	2	10,282	3,999	8	0	4,007	0	0	0	0	14,289
TOTAL OAHU APPS	11,204	16	2	11,218	3,999	8	0	4,007	0	0	0	0	15,225
MAUI DISTRICT													
Paukukalo	50	0	0	50	0	0	0	0	0	0	0	0	50
Kula	0	0	0	0	4	0	0	4	0	0	0	0	9
Subtotal Area	50	0	0	50	4	0	0	4	5	0	0	5	59
Islandwide	3,894	11	0	3,905	4,735	9	1	4,743	625	4	0	629	9,277
TOTAL MAUI APPS	3,944	11	0	3,955	4,739	9	1	4,747	630	4	0	634	9,336
HAWAII DISTRICT													
Keaukaha/Waiakea	67	0	0	67	0	0	0	0	0	0	0	0	67
Panaewa	0	0	0	0	16	0	0	16	0	0	0	0	16
Humuula	0	0	0	0	0	0	0	0	0	0	0	0	0
Kawaihae	16	0	0	16	0	0	0	0	0	0	0	0	16
Waimea	44	0	0	44	12	0	0	12	46	0	0	46	102
Subtotal Area	127	0	0	127	28	0	0	28	46	0	0	46	201
Islandwide	5,898	3	2	5,899	7,326	4	2	7,328	1,922	0	0	1,922	15,149
TOTAL HAWAII APPS	6,025	3	2	6,026	7,354	4	2	7,356	1,968	0	0	1,968	15,350
KAUAI DISTRICT													
Anahola	41	0	0	41	3	0	0	3	20	0	0	20	64
Kekaha/Puu Opae	8	0	0	8	0	0	0	0	7	0	0	7	15
Subtotal Area	49	0	0	49	3	0	0	3	27	0	0	27	79
Islandwide	1,683	1	0	1,684	2,286	1	0	2,287	310	0	0	310	4,281
TOTAL KAUAI APPS	1,732	1	0	1,733	2,289	1	0	2,290	337	0	0	337	4,360
MOLOKAI DISTRICT													
Kalamaula	4	0	0	4	0	0	0	0	0	0	0	0	4
Hoolihua	7	0	0	7	17	0	0	17	1	0	0	1	25
Kapaakea	6	0	0	6	0	0	0	0	0	0	0	0	6
One Alii	1	0	0	1	0	0	0	0	0	0	0	0	1
Subtotal Area	18	0	0	18	17	0	0	17	1	0	0	1	36
Islandwide	808	0	0	808	1,091	0	0	1,091	203	0	0	203	2,102
TOTAL MOLOKAI APPS	826	0	0	826	1,108	0	0	1,108	204	0	0	204	2,138
LANAI DISTRICT													
Islandwide	74	0	0	74	0	0	0	0	0	0	0	0	74
TOTAL LANAI APPS	74	0	0	74	0	0	0	0	0	0	0	0	74
TOTAL AREA ONLY	1,180	0	0	1,180	52	0	0	52	79	0	0	79	1,311
TOTAL ISLANDWIDE	22,625	31	4	22,652	19,437	22	3	19,456	3,060	4	0	3,064	45,172
TOTAL STATEWIDE	23,805	31	4	23,832	19,489	22	3	19,508	3,139	4	0	3,143	46,483

DELINQUENCY REPORT - STATEWIDE

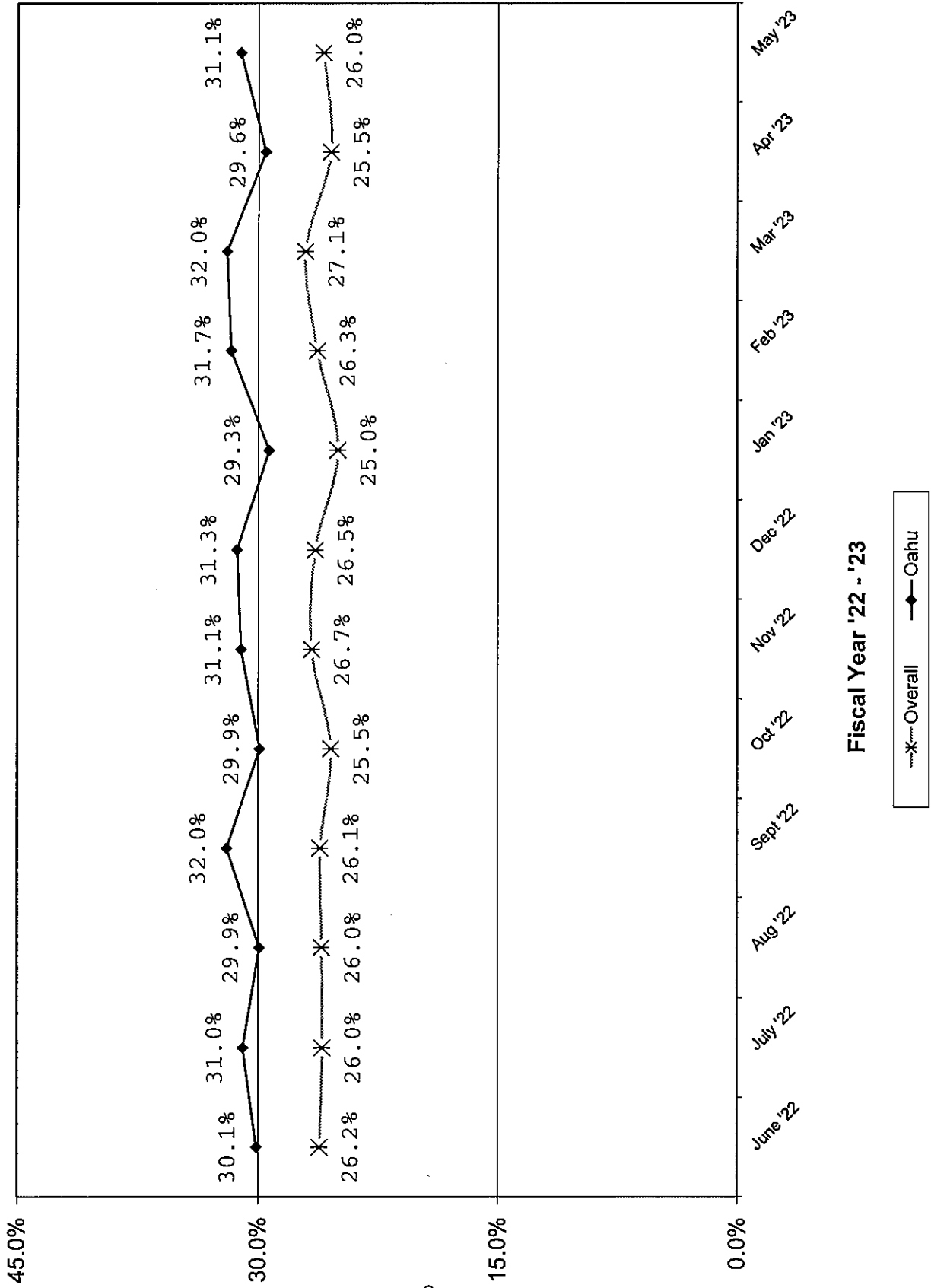
June 26, 2023
(\$Thousands)

DIRECT LOANS	R I S K										% of Totals 5/31/2023	
	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)	
	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)
OAHU	372	36,310	118	11,293	22	2,109	8	449	21	2,051	67	6,685
EAST HAWAII	196	11,826	57	3,949	5	248	4	248	10	535	38	2,918
WEST HAWAII	78	7,985	12	1,180	5	387	2	205	1	230	4	358
MOLOKAI	79	6,983	14	690	2	88	1	33	2	126	9	442
KAUAI	90	6,983	9	531	4	185	0	0	0	0	5	346
MAUI	107	14,397	31	4,284	3	234	10	1,201	5	963	13	1,886
TOTAL DIRECT	922	84,485	241	21,927	41	3,251	25	2,136	39	3,905	136	12,635
	100.0%	100.0%	26.1%	26.0%	4.4%	3.8%	2.7%	2.5%	4.2%	4.6%	14.8%	15.0%
Advances (including RPT)	246	5,779	246	5,779	0	0	0	0	246	5,779	100%	100%
DHHL LOANS & Advances	1,168	90,264	487	27,707	41	3,251	25	2,136	285	9,685	136	12,635
LOAN GUARANTEES as of June 30, 2022												
SBA	2	67	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	120	16,442	5	708	4	426	0	0	1	282	4.2%	4.3%
HUD REASSIGNED for Recovery	121	12,963	97	11,251	1	8	1	7	6	611	89	10,624
FHA Insured Loans	2,951	538,981	200	31,711	0	0	0	0	200	31,711	6.8%	5.9%
TOTAL INS. LOANS	3,192	568,386	302	43,670	5	434	1	7	207	32,604	89	10,624
OVERALL TOTALS(EXC Adv/RP)	4,445	691,318	614	72,856	46	3,886	26	2,143	317	43,768	225	23,259
ADJUSTED TOTALS	4,691	697,098	860	78,635	46	3,886	26	2,143	563	49,547	225	23,259

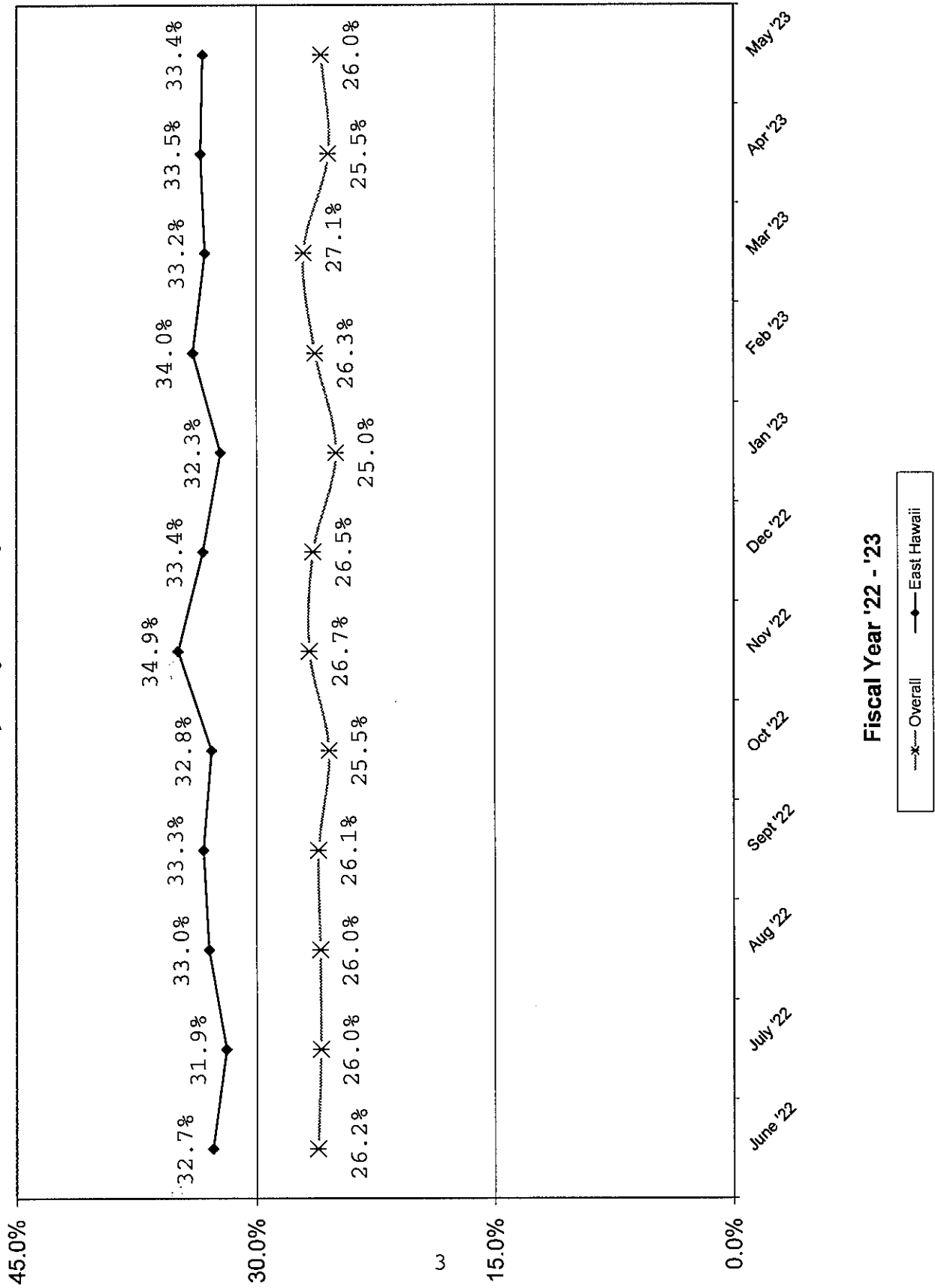
Note: HUD 184A loan program has 515 loans, with a total outstanding principal balance of \$112,252,547 as of June 30, 2022. 15 Loans, totaling \$3,590,830 are delinquent.

The deferred interest for 468 loans comes out to \$2,032,540.12 as of 5/31/2023.

OAHU
Direct Loans
Delinquency Ratio Report



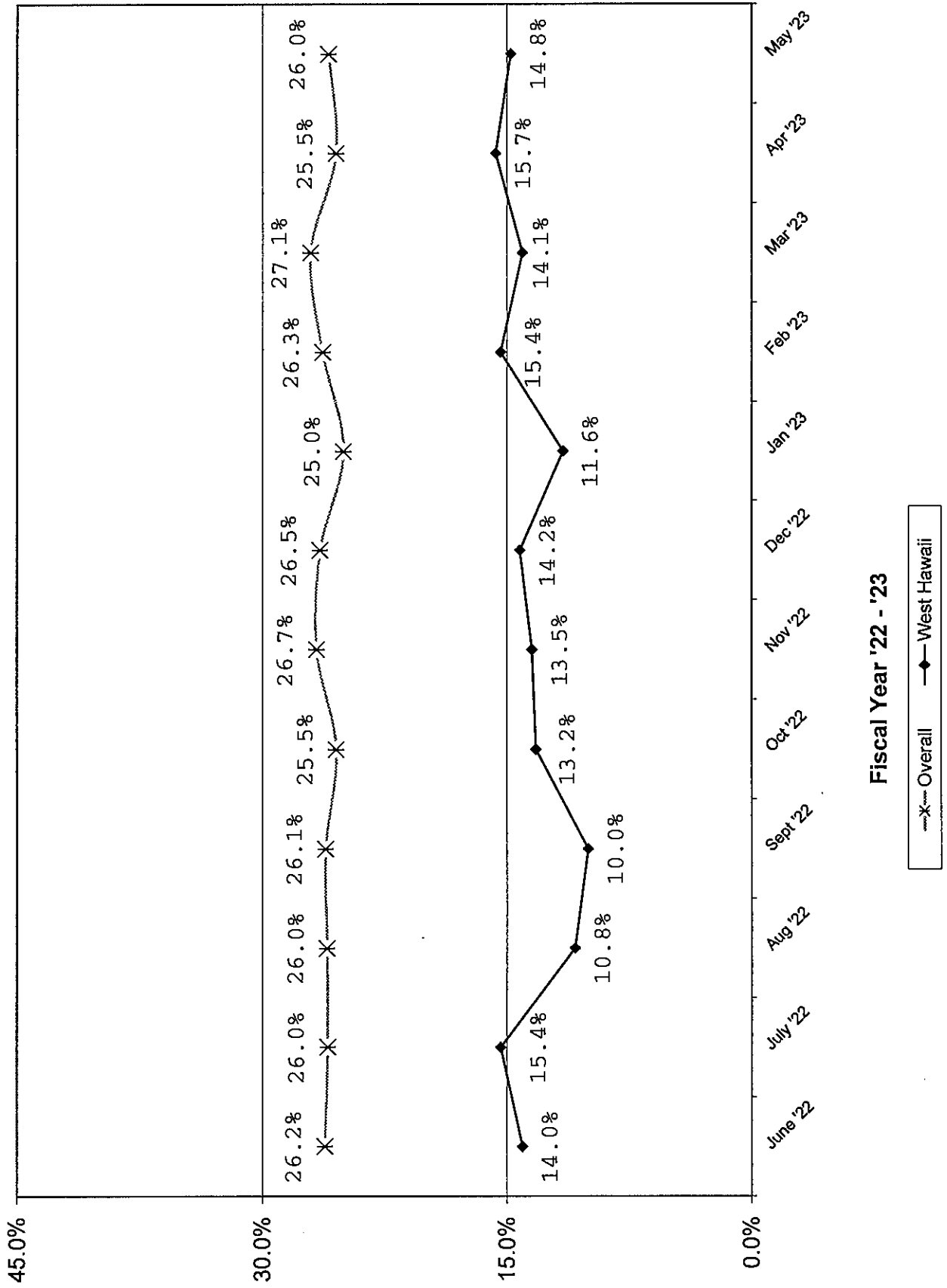
EAST HAWAII Direct Loans Delinquency Ratio Report



Fiscal Year '22 - '23

-----x----- Overall —◆— East Hawaii

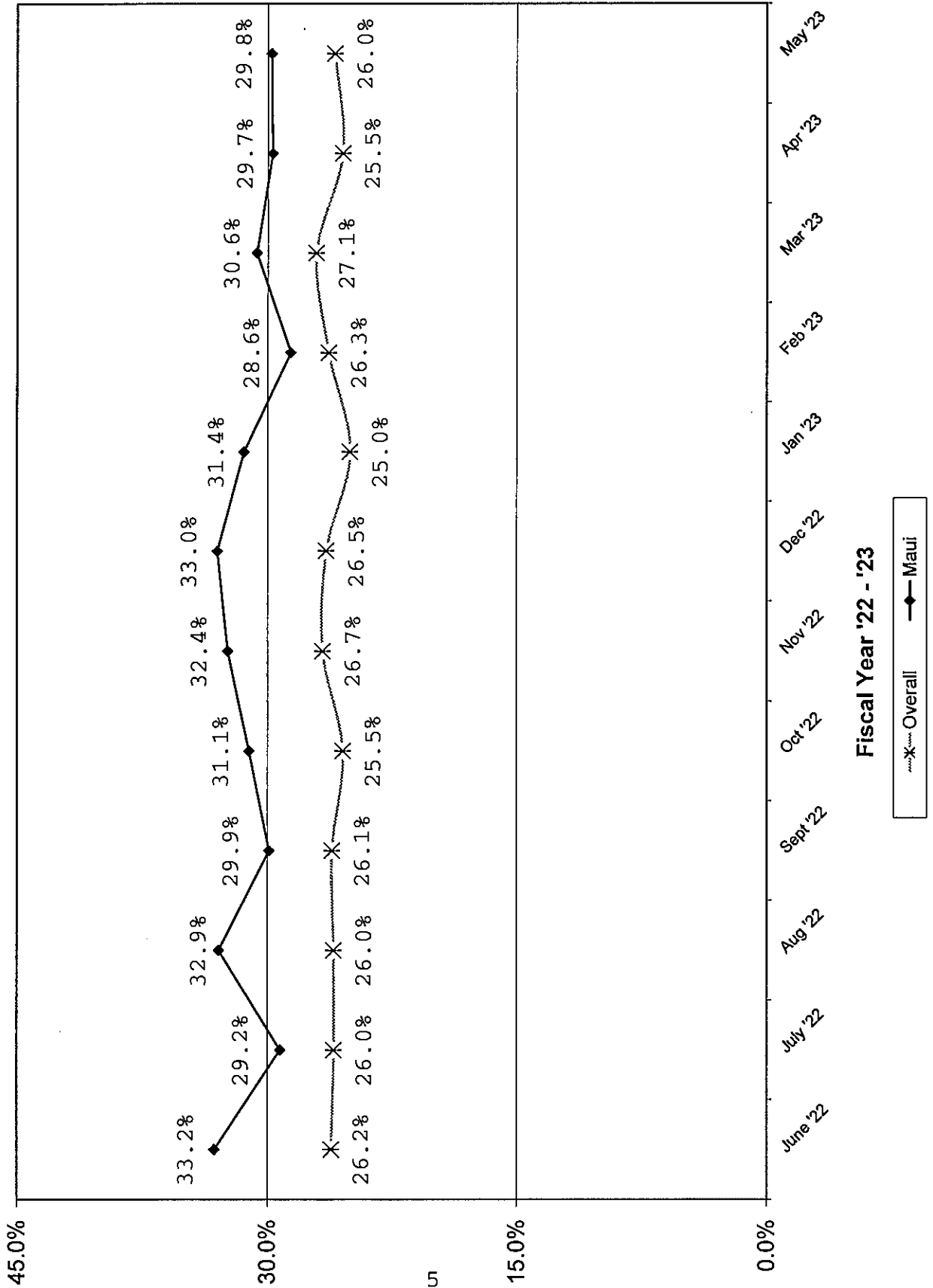
WEST HAWAII
Direct Loans
Delinquency Ratio Report



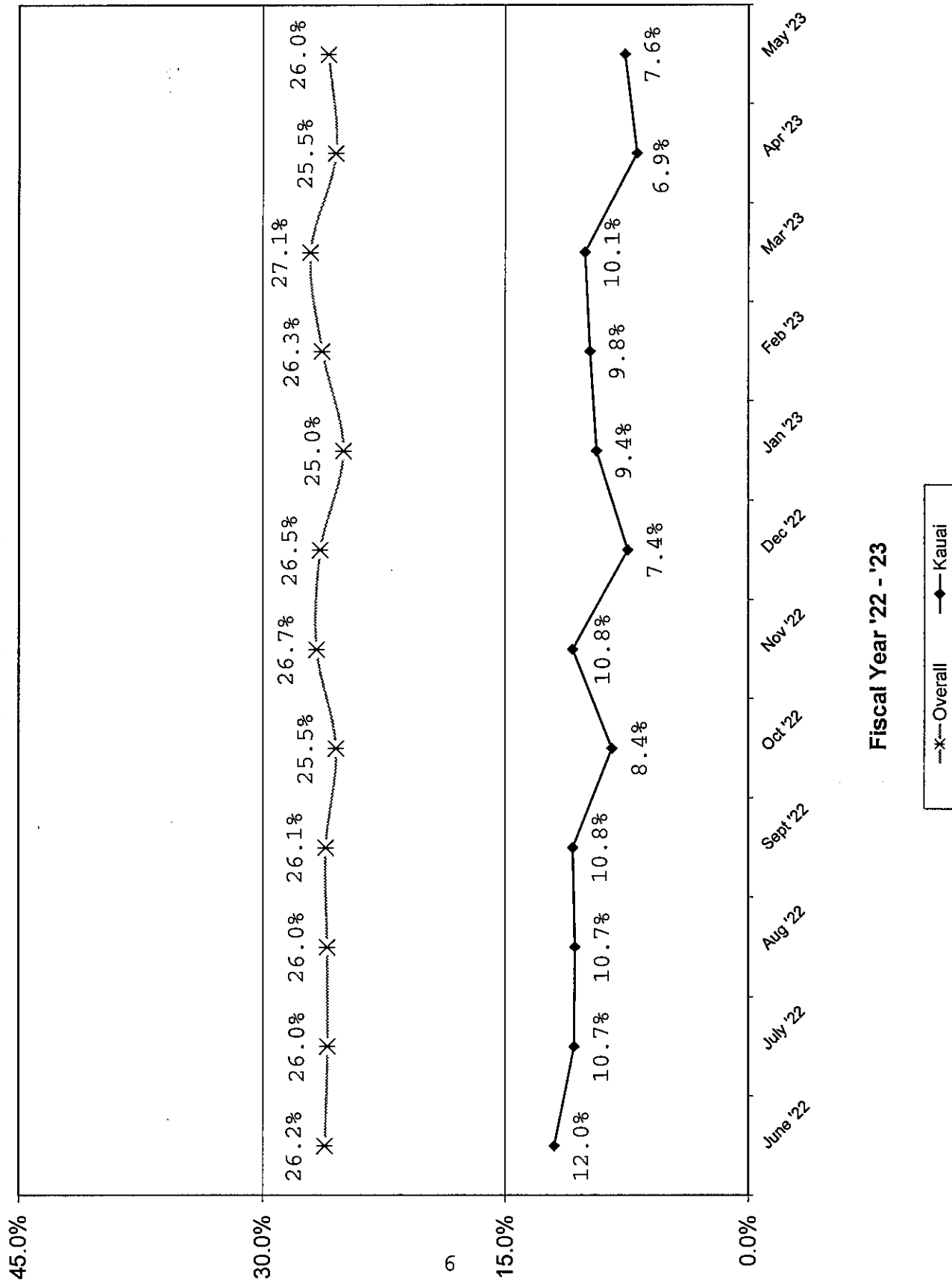
Fiscal Year '22 - '23

---x--- Overall ---◆--- West Hawaii

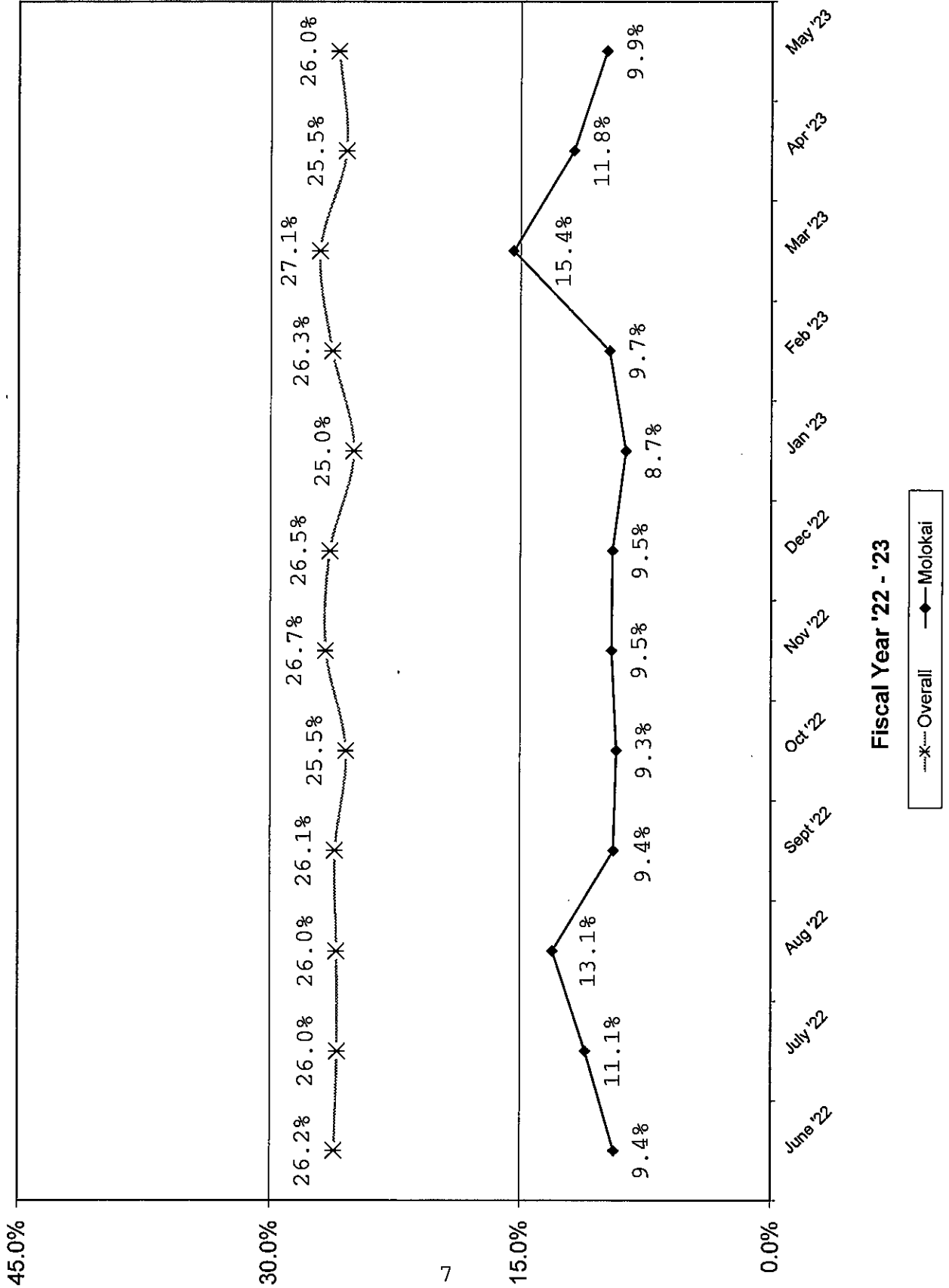
MAUI
Direct Loans
Delinquency Ratio Report



KAUAI
Direct Loans
Delinquency Ratio Report



MOLOKAI
Direct Loans
Delinquency Ratio Report



June 26, 2023

SUBJECT: **DHHL Guarantees for USDA-Rural Development Mortgage
Loans**

DISCUSSION: The Department issued guarantees for the following
USDA Rural Development loans:

<u>LOT NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
18357	Kanehili	Gabriel, Charel	\$186,000	5/11/23

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/22	2	\$ 341,071
Previous Months	1	\$ 185,000
This Month	<u>1</u>	<u>186,000</u>
FY '22-'23 to date	2	\$ 371,000

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

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>			
Princess Kahanu Estates Lease No. 8417 TMK: 1-8-7-043:060	JOSE, Donald L., Jr. (Cash Out Refi) FHA	Bank of Hawaii	\$ 425,000
Kaupea Lease No. 11364 TMK: 1-9-1-139:085	THOMPSON, Baylene K. K. (Cash Out Refi) FHA	Castle & Cooke Mortgage, LLC	\$ 269,880
Nanakuli Lease No. 3799 TMK: 1-8-9-009:016	KALEIKULA-KELE, Malisa M. (Cash Out Refi) FHA	V. I. P. Mortgage Inc.	\$ 196,500

OAHU

Lualualei Lease No. 6791 TMK: 1-8-6-023:120	MERSBERG, Bruce P. F. & MERSBERG-GOH- IER, Brikayla Jordyn-Lee A. (Purchase)FHA	Cardinal Financial	\$ 320,000
Kanehili Lease No. 12577 TMK: 1-9-1-153:112	GRIFFIN, Jonah K. (Purchase)FHA	V. I. P. Mortgage Inc.	\$ 550,918
Kaupea Lease No. 12051 TMK: 1-9-1-140:007	WAIALAE, Bobbie K. (Cash Out Refi) FHA	Luminate Home Loans	\$ 498,240
Kaupea Lease No. 11385 TMK: 1-9-1-139:100	SAGUCIO, Lance V. (Cash Out Refi) HUD 184A	Bank of Hawaii	\$ 440,000
Nanakuli Lease No. 7363 TMK: 1-8-9-016:080	HOLU, Larry N. (Refinance)VA	Department of Veterans Affairs	\$ 65,000
Kanehili Lease No. 12358 TMK: 1-9-1-152:123	KAANOI, Franklin (Rate/Term Refi) VA	Department of Veterans Affairs	\$ 222,425
Princess Kahanu Estates Lease No. 8463 TMK: 1-8-7-042:090	GOMES, Patrick L. (Purchase)FHA	Guild Mortgage	\$ 337,350
Nanakuli Lease No. 3299 TMK: 1-8-9-005:093	ELI, Clyde K. M., Jr. (203k Rehab) FHA	HomeStreet Bank	\$ 596,631

ITEM NO. D-2

OAHU

Waianae Lease No. 6677A TMK: 1-8-5-004:129	SOTELO, Barnabas T. S. (1 Step Construction) FHA	HomeStreet Bank	\$ 385,250
Waianae Lease No. 9703 TMK: 1-8-5-033:094	PALING, Stephen, III (Cash Out Refi) FHA	V. I. P. Mortgage Inc.	\$ 453,504
Kanehili Lease No. 11728 TMK: 1-9-1-153:167	THOMPSON, Kevin L. (Rate/Term Refi) VA	Department of Veterans Affairs	\$ 336,000
Kewalo Lease No. 3522 TMK: 1-2-5-022:023	NIHEI, George T, Jr. (Cash Out Refi) FHA	American Savings Bank	\$ 233,550

MOLOKAI

Kalamaula Lease No. 5885 TMK: 2-5-2-032:060	ROBERTS, Tilana (Purchase) FHA	Guild Mortgage	\$ 454,758
Hoolehua Lease No. 115-A-3 TMK: 2-5-2-007:106	TALON, Andrea C. W. (Cash Out Refi) FHA	CMG Mortgage Inc.	\$ 217,980

MAUI

Waiehu Kou II Lease No. 9469 TMK: 2-3-2-022:031	HOOPAI, Johanson L. K. (Cash Out Refi) FHA	American Savings Bank	\$ 384,060
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KAUAI

Anahola Lease No. 11061 TMK: 4-4-8-022:054	KAAIHUE, Robert K. (Rate/Term Refi) VA	Department of Veterans Affairs	\$ 364,726
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ITEM NO. D-2

KAUAI

Anahola Lease No. 8671 TMK: 4-4-8-019:035	KAMIBAYASHI, Napua (Assumption) FHA	PennyMac Loan Services, LLC	\$ 218,000
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Anahola Lease No. 11136 TMK: 4-4-8-022:094	KUHAULUA, Daisha S. K. (Construction/Perm) HUD 184A	Click n` Close, Inc.	\$ 482,780
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HAWAII

Kaniohale Lease No. 9271 TMK: 3-7-4-022:058	MARTINEZ, Wendy L. (Cash Out Refi) FHA	V. I. P. Mortgage Inc.	\$ 425,200
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Kaumana Lease No. 12182 TMK: 3-2-5-004:035	HERNANDEZ, Samson K. (Refinance) VA	Department of Veterans Affairs	\$ 143,000
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Waimea Lease No. 9054B TMK: 3-6-5-001:058	SOLOMON, Alice L. (Cash Out Refi) FHA	V. I. P. Mortgage Inc.	\$ 537,165
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Kawaihae Lease No. 7238 TMK: 3-6-1-009:018	LEHANO, Eugene K. (Permanent take out) FHA	V. I. P. Mortgage Inc.	\$ 523,671
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Kaumana Lease No. 13015 TMK: 3-2-5-005:010	ROSEHILL, Markham (1 Step Construction) FHA	HomeStreet Bank	\$ 258,750
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<u>RECAP</u>	<u>NO.</u>	<u>FHA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/22	381	\$ 125,173,653	10	\$ 4,610,852
Prior Months	148	\$ 50,901,749	4	\$ 1,194,375
This Month	19	7,286,407	5	1,131,151
Total FY '22-'23	167	\$ 58,188,156	9	\$ 2,325,526

		<u>HUD 184A</u> <u>AMOUNT</u>		<u>USDA-RD</u> <u>AMOUNT</u>
FY Ending 6/30/22	54	\$ 16,015,743	5	\$ 1,134,606
Prior Months	21	\$ 7,095,934	3	\$ 1,081,858
This Month	2	922,780	0	0
Total FY '22-'23	23	\$ 8,018,714	3	\$ 1,081,858


ITEM NO. D-2

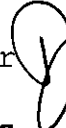
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Dean Oshiro, Loan Services Branch Manager 

SUBJECT: **Approval of Streamline Refinance of Loans**

RECOMMENDED MOTION/ACTION

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

DISCUSSION

The following lessees have met the "Streamline/Interest rate reduction loan" criteria, which was approved by the Hawaiian Homes Commission at its August 19, 2013 meeting. This criteria includes twelve (12) consecutive monthly payments, borrower's current interest rate is higher than the current DHHL interest rate, current with their Homeowners Insurance, Real Property Tax, Lease Rent, county sewer/refuse fees, and does not have any advances made by DHHL on the borrowers behalf.

HSD's recommendation for approval is based on actual payment history, over the past twelve (12) months and the review of the above-mentioned criteria. Streamline/Interest Rate Loan refinancing will provide lessees a chance to simply reduce their interest rate and payments without DHHL having to credit and/or income qualify the borrower.

The following lessee(s) has met the aforementioned criteria and is recommended for Streamline/Interest rate reduction loan refinance program:

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>REFINANCING LOAN TERMS</u>
Iokua, Leinaala K.K.	4519, Nanakuli	NTE \$102,775 @4% interest per annum, NTE \$491 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 18651.
Original loan amount of \$86,083 at 6%
per annum, \$699 monthly, repayable
over 30 years. A Contested Case
Hearing was not held for this account.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

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>
Aki, Leejay L.	12685, Anahola	NTE \$190,000 @ 4% interest per annum, NTE \$1,152 monthly, repayable over 20 years.

Loan Purpose: Refinance HUD Buyback Loan No. 19460 to reduce the interest rate due to financial hardship. Original loan amount of \$226,777 @ 4.5% per annum, \$1,150 monthly, repayable over 30 years. A contested case hearing was held on May 23, 2018 for this account.

Shimabukuro, Francis S. Jr.	5463, Anahola	NTE \$118,000 @ 4% interest per annum, NTE \$623 monthly, repayable over 25 years.
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Loan Purpose: Refinance HUD Buyback Loan No. 19953 to reduce the interest rate due to financial hardship. Original loan amount of \$83,040 @ 5.75% per annum, \$485 monthly, repayable over 30 years. A contested case hearing was not held for this account.

LOAN TERMS

Loan #1: NTE \$385,000 @
4% interest per annum,
interest only payments,
one-year term.

Loan #2: NTE \$385,000 @
4% interest per annum,
NTE \$1,839 monthly,
repayable over 30
years.

Loan Purpose: Loan #1: Interim construction loan to construct a
 new 4 bedroom, 2 bath home.
 Loan #2: Permanent take out loan to fully
 amortize Loan #1.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	6	\$ 1,275,214
Prior Months	12	1,424,825
This Month	<u>2</u>	<u>308,000</u>
Total FY '22-'23	14	\$ 1,732,825

<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	2	643,750
This Month	<u>1</u>	<u>385,000</u>
Total FY '22-'23	3	\$ 1,028,750

<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	1	143,000
This Month	<u>0</u>	<u>-0-</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	3	524,500
This Month	<u>0</u>	<u>-0-</u>
Total FY '22-'23	3	\$ 524,500


<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

June 27, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Dean Oshiro, Loan Services Branch Manager 

SUBJECT: Approval of the Memorandum of Agreement ("MOA") Between
the Department of Hawaiian Home Lands ("DHHL") State Of
Hawaii and Hawaii Community Lending ("HCL") Regarding
the Guaranty of Interim Construction Loans

RECOMMENDED MOTION/ACTION

- 1) To approve a new MOA between DHHL and HCL for the purposes of guaranteeing interim construction loans.
(Draft to be distributed during workshop)
- 2) Delegate to the Chairman, authority to execute the MOA upon the completion of the revisions (if necessary).

DISCUSSION

HCL has expressed an interest in originating/underwriting interim construction loans for DHHL lessees. HCL is partnering with approved Federal Housing Administration ("FHA") Section 247 and Office of Native American Programs ("ONAP") 184A program lenders who will then provide the financing for the permanent mortgage loan to take-out (payoff) the interim construction loan.

The Hawaiian Homes Commission Act §214 Purposes of loans; authorized actions states that: "(a) The department may make loans from revolving funds to any lessee or native Hawaiian to whom, any Cooperative association to which, a lease has been issued under section 207(c)(1)(B) of the Act. Such loan may be made for the following purposes: (b)(2) Loan or guarantee the repayment of or otherwise underwrite any authorized loan or portion thereof to lessees in accordance with section 215."

Furthermore, Hawaii Administrative Rules §10-3-43 Authorized actions, states: "For purposes under the act, the department may: (4) Guarantee the repayment of loans made to homestead lessees of Hawaiian home lands by other governmental agencies or private lending institutions as provided by the act."

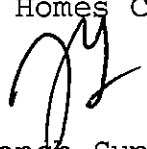

As there are only a limited number of lenders who are willing to finance construction loans on DHHL homestead lots, the addition of HCL will provide lessees another option for financing the building of their new home.

DHHL staff is of the belief that the more options that lessees have with financing their homes, this will only give them a better opportunity to compare loan products, loan costs, and benefits to them by each lender. Approval of this submittal as presented is recommended.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Application Branch Supervisor 
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 AGRICULTURAL LEASE LIST

CRUZ, Mahealani K.V.K.	03/27/2003	KAUAI	AGR	02/27/2023
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OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CRUZ, Mahealani K.V.K.	03/27/2003	KAUAI	RES	02/27/2023
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MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

HUE SING, Donald	10/31/2002	KAUAI	AGR	03/20/2023
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MAUI ISLANDWIDE PASTORAL LEASE LIST

WILLS, Zelia E.H.	07/06/2016	MOLOKAI	PAS	03/16/2023
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

HUE SING, Donald	04/05/2011	KAUAI	RES	03/20/2023
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WILLS, Zelia E.H. 11/22/2005 MOLOKAI RES 03/16/2023

LANAI ISLANDWIDE RESIDENTIAL LEASE LIST

KAHAIALII, Doreen L. 09/11/2001 MAUI RES 02/03/2023

2. Deceased Applicants

NONE FOR SUBMITTAL

3. Awards of Leases

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

GAGNON, Kathleen K. Assigned Residential Lease #13011,
Lot 29 in Kakaina, Oahu dated
05/19/2023. Remove application
dated 07/09/1974.

LOPES, Charles K., III Assigned Residential Lease #13005,
Lot 121 in Lualualei, Oahu dated
04/28/2023. Remove application
dated 01/17/1963.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CAFA, Patricia Ann U. Assigned Residential Lease #8601,
Lot 1 in Nanakuli, Oahu dated
05/15/2006. Remove application
dated 01/03/2005.

DEBLAKE, Barrington A. Assigned Residential Lease #12970,
Lot 50 in Ka'uluokaha'i, Oahu dated
05/17/2023. Remove application
dated 12/22/1989.

PALAKIKO, Leslie A.

Assigned Residential Lease #681,
Lot 205-B & 206-B in Nanakuli, Oahu
dated 06/09/2020. Remove
application dated 05/24/2002.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

EVANS, Annabelle K.Y.

Assigned Residential Lease #13008,
Lot 10 in Anahola, Kauai dated
05/05/2023. Remove application
dated 10/25/1991.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

MOOKINI, Waldynne K.

Cancel application dated
01/09/2004 at the request of
applicant received on
05/04/2023.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

MOOKINI, Waldynne K.

Cancel application dated
01/09/2004 at the request of
applicant received on
05/04/2023.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

MOOKINI, Walter K.

Cancel application dated
12/19/2003 at the request of
applicant received on
05/04/2023.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

MOOKINI, Walter K.	Cancel application dated 12/19/2003 at the request of applicant received on 05/04/2023.
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6. Successorship

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

MAHI-SEFO, Stacey K.	Succeeded to Hawaii Islandwide Residential application of Parent, Elise K. Mahi-Roque, dated 11/15/1979. Remove application dated 11/01/2022.
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NAUAHI, Kent G.	Succeeded to Hawaii Islandwide Residential application of Parent, George Nauahi, dated 07/10/1986. Remove application dated 08/08/2016.
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

SIMEONA, Harry	Succeeded to Oahu Islandwide Residential application of Parent, Eliza O. Simeona, dated 07/08/1999. Remove application dated 07/16/2019.
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

LEONG, Robert L.	Succeeded to Oahu Islandwide Agricultural application of Child, Darryl L. Leong, dated 01/28/2000. Remove application dated 09/17/1998.
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MAHI-SEFO, Stacey K.

Succeeded to Hawaii Islandwide
Agricultural application of
Parent, Elise K. Mahi-Roque,
dated 10/31/1988. Remove
application dated 11/01/2022.

ROSA, Arthur L.K.

Succeeded to Oahu Islandwide
Agricultural application of
Parent, Kenneth K. Rosa, dated
05/04/1995. Remove application
dated 04/08/2021.

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

SHINTANI, Jerry K.

Succeeded to Kauai Islandwide
Agricultural application of
Aunt, Doreen N. Kanahele, dated
05/17/1989. Remove application
dated 12/12/2005.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

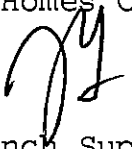

NONE FOR SUBMITTAL

Last Month's Transaction Total	7
Last Month's Cumulative FY 2022-2023 Transaction Total	229
Transfers from Island to Island	7
Deceased	0
Cancellations:	
Awards of Leases	6
NHQ	0
Voluntary Cancellations	4
Successorship	7
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	24
This Month's Cumulative FY 2022-2023 Transaction Total	253

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division
SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of May 2023**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of April 2023. 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 'ohana process.

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

KALEOPAA BROWN, Waianuhe K.K.	03/08/2023
HAWELU, Sheelana K.	03/10/2023
SOLOMON, Calvin K.	03/10/2023
KAAHANUI, Tara R.P.	03/13/2023

LEONG-FISHER, Lynn H.	03/31/2023
KEY, Madison K.	04/04/2023
AIPOALANI, Elenoa K.	04/10/2023
PUU, Charon P.	04/11/2023

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CONOL, Ualani R.	03/07/2023
KEALOHA, Paige P.	03/07/2023
KALEOPAA BROWN, Waianuhe K.K.	03/08/2023
KEALOHA, Danferd K., Jr.	03/08/2023
HAWELU, Sheelana K.	03/10/2023
SOLOMON, Calvin K.	03/10/2023
KAAHANUI, Tara R.P.	03/13/2023
LEONG-FISHER, Lynn H.	03/31/2023
SECRETARIO, Spencer M.	04/04/2023
KEY, Madison K.	04/04/2023
MANNERS, Levi A.	04/10/2023
AIPOALANI, Elenoa K.	04/10/2023
PUU, Charon P.	04/11/2023
KAHAHAWAI-WELCH, Bailey K.	04/11/2023
KAHAHAWAI-WELCH, Jonah K.	04/11/2023
KAHAHAWAI-WELCH, Payton K.	04/11/2023
PULE, Pohaku T.J.R.M.	04/11/2023
GONSALVES, Marion P.K.	04/12/2023
LEONG, Rider K.S., III	04/12/2023

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KAILILAAU, Tammy Ann U.	03/30/2023
SYLVA, Frank W.K.	04/03/2023
KAHAPEA-CHOW, Desiree S.K.	04/04/2023
KAHAHAWAI-WELCH, Bailey K.	04/11/2023

MAUI ISLANDWIDE PASTORAL LEASE LIST

KAHAHAWAI-WELCH, Jonah K.	04/11/2023
KAHAHAWAI-WELCH, Payton	04/11/2023

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KAILILAAU, Tammy Ann U.	03/30/2023
SYLVA, Frank W.K.	04/03/2023
KAHAPEA-CHOW, Desiree S.K.	04/04/2023
LANDFORD, William J.	04/05/2023
KAHAHAWAI-WELCH, Jordan K.	04/11/2023

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

KEALOHA, Danferd K., Jr.	03/08/2023
LUTZ, Waynette L.M.	03/13/2023
NAMUO, Brock K.	04/03/2023
NAMUO, Haley K.	04/03/2023
KAHAHAWAI-WELCH, Jordan K.	04/11/2023
PULE, Pohaku T.J.R.M.	04/11/2023

HAWAII ISLANDWIDE PASTORAL LEASE LIST

BLANCO, Avery-Shane A.K.	05/17/2023
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HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

HERROD, Aulii	03/08/2023
LUTZ, Waynette L.M.	03/13/2023
NAMUO, Brock K.	04/03/2023
NAMUO, Haley K.	04/03/2023
TOSON, Berlinda A.	04/19/2023
BLANCO, Avery-Shane A.K.	05/17/2023

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

CONOL, Ualani R.	03/07/2023
NeSMITH, Kevin K.	04/03/2023

KAUAI ISLANDWIDE PASTORAL LEASE LIST

PUULEI, Velvet N.O.M.	04/19/2023
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

HERROD, Kalalea K.	03/08/2023
NeSMITH, Kevin K.	04/03/2023
PUULEI, Velvet N.O.M.	04/19/2023


Previous Cumulative Total for Current FY	742
Current Month's Total	57
Fiscal Year Total: July 2022-June 2023	799


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

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

Seven (7) assignments of lease.

1. Lessee Name: Melodie L. H. Milikini
Res. Lease No. 9859, Lot No. 13859
Lease Date: 1/15/2003
Area: Maluohai, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Kristina L. Hulama, Kalani L. Hulama &
Kristal L. Hualama
Relationship: Daughter, Son & Daughter
Loan Assumption: N/A
Applicant: No

Reason for Transfer: "Giving lease to relatives."

2. Lessee Name: John A. Nalimu
Agr. Lease No. 6242, Lot No. 32-B
Lease Date: 6/22/1993
Area: Panaewa, Hawaii
Property Sold & Amount: No, N/A
Improvements: Working shed

Transferee Name: John A. Nalimu, Jr.
Relationship: Son
Loan Assumption: N/A
Applicant: Yes, Hawaii IW Agr., 1/26/2006

Reason for Transfer: "Giving lease to relative."

3. Lessee Name: Dodie Ann H. Neves
Agr. Lease No. 6915, Lot No. 46
Lease Date: 2/19/1998
Area: Puukapu, Hawaii
Property Sold & Amount: Yes, \$750,000.00
Improvements: 2 bedroom, 2-1/2 bath dwelling

Transferee Name: Rose Pearl P. Chambers
Relationship: None
Loan Assumption: N/A
Applicant: No

Reason for Transfer: "Moving off island." Special
Conditions: Transferee to obtain funds to pay purchase
price.

4. Lessee Name: Daryle-Jean A. A. K. Woodard
Res. Lease No. 13013, Lot No. 108
Lease Date: To be determined
Area: Waianae, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 3 bath dwelling

Transferee Name: James W. M. K. Woodard
Relationship: Son
Loan Assumption: N/A
Applicant: Yes, Oahu IW Res., 11/9/2022

Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Jessie David
Res. Lease No. 12967, Lot No. 44
Lease Date: To be determined
Area: Kauluokahai, Oahu
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Elias David & Kealohilani B. Kea-David
Relationship: Son & Daughter-in-law
Loan Assumption: N/A
Applicant: Yes, Oahu IW Res., 7/10/2020 (Elias)
Yes, Oahu IW Res., 7/10/2020 (Kealohilani)

Reason for Transfer: "Giving lease to relatives."

6. Lessee Name: Peter H. K. Marcellino
Agr. Lease No. 7792, Lot No. 1
Lease Date: 2/5/1987
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Kaimi H. K. Marcellino
Relationship: Son
Loan Assumption: N/A
Applicant: No

Reason for Transfer: "Giving lease to relative."

7. Lessee Name: Peter H. K. Marcellino
Res. Lease No. 12985, Lot No. 59
Lease Date: To be determined
Area: Waianae, Oahu
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Stacey K. K. Marcellino
Relationship: Daughter
Loan Assumption: N/A
Applicant: No

Reason for Transfer: "Giving lease to relative."


Assignments for the Month of June `23	7
Previous FY '22 - '23 balance	<u>172</u>
FY '22 - '23 total to date	179
Assignments for FY '21 - '22	220

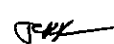
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

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

SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Ten (10) amendments of lease.

1. Lessee: Lawrence K. Akana
Res. Lease No.: 11591
Lot No., Area, Island: UNDV048, Kapolei, Oahu
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion).

2. Lessee: Rosemary L. Contado
Res. Lease No.: 11588
Lot No., Area, Island: UNDV045, Kapolei, Oahu
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion).

3. Lessee: Hiram S. K. DeFries-Saronitman
 Res. Lease No.: 11041
 Lot No., Area, Island: UNDV040, Anahola, Kauai
 Amendment: To amend the commencement date, lot
 number, and property description
 due to final subdivision approval.
 (UI Conversion).
4. Lessee: Pauline T. Deitschman
 Res. Lease No.: 2474
 Lot No., Area, Island: 16, 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.
 (Transfer Through Successorship)
5. Lessee: Nicole M. H. Dudley
 Res. Lease No.: 11010
 Lot No., Area, Island: UNDV009, Anahola, Kauai
 Amendment: To amend the commencement date, lot
 number, and property description
 due to final subdivision approval.
 (UI Conversion).
6. Lessee: Vera L. Glushenko
 Res. Lease No.: 11110
 Lot No., Area, Island: UNDV109, Anahola, Kauai
 Amendment: To amend the commencement date, lot
 number, and property description
 due to final subdivision approval.
 (UI Conversion).
7. Lessee: Tremaine M. K. Keaulana Lui-Dyball
 Res. Lease No.: 3913
 Lot No., Area, Island: 5, Waimanalo, Oahu
 Amendment: To amend the lease title and
 lessor's name, and to incorporate
 the currently used terms,
 conditions, and covenants to the
 lease. (Transfer Through
 Successorship).

8. Lessee: Naihe R. Mahiai
 Agr. Lease No.: 11144
 Lot No., Area, Island: UNDV143, Anahola, Kauai
 Amendment: To amend the commencement date, lot
 number, and property description
 due to final subdivision approval.
 (UI Conversion).

9. Lessee: George T. Nihei, Jr.
 Res. Lease No.: 3522
 Lot No., Area, Island: 173, Kewalo, Oahu
 Amendment: To amend the lease to update
 property description and extend the
 lease term to an aggregate term of
 199 years. (Loan)

10. Lessee: Allan R., Poki
 Res. Lease No.: 12489
 Lot No., Area, Island: UNDV170, Kapolei, Oahu
 Amendment: To amend the commencement date, lot
 number, and property description
 due to final subdivision approval.
 (UI Conversion).


Amendments for the Month of June '23	10
Previous FY '22 - '23 balance	<u>78</u>
FY '22 - '23 total to date	88
 Amendments for FY '21 - '22	 133


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

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

Eighteen (18) non-exclusive licenses.

1. Lessee: Stephanie P. Ano
Res. Lease No.: 8683
Lot No., Area, Island: 15, Anahola, Kauai
Permittee: Sunrun Installation Services, Inc.
2. Lessee: Henry K. Armitage
Res. Lease No.: 4506
Lot No., Area, Island: 53, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.

3. Lessee: John L. Duque
Res. Lease No.: 8459
Lot No., Area, Island: 168, PKE, Oahu
Permittee: Sunrun Installation Services, Inc.
4. Lessee: Lael K. Garza
Res. Lease No.: 598
Lot No., Area, Island: 1, Papakolea, Oahu
Permittee: Sunrun Installation Services, Inc.
5. Lessee: Greena U. Gunderson
Res. Lease No.: 8172
Lot No., Area, Island: 26, Waimanalo, Oahu
Permittee: Sunrun Installation Services, Inc.
6. Lessee: Kristina L. Hulama, Kalani L.
Hulama & Kristal L. Hulama
Res. Lease No.: 9859
Lot No., Area, Island: 13859, Maluohai, Oahu
Permittee: Sunrun Installation Services, Inc.
7. Lessee: David W. Kahanu
Res. Lease No.: 7210
Lot No., Area, Island: 125, Kawaihae, Hawaii
Permittee: Sunrun Installation Services, Inc.
8. Lessee: William M. Kahoonei, III
Res. Lease No.: 567
Lot No., Area, Island: 69, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.
9. Lessee: Delbert-Wayne K. Kaio
Res. Lease No.: 8752
Lot No., Area, Island: 73, Waianae, Oahu
Permittee: Sunrun Installation Services, Inc.

10. Lessee: Jill E. Kaleiohi
Res. Lease No.: 12751
Lot No., Area, Island: 13762, Maluohai, Oahu
Permittee: Sunrun Installation Services, Inc.
11. Lessee: George K.K. Kipapa
Res. Lease No.: 8772
Lot No., Area, Island: 8, Waimanalo, Oahu
Permittee: Sunrun Installation Services, Inc.
12. Lessee: Mabel M. Pai
Res. Lease No.: 4906
Lot No., Area, Island: 32-B, Kuhio Village, Hawaii
Permittee: Sunrun Installation Services, Inc.
13. Lessee: Corinne K. S. L. Pokipala
Res. Lease No.: 608
Lot No., Area, Island: 11, Kewalo, Oahu
Permittee: Sunrun Installation Services, Inc.
14. Lessee: Lucinda Ann Saloricman
Res. Lease No.: 8908
Lot No., Area, Island: 72, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.
15. Lessee: Wanda H. Aki & Jamie L. K. Sugai
Res. Lease No.: 3619
Lot No., Area, Island: 12, Anahola, Kauai
Permittee: Sunrun Installation Services, Inc.
16. Lessee: Issac K. Tom
Res. Lease No.: 10233
Lot No., Area, Island: 57, Kaniohale, Hawaii
Permittee: Sunrun Installation Services, Inc.
17. Lessee: Dayne K. N. Van Gieson
Res. Lease No.: 8374
Lot No., Area, Island: 83, PKE, Oahu
Permittee: Sunrun Installation Services, Inc.

18. Lessee: Frances Y. I. Victorino
Res. Lease No.: 8717
Lot No., Area, Island: 46, Waianae, Oahu
Permittee: Sunrun Installation Services, Inc.


Non-Exclusive License for the Month of June '23	18
Previous FY '22 - '23 balance	<u>84</u>
FY '22 - '23 total to date	102
Non-Exclusive License for FY '21 - '22	53


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
EUGENE M. GARCIA, JR.
Residential Lease No. 4090, Lot No. 16,
Waimanalo, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Shanann K. Garcia (Shanann) as successor to Residential Lease No. 4090, Lot No. 16, situated in Waimanalo, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Shanann 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 Shanann's successorship rights and interest in the Lease do not vest until Shanann has signed that: (i) Transfer Through Successorship of Lease and such necessary and appropriate instruments; and that if Shanann does not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Shanann as 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 Shanann's selection as 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;"

6. To approve the amendment of the Lease to incorporate the currently used terms, conditions, and covenants to the lease.

DISCUSSION

Eugene M. Garcia, Jr. (Decedent) received the Lease by way of Assignment of Lease and Consent and Amendment to Lease No. 4090 dated October 15, 1992.

On February 8, 2022, the Decedent passed away without naming a qualified successor.

Pursuant to 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 December 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

On February 2, 2023, the Department received a successorship claim from the Decedent's child, Shanann, who has been determined to be of at least 25% Hawaiian ancestry and is therefore 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 2-bath, single-family dwelling which was constructed in 1974.

As of May 2023, there is an outstanding mortgage with Wells Fargo dated December 20, 2004, in the amount of \$49,767.50. The real property taxes are current, and the lease rent is in arrears in the amount of \$17.00. Shanann is aware of the outstanding balances and has agreed to accept the obligations should he be designated as successor.


The Department requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
JOSEPH KUAHUIA, JR.
Residential Lease No. 7256, Lot No. 4,
Nanakuli, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Cynthia K. Haumea (Cynthia) as successor to Residential Lease No. 7256, Lot No. 4, situated in Nanakuli, Oahu (Lease), for the remaining term of the Lease; and

2. To approve and accept that Cynthia 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 Cynthia's successorship rights and interest in the Lease do not vest until Cynthia has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Cynthia does not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Cynthia as 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 Cynthia's selection as 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

Joseph Kuahuia, Jr. (Decedent) received the Lease by way of Transfer Through Successorship and Amendment to Lease dated October 27, 2016.

On May 28, 2021, the Decedent passed away without naming a qualified successor.

Pursuant to 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.

On June 29, 2022, the Department received a successorship claim from the Decedent's sister, Cynthia, who has been determined to be of at least 25% Hawaiian ancestry and is therefore 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 2-bedroom and 1-bath, single-family dwelling which was constructed in 1995.


There is an outstanding mortgage with the Department dated September 18, 1995, in the amount of \$25,153.83 along with deferred interest in the amount of \$335.16. The real property taxes are in arrears in the amount of \$736.11, and the lease rent is current. Cynthia is aware of the outstanding balances and has agreed to accept the obligations should she be designated as successor.


The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
CARMEN L. K. MATA
Residential Lease No. 387, Lot No. 118,
Nanakuli, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Leesha Kehaunani Reeves-Mata (Leesha), Stephanie L. Reeves-Mata (Stephanie), Tiana-Lynne Makalapualani Mata-Aina (Tiana), and Alan Wade Kanekawaiola Mata, Jr. (Alan) as tenants in common successors to Residential Lease No. 387, Lot No. 118, situated in Nanakuli, Oahu (Lease), for the remaining term of the Lease; and

2. To approve and accept that Leesha, Stephanie, Tiana, and Alan are no less than the required 25% Hawaiian ancestry and therefore are qualified successors pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920;

3. To stipulate that Leesha, Stephanie, Tiana, and Alan's successorship rights and interest in the Lease do not vest until Leesha, Stephanie, Tiana, and Alan have signed that: (i) Transfer Through Successorship of Lease; and such necessary and appropriate instruments; and that if Leesha, Stephanie, Tiana, and Alan do not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Leesha, Stephanie, Tiana, and Alan as successors 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 Leesha, Stephanie, Tiana, and Alan's selection as successors 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

Carmen L.K. Mata (Decedent) received the Lease by way of Transfer Through Successorship Rescission and Amendment to Lease No. 387 dated September 19, 1988.

On May 9, 2003, the Decedent designated her children, Davelynn P. Mata, Clifford A.K. Mata, Steven P.K. Mata, Alan W.K. Mata, and Walter Mata, Jr., (Designees) as successors to the Lease.

On April 23, 2014, a death certificate was received notifying the Department that the Decedent passed away on February 10, 2014.

On September 27, 2016, the Department notified the Designees that upon review of their genealogy, it was determined that they were less than the required 25% Hawaiian ancestry and therefore were unqualified to receive the lease pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920.

Pursuant to 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 3, 13, 17, and 27, 2018, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

On June 18, 2018, the Department received a successorship claim from the Decedent's grandson, Alan; on August 29, 2018, the Department received a successorship claim from the Decedent's granddaughter, Tiana; and on September 5, 2018, the Department received the final two (2) successorship claims from granddaughters Stephanie and Leesha. All four (4) respondents have been determined to be of at least 25% Hawaiian ancestry and are therefore 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 1-bedroom and 1-bath, single-family dwelling, which was constructed in 1938.

There is no outstanding mortgage, the real property taxes are current, and the lease rent is in arrears in the amount of \$17.00. Leesha, Stephanie, Tiana, and Alan are aware of the outstanding balance and have agreed to accept the obligations should they be designated as successors.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
ALVIN K. KAHANU
Residential Lease No. 3954, Lot No. 9,
Waimanalo, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Jack Steven Hanale Kahanu Uaiwa (Jack) as successor to Residential Lease No. 3954, Lot No. 9, situated in Waimanalo, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Jack 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 Jack's successorship rights and interest in the Lease do not vest until Jack has signed that: (i) Transfer Through Successorship of Lease and such necessary and appropriate instruments; and that if Jack does not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Jack as 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 Jack's selection as 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;"

6. To approve the amendment of the Lease to incorporate the currently used terms, conditions, and covenants to the lease.

DISCUSSION

Alvin K. Kahanu (Decedent) received the Lease by way of Assignment of Lease and Consent and Amendment to Lease No. 3954 dated June 27, 1987.

The Decedent passed away on December 1, 2007, without naming a qualified successor. The Department received the Decedent's death certificate on August 1, 2022.

Pursuant to 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 December 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

On March 22, 2023, the Department received a successorship claim from the Decedent's brother, Jack, who has been determined to be of at least 25% Hawaiian ancestry and is therefore 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 2-bath, single-family dwelling which was constructed in 1972.

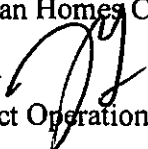

There is no outstanding mortgage, the real property taxes are current, and the lease rent is in arrears in the amount of \$18.00. Jack is aware of the outstanding balance and has agreed to accept the obligation should he be designated as successor.

The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
James W. DuPont, Acting District Operations Manager 

FROM: Erna A. Kamibayashi, Kauai District Supervisor, Homestead Services Division

SUBJECT: **Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Agricultural Lease No. 5482, Lot No. 9, Anahola, Kauai – Sarah K. L. Martin and Samuel Martin**

RECOMMENDED MOTION/ACTION

1. To approve the request of Sarah K. L. Martin (Sarah) to subdivide Lot No. 9, Anahola, Kauai, consisting of 3.000 acres, further identified as TMK: (4)4-8-018:009, covered under Department of Hawaiian Home Lands Agricultural Lease No. 5482, provided that the lessee shall be responsible for all costs incurred in the processing and completion of the subdivision, including but not limited to surveying fees, fees imposed by the County of Kauai, fees for utilities (e.g., electric, water, etc.) and other fees associated with the subdivision of Lot No. 9.

2. To approve the amendment of Lease No. 5482 to incorporate the currently used terms, covenants, and conditions in the lease and to affirm the subdivision of Lot No. 9 into two (2) lots, proposed Lot Nos. 9-A and 9-B, each estimated at 1.500 acres in size, and update the property description of original Lot No. 9.

3. To approve the designation of Agricultural Lease No. 5482, demising proposed Lot 9-A.

4. To approve the designation of Agricultural Lease No. 5482-A, demising proposed Lot 9-B.

5. To approve the transfer of Agricultural Lease No. 5482, Lot No. 9-A, to Samuel Martin (Samuel).

6. All of the above are subject to the completion of the survey work done by a licensed surveyor, including but not limited to the surveying and staking of boundary corners of the lots, submitting the required number of final subdivision maps to the County, preparing and submitting the legal description of the lots to the Department of Hawaiian Home Lands, applying to the County for subdivision approval, obtaining the tax map keys for the lots, obtaining final

ITEM NO. D-16

subdivision approval by the County of Kauai and recordation of the subdivision with the State of Hawaii Bureau of Conveyances.

DISCUSSION

Sarah K. L. Martin acquired Lease No. 5482, Lot 9 via an Assignment of Lease and Consent dated September 23, 2022.

On December 7, 2022, the Department received a request from Sarah to subdivide Anahola Agricultural Lot 9 into two (2) lots (See Exhibit A).

Samuel is the brother of Sarah and not less than 25% Hawaiian.

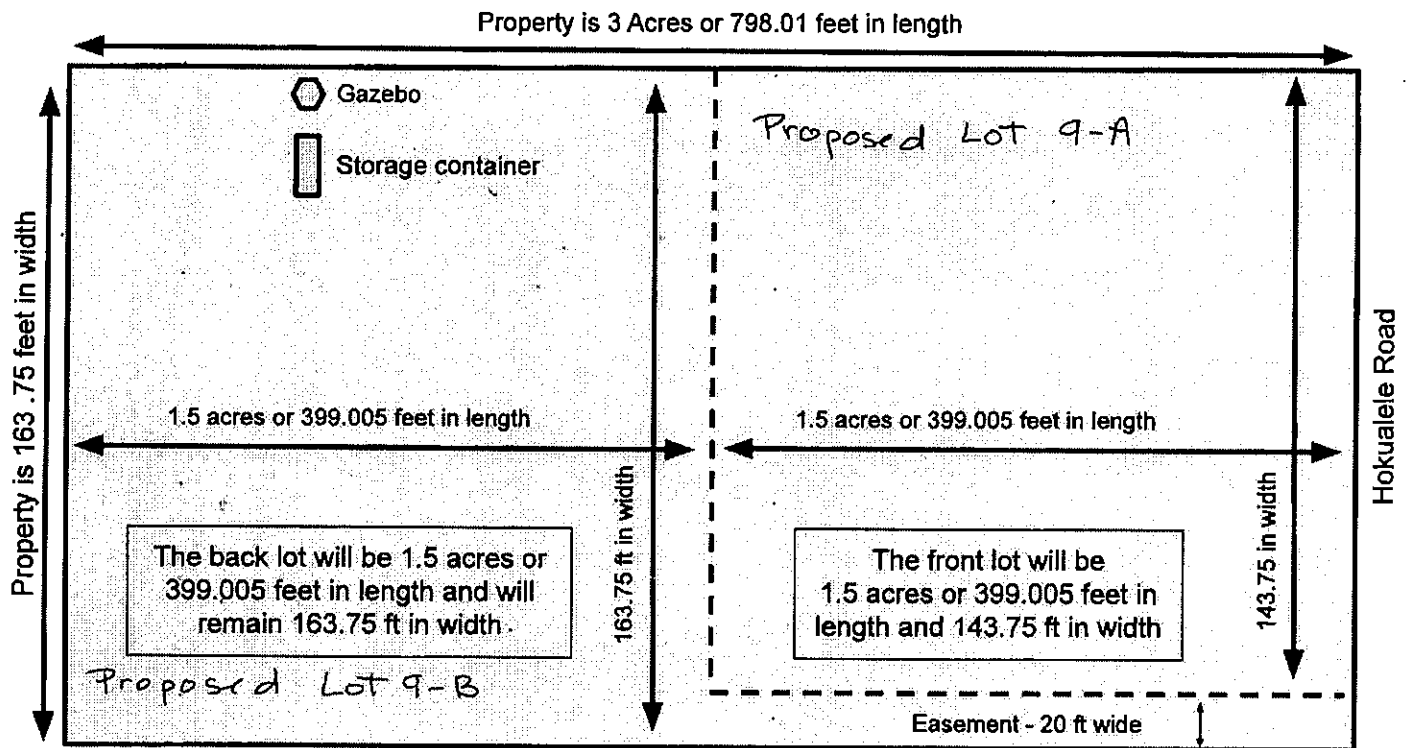
Sarah and Samuel agree that proposed Lot 9-B will be retained by Sarah and that Lot 9-A will be transferred to Samuel.

Improvements to the property include a hexagon 12-ft. x 12-ft. gazebo and a storage unit (8-ft. x 20-ft).

There is no outstanding loan attached to the Lease. Water services on this lot is serviced by the Department and is paid current. The lease rent to the Department is current. Real property taxes on Kauai are exempt. Trash pick-up fees to the County are paid current.

The Department requests approval of its recommendation.

Subdivide plan - Sarah Martin - Lot #9 - 4344 Hokualele rd, Anahola
- Lot # 9 is 3 Acres or 798.01 feet in length and 163.75 feet in width -




Storage container measurements
 Width - 8ft
 Long - 19ft & 10in
 Height - 8ft & 2in


Gazebo
 measurements
 12X12

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission
Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: James W. Du Pont, West Hawaii District Supervisor 
Homestead Services Division

SUBJECT: Request for Extension of Deadline to Sign Successorship Documents –
SALLY K. HAINA, Pastoral Lease Lot No. 1, Lease No. 9051, Pu'ukapu,
Hawaii

RECOMMENDED MOTION/ACTION

To approve the extension of the Deadline, for Theresa Lynn K. Haalilio (“Theresa”) to sign the Transfer Through Successorship lease documents to succeed to the interest of the above lease of Sally K. Haina, from April 30, 2022 to July 31, 2023.

DISCUSSION

The Commission approved the Designation of Successor from Sally K. Haina to Theresa on February 22, 2022 (See Exhibit A).

The deadline to sign said documents expired on April 30, 2022, which included the extended 30-day period.

Theresa failed to sign the aforementioned documents on or before the deadline of April 30, 2022. The Department is requesting an extension of the deadline to July 31, 2023.

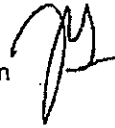
Theresa signed the aforementioned documents on May 12, 2022.

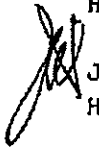
The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Juan Garcia, Administrator 
Homestead Services Division

THRU:  James W. DuPont, WHDO District Supervisor
Homestead Services Division

SUBJECT: Commission Designation of Successor -
Sally Ku'ulei Haina, Pastoral Lease No. 9051,
Lot No. 1, Pu'ukapu, Hawaii

RECOMMENDED MOTION/ACTION

1. To approve the selection of Theresa Lynn Kainoa Ha'alilio, to succeed to the interest of Sally K. Haina to Pastoral Lease No. 9051, Lot No. 1, Pu'ukapu, Hawaii (Lease) for the remaining term of the Lease;
2. To approve and accept that Theresa is of no less than the required 25% Hawaiian ancestry and therefore is a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act 1920, as amended;
3. To stipulate that Theresa's right and interest in the Lease does not vest until Theresa has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Theresa does not sign all such documents on or before **April 30, 2022** (the Deadline) that the Commission's selection of Theresa 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 Theresa'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."

Item No. D-20

ITEM NO. D-17
EXHIBIT A

DISCUSSION

Nancy Uina (Mrs. Uina) was awarded Pastoral Lot Lease No. 9051 commencing on February 1, 1991. Mrs. Uina designated her four children (Alfred K Uina, Jr., John L. Uina, Nancy L. Yamamoto and Sally K. Haina) as tenants-in-common and successors on January 12, 1991. Mrs. Uina passed away on March 16, 2007.

Through a Transfer through Successorship, the five successors assumed title to Lease No. 9051 on December 20, 2010

On July 18, 2015, Sally K. Haina (Decedent) passed away without naming a successor.

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 June 6, 14, 21, 28, 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, Theresa, who has been determined to be at least 50% Hawaiian ancestry and 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 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 children, widows or widowers of the brothers and sisters, or nieces and nephews.

There is a perimeter fence on this lot and lease rent is paid current.


The Department requests approval of its recommendation.

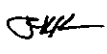
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
JANE M. KAAIKALA
Residential Lease No. 4600, Lot No. 43,
Waianae, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Crystal Ilima Kaaikala (Crystal) as successor to Jane Makaleka Kaaikala's (Decedent) tenant in common interest to Residential Lease No. 4600, Lot No. 43 situated at Waianae, on the island of Oahu, Hawaii, for the remaining term of the Lease;
2. To approve and accept that Crystal 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 Crystal's successorship rights and interest in the Lease do not vest until Crystal has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Crystal does not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Crystal as 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 Crystal's selection as 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;"

6. To approve the amendment of the Lease tenancy from tenants in common to tenant in severalty.

DISCUSSION

The Decedent and Crystal received the Lease by way of Transfer Through Successorship dated October 10, 2016, as tenants in common.

On August 12, 2022, the Decedent passed away without naming a qualified successor.

Pursuant to 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 December 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

On December 15, 2022, the Department received a successorship claim from the Decedent's daughter and co-lessee, Crystal, who has been determined to be of at least 25% Hawaiian ancestry and is therefore 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 3-bedroom and 2-bath, single-family dwelling which was constructed in 1977.

There is no outstanding mortgage, the real property taxes are current, and the lease rent is in arrears in the amount of \$3.00. Crystal is aware of the outstanding balance and has agreed to accept the obligation should she be designated as successor.


The Department requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

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 Supplemental Dwelling Unit (SDU) for
Certain Lessee**

RECOMMENDED MOTION/ACTION

To approve the Supplemental Dwelling Unit of the leasehold interest listed below.

DISCUSSION

One (1) supplemental dwelling unit lease.

1. Lessee: Thomas K. Smith
Res. Lease No.: 11214
Lot No., Area, Island: 21, Kakaina, Oahu
Intended use: Ohana


Supplemental dwelling unit for the Month of June '23	1
Previous FY '22 - '23 balance	<u>0</u>
FY '22 - '23 total to date	1
 Supplemental dwelling unit for FY '21 - '22	 0


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
AUDREY C. L. M. T. LIMA
Residential Lease No. 11418, Lot No. 17142,
Kaupea, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Marcie Moana Lima (Marcie) as successor to Residential Lease No. 11418, Lot No. 17142, situated in Kaupea, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Marcie 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 Marcie's successorship rights and interest in the Lease do not vest until Marcie has signed that: (i) Transfer Through Successorship of Lease and such necessary and appropriate instruments; and that if Marcie does not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Marcie as 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 Marcie's selection as 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

Audrey C. L. M. T. Lima (Decedent) received the Lease by way of Transfer Through Successorship dated July 19, 2013.

The Decedent passed away on November 5, 2020, without naming a qualified successor. The Department received the Decedent's death certificate on August 25, 2021.

Pursuant to 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 December 6, 13, 20, and 27, 2021, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

On April 4, 2022, the Department received a successorship claim from the Decedent's daughter, Marcie, who has been determined to be of at least 25% Hawaiian ancestry and is therefore 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 3-bedroom and 2-bath, single-family dwelling which was constructed in 2006.

There is an outstanding mortgage with Veterans Affairs in the amount of \$205,336. The Association dues with Villages of Kapolei has an outstanding balance of \$4,146. The lease rent account reports a credit balance of \$82. The real property taxes are paid current. Marcie is aware of the outstanding balance and has agreed to accept the obligation should she be designated as successor.


The Department requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
LUCILLE L. TANAKA
Residential Lease No. 4498, Lot No. 262-A-1,
Nanakuli, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Cheryl Ann Takana (Cheryl) as successor to Residential Lease No. 4498, Lot No. 262-A-1, situated in Nanakuli, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Cheryl 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 Cheryl's successorship rights and interest in the Lease do not vest until Cheryl has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Cheryl does not sign all such documents on or before **August 31, 2023** (the Deadline) that the Commission's selection of Cheryl as 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 Cheryl's selection as 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

Lucille L. Tanaka (Decedent) received the Lease by way of Transfer Through Successorship dated October 12, 2010.

On May 31, 2022, the Decedent passed away without naming a qualified successor.

Pursuant to 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 December 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

On February 9, 2023, the Department received a successorship claim from the Decedent's daughter, Cheryl, who has been determined to be of at least 25% Hawaiian ancestry and is therefore 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 1 1/2-bath, single-family dwelling which was constructed in 1977.

There is an outstanding mortgage with the Department dated October 9, 2000, in the amount of \$109,756.18 along with an outstanding Department loan for deferred interest dated September 19, 2020, in the amount of \$6,443.25. The real property taxes and lease rent are current. Cheryl is aware of the outstanding balances and has agreed to accept the obligation should she be designated as successor.

The Department requests approval of its recommendation.

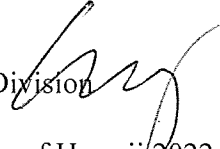
**Hawaiian Homes Commission Meeting
June 26 & 27, 2023
Hale Pono, Kapolei, Oahu**

E ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

From: Stewart Matsunaga, Acting Administrator, Land Development Division 

Subject: Approval of Budget Amendment No. 2 to Act 279, Session Laws of Hawaii 2022
Proposed Encumbrance Plan for Fiscal Year 2023

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve Budget Amendment No. 2 to Act 279, Session Laws of Hawaii 2022, Proposed Encumbrance Plan for Fiscal Year 2023

BACKGROUND

Act 279 enacted in Regular Session of 2022 of the 31st Legislature appropriated \$600,000,000 in general funds to provide a multi-pronged approach to reducing the DHHL waitlist. The \$600,000,000 will address the needs of those on the waitlist and those beneficiaries still waiting. (Excerpt from “Strategic Plan to Implement Act 279, Session Laws of Hawaii 2022 dated November 2022)

On August 16, 2022, after many deliberations through the Permitted Interaction Group (PIG) , the Hawaiian Homes Commission (HHC) approved the Strategic Approach to Implement Act 279 - August 2022. After further refinement with DHHL and the PIG, on November 22, 2022 the HHC approved the Strategic Plan to Implement Act 279, Session Laws of Hawaii (SLH) 2022.

Pursuant to Section 4(c), Act 279, DHHL shall submit a strategic plan, including findings, recommendations, and any proposed legislation, to the Legislature, no later than December 10, 2022. On December 6, 2022 copies of the Strategic Plan to Implement Act 279, SLH 2022 was transmitted to the Senate President and members of the Senate and President of the House and members of the House of Representatives, pursuant to Section 4(c), Act 279.

DISCUSSION ON FY 2023 IMPLEMENTATION

Section 6, Act 279, SLH 2022 states:

There is appropriated out of the general revenues of the State of Hawaii the sum of \$600,000,000 or so much there of as may be necessary for the fiscal year 2021-2022 for the purposes of this Act; provided that any moneys not encumbered for specific purposes shall lapse to the general fund on June 30, 2025.

In order to comply with the Legislative deadline to encumber \$600,000,000 by June 30, 2025, HHC approved Agenda Item C-5, an implementation budget for Act 279, SLH 2022 on August 15, 2022. Agenda Item C-5 is attached as Exhibit “A”.

On November 7, 2022, Governor David Ige approved the release of \$172,750,000 for the implementation of the FY 2023 projects.

In its approval of the Act 279 Implementation Budget, the HHC authorized the Chairman to shift funding of expenditures between cost elements and funds as warranted, but not to exceed the total budget. On December 29, 2022, William Aila, Chairman approved Budget Amendment No. 1, shifting funds between Maui subdivisions. Budget Amendment 1 is attached as Exhibit “B”.

Exhibit “C” provides the procurement, contract and encumbrance status of FY 2023 subdivisions and projects, as of June 14, 2023. While certain projects and subdivisions are in progress and more likely to be encumbered in Fiscal Year 2024, other projects have moved forward, including development projects approved and accepted by DHHL, in response to a Request for Proposals for land acquisition and development issued in November 2022, as shown in Exhibit “B”. Subject to an Allotment Request for Governor Josh Green, M.D., DHHL expects to exceed the FY 2023 encumbrance of \$172,750,000 by nearly \$21,000,000.

Since \$21,000,000 of Act 279 funds are being shifted from FY 24 to FY 23 Land Development Division suggests a reconvening of a Permitted Interactive Group to recommend changes to FY 24 implementation of Act 279 projects and subdivision budget for HHC approval.


RECOMMENDED MOTION/ACTION:

Land Development Division recommends that the Hawaiian Homes Commission approve the recommendation as stated above.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

AUGUST 15, 2022

TO: Chairman and Members, Hawaiian Homes Commission
FROM:  Rodney K. M. Lau, Administrative Services Officer
SUBJECT: Approval of Act 279 (SLH 2022) Implementation Budget
for Fiscal Year 2022-2023

RECOMMENDED MOTION/ACTION

That the Commission approve the Act 279 (SLH 2022) Implementation Budget for Fiscal Year 2022-2023 for the Department of Hawaiian Home Lands and authorize the Chairman to shift funding of expenditures between cost elements and funds as warranted but not to exceed the total budget.

DISCUSSION

On July 11, 2022, Governor David Ige signed into law Act 279, SLH 2022 (formerly HB 2511 HB2 SD2 CD1). Act 279, SLH 2022 appropriates \$600 million in general funds to provide a multi-pronged approach to reduce the Department of Hawaiian Home Lands (DHHL) waitlist. The \$600 million will address the needs of beneficiaries on the DHHL waitlist and those that are still waiting to get on the land.

On May 16, 2022 Chairman William Aila, Jr. established the Act 279 Permitted Interaction Group (f.k.a. the HB2511 HD2 SD2 CD1 "Waitlist Reduction Act" Permitted Interaction Group) ("Act 279 Committee") Recommendations from the Act 279 Committee were presented to the Commission at its July 2022 meeting with action on these recommendations identified as item C-4 on this month's agenda. If the Commission approves the "Preliminary Strategic Approach to Implement Act 279 of 2022" and authorizes the Chair to begin implementation, this Budget provides the needed funds for the current fiscal year, FY2022-2023.

ITEM NO. C-5

ITEM NO. E-1
EXHIBIT "A"

The analysis and justification for the funding priorities for Act 279 are laid out in the "Preliminary Strategic Approach" document and are not discussed here. Instead, this submittal focuses on the allocation of funds.

A two-year CAPITAL PROJECTS ENCUMBRANCE PLAN ("PLAN") is included as Exhibit A. In addition to lot development and offsite infrastructure, the PLAN includes funding set aside for potential Land/Project Acquisition and Innovative Project Financing/Partnerships.

The ACT 279 IMPLEMENTATION BUDGET for FY 2022-2023 is included below in TABLE 1. Like the PLAN the Capital Projects Budget includes funding for potential Land/Project Acquisition and Innovative Project Financing/Partnerships.

TABLE 1
ACT 279 IMPLEMENTATION BUDGET FY 2022-2023

ACT 279 Capital Projects (SEE EXHIBIT B)	\$172,761,000
Individual Assistance Programs to Address Barriers to Homeownership and/or Address Housing Insecurity (ideas from beneficiary or housing stakeholder organizations)	\$ 60,000,000
TOTAL	\$232,761,000

Because the ACT 279 IMPLEMENTATION BUDGET for FY 2022-2023 is based on estimated costs, the department, with Chairman's approval, may need to shift funding of expenditures between cost elements and funds as warranted but in no event will any expenditure be funded if the total budget is exceeded.

The Commission's approval of the recommended motion is respectfully requested.

DEPARTMENT OF HAWAIIAN HOME LANDS
ACT 279, SLH 2022: CAPITAL PROJECTS - PROPOSED ENCUMBRANCE PLAN
FISCAL YEAR 2023 and 2024

			General Fund			
			FY 2023-2024	FY 2023	FY 2024	
Island	Subdivision/Project	Lots	Act 279, SLH 2022	Encumbrances	Encumbrances	Phase
	HAWAII COUNTY					
Hawaii	Honomu Subsistence Ag Lots, Phase 2	40	\$ 6,000,000		\$ 6,000,000	C
	Laiopua Village 2 (includes N Kona Water Development)	200	\$ 44,000,000	\$ 4,000,000	\$ 40,000,000	DA
	Laiopua Village 1	200	\$ 23,000,000		\$ 23,000,000	DA
	MAUI COUNTY					
Lanai	Lanai Residence Lots Offsite Infrastructure	75*	\$ 2,000,000	\$ 2,000,000		D
Molokai	Hoolehua Scattered Lots	20	\$ 3,500,000		\$ 3,500,000	C
	Naiwa Ag Subdivision	16	\$ 6,000,000		\$ 6,000,000	C
Maui	Pu'unani Homestead Subdivision, Phase 1	161	\$ 17,500,000	\$ 17,500,000		DA
	Honokowai Subistence Ag, Phase 1	50	\$ 5,000,000		\$ 5,000,000	C
	Leialii 1B Offsite Water		\$ 15,000,000	\$ 15,000,000		C
	Leialii 1B Subdivision	250	\$ 68,000,000		\$ 68,000,000	DA
	CITY AND COUNTY OF HONOLULU					
Oahu	Kaupea, Phase 2	60	\$ 23,000,000	\$ 8,250,000	\$ 14,750,000	DA
	East Kapolei II Backbone Infrastructure		\$ 50,000,000	\$ 3,000,000	\$ 47,000,000	D/C
	East Kapolei IIA	300	\$ 14,000,000	\$ 14,000,000		DA
	East Kapolei IID	124	\$ 18,000,000		\$ 18,000,000	DA
	East Kapolei IIE	142	\$ 21,000,000	\$ 21,000,000		DA
	East Kapolei IIF	155	\$ 23,000,000		\$ 23,000,000	DA
	Maili Development	280	\$ 60,000,000		\$ 60,000,000	DA
	Ewa Beach (former NOAA site)	600	\$ 48,000,000		\$ 48,000,000	DA
	KAUAI COUNTY					
Kauai	Hanapepe Residence Lots, Phase 2	75	\$ 23,000,000	\$ 23,000,000		C
	Anahola Kuleana Homestead Lease Agricultural and Pastoral	115	\$ 5,000,000		\$ 5,000,000	C
Statewide	Land/Project Acquisition	300**	\$ 35,000,000	\$ 35,000,000		L/DA
	Project Financing/Partnerships (Public/Public; Public/Private)		\$ 30,000,000	\$ 30,000,000		DA
	TOTAL	3,163**	\$ 540,000,000	\$ 172,750,000	\$ 367,250,000	
	Phase: D=Design; C=Construction; L=Land Acquisition; DA=Development Agreement					
	*Assumes construction funding is available after 2025					
	**Estimate					

DEPARTMENT OF HAWAIIAN HOME LANDS
ACT 279, SLH 2022: CAPITAL PROJECTS
FISCAL YEAR 2023 BUDGET


Island	Subdivision/Project	Lots	General Fund FY 2023 Encumbrances	Phase
HAWAII COUNTY				
Hawaii	Honomu Subsistence Ag Lots, Phase 2	40	\$ 1,000	C
	Laiohua Village 2 (includes N Kona Water Development	200	\$ 4,000,000	DA
	Laiohua Village 1	200	\$ 1,000	DA
MAUI COUNTY				
Lanai	Lanai Residence Lots Offsite Infrastructure	75*	\$ 2,000,000	D
Molokai	Hoolehua Scattered Lots	20	\$ 1,000	C
	Naiwa Ag Subdivision	16	\$ 1,000	C
Maui	Pu'unani Homestead Subdivision, Phase 1	161	\$ 17,500,000	DA
	Honokowai Subistence Ag, Phase 1	50	\$ 1,000	C
	Leialii 1B Offsite Water		\$ 15,000,000	C
	Leialii 1B Subdivision	250	\$ 1,000	DA
CITY AND COUNTY OF HONOLULU				
Oahu	Kaupea, Phase 2	60	\$ 8,250,000	DA
	East Kapolei II Backbone Infrastructure		\$ 3,000,000	D/C
	East Kapolei IIA	300	\$ 14,000,000	DA
	East Kapolei IID	124	\$ 1,000	DA
	East Kapolei IIE	142	\$ 21,000,000	DA
	East Kapolei IIF	155	\$ 1,000	DA
	Maili Development	280	\$ 1,000	DA
	Ewa Beach (former NOAA site)	600	\$ 1,000	DA
KAUAI COUNTY				
Kauai	Hanapepe Residence Lots, Phase 2	75	\$ 23,000,000	C
	Anahola Kuleana, Phase 1	20	\$ 1,000	C
Statewide	Land/Project Acquisition	300**	\$ 35,000,000	L/DA
	Project Financing/Partnerships (Public/Public; Public/Private)		\$ 30,000,000	DA
TOTAL		3,163**	\$ 172,761,000	
Phase: D=Design; C=Construction; L=Land Acquisition; DA=Development Agreement				
*Assumes construction funding is available after 2025				
**Estimate				

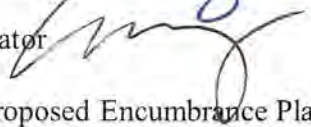


Department of Hawaiian Home Lands
Land Development Division

December 29, 2022

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

THROUGH: Rodney Lau, Administrative Services Officer 

FROM: Stewart Matsunaga, Acting LDD Administrator 

SUBJECT: Amendment No. 1 to Act 279, SLH 2022 Proposed Encumbrance Plan, FY2023

BACKGROUND

On August 15, 2022, the Hawaiian Homes Commission (HHC) approved Act 279 Implementation Budget for Fiscal Year 2022-2023. The HHC authorized the expenditure of a total of \$172,750,000 in General Funds. The HHC also authorized the Chairman to shift funding of expenditures between cost elements and funds as warranted but not to exceed the total budget.

HHC Agenda Item C-5 is enclosed.

REQUEST

Budget Amendment No. 1 requests the following:

Additions: \$1,467,000 to Honokowai Subsistence Ag, Phase 1

Reductions: \$1,467,000 from Leialii 1B Offsite Water

Net change: \$-0-

JUSTIFICATION

1. Addition:

Staff recommends that \$1,467,000 in General Funds be added to the Honokowai Subsistence Ag, Phase 1 for the design of 50 subsistence agriculture lots. This is an opportunity to accelerate the development of subsistence agriculture lots and to collaborate the design and construction of R-1 water to support irrigation from the County of Maui's non-potable R-1 water source. Construction funding for Honokowai Subsistence Ag Lots, Phase 1 is shown in Act 279, SLH 2022, FY2024 Encumbrance Plan, approved by the HHC in August 2022.

2. Reduction:

Staff recommends that the amount for Leialii 1B Offsite Water totaling \$15,000,000 be reduced by \$1,467,000. The primary reason is that DHHL continues to collaborate with the County of Maui Department of Water Supply to correct water pressure deficiencies within the water system which would provide potable water service to the Village 1B. Resolution to this water pressure issue may not be resolved prior to the end of FY 2023. Therefore, General Funds allocated to Leialii 1B Offsite Water at this point is available.

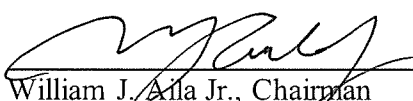
RECOMMENDATION:

Staff recommends that \$1,467,000 in General Funds be added to the Honokowai Subsistence Ag, Phase 1 line item in FY 2022-2023 for the reasons stated above. The source of General Funds is from Act 279, SLH 2022; its encumbrance plan was approved by the HHC on August 15, 2022. The General Funds in the amount of \$172,750.00 was released by Governor on November 15, 2022 and is available for contract certification.

Conversely, staff recommends the reduction of \$1,467,000 in General Funds from the Leialii 1B Offsite Water line item, which will result in a net \$0 change in the overall Act 279, SLH 2022 Proposed Encumbrance Plan for FY 2023, as approved by the HHC.

This recommendation to shift funding was approved by the HHC on August 15, 2022 whereby authorizing the Chairman to shift funding of expenditures between cost elements and funds as warranted but not to exceed the total budget.

Approved:


William J. Aila Jr., Chairman
Hawaiian Homes Commission


12/30/22
Date

c: Pearl Teruya, Fiscal Management Officer
Rodney Lau, Administrative Services Officer
Darrell Ing, Masterplanned Community Dev Manager

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

AUGUST 15, 2022

TO: Chairman and Members, Hawaiian Homes Commission
FROM:  Rodney K. M. Lau, Administrative Services Officer
SUBJECT: Approval of Act 279 (SLH 2022) Implementation Budget
for Fiscal Year 2022-2023

RECOMMENDED MOTION/ACTION

That the Commission approve the Act 279 (SLH 2022) Implementation Budget for Fiscal Year 2022-2023 for the Department of Hawaiian Home Lands and authorize the Chairman to shift funding of expenditures between cost elements and funds as warranted but not to exceed the total budget.

DISCUSSION

On July 11, 2022, Governor David Ige signed into law Act 279, SLH 2022 (formerly HB 2511 HB2 SD2 CD1). Act 279, SLH 2022 appropriates \$600 million in general funds to provide a multi-pronged approach to reduce the Department of Hawaiian Home Lands (DHHL) waitlist. The \$600 million will address the needs of beneficiaries on the DHHL waitlist and those that are still waiting to get on the land.

On May 16, 2022 Chairman William Aila, Jr. established the Act 279 Permitted Interaction Group (f.k.a. the HB2511 HD2 SD2 CD1 "Waitlist Reduction Act" Permitted Interaction Group) ("Act 279 Committee") Recommendations from the Act 279 Committee were presented to the Commission at its July 2022 meeting with action on these recommendations identified as item C-4 on this month's agenda. If the Commission approves the "Preliminary Strategic Approach to Implement Act 279 of 2022" and authorizes the Chair to begin implementation, this Budget provides the needed funds for the current fiscal year, FY2022-2023.

ITEM NO. C-5

ITEM NO. E-1
EXHIBIT "B"

The analysis and justification for the funding priorities for Act 279 are laid out in the "Preliminary Strategic Approach" document and are not discussed here. Instead, this submittal focuses on the allocation of funds.

A two-year CAPITAL PROJECTS ENCUMBRANCE PLAN ("PLAN") is included as Exhibit A. In addition to lot development and offsite infrastructure, the PLAN includes funding set aside for potential Land/Project Acquisition and Innovative Project Financing/Partnerships.

The ACT 279 IMPLEMENTATION BUDGET for FY 2022-2023 is included below in TABLE 1. Like the PLAN the Capital Projects Budget includes funding for potential Land/Project Acquisition and Innovative Project Financing/Partnerships.

TABLE 1
ACT 279 IMPLEMENTATION BUDGET FY 2022-2023

ACT 279 Capital Projects (SEE EXHIBIT B)	\$172,761,000
Individual Assistance Programs to Address Barriers to Homeownership and/or Address Housing Insecurity (ideas from beneficiary or housing stakeholder organizations)	\$ 60,000,000
TOTAL	\$232,761,000

Because the ACT 279 IMPLEMENTATION BUDGET for FY 2022-2023 is based on estimated costs, the department, with Chairman's approval, may need to shift funding of expenditures between cost elements and funds as warranted but in no event will any expenditure be funded if the total budget is exceeded.

The Commission's approval of the recommended motion is respectfully requested.

ITEM NO. C-5

ITEM NO. E-1
EXHIBIT "B"

DEPARTMENT OF HAWAIIAN HOME LANDS
ACT 279, SLH 2022: CAPITAL PROJECTS - PROPOSED ENCUMBRANCE PLAN
FISCAL YEAR 2023 and 2024

			General Fund			
			FY 2023-2024	FY 2023	FY 2024	
Island	Subdivision/Project	Lots	Act 279, SLH 2022	Encumbrances	Encumbrances	Phase
	HAWAII COUNTY					
Hawaii	Honomu Subsistence Ag Lots, Phase 2	40	\$ 6,000,000		\$ 6,000,000	C
	Laiopua Village 2 (includes N Kona Water Development)	200	\$ 44,000,000	\$ 4,000,000	\$ 40,000,000	DA
	Laiopua Village 1	200	\$ 23,000,000		\$ 23,000,000	DA
	MAUI COUNTY					
Lanai	Lanai Residence Lots Offsite Infrastructure	75*	\$ 2,000,000	\$ 2,000,000		D
Molokai	Hoolehua Scattered Lots	20	\$ 3,500,000		\$ 3,500,000	C
	Naiwa Ag Subdivision	16	\$ 6,000,000		\$ 6,000,000	C
Maui	Pu'unani Homestead Subdivision, Phase 1	161	\$ 17,500,000	\$ 17,500,000		DA
	Honokowai Subistence Ag, Phase 1	50	\$ 5,000,000		\$ 5,000,000	C
	Leialii 1B Offsite Water		\$ 15,000,000	\$ 15,000,000		C
	Leialii 1B Subdivision	250	\$ 68,000,000		\$ 68,000,000	DA
	CITY AND COUNTY OF HONOLULU					
Oahu	Kaupea, Phase 2	60	\$ 23,000,000	\$ 8,250,000	\$ 14,750,000	DA
	East Kapolei II Backbone Infrastructure		\$ 50,000,000	\$ 3,000,000	\$ 47,000,000	D/C
	East Kapolei IIA	300	\$ 14,000,000	\$ 14,000,000		DA
	East Kapolei IID	124	\$ 18,000,000		\$ 18,000,000	DA
	East Kapolei IIE	142	\$ 21,000,000	\$ 21,000,000		DA
	East Kapolei IIF	155	\$ 23,000,000		\$ 23,000,000	DA
	Maili Development	280	\$ 60,000,000		\$ 60,000,000	DA
	Ewa Beach (former NOAA site)	600	\$ 48,000,000		\$ 48,000,000	DA
	KAUAI COUNTY					
Kauai	Hanapepe Residence Lots, Phase 2	75	\$ 23,000,000	\$ 23,000,000		C
	Anahola Kuleana Homestead Lease Agricultural and Pastoral	115	\$ 5,000,000		\$ 5,000,000	C
Statewide	Land/Project Acquisition	300**	\$ 35,000,000	\$ 35,000,000		L/DA
	Project Financing/Partnerships (Public/Public; Public/Private)		\$ 30,000,000	\$ 30,000,000		DA
	TOTAL	3,163**	\$ 540,000,000	\$ 172,750,000	\$ 367,250,000	
	Phase: D=Design; C=Construction; L=Land Acquisition; DA=Development Agreement					
	*Assumes construction funding is available after 2025					
	**Estimate					

DEPARTMENT OF HAWAIIAN HOME LANDS
ACT 279, SLH 2022: CAPITAL PROJECTS
FISCAL YEAR 2023 BUDGET

Island	Subdivision/Project	Lots	General Fund FY 2023 Encumbrances	Phase
HAWAII COUNTY				
Hawaii	Honomu Subsistence Ag Lots, Phase 2	40	\$ 1,000	C
	Laiopua Village 2 (includes N Kona Water Development)	200	\$ 4,000,000	DA
	Laiopua Village 1	200	\$ 1,000	DA
MAUI COUNTY				
Lanai	Lanai Residence Lots Offsite Infrastructure	75*	\$ 2,000,000	D
Molokai	Hoolehua Scattered Lots	20	\$ 1,000	C
	Naiwa Ag Subdivision	16	\$ 1,000	C
Maui	Pu'unani Homestead Subdivision, Phase 1	161	\$ 17,500,000	DA
	Honokowai Subistence Ag, Phase 1	50	\$ 1,000	C
	Leialii 1B Offsite Water		\$ 15,000,000	C
	Leialii 1B Subdivision	250	\$ 1,000	DA
CITY AND COUNTY OF HONOLULU				
Oahu	Kaupea, Phase 2	60	\$ 8,250,000	DA
	East Kapolei II Backbone Infrastructure		\$ 3,000,000	D/C
	East Kapolei IIA	300	\$ 14,000,000	DA
	East Kapolei IID	124	\$ 1,000	DA
	East Kapolei IIE	142	\$ 21,000,000	DA
	East Kapolei IIF	155	\$ 1,000	DA
	Maili Development	280	\$ 1,000	DA
	Ewa Beach (former NOAA site)	600	\$ 1,000	DA
KAUAI COUNTY				
Kauai	Hanapepe Residence Lots, Phase 2	75	\$ 23,000,000	C
	Anahola Kuleana, Phase 1	20	\$ 1,000	C
Statewide	Land/Project Acquisition	300**	\$ 35,000,000	L/DA
	Project Financing/Partnerships (Public/Public; Public/Private)		\$ 30,000,000	DA
	TOTAL	3,163**	\$ 172,761,000	
Phase: D=Design; C=Construction; L=Land Acquisition; DA=Development Agreement				
*Assumes construction funding is available after 2025				
**Estimate				

Exhibit B
ITEM NO. C-5

ITEM NO. E-1
EXHIBIT "B"

DEPARTMENT OF HAWAIIAN HOME LANDS

Act 279 IMPLEMENTATION FY 2023

PROJECT STATUS AS OF June 14, 2023

Island	FY23 Subdivision/Project	Lots	Phase	Act 279 Budget approved by HHC 8/15/22	Amend #1 approved to 12/31/22	Amend #2 Proposed June 2023 HHC	Encumbrance in process	ENCUMBERED	EXPENDITURE	Status	Lead Staff
Hawaii	Laiopua Village 2 (Includes N. Kona Water Development KS Well 2 and 2A)	200	Land	\$ 4,000,000	\$ 4,000,000	\$ -	\$ -			Continuing negotiations with Kamehameha Schools and County of Hawaii Department of Water Supply. Conducting survey and appraisal of proposed site.	Andrew
Hawaii	North Kona Water Development GIANULIAS SITE		Land							Letter of intent from Owners for \$9,260,000. Potential use of Leg CIP, Act 88, not Act 279 General Funds.	Andrew
Lanai	Lanai Residence Lots Offsite Infrastructure	75	Design	\$ 2,000,000	\$ 2,000,000					Consultant selected; negotiating scope of work and fees. Coordination with Pulama Lanai on offsite infrastructure capacity. Contract being formulated. Encumber in FY24.	Robert
Maui	Pu'unani Homestead Subdivision	161	Construction	\$ 17,500,000	\$ 17,500,000	\$ 17,500,000		\$ 17,171,944		Construction Contract Awarded to Maui Kupono Builders; \$17,171,944; construction commencement estimated Spring 2023. Construction contract executed. Development agreement includes developer construction of 137 turnkey homes and 24 improved vacant lots. Groundbreaking ceremony on May 24, 2023.	Robert
Maui	Pu'unani Homestead Subdivision (Offsite Water Tank)		Design/ Construction	\$ -		\$ 5,509,000		\$ 5,509,000		Part of Pu'unani Homestead Subdivision offsite storage tank requirement. Developer continuing to work with County on construction plan approval. Target Summer 2023 for construction bidding.	Robert
Maui	Leialii 1B Offsite Water		Construction	\$ 15,000,000	13,533,000	\$ -				Final EA and FONSI approval planned for July 2023. DHHL proposes to prepare RFP/RFQ to wrap around Leialii Offsite water, highway improvements and Leialii 1B subdivision.	Neil
Maui	Honokowai Subsistence Ag Ph. 1	50	Design		\$ 1,467,000	\$ 1,470,000		\$ 1,470,000		Design contract encumbered \$1,470,000. Coordination with County of Maui and Pulelehua private developer for installation of R-1 waterline for irrigation purposes. Survey and design in process.	Neil
Oahu	Kaupea, Phase 2		Land	\$ 8,250,000	\$ 8,250,000	\$ 8,250,000		\$ 8,250,000	\$ 8,250,000	Transfer Agreement Executed; funds transfered to HHFDC.\$8.25M Encumbered December 2022; funds transferred shortly thereafter. Acquisition completed.	Darrell
	Kaupea, Phase 2	60	Dev Agree			0				Development Agreement RFP. Approximate budget is \$15,000,000. Three (3) Proposals received on 4/28/23. RFP review in process. Addendum to include LIHTC.	Darrell

DEPARTMENT OF HAWAIIAN HOME LANDS

Act 279 IMPLEMENTATION FY 2023

PROJECT STATUS AS OF June 14, 2023

Island	FY23 Subdivision/Project	Lots	Phase	Act 279 Budget approved by HHC 8/15/22	Amend #1 approved to 12/31/22	Amend #2 Proposed June 2023 HHC	Encumbrance in process	ENCUMBERED	EXPENDITURE	Status	Lead Staff
Oahu	East Kapolei II Backbone Infrastructure		Design	\$ 3,000,000	\$ 3,000,000	\$ 33,080		\$ 33,080	\$ 33,080	Design funds encumbered with HHL Trust Fund. Subdivision map/Construction plans in progress. Requisition for sewer fees for backbone--3 lots. Chair directs RFQ incorporating backbone infrastructure, East Kapolei II D, IIE, and IIF; prep for Summer 2023 issuance.	Darrell
Oahu	East Kapolei IIA	300	Dev Agree	\$ 14,000,000	\$ 14,000,000	\$ -				RFP/RFQ scheduled for Fall 2023 for multifamily rental development. Shift funding to FY24. HHC Budget Amendment planned for June 2023.	Darrell
Oahu	East Kapolei IIE	142	Dev Agree	\$ 21,000,000	\$ 21,000,000	\$ -				RFQ scheduled for Summer 2023. Shift funding to FY24. HHC Budget Amendment planned for June 2023. Chair directs RFQ incorporating backbone infrastructure, East Kapolei II D, IIE, and IIF.	Darrell
Kauai	Hanapepe Residence Lots, Phase 2	82	Construction	\$ 23,000,000	\$ 23,000,000	\$ 18,800,126		\$ 17,800,126		Construction contract awarded to Hawaiian Dredging. Follow up with County of Kauai for title sheet approvals. Plan for groundbreaking in Summer 2023.	Neil
Statewide	Land/Project Acquisition		Professional Services	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000		\$1,500,000	\$26,000	Bowers + Kubota Consulting providing project management support, including feasibility studies, survey and appraisal for Act 279 projects.	Darrell/ Stewart
	Land/Project Acquisition		Dev Agree	\$ 33,500,000	\$ 33,500,000					RFP let in November 2022; 7 Offers submitted.	Darrell
Oahu	Proposal "A" Ewa Villages (Haseko)	142								Proposal Acceptable Acquisition: \$17,646,772 Source: NAHASDA Development: \$20,239,443 Source: Act 279 Proposal Accepted; acquisition and development agreement in process.	RFP Team
Maui	Proposal "B" Wailuku (DDC2 LLC)	207				\$ 43,445,272	\$ 43,445,272			Proposal Acceptable Acquisition: \$5,200,000 Development: \$38,245,272 Total Acq + Dev = \$43,445,272 Proposal Accepted; Development Agreement in execution stage. Encumber by June 30, 2023.	RFP Team
Hawaii	Proposal "C" Kaumana (Avalon Development)	168				\$ 2,000,000		\$ 2,000,000	\$ 2,000,000	Proposal Acceptable for Acquisition Only Acquisition: \$2,000,000 Source: Act 279 Development: \$ 40,836,000 Not acceptable Sale closed 3/31/23. Currently land bank; Honolulu is priority area.	RFP Team

DEPARTMENT OF HAWAIIAN HOME LANDS

Act 279 IMPLEMENTATION FY 2023

PROJECT STATUS AS OF June 14, 2023

Island	FY23 Subdivision/Project	Lots	Phase	Act 279 Budget approved by HHC 8/15/22	Amend #1 approved to 12/31/22	Amend #2 Proposed June 2023 HHC	Encumbrance in process	ENCUMBERED	EXPENDITURE	Status	Lead Staff
Maui	Proposal "D" Waiehu (DDC3 LLC)	366				\$ 95,129,572	\$ 95,129,572			Proposal Acceptable Acquistion: \$12,240,000 Source: Act 279 Development: \$82,889,572 Source: Act 279 Proposal Accepted; draft Development Agreement in review. Potentially encumber by June 30, 2023. Request for Allotment of \$21M to B&F and Gov on 6/13/23.	RFP Team
Statewide	Project Financing/Partnerships		Dev Agree	\$ 30,000,000	\$ 30,000,000					RFQ in Summer 2023. Propose budget amendment to shift funding to FY24.	Darrell
	Total	1953		\$ 172,750,000	\$ 172,750,000	\$ 193,637,050	\$ 138,574,844	\$ 53,734,150.00	\$ 10,309,080.00	11/17/22 \$172.75M ALLOTMENT released by Governor. 1/26/23 \$172.75M ALLOTMENT ADJUSTMENTS FOR 2ND AND 3RD Q APPROVED. Adjustments for 4th Quarter approved. Prepare Allotment request for \$32,384,050. Anticipated Encumbrance of \$205,134,050 by June 30, 2023 minus FY23 Allotment of \$172,750,000 = \$32,384,050. Round to \$33,000,000. However, B&F directs DHHL to seek allotment of remaining Act 279 funds in FY24.	

ADDITIONAL ALLOTMENT REQUIRED, SUBJECT TO CONTRACT NEGOTIATIONS

ENCUMBRANCE IN PROCESS

ENCUMBERED

\$52.85M limit on expenditure per MOE

\$ 20,887,050

Requires additonal allotment of \$20,887,050, say \$21,000,000, in order to encumber projects listed above.


**Hawaiian Homes Commission Meeting
June 26 & 27, 2023
Hale Ponoī, Kapolei, Oahu**

F ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

From: Peter “Kahana” Albinio, Jr., Acting Administrator
Land Management Division 

Subject: Authorization to General Lease, at Shafter Flats/Mapunapuna, Oahu Island, TMK
No. (1) 1-1-064:010

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) authorizes the following:

1. To advertise and conduct land disposition for Hawaiian home lands parcel identified as follows:
 - a. TMK No. (1) 1-1-064:010 situated at Shafter Flats/Mapunapuna, Oahu Island;
2. To set all appropriate terms and conditions, to be approved by the Chairman, Hawaiian Homes Commission, in accordance with the requirements of Chapter 171, Hawaii Revised Statutes, as amended or Section 220.5, Hawaiian Homes Commission Act, 1920, as amended;
3. To expend budgeted funds necessary for a fair market summary appraisal report and environmental assessment, and DHHL beneficiary consultation/information as required and necessary on the subject parcels which are designated for non-residential I-2 Intensive Industrial District (Oahu Island.); and
4. To retain outside legal counsel, if necessary, in the lease negotiation of the final terms and conditions of the lease agreements.

DISCUSSION

Creating interest in the Department of Hawaiian Home Lands’ proposed general leasing program is a primary objective of the Land Management Division (LMD). In conjunction with publication of legal notices to auction public lands, the LMD will initiate its leasing process and notify beneficiaries as well as the public at large who have expressed interest in leasing land from the department.

In an effort the address trespassing issues that continue to plague our Honolulu, industrial subdivision development community, LMD seeks to offer long-term lease agreements, or the subject parcels as identified.

The department follows the real estate practice of continually marketing its commercial properties to draw the interest of qualified and creditworthy lessees.

SELECTED PROPERTY

1. Shafter Flats/Mapunapuna, Oahu Island Parcels (See Exhibits “A” and “B”)

Tax Map Key No.: (1) 1-1-064:010

Based on the Oahu Island Plan dated July 1, 2014, the 0.95-acre parcel of Hawaiian home lands’ situated in the Moanalua Ahupua’a, Oahu Island, particularly described and delineated on Exhibit “A” attached hereto is designated for non-residential Intensive Industrial District (I-2) development under Honolulu City & County Zoning guidelines. The parcel is generally rectangular-shaped and is immediately surrounded by existing industrial use parcels immediately to the west, north, and east boundaries. Kakoi Street is situated immediately to the south of the parcel offering excellent roadway frontage exposure and access. The property does have a 1,200/sf split-level office mezzanine and 8,100/sf warehouse that will be demolished prior to conducting the proposed land disposition thereby making the land vacant of any building improvements. The high visibility and well-located position of the parcel makes it ideal for its designated-zoned use.

AUTHORIZATION

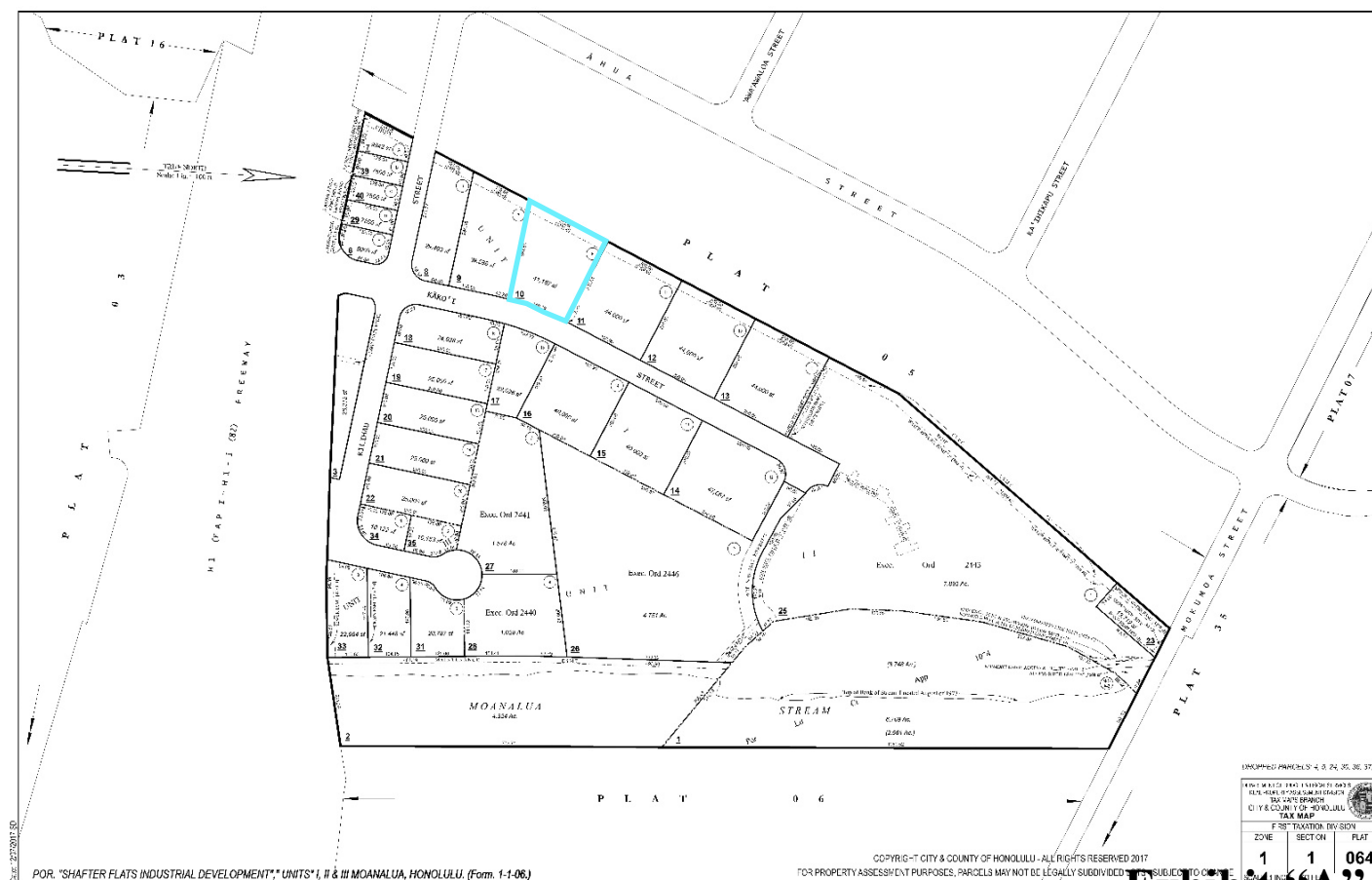
Section 204(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part... “In the management of any retained available lands not required for leasing under Section 207(a), the department may dispose of such lands to the public, including native Hawaiians, on the same terms, conditions, restrictions and uses applicable to the disposition of public lands as provided in Chapter 171, Hawaii Revised Statutes, provided that the Department may not sell or dispose of such land in fee simple...”

Section 10-4-1 of the Department’s Administrative Rules, as amended, states in part that... “The department may lease, license or otherwise deal with any available lands as may not be immediately needed for the purposes of the Act as provided by Section 204(a)(2) of the act and Chapter 171, HRS, upon such terms and conditions as to it may deem fair reasonable.”

Section 220.5 of the Hawaiian Home Commission Act, as amended, also authorizes the department to enter into project developer agreement with a qualified developer for commercial or multi-purpose projects, subject to Section 171-60(a)(3).

RECOMMENDATION

Land Management Division requests approval of the motion as stated.



O'AHU ISLAND PLAN
DEPARTMENT OF HAWAIIAN HOME LANDS

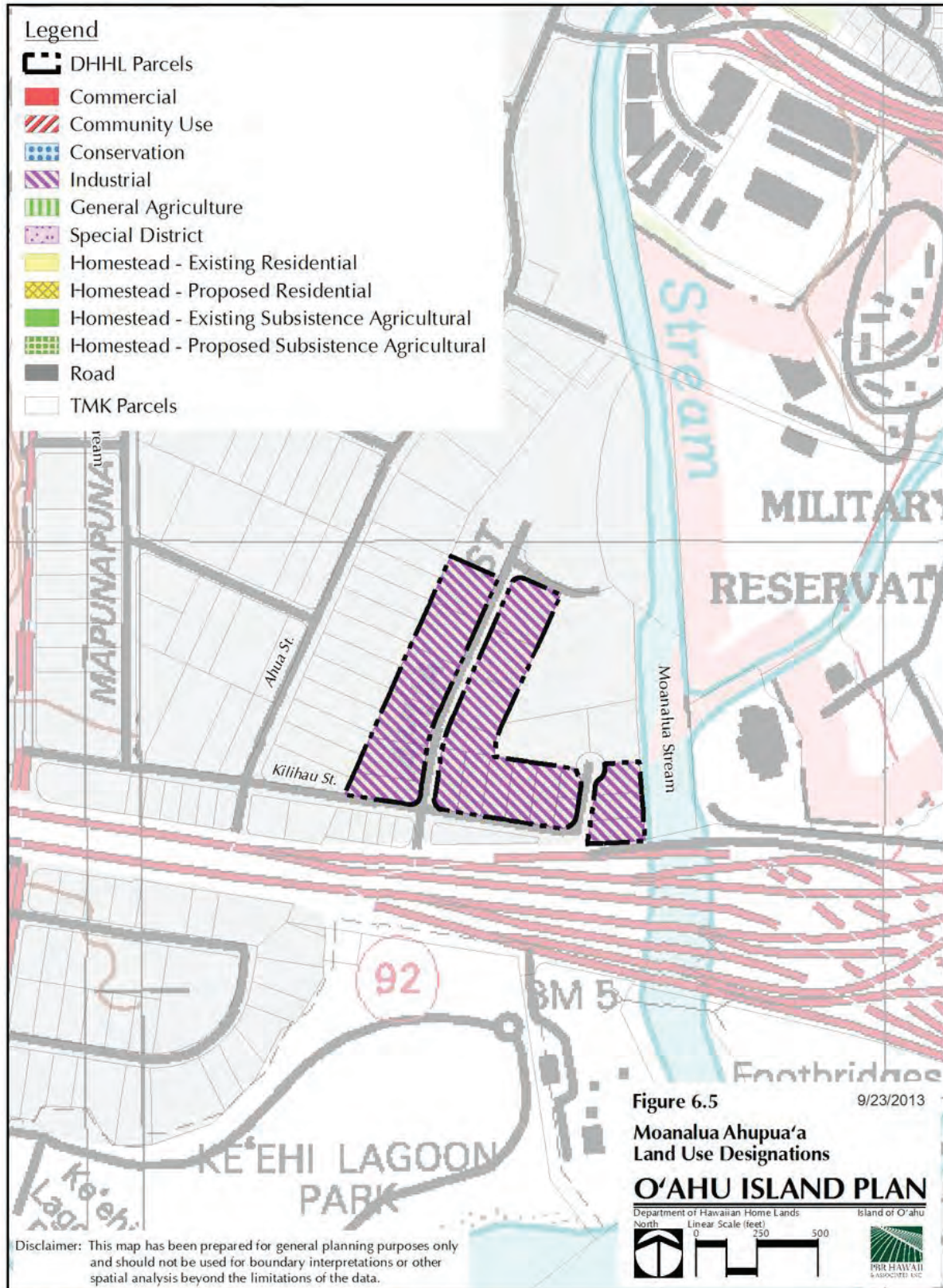



Figure 6-5 Moanalua Ahupua'a Land Use Designations

Exhibit "B"
Item No. F-1

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

From: Peter “Kahana” Albinio, Jr., Acting Administrator
Land Management Division 

Subject: Authorization to General Lease, at Waiakea S. Hilo, Hawaii Island, TMK: No. (3)
2-2-060:019

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) authorizes the following:

1. To advertise and conduct land disposition for Hawaiian home lands parcel identified as follows:
 - a. TMK No. (3) 2-2-060: 019, situated at Waiakea, S. Hilo, Hawaii Island
2. To set all appropriate terms and conditions, to be approved by the Chairman, Hawaiian Homes Commission, in accordance with the requirements of Chapter 171, Hawaii Revised Statutes, as amended or Section 220.5, Hawaiian Homes Commission Act, 1920, as amended;
3. To expend budgeted funds necessary for a fair market summary appraisal report and environmental assessment, and DHHL beneficiary consultation/information as required and necessary on the subject parcels which are designated for non-residential ML-10 Limited Industrial District (Hawaii Island) development respectively; and
4. To retain outside legal counsel, if necessary, in the lease negotiation of the final terms and conditions of the lease agreements.

DISCUSSION

Creating interest in the Department of Hawaiian Home Lands’ proposed general leasing program is a primary objective of the Land Management Division (LMD). In conjunction with publication of legal notices to auction public lands, the LMD will initiate its leasing process and notify beneficiaries as well as the public at large who have expressed interest in leasing land from the department.

In an effort the address trespassing issues that continue to plague our Hilo industrial subdivision development community, LMD seeks to offer long-term lease agreements for the subject parcels as identified.

The department follows the real estate practice of continually marketing its commercial properties to draw the interest of qualified and creditworthy lessees.

SELECTED PROPERTY

1. Waiakea, S. Hilo, Hawaii Island Parcels (See Exhibits “A” & “B”)

Based on the Hawaii Island Plan dated July 1, 2014, the 0.57-acre parcel of Hawaiian home lands’ situated in the Kaei Hana, Industrial Subdivision, particularly described and delineated on Exhibit “A” attached hereto is designated for non-residential Limited Industrial District (ML-10) development under the Hawaii County Zoning guidelines. The parcel is generally square-shaped and is immediately surrounded by existing industrial use parcels immediately to the north, south, and east directions. Fee simple properties runs along its entire western boundary. Makaala Street is situated immediately to the east of the parcel offering excellent roadway frontage exposure and access. The property is vacant without any improvements. The high visibility and well-located position of the parcel makes it ideal for its designated-zoned use.

AUTHORIZATION

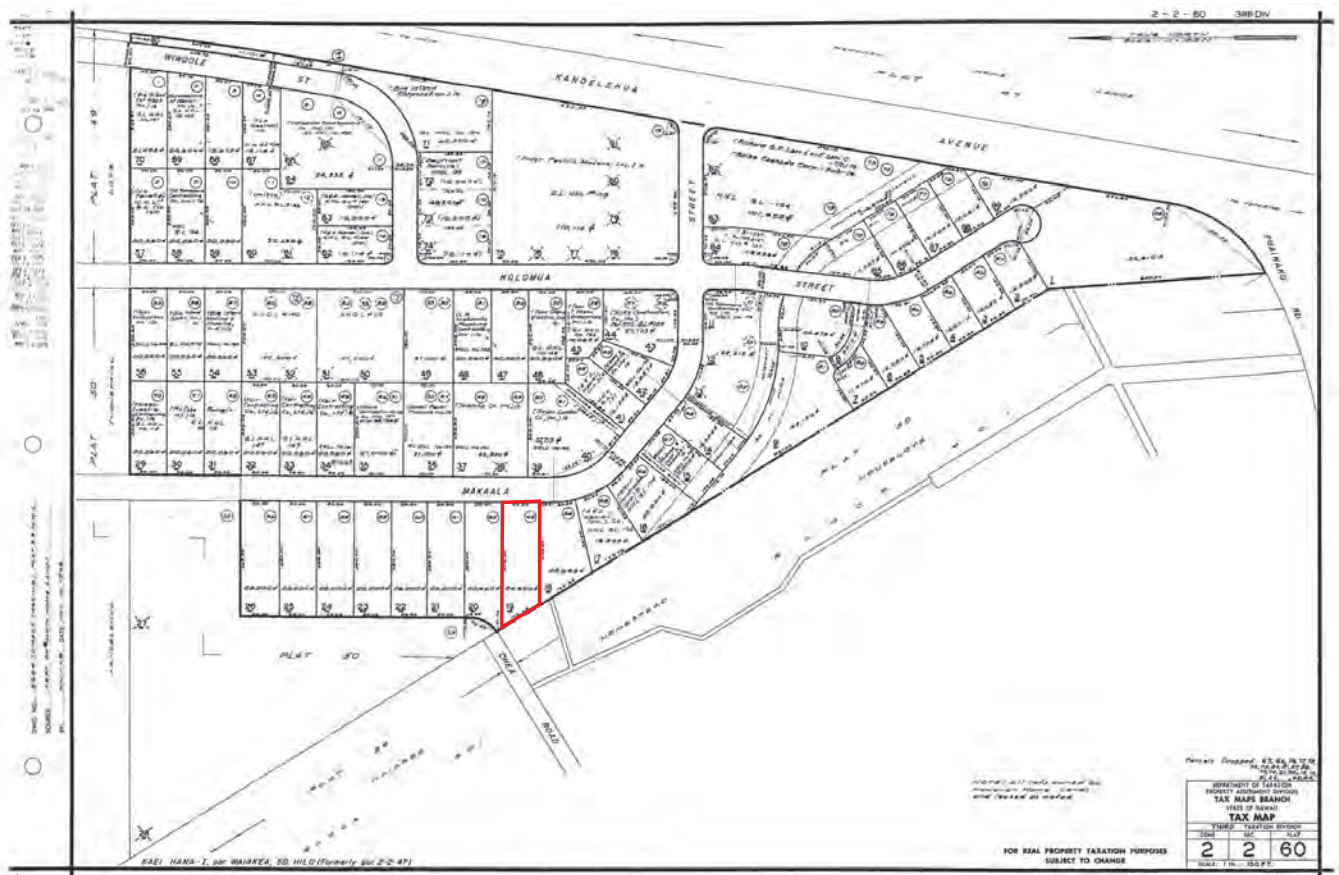
Section 204(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part... “In the management of any retained available lands not required for leasing under Section 207(a), the department may dispose of such lands to the public, including native Hawaiians, on the same terms, conditions, restrictions and uses applicable to the disposition of public lands as provided in Chapter 171, Hawaii Revised Statutes, provided that the Department may not sell or dispose of such land in fee simple...”

Section 10-4-1 of the Department’s Administrative Rules, as amended, states in part that... “The department may lease, license or otherwise deal with any available lands as may not be immediately needed for the purposes of the Act as provided by Section 204(a)(2) of the act and Chapter 171, HRS, upon such terms and conditions as to it may deem fair reasonable.”

Section 220.5 of the Hawaiian Home Commission Act, as amended, also authorizes the department to enter into project developer agreement with a qualified developer for commercial or multi-purpose projects, subject to Section 171-60(a)(3).

RECOMMENDATION

Land Management Division requests approval of the motion as stated.



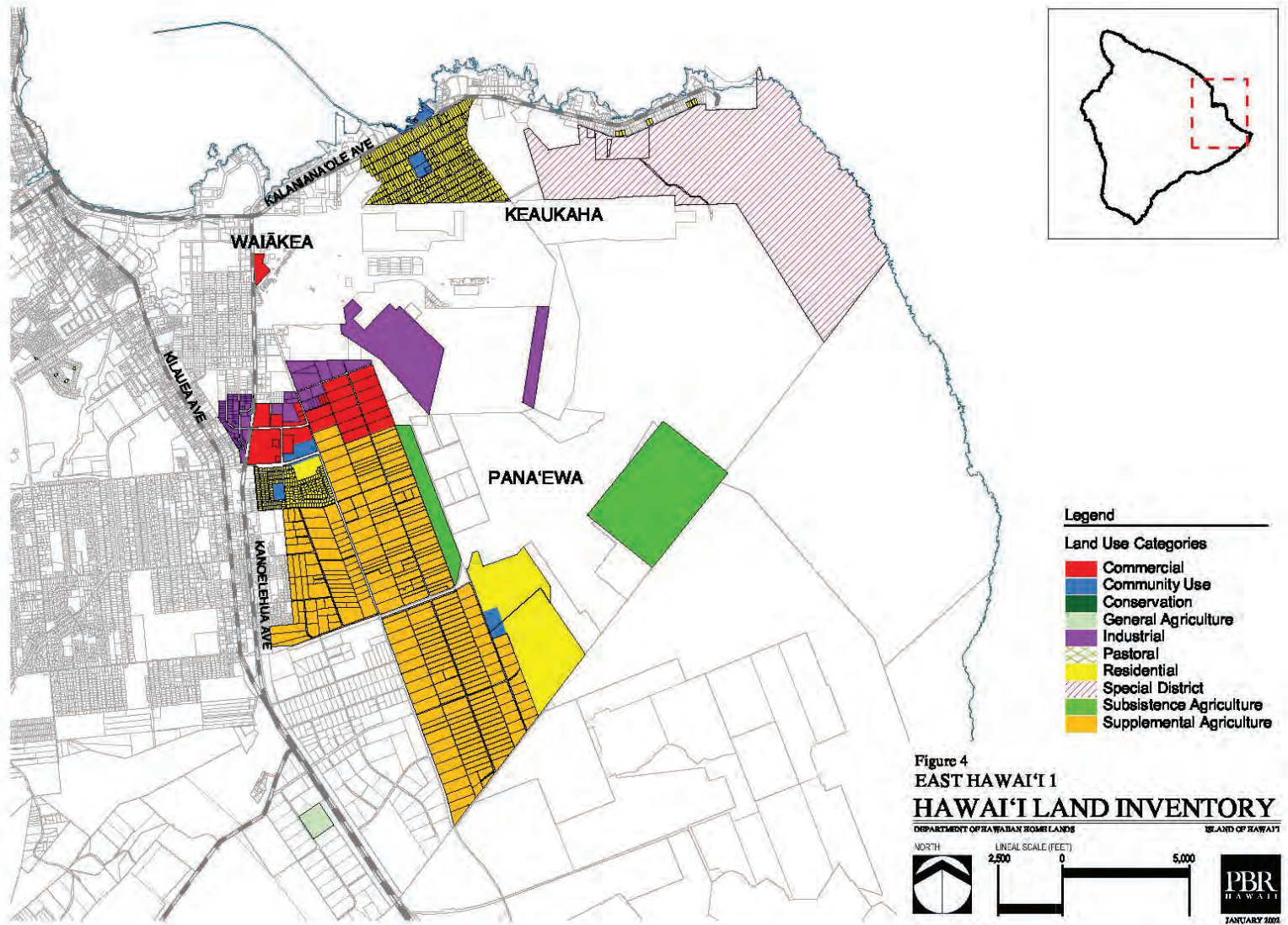




Exhibit "B"
Item No. F-2

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

Thru: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 

From: Ward "Kalei" Young, Supervising Land Agent
Land Management Division 

Subject: Annual Renewal of Right of Entry Permit(s), Oahu Island

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the following actions while developing a process to making short-term agricultural and pastoral land dispositions available to beneficiaries:

- A) Renew all Oahu Island Right of Entry Permit(s) as listed on Exhibit "A" and identified by approximate location on the Oahu Island Map Exhibit "A-1" that are in compliance and issued temporary approvals, as of July 1, 2023.
- B) The annual renewal period, shall be on a month-to-month basis, for up to twelve (12) months, but no longer than June 30, 2024.
- C) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all O'ahu Island ROE permit(s) only, which shall effectively expire on June 30, 2023. As a means of maintaining a process by which Permittees can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit "A" references all Right of Entry Permits on O'ahu Island by order of land use. While Right of Entry Permits generate additional revenue to the Trust, its primary purpose provides DHHL the ability to efficiently manage its lands through the issuance of these short-term dispositions which are typically not needed for longer-term dispositions (such as homesteading or general leases) over a 20-year time period or as dictated by DHHL's respective island plans. DHHL's total Oahu Island land inventory covers approximately 8,154.0 acres¹ or

¹ DHHL Oahu Island Plan – Final Report, PBR Hawaii, July 2014

4% of DHHL’s statewide inventory. The short-term disposition(s) within the Oahu Island inventory cover approximately 1,767.6 acres or 22% of its inventory.

Right of Entry Permits help in having presence on DHHL lands thereby reducing costs for land management activity functions (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant. Permittees are required to assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

Until improvements to the Revocable Permit Program can be implemented, this process will be used for Annual Renewals of these month-to-month ROE Permit dispositions.

The tables below reflect the revenue generated from ROE permit(s) on O’ahu Island in FY 2023 v. FY 2024 (proposed), which will represent 92.0% (\$2,355,988) of the ROE total revenues (\$2,565,486) that DHHL receives statewide.

FY 2023		Total	FY 2024		Total
Agriculture	\$17,700	3	Agriculture	\$18,231	3
Caretaker/Landscape	\$720	3	Caretaker/Landscape	\$720	3
Commercial	\$19,282	1	Commercial	\$19,860	1
Community	\$2,645	2	Community	\$2,724	2
Industrial	\$2,305,295	34	Industrial	\$2,266,638	32
Office	\$0	-	Office	\$0	-
Pastoral	\$29,955	4	Pastoral	\$30,341	4
Preservation	\$0	-	Preservation	\$0	-
Recreation	\$0	-	Recreation	\$0	-
Research	\$0	-	Research	\$0	-
Stabling	\$17,034	6	Stabling	\$17,473	6
	\$2,392,631	53		\$2,355,988	51

According to research done by Colliers International, (See Exhibit “B”) “the Oahu Industrial vacancy rate dropped to 0.81% establishing another new record low during the past year. The Oahu direct weighted average asking base rent increased from \$1.27 to \$1.48 per square foot per month (“psf/mo”) over the past year. Demand for industrial use properties is high, therefore, LMD respectfully recommends increasing its rental rates by 3.0% for all non-beneficiary tenants and maintaining current rental rates without any increase for beneficiaries.

Rental fees for agricultural and pastoral use permits vary and are typically established at less than fair market rates (discounted) but not less than \$240/annum due to various site issues such as, insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.

In regards to ROE Permits that reflect a delinquency LMD staff will proceed with issuing the Notice of Revocation/Cancellation to said permittees.

AUTHORITY / LEGAL REFERENCE:

§171-55, Hawaii Revised Statutes, as amended, a “permit on a month-to-month basis may continue for a period not to exceed one year from the date of issuance; provided that the commission may allow the permit to continue on a month-to-month basis for additional one-year periods.”

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.

RIGHT OF ENTRY PERMITS - OAHU ISLAND, as of JUNE 2023					Denotes Beneficiary		Terminated Acct	Denotes Delinquent - Notices Issued	Rental Rate
NO.	ACRE	USE	PERMITTEE/ADDRESS	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments : rent amount and reasons (site issues - insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.)why no long-term disposition	Rent/sf/mo Rent/ac/mo
525	20.000	Agricultural	Sports Turf Hawaii, Inc.	(1) 4-1-008:002(P)	2/1/2005	\$11,557	\$11,904	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$1,060
590	8.671	Agricultural	XianXing Huang & Hong Fang Gan	(1) 8-5-029:002(P)	3/1/2006	\$5,896	\$6,073	Rent is current; portion of a larger parcel that is designated for future residential use. Insufficient infrastructure, substandard lot size or irregular shape.	\$58,360
600	6.400	Agriculture	Kenneth Hicks	(1) 8-6-003:002 & 032(P)	11/1/2009	\$247	\$255	Rent is current; portion of a larger parcel that is designated as general AG. Insufficient infrastructure, substandard lot size or irregular shape.	\$3,320
586	0.115	Caretaker	Charlene L. Ching	(1) 8-9-007:002(P)	9/1/2000	\$240	\$240	Rent is current; portion of a larger parcel that is designated as general AG/conservation use. Insufficient infrastructure, substandard lot size or irregular shape.	Minimum
608	0.267	Caretaker	Luella K. Kanoa	(1) 4-1-030:053(P)	2/18/1999	\$240	\$240	Rent is current; parcel identified as a power line easement. Insufficient infrastructure.	Minimum
609	0.070	Caretaker	Howard Doctorello	(1) 4-1-030:053(P)	4/14/1999	\$240	\$240	Rent is current; parcel identified as a power line easement. Insufficient infrastructure.	Minimum
591	78.640	Commercial/ Agriculture	Aloun Farm, Inc.	(1) 9-1-016:108 (P)	12/1/2010	\$19,282	\$19,860	Rent is current; portion of a larger parcel that is designated for future residential use. Insufficient infrastructure, substandard lot size or irregular shape.	\$21,050
585	0.712	Community	Waianae Coast Comprehensive Health Center	(1) 8-9-005:014(P)	12/18/1995	\$2,151	\$2,216	Rent is current; parcel designated for community use.	\$0.006
593	2.000	Community	Waianae Coast Comprehensive Health & Hospital Board, Inc.	(1) 8-6-001:012 & 024(P)	5/2/2007	\$494	\$509	Rent is current; parcel designated for community use. Insufficient infrastructure, substandard lot size or irregular shape.	\$0.001
514	1.000	Industrial	Bears Trucking, Inc., 3411 Aliamanu Street	(1) 9-7-024:050(P)	11/1/2005	\$19,860	\$20,456	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, substandard lot size or irregular shape.	\$0.040
515	0.115	Industrial	La'au Structures	(1) 1-1-064: 010 (P)	11/1/2007	\$77,049	\$79,360	Rent is current; portion of a larger parcel that is designated for industrial use.	\$1,244
517	0.080	Industrial	Professional Commerical Services	(1) 1-1-064:010 (P)	7/1/2010	\$58,307	\$60,056	Rent is current; portion of a larger parcel that is designated for industrial use	\$1,235
529	2.000	Industrial	Frances Kama-Silva	(1) 8-6-003:003(P)	1/8/1995	\$6,427	\$6,427	Rent is current; portion of a larger parcel that is designated for General Ag use	\$0.006
592	1.000	Industrial	Close Construction, Inc.	(1) 9-1-013:061(P)	7/1/2013	\$43,030	\$44,321	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.085
595	0.706	Industrial	R & KA Equipment, 94-1167 Mopua Loop	(1) 9-1-013:024(P)	4/1/2005	\$23,100	\$23,793	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, substandard lot size or irregular shape.	\$0.065
604	2.000	Industrial	Aiwahi Bros., Inc.	(1) 9-1-013:027	9/1/2008	\$78,206	\$0	Account is terminated for non-payment	
605	0.580	Industrial	Hawaii Steam, Inc.	(1) 9-1-013:061 (P)	7/1/2013	\$41,600	\$42,848	Account is delinquent in the total amount of \$13,462.80. Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.141
607	0.217	Industrial	Eugene Cacho, Kahu Trucking	(1) 9-1-013:024(P)	8/1/2005	\$7,944	\$8,182	Account is delinquent in the total amount of \$7,819.79. Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.072
611	2.295	Industrial	Discount Storage, LLC & Containers Hawaii dba The	(1) 9-1-013:024(P)	8/1/2005	\$92,680	\$95,460	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.080
615	0.220	Industrial	Na Kane Trucking	(1) 9-1-013:027 (P)	7/1/2013	\$11,916	\$12,273	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.107
616	0.570	Industrial	Pacific Isle Equipment Rental, Inc.	(1) 9-1-013:027(P)	3/15/2004	\$26,283	\$0	Account is terminated for non-payment	
618	0.310	Industrial	Benjamin Kahaehoe	(1) 9-1-013:048(P)	10/1/2006	\$12,955	\$13,344	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.080
619	0.660	Industrial	Miller's Paving, LLC.	(1) 9-1-013:117 (P)	12/1/2008	\$29,869	\$30,765	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.089
620	4.753	Industrial	Coastal Construction Co.	(1) 9-1-013:027(P)	9/1/2005	\$169,103	\$174,176	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.070

621	0.210	Industrial	American Drilling Company	(1) 9-1-013:117 (por)	9/12/2008	\$13,240	\$13,637	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.124
623	1.033	Industrial	Devlin B. Donahue	(1) 9-1-013:061(P)	8/1/2005	\$13,240	\$13,637	Account is delinquent in the total amount of \$8,730.80 . Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.025
628	0.344	Industrial	D II's Welding Services, LLC	(1) 9-1-013:027 (p)	7/1/2009	\$13,297	\$13,696	Account is delinquent in the total amount of \$1,754.82 . Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.076
630	0.689	Industrial	C J Peterson Services, Inc.	(1) 9-1-013:027 (p)	7/1/2009	\$36,851	\$37,957	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.105
631	0.359	Industrial	J. Jeramiah Trucking Co.	(1) 9-1-13:117 (p)	7/1/2010	\$12,273	\$12,641	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.067
632	0.344	Industrial	Xtreme Trucking, Inc.	(1) 9-1-013:027 (p)	7/1/2009	\$13,297	\$13,696	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.076
634	0.250	Industrial	F.P.S. Building Contractors	(1) 9-1-013:038 (p)	11/16/2009	\$4,773	\$4,916	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.038
636	0.137	Industrial	Parau, Inc.	(1) 9-1-013:117 (p)	12/30/1957	\$21,184	\$21,820	Account is delinquent in the total amount of \$6,855.68 . Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.305
637	0.320	Industrial	T & C Plumbing	(1) 9-1-013:027 (p)	6/15/2009	\$19,879	\$20,475	Account is delinquent in the total amount of \$3,814.40 . Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.122
638	0.017	Industrial	American Hauling, Inc.	(1) 9-1-013:024(p)	12/1/2003	\$6,427	\$6,620	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, substandard lot size or irregular shape.	\$0.745
639	0.505	Industrial	Maunalei Trucking	(1) 9-1-013:117 (p)	9/29/2008	\$41,044	\$42,275	Account is delinquent in the total amount of \$75,563.19 . Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.160
647	9.000	Industrial	Road & Highway Builders	(1) 9-1-013:061 (p)	7/1/2013	\$363,343	\$374,243	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.080
648	4.000	Industrial	Hawaii Explosives and Pyrotechnics, Inc.	(1) 9-1-013:040(P)	10/1/2003	\$6,620	\$6,819	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.003
649	0.925	Industrial	Aloha Trucking LLC	(1) 9-1-013:027 (p)	12/1/2009	\$31,777	\$32,730	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.068
650	0.459	Industrial	JJS Construction	(1) 9-1-013:061(P)	12/1/2003	\$15,888	\$16,365	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.068
651	0.460	Industrial	Hawaiian Dredging Construction, Inc.	(1) 9-1-013:061 (p)	7/1/2013	\$15,888	\$16,365	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.068
693	0.105	Industrial	Servero, Inc.	(1) 1-1-063:031(p)	7/1/2022	\$60,240	\$62,047	Rent is current; portion of a warehouse building designated for industrial use	\$1.130
694	0.278	Industrial	WDI Companies, Inc.	(1) 1-1-064:031 (p)	7/1/2022	\$181,740	\$187,192	Rent is current; portion of a warehouse building designated for industrial use	\$1.288
626	1.081	Industrial (parking)	VIP Sanitation, Inc.	(1) 9-1-013:009	3/1/2005	\$54,682	\$56,322	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.100
640	25.000	Industrial (Storage)	The Pasha Group	(1) 9-1-013:061(P)	1/10/2004	\$681,283	\$701,721	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$0.054
511	1126.000	Pastoral	Robert D. Lyman	(1) 8-9-008:003	6/16/1991	\$14,304	\$14,304	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$1.060
527	438.100	Pastoral	Waianae Valley Farm, Ltd.	(1) 8-9-007:002(P)	2/1/1991	\$11,618	\$11,967	Account is delinquent in the total amount of \$3,760.00 . Property is a portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$2.280
528	8.000	Pastoral	Frances Kama-Silva	(1) 8-6-003:003(P)	5/16/1994	\$2,772	\$2,772	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$28.880
645	0.700	Pastoral	Allan Silva	(1) 4-1-008:022 (P)	7/1/2013	\$1,261	\$1,299	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$154.650
512	5.000	Stabling	Albert Cummings, III and Ihilani T.D. Miller-Cummings	(1) 9-1-013:040(P)	3/1/2004	\$2,472	\$2,546	Account is delinquent in the total amount of \$1,309.15 . Property is a portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	\$42.400
522	3.949	Stabling	Duroy Rosecrans	(1) 4-1-009:271 & 284	8/1/1993	\$2,064	\$2,064	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$43.560
523	3.250	Stabling	Honolulu Polo Club	(1) 4-1-009:281	8/4/1993	\$1,903	\$1,960	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$50.260

524	3,400	Stabling	Roy & June K. Pires	(1) 4-1-008:094	1/1/1995	\$6,427	\$6,620	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$162,250
603	1,200	Stabling	Mary Ann Higashi	(1) 8-9-007:002(P)	12/1/1994	\$336	\$336	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$23,330
613	2,400	Stabling	John Cook & Leila Cook	(1) 4-1-008:093	8/1/1991	\$3,832	\$3,947	Account is delinquent in the total amount of \$1,790.00. Property is a portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.	\$137,050

1770.896

\$2,392,631 \$2,355,988

Figure 3.1
DHHL Lands on O'ahu
9/20/2013

O'AHU ISLAND PLAN

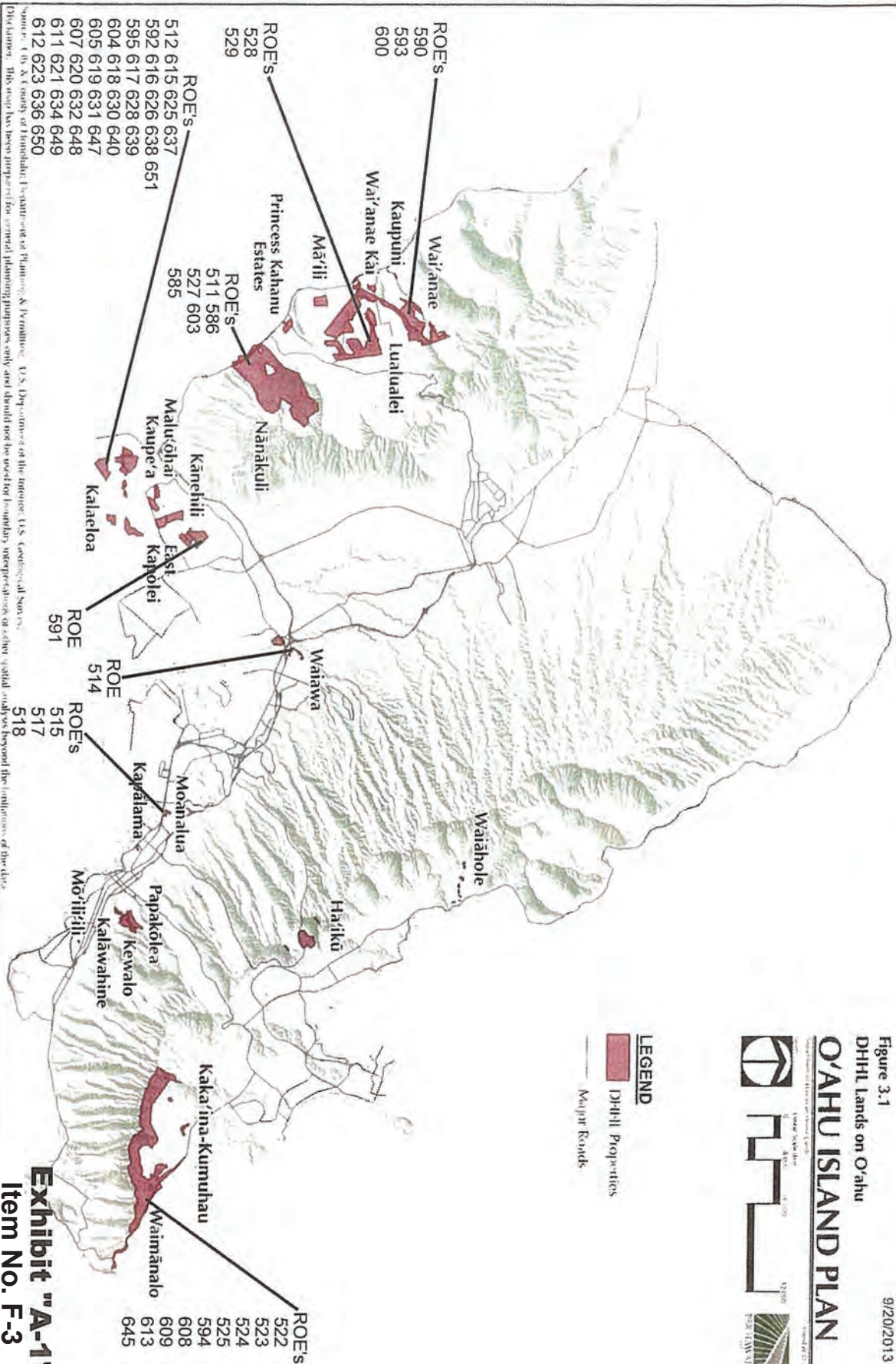


Exhibit "A-1"
Item No. F-3



Key Takeaways

- Oahu's industrial market held steady during Q1 2023, as vacancy rates remained at 0.81%
- Only 855 square feet of positive net absorption was recorded for Q1 2023
- Average asking base rents surged to record high of \$1.52 psf/mo
- Construction costs and lack of zoned land is likely to dampen industrial activity

Vacancy Rate
0.81%

YOY
FORECAST

Q1 2023 Net Absorption
855 SF

YOY
FORECAST

Under Construction
102,213 SF

YOY
FORECAST

Direct Wtd Avg Asking Rent
\$1.52/SF/Mo

YOY
FORECAST

Lack of Available Space Stifles Market Growth

For the first three months of 2023, Oahu's industrial market experienced little change as vacancy rates remained at a historic low of 0.81%. Q1 2023 recorded a meager net absorption of 855 square feet, marking the ninth consecutive quarter of occupancy growth. With the number of available industrial listings dropping to a record low of 53, tenants are faced with the need to act swiftly to secure any new listings that come to market, or risk losing the opportunity to relocate or expand.

Market Indicators

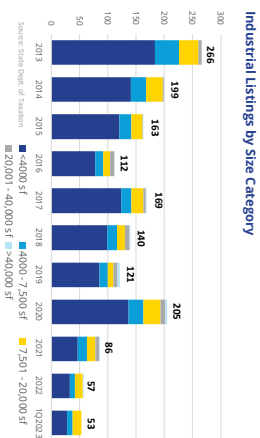
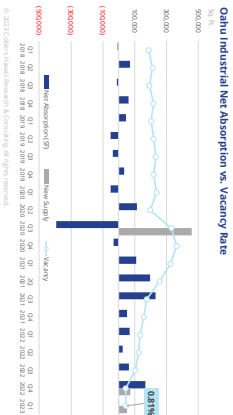
75,600
January 2023 Industrial Job Count

\$20.95 B
November 2022 YTD Industrial Sales

\$1.09 B
December 2022 YTD Construction Permit Volume

Historic Comparison

	Q122	Q422	Q123
Total Inventory (in Millions of SF)	41.3	41.4	41.5
New Supply (in Thousands of SF)	0	0	0
Quarterly Net Absorption (SF)	67,730	167,632	855
Overall Vacancy	1.44%	0.81%	0.81%
Direct Wtd Avg Asking Base Rents (PSF/Month)	\$1.30	\$1.48	\$1.52



Hawaii | Oahu | Q1 2023 | Industrial | Market Statistics

Submarket	No. of Bldgs	Total Inventory (SF)	Tenure*	Direct Available (SF)	Sublease Available (SF)	Q1 2023 Net Absorption (SF)	YTD Net Absorption (SF)	Vacancy Rate (%)	Direct Wtd Avg Net Asking Rent (NNN) (\$/SF/Mo)*	Avg Op Exp (\$/SF/Mo)
Honolulu	96	2,268,832	Free Simple	42,212	0	(20,912)	(20,912)	1.86%	\$1.53	\$0.48
Kalihi	721	9,971,400	Free Simple	125,957	0	(15,444)	(15,444)	1.26%	\$1.38	\$0.56
Sand Island	74	663,005	Leasehold	0	0	0	0	0.00%	N/A	N/A
Maunapuna	109	4,227,764	Leasehold	27,391	0	(10,460)	(10,460)	0.65%	\$1.50	\$0.36
Ala Moana	126	4,667,824	Free Simple	15,500	0	(15,500)	(15,500)	0.33%	\$1.45	\$0.45
Total Honolulu	1,126	21,796,625		211,060	0	(62,316)	(62,316)	0.73%	\$1.54	\$0.51
Central Oahu										
Bougainville	20	866,460	Leasehold	0	0	0	0	0.00%	N/A	N/A
Haleiwa	84	2,764,610	Leasehold	29,527	0	(5,940)	(5,940)	1.07%	\$1.52	\$0.42
Pearl City/Aiea	45	1,661,948	Free Simple	7,634	0	(2,592)	(2,592)	0.46%	\$2.12	\$0.73
Pearl City Industrial Park**	32	762,292	Free Simple	0	0	0	0	0.00%	N/A	N/A
Gentry Business Park	68	1,801,766	Free Simple	20,264	0	23,904	23,904	1.12%	\$1.52	\$0.63
Mililani	37	443,120	Free Simple	0	0	16,389	16,389	0.00%	N/A	N/A
Waipahu	130	2,752,442	Free Simple	11,592	0	17,100	17,100	0.42%	\$1.44	\$0.35
Total Central Oahu	384	10,992,638		69,017	0	48,861	48,861	0.63%	\$1.57	\$0.50
West Oahu										
Campbell Industrial Park	123	5,202,560	Free Simple	25,544	0	22,778	22,778	0.49%	\$1.35	\$0.30
Kapolei Business Park	55	1,640,093	Free Simple	0	0	6,526	6,526	0.00%	N/A	N/A
Malakoe Industrial Park	20	428,836	Free Simple	0	0	0	0	0.00%	N/A	N/A
Kenali Industrial Park	12	119,346	Free Simple	0	0	0	0	0.00%	N/A	N/A
Kalaheoa Industrial	7	104,774	Free Simple	8,837	0	8,436	8,436	8.43%	\$1.20	\$0.22
Total Kapele	217	7,495,609		34,381	0	29,304	29,304	0.46%	\$1.31	\$0.30
Windward Oahu										
Kapaa Industrial****	63	624,888	Free Simple	20,228	0	(14,994)	(14,994)	3.24%	\$1.80 G to \$2.50 G*	N/A
Kaneohe	42	611,076	Free Simple	2,100	0	0	0	0.04%	\$2.00 to \$2.35 MG*	N/A
Total Windward	105	1,235,964		22,328	0	(14,994)	(14,994)	1.81%	\$1.80 to \$2.35 MG	N/A
OAHU TOTALS	1,832	41,523,036		352,706	0	855	855	0.81%	\$1.52	\$0.48

* Leasehold tenure associated with industrial parks with 75% or more of land under ground lease.
** Pearl City Industrial Park is a submarket associated with Pearl City/Aiea trade area.
*** Pearl City Industrial Park is a submarket associated with Pearl City/Aiea trade area.
**** Kapele Business Park is a submarket associated with Pearl City/Aiea trade area.
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Terms and Definitions

- **Inventory** - Industrial buildings greater than 2,500 square feet located on the island of Oahu, inclusive of owner user, and single tenant buildings.
- **Total Square Feet** - All rentable industrial space exclusive of common areas, yard space and fire escapes.
- **Vacant Space** - Industrial space that is not occupied by a tenant. This includes sublease space that is unoccupied.
- **Vacancy Rate** - The ratio of vacant industrial space divided by the total industrial inventory square footage.

- **Net Absorption** - The net change in occupied space over a period of time. Year-to-date net absorption is the difference in occupied space between the end of the previous year and the current quarter.
- **Direct Weighted Average Asking Rent (NNN)** - The ratio of aggregate landlord asking rents divided by the total available space within a specific geography.
- **Average Operating Net Expense** - The average rate of tenant expenses such as building utilities, management fees, building maintenance, real property taxes and insurance within a specific geography.
- **NNN Rents** - Rents exclusive of building operating expenses.

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Vice President

About Colliers

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Exhibit "B" Item No. F-3


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

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 No. 847, Ka Hale Pomaika'i, Ualapue, Island of Molokai, TMK: (2) 5-6-002:001 (por.)

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to First Amendment to License No. 847 issued to Ka Hale Pomaika'i for approximately 1.927 acres (more or less) of Hawaiian home lands TMK: (2) 5-6-002:001 (portion) for the purpose of operating a substance abuse treatment center and garden.

1. Authorize the issuance of First Amendment to License No. 847, subject to the terms and conditions cited below:
 - A. The term of the License shall be extended for up to two (2) years commencing on October 1, 2023 and terminating on September 30, 2025, or until such time LICENSEE ceases to operate a substance abuse treatment center, whichever occurs sooner.
 - B. The LICENSEE shall pay the processing and documentation fee, \$150.00;
 - C. The first amendment document shall be subject to the review and approval of the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;

LOCATION:

Portion of Hawaiian home lands situated in Ualapue, Island of Molokai, identified as a portion of TMK: (2) 5-6-002:001 (See Exhibit "A")

AREA:

Approximately 1.927 acres (more or less)

BACKGROUND/DISCUSSION

At its meeting of September 21, 2021, the Hawaiian Homes Commission approved issuance of License Agreement No. 847 to Ka Hale Pomaika'i, a non-profit Hawaii corporation, for the purpose of operating a substance misuse and recovery center and garden on Hawaiian Home Lands located in Ualapue, Molokai. Ka Hale Pomaika'i operates the only substance abuse treatment center on the island of Molokai.

The term license term commenced on October 1, 2021 and will expire on September 30, 2023, with the option to extend the term subject to approval from the Hawaiian Homes Commission (HHC), (see Exhibit "B"). Through the letter dated May 1, 2023, Ka Hale Pomaika'i is seeking HHC approval on extending the term of License Agreement No. 847 for the purpose of allowing time necessary for relocation, (see Exhibit "C").

DHHL's future plans for the subject parcel and the surrounding vacant Hawaiian home lands parcels will be determined upon completion of the Ualapue Settlement Plan and Environmental Assessment. Approval on this new license will allow Ka Hale Pomaika'i to continue services to the people of Molokai while DHHL continues planning for this region.

AUTHORITY

§207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

The extended term as requested is authorized pursuant to the terms and conditions of License No. 847, which specifically states in part under No. 2. Term. on page 1, "...LICENSEE must apply for a License extension six (6) months prior to expiration of the term and the approval shall be subject to the Hawaiian Homes Commission review, evaluation, and approval of LICENSEE'S operational status."

RECOMMENDATION

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

TMK No. (2) 5-6-002:001
(Premises)



ITEM NO. F-4
EXHIBIT "A"

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

LICENSE AGREEMENT NO. 847

THIS NON-EXCLUSIVE LICENSE AGREEMENT No. 847 ("License") made and issued on April 25, 2023, by and between the State of Hawaii by its **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, ("LICENSOR"), and the **KA HALE POMAIKAI**, a Hawaii non-profit corporation, whose mailing address is P.O. Box 1895, Kaunakakai, Hawaii 96748, ("LICENSEE").

BACKGROUND

A. Under Section 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, and Section 10-4-21 and 10-4-22 of the Hawaii Administrative Rules for the Department of Hawaiian Home Lands, as amended, LICENSOR is authorized to grant licenses for the use of Hawaiian home lands for public purposes.

B. Since 2006, LICENSEE has licensed the Premises (defined below) from LICENSOR to operate a residential substance abuse treatment center and garden, and the parties desire to continue the use of the Premises for such purposes under the terms of this License.

AGREEMENT

NOW THEREFORE, in consideration of the terms and conditions herein contained to be observed and performed by the LICENSEE, LICENSOR hereby grants to LICENSEE this Non-Exclusive License Easement, as follows:

1. **Premises.** A portion of that certain parcel of Hawaiian home lands located in Ualapue, Island of Molokai, identified as Tax Map Key No. (2) 5-6-002:001, being approximately 1.927 acres (more or less), and depicted in the areas outlined in red (excluding any easements) on the map attached hereto as **Exhibit "A."**

2. **Term.** The term of this License is for two (2) years and, effectively commencing on October 1, 2021 and terminating on September 30, 2023, or until such time LICENSEE ceases to operate a substance abuse treatment center, whichever occurs sooner. LICENSEE must apply for a License extension six (6) months prior to expiration of the term and the approval shall be subject to the Hawaiian Homes Commission review, evaluation, and approval of LICENSEE'S operational status.

License Agreement No. 847

ITEM NO. F-4
EXHIBIT "B"

DHHL
-
LMD

3. **License Fee.** The license monthly rent shall be FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). However, LICENSEE shall remit a non-refundable processing and document fee in the amount of TWO HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$275.00).

4. **Use.** LICENSEE may not use the Premises for any purpose other than to operate a substance abuse treatment center and garden. No other use shall be allowed without written approval from LICENSOR.

5. **Taxes, Assessments and Utilities.** LICENSEE shall, pay, when due, all taxes, rates, assessments, charges, and other outgoings of every nature and kind whatsoever, including all charges for utility services, which shall during the term of this License be lawfully charged, assessed, imposed, or become due and payable upon or on account of the Premises and LICENSEE'S improvements now on or hereafter erected thereon.

6. **Maintenance and Repair.** During the term of this License, LICENSEE shall at its expense repair and maintain the Premises and LICENSEE'S improvements now or hereafter located on the Premises including poles, anchors, equipment, wiring, and all other fixtures in or on the Premises with all necessary reparations and amendments whatsoever; shall keep the Premises and all of LICENSEE'S improvements thereon in a strictly clean and sanitary condition and shall comply with all laws, ordinances, rules and regulations of the Federal, State, County or municipal governments that are applicable to the Premises and LICENSEE'S improvements; and shall allow LICENSOR or its agents or employees at all reasonable times, free access to the Premises for the purpose of examining the same or determining whether the conditions herein are being fully observed and performed, and shall make good, or commence to make good, at its own cost and expense all defects within sixty (60) days after the mailing of written notice by registered mail to the last known address of LICENSEE.

7. **Approval of Construction.** All plans and specifications for any improvements, modifications, alterations, or additions to be constructed on the land, to include clearing, grading, grubbing, fencing, building construction, parking and signage now or hereafter erected on the Premises, must be submitted to and approved by the Chairman of the Hawaiian Homes Commission prior to commencement.

8. **Construction Standards.** LICENSEE shall undertake no construction until LICENSOR has reviewed and approved the plans. All uses and construction must utilize only new materials and be in full compliance with all laws, ordinances, rules and regulations of the Federal, State and County governments and be approved and licensed by all applicable government agencies.

9. **Ownership/Right to Remove Improvements.** All buildings or structures or other major improvements of whatever kind that the LICENSEE constructs or erects on the Premises shall remain the property of the LICENSEE during the term of this



License. LICENSEE shall have the right, prior to the termination of this License, or within such additional period as LICENSOR in its reasonable discretion may allow, to remove its property from the Premises; provided that after thirty (30) days written notice to remove given after the termination of this License, LICENSOR may at its option retain the property or remove the same and charge the cost of removal and storage, if any, to the LICENSEE. All insurance and condemnation proceeds pertaining to improvements on the Premises shall be the sole property of LICENSEE.

If LICENSOR becomes aware that a transfer of the Premises will occur, LICENSOR will promptly notify LICENSEE and will take diligent action to ensure that the transferee will not interfere with LICENSEE'S use of the Premises as set out in this License. LICENSOR will not voluntarily transfer its rights to such transferee without written assurance from such transferee that such transferee will not interfere with LICENSEE'S rights under this License.

10. **Waste: Unlawful Use.** LICENSEE shall not do or commit or license or suffer to be done, any willful or voluntary waste or destruction in and upon the Premises, any nuisance, or any unlawful or improper use of the Premises.

11. **Default of LICENSEE.** It is expressly agreed that this License is contingent upon the continuing condition that if LICENSEE after a thirty (30) day demand, fails to observe or perform substantially the provisions contained herein, and if LICENSEE does not commence to cure, and diligently continue to attempt to cure, such default within sixty (60) days after delivery by LICENSOR of a written notice of such failure by personal service or by certified mail to LICENSEE; or if the LICENSEE becomes bankrupt, insolvent or files any debtor proceedings or takes or has taken against it for good cause any proceedings of any kind or character whatsoever under any provision of the Federal Bankruptcy Act seeking readjustment, rearrangement, postponement, composition or reduction of LICENSEE'S debts, liabilities or obligations; then in any such event LICENSOR may at its option cancel this License and thereupon take immediate possession of the Premises, after a reasonable time or right of action which LICENSOR may have.

12. **Assignment.** Except as expressly provided in this License Easement, this License Easement is not transferable. At no time during the term of the License shall LICENSEE assign, mortgage or pledge its interest in this License or its interest in the improvements now or hereafter erected on the Premises without the prior written consent of LICENSOR, which consent will not be withheld unreasonably.

13. **Insurance.** LICENSEE shall, at its own expense, effect, maintain and keep in force throughout the life of this License, a comprehensive general 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 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 LICENSEE for fees, interest or other charges under this License.

LICENSEE 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.

LICENSEE 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

LICENSEE shall agree to provide certificate(s) of insurance necessary to evidence compliance with the insurance provisions required under this License. LICENSEE shall keep such insurance in effect and the certificate(s) on deposit with LICENSOR during the entire term of this License. In addition:

a. Failure of LICENSEE to provide and keep in force such insurance shall be regarded as material default under this License. LICENSOR shall be entitled to exercise any or all of the remedies provided in this License for default of LICENSEE.

b. The procuring of such required insurance policies shall not be construed to limit LICENSEE'S indemnification under this License.

c. LICENSOR, DEPARTMENT OF HAWAIIAN HOME LANDS, is a self insured State agency. LICENSEE's insurance shall be primary. Any insurance maintained by LICENSEE business in the State of Hawaii or approved in writing by LICENSOR; (b) name the LICENSOR as an additional insured; (c) to the extent commercially available at reasonable cost, 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, its officers, agents, employees, invitees or LICENSEES in connection with LICENSEE'S use or occupancy of the Premises.

LICENSEE shall insure during the term of this License the entire Premises, including all buildings now existing and hereafter built by LICENSEE on the Premises, and all roadways and sidewalks on or adjacent to the Premises in the control or use of the LICENSEE. 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.

LICENSEE shall furnish to LICENSOR upon the execution of this License, certificates showing such insurance policy or policies to be in favor of LICENSOR as additional insured and to be in force, and shall furnish like certificates upon each

renewal thereof. In the event of loss, damage or destruction, all insurance proceeds shall be payable to LICENSEE.

The procuring of any insurance policy or policies shall not release or relieve LICENSEE of its responsibility under this License as set forth herein or limit the amount of its liability under this License.

14. **Surrender.** Upon the expiration of this License, or its sooner termination as herein provided, LICENSEE shall peaceably and quietly leave, surrender and deliver to LICENSOR possession of the Premises. Without limiting LICENSEE'S rights to insurance and condemnation proceeds, LICENSEE shall have the option to surrender this License where the portion damaged or taken renders the remainder unsuitable for the use or uses for which the Premises were licensed.

15. **Indemnification.** LICENSEE shall indemnify, defend, and hold harmless LICENSOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expenses, thereof, arising out of or resulting from LICENSEE or agents) use and possession the Premises. This provision shall survive the expiration or earlier termination of this License.

16. **Costs of Litigation.** In case either party shall, without any fault on its part, be made a party to any litigation commenced by or against the other (other than condemnation proceedings), the party at fault shall pay all costs, including reasonable attorney's fees and expenses incurred by or imposed on the other. The prevailing party in any dispute between the parties shall be entitled to recover its attorney's fees.

17. **Hazardous Materials.** LICENSEE shall not cause or license the escape, disposal, or release of any hazardous materials. LICENSEE 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 LICENSEE'S business, and then only after written notice is given to the LICENSOR of the identity of such materials and upon LICENSOR'S consent, which consent may be withheld at the LICENSOR'S sole and absolute discretion. If any lender or governmental agency shall, with reasonable cause, ever require testing to ascertain whether or not there has been any release of hazardous materials by LICENSEE shall execute affidavits, representations and the like from time to time at LICENSOR'S request concerning LICENSEE'S best knowledge and belief regarding the presence of hazardous materials on the Premises placed or released by LICENSEE.

LICENSEE shall agree to indemnify, defend, and hold harmless LICENSOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expense, including all attorney's fees, and all claims, suits, and demands therefor, arising out of or resulting from any use or release of hazardous materials on the Premises occurring while LICENSEE is in possession, or elsewhere, if



caused by LICENSEE or persons acting under LICENSEE. These covenants shall survive the expiration or earlier termination of this License.

For the purpose of this License, 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 this License, LICENSEE may be required to conduct a Level One (1) Hazardous Waste Evaluation with respect to the Premises and, with respect to any hazardous materials released on the Premises by LICENSEE, conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health and LICENSOR.

18. **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 one year, all rights granted hereunder shall terminate, and the 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 installation or construction of its improvements, if any, the LICENSOR hereby consenting and agreeing to such removal. Failure of LICENSEE to remove its appliances, equipment and improvements and/or to restore the land within ninety (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 appliances, equipment and improvements and/or restore the land to a condition similar to that existing immediately prior to the time of installation and LICENSEE will reimburse LICENSOR for all reasonable costs in connection with the removal and/or restoration.

19. **Miscellaneous.**

a. **Consents.** Whenever under the terms of this License the consent or approval of either party shall be required, such consent or approval shall not be unreasonably or arbitrarily withheld. If the party receiving any request or consent or approval shall fail to act upon such request within sixty-five (65) days after receipt of written request therefor, such consent or approval shall be presumed to have been given.



b. Bind and Inure. This License shall be binding upon and inure to the benefit of LICENSOR and LICENSEE and their respective officers, directors, representatives, personal representatives, successors, successors-in-trust and assigns.

c. Applicable Law; Severability. This License shall be governed by and interpreted in accordance with the laws of the State of Hawaii. If any provision of this License is held to be invalid or unenforceable, the validity or enforceability of the other provisions shall remain unaffected.

d. Paragraph Headings. The headings of paragraphs in this License are inserted only for convenience and shall in no way define, describe or limit the scope or intent or any provision of this License.

e. Incorporation of Agreements. This License incorporates all agreements between the parties relating to the subject matter hereof, and supersedes all other prior oral or written letters, agreements or understandings relating to the subject matter hereof. This License may not be modified or amended, nor any of the provisions hereof waived, except by an instrument in writing signed by the parties hereto.

f. Counterparts. The parties hereto agree that this License may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original or the same counterparts. In making proof of this License, it shall not be necessary to produce or account for more than one such counterpart. For all purposes, including, without limitation, recordation and delivery of this License, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

20. **Special Conditions:**

- a. LICENSEE shall submit for approval all plans and specifications for any improvements, modifications, alterations, or additions constructed on the land; to include clearing, grading, grubbing, fencing, building construction now or hereafter erected on the Premises to the Chairman of the Hawaiian Homes Commission prior to commencement.
- b. LICENSEE shall obtain all applicable governmental permits and shall comply with federal, state, and county laws and regulations, codes, and



ordinances, particularly those pertaining to health and safety in the operation of this substance abuse facility.

- c. LICENSEE is aware that a ground well exists on the Premises. LICENSEE agrees and understands that they are responsible to maintain the well and prevent any dumping from occurring into the well. LICENSEE agrees to build and maintain a lockable covering which would prevent anyone from falling into the well.
- d. LICENSEE acknowledges and understands that the Premises and all improvements thereon are licensed in "as is" condition.

[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]



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

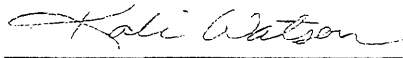
Approved by the Chairman,
Hawaiian Homes Commission
September 20-21, 2021

APPROVED AS TO FORM:



Deputy Attorney General
State of Hawaii

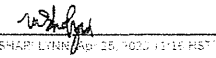
State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

By 

Kali Watson, Chairman
Hawaiian Homes Commission

LICENSOR

KA HALE POMAIKAI
a Hawaii non-profit corporation

By 

Shari R. Lynn
Its: Executive Director

LICENSEE



MAY 02 REC'D



May 1, 2023

Mr. Kali Watson
Chairperson, Hawaiian Homes Commission
PO Box 1879
Honolulu, HI. 96805

REFERENCE: License Agreement No. 847 Ka Hale Pomaika'i request for extension

Aloha mai kakou 'e Chairperson Watson,

Ka Hale Pomaika'i, seeks an 18-24month extension of its License Agreement No. 847, issued April 25, 2023 and terminating September 30, 2023. We are the only addiction treatment center on the island. The extension will allow Ka Hale Pomaika'i sufficient time to vacate the premises, raise funds and clear the lengthy Maui County permit process for relocation

At the Department's Hawaiian Homes Commission Meeting on September 21, 2022, clients, staff and board members appeared and requested renewal of the lease to continue operating the substance misuse treatment and recovery center we have done since 2001. During this 20+ year relationship, we have honored our agreement through honest, mindful and careful stewardship, financing all ongoing improvements and repairs as well as making all rental payments for facility use in advance each year. Having our programs culturally focused for our haumana has made them feel safe, protected and at peace with their recovery, grounding them to a sense of place and restoring them to pono. Our agricultural project's mala, which is worked on therapeutically both with volunteers as well as paid positions, continues to offer fresh organically grown vegetables, fruits and food supplies to the Mana'e and 'Ualapu'e community free of charge. This blessing is in addition to our emergency food pantry which serves all who are feeling the sense of food insecurity including many of the working poor who cannot afford the current high costs in the store.

Please be assured we are grateful and supportive of the Department repurposing the parcel of land for the benefit of the beneficiaries according to the mission and purposes intended by Prince Jonah Kuhio Kalaniana'ole. We respectfully request that we are allowed this additional time needed to relocate without impairing the flow of needed services we offer to our haumana and community.

We appreciate your kind consideration and look forward to hearing from you, the Commission and the Department.

Me ka ha'aha'a,

Pualani S. Akaka
Chairperson of the Board
Ka Hale Pomaika'i

Shari Lynn
Executive Director
Ka Hale Pomaika'i



ITEM NO. F-4
EXHIBIT "C"


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

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

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Approval to Issue a License Agreement and Consent to Assignment, Garret W. C. Hew,
Mary Michael Hew, Kalihi, Makawao, Island of Maui, TMK: (2) 2-1-004:114 (por.)

APPLICANT:

Garret W. C. Hew and Mary Michael Hew, "LICENSEE"

RECOMMENDED MOTION/ACTION:

1. That the Hawaiian Homes Commission grant its approval to issue a License Agreement to Garret W. C. Hew and Mary Michael Hew for approximately 944.0 sq. ft. of Hawaiian home lands TMK: (2) 2-1-004:114 (portion) for the purpose of non-exclusive roadway and utility access;
2. That the Hawaiian Homes Commission grants and consent to assignment of the License Agreement; and
3. Authorize the issuance of a License Agreement to LICENSEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current DHHL license form, as may be amended from time to time;
 - B. The term of the License shall be in perpetuity, commencing upon execution of the license document;
 - C. Licensee may not use the Premises for any purpose other than roadway and utility access;
 - D. Licensee shall at its expense repair and maintain the licensed premise;
 - E. All plans and specifications for any improvements, modifications, alterations, or additions to be constructed on the land, to include clearing, grading, grubbing, fencing, building construction, parking and signage must be submitted for approval by the Chairman of the Hawaiian Homes Commission prior to commencement. Licensee shall abide by all applicable governmental

permits and shall comply with federal, state, and county laws and regulations, codes, and ordinances;

- F. Licensee shall, at its own expense, effect, maintain and keep in force throughout the life of the license, a comprehensive general liability insurance policy with limits specified by Licensor;
- G. Licensee shall not further assign, mortgage, or pledge its interest in the license premises or improvements erected on the premises without the prior written consent of Licensor, which consent will not be withheld unreasonably;
- H. Licensee shall pay the non-refundable processing and documentation fee, \$275.00;
- I. The License Agreement shall be subject to other standard terms and conditions of similar licenses issued by DHHL and will be subject to the review and approval of the Department of the Attorney General; and
- J. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission.

LOCATION:

Portion of Hawaiian home lands situated in Kalihi, Makawao, Island of Maui, TMK: (2) 2-1-004:114 (por.) and further shown in Exhibit "A".

AREA:

944.0 sq. ft. (more or less)

BACKGROUND/DISCUSSION:

The Board of Land and Natural Resources (BLNR) conveyed a portion of government land in Kalihi, Makawao, Island of Maui, Hawai'i, containing a net area of 75.36 acres, identified as Tax Map Key: (2) 2-1-04:114 to the Department of Hawaiian Home Lands by way of Land Patent Grant No. S-15,874 executed on March 22, 1996 (see Exhibit "B"). The landlocked Apana 2 consists of a 5.64 acre noted in Land Patent Grant No. S-15,874, identified as Tax Map Key (2) 2-1-04:114 was excluded in the conveyance.

On November 19, 1993, BLNR reviewed and approved the direct sale of a perpetual non-exclusive easement for access and utility purposes to Garret W.C. Hew. The subject easement was to be located on government land identified as Tax Map Key: (2) 2-1-04:114 (portion). Land Patent Grant No. S-15,874 does not reference or recognize the roadway and utility easement access to that government land identified as Tax Map Key: (2) 2-1-04:114 (portion).

On September 12, 1997, BLNR approved to amend its November 19, 1993 action involving the direct sale of the subject perpetual, non-exclusive access and utility easement by including Mary Michael Hew as an additional grantee to the easement document, subject to the terms and conditions previously established.

On December 1, 1997, BLNR conveyed easement rights for a Grant of Non-Exclusive Easement to Mr. and Mrs. Hew (see Exhibit "C"). The Grant of Non-Exclusive Easement grants the Hews the right privilege, and authority to construct, use, maintain, and repair an access utility easement identified as Easement 1. Easement 1 referenced is a portion of lands conveyed to Hawaiian home lands under Land

15,874. The lands that make up Easement 1 appear to be the most direct route from a public road to the otherwise landlocked parcel.

Mr. and Mrs. Hew are in the process of selling their 5.64-acre parcel. In part, closing on the sales transaction is subject to DHHL and DLNR's consent to assign the Easement 1.

AUTHORITY

§ 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

§ 10-4-22 of the Hawaii Administrative Rules authorizes the issuance of license as easements in perpetuity or shorter term subject to reverter to the department upon termination or abandonment.

RECOMMENDATION

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



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 22,597

May 7, 1997

PERPETUAL NON-EXCLUSIVE
ACCESS AND UTILITY EASEMENT

EASEMENT 1

Kalihi, Makawao, Maui, Hawaii

Being a portion of Grant S-15,874 to Department of Hawaiian
Home Lands.

Beginning at the southeast corner of this easement and on the west
boundary of Grant 1244, Apana 2 to J. M. Painter, the coordinates of said point of
beginning referred to Government Survey Triangulation Station "PUU OLAI" being
13,779.63 feet South and 10,927.29 feet East, thence running by azimuths measured
clockwise from True South:-

- | | |
|-------------|---|
| 1. 65° 53' | 26.12 feet along the remainder of Grant S-15,874 to
Department of Hawaiian Home Lands; |
| 2. 127° 10' | 27.37 feet along the Government Land of Kalihi; |
| 3. 245° 53' | 52.50 feet along the remainder of Grant S-15,874 to
Department of Hawaiian Home Lands; |
| 4. 4° 45' | 27.41 feet along Grant 1244, Apana 2 to
J. M. Painter to the point of beginning and
containing an AREA OF 944 SQUARE
FEET. |

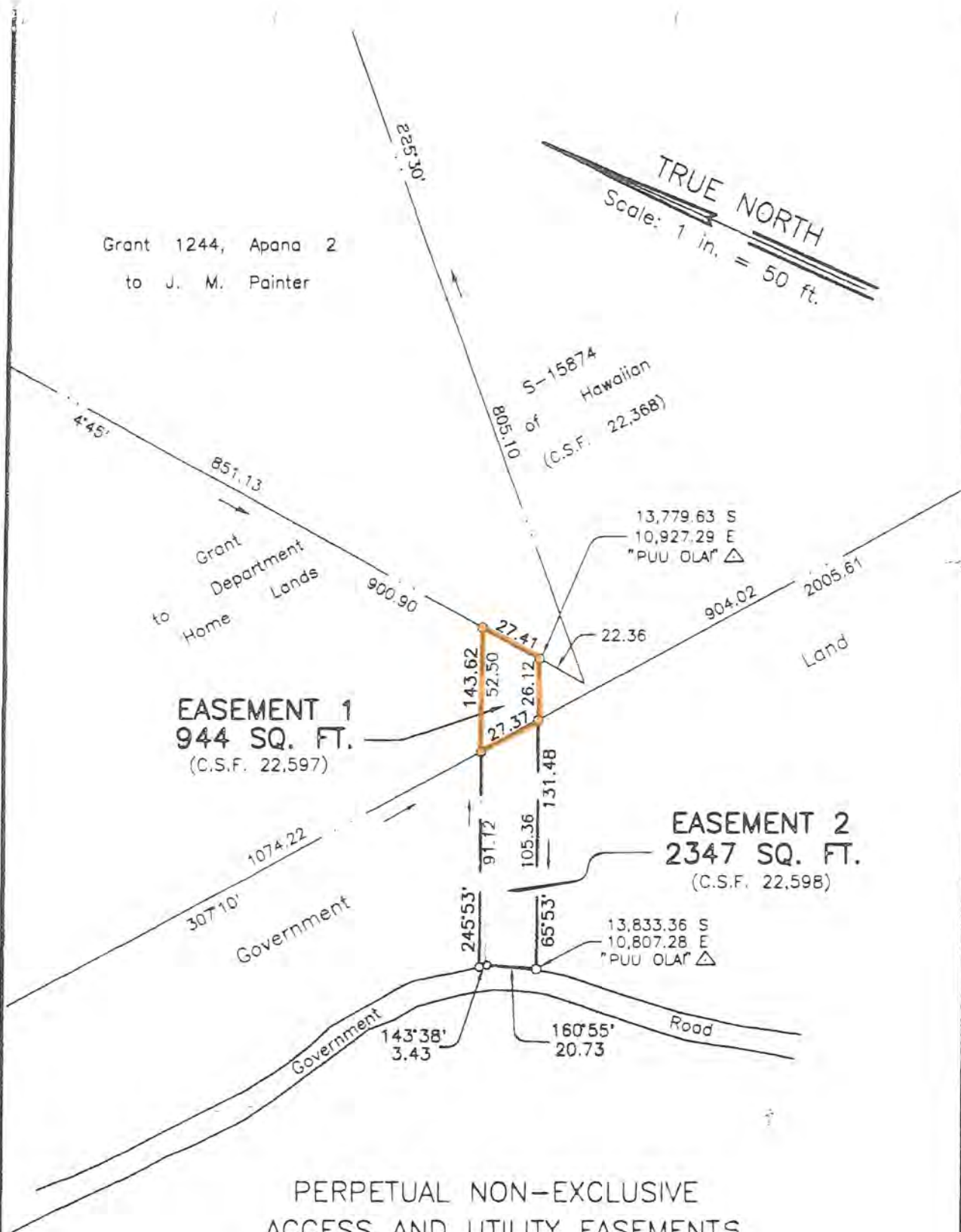
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Glenn J. Kodani
Glenn J. Kodani
Land Surveyor gm

Compiled from map furn. by
Newcomer-Lee Land
Surveyors, Inc., CSF 22368
and Govt. Survey Records.
TMK: 2-1-04:Por. 114

ITEM NO. F-5

EXHIBIT "A"



PERPETUAL NON-EXCLUSIVE
ACCESS AND UTILITY EASEMENTS
EASEMENTS 1 AND 2

Kalihi, Makawao, Maui, Hawaii

Scale: 1 inch = 50 feet

JOB Ma-272 (96)
C. BK. C. Kaneshiro, Bk. 1

REDUCED NOT TO SCALE

TAX MAP 2-1-04: Por. 114

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C.S.F. NOS. 22,597
22,598

C.K. May 7, 1997

STATE OF HAWAII

Land Patent No.

S-15,874

(Grant)

Issued On

PURSUANT TO SECTION 171-95(a)
HAWAII REVISED STATUTES

By **THIS PATENT** *The State of Hawaii, in conformity with the laws of the State of Hawaii relating to public lands and pursuant to the approval by the Board of Land and Natural Resources on* October 28, 1994

makes known to all men that it does this day grant and confirm unto

DEPARTMENT OF HAWAIIAN HOME LANDS, by its HAWAIIAN HOMES
COMMISSION, STATE OF HAWAII, whose address is
335 Merchant Street, Honolulu, Hawaii 96813

hereinafter referred to as the "Patentee,"

for the consideration of FOR GOOD AND VALUABLE CONSIDERATION, the
receipt whereof is hereby acknowledged,

all of the land situate at Kalihi, Makawao, Island of Maui, Hawaii,
being a Portion of the Government Land of Kalihi, containing a
gross area of 81.00 Acres, more or less, and a net area of
75.36 acres, more or less, after excluding therefrom Grant
1244, Apana 2 to J.M. Painter containing an area of 5.64 acres,
identified as Tax Map Key (2) 2-1-04:114; SUBJECT TO Revocable
Permit No. S-4371 dated July 1, 1969 in favor of Ulupalakua
Ranch, Ltd.; RESERVING to the State of Hawaii, its successors
and assigns and others entitled thereto, access over the
existing trails which crosses the above-described parcel of
land, unrecorded easements and all other ancient rights that
may be appurtenant to said lands and other surroundings lands;
all more particularly described in Exhibit "A" and delineated
on Exhibit "B," both of which are attached hereto and made
parts hereof, said exhibits being respectively, a survey
description and a survey map prepared by the Survey Division,
Department of Accounting and General Services, State of Hawaii,
both being designated C.S.F. No. 22,368, and dated October 12,
1995.

ITEM NO. F-5
EXHIBIT "B"

AND THE PATENTEE, for itself, its successors and assigns, covenants with the State of Hawaii, and its successors as follows:

1) The Patentee acknowledges and is fully aware that a comprehensive search of title covering the lands conveyed herein has not been completed by Patentor and agrees that the lands conveyed herein may be subject to additional encumbrances, known and/or unknown, recorded and/or unrecorded.

2) Non-warranty. The Patentor does not warrant the conditions of the lands conveyed herein, and the Patentee accepts said lands "as is."

3) Hold-harmless. In case the Patentor shall, without any fault on its part, be made a party to any litigation commenced by or against the Patentee as a result of (a) the issuance of this quitclaim deed or a challenge to the validity thereof, or (b) the conveyance of the lands herein (other than eminent domain and/or quiet title proceedings), the Patentee shall defend and hold the Patentor harmless from and against any claim for loss, liability, or damage.

TO HAVE AND TO HOLD said granted land unto the said

DEPARTMENT OF HAWAIIAN HOME LANDS, by its
HAWAIIAN HOMES COMMISSION, STATE OF HAWAII,

its successors and assigns forever, subject, however, to the reservations, conditions and covenants herein set forth.

IN WITNESS WHEREOF, the State of Hawaii, by its Board of Land and Natural Resources, has caused the Seal of the Department of Land and Natural Resources to be hereunto affixed and this Patent to be duly executed this 22ND..... day of MARCH....., 1996.

Approved by the Board
of Land and Natural
Resources at its
meeting held on
October 28, 1994.

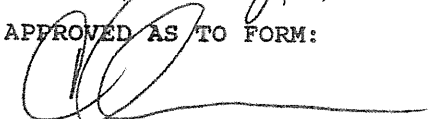
STATE OF HAWAII
Board of Land and Natural Resources

APPROVED AS TO FORM:

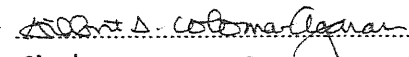

.....
Deputy Attorney General

Dated: February 9, 1996

APPROVED AS TO FORM:

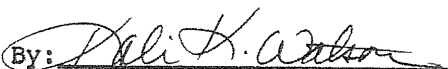

.....
Deputy Attorney General

Dated: February 23, 1996

By 
.....
Chairperson and Member
Board of Land and
Natural Resources

Patentor

DEPARTMENT OF HAWAIIAN HOME
LANDS, STATE OF HAWAII

By: 
.....
KALI K. WATSON, CHAIRPERSON
HAWAIIAN HOMES COMMISSION

Patentee

STATE OF HAWAII)
CITY AND COUNTY OF HONOLULU)

On this 4th day of March, 1976, before me appeared KALI K. WATSON to me personally known, who, being by me duly sworn, did say that he is the CHAIRPERSON, HAWAIIAN HOMES COMMISSION, DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII, and the person described in and 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.

Gwendolyn A. Montebon
Notary Public, State of Hawaii L.S.
My Commission expires: 9-5-99



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 22,368

October 12, 1995

PORTION OF
THE GOVERNMENT LAND OF KALIHI

Kalihi, Makawao, Maui, Hawaii

Beginning at the southwest corner of this parcel of land, on the southeast boundary of Ahihi-Kinau Natural Area Reserve, Governor's Executive Order 2668 and on the north side of Government Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OLAI" being 12,395.48 feet South and 9086.48 feet East, thence running by azimuths measured clockwise from True South:-

Along the toe of hill along Ahihi-Kinau Natural Area Reserve, Governor's Executive Order 2668 for the next four (4) courses, the direct azimuths and distances between points on toe of hill being:

- | | |
|-------------|--|
| 1. 209° 00' | 580.00 feet; |
| 2. 239° 00' | 500.00 feet; |
| 3. 275° 00' | 500.00 feet; |
| 4. 320° 00' | 639.58 feet; |
| 5. 216° 30' | 743.39 feet along Ahihi-Kinau Natural Area Reserve,
Governor's Executive Order 2668, |
| 6. 160° 00' | 450.00 feet along Ahihi-Kinau Natural Area Reserve,
Governor's Executive Order 2668, |
| 7. 232° 30' | 700.00 feet along Ahihi-Kinau Natural Area Reserve,
Governor's Executive Order 2668, |
| 8. 195° 30' | 1400.00 feet along Ahihi-Kinau Natural Area Reserve,
Governor's Executive Order 2668, |
| 9. 314° 00' | 389.40 feet along Grant 1380 to Kapuahelane; |
| 10. 19° 55' | 1625.90 feet along Grant 1382 to Kahula; |

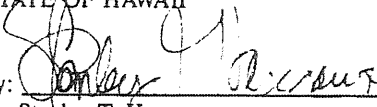
11.	21°	59'	1395.47 feet along Grant 1379 to Keliilawaia;
12.	282°	30'	723.40 feet along Grant 1379 to Keliilawaia;
13.	22°	30'	56.00 feet along Grant 1383, Apana 2 to Kaina;
14.	31°	00'	660.00 feet along Grant 1383, Apana 2 to Kaina;
15.	253°	15'	337.53 feet along Grant 1383, Apana 2 to Kaina;
16.	309°	10'	163.15 feet along Grant 1383, Apana 2 to Kaina;
17.	40°	00'	988.00 feet along Grant 1470, Apana 2 to Kahu;
18.	315°	04' 20"	477.52 feet along Grant 1470, Apana 2 to Kahu;
19.	127°	10'	2005.61 feet along the remainder of the Government Land of Kalihi;
20.	244°	34' 20"	1001.64 feet along Grant 2844, Apana 2 to Kahula;
21.	145°	04' 20"	488.93 feet along Grant 2844, Apana 2 to Kahula, Grant 2813 to Nalauhulu and Grant 2075 to Kaina;
22.	64°	34' 20"	849.00 feet along Grant 2075 to Kaina;
23.	147°	39' 20"	163.00 feet along Deed: Territory of Hawaii to J. H. Raymond, et al. dated January 25, 1915;
24.	244°	34' 20"	841.90 feet along Grant 2225, Apana 2 to Keliilawaia;
25.	145°	04' 20"	160.54 feet along Grant 2225, Apana 2 to Keliilawaia;
26.	109°	34' 20"	153.10 feet along Grant 2792, Apana 2 to Kahu;
27.	86°	49' 20"	221.10 feet along Grant 2792, Apana 2 to Kahu;
28.	78°	04' 20"	178.20 feet along Grant 2792, Apana 2 to Kahu;
29.	62°	19' 20"	366.30 feet along Grant 2792, Apana 2 to Kahu;
30.	43°	04' 20"	154.40 feet along Grant 2792, Apana 2 to Kahu;
31.	14°	49' 20"	130.70 feet along Grant 2792, Apana 2 to Kahu;
32.	344°	46' 20"	63.87 feet along Grant 2792, Apana 2 to Kahu;

October 12, 1995

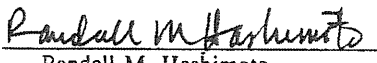
33. 355° 37' 79.75 feet along Deed: Territory of Hawaii to
J. H. Raymond, et al. dated January 25,
1915;
34. 114° 20' 45" 437.41 feet along the north side of Government Road
to the point of beginning and containing a
GROSS AREA OF 81.00 ACRES, MORE
OR LESS and a NET AREA OF 75.36
ACRES, MORE OR LESS after excluding
therefrom Grant 1244, Apana 2 to J. M.
Painter containing an AREA OF 5.64
ACRES.

Reserving to the State of Hawaii, its successors and assigns and others
entitled thereto, access over the existing trails which crosses the above-described
parcel of land.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: 
Stanley T. Hasegawa
Licensed Land Surveyor No. 3632 gm

Reviewed and Approved by:


Randall M. Hashimoto
Acting State Land Surveyor

Compiled from HTS Plat
1096, CSFs 15,977, 16,807
and Govt. Survey Records.
TMK: 2-1-04:114



R-576

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

DEC 02, 1997 08:02 AM

Doc No(s) 97-167954

/s/CARL T. WATANABE
ACTING
REGISTRAR OF CONVEYANCES

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail () Pickup (X) To:

DEPT. OF LAND AND NATURAL RESOURCES
LAND DIVISION

Total Pages: 14

Tax Map Key No. (2) 2-1-04:por.114

GRANT OF NON-EXCLUSIVE EASEMENT

THIS INDENTURE, made and entered into this 1st day of December, 1997, by and between the STATE OF HAWAII, by its Board of Land and Natural Resources, hereinafter referred to as the "Grantor," and, GARRET W. C. HEW and MARY MICHAEL HEW, husband and wife, as tenants by the entirety, whose address is RR2 Box 94, Kula, Hawii 96790, hereinafter referred to as the "Grantees."

WITNESSETH THAT:

The Grantor, for and in consideration of the sum of ONE HUNDRED FIFTY-SIX AND NO/100 DOLLARS (\$156.00), the receipt of which is hereby acknowledged, effective November 20, 1993, and of the terms, conditions, and covenants herein contained, and on the part of the Grantees to be observed and performed, does hereby grant unto the Grantees, the following non-exclusive and perpetual easement rights:

PRELIM. APPR'D.
Department of the
Attorney General

DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

**ITEM NO. F-5
EXHIBIT "C"**

Right, privilege and authority to construct, use,
maintain and repair an access utility easement

in, over, under and across that certain parcel of land situate
at Kalihi, Makawao, Maui, Hawaii, being identified as:

"Perpetual Non-Exclusive Access and Utility Easement,
EASEMENT 1," being portion of Grant S-15,874 to Department
of Hawaiian Home Lands, containing an area of 944 square
feet, more particularly described in Exhibit "A" and
delineated on Exhibit "C", both of which are attached hereto
and made parts hereof, said exhibits being respectively, a
survey description and survey map prepared by the Survey
Division, Department of Accounting and General Services,
State of Hawaii, designated C.S.F. No. 22,597 and dated May
7, 1997,

"Perpetual Non-Exclusive Access and Utility Easement,
EASEMENT 2," being a portion of the Government Land of
Kalihi, containing an area of 2,347 square feet, more
particularly described in Exhibit "B" and delineated on
Exhibit "C", both of which are attached hereto and made
parts hereof, said exhibits being respectively, a survey
description and survey map prepared by the Survey Division,
Department of Accounting and General Services, State of
Hawaii, designated C.S.F. No. 22,598 and dated May 7, 1997,

TOGETHER WITH the rights of ingress and egress to and from the
easement areas for all purposes in connection with the rights
hereby granted.

TO HAVE AND TO HOLD the easement rights unto the
Grantees, their successors and assigns, in perpetuity, SUBJECT,
HOWEVER, to the following terms, conditions and covenants:

1. The Grantees shall at all times with respect to
the easement areas use due care for public safety and agree to
indemnify, defend, and hold the Grantor harmless from and
against any claim or demand for loss, liability, or damage,
including claims for bodily injury, wrongful death, or property
damage, arising out of or resulting from: 1) any act or
omission on the part of the Grantees relating to the Grantees'

use, occupancy, maintenance, or enjoyment of the easement areas; 2) any failure on the part of the Grantees to maintain the easement areas and sidewalks, roadways and parking areas adjacent thereto in the Grantees' use and control, and including any accident, fire or nuisance, growing out of or caused by any failure on the part of the Grantees to maintain the easement areas in a safe condition; and 3) from and against all actions, suits, damages, and claims by whomsoever brought or made by reason of the Grantees' non-observance or non-performance of any of the terms, covenants, and conditions of this grant of non-exclusive easements or the rules, regulations, ordinances, and laws of the federal, state, municipal or county governments.

2. The Grantor reserves unto itself, its successors and assigns, the full use and enjoyment of the easement areas and to grant to others rights and privileges for any and all purposes affecting the easement areas, provided, however, that the rights herein reserved shall not be exercised by the Grantor and similar grantee(s) in any manner which interferes unreasonably with the herein Grantees in the use of the easement areas for the purposes for which this easement is granted.

3. All improvements placed in or upon the easement areas by the Grantees shall be done without cost or expense to the Grantor and shall remain the property of the Grantees and may be removed or otherwise disposed of by the Grantees at any time; provided, that the removal shall be accomplished with minimum disturbance to the easement areas which shall be restored to their original condition, or as close thereto as possible, within a reasonable time after removal.

4. Upon completion of any work performed in or upon the easement areas, the Grantees shall remove therefrom all equipment and unused or surplus materials, if any, and shall leave the easement areas in a clean and sanitary condition satisfactory to the Grantor.

5. This easement or any rights granted herein shall not be sold, assigned, conveyed, leased, mortgaged, or

otherwise transferred or disposed of, directly or by operation of law, except with the prior written consent of the Grantor.

6. The Grantees shall keep the easement areas and the improvements thereon in a safe, clean, sanitary, and orderly condition, and shall not make, permit or suffer, any waste, strip, spoil, nuisance or unlawful, improper, or offensive use of the easement areas.

7. Should future development necessitate relocation of the easements granted herein, or any portion thereof, the relocation shall be accomplished at the Grantees' own cost and expense; provided, however, that if other lands of the Grantor are available, the Grantor will grant to the Grantees without payment of any monetary consideration, substitute easements of similar width within the reasonable vicinity of the original alignments, which substitute easements shall be subject to the same terms and conditions as that herein granted and as required by law.

8. The Grantees covenant, for themselves, their successors and assigns, that the use and enjoyment of the land herein granted shall not be in support of any policy which discriminates against anyone based upon race, creed, sex, color, national origin, religion, marital status, familial status, ancestry, physical handicap, disability, age or HIV (human immunodeficiency virus) infection.

9. The Grantees, in the exercise of the rights granted herein, shall comply with all of the requirements of the federal, state, and county authorities and shall observe all county ordinances and state and federal statutes, rules and regulations, now in force or which may hereinafter be in force.

10. These easement rights shall cease and terminate, and the easement areas shall revert to the Grantor, without any action on the part of the Grantor, in the event of non-use or abandonment by the Grantees of the easement areas, or any portion thereof, for a consecutive period of one (1) year.

11. The Grantees shall, upon termination and/or

revocation of this easement, peaceably deliver unto the Grantor possession of the premises, together with all improvements existing or constructed thereon or Grantees shall remove such improvements and shall restore the premises to its original state, or as close thereto as possible, within a reasonable time and at the expense of the Grantees, at the option of the Grantor. Furthermore, upon the termination and/or revocation of this easement, should the Grantees fail to remove any and all of Grantees' personal property from the premises, after notice thereof, the Board may remove any and all of Grantees' personal property from the premises, and either deem the property abandoned and dispose of the property or place the property in storage at the cost and expense of Grantees and the Grantees do agree to pay all costs and expenses for disposal, removal, or storage of the personal property. This provision shall survive the termination of the easement.

12. In case the Grantor shall, without any fault on its part, be made a party to any litigation commenced by or against the Grantees as a result of this grant of non-exclusive easements (other than condemnation proceedings), the Grantees shall pay all costs, including reasonable attorney's fees and expenses incurred by or imposed on the Grantor; furthermore, the Grantees shall pay all costs, including reasonable attorney's fees and expenses, which may be incurred by or paid by the Grantor in enforcing the covenants and conditions of this grant of non-exclusive easements, or in the collection of delinquent rental, fees, taxes, and any and all other applicable charges attributed to said easement areas.

13. The Grantees shall not cause or permit the escape, disposal or release of any hazardous materials except as permitted by law. Grantees 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 easement areas any such materials except to use in the ordinary course of Grantees' business, and then only after written notice is given to Grantor of the identity of such materials and upon Grantor's consent which consent may be withheld at Grantor'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 Grantees, then the Grantees shall be responsible for the reasonable costs thereof. In addition, Grantees shall execute affidavits, representations and the like from time to time at Grantor's request concerning Grantees' best knowledge and belief regarding the presence of hazardous materials on the easement areas placed or released by Grantees.

The Grantees agree to indemnify, defend, and hold Grantor harmless, from any damages and claims resulting from the release of hazardous materials on the easement areas occurring while Grantees are in possession, or elsewhere if caused by Grantees or persons acting under Grantees. These covenants shall survive the expiration or earlier termination of this easement.

For the purpose of this easement "hazardous material" shall mean any pollutant, toxic substance, hazardous waste, hazardous material, hazardous substance, or oil as defined in or pursuant to the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the Federal Clean Water Act, or any other federal, state, or local environmental law, regulation, ordinance, rule, or by-law, whether existing as of the date hereof, previously enforced, or subsequently enacted.

14. Time is of the essence in this agreement and if the Grantees shall abandon the premises, or if this easement and premises shall be attached or taken by operation of law, or if any assignment is made of the Grantees' property for the benefit of creditors, or if Grantees shall fail to observe and perform any of the covenants, terms, and conditions contained in this easement and on its part to be observed and performed, and this failure shall continue for a period of more than sixty (60) calendar days after delivery by the Grantor of a written notice of breach or default, by personal service, registered mail or certified mail to the Grantees at their last known address and to each mortgagee or holder of record having a security interest in the premises, the Grantor may, subject to

the provisions of Section 171-21, Hawaii Revised Statutes, at once re-enter the premises, or any part, and upon or without the entry, at its option, terminate this easement without prejudice to any other remedy or right of action for any preceding or other breach of contract; and in the event of termination, at the option of Grantor, all improvements shall remain and become the property of the Grantor or shall be removed by Grantees.

15. The Grantor reserves the right to withdraw the easement for public use or purposes, at any time during this grant of easement upon the giving of reasonable notice by the Grantor and without compensation.

16. The Grantees shall not mortgage, hypothecate, or pledge the premises, any portion, or any interest in this easement without the prior written approval of the Chairperson and any mortgage, hypothecation, or pledge without the approval shall be null and void.

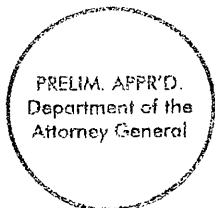
17. In the event the Grantor seeks to forfeit the privilege, interest, or estate created by this easement, each recorded holder of a security interest may, at its option, cure or remedy the default or breach within sixty (60) calendar days, from the date of receipt of the Grantor's notice, or within an additional period allowed by Grantor for good cause, and add the cost to the mortgage debt and the lien of the mortgage. Upon failure of the holder to exercise its option, the Grantor may: (a) pay to the holder from any moneys at its disposal, including the special land and development fund, the amount of the mortgage debt, together with interest and penalties, and secure an assignment of the debt and mortgage from the holder or if ownership of the privilege, interest, or estate shall have vested in the holder by way of foreclosure, or action in lieu thereof, the Grantor shall be entitled to the conveyance of the privilege, interest, or estate upon payment to the holder of the amount of the mortgage debt, including interest and penalties, and all reasonable expenses incurred by the holder in connection with the foreclosure and preservation of its security interest, less appropriate credits, including income received from the privilege, interest, or estate

subsequent to the foreclosure; or (b) if the property cannot be reasonably reassigned without loss to the State, then terminate the outstanding privilege, interest, or estate without prejudice to any other right or remedy for any preceding or other breach or default and use its best efforts to redispose of the affected land to a qualified and responsible person free and clear of the mortgage and the debt secured; provided that a reasonable delay by the Grantor in instituting or prosecuting its rights or remedies shall not operate as a waiver of these rights or to deprive it of a remedy when it may still otherwise hope to resolve the problems created by the breach or default. The proceeds of any redispotion shall be applied, first, to reimburse the Grantor for costs and expenses in connection with the redispotion; second, to discharge in full any unpaid purchase price or other indebtedness owing the Grantor in connection with the privilege, interest, or estate terminated; third, to the mortgagee to the extent of the value received by the State upon redispotion which exceeds the fair market value of the land as previously determined by the State's appraiser; and fourth, to the owner of the privilege, interest, or estate.

18. The Grantees shall procure and maintain, at their own cost and expense, in full force and effect throughout the term of this easement, commercial general liability insurance, in an amount of at least \$300,000.00 for each occurrence and \$500,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawaii. The policy or policies of insurance shall name the State of Hawaii as an additional insured. The insurance shall cover the entire easement areas, including all grounds and all roadways or sidewalks on or adjacent to the easement in the use or control of the Grantees.

19. The easement areas shall not be used at any time by the Grantees, their guests or invitees for parking purposes.

20. Grantees shall not construct, place or maintain any building or structure over and upon the easement areas.



IN WITNESS WHEREOF, the STATE OF HAWAII, by its Board of Land and Natural Resources, has caused the seal of the Department of Land and Natural Resources to be hereunto affixed and the parties hereto have caused this Indenture to be executed as of the day, month, and year first above written.

STATE OF HAWAII

Approved by the Board of Land and Natural Resources at its meeting held on November 19, 1993 and September 12, 1997.

By *Robert S. Coleman*
Chairperson and Member
Board of Land and
Natural Resources *for*

GRANTOR

Garret W. C. Hew
GARRET W. C. HEW

Mary Michael Hew
MARY MICHAEL HEW

GRANTEES

APPROVED AS TO FORM:

Re Ray S. J. Guss
Deputy Attorney General

Dated: *November 20, 1997*

c:gehew.rse

STATE OF HAWAII

)

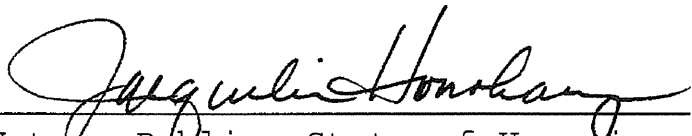
) SS.

COUNTY OF MAUI

)

On this 17th day of November, 1997, before me personally appeared GARRET W. C. HEW to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

LS


Notary Public, State of Hawaii

My commission expires: 11/4/98

STATE OF HAWAII

)

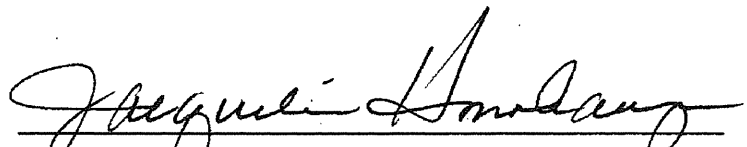
) SS.

COUNTY OF MAUI

)

On this 17th day of November, 1997, before me personally appeared MARY MICHAEL HEW to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

LS


Notary Public, State of Hawaii

My commission expires: 11/4/98

-10-

PRELIM. APPR'D.
Department of the
Attorney General

DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 22,597

May 7, 1997

PERPETUAL NON-EXCLUSIVE
ACCESS AND UTILITY EASEMENT

EASEMENT 1

Kalihi, Makawao, Maui, Hawaii

Being a portion of Grant S-15,874 to Department of Hawaiian
Home Lands.

Beginning at the southeast corner of this easement and on the west
boundary of Grant 1244, Apana 2 to J. M. Painter, the coordinates of said point of
beginning referred to Government Survey Triangulation Station "PUU OLAI" being
13,779.63 feet South and 10,927.29 feet East, thence running by azimuths measured
clockwise from True South:-

1. 65° 53' 26.12 feet along the remainder of Grant S-15,874 to
Department of Hawaiian Home Lands;
2. 127° 10' 27.37 feet along the Government Land of Kalihi;
3. 245° 53' 52.50 feet along the remainder of Grant S-15,874 to
Department of Hawaiian Home Lands;
4. 4° 45' 27.41 feet along Grant 1244, Apana 2 to
J. M. Painter to the point of beginning and
containing an AREA OF 944 SQUARE
FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Glenn J. Kodani
Glenn J. Kodani
Land Surveyor gm

Compiled from map furn. by
Newcomer-Lee Land
Surveyors, Inc., CSF 22368
and Govt. Survey Records.
TMK: 2-1-04:Por. 114

EXHIBIT "A"



STATE OF HAWAII

SURVEY DIVISION

**DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU**

C.S.F. No. 22,598

May 7, 1997

**PERPETUAL NON-EXCLUSIVE
ACCESS AND UTILITY EASEMENT**

EASEMENT 2

Kalihi, Makawao, Maui, Hawaii

Being a portion of the Government Land of Kalihi.

Beginning at the southwest corner of this easement and on the northeast side of Government Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OLAI" being 13,833.36 feet South and 10,807.28 feet East, thence running by azimuths measured clockwise from True South:-

- | | |
|--------------------|---|
| 1. 160° 55' | 20.73 feet along the northeast side of Government Road; |
| 2. 143° 38' | 3.43 feet along the northeast side of Government Road; |
| 3. 245° 53' | 91.12 feet along the remainder of the Government Land of Kalihi; |
| 4. 307° 10' | 27.37 feet along Grant S-15874 to Department of Hawaiian Home Lands; |

EXHIBIT "B"

22,598

C.S.F. No.

May 7, 1997

5. 65° 53'

105.36 feet along the remainder of the Government
Land of Kalihi to the point of beginning
and containing an AREA OF 2347
SQUARE FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Glenn J. Kodani
Glenn J. Kodani
Land Surveyor gm

Compiled from map furn. by
Newcomer-Lee Land
Surveyors, Inc., CSF 22368
and Govt. Survey Records.
TMK: 2-1-04:Por. 114

Grant 1244, Apana 2
to J. M. Painter

TRUE NORTH
Scale: 1 in. = 50 ft.

S-15874
of
Hawaiian
(C.S.F. 22,368)

851.13
Grant
Department
Lands
to
Home

EASEMENT 1
944 SQ. FT.
(C.S.F. 22,597)

1074.22
307'10"
Government

13,779.63 S
10,927.29 E
"PUU OLA" △

EASEMENT 2
2347 SQ. FT.
(C.S.F. 22,598)

13,833.36 S
10,807.28 E
"PUU OLA" △

PERPETUAL NON-EXCLUSIVE
ACCESS AND UTILITY EASEMENTS

EASEMENTS 1 AND 2

Kalihi, Makawao, Maui, Hawaii

Scale: 1 inch = 50 feet

JOB Ma-272 (96)
C. BK. C. Kaneshiro, Bk. 1

REDUCED NOT TO SCALE

EXHIBIT "C"

TAX MAP 2-1-04: Por. 114

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C.S.F. NOS. 22,597
22,598



C.K. May 7, 1997


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

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

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Approval to Issue a Right of Entry Permit, Alpha, Inc., Honokowai, Island of Maui,
TMK: (2) 4-4-002:018 (por.)

APPLICANT:

Alpha, Inc. "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry permit, covering the subject area described below for staging and base yard purpose during County of Maui, Department of Water Supply's West Maui Source Development Project.

Approval and issuance of this Right of Entry is subject, but not limited to the following conditions:

1. Authorize the issuance of a Right of Entry (ROE) permit to Alpha, Inc. covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry permit shall be month to month, up to twelve (12) months with the option to extend for an additional twelve (12) month period, commencing upon full execution of the Right of Entry document;
 - C. The fee for the term shall be gratis;
 - D. PERMITTEE shall exercise best management practices to mitigate dust or hazards resulting from PERMITTEES use of the Premise;
 - E. The Right of Entry document shall be subject to the review and approval of the Department of the Attorney General; and

- F. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts.

LOCATION:

Portion of Hawaiian home lands situated in Honokowai, Island of Maui, identified as Tax Map Key: (2) 4-4-002:018 (por.) (See Exhibit "A")

AREA:

Approximately 0.9 acre (more or less)

BACKGROUND/DISCUSSION

Pursuant to the attached request shown as Exhibit "B", Alpha, Inc. (Alpha) is the contractor for the County of Maui (COM), Department of Water Supply's (DWS) West Maui Source Development project, which includes Kahana Production Well and Mahinahina Well Development. Alpha, Inc. is seeking access to Hawaiian home lands located in Honokowai for base yard purposes for material storage and staging during these DWS projects.

Part of the scope of work includes development of a 500,000 gallon control/mixing tank, which eventually DHHL transmission lines will connect to serve future DHHL development. Since the construction project involves improvements that will benefit DHHL's water projects in the Honokowai region, Land Management Division and Land Development Division supports gratis fee for the term of the ROE. In addition, Alpha's presence will deter trespassing on the DHHL Honokowai parcel.

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 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.

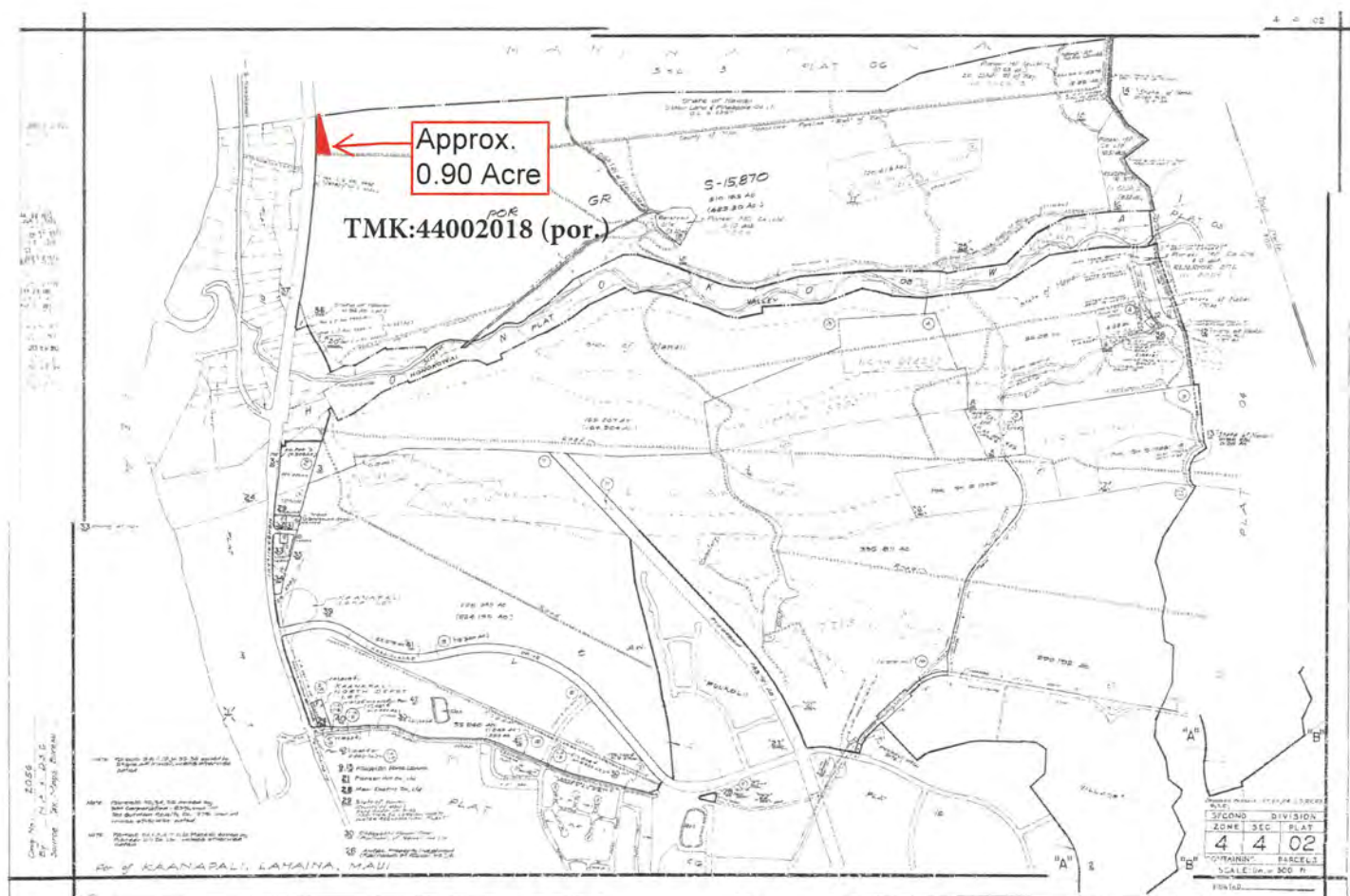
AUTHORITY

Hawaii Revised Statutes §171-55 Permits.

RECOMMENDATION

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

Hawaiian Home Lands



ITEM NO. F-6
EXHIBIT "A"



Office 808.873.3883 | Fax 808.873.3884
P.O. BOX 330449 KAHULUI, HI 96733 | ABC -31555

June 8, 2023

RECEIVED
LAND MANAGEMENT
DIVISION
2023 JUN -8 PM 1:52

Department of Hawaiian Homelands
Chairman Kali Watson
91-5420 Kapolei Parkway
Kapolei, HI 96707

Re: Temporary Right of Entry (Portion of TMK (2) 4-4-002:018)

Aloha Chairman Watson,

Alpha Inc. is requesting temporary use of a 0.9 acre portion of Department of Hawaiian Homeland parcel (2) 4-4-002:018 in Honokōwai, Lāhainā, to utilize as a staging area. Alpha Inc. is requesting use for material storage and staging for the County of Maui Department of Water Supply's West Maui Source Development project, which includes Kahana Production Well (15-04) and Māhinahina Well Development (11-06). Part of the scope of work includes the development of a 500,000 gallon control/mixing tank that will act as the connection point between DHHL and DWS water transmission lines and will eventually serve the future land in the vicinity. The project is proposed to last a couple of years, but we're requesting a 12-month temporary right of entry with the ability to request an extension.

We respectfully request your consideration on this matter and if granted, will continue to provide day-time presence and help deter transient activities in the area.

Sincerely,

Kaily Baisa
Project Manager, Alpha Inc.

ITEM NO. F-6
EXHIBIT "B"


**Hawaiian Homes Commission Meeting
June 26 & 27, 2023
Hale Ponoī, Kapolei, Oahu**

G ITEMS

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Planning Program Manager 

From: Lillie Makaila, Planner

Subject: Declare a Finding of No Significant Impact for
the Keaukaha-Pana'ewa Farmer's Alliance
Resiliency and Agricultural Innovation Hub Draft
Environmental Assessment, TMK (3) 2-1-025:091,
Pana'ewa, Waiākea, Hilo, Hawai'i Island

Recommended Action

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) declaration based on the Final Environmental Assessment (FEA) for the Keaukaha-Pana'ewa Farmer's Alliance (KPFA) Resiliency and Agricultural Innovation Hub Final Environmental Assessment.

Discussion

An informational briefing regarding the Draft Environmental Assessment for the Keaukaha-Pana'ewa Farmer's Alliance Resiliency and Agricultural Innovation Hub was presented to the HHC in March of 2023 (Exhibit A). The focus of this submission is to review the KPFA Resiliency and Agricultural Innovation Hub FEA. Primarily, we will review changes made to the DEA as a result of comments received on the DEA during the 30-day public comment period that occurred between April 8 and May 8, 2023.

Background

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 awarded to fifty Keaukaha Native Hawaiians, who were forced

to relinquish their homes and relocate due to the construction of the Hilo International Airport.

The Keaukaha Pana'ewa Farmers Alliance (KPFA) was established to serve Keaukaha Pana'ewa Homestead lessees on State of Hawai'i Department of Hawaiian Home Lands (DHHL) agricultural Hawaiian Home Lands in Pana'ewa. KPFA's mission is to "support, motivate, and educate Keaukaha Pana'ewa agricultural lessees to establish a viable, sustainable farm community; preserve Hawaiian culture; achieve self-sufficiency; and strengthen pono management and respect for the 'āina." KPFA is organized to encourage, promote, and support all agricultural activities pertinent to the Pana'ewa farm lot homestead lessees and their 'ohana, and all other Hawaiians on the waiting list for Pana'ewa agricultural homestead leases.

In 2012, KPFA incorporated the Keaukaha Pana'ewa Community Alliance (KPCA) to serve as KPFA's non-profit 501(c)(3) partner and fiscal sponsor, for DHHL community benefit funds, private, state, and federal grants. KPCA is operated exclusively for the exempt purposes set forth in its articles of incorporation.

KPFA provides programs for beneficiaries at the Project site. KPFA has secured grants and established partnerships to provide agricultural and community workshops and resources, to beneficiaries and their 'ohana.

At its meeting of July 22, 2013, the Hawaiian Homes Commission approved the conversion of Revocable Permit No. 473 to Right of Entry Permit No. 482 issued to KPCA (Permittee) commencing effectively as of June 29, 2015, to utilize a 1.0-acre portion of the subject premises for farmers market and agricultural use purposes. This site is located on 363 Railroad Avenue in Hilo, within the Pana'ewa 'ili, Waiākea ahupua'a, on the island of Hawai'i.

In the 2017 DHHL Pana'ewa Regional Plan Update, beneficiaries identified an Agricultural Capacity Building as a Priority Project in the region. This Priority Project is intended to "synergistically combine a farmers market with an agricultural training center" by expanding use on the parcel located at 363 Railroad Avenue, the site of the existing farmers market which has been operated by the KPFA since 2010 (DHHL 2017). Project objectives include

agricultural business capacity building by elevating the farmers market and increasing access for homestead farmers to financial capital, agriculture production support through trainings and demonstrations, pooling of resources by providing use of facilities and equipment for small farmers, and interdependence through the creation of a community space.

On December 17, 2022, the KPCA submitted a Non-Profit Organization Application for Long-Term Use of DHHL Lands, and requested an amendment intended to cover an additional land area of approximately 9.633 acres, for a total land area of 10.633 acres for the purposes 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 for the subject parcel in its entirety and to retain its existing farmers market operation and agricultural use operation.

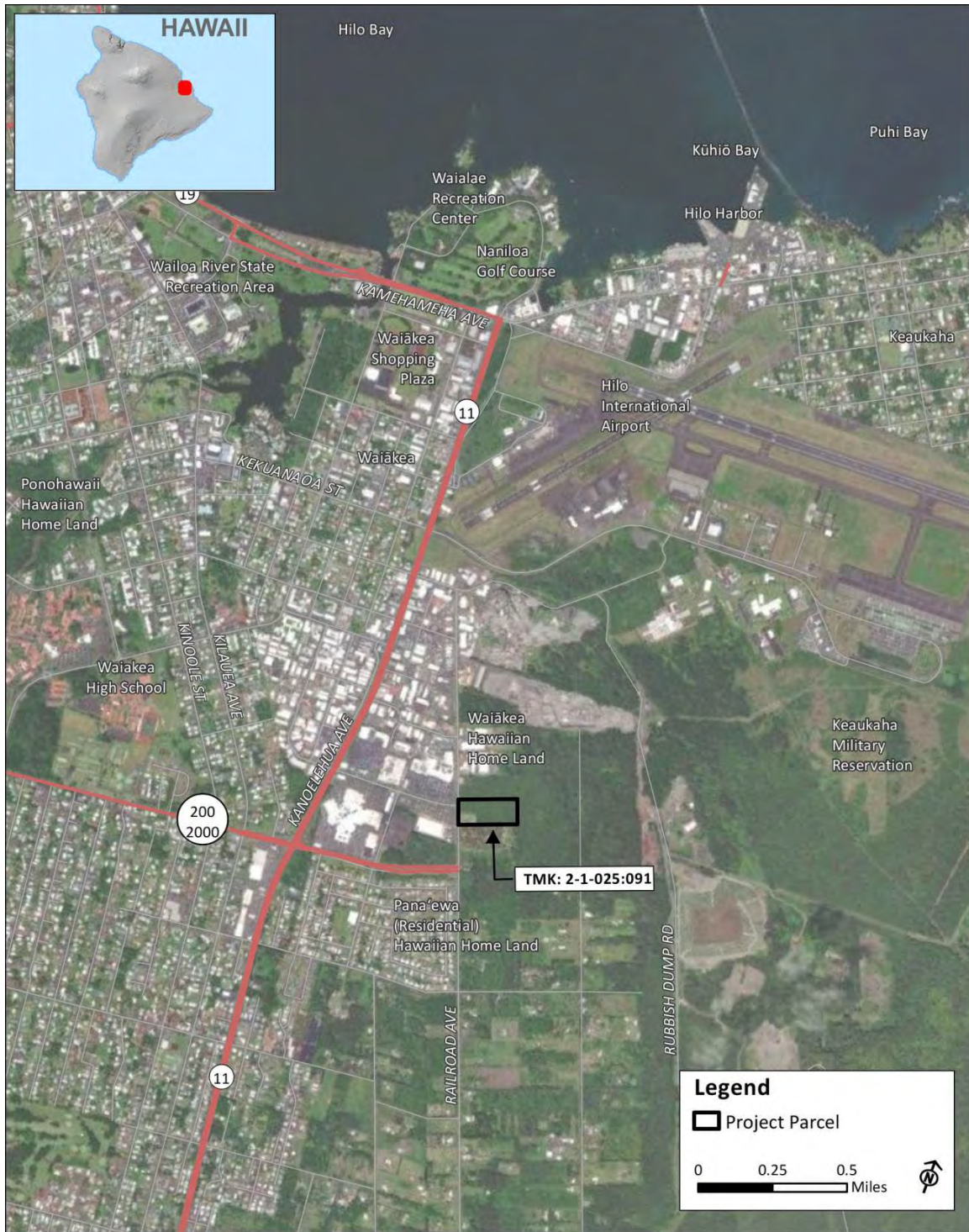
At its meeting of January 17, 2022, the Hawaiian Homes Commission approved the amendment of Right of Entry Permit No. 482 (ROE 482) issued to KPCA for the purposes of conducting the due diligence studies mentioned above. (Exhibit A)

Currently, the KPFA manages the Pana'ewa Farmers Market on one (1) acre of the Project site; the remainder of the parcel is forested. The Project site currently has a grassy parking lot, three metal tents under which house three to four planter boxes.

The KPFA proposes the construction of the Resiliency and Agricultural Innovation Hub (RAIH) on the Project site. The RAIH will serve two purposes. First, in accordance with KPFA's community-driven strategic plan, the RAIH will be their own "space and place;" 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 RAIH will support the community, coordinate communication and resources, and ensure that the physical and social needs will be met in preparation of, during, and post-recovery of a natural disaster or pandemic-related event.

The consultant to the KPFA has prepared this Final Environmental Assessment (FEA) in accordance with the requirements of Hawai'i Revised Statutes (HRS), Chapter 343 and Hawai'i Administrative Rules (HAR), Title 11, Department of Health, Chapter 200.1, Environmental Impact Statement Rules. The proposed project will require the use of State lands, as it would be located on DHHL Homestead lands, and the use of State funds, thus triggering the preparation of an Environmental Assessment (EA) as prescribed by HAR 11-200.1-8(1) and HRS, Chapter 343-5(a)(1). (Exhibit B)

Figure 1 -- Project Location Map



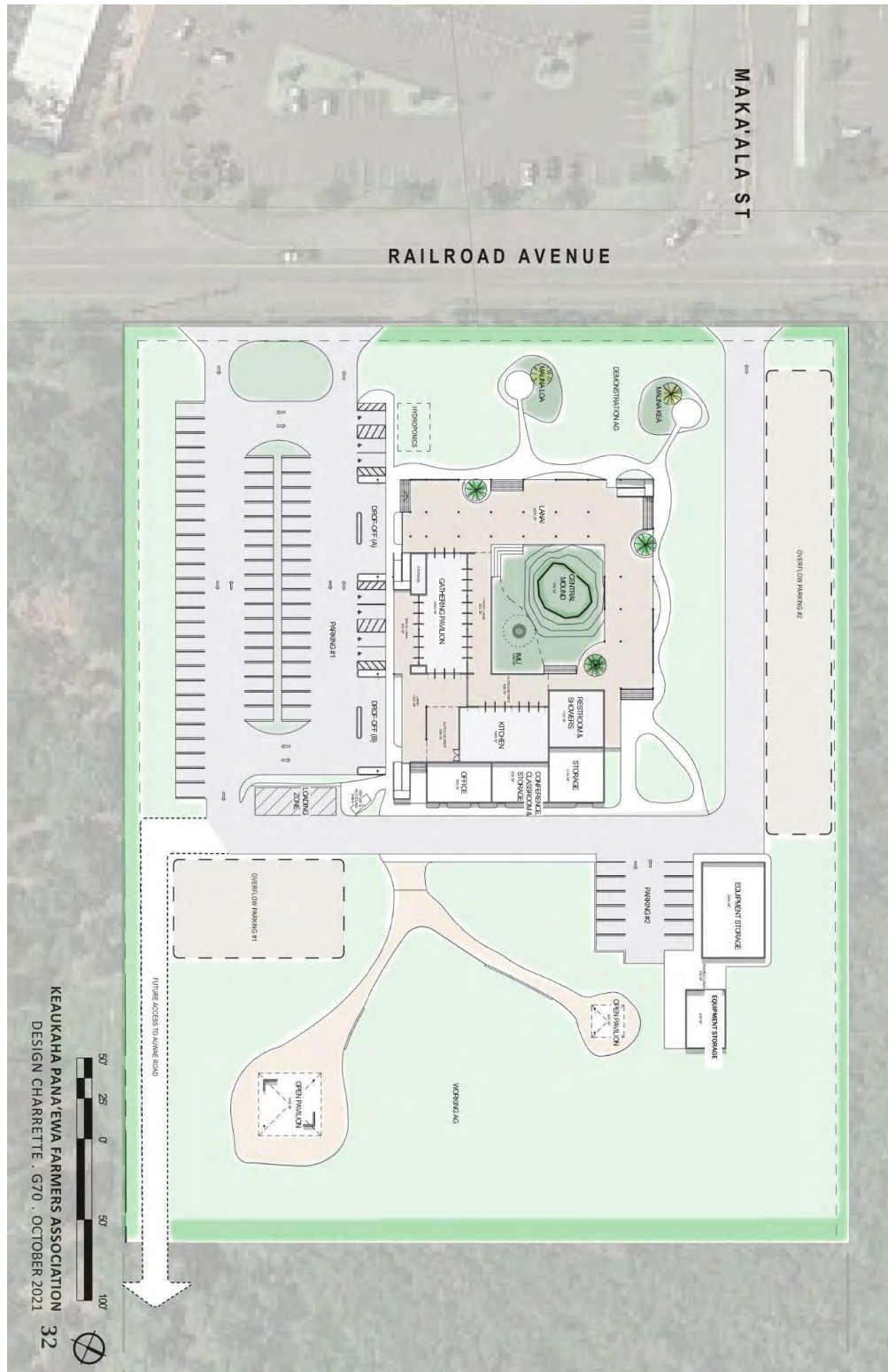
Proposed Action: Construction of the Resiliency and Agricultural Innovation Hub.

The KPFA proposes the construction of the Resiliency and Agricultural Innovation Hub (RAIH), in accordance with the KPFA Conceptual Plan (See *Figure 2*). The RAIH will consist of five modular, open pavilions, designed as flexible spaces that will accommodate a range of KPFA programming:

- The first pavilion will serve as a central gathering place for kūpuna/keiki engagement activities, 'ohana gatherings, and workshops.
- The second pavilion will contain a commercial certified kitchen, restrooms, storage, office, and conference rooms. An outdoor imu facility will be located in close proximity to this pavilion.
- The third pavilion will be a warehouse used for farm equipment storage.
- The fourth and fifth pavilions will be used as spaces for educators to host programming.

The pavilions will be connected by an elevated lānai, a protected indoor-outdoor deck, that provides additional programming space and mobility between the pavilions. The pavilions will be centered around a central piko, or mound. The piko will function as an open space for amphitheater and stepped seating and will serve as a central location for demonstration activities such as hula, kilo hōkū, kilo honua, lā'au lapa'au, and ho'okani pila. The grounds surrounding the RAIH will be utilized for a playground, parking and circulation, and agricultural demonstration areas. The Project components will be orientated to maximize views of Mauna Kea and Mauna Loa.

Figure 2 – RAIH Conceptual Plan



Summary of Substantive Comments Received During the 30-Day
Public Comment Period

Various government agencies at the federal, state, and county level and individual stakeholders commented on the DEA. A summary of the comments received during the DEA 30-day public comment period are provided in Table 1 along with a summary of responses and edits made to the FEA. A complete record of comments received and responses are appended to the FEA (Exhibit B).

TABLE 1 – SUMMARY OF COMMENTS RECEIVED DURING 30-COMMENT PERIOD

AGENCIES, ORGANIZATIONS, & INDIVIDUALS	SUMMARY	FEA CHANGES
State of Hawai‘i - Department of Accounting and General Services	The Project does not impact any of the Department of Accounting and General Services’ projects or existing facilities in the Hilo area, and we have no comments to offer at this time.	NONE.
State of Hawai‘i - Department of Transportation	1. The early consultation comments related to airports (Nos. 1 through 5) in letter STP 8.3491, dated November 2, 2022, remains valid and applicable to the proposed development. HDOT requests the early consultation comments and responses be included in the Final EA. 2. No direct or indirect adverse impact to State highways is anticipated during operation of the facility. Mitigation measures as described in the Draft EA would minimize the temporary adverse construction phase impacts on local traffic.	Information was updated to better reflect comments on the Project and its proximity to the Hilo International Airport made during early consultation. This information can be found in <i>Section 3.12 Section Air Quality and Noise & Section 3.13 Public Services and Facilities</i> .
State of Hawai‘i - Department of Defense	The State of Hawaii Department of Defense has no comments to offer relative to the project at this time.	NONE.
County of Hawai‘i – Department of Water Supply	Based on the water usage calculations provided, if the existing meter cannot accommodate the estimated demand, a larger or additional meter will need to be installed and remittance of the prevailing facilities charge, which is subject to change, will be required. Upon acceptance of the water usage calculations, the Department will inform the applicant, if necessary, of the water commitment deposit due, prevailing facilities charges to be paid, and any water system improvements required for water service. The proposed land use will require the installation of a reduced pressure type backflow prevention assembly, within five (5) feet of the meter(s) on a private property. The installation of the backflow prevention assembly(s) must be inspected and approved by the Department before water service can be activated. Subject to other agencies’ requirements to construct improvements within the road right-of-way fronting the property affected by proposed development, the applicant shall be responsible for the relocation and adjustment of the Department’s affected water system facilities, should they be necessary.	Comments are addressed in <i>Section 3.10 Utilities and Infrastructure</i> .
County of Hawai‘i – Police Department	Staff, upon reviewing the above-referenced documents, has no comments at the time	NONE.
Edith Kanaka‘ole Foundation	On behalf of the Edith Kanaka‘ole Foundation and executive director Huihui Kanahale Mossman, we have no comment on the DEA-AFNSI.	NONE.

Finding of No Significant Impact

Based upon the analysis completed in the DEA, staff anticipates a finding of no significant impact for the KPFA Resiliency and Agricultural Innovation Hub. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR 11-200-12.

(1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;

Discussion: The proposed project is not anticipated to result in the loss or destruction of any natural resources. As discussed in *Chapter 3.4 Flora and Fauna*, no endangered or threatened plant or animal species or critical habitat were identified on the site. Mitigation measures will be employed to minimize potential impacts. This Project is not anticipated to result in the loss or destruction of any cultural or archaeological resources. There are currently no cultural practices or cultural resources located on the Project site. However, the Project aims to incorporate cultural practices and education for the Project site in their long-term programming

(2) Curtails the range of beneficial uses of the environment;

Discussion: The proposed project will not curtail the range of beneficial uses of the environment. Currently, KPFA manages the Project parcel for farmer, community, and cultural programming on one acre of the project area. The proposed project would create the RAIH facility on State designated "Urban" land and MG-1a General Industrial District by the County of Hawai'i. This Project will enhance KPFA's current programming, which is consistent with State and County land use designations.

(3) Conflicts with the State's long term environmental policies or goals and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders;

Discussion: The proposed project does not conflict with the State's long-term environmental policies or goals and

guidelines as expressed in the State Environmental Policy, Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders. This Draft EA was prepared to ensure the Project will not have a significant adverse impact on the environment. Where mitigation measures are recommended due to the Project's potential impacts, the KPFA will implement those applicable measures to the extent possible to curtail long-term impacts to the environment.

(4) Substantially affects the economic or social welfare of the community or State;

Discussion: The proposed project will result in short-term economic benefits during construction and operation that include direct, indirect, and induced employment opportunities and multiplier effects, but not at a level that would generate significant economic activity. The Project is expected to improve the safety of the community and enhance operations of KPFA's programs. The new facility will enable the County to better serve the wider island population through education before, during, and after cases of emergency.

(5) Substantially affects public health;

Discussion: The proposed project is consistent with existing land uses and is not expected to affect public health. However, there are short term impacts to air quality in the form of exhaust and fugitive dust from construction activity. Short term noise impacts related to construction activity may occur, though construction noise is not expected to be significant. The project will comply with State and County regulations during the construction period and will implement BMPs to minimize temporary impacts. The proposed project is expected to continue to provide a space for the community and continue to improve the health and safety through agriculture and disaster preparedness.

(6) Involves substantial secondary impacts, such as population changes or effects on public facilities;

Discussion: The proposed project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. Construction related impacts related to noise and air quality are temporary and will be minimized by following State and County regulations and using construction BMPs as discussed throughout this Draft EA. Long-term impacts to air and water quality, noise, and natural resources are not anticipated.

(7) Involves a substantial degradation of environmental quality;

Discussion: The proposed project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. Construction related impacts related to noise and air quality are temporary and will be minimized by following State and County regulations and using construction BMPs as discussed throughout this Draft EA. Long-term impacts to air and water quality, noise, and natural resources are not anticipated.

(8) Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger actions;

Discussion: The development and implementation of the proposed project will have a very limited and negligible

impact on the natural and cultural environment. There are no anticipated cumulative effects on ecosystem resources or human communities. The purpose of the proposed action is limited to the construction of RAIH to improve overall efficiency and hazard response and provide a space for community for education and agricultural practices.

(9) Substantially affects a rare, threatened or endangered species or its habitat;

Discussion: The proposed project will not have a substantial adverse effect on rare, threatened, or endangered species or its habitat.

10) Detrimentially affects air or water quality or ambient noise levels;

Discussion: The proposed project will not have a substantial adverse effect on air or water quality or ambient noise levels. Construction activities would result in short-term effects on air, water quality and ambient noise levels but would be mitigated by compliance with COH and DOH rules regulating construction-related activities.

During operations, the impacts on air and water quality would be minimal. Noise levels would be minimally increased with the addition of the new clinic within the project area, however it is not anticipated to be perceptible by the surrounding land uses.

(11) Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

Discussion: The Project site lies within Flood Zone "X", an area determined to be outside the 0.2% annual chance floodplain and outside of the 500-year floodplain. The Project site is in the urban Hilo area adjacent to the Pana'ewa rainforest and consists primarily of soils characterized by moderately rapid permeability, slow runoff, and an erosion hazard that is no more than slight. The elevation of the Project area is outside of the tsunami zone, sea level rise exposure area, and other coastal

areas. In cases of extreme tsunamis, users of the facility would be able to evacuate the higher levels of the building. No long-term impact is anticipated.

(12) Substantially affects scenic vistas and view planes identified in County or State plans or studies;

Discussion: The Project is not anticipated to have a substantial adverse effect on scenic vistas and view planes, during day or night, as identified in State or County plans. Short-term impacts to visual resources are related to construction. The new building and the surrounding pavilions are under the 45-foot height limit designated for the County of Hawai'i land use height limits for this particular district (HCC §25-5- 133). The facility is visible from Railroad Avenue. Final design treatments to minimize the impact of the structure on the surrounding neighborhood may include screening such as landscaping.

(13) Requires substantial energy consumption.

Discussion: Construction of the project will not require substantial energy consumption relative to other similar sized projects and other commercial activities in the area. The new building may increase existing electrical demand at this location. However, the Project would not result nor constitute a source of impact to the climate and does not propose activities that will lead to an increase in the generation of GHGs.

Next-Steps

The Final EA will be published in the Environmental Notice Bulletin on July 8, 2023. The 30-day challenge period will commence on that day and end on August 8, 2023. KPFA and DHHL will review any challenges received during the 30-day period.

Recommendation

DHHL staff respectfully requests approval of the recommended action as stated above.

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STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

March 20-21, 2023

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Planning Program Manager

From: Lillie Makaila, Planner

Subject: (For Information Only) Anticipated Finding of No Significant Impact for the Keaukaha-Pana'ewa Farmer's Alliance Resiliency and Agricultural Innovation Hub Draft Environmental Assessment, TMK (3) 2-1-025:091, Pana'ewa, Waiākea, Hilo, Hawai'i Island

Recommended Action

For Information Only. No action required.

Discussion

The purpose of this informational briefing is to introduce HHC members to the Draft Environmental Assessment (DEA) for the Keaukaha-Pana'ewa Farmer's Alliance Resiliency and Agricultural Innovation Hub and provide the HHC an opportunity to provide comments on the DEA.

Background

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 awarded to fifty Keaukaha Native Hawaiians, who were forced to relinquish their homes and relocate due to the construction of the Hilo International Airport.

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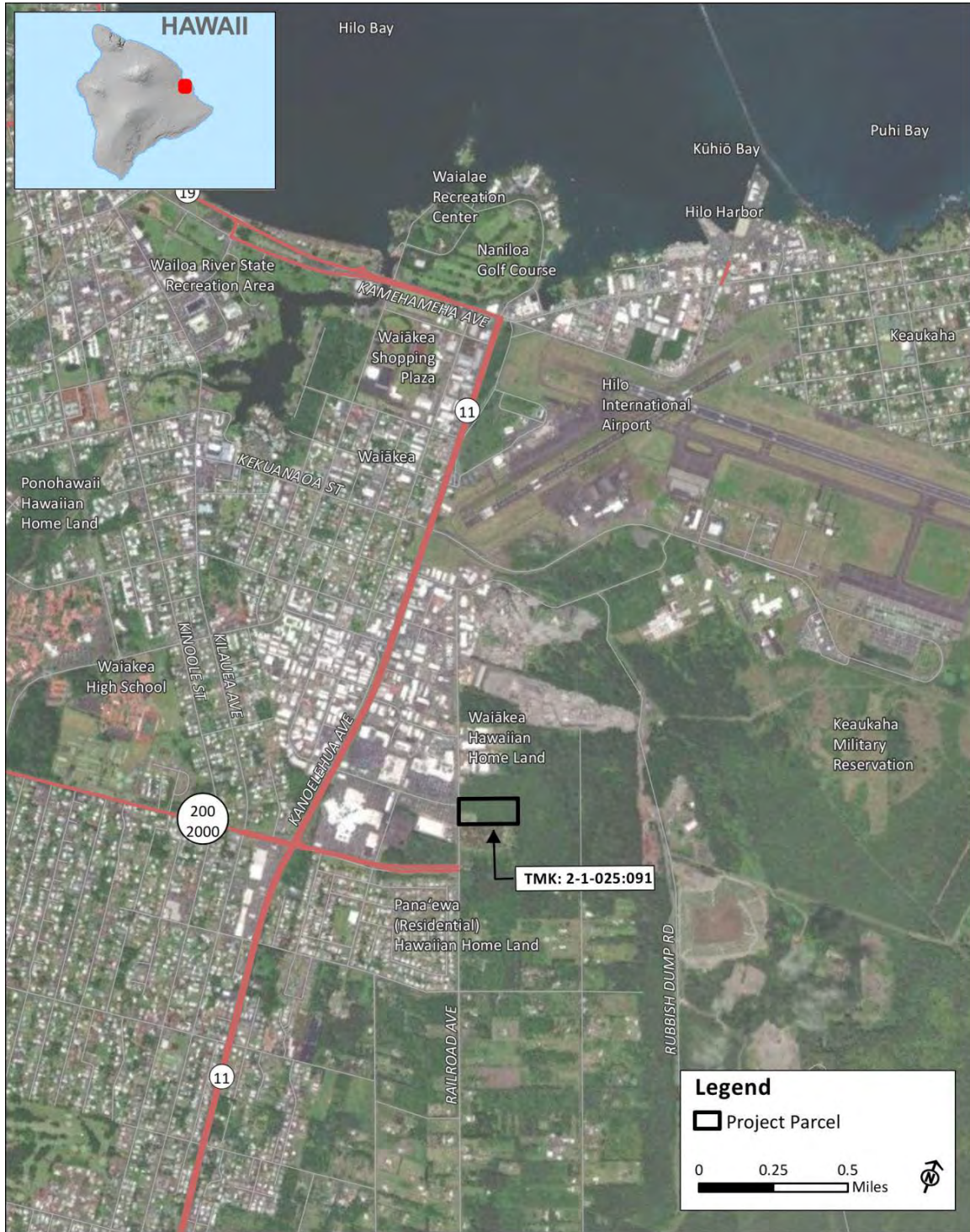
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ITEM G-1 EXHIBIT A

Figure 1 -- Project Location Map



ITEM G-1 EXHIBIT A

Proposed Action: Construction of the Resiliency and Agricultural Innovation Hub.

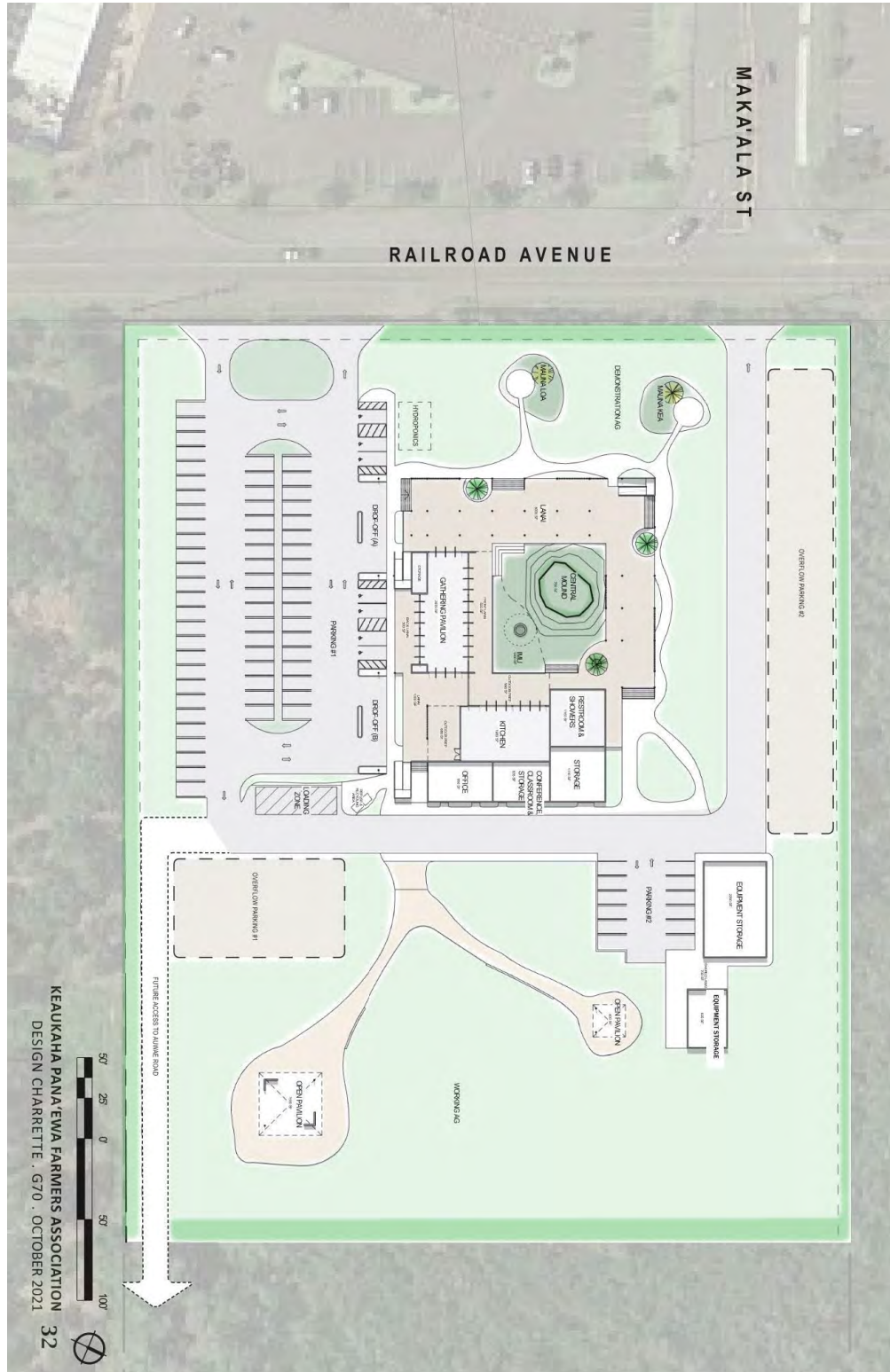
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Figure 2 – RAIH Conceptual Plan



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DEA Summary

The DEA (Exhibit B) assesses the potential environmental impact of the RAIH building on a 4.8-acre portion of TMK (3) 2-1-025:091. The following discussion summarizes the analysis of the DEA assessment of the project's impact to various resources.

Natural Resources

A biological assessment was prepared for the Project by G70 and Hui Kū Maoli Ola in September 2021. The Project site includes a newly landscaped area along with vegetated surroundings that likely evolved from coastal-lowland or submontane rainforest in to a semi-cultivated grassland or plain during the plantation era. Over time, the early coastal inhabitants of Hilo transformed the character of the inland forest through the introduction of agriculture. This area is located southeast of Downtown Hilo. No plants or animals currently protected or proposed for protection under either the Federal or State of Hawai'i endangered species programs (DLNR, 1997, 2015; UFWS, 2015) were detected during the survey at the Project site.

The biological assessment of the site identified 59 plant taxa and three fungi taxa. Seven species from these 59 plant taxa could be considered native (either indigenous to Hawaii, or Polynesian introduced). A diversity of introduced species and several extremely invasive species in particular have established themselves to successfully crowd out native vegetation at the site.

During the assessment, eight species of avifauna and four species of terrestrial fauna were observed at the Project site. None were indigenous or Polynesian introduced; however, the 'ōpe'ape'a or the Hawaiian Hoary bat (*Lasiurus cinereus semotus*), which is listed as an endangered species under both the federal Endangered Species Act and Hawai'i Endangered Species laws, could exist on the Site as the survey was done during mid-day when 'ōpe'ape'a are typically inactive.

The proposed Project is not anticipated to impact endangered or threatened plant or animal species. Although not identified during the avian and terrestrial mammal

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surveys, the potential presence of the Hawaiian Hoary bat may require additional consideration and mitigation measures in accordance with the letter from DLNR-Division of forestry and Wildlife (dated: October 31st, 2022). To avoid any potential negative impacts to roosting bats, woody vegetation taller than 15 ft will not be removed during pupping season (between June 1 and September 15). Additionally, barbed wire will not be utilized for fencing.

With the implementation of the proposed mitigation measures, the RAIH is not anticipated to have a significant adverse impact on fauna species, as the Project will not result in a substantial decline or take of a Federally- or State- listed, threatened, or endangered species. No additional mitigation is recommended.

Historic and Cultural Resources

An Archaeological Reconnaissance Survey (ARS) was prepared by Keala Pono Archaeological Consulting, LLC in September 2021. The method used during this ARS was a Pedestrian survey, three participants spaced 5-10-meters apart (depending on vegetation and visibility) walking along transects where archaeological sites were identified visually and were marked with pink flagging tape and recorded with a Garmin GPS map 62st with an accuracy of 3-meters. All artifacts observed were left in place. The ARS documented one archaeological site (Site 1) with five features.

Site 1 is historic in age and may have functioned as a car dump associated with a structure of unidentified function. Most common type of artifacts were bottles used for beverages, condiments, medicine, and perfume, or bottle glass fragments. Further work is recommended to document the site and more fully identify the cars and artifacts.

Construction of the Project will require ground disturbing activities such as grubbing, grading, and minor excavations for utilities and installation of piles. Consultation with the State Historic Preservation Division (SHPD) is required by HRS Chapter 6E and is recommended by archaeological surveyors to outline measures needed for Site 1 prior and during the construction of the Project on TMK: (3)2-1-025:091. No adverse impacts are anticipated to

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archeological sites are anticipated during the construction of the Project.

This Project will involve the retention of indigenous plants such as the 'ōhi'a, to protect the cultural importance of the Project site. The installation of landscaping and agriculture will also reflect community values by utilizing indigenous agricultural practices and indigenous species whenever possible, particularly those species which are best suited for the region's soil and climate conditions. If reintroduction native species historically known to the area is possible it could encourage the return of populations and return of traditional harvesting practices that historically used to occur in the Pana'ewa forest.

KPFA recognizes the importance of placenames and will incorporate placenames that honor the areas that hold tremendous cultural value into the Project structure. The proposed Project will not result in short- or long-term adverse impacts to cultural resources and practices but would aim to incorporate cultural values and practices in the new Project. No other mitigation measures are proposed.

Infrastructure -- Traffic

A Preliminary Traffic Assessment Report (PTAR) was prepared for the Project by TMC on September 20, 2021. See *Appendix G: Preliminary Traffic Assessment Report*. Traffic conditions were observed at the following three study intersections adjacent to the site during the AM peak period (7:15 am to 8:15 am), the PM peak period (3:15 pm to 4:15 pm) and the Saturday or weekend peak period on August 12, 2021 and August 14, 2021:

1. Pu'āinakō Street/ Railroad Avenue
2. Home Depot Driveway / Railroad Avenue
3. Maka'ala Street / Railroad Avenue

Construction-related traffic will be temporarily noticeable, but it will not significantly increase traffic on surrounding streets. The following mitigation measures are recommended during the construction phase of the Project to promote optimal traffic conditions:

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- Trucks delivering construction material and disposing of construction waste should be scheduled on weekdays during non-peak commuter periods (8:30 AM to 3:00 AM);
- All construction vehicles will be kept in proper operating condition to prevent adverse impacts on public roadways; and
- Construction plans and drainage/discharge/connection permit applications for work done within a Hawaii Department of Transportation (HDOT) Right of Way (ROW) will be submitted to the HDOT, Highway Division for review and approval. Similarly, construction plans and drainage/discharge/connection permit applications for work done within the Department of Public Works Traffic Division (DPW-TD) ROW will be submitted to DPW-TD.

Potential short-term impacts to traffic and circulation on site are related to temporary construction activities. Disruptions to normal traffic flow to the site may be minimized through the use of traffic control barricades, cones, and signage to delineate construction boundaries. The Project is not anticipated to generate additional traffic to the area during AM or PM peak hours of operation (entering/exiting) at the Project site. Further, any turning movement generated by the Project, or the number of vehicles making left or right turns at the study intersections will be no less and no greater than the amount of making these turns at the study intersections at present. Additionally, pedestrian access to the Project will be provided at the main entrance on the northwest side of the property. A crosswalk will be installed connecting the sidewalk at Maka'ala Street to the Project site. No substantial long-term impacts to existing pedestrian facilities are anticipated from construction of the Project.

Infrastructure - Water & Wastewater

The property is currently served by the CoH-DWS. The existing 1-inch domestic water meter and lateral would likely be replaced with a larger service to meet the needs of the facility. In addition, it is expected that the building may need to have a fire sprinkler, which will

ITEM G-1 EXHIBIT A

require a new fire service lateral and backflow preventor to be installed off the existing 12" public water main on Railroad Avenue. A water availability request including estimated maximum daily water usage calculations and construction plans will be submitted to DWS for review and approval per the request of CoH-DWS (dated: November 3rd, 2022). Upon acceptance, CoH will determine if water is available, the water commitment deposit amount, facilities charge due, and necessary water systems improvements to support the Project.

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) would be required. 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. Construction plans and calculations for an Onsite Wastewater System will be prepared and submitted to the State of Hawaii Department of Health Wastewater Branch for review and approval for the private onsite system.

DHHL Planning System Consistency

The DHHL General Plan is in the first tier of DHHL's planning process and sets the vision and establishes goals and policies to guide the discussions and decision-making of the Hawaiian Homes Commission. The General Plan was revised beginning in 2018 and approved in January 2023. The General Plan takes the Trust to the planning horizon of 2040. The General Plan focuses on seven priority areas: Land Use and Water Resources, Infrastructure, Housing, Food Production, Healthy Communities, Natural and Cultural Resource Management, and Revenue Generation and Economic Development. The proposed project is consistent with the applicable objectives and policies of DHHL's General Plan. The proposed project is in alignment with the DHHL General Plan in the areas of Land Use Planning, Food Production, Healthy Communities, and Economic Development. The RAIH will serve Keaukaha-Pana'ewa beneficiaries and community members through agricultural training and disaster

ITEM G-1 EXHIBIT A

preparedness and management, to further a sustainable, self-sufficient Native Hawaiian community.

The DHHL's 2002 Hawai'i Island Plan evaluates the DHHL holdings on Hawai'i island and identifies land use plans developed to meet beneficiary needs. Island Plans are part of the second tier in DHHL's planning process that focuses on island-specific land use projections. The Hawai'i Island Plan finds that the Pana'ewa tract is well-suited for development given its extensive acreage and proximity to available infrastructure. The RAIH will utilize this prime location to expand agricultural services and training, and disaster preparedness and management to serve DHHL beneficiaries.

Based upon the analysis completed in the DEA, staff anticipates a finding of no significant impact for the KPFA Resiliency and Agricultural Innovation Hub. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR 11-200-12.

(1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;

Discussion: The proposed project is not anticipated to result in the loss or destruction of any natural resources. As discussed in *Chapter 3.4 Flora and Fauna*, no endangered or threatened plant or animal species or critical habitat were identified on the site. Mitigation measures will be employed to minimize potential impacts. This Project is not anticipated to result in the loss or destruction of any cultural or archaeological resources. There are currently no cultural practices or cultural resources located on the Project site. However, the Project aims to incorporate cultural practices and education for the Project site in their long-term programming

(2) Curtails the range of beneficial uses of the environment;

Discussion: The proposed project will not curtail the range of beneficial uses of the environment. Currently, KPFA manages the Project parcel for farmer, community, and cultural programming on one acre of the project area. The proposed project would create the RAIH facility on State

ITEM G-1 EXHIBIT A

designated "Urban" land and MG-1a General Industrial District by the County of Hawai'i. This Project will enhance KPFA's current programming, which is consistent with State and County land use designations.

(3) Conflicts with the State's long term environmental policies or goals and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders;

Discussion: The proposed project does not conflict with the State's long-term environmental policies or goals and guidelines as expressed in the State Environmental Policy, Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders. This Draft EA was prepared to ensure the Project will not have a significant adverse impact on the environment. Where mitigation measures are recommended due to the Project's potential impacts, the KPFA will implement those applicable measures to the extent possible to curtail long-term impacts to the environment.

(4) Substantially affects the economic or social welfare of the community or State;

Discussion: The proposed project will result in short-term economic benefits during construction and operation that include direct, indirect, and induced employment opportunities and multiplier effects, but not at a level that would generate significant economic activity. The Project is expected to improve the safety of the community and enhance operations of KPFA's programs. The new facility will enable the County to better serve the wider island population through education before, during, and after cases of emergency.

ITEM G-1 EXHIBIT A

(5) Substantially affects public health;

Discussion: The proposed project is consistent with existing land uses and is not expected to affect public health. However, there are short term impacts to air quality in the form of exhaust and fugitive dust from construction activity. Short term noise impacts related to construction activity may occur, though construction noise is not expected to be significant. The project will comply with State and County regulations during the construction period and will implement BMPs to minimize temporary impacts. The proposed project is expected to continue to provide a space for the community and continue to improve the health and safety through agriculture and disaster preparedness.

(6) Involves substantial secondary impacts, such as population changes or effects on public facilities;

Discussion: The proposed project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. Construction related impacts related to noise and air quality are temporary and will be minimized by following State and County regulations and using construction BMPs as discussed throughout this Draft EA. Long-term impacts to air and water quality, noise, and natural resources are not anticipated.

(7) Involves a substantial degradation of environmental quality;

Discussion: The proposed project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. Construction related impacts related to noise and air quality are temporary and will be minimized by following State and County regulations and using construction BMPs as discussed throughout this Draft EA. Long-term impacts to air and water quality, noise, and natural resources are not anticipated.

(8) Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger actions;

Discussion: The development and implementation of the proposed project will have a very limited and negligible

ITEM G-1 EXHIBIT A

impact on the natural and cultural environment. There are no anticipated cumulative effects on ecosystem resources or human communities. The purpose of the proposed action is limited to the construction of RAIH to improve overall efficiency and hazard response and provide a space for community for education and agricultural practices.

(9) Substantially affects a rare, threatened or endangered species or its habitat;

Discussion: The proposed project will not have a substantial adverse effect on rare, threatened, or endangered species or its habitat.

10) Detrimentially affects air or water quality or ambient noise levels;

Discussion: The proposed project will not have a substantial adverse effect on air or water quality or ambient noise levels. Construction activities would result in short-term effects on air, water quality and ambient noise levels but would be mitigated by compliance with COH and DOH rules regulating construction-related activities.

During operations, the impacts on air and water quality would be minimal. Noise levels would be minimally increased with the addition of the new clinic within the project area, however it is not anticipated to be perceptible by the surrounding land uses.

(11) Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

Discussion: The Project site lies within Flood Zone "X", an area determined to be outside the 0.2% annual chance floodplain and outside of the 500-year floodplain. The Project site is in the urban Hilo area adjacent to the Pana'ewa rainforest and consists primarily of soils characterized by moderately rapid permeability, slow runoff, and an erosion hazard that is no more than slight. The elevation of the Project area is outside of the tsunami zone, sea level rise exposure area, and other coastal

ITEM G-1 EXHIBIT A

areas. In cases of extreme tsunamis, users of the facility would be able to evacuate the higher levels of the building. No long-term impact is anticipated.

(12) Substantially affects scenic vistas and view planes identified in County or State plans or studies;

Discussion: The Project is not anticipated to have a substantial adverse effect on scenic vistas and view planes, during day or night, as identified in State or County plans. Short-term impacts to visual resources are related to construction. The new building and the surrounding pavilions are under the 45-foot height limit designated for the County of Hawai'i land use height limits for this particular district (HCC §25-5- 133). The facility is visible from Railroad Avenue. Final design treatments to minimize the impact of the structure on the surrounding neighborhood may include screening such as landscaping.

(13) Requires substantial energy consumption.

Discussion: Construction of the project will not require substantial energy consumption relative to other similar sized projects and other commercial activities in the area. The new building may increase existing electrical demand at this location. However, the Project would not result nor constitute a source of impact to the climate and does not propose activities that will lead to an increase in the generation of GHGs.

Next-Steps

The Draft EA will be published in the Environmental Notice Bulletin on March 23, 2023. The 30-day public comment period will commence on that day and end on April 22, 2023. KPFA and DHHL will review comments received during the 30-day comment period and revise the DEA as needed based on public comments. The Final Environmental Assessment is tentatively anticipated to be presented to the HHC at its May 2023 for its consideration to approve.

Recommendation

For information only. No action required.

KEAUKAHA PANA'EWA FARMERS ASSOCIATION RESILIENCY AND AGRICULTURAL INNOVATION HUB

FINAL ENVIRONMENTAL ASSESSMENT

Waiākea, Island of Hawai'i, Hawai'i

Tax Map Key: (3) 2-1-025:091



PETITIONER/APPLICANT:



KEAUKAHA PANA'EWA FARMERS ASSOCIATION

PREPARED BY:



111 S. King Street, Suite 170
Honolulu, Hawai'i 96813

June 2023

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Andrew H. Choy, Planning Program Manager *AC*

FROM: Pearlyn Fukuba, Planner *plf*

SUBJECT: Accept the Beneficiary Consultation Report for the Ko'olau Foundation Land Use Request to utilize an approximately 65-acre portion of Hawaiian Home Lands in Ha'iku, He'eia, O'ahu, TMK (1)4-6-015:014 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to the Ko'olau Foundation (KF) Land Use Request for an approximately 65-acre area in Ha'iku, He'eia, O'ahu.

DISCUSSION

Background

KF is a non-profit organization that serves to preserve Hawaiian culture through the preservation, protection and recognition of Hawaiian cultural and historic places and values, mo'olelo and practices. KF would like to utilize Trust Lands in Ha'ikū, He'eia, O'ahu (Exhibit A) to establish the Ha'ikū Valley Cultural Preserve that is expected to include the following features:

1. Establish a cultural preserve;
2. Convert the OMEGA Station transmitter building to become the Ko'olau Museum and Cultural Center;
3. Develop a cultural and environmental education program with the ahupua'a as a living and learning environment; and,
4. Enhance the area's potential to provide traditional Hawaiian medicine to the Ko'olau Region, which includes DHHL lessees in Waimanalo and Waiahole, beneficiaries on the DHHL waitlist, and Native Hawaiians in the community by

providing an accessible place to gather or learn the use of Hawaiian medicinal plant products.

The purpose of the beneficiary consultation meeting was to provide more information regarding KF's land use request to beneficiaries and to collect beneficiary mana'o on the request.

The DHHL recognizes that meaningful, timely, and informative beneficiary consultation is necessary for the successful formulation and implementation of its policies, programs, and projects. In 2009, the HHC adopted a Beneficiary Consultation (BC) policy. The purpose of the policy is to ensure that appropriate beneficiary consultation processes and activities are incorporated into DHHL's planning and decision-making. The Policy requires BC for four types of proposals: 1) Statewide Policy Issues; 2) Amendments to Land Use Designations; 3) Development of DHHL Plans; and, 4) Proposed long-term use of DHHL lands for non-homesteading uses.

The request by KF to utilize a portion of DHHL lands for the Ha'ikū Valley Cultural Preserve constitutes a long-term non-homesteading use of DHHL lands and therefore required a beneficiary consultation meeting prior to HHC action on the request. A virtual beneficiary consultation meeting was held on April 25, 2023 with DHHL beneficiaries.

Beneficiary Consultation Process

The proposed use of Hawaiian Home Lands went through the following steps prior to ensure that beneficiaries were informed about the opportunity to provide feedback on the Land Use Request.

STEP 1. THE PROPOSED ACTION IS DESCRIBED AS:

KF, a non-profit organization, is looking to establish the Ha'ikū Valley Cultural Preserve on approximately 65 acres of DHHL lands in Ha'iku, He'eia, O'ahu.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT:

Approximately 1105 postcards were mailed to beneficiaries with a 96744 zip code (Exhibit B).

On April 25, 2023, the Department conducted a beneficiary consultation meeting utilizing the Zoom virtual meeting.

STEP 3. PRESENTATION MATERIALS FOR MEETINGS ARE AVAILABLE FOR FEEDBACK:

A slideshow presentation was prepared for the beneficiary consultation (Exhibit C). This slideshow was presented on April 25, 2023 to participants at the virtual meeting, and can be viewed as a part of the meeting recording.

DHHL created a project webpage to disseminate information and provide easy access to presentations, materials, etc. related to this land use request:

<https://dhhl.hawaii.gov/po/oahu/koolau-foundation-land-use-request/>

The webpage contains project information:

1. A weblink to the BC meeting and recording;
2. A weblink to meeting notes from the April 25, 2023 meeting; and,
3. Information on how to submit comments.

STEP 4. COMMENTS ARE COMPILED INTO MEETING REPORTS:

The following table and data below captures the level of participation and engagement at the April 25, 2023 consultation:

Table 1: Summary of beneficiary participation

Beneficiary Consultation Meeting	Estimated Attendance	No. Self-ID as DHHL Beneficiaries	No. of Questions and/or Comments
April 25, 2023	12	3	9
Written Comments Submitted during the 30-Day Comment Period	--	--	--
TOTAL	12	3	9

BC attendees did not sign a physical sign-in sheet due to their participation via a virtual online platform. Instead, attendees were asked to sign-in to the "Chat-box" on Zoom and self-identify whether or not they were a DHHL beneficiary. However, not all attendees complied with the request to sign-in. Also, there may have been multiple people participating from a single computer or mobile device. Therefore, it is difficult to determine the exact amount of participants during the meeting.

As reflected in Table 1, approximately twelve (12) participants attended the virtual meeting on April 25, 2023. Additionally, four (4) persons attended on behalf of KF to share a presentation on the organization's request, along with four (4) DHHL staff, totaling twenty (20) persons in attendance. Three (3) participants in the meeting self-identified as a DHHL beneficiaries.

STEP 5. ADDITIONAL BENEFICIARY OUTREACH:

Due to the low number of participants at the beneficiary consultation, DHHL conducted a second round of community outreach by mailing another postcard to beneficiaries with a 96744 postcard (Exhibit C). The purpose was to remind beneficiaries about the subject project, inform interested beneficiaries about information available on DHHL's project webpage and provide opportunity to submit comments by May 25, 2023.

Summary of Beneficiary Comments:

The following questions and answers (Q & A), comments and suggestions were aired during the beneficiary consultation:

Q: Are there opportunities for interested community members to be involved with the Ko'olau Foundation?

A: Please email koolaufoundation@gmail.com or Mahealani at malamapono744@aol.com to learn more about volunteer workdays, meetings, as well as Board Meetings or to provide any direct comments or questions.

Q: Is the Department considering using this property to build homes?

A: The Department is not considering putting homes for three specific reasons.

- First, there are cultural resources located on the property including heiau and historic properties.
- Second, due to the historic military use of the property where fuel was burnt on the property, it is not suitable for the Department to put homes on the property.
- Third, when the Department conducted its due diligence to establish whether homes could be built, the Department discovered that they would have to invest significant monies to upgrade the sewer line to connect homes to the existing County sewer lines.

Q: Are these lands restricted to agriculture leases?

A: These lands will not be leased for agriculture leases. Under the Hawaiian Homes Commission Act, if someone is awarded an agriculture lease, the lessee has the ability to put a home on their agriculture lease.

Q: Has the Department explored land trades or exchanging of lands?

A: The Department has explored trying to trade or exchange these lands with other Ali'i Trusts.

- The Department has approached the Office of Hawaiian Affairs (OHA) to see if they wanted to take the kuleana of stewarding these lands for the cultural purposes, similar to what the Ko'olau Foundation intends to do. OHA did not see this as an opportunity and the timing was not right for them to take on this land.
- The Department also approached Kamehameha Schools to see if they wanted to take the property in exchange for some of the land that they might possess, that might be better suited for homesteading. The timing was not right for Kamehameha Schools to feel comfortable entering into a land exchange with the Department.
- The Department is still willing to explore this opportunity although they have not found a partner willing to do so.

Community Member Concerns

- **Security and Property Concerns** - concerns were brought up that individuals have been negatively impacted by individuals walking onto their property that reaches near Ha'ikū Stairs and the property being requested by Ko'olau Foundation. Concerns were raised to ensure the community is secure and that people are pono in their practices.
- **Hikers and Visitors Getting Lost** - as hikers coming from the Moanalua Valley side of the Mountain trek over and sometimes get lost and find themselves on private property, including in resident's yards. Similarly, visitors who may be

unaware of the area have found themselves lost, unaware of their surroundings.

- **Overall Questions and Concerns for the Ko'olau Foundation** - as it relates to land use concerns, including whether Ko'olau Foundation intends to deploy a traffic survey as well as a community survey to gather input from neighborhood residents in the area. Additional questions included access to the area during holidays, weekends, and what the daily capacity will be if the land use request is approved.

Suggestions and Comments from Community Members

- **Identify Potential Problems Early in the Process** - so individuals can address and immediately discuss potential problems and resolve them prior to engaging any deeper in the process.
- **Ensure Community and Neighbors are Aware and Able to Give Feedback** - as some neighbors may want to be involved in sharing mana'o or potential concerns regarding the land in their neighborhood.

DHHL also received three (3) emailed comments during the comment period:

1. *"As long as non-beneficiaries are not benefiting off DHHL lands, like Ka Makana Ali'i, then I can fully support the land use request. As far as I know, this project seems to be by the lahui and for the lahui. Therefore, I do fully support the land use request by the Ko'olau Foundation. The main reason for this email is that I have a question. What is going to be done with the land below Kamakau? In Ko'olau Foundation's slide show it says that it's "Coast Guard..." Does this mean that the Coast Guard owns it? Or does DHHL own the land? I'm interested because I would like to know if my Gym could lease that land?"*

I own and operate Good Vibes Gym in Kane'ohe and I am struggling to find adequate space for my expanding membership. If DHHL is an option then I could do heavily subsidized memberships for beneficiaries, or I could partner with Ko'olau Foundation to manage their Makahiki, or I could have space for Kamakau athletics or P.E. I see the abandoned structures along the road everyday that I drop my kids off at school and think about how they're being wasted."

2. *"We agree with the "problems and challenges" shared by the Ko'olau Foundation in their presentation (trespassers, hikers, invasive plants, road conditions). We would like clarification as to whether any of the requested acreage by the Ko'olau Foundation are intended to be used as parking for the hikers to access the Ha'ikū Stairs.*

Trespassers seeking to hike the illegal Ha'iku Stairs continue to threaten the safety of our students, staff and 'ohana. Many confrontations have ensued with trespassing hikers, including verbal threats made directly to our PreK-12 students. Additionally, we have dealt with hunters carrying rifles and who travel with unleashed hunting dogs. These trespassers are either ignore or are unaware of our school campus on site.

Some questions that we have to limit/screen the large anticipated number of the public entering the valley :

Will security be provided during the operating hours of the Cultural Preserve?

Is the intent as license holders to offer parking for hikers to access Ha'ikū Stairs?

Some areas along the access road are narrow, allowing one car to pass at a time. Is there a traffic plan or plan for widening areas in the access road to allow for the safe travel up/down this road?

KAI LOA, Inc has previously requested the activation of an additional 18-acres as specified in our lease for the purpose of expanding the school campus and lo'i restoration. The 18-acres requested by KAI LOA is included in the Ko'olau Foundation's conceptual graphic- Native Forest Restoration /Lo'i Kalo area.

KAI LOA, Inc will be revisiting this DHHL approved increase of acreage as we have met all of the conditions placed upon us- metes & bounds of the 10 and 18 acres, and a 25-year facilities master plan.

Shared Maintenance of Common Areas- Access Road Maintenance

Ke Kula 'o Samuel M Kamakau has invested over \$180,000 to repave the access road leading up to the campus. KAI LOA has raised an additional \$50,000 to maintain the condition of the road for the safe access to and from school.

With increased auto traffic over time, will DHHL commit to maintaining the conditions of the access road?"

3. *"With the recent development I retract my concerns about the combination of Ha'ikū Stairs in close vicinity to the Ko'olau Foundation land use request. Once the Ha'ikū Stairs is removed, I do not perceive any mitigation needs for Hōkūlele neighborhood as the foot and vehicle traffic does not enter our community. Thank you for the opportunity as a DHHL beneficiary to "VOICE" my concerns. The removal of Haiku Stairs is a win-win situation for the community."*

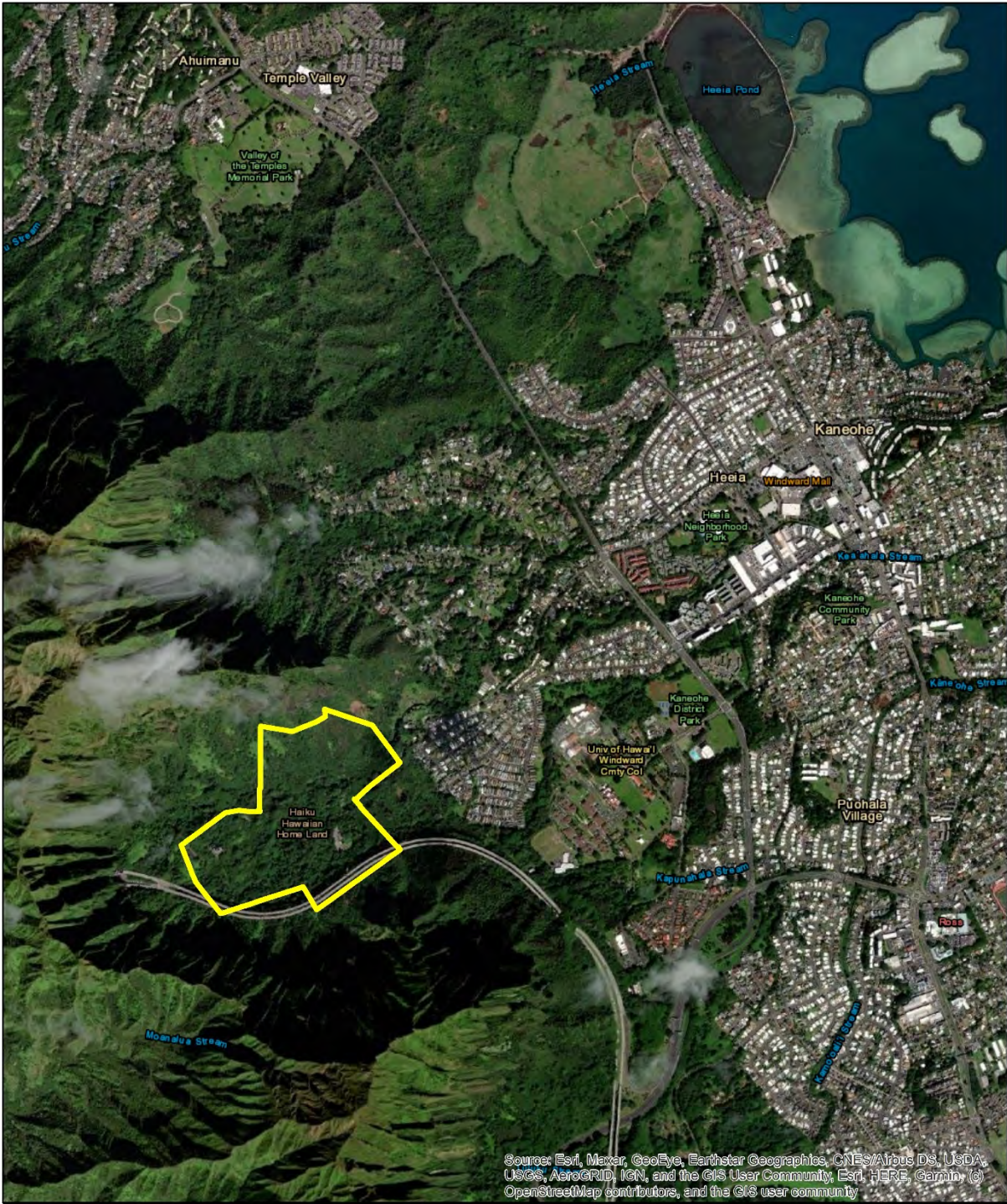
Next-Steps

- HHC approve ROE request to KF to conduct due diligence and feasibility studies including studies related HRS Chapter 343 and HRS 6E compliance
- KF to conduct due diligence studies and raise funds for construction.

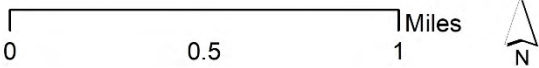
Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motion as stated.

Exhibit A
LOCATION MAP



Legend
DHHL Haiku Lands



BENEFICIARY CONSULTATION POSTCARD



**Beneficiary Consultation
Virtual Meeting**

**Koʻolau Foundation
Land Use Request**

Tuesday, April 25, 2023
6:00 p.m. to 7:30 p.m.

Meeting Purpose:

Introduce the project and get DHHL beneficiary mana'o on the Koʻolau Foundation's Land Use Request to establish the Ha'ikū Valley Cultural Preserve.

Join the Virtual Meeting:

dhhl.hawaii.gov/meetings

Questions? dhhl.planning@hawaii.gov



DEPARTMENT OF HAWAIIAN HOME LANDS
P.O. BOX 1879 HON, HI 96805

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HONOLULU, HI
PERMIT NO. 574

Exhibit C
Beneficiary Consultation Presentation





The image shows a Zoom meeting interface. At the top, there is a toolbar with icons for Unmute, Stop Video, Security, Participants, Chat, Share Screen, Record, Reactions, and an End button. Below the toolbar, the slide content is displayed. On the left is a close-up image of green leaves. To the right of the image is the title 'Housekeeping' in a large, bold, dark blue font. Below the title is a bulleted list of instructions.

Housekeeping

- Please keep your microphone on mute when you are not talking
- Type your questions in the chat or raise your virtual hand
- Please keep in mind this meeting is being recorded
- In the CHAT please sign-in (First & Last Name, where you live, applicant, lessee, or other)

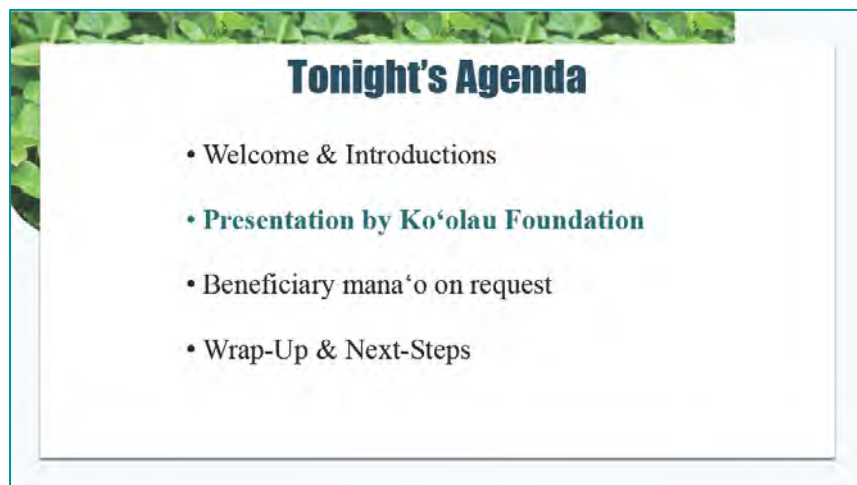


The slide features a decorative header with a close-up image of green leaves. The title 'DHHL Beneficiary Consultation Policy' is centered at the top in a bold, dark blue font. Below the title, a paragraph explains that Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval. A bulleted list follows, detailing these four types.

DHHL Beneficiary Consultation Policy

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

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



The slide has a decorative header with a close-up image of green leaves. The title 'Tonight's Agenda' is centered at the top in a bold, dark blue font. Below the title is a bulleted list of the agenda items for the evening.

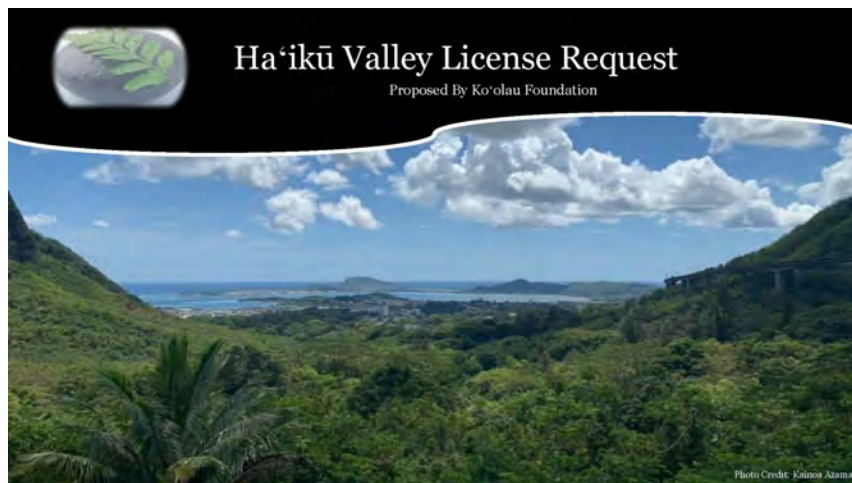
Tonight's Agenda

- Welcome & Introductions
- **Presentation by Ko'olau Foundation**
- Beneficiary mana'o on request
- Wrap-Up & Next-Steps

Project Location

TMK (1) 4-6-015:014(p)

Ko'olaupoko Moku
Island of O'ahu



Ko'olau Foundation

*Preserve Hawaiian culture by advocating for preservation/protection of
Hawaiian cultural/historic places and perpetuation of Hawaiian values, practices and
Mo'olelo.*

501(c)(3) tax-exempt non-profit

Vision: Ensure the preservation of Hawaiian places of antiquity and history for
generations to come



Board of Directors



Aaron Mahi



Theresa Bright



Rocky Kaluhiwa



Mahealani Cypher



Leilani
Jones-Tollefsen



Jill Akana



Alice Hewett



Ardis
Eschenberg



Donna Akina



Francine Gora



Shandry Lopez



George Atta



Essential Volunteers:



Lā'au Lapa'au
Practitioner,
Sol Nalu'ai



Volunteer Coordinator,
Kainoa Azama

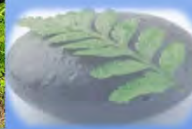


Site Manager,
Hi'ilaniwai DeCosta



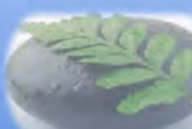
History of Ha'ikū Valley

- Inhabited by Hawaiian families possibly as far back as the 5th century
 - “Once believed to be a “hospital”, where kahuna la'au lapa'au and community came to gather medicinal plants” ~ Carol Bright
 - “Chiefs and priests once lived in its mauka lands” ~ Samuel Kamakau, (Time of Ma'ilikūkahī)
- At Least 3 Heiau
 - i. Kanehekili
 - ii. Kane A Me Kanaloa
 - iii. “Kahuku Side”



Modern History of Haiku Valley

- Late 1930s, Hawaiian families relocated out of the valley
- Early 1940s, radio communications station built
- Mid 1990s, Coast guard station announces plans to close
- 1995 - '97, KF community meetings on future of valley
- 1998
 - Valley conveyed to DHHL
 - Meeting w/ Director Kali Watson



Dual purpose of Hawaiian Home Lands Act

“The Congress of the United States and the State of Hawaii declare that the policy of this Act is to enable native Hawaiians to return to their lands in order to fully support self-sufficiency for native Hawaiians and the self-determination of native Hawaiians in the administration of this Act, and the preservation of the values, traditions and culture of native Hawaiians.”

Photo Credit: Kainoa Azama

Subsequent Work with DHHL

- Informal meeting w/ Chair Watson
- Past 8 years in discussions w/ Aila
- Submittal of formal application, 2021
- Informal meeting with interim chair Anderson



History of Our Work with OHA

- OHA Funded Conceptual Plan (2007)
- HB2704 - OHA package (2008)
- Ethnographic Study (2017)
- HB2246 - Rep. Ito introduced
- HB1313 - OHA no response

FINAL – AN ETHNO-HISTORICAL STUDY OF HA'IKŪ VALLEY

With an Emphasis on Kahekili/Kānehekili Heiau and Kāne a me Kanaloa Heiau (Sites #50-80-10-332 and -333)

In the 'Is of Ha'ikū, Ahupua'a of Heaia, Moku of Kōroloa Pōke, Moku o Wai'anae

TMK: (194-6-015, 001, 011, 012, and 014)

October 2017



LEGISLATIVE EFFORTS

- I. D2007 – HCR 278, H.D.1 – Establishing a cultural preserve in Haiku Valley
- II. 2008 – H.B. 2704, C.D.1 – Establishes the HVCP Commission to exercise policy and management oversight of the Haiku valley cultural preserve attached to OHA (part of OHA package), changed to DLNR (vetoed by Gov. Lingle)
- III. 2012 – H.B. 2246, S.D. 2 – Establishes Haiku valley cultural preserve commission (attached to DLNR) stalled in House Finance due to state fiscal Constraints
- IV. 2023 – H.B. 1313, creates cultural preserve, transfers land to OHA - stalled due to no response from OHA



Problems and Challenges

- Trespassers
- Hikers
- Invasives
- Road Conditions



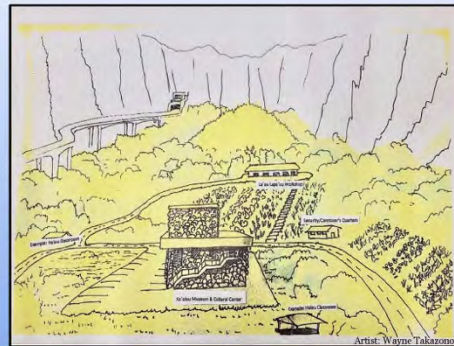
Photo Credits:
OHA's Ethno-Historical Study of Haiku,
Hawaiian DeCorte



Cultural Preserve

Main goals:

- i. Establishment of cultural preserve
- ii. Conversions of the OMEGA transmitter building & upper maintenance building
- iii. Development of cultural/environmental education programs
- iv. Re-establishment of native Hawaiian medicinal plants & Hawaiian forest
- v. Propose application in three phases:
 1. Kane A Me Kanaloa to Kanehekili
 2. Center section enclosed by valley loop road
 3. Kahuku side of the valley





Heiau License

- Native Plant Restoration
- Cultural Retreats
- Develop Security Building
- Road Repair

Photo Credit: H. J. Janssen DeGroot

Projected Funding Resources

- ❖ Grants
- ❖ Tours/Cultural Workshops
- ❖ Retreats
- ❖ Government Support
- ❖ Corporate Support
- ❖ Other





Photo Credit: H. J. Janssen DeGroot, M. Janssen DeGroot

Phase Funding

Anticipated Cost Factors:

- ❖ Landscape architect
- ❖ Construction
 - Maintenance Building
 - Museum
 - Security Facility
- ❖ Infrastructure




Photo Credit: H. J. Janssen DeGroot

How This Cultural Preserve Can Help Beneficiaries & Our Community



- ❑ Help protect the property
- ❑ Comply with historic preservation covenant
- ❑ Satisfies cultural section of Hawaiian Homes Act
- ❑ Iwi Kūpuna, Kumu hula, Kahuna lā'au lapa'au, perpetuating cultural practices



Photo Credits: H. Iliana, D. C. Ota, M. K. Ota, D. Ota

Support Groups

- Ko'olaupoko Hawaiian Civic Club
- Windward Community College
- Councilmember Esther Kia'aina
- Councilmember Matt Weyer
- Rep. Lisa Kitagawa
- Rep. Scot Matayoshi
- Sen. Jarrett Keohokalole
- Sen. Brenton Awa
- Royal Order of Kamehameha
- HMB
- Paepae 'o He'eia
- He'eia NERR
- Historic Hawai'i Foundation
- William Claude & Ma'ema'e Jones 'Ohana
- Habitat
- Hawaiian Memorial Park



Ko'olau Foundation Policies & Procedures

Administration
Cultural/Community Access Protocols
Security
Emergency Procedures



Next Steps



1. Favorable consideration by beneficiaries for KF Application
2. Application placed on Agenda of Hawaiian Homes Commission
3. Award License or lease
4. Work Commences to establish cultural preserve



MAHALO NUI LOA!



Want to get involved?

Contact us @
malamapono744@aol.com
Or
koolaufoundation@gmail.com

Follow Us @koolaufoundation



Nīnau & Mana‘o

Questions & Comments on
Ko‘olau Foundation’s
proposed use of DHHL land

Next Steps


- 30-day Beneficiary Consultation Comment Period:

April 25 – May 25, 2023

Email comments to: dhhl.planning@hawaii.gov

- Beneficiary Consultation Report to the Hawaiian Homes Commission and Seek Commission Approval on Requests


POSTCARD REMINDER: COMMENT PERIOD



DEPARTMENT OF HAWAIIAN HOME LANDS

BENEFICIARY COMMENT PERIOD

Koʻolau Foundation Land Use Request



This is Not an Awards Notice

dhlh.hawaii.gov/po/oahu/koolau-foundation-land-use-request/

DHHL BENEFICIARY
COMMENT PERIOD,

April 25, 2023 to May 25, 2023

Please provide your Ninau and Manaʻo:

Koʻolau Foundation submitted a land use request to utilize ~65 acres in Koʻolau-poko Moku, Oʻahu, to establish the Haʻikū Valley Cultural Preserve. DHHL consults with beneficiaries when there is a request for long-term use of its Trust lands. The Beneficiary Consultation meeting was held on April 25, 2023. You may view the meeting video and project information at dhlh.hawaii.gov/po/oahu/koolau-foundation-land-use-request/. Comment deadline is May 25, 2023.

Please submit your comments to:
dhlh.planning@hawaii.gov



DEPARTMENT OF HAWAIIAN HOME LANDS
P.O. BOX 1879 HON, HI 96805

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STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26-27, 2023

To: Chairman and Members, Hawaiian Homes Commission

From: Andrew H. Choy, Planning Program Manager

Subject: Selection of the Representative of the Hawaiian Homes Commission to the East Maui Community Water Authority; and Approval to Conduct Beneficiary Consultation to Create a Proposed Process for Future Appointments for the Hawaiian Homes Commission Representative on the East Maui Community Water Authority

Recommended Action

- 1) That the Hawaiian Homes Commission (HHC) direct staff to develop a draft process and procedure to clarify necessary action steps to identify and approve recommendations for the HHC representative on the County of Maui East Maui Community Water Authority Board;
- 2) That the HHC grant its approval for staff to conduct beneficiary consultation on the above draft process and procedure;
- 3) Due to timing related to the formation of the initial selection of the representative of the Hawaiian Homes Commission to the East Maui Community Authority

Background

The East Maui Irrigation System (EMI) diverted an average of 165 million gallons a day (mgd), and up to 450 mgd, into a 75-mile long network that spans across East, Upcountry, and Central Maui. Historically, this system was owned by Alexander & Baldwin (A&B). In late 2018, A&B sold 41,000 acres of land to Mahi Pono, a farming venture between Pomona Farming and Canada's Public Sector Pension

Investment Board. Mahi Pono then announced plans for the creation of a joint venture to privately own and manage the EMI System and seek approval of a water license from the State Board of Land and Natural Resources (BLNR) to utilize water from the EMI System.

In early 2022, the Maui County Council approved a County Charter amendment for consideration in the 2022 General Election related to EMI ownership and operation. The charter amendment would create a new County board, the East Maui Community Water Authority, to seek to own and operate the EMI System rather than have the system be privately owned and operated by Mahi Pono. DHHL was requested to and provided presentations and information on the interests of the HHC, DHHL and beneficiaries in EMI related matters.

On November 9, 2022, Maui County residents ratified the charter amendment to establish the creation of the East Maui Community Water Authority. The authority will be led by an 11-member board. The charter amendment also included language to set-aside one seat on the board for a representative of the Hawaiian Homes Commission to better ensure that DHHL water needs are being considered by this body. Section 8-19.2(1) of the Maui County Charter describes the qualifications for the seat representing the Hawaiian Homes Commission:

The three remaining members must be appointed by the council based on the following requirements...one member who is a representative of the Hawaiian Homes Commission, and is recommended by the Department of Hawaiian Home Lands. If the Department of Hawaiian Home Lands fails to recommend a member within thirty days after receiving notice of a vacancy, the council will appoint a Hawaiian Home Lands representative as member.

The East Maui Community Water Authority would seek water licenses and other dispositions from BLNR rather than Mahi Pono.

That addition of an HHC and / or beneficiary representative to the water commission and county water boards has been a repeated request of beneficiaries and the HHC over many years, and has been the subject of numerous legislative

proposals at the state and County levels. This action is the first action taken by a county to incorporate HHC representation in such an entity.

DHHL Water Interest from the EMI System

On May 30, 2019, the Hawaiian Homes Commission unanimously voted to authorize the Chairman to formally request a water reservation from the Commission on Water Resource Management (CWRM) for the utilization of Hawaiian Home Lands in Kēōkea, Waiohuli, and Pūlehunui from the EMI system (Exhibit A). DHHL has been seeking CWRM approval of a water reservation request from the EMI system in the total amount of 11.455 million gallons per day (MGD) of non-potable water (1.3275 MGD for DHHL Pūlehunui's lands and 9.85 MGD for DHHL Kēōkea-Waiohuli's lands).

On November 15, 2022, CWRM deferred to a later date the reservation request. CWRM approval of the DHHL water reservation amount is still pending and is anticipated to be further considered by CWRM in the next several months.

DHHL beneficiaries may also depend upon water from the streams that are diverted to the EMI System for traditional and customary practices. DHHL also has an interest in ensuring that there is sufficient water in those streams to allow its beneficiaries to continue their traditional and customary practices.

In addition, provisions in the Hawaiian Homes Commission Act (HHCA) and the Hawai'i State Constitution provide for revenue related to water leases and licenses. A portion of Article XII, Section 1 of the Hawai'i State Constitution states: "Thirty percent of the state receipts derived from the leasing of cultivated sugarcane lands under any provision of law or from water licenses shall be transferred to the native Hawaiian rehabilitation fund, section 213 of the Hawaiian Homes Commission Act, 1920, for the purposes enumerated in that section."

There are three government bodies with significant impact and responsibility over water related to the East Maui Irrigation system:

1. **CWRM** has final jurisdiction over water allocation and is responsible for protecting instream flow standards

in east Maui, consequently deciding how much water can be diverted. Their decision is required by law to first provide for the public trust uses of water, prior to allowing water to be used off stream for non-public trust purposes.

2. **BLNR** has the power to issue a long-term lease to any waters CWRM has authorized to be diverted. If they choose to lease water, they have certain conditions that must be met, including working with DHHL to ensure adequate reservations of water for homesteading purposes are made; HRS Chapter 171-58 (g) protects DHHL's water needs. BLNR also has the power to not lease the water and instead, work with the Governor's Office to create an executive order to set aside land to another government entity.
3. The new **East Maui Community Water Authority Board** was created to take control over all portions of the EMI System by setting up a County entity to manage and operate the system. Whoever manages and operates the EMI System does not have the power to change the allocations that CWRM has made. However, they will have significant power and influence over how water that is available for diversion is distributed, which system improvements and efficiencies to invest in, and which areas to extend water service to.

It is significant that the HHC participate in the East Maui Community Water Authority by putting forth a representative that will thoroughly understand and assert the Department's interests in water from the EMI system and the long-term health of the streams that provide water into the system.

Discussion

DHHL received a letter dated January 9, 2023 from the Maui County Council requesting DHHL's recommendation for the HHC representative on the East Maui Community Water Authority Board. Staff consulted with the Acting Chairman and then DHHL initially submitted Dr. Jonathan Scheuer, DHHL's Water Policy Consultant to serve as the HHC representative on the East Maui Community Water Authority Board (Exhibit B). Subsequently, on June 12, 2023, DHHL rescinded that recommendation and instead nominated Dwight Burns, Maui Island Representative for the Operating

Engineers Hawaii Stabilization Fund (Exhibit C). In both recommendations, DHHL erred by not seeking HHC approval on either nominee. In recognition of this error, DHHL withdrew the last nominee from consideration (Exhibit D).

At recent Maui County Council meetings regarding the appointment of members to the East Maui Water Authority Board on June 13 and June 19, there were several DHHL beneficiaries that testified at the Maui County Council meeting on the appointment of the Hawaiian Homes Commission representative to the East Maui Board. Their testimonies expressed strong sentiment that (1) the HHC should give final approval to its representative on the East Maui Board and (2) beneficiaries would like to be consulted prior to the HHC's final approval of its representative.

Based on DHHL beneficiary testimony submitted to the Maui County Council on this matter, there is a need to establish a transparent and inclusive process and procedure to identify and select a HHC representative on the East Maui Water Authority Board.

As such, staff recommends that a beneficiary consultation be conducted to provide beneficiary feedback and input into the HHC representative selection process and procedure. Beneficiaries would be consulted on the following:

1. Identification of criteria that establish minimum and ideal qualifications and experience that a nominee should possess;
2. Kuleana of the HHC representative to inform the HHC members and DHHL beneficiaries of pending actions before the East Maui Community Water Authority;
3. Overall selection process and procedure that will broadly include:
 - a. A process in which DHHL solicits interest from potential nominees when the seat for the HHC representative will become vacant;
 - b. When beneficiary consultation should be held in the selection process and the type of input DHHL should seek during those consultations;
 - c. When recommendation of a nominee should be brought to the HHC for approval.

One-time Exception to Appoint a Nominee Prior to Development of Nominee Selection Process and Procedure

Section 8-19.2 of the Maui County Charter states that should DHHL not forward the HHC representative recommendation to the Council within 30-days, then the Maui County Council can make the selection of the HHC representative. The initial written notice from the County Council to DHHL requesting a recommendation for a HHC representative to serve on the board was received in January 2023. DHHL also withdrew its most recent nominee for reasons explained above. Despite this sequence of events at the June 19, 2023 Maui County Council meeting, several Councilmembers stated that they would respect the HHC process to approve its representative to the East Maui Community Water Authority.

However, an additional complication arises from a separate charter amendment, which was approved by the voters in November 2022. Now incorporated as Appendix IV of the Charter an "Independent Nomination Board" has been established responsible to "recruit, evaluate, and nominate individuals to serve on boards and commissions established by this charter and by ordinance, and such other offices as shall be specified in this charter." It becomes effective as of July 1, 2023. After July 1, the new board will have to be seated, and then would consider any name from the HHC as its nominee.

As stated earlier, this is the first instance in which a County has specified a seat on a water-related board to specifically represent the interests of the HHC, and there are no established procedures within the DHHL to address this. In addition, the relationship between the County Council and the Independent Nomination Board as it applies to this particular seat is unclear, as is the speed in which either party may take action on an HHC nominee. An optimistic timeline to conduct beneficiary consultation on the new process, have that approved by the commission, and then apply that new process and recommend a nominee, is 4 to 6 months.

To seek to avoid the risk of a prolonged period without HHC representation, staff is recommending that the HHC approve either Dr. Jonathan Scheuer or Mr. Dwight Burns

as its initial representative. Dr. Scheuer's qualifications are provided in Exhibit B and Mr. Burn's qualifications are included in Exhibit C. A decision at this June 2023 HHC meeting would ensure that the HHC would have a representative on the East Maui Community Water Authority Board as it begins its work. However, while beneficiaries would be able to testify on this matter at this HHC meeting, the decision would be made **without** going through the formal beneficiary consultation process.

Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motions as stated.

Should the HHC wish to defer any appointment until beneficiary consultation is conducted and a selection process is approved by this body, staff recommends approval of the first two motions as stated and deferral of the third part of the proposed motion.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

June 26 - 27, 2023

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew Choy, Acting Planning Program Manager *AC*
Subject: For Information Only - Water Policy Plan
Implementation Program Report for FY 2023 and Draft
Water Policy Plan Implementation Program for FY 2024

RECOMMENDED MOTION/ACTION

For Information Only

DISCUSSION

This submittal provides (1) a report on progress made towards the Commission's water policy objectives under the FY 2023 Water Policy Plan ("WPP") Implementation Program ("IP"), and (2) a Proposed WPP-IP for FY 2024.

I. Purpose

The Hawaiian Homes Commission (HHC) WPP was passed by the HHC in 2014. It was adopted by the HHC after three years of research and two rounds of beneficiary meetings across Hawai'i. It serves as the comprehensive guiding document for water related decisions by the HHC and the DHHL. Based on our research, it was the first water policy of the Trust since passage of the Hawaiian Homes Commission Act (HHCA) in 1921. The Policy Plan as adopted is attached here as Exhibit C, and is also available at <http://dhhl.hawaii.gov/wp-content/uploads/2013/09/HHC-Water-Policy-Plan-140722.pdf>

The WPP section on "Delegation of Authorities, Reporting, and Consultation" specifies that the Chairman shall annually seek approval from the HHC for a proposed IP in conjunction with the Department's budget request. In addition, the Chairman shall annually report on progress on execution of the previous year's approved IP. This submittal is in compliance with that provision.

II. Background

At its July 22, 2014 meeting, the Commission adopted the WPP. The purpose of the WPP is to provide strategic, proactive, comprehensive, and consistent guidance to the Commission, Department of Hawaiian Home Lands ("Department") on water related issues, actions, and decisions.

The Planning Office ("PO") is the lead division for implementation of the WPP-IP. However, as responsibilities for water are currently held throughout the department, implementation requires coordination across the agency.

Because of the timing of the approval of the WPP in July 2014, the FY 2016 WPP IP was the first submitted prior to the beginning of the fiscal year and the first evaluated on a full-year basis. This submittal contains the eighth full year of evaluation and the ninth WPP IP submitted for consideration by the HHC.

During the policy development process, beneficiaries, the HHC, and DHHL staff identified twenty-three key goals that would advance DHHL water rights and development to fulfill the HHCA. The second round of beneficiary consultation including a process for ranking of these goals, and the WPP identified four of these as Priority Goals as the focus of implementation:

- 1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.**
- 2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.**
- 3. Develop and manage a Water Assets Inventory (WAI).**
- 4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.**

III. Summary of Performance on the FY 2023 WPP-IP

The FY 2023 WPP IP, as in previous years, has focused on the four priority goals of the WPP IP, with other goals pursued at the direction of the HHC and Chairman as conditions warrant and resources allow. Importantly, the consistent investment in advocacy (Goal 2) has continued to realize critical outcomes,

including the awarding of water reservations to DHHL for future use in the years and decades to come.

The most significant accomplishments for the FY have been:

- 1) Continued collaboration with the beneficiaries, the Kaua'i Island Utility Cooperative and other signatories to the Waimea River Watershed Agreement to make progress and bring water and infrastructure to our lands at Pu'u 'Ōpae, including conversion of the KIUC right of entry (ROE) into a general lease;
- 2) Work with the Honolulu Board of Water Supply (BWS) to a) ensure that any water moratorium necessary due to the Red Hill Bulk Fuel Storage facility contamination would not result in delays in issuing water meters for DHHL projects, and b) support of the BWS pending petition to designate Wai'anae as a Ground Water Management Area;
- 3) Led by the Homestead Services Division working with the PO, DHHL began to issue new water meters on Molokai in late 2022 for the first time in years. This occurred following the September 2022 passage by the HHC of the Processes for the Allocation of Water Credits and Water Meters on Water Systems Serving DHHL Lands and the successful July 2022 securing of an increased Water Use Permit, the culmination of a three decade effort.
- 4) Following beneficiary consultation and HHC acceptance, filed groundwater reservation requests for reservation by rule on Molokai to the Commission on Water Resource Management;
- 5) Secured authorization from the HHC to enter into a Right of Entry with the County of Maui to secure treated water for Honokowai nonpotable uses;
- 6) Supported efforts by the Maui County Council to place on the November 2022 ballot a proposal to create an East Maui Regional Water Authorities with "one member who is a representative of the Hawaiian Homes Commission, and is recommended by the Department of Hawaiian Home Lands." The charter amendment was passed.
- 7) Continued significant progress on securing site control for two new well sites in North Kona needed for buildout of DHHL lands at Kealakehe (La'i'Ōpua) and other tracts

including HHC authorization to enter into an agreement on the same; and

- 8) In collaboration with the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S Richardson School of Law, prepared for statewide beneficiary training on how to prepare for, apply for, and assume leadership positions in county and state commissions with water kuleana; the training has been oversubscribed and commences the last week in June and lasts for four weeks (one session per week) to be repeated in the fall to meet beneficiary demand.

2023 Challenges and Opportunities

While opportunistic progress was made, not all objectives under each Goal were achieved this fiscal year. The loss of the Department Water Resource Management Specialist near the beginning of the second quarter of FY 2020 has yet to be rectified due to the ongoing state hiring freeze and subsequent recruitment challenges.

Certain proposals contained in the proposed 2023 WPP IP were not funded by the Commission or their funding was reduced.

In addition, as in past years, developments in ongoing water disputes had critical implications for the Department's interests in water. Ongoing conflicts regarding ground and surface and ground water related to DHHL water needs in East Maui, Honokōwai Maui, Wailua, Kaua'i, and Ka'ū required focused staff and consultant efforts. Consistent implementation of the WPP since 2014 has allowed staff and consultants to be better prepared to work ensure the rights of the beneficiaries, Hawaiian Homes Commission, and the DHHL were protected and enhanced.

Comparison of goals versus achievements is presented in Exhibit A.

IV. Proposed FY 2024 WPP-IP.

The overall WPP IP for 2024 appears as Exhibit B; two items seek allocations. The proposed WPP-IP FY2023 budget is \$380,000. The investments proposed for HHC funding are expected to continue the policy outcomes that have resulted from the passage and implantation of the WPP.

The following describes general areas of expenditures under subparts of WPP-IP FY 2024 goals, which are detailed as Exhibit B.

Goal 1.b.	\$200,000 Continue to train beneficiaries regarding DHHL water rights, including through in person and remote learning and networking among beneficiary communities.
All Goals	\$180,000 Contractor to assist DHHL with WPP IP implementation, water initiatives and advocacy
Total:	\$380,000

Other major foci in FY 2024 will be continued work to assert water rights related to other HRS 171-58 water lease renewals across Hawai'i. This will involve work with the Department of Land and Natural Resources (DLNR) to transform water revocable permits into long term leases.

RECOMMENDED MOTION/ACTION

None; for information only.

Exhibit A. Summary of Performance on the FY 2022 WPP-IP

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work ensure the rights of the beneficiaries, Hawaiian Homes Commission, and the DHHL were protected and enhanced.

Table I. Summary of FY 2023 WPP IP Performance

Red shading and bold underlined text indicate implementation action goal was not met
Orange shading and italicized text indicates some progress was made
Green shading and normal text indicate the action goal was met.

Goal 1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.

#	Implementation Action(s)	Cost / resource estimate	Expenses
1. a.	Annually and regionally present on DHHL water projects and issues in conjunction with HHC meetings.	Staff time: 80 hr. Consultant time: 80 hr.	Within PO budget and consultant contracts
1. b.	<i>Develop and execute ten targeted trainings on water rights for beneficiaries over two years in collaboration with the William S. Richardson School of Law's Ka Huli Ao program and others as available and appropriate.</i>	<i>Staff time: 100 hr. Consultant time: 300 hr.</i>	<i>\$200,000 contract</i>
	Subtotal	Staff: 180 hr. Consultant: 380 hr.	\$200,000

Goal 2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.

#	Implementation Action(s)	Cost / resource estimate	Expenses
2. a.	Continue advocating for funds due to the NHRF.	Staff time: 100 hr. Consultant time: 200 hr.	Within PO budget and consultant contracts
2. b.	Secure water reservations pursuant to Hawai'i Revised Statutes, Chapter 174C & Section 171-58 <ul style="list-style-type: none"> • Seek additional water reservations for surface and ground water across the islands as appropriate. • Continue pursuit of implementation of reservations. • Assert reservation needs in conjunction with water licensing under HRS 171-58 	Staff time: 200 hr. Consultant time: 400 hr.	\$180,000 contract for WPP IP for all line items
2. c.	Continue efforts to ensure regulatory compliance <ul style="list-style-type: none"> • Continue regular comments on BLNR, CWRM actions, and other agency actions that could affect DHHL water rights; • Continue to coordinate with OHA staff on identification and tracking of water issues; • Develop a method for utilizing WAI information in comment letters; 	Staff time: 100 hr. Consultant time: 100 hr.	\$180,000 contract for WPP IP for all line items

#	Implementation Action(s)	Cost / resource estimate	Expenses
2. d.	Water Planning i. Participate in and comment on all updates to the Hawai'i Water Plan and County Plans that will affect DHHL and beneficiary water kuleana ii. Coordinate DHHL agricultural water systems development planning with State and county community plans. ii. Coordinate with DHHL staff working on subsistence agricultural plans.	Staff time: 35 hr. Consultant time: 60 hr.	\$180,000 contract for WPP IP for all line items
2. e.	Comment on water rights-related legislative and other agency rulemaking actions as necessary and directed.	Staff time: 20 hr. Consultant time: 40 hr.	\$180,000 contract for WPP IP for all line items
<u>2. f.</u>	<u>Work with authorized outside counsel as applicable to assert DHHL water rights through legal mechanisms; Use of expert witnesses if attempts to mediate ongoing disputes are unsuccessful in administrative proceedings</u>	<u>Staff time:</u> <u>30 hr.</u> <u>Consultant</u> <u>time: 225 hr.</u>	<u>Within PO</u> <u>budget and</u> <u>consultant</u> <u>contracts</u>
	Subtotal	Staff: 485 hr. Consultants: 1,025 hr.	\$180,000

Goal 3. Develop and manage a Water Assets Inventory (WAI).

#	Implementation Action(s)	Cost / resource estimate	Expenses
<u>3.</u> <u>a.</u>	<u>(Former 3.b.) Integrate Cultural Water Assets Inventory into DHHL decision-making</u>	<u>Goal 3.c. Staff time: 40 hr.</u> <u>Goal 3.c. Consultant time: 40 hr.</u>	<u>Within PO budget and consultant contracts</u>
	Subtotal	Staff: 40 Consultant: 40	Obligated funds

Goal 4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

#	Implementation Action(s)	Cost / resource estimate	Expenses
4. a.	<i>Implementation of any conditions placed on a granted WUPA for the Kauluwai 1&2 wells by CWRM</i>	<i>Unknown, dependent on CWRM action</i>	<i>None. Continued planning efforts and identification of outside funding sources and partners</i>

5. Other WPP Goals: Implementation of additional WPP goals based on the availability of resources

#	Implementation Action(s)	Cost / resource estimate	Expenses
5. a.	Staff and organize the DHHL consistent with importance of water to the trust. i. Train and update them on issues addressed DHHL water team and positions taken on those issues.	5.a. Staff time: 20 hr. 5.a. Consultant time: 40 hr.	Within PO budget
5. b.	Water Source Development: Planning, environmental compliance and related matters for water source development in homestead communities statewide	5.b. Staff time: 160 hr. 5.b. Consultant time: 160 hr. (not including third parties)	\$350,000 in budget request***
<u>5.c.</u>	<u>Ho`olehua Water System Long-term asset management, operations, and management plan.</u>	<u>5.c. Staff time: 160 hr.</u>	<u>\$400,000 contract in budget request***</u>
<u>5.d.</u>	<u>Water Systems Rate Study (Pu`ukapu)</u>	<u>5.d. Staff time: 80 hr.</u>	<u>\$200,000 in budget request***</u>
<u>5.e.</u>	<u>DHHL Water System Customer Education Services</u>	<u>5.e. Consultant time TBD</u>	<u>\$100,000 in budget request***</u>
	Subtotal	Staff: 500 Consultant: 590	\$100,000

*** Funding for Item 5.b. was reduced to \$100,000; funding for items 5.c-e were eliminated.

Additional Significant WPP Related activities not covered by a particular IP goal
<ul style="list-style-type: none">• Preparation and final approval of Processes for the Allocation of Water Credits and Water Meters on Water Systems Serving DHHL Lands

Additional Information

In addition to the information presented above and in the main HHC submittal, regional updates on Water Issues and Projects have been provided during the year to the HHC.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

I. Proposed FY 2024 WPP-IP.

The proposed WPP-IP FY2023 budget is \$380,000. The investments proposed for HHC funding are expected to continue the policy outcomes that have resulted from the passage and implantation of the WPP.

The following describes general areas of expenditures under subparts of WPP-IP FY 2024 goals, which are detailed as Exhibit B.

Goal 1.b.	\$200,000 Continue to train beneficiaries regarding DHHL water rights, including through in person and remote learning and networking among beneficiary communities.
All Goals	\$180,000 Contractor to assist DHHL with WPP IP implementation, water initiatives and advocacy
Total:	\$380,000

Other major foci in FY 2024 will be continued work to assert water rights related to other HRS 171-58 water lease renewals across Hawai'i. This will involve work with the Department of Land and Natural Resources (DLNR) to transform water revocable permits into long term leases.

Estimates of staff and consultant time are included below. Except where noted, the target date for completion is June 30, 2024. The Planning Office ("PO") is the lead Department of Hawaiian Home Lands ("DHHL") division for the WPP-IP. Resources for certain implementation actions are not specified when they are conducted by other divisions or included in other portions of the PO budget.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

Goal 1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
1. a.	Annually and regionally present on DHHL water projects and issues in conjunction with HHC meetings.	Staff time: 80 hr. Consultant time: 80 hr.	\$180,000 in consultant contract for all WPP IP Goals
1. b.	In collaboration with the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S Richardson School of Law, prepared for statewide beneficiary training on how to prepare for, apply for, and assume leadership positions in county and state commissions with water kuleana	Staff time: 100 hr. Consultant time: 300 hr.	\$200,000 in intergovernmental agreements
	Subtotal	Staff: 180 hr. Consultant: 380 hr.	\$380,000

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

Goal 2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
2. a.	Continue advocating for funds due to the NHRF.	Staff time: 100 hr. Consultant time: 200 hr.	See item 1.a.
2. b.	Secure water reservations pursuant to Hawai'i Revised Statutes, Chapter 174C & Section 171-58 i. Seek additional water reservations for surface and ground water across the islands as appropriate. ii. Continue pursuit of implementation of reservations. ii. Assert reservation needs in conjunction with water licensing under HRS 171-58	Staff time: 200 hr. Consultant time: 400 hr.	See item 1.a.
2. c.	Continue efforts to ensure regulatory compliance i. Continue regular comments on BLNR, CWRM actions, and other agency actions that could affect DHHL water rights; ii. Continue to coordinate with OHA staff on identification and tracking of water issues; ii. Develop a method for utilizing WAI information in comment letters;	Staff time: 100 hr. Consultant time: 100 hr.	See item 1.a.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
2. d.	Water Planning i. Participate in and comment on all updates to the Hawai'i Water Plan and County Plans that will affect DHHL and beneficiary water kuleana ii. Coordinate DHHL agricultural water systems development planning with State and county community plans. ii. Coordinate with DHHL staff working on subsistence agricultural plans.	Staff time: 35 hr. Consultant time: 60 hr.	See item 1.a.
2. e.	Comment on water rights-related legislative and other agency rulemaking actions as necessary and directed.	Staff time: 20 hr. Consultant time: 40 hr.	See item 1.a.
2. f.	Work with authorized outside counsel as applicable to assert DHHL water rights through legal mechanisms; Use of expert witnesses if attempts to mediate ongoing disputes are unsuccessful in administrative proceedings	Staff time: 30 hr. Consultant time: 225 hr.	Within PO budget and consultant contracts
	Subtotal	Staff: 485 hr. Consultants: 1,025 hr.	

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

Goal 3. Develop and manage a Water Assets Inventory (WAI).

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
3. a.	(Former 3.b.) Integrate Cultural Water Assets Inventory into DHHL decision-making	Goal 3.c. Staff time: 40 hr. Goal 3.c. Consultant time: 40 hr.	Within PO budget and consultant contracts
	Subtotal	Staff: 40 Consultant: 40	Obligated funds

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

Goal 4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
4. a.	Implementation of any conditions placed on a granted WUPA for the Kauluwai 1&2 wells by CWRM	TBD	TBD, to be covered by existing resources or grant funds

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2024

5. Other WPP Goals: Implementation of additional WPP goals based on the availability of resources

#	Implementation Action(s)	Cost / resource estimate	Estimated Expenses
5. a.	Staff and organize the DHHL consistent with importance of water to the trust. i. Train and update them on issues addressed DHHL water team and positions taken on those issues.	5.a. Staff time: 20 hr. 5.a. Consultant time: 40 hr.	Within PO budget
5. b.	Water Source Development: Planning, environmental compliance and related matters for water source development in homestead communities statewide	5.b. Staff time: 160 hr. 5.b. Consultant time: 160 hr. (not including third parties)	Continued use of obligated funds
	Subtotal	Staff: 500 Consultant: 590+	

HAWAIIAN HOMES COMMISSION WATER POLICY PLAN

July 22, 2014

Vision

Our vision is that there will be adequate amounts of [water](#) and supporting infrastructure so that homestead lands will always be usable and accessible, to enable us to return to our lands to fully support our self-sufficiency and self-determination in the administration of the Hawaiian Homes Commission Act (HHCA), and the preservation of our values, traditions, and culture.

Mission

In a manner consistent with our [values](#), the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL) shall strive to ensure the availability of adequate, quality [water](#) by working cooperatively to:

- Understand our trust [water](#) assets;
- Plan for our [water](#) needs;
- Aggressively understand, exercise and assert our [kuleana](#) as stewards of [water](#);
- Develop and protect [water](#) sources; and
- Manage [water](#) systems.

Values

1. **Waiwai:** [Mōhala i ka wai ka maka o ka pua](#). *Unfolded by the water are the faces of the flowers.* The availability of [water](#) to our lands and people is integral to the trust and our mission.
2. **Waihona:** [Ua lehulehu a manomano ka `ikenā a ka Hawai`i](#). *Great and numerous is the knowledge of the Hawaiians.* Honoring and documenting our knowledge about [water](#) is essential to managing it.
3. **Mālama:** [He ali`i ka `āina; he kauwā ke kanaka](#). *The land is a chief; man is its servant.* We consider [water](#) to be part of our genealogy and so we manage it in a manner that cares for its long-term sustainability for all things, as we also use it productively for our mission.
4. **Laulima:** [E lauhoe mai nā wa'a; i ke kā, i ka hoe; i ka hoe, i ke kā; pae aku i ka 'āina](#). *Everybody paddle the canoes together; bail and paddle, paddle and bail, and the shore is reached.* We are one people who now share Hawai`i with others. DHHL is only one of many Hawaiian serving institutions. We will assert our rights while considering our larger lāhui `ōiwi and the larger world in which we live.

ITEM G-4 EXHIBIT C

Policies

The HHC and the DHHL are seeking to be proactive in our management of water. Our Priority Policies are to:

1. Expressly determine and plan for future [water](#) needs and actively participate in broader [water](#) management, use and protection efforts in Hawai'i in order to secure [water](#).
2. Aggressively exercise, reclaim, and protect Hawaiian home land [water kuleana](#).
3. Develop, manage, and steward [water](#) in a manner that balances cost, [efficiency measures](#), and [Public Trust](#) uses in the short and long term.
4. Affirmatively communicate our decisions, our reasoning, and our performance in managing, stewarding, and using [water](#) before and after making major [water](#) decisions.

Additionally, the HHC and the DHHL should consider in their work the following statements:

5. Educate beneficiaries, the DHHL, HHC, and other stakeholders continually on our [water kuleana](#).
6. Foster self-sufficiency of beneficiaries by promoting the adequate supply of [water](#) for homesteading when developing or managing [water](#).
7. Foster the self-determination of beneficiaries by seeking ways for beneficiaries to participate in the management of [water](#) by delegating authority related to [water](#) subject to the discretion of the HHC as described in the [HHCA](#).
8. Make [water](#) decisions that incorporate traditional and place-based knowledge of our people and are clear and methodical in their reasoning.
9. Make efforts to understand, maintain, and improve the quality of [water](#) as it moves into and through our lands and is used by beneficiaries.
10. Affirmatively consider the development and use of [alternative sources](#) of [water](#) and [efficiency measures](#) in [water](#) decision-making.
11. Ensure that [water](#) decisions are consistent with other Departmental [policies](#), programs, and plans including but not limited to the [Energy Policy](#) and Agricultural Program.
12. Explicitly consider [water](#) availability and the costs to provide adequate [water](#) when developing new homestead areas, designating land uses, issuing land dispositions, or exchanging properties.

ITEM G-4 EXHIBIT C

Goals

To make progress on achieving our Mission and complying with our Policies, the Priority Goals of the HHC and the DHHL are to:

1. Affirmatively communicate with beneficiaries regarding [water](#) decisions, performance, and [water](#) rights on a regional and annual basis.
2. Aggressively, proactively, consistently and comprehensively advocate for the [kuleana](#) of the beneficiaries, the DHHL, and the HHC to [water](#) before all relevant agencies and entities.
3. Develop and manage a [Water Assets Inventory \(WAI\)](#).
4. Support watershed protection and restoration on DHHL lands and source areas for DHHL [water](#).

Additional goals that DHHL and the HHC shall seek to achieve, based on the availability of resources, organized by Mission activities, are:

Part I. Understand our trust water assets

1. Revise the DHHL submittal template to the HHC for [water](#) related decisions.
2. Revise budgets to show the total costs of a) [water](#) system management b) all spending on [water](#) issues.
3. Staff and organize the DHHL consistent with importance of [water](#) to the trust.

Part II. Plan for our water needs

4. Determine current and foreseeable future needs based upon periodic reviews of [water](#) availability projections that incorporate climate change, projected beneficiary demand, [alternative sources](#) and [efficiency measures](#) efficiency measures.
5. Design homesteads and manage lands to create and enhance [water](#) availability, optimizing costs, use of [alternative sources](#) and [efficiency measures](#).

Part III. Aggressively understand, exercise and assert our water rights

6. Secure adequate and enforceable reservations of [water](#) for current and foreseeable future needs for all of its lands across the islands.
7. Partner with trust beneficiaries in [water](#) advocacy efforts.
8. Engage in updates to all [Hawai'i Water Plan](#) elements to ensure DHHL [water](#) needs and rights are addressed.
9. Advocate that all [Water Use Permit Applications](#) properly address the [water](#) rights of DHHL and other Hawaiian [water](#) rights.

ITEM G-4 EXHIBIT C

10. Advocate that County Boards of Water Supply and other County agencies that affect [water](#) have the spirit of the [HHCA](#) faithfully carried out to protect DHHL water uses as a [Public Trust](#) use of [water](#) and manage rates so they are affordable by beneficiaries.
11. Ensure that all legal provisions for the licensing of state [water](#) are followed.

Part IV. Develop and protect water sources

12. Carefully weigh alternatives regarding the dedication or DHHL management of new [water](#) systems.
13. Methodically and consistently manage and allocate water credits.
14. Support the drilling of wells by beneficiaries for their own use on lots where appropriate.
15. Partner with Department of Health and others on [water](#) quality education and outreach.
16. Continue to pursue development of agricultural [water](#) systems.

Part V. Manage water systems

17. Secure revenue and reduce operation costs so DHHL [water](#) systems break even financially over the long term.
18. Increase security and reliability for DHHL [water](#) users.
19. Pursue resolution by the Department of Agriculture of prior audit findings in the management of the Moloka'i Irrigation System and full repair of the System

ITEM G-4 EXHIBIT C

Delegation of Authorities, Reporting, and Consultation

1. Delegation
 - a. The HHC delegates authority to the Chairperson to prepare an Implementation Program for this Water Policy Plan, which shall be subject to the approval by HHC. The Program shall identify tasks to implement each goal, and shall specify tasks that apply statewide as well as tasks that apply to different islands or regions under each goal.
2. Reporting
 - a. The Chairperson shall submit the proposed Implementation Program to the HHC annually in conjunction with the Department's budget request.
 - b. The Chairperson shall annually report on progress on execution of the approved Implementation Program and overall progress towards achieving the goals of and maintaining compliance with the Water Policy Plan.
3. Consultation
 - a. The Chairperson shall consult with the HHC on any major water issues not contained in the Implementation Program.

Legal Authorities

1. [Hawai'i State Constitution](#)
2. [Hawaiian Homes Commission Act of 1921, as amended](#)
3. [Hawai'i State Water Code, HRS 174C](#)
4. [In the Matter of Water Use Permit Applications \(Waiāhole I case\)](#)
5. [Wai'ola o Moloka'i](#)
6. [Kauai Springs, Inc. v. Planning Commission of the County of Kauai](#)

Related Plans and Policies

1. [DHHL General Plan](#)
2. [DHHL Energy Policy](#)
3. [Hawaiian Homes Commission Beneficiary Consultation Policy](#)

References

1. 1983. Puku'i, Mary Kawena. **'Ōlelo No'eau: Hawaiian Proverbs & Poetical Sayings**. Honolulu: Bernice Pauahi Bishop Museum.
2. **Aia i hea ka wai a Kāne?** (Traditional chant, "Where is the water of Kāne?")

ITEM G-4 EXHIBIT C

Definitions

Alternative sources: Alternative sources include but are not limited to the water developed through reuse and recycling technologies and best practices, capture of flood waters, desalinated waters, and other sources as may be appropriate for proposed uses.

Hawai'i Water Plan: The Hawai'i Water Plan and its parts, as detailed in Part III of the Hawai'i State Water Code (HRS 174C), is the state's "program of comprehensive water resources planning to address the problems of supply and conservation of water" (HRS 174C-2(b)).

Efficiency Measures: Efficiency measures include optimal design and development, alternative energy utilization, changing in behavioral practices and technologies that support onsite distributed wastewater systems.

Kuleana: Kuleana encompasses both rights and responsibilities. DHHL's water kuleana includes its responsibilities under its mission and the legal rights to water enshrined in the HHCA and state Constitutional and statutory provisions. Kuleana exists within the genealogical and spiritual relationship between water and the lāhui `ōiwi.

Public Trust: As delineated in the Hawai'i Supreme Court [Waiāhole I](#) and [Wai'ola O Moloka'i](#) cases, public trust uses of water include domestic uses, traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and reservations of water for the DHHL.

Water: In this policy, water includes mists, fog, rain, and other precipitation; water as it flows above or below ground, and into the ocean; water used for homesteading; alternative sources including waste, brackish, and salt water; water used in the exercise of traditional and customary practices; infrastructure used to produce, store and transmit water; and water we use as well as water to which we have rights.

Water Assets Inventory (WAI): A comprehensive geographically referenced database of the water assets of the DHHL, including traditional knowledge related to water, DHHL owned water infrastructure, current and future water demand, water agreements, water credits, and potential water sources.

Approval Date

Policy approved by the Hawaiian Homes Commission on July 22, 2014.

**Hawaiian Homes Commission Meeting
June 27 & 28, 2023
Hale Ponoī, Kapolei, Oahu**

H ITEMS

State of Hawai‘i
Department of Hawaiian Home Lands

June 26, 2023

TO: Chair Watson and Commissioners, Hawaiian Homes Commission

FROM: Brian K. Furuto, Acting Administrative Services Officer

SUBJECT: Approval of Fiscal Year 2024 Department of Hawaiian Home Lands Budget

RECOMMENDED MOTION/ACTION

1. Approval of the Fiscal Year 2024 Department of Hawaiian Home Lands Budget and authorize the Chair to shift funding of expenditures between cost elements and funds as warranted but not to exceed the total budget and any shift in funding between cost elements by the chair shall not exceed \$500,000.
2. Approval of Fiscal Year 2024 Development budget and allow for amounts not encumbered in FY 2023 to be encumbered in FY 2024. For the Development budget items, allow the Chair’s authority to shift funding between cost elements if not to exceed \$1,000,000.
3. Approval to transfer \$15,000,000 from the Hawaiian Home Administration Account to the Hawaiian Home Operating Fund.

DISCUSSION

The Executive branch budget, HB 300 CD1, which appropriates funds for fiscal biennium 2023-2025 (FY24 and FY25), provided the following positions and funds to the Department:

HB 300 CD1 Appropriations

		FY24		FY25	
Program	MOF	Pos.	Funds	Pos.	Funds
Planning & Development for Hawaiian Homesteads HHL602	A	0.00	\$ 10,000,000	0.00	\$ 10,000,000
	B	0.00	\$ 4,824,709	0.00	\$ 4,824,709
	N	6.00	\$ 23,318,527	6.00	\$ 23,318,527
	T	0.00	\$ 3,740,534	0.00	\$ 3,740,534
	W	0.00	\$ 7,000,000	0.00	\$ 7,000,000
	C	0.00	\$ 20,000,000	0.00	\$ 20,000,000
Administration & Operating Support HHL625	A	200.00	\$ 16,428,191	200.00	\$ 16,796,100
Total by Means of Financing (MOF)	A	200.00	\$ 26,428,191	200.00	\$ 26,796,100
	B	0.00	\$ 4,824,709	0.00	\$ 4,824,709
	N	6.00*	\$ 23,318,527	6.00*	\$ 23,318,527
	T	0.00	\$ 3,740,534	0.00	\$ 3,740,534
	W	0.00	\$ 7,000,000	0.00	\$ 7,000,000
	C	0.00	\$ 20,000,000	0.00	\$ 20,000,000

*4.00 permanent full-time equivalent (FTE) and 2.00 temporary FTE

Purpose 4: Administrative and Operating Costs

HB 300 CD1 kept the general funds position count of 200.00 positions intact; however, only 181.00 of the 200.00 general funded positions were funded. The “Personal Services” costs of \$11,610,593 in FY 2024 is comprised of funding for the base salaries of these 181.00 positions. For general funded positions, fringe benefit costs are absorbed separately in the Department of Budget and Finance appropriation, consistent with all other State general funded employees.

General fund appropriations for “Other Current Expenses” totals \$4,817,598.

The legislature also appropriated \$10,000,000 to fund department efforts for homestead support. These funds will be allocated as follows:

Additional Homestead Support Budget

	Purpose	Allocation
Planning	Rehabilitation Projects	\$ 4,000,000
District Offices	Repairs & Maintenance	\$ 3,000,000
Hale Kalanianaʻole	Repairs & Maintenance	\$ 2,000,000

Attachment “A” provides the means of financing (MOF) recommended to fund the Administrative and Operating Budget for fiscal year 2024.

Purpose 1: Lot Development

Attachment “B” provides the means of financing for the projects recommended to fund the Lot Development Budget for fiscal year 2024.

The Development Budget responds to issues and priorities expressed by the Commission. In addition, the following principles guided the preparation of the list of projects:

- The department’s commitment to providing improvements for the Undivided Interest Lots that have been awarded, and to completing other projects that have been initiated;
- The development of new homesteads for award, with particular emphasis on providing improved residential lots;
- The need to repair, maintenance and upgrade of aging infrastructure on Hawaiian home lands; and
- The need to initiate the planning and design of new homestead projects to provide an inventory for future development.
- Design and construction of projects that are awarded USDA Rural Development loan/grant funds. These projects leverage federal funding resources to reduce the amount of funds needed from the Trust Fund for projects.

The primary sources of financing are from general obligation (GO) bond financing from the State Legislature, the Hawaiian Home Operating Fund (HHOF), the Hawaiian Home Lands Trust Fund (HHLTF), the Native American Housing and Self-Determination Act (NAHASDA), a U.S. Housing and Urban Development program and the United States Department of Agriculture Rural Development program (USDA-RD).

Pursuant to HB 300 CD1 (see Attachment B: CIP Supplemental Appropriations FY 2024), the State Legislature appropriated \$20.0 million in GO bonds to finance a portion of DHHL's Development Budget.

Purpose 2: Loans

Pursuant to Act 11, SLH 1995 (Special Session), all special and revolving funds are subject to the State allotment (or allocation) process. For the DHHL's loan program, this affects the financing provided by the Hawaiian Home Loan Fund and the Hawaiian Home General Loan Fund. This budget will serve as a basis to allot funds necessary for equity payments of cancelled or surrendered homestead lease improvements, new loan financing and insurance advances, property tax advances, and contingency reserve for loan guarantee and insurance programs.

Fiscal year 2024 Loan Program Budget, as shown below, sets forth the planned expenditures by cost elements as follows:

FY24 Loan Program Budget

Type of Transaction		(S-302-I) HH Loan Fund	(S-323-I) HH General Loan Fund	(T-917-I) HH Trust Fund	(T-902-I) HHL Trust Fund	NAHASDA
	Total					
A. Section 209 HHC Transaction	3,000,000	2,000,000	1,000,000	0	0	
B. Direct Loan Financing	12,000,000		5,000,000	0	0	7,000,000
C. Real Property Taxes	100,000		100,000	0	0	
D. Contingency-Guaranteed/Insured Loan Portfolio	2,400,000		2,400,000	0	0	
E. Loans Receivable/Interest Receivable Write-offs/Write downs	1,200,000		0	1,200,000	0	
F. Loan Adjustment	2,000,000		2,000,000			
Total Loans	20,700,000	2,000,000	10,500,000	1,200,000	0	7,000,000

Explanation of Cost Elements:

Section 209, HHCA Transactions - Equity payments of cancelled or surrendered homestead lease improvements. Includes the appraised value of the improvement less any indebtedness to the department and taxes owed by the previous lessee. The payments are advanced from the loan funds and repaid by the subsequent purchaser of the improvements.

Direct Loan Financing and Advances - Includes loan refinancing, replacement home loans, repair loans, new home construction, farm loans and loan insurance advances. Act 88, Session Laws of Hawai'i 2021 established by budget proviso a separate revolving loan fund for the NAHASDA direct loans for FY 2022 and FY 2023. The Legislature authorized \$7M annually for NAHASDA (federal fund) direct loans.

Real Property Tax Advances - Pursuant to section 208(7) of the HHCA, the department may advance payments on behalf of lessees to address real property tax delinquencies and have a lien placed as provided by section 216 of the Act.

Contingency - Guaranteed/Insured Loan Portfolio - A reserve set aside to address loans to lessees where the department guarantees or insures repayment to lenders in the event of loan default.

Loans Receivable/Interest Receivable Write-downs/Write-offs – of asset accounts due to decline in value of assets.

Loan Adjustment – Reimburse the HH Trust Fund for FHA 247 Insured Loan Reserve Account transactions that were deposited in the HH General Loan Fund.

Purpose 3: Rehabilitation Projects

Pursuant to Chapter 6.1 of Title 10 Hawaii Administrative Rules, DHHL prepares the Native Hawaiian Development Program Plan (NHDPP) every two years for HHC review and approval. The goal of the NHDPP is to “increase the self-sufficiency and self-determination of native Hawaiian individuals and native Hawaiian communities.” This is accomplished through the NHDPP by “improve(ing) the general welfare and conditions of native Hawaiians through educational, economic, political, social, cultural, and other programs.”

In this upcoming Fiscal Year, DHHL plans to implement the following components in the NHDPP:

- a) Homesteading Opportunities Assistance Program (HOAP), including homebuyer education, lease cancellation, and foreclosure prevention services.
- b) Continue technical assistance for Planned Community Associations on the new Hawaii Administrative Rules.
- c) Continue to administer and provide technical assistance to the existing grantees.
- d) Provide new DHHL grants to support homesteads, communities, and Native Hawaiian associations.
- e) Provide limited technical assistance for grant support for grantees.

The rehabilitation projects below are financed from the following MOF in FY 2024.

FY24 Rehabilitation Project Budget

7110	Native Hawaiian Development Program and Plan	\$1,100,000	
7110	Beneficiary Capacity Building and Technical Assistance	\$200,000	
	Total	\$1,300,000	
	MOF: Native Hawaiian Rehabilitation Fund (Trust)		
7110	Native Hawaiian Development Program and Plan	\$4,000,000	
	MOF: General Funds (HB 300 CD1)		

The Commission's approval of above recommended motion is respectfully requested.

Department of Hawaiian Home Lands												
Executive Budget for FY 2024												
		Administration and Operating Costs										
Object		General	General Fund	Administration	Operating Fund		Operating Fund (Non App)		NHRF	Revenue Bond	NAHASDA	TOTAL
Code		Fund	for Homestead Services	Account	Operating Portion	Development Portion	Operating Portion	Development Portion		Special Fund		BUDGET
2000	Personnel Costs	11,610,593	0	0	0	0	0	0	0	0	417,136	12,027,729
2900	Other Personal Services	180,000	0	49,000	0	0	500,000	0	0	0	0	729,000
3010	Operating Supplies - Gas & Oil Supplies	85,032	0	0	10,000	0	43,348	0	0	0	0	138,380
3020	Operating Supplies - Fuel & Oil Other	3,050	0	0	4,500	0	30,000	0	0	0	0	37,550
3030	Operating Supplies - Janitorial	10,480	0	0	6,048	0	500	0	0	0	0	17,028
3040	Operating Supplies- Medical	0	0	0	0	0	0	0	0	0	0	0
3090	Operating Supplies - Others	17,880	0	0	7,925	0	15,509	0	0	0	0	41,314
3100	Maintenance Materials Supplies & Parts	5,600	0	0	0	0	101,000	0	0	0	0	106,600
3200	Office Supplies	45,150	0	0	0	0	74,300	0	0	0	0	119,450
3400	Other Supplies	11,366	0	0	2,500	0	8,000	0	0	0	0	21,866
3500	Dues and Subscriptions	3,262	0	2,000	0	0	11,500	0	0	0	0	16,762
3600	Freight and Delivery Charges	770	0	0	600	0	7,000	0	0	0	0	8,370
3700	Postage	139,740	0	0	550	0	56,250	0	0	0	0	196,540
3800	Telephone	130,610	0	0	600	0	0	0	0	0	0	131,210
3900	Printing and Binding	45,000	0	0	3,500	0	126,450	0	0	0	0	174,950
4000	Advertising	32,200	0	0	500	0	29,500	0	0	0	0	62,200
4100	Car Mileage	15,300	0	2,700	0	0	0	0	0	0	0	18,000
4200	Transportation, Intrastate	165,200	0	70,000	0	0	121,000	0	0	0	0	356,200
4300	Subsistence Allowance, Intra-State	78,970	0	103,500	0	0	4,000	0	0	0	0	186,470
4400	Transportation, Out of State	28,250	0	31,750	0	0	4,000	0	0	0	0	64,000
4500	Subsistence Allowance, Out of State	30,500	0	29,000	0	0	2,000	0	0	0	0	61,500
4600	Hire of Passenger Cars	31,100	0	44,850	0	0	3,000	0	0	0	0	78,950
5000	Electricity	119,554		951,946	149,100	0	408,100	0	0	0	0	1,628,700
5100	Gas	500	0	0	0	0	0	0	0	0	0	500
5200	Water	95,500	0	240,000	60000	0	0	0	0	0	0	395,500
5200	Water - Subdivisions	0	0	100,000	0	0	0	0	0	0	0	100,000
5300	Sewer	0	0	0	0	0	0	0	0	0	0	0
5400	Other Utilities	0	0	0	0	0	0	0	0	0	0	0
5500	Rental of Land and Bldg.	0	0	0	0	0	0	0	0	0	0	0
5600	Rental of Equipment	93,650	0	0	4,500	0	1,000	0	0	0	0	99,150
5700	Other Rentals	1,774,500	0	0	0	0	0	0	0	0	0	1,774,500
5810	Repairs- Data Processing	14,000	0	0	0	0	0	0	0	0	0	14,000
5815	Maintenance - Data Processing	341,000	0	0	0	0	0	0	0	0	0	341,000
5820	Repairs- Equipment, Building, etc.	50,300	0	0	13,500	0	91,110	0	0	0	0	154,910
5825	Maintenance- Equipment, Building, etc.	158,600	2,500,000	0	198,050	0	85,972	0	0	0	0	2,942,622
5830	Repairs- Motor Vehicles	36,500	0	0	3,000	0	17,500	0	0	0	0	57,000
5835	Maintenance- Motor Vehicles	105,750	0	0	5,000	0	9,500	0	0	0	0	120,250
5840	Maintenance-Unencumbered Lands & Othr	0	0	661,840	160,225	0	50,000	0	0	0	0	872,065
5855	Maintenance-Subdivisions	0		0	0	0	650,000	0	0	0	0	650,000
5895	Maintenance-Other Miscellaneous	54,284	0	0	0	0	7,000	0	0	0	0	61,284
5900	Insurance	29,000	0	0	0	0	0	0	0	0	0	29,000

Department of Hawaiian Home Lands											
Executive Budget for FY 2024											
6120	Interest Payment--RGOB	0	0	0	0	0	0	0	0	0	0
6500	Other Grants in Aid	617,000	0	0	0	0	0	0	0	0	617,000
7110	Services Fee Basis	58,000	6,500,000	1,846,623	2,928,936	0	4,211,241	0	1,475,000	0	23,318,527
7230	Training Costs	10,000	0	25,000	2,000	0	87,000	0	0	0	124,000
7290	Other Current Expenditures	200,000	0	500	22,000	0	24,950	0	0	0	247,450
6500	Grant-in-Aid	0	0	0	0	0	0	0	0	0	0
7700	Machinery and Equipment	0	0	606,000	157,500	0	45,000	0	0	0	808,500
7700	Motor Vehicle	0	0	60,000	0	0	100,000	0	0	0	160,000
7700	Furniture for New Employees	0	0	0	0	0	0	0	0	0	0
7900	Construction in Progress	0	0	0	0	0	0	0	0	0	0
8020	Principal Payment--RGOB	0	0	0	0	0	0	0	0	0	0
8120/8020	Debt Service: Revenue Bond Payment	0	0	0	0	0	0	0	3,200,000	0	3,200,000
8200	Loans Receivable	0	0	0	0	0	0	0	0	0	0
Total - Current Expenditure & Equipment		4,817,598	9,000,000	4,824,709	3,740,534	0	6,925,730	0	1,475,000	3,200,000	23,318,527
Total		16,428,191	9,000,000	4,824,709	3,740,534	0	6,925,730	0	1,475,000	3,200,000	23,735,663
A--Personnel Cost		11,610,593	0	0	0	0	0	0	0	0	417,136
B --Current Expenditure		4,817,598	9,000,000	4,158,709	3,583,034	0	6,780,730	0	1,475,000	3,200,000	23,318,527
C --Equipment		0	0	606,000	157,500	0	45,000	0	0	0	808,500
M--Motor Vehicle		0	0	60,000	0	0	100,000	0	0	0	160,000
Total		16,428,191	9,000,000	4,824,709	3,740,534	0	6,925,730	0	1,475,000	3,200,000	23,735,663

Department of Hawaiian Home Lands									
Development Budget (FY 2023)									
(000's omitted)									
		FY 24 Carryover		FY 24 New Funds		FY 24 Budget Request			
Project / Description	New Lots	HHL Trust	Leg Appns	HHL Trust	Leg Appns	HHL Trust	Leg Appns	Act 279	Total
PART A: Lot Development Projects (Addressing the homestead waiting list)									
<u>OAHU</u>									
East Kapolei II-B Na Kupa'a Loan Payoff		2,300				2,300	-		2,300
East Kapolei II-A TOD and Telecom			5,000					14,000	14,000
East Kapolei II Backbone Infrastructure								3,000	3,000
East Kapolei IIE								21,000	21,000
East Kapolei IID								1	1
East Kapolei IIF								1	1
Kaupea, Phase 2								8,250	8,250
Maili Development								1	1
Ewa Beach (former NOAA site)	600		5,000					1	1
Waimanalo Residential & Agricultural Lots	119			1,750		1,750	-		1,750
Land Acquisition, Oahu			1,000			-	1,000		1,000
<u>MAUI</u>									
Keokea-Waiohuli, Phase 2B	61		32,000			-	32,000		32,000
Keokea-Waiohuli, Phase 3	76	1,000				1,000	-		1,000
Maui Development Fees (water, sewer, etc)		167		83		250	-		250
Lei Ali'i Phase 1B	75	500				500	-	1	501
Leialii 1B - Off-site Water								13,533	13,533
Lei Ali'i Highway and Access Improvements			9,000			-	9,000		9,000
Honokowai Subs Ag Ph 1	50		1,000			-	1,000	1,468	2,468
Pulehunui Development			3,000			-	3,000		3,000
Pu'unani Development (\$4 million = AHC)	161	4,000				4,000	-	17,500	21,500
Kahikinui Roadways		1,258		242		1,500	-		1,500
<u>LANAI</u>									
Lanai Residence Lots, Offsite Infrastructure						-	-	2,000	2,000
<u>MOLOKAI</u>									
Kalamaula Ag Lots (Acceleration)	45		1,000			-	1,000		1,000
Hoolehua Agricultural Lots- Naiwa Ag Subd	66		1,550			-	1,550	1	1,551
Hoolehua-Pala'au Scattered	12		1,250			-	1,250	1	1,251
<u>BIG ISLAND</u>									
HCC Home Project				325		325	-		325
Honomu Subsistence Ag Lots, Phase 2	40							1	1
Kaumana Subdivision Rehabilitation			285			-	285		285
Ka'u Water System Improvements, Phs 2		616				616	-		616
Ka'u Agricultural Lots (Pu'ueo)	25	3,000	3,000			3,000	3,000		6,000
Lalamilo Housing Phase 2A, Increment 1		1,000				1,000	-		1,000
Laiopua Village 2								4,000	4,000
Laiopua Village 1								1	1
Laiopua Water (site acquisition)					9,900	-	9,900		9,900
<u>KAUAI</u>									
Hanapepe Residence Lots, Phase 2								23,000	23,000
Anahola Kuleana				250		250	-	1	251
Wailua Masterplan				1,000		1,000	-		1,000
<u>STATEWIDE PROJECTS</u>									
Scattered Lots Program (Statewide)				1		1	-		1
Acquisition Due Diligence		1,000				1,000	-		1,000
VOKA Payment		18		42		60	-		60
Federal Funds Reimbursements/Adjustments		1,000				1,000	-		1,000
Dispute Resolution		1				1	-		1
Land/Project Acquisition								35,000	35,000
Project Financing								30,000	30,000
PART A SUBTOTAL	1,330	\$ 15,860	\$ 63,085	\$ 3,693	\$ 9,900	\$ 19,553	\$ 62,985	\$ 172,761	\$ 255,299

Department of Hawaiian Home Lands									
Development Budget (FY 2023)									
(000's omitted)									
		FY 24 Carryover		FY 24 New Funds		FY 24 Budget Request			
Project / Description	New Lots	HHL Trust	Leg Appns	HHL Trust	Leg Appns	HHL Trust	Leg Appns	Act 279	Total
PART B: Repair, Maintenance, and Operating Costs (Promoting thriving, healthy communities)									
<u>OAHU</u>									
Papakolea Sewer Remediation, Ph 2		5,000		1,000		6,000	-		6,000
Nānākuli Sewer Improvements, Ph 2				6,000		6,000	-		6,000
Waimānalo Sewer Improvements				18,000		18,000	-		18,000
Princess Kahanu Sewer Improvements					9,400	-	9,400		9,400
Kapolei Sewer Repairs					110	-	110		110
Nanakuli Drainage & Fencing, Ph 2					4,250	-	4,250		4,250
Rehabilitation of School Seawall, Nanakuli			403			403	-		403
Waianae Sidewalk & Storm Basin Repairs				2,000		-	2,000		2,000
Waimanalo Bell Street Drainage Improvements				950		-	950		950
Waimanalo Concrete Channel Relining				6,200		6,200	-		6,200
Waimanalo Waioleoa Street & Dirt Drainage				150		-	150		150
Waimanalo Sewer Repairs (Kumuhau, Kakaina)				400		-	400		400
<u>MOLOKAI</u>									
Kalamaula Drainage					290	-	290		290
Kapaakea-One Drainage					450		450		450
<u>BIG ISLAND</u>									
Maku'u Site Remediation		200				200	-		200
K'au Water System			2,900			-	2,900		2,900
Lalamilo Ph 1, Kawaihae Road Channelization		100				100	-		100
Lalamilo Ph 1, Infrastructure Improvements		420				420	-		420
La'i 'Ōpua Brush Clearing & Maintenance		800				800	-		800
Puukapu Non-potable Water System Improvements					2,000	-	2,000		2,000
<u>KAUAI</u>									
Anahola Dam and Reservoir Add'l Improvements		547		953		1,500	-		1,500
<u>STATEWIDE PROJECTS</u>									
Engineering Services for Various Locations				1		1	-		1
R/M of Improvements on HHL, Statewide				1		1	-		1
R/M of Utilities in Existing Subdivisions				1		1	-		1
Environmental Mitigation/Remediation				1		1	-		1
PART B SUBTOTAL		\$ 7,067	\$ 2,900	\$ 32,560	\$ 20,000	\$ 39,627	\$ 22,900		\$ 62,527
PART A + PART B		\$ 22,927	\$ 65,985	\$ 36,253	\$ 29,900	\$ 59,180	\$ 85,885		\$ 317,826

State of Hawai'i
DEPARTMENT OF HAWAIIAN HOME LANDS

June 26, 2023

TO: Chair Watson and Commissioners, Hawaiian Homes Commission
FROM: Brian K. Furuto, Acting Administrative Services Officer
SUBJECT: Transfer of Hawaiian Home Receipts Money – End of 4th Quarter, FY 2023

RECOMMENDED MOTION/ACTION:

Commission approval to transfer the entire receipts deposited in the Hawaiian Home Receipts Fund as of June 30, 2023, to the Hawaiian Home Administration Account.

DISCUSSION:

Section 213 (g) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part as follows:

“(3) Hawaiian home receipts fund. All interest moneys from loans or investments received by the department from any fund except as provided for in each respective fund, shall be deposited into this fund. At the end of each quarter, all moneys in this fund may be transferred to the Hawaiian home operating fund, the Hawaiian home administration account, the Hawaiian home trust fund, and any loan fund in accordance with rules adopted by the department.”

Section 10-3-52(b) of the Title 10, DHHL Administrative rules, provides that:

“If the Commission fails to approve a plan for transfer, all moneys in the Hawaiian home receipts fund shall be transferred at the end of that respective quarter as follows:

- (1) Nine per cent to the operating fund; and,
- (2) Ninety-one per cent to the general loan fund.”

On June 15, 2023, the balance of the Hawaiian Homes Receipt Fund was \$2,403,353.45. The June 30, 2023, projected balance is \$2,500,000. Based on department expenditures for fiscal year 2023 and projections for fiscal year 2024, it is recommended that cash receipts in the Hawaiian Home Receipts Fund for the quarter ending June 30, 2023, be transferred to the Hawaiian Home Administration Account.

Hawaiian Homes Commission Meeting
June 26 & 27, 2023
Hale Ponoī, Kapolei, Oahu

J Agenda

Hawaiian Homes Commission Meeting
For Information Only
J Agenda – Requests to Address the Commission

- J-1 Spencer Pae – NAHASDA Affordability Period
- J-2 Lydia Kamoku – Successorship Issue
- J-3 Lily Napoleon – Na‘iwa Agriculture Subdivision Alliance
- J-4 Cindy Freitas – Vacant Lot Concerns
- J-5 Allen Cardines – Nanakuli Neighborhood Security Watch
- J-6 Keani Rawlins- Regional Plan Amendment Process
- J-7 Germaine Meyers – Various Concerns, Ag Waitlist
- J-8 Blossom Feiteira – Act 279 Implementation
- J-9 Bo Kahui – Water Development La‘iOpua
- J-10 Faith Chase – Kahikinui Hawaiian Homestead Community
Economic Dev.
- J-11 Janelle Kaohu Kauahi – Public Notice Application Process
- J-12 Robin Kealiinohomoku – Paupena Community Development Corp.
- J-13 Keone Kealoha – Right of Entry Application, DHHL designation
for proxy voting

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: HCC Contact:
Date: Thursday, May 25, 2023 1:13:08 PM

First Name

Spencer

Last Name

Pae

Email

spencer.pae808@gmail.com

Subject

To Commission Secretary

Message

Please add me to the J-agenda on June 27, 2023. I'm requesting for an amendment to my lease to reduce the NAHASDA affordability period from February 2029 to January 2026 or the account be settled in full. Please see attached letter for more detail and could you please give a copy to each Hawaiian Homes Commission Members prior to the meeting. Mahalo

File

- [Email-Sent-on-to-Follow-up-March_30_2023.pdf](#)
- [Nahasda-HAP-2022-3.pdf](#)
- [2022-05_25-NAHASDA-Duration-Change-2nd-Letter.pdf](#)



Aloha Commissioners,

Thank You For Giving Me This Opportunity To Share My Testimony With You!

My Full Name Is Lydia Pua Kamoku, Successor And Beneficiary For My Deceased Sister Mrs. Rosalie L. Glover. In 2017 My Sister Was Diagnosed With Stage 4 Lung Cancer. She Was Given 6 Month's Or Last To Live. She Lost Her Battle With Cancer. Passed Away On January 19, 2018. With The Time That, She Had Left To Live. My Sister Wanted To Make Sure. Everything That Was Precious And Dear To Her. Was Taken Care Of. One Of Them Was Choosing A Beneficiary To Her DhhI Hawaiian Homeland Wait-List. On December 07, 2017 She Chose Me To Fulfill Her Final Wish. My Sister Handed Me A Signed Letter With Her Designated Hawaiian Homeland Application. (Copy Attached). Told Me To Take It To DhhI Hawaiian Homelands For Her. I Cried With Her As She Hugged Me. Whispering In My Ear, I Love You My Tita!!! With All My Heart And Soul!!! I Will Miss You!!! But ,I Will Always Be With You In Spirit!!! (God It Hurts)!!!

At The Time My Sister Nor I, Was Unaware That I Couldn't Receive Another Award.

I Hand Carried My Sister's Final Wish To DhhI Hawaiian Homelands Office In Kapolei. And Though, I Am Known To Some Staff Members There. I Was Not Informed, As I Handed Both Documents Over To A Department Staff.

After My Sister's Passing 2018, I Received A Letter From DhhI Applications Dept. And Again On March 2023. (Letter Attached). Both Times Responded..

For The First Time, Being Told To Surrender My Successorship (Beneficiary). To The Department Of Hawaiian Homelands. Because I Was Awarded Already. I Cannot Be Awarded Again. My Sister's Name Will Be Released And Published In The Newspaper For Other Family Members To Claim.

Commissioners I Respect The Rules Of Law! I'm Retired From The State Of Hawaii The Dept. Of Public Safety/Corrections.

Commissioners, This Is My Dying Sister's Final Wish!!! From One Blood-Sister To The Other!!!

In 2007 ,Yes I Was Given An Award Lot #14. My Home Was Located At 91-1055 Kaupea Street. Kapolei, Hi. 96707. (Document Attached) I Can Never Forget!!! I Was The Most Happiest Person Alive!!! Many Years Of Long Hard Working Hours. Saving Every Extra Money I Could. And Now Retired. Finally Paid Off!!! My Prayers Was Answered!!! I Felt So Blessed, Grateful And So Appreciated To The Department Of Hawaiian Homelands. For My Forever Home!!!

My Home Was Really Beautiful And Immaculate. (Pictures Attached). I Took Pride Of Home Ownership. I Worked Hard Everyday. In My Home And Around My Property. Adding Many Beautiful Upgrades Inside And Outside. Adding 266 Square Feet More. To My Homes Existing Square Footage. With A Fully Screened In Back Patio. (Photo's Attached) God Knows That, I Never Wanted To Sell My Forever Home. I Was Never In Financial Trouble . I've Paid My Mortgage And All Utilities Earlier Or On-Time. Never Late. Have No Bills. Retired After 30 Yrs. Of Work. So Why Would I Sell My Forever Home?

Well, It Started In 2008. Until The Very Last Day In My Home August 4, 2015. My Neighbor, Where Operating A Furniture Making Business.

I Got Sick And Tired Of Being Bombarded Everyday, With Very, Very Fine Saw-Dust. Inside And Outside Of My Home. I Started Suffering With Bad Sinus. Irritated Swollen Red-Eyes. And Shortness Of Breath. I Found Myself Going To The Doctors Much More Often. My Little Dog (Photo Attached) Suffered With Constant Coughing Every. As Though Her Chest, Was Going To Fallout. Infected Ears And Constant Red-Watery Eyes. Her Vet Bills, Was Getting Very Costly. My Family, Kids And Friends Would Experience Same Symptoms.

I Went Over To Talk, With My Furniture Making Neighbors. About The Saw-Dust. The Effects, It's Causing On Our Health. Walking Over To They Home. I Seen Joey. Husband Of Lessee, Wife Corrina. I Asked If I Could Talk With Him. Looking Frustrated, I Told Him About The Dust. "All I Got From Joey Was, "Oh Okay, I Will Take Care Of It". Since Then And Throughout The Years. Nothing Was Done,. To Correct The Problem. The Saw-Dust Got Worser And Heavier. Along With Snubs And No Aloha. As I Wave, Seeing The Family Daily.

I Needed To Reach Out For Help. Throughout The Years, I've Made Numerous Complaints. To Hawaiian Homelands Enforcement Team, John Piper. Kapolei Association Kimberly, The Board Of Health And H.P.D. All Came Out To My Home. And The Neighbor. Unfortunately, Each Time I Complained. My Furniture Neighbors Retaliated More. Operating They Saw's, Sanding Machines Cutting For Longer Hours. Releasing Into The Air, Strong Smells Of Chemicals And Wood Staining Varnish.. And More Saw-Dust.

Then One Day, H.P.D. Was Called Out To My Home. A Male Figure Was Seen By Me. Bend Forward In Front Of My Home Media-Strip. Picked Something Up And Threw It, Onto My Front-Lawn. Then Walked Back Into My Neighbors Gate, (Furniture Neighbors). I Then Went Outside To Observe, What Was Thrown Onto My Lawn. It Was Dog Feces. The Dog Feces, That My Furniture Business Neighbors, Didn't Pickup. After Letting They Dogs Out, Three Days Prior. I Went Over To They Home. Joey Came Out. I Politely And Calmly, Explained What I Seen. And If He Could Send Someone Out To Pick It Up, Off My Lawn. Then I Said, Thank You!!! Turned And Walked Away. Immediately Joey Started Yelling, What Lydia You Accusing Us. I Told Joey No. I Told You What I Seen. I Continued Walking, Entering Into My Garage. Joey Followed, Yelling, Repeating He's Words. Joey Entered My Garage, Behind Me. As I Turnaround. Joey, Got-Up Closer Into My Face. With Chess And Arms Out Slightly. Standing As Though He Was Getting Ready To Hit Or Push-Me. I Immediately, Ordered Joey Three Times To Step-Back. Get Out Of My Garage. Joey Didn't Comply. He Kept On Yelling. Not Taking My Eyes Off Joey. I Started Walking Backwards Into My Home, From My Garage. Entered And Locked My Screen Door. My Cousin Called. I Asked Her To Call The Cops For Me. Joey Then Left. Police Officer Arrived, Joey Intercepted The Officer Upon Arrival. I Waited Inside My Garage. The Officer Came Over After Talking With Joey. Told Me, Joey Claims, He Wasn't The One Who Threw The Dog Feces. Into My Yard. But, He Still Picked It Up. I Said Officer, That's All I Wanted Joey To Do. But He, Got Really Angry.

Before Leaving My Property The Officer Advised Me. Should Joey Act-Up Again. For Me Not To Hesitate To Call 911. He Will Come Back Out. Officer Also Advised Me To Take This Complaint To Hawaiian Homelands. Next Day I Did. I Notify John Piper. My Family Got Wind Of The Situation. And What Was Taking Place In Regards To The Saw-Dust And Chemical Smells. My Brothers, My Sister, Nieces And Nephews. Was Really Angry. Finding Out What I, Was Going Through. My Brothers And Nephews Wanted So Much To Confront Joey And Son.. As For Corrina The Wife And Leasee. She Always Hid. Never Making An Effort To Talk With Me. Leasee To Leasee!!! I Had Pleaded With My Family. Not To Confront Anyone Of Them. It Was Hard. So I Made Lesser Family Gathering At My Home. Cause I Know, Joey Or Son Would Get Badly Hurt. And That Won't Solve Anything. I'm Retired From Corrections. I Don't Need Anyone Of My Family Members In Jail.

From That Day Forward The Saw-Dust Has Gotten So Bad. It Became Much More Noticeable. I Would Walk Around My Home. Watering My Plants, Hosing-Down The Fine Saw Dust Off The Leafs. And Noticing My Footprints On The Cement. (Like Leaving Your Footprints In The Sand). My Furnitures, Walls, Carpet, Tiles, Laminated Wood Floors, Countertops, Base Boards, Window Edges, Ceiling Fans, Windows And Screens Inside/Outside, Patio Area And Screens ,

3

03/30/23

Pool Table, Storage Sheds, Gazebo Area, Roof-Top And Solar-Panels, Etc.(My Entire Home). Needed Constant Cleaning And Wiping-Down Daily (Not Normal). My Four Air-Condition Units Inside. Needed Filters Cleaned Or Replaced. At Least Once A Month. Power-Unit Outside. Needed Power Washed And Wiped. Along With My Roof-Top And Solar Panels. My Home Outside Wall, Nearest To Neighbors Home. Also Needed Daily Washing. When Preparing Meals, I Needed To Shut My Windows. Preventing Dust From Getting Inside My Food. While I'm Cooking.

Sadly Depressed And At The Edge Of Losing Control Of My Patients. Towards My Neighbors Operating A Furniture Making Business. With No Hope Off Stopping. I Couldn't Take It Any Longer. And With No Help In Site. In 2014 I Decided To Sell. Taking A \$8,000 Dollars Lesser Than My Appraisal Amount. On August 05, 2015 Was The Most Saddest Day For Me. Beside Losing My Beloved Mother And Sister. Leaving The Keys To My No-Longer Forever Home. In The Garage. Then Closing My Garage Door For The Last Time. And Driving Away With My Dog.

See Commissioners, It's Not About Money. Cause I Still Have Every Last Penny In My Credit Union. It's About Our Health!!! Living Comfortable And Secured!!! And Loving Thy Neighbors!!! I Just Needed Help!!! Having My Neighbors, Stop The Dust Making And Chemical Smells!!!!!! Sadly It's Been 7 Years Now. Going On 8 Years. Finally I Got Help. Someone Very Sweet And Kind From Dhhl Hawaiian Homelands. Advised Me To You, Commissioners...May God Bless Her Always!!! I Wish, I Where Giving The Advice To Talk With You Commissioners From The Start... I Know That, Something Would've Been Done. To Make Everything Right!!! And I Would Still Be Living Out My Life, "In My Forever Home." On The Positive-Side, I Can Now Start To Healing!!!

Our Lord Says, Love Thy Neighbors!!! And Pray For Your Enemies And All Who Prosecute You!!! Mahalo Commissioners, God Bless You All!!!

Lydia P. Kamoku

Lydia P. Kamoku
03/30/23

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kio 'āina o ka 'ākau 'āina 'o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kio 'āina o ka 'ākau 'āina
'o Hawaii*



IKAIKA ANDERSON
CHAIRMAN DESIGNATE HHC
Ka Luna Ho'ākele

KATIE L. DUCATT
DEPUTY DESIGNATE TO THE
CHAIRMAN
Ka Hope Luna Ho'ākele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawaii'i

P. O. BOX 1879
HONOLULU, HAWAII 96805
March 1st, 2023

2nd Attempt

Lydia Kamoku
1661 Meyer St #9
Honolulu, HI 96819

Dear Ms. Kamoku:

Subject: Successorship for Hawaiian Home Lands Application
Oahu Islandwide Residential, Dated October 18, 1996
Rosalie L. Glover, Deceased

You were designated to succeed to the above application. It is strongly recommended that you contact the Application Branch. **Please contact our office no later than 30 days from the date of this letter; otherwise, the above application may go to public notice. If we do not hear from you, we will assume that you are not interested.**

Please contact the Application Branch at (808)620-9220 and refer to the contents of this letter.

Aloha,

Applications Branch *AB*
Homestead Services Division

DHHH Commissioners - Mrs. Tervia

DAVID Y. ICE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOBBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

January 25, 2017

Lydia P. Kamoku
1661 Meyer St #9
Honolulu, HI 96819

Aloha,

Subject: Your Application(s) for Hawaiian Home Lands Lease

The Department of Hawaiian Home Lands acknowledges receipt of your application(s) date stamped January 18, 2017.

Final processing will take a few months to complete. We will notify you of your status upon completion of our review.

Mahalo for your interest in the Department of Hawaiian Home Lands program.

DEPARTMENT OF HAWAIIAN HOME LANDS



DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII

WILLIAM J. AJLA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

APR 11 2017

LYDIA P KAMOKU
1661 MEYER ST #9
HONOLULU, HI 96819

Dear Applicant:

SUBJECT: Hawaiian Home Lands Lease Application

Congratulations! We are pleased to inform you that the Department of Hawaiian Home Lands (DHHL) has accepted your lease application. Accordingly, we have placed your name on the following waiting list:

<u>Island</u>	<u>Application Type</u>	<u>Application Date</u>
OAHU	RESIDENTIAL	January 18, 2017.

We have enclosed a copy of your application and a copy of the relevant sections of the *Hawaii Administrative Rules* pertaining to lease applications and the application process. Please read and retain for your future reference.

As all official Department communication with applicants is by mail, it is important that you inform the DHHL in writing when there is a change in your mailing address.

If you have any questions or need assistance, please contact the DHHL district office on your island of residence.

Aloha,

APPLICATION BRANCH
DEPARTMENT OF HAWAIIAN HOME LANDS

Enc. Copy of accepted application
Title 10 Excerpts from the *Hawaii Administrative Rules*

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

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JOBIE M. K. MASAGATANI
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DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

November 23, 2015

Ms. Lydia Pua Kamoku
91-1069 Kaupea Street
Kapolei, Hawaii 96707

Dear Ms. Kamoku:

Subject: Department of Hawaiian Home Lands Residence
Lease No. 12100, Lot No. 16955, Kaupea, Oahu

Your request to transfer the above lease to Ms. Gwendolyn Leinaala Bautista, has been approved for the remaining term of the lease.

Enclosed is the assignment document recording this transfer. It should be kept in a safe place with your other important papers.

If there are questions, please contact Ms. Karen Lucero at 620-9253.

Aloha,

Juan Garcia, Homestead District Supervisor
Homestead Services Division

Enclosure

From: [Nāiwa Agricultural Subdivision Alliance](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] Re: J Agenda Testimony - Hawaiian Homes Commission - Wednesday, February 22, 2023
Date: Tuesday, March 07, 2023 11:46:12 AM
Attachments: [image001.png](#)

Aloha Leatrice:

May I please request to be on the June 2023 J Agenda for Naiwa Agricultural Subdivision Alliance.

Mahalo,

Lily.

On Wed, Feb 15, 2023 at 5:57 PM Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Aloha Kākou,

This email confirms your written request to address the Hawaiian Homes Commission at its meeting on **Wednesday, February 22, 2023**.

The J agenda is scheduled on Wednesday, after Public Testimony on Agendized Items, and any carryover items from Tuesday's agenda. If you were planning to testify toward an action item listed on the Tuesday agenda, please sign up for Tuesday's *Public Testimony* to give your mana'o before votes. See below.

Public Testimony on Agendized Items: Testimony on Agendized Items can be provided either:

- (1) in person at the meeting location, by filling out a form at the reception table; or
- (2) written testimony mailed to *Commission Meeting Testimony*, P.O. Box 1879, Honolulu, HI, 96815, or emailed to dhhl.icro@hawaii.gov by February 17, 2023; or
- (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to speak on. You will need a computer with internet access, a video camera, and a microphone to participate. If you require access by phone only, please indicate that in your request. 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. Testimony may be limited to a three (3) minutes per person.

IN-PERSON TESTIFIERS

From: [cindy Freitas](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J agenda
Date: Tuesday, May 16, 2023 1:41:46 PM

Aloha

Can you put me on J agenda for VACANT LOT concerns.

Mahalo Cindy Freitas

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Friday, June 02, 2023 9:52:31 AM

Name

Allen Cardines, Jr

Email

acardinesjr@gmail.com

Message

Submit Updates from Neighborhood Security Watch/Community Policing Team

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Wednesday, June 07, 2023 7:48:20 AM

Name

Keani Rawlins-Fernandez

Email

keanirawlins@gmail.com

Message

Regional Plan Amendment Process

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Thursday, June 08, 2023 4:05:40 PM

Name

Germaine Meyers

Email

808hikino@gmail.com

Message

6/8/2023

Aloha Leah, May I please address the Commissioners at June 26 Commission Meeting's J Agenda. I'd like to discuss various concerns as a beneficiary, Lessee, and waitlister (I'm on the Ag waitlist).

Mahalo nunui,
Germaine Meyers
Nanakuli Hawaiian Homestead Lessee

From: [Blossom Feiteira](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J agenda
Date: Tuesday, June 06, 2023 7:38:46 AM

Aloha Lea,

Request to be in J agenda for June Commission meeting please?

Mahalo,

Blossom

Sent from my iPhone

From: [Craig Bo Kahui](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Cc: [Craig Bo Kahui](#); [Dora Aio](#); [Sharleen Kahumoku](#); [Sam Walker](#)
Subject: [EXTERNAL] Request to be placed on the J agenda
Date: Saturday, June 03, 2023 11:34:20 AM

Aloha Lea,
Could you please place me on the J agenda for June 2023.
Please advise
Bo Kahui
Laiopua CDC

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Thursday, June 01, 2023 11:13:18 AM

Name

Faith Chase

Email

faith@farmersvoicehawaii.com

Message

Kahikinui Hawaiian Homestead Community Economic Based Development & Makai Management Plan
Revisit 2023

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Tuesday, June 13, 2023 2:24:45 AM

Name

Janelle KaohuKauahi

Email

Jkaohu7586@gmail.com

Message

Aloha I have a concern regarding my son's response to public notice application that was submitted, received and stamped on February 17 2023 in regards to Lease No. 1650, Lot No. 100, Nanakuli, Oahu Mr. George Steven Kuokalani Mikaele (public notice to successor posted on Dec 6, 2022 and ended April 7, 2023)

My concern is that he received a letter on April 24, 2023 17 days later after I called to follow up. Letter stated that his claim is invalid cause he doesn't meet the familial relationship required for successorship. Please tell me where in the public notice states the required qualifications. First of all my son stated on his application that he was a cousin to the late George Steven Kuokalani Mikaele so if the department knows the requirements then why was his application excepted received and stamped. I am coming to you because it's not fair for my son. He is currently on the homestead list and he is Mortgage ready.

I have attached the public notice and it does not specify who is qualified to apply and submit a response to public notice request to succeed to lease..

I was raised in that home and My children deserve to be apart of a place where family will always come first yes George is a cousin but hes family no matter which way you look at it. My Tutu Mary Ann Mikaele and his Grandpa Peter Pekelo Mikaele Sr. are brother and sister.

I hope you consider him to be able to keep the home within our family and I hope that you will consider giving him the opportunity to be a home owner and I look forward to speaking with you all.

Mahalo
Janelle Kaohu-Kauahi
Homeowner of Nanakuli, Homestead
(808)829-0770

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Tuesday, June 13, 2023 12:08:24 AM

Name

Robin Leihuanani Kealiinohomoku

Email

leihuanani@gmail.com

Message

1. Update for Pa'upena Community Development Corporation 127-acre situated in Keokea, Maui re May 30th PP presentation to the County of Maui's Mayor Office requesting a proposed line item for 2024 Budget
2. Request to obtain lease application spot for Thomas Kealiinohomoku
3. Follow up to April's request for a PIG (Preferred Interest Group) to better manage vacated DHHL homes and lands throughout Hawai'i. An interest was shown by fellow commissioners.

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Tuesday, June 13, 2023 6:40:51 AM

Name

Keone Kealoha

Email

kkaakealoha@gmail.com

Message

-Discuss ROE application submitted and received by DHHL from January 22, 2023.
-VOLA common area in future phases
-DHHL designation on non native entity who holds proxies for voting.

File

- [14Jan2022-Villages-of-Laiopua-Association-Non-Profit-Org-App-for-Long-Term-Use-of-DHHL-Lands-rs.pdf](#)