

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

91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i
Monday, March 21, 2016 at 9:30 a.m. to be continued, if necessary, on
Tuesday, March 22, 2016, at 9:00 a.m.

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

I. ORDER OF BUSINESS

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes for March 2014; July 21 & 22, 2015; August 17 & 18, 2015

II. ITEMS FOR DECISION MAKING

A. PUBLIC TESTIMONY ON AGENDIZED ITEMS

B. WORKSHOPS

Planning Office

- G-1 Workshop on Beneficiary Consultation Report – 'Āina Mauna Legacy Plan –
DLNR License Request

C. CONSENT AGENDA

Homestead Services Division

- D-2 Ratification of Loan Approvals (see exhibit)
- D-3 Approval of Consent to Mortgage (see exhibit)
- D-4 Approval of Streamline Refinance of Loans (see exhibit)
- D-5 Approval to Schedule Loan Delinquency Contested Case Hearings (see exhibit)
- D-6 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-7 Cancellation of Deceased Applicant from Waiting List, Public Notice 2014 –
EDWIN K. MORTENSEN
- D-8 Reinstatement of Deferred Application – **CHARLOTTE M. KEALA**
- D-9 Ratification of Designations of Successors to Leasehold Interest and Designation
of Persons to Receive Net Proceeds (see exhibit)
- D-10 Approval of Assignment of Leasehold Interest (see exhibit)
- D-11 Approval of Amendment of Leasehold Interest (see exhibit)
- D-12 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for
Certain Lessees (see exhibit)
- D-13 Commission Designation of Successor – **BENJAMIN O. MILIKAA**, Lease No.
7254, Lot No. 2, Nanakuli, Oahu
- D-14 Approval for Partial Advancement of Net Proceeds – **JOSEPH W.O. YUNG, SR.**
from **LEONA M. ATCHERLEY** (Dec'd.) – Waianae Residential Lot Lease No.
5080, Lot No. 11, Waianae, Oahu
- D-15 Approval for Payment of Net Proceeds – **CINDY A. KAULIA**, Kaniohale
Residential Lot Lease No. 9233, Lot No. 20, North Kona, Hawaii
- D-16 Commission Designation of Successor – **ALAN MILLER**, Lease No. 9396, Lot
No. 83, Kaniohale, Laiohua, Kailua-Kona, Hawaii
- D-18 Request to Schedule Contested Case Hearing – Lease Violation, **HOLLIDAY**
PELEKAI, Lease No. 4809, Lot No. 86F, Hoolehua, Moloka'i

D. REGULAR AGENDA

Office of the Chairman

- C-1 Declare a Finding of No Significant Impact (FONSI) for a Final Environmental Assessment (FEA), DHHL Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot (Lot 185), Waiākea, Hawai'i, TMK (3rd) 2-2-061:002

Homestead Services Division

- D-17 Approval of Assignment of Leasehold Interest – **ROCKYLIN LOO**, Lease No. 7052, Lot No. 25, Puu Pulehu, Hawaii

Land Management Division

- F-1 Approval to Issue License Agreement, Moloka'i Homestead Farmers Alliance, Hoolehua, Island of Moloka'i, TMK (2)5-2-015:053(por.)
F-2 Approval to Issue Waipahoehoe Management Unit Fencing and Long Term Restoration License to Big Island Resource Conservation and Development Council, Aina Mauna R-3, Piipihonua Mauka, Island of Hawai'i

Planning Office

- G-1 Accept Beneficiary Consultation Report – 'Āina Mauna Legacy Plan – DLNR License Request

Administrative Services Office

- H-1 Transfer of Hawaiian Home Receipts Money at the End of the Third Quarter, FY 2016

III. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Planning Office

- G-2 Waimānalo, O'ahu Regional Update to the Hawaiian Homes Commission

Requests to Address the Commission

- J-1 Princeslehuanani Kamaewakainakaleomomona - Kahikinui
J-2 David Benevedes – Waimānalo Lease
J-3 Marion K. Kapuniai – Lease Issue
J-4 Homelani Schaedel – President, Maluōhai Homestead Association
J-5 SandraLynn Naea, Successorship for Clement Kaniaupio.
J-6 Herbert Kaniaupi'o III, Lease Transfer
J-7 Bo Kahui – Executive Director, La'i Opua 2020
J-8 Michelle Ka'uhane – CEO, Council for Native Hawaiian Advancement.
J-9 Robin Danner – Chairman, State Council of Hawaiian Homestead Associations
J-10 David Penn – Renewal of Kipuka Aina Hou License.

Office of the Chairman

- C-2 2016 Native Hawaiian Housing Block Grant Annual Housing Plan

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

91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i
Tuesday, March 22, 2016, at 9:00 a.m.

I. ORDER OF BUSINESS

1. Roll Call

II. EXECUTIVE SESSION

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

1. Update on Nelson Case- Richard Nelson, III et al., v HHC, Civil No. 07-1-1663
2. Presentation by the Commission's attorneys regarding the Commission's fiduciary and other duties pertaining to the DHHL General Plan and items covered in the workshop of March 10, 2016.
3. Discussion Regarding Kalawahine Streamside Construction Defects Mediation and Settlement

III. ITEMS FOR INFORMATION/DISCUSSION

A. PUBLIC TESTIMONY ON AGENDIZED ITEMS

B. WORKSHOPS

Office of the Chairman

- C-3 Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules
- C-4 Recommendations Following Beneficiary Consultation for Proposed Amendments to Title 10, Hawaii Administrative Rules

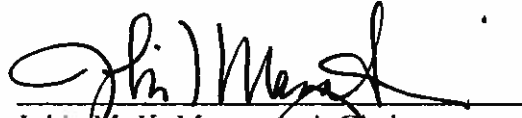
Homestead Services Division

- D-1 HSD Status Reports
 - Exhibits:
 - A - Homestead Lease and Application Totals and Monthly Activity Reports
 - B - Delinquency Report
 - C - DHHL Guarantees for USDA-RD Mortgage Loans
 - D - DHHL Guarantees for FHA Construction Loans

IV. ANNOUNCEMENTS AND ADJOURNMENT

1. Next Meeting – April 11 & 12, 2016, Kalama'ula, Moloka'i
2. Other Announcements
3. Adjournment

Note: Contested Case Hearings begin at 1:00 p.m.



Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Doreen N. Canto, Maui
Kathleen P. Chin, Kaua'i
Gene Ross K. Davis, Moloka'i
Wallace A. Ishibashi, East Hawai'i

David B. Ka'apu, West Hawai'i
Michael P. Kahikina, O'ahu
William K. Richardson, O'ahu
Wren Wescoatt, O'ahu

Community Meeting to be held on March 21, 2016
Ho'oilina Nā Kūhiō Community Center
41-253 Ilauhole Street, Waimānalo, O'ahu 96795, from 6:30 p.m. – 8:30 p.m.

Next community meeting to be held on April 11, 2016
Lanikeha Community Center, Ho'olehua, Moloka'i 6:30 p.m.

Special Accommodations (such as Sign Language Interpreter, large print, taped material) can be provided, if requested, at least five (5) working days before the scheduled meeting on the respective island by calling Ku'uwehi Hiraishi, at the *Information & Community Relations Office*, on Oahu, (808) 620-9590.

ITEM D-2 EXHIBIT
RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
BUNGULA, Thomasyna L.A.	11143	Anahola, Kauai
HEFELE, Ronald H.	10455	Waiohuli, Maui

ITEM D-3 EXHIBIT
APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AH YUEN, Betty Jean N.	8189	Waimanalo, Oahu
AIKALA, Kalsey L.	5584	Lualualei, Oahu
AINA-PAAOAO, Chanelle L.	1424	Keaukaha, Hawaii
AKINA, Dane A.	12579	Kanehili, Oahu
AKIONA, Wilma E. P.	11198	Anahola, Kauai
BARNETT, Frances X. K.	8537	Princess Kahanu Estates, Oahu
BROWN, Laureen K.	8581	Nanakuli, Oahu
BROWN, Sandra J.	7568	Waiohuli, Maui
BROWN, William, III	8581	Nanakuli, Oahu
CHAVEZ, Danielle K.	1939A	Nanakuli, Oahu
FELICIANO, Daran	12545	Lalamilo, Hawaii
FELIX-KEAMOAI, Jolina L.	11319	Kekaha, Kauai
FERNANDEZ, Quannette L. L.	12109	Kaupea, Oahu
FREITAS, Elaine S. I.	5548	Lualualei, Oahu
HOOOPER, Michele K.	9837	Puupulehua, Hawaii
JURY MURRAY, Jamie-Lynn P.	6745	Waianae, Oahu
JURY-HALE, Kristle L.	8559	Princess Kahanu Estates, Oahu
KAHALEWAI, Richard M.	12125	Kaupea, Oahu
KAHAWAI-KAMANAWA, Dawn K.	12613	Kanehili, Oahu
KALAWAIA, Chad	6944	Makuu, Hawaii
KALEI, Chris H., Sr.	644	Papakolea, Oahu
KAMAKA, Leipualilia J. C.	17099	Kaupea, Oahu
KAMANA-MARZAN, Deidre N.	9628	Kalawahine, Oahu
KAOWILI, Ocean	5583	Lualualei, Oahu
KUA, Joseph, Jr.	8678	Anahola, Kauai
LEE, Tammy J. H.	10100	Waiehu 3, Maui
LIANA, Debra I.	8534	Princess Kahanu Estates, Oahu
LOPES, Wesley K.	8382	Princess Kahanu Estates, Oahu
MAHELONA, Nalani R.	6563	Anahola, Kauai
MAKILAN, John C., Jr.	7321	Nanakuli, Oahu
MIYASATO, Lynne L.	12025	Kaupea, Oahu
NAHALEA, Anja A.	8440	Princess Kahanu Estates, Oahu
NAHALEA, Valmajan L.	7300	Nanakuli, Oahu
PAIKAI, Kawailehua K.	12566	Kanehili, Oahu
PAULINE, Caprice K.	12112	Kaupea, Oahu
PIERCEALL, Jeanine M.	9617	Kalawahine, Oahu
SIMMONS, Lana K.	5488Z	Anahola, Kauai
TAM, Russell K.	6313	Keaukaha, Hawaii

VALLE, Wanda N.	4174	Paukukalo, Maui
WAIKI, Quincey W.	5076	Keaukaha, Hawaii
WHITE, Thomas, Jr.	2958	Waiakea, Waiakea
ZABLAN, Isaac K.	10970	Lanai, Lanai

ITEM D-4 EXHIBIT

APPROVAL OF STREAMLINE REFINANCE OF LOANS

LESSEE	LEASE NO.	AREA
CHUNG, Donald S.K.L. Jr.	5467	Waianae Kai, Oahu
ELIA, Kimberly K.	8139	Waiakea, Hawaii
KUALII, Kipukai L.P.	11011	Anahola, Kauai
SILVA, Hartwell T.	7251	Kawaihae, Hawaii

ITEM D-5 EXHIBIT

APPROVAL TO SCHEDULE LOAN DELINQUENCY CONTESTED CASE HEARING

LESSEE	LEASE NO.	AREA
GUNDERSON, Cherilyn K.	9279	Kaniohale, Hawaii
HANOHANO, John I.	8950	Waiakea, Hawaii
IOKIA, Ioane K.K.	8253	Lualualei, Oahu
KAHUMOKU, Sharleen U.	9279	Kaniohale, Hawaii
KAMAKA, James K.	2174	Kewalo, Oahu
RITTE-MANANGAN, Tiare	7854	Kalamaula, Molokai
SANTOS, Thomas Jr.	9466	Waiehu Kou II, Maui

ITEM D-6 EXHIBIT

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
AKAU, Makapena W. B.	Hawaii IW Res
AKAU, Norman C. A., III	Oahu IW Res
AUKAI, Roy	Hawaii IW Res to Oahu IW Res
BARROS-KAHIKINA, Kealoha K.	Oahu IW Agr
DEHMER, Deborah I.	Oahu IW Res
HARTSOCK, Bertram D. W.	Maui IW Res
HICKS, Heather K.	Oahu IW Res to Lanai IW Res
KAAHANUI, Calvin I., Jr.	Kauai IW Agr to Maui IW Agr
KAAHANUI, Calvin I., Jr.	Kauai IW Res to Maui IW Res
KAHUE-BURROWS, Bronson K.	Oahu IW Res
KALAMA, Zachary C. K., Jr.	Maui IW Res
KELIIHOLOKAI, Solomon K.	Oahu IW Res
LINDO, Henry A., Jr.	Maui IW Res
NAEOLE, Herberleen U.	Maui IW Res
NAPEAHI, Robert K., Jr.	Hawaii IW Agr (for additional acreage)
OLIVEIRA, Roman Gabriel K.	Hawaii IW Agr to Oahu IW Agr
RODRIGUES, Rodney R.	Hawaii IW Res
SNIFFEN, Theresa K.	Maui IW Res

WAHILANI-ULUFALE, Sherron H.
WOOLSEY, Edwin M., Jr.

Oahu IW Res
Maui IW Res

* IW = Islandwide

ITEM D-9 EXHIBIT

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

LESSEE	LEASE NO.	AREA
ADAM, Gregory K.	8169	Nanakuli, Oahu
KAAUWAI SR., John K.	4197	Anahola, Kauai
KAUPU, Joseph U.	4385	Nanakuli, Oahu
POAIPUNI, Ruth L.	4710	Kapaakea, Molokai
POE SR., Sharlette L. K.	4640	Waianae, Oahu
PURDY, Theopista K.	124	Hoolehua, Molokai
TUFI, Elizabeth M.	9746	Maluohai, Oahu

ITEM D-10 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AWAI, Sheila L. P. K.	810	Kalamaula, Molokai
HOPKINS, Craig K. Hopkins	12566	Kanehili, Oahu
HOPKINS, Sandradee P.	12566	Kanehili, Oahu
KAAUKAI, Albert S.	4007	Waiakea, Hawaii
KAAUKAI, Charles M.	3853	Nanakuli, Oahu
KAHOLO, Lorna K.	4801	Waiakea, Hawaii
KAI, Paul K.	5371	Panaewa, Hawaii
KALIKO, Trixie K. L. D.	2598	Nanakuli, Oahu
KALILOA, Diane U.	4988	Hoolehua, Molokai
KAULUKUKUI, Julia L.	1192	Keaukaha, Hawaii
KINNEY, Genevieve G.	5120	Panaewa, Hawaii
LEE, Josephine M.	9563	Kalawahine, Oahu
MANOA, Damien A	12603	Kanehili, Oahu
NASCIMENTO, Jennifer L.	12089	Kaupea, Oahu
PELEKAI-WAI, Kalena K.	8412	PKE, Oahu
RITTMEISTER, William F.	7894	Anahola, Kauai
ROSARIO, Jo N.	4475	Waianae, Oahu
USO, Mara	8879	Hanapepe, Kauai
USO, Marleen K.	8879	Hanapepe, Kauai
HULAMA, Jeffrey	4717	Nanakuli, Oahu
RIVERA, Makana	11121	Anahola, Kauai

ITEM D-11 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AHANA, Raymond M.	8236	Waimanalo, Oahu
AWAI, Sheila L.P.K.	810	Kalamaula, Molokai
CROWELL, Mary Ann K.	3699	Waimanalo, Oahu
DEREGO JR., Frank K.	3037	Nanakuli, Oahu
FORBES, Yola N. M.	515	Hoolehua, Molokai

KAAUKAI, Albert S.	4007	Waiakea, Hawaii
KAAWA JR., Andrew	1744	Nanakuli, Oahu
KAI, Paul K.	5371	Panaewa, Hawaii
KAULUKUKUI, Julia L.	1192	Keaukaha, Hawaii
VALLE, Wanda N.	4174	Paukukalo, Maui
YAMADA, Garry L.	3571	Panaewa, Hawaii

ITEM D-12 EXHIBIT

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

LESSEE	LEASE NO.	AREA
KIHOI, Aurelia P.	4755	Nanakuli, Oahu
LANE, Henry L.K.	3321	Waimanalo, Oahu
MAYEDA, Juanita K.	12057	Kaupea, Oahu
SITAREK, Jason-Wayne P.	6700	Waianae, Oahu

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
MARCH 21 & 22, 2016
KAPOLEI, O'AHU

AGENDA SECTION II. C & III. C

C-ITEMS
OFFICE OF THE CHAIRMAN

*Note: Items C-3 & C-4, will be
distributed under separate cover*

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21-22, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through: Niniau Simmons, NAHASDA Manager
M. Kaleo Manuel, Acting Planning Program Manager
Norman Sakamoto, Acting Land Development Division
Administrator

From: Isaac Takahashi, Housing Project Branch, Acting Chief
Andrew H. Choy, HHL Planner

Subject: Declare a Finding of No Significant Impact (FONSI)
for a Final Environmental Assessment (FEA),
DHHL Pana'ewa Agricultural Lots Subdivision-Mahi'ai
Lot (Lot 185), Waiākea, Hawaii,
TMK (3rd) 2-2-061:002

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) declare a Finding of No Significant Impact (FONSI) based on the information provided in the Final Environmental Assessment (FEA) for the proposed DHHL Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot (Lot 185).

DISCUSSION

Background

The Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot (Lot 185) project consists of subdividing a 10-acre parcel into 16 half-acre lots, with County dedicated roads and water system ("Project"). The Project, initiated as a proactive response to the lava flow threatening Maku'u agricultural homestead lots, would enable the relocation of Maku'u Farm Lot lessees who still desire to move from that high risk area, to accommodate other lessees who may need to be relocated due to other risks (e.g., Pu'ukapu lessees facing Unexploded Ordnance (UXO) risk), and/or award to new lessees on the wait list.

Draft Environmental Assessment

DHHL previously filed a Draft Environmental Assessment (DEA) that included this Project and four other 10-acre lots (published in the July 23, 2015 Environmental Notice). The Draft EA referred to the four other 10-acre lots as the "Auwae Lots" and this Project as the "Mahi'ai Lot". In response to comments received during the public review period, DHHL decided to defer plans to subdivide the Auwae Lots until DHHL's regional plan for Pana'ewa has been updated. The regional plan update would provide an opportunity to evaluate land use alternatives and infrastructure capacity with input from the homestead community and regulatory agencies. DHHL decided to move forward with this Project (Mahi'ai Lot) because it is in a distinctly separate area from the Auwae Lots in an area surrounded by higher density residential lots.

The DEA described existing conditions and assessed the potential environmental and cultural impacts to the Project site as well as the surrounding area. An archaeological inventory survey was done and oral history interviews were conducted to produce a Cultural Impact Assessment. In summary, the DEA found that the existing infrastructure improvements and associated uses described for the Project will have no to minimal impact on the surrounding environment.

The DEA also addressed the project's uses for consistency with existing plans and applicable land use policies. The Site is in the State Land Use Agricultural District. The State Land Use Law specifies a minimum lot size of one acre within this District (HRS §205-5). However, the Hawaiian Homes Commission Act (HHCA §§204 & 206) empowers DHHL with exclusive authority to control its land, whereby these lands are not subject to State or county land use controls. Therefore, DHHL will preempt the State Land Use Law to enable the Project's half-acre lots in lieu of the State Land Use Law 1-acre minimum lot size.

The County zoning is A-1a and A-5a district (agricultural district with 1-acre and 5-acre minimum lot size). Under a Memorandum of Agreement between DHHL and the County of Hawai'i, DHHL has the power to determine the appropriate County zoning based on DHHL's land use designation in the island plan. For the one-half acre agricultural lots, the appropriate DHHL land use designation is Subsistence Agriculture corresponding to the County's RA-0.5a (residential-agricultural district with a minimum lot size of half-acre).

The Hawai'i Island Plan (2002) designated the Project site as Supplemental Agriculture. The Project's one-half acre agricultural lots are not consistent with this designation. DHHL will process an amendment to the Island Plan to reflect the proposed use with a designation of Subsistence Agriculture as part of a comprehensive update of the Pana'ewa Regional Plan.

Based upon the facts presented and analysis completed in the DEA, staff anticipated a finding of no significant impact (AFONSI). Per Hawai'i Administrative Rules (HAR) 11-200-11, the DEA and AFONSI are required to be published in the State Office of Environmental Quality Control (OEQC) "Environmental Notice" bulletin for a 30-day public review and comment period. The public comment period was from July 23, 2015 to August 24, 2015. At the request of DHHL beneficiaries, DHHL accepted comments that were submitted after the August 24 comment deadline up to October 30, 2015.

Final Environmental Assessment (Summary)

Various government agencies at the federal, state, and county levels, as well as the DHHL Pana'ewa lessees, were asked to comment on the DEA. Revisions to the DEA were made based on the comments received during the public comment period. The major change was to defer the Auwae Lots subdivision and finalize the EA only for the Mahi'ai Lot (Lot 185) (Exhibit A).

A summary of substantive comments received from agencies consulted during the public comment period and how those comments were addressed in the FEA are shown in the following table. A complete record of comments received and responses to those comments are included in Appendix G of the FEA document.

Agency	Comment/Summary	Response to Comment
State Agencies		
Department of Business, Economic Development & Tourism, Office of Planning	The DEA adequately addresses the State Plan policies (HRS Chapter 226), Coastal Zone Management policies (HRS Chapter 205A), and stormwater runoff mitigation measures.	Acknowledged.

Agency	Comment / Summary	Response to Comment
Department of Defense	Although an emergency siren is proposed at Pana'ewa Park, DHHL is requested to provide another siren as part of the project.	DHHL will coordinate with the Department of Defense when the Auwae Lots proceed.
Dept. of Health, Env'tal Planning	Consider sustainable design principles and strategies in the project. NPDES permit will be required.	Acknowledged that project will require NPDES permit and project will be designed to incorporate permit requirements.
Dept. of Health, Clean Water Branch	Project must comply with and meet criteria of Clean Water Act. Project may require NPDES and Army Corps of Engineer permits.	Project area does not contain water bodies such as streams, bays, ponds, or wetlands, thus permits related to the Clean Water Act and Army Corps of Engineer permits do not apply. Project will mitigate stormwater impacts through best practices to be approved by DOH through the NPDES Permit.
Department of Land and Natural Resources, Engineering Division	Provide water demands and calculation to be included in the State Water Projects Plan Update.	DHHL will provide the requested information.
Department of Land and Natural Resources, State Historic Preservation Division	Provide documentation of NHO consultation and archaeological inventory survey (AIS).	DHHL submitted SHPD's application form section 106 and HRS Chapter 6E review, including the AIS, NHO consultation documentation, and determination of no effect.
Department of Transportation	Given that the project will be accessing County roads, DOT waived a traffic assessment request.	DHHL will assess traffic circulation when it proceeds with the Auwae Lots.

Agency	Comment/Summary	Response to Comment
Office of Hawaiian Affairs	Consult with the Pana'ewa Hawaiian Home Lands Community Association (PHHLCA). Notify OHA in the event Native Hawaiian cultural deposits are identified during construction.	The cultural impact assessment consultant consulted with the PHHLCA. OHA has been included in the notification requirements for inadvertent finds.
County Agencies		
Department of Environmental Management, Department of Water Supply, Fire Department, Planning Department	All responded with no further substantive comments.	Acknowledged.
Public Comments		
Sandwich Isles Communications (SIC)	SIC is the exclusive telecommunications provider to DHHL lands. Will provide fiber optics to each home.	The DEA utilities section was corrected in the FEA.
Keaukaha Pana'ewa Farmers Association (KPFA)	KPFA expressed concerns with traffic and crime impacts, and compatibility of the half-acre lots with surrounding agricultural lots.	DHHL held a meeting with the KPFA and PHHLCA in August 2015 to respond to the concerns raised in the letter. Since most of the concerns related to the Auwae Lots, and the community had no objection to the Mahi'ai Lot, DHHL decided to defer the Auwae Lots and move forward only on the Mahi'ai Lot. DHHL will provide the community an opportunity to review the Auwae Lots in the context of updating the Pana'ewa Regional Plan.

Agency	Comment/Summary	Response to Comment
Jojo Tanimoto	Expressed concerns with traffic, noise from the neighboring uses on future residents (e.g., noise from quarry, race track, airport), and health effects from landfill.	The concerns relate to the Auwae Lots and will be addressed when DHHL moves forward with the Auwae Lots.

As stated previously, staff anticipated a Finding of No Significant Impact (AFNSI) based on the information presented in the DEA. The comments in the table above were received during the public comment period or shortly thereafter. Appropriate mitigation measures and solutions were identified to address these comments. The mitigation measures and solutions were incorporated into the FEA.

Comments from other agencies either concurred with the findings of the DEA or suggested other policy standards that the project should consider during its implementation and operation. These policy standards were incorporated into the FEA. As a result, the comments received during the public comment period and the incorporation of mitigation measures in response to those comments in the FEA will enable the DHHL Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot (Lot 185) to further reduce any potential impacts to the surrounding environment.

Criteria for a Finding of No Significant Impact (FONSI)

Hawai i Administrative Rules (HAR) Section 11-200-12.2 establishes procedures for determining if an Environmental Impact Statement (EIS) should be prepared for a project, or if a Finding of No Significant Impact (FONSI) is warranted. HAR Section 11-200-12 lists the following criteria to be used in making the determination (See Ch. 7 of the FEA for a complete statement of findings):

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

The Project is not anticipated to involve any construction activity that may lead to a loss or destruction of any sensitive natural or cultural resource. The Project Site has been the subject of flora/fauna, archaeological and cultural studies conducted in and around the site. All of the studies

reveal the absence of any resource potentially subject to irrevocable loss as a result of construction.

- 2) *Curtails the range of beneficial uses of the environment;*

The Project expands the beneficial use of the Site by providing affordable housing opportunities and potential for agricultural uses.

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

The Project is not in conflict with the long-term environmental policies, goals, and guidelines of the State of Hawai'i. As presented in the EA, the Project's potential adverse impacts are associated only with the short-term construction-related activities, and such impacts can be mitigated through adherence to standard construction mitigation practices.

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

The Project will have beneficial effects on the economy and social welfare of Hilo town or the County of Hawai'i by providing affordable housing opportunities for native Hawaiians in proximity to jobs, schools, shopping, and other urban services.

- 5) *Substantially affects public health;*

There will be temporary impacts to noise and air quality levels during the construction phase of the Project; however, these potential impacts will be short-term and are not expected to substantially affect public health. Wastewater disposal will utilize individual septic systems approved by the Department of Health. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures.

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

Although the Project will increase population in the immediate area, the surrounding roads, schools, parks, and other public facilities have the capacity to serve this increase.

- 7) *Involves a substantial degradation of environmental quality;*

Construction activities associated with the proposed project are anticipated to result in negligible short-term impacts to noise, air-quality, and traffic in the immediate vicinity. With the incorporation of the recommended mitigation measures during the construction period, the project will not result in degradation of environmental quality. No long term negative impacts are expected from project implementation.

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

DHHL's lands are intended for homesteading or income-producing uses. DHHL will amend the Island Plan to reflect the Project's proposed use and density. The Island Plan is the means for DHHL to coordinate and mitigate, as necessary, the cumulative impact of developing their lands.

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

There are no known, threatened, or endangered species of flora, insects, or associated habitats located on the Project site. Mitigation measures are included during and after construction to prevent potential impacts during breeding seasons for the Hawaiian hawk, Hawaiian hoary bat, and seabirds.

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

Construction activities for development of the Project could potentially impact noise and air and water quality levels on the Project site. However, these impacts will be short-term and are not expected to be detrimental. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures as necessary. After

construction, the development is not expected to adversely impact ambient noise levels or water and air quality. There will be a slight increase in impervious surfaces over the Site's former undeveloped use; however, any increase in runoff will be accommodated by proposed drainage improvements and will not detrimentally affect water quality.

- 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;*

The development will not affect any environmentally sensitive area. The Project is located outside a FIRM-designated flood plain and inland from the coast. Homes will be constructed in compliance with County of Hawai'i building codes, and the drainage improvements will be designed to minimize any potential for localized flooding.

- 12) *Substantially affects scenic vistas and view planes identified in county or state plans or studies;*

The Project site is not listed as a scenic view plane or area of natural beauty by the County.

- 13) *Requires substantial energy consumption;*

The new homes will increase energy consumption. DHHL is looking into programs to assist with financing solar or other renewable sources for homeowners as a means to reduce household utility costs.

Based on the FEA analysis, agency and public comments, and mitigation measures in response to comments which have been incorporated into the FEA, DHHL staff concludes that the development and operation of the DHHL Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot (Lot 185) will not have a significant impact on the project area or surrounding vicinity. Should the HHC disagree with staff findings, an Environmental Impact Statement Preparation Notice (EISPN) may be issued instead of a FONSI, per HAR §11-200-11.2.

Mitigation Measures Agreed to by DHHL in the Final EA

- *Threatened or endangered species.* To prevent potential impacts:

- DHHL to provide notice to lessees:
 - To protect night-flying seabirds, outdoor illumination be shielded so that the bulb is not visible at or above bulb-height.
 - To protect the low-flying, foraging Hawaiian hoary bat, barbed wire should not be used for fencing.
- Construction scheduling and documents will incorporate the following applicable recommendations of the U.S. Fish and Wildlife Service (USFW):
 - Hawaiian hawk. If construction occurs during the hawk's breeding season (March through September), the contractor will retain a qualified ornithologist to conduct a nest search of the area of the proposed construction site and surrounding area prior to the advent of construction activities. Surveys should ensure that construction activity will not occur within 1,600 feet of any Hawaiian hawk nest.
 - Hawaiian hoary bat. It is recommended that woody plants greater than 15 feet tall should not be removed or trimmed during the Hawaiian hoary bat breeding season (June 1 to September 15).
 - Seabirds. If night work must be conducted, it should take place outside the sea bird fledging season (September 15 through December 15) and should utilize shielded lighting.
- *Air quality, noise, water quality.* Construction documents will include:
 - Standard dust control measures
 - Standard noise control measures
 - Best management practices for erosion and sedimentation control in accordance with approved Grubbing/Grading and National Pollutant Discharge Elimination System (NPDES) permits
- *Land use plans consistency.* DHHL will amend the Hawai'i Island Plan to reflect the proposed Subsistence Agricultural use and update the County in accordance with the Memorandum of Understanding (MOU) between DHHL and the County of Hawai'i.
- *Toxics and Hazardous Waste.* Retain a Phase 1 consultant for further research as follows:
 - Test the soil for arsenic;
 - Inspect the kennel drainage area and conduct further testing as appropriate.

- *Historic preservation.* Construction documents will include a condition that should burials or other traditional deposits be identified during intrusive activities, all work in the area will cease and the appropriate agencies will be contacted.

RECOMMENDED MOTION/ACTION

DHHL staff respectfully requests approval as recommended.

Pana'ewa Agricultural Lots Subdivision- Mahi'ai Lot (Lot 185)

Final Environmental Assessment – Finding
of No Significant Impacts

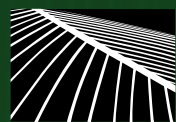
(HRS 343)



Prepared for

Department of Hawaiian Home Lands

Prepared by



PBR HAWAII
& ASSOCIATES, INC.

March 2016

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SUMMARY

Project Name:	Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot (Lot 185)
Location:	Waiākea <i>ahupua'a</i> , South Hilo, Island and County of Hawai'i
Judicial District:	South Hilo
Tax Map Key (TMK):	(3) 2-2-061:002 (Lot 185 of Pana'ewa House & Farm Lots)
Land Area:	Approximately 10 acres
Proposing/Determining Agency:	Department of Hawaiian Home Lands
Landowner:	Department of Hawaiian Home Lands (DHHL)
Existing Use:	Open area with a single home to be demolished
Proposed Action:	The project consists of subdividing the parcel into 16 half-acre lots, with County dedicated roads and water system. DHHL will award the lots to native Hawaiian beneficiaries on the wait list, and/or to existing lessees who need to relocate due to lava or other hazards.
Current Land Use Designations:	<i>State Land Use:</i> Agriculture <i>County General Plan LUPAG:</i> Low Density Urban <i>County Zoning:</i> Agricultural (A-1a and A-5a) <i>Special Management Area (SMA):</i> Not in SMA <i>DHHL Land Designation (Hawai'i Island Plan 2002):</i> Supplemental Agriculture
Alternatives Considered:	Three alternatives were considered: <ul style="list-style-type: none"> • No action • Alternative sites • Alternative designs
Potential Impacts and Mitigation Measures:	<p>Beneficial impact by providing affordable housing opportunities for native Hawaiians in proximity to jobs, schools, and shopping. One-half acre lot size provides opportunity for self-sufficiency agriculture.</p> <p>Mitigation measures include:</p> <p><i>Threatened or endangered species.</i> DHHL to provide notice to lessees:</p> <ul style="list-style-type: none"> • To protect night-flying seabirds, outdoor illumination be shielded so that the bulb is not visible at or above bulb-height. • To protect the low-flying, foraging Hawaiian hoary bat, barbed wire should not be used for fencing. <p>Construction scheduling and documents will incorporate the following applicable recommendations of the U.S. Fish and Wildlife Service (USFW):</p> <ul style="list-style-type: none"> • Hawaiian hawk. If construction occurs during the hawk's breeding season (March through September), the contractor will retain a qualified ornithologist to conduct a nest search of the area of the proposed construction site and surrounding

	<p>area prior to the advent of construction activities. Surveys should ensure that construction activity will not occur within 1,600 feet of any Hawaiian hawk nest.</p> <ul style="list-style-type: none"> • Hawaiian hoary bat. It is recommended that woody plants greater than 15 feet tall should not be removed or trimmed during the Hawaiian hoary bat breeding season (June 1 to September 15). • Seabirds. If night work must be conducted, it should take place outside the sea bird fledging season (September 15 through December 15) and should utilize shielded lighting. <p><i>Air quality, noise, water quality.</i> Construction documents will include:</p> <ul style="list-style-type: none"> • Standard dust control measures • Standard noise control measures • Best management practices for erosion and sedimentation control in accordance with approved Grubbing/Grading and National Pollutant Discharge Elimination System (NPDES) permits <p><i>Land use plans consistency.</i> DHHL will amend the Hawai'i Island Plan to reflect the proposed Subsistence Agricultural use and update the County in accordance with the Memorandum of Understanding (MOU) between DHHL and the County of Hawai'i.</p> <p><i>Toxics and Hazardous Waste.</i></p> <ul style="list-style-type: none"> • Retain a Phase 1 consultant for further research as follows: <ul style="list-style-type: none"> ▪ Test the soil for arsenic; ▪ Inspect the kennel drainage area and conduct further testing as appropriate. <p><i>Historic preservation.</i> Construction documents will include a condition that should burials or other traditional deposits be identified during intrusive activities, all work in the area will cease and the appropriate agencies will be contacted.</p>
Approvals and Permits Required:	Subdivision, Underground Injection Control (UIC), NPDES, Grubbing/Grading, Noise, Individual Wastewater System Approval (by future lessee of each lot), Building (by future lessee of each lot)
Determination:	Finding of No Significant Impact

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ACRONYMS

AFONSI	Anticipated Finding of No Significant Impact
AIS	Archaeological Inventory Survey
ALISH	Agricultural Lands of Importance to the State of Hawai'i
ALS	Advanced Life Support
BMP	Best Management Practices
CIA	Cultural Impact Assessment
CWRM	State of Hawai'i Commission on Water Resource Management
DBEDT	State of Hawai'i Department of Business, Economic Development, and Tourism
DHHL	Department of Hawaiian Home Lands
DLNR	State of Hawai'i Department of Land and Natural Resources
DOE	State of Hawai'i Department of Education
DOH	State of Hawai'i Department of Health
DOT	State of Hawai'i Department of Transportation
DPR	County of Hawai'i Department of Parks and Recreation
DWS	County of Hawai'i Department of Water Supply
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
gpd	Gallons per day
HAR	Hawai'i Administrative Rules
HCC	Hawai'i County Code
HIARNG	Hawai'i Army Reserve National Guard
HELCO	Hawai'i Electric Light Company, Inc.
HRS	Hawai'i Revised Statutes
IBC	International Building Code
KMR	Keaukaha Military Reserve
KPFA	Keaukaha-Pana'ewa Farmers Association
LEED	Leadership in Energy and Environmental Design
LID	Low Impact Development
LSB	Land Study Bureau
LUC	State of Hawai'i Land Use Commission
LUPAG	County of Hawai'i General Plan Land Use Pattern Allocation Guide
MGD	Million gallons per day
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NAHASDA	Native American Housing Assistance and Self-Determination Act
NASA	National Aeronautics and Space Administration

NHO	Native Hawaiian Organization
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination Systems
NRCS	Natural Resources Conservation Service
NPS	National Park Service
OEQC	State of Hawai'i Office of Environmental Quality Control
OHA	State of Hawai'i Office of Hawaiian Affairs
ROW	Right-of-way
SCS	Scientific Consultant Services, Inc.
SHPD	State of Hawai'i Historic Preservation Division
SHPO	State Historic Preservation Officer
SMA	Special Management Area
TMK	Tax map key
UIC	Underground Injection Control
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UXO	Unexploded ordnance
WWII	World War II

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1 INTRODUCTION

The State Department of Hawaiian Home Lands (DHHL) is proposing to subdivide a 10-acre parcel into 16 lots at a minimum lot size of half-acre ("Project"). The proposed use of State land triggers the preparation of an Environmental Assessment (EA) in compliance with Chapter 343, HRS. DHHL previously filed a Draft EA that included this Project and four other 10-acre lots (published in the July 23, 2015 Environmental Notice). The Draft EA referred to the four other 10-acre lots as the "Auwae Lots" and this Project as the "Mahi'ai Lot". In response to comments received during the public review period, DHHL decided to defer plans to subdivide the Auwae Lots until DHHL's regional plan for Pana'ewa has been updated. The regional plan update would provide an opportunity to evaluate land use alternatives and infrastructure capacity with input from the homestead community and regulatory agencies. DHHL decided to move forward with this Project (Mahi'ai Lot) because it is in a distinctly separate area from the Auwae Lots in an area surrounded by higher density residential lots.

1.1 LANDOWNER

The DHHL is the fee simple landowner and will lease the lots to qualified native Hawaiians.

1.2 PROPOSING/ DETERMINING AGENCY

DHHL is the proposing/determining agency.

Contact: Department of Hawaiian Home Lands
ATTN: Niniau Simmons
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Phone: (808) 620-9513
Fax: (808) 620-9529

1.3 ENVIRONMENTAL CONSULTANT

PBR HAWAI'I is the environmental planning consultant.

Contact: PBR HAWAI'I & Associates, Inc.
ATTN: Roy Takemoto
1001 Bishop Street, Suite 650
Honolulu, Hawai'i 96813
Telephone: (808) 521-5631
Fax: (808) 523-1402

1.4 COMPLIANCE WITH STATE OF HAWAI'I ENVIRONMENTAL LAWS

Preparation of this document is in accordance with the provisions of Chapter 343, HRS and Title 11, Chapter 200, Hawai'i Administrative Rules (HAR) pertaining to Environmental Impact Statements. Section 343-5, HRS established nine "triggers" that require either an EA or an

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

Environmental Impact Statement (EIS). The use of State or County lands or funds is one of these “triggers.” The project will also use federal funds. DHHL will comply with the requirements of the National Environmental Policy Act by a separate document.

1.5 STUDIES CONTRIBUTING TO THIS EA

The information contained in this report has been developed from site visits, generally available information regarding the site and surrounding areas, and technical studies. Technical studies are attached as appendices to this EA. These studies include:

- Flora and Fauna Surveys
- Archaeological Inventory Survey
- Cultural Impact Assessment
- Phase 1 Environmental Site Assessment

2 PROJECT DESCRIPTION

2.1 BACKGROUND INFORMATION

2.1.1 Location and Property Description

The Project is proposed to be located in the Waiākea *ahupua'a*, South Hilo District, Island and County of Hawai'i. This 10-acre parcel is located off Mahi'ai Street, north of a drainage channel (TMK (3) 2-2-061:002) ("Site") (see Figure 1).

The Site was created as Lot 185 of Section 2 of the Pana'ewa House and Farm Lots filed in 1976 in the Bureau of Conveyances as File Plan 1487 (see Figure 2).

2.1.2 Existing and Surrounding Land Uses

The Site is open land with a single home (DHHL canceled the existing lease and will demolish the home).

The surrounding uses are as follows (see Figure 3):

	Site (TMK 322061002)
North	Orchard agricultural
South	Open undeveloped parcels
East	Mahi'ai Street; agricultural, low-density residential
West	Residential homes

2.2 PURPOSE AND NEED

The Project will enable the relocation of Maku'u Farm Lot lessees threatened by the lava flow, accommodate other lessees who may need to be relocated (e.g., Pu'ukapu lessees facing Unexploded Ordnance (UXO) risk), and/or award to new lessees on the wait list.

2.3 PROJECT DESCRIPTION

The Project consists of subdividing the Site into 16 approximately half-acre lots, a road lot, and a road reserve for a future connection (see Figure 4). For lessees relocating from another homestead lot, these lessees will have the option to move their existing home to the new lots. The other lots will require new construction. The lots will be accessed by County-dedicated

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

roadways built to County standards. The lots will be served by the County water system and individual onsite septic systems.

2.4 DEVELOPMENT TIMETABLE AND PRELIMINARY COSTS

The estimated total construction cost is \$2.3 million. Federal (Native American Housing Assistance and Self-Determination Act (NAHASDA)) and possibly State funds will be used. Construction will commence by the end of this year and will require approximately 12 months for construction.

3 DESCRIPTION OF THE NATURAL ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

This section describes existing conditions of the natural environment, potential impacts related to the Project, and mitigation measures to minimize impacts.

3.1 CLIMATE

Hawai'i Island's geological features heavily influence its climate. Mauna Loa (13,679 foot summit elevation) and Mauna Kea (13,796 foot summit elevation) dominate ground-based atmospheric influences. Northeast trade winds typically occur during the day, while winds from the southwest typically occur during the night due to cold air drainage from the mountains. The mean annual wind speed at the airport is about 8 miles per hour (mph), and usually varies between about 4 and 12 mph during the day.

Regional temperatures are generally cool due to the trade winds. Average annual temperatures range from 66-82 degrees Fahrenheit (County of Hawai'i Data Book).

According to *The Rainfall Atlas of Hawai'i*, the property receives an average annual rainfall of approximately 150" inches (Giambelluca, et al., 2012). Hilo's rainfall pattern is characterized by windward-leeward differences due to the orographic effect of the mountains and trade winds.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The Project will do its part to minimize climate change impacts by encouraging homestead lessees to install renewable sources and passive energy-conserving measures such as natural ventilation, solar water heating, and photovoltaic energy.

3.2 GEOLOGY AND TOPOGRAPHY

Of the five volcanoes that formed the island of Hawai'i—Kohala, Hualālai, Mauna Kea, Mauna Loa, and Kīlauea—only Mauna Loa and Kīlauea are presently considered active; the other three are considered dormant. The Site is located on the southeastern flank of Mauna Kea.

The Site is relatively level, with an elevation of approximately 200 feet.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. Due to the generally level surface, minimal grading will be required. To minimize potential impacts, best practices to control erosion and sedimentation will be specified in the grading plans, in compliance with Chapter 10 (Erosion and Sedimentation Control) of the Hawai'i County Code and the NPDES Permit. Best management practices to incorporate as applicable include:

- Minimizing the time of construction;
- Retaining existing ground cover as long as possible;
- Constructing drainage control features early;
- Using temporary area sprinklers in non-active construction areas when ground cover is removed;
- Providing a water truck on-site during the construction period to provide for immediate sprinkling, as needed;
- Using temporary berms and cut-off ditches, where needed, for control of erosion;
- Watering graded areas when construction activity for each day has ceased;
- Grassing or planting all cut and fill slopes immediately after grading work has been completed; and
- Installing silt screens, where appropriate.

3.3 SOILS

Three soil suitability studies prepared for lands in Hawai'i describe the physical attributes of land and the relative productivity of different land types for agricultural production; these are: 1) the U.S. Department of Agriculture Natural Resource Conservation Services (NRCS) Soil Survey; 2) the University of Hawai'i Land Study Bureau (LSB) Detailed Land Classification; and 3) the State Department of Agriculture's Agricultural Lands of Importance to the State of Hawai'i (ALISH) system.

Natural Resource Conservation Service Soil Survey

Within the Site and surrounding area the soil type is Papa'i extremely stony muck (see Figure 5). This soil type is well drained, negligible to low runoff, permeability is very rapid in the soil and fragmental material and very slow in the underlying bedrock (Natural Resources Conservation Service, United States Department of Agriculture, Accessed April 2015). The NRCS rates the Site as "not prime farmland" (see Figure 6).

Land Study Bureau Detailed Land Classification

The University of Hawai'i LSB document, Detailed Land Classification, Island of Hawai'i, classifies soils based on a productivity rating. Letters indicate class of productivity with A representing the highest class and E the lowest. The soils of the Site are classified as E ("very poor").

Agricultural Lands of Importance to the State of Hawai'i

The ALISH system classifies agricultural lands as Prime, Unique, or Other Agricultural Land. The soils of the Site are classified as "Other" under the ALISH system.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The Project will not reduce the inventory of agriculturally important land. Although rated as marginal for agriculture, the agricultural lease will permit and encourage agricultural activity for home use or commercial.

Impacts to the soils include the potential for soil erosion and the generation of dust during grading and construction. All construction activities will comply with all applicable Federal, State, and County regulations and rules for erosion control. As typically required for projects on land greater than one acre in size, a National Pollutant Discharge Elimination System (NPDES) Notice of General Permit Coverage (NGPC) for Storm Water Associated with Construction Activity will be necessary.

3.4 HYDROLOGY

Policies of the Hawai'i Department of Health Clean Water Branch include:

- It is the State's position that all projects must reduce, reuse and recycle water to protect, restore and sustain water quality and beneficial uses of State waters.
- State policy encourages stormwater infiltration through Low Impact Development (LID) practices, and discourages the treatment of stormwater as a waste product off impervious surfaces.
- This Environmental Assessment recognizes stormwater as:
 - a potential source of irrigation;
 - a source of groundwater recharge and stream baseflow; and
 - an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters

In addition, the State has a General Policy of Water Quality Antidegradation (§11-54-1.1, HAR), which states that existing uses and the level of water quality necessary to protect them, shall be maintained and protected. In the case that water quality exceeds levels necessary to protect aquatic habitats, water quality may not be degraded without director approval.

The Site is located within the Hilo Watershed, which measures 470 square miles and encompasses seven sub-watershed areas including two large (Wailuku, Wailoa), one medium (Honoli'i), and four small (Mali'i, Pauka, Pukihae, Wainaku) sub-watersheds. A watershed area captures rainfall and atmospheric moisture from the air and allows the water to drip slowly into underground aquifers or enter stream channels and eventually to the ocean. The Hilo watershed includes the combined eastern slopes of Mauna Kea and Mauna Loa reaching maximum elevations of 13,796 and 13,679 feet, respectively. The saddle between the two mountains drains mostly through Hilo into Hilo Bay.

Surface Water

The headwaters of the tributaries of Ka'ahakini Stream are located to the west of the Site (see Figure 7). At least one of these streams flows into the unlined Ka'ahikini/Waiākea-Uka Flood Control Channel south of the Site (Appendix F). According to the National Wetlands Inventory, there are no wetlands within or in the vicinity of the Site (U.S. Environmental Protection Agency, accessed May 2015).

Groundwater

Due to the relatively young and porous geology of Hawai'i island, most of the rainfall infiltrates to groundwater. Groundwater has been classified under an aquifer coding system to identify and describe these aquifers. The Site overlies the Hilo Aquifer System, a subset of the N.E. Mauna Loa Aquifer Sector. The geology of the Hilo Aquifer System is dominated by the Ka'ū volcanic series of Mauna Loa volcano, and extends from the coast to the inland boundary at the crest of Mauna Loa. Groundwater within this aquifer exists primarily as basal groundwater followed by high level dike and perched water. Cap rock, although thick and extensive, does not play an important role in the coastal regions of the aquifer.

Sustainable yield is the amount of groundwater that can be pumped without depleting the source. The sustainable yield of the Hilo Aquifer System is 349 million gallons per day (MGD), and existing water use is 42.228 MGD (Wilson Okamoto Corporation, 2008).

Marine Waters

The Site is approximately 1.5 and 3 miles inland, from the nearest coastline at Hilo Bay. Near shore marine waters off the coast of Hilo Bay are classified as class "A" by the State Department of Health (2012).

According to DOH Water Quality Standards, "It is the objective of class A waters that their use for recreational purposes and aesthetic enjoyment be permitted as long as it is compatible with the protection and propagation of fish, shellfish, and wildlife, and with recreation in and on these waters" (HAR §11-54-03).

POTENTIAL IMPACTS AND MITIGATION MEASURES

Surface water. No impact. The Project will include drywells to collect and infiltrate runoff generated by the street pavement and any excess flows from the lots. In the event the drywells cannot accommodate stormwater flows from exceptional rainfall, the overflow will drain into Ka'ahikini/Waiākea-Uka Flood Control Channel.

Groundwater. No impact. According to USGS maps, the Site is located approximately 700 feet from the Pana'ewa Deep Well. No impact to the well is anticipated since septic tanks instead of cesspools will be required.

Marine waters. No impact. Runoff from the site will not directly discharge to Hilo Bay due to the distance of the Site to Hilo Bay.

Mitigation of overall hydrologic impact. In order to mitigate potential impact from increased impermeable areas due to paved surfaces, grass shoulders and swales are preferred to slow and filter the storm runoff, and promote infiltration. (Refer also to Section 4.8.3.)

In keeping with DOH's position on water quality (Appendix G), suggested mitigation measures to conserve natural resources and improve water quality include:

- Minimize the use of potable water by encouraging water harvesting for farm and/or landscaping irrigation
- Implement LID features where practical, in order to:
 - maximize onsite stormwater capture for storage or reuse
 - percolate stormwater to recharge groundwater
 - treat stormwater prior to discharge
- Consider the use of green building practices, including:
 - native, habitat-appropriate landscaping for reduced water and fertilizer use
 - resource conservation through smart design
 - graywater reuse options
 - future opportunities to retrofit or bio-engineer stormwater infrastructure to enhance ecological and hydrologic function, particularly around flood-prone areas and new opportunities created by aging infrastructure.

3.5 NATURAL HAZARDS

Hawai'i Island is susceptible to potential natural hazards, such as flooding, hurricanes, volcanic hazards, earthquakes, and wildfires. This section provides an analysis of the Site's vulnerability to such hazards.

The State of Hawai'i Department of Defense, Office of Civil Defense operates a system of civil defense sirens throughout the State to alert the public of emergencies and natural hazards, particularly tsunamis and hurricanes. The State has plans to modernize the system by replacing or adding new sirens. The closest existing or proposed siren is approximately 5,000 feet from the Site.

The nearest emergency evacuation shelters for hurricane are Waiākea and Waiākea-Waena Elementary Schools.

3.5.1.1 Flood

The Federal Emergency Management Agency (FEMA) publishes flood information in the form of Flood Insurance Rate Maps (FIRM) used by government and insurance agencies to determine the relative potential for damage during flood events. According to the FIRM, the Site is in Zone X, which is outside the special flood hazard area and not subject to flood control regulation (see Figure 8).

3.5.1.2 Tsunami

The current tsunami evacuation zone is in the process of being updated by the Hawai'i County Civil Defense Agency. The property is well outside of the current tsunami evacuation zone (Hawai'i County Civil Defense Agency, accessed June 2015).

3.5.1.3 Hurricane

Since 1980, two hurricanes have had a devastating effect on Hawai'i. They were Hurricane 'Iwa in 1982 and Hurricane 'Iniki in 1992. In 2007, Hurricane Flossie threatened to reach Hawai'i, putting Hawai'i on a hurricane watch. The hurricane, however, was downgraded from a hurricane to a tropical storm after passing Hawai'i Island, 95 miles south of South Point (Associated Press, 2007). While it is difficult to predict such natural occurrences, it is reasonable to assume that future incidents are likely, given historical events. Several studies sponsored by the NASA Office of Earth Science have developed new models for estimating the probability of hurricanes in the Pacific. While the island of Hawai'i has not been in the direct path of a hurricane since documentation began in 1950, the models indicate that the island has a long-term hurricane hazard risk higher than any of the other islands.

3.5.1.4 Earthquake

In Hawai'i, most earthquakes are linked to volcanic activity, unlike other areas where a shift in tectonic plates is the cause of an earthquake. Each year, thousands of earthquakes occur in Hawai'i, the vast majority of which are so small they are detectable only with highly sensitive instruments. However, moderate and disastrous earthquakes have occurred in the islands.

Since 1868, nine disastrous earthquakes have occurred in Hawai'i County. The largest earthquake series occurred between March 27 and April 2, 1868, with an epicenter a few miles north of Pāhala in the district of Ka'ū. It is estimated that the Richter scale magnitude of these earthquakes were 7.1 and 7.9. These earthquakes resulted in 77 deaths (46 from tsunami and 31 from landslides triggered by the earthquake). In 1929, an earthquake with an epicenter in Hualālai and a magnitude of 6.5 resulted in extensive damage. Another earthquake in 1951, with its epicenter in the Kona area and a magnitude of 6.9 also resulted in extensive damage. A series of earthquakes, with magnitudes of 6.7 and 6.0, occurred at Kīholo Bay on October 15, 2006. These earthquakes resulted in more than \$100 million in damages to the northwest area of the island (USGS).

3.5.1.5 Volcanic Hazards

Volcanic hazards include lava flows and emission of volcanic gases (vog).

Lava Flows

The volcanic hazard zone map for Hawai'i Island divides the island into zones ranked from one through nine, with one being the area of greatest hazard and nine being the area of least hazard. The zones are based chiefly on the location of active vents, frequency of past lava coverage, and topography. According to this map, the project area is within Zone 3, meaning

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only one to five percent of the area has been covered by lava since 1800 and 15-75 percent within the last 750 years (USGS, 1997) (see Figure 9). The Site is approximately 26 miles from Kīlauea, the nearest active vent.

A flow from Kīlauea Volcano that began on June 27, 2014 threatened communities and roads near and in Pāhoa. The DHHL Maku'u Agricultural Homestead Lots were in the path of the flow. In proactive response to the threat, DHHL conceived this Project as one measure to best prepare for the affected beneficiaries. Fortunately, the flow subsided before it reached the Maku'u homestead lots. Nevertheless, the event underscored the high risk probabilities in this region of Puna. In late March 2015, the Hawaiian Volcano Observatory downgraded their alert from "warning" to "watch."

Vog

Volcanic gases, which are visible as a fog called vog, are emitted during all types of eruptions. Halema'uma'u, the crater located at the summit of Kīlauea is erupting large amounts of volcanic gas. Any hazard posed by volcanic gases is greatest immediately downwind from active vents; the concentration of the gases quickly diminishes as the gases mix with air and are carried by winds away from the source (USGS, 1997).

The Site is located 26 miles northeast of Kīlauea Volcano. The prevailing northeasterly trade wind flow tends to push vog and any airborne particulates away from the property. However, the amount of vog and other airborne particulates can significantly increase during periods when the winds are from the southwest.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. To mitigate the potential hazard from earthquakes and hurricanes, new homes must be designed in accordance with the latest building code which is the 2006 International Building Code (IBC) as amended by State of Hawai'i Building Code. The 2006 IBC provides minimum design criteria to address the potential for damage due to seismic and wind (hurricane) disturbances.

3.6 FLORA AND FAUNA

In April 2015, Robert Hobdy conducted a flora and fauna survey of the Site (Appendix C).

Flora - In summary, Mr. Hobdy found the Site has been heavily altered by historical land uses and continues to be invaded by aggressive weed species. All of the ten native species found in the two focus areas (Site and Auwae Lots) are widespread in Hawai'i and of no special conservation concern. No Federally listed Threatened or Endangered plant species were found on the property, nor were any found that are candidates for such status. No special native plant habitats were found here either.

Fauna – According to Mr. Hobdy, the fauna of these two project areas (Site and Auwae Lots) is largely made up of non-native species that have been either purposeful or accidental

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introductions to Hawai'i. Just one native mammal, the 'ōpe'ape'a or Hawaiian hoary bat (*Lasiurus cinereus semotus*), was recorded as common in both focus areas during the surveys.

The 'ōpe'ape'a is endemic and endangered, and carries federal protections where it occurs. It occurs on at least five of the major Hawaiian islands and has its largest population on Hawai'i island. These bats are highly mobile and are known to occur in a variety of habitats from nearly 10,000 feet down to sea level. These movements are likely driven by food source availability and seasonal temperatures. 'Ōpe'ape'a were well represented in the project area during the time of the survey. Mitigation measures are set forth in the section below.

Hawaiian petrels (*Pterodroma phaeopygia sandwichensis*) and Newell's shearwaters (*Puffinus auricularis newellii*), (collectively known as seabirds) may transit over the project area when flying between the ocean and nesting sites in the mountains during their breeding season (March through November). Fatalities to these seabirds resulting from collisions with artificial structures that extend above the surrounding vegetation have been documented in Hawai'i where high densities of transiting seabirds occur. Additionally, artificial lighting such as floodlighting for construction work can adversely impact seabirds by causing disorientation which may result in collision with utility lines, buildings, fences and vehicles. Fledgling seabirds are especially affected by artificial lighting and have a tendency to exhaust themselves while circling the light sources and become grounded. Too weak to fly, these birds become vulnerable to predation by predators such as mongoose (*Herpestes auropunctatus*), cats (*Felis catus*) and dogs (*Canis familiaris*). These threats can be minimized by the shielding of any outdoor lighting so that the light is visible only from below.

The endangered 'io, or Hawaiian hawk, is known from forests around Hilo and is occasionally sighted, but was not seen during the biological field survey.

The Blackburn's sphinx moth (*Manduca blackburnii*) was not found in the project area. None of the specific host plants that the larvae feed upon were present on or around the project area, and none of the nectar producing plants that the adult moths feed upon were found here either. No Blackburn's sphinx moths, their eggs or larvae were seen.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. Mitigation measures include:

DHHL to provide notice to lessees:

- To protect night-flying seabirds, outdoors illumination be shielded so that the bulb is not visible at or above bulb-height.
- To protect the low-flying, foraging Hawaiian hoary bat, barbed wire should not be used for fencing.

Construction scheduling and documents will incorporate the following applicable recommendations of the USFW:

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- Hawaiian hawk. If construction occurs during the hawk's breeding season (March through September), the contractor will retain a qualified ornithologist to conduct a nest search of the area of the proposed construction site and surrounding area prior to the advent of construction activities. Surveys should ensure that construction activity will not occur within 1,600 feet of any Hawaiian hawk nest.
- Hawaiian hoary bat. It is recommended that woody plants greater than 15 feet tall should not be removed or trimmed during the Hawaiian hoary bat breeding season (June 1 to September 15).
- Seabirds. If night work must be conducted, it should take place outside the sea bird fledging season (September 15 through December 15) and should utilize shielded lighting.

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4 DESCRIPTION OF THE HUMAN ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

This section describes the existing conditions of the human environment, preliminary potential impacts of the Project, and preliminary mitigation measures to minimize any impacts.

4.1 ARCHAEOLOGICAL AND HISTORIC RESOURCES

Scientific Consultant Services (SCS) conducted an archaeological inventory survey (AIS) of the Site and submitted to SHPD for review (Appendix D). The survey was conducted in accordance with Hawai'i Administrative Rules Chapter 13-275 (Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports) and Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR Part 800). The DHHL determined, based on the archaeological survey, that no historic properties exist within the area of potential effect and that no historic properties will be affected by the proposed undertaking. The report recommended that, pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended and 36 CFR part 800.2(c), the State Historic Preservation Officer (SHPO) concur with the determination of no effect.

Historic Background

The project area is located in the *ahupua'a* of Waiākea, in the *moku-o-loko* (district) of Hilo. The *ahupua'a* of Waiākea is large, consists of roughly 95,000 acres, and according to the AIS was regarded as a region of abundant natural resources and numerous fishponds. Waiākea was also an early important political center, notably under chief Kulukulu'a. Kamehameha lived and often returned to his *'ili kūpono* (independent land division where all tributes were paid to the chief of the *'ili* and not the *ahupua'a*) lands of Pi'opi'o in the *ahupua'a* of Waiākea. The *'ili kūpono* lands and its royal fishpond were passed on to his son Liholiho after Kamehameha's death.

Early accounts of Waiākea portray it as divided into several distinct environmental regions. From the coast to a distance of five or six miles scattered subsistence agriculture was evident, followed by a region of tall fern and bracken, flanked at higher elevations by a forest region between 10 and 20 miles wide, beyond which was an expanse of grass and lava (Ellis 1963:403). The American Missionary C.S. Stewart wrote, "the first four miles of the country is open and uneven, and beautifully sprinkled with clumps, groves, and single trees of the bread-fruit, pandanus, and candle tree (Stewart 1970:361-363). The majority of Waiākea's estimated 2,000 inhabitants (in 1825) lived within this coastal region (Ellis 1963: 253). Taro, plantains, bananas, coconuts, sweet potatoes, and breadfruit were grown individually or in small garden plots. Fish, pig, dog, and birds were also raised and captured for consumption.

The present study area is situated inland of the coastal region, in the Pana'ewa Forest. The project area lands are not located in an area of known traditional habitation. The Pana'ewa forest area was traditionally known as a forbidding and dangerous landscape.

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The forest is heavily wooded and dense with thickets. Travel through it is made more difficult by the broken and undulating ground surface. There is an historic trail that leads from the modern day Lili'uokalani Gardens area to the Puna coast. The trail is often called the Puna Trail and/or the Old Government Road (Escott and Tolleson 2003). Remains of the trail cross the Hawai'i Army Reserve National Guard (HIARNG) Keaukaha Military Reserve (KMR) property, and it has the current appearance of a gravel-covered dirt road (Figure 7 and Figure 8, Appendix D). While there may have been some scattered home sites and gardens in this area, most of the known habitation was along the coast. The probable use of the area prehistorically was for trapping birds and collecting plants, including the plentiful *pandanus* or *hala* (Kelly et al. 1981:20).

Prior to the Māhele, Waiākea Ahupua'a belonged to King Kamehameha, then Lihiliho, and was later held by the chiefess Ka-unu-o-hua, granddaughter of Keawe-mau-hili (Kelly et al. 1981:40). Waiākea became Crown Lands during the Māhele of 1848 and in the following years twenty-six Land Claims were awarded within the *ahupua'a* of Waiākea (Table 1, Appendix D). The awards were small in area, 25 of which went to native claimants. The vast majority of awards were further west in the area of Hilo Bay. No Land Commission awards were made within or near the current project area. The project area property is owned by the State of Hawai'i and is administered by DHHL.

Between 1845 and 1865, traditional land-use and residential patterns underwent a change. In particular, the regular use of Hilo Bay by foreign vessels, the whaling industry, the establishment of missions in the Hilo area, the introduction of the sandalwood trade, the legalization of private land ownership, the introduction of cattle ranching, and the introduction of sugarcane cultivation all brought about changes in settlement patterns and long-established land-use patterns. Hilo became the center of population and traditional settlements along the shoreline in outlying regions declined or disappeared. While food was still grown for consumption, greater areas of land were continually given over to the specialized cultivation and processing of commercial foodstuffs for export. Sugarcane plantations and industrial facilities were established in areas that were once upland agricultural areas and coastal settlements, respectively.

Expected Archaeological Patterns

Based on previous archaeological studies, geological studies, historical research, archaeological sites in the area surrounding the current project should be associated primarily with Historic era and modern land-uses. This is likely since this area is not known to have been used for habitation or agricultural purposes, ever. The Pana'ewa forest area where the project parcels are, only began to be accessed to a larger degree in the Historic era as new areas were explored to open up for agricultural pursuits. The Pana'ewa region where the project area is located contains marginally thin soils and is not well suited to mechanical agricultural techniques.

It is possible that pre-Contact era site types such as trail segments, temporary habitation features associated with travel and forest resource extraction might be present on the project area. It is less likely, but possible, that scattered temporary habitation features adjacent to

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planting features might be present. It is also possible that more modern features associated with World War II (WWII) training and quarrying in the area might be present on the project area.

Results of Fieldwork

No archaeological sites and no remains of historic properties were identified during the pedestrian survey conducted at the project area. Three overgrown, bulldozed road alignments were identified in the northernmost 40 acres during the survey. The bulldozed road alignments are evident in a 1954 USDA aerial photograph (see Figure 8, Appendix D). The bulldozer roads were likely created in anticipation of future development for the expansion of Hilo.

Consultation

Section 106 of the National Historic Preservation Act of 1966 requires consultation with the State Historic Preservation Division (SHPD) and Native Hawaiian organizations (NHO) when federal funds are used. Consultation letters were mailed to at least 100 Native Hawaiian organizations on the U.S. Department of Interior's NHO list. The only comment received was from the Office of Hawaiian Affairs that reiterated comments sent previously in response to the Draft EA. Since SHPD has not responded to DHHL's request for concurrence of their determination of no effect, this can be construed as concurrence with DHHL's determination of no effect (36 CFR 800.3(c)(4)).

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Given the findings of the AIS, no archaeological or historical properties are anticipated to be affected. Review comments from SHPD, dated April 29, 2015, are included in Appendix B. An Application for Historic Preservation Review was submitted to SHPD on September 14, 2015 and is included in Appendix D.

The construction documents will include a provision that should historic sites such as walls, platforms, pavements and mounds, or remains such as artifacts, burials, concentrations of shell or charcoal or artifacts be inadvertently encountered during construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The contractor will immediately contact the State Historic Preservation Division, which will assess the significance of the find and recommend appropriate mitigation measures, if necessary. The State Office of Hawaiian Affairs (OHA) will also be contacted.

4.2 CULTURAL RESOURCES

Act 50 Session Laws 2000 broadened HRS Chapter 343, "to promote and protect cultural beliefs, practices and resources of native Hawaiians [and] other ethnic groups, and it also amends the definition of 'significant effect' to be re-defined as "the sum of effects on the quality of the environment including actions that are...contrary to the State's environmental policies...or adversely affect the economic welfare, social welfare, or cultural practices of the community and State" (H.B. 2895, Act 50, 2000). The ahupua'a or district is recognized as a culturally appropriate geographic unit of study, depending on the scale of the project.

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The following summarizes the findings of a cultural impact assessment prepared by Scientific Consultant Services, Inc. (Appendix E). The assessment involves evaluating the probability of impacts on identified cultural resources, including values, rights, beliefs, objects, records, properties, and stories occurring within the Site and its vicinity (ahupua'a).

Methodology

The assessment was based on archival and documentary research, as well as communication with organizations having knowledge of the project area, its cultural resources, and its practices and beliefs. In the case of the current project, letters of inquiry briefly outlining the development plans along with maps of the project area were sent to individuals and organizations whose jurisdiction includes knowledge of the area with an invitation for consultation including: Kai Markell, the Director of Native Rights, Land and Culture, Office of Hawaiian Affairs on O'ahu; Shane Palacat Nelson, Coordinator of the Hawai'i Branch of the Office of Hawaiian Affairs; Herbert Poepoe, SHPD Hawai'i Island Burial sites Specialist; Edwin Miranda, HIBC Chairman; and William "Bill" Brown, President of the Pana'ewa Community Association.

Public notices were published in the Office of Hawaiian Affairs Ka Wai Ola Newspaper, the Honolulu Star-Advertiser, and the Hawai'i-Tribune Herald. Key topics discussed with the interviewees included personal association to the ahupua'a; land use in the project's vicinity; knowledge of traditional trails, gathering areas, burials, water sources, religious sites; place names and their meanings; stories that were handed down concerning special places or events in the vicinity of the project area; and evidence of previous activities identified while in the project vicinity. A public meeting held on August 21, 2015, was attended by members of the Keaukaha-Pana'ewa Farmers Association (KPFA), the Pana'ewa Community Association, DHHL, and state representatives. SCS archaeologist Glenn Escott, M.A. presented cultural and historical information for the Pana'ewa area, discussed the archaeological assessment survey results, and asked for input concerning past and ongoing cultural practices within the project area lands. While some attendees knew the history of the project area lands, none knew of cultural practices associated with project area.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. No past or ongoing cultural practices associated with the project area lands were identified during the current CIA study. Based upon an evaluation of responses to inquiries, meeting discussions, and archival research, it is reasonable to conclude that, pursuant to Act 50, the exercise of native Hawaiian rights, or any ethnic group, related to gathering, access or other customary activities will not be affected by development activities on the project area. The Project is intended to benefit native Hawaiians by providing homestead leasing opportunities.

4.3 ROADWAYS AND TRAFFIC

Regional access to the Site is provided by Kanoelehua Avenue (Route 11). From Kanoelehua Avenue, local access is provided by East Palai Street and Mahi'ai Street. The following describes these key roadways in the project vicinity:

Kanoelehua Avenue (Route 11) is a State arterial four-lane divided highway, also designated as Māmalahoa Highway, which extends through Hilo and is part of a network of roadways that encircles the island of Hawai'i. This highway is located approximately 0.6 mile west of the Site via an unsignalized intersection at East Palai Street and Mahi'ai Street.

East Palai Street is an east-west County 2-lane collector. There is a channelized left turn lane from Kanoelehua Avenue to enter this street.

Mahi'ai Street is a north-south County 2-lane collector that connects to East Palai Street and curves to connect to Railroad Avenue.

Within the Site, DHHL will construct an internal road within a 50-foot wide right-of-way that will connect to Mahi'ai Road. Although this internal road ends in a cul-de-sac, a 50-foot wide roadway reserve will enable a future connection of this internal road to an extension of Kinai Street to provide an alternative access. All roads are intended to be dedicated to the County with shoulders and swales in keeping with the agricultural-rural character of the Project, and to minimize impervious surfaces.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. DHHL will construct the required roads within the Project to dedicable County standards. Since maintenance of County roads are primarily funded by fuel tax, which the lessees pay at the pump like other vehicle owners, the fiscal impact to the County would be insignificant. The Project is not expected to result in any significant traffic impacts to the roadway system in the Project vicinity. The intersections along the State Kanoelehua Highway that future Project residents will primarily use are already improved (signalized or channelized turning lanes).

4.4 NOISE

The Site is surrounded by residential or agricultural uses.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. During construction, temporary noise impacts will occur that are unavoidable. During the pre-assessment consultation, the State of Hawai'i Department of Health, District Environmental Health Program Chief wrote that:

Construction activities must comply with the provisions of Hawai'i Administrative Rules, Chapter 11-46, "Community Noise Control."

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1. *The contractor must obtain a noise permit if the noise levels from the construction activities are expected to exceed the allowable levels of the rules.*
2. *Construction equipment and on-site vehicles requiring an exhaust of gas or air must be equipped with mufflers.*
3. *The contractor must comply with the requirements pertaining to construction activities as specified in the rules and conditions issued with the permit.*

4.5 AIR QUALITY

Air quality in the Hilo area is believed to be relatively good, except for occasional impacts from localized traffic congestion. The prevailing northeasterly trade wind flow tends to push any human-made or natural pollutants away. However, the amount of particulates and other air pollutants can significantly increase during periods when the winds shift to a southwesterly direction. Air flow from this direction carrying volcanic smog (more commonly referred to as vog), can lead to an increase in pollution and a decrease in visibility.

The State Department of Health (DOH) maintains a limited network of air monitoring stations around the State to gather data on certain regulated pollutants. Currently, no routine ambient air monitoring is conducted by DOH in the Hilo area. Historical monitoring during the 1970's and 1980's indicated very low pollutant levels in Hilo. The entire state has been an attainment area for the last several decades. There is little reason to believe this has changed significantly.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. Construction activity will be the principal source of short-term air quality impact. Construction vehicle activity will temporarily increase automotive pollutant concentrations along the existing roadways as well as on the project site. Site preparation, earth moving, and building construction will create particulate emissions during the short term. Movement of construction vehicles on unpaved surfaces can also generate particulate emissions.

Short-term impacts that could result from the project would be the emission of fugitive dust during site preparation and construction. During the pre-assessment consultation, the State of Hawai'i Department of Health, District Environmental Health Program Chief wrote that: "The applicant would need to meet the requirements of our Department of Health Air Pollution Rules, Chapter 60.1, Title 11, State of Hawai'i for fugitive dust control."

Although the potential for fugitive dust is low due to the wet climate and low wind speeds of Hilo, adequate dust control measures will be employed, particularly during construction during low-rainfall periods. Dust control will be accomplished by frequent watering of unpaved roads within the project site and areas of exposed soil surfaces. As soon as it is feasible, landscaping of completed areas will also be employed. Dust control measures will comply with applicable provisions of HAR section 11-60.1-33 and Chapter 10 of the Hawai'i County Code ("Erosion and Sedimentation Control"). Measures to control dust during construction include:

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- Providing an adequate water source at the site prior to start-up construction activities;
- Irrigating the construction site during periods of drought or high winds and all dry conditions;
- Disturbing only the areas of construction that are in the immediate zone of construction to limit the amount of time that the areas will be subject to erosion;
- Providing adequate dust control measures during weekends, after hours, and before daily start-up of construction activities; and
- Installing silt screening in the areas of disturbance.

Long-term negative impacts related to air quality are not expected.

4.6 VISUAL RESOURCES

The Site is surrounded by developed urban or agricultural land uses. The Site does not have any trees designated as Exceptional Trees by Hawai'i county code (HCC chapter 14, article 10). The General Plan does not identify natural beauty sites in the vicinity of the Project.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The conversion of the Site from its existing undeveloped condition to agricultural lots will not impact any significant visual resource.

4.7 Toxics and Hazardous Waste

Pursuant to Department of Health Hazard Evaluation and Emergency Response Office's recommendation (see DOH letter in Appendix B referring to DOH's standard conditions), a Phase 1 environmental site assessment was conducted of the Site. The study found that soil was imported to this Site from an unknown agricultural source. The former occupant had kennels that drained to open sumps covered with lumber rather than a cesspool.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impacts. To ensure the health and safety of future residents of the Site, DHHL should implement the following mitigation measures:

- Retain a Phase 1 consultant for further research as follows:
 - Test the soil for arsenic;
 - Inspect the kennel drainage area and conduct further testing as appropriate.
- If contamination is found, DHHL will issue a notice to surrounding owners. If needed, DHHL will address contamination concerns in cooperation with the Hawai'i Department of Health.

4.8 INFRASTRUCTURE AND UTILITIES

4.8.1 Water System

According to the County Department of Water Supply (DWS) in its pre-assessment consultation comments (see Appendix B), water can be made available from an existing 8-inch County waterline within Mahi'ai Street (see Figure 10). The required water system improvements, designed to deliver water at adequate pressure and volume under peak-flow and fire-flow conditions in accordance with the County of Hawai'i, Water System Standards 2002, as amended, and the Rules and Regulations of the Department of Water Supply, include, but not be limited to, mains (minimum 6 inches in diameter), service laterals to front each lot, and fire hydrants at the appropriate spacing. All construction plans, calculations, and specifications must be submitted by a professional engineer, registered in the State of Hawai'i, to DWS for review and approval. In addition to the above water system improvements, DHHL must also pay the prevailing facilities charge, which is subject to change, of \$5,500.00 for each additional lot created. Payment is due and payable upon completion of the required water system improvements.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The County water system has adequate capacity to serve the Project. DHHL must construct and dedicate the water system improvements to the County and pay the prevailing facilities charge (estimated at \$5,500 x 16 additional lots= \$88,000) upon dedication of the water system to DWS.

4.8.2 Wastewater System

There are no sewer lines within the vicinity of the Site (see Figure 11). Cesspools will not be allowed since the Site is in an area that requires a minimum lot size of 1-acre for a cesspool, pursuant to the Department of Health's wastewater systems rules (Hawai'i Administrative Rules chapter 11-62) (see Figure 12). DHHL will require the Site lessees to install septic systems approved by the Department of Health (DOH).

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. For the Site, the minimum half-acre lot size provides adequate area for the septic system's leach field. The DOH requires a licensed engineer to design and inspect the completed septic system (Hawai'i Administrative Rules section 11-62-31.1).

4.8.3 Drainage System

The Site is located in an area described as "outside floodplain/minimal flooding area" on the Flood Insurance Rate Map (FIRM) (see Figure 8). The grass shoulders and swales along the roads would promote infiltration, consistent with LID site design measures. LID measures are intended to accomplish the following: (1) decrease the erosive potential of increased runoff

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volumes and velocities associated with development-induced changes in hydrology; (2) remove suspended solids and associated pollutants entrained in runoff that result from activities occurring during and after development; and (3) retain hydrological conditions to closely resemble those of the pre-disturbance condition. Any runoff along the streets would drain into drywells that will be installed within the Project rights-of-way.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Runoff would be minimized with the 2-lane pavement width and grass shoulders and swales. Any increase in runoff from roofs and pavement would flow into drywells within the Project and recharge the groundwater (Refer also to Section 3.4).

4.8.4 Solid Waste

The County of Hawai'i Solid Waste Division operates and maintains, either by County personnel or by contracted services, two landfills and twenty-one transfer stations. The South Hilo Sanitary Landfill, transfer station, and green waste processing site are located within a 10-minute drive from the Site.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The Project residents will not significantly impact the capacity of the Hilo landfill.

4.8.5 Utilities

The Hawai'i Electric Light Company, Inc. (HELCO), a privately-owned utility company regulated by the State Public Utilities Commission, provides electrical power to the island of Hawai'i. The HELCO network of power plants serving Hilo includes the Kanoiehua Power Plant, Puna Power Plant, Wailuku Hydro Power Plant, Hilo Coast Power Plant, and Shipman Power Plant.

Telecommunication services are provided by Sandwich Isles Communications. Sandwich Isles Communications is the sole provider of fiber optics serving DHHL properties, and will install them to each residence in the Project.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Electrical and telephone services are currently sized, adequate, and available to supply the Project. In response to pre-assessment consultation, HELCO had no objections to service the Project (see Appendix B).

4.9 SOCIO-ECONOMIC CHARACTERISTICS

The overall population of Hawai'i County has exhibited relatively stable growth over the past decade. The County of Hawai'i Department of Research and Development reported that the population of Hawai'i County was 186,738 people in 2011, a 25.6 percent increase from the 2000 population of 148,677 people.

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The South Hilo district had a population of 48,786 in 2010 which represented approximately 26 percent of the total population for Hawai'i Island. The City of Hilo contains the main offices of the County government, branch offices of federal and state agencies. The island's major deep draft harbor and international airport are also located in Hilo. In addition to industrial, commercial and social service activities, the University of Hawai'i at Hilo and Hawai'i Community College and affiliated research programs play an important role in Hilo's economy. The Site is currently underutilized. The Project would enable commercial or subsistence agriculture by the lessees.

As of February 2014, Hawai'i County's unemployment rate was 6.1 percent, compared to the State's overall rate of 4.6 percent, and it was decreased by .9 percent from February 2013 from the Hawai'i County's unemployment rate of 7.0 percent (State of Hawai'i Department of Labor and Industrial Relations, 2014).

POTENTIAL IMPACTS AND MITIGATION MEASURES

Beneficial impact. On February 11, 1994, President Clinton signed Executive Order (E.O.) 12898. This E.O. directs federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high adverse human health or environmental effects of its activities on minority and low-income populations.

The Project will provide homestead awards to native Hawaiians, many of whom are low-income families. Therefore, the Project will benefit rather than expose or disproportionately adversely affect minority or low-income persons in comparison to the rest of the population, and thereby is in compliance with E.O. 12898.

4.10 PUBLIC SERVICES AND FACILITIES

4.10.1 Schools

The closest State Department of Education (DOE) public schools are: Waiākeawaena Elementary School, Waiākea Elementary School, Waiākea Intermediate School, and Waiākea High School.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Although the Project has the potential to increase the school-age population, DOE has confirmed that the public schools in the region have the capacity to accommodate the increase (see Appendix B for DOE's letter).

4.10.2 Police, Fire and Medical Services

Police Protection

The project site is located in South Hilo, Patrol District 1. The district extends from Hakalau in the north, to the mid-point of Kanoelehua Avenue between Hilo and Kea'au in the south, to the

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Saddle Road in the west. The district includes the main police station, located at 349 Kapi'olani Street, approximately 3 miles from the Site.

Fire Protection

The Site is within the 5-mile response zones of Kawai'ani, Waiākea, Ka'ūmana, and Central Fire Stations. The Hawai'i County Fire Department Kawai'ani Fire Station is an Engine Company with one engine, a tanker and a medic unit. Central Fire Station is an Engine Company and an Advanced Life Support (ALS) medic unit. Ka'ūmana Fire Station is an Engine Company and HAZMAT Response capabilities. Waiākea Fire Station in Keaukaha is a Rescue Company providing firefighting response with an Engine, Light and Heavy Rescue, including helicopter response and ocean rescue response capabilities. Recently, Waiākea received a new 79' Ladder Truck. At this time, no tanker vehicles are assigned to the Hilo area due to the adequate hydrant system and all of the Engines (also referred to as Pumpers) each carry 1,000 gallons of water.

Medical Services

Hilo Medical Center (HMC) is the primary health care facility serving the South Hilo district. HMC is located approximately 4.5 miles from the Site at 1190 Waiānue Avenue. Ambulance service is provided by the Hawai'i Fire Department. Kawai'ani and Central Fire Stations have emergency medical service (EMS) capabilities.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The Project will have fire hydrants. The Site is within adequate response zones of several fire stations.

During the pre-assessment consultation and Draft EA public review processes, the Police Department wrote: "Staff, upon reviewing the provided documents, does not anticipate any significant impact to traffic and/or public safety concerns."

4.10.3 Recreational Facilities

The entire South Hilo District contains 54 parks totaling 590 acres. In the vicinity of the Site, there is the Pana'ewa Park, Waiākeawaena Playground, and Malama Park (see Figure 13). Other recreational facilities, parks, and open spaces in the Hilo area include Hilo Municipal Golf Course, Kūhiō-Kalaniana'ole Park, Honoli'i Beach Park, Lili'uokalani Gardens, Reeds Bay, Onekahakaha Beach Park, Kealoha Beach Park, Carlsmith Beach Park and Richardson Ocean Park.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. There are a variety of recreational facilities to serve the Project within reasonable distance with adequate capacity to accommodate the future Project residents.

4.10.4 Airport

The Hilo International Airport provides interisland service, cargo, commuter, and tour services. It is also used by the military. The airport's primary runway (8-26) is 9,800 feet long and is used principally for air carrier operations. Crosswind Runway 3-21 is 5,600 feet long and is used mainly for general aviation operations.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impacts. The Site is located beyond the 10,000-foot recommended buffer in which to restrict agricultural activities that could attract wildlife that are potential hazards to aircraft operations.

5 LAND USE CONFORMANCE

State of Hawai'i and Hawai'i County land use plans, policies, and ordinances relevant to the Project are described below.

5.1 STATE OF HAWAI'I

5.1.1 Chapter 343, Hawai'i Revised Statutes

Compliance with Chapter 343, HRS is required as described in Section 1.4.

5.1.2 State Land Use Law, Chapter 205, Hawai'i Revised Statutes

The State Land Use Law (Chapter 205, HRS), establishes the State Land Use Commission (LUC) and authorizes this body to designate all lands in the State into one of four Districts: Urban, Rural, Agricultural, or Conservation.

The Site is in the Agricultural District (see Figure 14). The State Land Use Law specifies a minimum lot size of one acre within this District (HRS §205-5). However, the Hawaiian Homes Commission Act (HHCA §§204 & 206) empowers DHHL with exclusive authority to control its land, whereby these lands are not subject to State or county land use controls. Therefore, the Project's half-acre lots are permitted.

5.1.3 Coastal Zone Management Act, Chapter 205A, Hawai'i Revised Statutes

The entire state is defined to be within the Coastal Zone Management Area, pursuant to Hawai'i Revised Statutes (HRS) 205A-1, (definition of "coastal zone management area")." As such, the Project, although not within the regulated Special Management Area (SMA), is within the Coastal Zone Management Area that is subject to the objectives and policies of the Coastal Zone Management Act. The Project's relationship to the objectives and policies set forth in HRS 205A-2, is discussed below.

5.1.3.1 Recreational Resources

Objective: *Provide coastal recreational opportunities accessible to the public.*

Policies

- (A) *Improve coordination and funding of coastal recreational planning and management; and*
- (B) *Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
 - (i) *Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
 - (ii) *Requiring replacement of coastal resources having significant recreational value including, but not limited to surfing sites, fishponds, and sand beaches, when*

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such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;

- (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*
- (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;*
- (v) Ensuring public recreational uses of County, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;*
- (vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;*
- (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and*
- (viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and County authorities; and crediting such dedication against the requirements of section 46-6;*

Discussion: The Project is not a coastal development, is not located on the coastline, and is not in the SMA; therefore, policies regarding shoreline recreation resources are not applicable; however to protect marine resources for purposes including recreation, the State of Hawai'i has adopted water quality standards. Generally, these standards will require the submittal and adherence to a National Pollution Discharge Elimination System (NPDES) permit. This permit requires compliance with best management practices during construction to minimize soil erosion into adjacent waterways. The NPDES permit will also include requirements to maintain water quality during operation. A NPDES permit will be required for the Project.

5.1.3.2 Historic Resources

Objective: *Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.*

Policies

- (A) Identify and analyze significant archaeological resources;*
- (B) Maximize information retention through preservation of remains and artifacts or salvage operations; and*
- (C) Support state goals for protection, restoration, interpretation, and display of historic resources;*

Discussion: Based on an archaeological inventory survey, the DHHL concluded that **no historic properties will be affected** by this Project (see Appendix D). The report has been submitted to the State Historic Preservation Division for review and concurrence. An Application for Historic Preservation Review was submitted to SHPD on September 14, 2015 and is included in Appendix D. DHHL will require its contractors to comply with all State and County laws and rules regarding the preservation of archaeological and historic sites. The construction documents will include a provision that should historic sites such as walls, platforms, pavements and mounds, or remains such as artifacts, burials, concentrations of shell or charcoal or artifacts be inadvertently encountered during construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The contractor will immediately contact the State Historic Preservation Division, which will assess the significance of the find and recommend appropriate mitigation measures, if necessary.

5.1.3.3 Scenic and Open Space Resources

Objective: *Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.*

Policies

- (A) *Identify valued scenic resources in the coastal zone management area;*
- (B) *Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;*
- (C) *Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and*
- (D) *Encourage those developments that are not coastal dependent to locate in inland areas;*

Discussion: The Project will be located inland, away from the shoreline; therefore, it is anticipated that there will be no effect on the quality of the coastal scenic resources.

5.1.3.4 Coastal Ecosystems

Objective: *Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.*

Policy A: *Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;*

Policy B: *Improve the technical basis for natural resource management;*

Policy C: *Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;*

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Policy D: Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and

Policy E: Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

Discussion: The Project will be located far inland from the coastline. Therefore, it is anticipated that there will be no effect on the quality of the coastal ecosystems.

5.1.3.5 Economic Uses

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policy A: Concentrate coastal dependent development in appropriate areas;

Policy B: Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and

Policy C: Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:

(i) Use of presently designated locations is not feasible;

(ii) Adverse environmental effects are minimized; and

(iii) The development is important to the State's economy.

Discussion: The Project is not a coastal dependent development, is not located on the coastline, and is not in the SMA; therefore, these policies are not applicable.

5.1.3.6 Coastal Hazards

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Policy A: Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and non-point source pollution hazards;

Policy B: Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and non-point source pollution hazards;

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Policy C: Ensure that developments comply with requirements of the Federal Flood Insurance Program; and

Policy D: Prevent coastal flooding from inland projects.

Discussion: The Project is located far inland from the coastline and will not exacerbate any coastal hazards.

5.1.3.7 Managing Development

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policy A: Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;

Policy B: Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and

Policy C: Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

Discussion: The Project is not a coastal development, is not located on the coastline, and is not in the SMA; however, this EA, provided opportunity for public input during the Draft EA Public Comment period. Pre-assessment consultation comments were obtained and are reproduced in Appendix B.

5.1.3.8 Public Participation

Objective: Stimulate public awareness, education, and participation in coastal management.

Policy A: Promote public involvement in coastal zone management processes;

Policy B: Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and

Policy C: Organize workshops, policy dialogues, and site- specific mediations to respond to coastal issues and conflicts.

Discussion: The Project is not a coastal development, is not located on the coastline, and is not in the SMA; however, this EA provided opportunity for public input during the Draft EA Public Comment period. Pre-assessment consultation comments were obtained and are reproduced in Appendix B.

5.1.3.9 Beach Protection

Objective: Protect beaches for public use and recreation.

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Policy A: Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

Policy B: Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and

Policy C: Minimize the construction of public erosion-protection structures seaward of the shoreline.

Discussion: The Project is not a coastal dependent development, is not located on the coastline, and is not in the SMA; therefore, these policies are not applicable.

5.1.3.10 Marine Resources

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policy A: Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;

Policy B: Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

Policy C: Assert and articulate the interests of the State as a partner with Federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

Policy D: Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and

Policy E: Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

Discussion: The Project is not a coastal development, is not located on the coastline, and is not in the SMA; therefore, policies regarding shoreline recreation resources are not applicable; however to protect marine water quality the Project will be designed and built in compliance with all applicable Federal, State, and County regulations pertaining to stormwater management including Chapter 10 (Erosion and Sedimentation Control) of the Hawai'i County Code and the DOH NPDES permit program.

5.1.4 Hawai'i State Plan

The Hawai'i State Plan (Chapter 226, HRS), establishes a set of goals, objectives and policies that serve as long-range guidelines for the growth and development of the State. Objectives and policies pertinent to the proposed project are as follows:

Section 226-5 Objective and policies for population:

(a) It shall be the objective in planning for the State's population to guide population growth to be consistent with the achievement of physical, economic, and social objectives contained in this chapter.

(b) To achieve the population objective, it shall be the policy of this State to:

(1) Manage population growth statewide in a manner that provides increased opportunities for Hawai'i's people to pursue their physical, social, and economic aspirations while recognizing the unique needs of each county.

(3) Promote increased opportunities for Hawai'i's people to pursue their socio-economic aspirations throughout the islands.

(7) Plan the development and availability of land and water resources in a coordinated manner so as to provide for the desired levels of growth in each geographic area.

Discussion: The Project is consistent with these objectives and policies by providing native Hawaiians with affordable housing and subsistence agricultural opportunities.

Section 226-10 Objective and policies for the economy – potential growth activities:

(a) Planning for the State's economy with regard to potential growth activities shall be directed towards achievement of the objective of development and expansion of potential growth activities that serve to increase and diversify Hawai'i's economic base.

(b) To achieve the potential growth activity objective, it shall be the policy of this State to:

(10) Encourage the development and implementation of joint federal and state initiatives to attract federal programs and projects that will support Hawai'i's social, economic, physical, and environmental objectives.

Discussion: This Project will receive Federal and State funding to provide native Hawaiians with enhanced socio-economic opportunities through home ownership in an agricultural community in proximity to urban services.

Section 226-11 Objectives and policies for the physical environment – land-based, shoreline, and marine resources:

(a) Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the following objectives.

(2) Effective protection of Hawai'i's unique and fragile environmental resources.

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(b) To achieve the land-based, shoreline, and marine resources objectives, it shall be the policy of this State to:

(3) Take into account the physical attributes of areas when planning and designing activities and facilities.

(6) Encourage the protection of rare or endangered plant and animal species and habitats native to Hawaii.

Discussion: As part of the development process, DHHL retained services to assess the biological, archaeological, and hazardous waste assessment, and also consulted with various agencies such as SHPD and USFWS. DHHL is committed to implement the mitigation measures identified in this EA to protect endangered species and other sensitive resources.

Section 226-19 Objectives and policies for socio-cultural advancement--housing.

(a) Planning for the State's socio-cultural advancement with regard to housing shall be directed toward the achievement of the following objectives:

(1) Greater opportunities for Hawai'i's people to secure reasonably priced, safe, sanitary, and livable homes, located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals, through collaboration and cooperation between government and nonprofit and for-profit developers to ensure that more affordable housing is made available to very low-, low- and moderate-income segments of Hawai'i's population.

(2) The orderly development of residential areas sensitive to community needs and other land uses.

(b) To achieve the housing objectives, it shall be the policy of this State to:

(1) Effectively accommodate the housing needs of Hawai'i's people.

(2) Stimulate and promote feasible approaches that increase housing choices for low-income, moderate-income, and gap-group households.

(3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.

(4) Promote appropriate improvement, rehabilitation, and maintenance of existing housing units and residential areas.

(5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.

(6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.

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(7) *Foster a variety of lifestyles traditional to Hawai'i through the design and maintenance of neighborhoods that reflect the culture and values of the community.*

Priority Guidelines: Section 226-106 Affordable housing. *Priority guidelines for the provision of affordable housing:*

(1) *Seek to use marginal or nonessential agricultural land and public land to meet housing needs of low- and moderate-income and gap-group households.*

(2) *Encourage the use of alternative construction and development methods as a means of reducing production costs.*

(4) *Create incentives for development which would increase home ownership and rental opportunities for Hawai'i's low- and moderate-income households, gap-group households, and residents with special needs.*

(5) *Encourage continued support for government or private housing programs that provide low interest mortgages to Hawai'i's people for the purchase of initial owner- occupied housing.*

(7) *Encourage improved coordination between various agencies and levels of government to deal with housing policies and regulations.*

(8) *Give higher priority to the provision of quality housing that is affordable for Hawai'i's residents and less priority to development of housing intended primarily for individuals outside of Hawai'i.*

Discussion: The Project provides an opportunity for existing lessees threatened by lava or other hazards to relocate to a safer location. The Project utilizes marginal agricultural land in a suitable location in proximity to infrastructure and urban services. DHHL offers a diversity of programs to enable low- to moderate-income native Hawaiian families to construct a home on their awarded homestead lot (e.g., self-help, package home loans, down payment assistance). The Project will use agricultural standards for the streets (e.g., grass shoulders and swales) to minimize development costs, maintain a rural character, and reduce runoff.

5.1.5 DHHL Island and Regional Plans

The Hawaiian Homes Commission adopted the Hawai'i Island Plan in 2002. The Plan "provides summary description and evaluation of current Department of Hawaiian Home Lands (DHHL) holdings on Hawai'i Island, and presents land use plans developed to meet DHHL beneficiary needs. These are necessary components of the DHHL Hawai'i Island Plan, developed to guide award of lands to native Hawaiian beneficiaries on the Big Island. The project was undertaken per Section 213(e) of the Hawaiian Homes Commission Act (HHCA), which authorizes planning studies to provide the basis for identifying preferred DHHL land uses and appropriate management strategies for those lands" (PBR HAWAII, 2002, p. 1). In addition to administering the homesteading program, DHHL is authorized to lease and issue revocable permits, licenses, and rights-of-entry for lands not in current homestead use. Revenues from lands used for

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commercial, industrial, and other income-producing purposes support administration of the homestead program.

The Plan designated the Site as Supplemental Agriculture (see Figure 15). The Project's one-half acre agricultural lots are not consistent with this designation. DHHL will update the Plan to reflect the proposed use with a designation of Subsistence Agriculture. The Plan describes Subsistence Agriculture as follows:

"Small agriculture/aquaculture lots. Marginal to good lands. Lifestyle areas intended to allow for home consumption of agricultural products. Occupancy required. Agriculture waiting list. Close proximity to existing infrastructure. <5 acres"

The Hawaiian Homes Commission adopted the Pana'ewa Regional Plan in 2009. This Regional Plan was "...prepared to facilitate the work of such partnerships as DHHL and others develop lands in Pana'ewa." Specifically, this report is intended to:

- Help identify opportunities for partnerships with DHHL in the development of its Pana'ewa lands;
- Provide information essential to the planning of projects, services, and entrepreneurial ventures;
- Identify key issues, opportunities, and constraints affecting regional development and area improvements;
- Assist in the efficient allocation of resources by DHHL and its partners; and
- Identify priority projects that are essential to moving development and community improvement projects forward." (PBR HAWAII, 2009, p. 2)

The Regional Plan, consistent with the Island Plan, identified the Site for agricultural use. This Plan will be updated to reflect the proposed Project as half-acre subsistence agricultural lots.

5.2 COUNTY OF HAWAI'I

County-specific land use plans and ordinances pertaining to the Project include the General Plan and the Zoning Code.

5.2.1 County of Hawai'i General Plan

The County of Hawai'i General Plan is the policy document for the long-range comprehensive development of the Island of Hawai'i. Among the purposes of the General Plan are to guide the pattern of development in Hawai'i County and to provide the framework for regulatory decisions and capital improvement projects. The General Plan undergoes a comprehensive review every ten years, with the last review being completed in 2005.

The policy land use map, referred to as the Land Use Pattern Allocation Guide (LUPAG) Map, is intended to guide the direction and quality of future developments in a coordinated and rational manner. The LUPAG Map designates the Site as “Low Density Urban” (see Figure 16). The Project is consistent with this designation.

Low Density: Residential, with ancillary community and public uses, and neighborhood and convenience-type commercial uses; overall residential density may be up to six units per acre.

Specific General Plan goals, policies, and courses of action most applicable to the Project are discussed below.

Housing

9.2 GOALS

- (a) Attain safe, sanitary, and livable housing for the residents of the County of Hawai'i.*
- (b) Attain a diversity of socio-economic housing mix throughout the different parts of the County.*
- (c) Maintain a housing supply that allows a variety of choices.*
- (d) Create viable communities with affordable housing and suitable living environments.*
- (e) Improve and maintain the quality and affordability of the existing housing inventory.*
- (f) Seek sufficient production of new affordable rental and fee-simple housing in the County in a variety of sizes to satisfactorily accommodate the needs and desires of families and individuals.*
- (g) Ensure that housing is available to all persons regardless of age, sex, marital status, ethnic background, and income.*
- (h) Make affordable housing available in reasonable proximity to employment centers.*
- (i) Encourage and expand home ownership opportunities for residents.*

9.3 POLICIES

- (a) Encourage a volume of construction and rehabilitation of housing sufficient to meet growth needs and correct existing deficiencies.*
- (d) Support the construction of housing for minimum wage and agricultural workers.*
- (n) Investigate, develop, and promote the creation of new innovative and timely financing techniques and programs to reduce the cost of housing.*
- (o) Encourage the use of suitable public lands for housing purposes in fee or lease.*
- (p) Encourage the construction of homes for lease or lease with option to purchase.*

(t) Ensure that adequate infrastructure is available in appropriate locations to support the timely development of affordable housing.

(x) Vacant lands in urban areas and urban expansion areas should be made available for residential uses before additional agricultural lands are converted into residential uses.

Discussion: The Project provides an opportunity for existing lessees threatened by lava or other hazards to relocate to a safer location. The Project utilizes marginal agricultural land in a suitable location in proximity to infrastructure, urban services, and employment centers. DHHL offers a diversity of programs to enable low- to moderate-income native Hawaiian families to construct a home on their awarded homestead lot (e.g., self-help, package home loans, down payment assistance). DHHL is also innovating with a rent to own program.

Transportation

13.2.2 Goals

(a) Provide a system of roadways for the safe, efficient and comfortable movement of people and goods.

(b) Provide an integrated State and County transportation system so that new major routes will complement and encourage proposed land policies.

13.2.3 Policies

(l) Adopt street design standards that accommodate, where appropriate, flexibility in the design of streets to preserve the rural character of an area and encourage a pedestrian-friendly design, including landscaping and planted medians.

Discussion: The Project will use agricultural standards for the streets (e.g., grass shoulders and swales) to minimize development costs, maintain a rural character, and reduce runoff. The Project's streets have been laid out for connectivity, in lieu of long dead-end cul de sacs, that provide redundant accessibility. The Site has a road reserve to connect to a future extension of Kinai Street.

Land Use

14.1.2 Goals

(a) Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.

(b) Protect and encourage the intensive and extensive utilization of the County's important agricultural lands.

(c) Protect and preserve forest, water, natural and scientific reserves and open areas.

14.1.3 Policies

(a) Zone urban- types of uses in areas with ease of access to community services and employment centers and with adequate public utilities and facilities.

(b) Promote and encourage the rehabilitation and use of urban areas that are serviced by basic community facilities and utilities.

(c) Allocate appropriate requested zoning in accordance with the existing or projected needs of neighborhood, community, region and County.

Discussion: As further discussed in the next section on zoning, DHHL has preemptive authority over county land use regulations but has entered into a Memorandum of Agreement (MOA) with the County of Hawai'i to establish a common understanding and procedure. DHHL prepares an Island Plan where the County has an opportunity to review and comment. The Island Plan conveys DHHL's desired land use and DHHL submits to the County an appropriate zoning designation that matches the Island Plan designation. DHHL's Island Plan identifies residential and subsistence agricultural areas consistent with the County's General Plan policies to concentrate higher density in areas serviced by basic community infrastructure in accordance with projected needs of DHHL's wait list.

5.2.2 County of Hawai'i Zoning

The County zoning is A-1a and A-5a district (agricultural district with 5-acre minimum lot size) (see Figure 17). Under a MOA between DHHL and the County of Hawai'i, DHHL has the power to determine the appropriate County zoning based on DHHL's land use designation in the island plan (Department of Hawaiian Home Lands, 2002). For the one-half acre agricultural lots, the appropriate DHHL land use designation is Subsistence Agriculture corresponding to the County's RA-0.5a (residential-agricultural district with a minimum lot size of half-acre).

However, under the current DHHL Hawai'i Island Plan (2002), the land use designation for the Site is Supplemental Agriculture (see Figure 15). DHHL's Planning Office will process an amendment to the island plan's land use designation for approval by the Hawaiian Homes Commission, then submit a letter to the County for recognition of the appropriate zoning.

5.2.3 Special Management Area

The property is not located within the Special Management Area (SMA).

5.3 APPROVALS AND PERMITS

A listing of anticipated permits and approvals required for the Project is presented below:

Table 1: Anticipated Approvals and Permits

Permit/Approval	Responsible Agency
------------------------	---------------------------

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

Permit/Approval	Responsible Agency
Chapter 343, HRS Compliance	Department of Hawaiian Home Lands Office of Environmental Quality Control
Subdivision	Hawai'i County Planning Department
Underground Injection Control Permit	State Department of Health
National Pollutant Discharge Elimination System (NPDES) Permit	State Department of Health
Grubbing/Grading	Hawai'i Department of Public Works
Noise Permit	State Department of Health
Individual Wastewater System Approval (by future lessee of each lot)	State Department of Health
Building Permit (by future lessee of each lot)	Hawai'i County Department of Public Works

6 ALTERNATIVES

This section identifies and evaluates a range of alternatives in addition to the preferred alternative (i.e., the Project) that could meet the purpose and need and possibly avoid, reduce, or minimize adverse environmental effects. The reference point to compare alternatives is the “no action” alternative.

6.1 NO ACTION ALTERNATIVE

With the “no action” alternative, the Site remains underutilized. Homesteading opportunities to relocate existing lessees or to award new leases to those on the wait list would not be realized.

6.2 ALTERNATIVE SITES

An alternative DHHL-owned site for the Project is the Priority Tract identified in DHHL’s Hawai’i Island Plan. The Island Plan designated this tract as Residential. However, the Pana’ewa Regional Plan, upon closer study, designated this tract as “Unencumbered Lands”, acknowledging “...their lack of infrastructure will make it a challenge to find a feasible way to utilize these parcels.”

Another consideration was DHHL’s desire to relocate existing lessee’s with agricultural leases (e.g., Maku’u) with comparable agricultural leases although the acreage may be less than their existing lease. The preferred Site infills in areas surrounded by agricultural leases and available infrastructure.

6.3 ALTERNATIVE DESIGNS

For the Site, the addition of a road reserve to enable a future extension of Kinai Street is an unavoidable setback of 7.876 s.f. that could have been included to increase lot sizes. However, the addition of this road reserve provides an emergency access until fully improved, and a convenient alternative access when constructed. The existing Kinai Street is not a cul de sac and is intended to be extended. With the avoidance of long cul de sacs, the Project is consistent with the subdivision code’s preference that “A cul-de-sac shall be as short as possible and shall not be more than six hundred feet in length nor serve more than eighteen lots” (HCC §23-48).

Another alternative design is the road section. The existing County dedicable standard for a road without sidewalks and curbs is to completely pave the shoulders and swales (HCC §23-86 and Standard Details R-33 and R-34). DHHL has the authority to preempt county standards, and the Project proposes roads for dedication to the County (i.e., license) within a 50-foot right-of-way but with grass shoulders and swales. The request is consistent with the County General Plan Transportation policy to “Adopt street design standards that accommodate, where appropriate, flexibility in the design of streets to preserve the rural character of an area and encourage a pedestrian-friendly design” (General Plan §13.2.3(l)).

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

A third alternative involves a lower-density subdivision with larger lots. To meet the 1-acre minimum lot size of the State Land Use Agricultural District would reduce the number of lots from 16 to 8 lots. This reduction has two negative effects: 1) it reduces the number of native Hawaiian households who could benefit; and 2) it increases the infrastructure costs on a per lot basis.

7 FINDINGS AND DETERMINATION

To determine whether the construction of the Project may have a significant impact on the physical and human environment, all phases and expected consequences of the proposed project have been evaluated, including potential primary, secondary, short-range, long-range, and cumulative impacts. Based on this evaluation, the Proposing Agency (Department of Hawaiian Home Lands) has issued a Finding of No Significant Impact (FONSI). The supporting rationale for this finding is presented in this chapter.

7.1 SIGNIFICANCE CRITERIA

The discussion below evaluates the significance of the Project's impacts based upon the Significance Criteria set forth in Hawai'i Administrative Rules section 11-200-12. An action shall be determined to have a significant impact on the environment if it meets any one of the following criteria:

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

Discussion: The proposed project is not anticipated to involve any construction activity that may lead to a loss or destruction of any sensitive natural or cultural resource. The project Site has been the subject of flora/fauna, archaeological and cultural studies conducted in and around the site. All of the studies reveal the absence of any resource potentially subject to irrevocable loss as a result of construction.

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

Discussion: The Project expands the beneficial use of the Site by providing affordable housing opportunities and potential for agricultural uses.

- (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 is not in conflict with the long-term environmental policies, goals, and guidelines of the State of Hawai'i. As presented earlier in this EA, the project's potential adverse impacts are associated only with the short-term construction-related activities, and such impacts can be mitigated through adherence to standard construction mitigation practices.

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

Discussion: The proposed project will have beneficial effects on the economy and social welfare of Hilo town or the County of Hawai'i by providing affordable housing opportunities for native Hawaiians in proximity to jobs, schools, shopping, and other urban services.

- (5) **Substantially affects public health;**

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

Discussion: There will be temporary impacts to noise and air quality levels during the construction phase of the project; however, these potential impacts will be short-term and are not expected to substantially affect public health. Wastewater disposal will utilize individual septic systems approved by the Department of Health. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures.

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

Discussion: Although the Project will increase population in the immediate area, the surrounding roads, schools, parks, and other public facilities have the capacity to serve this increase.

(7) Involves a substantial degradation of environmental quality;

Discussion: Construction activities associated with the proposed project are anticipated to result in negligible short-term impacts to noise, air-quality, and traffic in the immediate vicinity. With the incorporation of the recommended mitigation measures during the construction period, the project will not result in degradation of environmental quality. No long term negative impacts are expected from project implementation.

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

Discussion: DHHL's lands are intended for homesteading or income-producing uses. DHHL will amend the Island Plan to reflect the Project's proposed use and density. The Island Plan is the means for DHHL to coordinate and mitigate, as necessary, the cumulative impact of developing their lands.

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

Discussion: There are no known, threatened, or endangered species of flora, insects, or associated habitats located on the project site.

Mitigation measures are included to both during and after construction to prevent potential impacts during breeding seasons for the Hawaiian hawk, Hawaiian hoary bat, and seabirds. (Section 3.6)

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

Discussion: Construction activities for development of the Project could potentially impact noise and air and water quality levels on the project site. However, these impacts will be short-term and are not expected to be detrimental. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures as necessary. After construction, the development is not expected to adversely impact ambient noise levels or water and air quality. There will be a slight increase in impervious surfaces over the Site's

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

former undeveloped use; however, any increase in runoff will be accommodated by proposed drainage improvements and will not detrimentally affect water quality.

- (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 development will not affect any environmentally sensitive area. The project is located outside a FIRM-designated flood plain and inland from the coast. Homes will be constructed in compliance with County of Hawai'i building codes, and the drainage improvements will be designed to minimize any potential for localized flooding.

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

Discussion: The Site is not listed as a scenic view plane or area of natural beauty by the County.

- (13) **Requires substantial energy consumption.**

Discussion: The new homes will increase energy consumption. DHHL is looking into programs to assist with financing solar or other renewable sources for homeowners as a means to reduce household utility costs.

7.2 DETERMINATION

Pursuant to Chapter 343, HRS, the determining agency, the Department of Hawaiian Home Lands has issued a Finding of No Significant Impact (FONSI) for this environmental assessment. This finding is based on analysis of impacts and mitigation measures examined in this document, public comments received during the pre-assessment consultation and public comment phases, and analyzed under the above criteria.

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8 CONSULTATION

8.1 PRE-ASSESSMENT CONSULTATION

Pre-assessment consultation letters were mailed to various agencies and organizations listed below in March 2015. The purpose of the pre-assessment consultation was to consult with agencies, organizations and individuals with technical expertise, or an interest or will be affected by the proposed project. This process is part of the scoping process for the Draft EA. Comments and input received during this period were used to identify environmental issues and concerns to be addressed in the Draft EA, which in turn underwent a 30-day public comment period.

Those that provided written comments (either by hardcopy or email) are highlighted in *italics*. Copies of the written comments and responses are reproduced in Appendix B.

8.1.1.1 State of Hawai'i

- *Department of Accounting and General Services*
- Department of Agriculture
- Department of Business, Economic Development & Tourism (DBEDT)
- DBEDT – Energy Division
- *DBEDT – Hawai'i Housing Finance and Development Corporation*
- DBEDT – Office of Planning
- *Department of Defense*
- *Department of Education*
- *Department of Health*
- *Department of Health—Wastewater Division*
- *Department of Human Services*
- Department of Labor and Industrial Relations
- Department of Land and Natural Resources (DLNR)
- *DLNR - State Historic Preservation Division*
- *Department of Transportation*
- Office of Environmental Quality Control
- Office of Hawaiian Affairs
- University of Hawai'i Water Resources Research Center
- State Representative R. Onishi
- State Senator Kahele

8.1.1.2 Federal

- U.S. Army Corps of Engineers – Regulatory Branch
- U.S. Federal Aviation Administration
- U.S. Federal Emergency Management Agency
- U.S. Geological Survey

- *U.S. Fish and Wildlife Service*

8.1.1.3 County of Hawai'i

- *Department of Environmental Management*
- Department of Parks & Recreation
- Department of Research & Development
- *Department of Water Supply*
- *Fire Department*
- Office of Housing and Community Development
- *Planning Department*
- *Police Department*
- Department of Public Works
- County Councilmember D. Onishi

8.1.1.4 Private Organizations & Individuals

- Oceanic Time Warner
- *Hawai'i Electric Light Co.*
- Hawaiian Telecom

DHHL also conducted consultation through community meetings, including:

- March 18, 2015: Mayor's Meeting. The meeting was for informational and coordination purposes.
- March 21, 2015: Panaewa Community Association meeting.
- April 4, 2015: Keaukaha Pana'ewa Farmers Association (KPFA) meeting. KPFA was provided with a copy of the Draft EA for review.

8.2 PUBLIC REVIEW

The Draft EA was published in the OEQC Environmental Notice on July 23, 2015 initiating a 30-day public comment period that was scheduled to end on August 24, 2015. Comments and input received during this period were used to identify environmental issues and concerns addressed in the Final EA. The Draft EA was mailed to all of the agencies and organizations previously consulted as listed above, except for the U.S. Federal Aviation Administration, Oceanic Time Warner and Hawaiian Telecom.

In addition to the agencies and organizations that were previously consulted, the Draft EA was mailed to Keaukaha Pana'ewa Farmers Association and Pana'ewa Hawaiian Home Lands Community Association. Copies were also mailed to the newspapers (Hawaii Tribune Herald, West Hawai'i Today) and the Hawai'i State Library (Hawai'i Documents Center, Hilo Regional Library, Kailua Kona Public Library) to inform the general public.

Those that provided written comments (either by hardcopy or email) are highlighted in *italics*. Copies of the written comments and responses are reproduced in Appendix B.

8.2.1.1 State of Hawai'i

- *Department of Accounting and General Services*
- Department of Agriculture
- Department of Business, Economic Development & Tourism (DBEDT)
- DBEDT – Energy Division
- DBEDT – Hawai'i Housing Finance and Development Corporation
- *DBEDT – Office of Planning*
- *Department of Defense*
- Department of Education
- *Department of Health*
- Department of Health—Wastewater Division (response received from *Department of Health—Clean Water Branch*)
- *Department of Human Services*
- Department of Labor and Industrial Relations
- *Department of Land and Natural Resources (DLNR)*
- DLNR - State Historic Preservation Division
- Department of Transportation
- Hawai'i State Library—Hawai'i Documents Center
- Hawai'i State Library—Hilo Regional Library
- Hawai'i State Library—Kailua Kona Public Library
- Office of Environmental Quality Control
- Office of Hawaiian Affairs
- University of Hawai'i Water Resources Research Center
- State Representative R. Onishi
- State Senator Kahele

8.2.1.2 Federal

- U.S. Army Corps of Engineers – Regulatory Branch
- U.S. Federal Emergency Management Agency
- U.S. Geological Survey
- U.S. Fish and Wildlife Service

8.2.1.3 County of Hawai'i

- Department of Environmental Management
- Department of Parks & Recreation
- Department of Research & Development
- *Department of Water Supply*
- Fire Department

- Office of Housing and Community Development
- *Planning Department*
- Police Department
- County Councilmember D. Onishi

8.2.1.4 Private Organizations & Individuals

- Hawai'i Electric Light Co.
- *Sandwich Isles Communications, Inc. (Draft EA not mailed directly to this respondent)*
- Hawai'i Tribune Herald
- West Hawai'i Today
- *Keaukaha Pana'ewa Farmers Association*
- Pana'ewa Hawaiian Home Lands Community Association
- *Jojo Tanimoto, Homesteader (Draft EA not mailed directly to this respondent)*

In response to comments to the Draft EA, a follow-up community meeting with KPFA was held on August 21, 2015. At the meeting, the following issues were raised:

- Lot size and density and Subsistence Agriculture use designation. The community was concerned that the Subsistence Agriculture designation for the Auwae Lots would be incompatible with surrounding agricultural lots, and that lot size was incompatible with agricultural land use. The community did not have a concern with the Subsistence Agriculture designation for the Mahiai Lot due to the surrounding residential subdivision lots.
- Concern was raised about potential conflicts between areas designated for Residential use and those designated for Agricultural use for the Auwae Lots.
- A Traffic Impact Analysis Report (TIAR) was requested for the number of lots proposed for the Auwae Lots.
- In lieu of the proposed wastewater easement for the Auwae Lots, it was suggested that DHHL consider the future road connection between Auwae and Railroad.
- A buffer was proposed to mitigate noise and odor impacts from County and industrial operations for the Auwae Lots. A lot adjoining the Auwae Lots which was formerly used for quarry operations was proposed for Conservation/Open space designation to provide the buffer.
- Concern was raised that the standing MOU between DHHL and the County regarding road standards would require dedicable standards that are not appropriate for the agricultural or rural character.
- Mitigation measures for toxics should include the issue of a notice to surrounding owners if toxics are discovered in subsequent soil investigations.
- It was noted that the Regional Plan should have been amended prior to Island Plan amendment, and that these amendments should have taken place before the Project proceeded.

PANA'EWA AGRICULTURAL LOTS SUBDIVISION-MAHI'AI LOT (LOT 185)

Final Environmental Assessment/ Finding of No Significant Impact

In response to the concerns raised at the KPFA community meeting, DHHL intends to take the following actions:

- DHHL will examine traffic circulation as part of the Pana'ewa Regional Plan.
- DHHL will work with the County and other stakeholders to determine feasibility of establishing a noise and/or odor buffer when DHHL proceeds with the Auwae Lots.
- Following clearing and grubbing of the Auwae Lots, DHHL will conduct a soil study at property boundaries to determine whether adjoining industrial uses are affecting the property. DHHL will conduct testing for soil arsenic at the Site. If contamination is found, DHHL will issue a notice to surrounding owners. If needed, DHHL will address contamination concerns in cooperation with the Hawai'i Department of Health.
- DHHL will not start construction until the Island Plan and Regional Plan amendments are completed.
- DHHL will consider a density alternative of 1-acre lots, particularly for the Auwae Lots (see Section 6.3).

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9 REFERENCES

- Associated Press. (2007, August 15). *Flossie downgraded again after swiping Hawaii*. Retrieved September 17, 2007, from <http://www.msnbe.msn.com/id/20228092>
- County of Hawai'i. (Current). *County of Hawai'i Data Book*.
- Department of Hawaiian Home Lands. (2002). *Memorandum of Agreement Between the County of Hawaii and the Department of Hawaiian Home Lands*.
- Giambelluca, T., Chen, Q., Frazier, A., Price, J., Chen, Y.-L., Chu, P.-S., . . . Delparte, D. (2012). (Bull. Amer. Meteor. Soc.) doi:10.1175/BAMS-D-11-00228.1
- Hawai'i County Civil Defense Agency. (accessed June 2015). *Tsunami Evacuation Zones & Shelters*. Retrieved from <http://records.co.hawaii.hi.us/Weblink8/1/doc/73305/Electronic.aspx>
- Kamakau, S. (1961). *Ruling Chiefs of Hawaii*. Honolulu, Hawaii: The Kamehameha Schools Press.
- Natural Resources Conservation Service, United States Department of Agriculture. (Accessed April 2015). *Web Soil Survey*. Retrieved from <http://websoilsurvey.nrcs.usda.gov/>
- PBR HAWAII. (2002, May). *Hawai'i Island Plan*. Retrieved from Department of Hawaiian Home Lands: http://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Hawaii_2002.pdf
- PBR HAWAII. (2009). *Pana'ewa Regional Plan*. Prepared for the Department of Hawaiian Home Lands.
- State of Hawaii. (2012). *2008/2010 State of Hawaii Water Quality Monitoring and Assessment Report*. Department of Health, Clean Water Branch, Honolulu.
- U.S. Environmental Protection Agency. (accessed May 2015). *NEPAssist Mapping*. Retrieved from <http://nepassisttool.epa.gov/nepassist/entry.aspx>
- USDA Soil Conservation Service. (1973, January 2). *Soil Survey of the Island of Hawai'i, State of Hawai'i*. Retrieved from Natural Resources Conservation Service, United States Department of Agriculture.
- USGS. (1997, July 18). *Volcanic and Seismic Hazards on the Island of Hawaii: Volcanic Hazards*. Retrieved January 5, 2011, from U.S. Geological Survey: <http://pubs.usgs.gov/gip/hazards.html>
- Wilson Okamoto Corporation. (2008). *Hawaii Water Plan Water Resource Protection Plan*. Prepared for the State of Hawaii, Department of Land and Natural Resources, Commission on Water Resource Management.

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Appendix **A**

FIGURES

Figure 1. Regional Location Map

Figure 2. Pana‘ewa House and Farm Lots, File Plan 1487

Figure 3. Surrounding Uses

Figure 4. Subdivision Layout

Figure 5. Soils Map

Figure 6. NRCS Agricultural Suitability Map

Figure 7. Water Resources

Figure 8. Flood Insurance Rate Map

Figure 9. Natural Hazards

Figure 10. County Water System

Figure 11. County Sewer System for Hilo

Figure 12. Critical Wastewater Disposal Area Map

Figure 13. Public Facilities

Figure 14. State Land Use Districts

Figure 15. DHHL Hawai‘i Island Plan Land Use Designation

Figure 16. County General Plan

Figure 17. County Zoning

Figure 18. Special Management Area





PANAWEA HOUSE AND FARM LOTS

OWNER: HAWAIIAN HOME LANDS
ADDRESS: 550 HALEKAUWILA STREET
HONOLULU, HAWAII

SECTION 1

LAND SITUATED ON THE NORTHEASTERLY SIDE
OF RAILROAD AVENUE
AT WAIKAE, SOUTH HILO, ISLAND OF HAWAII, HAWAII
BEING A PORTION OF HAWAIIAN HOME LAND OF PANAEWA
SUBDIVIDED INTO LOTS 1 TO 129, INCLUSIVE
LOTS 189, R-1 AND R-4
AND DESIGNATION OF EASEMENT "A" OVER AND ACROSS
LOT 88
TOTAL AREA = 1319.788 ACRES

SECTION 2

LAND SITUATED ON THE SOUTHWESTERLY SIDE OF RAILROAD AVENUE
AND ON THE SOUTHERLY SIDE OF KAHAOPEA STREET
AT WAIKAE, SOUTH HILO, ISLAND OF HAWAII, HAWAII
BEING A PORTION OF HAWAIIAN HOME LAND OF PANAEWA
SUBDIVIDED INTO LOTS 130 TO 188, INCLUSIVE
AND LOTS R-2 AND R-3
TOTAL AREA = 341.328 ACRES

SECTION 3

LAND SITUATED ON THE NORTHERLY SIDE OF LAND COURT APPLICATION 1053
APPROXIMATELY 3150 FEET NORTHEASTERLY OF RAILROAD AVENUE
AT WAIKAE, SOUTH HILO, ISLAND OF HAWAII, HAWAII
BEING A PORTION OF THE GOVERNMENT (CROWN) LAND OF WAIKAE
CONVEYED TO DEPARTMENT OF HAWAIIAN HOME LANDS BY STATE OF
HAWAII BY EXCHANGE DEED DATED JANUARY 8, 1962 AND RECORDED
IN LIBER 4265, PAGES 456 AND 464 (LAND OFFICE DEEDS S-18729
AND S-18730)
TOTAL AREA = 194.189 ACRES

This map is from an actual survey on the ground made by or under
the direct supervision of the undersigned between December 1,
1975 and January 22, 1976 and may be checked by the State
Surveyor with our field books and calculation folders filed
under Job Number 75-129.

WILLIAM HEE & ASSOCIATES, INC.

1020 Auahi St.
Honolulu, Hawaii
January 22, 1976

By: *James S. Nakagawa*
Registered Professional Surveyor
Certificate Number 1898

I hereby certify that the description of survey and
map herein has been examined and checked as to form
and mathematical correctness but not on the ground and
the same is approved in accordance with Sections 508-17,
18 and 19 of the Hawaii Revised Statutes.
Honolulu, Hawaii
March 22, 1976
Reginald S. Bishi
State Land Surveyor

State of Hawaii
Office of
Bureau of Conveyances
Received for filing this EPP day of
March A.D. 1976 at 3:59 P.M.
and filed in File No. 1487
Charles F. Neumann III
Registrar of Conveyances

METES AND SOUNDS DESCRIPTION RECORDED
IN LIBER 11807 PAGES 250-255

NOTES:
Figures shown thus ① indicate number of course
of description.
Owners of adjoining lands as shown on plan
are from records filed in the Tax Maps Branch.

Area of Easement "A" = 0.723 Ac.

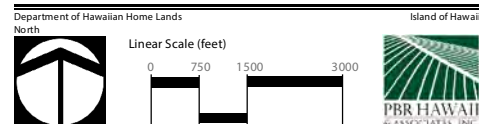


DATE: 3/10/2016

LEGEND

- | | |
|---------------------|--|
| Mahiai Lot | Planned Panaewa Subdivision 1270A (Auwae Lots) |
| Lot Line | Planned Panaewa Subdivision 1270B (Auwae Lots) |
| Easement | Glover Quarry |
| Tax Map Key Parcels | Green Waste Processing |
| State Highways | Landfill |
| Streams | Sort Station |
| Not Perennial | Transfer Station |
| Perennial | Yamada Quarry |

FIGURE 3:
Surrounding Uses
MAHIAI LOT
PANA'EWA SUBDIVISION



Source: County of Hawaii, 2016. ESRI Online Basemap, Department of Hawaiian Home Lands. Streams: DLNR DAR, 2013.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



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DATE: 3/3/2016

LEGEND

- Tax Map Key Parcels
- Mahiai Lot**
- Lot Lines
- Easement

FIGURE 4:

Subdivision Layout

MAHIAI LOT

PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands

Island of Hawaii



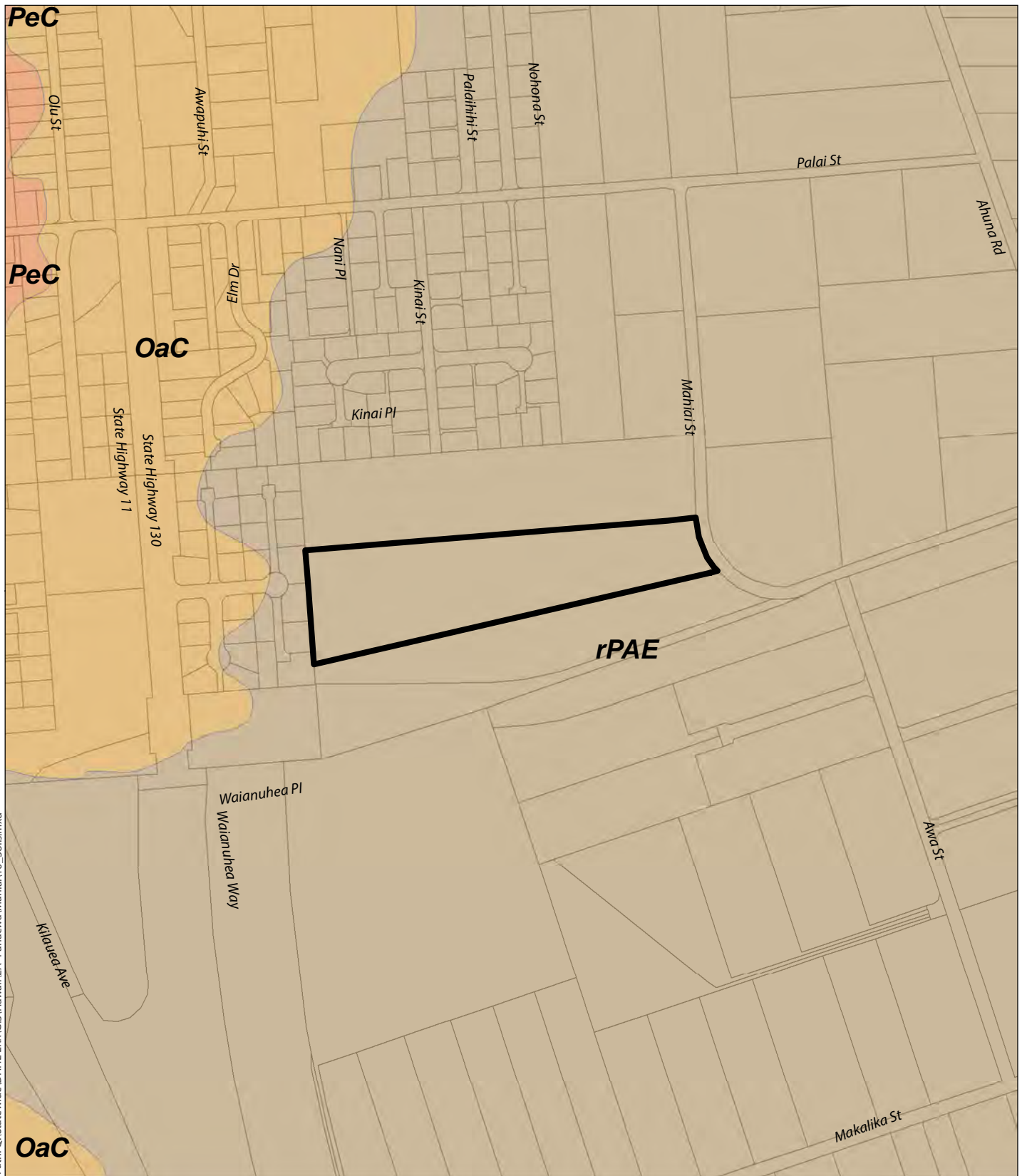
Linear Scale (feet)



Source: County of Hawaii, 2014. DHHL Hawaii Island Plan, 2002.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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DATE: 3/3/2016

LEGEND

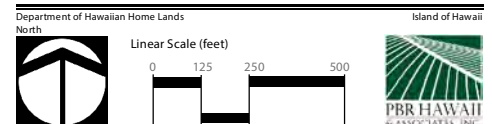
- Mahiai Lot
- Tax Map Key Parcels

Hawaii Soils

- OaC - Olaa silty clay loam, 0 to 10 percent slopes
- OID - Olaa extremely stony silty clay loam, 0 to 20 percent slopes
- PeC - Panaewa very rocky silty clay loam, 0 to 10 percent slopes
- rKFD - Keaukaha extremely rocky muck, 6 to 20 percent slopes
- rPAE - Papai extremely stony muck, 3 to 25 percent slopes

FIGURE 5:
Soils

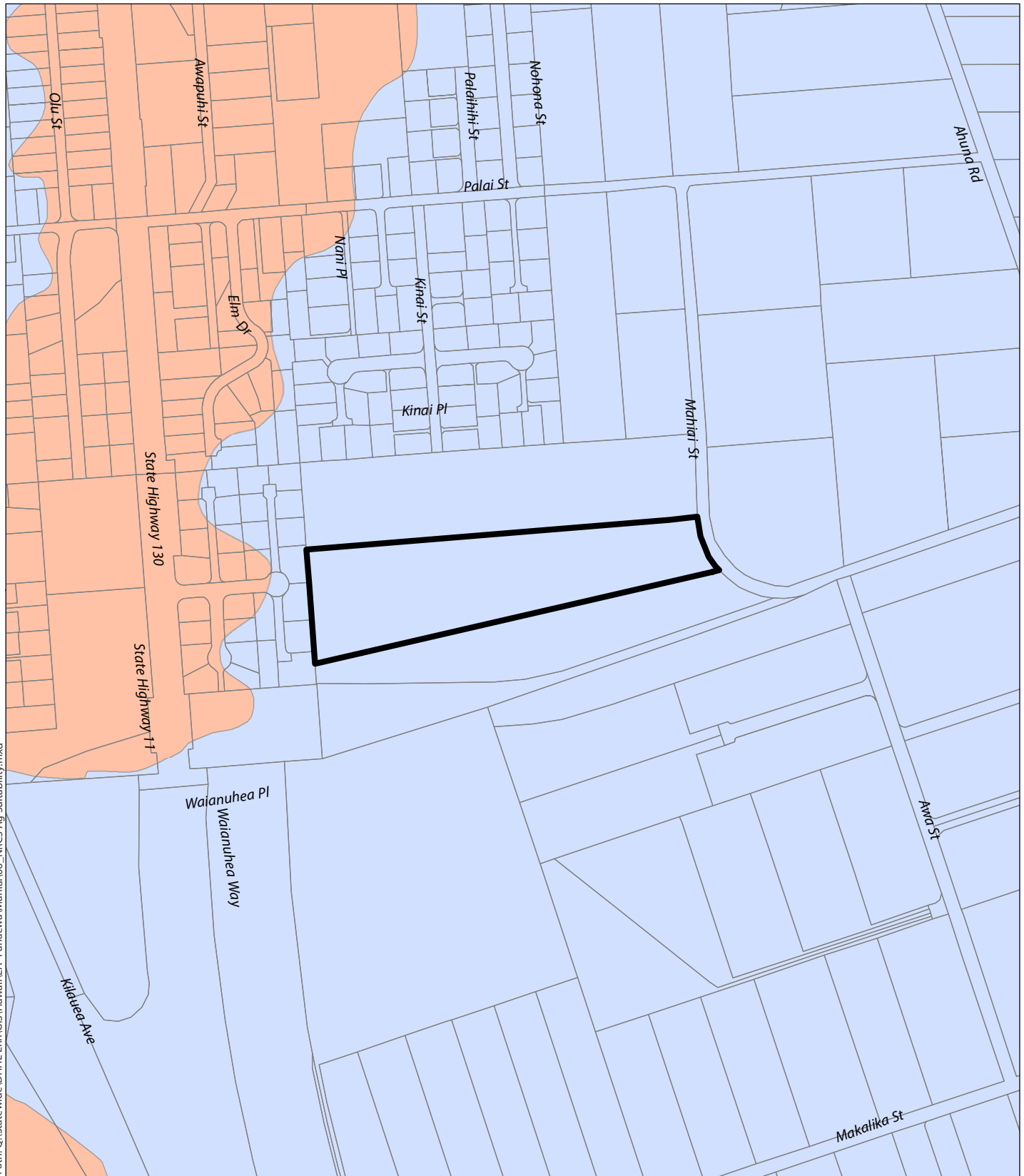
MAHIAI LOT PANA'EWA SUBDIVISION



Source: County of Hawaii, 2015. USDA Natural Resources Conservation Service.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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DATE: 3/3/2016

LEGEND






-  Mahiai Lot
-  Tax Map Key Parcels
-  All areas are prime farmland
-  Prime farmland if irrigated
-  Not prime farmland

FIGURE 6:

NRCS Ag Suitability Map

MAHIAI LOT

PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands

Island of Hawaii

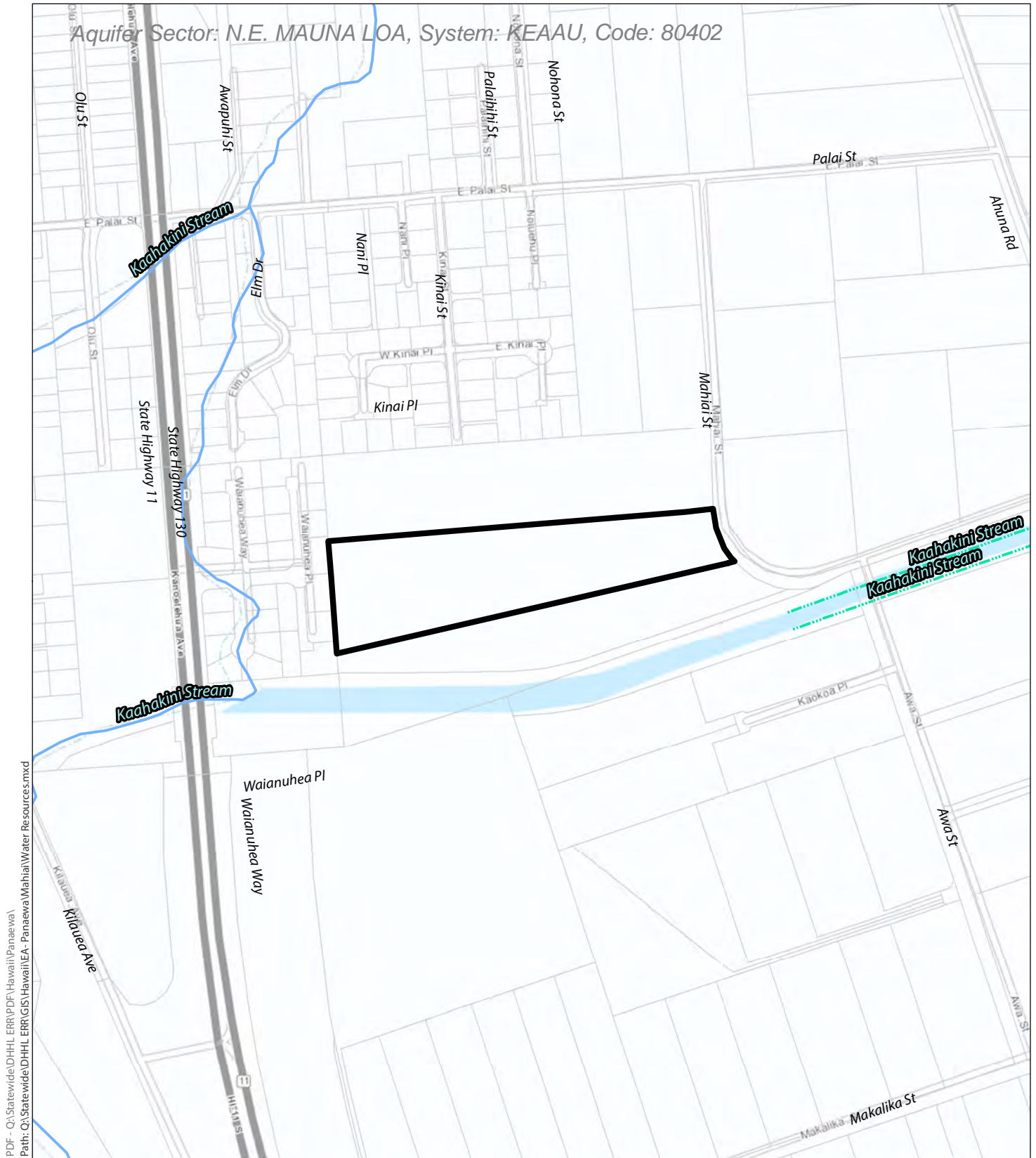


Linear Scale (feet)



Source: County of Hawaii, 2016. USDA Natural Resources Conservation Service.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



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DATE: 3/11/2016

LEGEND

- Mahiai Lot
- Tax Map Key Parcels

Streams

- Not Perennial
- Perennial

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

FIGURE 7:

Water Resources

MAHIAI LOT

PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands



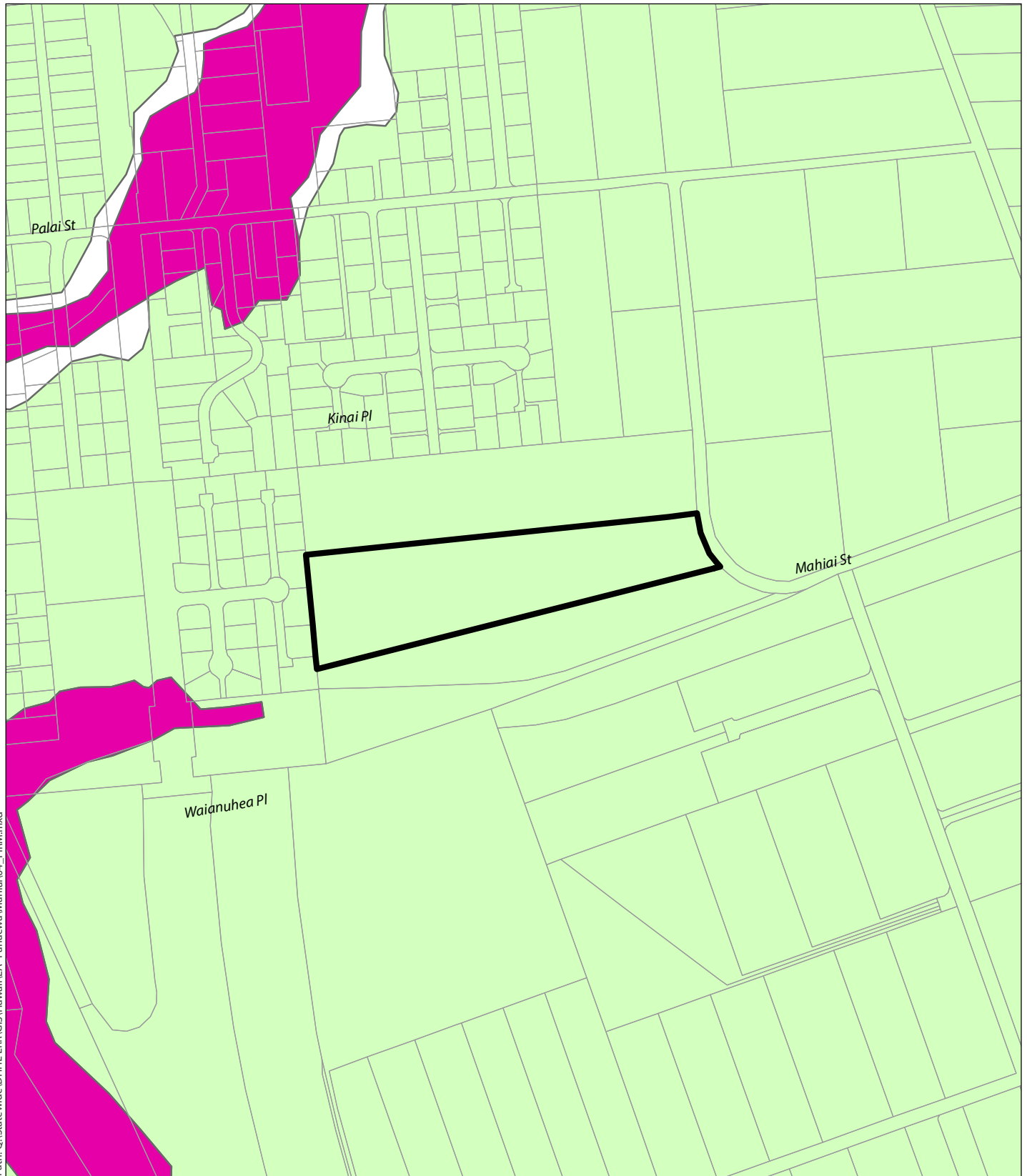
Linear Scale (feet)



Source: Source: ESRI Online Basemap. USFWS/National Wetlands Inventory, 2015. DLNR DAR, 2013. Aquifer: DLNR, 2014.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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DATE: 3/3/2016

LEGEND

 Tax Map Key Parcels

Flood Zone

 A Areas subject to inundation by the 1-percent-annual-chance flood event


 X Areas determined to be outside 0.2-percent-annual-chance floodplain

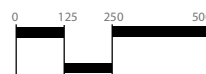
FIGURE 8:
Flood Insurance Rate Map
MAHIAI LOT
PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands

Island of Hawaii



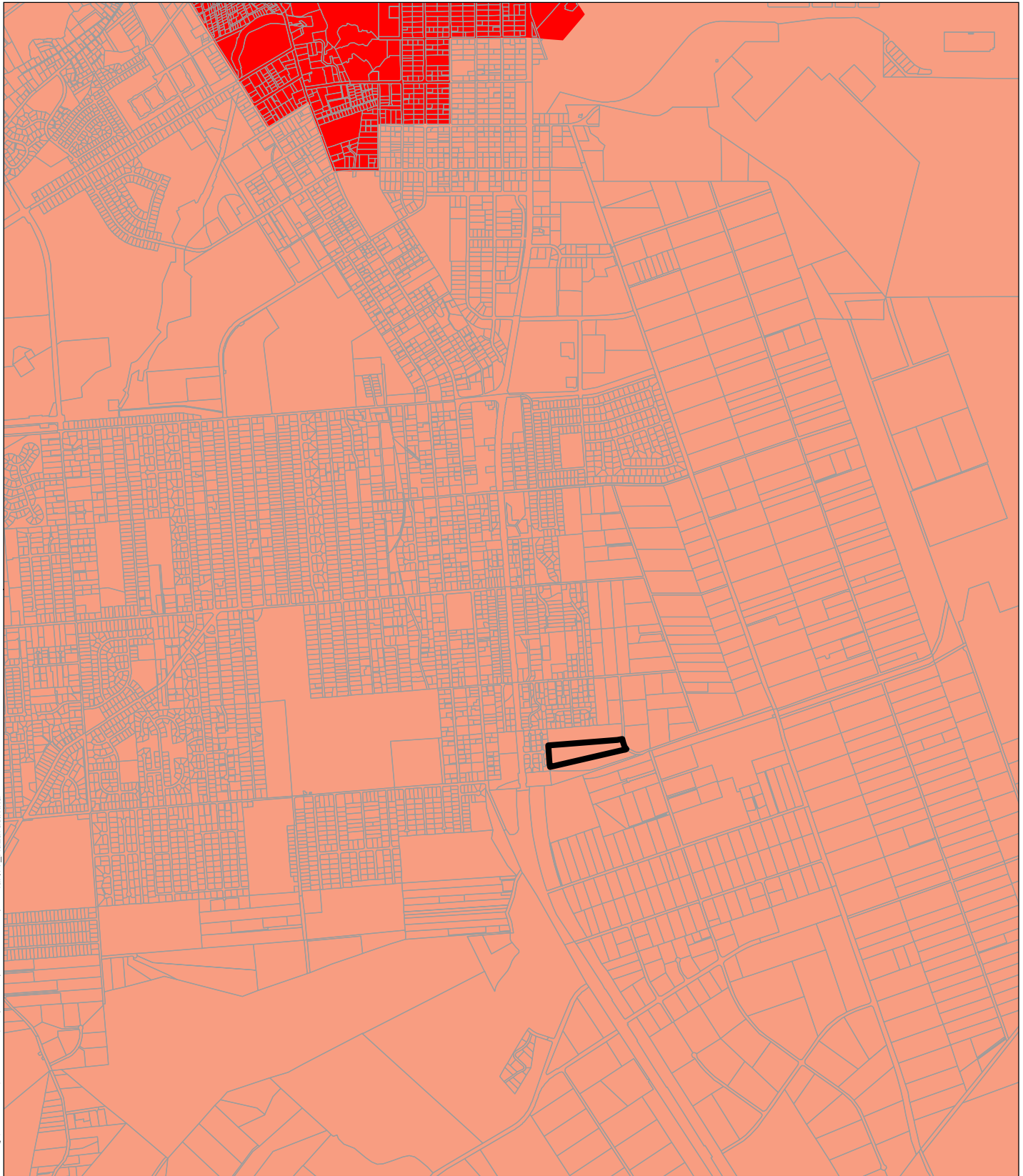
Linear Scale (feet)



Source: County of Hawaii, 2015. FEMA Flood Insurance Rate Map, 2007. Hawaii DLNR FHAT: Panel 1551660895C NOT PRINTED. [Panel 890C]

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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DATE: 3/3/2016

LEGEND



Mahiai Lot



Tax Map Key Parcels



Tsunami Evacuation Zone

Volcanic Hazard Zones (1 highest, 9 lowest)



1



2



3



4



5



6



7



8



9

FIGURE 9:
Natural Hazards
MAHIAI LOT
PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands

Island of Hawaii



Linear Scale (miles)



Source: County of Hawaii, 2014. Pacific Disaster Center, 1998. U.S. Geological Survey, 1991.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



DATE: 3/4/2016

LEGEND








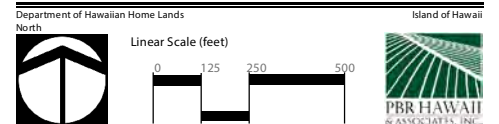
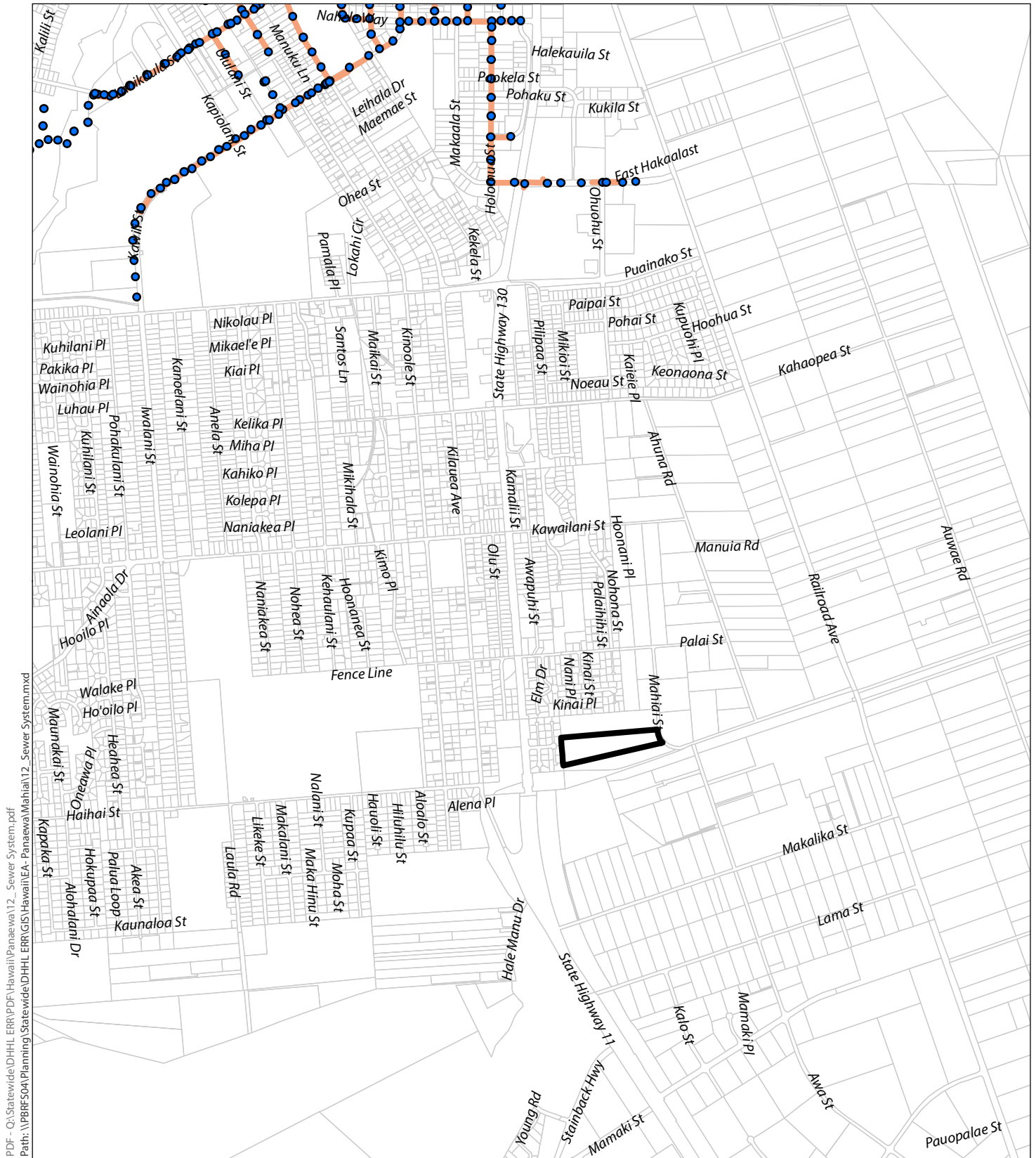
-  Mahiai Lot
-  Tax Map Key Parcels
-  Node
-  Pipe
-  Pump
-  Tank
-  Valve

FIGURE 10:
County Water System
MAHIAI LOT
PANA'EWA SUBDIVISION



Source: County of Hawaii, 2015. Water: County of Hawaii, 2005.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



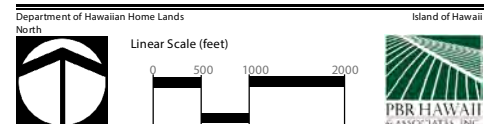
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DATE: 3/4/2016

LEGEND

- Mahiai Lot
- Tax Map Key Parcels
- Hawaii Island Sewer Discharges
- Hawaii Island Sewer Manholes
- Hawaii Island Sewer Pump Stations
- Hawaii Island Sewer Treatment Plants
- Hawaii Island Sewer Mains

FIGURE 11:
County Sewer System
MAHIAI LOT
PANA'EWA SUBDIVISION



Source: TMK: County of Hawaii, 2015. Sewer: County of Hawaii.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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DATE: 3/4/2016

LEGEND



Mahiai Lot



Tax Map Key Parcels

DOH - CWDA



Critical Wastewater Disposal Area



Cesspool 1

FIGURE 12:

DOH Critical Wastewater Disposal MAHIAI LOT PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands



Linear Scale (feet)



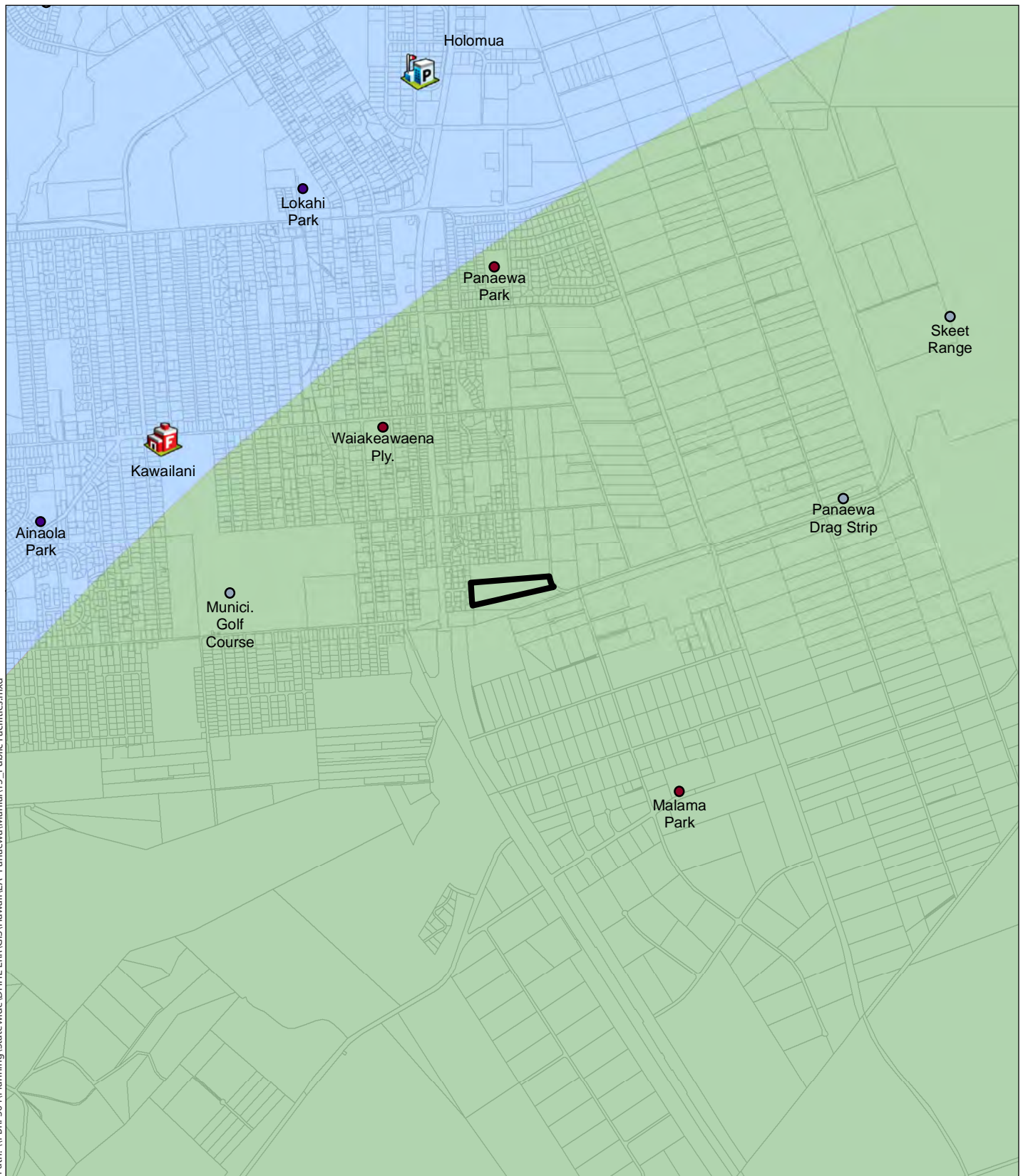
Island of Hawaii



Source: County of Hawaii, 2015. Department of Health, 2014.

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DATE: 3/4/2016

LEGEND

Mahiai Lot

Tax Map Key Parcels

County Neighborhood Parks

County Community Parks

County Other Parks

State Parks

Federal Parks

Fire Station 5-mile Service Area

Central

Kaumana

Kawaiilani

Keaau

Paradise Park

Waiakea



Police Stations



Fire Stations

FIGURE 13:

Public Facilities

MAHIAI LOT

PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands

Island of Hawaii



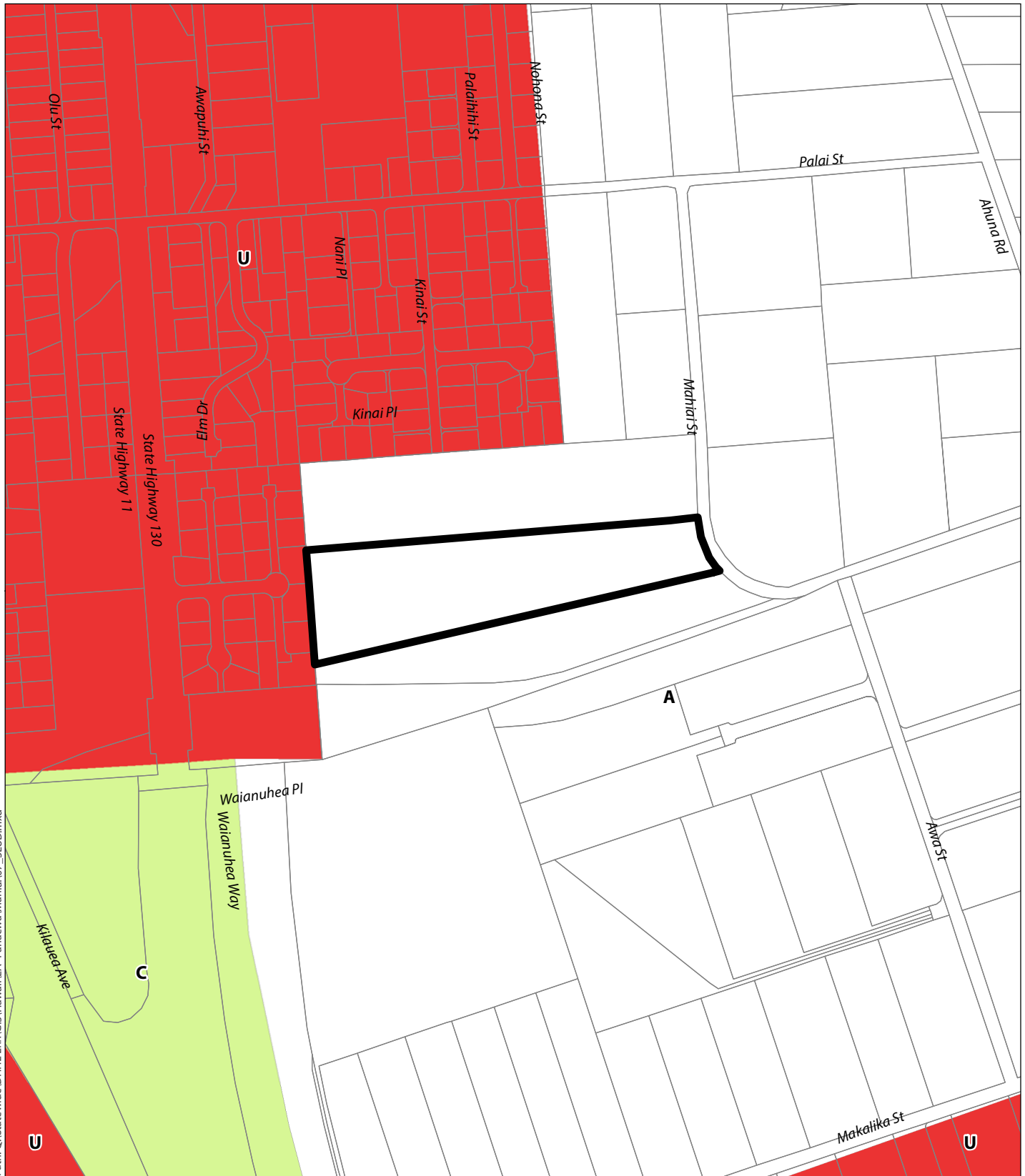
Linear Scale (miles)



Source: DLNR DOFAW Fire MgmtProgram, 2014. County of Hawaii Planning Dept. Gen. Plan Facilities Map, c. 2008. TMK: County of Hawaii, 2015. Parks: County

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DATE: 3/3/2016

LEGEND



Mahiai Lot



Tax Map Key Parcels

State Land Use District



A - Agriculture



C - Conservation



R - Rural



U - Urban

FIGURE 14:

State Land Use Districts

MAHIAI LOT

PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands



Linear Scale (feet)

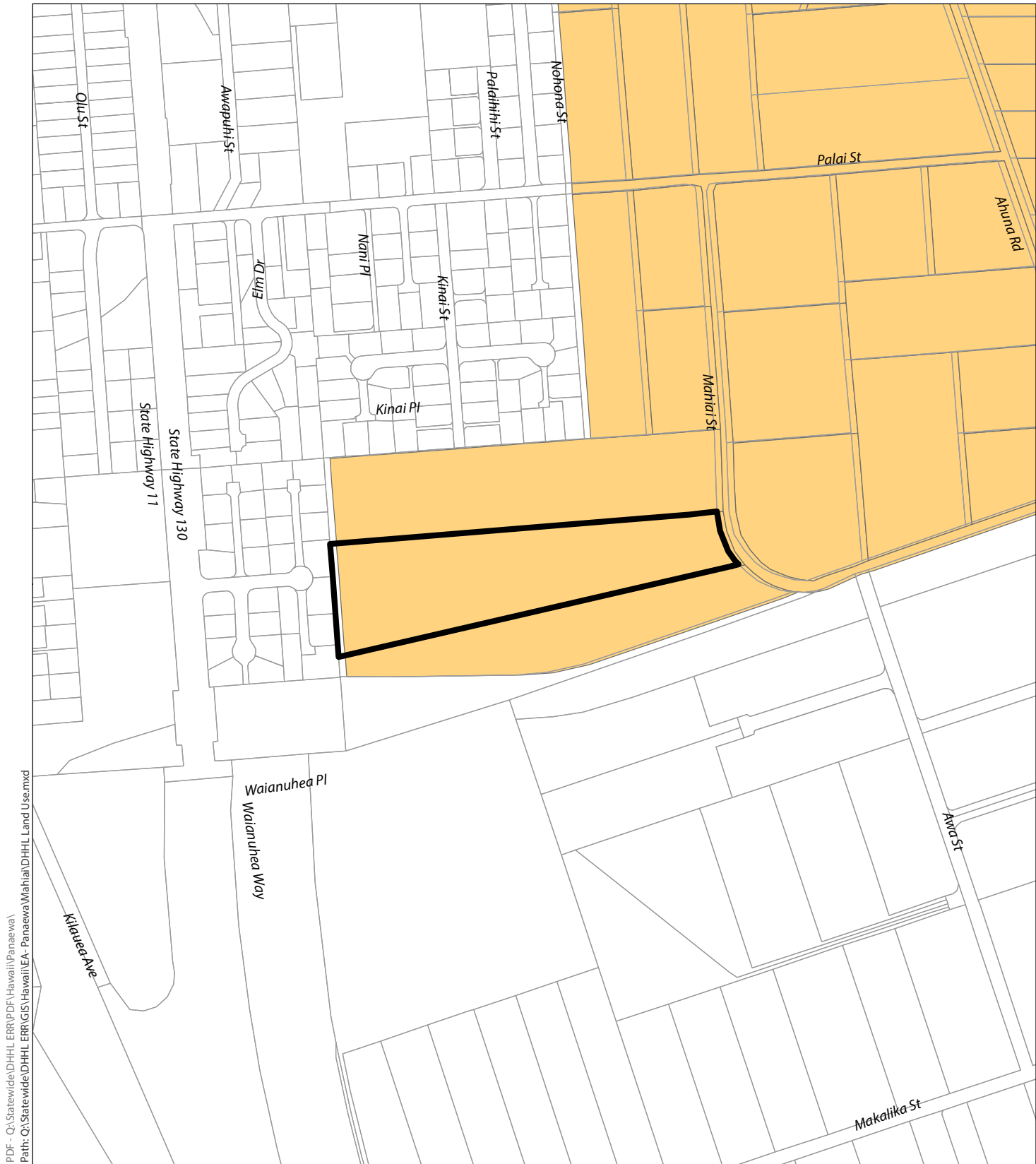


Island of Hawaii



Source: County of Hawaii, 2014. Hawaii State Land Use Commission, 2014.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



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DATE: 10/7/2015

LEGEND


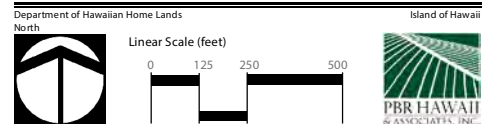
-  Mahiai Lot
-  Tax Map Key Parcels
- DHHL Designations**
 -  Residential
 -  Supplemental Agriculture

FIGURE 15:

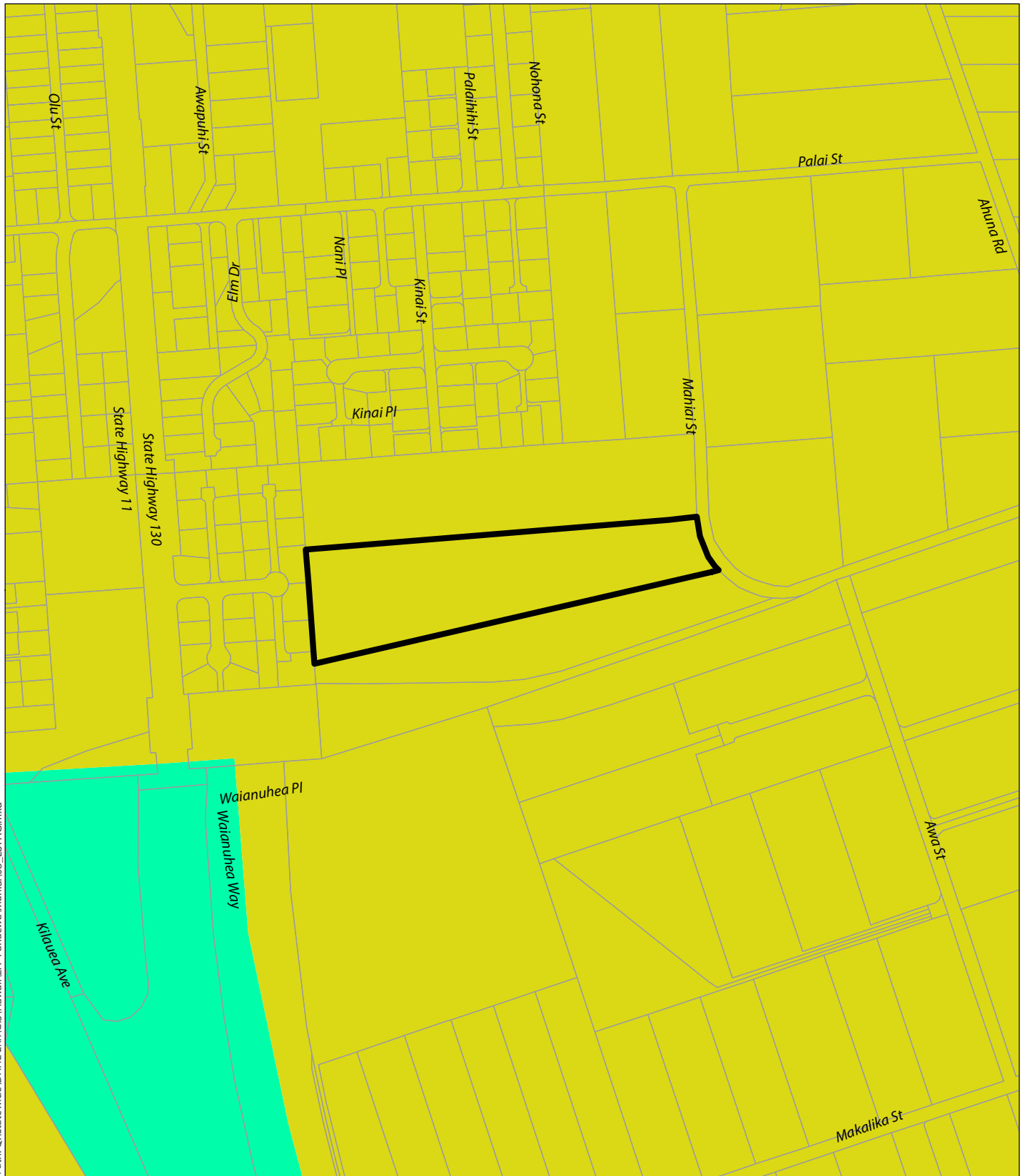
DHHL Land Use Designations MAHIAI LOT PANA'EWA SUBDIVISION



Source: County of Hawaii, 2015 & DHHL Hawaii Island Plan, 2002.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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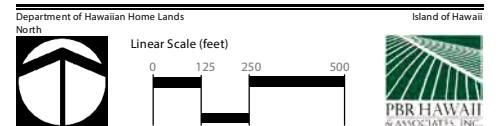


DATE: 10/7/2015

LEGEND

- | | |
|-----------------------|----------------------|
| Tax Map Key Parcels | Important Ag. Lands |
| Conservation | Low Density Urban |
| Extensive Agriculture | Medium Density Urban |
| | Open Area |

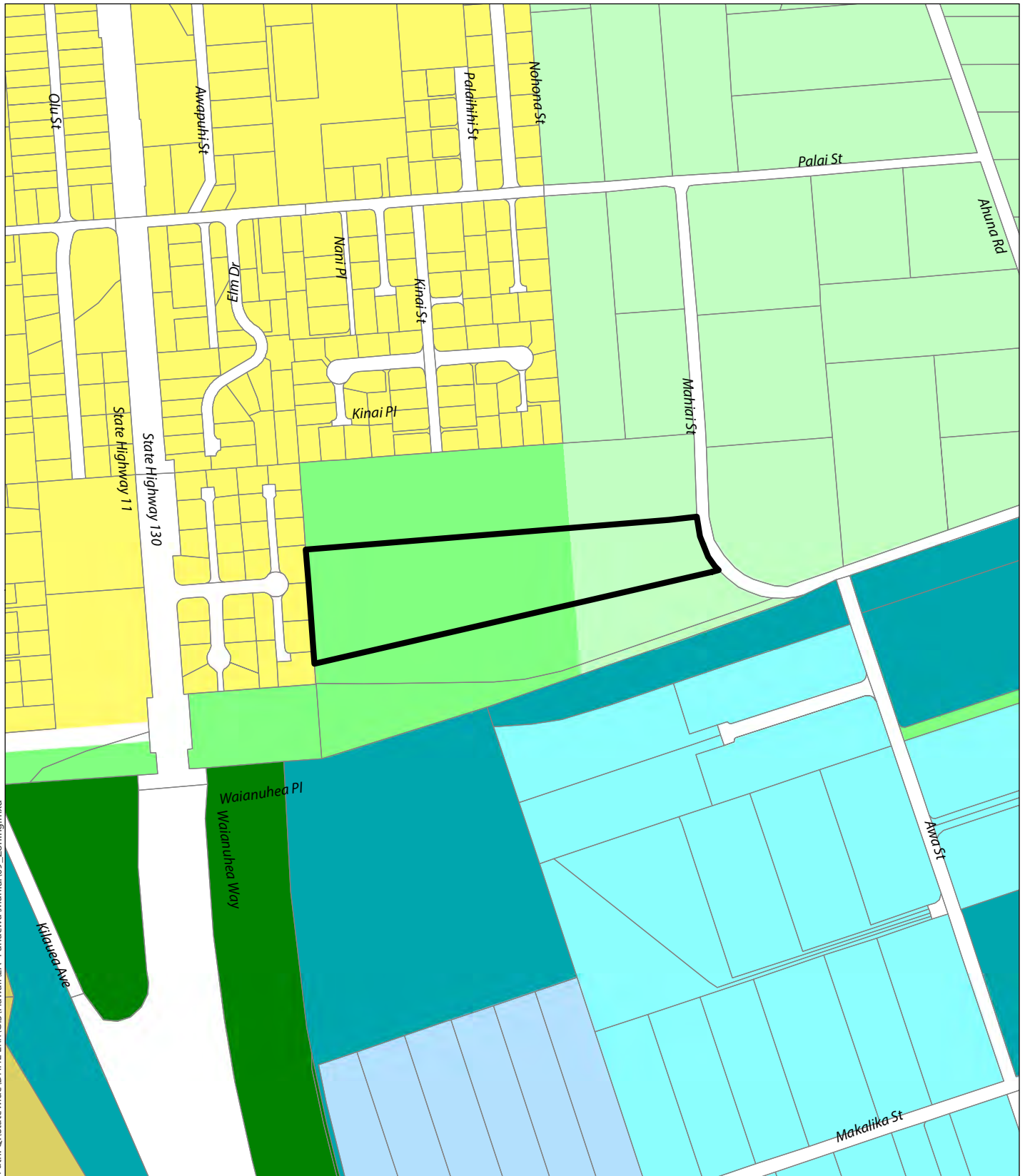
FIGURE 16:
County General Plan LUPAG
MAHIAI LOT
PANA'EWA SUBDIVISION



Source: County of Hawaii, 2014 & 2015.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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DATE: 3/3/2016

LEGEND

- | | | | | |
|------------|---------------------|---------------|-------|-------|
| Mahiai Lot | Tax Map Key Parcels | Zoning | A-3a | OPEN |
| | | A-10a | A-5a | RS-10 |
| | | A-1a | FA-3a | RS-15 |

FIGURE 17:

Zoning

MAHIAI LOT

PANA'EWA SUBDIVISION

Department of Hawaiian Home Lands

Island of Hawaii



Linear Scale (feet)



Source: County of Hawaii, 2015.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

Appendix **B**

PRE-ASSESSMENT CONSULTATION

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DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

MAR 13 2015

(P)1047.5

Mr. Roy Takemoto
PBR Hawaii & Assoc., Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

Dear Mr. Takemoto:

Subject: Pre-Assessment Consultation
Proposed Subdivision of the Panaewa Ag Lots
Waiakea, South Hilo District, Island of Hawaii
TMK: Various

This is in response to your letter dated March 2, 2015 regarding the subject project. The proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities, and we have no comments to offer at this time.

If there are any questions, please call me at 586-0526, or your staff may call Mr. David DePonte of the Planning Branch at 586-0492.

Sincerely,

JAMES K. KURATA
Public Works Administrator

DD:lmn

c: Mr. Jerry Watanabe, DAGS-Hawaii District Office



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& ASSOCIATES, INC.

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Senior Associate

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Managing Director - Kapolei

ROY TAKEMOTO
Managing Director - Hilo

SCOTT MURAKAMI, ASLA, LEED AP
Associate

DACHENG DONG, LEED AP
Associate

MARC SHIMATSU, ASLA
Associate

CATIE CULLISON, AICP
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Fax: (808) 521-1163

HILO OFFICE
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Hilo, Hawaii 96720-1113
Tel/Cel: (808) 313-6878

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July 12, 2015

Mr. James Kurata, Public Works Administrator
State of Hawai'i
Department of Accounting and General Services
P.O. Box 119
Honolulu, HI 96810-0119

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Kurata,

Although you responded that you did not have any early consultation comments on the subject project, enclosed is a copy of the Draft EA that provides additional information on the project and anticipated impacts. Your review of the Draft EA would be appreciated. The enclosed transmittal includes the deadline for comments and address to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

ARTHUR J. LOGAN
BRIGADIER GENERAL
ADJUTANT GENERAL

KENNETH S. HARA
COLONEL
DEPUTY ADJUTANT GENERAL

Mr. Roy Takemoto
PBR Hawaii & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813

Subject: Pre-Assessment Consultation for the Proposed Subdivision of the Panaewa AG Lots located in the Ahupuaa of Waieka, South Hilo District, Island and County of Hawaii
Tax Map Key: (3) 2-2-061: 002, (3) 2-1-025: 006, (3) 2-1-025: 007, (3) 2-1-025: 047, and (3) 2-1-025: 048


Dear Mr. Takemoto,

Thank you for this opportunity to comment on the above project.

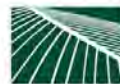
The State of Hawaii Department of Defense, Hawaii Emergency Management Agency (HIEMA) recommends the provision of one (1) omni-directional 121-db(c) siren mounted on a 45-foot H2 rated composite pole to ensure adequate siren coverage. HIEMA will work with the Department of Hawaiian Home Lands on the placement of the pole.

Should you have any questions, please contact Mr. Lloyd Maki, Assistant Chief Engineering Officer at 733-4250.

Sincerely,


ARTHUR J. LOGAN
Brigadier General
Hawaii National Guard
Adjutant General

c: Ms. Havinne Okamura, HIEMA



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Associate

MARC SHIMAMATSU, ASLA
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CATIE CULLISON, AICP
Associate

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July 12, 2015

Brigadier General Arthur Logan
State of Hawai'i
Department of Defense
3949 Diamond Head Road
Honolulu, HI 96816

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAIĀKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and (3) 2-1-025:048

Dear General Logan,

Thank you for your comments on the subject project. Enclosed is a Draft EA that includes a discussion of your recommendation to include an emergency siren. The Draft EA states that a more appropriate location is the Pana'ewa Park that should be audible to the Project residents. We would appreciate your review of the Draft EA. The enclosed transmittal includes the deadline and contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII



Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

March 6, 2015


PBR Hawaii & Associates, Inc.
Attn: Roy Takemoto
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Dear Mr. Takemoto:

Re: Pre-Assessment Consultation for the Proposed Subdivision of the Pana'ewa Ag Lots Located in the Ahupua'a of Wai'alea, South Hilo District, Island and County of Hawai'i, TMK: (3)2-2-061:002, (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:48

Thank you for seeking our comments on the proposed Pana'ewa Ag Lots Subdivision located in the Ahupua'a of Wai'alea, South Hilo District, Island and County of Hawai'i. We have no housing-related comments to offer at this time.

Sincerely,


Craig K. Hirai
Executive Director

CRAIG K. HIRAI
EXECUTIVE DIRECTOR

IN REPLY REFER TO:

15:PEO/17



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1719 Haleloke Street
Hilo, Hawaii 96720-1933
Tel/Cel: (808) 313-6878

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July 12, 2015

Mr. Craig Hirai, Executive Director
State of Hawai'i
Hawaii Housing Finance and Development Corporation
677 Queen Street, Suite 300
Honolulu, HI 96813


SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAI'ALEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Hirai,

Although you responded that you did not have any early consultation comments on the subject project, enclosed is a copy of the Draft EA that provides additional information on the project and anticipated impacts. Your review of the Draft EA would be appreciated. The enclosed transmittal includes the deadline for comments and address to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII



Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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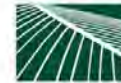
DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

KATHRYN S. MATAYOSHI
SUPERINTENDENT



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Senior Associate

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Managing Director - Kapolei

ROY TAKEMOTO
Managing Director - Hilo

SCOTT MURAKAMI, ASLA, LEED AP
Associate

DACHENG DONG, LEED AP
Associate

MARC SHIMATSU, ASLA
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CATIE CULLISON, AICP
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HILO OFFICE
1719 Haleloke Street
Hilo, Hawaii 96720-1113
Tel/Cel: (808) 313-6878

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July 12, 2015

Mr. Kenneth Masden, Public Works Manager
Planning Section
State of Hawaii, Department of Education
PO Box 2360
Honolulu, HI 96804

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-
025:007, (3) 2-1-025:047, and (3) 2-1-025:048

Dear Mr. Masden,

Thank you for responding to our pre-assessment consultation. In your letter dated March 24, 2015, you provided very helpful information identifying the schools that the Project school-aged children would attend and confirming that these schools have adequate capacity. We incorporated your comment in the enclosed Draft EA (section 4.9.1). Your review of the Draft EA would be appreciated to assess whether accurately reflected your information, and to add any other comments you may have. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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Responses\Consultation Response- DOE.doc

March 24, 2015

Mr. Roy Takemoto
PBR HAWAII & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Re: Pre-Assessment Consultation for the Proposed Subdivision of the Panaewa AG Lots Located in the
Ahupua'a of Wai'akea, South Hilo District, Island and County of Hawaii, TMK: (3) 2-2-061:002,
(3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and (3) 2-1-025:048

Dear Mr. Takemoto:

The Department of Education (DOE) has reviewed the Pre-Assessment Consultation for the proposed
subdivision of the 90 Panaewa AG lots located in the Ahupua'a of Wai'akea on the Island and County of
Hawaii.

The proposed subdivision and development of the Panaewa AG Lots are located in the Wai'akea complex
area. Students residing in the proposed subdivision identified as TMK: (3) 2-2-061:002 would be attending
Wai'akeaewa Elementary School, Wai'akea Intermediate School and Wai'akea High School. The proposed
subdivision consisting of the following lots: TMK: (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and
(3) 2-1-025:048 would have students attend Wai'akea Elementary School, Wai'akea Intermediate School and
Wai'akea High School.

The DOE does not expect that this project will have a significant impact on its facilities.

We appreciate the opportunity to provide comments. If you have any questions, please call Heidi Meeker of
the Facilities Development Branch at 377-8301.

Respectfully,

Kenneth G. Masden II
Public Works Manager
Planning Section

KGM:jmb

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER

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DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

Duane Kanuha
March 20, 2015
Page 2 of 2

The same website also features a Healthy Community Design Smart Growth Checklist (Checklist) created by Built Environment Working Group (BEWG) of the Hawaii State Department of Health. The BEWG recommends that state and county planning departments, developers, planners, engineers and other interested parties apply the healthy built environment principles in the Checklist whenever they plan or review new developments or redevelopments projects. We also ask you to share this list with others to increase community awareness on healthy community design.

MEMORANDUM

DATE: March 20, 2015
TO: PBR Hawaii & Associates, Inc.
FROM: Newton Inouye *N*
District Environmental Health Program Chief
SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION
OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF
WAIKAE, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF
HAWAII.
TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047,
and (3) 2-1-025:048

The applicant would need to meet the requirements of our Department of Health Air Pollution Rules, Chapter 60.1, Title 11, State of Hawaii for fugitive dust control. If there is need to discuss these requirements, please contact our Clean Air Branch staff at Ph. 933-0401.

Construction activities must comply with the provisions of Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control."

1. The contractor must obtain a noise permit if the noise levels from the construction activities are expected to exceed the allowable levels of the rules.
2. Construction equipment and on-site vehicles requiring an exhaust of gas or air must be equipped with mufflers.
3. The contractor must comply with the requirements pertaining to construction activities as specified in the rules and the conditions issued with the permit.

Should there be any questions on this matter, please contact the Department of Health at 933-0917.

We recommend that you review all of the Standard Comments on our website:
<http://hawaii.gov/health/environmental/env-planning/landuse/landuse.html>. Any comments specifically applicable to this project should be adhered to.

c: EPO

WORD: Panaewa Ag Lots



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July 12, 2015

Mr. Newton Inouye, District Environmental Health Program Chief
State of Hawai'i
Department of Health
P.O. Box 916
Hilo, HI 96721-0916

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Inouye,

Thank you for responding to our pre-assessment consultation. In your letter dated March 20, 2015, you provided very helpful information identifying the requirements to comply with fugitive dust and noise from construction activities, as well as reference to DOH's other standard comments and the healthy communities checklist. We incorporated your comments in the enclosed Draft EA in various sections addressing air quality, water quality, noise, and stormwater runoff. Your review of the Draft EA would be appreciated to assess whether we accurately reflected your information, and to add any other comments you may have. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DAVID Y. ICE
DIRECTOR OF HEALTH



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File

LUD - 3 2 2 061 002 at Prop Subd
Panaewa Ag Lots-ID2165

March 30, 2015

Mr. Roy Takemoto
Managing Director, Hilo Office
PBR HAWAII & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Dear Mr. Takemoto:

Subject: Pre-Assessment Consultation for Proposed Subdivision of the Panaewa Ag Lots Located in the Ahupuaa of Waiakaa, South Hilo District, Island and County of Hawaii
TMK (3) 2-2-061: 002, (3) 2-1-025: 006, (3) 2-1-025: 007
TMK (3) 2-1-025: 047 and (3) 2-1-025: 048

Thank you for allowing us the opportunity to provide comments on the above subject project. We have the following information to offer. The subject project TMKs are located in the critical wastewater disposal area with one (1) acre lot exception as determined by the Hawaii County Wastewater Advisory Committee. We do not have any individual wastewater system (IWS) information on file.

In the drawings, Makaala Street is mislabeled as Hakaala. Makaala is sewerred and services the commercially developed area between the highway and Railroad Avenue. The Prince Kuhio Plaza (mall), Wal-Mart, Target, Safeway, Home Depot and numerous fast food restaurants and other businesses are located in that area. All these businesses are served by County sewer.

The lot between the commercial area and the proposed subdivision, TMK (3) 2-1-025: 091 is used as a farmer's market by DHHL (the sole owner) for owners in the lots to sell their products.

The next lot, TMK (3) 2-1-025: 046 is undeveloped and zoned commercial and DHHL is the sole owner.

Although a direct sewer lateral connection to the County of Hawaii's sewer system is presently not available for the subject properties at TMK (3) 2-1-025, considering the relative close proximity in order to connect to the County sewer system, the DHHL should pursue connecting proposed project to the County system. Hilo WWB estimates the distance from the existing sewer line to the nearest portion of the TMK (3) 2-1-025 subdivision to be just over a third of a mile, about half a kilometer. Also, since DHHL is the sole owner of the intermediate, undeveloped, and commercially zoned properties in this area, it should be straightforward to proceed with a sewer easement, even a pumping station should it be required. In addition, any future DHHL developments in this area will also benefit by being able to connect to the County sewer system for wastewater treatment and disposal.

Mr. Takemoto
March 30, 2015
Page 2

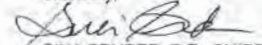
The property, TMK (3) 2-2-061: 002 is presently considered by the WWB to be far beyond the area served by the County sewer.

Until the wastewater and treatment and disposal concerns for the proposed project are appropriately addressed we are not able to provide our support for the proposed project.

Please be informed that the proposed wastewater systems for the subdivision/development may have to include design considerations to address any effects associated with the construction of and/or discharges from the wastewater systems to any public trust, Native Hawaiian resources or the exercise of traditional cultural practices. In addition, all wastewater plans must conform to applicable provisions of the Hawaii Administrative Rules, Chapter 11-62, "Wastewater Systems."

Should you have any questions, please contact Mark Tomomitsu of our Oahu office at (808) 586-4294.

Sincerely,


SINA PRUDER, P.E., CHIEF
Wastewater Branch

LMMST:imj

c: Ms. Laura McIntyre, DOH-Environmental Planning Office
Ms. Amy Cook, DOH-WWB's Hilo Staff



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July 12, 2015

Sina Pruder, P.E., Chief
Wastewater Branch
State of Hawai'i
Department of Health
P. O. Box 3378
Honolulu, HI 96801-3378

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048

Thank you for your comments dated March 30, 2015. Enclosed is a Draft EA that includes a discussion of the wastewater alternatives including your suggestion to connect to the existing County sewer via a sewer easement (see §4.7.2 of the enclosed Draft EA). We would appreciate your review of the Draft EA. The enclosed transmittal includes the deadline and contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
Benefit, Employment & Support Services Division
820 Milliani Street, Suite 606
Honolulu, Hawaii 96813

March 18, 2015

RACHAEL WONG, DrPH
DIRECTOR

PANKAJ BHANOT
DEPUTY DIRECTOR

Re: 15-0110

PBR HAWAII & Associates, Inc.
Attn: Roy Takemoto
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Dear Mr. Takemoto:

Subject: Pre-Assessment Consultation for the proposed subdivision of the Panaewa AG Lots Located in the Ahupua'a of Waiakea, South Hilo District, Island and County of Hawaii (TMK (3) 2-2-061:002, (3)2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and (3) 2-1-025:048

This is in response to your letter dated March 2, 2015 requesting the Department of Human Services (DHS) comment on the proposed subdivision of the Pana'ewa AG Lots project located in the Ahupua'a of Waiakea, South Hilo, Hawaii.

The DHS has reviewed the subdivision lay out for the proposed Pana'ewa project. Please be advised that there are several DHS licensed family child care homes located in the near vicinity that may be impacted by the construction project.

If you have any questions or need further information, please contact Ms. Jill Arizumi, Child Care Program Specialist, at (808) 586-5240.

Sincerely,

Scott Nakasone
Assistant Division Administrator

c: Rachael Wong, DrPH, Director



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& ASSOCIATES, INC.

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July 12, 2015

Dr. Rachel Wong, Director
State of Hawai'i
Department of Human Services
1390 Miller Street, Room 209
Honolulu, HI 96813

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAIÁKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Dr. Wong,

Thank you for responding to our pre-assessment consultation. In your letter dated March 18, 2015, you advised us that there are several OHS licensed family child care homes located in the near vicinity that may be impacted by the subject project. We incorporated your comment in the enclosed Draft EA (section 4.8.1). Your review of the Draft EA would be appreciated to assess whether your concerns have been adequately addressed, and to add any other comments you may have. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DAVID V. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHewa BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

SUZANNE D. CASE
CHAIRPERSON
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W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
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HISTORIC PRESERVATION
KAROLUWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Niniau K. Simmons
April 29, 2015
Page 2

- (3) An AIS including subsurface testing be conducted and that an AIS report meeting the requirements of Hawaii Administrative Rule (HAR) §13-276 and the *Secretary of the Interior's Standards for Archaeological Documentation* be submitted for SHPD review and acceptance prior to DHHL submitting a project effect determination to SHPD for concurrence.

We look forward to working with you throughout the Section 106 process. Please contact Sean Nāleimaile at (808) 933-7651 or Sean.P.Naleimaile@Hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

April 29, 2015

Niniau K. Simmons
Department of Hawaiian Home Lands
PO Box 1879
Honolulu, HI 96805

LOG NO: 2015.01397
DOC NO: 1504SN08
Archaeology

Aloha Ms. Simmons:

SUBJECT: **Chapter 6E-8 and National Historic Preservation Act Section 106 Review –
Proposed Subdivision of the Pana'ewa AG Lots
Waiākea Ahupua'a, South Hilo District, Island of Hawai'i
TMK: (3) 2-1-025:006, 007, 047, and 048; (3) 2-2-061:002**

Mahalo for your letter dated April 7, 2015, initiating consultation on the proposed subdivision of the Pana'ewa AG lots. Also included with your letter was a draft letter report prepared by Scientific Consultant Services (SCS) for the five parcels. The draft letter report states that the entire 50-acre APE was surveyed utilizing pedestrian transects spaced 10 m apart and that no historic properties were identified.

Your submittal letter indicates that the Department of Hawaiian Home Lands (DHHL) is conducting an environmental assessment and NEPA review for the proposed project. The project will be funded using Native American Housing Assistance and Self-Determination Act (NAHASA) funds from the U.S. Department of Housing and Urban Development (HUD). The DHHL is acting as the responsible agency for the NHPA Section 106 consultation process. The proposed undertaking will subdivide 90 1/2-acre parcels for single-family housing on undeveloped DHHL state-owned land in Pana'ewa.

The Area of Potential Effect (APE) for this undertaking is the aforementioned TMKs. The acreage of the APE totals approximately 50 acres. Four parcels (TMK: (3) 2-1-025:006, 007, 047, and 048) are located adjacent to each other on Auwae Street. The fifth parcel (TMK: (3) 2-2-061:002) is located on Mahi'ai Street.

Our records indicate that we do not have an Archaeological Inventory Survey (AIS) on file for the APE. The draft SCS letter report was not prepared at the request of SHPD and has not been officially submitted to our division for review. Thus, we have insufficient information to evaluate the efficacy of the SCS surface survey or the potential for the proposed project to affect historic properties.

The State Historic Preservation Officer (SHPO) requests the following:

- (1) A letter from DHHL documenting the consultation process and results, including a list of consulting parties, method of consultation, and consultation comments shared by Native Hawaiian Organizations (NHOs) and other interested parties;
- (2) A letter from DHHL identifying the historic properties within the APE, the DHHL's determination of eligibility for each identified historic property and, if historic properties may be affected, DHHL's proposed mitigation recommendations; and

cc: Catie Cullison
1001 Bishop Street, Suite 650
Honolulu, HI 96813



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July 12, 2015

Mr. Alan Downer, Administrator
State of Hawai'i
DLNR, State Historic Preservation Division
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Honolulu, HI 96707

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANA'EWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Downer,

Thank you for your comments dated April 29, 2015. Enclosed is a Draft EA for your review. The Draft EA includes an archaeological inventory survey as Appendix D. The archaeologist also submitted a copy of the study directly to your division for review. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
868 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

April 8, 2015

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STP 8.1783

Mr. Roy Takemoto
Managing Director, Hilo Office
PBR HAWAII & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Dear Mr. Takemoto:

Subject: Panaewa Agricultural Lots
Pre-Assessment Consultation for Environmental Assessment
and National Environmental Policy Act (NEPA) Environmental
Review Record
Waiakaa, South Hilo, Hawaii
TMK: (3) 2-2-061:002, 2-1-025:006, 2-1-025:007, 2-1-025:047,
2-1-025:048

Our Department of Transportation's (DOT) comments on the subject project are as follows:

Airports Division

1. It should be noted that the project is located approximately 5,462 feet and 12,913 feet from the end of Runway 3 at Hilo International Airport (Airfield). As such, the applicant should be aware of potential noise, fumes, smoke and vibrations from aircraft flying into and out of the Airfield.
2. We are concerned about the proposed land uses of the subject project due to the potential wildlife attractants which could create hazards for operations at the Airfield. In accordance with the attached Federal Aviation Administration (FAA) Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, land use practices such as agricultural activities, should not be located within 10,000 feet from the aircraft operations area of the Airfield. FAA also recommends a distance of 5 statute miles between the farthest edge of the airport's air operations area (AOA) and the hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.

Mr. Roy Takemoto
April 8, 2015
Page 2

STP 8.1783

3. The Department of Hawaiian Home Lands (DHHL) should submit a Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration," in accordance with Code of Federal Regulations, Title 14, Part 77.9, if construction of alteration is within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 feet. In addition, a FAA Form 7460-1 should be submitted for any tall equipment, such as cranes, that may be used during construction. This form and criteria for submittal can be found at the following website: <https://ocaaa.faa.gov/ocaaa/external/portal.jsp>. If they file a FAA Form 7460-1, we request a copy be provided to DOT-Airports Division when they receive the FAA determination.
4. Additionally, if photovoltaic (PV) systems are being considered, then the DHHL should be aware that photovoltaic (PV) systems, located in or near the approach path of aircraft into an airport, can create a hazardous condition for a pilot due to possible glint and glare reflected from the PV array. The following website may assist with preparation of a glint and glare analysis: www.sandia.gov/glare
5. We recommend that landscaping shall be carefully chosen to avoid species that will attract migratory birds or wildlife that could pose a threat to air navigation nearby. Lessees should be cognizant of mature heights of trees planted in the subject area so they do not become a hazard/obstruction to aircraft operations at Hilo International Airport.
6. The DOT-Airports Division should be notified prior to any land disturbance activities that could present fugitive dust issues. This would include both general clearing, grading, and grubbing operations as well as blasting for excavation.

Highways Division

A traffic assessment shall be prepared and submitted to our Highways Division for review and acceptance to evaluate the cumulative traffic impact of the project on the State highway facilities in the area.

Mr. Roy Takemoto
April 8, 2015
Page 3

STP 8.1783

If there are any questions, please contact Mr. Norren Kato of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

Sincerely,


FORD N. FUCHIGAMI
Director of Transportation

Attachment: FAA Advisory Circular

c: Gordon Wong, Federal Aviation Administration



U.S. Department
of Transportation

Federal Aviation
Administration

Advisory Circular

Subject: HAZARDOUS WILDLIFE
ATTRACTANTS ON OR NEAR
AIRPORTS

Date: 8/28/2007

AC No: 150/5200-33B

Initiated by: AAS-300 Change:

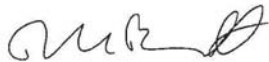
1. **PURPOSE.** This Advisory Circular (AC) provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. It also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants. Appendix 1 provides definitions of terms used in this AC.
2. **APPLICABILITY.** The Federal Aviation Administration (FAA) recommends that public-use airport operators implement the standards and practices contained in this AC. The holders of Airport Operating Certificates issued under Title 14, Code of Federal Regulations (CFR), Part 139, Certification of Airports, Subpart D (Part 139), may use the standards, practices, and recommendations contained in this AC to comply with the wildlife hazard management requirements of Part 139. Airports that have received Federal grant-in-aid assistance must use these standards. The FAA also recommends the guidance in this AC for land-use planners, operators of non-certificated airports, and developers of projects, facilities, and activities on or near airports.
3. **CANCELLATION.** This AC cancels AC 150/5200-33A, *Hazardous Wildlife Attractants on or near Airports*, dated July 27, 2004.
4. **PRINCIPAL CHANGES.** This AC contains the following major changes, which are marked with vertical bars in the margin:
 - a. Technical changes to paragraph references.
 - b. Wording on storm water detention ponds.
 - c. Deleted paragraph 4-3.b, *Additional Coordination*.
5. **BACKGROUND.** Information about the risks posed to aircraft by certain wildlife species has increased a great deal in recent years. Improved reporting, studies, documentation, and statistics clearly show that aircraft collisions with birds and other wildlife are a serious economic and public safety problem. While many species of wildlife can pose a threat to aircraft safety, they are not equally hazardous. Table 1

ranks the wildlife groups commonly involved in damaging strikes in the United States according to their relative hazard to aircraft. The ranking is based on the 47,212 records in the FAA National Wildlife Strike Database for the years 1990 through 2003. These hazard rankings, in conjunction with site-specific Wildlife Hazards Assessments (WHA), will help airport operators determine the relative abundance and use patterns of wildlife species and help focus hazardous wildlife management efforts on those species most likely to cause problems at an airport.

Most public-use airports have large tracts of open, undeveloped land that provide added margins of safety and noise mitigation. These areas can also present potential hazards to aviation if they encourage wildlife to enter an airport's approach or departure airspace or air operations area (AOA). Constructed or natural areas—such as poorly drained locations, detention/retention ponds, roosting habitats on buildings, landscaping, odor-causing rotting organic matter (putrescible waste) disposal operations, wastewater treatment plants, agricultural or aquaculture activities, surface mining, or wetlands—can provide wildlife with ideal locations for feeding, loafing, reproduction, and escape. Even small facilities, such as fast food restaurants, taxicab staging areas, rental car facilities, aircraft viewing areas, and public parks, can produce substantial attractions for hazardous wildlife.

During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives worldwide, as well as billions of dollars in aircraft damage. Hazardous wildlife attractants on and near airports can jeopardize future airport expansion, making proper community land-use planning essential. This AC provides airport operators and those parties with whom they cooperate with the guidance they need to assess and address potentially hazardous wildlife attractants when locating new facilities and implementing certain land-use practices on or near public-use airports.

6. MEMORANDUM OF AGREEMENT BETWEEN FEDERAL RESOURCE AGENCIES. The FAA, the U.S. Air Force, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture - Wildlife Services signed a Memorandum of Agreement (MOA) in July 2003 to acknowledge their respective missions in protecting aviation from wildlife hazards. Through the MOA, the agencies established procedures necessary to coordinate their missions to address more effectively existing and future environmental conditions contributing to collisions between wildlife and aircraft (wildlife strikes) throughout the United States. These efforts are intended to minimize wildlife risks to aviation and human safety while protecting the Nation's valuable environmental resources.



DAVID L. BENNETT
Director, Office of Airport Safety
and Standards

Table 1. Ranking of 25 species groups as to relative hazard to aircraft (1=most hazardous) based on three criteria (damage, major damage, and effect-on-flight), a composite ranking based on all three rankings, and a relative hazard score. Data were derived from the FAA National Wildlife Strike Database, January 1990–April 2003.¹

Species group	Ranking by criteria			Composite ranking ²	Relative hazard score ³
	Damage ⁴	Major damage ⁵	Effect on flight ⁶		
Deer	1	1	1	1	100
Vultures	2	2	2	2	64
Geese	3	3	6	3	55
Cormorants/pelicans	4	5	3	4	54
Cranes	7	6	4	5	47
Eagles	6	9	7	6	41
Ducks	5	8	10	7	39
Osprey	8	4	8	8	39
Turkey/pheasants	9	7	11	9	33
Heron	11	14	9	10	27
Hawks (buteos)	10	12	12	11	25
Gulls	12	11	13	12	24
Rock pigeon	13	10	14	13	23
Owls	14	13	20	14	23
H. lark/s. bunting	18	15	15	15	17
Crows/ravens	15	16	16	16	16
Coyote	16	19	5	17	14
Mourning dove	17	17	17	18	14
Shorebirds	19	21	18	19	10
Blackbirds/starling	20	22	19	20	10
American kestrel	21	18	21	21	9
Meadowlarks	22	20	22	22	7
Swallows	24	23	24	23	4
Sparrows	25	24	23	24	4
Nighthawks	23	25	25	25	1

¹ Excerpted from the *Special Report for the FAA, "Ranking the Hazard Level of Wildlife Species to Civil Aviation in the USA: Update #1, July 2, 2003"*. Refer to this report for additional explanations of criteria and method of ranking.

² Relative rank of each species group was compared with every other group for the three variables, placing the species group with the greatest hazard rank for ≥ 2 of the 3 variables above the next highest ranked group, then proceeding down the list.

³ Percentage values, from Tables 3 and 4 in Footnote 1 of the *Special Report*, for the three criteria were summed and scaled down from 100, with 100 as the score for the species group with the maximum summed values and the greatest potential hazard to aircraft.

⁴ Aircraft incurred at least some damage (destroyed, substantial, minor, or unknown) from strike.

⁵ Aircraft incurred damage or structural failure, which adversely affected the structure strength, performance, or flight characteristics, and which would normally require major repair or replacement of the affected component, or the damage sustained makes it inadvisable to restore aircraft to airworthy condition.

⁶ Aborted takeoff, engine shutdown, precautionary landing, or other.

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SECTION 1.

GENERAL SEPARATION CRITERIA FOR HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

1-1. INTRODUCTION. When considering proposed land uses, airport operators, local planners, and developers must take into account whether the proposed land uses, including new development projects, will increase wildlife hazards. Land-use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife strikes.

The FAA recommends the minimum separation criteria outlined below for land-use practices that attract hazardous wildlife to the vicinity of airports. Please note that FAA criteria include land uses that cause movement of hazardous wildlife onto, into, or across the airport's approach or departure airspace or air operations area (AOA). (See the discussion of the synergistic effects of surrounding land uses in Section 2-8 of this AC.)

The basis for the separation criteria contained in this section can be found in existing FAA regulations. The separation distances are based on (1) flight patterns of piston-powered aircraft and turbine-powered aircraft, (2) the altitude at which most strikes happen (78 percent occur under 1,000 feet and 90 percent occur under 3,000 feet above ground level), and (3) National Transportation Safety Board (NTSB) recommendations.

1-2. AIRPORTS SERVING PISTON-POWERED AIRCRAFT. Airports that do not sell Jet-A fuel normally serve piston-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 5,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. Figure 1 depicts this separation distance measured from the nearest aircraft operations areas.

1-3. AIRPORTS SERVING TURBINE-POWERED AIRCRAFT. Airports selling Jet-A fuel normally serve turbine-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 10,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. Figure 1 depicts this separation distance from the nearest aircraft movement areas.

1-4. PROTECTION OF APPROACH, DEPARTURE, AND CIRCLING AIRSPACE. For all airports, the FAA recommends a distance of 5 statute miles between the farthest edge of the airport's AOA and the hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.

SECTION 2.

LAND-USE PRACTICES ON OR NEAR AIRPORTS THAT POTENTIALLY ATTRACT HAZARDOUS WILDLIFE.

2-1. GENERAL. The wildlife species and the size of the populations attracted to the airport environment vary considerably, depending on several factors, including land-use practices on or near the airport. This section discusses land-use practices having the potential to attract hazardous wildlife and threaten aviation safety. In addition to the specific considerations outlined below, airport operators should refer to *Wildlife Hazard Management at Airports*, prepared by FAA and U.S. Department of Agriculture (USDA) staff. (This manual is available in English, Spanish, and French. It can be viewed and downloaded free of charge from the FAA's wildlife hazard mitigation web site: <http://wildlife-mitigation.tc.faa.gov/>.) And, *Prevention and Control of Wildlife Damage*, compiled by the University of Nebraska Cooperative Extension Division. (This manual is available online in a periodically updated version at: <http://www.unl.edu/wildlife/solutions/handbook/>.)

2-2. WASTE DISPOSAL OPERATIONS. Municipal solid waste landfills (MSWLF) are known to attract large numbers of hazardous wildlife, particularly birds. Because of this, these operations, when located within the separations identified in the siting criteria in Sections 1-2 through 1-4, are considered incompatible with safe airport operations.

- a. **Siting for new municipal solid waste landfills subject to AIR 21.** Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) (AIR 21) prohibits the construction or establishment of a new MSWLF within 6 statute miles of certain public-use airports. Before these prohibitions apply, both the airport and the landfill must meet the very specific conditions described below. These restrictions do not apply to airports or landfills located within the state of Alaska.

The airport must (1) have received a Federal grant(s) under 49 U.S.C. § 47101, et. seq.; (2) be under control of a public agency; (3) serve some scheduled air carrier operations conducted in aircraft with less than 60 seats; and (4) have total annual enplanements consisting of at least 51 percent of scheduled air carrier enplanements conducted in aircraft with less than 60 passenger seats.

The proposed MSWLF must (1) be within 6 miles of the airport, as measured from airport property line to MSWLF property line, and (2) have started construction or establishment on or after April 5, 2001. Public Law 106-181 only limits the construction or establishment of some new MSWLF. It does not limit the expansion, either vertical or horizontal, of existing landfills.

NOTE: Consult the most recent version of AC 150/5200-34, *Construction or Establishment of Landfills Near Public Airports*, for a more detailed discussion of these restrictions.

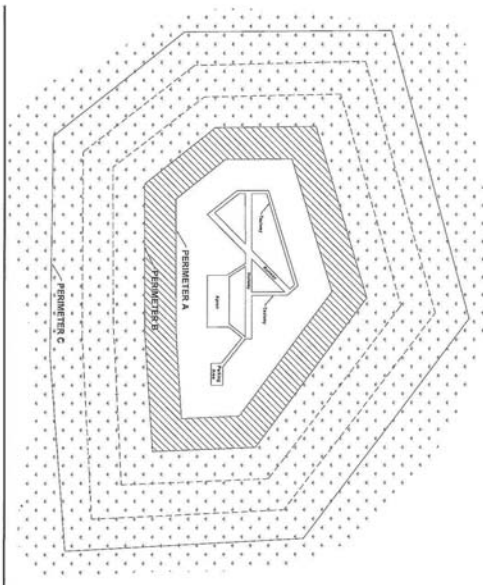


Figure 1. Separation distances within which hazardous wildlife attractants should be avoided, eliminated, or mitigated.

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PERIMETER A: For airports serving piston-powered aircraft, hazardous wildlife attractants must be 5,000 feet from the nearest air operations area.

PERIMETER B: For airports serving turbine-powered aircraft, hazardous wildlife attractants must be 10,000 feet from the nearest air operations area.

PERIMETER C: 5-mile range to protect approach, departure and circling airspace.

- b. **Siting for new MSWLF not subject to AIR 21.** If an airport and MSWLF do not meet the restrictions of Public Law 106-181, the FAA recommends against locating MSWLF within the separation distances identified in Sections 1-2 through 1-4. The separation distances should be measured from the closest point of the airport's AOA to the closest planned MSWLF cell.
- c. **Considerations for existing waste disposal facilities within the limits of separation criteria.** The FAA recommends against airport development projects that would increase the number of aircraft operations or accommodate larger or faster aircraft near MSWLF operations located within the separations identified in Sections 1-2 through 1-4. In addition, in accordance with 40 CFR 258.10, owners or operators of existing MSWLF units that are located within the separations listed in Sections 1-2 through 1-4 must demonstrate that the unit is designed and operated so it does not pose a bird hazard to aircraft. (See Section 4-2(b) of this AC for a discussion of this demonstration requirement.)
- d. **Enclosed trash transfer stations.** Enclosed waste-handling facilities that receive garbage behind closed doors; process it via compaction, incineration, or similar manner; and remove all residue by enclosed vehicles generally are compatible with safe airport operations, provided they are not located on airport property or within the Runway Protection Zone (RPZ). These facilities should not handle or store putrescible waste outside or in a partially enclosed structure accessible to hazardous wildlife. Trash transfer facilities that are open on one or more sides; that store uncovered quantities of municipal solid waste outside, even if only for a short time; that use semi-trailers that leak or have trash clinging to the outside; or that do not control odors by ventilation and filtration systems (odor masking is not acceptable) do not meet the FAA's definition of fully enclosed trash transfer stations. The FAA considers these facilities incompatible with safe airport operations if they are located closer than the separation distances specified in Sections 1-2 through 1-4.
- e. **Composting operations on or near airport property.** Composting operations that accept only yard waste (e.g., leaves, lawn clippings, or branches) generally do not attract hazardous wildlife. Sewage sludge, woodchips, and similar material are not municipal solid wastes and may be used as compost bulking agents. The compost, however, must never include food or other municipal solid waste. Composting operations should not be located on airport property. Off-airport property composting operations should be located no closer than the greater of the following distances: 1,200 feet from any AOA or the distance called for by airport design requirements (see AC 150/5300-13, *Airport Design*). This spacing should prevent material, personnel, or equipment from penetrating any Object Free Area (OFA), Obstacle Free Zone (OFZ), Threshold Siting Surface (TSS), or Clearway. Airport operators should monitor composting operations located in proximity to the airport to ensure that steam or thermal rise does not adversely affect air traffic. On-airport disposal of compost by-products should not be conducted for the reasons stated in 2-3f.

- f. **Underwater waste discharges.** The FAA recommends against the underwater discharge of any food waste (e.g., fish processing offal) within the separations identified in Sections 1-2 through 1-4 because it could attract scavenging hazardous wildlife.
- g. **Recycling centers.** Recycling centers that accept previously sorted non-food items, such as glass, newspaper, cardboard, or aluminum, are, in most cases, not attractive to hazardous wildlife and are acceptable.
- h. **Construction and demolition (C&D) debris facilities.** C&D landfills do not generally attract hazardous wildlife and are acceptable if maintained in an orderly manner, admit no putrescible waste, and are not co-located with other waste disposal operations. However, C&D landfills have similar visual and operational characteristics to putrescible waste disposal sites. When co-located with putrescible waste disposal operations, C&D landfills are more likely to attract hazardous wildlife because of the similarities between these disposal facilities. Therefore, a C&D landfill co-located with another waste disposal operation should be located outside of the separations identified in Sections 1-2 through 1-4.
- i. **Fly ash disposal.** The incinerated residue from resource recovery power/heat-generating facilities that are fired by municipal solid waste, coal, or wood is generally not a wildlife attractant because it no longer contains putrescible matter. Landfills accepting only fly ash are generally not considered to be wildlife attractants and are acceptable as long as they are maintained in an orderly manner, admit no putrescible waste of any kind, and are not co-located with other disposal operations that attract hazardous wildlife.

Since varying degrees of waste consumption are associated with general incineration (not resource recovery power/heat-generating facilities), the FAA considers the ash from general incinerators a regular waste disposal by-product and, therefore, a hazardous wildlife attractant if disposed of within the separation criteria outlined in Sections 1-2 through 1-4.

2-3. WATER MANAGEMENT FACILITIES. Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. To prevent wildlife hazards, land-use developers and airport operators may need to develop management plans, in compliance with local and state regulations, to support the operation of storm water management facilities on or near all public-use airports to ensure a safe airport environment.

- a. **Existing storm water management facilities.** On-airport storm water management facilities allow the quick removal of surface water, including discharges related to aircraft deicing, from impervious surfaces, such as pavement and terminal/hangar building roofs. Existing on-airport detention ponds collect storm water, protect water quality, and control runoff. Because they slowly release water

after storms, they create standing bodies of water that can attract hazardous wildlife. Where the airport has developed a Wildlife Hazard Management Plan (WHMP) in accordance with Part 139, the FAA requires immediate correction of any wildlife hazards arising from existing storm water facilities located on or near airports, using appropriate wildlife hazard mitigation techniques. Airport operators should develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.

Where possible, airport operators should modify storm water detention ponds to allow a maximum 48-hour detention period for the design storm. The FAA recommends that airport operators avoid or remove retention ponds and detention ponds featuring dead storage to eliminate standing water. Detention basins should remain totally dry between rainfalls. Where constant flow of water is anticipated through the basin, or where any portion of the basin bottom may remain wet, the detention facility should include a concrete or paved pad and/or ditch/swale in the bottom to prevent vegetation that may provide nesting habitat.

When it is not possible to drain a large detention pond completely, airport operators may use physical barriers, such as bird balls, wires grids, pillows, or netting, to deter birds and other hazardous wildlife. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office.

The FAA recommends that airport operators encourage off-airport storm water treatment facility operators to incorporate appropriate wildlife hazard mitigation techniques into storm water treatment facility operating practices when their facility is located within the separation criteria specified in Sections 1-2 through 1-4.

- b. New storm water management facilities.** The FAA strongly recommends that off-airport storm water management systems located within the separations identified in Sections 1-2 through 1-4 be designed and operated so as not to create above-ground standing water. Stormwater detention ponds should be designed, engineered, constructed, and maintained for a maximum 48-hour detention period after the design storm and remain completely dry between storms. To facilitate the control of hazardous wildlife, the FAA recommends the use of steep-sided, rip-rap lined, narrow, linearly shaped water detention basins. When it is not possible to place these ponds away from an airport's AOA, airport operators should use physical barriers, such as bird balls, wires grids, pillows, or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office. All vegetation in or around detention basins that provide food or cover for hazardous wildlife should be eliminated. If soil conditions and other requirements allow, the FAA encourages

the use of underground storm water infiltration systems, such as French drains or buried rock fields, because they are less attractive to wildlife.

- c. Existing wastewater treatment facilities.** The FAA strongly recommends that airport operators immediately correct any wildlife hazards arising from existing wastewater treatment facilities located on or near the airport. Where required, a WHMP developed in accordance with Part 139 will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should encourage wastewater treatment facility operators to incorporate measures, developed in consultation with a wildlife damage management biologist, to minimize hazardous wildlife attractants. Airport operators should also encourage those wastewater treatment facility operators to incorporate these mitigation techniques into their standard operating practices. In addition, airport operators should consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.
- d. New wastewater treatment facilities.** The FAA strongly recommends against the construction of new wastewater treatment facilities or associated settling ponds within the separations identified in Sections 1-2 through 1-4. Appendix 1 defines wastewater treatment facility as "any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes." The definition includes any pretreatment involving the reduction of the amount of pollutants or the elimination of pollutants prior to introducing such pollutants into a publicly owned treatment works (wastewater treatment facility). During the site-location analysis for wastewater treatment facilities, developers should consider the potential to attract hazardous wildlife if an airport is in the vicinity of the proposed site, and airport operators should voice their opposition to such facilities if they are in proximity to the airport.
- e. Artificial marshes.** In warmer climates, wastewater treatment facilities sometimes employ artificial marshes and use submergent and emergent aquatic vegetation as natural filters. These artificial marshes may be used by some species of flocking birds, such as blackbirds and waterfowl, for breeding or roosting activities. The FAA strongly recommends against establishing artificial marshes within the separations identified in Sections 1-2 through 1-4.
- f. Wastewater discharge and sludge disposal.** The FAA recommends against the discharge of wastewater or sludge on airport property because it may improve soil moisture and quality on unpaved areas and lead to improved turf growth that can be an attractive food source for many species of animals. Also, the turf requires more frequent mowing, which in turn may mutilate or flush insects or small animals and produce straw, both of which can attract hazardous wildlife. In addition, the improved turf may attract grazing wildlife, such as deer and geese. Problems may also occur when discharges saturate unpaved airport areas. The resultant soft, muddy conditions can severely restrict or prevent emergency vehicles from reaching accident sites in a timely manner.

2-4. WETLANDS. Wetlands provide a variety of functions and can be regulated by local, state, and Federal laws. Normally, wetlands are attractive to many types of wildlife, including many which rank high on the list of hazardous wildlife species (Table 1).

NOTE: If questions exist as to whether an area qualifies as a wetland, contact the local division of the U.S. Army Corps of Engineers, the Natural Resources Conservation Service, or a wetland consultant qualified to delineate wetlands.

- a. **Existing wetlands on or near airport property.** If wetlands are located on or near airport property, airport operators should be alert to any wildlife use or habitat changes in these areas that could affect safe aircraft operations. At public-use airports, the FAA recommends immediately correcting, in cooperation with local, state, and Federal regulatory agencies, any wildlife hazards arising from existing wetlands located on or near airports. Where required, a WHMP will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.
- b. **New airport development.** Whenever possible, the FAA recommends locating new airports using the separations from wetlands identified in Sections 1-2 through 1-4. Where alternative sites are not practicable, or when airport operators are expanding an existing airport into or near wetlands, a wildlife damage management biologist, in consultation with the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the state wildlife management agency should evaluate the wildlife hazards and prepare a WHMP that indicates methods of minimizing the hazards.
- c. **Mitigation for wetland impacts from airport projects.** Wetland mitigation may be necessary when unavoidable wetland disturbances result from new airport development projects or projects required to correct wildlife hazards from wetlands. Wetland mitigation must be designed so it does not create a wildlife hazard. The FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations identified in Sections 1-2 through 1-4.

(1) **Onsite mitigation of wetland functions.** The FAA may consider exceptions to locating mitigation activities outside the separations identified in Sections 1-2 through 1-4 if the affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water recharge, which cannot be replicated when moved to a different location. Using existing airport property is sometimes the only feasible way to achieve the mitigation ratios mandated in regulatory orders and/or settlement agreements with the resource agencies. Conservation easements are an additional means of providing mitigation for project impacts. Typically the airport operator continues to own the property, and an easement is created stipulating that the property will be maintained as habitat for state or Federally listed species.

Mitigation must not inhibit the airport operator's ability to effectively control hazardous wildlife on or near the mitigation site or effectively maintain other aspects of safe airport operations. Enhancing such mitigation areas to attract hazardous wildlife must be avoided. The FAA will review any onsite mitigation proposals to determine compatibility with safe airport operations. A wildlife damage management biologist should evaluate any wetland mitigation projects that are needed to protect unique wetland functions and that must be located in the separation criteria in Sections 1-2 through 1-4 before the mitigation is implemented. A WHMP should be developed to reduce the wildlife hazards.

(2) **Offsite mitigation of wetland functions.** The FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations identified in Sections 1-2 through 1-4 unless they provide unique functions that must remain onsite (see 2-4c(1)). Agencies that regulate impacts to or around wetlands recognize that it may be necessary to split wetland functions in mitigation schemes. Therefore, regulatory agencies may, under certain circumstances, allow portions of mitigation to take place in different locations.

(3) **Mitigation banking.** Wetland mitigation banking is the creation or restoration of wetlands in order to provide mitigation credits that can be used to offset permitted wetland losses. Mitigation banking benefits wetland resources by providing advance replacement for permitted wetland losses; consolidating small projects into larger, better-designed and managed units; and encouraging integration of wetland mitigation projects with watershed planning. This last benefit is most helpful for airport projects, as wetland impacts mitigated outside of the separations identified in Sections 1-2 through 1-4 can still be located within the same watershed. Wetland mitigation banks meeting the separation criteria offer an ecologically sound approach to mitigation in these situations. Airport operators should work with local watershed management agencies or organizations to develop mitigation banking for wetland impacts on airport property.

2-5. DREDGE SPOIL CONTAINMENT AREAS. The FAA recommends against locating dredge spoil containment areas (also known as Confined Disposal Facilities) within the separations identified in Sections 1-2 through 1-4 if the containment area or the spoils contain material that would attract hazardous wildlife.

2-6. AGRICULTURAL ACTIVITIES. Because most, if not all, agricultural crops can attract hazardous wildlife during some phase of production, the FAA recommends against the use of airport property for agricultural production, including hay crops, within the separations identified in Sections 1-2 through 1-4. . If the airport has no financial alternative to agricultural crops to produce income necessary to maintain the viability of the airport, then the airport shall follow the crop distance guidelines listed in the table titled "Minimum Distances between Certain Airport Features and Any On-Airport Agricultural Crops" found in AC 150/5300-13, *Airport Design*, Appendix 17. The cost of wildlife control and potential accidents should be weighed against the income produced by the on-airport crops when deciding whether to allow crops on the airport.

- a. **Livestock production.** Confined livestock operations (i.e., feedlots, dairy operations, hog or chicken production facilities, or egg laying operations) often attract flocking birds, such as starlings, that pose a hazard to aviation. Therefore, The FAA recommends against such facilities within the separations identified in Sections 1-2 through 1-4. Any livestock operation within these separations should have a program developed to reduce the attractiveness of the site to species that are hazardous to aviation safety. Free-ranging livestock must not be grazed on airport property because the animals may wander onto the AOA. Furthermore, livestock feed, water, and manure may attract birds.
- b. **Aquaculture.** Aquaculture activities (i.e. catfish or trout production) conducted outside of fully enclosed buildings are inherently attractive to a wide variety of birds. Existing aquaculture facilities/activities within the separations listed in Sections 1-2 through 1-4 must have a program developed to reduce the attractiveness of the sites to species that are hazardous to aviation safety. Airport operators should also oppose the establishment of new aquaculture facilities/activities within the separations listed in Sections 1-2 through 1-4.
- c. **Alternative uses of agricultural land.** Some airports are surrounded by vast areas of farmed land within the distances specified in Sections 1-2 through 1-4. Seasonal uses of agricultural land for activities such as hunting can create a hazardous wildlife situation. In some areas, farmers will rent their land for hunting purposes. Rice farmers, for example, flood their land during waterfowl hunting season and obtain additional revenue by renting out duck blinds. The duck hunters then use decoys and call in hundreds, if not thousands, of birds, creating a tremendous threat to aircraft safety. A wildlife damage management biologist should review, in coordination with local farmers and producers, these types of seasonal land uses and incorporate them into the WHMP.

2-7. GOLF COURSES, LANDSCAPING AND OTHER LAND-USE CONSIDERATIONS.

- a. **Golf courses.** The large grassy areas and open water found on most golf courses are attractive to hazardous wildlife, particularly Canada geese and some species of gulls. These species can pose a threat to aviation safety. The FAA recommends against construction of new golf courses within the separations identified in Sections 1-2 through 1-4. Existing golf courses located within these separations must develop a program to reduce the attractiveness of the sites to species that are hazardous to aviation safety. Airport operators should ensure these golf courses are monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be immediately implemented.
- b. **Landscaping and landscape maintenance.** Depending on its geographic location, landscaping can attract hazardous wildlife. The FAA recommends that airport operators approach landscaping with caution and confine it to airport areas not associated with aircraft movements. A wildlife damage management biologist should review all landscaping plans. Airport operators should also monitor all landscaped areas on a continuing basis for the presence of hazardous wildlife. If

hazardous wildlife is detected, corrective actions should be immediately implemented.

Turf grass areas can be highly attractive to a variety of hazardous wildlife species. Research conducted by the USDA Wildlife Services' National Wildlife Research Center has shown that no one grass management regime will deter all species of hazardous wildlife in all situations. In cooperation with wildlife damage management biologist, airport operators should develop airport turf grass management plans on a prescription basis, depending on the airport's geographic locations and the type of hazardous wildlife likely to frequent the airport

Airport operators should ensure that plant varieties attractive to hazardous wildlife are not used on the airport. Disturbed areas or areas in need of re-vegetating should not be planted with seed mixtures containing millet or any other large-seed producing grass. For airport property already planted with seed mixtures containing millet, rye grass, or other large-seed producing grasses, the FAA recommends disking, plowing, or another suitable agricultural practice to prevent plant maturation and seed head production. Plantings should follow the specific recommendations for grass management and seed and plant selection made by the State University Cooperative Extension Service, the local office of Wildlife Services, or a qualified wildlife damage management biologist. Airport operators should also consider developing and implementing a preferred/prohibited plant species list, reviewed by a wildlife damage management biologist, which has been designed for the geographic location to reduce the attractiveness to hazardous wildlife for landscaping airport property.

- c. **Airports surrounded by wildlife habitat.** The FAA recommends that operators of airports surrounded by woodlands, water, or wetlands refer to Section 2.4 of this AC. Operators of such airports should provide for a Wildlife Hazard Assessment (WHA) conducted by a wildlife damage management biologist. This WHA is the first step in preparing a WHMP, where required.
- d. **Other hazardous wildlife attractants.** Other specific land uses or activities (e.g., sport or commercial fishing, shellfish harvesting, etc.), perhaps unique to certain regions of the country, have the potential to attract hazardous wildlife. Regardless of the source of the attraction, when hazardous wildlife is noted on a public-use airport, airport operators must take prompt remedial action(s) to protect aviation safety.

2-8. SYNERGISTIC EFFECTS OF SURROUNDING LAND USES. There may be circumstances where two (or more) different land uses that would not, by themselves, be considered hazardous wildlife attractants or that are located outside of the separations identified in Sections 1-2 through 1-4 that are in such an alignment with the airport as to create a wildlife corridor directly through the airport and/or surrounding airspace. An example of this situation may involve a lake located outside of the separation criteria on the east side of an airport and a large hayfield on the west side of an airport, land uses that together could create a flyway for Canada geese directly across the airspace of the airport. There are numerous examples of such situations;

therefore, airport operators and the wildlife damage management biologist must consider the entire surrounding landscape and community when developing the WHMP.

SECTION 3.

PROCEDURES FOR WILDLIFE HAZARD MANAGEMENT BY OPERATORS OF PUBLIC-USE AIRPORTS.

3.1. INTRODUCTION. In recognition of the increased risk of serious aircraft damage or the loss of human life that can result from a wildlife strike, the FAA may require the development of a Wildlife Hazard Management Plan (WHMP) when specific triggering events occur on or near the airport. Part 139.337 discusses the specific events that trigger a Wildlife Hazard Assessment (WHA) and the specific issues that a WHMP must address for FAA approval and inclusion in an Airport Certification Manual.

3.2. COORDINATION WITH USDA WILDLIFE SERVICES OR OTHER QUALIFIED WILDLIFE DAMAGE MANAGEMENT BIOLOGISTS. The FAA will use the Wildlife Hazard Assessment (WHA) conducted in accordance with Part 139 to determine if the airport needs a WHMP. Therefore, persons having the education, training, and expertise necessary to assess wildlife hazards must conduct the WHA. The airport operator may look to Wildlife Services or to qualified private consultants to conduct the WHA. When the services of a wildlife damage management biologist are required, the FAA recommends that land-use developers or airport operators contact a consultant specializing in wildlife damage management or the appropriate state director of Wildlife Services.

NOTE: Telephone numbers for the respective USDA Wildlife Services state offices can be obtained by contacting USDA Wildlife Services Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD, 20737-1234, Telephone (301) 734-7921, Fax (301) 734-5157 (<http://www.aphis.usda.gov/ws/>).

3-3. WILDLIFE HAZARD MANAGEMENT AT AIRPORTS: A MANUAL FOR AIRPORT PERSONNEL. This manual, prepared by FAA and USDA Wildlife Services staff, contains a compilation of information to assist airport personnel in the development, implementation, and evaluation of WHMPs at airports. The manual includes specific information on the nature of wildlife strikes, legal authority, regulations, wildlife management techniques, WHAs, WHMPs, and sources of help and information. The manual is available in three languages: English, Spanish, and French. It can be viewed and downloaded free of charge from the FAA's wildlife hazard mitigation web site: <http://wildlife-mitigation.tc.FAA.gov/>. This manual only provides a starting point for addressing wildlife hazard issues at airports. Hazardous wildlife management is a complex discipline and conditions vary widely across the United States. Therefore, qualified wildlife damage management biologists must direct the development of a WHMP and the implementation of management actions by airport personnel.

There are many other resources complementary to this manual for use in developing and implementing WHMPs. Several are listed in the manual's bibliography.

3-4. WILDLIFE HAZARD ASSESSMENTS, TITLE 14, CODE OF FEDERAL REGULATIONS, PART 139. Part 139.337(b) requires airport operators to conduct a Wildlife Hazard Assessment (WHA) when certain events occur on or near the airport.

Part 139.337 (c) provides specific guidance as to what facts must be addressed in a WHA.

3-5. WILDLIFE HAZARD MANAGEMENT PLAN (WHMP). The FAA will consider the results of the WHA, along with the aeronautical activity at the airport and the views of the airport operator and airport users, in determining whether a formal WHMP is needed, in accordance with Part 139.337. If the FAA determines that a WHMP is needed, the airport operator must formulate and implement a WHMP, using the WHA as the basis for the plan.

The goal of an airport's Wildlife Hazard Management Plan is to minimize the risk to aviation safety, airport structures or equipment, or human health posed by populations of hazardous wildlife on and around the airport.

The WHMP must identify hazardous wildlife attractants on or near the airport and the appropriate wildlife damage management techniques to minimize the wildlife hazard. It must also prioritize the management measures.

3-6. LOCAL COORDINATION. The establishment of a Wildlife Hazards Working Group (WHWG) will facilitate the communication, cooperation, and coordination of the airport and its surrounding community necessary to ensure the effectiveness of the WHMP. The cooperation of the airport community is also necessary when new projects are considered. Whether on or off the airport, the input from all involved parties must be considered when a potentially hazardous wildlife attractant is being proposed. Airport operators should also incorporate public education activities with the local coordination efforts because some activities in the vicinity of your airport, while harmless under normal leisure conditions, can attract wildlife and present a danger to aircraft. For example, if public trails are planned near wetlands or in parks adjoining airport property, the public should know that feeding birds and other wildlife in the area may pose a risk to aircraft.

Airport operators should work with local and regional planning and zoning boards so as to be aware of proposed land-use changes, or modification of existing land uses, that could create hazardous wildlife attractants within the separations identified in Sections 1-2 through 1-4. Pay particular attention to proposed land uses involving creation or expansion of waste water treatment facilities, development of wetland mitigation sites, or development or expansion of dredge spoil containment areas. At the very least, airport operators must ensure they are on the notification list of the local planning board or equivalent review entity for all communities located within 5 miles of the airport, so they will receive notification of any proposed project and have the opportunity to review it for attractiveness to hazardous wildlife.

3-7 COORDINATION/NOTIFICATION OF AIRMEN OF WILDLIFE HAZARDS. If an existing land-use practice creates a wildlife hazard and the land-use practice or wildlife hazard cannot be immediately eliminated, airport operators must issue a Notice to Airmen (NOTAM) and encourage the land-owner or manager to take steps to control the wildlife hazard and minimize further attraction.

SECTION 4.

FAA NOTIFICATION AND REVIEW OF PROPOSED LAND-USE PRACTICE CHANGES IN THE VICINITY OF PUBLIC-USE AIRPORTS

4-1. FAA REVIEW OF PROPOSED LAND-USE PRACTICE CHANGES IN THE VICINITY OF PUBLIC-USE AIRPORTS.

- a. The FAA discourages the development of waste disposal and other facilities, discussed in Section 2, located within the 5,000/10,000-foot criteria specified in Sections 1-2 through 1-4.
- b. For projects that are located outside the 5,000/10,000-foot criteria but within 5 statute miles of the airport's AOA, the FAA may review development plans, proposed land-use changes, operational changes, or wetland mitigation plans to determine if such changes present potential wildlife hazards to aircraft operations. The FAA considers sensitive airport areas as those that lie under or next to approach or departure airspace. This brief examination should indicate if further investigation is warranted.
- c. Where a wildlife damage management biologist has conducted a further study to evaluate a site's compatibility with airport operations, the FAA may use the study results to make a determination.

4-2. WASTE MANAGEMENT FACILITIES.

- a. **Notification of new/expanded project proposal.** Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) limits the construction or establishment of new MSWLF within 6 statute miles of certain public-use airports, when both the airport and the landfill meet very specific conditions. See Section 2-2 of this AC and AC 150/5200-34 for a more detailed discussion of these restrictions.

The Environmental Protection Agency (EPA) requires any MSWLF operator proposing a new or expanded waste disposal operation within 5 statute miles of a runway end to notify the appropriate FAA Regional Airports Division Office and the airport operator of the proposal (40 CFR 258, *Criteria for Municipal Solid Waste Landfills*, Section 258.10, *Airport Safety*). The EPA also requires owners or operators of new MSWLF units, or lateral expansions of existing MSWLF units, that are located within 10,000 feet of any airport runway end used by turbojet aircraft, or within 5,000 feet of any airport runway end used only by piston-type aircraft, to demonstrate successfully that such units are not hazards to aircraft. (See 4-2.b below.)

When new or expanded MSWLF are being proposed near airports, MSWLF operators must notify the airport operator and the FAA of the proposal as early as possible pursuant to 40 CFR 258.

b. Waste handling facilities within separations identified in Sections 1-2 through 1-4. To claim successfully that a waste-handling facility sited within the separations identified in Sections 1-2 through 1-4 does not attract hazardous wildlife and does not threaten aviation, the developer must establish convincingly that the facility will not handle putrescible material other than that as outlined in 2-2.d. The FAA strongly recommends against any facility other than that as outlined in 2-2.d (enclosed transfer stations). The FAA will use this information to determine if the facility will be a hazard to aviation.

c. Putrescible-Waste Facilities. In their effort to satisfy the EPA requirement, some putrescible-waste facility proponents may offer to undertake experimental measures to demonstrate that their proposed facility will not be a hazard to aircraft. To date, no such facility has been able to demonstrate an ability to reduce and sustain hazardous wildlife to levels that existed before the putrescible-waste landfill began operating. For this reason, demonstrations of experimental wildlife control measures may not be conducted within the separation identified in Sections 1-2 through 1-4.

4-3. OTHER LAND-USE PRACTICE CHANGES. As a matter of policy, the FAA encourages operators of public-use airports who become aware of proposed land use practice changes that may attract hazardous wildlife within 5 statute miles of their airports to promptly notify the FAA. The FAA also encourages proponents of such land use changes to notify the FAA as early in the planning process as possible. Advanced notice affords the FAA an opportunity (1) to evaluate the effect of a particular land-use change on aviation safety and (2) to support efforts by the airport sponsor to restrict the use of land next to or near the airport to uses that are compatible with the airport.

The airport operator, project proponent, or land-use operator may use FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, or other suitable documents similar to FAA Form 7460-1 to notify the appropriate FAA Regional Airports Division Office. Project proponents can contact the appropriate FAA Regional Airports Division Office for assistance with the notification process.

It is helpful if the notification includes a 15-minute quadrangle map of the area identifying the location of the proposed activity. The land-use operator or project proponent should also forward specific details of the proposed land-use change or operational change or expansion. In the case of solid waste landfills, the information should include the type of waste to be handled, how the waste will be processed, and final disposal methods.

a. Airports that have received Federal grant-in-aid assistance. Airports that have received Federal grant-in-aid assistance are required by their grant assurances to take appropriate actions to restrict the use of land next to or near the airport to uses that are compatible with normal airport operations. The FAA recommends that airport operators to the extent practicable oppose off-airport land-use changes or practices within the separations identified in Sections 1-2 through 1-4 that may attract hazardous wildlife. Failure to do so may lead to noncompliance with applicable grant assurances. The FAA will not approve the placement of airport

development projects pertaining to aircraft movement in the vicinity of hazardous wildlife attractants without appropriate mitigating measures. Increasing the intensity of wildlife control efforts is not a substitute for eliminating or reducing a proposed wildlife hazard. Airport operators should identify hazardous wildlife attractants and any associated wildlife hazards during any planning process for new airport development projects.

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APPENDIX 1. DEFINITIONS OF TERMS USED IN THIS ADVISORY CIRCULAR.

1. GENERAL. This appendix provides definitions of terms used throughout this AC.

1. **Air operations area.** Any area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft. An air operations area includes such paved areas or unpaved areas that are used or intended to be used for the unobstructed movement of aircraft in addition to its associated runway, taxiways, or apron.
2. **Airport operator.** The operator (private or public) or sponsor of a public-use airport.
3. **Approach or departure airspace.** The airspace, within 5 statute miles of an airport, through which aircraft move during landing or takeoff.
4. **Bird balls.** High-density plastic floating balls that can be used to cover ponds and prevent birds from using the sites.
5. **Certificate holder.** The holder of an Airport Operating Certificate issued under Title 14, Code of Federal Regulations, Part 139.
6. **Construct a new MSWLF.** To begin to excavate, grade land, or raise structures to prepare a municipal solid waste landfill as permitted by the appropriate regulatory or permitting agency.
7. **Detention ponds.** Storm water management ponds that hold storm water for short periods of time, a few hours to a few days.
8. **Establish a new MSWLF.** When the first load of putrescible waste is received on-site for placement in a prepared municipal solid waste landfill.
9. **Fly ash.** The fine, sand-like residue resulting from the complete incineration of an organic fuel source. Fly ash typically results from the combustion of coal or waste used to operate a power generating plant.
10. **General aviation aircraft.** Any civil aviation aircraft not operating under 14 CFR Part 119, Certification: Air Carriers and Commercial Operators.
11. **Hazardous wildlife.** Species of wildlife (birds, mammals, reptiles), including feral animals and domesticated animals not under control, that are associated with aircraft strike problems, are capable of causing structural damage to airport facilities, or act as attractants to other wildlife that pose a strike hazard.
12. **Municipal Solid Waste Landfill (MSWLF).** A publicly or privately owned discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR § 257.2. An MSWLF may receive

other types wastes, such as commercial solid waste, non-hazardous sludge, small-quantity generator waste, and industrial solid waste, as defined under 40 CFR § 258.2. An MSWLF can consist of either a stand alone unit or several cells that receive household waste.

13. **New MSWLF.** A municipal solid waste landfill that was established or constructed after April 5, 2001.
14. **Piston-powered aircraft.** Fixed-wing aircraft powered by piston engines.
15. **Piston-use airport.** Any airport that does not sell Jet-A fuel for fixed-wing turbine-powered aircraft, and primarily serves fixed-wing, piston-powered aircraft. Incidental use of the airport by turbine-powered, fixed-wing aircraft would not affect this designation. However, such aircraft should not be based at the airport.
16. **Public agency.** A State or political subdivision of a State, a tax-supported organization, or an Indian tribe or pueblo (49 U.S.C. § 47102(19)).
17. **Public airport.** An airport used or intended to be used for public purposes that is under the control of a public agency; and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft is publicly owned (49 U.S.C. § 47102(20)).
18. **Public-use airport.** An airport used or intended to be used for public purposes, and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft may be under the control of a public agency or privately owned and used for public purposes (49 U.S.C. § 47102(21)).
19. **Putrescible waste.** Solid waste that contains organic matter capable of being decomposed by micro-organisms and of such a character and proportion as to be capable of attracting or providing food for birds (40 CFR §257.3-8).
20. **Putrescible-waste disposal operation.** Landfills, garbage dumps, underwater waste discharges, or similar facilities where activities include processing, burying, storing, or otherwise disposing of putrescible material, trash, and refuse.
21. **Retention ponds.** Storm water management ponds that hold water for several months.
22. **Runway protection zone (RPZ).** An area off the runway end to enhance the protection of people and property on the ground (see AC 150/5300-13). The dimensions of this zone vary with the airport design, aircraft, type of operation, and visibility minimum.
23. **Scheduled air carrier operation.** Any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial

operator for which the air carrier, commercial operator, or their representative offers in advance the departure location, departure time, and arrival location. It does not include any operation that is conducted as a supplemental operation under 14 CFR Part 119 or as a public charter operation under 14 CFR Part 380 (14 CFR § 119.3).

24. **Sewage sludge.** Any solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. (40 CFR 257.2)
25. **Sludge.** Any solid, semi-solid, or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect. (40 CFR 257.2)
26. **Solid waste.** Any garbage, refuse, sludge, from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including, solid liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or by product material as defined by the Atomic Energy Act of 1954, as amended, (68 Stat. 923). (40 CFR 257.2)
27. **Turbine-powered aircraft.** Aircraft powered by turbine engines including turbojets and turboprops but excluding turbo-shaft rotary-wing aircraft.
28. **Turbine-use airport.** Any airport that sells Jet-A fuel for fixed-wing turbine-powered aircraft.
29. **Wastewater treatment facility.** Any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes, including Publicly Owned Treatment Works (POTW), as defined by Section 212 of the Federal Water Pollution Control Act (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-576) and the Water Quality Act of 1987 (P.L. 100-4). This definition includes any pretreatment involving the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. (See 40 CFR Section 403.3 (q), (r), & (s)).

30. **Wildlife.** Any wild animal, including without limitation any wild mammal, bird, reptile, fish, amphibian, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, including any part, product, egg, or offspring thereof (50 CFR 10.12, *Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants*). As used in this AC, wildlife includes feral animals and domestic animals out of the control of their owners (14 CFR Part 139, Certification of Airports).
31. **Wildlife attractants.** Any human-made structure, land-use practice, or human-made or natural geographic feature that can attract or sustain hazardous wildlife within the landing or departure airspace or the airport's AOA. These attractants can include architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquaculture activities, surface mining, or wetlands.
32. **Wildlife hazard.** A potential for a damaging aircraft collision with wildlife on or near an airport.
33. **Wildlife strike.** A wildlife strike is deemed to have occurred when:
- A pilot reports striking 1 or more birds or other wildlife;
 - Aircraft maintenance personnel identify aircraft damage as having been caused by a wildlife strike;
 - Personnel on the ground report seeing an aircraft strike 1 or more birds or other wildlife;
 - Bird or other wildlife remains, whether in whole or in part, are found within 200 feet of a runway centerline, unless another reason for the animal's death is identified;
 - The animal's presence on the airport had a significant negative effect on a flight (i.e., aborted takeoff, aborted landing, high-speed emergency stop, aircraft left pavement area to avoid collision with animal) (Transport Canada, Airports Group, *Wildlife Control Procedures Manual*, Technical Publication 11500E, 1994).

2. RESERVED.



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ground is aerial photo

July 12, 2015

Mr. Ford Fuchigami, Director
State of Hawai'i
Department of Transportation
Ali'iaimoku Building
869 Punchbowl Street
Honolulu, HI 96813

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Fuchigami,

Thank you for responding to our pre-assessment consultation. In your letter dated April 8, 2015, you provided comments related to potential wildlife attractants near airports and a request for a traffic impact study. Enclosed is a Draft EA for your review. We would appreciate any comments, particularly whether we have adequately addressed your concerns regarding wildlife attractants, photovoltaic systems, and traffic (see Draft EA sections 4.3 and 4.9.4). We have not conducted a traffic impact assessment since the Project does not directly access a State highway and the primary intersections on the State highway that future residents would use are already improved. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

O:\Job31\3151.02 Panaewa Ag Subdivision\Consultation\343 Consultation\Consultation Responses\Consultation Response- DOT.doc



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850



In Reply Refer To:
EPIF00-2015-1-0258
EPIF00-2015-1-0261
EPIF00-2015-1-0262

JUN 04 2015

Ms. Jobie Masagatani
Chair, Department of Hawaiian Home Lands
Hale Kalamanaole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Subject: Informal Consultation for Department of Hawaiian Home Lands Addressing
Development and Rehabilitation of Homes at Punaewa and Keaukaha, Hawaii
Island and New Construction at Kalamaula, Molokai

Dear Ms. Masagatani:

The U.S. Fish and Wildlife Service (Service) received letters from your Native American Housing Assistance and Self Determination Act (NAHASDA) Manager Niniau Simmons, describing an award of NAHASDA funds from the U.S. Department of Housing and Urban Development (HUD) to the State of Hawaii Department of Hawaiian Home Lands (DHHL) to develop the Punaewa Agricultural Lots, Waiakea, Hawaii Island, rehabilitation and development of homes in Keaukaha, Hilo, Hawaii Island, and New Construction at Kalamaula, Molokai. The letters were dated April 17, 2015, April 27, 2015, and May 1, 2015, respectively. Pursuant to HUD regulations, DHHL is the responsible entity for the purposes of consultation relating to section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). The letter indicated DHHL's determination that the proposed action may affect but is not likely to adversely affect adversely affect the endangered Hawaiian hoary bat (*Oreops, Lasiurus cinereus semotus*), Hawaiian hawk (*Bo, Buteo solitarius*), Hawaiian goose (Nene, *Branta sandvicensis*), Hawaiian petrel (Uau, *Pterodroma phaeopygia sandwichensis*) and Blackburn's sphinx moth (*Manduca blackburni*) and the threatened Newell's shearwater (*Bo, Puffinus auricularis newelli*) and it requested our concurrence with that determination pursuant to section 7 of the ESA.

Project Description

Proposed rehabilitation work including minor interior and exterior improvements such as painting, roof repairs, electrical and plumbing work, termite treatment, repair of damage by termites or wood rot, and kitchen and bath cabinet repairs. Demolition and new construction of homes and retaining walls and construction of new homes on vacant lots is also proposed.

Ms. Jobie Masagatani

2

Construction will entail installation of water and sewer or septic systems, grading, driveway installation, drainage improvements, use of herbicide and insecticide to control weeds and fire ants, and construction of the residence buildings and fences.

The proposed subdivision and development of the Punaewa Agricultural Lots is being undertaken to enable the relocation of families and homes threatened by a lava flow at Makuu Farm Lots. The proposed subdivision would result in the development of approximately 50 acres off Mahiai Street (10 acres) and Auwae Road (40 acres) in the Punaewa Agricultural Lots, Waiakea, South Hilo, Hawaii Island. The rehabilitation and development of homes in Keaukaha, Hilo, Hawaii Island, will entail rehabilitation of three homes, and new construction on four vacant lots and two two-lot subdivisions to infill within the existing subdivision. At Kalamaula, Molokai, five vacant lots will be developed within an existing subdivision.

Proposed Conservation Measures

In May 12 and June 1, 2015, emails, Ms. Simmons confirmed the commitments in the letters that the following measures will be implemented at all of the project sites to minimize potential adverse effects to listed species. These conservation measures are considered part of the project description. Any changes to, modifications of, or failure to implement these conservation measures may result in the need to reinstate this consultation.

Hawaiian hoary bat

The Hawaiian hoary bat roosts in both exotic and native woody vegetation and, while foraging, leaves young unattended in "nursery" trees and shrubs. If trees or shrubs suitable for bat roosting are cleared during the bat breeding season, there is a risk that young bats could inadvertently be harmed or killed. Additionally, Hawaiian hoary bats forage for insects from as low as three feet to higher than 500 feet above the ground. When barbed wire is used in fencing, Hawaiian hoary bats can become entangled. To avoid and minimize potential project impacts to Hawaiian hoary bats, the following measures are included in the project description:

- No woody plants over 15 feet tall will be removed or pruned during the sensitive bat pup birthing and rearing season of June 1 to September 15.
- If a bat is present at the project site, the area will be avoided. If a bat arrives in the construction area after work begins, work will cease until the animal leaves on its own accord.
- The only barbed wire used for fencing for the proposed project will be within 2 inches of the ground surface.

Nene

Nene may be present within the project area. Therefore, all on-site project personnel should be apprised that Nene may be in the vicinity of the project at any time during the year. To avoid and minimize potential project impacts to Nene, the following measures are included in the project description:

- If a Nene appears within 100 feet (30.5 meters) of ongoing work, all activity will be temporarily suspended until the animal leaves the area of its own accord. Moreover, if

any number of Nene are observed loafing or foraging within the project area during the Nene breeding season (October through March), a biologist familiar with the nesting behavior of Nene will survey in and around the project area prior to the resumption of any work, or after any subsequent delay of work of three or more days (during which the birds may attempt to nest). If a nest is discovered within a radius of 150 feet of proposed work, or a previously undiscovered nest is found within said radius after work begins, all work will cease immediately and the Service will be contacted for further guidance.

Seabirds

The Hawaiian petrel and the Newell's shearwater (collectively known as seabirds) may transit the project area flying to upland breeding colonies. Outdoor lighting at this project site could result in seabird disorientation, fallout, and injury or mortality. The seabirds are attracted to lights and after circling the lights they may collide with nearby wires, buildings, or other structures or they may land on the ground due to exhaustion. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable. To avoid and minimize potential project impacts to listed seabirds, the following measures are included in the project description:

- To minimize potential project impacts to seabirds during their breeding season, all outdoor lights at the subject properties will be retrofit or replaced with lighting that is fully shielded so the bulb can only be seen from below bulb height and only used when necessary.
- No nighttime construction will occur during the seabird fledging period, September 15 through December 15.
- If nighttime construction occurs during other times of the year, all lighting will be shielded and directed toward the ground to avoid attracting adult seabirds as they travel from the ocean to their breeding areas.

In her May 14, 2015, email confirmation, Ms. Simmons reconfirmed the commitment in the letters that the following measures will be implemented the Kalamaula project site on Molokai to minimize potential adverse effects to the Blackburn's sphinx moth. The Hawaiian hawk does not occur on Molokai, so hawk surveys would not be done at that project location.

Hawaiian hawk

The reproductive success of the Hawaiian hawk may be reduced if they are disturbed at their nest site during the breeding season. Therefore, where noise greater than 60 dB (at five feet) or vegetation clearing is proposed during the March through September Hawaiian hawk breeding season, surveys of the trees within 328 feet (100 meters) of the project site shall be conducted and if a hawk nest is found, such work shall be delayed until the nest is no longer occupied.

Blackburn's sphinx moth

The adult Blackburn's sphinx moth feeds on nectar from native plants including beach morning glory (*Ipomoea pes-caprae*), ilice (*Plumbago zeylanica*), and maiapilo (*Capparis sandwichiana*).

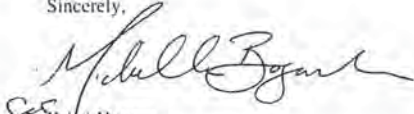
Blackburn's sphinx moth larvae feed upon non-native tree tobacco (*Nicotiana glauca*), which occupies disturbed areas such as open fields and roadway margins, and the native aiea (*Nothocestrum sp.*). To pupate, Blackburn's sphinx moth larvae burrow into the soil near host plants and can remain in a state of torpor for up to a year (or more) before emerging from the soil. To avoid and minimize potential project impacts to the Blackburn's sphinx moth, the following measures are included in the project description: 1) If any tree removal, brush clearing, or soil disturbance activities are anticipated, a qualified biologist will survey the project area for the presence of larval host plants; and 2) if host plants are discovered in the area affected by the activity, the plant will not be cut or removed and the soil within 10 meters (33 feet) of the plant not be disturbed.

Conclusion

Based on the project's incorporation of the above avoidance and minimization measures, we concur with your determination that the proposed project may affect, but is not likely to adversely affect the Hawaiian hoary bat, Hawaiian hawk, Hawaiian goose, Hawaiian petrel, and Blackburn's sphinx moth, and the threatened Newell's shearwater. Unless the project description changes, or new information reveals that the proposed project may affect listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to section 7 of the ESA is necessary.

If you have any questions or concerns regarding this consultation, please contact Dawn Bruns (phone: 808-792-9469, email: dawn_bruns@fws.gov).

Sincerely,



Kristi Young
Acting Field Supervisor

Cc: Ms. Catie Cullison, PBR Hawaii
Ms. Claudine Allen, U.S. Department of Housing and Urban Development



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PLANNING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL STUDIES • ENTITLEMENTS • PERMITTING • GRAPHIC DESIGN

July 12, 2015

Ms. Kristi Young, Acting Field Supervisor
USFWS – Pacific Islands Office
300 Ala Moana Blvd., Rm 3-122
Box 50088
Honolulu, HI 96850

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Ms. Young,

Thank you for your comments dated June 4, 2015 (EPIF00-2015-1-0258, EPIF00-2015-1-0261, EPIF00-2015-1-0262). Enclosed is a Draft EA for your review. The Draft EA includes a flora and fauna survey as Appendix C. We would appreciate your review of the Draft EA and flora/fauna survey to assess whether we have adequately incorporated your recommended mitigation measures. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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William P. Kenoi
Mayor



BJ Leithead Todd
Director

John A. Medeiros
Deputy Director

County of Hawai'i
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
345 Kekuanā'ā St., Suite 41• Hilo, Hawai'i 96720
(808) 961-8083 Fax (808) 961-8086

March 31, 2015

Mr. Roy Takemoto
Managing Director, Hilo Office
PBR Hawai'i and Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

RE: Pre-Assessment Consultation for the Proposed Subdivision of the Pana'ewa Ag lots
located in the Ahupua'a of Waiākea, South Hilo District,
TMK: 2-2-061:002, 2-1-025:006, 2-1-025:007, 2-1-025:047 and 2-1-025:048

Our Solid Waste Division will be meeting with DHHL regarding this project in the near future.

Thank you for allowing us to review and comment.

Sincerely,

BJ Leithead Todd
DIRECTOR

cc: Greg Goodale, SWD Chief

Green Waste Processing and Disposal Meeting

April 24, 2015 at WRSA Hilo Office

Attendance:

Isaac Takahashi	DHHL
Louie Hao	DHHL
Leslie Wilson	Earth Karvers Hawaii
Bob Shirai	Island Survey
Dan Bautista	WRSA
Dennis Lee	WRSA

Discussion:

1. Slide Presentation – a slide presentation (enclosed) was conducted in the meeting. The Green Waste Processing & Disposal proposal included the Panaewa Subdivision of Lots 6, 7, 47, & 48. A Sat Photo showed the subdivision in relation to the existing County Green Waste site. The second part of the presentation included the Options for Green Waste Processing Proposal. Three options was proposed: (a) – Level and Process Trees and Dispose on Site; (b) – Level Trees and Haul to County Green Waste Site and County Process Trees; and (c) – Level Trees and Dispose on Site with No Processing of Trees. The third part of the presentation the Demolition and Removal of a house on Panaewa Subdivision of Lot 185. The fourth part of the presentation was the Subdivision Improvement of Panaewa Subdivision of Lot 185.

2. Discussion on Options – the discussion on the options were as follows:

A. Level and Process Trees and Dispose on Site – a cost estimate was provided by Leslie at the meeting on the processing cost of the trees and disposal on site (\$8,500 per acre for processing and \$12,500 for grubbing). The total cost for the 40 acres is \$840,000 for grubbing and processing. The mob/demob fee is 6% of the total cost or around \$45,000, so the grand total cost is around \$900,000. The shredded green waste would be stored on site for DHHL homesteaders to take for their use on their agricultural or residential leased lands. This option seems to be the best out of the all the options because it is the cheapest and quickest to do and also provides a benefit to the DHHL homesteaders.

B. Level Trees and Haul to County Green Waste Site and County Process Trees – the negative aspect of this option is the cost. A cost estimate (enclosed) was provided earlier by Leslie Wilson to clear and grub, reduce the tree size for County acceptance, preparing a haul road within the

subdivision, and hauling the green waste to the County site. The total cost was around \$40,000 per acre or \$1.6 M for 40 acres.

C. Level Trees and Dispose on Site with No Processing of Trees – this option may be the cheapest of all the options but not acceptable to DOH or County regulations. The green waste could be buried but that option is not acceptable for a subdivision development.

3. Discussion of Demolition and Removal of the house on Panaewa Lot 185 – a cost estimate (enclosed) was provided by Leslie Wilson. The cost to demolish and remove the house is \$11,000. The Lauhala Trees (3) will remain. The other trees will be removed, save the Samoan Coconut Tree. The cost for tree removal and disposal is around \$4,000. The total cost is around \$15,000.

4. Discussion on Subdivision Improvements for Panaewa Lot 185 – a preliminary Engineer's Cost Estimate was provided in the slide presentation. A waterline was included in the improvement, which included an extension on the road reserve for future tie-ins and 5 fire hydrants. The cost of the water system is around \$250,000. The cost of the road construction and lot grading is around \$500,000. The grand total cost is around \$750,000.



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Hilo, Hawaii 96720-1933
Tel/Cel: (808) 313-6878

ground on aerial photo

July 12, 2015

Ms. BJ Leithead Todd, Director
County of Hawai'i
Department of Environmental Management
25 Aupuni Street
Hilo, HI 96720

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Ms. Leithead Todd,

Thank you for meeting with the Project engineers on April 24, 2015. We incorporated the understanding from the meeting regarding green waste disposal. Enclosed is a Draft EA for the subject project. We would appreciate your review, particularly whether we have accurately incorporated your comments on green waste disposal (Draft EA section 4.7.4). The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

A handwritten signature in black ink, appearing to read "Roy Takemoto".

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KĒKŪANĀŌ'A STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8650 • FAX (808) 961-8657

April 8, 2015

Mr. Roy Takemoto
PBR Hawaii'i & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

**PRE-ENVIRONMENTAL ASSESSMENT
PROPOSED SUBDIVISION OF THE PANAWEA AG LOTS
TAX MAP KEY 2-1-025:006, 007, 047, 048 AND 2-2-061:002**

This is in response to your Pre- Environmental Assessment letter dated March 2, 2015.

Please be informed that there are existing service laterals to Parcels 7, 48 and 2.

For TMK 2-1-025: 2-1-025:006, 007, 047 and 048

Water can be made available from the end of the existing 8-inch waterline within Auwae Road fronting parcels 7 and 48, in accordance with the Department's current water availability conditions, which are subject to change without notice.

For TMK 2-2-061:002

Water can be made available from an existing 8-inch waterline along Mahiai Street fronting this parcel, in accordance with the Department's current water availability conditions, which are subject to change without notice.

The subdivisions will require water system improvements in accordance with the County of Hawaii's Water System Standards 2002, as amended, and the Rules and Regulations of the Department of Water Supply.

In general, the subdivision water system shall be designed to deliver water at adequate pressure and volume under peak-flow and fire-flow conditions. The water system shall include, but not be limited to, mains (minimum 6 inches in diameter), service laterals to front each lot, and fire hydrants at the appropriate spacing.

All construction plans, calculations, and specifications for the above must be submitted by a professional engineer, registered in the State of Hawaii'i, to this Department for review and approval.

In addition to the above water system improvements, the developer must also pay the prevailing facilities charge, which is subject to change, of \$5,500.00 for each additional lot created. Payment is due and payable upon completion of the installation of the required water system improvements.

Upon completion of the above water system improvements, payment of the prevailing facilities charges, and


Mr. Roy Takemoto
Page 2
April 8, 2015

proper dedication and conveyance of said water system to the Water Board of the County of Hawaii'i, all requirements of this Department will have been fulfilled.

Please keep in mind that this letter shall not be construed as a water commitment. In other words, unless a water commitment is officially effected, water availability is subject to change, depending on the water situation.

Should there be any questions, please contact Ryan Quitarano of our Water Resources and Planning Branch at 961-8070, extension 256.

Sincerely yours,


Quirino Antonio, Jr., P.E.
Manager-Chief Engineer

RQdfg

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July 12, 2015

Mr. Quirino Antonio, Manager
County of Hawai'i
Department of Water Supply
345 Kekuanaoa Street, Suite 20
Hilo, HI 96720

**SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048**

Dear Mr. Antonio,

Thank you for responding to our pre-assessment consultation. In your letter dated April 8, 2015, we appreciate your confirmation that water is available to serve the Project. Enclosed is a Draft EA for the subject project. We would appreciate your review, particularly whether we have accurately incorporated your comments (Draft EA section 4.7.1). The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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William P. Kenoi
Mayor



County of Hawai'i
HAWAII FIRE DEPARTMENT
25 Aupuni Street • Room 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

Darren J. Rosario
Fire Chief
Renwick J. Victorino
Deputy Fire Chief

March 9, 2015

Mr. Roy Takemoto
PBR Hawaii & Associates, Inc.
1001 Bishop Street
ASB Tower, Suite 650
Honolulu, Hawaii 96813

Dear Mr. Takemoto,

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED
SUBDIVISION OF THE PANAEWA AG LOTS
TMKs: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 AND
(3) 2-1-025:048

The Hawai'i Fire Department does not have any comments to offer at this time regarding the above-referenced project pre-assessment consultation.

Thank you for the opportunity to comment.

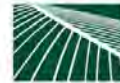
Sincerely,


DARREN J. ROSARIO
Fire Chief

KV:lpc



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PBR HAWAII
& ASSOCIATES, INC.

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July 12, 2015

Chief Darren Rosario
County of Hawai'i
Fire Department
25 Aupuni Street, #2603
Hilo, HI 96720

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and (3) 2-1-025:048

Dear Mr. Rosario,

Although you responded that you did not have any early consultation comments on the subject project, enclosed is a copy of the Draft EA that provides additional information on the project and anticipated impacts. Your review of the Draft EA would be appreciated. The enclosed transmittal includes the deadline for comments and address to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII



Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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William P. Kenoi
Mayor



West Hawai'i Office
74-5044 Aiea Keolu Road Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

Duane Kanuha
Director

Bobby Command
Deputy Director

East Hawai'i Office
101 Puunohi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

April 2, 2015

Mr. Roy Takemoto
PBR Hawai'i & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

Dear Mr. Takemoto:

Subject: Pre-Consultation for Draft Environmental Assessment
Project: Subdivision of Pana'ewa Agricultural Lots
TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047,
and (3) 2-1-025:048; Wai'alea, South Kohala, Hawai'i

Thank you for your letter dated March 2, 2015, requesting comments from this office regarding the preparation of a Draft Environmental Assessment (DEA) for the subject project.

The State of Hawai'i, Department of Hawaiian Home Lands (DHHL) is proposing to subdivide and develop five existing lots, creating a total of 90 lots that will enable the relocation of Maku'u Farm Lot families and homes threatened by the lava flow. Some of the existing Maku'u homes will be cut and moved to the new lots; other lots will require new construction. The lots will be accessed by County-dedicated roadways built to County standards and served by the County water system and individual onsite septic systems.

The subject properties are under the control of the Department of Hawaiian Home Lands (DHHL). Zoning will ultimately be determined by DHHL per the 2002 Memorandum of Agreement (MOA) with Hawai'i County. The table below provides the current County zoning, State Land Use designation and Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designation for the subject properties. In addition, none of the properties are located within the Special Management Area (SMA).

TMK	County Zoning	State Land Use	General Plan LUPAG
(3) 2-2-061:002	A-1a, A-5a	Agricultural	Low Density Urban
(3) 2-1-025:006	MG-1a	Urban	Urban Expansion
(3) 2-1-025:007	MG-1a	Urban	Urban Expansion/ Important Agricultural Land

Mr. Roy Takemoto
PBR Hawai'i & Associates, Inc.
April 2, 2015
Page 2

TMK	County Zoning	State Land Use	General Plan LUPAG
(3) 2-1-025:047	MG-1a	Urban	Urban Expansion
(3) 2-1-025:048	MG-1a	Urban	Urban Expansion/ Important Agricultural Land

Please note that pursuant to the 2002 MOA, DHHL will determine the appropriate County zoning districts that shall apply to the properties. In addition, the MOA provides that all normal land use controls will be applied by Hawai'i County to DHHL property according to the zoning district selected by DHHL.

We have no further comments to offer, at this time. However, please provide our department with a copy of the Draft Environmental Assessment for our review and comment.

If you have any questions, or if you need further assistance, please feel free to contact Bethany Morrison of this office at (808) 961-8138.

Sincerely,

DUANE KANUHA
Planning Director

BJM:cs

\\COH33\planning\public\wpwin60\Bethany\EA-EIS Review\preconsult\drafts DHHL Pana'ewa Ag Lot Subdivision.doc



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PLANNING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL STUDIES • ENTITLEMENTS • PERMITTING • GRAPHIC DESIGN

July 12, 2015

Mr. Duane Kanuha, Director
County of Hawai'i
Planning Department
Aupuni Center
101 Pauahi Street, Suite 3
Hilo, HI 96720

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE
PROPOSED SUBDIVISION OF THE PANA'EWA AG LOTS LOCATED
IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND
AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Kanuha,

Thank you for your comments dated April 2, 2015. Enclosed is a Draft EA that includes a discussion of the MOA between DHHL and the County, and the appropriate zoning designation that would apply to the Project area (see §5.2.2 of the enclosed Draft EA). We would appreciate your review of the Draft EA. The enclosed transmittal includes the deadline and contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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Responses\Consultation Response- PIng.doc

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William P. Kenoi
Mayor



County of Hawai'i

POLICE DEPARTMENT
349 Kapi'olani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

March 16, 2015

PBR HAWAII & Associates, Inc.
Attn: Roy Takemoto
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

Dear Mr. Takemoto:

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII

Staff, upon reviewing the provided documents, does not anticipate any significant impact to traffic and/or public safety concerns.

Thank you for allowing us the opportunity to comment.

If there are any questions, please contact Captain Richard Sherlock, Commander of the South Hilo District, at (808) 961-2214.

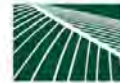
Sincerely,

HENRY J. TAVARES, JR.
ASSISTANT POLICE CHIEF
AREA I OPERATIONS BUREAU

RS:lli
150154

Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief



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& ASSOCIATES, INC.

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July 12, 2015

Henry Tavares, Jr., Assistant Police Chief
County of Hawai'i
Police Department
349 Kapiolani Street
Hilo, HI 96720

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAI'AKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and (3) 2-1-025:048

Dear Mr. Tavares,

Thank you for your comments dated March 16, 2015. We appreciate your assessment that the subject project should not have any significant traffic impact or other public safety concerns. Enclosed is a Draft EA for your further review. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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Nathalie Razo

From: Roy Takemoto
Sent: Tuesday, March 31, 2015 1:04 PM
To: Nathalie Razo
Cc: Isaac.M.Takahashi@hawaii.gov; Dennis Lee
Subject: FW: Pre-Assessment Consultation For The Proposed Subdivision of the Pana'ewa AG Lots Located in the Ahupua'a of Waiakea, South Hilo District

Nathalie, please file as a early consultation comment for Panaewa. Isaac and Dennis, nice of HELCO to respond; FYI, they want to be kept informed as design progresses.

From: Kuwaye, Kristen [mailto:kristen.kuwaye@hawaiianelectric.com]
Sent: Tuesday, March 31, 2015 12:52 PM
To: Roy Takemoto
Cc: Liu, Rouen; '1.11.153750@ecollab.heco.com'
Subject: Pre-Assessment Consultation For The Proposed Subdivision of the Pana'ewa AG Lots Located in the Ahupua'a of Waiakea, South Hilo District

Kristen Kuwaye on behalf of Rouen Liu

Dear Mr. Roy Takemoto,

Thank you for the opportunity to comment on the subject project. Hawaiian Electric Company has no objection to the project. Should HECO have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities. We appreciate your efforts to keep us apprised of the subject project in the planning process. As the proposed subdivision and development of the Pana'ewa Ag Lots comes to fruition, please continue to keep us informed. Further along in the design, we will be better able to evaluate the effects on our system facilities. If you have any questions, please call me at 543-7245.

Sincerely,
Rouen Q. W. Liu
Permits Engineer

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Hilo, Hawaii 96720-1933
Tel/Cel: (808) 313-6878

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July 12, 2015

Mr. Kerstan Wong, Manager
Hawaiian Electric Company, Inc.
Engineering Department (Mail Stop: WA2-BA)
P.O. Box 2750
Honolulu, HI 96840

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED SUBDIVISION OF THE PANAEWA AG LOTS LOCATED IN THE AHUPUA'A OF WAIÁKEA, SOUTH HILO DISTRICT, ISLAND AND COUNTY OF HAWAII, TMK: (3) 2-2-061:002, (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:048

Dear Mr. Wong,

Thank you for the email comments dated March 31, 2015. Although HELCO expressed no objection to the subject project, enclosed is a Draft EA for your further review. The enclosed transmittal includes the deadline for comments and the contact information to send any comments.

Thank you for your participation in the environmental review process.

Sincerely,
PBR HAWAII

A handwritten signature in black ink, appearing to read "Roy Takemoto".

Roy Takemoto
Managing Director, Hilo Office

Attachments: Draft EA

Cc: Department of Hawaiian Home Lands

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FLOA AND FAUNA SURVEY AND ASSESSMENT

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FLORA AND FAUNA SURVEY AND ASSESSMENT
FOR
THE DEPARTMENT OF HAWAIIAN HOME LANDS PROJECT
5 PARCELS AT PANAWEA, HILO - HAWAII

by

ROBERT W. HOB DY
ENVIRONMENTAL CONSULTANT
Kokomo, Maui
April 2015

Prepared for:
Department of Hawaiian Home Lands

FLORA AND FAUNA SURVEY AND ASSESSMENT
DEPARTMENT OF HAWAIIAN HOME LANDS
5 PARCELS AT PANAEWA, HILO, HAWAII

INTRODUCTION

The Department of Hawaiian Home Lands, Panaewa Project encompasses five parcels of land on the eastern edge of Hilo Town. Four of these parcels, each 10 acres in size, are adjacent in a single block at the north end of Auwae Street, TMK's (3) 2-1-025:006, 007, 047, 048 (see Figures 1 - 7). The fifth parcel, 10.171 acres in size, is nearby on Mahi'ai Street, TMK (3) 2-2-061:02. The Department plans to develop these parcels into residential lots. This study was initiated in response to environmental requirements of the planning process.

SITE DESCRIPTION

All of these five parcels lie on nearly level 'ā'ā lava substrate classified as Papa'i Extremely Stony Muck (rPAE) which is a thin organic soil over the lava (Sato et al, 1973). Rainfall averages 150 inches a year. The four contiguous parcel are a dense, wet forest with many large trees over a thick shrub and vine understory. The fifth parcel was previously cleared and has a now dilapidated structure on it. The area is mostly an open grassland but is mostly overgrown with deep grass and scattered shrubs.

BIOLOGICAL HISTORY

The relatively recent 'a'ā lava flows in the upper and eastern parts of Hilo were originally colonized by young, vigorous 'ōhi'a (*Metrosideros polymorpha*) and hala (*Pandanus tectorius*) forests and such other pioneer species as uluhe fern (*Dicranopteris linearis*), kupukupu fern (*Nephrolepis exaltata*) and 'ie'ie (*Freycinetia arborea*). This native species composition began to change during the 1900s as Hilo became a center for flower culture. Many exotic plant species were introduced by nurseries, landscape professionals and plant lovers because everything grew so well in Hilo. Many of these introductions began to naturalize and move out into the wild. Today, the Hilo area is inundated with hundreds of species of these introductions that have proliferated and have replaced the original native species, forming dense and nearly impenetrable jungles. This is what was encountered in most of the project area.

SURVEY OBJECTIVES

This report summarizes the findings of a flora and fauna survey of the proposed Department of Hawaiian Homes Panaewa Project conducted in April 2015. The objectives of the survey were to:

1. Document what plant, and animal species occur on the property or may likely occur in the existing habitat.
2. Document the status and abundance of each species.
3. Determine the presence or likely occurrence of any native flora and fauna, particularly any that are Federally listed as Threatened or Endangered. If such occur, identify what features of the habitat may be essential for these species.
4. Determine if the project area contains any special habitats which if lost or altered might result in a significant negative impact on the flora and fauna in this part of the island.

BOTANICAL SURVEY REPORT

SURVEY METHODS

A walk-through botanical survey method was used following routes to ensure that all parts of these parcels were covered. Areas most likely to harbor native or rare plants such as the rocky outcrops and gullies were more intensively examined. Notes were made on plant species, distribution and abundance as well as on terrain and substrate. Inventories of the disjunct 4 parcel block and the single parcel were kept separately and are shown in two separate columns.

DESCRIPTION OF THE VEGETATION

The four parcel block and the single parcel were very different in aspect. While they had many species in common, they were dominated by different plants.

The four parcel block was a dense jungle. Species that were abundant included: albizia trees (*Falcataria moluccana*), strawberry guava (*Psidium cattleianum*), melastoma (*Melastoma candida*) and basket grass (*Oplismenus hirtellus*). Common species included: hala (*Pandanus tectorius*), miconia (*Miconia calvenscens*), maile hohonu (*Paederia foetida*), cecropia (*Cecropia obtusifolia*) and dissotis (*Dissotis rotundifolia*).

Forty nine plant species were recorded in the four parcel block. Of these eight species were native to Hawaii. These included three species that are endemic to Hawaii: 'ōhi'a (*Metrosideros polymorpha*), hāpu'u pulu (*Cibotium glaucum*), and hāpu'u 'ŭ (*Cibotium menziesii*), and five indigenous species that are native here as well as in other parts of the Pacific: uluhe fern (*Dicranopteris linearis*), pākahakaha fern (*Lepisorus thunberginaus*), puapuamoa fern (*Ophioderma pendulum* Subsp. *falcatum*), moa (*Psilotum nudum*) and hala. All of these native species are widespread and common in Hawaii.

The single parcel was previously cleared but is now an overgrown grassland. Just one species was abundant, pangola grass (*Digitaria eriantha*). Common species included: broad-leaved carpetgrass (*Axonopus compressus*), wedelia (*Sphagneticola trilobata*), sensitive plant (*Mimosa pudica*), maile pilau (*Paederia foetida*) and ōwī (*Stachytarpheta australis*).

Sixty two plant species were recorded in the single parcel. Of these six species were native to Hawaii. These included two species that are endemic to Hawaii: hāpu'u pulu and 'ōhi'a, and an

additional four indigenous species: (*Cyperus polystachyos*) no common name, nanea (*Vigna marina*), pākahakaha and hala. All of these native species are widespread and common in Hawaii.

DISCUSSION AND RECOMMENDATIONS

The vegetation throughout the project area is dominated by non-native grasses, vines, ferns, shrubs and trees. The area has been heavily altered by historical land uses and continues to be invaded by aggressive weed species. All of the ten native species found in the two focus areas are widespread in Hawaii and of no special conservation concern.

No Federally listed Threatened or Endangered plant species (USFWS, 2015) were found on the property, nor were any found that are candidates for such status. No special native plant habitats were found here either.

Because of the above existing conditions, it is determined that the future development of these five parcels will not have a significant negative impact on the botanical resources in this part of Hawaii island. No recommendations regarding the botanical resources are deemed appropriate or necessary.

PLANT SPECIES LIST

Following is a checklist with two columns, each representing a separate focus area of all those vascular plant species inventoried during the field studies. Plant families are arranged alphabetically within four groups: Conifers, Ferns, Monocots and Dicots. Taxonomy and nomenclature of the ferns follow Palmer (2003), while the Conifers, Monocots and Dicots are in accordance with Wagner et al. (1999) and Staples and Herbst (2005).

For each species, the following information is provided:

1. Scientific name with author citation

2. Common English or Hawaiian name.

3. Bio-geographical status. The following symbols are used:

endemic = native only to the Hawaiian Islands; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

Polynesian = all those plants brought to Hawaii during the course of Polynesian migrations.

non-native = all those plants brought to the islands intentionally or accidentally after western contact.

4. Abundance of each species within the project area:

abundant = forming a major part of the vegetation within the project area.

common = widely scattered throughout the area or locally abundant within a portion of it.

uncommon = scattered sparsely throughout the area or occurring in a few small patches.

rare = only a few isolated individuals within the project area.

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE	
			Single Parcel	Four Parcels
FERNS				
BLECHNACEAE (Chain Fern Family)				
<i>Blechnum appendiculatum</i> Willd.	palm fern	non-native		U
DICKSONIACEAE (Dicksonia Family)				
<i>Cibotium glaucum</i> (Sm.) Hook. & Arn.	<i>hāpu'u pulu</i>	endemic	R	R
<i>Cibotium menziesii</i> Hook.	<i>hāpu'u ʻīʻī</i>	endemic		R
GLEICHENIACEAE (False Staghorn Fern Family)				
<i>Dicranopteris linearis</i> (Burm.f.) Underw.	<i>uluhe</i>	indigenous		U
LINDSAEACEAE (Lindsaea Fern Family)				
<i>Lindsaea ensifolia</i> Sw.	-----	non-native		R
NEPHROLEPIDACEAE (Sword Fern Family)				
<i>Nephrolepis brownii</i> (Desv.) Hovencamp & Miyamoto	Asian sword fern	non-native	U	U

OPHIOGLOSSACEAE (Adder's Tongue Fern Family)				
<i>Ophioderma pendulum</i> (L.) C. Presl subsp. <i>falcatum</i> (C. Presl) R.T. Clausen	puapua moa	indigenous		R
POLYPODIACEAE (Polypody Fern Family)				
<i>Lepisorus thunbergianus</i> (Kaulf.) Ching	<i>pākahakaha</i>	indigenous	R	R
<i>Phlebodium aureum</i> (L.) J. Sm.	rabbits foot fern	non-native	R	R
<i>Phymatosorus grossus</i> (Langsd. & Fisch.) Brownlie	<i>laua'e</i>	non-native	R	R
PSILOTACEAE (Whisk-fern Family)				
<i>Psilotum nudum</i> (L.) P. Beauv.	<i>moa</i>	indigenous		R
PTERIDACEAE (Brake Fern Family)				
<i>Pityrogramma calomelanos</i> (L.) Link	silver fern	non-native	R	
<i>Pteris vittata</i> L.	ladder brake fern	non-native	R	
THELYPTERIDACEAE (Marsh Fern Family)				
<i>Christella parasitica</i> (L.) H. Lev.	-----	non-native		U
CONIFERS				
CUPRESSACEAE (Cypress Family)				
<i>Cupressus sempervirens</i> L.	Italian cypress	non-native	R	
MONOCOTS				
ARACEAE (Aroid Family)				
<i>Epipremnum pinnatum</i> (L.) Engl.	taro vine	non-native		R
<i>Monstera deliciosa</i> Liebmann	monstera	non-native	R	
ARECACEAE (Palm Family)				
<i>Archontophoenix alexandrae</i> (V. Muell) Wendl. & Drude	king palm	non-native	U	
<i>Cocos nucifera</i> L.	<i>niu</i> , coconut	Polynesian	U	
	Golden- fruited palm			
<i>Dyopsis lutescens</i> (Wendl.) Beentje & Dransfield	palm	non-native	R	
<i>Veitchia merrillii</i> (Becc.) H.E. Moore	Manila palm	non-native	U	
ASPARAGACEAE (Asparagus Family)				
<i>Cordyline fruticosa</i> (L.) A. Chev.	<i>ki</i> , <i>ti</i>	Polynesian	U	U
SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE	
			Single Parcel	Four Parcels
COMMELINACEAE (Spiderwort Family)				
<i>Commelina diffusa</i> N.L. Burm.	honohono	non-native	R	R
CYPERACEAE (Sedge Family)				
<i>Cyperus haspan</i> L.	-----	non-native	U	
<i>Cyperus polystachyos</i> Rottb.	-----	indigenous	R	
<i>Kyllinga brevifolia</i> Rottb.	<i>kili'o'opu</i>	non-native	R	
<i>Rhynchospora caduca</i> Elliot	-----	non-native	U	
ORCHIDACEAE (Orchid Family)				
<i>Arundina graminifolia</i> (D.Don) Hochr.	bamboo orchid	non-native		U
<i>Phaius tankarvilliae</i> (Banks ex L'Her.) Blume	Chinese ground orchid	non-native		R
PANDANACEAE (Screw Pine Family)				
<i>Pandanus tectorius</i> S. Parkinson ex Z.	hala	indigenous	U	C
POACEAE (Grass Family)				
<i>Andropogon virginicus</i> L.	broomsedge	non-native	U	
<i>Axonopus compressus</i> (Sw.) P. Beauv.	broad-leaved carpet grass	non-native	C	

<i>Cenchrus purpureus</i> (Schumach.) Morrone	Napier grass	non-native		U
<i>Digitaria eriantha</i> Steud.	pangola grass	non-native	A	
<i>Megathyrsus maximus</i> (Jacq.) Simon & Jacobs	Guinea grass	non-native	U	U
<i>Melinis minutiflora</i> P. Beauv.	molasses grass	non-native	R	
<i>Melinis repens</i> (Willd.) Zizka	Natal redtop	non-native	U	
<i>Oplismenus hirtellus</i> (L.) P. Beauv.	basket grass	non-native		A
<i>Panicum repens</i> L.	torpedo grass	non-native	U	
<i>Paspalum scrobiculatum</i> L.	rice grass	non-native	U	
<i>Sacciolepis indica</i> (L.) Chase	Glenwood grass	non-native	U	
<i>Schizachyrium condensatum</i> (Kunth) Nees	bushy beardgrass	non-native	R	
<i>Setaria palmifolia</i> (J. Kong) Stapf	palm grass	non-native		U
<i>Urochloa mutica</i> (Forssk.) T. Q. Nguyen	California grass	non-native	U	
DICOTS				
ACANTHACEAE (Acanthus Family)				
<i>Blechum brownie</i> -Juss.	-----	non-native	U	
APOCYNACEAE (Dogbane Family)				
<i>Alstonia scholaris</i> R. Br.	devil tree	non-native		R
<i>Plumeria rubra</i> L.	plumeria	non-native	R	
ARALIACEAE (Ginseng Family)				
<i>Schefflera actinophylla</i> (Endl.) Harms	octopus tree	non-native		U
ASTERACEAE (Sunflower Family)				
<i>Ageratum conyzoides</i> L.	maile hohono	non-native		R
<i>Conyza bonariensis</i> (L.) Cronq.	hairy horseweed	non-native	R	
<i>Emilia sonchifolia</i> (L.) DC.	violet pualele	non-native	R	
<i>Pluchea carolinensis</i> (Jacq.) G. Don	sourbush	non-native	R	
<i>Sphagneticola trilobata</i> (L.) Pruski	wedelia	non-native	C	U
SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE	
			Single Parcel	Four Parcels
BALSAMINACEAE (Impatiens Family)				
<i>Impatiens walleriana</i> J.D. Hook.	impatiens	non-native		R
BEGONIACEAE (Begonia Family)				
<i>Begonia hirtella</i> Link	-----	non-native		R
BIGNONIACEAE (Bignonia Family)				
<i>Spathodea campanulata</i> P. Beauv.	African tulip tree	non-native	R	R
CANNABACEAE (Hemp Family)				
<i>Trema orientalis</i> (L.) Blume	gunpowder tree	non-native		U
CONVOLVULACEAE (Morning Glory Family)				
<i>Ipomoea alba</i> L.	moon flower	non-native		R
CUCURBITACEAE (Gourd Family)				
<i>Momordica charantia</i> L.	bitter melon	non-native	R	R
EUPHORBIACEAE (Spurge Family)				
<i>Aleurites moluccana</i> (L.) Willd.	kukui	Polynesian	U	
<i>Macaranga mapp</i> a (L.) Willd.	bingabing	non-native	R	U
FABACEAE (Pea Family)				
<i>Bauhinia x blakeana</i> Dunn	Hong Kong orchid tree	non-native	R	

<i>Chamaecrista nictitans</i> (L.) Moench	partridge pea	non-native	U	
<i>Desmodium heterophyllum</i> (Willd.) DC.	variable leaved tick trefoil	non-native	U	
<i>Desmodim incanum</i> DC.	kaimi clover	non-native		R
<i>Falcataria moluccana</i> (Mig.) Barneby & Grimes	albizia	non-native	U	A
<i>Mimosa pudica</i> L.	sensitive plant	non-native	C	
<i>Vigna marina</i> (J. Burm) Merr.	<i>nanea</i>	indigenous	R	
LAMIACEAE (Mint Family)				
<i>Hyptis pectinata</i> (L.) Poit.	comb hyptis	non-native	R	
MALVACEAE (Mallow Family)				
<i>Melochia umbellata</i> (Houtt.) Stapf	melochia	non-native	R	R
MELASTOMATACEAE (Melastoma Family)				
<i>Clidemia hirta</i> (L.) D. Don	Koster's curse	non-native	R	U
<i>Dissotis rotundifolia</i> (Sm.) Triana	dissotis	non-native	U	C
<i>Melastoma candidum</i> D. Don	melastoma	non-native	U	A
<i>Miconia calvescens</i> DC.	miconia	non-native		C
MYRTACEAE (Myrtle Family)				
<i>Metrosideros polymorpha</i> Gaud.	'ōhi'a	endemic	R	U
<i>Psidium cattleianum</i> Sabine	strawberry guava	non-native		A
<i>Syzygium malaccense</i> (L.) Merr. & Perry	'ōhi'a'ai	Polynesian	R	
PHYLLANTHACEAE (Phyllanthus Family)				
<i>Phyllanthus debilis</i> Klein ex Willd.	niruri	non-native	U	
RUBIACEAE (Coffee Family)				
<i>Gardenia augusta</i> (L.) Merrill	gardenia	non-native	R	
SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE	
			Single Parcel	Four Parcels
<i>Morinda citrifolia</i> L.	<i>noni</i>	Polynesian	R	
<i>Paederia foetida</i> L.	<i>maile pilau</i>	non-native	C	C
SCROPHULARIACEAE (Figwort Family)				
<i>Buddleia asiatica</i> Lour.	dog tail	non-native	U	
SOLANACEAE (Nightshade Family)				
<i>Cestrum diurnum</i> L.	day cestrum	non-native		U
URTICACEAE (Nettle Family)				
<i>Cecropia obtusifolia</i> Bertol.	cecropia	non-native		C
VERBENACEAE (Verbena Family)				
<i>Citharexylum caudatum</i> L.	-----	non-native	R	U
<i>Lantana camara</i> L.	lantana	non-native		U
<i>Stachytarpheta australis</i> Moldenke	ōwī	non-native	C	R
<i>Stachytarpheta cayennensis</i> (Rich.) Vahl	nettle-leaved vervain	non-native	U	R

FAUNA SURVEY REPORT

SURVEY METHODS

A walk-through fauna survey method was conducted in conjunction with the botanical survey. All parts of the project area including all habitat types were covered. Field observations were made with the aid of binoculars and by listening to vocalizations. Notes were made on species, abundance, activities and location as well as observations of trails, tracks, scat and signs of feeding. In addition an evening visit was made to the area to record crepuscular activities and vocalizations and to see if there was any evidence of occurrence of the Hawaiian hoary bat (*Lasiurus cinereus semotus*) in the area.

RESULTS

MAMMALS

Just one mammal species was recorded during four site visits in the project area. Taxonomy and nomenclature follow Tomich (1986). This mammal was the 'ōpe'ape'a or the Hawaiian hoary bat.

An evening survey was conducted at two locations in the project area in order to ascertain the presence of the endemic and Endangered 'ōpe'ape'a or Hawaiian hoary bat. A bat detecting device (Batbox IIID) was employed, set to the frequency of 27,000 Hertz which these bats are known to use for echolocation. As soon as this device was turned on at each location, multiple bats were detected emitting their echolocation calls as they flew about in search of flying insects. This level of activity indicated a substantial population of these bats at the time of the survey.

Other non-native mammals that would be expected to be present in this habitat but which were not seen include mice (*Mus domesticus*), rats (*Rattus* spp.), mongoose (*Herpestes auropunctatus*), cats (*Felis catus*) and the feral pig (*Sus scrofa*). Mice and rats feed on seeds, fruits and herbaceous vegetation, while the mongoose and cats would prey on these rodents and birds. Feral pigs are common throughout much of the Big Island.

BIRDS

Birdlife was moderate in the single parcel where eight species were recorded and sparse in the dense forest in the four parcel block where smaller numbers of six non-native species were seen. Taxonomy and nomenclature follow American Ornithologists' Union (2013). Most common in both areas were the common myna (*Acridotheres tristis*), zebra dove (*Geopelia striata*) and Japanese white-eye (*Zosterops japonicus*). Less common were the northern cardinal (*Cardinalis cardinalis*), spotted dove (*Streptopelia chinensis*), house finch (*Carpodacus mexicanus*), nutmeg mannikin (*Lonchura punctulata*) and the hwamei (*Leucodioptron canorum*).

A few other non-native birds would be occasional users of this site, but the habitat is unsuitable for Hawaii's native forest birds which presently occupy native forest uplands beyond the elevational range of mosquitoes and the avian diseases they carry and transmit. These two areas also do not provide habitat for the other native Endangered birds like the ae'o or Hawaiian stilt (*Himantopus mexicanus knudseni*), the alae ke'oke'o or Hawaiian coot (*Fulica alai*) and the nēnē or Hawaiian goose (*Branta sandvicensis*). None of these native birds were seen. The Endangered 'io or Hawaiian hawk is known from forests around Hilo and is occasionally sighted, but was not seen during this survey.

INSECTS

There were moderate amounts of insect life in the single parcel where eight non-native species were recorded. Most common were the beet webworm moth (*Spoladea recurvalis*) and the dung fly (*Musca sorbens*). Uncommon were the longtail blue butterfly (*Lampides boeticus*), small rice grasshopper (*Oxya japonica*) and the spittle bug (*Philaenus spumarius*). Three other non-native species were rare.

The four parcel block had just six species of non-native insects. Three species were common in the dense forest: the day mosquito (*Aedes albopictus*), the Southern day mosquito (*Culex quinquefasciatus*) and the little fire ant (*Wasmannia auropunctata*). Less common were the dungfly (*Musca sorbens*) and the beet webworm moth (*Spoladea recurvalis*).

No native insects were observed in either area. The Endangered Blackburn's sphinx moth (*Manduca blackburni*) was not seen. None of the specific host plants utilized by either the larvae or adults were found in the project areas.

AMPHIBIANS

Just one non-native amphibian the Puerto Rican coqui frog (*Eleutherodactylus coqui*) was found to be abundant in occurrence in both project focus areas during evening surveys. Their piercing calls can be heard at distances up to a hundred yards.

REPTILES AND MOLLUSKS

No reptiles or mollusks were observed during the survey.

DISCUSSION AND RECOMMENDATIONS

The fauna of on these two project area components is largely made up of non-native species that have been either purposeful or accidental introductions to Hawaii. Just one native mammal, the 'ōpe'ape'a or Hawaiian hoary bat, was recorded as common in both focus areas during the surveys.

The 'ōpe'ape'a carries federal protections where it occurs. It occurs on at least five of the major Hawaiian islands and has its largest population on Hawaii island. These bats are highly mobile and are known to occur in a variety of habitats from nearly 10,000 feet down to sea level. These movements are likely driven by food source availability and seasonal temperatures. 'Ōpe'ape'a were well represented in the project area during the time of the survey. The U.S. Fish and Wildlife Service has guidelines for the removal of vegetation from the project area, and the timing of such removal, that minimize potential harm to these bats. They should be consulted regarding these guidelines.

Hawaiian petrels (*Pterodroma phaeopygia sandwichensis*) and Newell's shearwaters (*Puffinus auricularis newellii*), (collectively known as seabirds) may transit over the project area when flying between the ocean and nesting sights in the mountains during their breeding season (March through November). Fatalities to these seabirds resulting from collisions with artificial structures that extend above the surrounding vegetation have been documented in Hawaii where high densities of transiting seabirds occur. Additionally, artificial lighting such as floodlighting for construction work can adversely impact seabirds by causing disorientation which may result in collision with utility lines, buildings, fences and vehicles. Fledgling seabirds are especially affected by artificial lighting and have a tendency to exhaust themselves while circling the light sources and become grounded. Too weak to fly, these birds become vulnerable to predation by predators such as mongoose (*Herpestes auropunctatus*), cats (*Felis catus*) and dogs (*Canis familiaris*). These threats can be minimized by the shielding of any outdoor lighting so that the light is visible only from below.

The Blackburn's sphinx moth was not found in the project area. None of the specific host plants that the larvae feed upon were present on or around the project area, and none of the nectar producing plants that the adult moths feed upon were found here either. No Blackburn's sphinx moths, their eggs or larvae were seen.

No other fauna concerns are foreseen and no other recommendations are offered regarding the fauna resources on this project.

ANIMAL SPECIES LIST

Following is a checklist of the animal species inventoried during the field work. Animal species are arranged in descending abundance within four groups: Mammals, Birds, Insects and Amphibians. For each species the following information is provided:

1. Common name
2. Scientific name
3. Bio-geographical status. The following symbols are used:

endemic = native only to Hawaii; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

non-native = all those animals brought to Hawaii intentionally or accidentally after western contact.

migratory = spending a portion of the year in Hawaii and a portion elsewhere. In Hawaii the migratory birds are usually in the overwintering/non-breeding phase of their life cycle.

4. Abundance of each species within the project area:

abundant = many flocks or individuals seen throughout the area at all times of day.

common = a few flocks or well scattered individuals throughout the area.

uncommon = only one flock or several individuals seen within the project area.

rare = only one or two seen within the project area.

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE	
MAMMALS			1 parcel	4 parcels
<i>Lasiurus cinereus semotus</i> Allen	'ōpe'ape'a, Hawaiian bat	endemic	C	C
BIRDS				
<i>Geopelia striata</i> L.	zebra dove	non-native	C	C
<i>Acridotheres tristis</i> L.	common myna	non-native	C	U
<i>Zosterops japonicus</i> Temminck & Schlegel	Japanese white-eye	non-native	U	C

<i>Cardinalis cardinalis</i> L.	northern cardinal	non-native	U	U
<i>Streptopelia chinensis</i> Scopoli	spotted dove	non-native	U	U
<i>Carpodacus mexicanus</i> Muller	house finch	non-native	R	U
<i>Lonchura punctulata</i> L.	nutmeg mannikin	non-native	U	
<i>Leucodioptron canorum</i> L.	hwamei	non-native	R	
AMPHIBIANS				
<i>Eleutherodactylus coqui</i> Thomas	coqui frog	non-native	A	A

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE	
INSECTS			1 parcel	4 parcels
Order DIPTERA - flies				
CULICIDAE (Mosquito Family)				
<i>Aedes albopictus</i> Seuse	day mosquito	non-native		C
<i>Culex quinquefasciatus</i> Say	Southern house mosquito	non-native		C
MUSCIDAE (Housefly Family)				
<i>Musca sorbens</i> Wiedemann	dung fly	non-native	C	U
Order HEMIPTERA - true bugs				
ALEYRODIDAE (Whitefly Family)				
<i>Aleurodicus dispersus</i> Russell	spiraling whitefly	non-native		R
APHROPHORIDAE (Spittle Bug Family)				
<i>Philaenus spumarius</i> L.	spittle bug	non-native	U	
Order HYMENOPTERA - bees, wasps, ants				
FORMICIDAE (Ant Family)				
<i>Wasmannia auropunctata</i> Roger	little fire ant	non-native		C
Order LEPIDOPTERA - butterflies, moths				
CRAMBIDAE (Grass Moth Family)				
<i>Spoladea recurvalis</i> Fabricius	beet webworm moth	non-native	C	U
HESPERIIDAE (Skipper Butterfly Family)				
<i>Hylephila phyleus</i> Drury	fiery skipper	non-native	R	
LYCAENIDAE (Gossamer-winged Butterfly Family)				
<i>Lampides boeticus</i> L.	long tail blue butterfly	non-native	U	
NYMPHALIDAE (Brush-footed Butterfly Family)				
<i>Agraulis vanillae</i> L.	passion flower butterfly	non-native	R	
Order ORTHOPTERA - grasshoppers, crickets				
ACRIDIDAE (Grasshopper Family)				
<i>Oxya japonica</i> Thunberg	small rice grasshopper	non-native	U	
TETTIGONIIDAE (Katydid Family)				
<i>Elimaea punctifera</i> Walker	katydid	non-native	R	

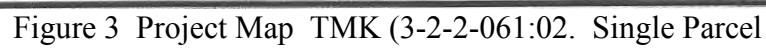




FIGURE 4 - SINGLE PARCEL TMK (3) 2-2-061:02 A formerly mowed lawn surrounding a residence, now overgrown with deep grass and scattered shrubs.

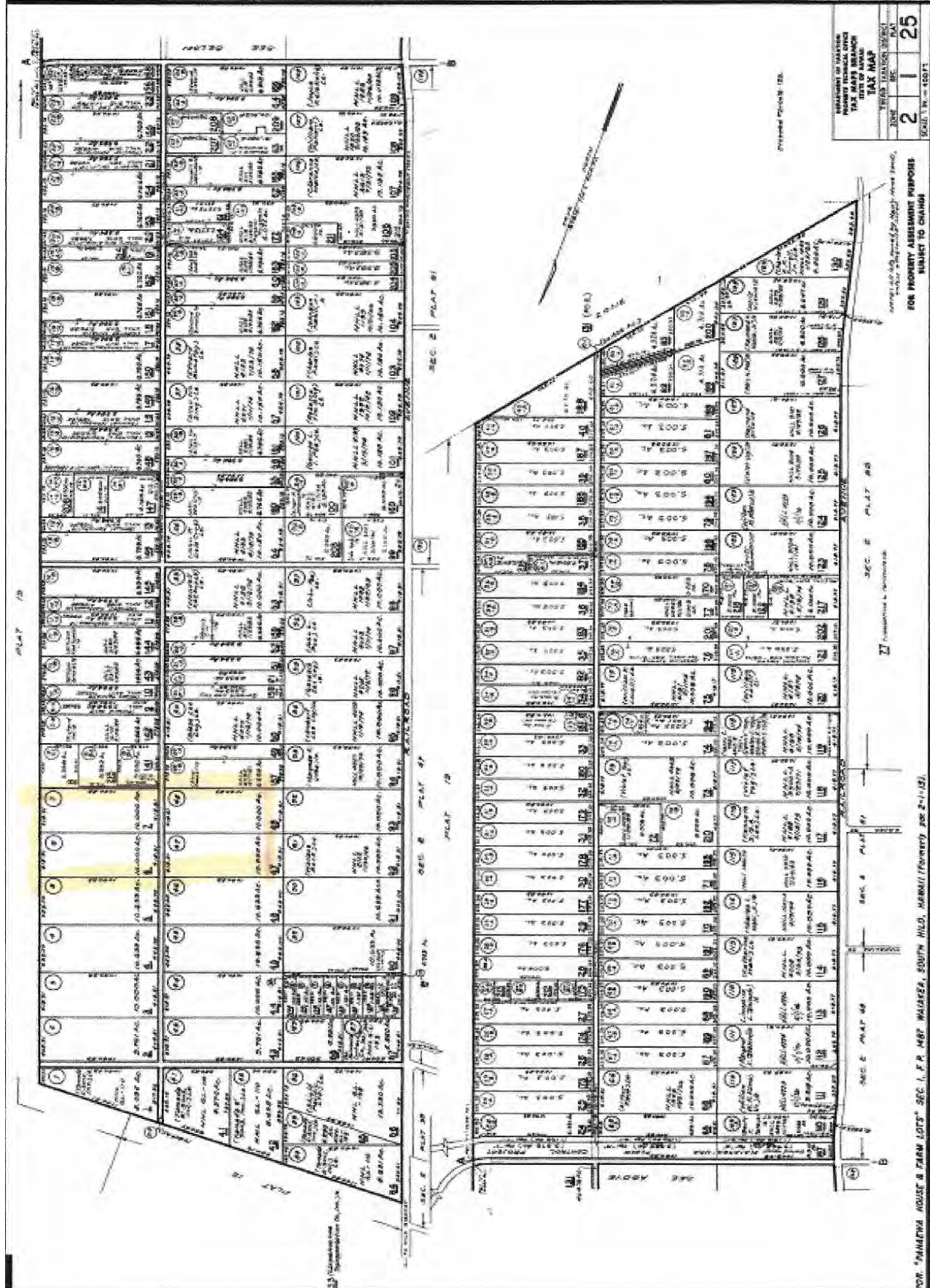


Figure 5 – 4 PARCELS TMK's (3) 2-1-25: 06, 07, 47, 48.



FIGURE 6. Four parcel block – The entire 40 acres is a dense wet jungle.



FIGURE 7. Four parcel block – Typical dense wet forest with large albizia trees.

Literature Cited

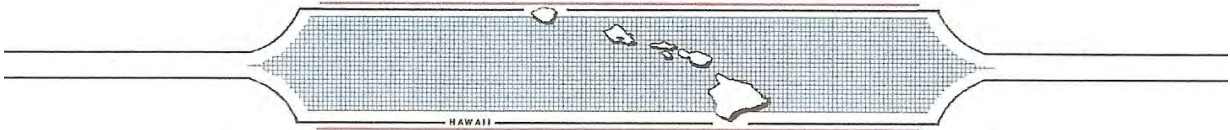
- American Ornithologists' Union 2013. Check-list of North American Birds. 7th edition. American Ornithologists' Union. Washington D.C.
- Armstrong, R. W. (ed.) 1983. Atlas of Hawaii. (2nd. ed.) University of Hawaii Press.
- Nishida, G.M. & G.A. Samuelson, J.S. Strazanac & K.S. Kami. 1992. Hawaiian Terrestrial Arthropod Checklist. Hawaiian Biological Survey.
- Sato, H.H., W. Ikeda, R. Paeth, R. Smythe, M. Takehiro, Jr. 1973. Soil Survey of the Island of Hawaii, State of Hawaii. USDA Soil Conservation Service, Washington, DC.
- Staples, G.W. and D.R. Herbst. 2005. A Tropical Garden Flora – Plants Cultivated in the Hawaiian Islands and Other Tropical Places. Bishop Museum Press, Honolulu.
- Tomich, P.Q. 1986. Mammals in Hawaii. Bishop Museum Press, Honolulu.
- United States Congress (1973). Endangered Species Act (7 U.S.C. section 136, 16 U.S.C. section 1531 et seqo.) Washington, D.C.
- U.S. Fish and Wildlife Service. 2015. Endangered and threatened wildlife and Plants. Listings and Occurrences for Hawaii. www.fws.gov/endangered.
- U.S. Fish and Wildlife Service. 2000. Endangered and threatened wildlife and plants: determination of endangered status for Blackburn's sphinx moth from Hawaii. Federal Register 65(21): 4770-4779.
- Wagner, W. L., D.R. Herbst, and S. H. Sohmer. 1999. Manual of the Flowering Plants of Hawai'i. University of Hawai'i Press and Bishop Museum Press. Honolulu.

Appendix **D**

ARCHAEOLOGICAL INVENTORY SURVEY; APPLICATION FOR HISTORIC PRESERVATION REVIEW (INCLUDING SECTION 106 CONSULTATION)

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SCIENTIFIC CONSULTANT SERVICES Inc.



Hawai'i Island Office: PO Box 155 Kea'au, HI 96749

June 10, 2015

Sean Naleimaile
Hawai'i Island Archaeologist
State Historic Preservation Division
40 Po'okela Street
Hilo, HI 96720

**Submittal of Draft Report: An Archaeological Assessment of Five 10-Acre DHHL
Parcels in the Pana'ewa Region of Waiākea Ahupua'a, South Hilo District, Island
of Hawai'i, Hawai'i [TMK: (3) 2-1-025: 006, 007, 047, 048; & 2-1-061: 002].**

Aloha e Sean:

Thank you in advance for your review of the above referenced draft report. The proposed project addressed in the report is federally funded and constitutes an undertaking as defined under Section 106 of the National Historic Preservation Act (36 CFR Section 800.16(y)). The Archaeological Assessment report is supporting documentation for Section 106 requirements. The report is attached with this letter. The review fee for the draft report has been sent to the SHPD Kapolei office. Please feel free to contact me if you have questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn G. Escott", is placed over a light blue rectangular background.

Glenn G. Escott, MA
Senior Archaeologist
SCS Hawai'i Island Ops Mgr
PO Box 155 Kea'au, HI 96749
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Enclosure A: Draft Report

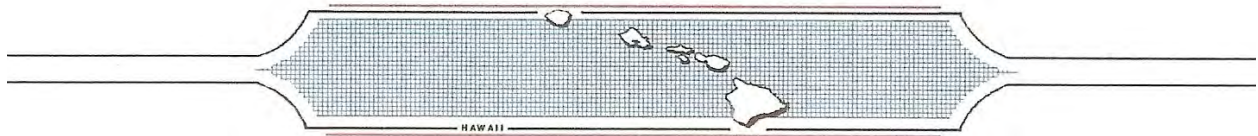
**AN ARCHAEOLOGICAL ASSESSMENT OF FIVE 10-ACRE DHHL
PARCELS IN THE PANA'EWA REGION OF WAIĀKEA AHUPUA'A,
SOUTH HILO DISTRICT, HAWAI'I ISLAND, HAWAI'I
[TMK: 2-1-025: 006, 007, 047, 048; & 2-1-061: 002]**

Prepared By:
Glenn G. Escott, M.A.

**June 2015
DRAFT**

Prepared for:
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ABSTRACT

At the request of PBR Hawai'i, Scientific Consultant Services, Inc. (SCS) conducted an archaeological assessment of 50.0 acres of Department of Hawaiian Home Lands (DHHL) land [TMK: (3) 2-1-025: 006, 007, 047, 048; and (3) 2-1-061: 002] located in the Pana'ewa region of Waiākea Ahupua'a, South Hilo District, Island of Hawai'i, Hawai'i. DHHL is proposing to subdivide the five 10-acre parcels into 90 half-acre lots to enable relocation of Maku'u Farm Lot lessees who may have to move due to threat of the lava flow, and other lessees who may have to relocate for various reasons (e.g., UXO issues), as well as awarding to those on the wait list.

The proposed project will be conducted, in part, using federal funds and constitutes an undertaking as defined under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR Part 800). The proposed project is also covered under Hawai'i Revised Statutes, Title 13, Chapter 6-E Historic Preservation Review regulations. The undertaking Area of Potential Effect (APE) is defined as the five 10-acre parcels.

The northern most four parcels form a contiguous 40-acre area of undeveloped land at the northern end of 'Auwae Street. The land is approximately 95 feet (29 meters) above mean sea level (amsl). The southwest corner of the 40-acres is bordered by a grubbed and graded residential lot containing a house. The east and west boundaries are bordered by grubbed and graded macadamia nut orchards and garden fields, respectively. The northern boundary borders undeveloped land.

The southernmost 10-acre parcel, TMK (3) 2-2-061:002, is located at 230 Mahi'ai Street at an elevation of between 180 and 200 feet (55 to 60 meters) amsl. The property is bounded to the north by grubbed and graded gardens and orchards. The east and west boundaries are bordered by residential lots, and the southern boundary is bordered by undeveloped land. The entire 10-acre property is grubbed, graded, and landscaped. There is a house on the property built in the mid 1980s.

A pedestrian survey was carried out in March 2015 by Glenn Escott, M.A and Suzan Keris, B.A.. A series of transects spaced ten meters apart were walked across the entire project area. The northernmost 40-acres had some areas of thick forest, but ground surface visibility was good. The southernmost 10-acre parcel ground surface was grass lawn and visibility was excellent. No archaeological sites or historic properties were identified during the survey. This archaeological assessment report is intended as supporting documentation for Section 106 consultation.

It has been determined through archaeological survey that no historic properties exist within the APE and that no historic properties will be affected by the proposed undertaking. This report recommends that, pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended and 36 CFR part 800.2(c), the SHPO concur with the determination of no effect.

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INTRODUCTION

PROJECT AREA DESCRIPTION

At the request of PBR Hawai‘i, Scientific Consultant Services, Inc. (SCS) conducted an archaeological assessment of five 10-acre parcels of Department of Hawaiian Home Lands (DHHL) property [TMK: (3) 2-1-025: 006, 007, 047, 048; and (3) 2-1-061: 002] located in the Pana‘ewa region of Waiākea Ahupua‘a, South Hilo District, Island of Hawai‘i, Hawai‘i (Figure 1 and Figure 2). The Department of Hawaiian Home Lands (DHHL) is proposing to subdivide the five 10-acre parcels into 90 half-acre lots to enable relocation of Maku'u Farm Lot lessees who may have to move due to threat of the lava flow, and other lessees who may have to relocate for various reasons (e.g., UXO issues), as well as awarding to those on the wait list.

The proposed project will be conducted, in part, using federal funds and constitutes an undertaking as defined under Section 106 of the National Historic Preservation (36 CFR Section 800.16[y]). The undertaking Area of Potential Effect (APE) is defined as the five 10-acre parcels. This archaeological assessment report is intended as supporting documentation for Section 106 requirements.

The northern most four parcels form a contiguous 40-acre area of undeveloped land at the northern end of ‘Auwae Street (Figure 3). The land is approximately 95 feet (29 meters) above mean sea level (amsl). The southwest corner of the 40-acres is bordered by a grubbed and graded residential lot containing a house. The east and west boundaries are bordered by grubbed and graded d macadamia nut orchards and garden fields, respectively. The northern boundary borders undeveloped land.

The southernmost 10-acre parcel, TMK (3) 2-2-061:002, is located at 230 Mahi‘ai Street at an elevation of between 180 and 200 feet (55 to 60 meters) amsl (Figure 4). The property is bounded to the north by grubbed and graded gardens and orchards. The east and west boundaries are bordered by residential lots, and the southern boundary is bordered by undeveloped land. The entire 10-acre property is grubbed, graded, and landscaped. There is a house on the property built in the mid 1980s.

METHODS

Because the proposed undertaking is a governmental project covered, in part, under Sections 6E-7 and 6E-8, the archaeological assessment was conducted in

accordance with Hawai'i Administrative Rules 13§13-284 and was performed in compliance with the Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports contained in Hawai'i Administrative Rules 13§13-275/276. Because the proposed undertaking will also be conducted using federal funds, it is also covered under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR Part 800).

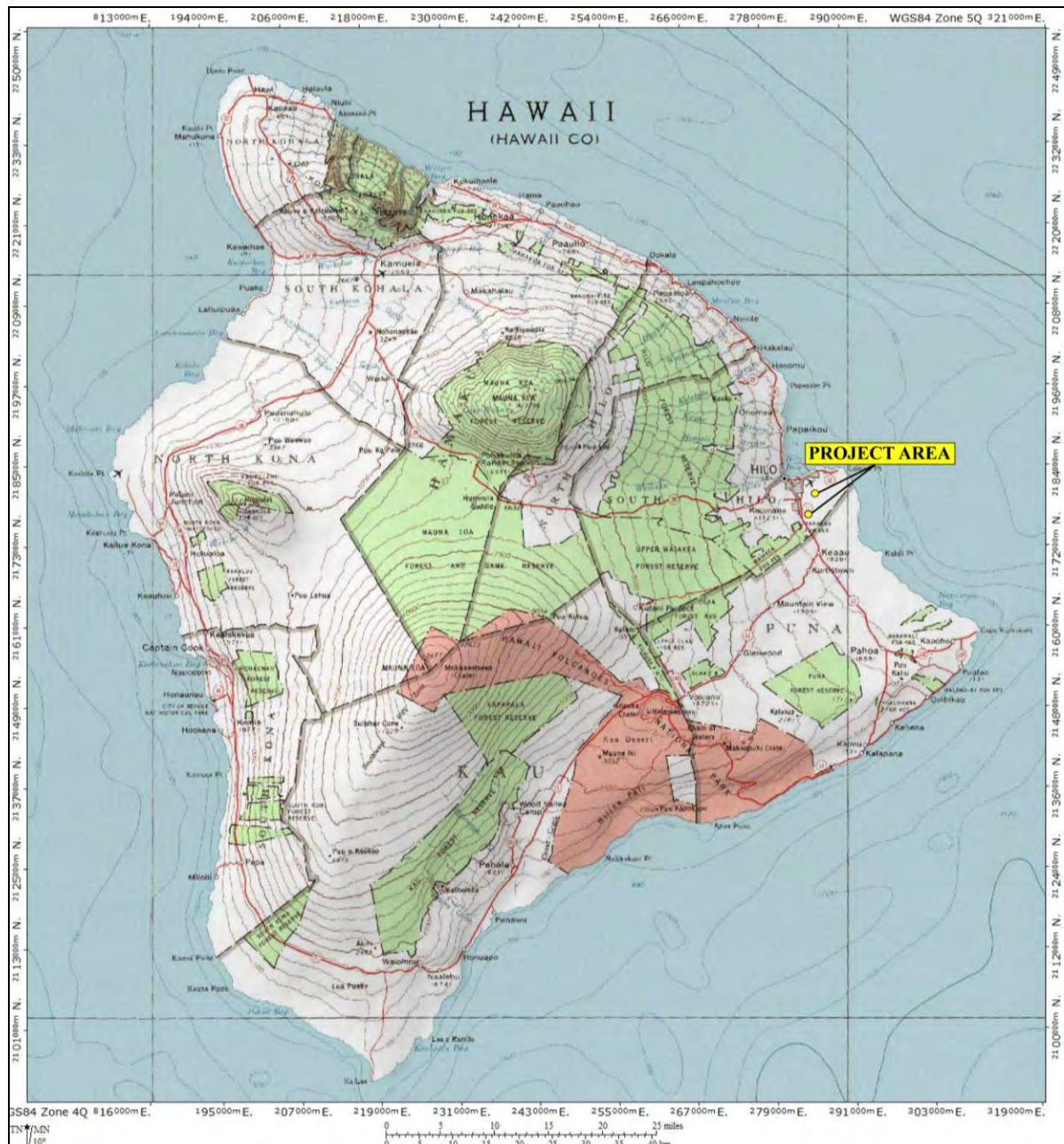


Figure 1: 5,500 K-Series Map of Hawai'i Showing Location of Project Area (National Geographic Topo!, 2003. Sources: National Geographic Society, USGS).

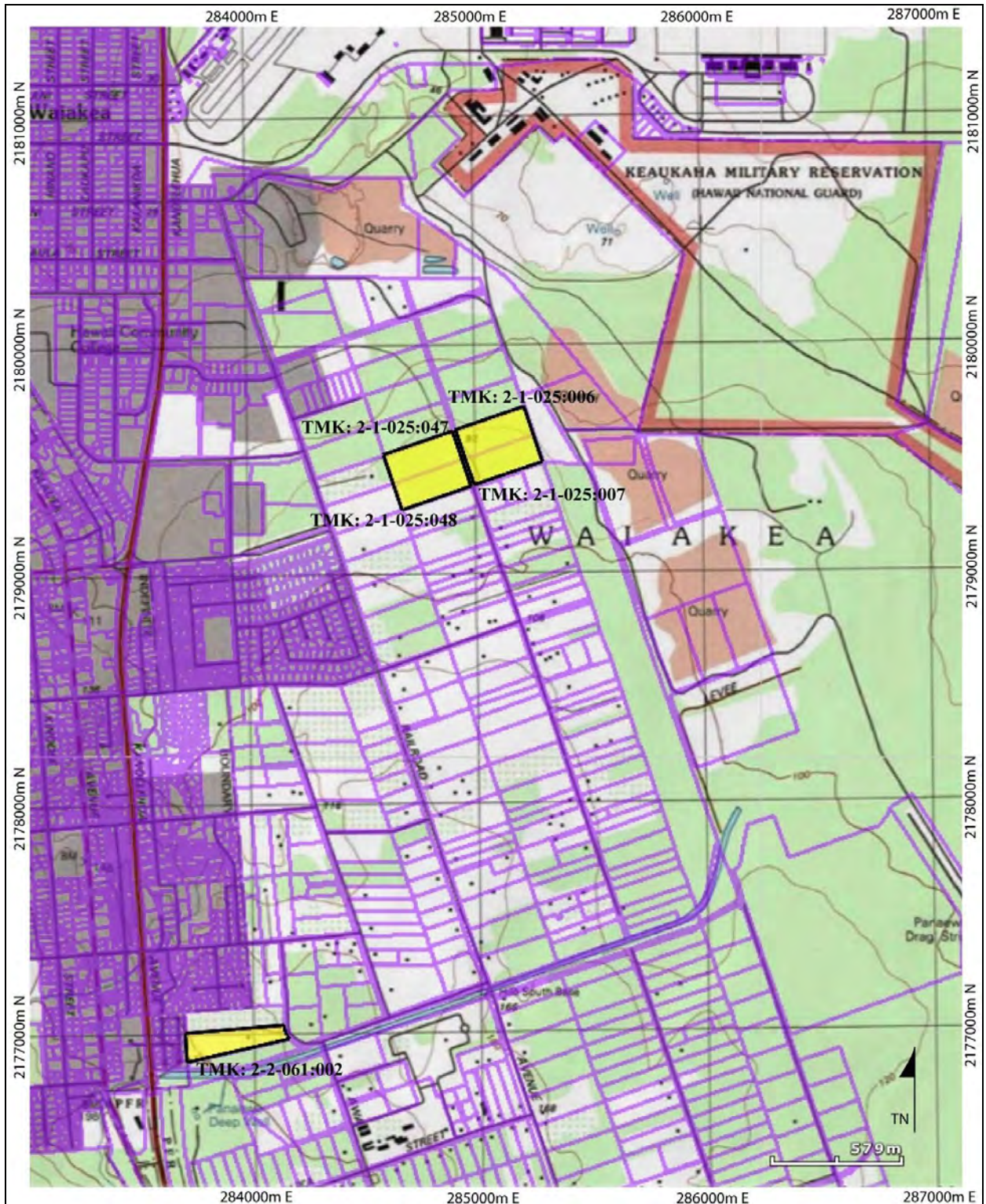


Figure 2: 7.5-Minute Series USGS Topographic Map Showing Location of Project Area Shaded Yellow (ESRI, 2011. Sources: National Geographic Society, USGS Hilo Quadrangle).



Figure 3: Aerial Photograph Showing Northern Four Project Area Parcels (Google Earth, 2013 Image. Hilo, HI, 5Q 284875m E 2179315m N).

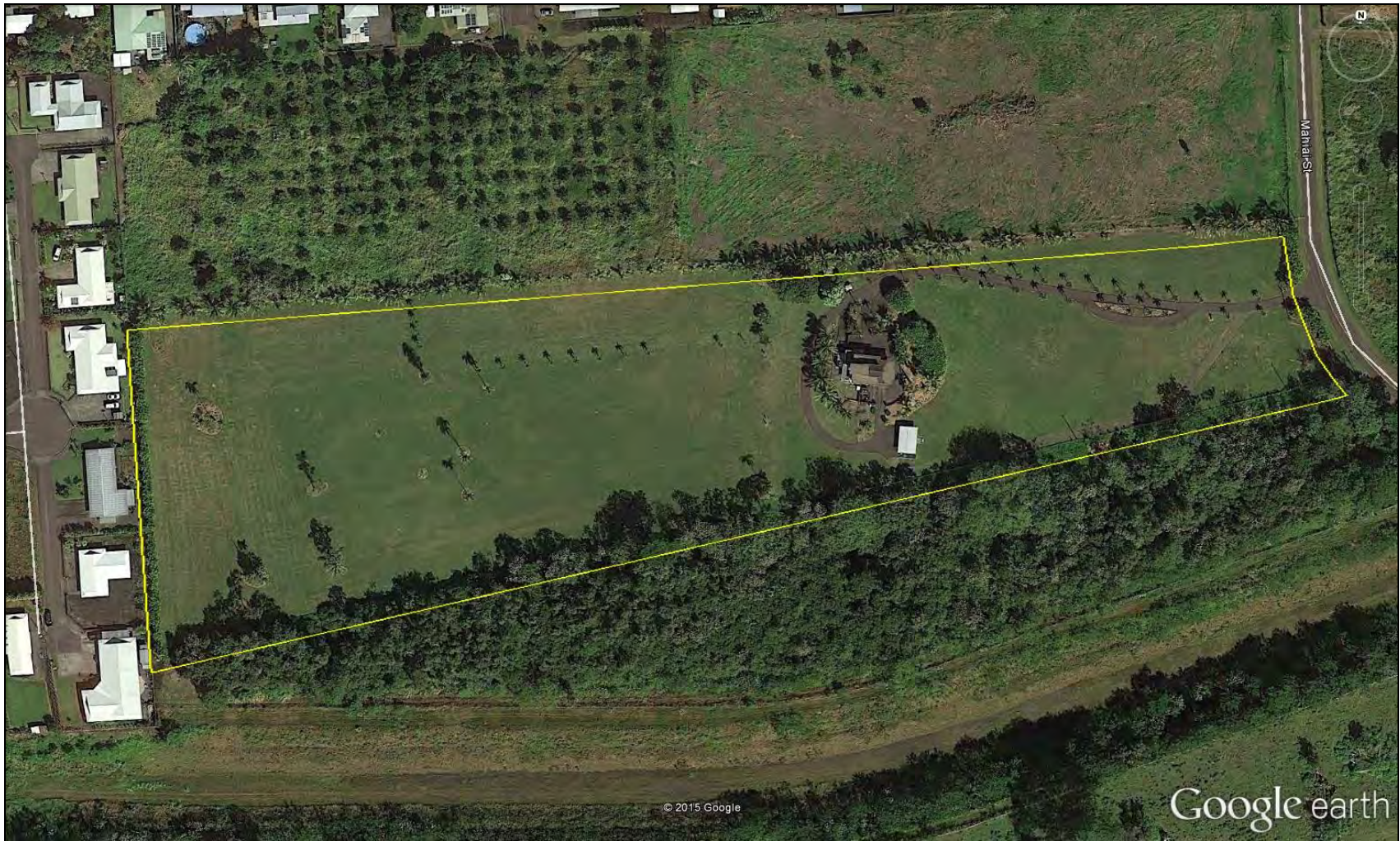


Figure 4: Aerial Photograph Showing Northern Four Project Area Parcels (Google Earth, 2013 Image. Hilo, HI, 5Q 283981m E 2176888m N).

The investigation included the following procedures:

1. Historical and archaeological archival research was conducted, including a search of historic maps, aerial photos, written records, Land Commission Award documents, State and County Planning Division documents, and previous archaeological reports. The research was aimed at determining past land-use in the project area.
2. A 100 percent pedestrian survey of the project area. All sites and features were located, mapped (GIS), described, drawn at appropriate scales, and photographed. Sites were assigned temporary numbers pending State Historic Preservation Division (SHPD) assignment of State Inventory of Historic Property site numbers.

Archival Methods

Prior to commencing field work, archival research was conducted in the State Historic Preservation Division (SHPD) report database and library facility (Hilo, HI), the Hawai‘i County land records office, the *Waihona ‘Āina Māhele* database website, the Hawaiian collections holdings at the University of Hawai‘i-Hilo Library, and the Hawai‘i State Library system.

Archival work consisted of general research on the history and cultural practices specific to the project area, as well as research of previous archaeological studies in and around the subject parcels. Historic land use data, land ownership, maps, and narrative information were obtained from the Hawai‘i County land records office, the *Waihona ‘Āina Māhele* database website, and the University of Hawai‘i, Hilo, Special Collections.

Based on previous studies, none of the five 10-acre parcels are within areas of traditional pre-Contact Hawaiian settlement and habitation. The parcels are inland of the coast where early settlements were located. In 1825, the majority of Waiākea’s estimated 2,000 inhabitants lived along the coast (Ellis 1963: 253). While there were settlements along the coast at Keaukaha and in Puna District to the southeast, the majority of habitation and gardens were along, what is now, Hilo Bay.

Field Methods

A pedestrian survey was conducted by Glenn Escott, M.A. and Suzan Keris Escott between March 10 and 19, 2015. The field effort totaled 96 man-hours. The

pedestrian survey consisted of a series of north/south transects spaced ten meters apart across the entire project area. The northernmost 40-acres had some areas of thick forest, but ground surface visibility was good. The southernmost 10-acre parcel ground surface was grass lawn and visibility was excellent. No archaeological sites or historic properties were identified during the survey. Glenn Escott is the principal investigator for the project.

This report contains background information outlining the project area environmental and cultural contexts, a presentation of previous archaeological work within the study area and in the immediate vicinity, and current survey expectations based on that previous work, as well as an explanation of project methods.

ENVIRONMENTAL SETTING

The ground surface at all five parcels is level to slightly undulating Paipai Series (rPAE) extremely stony muck (Sato et al. 1973: 46) overlaying a Mauna Loa lava flow dated between 750 and 1,500 years before present (ybp) (Wolf and Morris 1996). There are exposed ‘a‘a bedrock outcrops and low ridges on the ground surface across the properties. Annual rainfall ranges from 120 to 160 inches.

Vegetation within the south, east, and northeast portions of the contiguous four parcels, where ground disturbance is evident, is composed of a suite of invasive plant species dominated by albizia trees (*Falcataria moluccana*) and guava (*Psidium* sp.) (Starr Environmental 2014). Vegetation on the remainder of 40 acres is primarily ‘ōhi‘a (*Metrosideros polymorpha*, hala (*Pandanus odoratissimus*), as well as invasive species including guava, gunpowder tree (*Trema orientalis*), miconia (*Miconia calvescens*), Asian Melastoma (*Melastoma septemnerium*), and bingabing (*Macaranga mappia*). The entire southernmost 10-acre parcel is grubbed, graded, and landscaped. There is a house on the property built in the mid 1980s.

HISTORICAL AND CULTURAL CONTEXTS

The rich marine resources of Hilo Bay and the gently sloping forests of Mauna Loa and Mauna Kea provided abundant resources. Fresh water was available from the Wailoa and Wailuku rivers and smaller streams such as Waiākea, Waiolama, Pukihāe, and ‘Alenaio.

The project area is located in the *ahupua'a* of Waiākea, Hilo Hanakāhi 'Okana, in the *moku-o-loko* (district) of Hilo (Maly 1996:4–5) (Figure 5). The *ahupua'a* of Waiākea is large, consists of roughly 95,000 acres, and was regarded as a region of abundant natural resources and numerous fishponds. Waiākea was also an early important political center, notably under chief Kulukulu'a (Kelly et al. 1981:3). Kamehameha lived and often returned to his *'ili kūpono* (independent land division where all tributes were paid to the chief of the *'ili* and not the *ahupua'a*) lands of Pi'opi'o in the *ahupua'a* of Waiākea (Figure 6). The *'ili kūpono* lands and its royal fishpond were passed on to his son Liholiho after his death.

PRE-CONTACT ACCOUNTS OF HILO

The earliest account of Hilo appears in 'Umi-a-Liloa's (1600–1620) conquest of the Island of Hawai'i, which establishes Hilo as a royal center by the seventeenth century. In the account, 'Umi-a-Liloa began his conquest of the Island of Hawai'i by defeating chief Kulukulu'ā, who lived in Waiākea, and the other chiefs of Hilo (Kamakau 1992:16–17). 'Umi-a-Liloa's second son, Keawe-nui-a-'Umi, ruled Hamākua, Hilo, and Puna from his residence at Hilo (*ibid*: 34). It was from Hilo that he waged war on the Kona chiefs and unified the island. Keawe-nui-a-'Umi's descendants single handedly continued to rule, from Hilo, for many generations.

After the death of Keawe-nui-a-'Umi the kingdom was divided into three parts and was established under warring chiefs; Hilo was ruled by Kumalae-nui-pu'awa-lau and his son Makua (*ibid*: 45). It was during the period of time that Kamehameha I was born. Kalani'ōpu'u's grandson, Keoua Kuahu'ula and nephew Kamehameha vied for control over the six chiefdoms constituting the island kingdom and Keoua conquered Hilo chief Keawe-mau-hili and harvested the benefits for a short time only to be killed by Kamehameha late in 1791. Kamehameha's son Liholiho was born in Hilo in November 1797 (Kamakau 1992:22). Waiākea was inherited by Lihiliho after Kamehameha's death. The *'ili kūpono* of Pi'opi'o and its royal fishpond were given to his favorite wife, Ka'ahumanu (Figure 6).

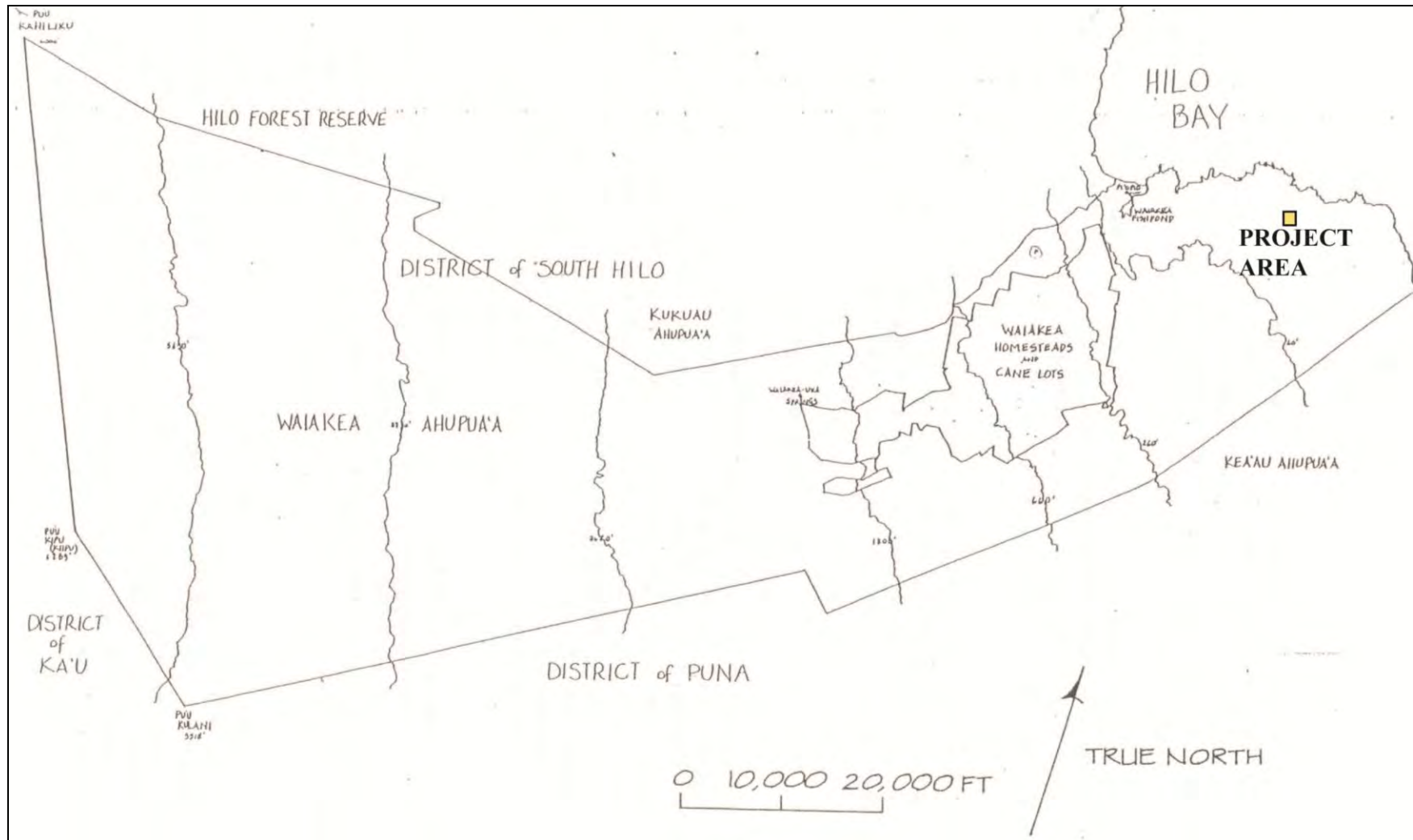


Figure 5: Map of Waiākea Ahupua'a Showing Location of Project Area (adapted from Bush et al. 2000).

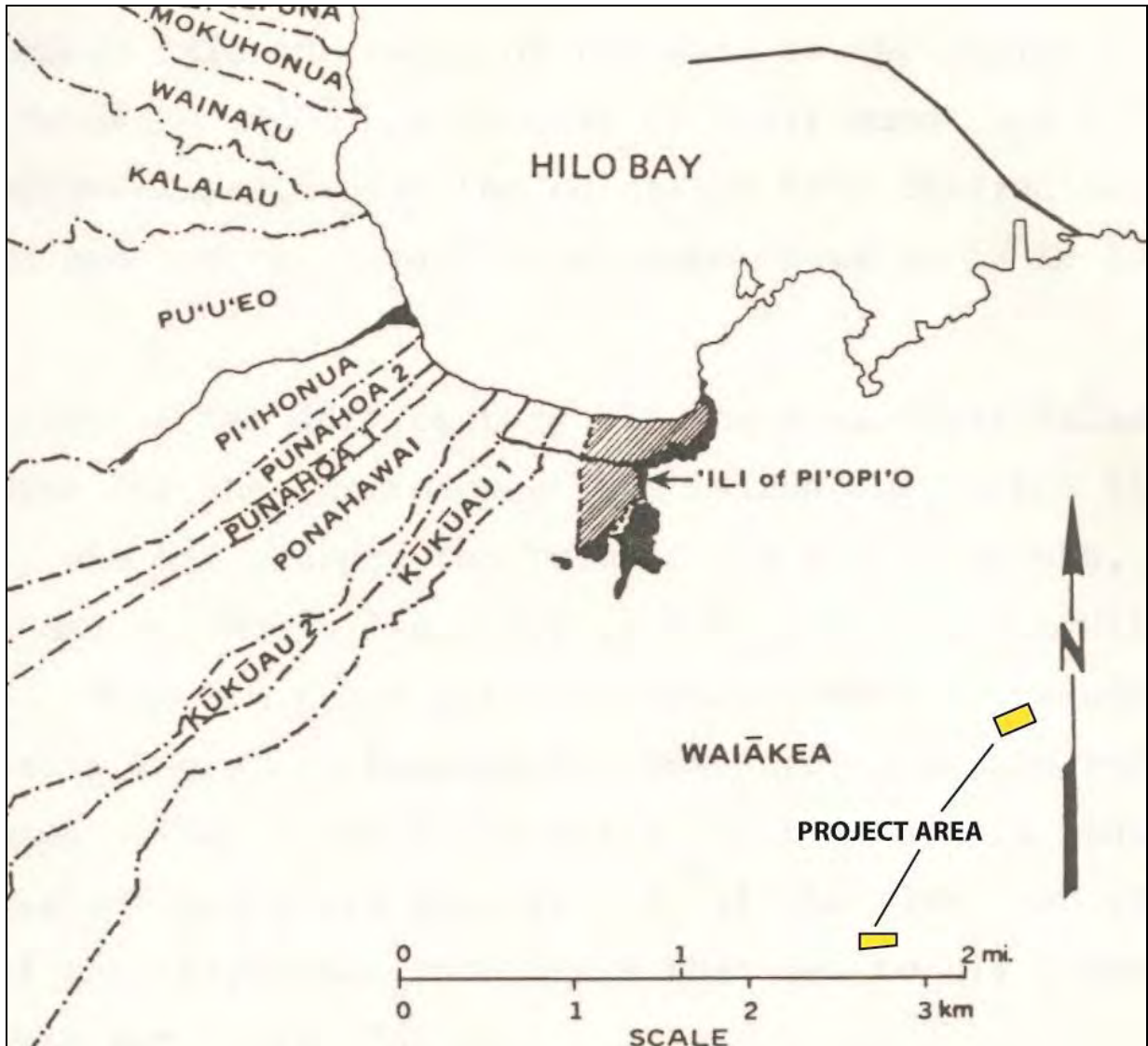


Figure 6: Map of Kamehameha's *'Ili Kūpono* Lands of Pi'opi'o in the *Ahupua'a* of Waiākea Showing Project Area Location (adapted from Kelly et al. 1981).

TRADITIONAL SETTLEMENT PATTERNS, SUBSISTENCE, AND LAND-USE

Historical accounts and archaeological/cultural studies pertaining to the *ahupua'a* of Waiākea (Bingham 1969; Bird 1974; Ellis 1963; Handy and Handy 1972; Kelly et al. 1981; Maly 1996; McEldowney 1979) provide a wealth of information on traditional residence patterns, land-use, and subsistence horticulture of the area. It is widely held that these historical accounts of residence patterns, land-use, and subsistence horticulture, indicative of traditional practices, developed long before contact with Europeans (McEldowney 1979). These are synthesized below in order to explain the types of cultural resources possibly located within the current project area.

Early accounts of Waiākea portray it as divided into several distinct environmental regions. From the coast to a distance of five or six miles scattered subsistence agriculture was evident, followed by a region of tall fern and bracken, flanked at higher elevations by a forest region between 10 and 20 miles wide, beyond which was an expanse of grass and lava (Ellis 1963:403). The American Missionary C.S. Stewart wrote, “the first four miles of the country is open and uneven, and beautifully sprinkled with clumps, groves, and single trees of the bread-fruit, pandanus, and candle tree (Stewart 1970:361-363). The majority of Waiākea’s estimated 2,000 inhabitants (in 1825) lived within this coastal region (Ellis 1963: 253). Taro, plantains, bananas, coconuts, sweet potatoes, and breadfruit were grown individually or in small garden plots. Fish, pig, dog, and birds were also raised and captured for consumption.

The present study area is situated inland of the coastal region, in the Pana‘ewa Forest. The project area lands are not located in an area of known traditional habitation. The Pana‘ewa forest area was traditionally known as a forbidding and dangerous landscape. The legendary origin of the Pana‘ewa Forest is associated with Pele’s search for a suitable home in the island chain of Hawai‘i.

When a suitable place was finally discovered on Hawaii, the Paoa staff was planted in Panaewa and became a living tree, multiplying itself until it was a forest. The writer’s informant says that it is a tree known to the present generation of men. “I have seen sticks cut from it,” said he, “but not the living tree itself” [Emerson 2005:xi].

When Pele sent her sister Hi‘iakapoliopole (referred to as Hi‘iaka) to travel to Kaua‘i to contact Lohi‘au, Hi‘iaka passed through the Pana‘ewa Forest. Hi‘iaka could have passed around the forest, taking the pathway along the shoreline from Hā‘ena (southeast of the project area) to Waiākea and Hilo, but she instead chose to cut through the forest taking a more direct, and shorter route.

Two routes offered themselves for Hiiaka’s choice, a makai road, circuitous but safe, the one ordinarily pursued by travelers; the other direct but bristling with danger, because it traversed the territory of the redoubtable witch-mo‘o, Pana-ewa. ... When Hiiaka announced her determination to take the short road, the one of danger that struck through the heart of Pana-ewa, Pa-pulehu drew back in dismay and expostulated:

“That is not a fit road for us, or for any but a band of warriors. If we go that way we shall be killed” [Emerson 1:2005:30].

Pana‘ewa did not let her pass without a fight.

The battle that ensued when Pana‘ewa sent to the attack his nondescript pack of mo‘o, dragonlike anthropoids, the spawn of witchcraft, inflamed with the spite of demons, was hideous and uncanny. Tooth and claw ran amuck. Flesh was torn, limbs rent apart, blood ran like water. If it had been only a battle with enemies in the open Hiiaka would have made short work of the job. Her forces lay ambushed in every wood and brake and assumed every imaginable disguise. A withered bush, a bunch of grass, a moss-grown stone, any, the most innocent object in nature, might prove to be an assailant ready to spit venom or tear with hook and talon [Emerson 2005:35].

The mo‘o Pana‘ewa and all of his minions were defeated by Hi‘iaka and her assistants. “Hawaii for once, and for all time, was rid of that pestilential, man-eating, mo‘o band headed by Pana-ewa who, from the time of Pele’s coming, had remained entrenched in the beautiful forest-land that still bears the name – Pana-ewa” (Emerson 2005:46).

The forest is heavily wooded and dense with thickets. Travel through it is made more difficult by the broken and undulating ground surface. There is an historic trail that leads from the modern day Lili‘uokalani Gardens area to the Puna coast. The trail is often called the Puna Trail and/or the Old Government Road (Escott and Tolleson 2003). Remains of the trail cross the Hawai‘i Army Reserve National Guard (HIARNG) Keaukaha Military Reserve (KMR) property, and it has the current appearance of a gravel-covered dirt road (Figure 7 and Figure 8). While there may have been some scattered home sites and gardens in this area, most of the known habitation was along the coast. The probable use of the area prehistorically was for trapping birds and collecting plants, including the plentiful *pandanus* or *hala* (Kelly et al. 1981:20).

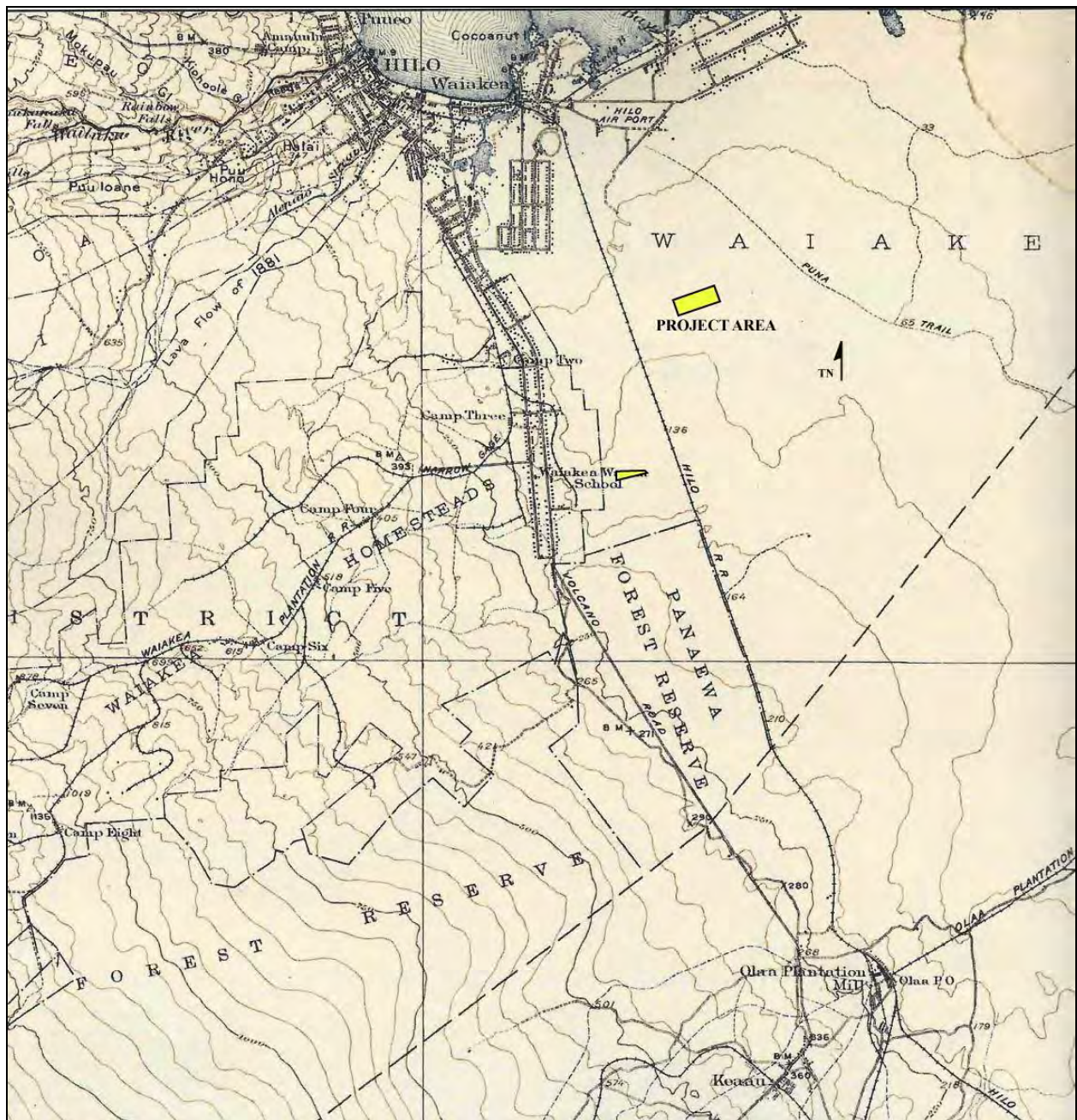


Figure 7: Portion of 1932 15-Minute Series USGS Topographic Map Showing Puna Trail and Location of Project Area (USGS Hilo Quadrangle).



Figure 8: Portion of 1954 USDA Aerial Photograph of Hilo Airport Showing Location of Northern Project Area.

THE MĀHELE OF 1848 AND LAND COMMISSION AWARDS

Prior to the Māhele, Waiākea Ahupua‘a belonged to King Kamehameha, then Lihiliho, and was later held by the chiefess Ka-unu-o-hua, granddaughter of Keawe-mauhili (Kelly et al. 1981:40). Waiākea became Crown Lands during the Māhele of 1848 and in the following years twenty-six Land Claims were awarded within the *ahupua‘a* of Waiākea (Table 1). The awards were small in area, 25 of which went to native claimants. The vast majority of awards were further west in the area of Hilo Bay. No Land Commission awards were made within or near the current project area. The project area property is owned by the State of Hawai‘i lands and is administered by DHHL.

Table 1: Land Commission Awards in Waiākea *Ahupua‘a*.

Grantee	LCA	Acreage
Barenaba	2327	12.25
Halai, L.K.	1279	0.60
Hale	40004	4.25
Kahue	2663	3.75
Kaiana, J.B.	2281	10.25
Kaihenui	11050-B	5.19
Kalolo	1333	2.25
Kalua	8854	3.40
Kaluhikaua	1738	2.98
Kamamalu, V.	7713	<i>‘ili ‘aina</i>
Kamanuhaka	8803	1.02
Kapu	1-F	1.60
Kealiko	11174	1.00
Keaniho	2402	5.00
Keawe	5018	0.24
-	10505	-
Kuaio	4344	1.22
Leoi	9982	0.80
Lolo	4738-B	1.27
Mahoe	1-E	4.46
Moealoha	4737	1.03
Nakai	4785	1.05
Napeahi	2603	1.30
Wahine	4737-B	1.01
Wahinealua	11173	2.50
Wahinenohoihilo	10004	1.69

CHANGING RESIDENTIAL AND LAND-USE PATTERNS (1845-1865)

Between 1845 and 1865 traditional land-use and residential patterns underwent a change. In particular, the regular use of Hilo Bay by foreign vessels and the whaling industry, in addition to the establishment of missions in the Hilo area, the introduction of the sandalwood trade, the legalization of private land ownership, the introduction of cattle ranching, and the introduction of sugar cane cultivation, all brought about changes in settlement patterns and long-established land-use patterns (Kelly et al. 1981).

As Hilo became the center of population, settlements in outlying regions declined or disappeared. While food was still grown for consumption, greater areas of land were continually given over to the specialized cultivation and processing of commercial foodstuffs for export. Sugar cane plantations, and industrial, transportation, and military facilities were established in areas that were once upland agricultural areas and coastal settlements, respectively. In particular, the land immediately north of the current project area was used as the location of a jail, an airfield, and the Keaukaha Military Reserve (KMR).

HISTORIC OVERVIEW OF KMR

KMR comprises 503.6 acres located between General Lyman Field (Hilo International Airport) to the north, and the current project area to the south. The area lies in rugged, broken, undulating lava flows, and where unmodified by bulldozing, a dense forest of mixed and native flora abounds. Rainfall in this portion of Hilo keeps the jungle wet, and the ground surface slippery.

In 1914, the Territory of Hawai‘i, via Executive Order Number (EO) 26 set aside 213.43 acres of government lands in Waiākea, north of the current project area, for a National Guard rifle range. In 1925, the Territory withdrew 33 acres for the building of Lyman Airfield by the Army Corp of Engineers.

In August of 1938, a territorial prison camp was constructed on 13.55 acres in Waiākea, north of the current project area. The complex included a Jailer's and acting Jailer's cottage, and a large fenced area with two dormitories, a mess/laundry building, and a recreation/workshop. The prison camp was moved in 1946 and all buildings were removed.

The Army Corp of Engineers constructed a coral runway at KMR beginning in 1925. Hawaiian Airlines used the airport at the outbreak of World War II. The Navy expanded the airfield to three runways, built storage for 450,000 gallons of gasoline, and 24 airplane revetments. KMR became a Naval Station in August 1943 under the 14th Naval District Command Servicing Carrier Aircraft Service Unit (CASU) No. 31 and Air Group One. Extensive building took place including officer and enlisted men's quarters, a swimming pool, two clubs, a three-tank tank farm, water systems, cesspools, tennis courts, and other infrastructure. Personnel at KMR hit a wartime peak of 4,500 upon completion of construction in 1945.

Naval Air Station Hilo officially closed on August 31, 1947. On May 10, 1943, Hilo Airport was officially renamed General Lyman Field. In May 1946, while the Naval Station at KMR was being reduced to caretaker status, the Army Air Force announced that the 7th Army Air Corps (AAC) would begin 24-hour operations at Lyman Field.

In 1947, reactivation of the Hawai‘i Army Reserve and National Guard (HIARNG) resulted in the HIARNG using several Navy buildings. During this time, many buildings were demolished or sold to the public as war surplus. KMR is the headquarters for the island of Hawai‘i National Guard units of the 2nd Battalion, 299th Infantry Company D and 2nd Battalion 299th Infantry, as well as Army Air Guard units 451Bt Aviation Detachment, and the 452nd Aviation Attachment. KMR has firing ranges, training areas, barracks, support facilities, an armory and offices. During annual or special training operations, several hundred to thousands of Guardsmen are housed in cabins and tents pitched in the encampment area.

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

Many archaeological and historical studies have been conducted in Waiākea Ahupua‘a from Hilo Bay west of the current project area, to the Waiākea Sugar Mill sugarcane fields southwest of the current project area, to the KMR lands just north of the current project area. Summaries of 38 of these studies are provided in Table 2 below. Figure 7 shows the locations of archaeological studies in the region surrounding the current project area. A rough model of archaeological site types and distribution can be formulated from these regional archaeological studies.

Table 2: Inventory of Previous Archaeological Investigations in Waiākea.

Reference	Study	Location	Results
Ching and Staruder (1974)	Reconnaissance	Proposed Road alignment from S. Hilo to Puna	Wall, enclosure, platform burial, and habitation site near Puna boundary
Bonk (1979)	Survey	West of KMR	Historic wall and road alignment
McEldowney (1979)	Historical research	Hilo	Settlement pattern
Kelly, Nakamura and Barrère (1981)	Historical research	Hilo	Chronology
Kam (1983)	Site inspection	Reed's Bay	1 site, heiau
Smith and Tourtellotte (1988)	Burial removal	Wailoa Bridge	One individual encountered
Rosendahl, M. (1988)	Reconnaissance	Various parcels in Hilo Town	No sites
Rosendahl, M. and L. Talea (1988)	Reconnaissance	North West of KMR	No sites
Rosendahl, P. (1988)	Reconnaissance		No sites
Pietrusewsky (1989)	Skeletal analysis	Wailoa Bridge	1 Individual
Stokes (1991)	Intermittent survey	Various Parcels	Heiau locations
Hunt and McDermott (1993)	Inventory Survey	Puainako Street Extension	11 sites, historic sugarcane
Borthwick et al. (1993)	Inventory Survey	UH Hilo	Sugar cane remains in uplands
Maly (1996)	Cultural History	Puainako- Komohana Street area	Sugar cane history
Robbins and Spear (1996)	Inventory Survey	Puainako Street	Sugar cane sites in the uplands
Eblé et al. (1997)	Supplemental Testing	Puainako Street	Sugar cane sites in the uplands
Deveroux, et al. (1997)	Reconnaissance	KMR	2 sites
Carson (1999)	Inventory Survey	Pana'ewa	No sites
McGerty and Spear (1999)	Inventory Survey	Puainako Street Extension	1 site
Dega and Benson (1999)	Reconnaissance	Puainako Street Extension	Possible prehistoric 'auwai

Reference	Study	Location	Results
Dega (2000)	Inventory Survey	Puainako Street Extension	'Auwai equals historical ditch
Bush et al. (2000)	Inventory Survey	Puainako Street Extension	Burial in cave in uplands
Hammatt & Bush (2000)	Inventory Survey	KMR	Mounds and Puna Trail
McDermott and Hammatt (2001)	Inventory Survey	Puainako Street Extension	2 historical sites in uplands
Tolleson and Godby 2001		KMR	Historic era sites and Puna Trail
Rosendahl, P. (2002)	Assessment Survey	Quarry Site on Southeast Edge of KMR	No sites
Escott and Tolleson (2002)	Inventory Survey	KMR	Trail and planting features
Haun & Henry (2002)		Southwest of KMR	No sites
Rechtman (2003)	Archaeological study and limited CIA	Western edge of KMR	No site
Escott (2004)	Inventory Survey	Puainako Street and Komohana Street area	WWII sites in the uplands
Wolforth (2004)	Inventory Survey	Reed's Bay	Fishponds, railroad, Historic era foundations
Wolforth (2006)	Inventory Survey	Western edge of KMR	Modern military building remains
Rechtman (2006)	Inventory Survey	Quarry site south of KMR	No sites
Hammatt & Uyeoka (2007)	Archaeological Monitoring	Southeast of KMR	No sites
Tulchin & Hammatt (2007)	Field Inspection	Wal-Mart Property	No sites
Escott (2013a)	Archaeological Assessment	Quarry site west of KMR	No sites
Escott (2013b)	Archaeological Assessment	Quarry site west of KMR	No sites
Wheeler et al. (2014)	Inventory Survey	KMR	Eleven sites, some pre-Contact era, some historic, and some more modern including military features

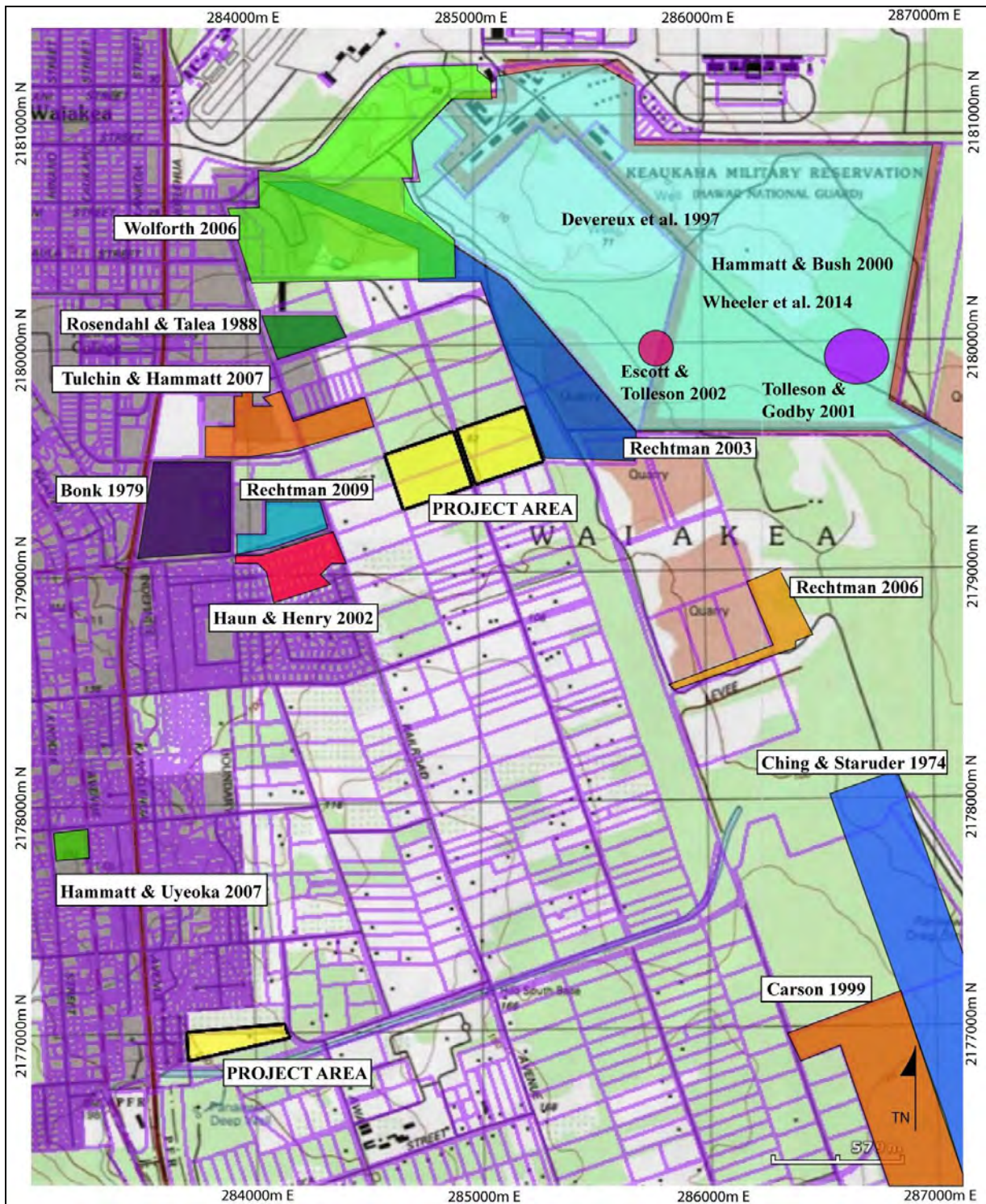


Figure 9: 7.5-Minute Series USGS Topographic Map Showing Location of Previous Archaeological Studies Near the Project Area (ESRI, 2011. Sources: National Geographic Society, USGS Hilo Quadrangle).

The current project area lands are situated inland of the Coastal Settlement Zone of the east Hawai‘i settlement model (McEldowney 1979). As reflected in the name of that zone, prehistoric habitation is focused along the coastline. Fishponds for *ali‘i* and *maka‘āinana* were created, maintained, and used all along the coast. The basic cultivated crops such as irrigated and dry taro, bananas, breadfruit, *kukui* nuts, pandanus and *ti* were grown in these lower elevations. They did not grow uniformly over the coastal zone, however. The heavily weathered soils on the Mauna Kea flows along the western portion of Hilo Bay were particularly well suited for agriculture. This bias towards the western area is evident in the distribution of fields portrayed in an early depiction of the Hilo Bay (Figure 10). The eastern half of the Hilo Bay area and further south and east are covered by younger Mauna Loa flows that lack soil the level of soil development present in the Mauna Kea flows.

Few archaeological sites have been recorded as a result of the projects conducted in the lower elevations of Waiākea. It is likely that the extent of disturbance by the 200 years of development in Hilo town is partially to blame for the lack of recorded lowland sites. In the case of archaeological projects conducted very close to the current project area, it is more likely that the lack of habitation is the result of this region being an inland, rugged, forest area that was not settled. Also, modern disturbance from historic and modern uses have likely removed some archaeological remains.

Paul H. Rosendahl Inc. (PHRI) (Rosendahl and Talea 1988) conducted research on five 5-acre lots dispersed through the South Hilo area, recording no cultural deposits due to extensive landform changes caused by the development of Hilo Town (see Figure 9). A reconnaissance survey by PHRI (M. Rosendahl 1988) conducted at the eastern end of General Lyman Field again resulted in no extant archaeological remains due to previous land disturbance.

Devereux et al (1997) conducted a reconnaissance level survey for HIARNG on selected portions of KMR along a corridor parallel to the Puna Trail (see Figure 9). Two sites (assigned temporary site numbers CSH 1 and CSH 2) were recorded: as a prehistoric C-shaped enclosure and a coral mound, the team also addressed 10 historic structures over 50 years of age. CSH2 was later interpreted as a modern bulldozer push.

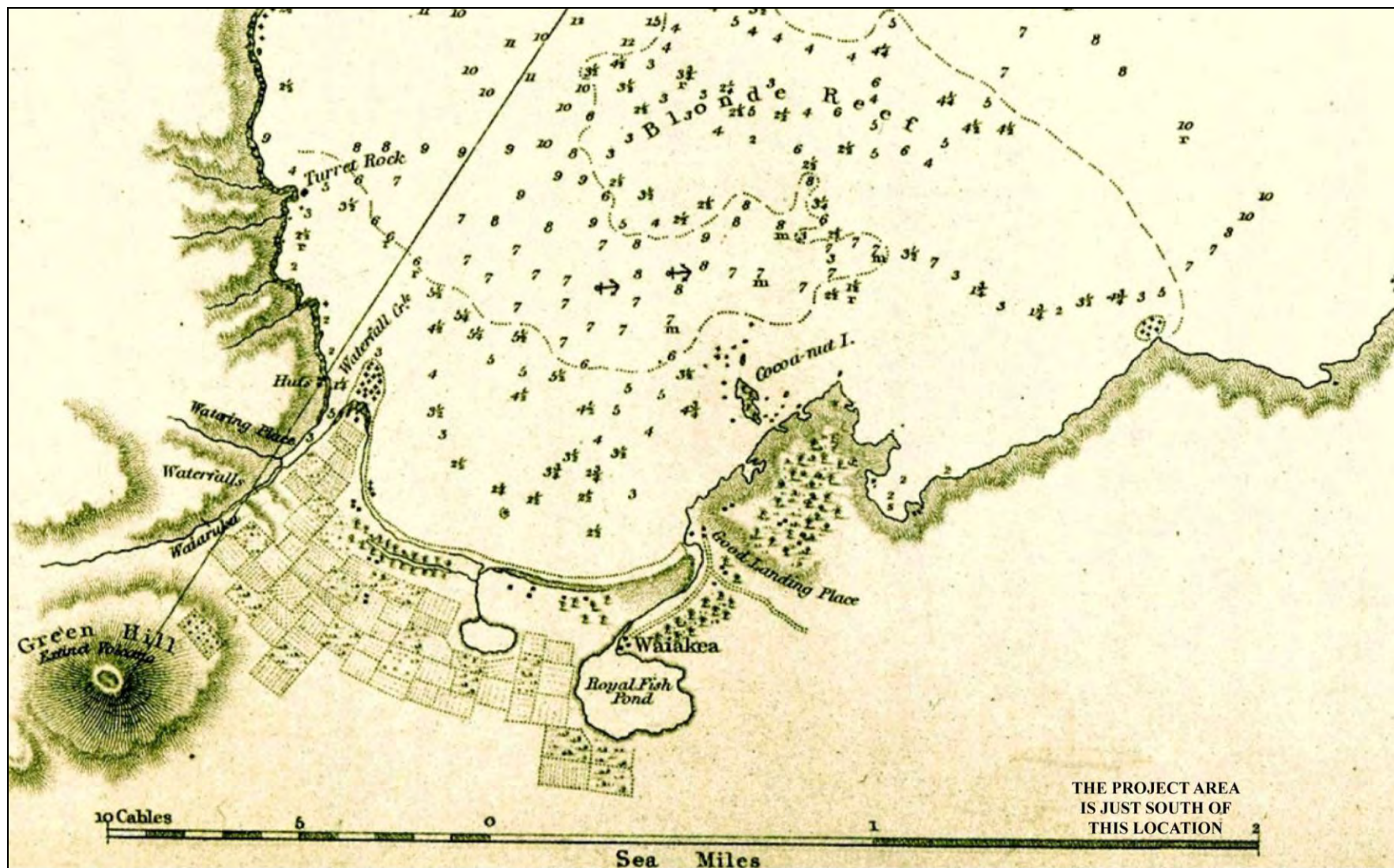


Figure 10: Portion of 1825 Map of Hilo Bay Showing Location of Major Habitation and Agricultural Fields (Malden 1825).

Hammatt and Bush (2000) conducted an inventory level survey of KMR adjacent to the portion of the Puna Trail that extends through the facility. In this report, they discussed the history of the Puna Trail that continues down to south Puna where it meets with the Old Gov't Road (also called the Puna trail). They noted extensive mechanical grading of the ground surface at KMR during military occupation that has effectively removed all surface traces of historic/prehistoric occupation. However, the entire facility was not completely surveyed. Hammatt and Bush recorded three archaeological sites, a C-shaped enclosure, thought to be military in origin, a group of five *ahu*, possibly markers to denote the trail set parallel to the Puna Trail and a modified natural lava blister interpreted as a traditional Hawaiian agricultural planting feature.

Tolleson and Godby (2001) conducted archaeological data recovery at Site 21771 located adjacent to the paved portion of the Puna Trail the traverses KMR. This site consists of a complex comprised of a low platform, an enclosure, a possible *imu*, fruit trees, and a meadow. Artifacts, such as horse/mule shoes, sharpening implements, a sharpening wheel, and hoof files suggest the site is related to historical road construction along the Puna Trail.

PHRI (P. Rosendahl 2002) conducted an archaeological assessment survey of 14.99-acres of the quarry site within the current project area. No archaeological sites were identified during the study.

Escott and Tolleson (2003) conducted an archaeological inventory survey just east of the current project area. A single site (Site 23273) consisting of a remnant trail segment and two planting features were recorded along the south west boundary of the project area.

Wolforth (2006) conducted an archaeological inventory survey of 147 acres south of the Hilo International Airport. Four sites (SIHP 50-10-35-25538, 25539, 25540, and 25541) associated with a Naval Air Station facilities and quarry were recorded. No pre-Contact or early post-Contact era sites were documented on the project area.

Scientific Consultant Services, Inc. (Escott 2013a, Escott 2013b) conducted two archaeological assessments of 50 and 85 acres of land along the eastern edge of the KMR. No archaeological sites or historic properties were identified during the study.

The study did document modern dirt roads that were cut by bulldozers, likely in anticipation of building out this area. The dirt roads were straight and were oriented northwest/southeast. A search was made of Hawai‘i County Planning documents, historic maps, and archival documents to ensure the dirt road was not constructed over a pre-existing trail or government road. In addition, SCS consulted with Ala Kahakai and Na Ala Hele. There were no documents showing a traditional trail or government road in the location of the dirt road identified during the current study.

Cultural Surveys Hawai‘i, Inc. recently conducted an archaeological inventory survey of the KMR (Wheeler et al. 2014). During that study eleven sites were documented, including seven early post-Contact era to modern era sites, and four pre-Contact to Historic era sites (Wheeler et al. 2014:64). The pre-Contact era to Historic era sites included two trails, a modified lava tube, and a modified outcrop complex. The trails were associated with travel and transportation through the area, and the latter two sites were associated with temporary habitation, possibly while traveling through the area, or while collecting forest resources.

The early post-Contact to modern era sites included three trail segments, a military position, and two possible homesteads with small agricultural garden plots.

EXPECTED ARCHAEOLOGICAL PATTERNS

Based on previous archaeological studies, geological studies, historical research, archaeological sites in the area surrounding the current project should be associated primarily with Historic era and modern land-uses. This is likely since this area is not known to have been used for habitation or agricultural purposes, ever. The Pana‘ewa forest area where the project parcels only began to be accessed to a larger degree in the Historic era as new areas were explored to open up for agricultural pursuits. The Pana‘ewa region where the project area is located contains marginally thin soils and is not well suited to mechanical agricultural techniques.

It is possible that pre-Contact era site types such as trail segments, temporary habitation features associated with travel and forest resource extraction might be present on the project area. It is less likely, but possible, that scattered temporary habitation features adjacent to planting features might be present. It is also possible that more

modern features associated with WWII training and quarrying in the area might be present on the project area.

RESULTS OF FIELDWORK

No archaeological sites and no remains of historic properties were identified during the pedestrian survey conducted at the project area. Three overgrown, bulldozed road alignments were identified in the northernmost 40 acres during the survey. The bulldozed road alignments are evident in a 1954 USDA aerial photograph (see Figure 8). The bulldozer roads were likely created in anticipation of future development for the expansion of Hilo.

CONCLUSION AND RECOMMENDATIONS

No archaeological sites or historic properties were identified within the project area APE during the archaeological survey. The results of the survey support the results of the ethnographic and historical archival record for this area. According to ethnographic and historical documentation, the Pana'ewa forest was traditionally considered an inhospitable place. The forest was thick and was difficult to travel through. The Pana'ewa forest was not a traditional location for settlements or gardens. Settlements and garden areas were located along the coast on the outside edges of the forest.

Previous archaeological studies in the region have identified archaeological sites further north, closer to the Hilo International Airport. The majority are the remains of post-Contact era to modern era trails, military sites and individual homestead sites. There are a small number of pre-Contact era sites that include small rock mound complexes and trail segments. All of these sites have been identified north of the current project area.

It has been determined through archaeological survey that no historic properties exist within the APE and that no historic properties will be affected by the proposed undertaking. SCS recommends that, pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended and 36 CFR part 800.2(c), the SHPO concur with the determination of no effect. This archaeological assessment report is intended as supporting documentation for Section 106 requirements.

REFERENCES CITED

- Bingham, M.
1969 *A Residence of Twenty-one Years in the Sandwich Islands*. Hartford.
- Bird, I.
1974 *Six months in the Sandwich Islands*. Charles E. Tuttle Co., Rutland.
- Bonk, W.
1979 *An Archaeological Survey of a Portion of Hawaiian Home Lands of Pana'ewa, Tract I, Waiākea, So. Hilo, Hawai'i*. University of Hawai'i, Hilo.
- Borthwick, D., J. Collins, W.H. Folk, and H.H. Hammatt
1993 *Archaeological Survey and Testing of Lands Proposed for Research and Technology Lots at the University of Hawaii at Hilo (TMK:2-4-01:7 and 41)*. On file at State Historic Preservation Division, Kapolei, Hawaii.
- Bush, A.R., M. McDermott, and H.H. Hammatt
2000 *Archaeological Inventory Survey of an Approximately 20-Acre Parcel Proposed for the USDA Pacific Basin Agricultural Research Center Located near the intersection of Komohana and Puainako Streets, South Hilo, Hawai'i Island (TMK 2-4-01: por122)*, Prepared for SSFM International Inc. On file at State Historic Preservation Division, Kapolei, Hawaii.
- Carson, M.T.
1999 *Archaeological Inventory Survey of the 176-Acre Pana'ewa Campus Site, Waiākea Ahupua'a, Hilo District, Island of Hawai'i*. Prepared for PBR & Associates, Honolulu.
- Ching, F.K.W. and C. Staruder
1974 *The Archaeology of South Hilo, Hawai'i*. For Muroda and Associates, Inc., Lawai.
- Dega, M.F., and LB. Benson
1999 *Letter Report concerning Archaeological Reconnaissance Survey of the Puainako Street Realignment/Extension Project Expanded Corridor, Waiakea, Kukuau 1 and 2 and Ponahawai, South Hilo District, Island of Hawai'i*. Scientific Consultant Services Inc., Honolulu, Hawai'i.
- Dega, M.
2000 *Addendum To: Archaeological Inventory Survey of the Pu'ainako Street Realignment/Extension Project, Expanded Corridor, Waiakea, Kukuau 1 and 2, South Hilo District, Hilo, Island of Hawaii'i*. On file at State Historic Preservation Division, Kapolei, Hawaii.

- Devereux, T. K., D. F. Borthwick, H. Hammatt and M. Orr
 1997 *Archaeological Reconnaissance Survey of Keaukaha Military Reservation, South Hilo District, Hawai'i Island*. Cultural Surveys Hawai'i, September 1997.
- Eblé, F.J., T. Denham, and J. Pantaleo
 1997 *Draft Report of Supplemental Archaeological Testing Conducted Along the Proposed Alternate Alignments of Pu'ainako Street (TMK:2-4-01), Hi'o, Hawaii*. On file at State Historic Preservation Division, Kapolei, Hawaii.
- Ellis, W.
 1963 *Journal of William Ellis*. Honolulu Advertiser Publishing Co., Ltd, Honolulu.
- Emerson, N.B.
 2005 *Pele and Hiiaka: a myth from Hawaii*. Originally printed by the Honolulu Star-Bulletin, 1915. Edith Kanaka'ole Foundation, Hilo.
- Escott, G.E.
 2004 *An Archaeological Inventory Survey on Approximately 288 Acres of Land for the University of Hawai'i-Hilo Mauka Lands Development*. Prepared for PBR Hawai'i. SCS Report 361-4, Honolulu.
- 2013a *Archaeological Assessment of A Fifty-Acre Quarry Site in Waiākea Ahupua'a, South Hilo District, Hawai'i Island, Hawai'i [TMK (3) 2-1-013:004 (por.)]*. Prepared for Jas. W. Glover, Ltd. SCS Report 1272-2, Honolulu.
- 2013b *Archaeological Assessment of A Proposed 90-Acre Quarry Site in Waiākea Ahupua'a, South Hilo District, Hawai'i Island, Hawai'i [TMK (3) 2-1-013:004 (por.)]*. Prepared for Jas. W. Glover, Ltd. SCS Report 1272-2, Honolulu.
- Escott, G., and W. Tolleson
 2003 *Archaeological Inventory Survey Work At Keaukaha Military Reservation, South Hilo District, Island of Hawai'i*. Prepared for The Environmental Office Hawai'i Army National Guard. SCS Report 316, Honolulu.
- Hammatt, H. and T. R. Bush
 2000 *Archaeological Inventory Survey of Selected Portions of the Hawai'i Army National Guard 503.6 Acre Keaukaha Military Reservation, Waiakea Ahupua'a South Hilo District, Hawai'i Island, TMK: 2-1-12:3 and 2-1-13:10*. Prepared for the Hawai'i Army National Guard.
- Hammatt, H. and K. Uyeoka
 2007 *Archaeological Monitoring Report for Waiākeawaena Elementary School, Hawai'i Inter-Island DOE Cesspool Project, Waiākea Ahupua'a, Hilo District, Island of Hawai'i, TMK: [3] 2-2-042:017*. Cultural Surveys Hawai'i, Inc. Kailua, Hawai'i.

- Handy, E.S.C., and E.G. Handy
1972 *Native Planters in Old Hawaii. B.P. Bishop Museum Bulletin 233.* Bishop Museum Press, Honolulu.
- Haun, A., and D. Henry
2002 *Archaeological Inventory Survey, DHHL Project at Pana'ewa, Land of Waiākea, South Hilo District, Island of Hawai'i.* Haun & Associates, Kea'au.
- Hunt, T.L. and M.J. McDermott
1993 *Archaeological Inventory Survey Puainako Street Expansion Project.* University of Hawai'i for Okahara and Associates, Inc., Hilo.
- Kam, W.
1983 *Unrecorded Heiau on State Lands, Waiākea, South Hilo, Hawai'i.* Historic Sites Section, Department of Land and Natural Resources, Honolulu.
- Kamakau, S.M.
1992 *Ruling Chiefs of Hawaii.* Kamehameha Schools Press, Honolulu.
- Kelly, M., B. Nakamura, and Dorothy Barrère
1981 *Hilo Bay: A Chronological History, Land and Water Use in the Hilo Bay Area, Island of Hawai'i,* Bishop Museum, Honolulu.
- Malden, C.R.
1825 *Chart of Hilo Bay.* In *A Chronological History, Land and Water Use in the Hilo Bay Area, Island of Hawai'i,* by M. Kelly, B. Nakamura, and D. Barrère 1981. Bishop Museum, Honolulu.
- Maly, K.A.
1996 *Historical Documentary Research and Oral History Interviews: Waiakea Cane Lots (12, 13, 17, 18, 19,20, and 20-A).* Kumu Pono Associates, Hilo, Hawai'i. On file at State Historic Preservation Division, Kapolei, Hawaii.
- McEldowney, H.
1979 *Archaeological and Historical Literature Search and Research Design: Lava Flow Control Study, Hilo, Hawaii,* Department of Anthropology, Bishop Museum. Prepared for the U.S. Army Engineer District, Pacific Ocean.
- McDermott, M., and H.H Hammatt
2001 *Addendum to: Archaeological Inventory Survey of an Approximately 20-Acre Parcel Proposed for the USDA Pacific Basin Agricultural Research Center Located near the intersection of Komohana and Puainako Streets, South Hilo, Hawai'i Island (TMK 2-4-01: por122),* Prepared for SSFM International Inc. On file at State Historic Preservation Division, Kapolei, Hawaii.

McGerty, L, and R.L Spear

- 1999 *Addendum to: An Inventory Survey of the Pu'ainako o Street Realignment/Extension Project Expanded Corridor, Waiakea, Kukuau 1 and 2 and Ponahawai, South Hilo District, Island of Hawai'i.* Scientific Consultant Services Inc., Honolulu, Hawai'i.

Pietrusewsky, M.

- 1989 *Human Remains Found at Wailoa Bridge Renovation Project, Waiākea, South Hilo.* Department of Anthropology, University of Hawai'i, Manoa.

Rechtman Consulting

- 2003 *Archaeological and Limited Cultural Impact Assessment for the Proposed Regional Solid Waste Sorting Station (TMK: 3-2-1-12:4 por. and 3-2-1-13:11, 150, 151, 162, 168.* Rechtman Consulting, LLC report prepared for the County of Hawai'i, Hilo.
- 2009 *Request for SHPO Concurrence with a Determination of No Historic Properties Affected Pursuant to the National Environmental Policy Act and in Compliance with Section 106 of the National Historic Preservation Act, Kamoleao Laulima Community Resource Center (TMK:3-2-2-47:075), Waiākea Ahupua'a, South Hilo District, Island of Hawai'i.* Rechtman Consulting, LLC, Hilo.

Robins, J.J., and R.L. Spear

- 1996 *An Inventory Survey of the Puainako Street Realignment/Extension Project Expanded Corridor, Waiakea, Kukuau 1 and 2 and Ponahawai, South Hilo District, Island of Hawai'i.* Scientific Consultant Services Inc., Honolulu, Hawai'i.

Rosendahl, M.L.K.

- 1988 *Archaeological Reconnaissance Survey for Environmental Impact Statement (EIS) Proposed Irradiation Plant Site.* SHPD Library, Kapolei.

Rosendahl, M.L.K. and L. Talea

- 1988 *Archaeological Reconnaissance Survey for Environmental Impact Statement (EIS) Proposed Irradiation Plant Site.* PRHI Report 352-040888 for Westec Services, San Diego.

Rosendahl, P. H.

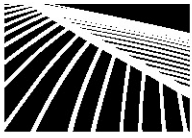
- 2002 *Archaeological Assessment Survey at 14.99 Acre "Proposed Quarry Site".* PHRI Report 2293.1-120302 for Jas. W. Glover, Ltd, Hilo.

Sato, H., W. Ikeda, R Paeth, R Smythe, and M. Takehiro Jr.

- 1973 *Soil Survey of Island of Hawaii, State of Hawaii.* United States Department of Agriculture Soil Conservation Service. Washington D.C.

- Smith, M. and Tourtellotte
 1988 "Wailoa Bridge Renovation Project, Site No. 50-10-11,115 Burial Removal."
 Historic Sites Section, Department of Land and Natural Resources, Honolulu.
- Starr Environmental
 2013 Botanical and Faunal Surveys in the State of Hawai‘i. Makawao.
 www.starrenvironmental.com.
- Stewart, C.S.
 1970 *Journal of a Residence in the Sandwich Islands, During the Years 1823, 1834, and 1825: Including Remarks on the Manners and Customs of the Inhabitants; an Account of Lord Byron's Visit in the H.M.S. Blonde; and a Description of the Ceremonies Observed at the Interment of the Late King and Queen in the island of Oahu.* University of Hawai‘i Press, Honolulu.
- Stokes, J.F.G., and T. Dye
 1991 *Hieau of the Island of Hawai‘i; A Historic Survey of Native Hawaiian Temple Sites.* Bishop Museum, Honolulu.
- Tolleson, W.
 n. d. "From Trail to Road: A Late Historic Way Station on the Puna Trail on the Hawai‘i Army National Guard Keaukaha Military Reservation, Hilo, Hawai‘i Island".
- Tolleson, W., and W. Godby
 2001 *From Trail to Road: A Late Historic Way Station on the Puna Trail on the Hawai‘i Army National Guard Keaukaha Military Reservation, Hilo, Hawai‘i Island, TMK: 2-1-13 and 10 and 2-1-12:3.* Scientific Consultant Services, Inc., Honolulu.
- Tulchin, T., and H. Hammatt
 2007 *Archaeological Literature Review and Field Inspection for an Approximately 33-acre Wal-Mart Expansion Project, Waiākea Ahupua‘a, South Hilo District, Hawai‘i Island, TMK: [3] 2-1-025:090.* Cultural Surveys Hawai‘i, Inc. Kailua.
- Wheeler, M., O. Bautista, S. Wilkinson, and H. Hammatt
 2014 *Archaeological Inventory Survey and Monitoring Plan, Phase I, Keaukaha Military Reservation (KMR), Hawai‘i Army National Guard Facility, Waiākea Ahupua‘a, South Hilo District, Island of Hawai‘i, TMKs: [3] 2-1-012:003, 131 and [3] 2-1-013:010.* Cultural Surveys Hawai‘i, Inc., Kailua.
- Wolfe, E.W., and J. Morris
 1996 *Geological Map of the Island of Hawai‘i.* U.S.G.S. Miscellaneous Investigations Series. Department of the Interior, Washington, D.C.
- Wolforth, T.R.
 2004 *Inventory Survey for the Proposed Kūhiō-Kalaniana‘ole Park, Hilo: Investigations into the Kanakea Fishpond at Reed's Bay.* SCS Report B-1. Prepared for Rotary Clubs of East Hawaii. SCS, Honolulu.

- 2006 *Inventory Survey for the Mana Industrial Park Project: Investigations in the Pana‘ewa Forest in Waiākea Ahupua‘a, South Hilo District, Hawai‘i Island TMK: (3) 2-1-012:4, 5, 6, 24 (por.), 25, 26, 69 and 2-1-013:151.* SCS, Inc. Report prepared for PBR Hawaii & Associates. SHPD Library, Kapolei.



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August 28, 2015

SUBJECT: SECTION 106 AND HRS 6E CONSULTATION FOR PANA EWA AGRICULTURAL LOTS SUBDIVISION

On behalf of the Department of Hawaiian Home Lands, PBR HAWAII invites you to contribute feedback on the Pana'ewa Agricultural Lots Subdivision, pursuant to Section 106 of the National Historic Preservation Act (NHPA) and State of Hawai'i historic preservation law (Hawai'i Revised Statutes, Chapter 6E).

The purpose of Section 106 is to take into account the effect that Federal agency actions (including use of Federal funds) may have on historic properties within the area of potential effect. The purpose of Chapter 6E is to conserve and develop the historic and cultural property within the State for the public good.

You are receiving this letter either because you are a Native Hawaiian Organization (NHO) currently listed with the Office of Native Hawaiian Relations, or because you are a non-listed NHO but may wish to be involved based on your area of interest.

Project Description:

Name of Project: Pana'ewa Agricultural Lots Subdivision

Location: Pana'ewa

Island: Hawai'i

District: South Hilo

Tax Map Key: Mahiai Lot (3) 2-2-061:002

Auwae Lots (3) 2-1-025-006
(3)2-1-025:007
(3)2-1-025:047
(3)2-1-025:048

Proposed Undertaking: DHHL proposes to subdivide five existing 10-acre lots into half-acre lots, for a total of 80 lots for homestead agricultural leases. These lots will be awarded to current lessees who need to relocate or reconstruct their homes due to lava or other hazards, as well as new lessees on the wait list. The lots will be accessed by County roadways, and will be served by the County water system. The lots will have individual onsite septic systems, with plans to connect to the County sewer once plans for the surrounding area are finalized.

Area of Potential Effect (APE):

The Area of Potential Effect has been determined to be the aforementioned TMKs and the portion of Auwae Road to be extended to serve these lots. Please see the enclosed map, which shows the project area and the APE.

SUBJECT: SECTION 106 AND HRS 6E CONSULTATION FOR PANA'EWA AGRICULTURAL
LOTS SUBDIVISION

August 28, 2015

Page 2

Your NHO is encouraged to comment on *historic or potential historic properties, historic or potential historic districts, this project's area of potential effect, and the nature of these potential effects*. You are encouraged to identify other NHOs that should participate in the 106 consultation process for Pana'ewa Agricultural Lots Subdivision.

A Draft Environmental Assessment (EA) for Pana'ewa Agricultural Lots Subdivision has been prepared pursuant to the State of Hawai'i EIS law (Hawai'i Revised Statutes, Chapter 343) and the State of Hawai'i EIS rules (Hawai'i Administrative Rules, Title 11, Chapter 200). It includes an Archaeological Assessment as an appendix. The Archaeological Assessment did not identify any historic properties, and recommended a determination of no effect.

The Draft EA is available online for your review: <http://tiny.cc/7ccb2x>

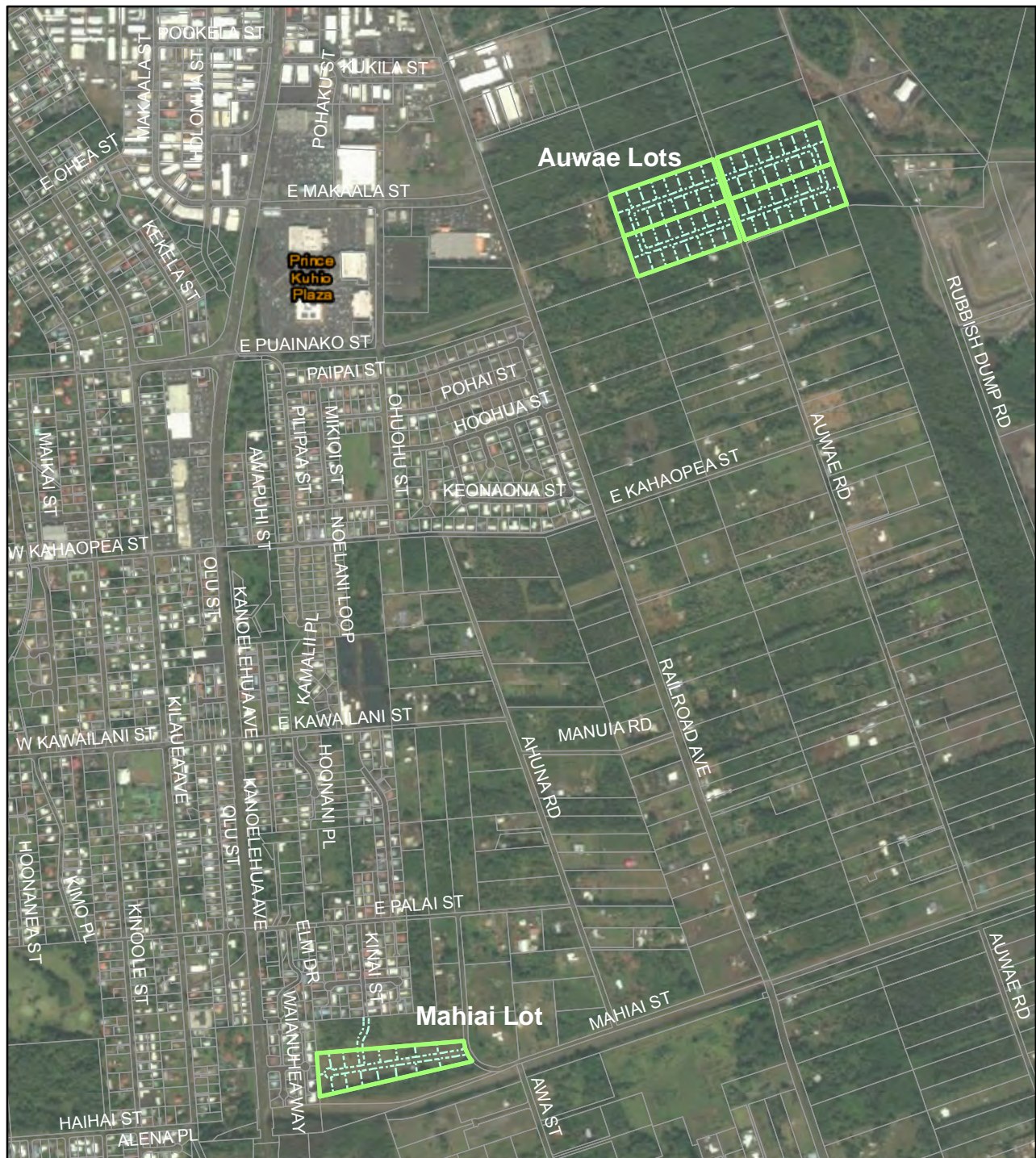
Your comments must be received or postmarked 30 days from the date of this letter, and must be accompanied with a full name and mailing address. Please reference "Section 106 Consultation" in your subject heading.

Applicant: Department of Hawaiian Home Lands
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Please send comments to the Consultant and/or the Applicant.

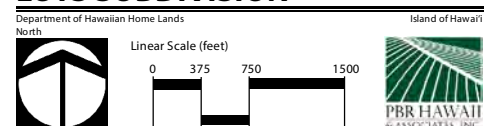
Thank you for participating in the environmental review process.



LEGEND

-  Project Area
-  Area of Potential Effect (same as Project Area)
-  Proposed Lots and Mahiai Easement
-  property lines

Project Area and APE PANA'EWA AGRICULTURAL LOTS SUBDIVISION



Source: ESRI online basemap. Hawaii State DBEDT, 2014. Department of Hawaiian Home Lands, 2015.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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FAX (808) 594-1938



**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS**
560 N. NIMITZ HWY., SUITE 200
HONOLULU, HAWAII 96817

HRD15/7408D

September 8, 2015

PBR Hawaii & Associates, Inc.
ATTN: Roy Takemoto, Managing Director – Hilo
1001 Bishop St., Suite 650
Honolulu, HI 96813

Re: Request Consultation for Section 106 and Chapter 6E for the Department of Hawaiian Homelands Pana'ewa Lands
Waiākea Ahupua'a, Hilo Moku, Hawai'i Moku-puni
Tax map key (3) 2-1-025:006, 007, 047, 048 and (3) 2-1-061:002

Aloha Mr. Takemoto:

The Office of Hawaiian Affairs (OHA) is in receipt of your August 28, 2015 letter requesting consultation under Section 106 of the National Historic Preservation Act and the State of Hawai'i Historic Preservation Law Chapter 6E, for the Department of Hawaiian Home Lands (DHHL) property located in Pana'ewa, Hilo.

The DHHL is proposing to subdivide the five, 10-acre parcels into 90, half-acre lots. The subdivision will enable the relocation of Maku'u Farm Lot, other lessees, and allow for awards to current individuals on the waitlist.

OHA would like to suggest that the following individual be contacted:

- Bill Brown, President of the Pana'ewa Community Association
 - pohlca@aol.com

OHA previously commented on this project's cultural impact assessment on July 15, 2015, and on the draft environmental assessment on August 17, 2015.

Roy Takemoto, PBR Hawaii & Associates, Inc.

September 8, 2015

Page 2

Mahalo for the opportunity to consult. Should you have any questions, please contact Jeannin Jeremiah at 594-1790 or by email at jeanninj@oha.org.

‘O wau iho nō me ka ‘oia ‘i‘o,



Kamana‘opono M. Crabbe, Ph.D.
Ka Pouhana, Chief Executive Officer

KC:jj

C: Niniau Simmons – Department of Hawaiian Home Lands
Lukela Ruddle – OHA Community Outreach Coordinator, East Hawai‘i Island
Kamuela Bannister – OHA Community Outreach Coordinator, East Hawai‘i Island

**Please address replies and similar, future correspondence to our agency:*

Dr. Kamana‘opono Crabbe

Attn: OHA Compliance Enforcement

560 N. Nimitz Hwy, Ste. 200

Honolulu, HI 96817

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State of Hawaii
Department of Land and Natural Resources
State Historic Preservation Division

Kakuhihewa Building, 601 Kamokila Blvd., Suite 555, Kapolei, HI 96707
 Ph: (808) 692-8015 Fax: (808) 692-8020
DLNR.Intake.SHPD@hawaii.gov

APPLICATION FOR HISTORIC PRESERVATION REVIEW

Please complete one copy of this form for each project for which review is requested and attach it to all information submitted to this office for review. This application is required for both Chapter 6E and Section 106 review processes. Complete and submit one form for each project/building permit required to be reviewed for Chapter 6E and Section 106 review. Applications must be accurate and complete for review to begin. Incomplete or inaccurate applications will be sent back to the applicant without comment. Send only the information and attachments requested on this application.

I. APPLICATION INFORMATION

☐ **NEW SUBMITTAL**

(if this is a new submittal please complete Section II)

☒ **MORE INFORMATION RELATING TO LOG : 20¹⁵ . 01397 in response to DOC : 1504SN08**

(if you have checked this box and noted the previous LOG IN # assigned by this office you do not need to continue unless the required information below has changed)

II. PROPERTY INFORMATION and AREA OF POTENTIAL EFFECTS

Project Name: Panaewa Agricultural Lots Subdivision

Project Address/Location: Waiākea ahupua'a

City/Town/Place Name: South Hilo

County: Hawai'i

TMK (3) 2 - 1 - 025 : 047

(3) 2 - 1 - 025 : 048

(3) 2 - 1 - 025 : 006

(3) 2 - 1 - 025 : 007

(3) 2 - 2 - 061 : 002

Area of Potential Effects:

(Every project has an Area of Potential Effect (APE). The APE includes the entire area within which historic properties could be affected by the project. This includes all areas of construction, demolition, and ground disturbance (direct effects) and the broader surrounding area that might experience visual or other effects from the project (indirect effects)

The APE is the aforementioned TMKs.

Acreage of APE: Approximately 50 acres total (2,185,448 sf)

APE Map:

☒ **Attachment I:** (submit separately or include at the end of this document)

SHPD requires map(s) locating the project and outlining the Area of Potential Effect. Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, GIS or satellite maps, and/or USGS quadrangle maps.

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III. LAND USE

Previous Land Use/Disturbances:

(Include general description of the land disturbance when the building was originally constructed and any subsequent land disturbance caused by additions or construction of out-buildings)

The Auwae lots form a contiguous 40-acre area of undeveloped land, with no structures. Three overgrown, bulldozed road alignments were identified in the Auwae lots during the Archaeological Assessment ground survey. The alignments can be seen in a 1954 aerial photograph, and were likely created in anticipation of the expansion of Hilo.

The 10-acre Mahiai lot is grubbed, graded and landscaped, with one dilapidated, 1980s-era house on the property. A 2015 Archaeological Assessment encompassing the project site concluded that there are no properties eligible for the National Register within the APE, and suggests that no historic properties will be affected by the proposed undertaking

Current Land Use/Conditions:

(Include a general description of the current land use and the current condition of the property)

The lots are currently vacant.

The Auwae lots have some areas of thick forest, but ground surface visibility is good across the property. The south, east and northeast portions of the lots exhibit marked ground disturbance, and are dominated by invasive plants including albizia and guava. The rest of the Auwae property is dominated by 'ōhi'a and a number of invasive plants.

The Mahiai lot is entirely grubbed, graded and covered with grass lawn.

No informal use of the properties was observed. Surrounding land use includes residential lots, agricultural use, and undeveloped land.

Does the landowner know of any archaeological resources found on the property

(If so, then please describe.)

The landowner is not aware of any archaeological resources on the property. A 2015 Archaeological Assessment of the project area found only one structure, the 1980s-era house described above. No properties or remains of properties eligible for the National Register were identified within the APE.

IV. IDENTIFICATION OF HISTORIC PROPERTIES

Part A.

Does the project area or area of potential effects include buildings, structures, or designed landscape features (such as parks or cemeteries) that are 45 years of age or older?

☐ **YES** (please complete the rest of this section)

☒ **NO** (please skip this section and move on to the next)

Part B. Determination of Eligibility:

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- ☐
The property is **listed** on the State or National Register of Historic Places. Please provide the property’s Historic Name or Name of the Historic District the property Contributes to:
- ☐
The property is **eligible** for listing on the State or National Register of Historic Places
- ☐
The property is **not eligible** for listing on the State or National Register of Historic Places

Inventory of Resources:
(Please include a list of each building/structure on the site and what the date of construction is for each building/structure)

V. PROJECT WORK DESCRIPTION

Project Type (check all that applies):
☐Repair, Rehabilitation, or Renovation of Structure(s)
☒Site Excavation/Ground Disturbing Activity
☒Utilities and Infrastructure

☐Addition to Existing Structure(s)
☒New Construction
☒Other: Subdivision of existing parcels with intent to develop

If site excavation/ground disturbing activity is to occur, please explain the proposed ground disturbing activity including width, length, and depth of activity within the project work description

Part A. Project Work Description (and project drawings if available)

In an earlier letter dated April 7, 2015, DHHL’s proposed undertaking was the subdivision of five existing 10-acre lots, for a total of 90 homestead lots. This number should be updated to 80 lots although the diagram (“General Layout Plan”), included in Exhibit A of the letter, remains the same. A detailed Project Work Description is included with this form.

- ☒
Attachment II: (submit separately or include at the end of this document)
- SHPD requires a detailed written description of the project/scope of work (and project drawings if available). Attach a full description of the nature and extent of the work to be undertaken as part of this project. Plans, specifications, Environmental Impact Statements (EIS), Environmental Assessments (EA), etc., **cannot** be substituted for the written description. Please attach a full written project work description outlining the scope of work to be undertaken through this project. **If site excavation/ground disturbing activity is to occur, please explain the proposed ground disturbing activity including width, length, and depth of activity within the project work description**

Part B. Photographs

- ☒
Attachment III: (submit separately or include at the end of this document)
- SHPD requires photo documentation of the project area and the APE. Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable. If the project involves rehabilitation, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views. If the project involves new construction, include photographs of any buildings (fifty years old or older) that are located on the project property or on adjoining property.
- ☐NORTH ELEVATION
☐SOUTH ELEVATION
☐EAST ELEVATION
☐WEST ELEVATION

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☐ PHOTO KEY

Is there any interior work involved within the scope of work for the proposed project

☐ YES ☒ NO

If there is interior work involved within the scope of work please provide interior photographs of the area(s) where proposed work is to occur.

☐ INTERIOR PHOTOGRAPHS

☐ INTERIOR PHOTOGRAPH KEY

VI. DETERMINATION OF EFFECT

Part A. Determination of Effect

- ☒ There are no historic properties within the APE, therefore no **historic properties** will be **effected**.
- ☐ There are historic properties within the APE, but the project will have **no adverse effect** on historic properties.
- ☐ There are historic properties within the APE and the project will have an **adverse effect** on historic properties.

VII. CONSULTATION

Part A. Consultation with Interested Parties/Public Notification

(The SHPD is only one consulting party under Section 106 (36 CFR 800.2). Other Participants entitled to comment on the Section 106 process include Native Hawaiian Organizations, interested parties, and the public. For more information about consulting parties and satisfying the public notification element of Section 106 consultation please refer to the instructions for this form.)

Consulting Parties included within this Section 106 Consultation:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs (OHA) | <input type="checkbox"/> Public Notice: (which publication/when) |
| <input checked="" type="checkbox"/> Hawaii Island Burial Council (HIBC) | <input type="checkbox"/> Maui/Lanai Islands Burial Council (MLIBC) |
| <input type="checkbox"/> Kauai Island Burial Council (KIBC) | <input type="checkbox"/> Molokai Island Burial Council (MIBC) |
| <input type="checkbox"/> Oahu Island Burial Council (OIBC) | <input checked="" type="checkbox"/> Other Consulting Parties (including Native Hawaiian Organizations, Civic Clubs, etc.) <u>NHOs listed by DOI Office of Native Hawaiian Relations</u> |
| <input type="checkbox"/> Historic Hawaii Foundation (HHF) | |

VIII. CONTACT INFORMATION

Contact information may vary between the Section 106 and Chapter 6E consultation processes. If this application is being submitted in request for **both** Chapter 6E and Section 106 review, please indicate **all parties that will need to be consulted** in the fields reserved below. If this application is being submitted for **only** Section 106; or only Chapter 6E please **only fill out the required contact information for either consultation process below**. Any additional contacts that do not fit within the fields below must be included at the back of the form on a typed 8.5x11 sheet of paper, labeled Attachment VIII: Additional contacts.

Contact Information

Federal Agency:

Contact Name:

Title:

Address:

City:

State:

Zip:

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Phone:		Fax:		Email:

State/City/County Agency (if applicable): Hawai I State Department of Hawaiian Home Lands			
Contact Name: Ms. Niniau Simmons		Title: NAHASDA Manager	
Address: 91-5420 Kapolei Parkway		City: Kapolei	State: HI Zip: 96707
Phone: (808) 620-9513		Fax: (808) 620-9529	Email: .simmons hawaii.gov

Non-Government Project Proponent/Consultant: PBR HAWAII, Inc.			
Contact Name: Mr. Roy Takemoto		Title: Planner	
Address: 1001 Bishop Street, Suite 650		City: Honolulu	State: HI Zip: 96813
Phone: (808) 521-5631		Fax: (808) 523-1402	Email: rtakemoto pbrhawaii.com

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Attachment I

Area of Potential Effect

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LEGEND

- Project Area
- Area of Potential Effect (same as Project Area)
- Proposed Lots and Mahiai Easement
- property lines

ATTACHMENT 1

Project Area and APE

PANA'EWA AGRICULTURAL LOTS SUBDIVISION

Department of Hawaiian Home Lands

North



Linear Scale (feet)



Island of Hawaii



Source: ESRI online basemap. Hawaii State DBEDT, 2014. Department of Hawaiian Home Lands, 2015.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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Attachment II

Project Work Description

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1.1 SUMMARY

Project Name:	Pana‘ewa Agricultural Lots Subdivision
Location:	Waiākea <i>ahupua</i> ‘a, South Hilo, Island and County of Hawai‘i
Judicial District:	South Hilo
Tax Map Key (TMK):	Parcels off of Auwae Road (hereafter referred to as the “Auwae Lots”): (3) 2-1-025:047 (Lot 47 of Pana‘ewa House & Farm Lots) (3) 2-1-025:048 (Lot 48 of Pana‘ewa House & Farm Lots) (3) 2-1-025:006 (Lot 6 of Pana‘ewa House & Farm Lots) (3) 2-1-025:007 (Lot 7 of Pana‘ewa House & Farm Lots) Parcel off of Mahiai Street (hereafter referred to as the “Mahiai Lot”): (3) 2-2-061:002 (Lot 185 of Pana‘ewa House & Farm Lots)
Land Area:	Approximately 50 acres total (10 acres each of five lots)
Landowner:	Department of Hawaiian Home Lands
Existing Use:	One open area with a single home to be demolished (Mahiai Lot), and four undeveloped parcels with existing vegetation dominated by albizia trees (Auwae Lots)
Proposed Action:	The project consists of subdividing the various parcels into approximately 80 half-acre lots with County dedicated roads and water system. DHHL will award the lots to native Hawaiian beneficiaries on the wait list, and/or to existing lessees who need to relocate due to lava or other hazards.
Current Land Use Designations:	<i>State Land Use:</i> Agriculture <i>County General Plan LUPAG:</i> Urban Expansion (Auwae Lots); Low Density Urban (Mahiai Lot) <i>County Zoning:</i> General industrial district (MG-1a) (Auwae Lots); Agricultural (A-5a) (Mahiai Lot) <i>Special Management Area (SMA):</i> Not in SMA <i>DHHL Land Designation (Hawai‘i Island Plan 2002):</i> Commercial (Auwae Lots); Supplemental Agricultural (Mahiai Lot)
Alternatives Considered:	Three alternatives were considered: <ul style="list-style-type: none"> • No action • Alternative sites • Alternative designs
Potential Impacts and Mitigation Measures:	Beneficial impact by providing affordable housing opportunity for native Hawaiians within the urban core in proximity to jobs, schools, and shopping. One-half acre lot size provides opportunity for self-sufficiency agriculture. Mitigation measures include: <i>Threatened or endangered species.</i> DHHL to provide notice to lessees: <ul style="list-style-type: none"> • To protect night-flying seabirds, outdoor illumination be shielded so that the bulb is not visible at or above bulb-height. • To protect the low-flying, foraging Hawaiian hoary bat, barbed wire not be used for fencing. Construction scheduling and documents will incorporate the following applicable recommendations of the USFW: <ul style="list-style-type: none"> • Hawaiian hawk. If construction occurs during the hawk’s breeding season (March through September), the contractor will retain a qualified ornithologist to conduct a nest search of the area of the proposed construction site and surrounding area prior to the advent of construction activities. Surveys should ensure that construction activity will not occur within 1,600 feet of any Hawaiian hawk nest. • Hawaiian hoary bat. It is recommended that woody plants greater than 15 feet tall should not be removed or trimmed during the Hawaiian hoary bat

	<p>breeding season (June 1 to September 15).</p> <ul style="list-style-type: none"> • Seabirds. If night work must be conducted, it should take place outside the sea bird fledging season (September 15 through December 15) and should utilize shielded lighting. <p><i>Air quality, noise, water quality.</i> Construction documents will include:</p> <ul style="list-style-type: none"> • Standard dust control measures • Standard noise control measures • Best management practices for erosion and sedimentation control in accordance with approved Grading and NPDES permits <p><i>Land use plans consistency.</i> DHHL will amend the Hawai'i Island Plan to reflect the proposed Subsistence Agricultural use and update the County per MOU.</p> <p><i>Solid Waste.</i> Construction documents will include requirement to mulch the green waste onsite and make available to DHHL homesteaders. Whenever green waste cannot be processed on site, the green waste will be hauled to the Hawaii County Green Waste Site in Hilo for final disposal.</p> <p><i>Wastewater.</i> Find additional funding to install dry sewers as part of the Project for the Auwae Lots. Upon updating the master planning for the Auwae Lots area, determine the required wastewater capacity of a collection system and find a funding source to construct.</p> <p><i>Toxics and Hazardous Waste.</i></p> <ul style="list-style-type: none"> ▪ Auwae Lots <ul style="list-style-type: none"> ○ Properly dispose of the illegal dumping solid waste at the end of Auwae Road; ○ Retain a Phase 1 consultant to conduct further research as follows: <ul style="list-style-type: none"> ▪ Inspect for any industrial use encroachment along the boundary of parcels [3] 2-1-025: parcels 092 and 093 with mitigation as needed to properly cleanup. ▪ Use best efforts to research the extent of historic military use of the Auwae Lots. ○ As long as groundwater is not pumped, no groundwater testing is necessary for potential impacts from the landfill or green waste site. ▪ Mahiai Lot. Retain a Phase 1 consultant for further research as follows: <ul style="list-style-type: none"> ○ Test the soil for arsenic; ○ Inspect the kennel drainage area and conduct further testing as appropriate. <p><i>Historic preservation.</i> Construction documents will include a condition that should burials or other traditional deposits be identified during intrusive activities, all work in the area will cease and the appropriate agencies will be contacted.</p> <p><i>Coordination with DOT Airports.</i> DHHL or contractor will file FAA Form 7460-1 "Notice of Proposed Construction or Alteration" and also notify DOT when filing the grubbing and/or grading permit.</p>
Approvals and Permits Required:	Subdivision, UIC, NPDES, Grubbing/Grading, Noise, Individual Wastewater System Approval (by future lessee of each lot), Building (by future lessee of each lot)

2 PROJECT DESCRIPTION

2.1 BACKGROUND INFORMATION

2.1.1 Location and Property Description

The Project is proposed to be located in the Waiākea *ahupuaʻa*, South Hilo District, Island and County of Hawaiʻi. One 10-acre parcel is located off Mahiai Street, north of a drainage channel (TMK (3) 2-2-061:002) (hereafter referred to as the “Mahiai Lot”), while the other four 10-acre parcels are located off the north end of Auwae Road (TMKs (3)2-1-025:006, (3)2-1-025:007, (3)2-1-025:047, and (3)2-1-025:048) (hereafter referred to as the “Auwae Lots”) (the Mahiai Lot and Auwae Lots collectively referred to as the “Site”).

The five 10-acre parcels are part of the Panaʻewa House and Farm Lots filed in 1976 in the Bureau of Conveyances as File Plan 1487 (see Figure 1). The Auwae Lots are Lots 6, 7, 47, and 48 of Section 1 of this File Plan. The Mahiai Lot is Lot 185 of Section 2.

2.1.2 Existing and Surrounding Land Uses

A portion of the Mahiai Lot is open land with a single home (DHHL canceled the existing lease and will demolish the home), and the other four parcels of the Auwae Lots are undeveloped.

The surrounding uses are as follows (see Figure 2):

	Mahiai Lot (TMK 322061002)	Auwae Lots (TMK 321025006, 321025007, 321025047, 321025048)
North	Orchard agricultural	Forested, undeveloped parcels designated by DHHL for Commercial use; quarry located approximately 1700’ from nearest boundary
South	Open undeveloped parcels	DHHL agricultural homestead lots
East	Mahiai Street; agricultural, low-density residential	County green waste site; landfill
West	Residential homes	DHHL agricultural homestead lots

2.2 PURPOSE AND NEED

The Project will enable the relocation of Makuʻu Farm Lot lessees threatened by the lava flow, accommodate other lessees who may need to be relocated (e.g., Puʻukapu lessees with UXO issues), and/or awarded to new lessees on the wait list.

2.3 PROJECT DESCRIPTION

The Project consists of subdividing the Mahiai Lot into 16 approximately half-acre lots, a road lot, and a road reserve for a future connection. The four 10-acre Auwae Lots will each be subdivided into 16 approximately half-acre lots and roadway lots. The resulting subdivision of the Mahiai Lot and Auwae Lots will total 80 lots for homestead agricultural leases. For lessees relocating from another homestead lot, these lessees will have the option to move their existing home to the new lots. The other lots will require new construction. The lots will be accessed by County-dedicated roadways built to County standards. The lots will be served by the County water system and individual onsite septic systems (see Figure 3).

2.4 DEVELOPMENT TIMETABLE AND PRELIMINARY COSTS

The estimated total construction cost is \$5 million. Federal (Native American Housing Assistance and Self-Determination Act (NAHASDA) funds) and possibly State funds will be used. Construction will commence by the start of next year and will require approximately 12 months for construction.

3 DESCRIPTION OF THE HUMAN ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

This section describes the existing conditions of the human environment, preliminary potential impacts of the Project, and preliminary mitigation measures to minimize any impacts.

3.1 ARCHAEOLOGICAL AND HISTORIC RESOURCES

Scientific Consultant Services (SCS) conducted an archaeological inventory survey (AIS) of the Site and submitted to SHPD for review (Appendix D). The survey was conducted in accordance with Hawai'i Administrative Rules Chapter 13-275 (Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports) and Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR Part 800). The archaeologist determined through archaeological survey that no historic properties exist within the area of potential effect and that no historic properties will be affected by the proposed undertaking. The report recommended that, pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended and 36 CFR part 800.2(c), the State Historic Preservation Officer (SHPO) concur with the determination of no effect.

Historic Background

The project area is located in the *ahupua'a* of Waiākea, Hilo Hanakāhi 'Okana, in the *moku-o-loko* (district) of Hilo. The *ahupua'a* of Waiākea is large, consists of roughly 95,000 acres, and according to the AIS was regarded as a region of abundant natural resources and numerous fishponds. Waiākea was also an early important political center, notably under chief Kulukulu'a. Kamehameha lived and often returned to his *'ili kūpono* (independent land division where all tributes were paid to the chief of the *'ili* and not the *ahupua'a*) lands of Pi'opi'o in the *ahupua'a* of Waiākea. The *'ili kūpono* lands and its royal fishpond were passed on to his son Liholiho after his death.

Early accounts of Waiākea portray it as divided into several distinct environmental regions. From the coast to a distance of five or six miles scattered subsistence agriculture was evident, followed by a region of tall fern and bracken, flanked at higher elevations by a forest region between 10 and 20 miles wide, beyond which was an expanse of grass and lava (Ellis 1963:403). The American Missionary C.S. Stewart wrote, "the first four miles of the country is open and uneven, and beautifully sprinkled with clumps, groves, and single trees of the bread-fruit, pandanus, and candle tree (Stewart 1970:361-363). The majority of Waiākea's estimated 2,000 inhabitants (in 1825) lived within this coastal region (Ellis1963: 253). Taro, plantains, bananas, coconuts, sweet potatoes, and breadfruit were grown individually or in small garden plots. Fish, pig, dog, and birds were also raised and captured for consumption.

The present study area is situated inland of the coastal region, in the Pana'ewa Forest. The project area lands are not located in an area of known traditional habitation. The Pana'ewa forest area was traditionally known as a forbidding and dangerous landscape.

The forest is heavily wooded and dense with thickets. Travel through it is made more difficult by the broken and undulating ground surface. There is an historic trail that leads from the modern day Lili'uokalani Gardens area to the Puna coast. The trail is often called the Puna Trail and/or the Old Government Road (Escott and Tolleson 2003). Remains of the trail cross the Hawai'i Army Reserve National Guard (HIARNG) Keaukaha Military Reserve (KMR) property, and it has the current appearance of a gravel-covered dirt road (Figure 4 and Figure 5). While there may have been some scattered home sites and gardens in this area, most of the known habitation was along the coast. The probable use of the area prehistorically was for trapping birds and collecting plants, including the plentiful *pandanus* or *hala* (Kelly et al. 1981:20).

Prior to the Māhele, Waiākea Ahupua'a belonged to King Kamehameha, then Lihiliho, and was later held by the chiefess Ka-unu-o-hua, granddaughter of Keawe-mau-hili (Kelly et al. 1981:40). Waiākea became Crown Lands during the Māhele of 1848 and in the following years twenty-six Land Claims were awarded within the *ahupua'a* of Waiākea (Table 1). The awards were small in area, 25 of which went to native claimants. The vast majority of awards were further west in the area of Hilo Bay. No Land Commission awards were made within or near the current project area. The project area property is owned by the State of Hawai'i lands and is administered by DHHL.

Between 1845 and 1865, traditional land-use and residential patterns underwent a change. In particular, the regular use of Hilo Bay by foreign vessels, the whaling industry, the establishment of missions in the Hilo area, the introduction of the sandalwood trade, the legalization of private land ownership, the introduction of cattle ranching, and the introduction of sugarcane cultivation all brought about changes in settlement patterns and long-established land-use patterns. Hilo became the center of population and traditional settlements along the shoreline in outlying regions declined or disappeared. While food was still grown for consumption, greater areas of land were continually given over to the specialized cultivation and processing of commercial foodstuffs for export. Sugarcane plantations and industrial facilities were established in areas that were once upland agricultural areas and coastal settlements, respectively.

Expected Archaeological Patterns

Based on previous archaeological studies, geological studies, historical research, archaeological sites in the area surrounding the current project should be associated primarily with Historic era and modern land-uses. This is likely since this area is not known to have been used for habitation or agricultural purposes, ever. The Pana'ewa forest area where the project parcels only began to be accessed to a larger degree in the Historic era as new areas were explored to open up for agricultural pursuits. The Pana'ewa region where the project area is located contains marginally thin soils and is not well suited to mechanical agricultural techniques.

It is possible that pre-Contact era site types such as trail segments, temporary habitation features associated with travel and forest resource extraction might be present on the project area. It is less likely, but possible, that scattered temporary habitation features adjacent to planting features might be

present. It is also possible that more modern features associated with WWII training and quarrying in the area might be present on the project area.

Results of Fieldwork

No archaeological sites and no remains of historic properties were identified during the pedestrian survey conducted at the project area. Three overgrown, bulldozed road alignments were identified in the northernmost 40 acres during the survey. The bulldozed road alignments are evident in a 1954 USDA aerial photograph (see Figure 5). The bulldozer roads were likely created in anticipation of future development for the expansion of Hilo.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Given the findings of the AIS, no archaeological or historical properties are anticipated to be affected. Review comments from SHPD will be included in the Final EA.

The construction documents will include a provision that should historic sites such as walls, platforms, pavements and mounds, or remains such as artifacts, burials, concentrations of shell or charcoal or artifacts be inadvertently encountered during construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The contractor will immediately contact the State Historic Preservation Division, which will assess the significance of the find and recommend appropriate mitigation measures, if necessary.

3.2 CULTURAL RESOURCES

The archaeological assessment report included archival research with findings summarized in the previous section. Pre-assessment consultation and meetings included the Office of Hawaiian Affairs and Keaukaha-Pana'ewa Farmers Association.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. According to the AIS, the project area had not been used for traditional cultural purposes. Based on historical research and the responses from the above listed contacts, it is reasonable to conclude that Hawaiian rights related to gathering, access or other customary activities within the project area will not be affected and there will be no direct adverse effect upon cultural practices or beliefs. The Project is intended to benefit native Hawaiians by providing homestead leasing opportunities.

3.3 ROADWAYS AND TRAFFIC

Regional access to the Auwae Lots and Mahiai Lot is provided by Kanoiehua Avenue (Route 11). From Kanoiehua Avenue, local access is provided by East Kahaopea Street and Auwae Road for the Auwae Lots, and East Palai Street and Mahiai Street for the Mahiai Lot. The following describes these key roadways in the project vicinity:

Kanoelehua Avenue (Route 11) is a State arterial four-lane divided highway, also designated as Māmalahoa Highway, which extends through Hilo and is part of a network of roadways that encircles the island of Hawai'i. This highway is located approximately 1.5 mile west of the Auwae Lots via a signalized intersection on East Kahaopea Street, and approximately 0.6 mile west of the Mahiai Lot via an unsignalized intersection at East Palai Street and Mahiai Street.

Kahaopea Street is a two-lane County collector that extends westerly from Kanoelehua Avenue to Auwae Road. The intersections along East Kahaopea Street are un-signalized, side-street stop intersections. This roadway currently does not have paved sidewalks in either direction.

Auwae Road is a two-lane, undivided, north-south County collector that currently deadends at the southern boundary of the Auwae Lots. File Plan 1487 created the 50' rights-of-way that extend Auwae Road and connect it to Railroad Avenue (refer to Figure 1).

East Palai Street is an east-west County 2-lane collector. There is a channelized left turn lane from Kanoelehua Avenue to enter this street.

Mahiai Street is a north-south County 2-lane collector that connects to East Palai Street and curves to connect to Railroad Avenue.

DHHL will construct the extension of Auwae Road through the Auwae Lots and stop at the project boundary. DHHL will construct the internal roads for the Auwae Lots as looped roads with 50' rights-of-way width. For the Mahiai Lot, will construct an internal road within a 50' wide right-of-way that will connect to Mahiai Road. Although this internal road ends in a cul-de-sac, a 50' wide roadway reserve will enable a future connection of this internal road to an extension of Kinai Street to provide an alternative access. All roads are intended to be dedicated to the County with shoulders and swales in keeping with the agricultural-rural character of the Project, and to minimize impervious surfaces.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. DHHL will construct the required roads within the Project to dedicable County standards. Since maintenance of County roads are primarily funded by fuel tax, which the lessees pay at the pump like other vehicle owners, the fiscal impact to the County would be insignificant. The Auwae Lots and the Mahiai Lot are surrounded by lower density agricultural lots where the existing level of traffic is relatively low. The Project is not expected to result in any significant traffic impacts to the roadway system in the Project vicinity. The intersections along the State Kanoelehua Highway that future Project residents will primarily use are already improved (signalized or channelized turning lanes).

3.4 INFRASTRUCTURE AND UTILITIES

3.4.1 Water System

According to the County Department of Water Supply (DWS) in its pre-assessment consultation comments (see Appendix B), water can be made available from an existing 8-inch County waterline within Auwae Road and an 8-inch County waterline within Mahiai Street, fronting the proposed project sites (see Figure 6). The required water system improvements, designed to deliver water at adequate pressure and volume under peak-flow and fire-flow conditions in accordance with the County of Hawai'i, Water System Standards 2002, as amended, and the Rules and Regulations of the Department of Water Supply, include, but not be limited to, mains (minimum 6 inches in diameter), service laterals to front each lot, and fire hydrants at the appropriate spacing. All construction plans, calculations, and specifications must be submitted by a professional engineer, registered in the State of Hawai'i, to DWS for review and approval. In addition to the above water system improvements, DHHL must also pay the prevailing facilities charge, which is subject to change, of \$5,500.00 for each additional lot created. Payment is due and payable upon completion of the required water system improvements.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. The County water system has adequate capacity to serve the Project. DHHL must construct and dedicate the water system improvements to the County and pay the prevailing facilities charge (estimated at \$5,500 x 75 additional lots= \$412,500) upon dedication of the water system to DWS.

3.4.2 Wastewater System

There are no sewer lines within Auwae Road or Mahiai Street that connect to the project sites (see Figure 7). Cesspools will not be allowed since the Auwae Lots are in the Critical Wastewater Disposal Area and the Mahiai Lot is in an area that requires a minimum lot size of 1-acre for a cesspool, pursuant to the Department of Health's wastewater systems rules (Hawai'i Administrative Rules chapter 11-62) (see Figure 8). DHHL will require the Mahiai Lot lessees to install septic systems approved by the Department of Health (DOH).

For the Auwae Lots, in response to DOH consultation comments (see letter in Appendix B), DHHL examined an alternative to sewer these 64 lots by connecting to the County's sewer system at a manhole located near Home Depot on Railroad Avenue. A lift station would be required at Auwae Road. A force main minimally sized to accommodate the Auwae Lots approximately 3,000 l.f. in length would connect the lift station to the Home Depot manhole via a 10' sewer easement on DHHL land. The collection system within the Auwae Lots would require approximately 3,600 l.f. of collector lines and 12 manholes. The estimated additional cost for this sewer system is approximately \$2.4 million, a 150% increase in the Project cost. Since DHHL is still in the process of re-examining their plans for this area to update the Island Plan, the future sewer needs are not certain. The proposal, therefore, is to install dry sewers as part of this Project and increase the Project funding by approximately \$1.2 million to

accommodate this proposal. This dry sewer proposal commits DHHL to a future sewer system, puts the future residents on notice to locate their interim septic system to cost-effectively connect to the sewer system when required, buys time to enable DHHL to plan this area to properly size the main collector system, facilitates finding the additional funds with a reduced cost estimate, and avoids having to dig up the roads within the Project to install sewer lines in the future.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigable impact. For the Mahiai Lot, the minimum one-half acre lot size provides adequate area for the septic system's leach field. The DOH requires a licensed engineer to design and inspect the completed septic system (Hawai'i Administrative Rules section 11-62-31.1). For the Auwae Lots, the dry sewer system and interim septic systems commit the area to a future sewer connection. DHHL will look into potential funding sources such as the U.S. Department of Agriculture water and wastewater loan and grant program.

3.4.3 Drainage System

The Site is located in an area described as "outside floodplain/minimal flooding area" on the Flood Insurance Rate Map (FIRM) (see Figure 5). The grass shoulders and swales along the roads would promote infiltration, consistent with Low Impact Design (LID) site design measures. LID measures are intended to accomplish the following: (1) decrease the erosive potential of increased runoff volumes and velocities associated with development-induced changes in hydrology; (2) remove suspended solids and associated pollutants entrained in runoff that result from activities occurring during and after development; and (3) retain hydrological conditions to closely resemble those of the pre-disturbance condition. Any runoff along the streets would drain into drywells that will be installed within the Project rights-of-way.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Runoff would be minimized with the 2-lane pavement width and grass shoulders and swales. Any increase in runoff from roofs and pavement would flow into drywells within the Project and recharge the groundwater.

3.4.4 Solid Waste

The County of Hawai'i Solid Waste Division operates and maintains, either by County personnel or by contracted services, two landfills and twenty-one transfer stations. The South Hilo Sanitary Landfill, transfer station, and green waste processing site are located near the Auwae Lots. Since the volume and size of the Project's grubbed material exceed the capacity of the County's green waste facility, the grubbed material will be chipped on site. The stockpiled materials will not exceed 5' in height. The mulch will be made available to DHHL lessees.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Mitigated impact. Construction documents will require chipping the grubbed material on site and making the mulch available to DHHL lessees. Whenever green waste cannot be processed on site, the green waste will be hauled to the Hawaii County Green Waste Site in Hilo for final disposal. Soil and rocks displaced from grading and clearing will be used as fill within the site as needed.

3.4.5 Utilities

The Hawai'i Electric Light Company, Inc. (HELCO), a privately-owned utility company regulated by the State Public Utilities Commission, provides electrical power to the island of Hawai'i. The HELCO network of power plants serving Hilo includes the Kanoiehua Power Plant, Puna Power Plant, Wailuku Hydro Power Plant, Hilo Coast Power Plant, and Shipman Power Plant.

Telecommunication services are provided by Hawaiian Telcom via overhead lines. Sandwich Isles Communication is the sole provider of fiber optics serving DHHL properties.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impact. Electrical and telephone services are currently sized, adequate, and available to supply the Project. In response to pre-assessment consultation, HELCO had no objections to service the Project (see Appendix B).

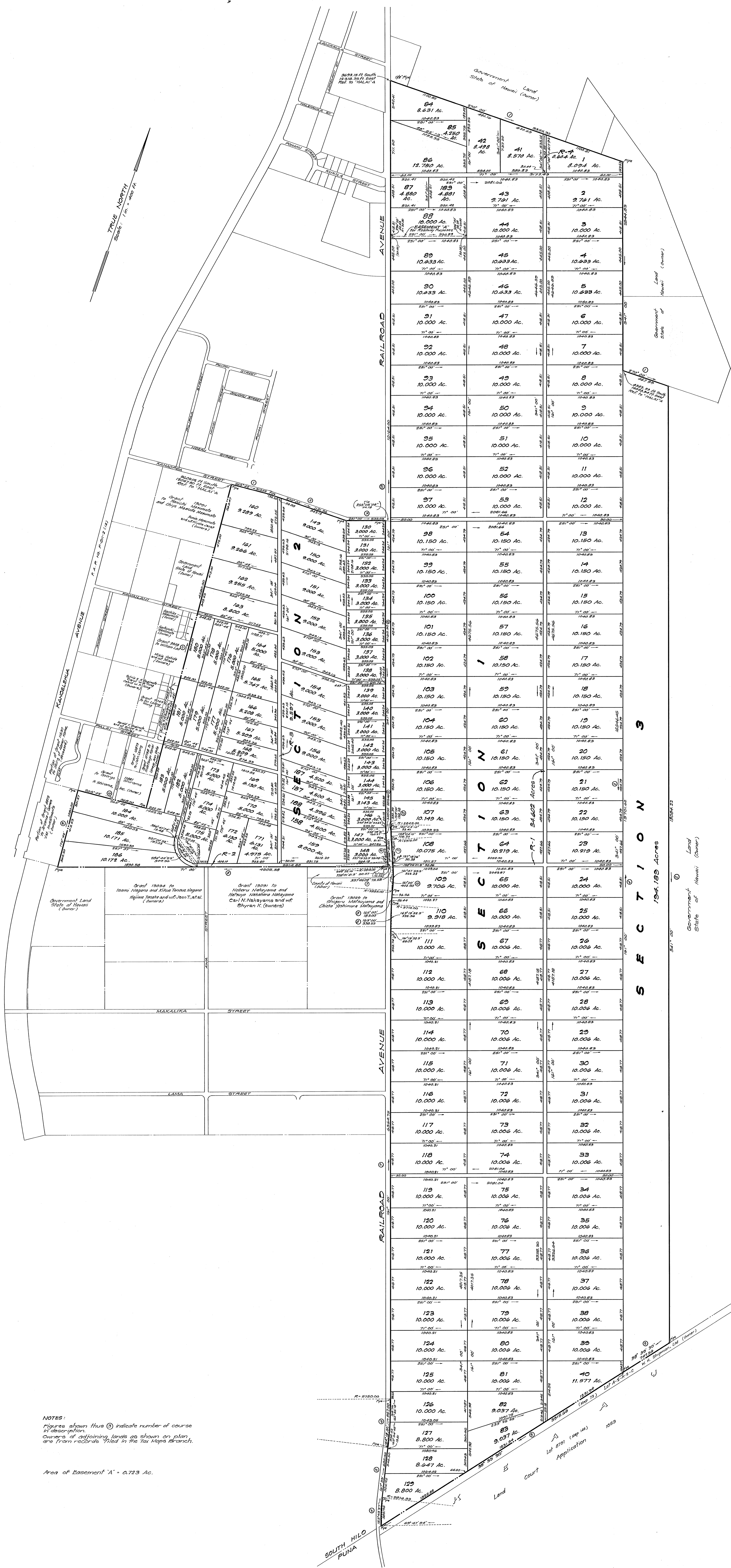


Figure 1: File Plan

PANAEWA HOUSE AND FARM LOTS

OWNER: HAWAIIAN HOME LANDS
ADDRESS: 550 HALEKAUWILA STREET
HONOLULU, HAWAII

SECTION I

LAND SITUATED ON THE NORTHEASTERLY SIDE
OF RAILROAD AVENUE
AT WAI'AKEA, SOUTH HILO, ISLAND OF HAWAII, HAWAII
BEING A PORTION OF HAWAIIAN HOME LAND OF PANAEWA
SUBDIVIDED INTO LOTS 1 TO 129, INCLUSIVE
LOTS 189, R-1 AND R-4
AND DESIGNATION OF EASEMENT "A" OVER AND ACROSS
LOT 88
TOTAL AREA = 1319.788 ACRES

SECTION 2

LAND SITUATED ON THE SOUTHWESTERLY SIDE OF RAILROAD AVENUE
AND ON THE SOUTHERLY SIDE OF KAHAOPEA STREET
AT WAIKAE, SOUTH HILO, ISLAND OF HAWAII, HAWAII
BEING A PORTION OF HAWAIIAN HOME LAND OF PANAWEA
SUBDIVIDED INTO LOTS 130 TO 188, INCLUSIVE
AND LOTS R-2 AND R-3
TOTAL AREA = 341.328 ACRES

SECTION 3

LAND SITUATED ON THE NORTHERLY SIDE OF LAND COURT APPLICATION 1053
APPROXIMATELY 3150 FEET NORTHEASTERLY OF RAILROAD AVENUE
AT WAIAKEA, SOUTH HILO, ISLAND OF HAWAII, HAWAII
BEING A PORTION OF THE GOVERNMENT (CROWN) LAND OF WAIAKEA
CONVEYED TO DEPARTMENT OF HAWAIIAN HOME LANDS BY STATE OF
HAWAII BY EXCHANGE DEED DATED JANUARY 8, 1962 AND RECORDED
IN LIBER 4265, PAGES 456 AND 464 (LAND OFFICE DEEDS S-18729
AND S-18730)

TOTAL AREA = 194.189 ACRES

This map is from an actual survey on the ground made by or under the direct supervision of the undersigned between December 1, 1976 and January 22, 1976 and may be checked by the State Surveyor with our field books and calculation folders filed under Job Number 75-129.

WILLIAM HEE & ASSOCIATES, INC.

1020 Auahi St.
Honolulu, Hawaii
January 22, 1976

By: Jerry S. Nakagawa
Registered Professional Surveyor
Certificate Number 1098

I hereby certify that the description of survey and map herein has been examined and checked as to form and mathematical correctness but not on the ground and the same is approved in accordance with Sections 502-17, 18 and 19 of the Hawaii Revised Statutes.

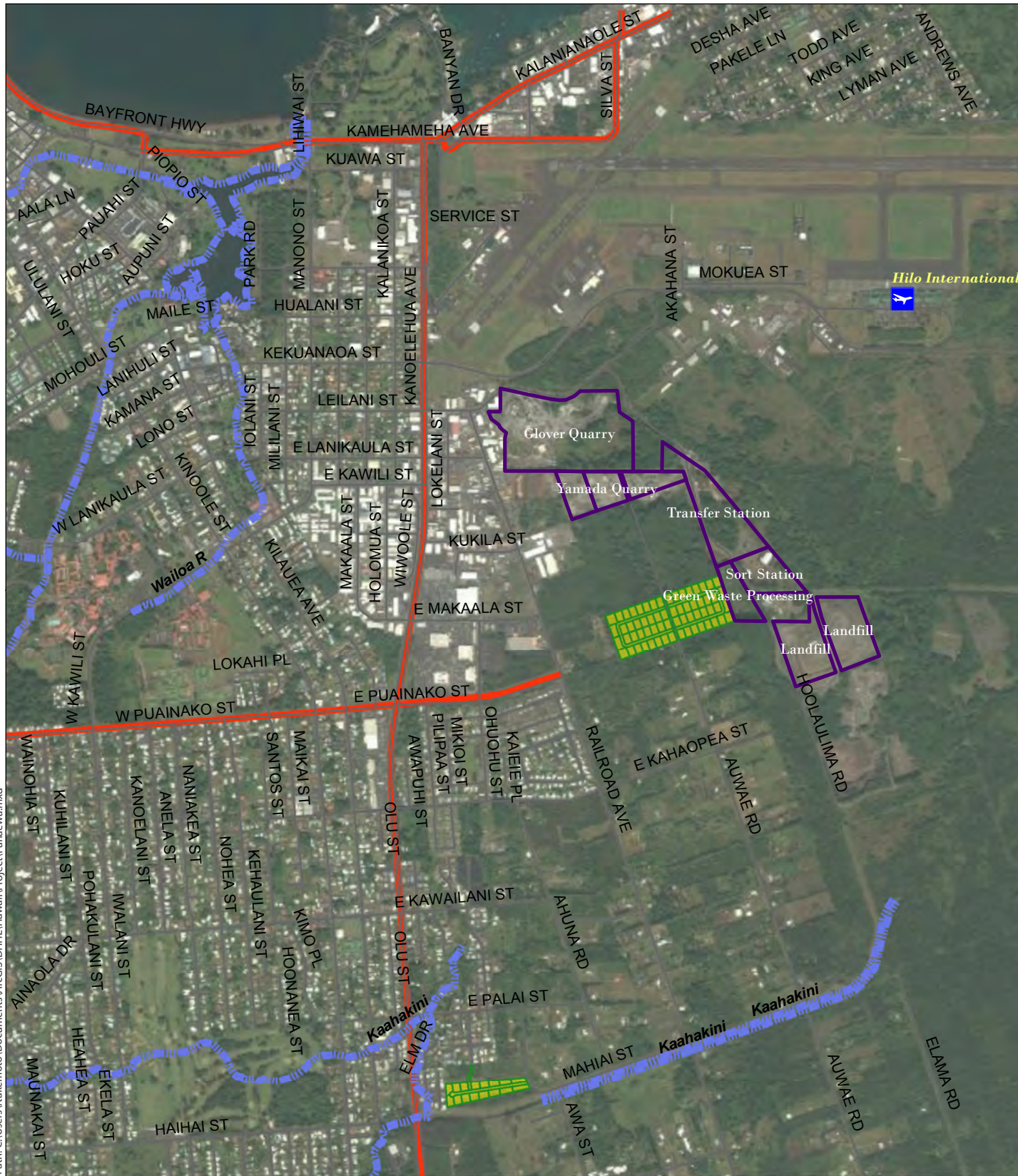
Honolulu, Hawaii
March 22, 1976

Kazutaka Sasaki

State of Hawaii
Office of
Bureau of Conveyances
Received for filing this 22ND day of
March A.D. 1976 at 3:29 P.M.
and filed in File No. 1487









Charles F. Neumann
Registrar of Conveyances

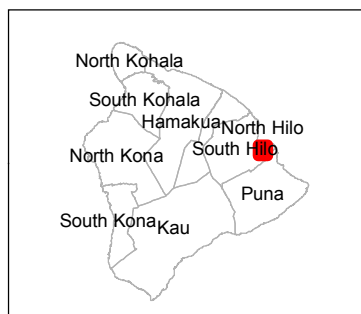
METES AND BOUNDS DESCRIPTION RECORDED
IN LIBER 11307 PAGES 250-255



DATE: 6/10/2015

LEGEND

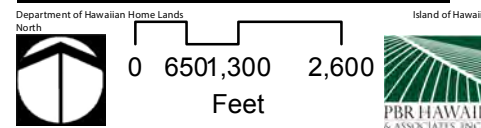
-  airport
 -  Panaewa_Surrounding_Uses
 -  Proposed Subdivision Lots 6 & 7
 -  Proposed Subdivision Lots 47 & 48
 -  Proposed Subdivision Lot 185
 -  Panaewa Ag Lots
 -  darstreams
 -  State Highways
- Source: ESRI Online Basemaps



Panaewa Ag Lots

Figure 2. Surrounding Uses

SFD New Construction



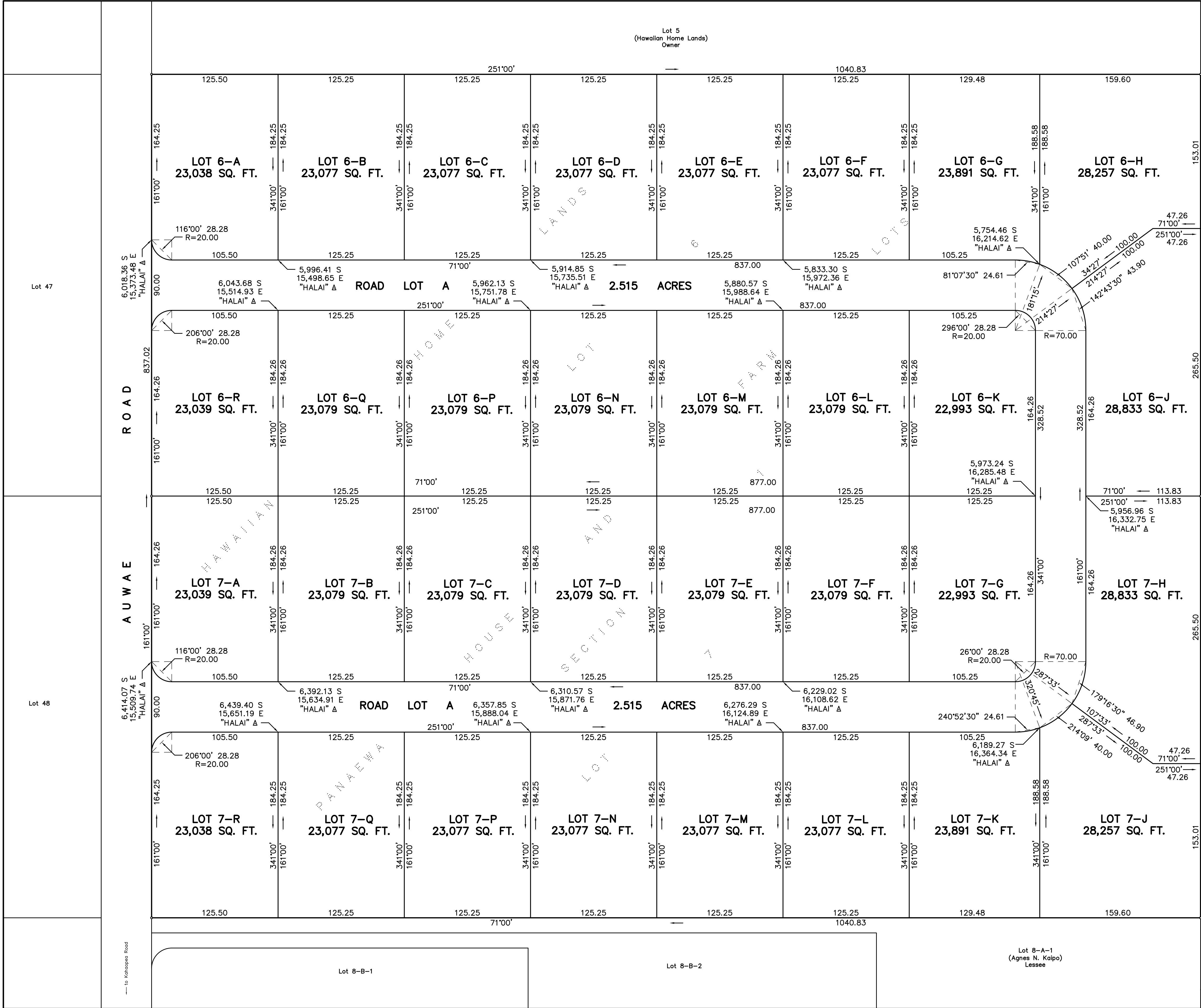


Figure 3A. Site Plan

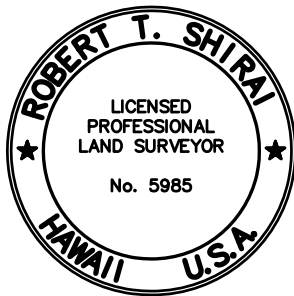
PLAN SHOWING
CONSOLIDATION OF LOTS 6 AND 7 OF
HAWAIIAN HOME LANDS,
PANAWEA HOUSE AND FARM LOTS, SECTION 1
AND THE RESUBDIVISION OF SAID CONSOLIDATION INTO
LOTS 6-A TO 6-H, 6-J TO 6-N, 6-P TO 6-R,
LOTS 7-A TO 7-H, 7-J TO 7-N, 7-P TO 7-R,
AND ROAD LOT A

WAIKAE, SOUTH HILO, ISLAND OF HAWAII, HAWAII

Survey and Plan by Island Survey, Inc.
P. O. Box 4215, Hilo, Hawaii 96720
February 27, 2015

Parcel 168
(State of Hawaii)
Owner

OWNER: LOTS 6 AND 7
HAWAIIAN HOME LANDS
162 Baker Avenue
Hilo, Hawaii 96720-4817



This work was prepared by me
or under my supervision.

ROBERT T. SHIRAI, PLS
State of Hawaii Cert. No. LS-5985
License Expires April 30, 2016

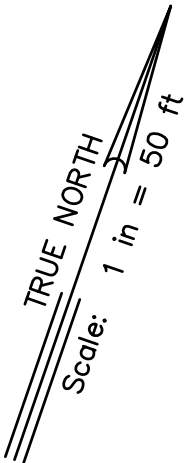
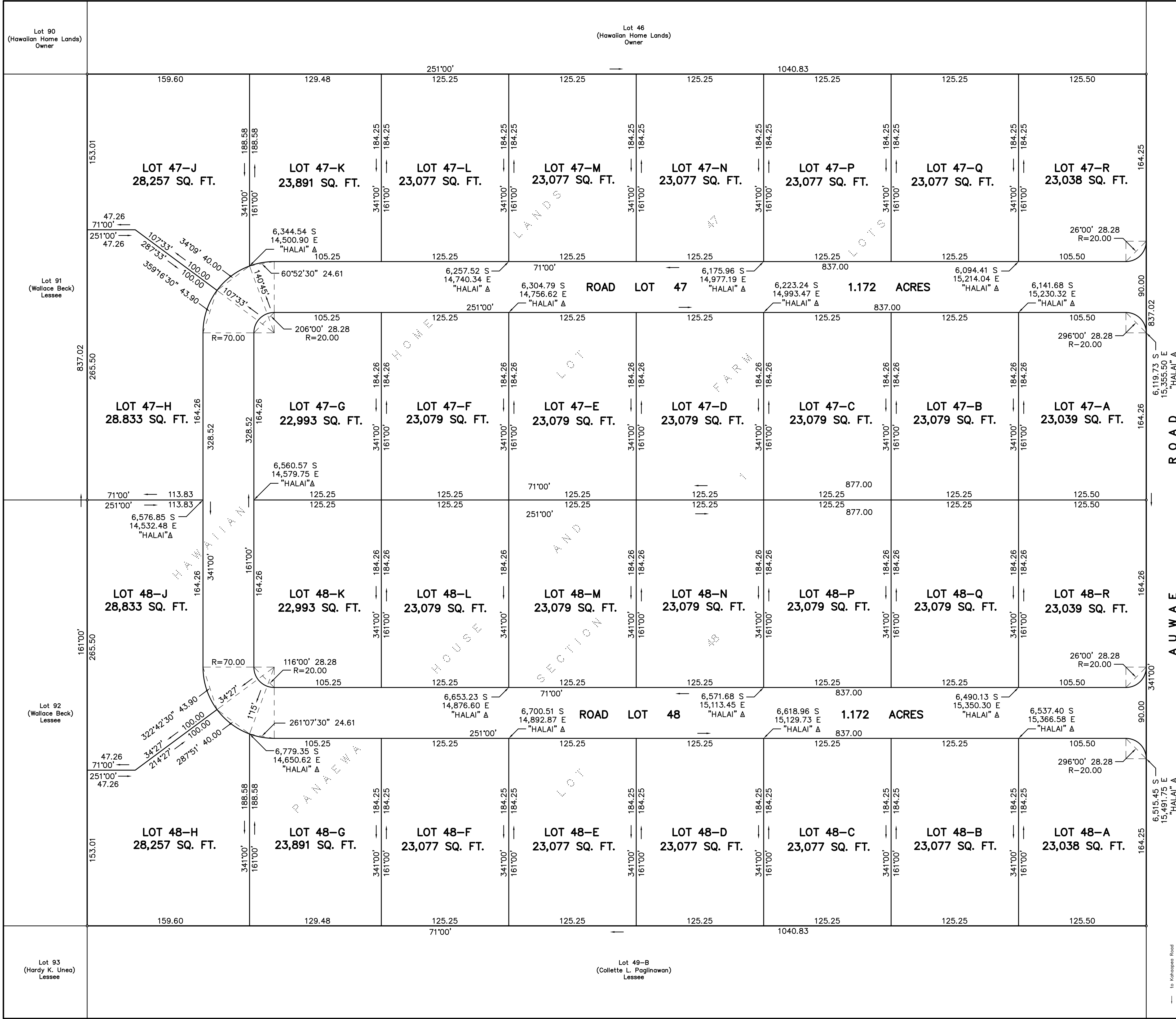


Figure 3B. Site Plan

PLAN SHOWING

SUBDIVISION OF LOT 47

INTO LOTS 47-A TO 47-H, 47-J TO 47-N,
AND 47-P TO 47-R

AND SUBDIVISION OF LOT 48

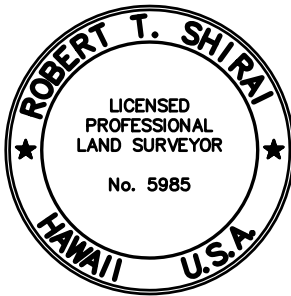
INTO LOTS 48-A TO 48-H, 48-J TO 48-N,
AND 48-P TO 48-R

BEING A PORTION OF HAWAIIAN HOME LANDS,
PANAWEA HOUSE AND FARM LOTS, SECTION 1

WAIAKEA, SOUTH HILO, ISLAND OF HAWAII, HAWAII

Survey and Plan by Island Survey, Inc.
P. O. Box 4215, Hilo, Hawaii 96720
February 27, 2015

OWNER: LOT 47 AND LOT 48
HAWAIIAN HOME LANDS
162 BAKER AVENUE
HILO, HAWAII 96720-4817



This work was prepared by me
or under my supervision.

ROBERT T. SHIRAI, PLS
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DATE: 2/5/2015

LEGEND

Tax Map Key Parcels

Flood Zone

A Areas subject to inundation by the 1-percent-annual-chance flood event

X Areas determined to be outside 0.2-percent-annual-chance floodplain

Figure 5

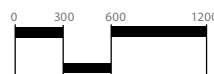
Flood Insurance Rate Map

PANAewa SUBDIVISION

Department of Hawaiian Home Lands



Linear Scale (feet)



Island of Hawaii



Source: County of Hawaii, 2014, FEMA Flood Insurance Rate Map, 2007. [Panel 890C]

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.



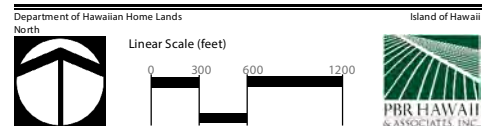
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DATE: 2/27/2015

LEGEND

- Tax Map Key Parcels
- Node
- Pipe
- Pump
- Tank
- Valve

Figure 6
 County Water System
PANAewa SUBDIVISION



Source: County of Hawaii, 2014. Hawaii Department of Land and Natural Resources Division of Aquatic Resources, 2008.
 Hawaii Department of Health, 2002. USFWS National Wetlands Inventory. GDSI, 1995.

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DATE: 2/27/2015

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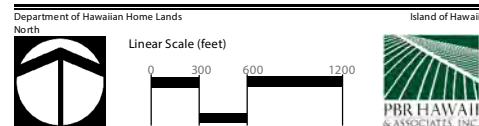
-  Tax Map Key Parcels
-  Hawaii Island Sewer Manholes
-  Hawaii Island Sewer Mains

Figure 7
 County Sewer System
PANAewa SUBDIVISION



Source: County of Hawaii, 2014. Hawaii Department of Land and Natural Resources Division of Aquatic Resources, 2008.
 Hawaii Department of Health, 2002. USFWS National Wetlands Inventory. GDSI, 1995.

Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

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Attachment **III**

Site Photos

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Mahiai Lot: A formerly mowed lawn surrounding a residence, now overgrown with deep grass and scattered shrubs.



Auwae Lots: The entire 40 acres is a dense wet jungle.



Auwae Lots: Typical dense wet forest with large albizia trees.

Photo Source: R. Hobdy, 2015. Flora and Fauna Survey and Assessment for The Department of Hawaiian Home Lands Project, 5 Parcels at Panaewa, Hilo - Hawaii.



Transformer and wire located near the entrance to the subject property at the end of Auwae Street, view looking north. Photo taken 06/09/2015.



Dense vegetation on subject property at the end of Auwae Street, view looking north-east. Photo taken 06/09/2015.



Illegal dumping of lawn-mower tractor on subject property surrounded by dense vegetation within 50 feet of Auwae Road terminus. Photo taken 06/09/2015.



Illegal dumping of an old television set, located within 50 feet of the Auwae Road terminus. Photo taken 06/09/2015.

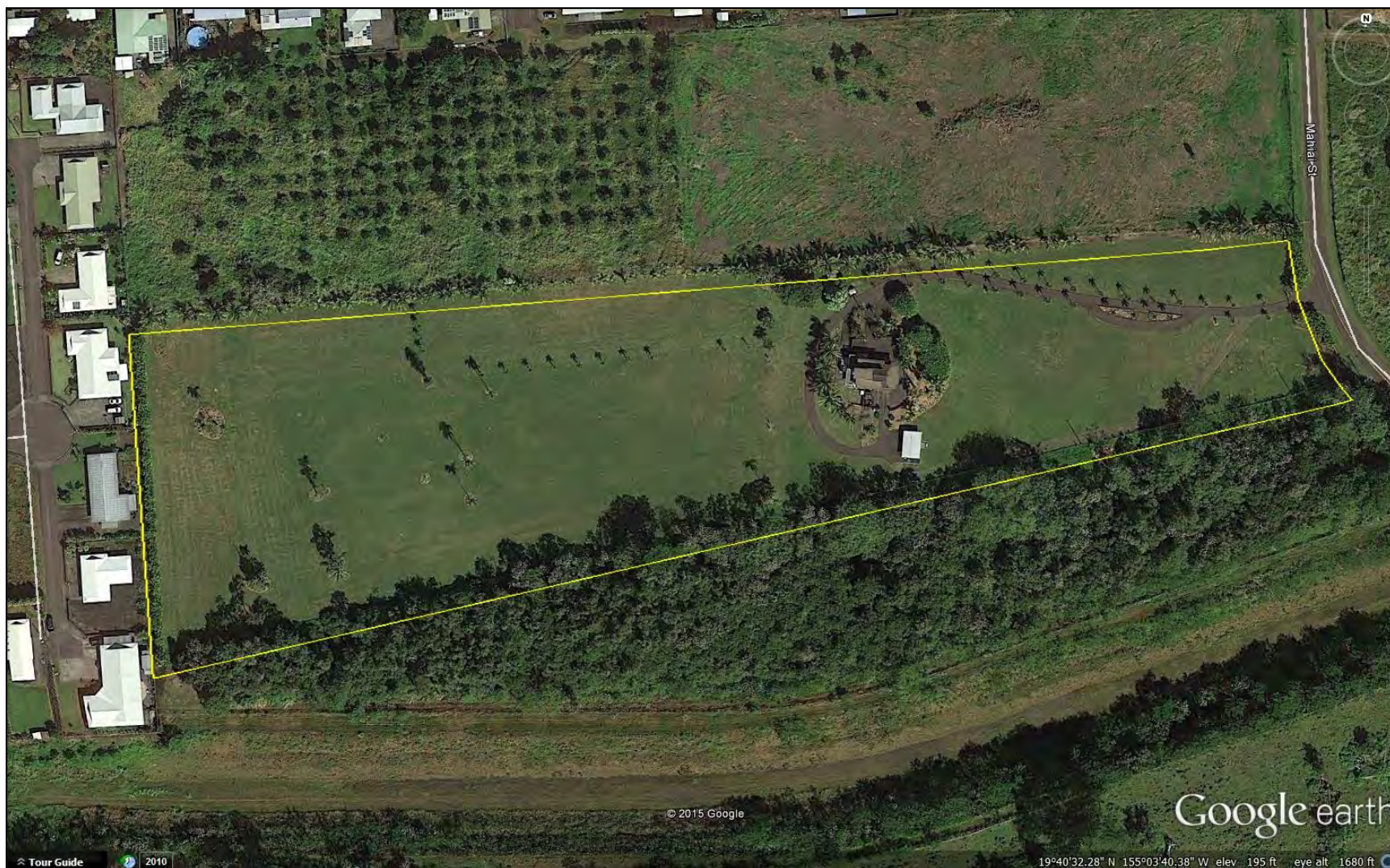


Google Earth 2015 aerial photograph showing solid waste disposal (junk vehicles) on adjacent properties to the west of the Auwae Lots. Photo taken 06/09/2015.



Aerial Photograph Showing Auwae Parcels (Google Earth, 2013 Image. Hilo, HI, 5Q 284875m E 2179315m N).

Photo Source: Scientific Consultant Services Inc., 2015. Request for Determination Letter for five 10-acre parcels of Department of Hawaiian Home Lands property in the Pana'ewa region of Waiakea Ahupua'a, South Hilo District, Hawai'i Island (a previous letter to SHPD dated March 25, 2015).



Aerial Photograph Showing Mahiai Parcel (Google Earth, 2013 Image. Hilo, HI, 5Q 283981m E 2176888m N).

Photo Source: Scientific Consultant Services Inc., 2015. Request for Determination Letter for five 10-acre parcels of Department of Hawaiian Home Lands property in the Pana‘ewa region of Waiakea Ahupua‘a, South Hilo District, Hawai‘i Island (a previous letter to SHPD dated March 25, 2015).

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Appendix **E**

CULTURAL IMPACT ASSESSMENT

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**A CULTURAL IMPACT ASSESSMENT FOR
FIVE 10-ACRE DHHL PARCELS IN THE PANA'EWA REGION
OF WAIĀKEA AHUPUA'A, SOUTH HILO DISTRICT,
HAWAI'I ISLAND, HAWAI'I**

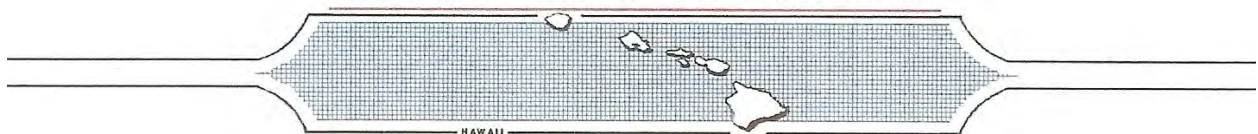
[TMK: 2-1-025: 006, 007, 047, 048; & 2-1-061: 002]

Prepared By:
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OCTOBER 2015

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INTRODUCTION

At the request of PBR Hawaii, Scientific Consultant Services, Inc. (SCS) conducted a Cultural Impact Assessment for five 10-acre parcels of Department of Hawaiian Home Lands (DHHL) property [TMK: (3) 2-1-025: 006, 007, 047, 048; and (3) 2-1-061: 002] located in the Pana‘ewa region of Waiākea Ahupua‘a, South Hilo District, Island of Hawai‘i, Hawai‘i (Figure 1 and Figure 2). The Department of Hawaiian Home Lands (DHHL) is proposing to subdivide the five 10-acre parcels into 90 half-acre lots to enable relocation of Maku'u Farm Lot lessees who may have to move due to threat of the lava flow, and other lessees who may have to relocate for various reasons (e.g., UXO issues), as well as awarding to those on the wait list.

The northern most four parcels form a contiguous 40-acre area of undeveloped land at the northern end of ‘Auwae Street (Figure 3). The land is approximately 95 feet (29 meters) above mean sea level (amsl). The southwest corner of the 40-acres is bordered by a grubbed and graded residential lot containing a house. The east and west boundaries are bordered by grubbed and graded d macadamia nut orchards and garden fields, respectively. The northern boundary borders undeveloped land.

The southernmost 10-acre parcel, TMK (3) 2-2-061:002, is located at 230 Mahi‘ai Street at an elevation of between 180 and 200 feet (55 to 60 meters) amsl (Figure 4). The property is bounded to the north by grubbed and graded gardens and orchards. The east and west boundaries are bordered by residential lots, and the southern boundary is bordered by undeveloped land. The entire 10-acre property is grubbed, graded, and landscaped. There is a house on the property built in the mid 1980s.

The Constitution of the State of Hawai‘i clearly states the duty of the State and its agencies is to preserve, protect, and prevent interference with the traditional and customary rights of native Hawaiians. Article XII, Section 7 requires the State to “protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by *ahupua‘a* tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778” (2000). In spite of the establishment of the foreign concept of private ownership and western-style government, Kamehameha III (Kauikeaouli) preserved the people’s traditional right to subsistence.

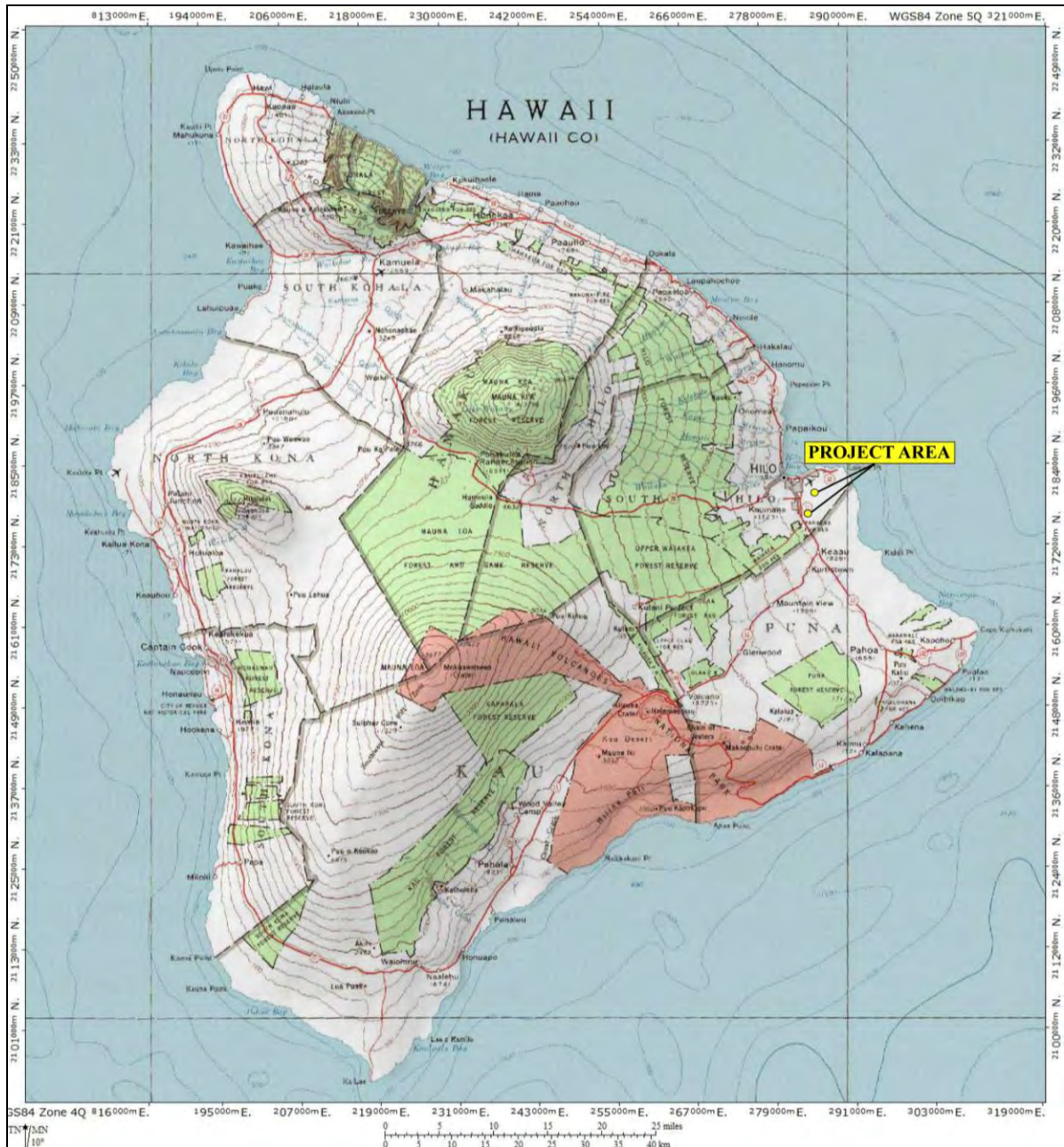


Figure 1: 5,500 K-Series Map of Hawai‘i Showing Location of Project Area (National Geographic Topo!, 2003. Sources: National Geographic Society, USGS).

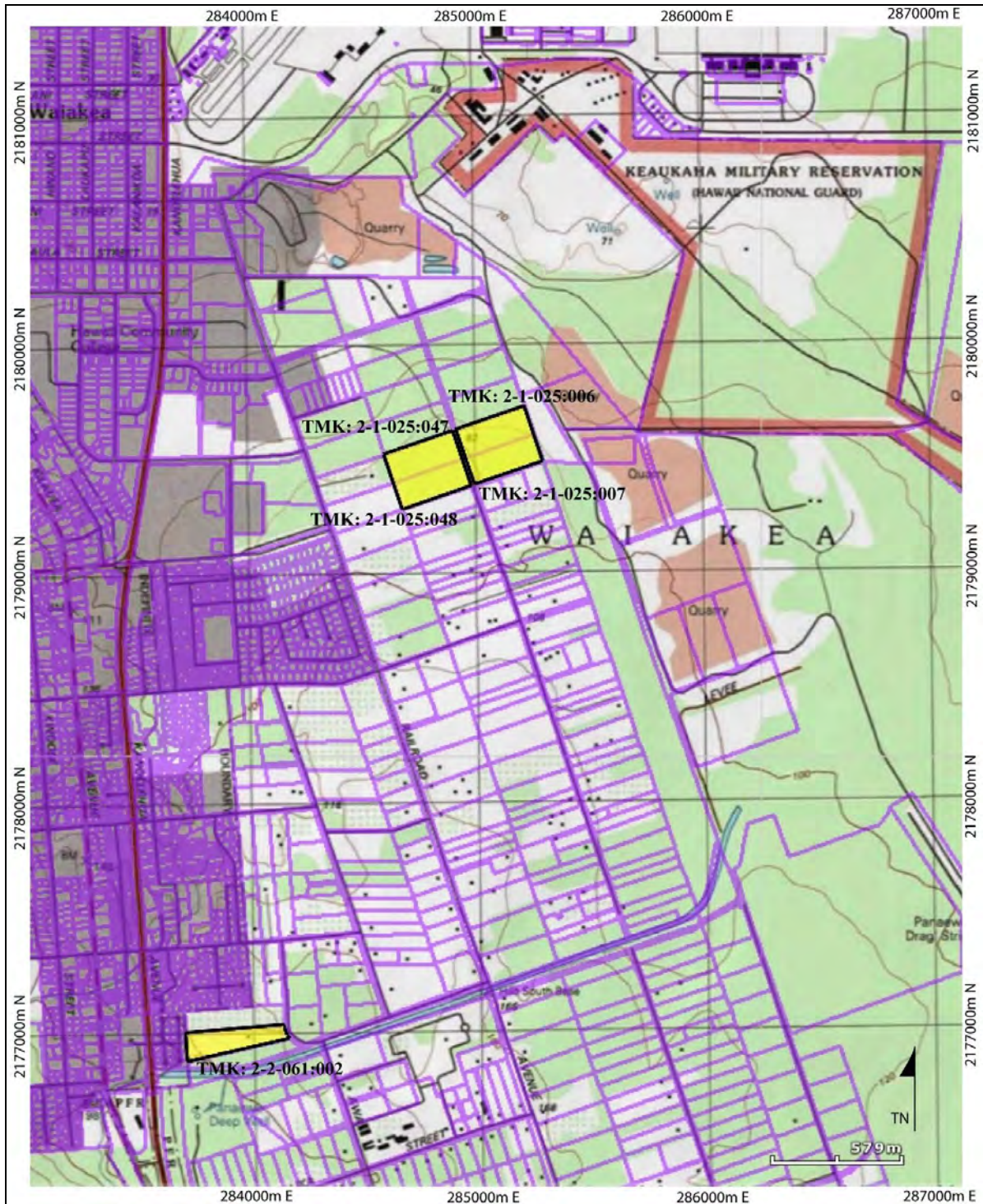


Figure 2: 7.5-Minute Series USGS Topographic Map Showing Location of Project Area Shaded Yellow (ESRI, 2011. Sources: National Geographic Society, USGS Hilo Quadrangle).



Figure 3: Aerial Photograph Showing Northern Four Project Area Parcels (Google Earth, 2013 Image. Hilo, HI, 5Q 284875m E 2179315m N).



Figure 4: Aerial Photograph Showing Northern Four Project Area Parcels (Google Earth, 2013 Image. Hilo, HI, 5Q 283981m E 2176888m N).

In 1850, the Hawaiian Government confirmed the traditional access rights to native Hawaiian *ahupua'a* tenants to gather specific natural resources for customary uses from undeveloped private property and waterways, codified now under the Hawai'i Revised Statutes (HRS) 7-1. In 1992, the State of Hawai'i Supreme Court reaffirmed HRS 7-1 and expanded it by stating "native Hawaiian rights...may extend beyond the *ahupua'a* in which a native Hawaiian resides where such rights have been customarily and traditionally exercised in this manner" (Pele Defense Fund v. Paty, 73 Haw.578, 1992).

Act 50, enacted by the Legislature of the State of Hawai'i (2000) with House Bill 2895, relating to Environmental Impact Statements, stated that:

...there is a need to clarify that the preparation of environmental assessments or environmental impact statements should identify and address effects on Hawaii's culture, and traditional and customary rights... [H.B. NO. 2895].

Act 50 requires state agencies and other developers to assess the effects of proposed developments subject to the HRS Chapter 343 environmental review process on the "cultural practices of the community and State" (2001).

The purpose of HRS 343 has broadened, "to promote and protect cultural beliefs, practices and resources of native Hawaiians [and] other ethnic groups, and it also amends the definition of 'significant effect' to be re-defined as "the sum of effects on the quality of the environment including actions that are...contrary to the State's environmental policies...or adversely affect the economic welfare, social welfare, or cultural practices of the community and State" (H.B. 2895, Act 50, 2000). The *ahupua'a* or district is recognized as a culturally appropriate geographic unit of study, depending on the scale of the project.

The process distinguishes 'anthropological' cultural practices from 'social' cultural practices. For example, *limu* (edible seaweed) gathering would be considered an anthropological cultural practice, while a modern-day marathon would be considered a social cultural practice.

According to the Guidelines for Assessing Cultural Impacts established by the Hawaii State Office of Environmental Quality Control (OEQC 1997): The types of cultural practices and beliefs subject to assessment may include subsistence,

commercial, residential, agricultural, access-related, recreational, and religions and spiritual customs. The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both manmade and natural, which support such cultural beliefs.

This Cultural Impact Assessment involves evaluating the probability of impacts on identified cultural resources, including values, rights, beliefs, objects, records, properties, and stories occurring within the project area and its vicinity (H.B. 2895, Act 50, 2000). The vicinity can be defined as "the broad geographical area, e.g. district or *ahupua'a*" (OEQC 1997).

METHODOLOGY

This Cultural Impact Assessment was prepared in accordance with the methodology and content protocol provided in the Guidelines for Assessing Cultural Impacts (OEQC 1997). In outlining the "Cultural Impact Assessment Methodology", the OEQC state: ...information may be obtained through scoping, community meetings, ethnographic interviews and oral histories... (1997).

The report contains archival and documentary research, as well as communication with organizations having knowledge of the project area, its cultural resources, and its practices and beliefs. This Cultural Impact Assessment was prepared in accordance with the methodology and content protocol provided in the Guidelines for Assessing Cultural Impacts (OEQC 1997). According to these Guidelines, the assessment concerning cultural impacts should address, but not necessarily be limited to, the following matters:

- (1) a discussion of the methods applied and results of consultation with individuals and organizations identified by the preparer as being familiar with cultural practices and features associated with the project area, including any constraints or limitations with might have affected the quality of the information obtained;
- (2) a description of methods adopted by the preparer to identify, locate, and select the persons interviewed, including a discussion of the level of effort undertaken;

- (3) ethnographic and oral history interview procedures, including the circumstances under which the interviews were conducted, and any constraints or limitations which might have affected the quality of the information obtained;
- (4) biographical information concerning the individuals and organizations consulted, their particular expertise, and their historical and genealogical relationship to the project area, as well as information concerning the persons submitting information or interviewed, their particular knowledge and cultural expertise, if any, and their historical and genealogical relationship to the project area;
- (5) a discussion concerning historical and cultural source materials consulted, the institutions and repositories searched, and the level of effort undertaken, as well as the particular perspective of the authors, if appropriate, any opposing views, and any other relevant constraints, limitations or biases;
- (6) a discussion concerning the cultural resources, practices and beliefs identified, and for the resources and practices, their location within the broad geographical area in which the proposed action is located, as well as their direct or indirect significance or connection to the project site.
- (7) a discussion concerning the nature of the cultural practices and beliefs, and the significance of the cultural resources within the project area, affected directly or indirectly by the proposed project;
- (8) an explanation of confidential information that has been withheld from public disclosure in the assessment;
- (9) a discussion concerning any conflicting information in regard to identified cultural resources, practices and beliefs;
- (10) an analysis of the potential effect of any proposed physical alteration on cultural resources, practices or beliefs; the potential of the proposed action to isolate cultural resources, practices or beliefs from their setting; and the potential of the proposed action to introduce elements which may alter the setting in which cultural practices take place, and;
- (11) the inclusion of bibliography of references, and attached records of interviews, which were allowed to be disclosed.

Based on the inclusion of the above information, assessments of the potential effects on cultural resources in the project area and recommendations for mitigation of these effects can be proposed.

ARCHIVAL RESEARCH

Archival research involved study of both published and unpublished sources. These included legendary accounts of native and early foreign writers; early historical journals and narratives; historic maps and land records such as Land Commission Awards, Royal Patent Grants, and Boundary Commission records; historic accounts, and previous archaeological project reports. Such scholars as ‘Ī‘Ī, Kamakau, Chinen, Kame‘eleihiwa, Fornander, Kuykendall, Kelly, Handy and Handy, Puku‘i and Elbert, Thrum, and Cordy have contributed, and continue to contribute to our knowledge and understanding of Hawai‘i, past and present. The works of these and other authors were consulted and incorporated in the report where appropriate. Land use document research was conducted using several online databases including, the Waihona ‘Āina 2014 database, the Papakilo database, and the Ukukau Hawaiian Library. Historical and cultural source materials were extensively used and can be found listed in the *References Cited* portion of the report.

INTERVIEW METHODOLOGY

Interviews were conducted in accordance with Federal and State laws and guidelines. Individuals and/or groups who have knowledge of traditional practices and beliefs associated with the project area or who know of historical properties within the project area were sought for consultation. Individuals who have particular knowledge of traditions passed down from preceding generations and a personal familiarity with the project area were invited to share their relevant information. Organizations including the Hawai‘i Island Burial Council (HIBC), the State Historic Preservation Division (SHPD) Burial Sites Specialist, the Kona Hawaiian Civic Club, and the Office of Hawaiian Affairs were asked for their recommendations of suitable informants. These groups were invited to contribute their input, and suggest further avenues of inquiry, as well as specific individuals to interview.

The “level of effort undertaken” to identify a proposed project's potential effect to cultural resources, traditional cultural places, or traditional cultural beliefs (OEQC 1997) has not been officially defined and is left up to the investigator. A good faith effort can mean contacting agencies by letter, interviewing people who may be affected by the project or who know its history, research identifying sensitive areas and previous land use, holding meetings in which the public is invited to testify, notifying the community through the media, and other appropriate strategies based on

the type of project being proposed and its impact potential. Sending inquiring letters to organizations concerning development of a piece of property that has already been totally impacted by previous activity and is located in an already developed industrial area may be, in itself, a “good faith effort”. However, when many factors need to be considered, such as in coastal or mountain development, a good faith effort might mean an entirely different level of research activity.

In the case of the current project, letters of inquiry briefly outlining the development plans along with maps of the project area were sent to individuals and organizations whose jurisdiction includes knowledge of the area with an invitation for consultation. In the case of the proposed project, consultation was sought from Kai Markell, the Director of Native Rights, Land and Culture, Office of Hawaiian Affairs on O‘ahu; Shane Palacat Nelson, Coordinator of the Hawai‘i Branch of the Office of Hawaiian Affairs; Herbert Poepoe, SHPD Hawai‘i Island Burial sites Specialist; Edwin Miranda, HIBC Chairman; and William "Bill" Brown, President of the Pana‘ewa Community Association.

Public notices were published in the Office of Hawaiian Affairs Ka Wai Ola Newspaper, the Honolulu Star-Advertiser and the Hawai‘i-Tribune Herald (see Appendix A). Personal interviews with knowledgeable individuals are written out in summary form and returned to each of the participants for their review and comments. Key topics discussed with the interviewees included personal association to the *ahupua‘a*; land use in the project’s vicinity; knowledge of traditional trails, gathering areas, burials, water sources, religious sites; place names and their meanings; stories that were handed down concerning special places or events in the vicinity of the project area; and evidence of previous activities identified while in the project vicinity.

ENVIRONMENTAL SETTING

The ground surface at all five parcels is level to slightly undulating Paipai Series (rPAE) extremely stony muck (Sato et al. 1973: 46) overlaying a Mauna Loa lava flow dated between 750 and 1,500 years before present (ybp) (Wolf and Morris 1996). There are exposed ‘a‘a bedrock outcrops and low ridges on the ground surface across the properties. Annual rainfall ranges from 120 to 160 inches.

Vegetation within the south, east, and northeast portions of the contiguous four parcels, where ground disturbance is evident, is composed of a suite of invasive plant

species dominated by albizia trees (*Falcataria moluccana*) and guava (*Psidium* sp.) (Starr Environmental 2014). Vegetation on the remainder of 40 acres is primarily ‘ōhi ‘a (*Metrosideros polymorpha*), hala (*Pandanus odoratissimus*), as well as invasive species including guava, gunpowder tree (*Trema orientalis*), miconia (*Miconia calvescens*), Asian Melastoma (*Melastoma septemnerium*), and bingabing (*Macaranga mappia*). The entire southernmost 10-acre parcel is grubbed, graded, and landscaped. There is a house on the property built in the mid 1980s.

HISTORICAL AND CULTURAL CONTEXTS

The rich marine resources of Hilo Bay and the gently sloping forests of Mauna Loa and Mauna Kea provided abundant resources. Fresh water was available from the Wailoa and Wailuku rivers and smaller streams such as Waiākea, Waiolama, Pukihae, and ‘Alenaio.

The project area is located in the *ahupua‘a* of Waiākea, Hilo Hanakāhi ‘Okana, in the *moku-o-loko* (district) of Hilo (Maly 1996:4–5) (Figure 5). The *ahupua‘a* of Waiākea is large, consists of roughly 95,000 acres, and was regarded as a region of abundant natural resources and numerous fishponds. Waiākea was also an early important political center, notably under chief Kulukulu‘a (Kelly et al. 1981:3). Kamehameha lived and often returned to his ‘*ili kūpono* (independent land division where all tributes were paid to the chief of the ‘*ili* and not the *ahupua‘a*) lands of Pi‘opi‘o in the *ahupua‘a* of Waiākea (Figure 6). The ‘*ili kūpono* lands and its royal fishpond were passed on to his son Liholiho after his death.

PRE-CONTACT ACCOUNTS OF HILO

The earliest account of Hilo appears in ‘Umi-a-Liloa’s (1600–1620) conquest of the Island of Hawai‘i, which establishes Hilo as a royal center by the seventeenth century. In the account, ‘Umi-a-Liloa began his conquest of the Island of Hawai‘i by defeating chief Kulukulu‘ā, who lived in Waiākea, and the other chiefs of Hilo (Kamakau 1992:16–17). ‘Umi-a-Liloa’s second son, Keawe-nui-a-‘Umi, ruled Hamākua, Hilo, and Puna from his residence at Hilo (*ibid*: 34). It was from Hilo that he waged war on the Kona chiefs and unified the island. Keawe-nui-a-‘Umi’s descendants single handedly continued to rule, from Hilo, for many generations.

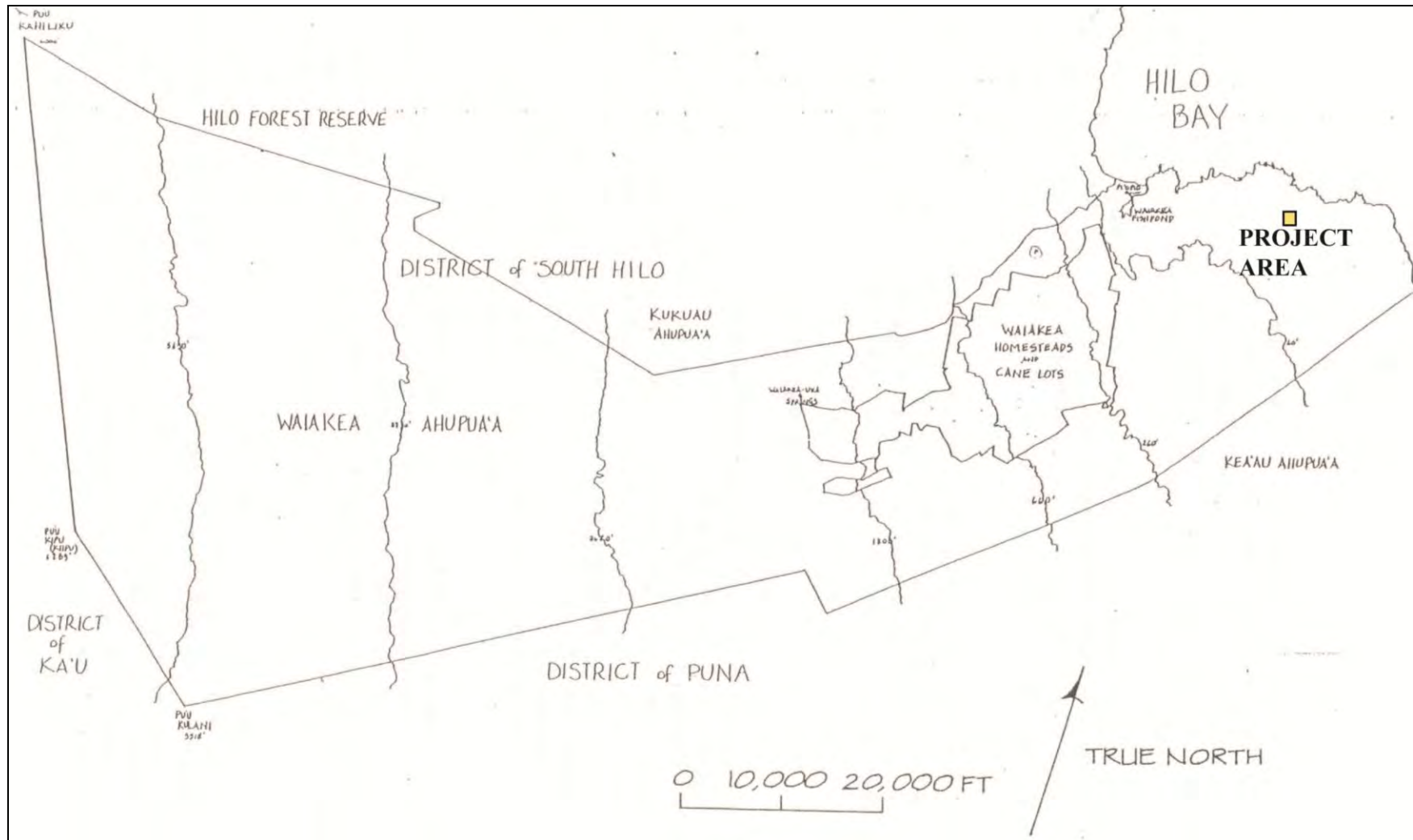


Figure 5: Map of Waiākea Ahupua'a Showing Location of Project Area (adapted from Bush et al. 2000).

After the death of Keawe-nui-a-‘Umi the kingdom was divided into three parts and was established under warring chiefs; Hilo was ruled by Kumalae-nui-pu‘awa-lau and his son Makua (*ibid*: 45). It was during the period of time that Kamehameha I was born. Kalani‘ōpu‘u’s grandson, Keoua Kuahu‘ula and nephew Kamehameha vied for control over the six chiefdoms constituting the island kingdom and Keoua conquered Hilo chief Keawe-mau-hili and harvested the benefits for a short time only to be killed by Kamehameha late in 1791. Kamehameha’s son Liholiho was born in Hilo in November 1797 (Kamakau 1992:22). Waiākea was inherited by Lihiliho after Kamehameha’s death. The ‘*ili kūpono* of Pi‘opi‘o and its royal fishpond were given to his favorite wife, Ka‘ahumanu (Figure 6).

TRADITIONAL SETTLEMENT PATTERNS, SUBSISTENCE, AND LAND-USE

Historical accounts and archaeological/cultural studies pertaining to the *ahupua‘a* of Waiākea (Bingham 1969; Bird 1974; Ellis 1963; Handy and Handy 1972; Kelly et al. 1981; Maly 1996; McEldowney 1979) provide a wealth of information on traditional residence patterns, land-use, and subsistence horticulture of the area. It is widely held that these historical accounts of residence patterns, land-use, and subsistence horticulture, indicative of traditional practices, developed long before contact with Europeans (McEldowney 1979). These are synthesized below in order to explain the types of cultural resources possibly located within the current project area.

Early accounts of Waiākea portray it as divided into several distinct environmental regions. From the coast to a distance of five or six miles scattered subsistence agriculture was evident, followed by a region of tall fern and bracken, flanked at higher elevations by a forest region between 10 and 20 miles wide, beyond which was an expanse of grass and lava (Ellis 1963:403). The American Missionary C.S. Stewart wrote, “the first four miles of the country is open and uneven, and beautifully sprinkled with clumps, groves, and single trees of the bread-fruit, pandanus, and candle tree (Stewart 1970:361-363). The majority of Waiākea’s estimated 2,000 inhabitants (in 1825) lived within this coastal region (Ellis 1963: 253). Taro, plantains, bananas, coconuts, sweet potatoes, and breadfruit were grown individually or in small garden plots. Fish, pig, dog, and birds were also raised and captured for consumption.

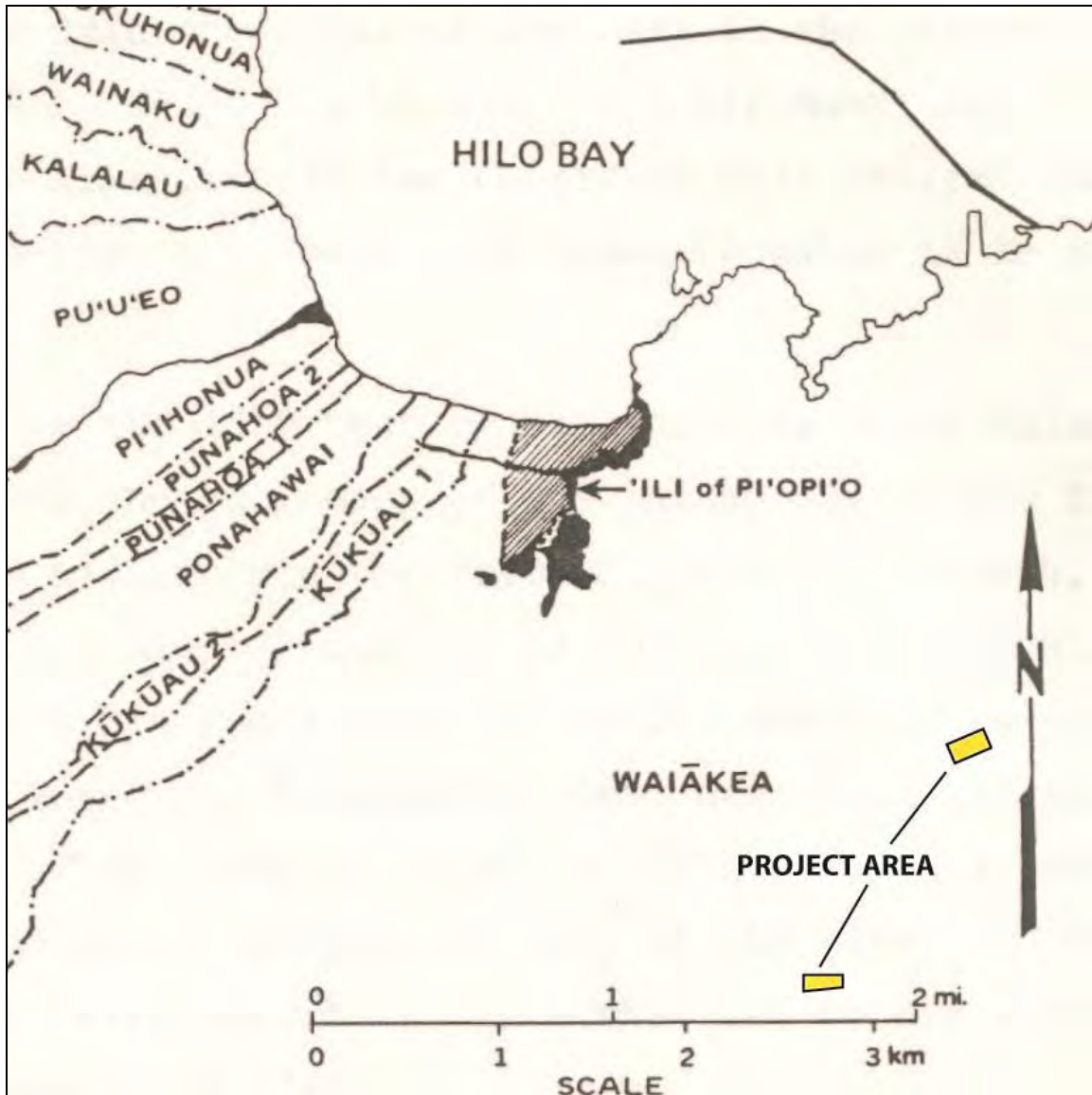


Figure 6: Map of Kamehameha's *'Ili Kūpono* Lands of Pi'opi'o in the *Ahupua'a* of Waiākea Showing Project Area Location (adapted from Kelly et al. 1981).

The present study area is situated inland of the coastal region, in the Pana'ewa Forest. The project area lands are not located in an area of known traditional habitation. The Pana'ewa forest area was traditionally known as a forbidding and dangerous landscape. The legendary origin of the Pana'ewa Forest is associated with Pele's search for a suitable home in the island chain of Hawai'i.

When a suitable place was finally discovered on Hawaii, the Paoa staff was planted in Panaewa and became a living tree, multiplying itself until it was a forest. The

writer's informant says that it is a tree known to the present generation of men. "I have seen sticks cut from it," said he, "but not the living tree itself" [Emerson 2005:xi].

When Pele sent her sister Hi'iakapoliopole (referred to as Hi'iaka) to travel to Kaua'i to contact Lohi'au, Hi'iaka passed through the Pana'ewa Forest. Hi'iaka could have passed around the forest, taking the pathway along the shoreline from Hā'ena (southeast of the project area) to Waiākea and Hilo, but she instead chose to cut through the forest taking a more direct, and shorter route.

Two routes offered themselves for Hiiaka's choice, a makai road, circuitous but safe, the one ordinarily pursued by travelers; the other direct but bristling with danger, because it traversed the territory of the redoubtable witch-mo'o, Pana-ewa. ... When Hiiaka announced her determination to take the short road, the one of danger that struck through the heart of Pana-ewa, Pa-pulehu drew back in dismay and expostulated: "That is not a fit road for us, or for any but a band of warriors. If we go that way we shall be killed" [Emerson 1:2005:30].

Pana'ewa did not let her pass without a fight.

The battle that ensued when Pana'ewa sent to the attack his nondescript pack of mo'o, dragonlike anthropoids, the spawn of witchcraft, inflamed with the spite of demons, was hideous and uncanny. Tooth and claw ran amuck. Flesh was torn, limbs rent apart, blood ran like water. If it had been only a battle with enemies in the open Hiiaka would have made short work of the job. Her forces lay ambushed in every wood and brake and assumed every imaginable disguise. A withered bush, a bunch of grass, a moss-grown stone, any, the most innocent object in nature, might prove to be an assailant ready to spit venom or tear with hook and talon [Emerson 2005:35].

The mo'o Pana'ewa and all of his minions were defeated by Hi'iaka and her assistants. "Hawaii for once, and for all time, was rid of that pestilential, man-eating, mo'o band headed by Pana-ewa who, from the time of Pele's coming, had remained entrenched in the beautiful forest-land that still bears the name – Pana-ewa" (Emerson 2005:46).

The forest is heavily wooded and dense with thickets. Travel through it is made more difficult by the broken and undulating ground surface. There is an historic trail that leads from the modern day Lili'uokalani Gardens area to the Puna coast. The trail is often called the Puna Trail and/or the Old Government Road (Escott and Tolleson 2003). Remains of the trail cross the Hawai'i Army Reserve National Guard (HIARNG) Keaukaha Military Reserve (KMR) property, and it has the current appearance of a gravel-covered dirt road (Figure 7 and Figure 8). While there may have been some scattered home sites and gardens in this area, most of the known habitation was along the coast. The probable use of the area prehistorically was for trapping birds and collecting plants, including the plentiful *pandanus* or *hala* (Kelly et al. 1981:20).

THE MĀHELE OF 1848 AND LAND COMMISSION AWARDS

Prior to the Māhele, Waiākea Ahupua'a belonged to King Kamehameha, then Lihiliho, and was later held by the chiefess Ka-unu-o-hua, granddaughter of Keawe-mauhili (Kelly et al. 1981:40). Waiākea became Crown Lands during the Māhele of 1848 and in the following years twenty-six Land Claims were awarded within the *ahupua'a* of Waiākea (Table 1). The awards were small in area, 25 of which went to native claimants. The vast majority of awards were further west in the area of Hilo Bay. No Land Commission awards were made within or near the current project area. The project area property is owned by the State of Hawai'i lands and is administered by DHHL.

CHANGING RESIDENTIAL AND LAND-USE PATTERNS (1845-1865)

Between 1845 and 1865 traditional land-use and residential patterns underwent a change. In particular, the regular use of Hilo Bay by foreign vessels and the whaling industry, in addition to the establishment of missions in the Hilo area, the introduction of the sandalwood trade, the legalization of private land ownership, the introduction of cattle ranching, and the introduction of sugar cane cultivation, all brought about changes in settlement patterns and long-established land-use patterns (Kelly et al. 1981).

As Hilo became the center of population, settlements in outlying regions declined or disappeared. While food was still grown for consumption, greater areas of land were continually given over to the specialized cultivation and processing of commercial foodstuffs for export.

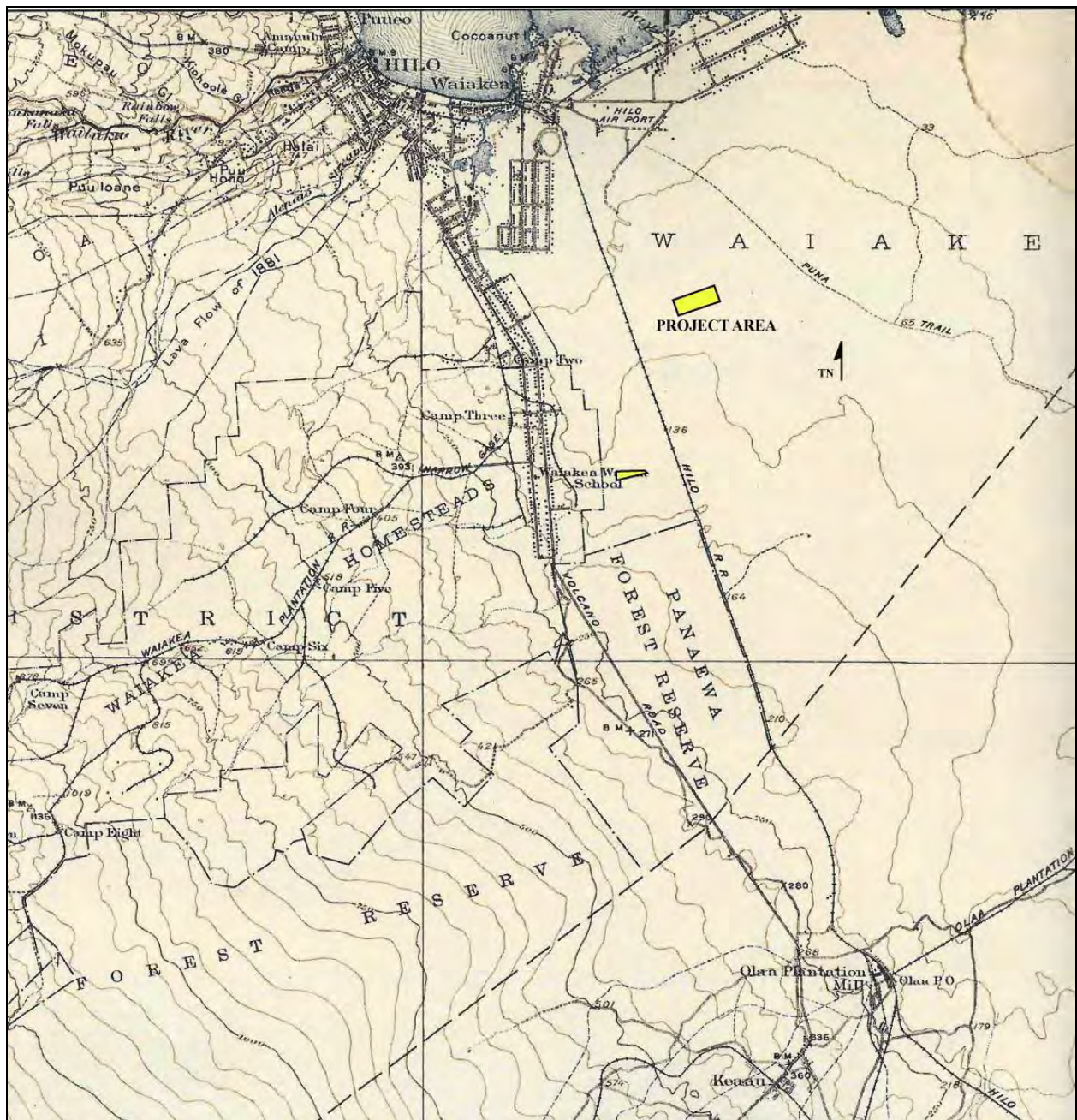


Figure 7: Portion of 1932 15-Minute Series USGS Topographic Map Showing Puna Trail and Location of Project Area (USGS Hilo Quadrangle).



Figure 8: Portion of 1954 USDA Aerial Photograph of Hilo Airport Showing Location of Northern Project Area.

Table 1: Land Commission Awards in Waiākea *Ahupua* ‘a.

Grantee	LCA	Acreage
Barenaba	2327	12.25
Halai, L.K.	1279	0.60
Hale	40004	4.25
Kahue	2663	3.75
Kaiana, J.B.	2281	10.25
Kaihenui	11050-B	5.19
Kalolo	1333	2.25
Kalua	8854	3.40
Kaluhikaua	1738	2.98
Kamamalu, V.	7713	<i>‘ili ‘aina</i>
Kamanuhaka	8803	1.02
Kapu	1-F	1.60
Kealiko	11174	1.00
Keaniho	2402	5.00
Keawe	5018	0.24
-	10505	-
Kuaio	4344	1.22
Leoi	9982	0.80
Lolo	4738-B	1.27
Mahoe	1-E	4.46
Moealoha	4737	1.03
Nakai	4785	1.05
Napeahi	2603	1.30
Wahine	4737-B	1.01
Wahinealua	11173	2.50
Wahinenohoihilo	10004	1.69

Sugar cane plantations, and industrial, transportation, and military facilities were established in areas that were once upland agricultural areas and coastal settlements, respectively. In particular, the land immediately north of the current project area was used as the location of a jail, an airfield, and the Keaukaha Military Reserve (KMR).

HISTORIC OVERVIEW OF KMR

KMR comprises 503.6 acres located between General Lyman Field (Hilo International Airport) to the north, and the current project area to the south. The area lies in rugged, broken, undulating lava flows, and where unmodified by bulldozing, a dense forest of mixed and native flora abounds. Rainfall in this portion of Hilo keeps the jungle wet, and the ground surface slippery.

In 1914, the Territory of Hawai‘i, via Executive Order Number (EO) 26 set aside 213.43 acres of government lands in Waiākea, north of the current project area, for a National Guard rifle range. In 1925, the Territory withdrew 33 acres for the building of Lyman Airfield by the Army Corp of Engineers.

In August of 1938, a territorial prison camp was constructed on 13.55 acres in Waiākea, north of the current project area. The complex included a Jailer's and acting Jailer's cottage, and a large fenced area with two dormitories, a mess/laundry building, and a recreation/workshop. The prison camp was moved in 1946 and all buildings were removed.

The Army Corp of Engineers constructed a coral runway at KMR beginning in 1925. Hawaiian Airlines used the airport at the outbreak of World War II. The Navy expanded the airfield to three runways, built storage for 450,000 gallons of gasoline, and 24 airplane revetments. KMR became a Naval Station in August 1943 under the 14th Naval District Command Servicing Carrier Aircraft Service Unit (CASU) No. 31 and Air Group One. Extensive building took place including officer and enlisted men's quarters, a swimming pool, two clubs, a three-tank tank farm, water systems, cesspools, tennis courts, and other infrastructure. Personnel at KMR hit a wartime peak of 4,500 upon completion of construction in 1945.

Naval Air Station Hilo officially closed on August 31, 1947. On May 10, 1943, Hilo Airport was officially renamed General Lyman Field. In May 1946, while the Naval Station at KMR was being reduced to caretaker status, the Army Air Force announced that the 7th Army Air Corps (AAC) would begin 24-hour operations at Lyman Field.

In 1947, reactivation of the Hawai‘i Army Reserve and National Guard (HIARNG) resulted in the HIARNG using several Navy buildings. During this time, many buildings were demolished or sold to the public as war surplus. KMR is the headquarters for the island of Hawai‘i National Guard units of the 2nd Battalion, 299th Infantry Company D and 2nd Battalion 299th Infantry, as well as Army Air Guard units 451Bt Aviation Detachment, and the 452nd Aviation Attachment. KMR has firing ranges, training areas, barracks, support facilities, an armory and offices. During annual or special training operations, several hundred to thousands of Guardsmen are housed in cabins and tents pitched in the encampment area.

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

Many archaeological and historical studies have been conducted in Waiākea Ahupua‘a from Hilo Bay west of the current project area, to the Waiākea Sugar Mill sugarcane fields southwest of the current project area, to the KMR lands just north of the current project area. Summaries of 38 of these studies are provided in Table 2 below. Figure 9 shows the locations of archaeological studies in the region surrounding the current project area. A rough model of archaeological site types and distribution can be formulated from these regional archaeological studies.

The current project area lands are situated inland of the Coastal Settlement Zone of the east Hawai‘i settlement model (McEldowney 1979). As reflected in the name of that zone, prehistoric habitation is focused along the coastline. Fishponds for *ali‘i* and *maka‘āinana* were created, maintained, and used all along the coast. The basic cultivated crops such as irrigated and dry taro, bananas, breadfruit, *kukui* nuts, pandanus and *ti* were grown in these lower elevations. They did not grow uniformly over the coastal zone, however. The heavily weathered soils on the Mauna Kea flows along the western portion of Hilo Bay were particularly well suited for agriculture. This bias towards the western area is evident in the distribution of fields portrayed in an early depiction of the Hilo Bay (Figure 10). The eastern half of the Hilo Bay area and further south and east are covered by younger Mauna Loa flows that lack soil the level of soil development present in the Mauna Kea flows.

Few archaeological sites have been recorded as a result of the projects conducted in the lower elevations of Waiākea. It is likely that the extent of disturbance by the 200 years of development in Hilo town is partially to blame for the lack of recorded lowland sites. In the case of archaeological projects conducted very close to the current project area, it is more likely that the lack of habitation is the result of this region being an inland, rugged, forest area that was not settled. Also, modern disturbance from historic and modern uses have likely removed some archaeological remains.

Paul H. Rosendahl Inc. (PHRI) (Rosendahl and Talea 1988) conducted research on five 5-acre lots dispersed through the South Hilo area, recording no cultural deposits due to extensive landform changes caused by the development of Hilo Town (see Figure 9).

Table 2: Inventory of Previous Archaeological Investigations in Waiākea.

Reference	Study	Location	Results
Ching and Staruder (1974)	Reconnaissance	Proposed Road alignment from S. Hilo to Puna	Wall, enclosure, platform burial, and habitation site near Puna boundary
Bonk (1979)	Survey	West of KMR	Historic wall and road alignment
McEldowney (1979)	Historical research	Hilo	Settlement pattern
Kelly, Nakamura and Barrère (1981)	Historical research	Hilo	Chronology
Kam (1983)	Site inspection	Reed's Bay	1 site, heiau
Smith and Tourtellotte (1988)	Burial removal	Wailoa Bridge	One individual encountered
Rosendahl, M. (1988)	Reconnaissance	Various parcels in Hilo Town	No sites
Rosendahl, M. and L. Talea (1988)	Reconnaissance	North West of KMR	No sites
Rosendahl, P. (1988)	Reconnaissance		No sites
Pietrusewsky (1989)	Skeletal analysis	Wailoa Bridge	1 Individual
Stokes (1991)	Intermittent survey	Various Parcels	Heiau locations
Hunt and McDermott (1993)	Inventory Survey	Puainako Street Extension	11 sites, historic sugarcane
Borthwick et al. (1993)	Inventory Survey	UH Hilo	Sugar cane remains in uplands
Maly (1996)	Cultural History	Puainako- Komohana Street area	Sugar cane history
Robbins and Spear (1996)	Inventory Survey	Puainako Street	Sugar cane sites in the uplands
Eblé et al. (1997)	Supplemental Testing	Puainako Street	Sugar cane sites in the uplands
Deveroux, et al. (1997)	Reconnaissance	KMR	2 sites
Carson (1999)	Inventory Survey	Pana'ewa	No sites
McGerty and Spear (1999)	Inventory Survey	Puainako Street Extension	1 site

Reference	Study	Location	Results
Dega and Benson (1999)	Reconnaissance	Puainako Street Extension	Possible prehistoric <i>'auwai</i>
Dega (2000)	Inventory Survey	Puainako Street Extension	<i>'Auwai</i> equals historical ditch
Bush et al. (2000)	Inventory Survey	Puainako Street Extension	Burial in cave in uplands
Hammatt & Bush (2000)	Inventory Survey	KMR	Mounds and Puna Trail
McDermott and Hammatt (2001)	Inventory Survey	Puainako Street Extension	2 historical sites in uplands
Tolleson and Godby 2001		KMR	Historic era sites and Puna Trail
Rosendahl, P. (2002)	Assessment Survey	Quarry Site on Southeast Edge of KMR	No sites
Escott and Tolleson (2002)	Inventory Survey	KMR	Trail and planting features
Haun & Henry (2002)		Southwest of KMR	No sites
Rechtman (2003)	Archaeological study and limited CIA	Western edge of KMR	No site
Escott (2004)	Inventory Survey	Puainako Street and Komohana Street area	WWII sites in the uplands
Wolforth (2004)	Inventory Survey	Reed's Bay	Fishponds, railroad, Historic era foundations
Wolforth (2006)	Inventory Survey	Western edge of KMR	Modern military building remains
Rechtman (2006)	Inventory Survey	Quarry site south of KMR	No sites
Hammatt & Uyeoka (2007)	Archaeological Monitoring	Southeast of KMR	No sites
Tulchin & Hammatt (2007)	Field Inspection	Wal-Mart Property	No sites
Escott (2013a)	Archaeological Assessment	Quarry site west of KMR	No sites
Escott (2013b)	Archaeological Assessment	Quarry site west of KMR	No sites
Wheeler et al. (2014)	Inventory Survey	KMR	Eleven sites, some pre-Contact era, some historic, and some more modern including military features

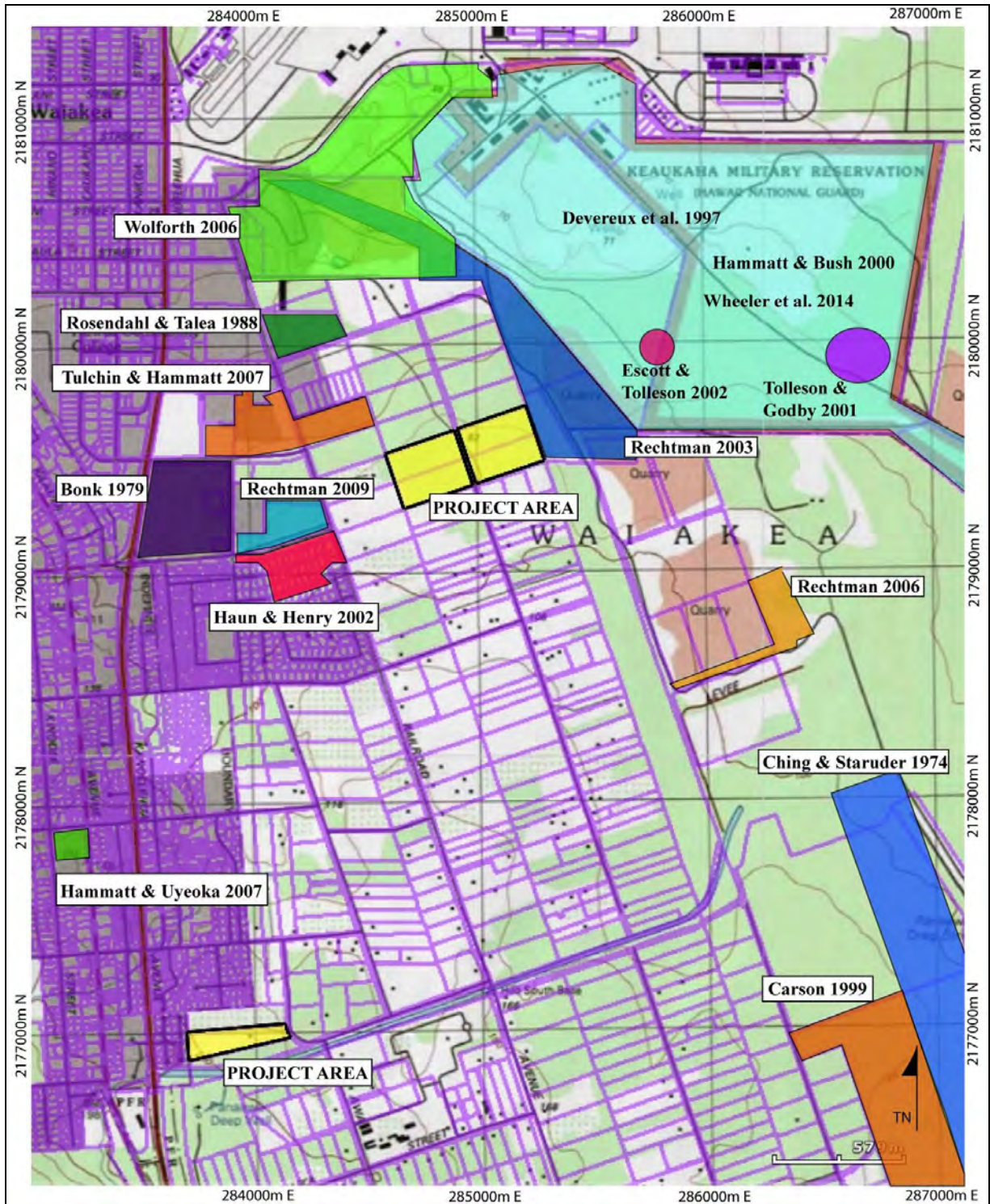


Figure 9: 7.5-Minute Series USGS Topographic Map Showing Location of Previous Archaeological Studies Near the Project Area (ESRI, 2011. Sources: National Geographic Society, USGS Hilo Quadrangle).

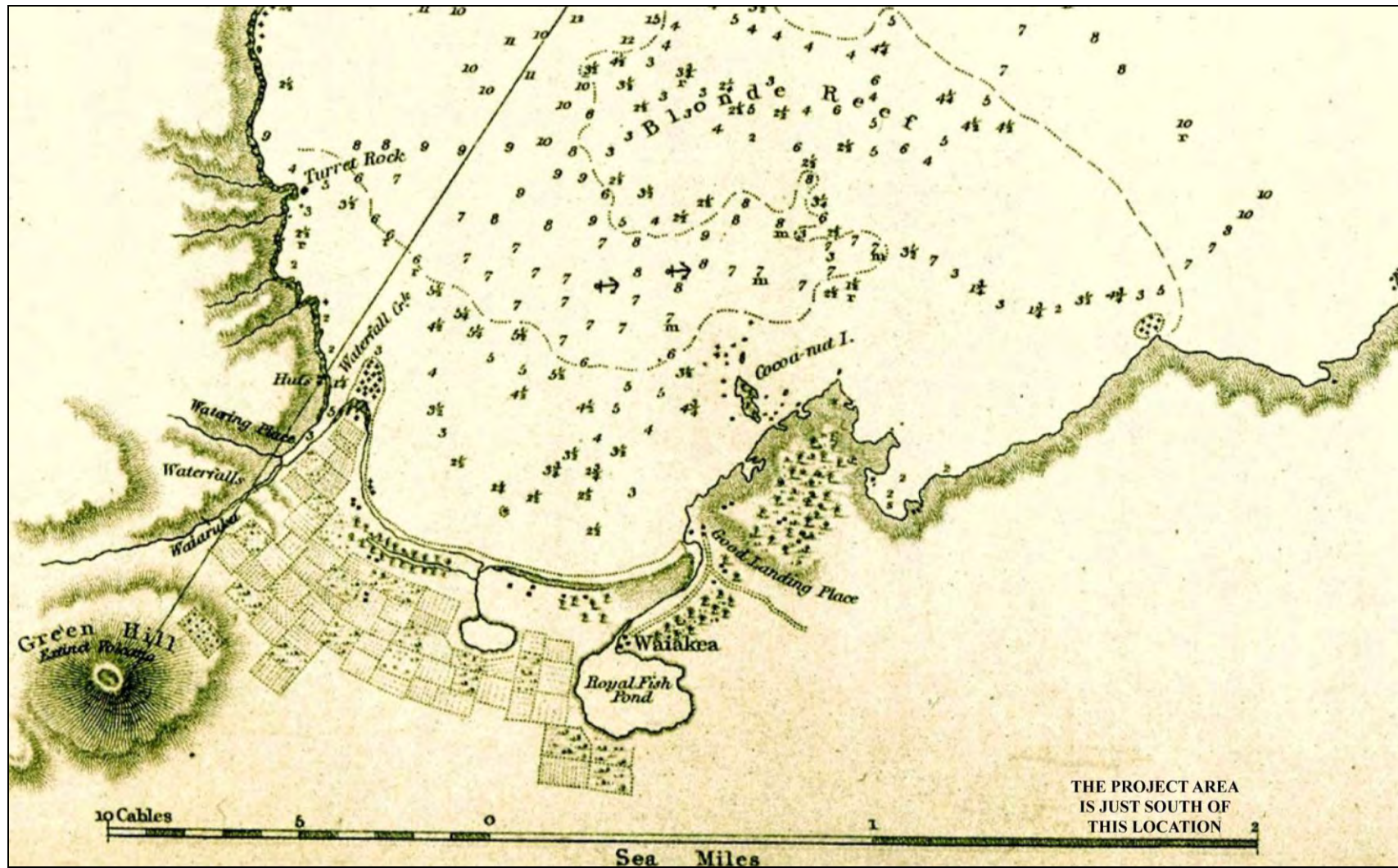


Figure 10: Portion of 1825 Map of Hilo Bay Showing Location of Major Habitation and Agricultural Fields (Malden 1825).

A reconnaissance survey by PHRI (M. Rosendahl 1988) conducted at the eastern end of General Lyman Field again resulted in no extant archaeological remains due to previous land disturbance.

Devereux et al (1997) conducted a reconnaissance level survey for HIARNG on selected portions of KMR along a corridor parallel to the Puna Trail (see Figure 9). Two sites (assigned temporary site numbers CSH 1 and CSH 2) were recorded: as a prehistoric C-shaped enclosure and a coral mound, the team also addressed 10 historic structures over 50 years of age. CSH2 was later interpreted as a modern bulldozer push.

Hammatt and Bush (2000) conducted an inventory level survey of KMR adjacent to the portion of the Puna Trail that extends through the facility. In this report, they discussed the history of the Puna Trail that continues down to south Puna where it meets with the Old Gov't Road (also called the Puna trail). They noted extensive mechanical grading of the ground surface at KMR during military occupation that has effectively removed all surface traces of historic/prehistoric occupation. However, the entire facility was not completely surveyed. Hammatt and Bush recorded three archaeological sites, a C-shaped enclosure, thought to be military in origin, a group of five *ahu*, possibly markers to denote the trail set parallel to the Puna Trail and a modified natural lava blister interpreted as a traditional Hawaiian agricultural planting feature.

Tolleson and Godby (2001) conducted archaeological data recovery at Site 21771 located adjacent to the paved portion of the Puna Trail the traverses KMR. This site consists of a complex comprised of a low platform, an enclosure, a possible *imu*, fruit trees, and a meadow. Artifacts, such as horse/mule shoes, sharpening implements, a sharpening wheel, and hoof files suggest the site is related to historical road construction along the Puna Trail.

PHRI (P. Rosendahl 2002) conducted an archaeological assessment survey of 14.99-acres of the quarry site within the current project area. No archaeological sites were identified during the study.

Escott and Tolleson (2003) conducted an archaeological inventory survey just east of the current project area. A single site (Site 23273) consisting of a remnant trail segment and two planting features were recorded along the south west boundary of the project area.

Wolforth (2006) conducted an archaeological inventory survey of 147 acres south of the Hilo International Airport. Four sites (SIHP 50-10-35-25538, 25539, 25540, and 25541) associated with a Naval Air Station facilities and quarry were recorded. No pre-Contact or early post-Contact era sites were documented on the project area.

Scientific Consultant Services, Inc. (Escott 2013a, Escott 2013b) conducted two archaeological assessments of 50 and 85 acres of land along the eastern edge of the KMR. No archaeological sites or historic properties were identified during the study.

The study did document modern dirt roads that were cut by bulldozers, likely in anticipation of building out this area. The dirt roads were straight and were oriented northwest/southeast. A search was made of Hawai'i County Planning documents, historic maps, and archival documents to ensure the dirt road was not constructed over a pre-existing trail or government road. In addition, SCS consulted with Ala Kahakai and Na Ala Hele. There were no documents showing a traditional trail or government road in the location of the dirt road identified during the current study.

Cultural Surveys Hawai'i, Inc. recently conducted an archaeological inventory survey of the KMR (Wheeler et al. 2014). During that study eleven sites were documented, including seven early post-Contact era to modern era sites, and four pre-Contact to Historic era sites (Wheeler et al. 2014:64). The pre-Contact era to Historic era sites included two trails, a modified lava tube, and a modified outcrop complex. The trails were associated with travel and transportation through the area, and the latter two sites were associated with temporary habitation, possibly while traveling through the area, or while collecting forest resources. The early post-Contact to modern era sites included three trail segments, a military position, and two possible homesteads with small agricultural garden plots.

Scientific Consultant Services, Inc. (Escott 2015) conducted an archaeological assessment of the current project area lands in March 2015. The pedestrian survey consisted of a series of north/south transects spaced ten meters apart across the entire project area. No archaeological sites and no remains of historic properties were identified during the pedestrian survey. Three overgrown, modern bulldozed road alignments were identified in the northernmost 40 acres during the survey. The bulldozed road alignments are evident in a 1954 USDA aerial photograph (see Figure 8).

CULTURAL INFORMANT INTERVIEWS

As part of the consultation methodology discussed above, SCS, Inc. consulted with Kai Markell, the Director of Native Rights, Land and Culture, Office of Hawaiian Affairs on O‘ahu; Shane Palacat Nelson, Coordinator of the Hawai‘i Branch of the Office of Hawaiian Affairs; Herbert Poepoe, SHPD Hawai‘i Island Burial sites Specialist; Edwin Miranda, HIBC Chairman; and William "Bill" Brown, President of the Pana‘ewa Community Association (PCA) (Table 1).

Table 3: Results of CIA Consultation.

Name	Affiliation (Family/Agency)	Response (Written/Oral)	Knowledge (Yes/No)	Practices & Beliefs (Yes/No)
Kai Markell	Office of Hawaiian Affairs	Written	No	-
Shane Palacat Nelson	Office of Hawaiian Affairs	-	-	-
Herbert Poepoe	State Historic Preservation Division Cultural Historian	Oral	No	-
Edwin Miranda	HIBC Chair	-	-	-
Bill Brown	PCA	-	-	-

A public meeting held on August 21, 2015 was attended by members of the Keaukaha-Pana‘ewa Farmers Association (KPFA), the Pana‘ewa Community Association, DHHL, and state representatives. SCS archaeologist Glenn Escott, M.A. presented cultural and historical information for the Pana‘ewa area, discussed the archaeological assessment (Escott 2015) survey results, and asked for input concerning past and ongoing cultural practices within the project area lands. While some attendees knew the history of the project area lands, none knew of cultural practices associated with project area.

CULTURAL ASSESSMENT

No past or ongoing cultural practices associated with the project area lands were identified during the current CIA study. Based upon an evaluation of responses to inquiries, meeting discussions, and archival research, it is reasonable to conclude that, pursuant to Act 50, the exercise of native Hawaiian rights, or any ethnic group, related to gathering, access or other customary activities will not be affected by development activities on the project area.

REFERENCES CITED

- Bingham, M.
1969 *A Residence of Twenty-one Years in the Sandwich Islands*. Hartford.
- Bird, I.
1974 *Six months in the Sandwich Islands*. Charles E. Tuttle Co., Rutland.
- Bonk, W.
1979 *An Archaeological Survey of a Portion of Hawaiian Home Lands of Pana'ewa, Tract 1, Waiākea, So. Hilo, Hawai'i*. University of Hawai'i, Hilo.
- Borthwick, D., J. Collins, W.H. Folk, and H.H. Hammatt
1993 *Archaeological Survey and Testing of Lands Proposed for Research and Technology Lots at the University of Hawaii at Hilo (TMK:2-4-01:7 and 41)*. On file at State Historic Preservation Division, Kapolei, Hawaii.
- Bush, A.R., M. McDermott, and H.H. Hammatt
2000 *Archaeological Inventory Survey of an Approximately 20-Acre Parcel Proposed for the USDA Pacific Basin Agricultural Research Center Located near the intersection of Komohana and Puainako Streets, South Hilo, Hawai'i Island (TMK 2-4-01: por122)*, Prepared for SSFM International Inc. On file at State Historic Preservation Division, Kapolei, Hawaii.
- Carson, M.T.
1999 *Archaeological Inventory Survey of the 176-Acre Pana'ewa Campus Site, Waiākea Ahupua'a, Hilo District, Island of Hawai'i*. Prepared for PBR & Associates, Honolulu.
- Ching, F.K.W. and C. Staruder
1974 *The Archaeology of South Hilo, Hawai'i*. For Muroda and Associates, Inc., Lawai.
- Dega, M.F., and LB. Benson
1999 *Letter Report concerning Archaeological Reconnaissance Survey of the Puainako Street Realignment/Extension Project Expanded Corridor, Waiakea, Kukuau 1 and 2 and Ponahawai, South Hilo District, Island of Hawai'i*. Scientific Consultant Services Inc., Honolulu, Hawai'i.
- Dega, M.
1999 *Addendum To: Archaeological Inventory Survey of the Pu'ainako Street Realignment/Extension Project, Expanded Corridor, Waiakea, Kukuau 1 and 2, South Hilo District, Hilo, Island of Hawai'i*. On file at State Historic Preservation Division, Kapolei, Hawaii.

- Devereux, T. K., D. F. Borthwick, H. Hammatt and M. Orr
 1997 *Archaeological Reconnaissance Survey of Keaukaha Military Reservation, South Hilo District, Hawai'i Island*. Cultural Surveys Hawai'i, September 1997.
- Eblé, F.J., T. Denham, and J. Pantaleo
 1997 *Draft Report of Supplemental Archaeological Testing Conducted Along the Proposed Alternate Alignments of Pu'ainako Street (TMK:2-4-01), Hi'o, Hawaii*. On file at State Historic Preservation Division, Kapolei, Hawaii.
- Ellis, W.
 1963 *Journal of William Ellis*. Honolulu Advertiser Publishing Co., Ltd, Honolulu.
- Emerson, N.B.
 2005 *Pele and Hiiaka: a myth from Hawaii*. Originally printed by the Honolulu Star-Bulletin, 1915. Edith Kanaka'ole Foundation, Hilo.
- Escott, G.E.
 2004 *An Archaeological Inventory Survey on Approximately 288 Acres of Land for the University of Hawai'i-Hilo Mauka Lands Development*. Prepared for PBR Hawai'i. SCS Report 361-4, Honolulu.
- 2013a *Archaeological Assessment of A Fifty-Acre Quarry Site in Waiākea Ahupua'a, South Hilo District, Hawai'i Island, Hawai'i [TMK (3) 2-1-013:004 (por.)]*. Prepared for Jas. W. Glover, Ltd. SCS Report 1272-2, Honolulu.
- 2013b *Archaeological Assessment of A Proposed 90-Acre Quarry Site in Waiākea Ahupua'a, South Hilo District, Hawai'i Island, Hawai'i [TMK (3) 2-1-013:004 (por.)]*. Prepared for Jas. W. Glover, Ltd. SCS Report 1272-2, Honolulu.
- 2015 *Archaeological Assessment of Five 10-Acre DHHL Parcels in The Pana'ewa Region of Waiākea Ahupua'a, South Hilo District, Hawai'i Island, Hawai'i [TMK (3) 2-1-025:006, 007, 047, 048; & 2-1-061:002]*. Prepared for PBR Hawai'i. SCS Report 1706-1, Honolulu.
- Escott, G., and W. Tolleson
 2003 *Archaeological Inventory Survey Work At Keaukaha Military Reservation, South Hilo District, Island of Hawai'i*. Prepared for The Environmental Office Hawai'i Army National Guard. SCS Report 316, Honolulu.
- ESRI
 2011 *Arc GIS Explorer*. Environmental Systems Research Institute, Redlands, Ca.
- Google Earth
 2014 *Google Earth Imagery*. Google Earth. Mountain View, Ca.

- Hammatt, H. and T. R. Bush
 2000 *Archaeological Inventory Survey of Selected Portions of the Hawai'i Army National Guard 503.6 Acre Keaukaha Military Reservation, Waiakea Ahupua'a South Hilo District, Hawai'i Island, TMK: 2-1-12:3 and 2-1-13:10*. Prepared for the Hawai'i Army National Guard.
- Hammatt, H. and K. Uyeoka
 2007 *Archaeological Monitoring Report for Waiākeawaena Elementary School, Hawai'i Inter-Island DOE Cesspool Project, Waiākea Ahupua'a, Hilo District, Island of Hawai'i, TMK: [3] 2-2-042:017*. Cultural Surveys Hawai'i, Inc. Kailua, Hawai'i.
- Handy, E.S.C., and E.G. Handy
 1972 *Native Planters in Old Hawaii. B.P. Bishop Museum Bulletin 233*. Bishop Museum Press, Honolulu.
- Haun, A., and D. Henry
 2002 *Archaeological Inventory Survey, DHHL Project at Pana'ewa, Land of Waiākea, South Hilo District, Island of Hawai'i*. Haun & Associates, Kea'au.
- Hunt, T.L. and M.J. McDermott
 1993 *Archaeological Inventory Survey Puainako Street Expansion Project*. University of Hawai'i for Okahara and Associates, Inc., Hilo.
- Kam, W.
 1983 *Unrecorded Heiau on State Lands, Waiākea, South Hilo, Hawai'i*. Historic Sites Section, Department of Land and Natural Resources, Honolulu.
- Kamakau, S.M.
 1992 *Ruling Chiefs of Hawaii*. Kamehameha Schools Press, Honolulu.
- Kelly, M., B. Nakamura, and Dorothy Barrère
 1981 *Hilo Bay: A Chronological History, Land and Water Use in the Hilo Bay Area, Island of Hawai'i*, Bishop Museum, Honolulu.
- Malden, C.R.
 1825 *Chart of Hilo Bay*. In *A Chronological History, Land and Water Use in the Hilo Bay Area, Island of Hawai'i*, by M. Kelly, B. Nakamura, and D. Barrère 1981. Bishop Museum, Honolulu.
- Maly, K.A.
 1996 *Historical Documentary Research and Oral History Interviews: Waiakea Cane Lots (12, 13, 17, 18, 19,20, and 20-A)*. Kumu Pono Associates, Hilo, Hawai'i. On file at State Historic Preservation Division, Kapolei, Hawaii.
- McEldowney, H.
 1979 *Archaeological and Historical Literature Search and Research Design: Lava Flow Control Study, Hilo, Hawaii*, Department of Anthropology, Bishop Museum. Prepared for the U.S. Army Engineer District, Pacific Ocean.

McDermott, M., and H.H Hammatt

- 2000 *Addendum to: Archaeological Inventory Survey of an Approximately 20-Acre Parcel Proposed for the USDA Pacific Basin Agricultural Research Center Located near the intersection of Komohana and Puainako Streets, South Hilo, Hawai'i Island (TMK 2-4-01: por122)*, Prepared for SSFM International Inc. On file at State Historic Preservation Division, Kapolei, Hawaii.

McGerty, L, and R.L Spear

- 1999 *Addendum to: An Inventory Survey of the Pu'ainako o Street Realignment/Extension Project Expanded Corridor, Waiakea, Kukuau 1 and 2 and Ponahawai, South Hilo District, Island of Hawai'i*. Scientific Consultant Services Inc., Honolulu, Hawai'i.

National Geographic, Topo!

- 2002 *Seamless USGS Topographic Maps on CD-ROM, Hawai'i*. National Geographic Holdings, Inc. Washington, D.C.

OEQC

- 2010 Office of Environmental Quality Control *OEQC Bulletin*. Honolulu.

Papakilo

- 2014 Papakilo Database. URL: <http://www.papakilodatabase.com>.

Pietrusewsky, M.

- 1989 *Human Remains Found at Wailoa Bridge Renovation Project, Waiākea, South Hilo*. Department of Anthropology, University of Hawai'i, Manoa.

Rechtman Consulting

- 2003 *Archaeological and Limited Cultural Impact Assessment for the Proposed Regional Solid Waste Sorting Station (TMK: 3-2-1-12:4 por. and 3-2-1-13:11, 150, 151, 162, 168*. Rechtman Consulting, LLC report prepared for the County of Hawai'i, Hilo.
- 2009 *Request for SHPO Concurrence with a Determination of No Historic Properties Affected Pursuant to the National Environmental Policy Act and in Compliance with Section 106 of the National Historic Preservation Act, Kamoleao Laulima Community Resource Center (TMK:3-2-2-47:075), Waiākea Ahupua'a, South Hilo District, Island of Hawai'i*. Rechtman Consulting, LLC, Hilo.

Robins, J.J., and R.L. Spear

- 1996 *An Inventory Survey of the Puainako Street Realignment/Extension Project Expanded Corridor, Waiakea, Kukuau 1 and 2 and Ponahawai, South Hilo District, Island of Hawai'i*. Scientific Consultant Services Inc., Honolulu, Hawai'i.

- Rosendahl, M.L.K.
1988 *Archaeological Reconnaissance Survey for Environmental Impact Statement (EIS) Proposed Irradiation Plant Site*. SHPD Library, Kapolei.
- Rosendahl, M.L.K. and L. Talea
1988 *Archaeological Reconnaissance Survey for Environmental Impact Statement (EIS) Proposed Irradiation Plant Site*. PRHI Report 352-040888 for Westec Services, San Diego.
- Rosendahl, P. H.
2002 *Archaeological Assessment Survey at 14.99 Acre "Proposed Quarry Site"*. PHRI Report 2293.1-120302 for Jas. W. Glover, Ltd, Hilo.
- Sato, H., W. Ikeda, R Paeth, R Smythe, and M. Takehiro Jr.
1973 *Soil Survey of Island of Hawaii, State of Hawaii*. United States Department of Agriculture Soil Conservation Service. Washington D.C.
- Smith, M. and Tourtellotte
1988 "Wailoa Bridge Renovation Project, Site No. 50-10-11,115 Burial Removal." Historic Sites Section, Department of Land and Natural Resources, Honolulu.
- Starr Environmental
2013 Botanical and Faunal Surveys in the State of Hawai'i. Makawao. www.starrenvironmental.com.
- Stewart, C.S.
1970 *Journal of a Residence in the Sandwich Islands, During the Years 1823, 1834, and 1825: Including Remarks on the Manners and Customs of the Inhabitants; an Account of Lord Byron's Visit in the H.M.S. Blonde; and a Description of the Ceremonies Observed at the Interment of the Late King and Queen in the island of Oahu*. University of Hawai'i Press, Honolulu.
- Stokes, J.F.G., and T. Dye
1991 *Hieau of the Island of Hawai'i; A Historic Survey of Native Hawaiian Temple Sites*. Bishop Museum, Honolulu.
- Tolleson, W.
n. d. "From Trail to Road: A Late Historic Way Station on the Puna Trail on the Hawai'i Army National Guard Keaukaha Military Reservation, Hilo, Hawai'i Island".
- Tolleson, W., and W. Godby
2001 *From Trail to Road: A Late Historic Way Station on the Puna Trail on the Hawai'i Army National Guard Keaukaha Military Reservation, Hilo, Hawai'i Island, TMK: 2-1-13 and 10 and 2-1-12:3*. Scientific Consultant Services, Inc., Honolulu.
- Tulchin, T., and H. Hammatt
2007 *Archaeological Literature Review and Field Inspection for an Approximately 33-acre Wal-Mart Expansion Project, Waiākea Ahupua'a, South Hilo District, Hawai'i Island, TMK: [3] 2-1-025:090*. Cultural Surveys Hawai'i, Inc. Kailua.

Ulukau

- 2014 Ulukau: The Hawaiian Electronic Dictionary. URL: <http://www.ulukau.org>.

U.S. Geological Survey

- 2003 *7.5-Minute Series Topographic 'Umikoa Quadrangle Map*. USGS Print, Washington, DC. URL: <http://geonames.usgs.gov/pls/topomaps/>.

Waihona 'Āina

- 2014 Waihona 'Āina - Māhele Records, Boundary Commissions, Land Commission Awards Records. URL: <http://www.waihona.com>.

Wheeler, M., O. Bautista, S. Wilkinson, and H. Hammatt

- 2014 *Archaeological Inventory Survey and Monitoring Plan, Phase I, Keaukaha Military Reservation (KMR), Hawai'i Army National Guard Facility, Waiākea Ahupua'a, South Hilo District, Island of Hawai'i, TMKs: [3] 2-1-012:003, 131 and [3] 2-1-013:010*. Cultural Surveys Hawai'i, Inc., Kailua.

Wolfe, E.W., and J. Morris

- 1996 *Geological Map of the Island of Hawai'i*. U.S.G.S. Miscellaneous Investigations Series. Department of the Interior, Washington, D.C.

Wolforth, T.R.

- 2004 *Inventory Survey for the Proposed Kūhiō-Kalaniana'ole Park, Hilo: Investigations into the Kanakea Fishpond at Reed's Bay*. SCS Report B-1. Prepared for Rotary Clubs of East Hawaii. SCS, Honolulu.
- 2006 *Inventory Survey for the Mana Industrial Park Project: Investigations in the Pana'ewa Forest in Waiākea Ahupua'a, South Hilo District, Hawai'i Island TMK: (3) 2-1-012:4, 5, 6, 24 (por.), 25, 26, 69 and 2-1-013:151*. SCS, Inc. Report prepared for PBR Hawaii & Associates. SHPD Library, Kapolei.

APPENDIX A: PUBLIC NOTICES

AFFIDAVIT OF PUBLICATION


IN THE MATTER OF
CULTURAL IMPACT ASSESSMENT NOTICE

STATE OF HAWAII

City and County of Honolulu

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} SS.
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Doc. Date:	MAR - 9 2015	# Pages:	1
Notary Name:	Patricia K. Reese	First Judicial Circuit	
Doc. Description:	Affidavit of Publication		
Notary Signature	<i>Patricia K. Reese</i>	Date	MAR - 9 2015



CULTURAL IMPACT ASSESSMENT NOTICE
Information requested by Scientific Consultant Services, Inc. of cultural resources or ongoing cultural practices on five parcels located near the Prince Kuhio Plaza Mall on lands of Waiakea Ahupua'a, Hilo, South Hilo District, Island of Hawai'i (TMK: (3) 2-1-025: 006, 007, 047, 048, and (3) 2-2-051:002). Please respond within 30 days to Glenn Escott at (808) 938-0968. (HTH729925 3/4, 3/5, 3/8/15)

Rose Rosales being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the aforementioned newspapers as follows:

Honolulu Star-Advertiser 0 times on:

MidWeek 0 times on:

The Garden Island 0 times on:

Hawaii Tribune-Herald 3 times on:

03/04, 03/05, 03/08/2015

West Hawaii Today 0 times on:

Other Publications: 0 times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Rose Rosales
Rose Rosales

Subscribed to and sworn before me this 9th day of March A.D. 20 15

Patricia K. Reese
Patricia K. Reese, Notary Public of the First Judicial Circuit, State of Hawaii

My commission expires: Oct 07, 2018

Ad # 0000729925

SP.NO.: _____ L.N. _____



Hawai'i Tribune-Herald Public Notice Affidavit.

AFFIDAVIT OF PUBLICATION

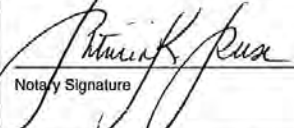
IN THE MATTER OF
CULTURAL IMPACT ASSESSMENT NOTICE

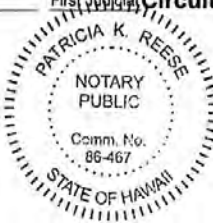
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STATE OF HAWAII

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} SS.
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City and County of Honolulu

Doc. Date:	MAR - 9 2015	# Pages:	1
Notary Name:	Patricia K. Reese		
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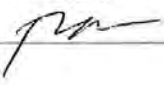
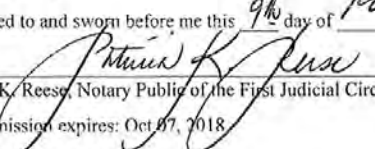
CULTURAL IMPACT ASSESSMENT NOTICE
Information requested by Scientific Consultant Services, Inc. of cultural resources or ongoing cultural practices on five parcels located near the Prince Kuhio Plaza Mall on lands of Waialeale Ahupua'a, Hilo, South Hilo District, Island of Hawaii (TMK: (3) 2-1-025: 006, 007, 047, 048, and (3) 2-2-061:002). Please respond within 30 days to Glenn Escott at (808) 938-0968. (SA729916 3/4, 3/5, 3/8/15)

Rose Rosales being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the aforementioned newspapers as follows:

Honolulu Star-Advertiser 3 times on:
03/04, 03/05, 03/08/2015
MidWeek 0 times on:
The Garden Island 0 times on:
Hawaii Tribune-Herald 0 times on:
West Hawaii Today 0 times on:

Other Publications: 0 times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Rose Rosales 
Subscribed to and sworn before me this 9th day of March A.D. 2015

Patricia K. Reese, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Oct 07, 2018
Ad # 0000729916



SP.NO.: _____ L.N. _____

Honolulu Star-Advertiser Public Notice Affidavit.

CULTURAL IMPACT ASSESSMENT

Information requested by Scientific Consultant Services, Inc. of cultural resources or ongoing cultural practices on five parcels located near the Prince Kūhiō Plaza Mall on lands of Waiākea Ahupua‘a, Hilo, South Hilo District, Island of Hawai‘i [TMK: (3) 2-1-025: 006, 007, 047, 048, and (3) 2-2-061:002]. Please respond within 30 days to Glenn Escott at (808) 938-0968. ■

Ka Wai Ola Public Notice (May 2015 Issue).

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Appendix **F**

PHASE I ENVIRONMENTAL SITE ASSESSMENT

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element environmental llc
environmental · engineering · water resources

July 8, 2015

Mr. Roy Takemoto, Managing Director, Hilo Office
PBR HAWAII & Associates, Inc.
1719 Haleloke Street
Hilo, Hawaii 96720

Subject: **Phase I Environmental Site Assessment**
Department of Hawaiian Home Lands
Non-Contiguous Residential Parcel
230 Mahiai Street
Hilo, Hawaii, Hawaii
Tax Map Key: (3) 2-2-061: Parcel 002

Dear Mr. Takemoto:

Element Environmental LLC (E2) has performed a Phase I Environmental Site Assessment (ESA) of the subject property, referenced above. The purpose of this assessment was to evaluate the environmental condition of the subject property and identify recognized environmental conditions. The property will be subdivided into half-acre lots to provide house lots for DHHL Makuu Farm Lots residents forced to relocate due to advancing Kilauea lava flows.

The accompanying report summarizes our findings and relates our opinions with respect to the property and potential sources of contamination at the property. Our findings and opinions are based on information that we obtained on given dates through records review, site reconnaissance, interviews, and related activities. It is possible that other information exists or subsequently has become known, just as it is possible for conditions we observed to have changed after our observation. For these and associated reasons, E2 and many of its peers routinely advise clients for ESA services that it would be a mistake to place unmerited faith in findings and opinions conveyed via ESA reports. E2 cannot under any circumstances warrant or guarantee that not finding indicators of hazardous substances or petroleum products means that hazardous substances or petroleum products do not exist on the property.

It has been a pleasure conducting this assessment for you. If you have questions regarding this report please contact me on my mobile phone at 551-9552.

Respectfully submitted,

Element Environmental LLC

Arlene H. Campbell, L.G.
Senior Geologist

ELEMENT ENVIRONMENTAL LLC
ENVIRONMENTAL CERTIFICATION

E2 Project No. 150024

Report: Phase I Environmental Site Assessment, ASTM E1527-13
Inspection Dates: June 10, 2015
Report Date: July 6, 2015
Site: Non-Contiguous Residential Parcel
230 Mahiai Street, Hilo, Hawaii, Hawaii
Tax Map Key: (3) 2-2061: Parcel 002
Weather Conditions: Mostly cloudy with periodic light rain showers, 82°
Client: PBR HAWAII & Associates, Inc. (PBR HAWAII)

Report Prepared By:

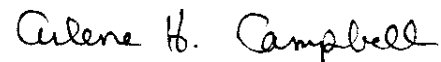


Angela Peltier

Date: July 8, 2015

ENVIRONMENTAL PROFESSIONAL CERTIFICATION

I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental Professional* as defined in §312.10 of 40 Code of Federal Regulations (CFR) 312.



Arlene H. Campbell, L.G

Date: July 8, 2015

DIRECTING ENVIRONMENTAL PROFESSIONAL CERTIFICATION

The *Environmental Professional* who directed this project has the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property.

We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

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The EDR Aerial Photo Decade Package

Certified Sanborn® Map Report

EDR Historical Topographic Map Report

The EDR-City Directory Image Report

Appendix D Qualifications of Environmental Professionals

Arlene Campbell, Licensed Geologist

Angela Peltier, Geologist

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List of Acronyms and Abbreviations

§	Section
ACM	asbestos-containing material
AST	aboveground storage tank
ASTM	ASTM International
c.	circa
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CERCLIS	Comprehensive Environmental Response Compensation and Liability Information System
CFR	Code of Federal Regulations
CORRACTS	Corrective Action Sites under RCRA
CREC	controlled recognized environmental condition
CWB	Clean Water Branch
CWRM	Commission on Water Resources Management
DHHL	Department of Hawaiian Home Lands
DLNR	Department of Land and Natural Resources, State of Hawaii
E2	Element Environmental LLC
EDR	Environmental Data Resources, Inc.
EPA	Environmental Protection Agency
ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment
HDOH	State of Hawaii, Department of Health
HELCO	Hawaiian Electric Light Company
HEER	Hazard Evaluation and Emergency Response
HREC	historical recognized environmental condition
IEC	Institutional / Engineering Controls
IRHB	Indoor & Radiological Health Branch
kg	kilogram
LBP	lead-based paint
LUST	leaking underground storage tank
msl	mean sea level
NFA	No Further Action
NFRAP	No Further Remedial Action Planned
NPL	National Priorities List (Superfund sites)
PBR HAWAII	PBR HAWAII & Associates, Inc.
PCB	polychlorinated biphenyl
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
SCS, Inc.	Scientific Consultant Services, Inc.
SDWB	Safe Drinking Water Branch
SHWB	Solid and Hazardous Waste Branch
SHWS	State of Hawaii Hazardous Waste Sites
TMK	tax map key
TSD	treatment, storage and disposal (category of RCRA facility)
U.S.	United States of America
U.S.C	United States Code
USGS	United States Geological Survey (U.S. Department of the Interior)
UST	underground storage tank
VRP	Voluntary Response Program
WWB	Wastewater Branch

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Executive Summary

Element Environmental LLC (E2) was retained by PBR HAWAII & Associates, Inc. (PBR HAWAII) to conduct a Phase I Environmental Site Assessment (ESA) in conformance with ASTM International (ASTM) Practice E 1527-13, Standard Practice for Environmental Site Assessments. The subject property is located at 230 Mahiai Street, Hilo, Hawaii, Oahu, Hawaii, and designated as Tax Map Key (TMK): (3) 2-2-061: parcel 002; hereinafter referred to as "the site, the subject property and/or the property". The site is owned by the State of Hawaii Department of Hawaiian Home Lands (DHHL) and is leased by Frederick H. K. Baker Jr.

E2 conducted the site reconnaissance on June 10, 2015. At the time of the site reconnaissance, the subject property was occupied by one residential structure, an electrical utility shed, one small kennel on the north side of the dwelling, and a large kennel to the southeast of the dwelling. The subject property is bounded on the north by grubbed and graded gardens and orchards, to the east and west by residential lots, and to the south by undeveloped land. At the time of the site reconnaissance, a large portion of the property was covered by thick grassy vegetation; therefore, assessment of the site was restricted due to restricted access and/or visibility.

The purpose of this assessment was to evaluate the environmental condition of the subject property and identify recognized environmental conditions (REC). ASTM guidance defines a REC as the presence or likely presence of any hazardous substances or petroleum products, in, on, or at the property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

Recognized Environmental Conditions

This assessment has revealed the following evidence of RECs associated with the site:

1. Fill material: According to Ms. Laura Young, with the State of Hawaii Department of Health, Hazard Evaluation and Emergency Response Office, the subject and surrounding properties were graded and filled with soil from an unknown source.

REC: The nature and source of fill brought onto the site are unknown. It is possible that fill material was obtained from former agricultural lands and may be negatively impacted by historical use of pesticides (conditions indicative of a release to the environment).

2. Potential illegal discharge to the ground: The large kennel, located on the southeast side of the dwelling, has a narrow concrete drainage channel at the back of the structure, with what appears to be a polyvinyl chloride drainage pipe. It is likely that the pipe discharged animal waste to the ground resulting from kennel cleaning operations. The ground in the vicinity of the drainage pipe appears to have subsided and the depression is covered by a piece of plywood.

REC: Discharge of wastewater directly to the ground without a discharge permit is not authorized by state and/or local agencies (conditions indicative of a release to the environment).

Potential Environmental Concerns

The following, while not RECs, are considered to be potential environmental concerns.

1. There is a small area of stressed vegetation in the vicinity of the small kennel located on the north side of the residence. There may be something buried beneath a "wood cover"

(covered with vegetation) observed on the ground in front of the kennel. The cause of the stressed vegetation is unknown and is considered to be a potential environmental concern.

Section I Introduction

I.1 Overview

Element Environmental LLC (E2) was retained by PBR HAWAII & Associates, Inc. (PBR HAWAII) to conduct a Phase I Environmental Site Assessment (ESA) in conformance with ASTM International (ASTM) Practice E 1527-13, Standard Practice for Environmental Site Assessments. The subject property consists of one parcel of land located at 230 Mahiai Street, Hilo, Hawaii, Hawaii, designated as tax map key (TMK): (3) 2-2-061: parcel 002; hereinafter referred to as “*the site, the subject property and/or the property*”. The objective of this assessment was to determine the presence or absence of recognized environmental conditions (REC), as defined in ASTM, International (ASTM) 1527-13. There are no exceptions or deletions from ASTM Practice E 1527-13.

The subject property consists of one 10.171-acre parcel of land that is owned by the State of Hawaii Department of Hawaiian Home Lands (DHHL) and is leased by Frederick H. K. Baker Jr (County of Hawaii 2015).

I.2 Purpose

This Phase I ESA was requested by the client, PBR HAWAII, to document the environmental condition of the subject property. E2 conducted this Phase I ESA to identify RECs associated with the property. The purpose of this practice is to define good commercial and customary practice in the United States of America (U.S.) for conducting an ESA of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S. Code [U.S.C.] §9601) and petroleum products. As such, this practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (hereinafter, the “landowner liability protections,” or “LLPs”): that is, the practice that constitutes all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice as defined at 42 U.S.C. Section (§)9601(35)(B).

For the purposes of this practice:

- The definition of a release includes contamination in the soil vapor phase, as well as in soil or groundwater.
- “Migrate” and “migration” refer to the movement of hazardous substances or petroleum products in any form, including solid and liquid at the surface or subsurface and vapor in the subsurface.
- Vapor migration/intrusion does not fall under the category of an Indoor Air Quality concern, which is not included in the ASTM 1527 scope of work.

ASTM guidance defines a REC as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment (ASTM 2013).

Controlled RECs (CREC) are defined as a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action [NFA] letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls) (ASTM 2013).

Historical RECs (HREC) are defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls) (ASTM 2013).

RECs do not include *de minimis* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies (ASTM 2013).

1.3 Detailed Scope-of-Services

This Phase I ESA was performed under the conditions of, and in general accordance with E2s' Proposal, dated March 2, 2015, and with the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM Designation E 1527-13). Adherence to the ASTM standard is intended to limit liability of property owners from inherited environmental contamination.

The Phase I ESA included the following tasks:

- **Review of regulatory records.** E2 reviewed standard environmental record sources including the U.S. Environmental Protection Agency (EPA) Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) database, U.S. EPA's Resource Conservation and Recovery Act (RCRA) database, U.S. Institutional Controls database, U.S. Engineering Controls database, U.S. EPA's Emergency Response Notification System (ERNS) database, State of Hawaii Department of Health (HDOH) Hazard Evaluation and Emergency Response (HEER) Office site list, HDOH Underground Storage Tank (UST) lists, HDOH list of landfills and other solid waste facilities, HDOH Voluntary Response Program (VRP) sites list, and the HDOH Brownfield sites list.
- **Review of site history.** E2 reviewed reasonably ascertainable standard historical sources including historical maps; aerial photographs; building permits, zoning records, and property tax records available online; various printed publications as well as publications posted on the internet; and documents and/or records provided by the owner's representative.
- **Review of site geology and hydrogeology.** E2 reviewed reasonably ascertainable published information on surface and subsurface conditions at the site and surrounding area. E2 used this information to assess topography, drainage, surface water bodies, anticipated subsurface geology, and groundwater occurrence and usage in the area.
- **Site reconnaissance.** E2 performed a site reconnaissance of the property to note visual signs of contamination, and conducted a limited assessment of portions of the neighboring properties visible from the subject property boundaries. During the site reconnaissance E2

specifically looked for hazardous substances; petroleum products; aboveground storage tanks (AST) and USTs; odors; pools of liquid; drums; electrical and hydraulic equipment; means of heating and cooling structures; stains or corrosion; drains and sumps; pits, ponds, or lagoons; stained soil or pavement; stressed vegetation; solid waste; wastewater; wells; and septic systems.

- **Interviews.** E2 interviewed available personnel familiar with the site conditions and/or history of site use.
- **Data evaluation and report preparation.** E2 evaluated the information collected and prepared this report that documents our assessment and presents our findings, opinions, and conclusions.

I.4 Significant Assumptions

Significant assumptions include the following:

- 1) The information provided by the owner/user and the owner/user representatives is complete and accurate;
- 2) The information provided by the regulatory database search service is complete and accurate; and
- 3) The responses of government agencies to public requests for information are complete and accurate.

I.5 Limitations and Exceptions

Phase I ESAs, by their very nature, are limited. E2 has endeavored to meet what it believes is the applicable standard of care and, in so doing is obliged to advise its client, PBR HAWAII, of Phase I ESA limitations. This Phase I ESA did not assess environmental issues or conditions at the property that are outside the scope of ASTM Practice E1527-13, including, but not limited to, asbestos-containing material (ACM), biological agents, cultural and historical resources, ecological resources, endangered species, health and safety, indoor air quality unrelated to releases of hazardous substances or petroleum products into the environment, industrial hygiene, lead-based paint (LBP), lead in drinking water, mold, radon, regulatory compliance, and wetlands, nor did it include any sampling or testing for biological agents and mold, radon, methane, ACM, LBP, or other environmental contaminants. Our investigation was limited to the procedures described in the Phase I ESA Standard Practice (ASTM 2013).

The conclusions presented in this report are professional opinions based solely upon visual observations of the site and vicinity and our interpretation of the available historical and regulatory information and documents reviewed. They are intended exclusively for the purpose outlined herein and apply only to the site location and project indicated.

The findings and opinions are based on information that E2 obtained on given dates through records review, site reconnaissance, interviews, and related activities. It is possible that other information exists or subsequently has become known, just as it is possible for conditions E2 observed to have changed after our observation. For these and associated reasons, E2 and many of its peers routinely advise clients for ESA services that it would be a mistake to place unmerited faith in findings and opinions conveyed via ESA reports. E2 cannot under any circumstances warrant or guarantee that not finding indicators of hazardous substances or

petroleum products means that hazardous substances or petroleum products do not exist on the site.

I.6 Special Terms and Conditions

E2's services are performed, within the limits prescribed by our clients, with the usual thoroughness and competence of the consulting profession in accordance with the standard for professional services at the time those services are rendered. No warranty or representation, either expressed or implied, is included or intended in the proposals, contracts, or reports.

Findings and opinions presented herein apply to site conditions existing at the time of E2's investigation and those reasonably foreseeable; they cannot necessarily apply to site changes of which E2 is not aware and has not had the opportunity to evaluate.

I.7 Data Gaps

Based on the information obtained during this ESA, it is the professional opinion of E2 that a historical data failure, as defined in the ASTM guidelines, has occurred in attempting to document the history of the subject property back to the earlier part of 1940 or the first developed usage of the property in five year increments, as follows:

1. Historical information regarding the subject property from 1907 to 1910, 1915 to 1930, 1933 to 1953, 1957 to 1962, and 1966 to 1974 was limited.
2. A large portion of the property was covered by thick grassy vegetation; therefore, assessment of the site was restricted due to restricted access and/or visibility.

Based on the information obtained, the lack of documentation is not deemed critical and did not affect the ability to identify potential REC(s) associated with the subject property.

I.8 User Reliance

This report is intended for the use of PBR HAWAII and its assignees. The scope of services performed in execution of this investigation may not be appropriate to satisfy the needs of other users, and any use or re-use of this document or the findings, conclusions, or recommendations presented herein is at the sole risk of said user.

Section 2 Site Description

2.1 Location and Legal Description

The subject property is located at 230 Mahiai Street in the Panaewa region of the Waiakea Ahupuaa, South Hilo District, Hawaii, Hawaii, as shown on Figure 1, included in Appendix A. The property consists of one parcel of land with an area of 10.171 acres, designated as TMK: (3) 2-2-061: parcel 002 (County of Hawaii 2015).

2.2 Site and Vicinity General Characteristics

The property is located on the windward coast of Hawaii Island on the lower east slope of Mauna Loa. The subject property is located at 230 Mahiai Street, approximately 120 feet north of the Waiakea-Uka Flood Control Channel and 530 feet east of Mamalahoa Highway (Route 11) (Google Earth 2015).

The climate in the region of Hilo has mean monthly temperatures ranging from 64 to 84 degrees Fahrenheit (Western Regional Climate Center 2015) with an average annual rainfall of approximately 133.6 inches per year (Giambelluca et al. 1986). Trade winds are generally from the northeast.

2.3 Current Use of the Property

The subject property is currently occupied by a residential house constructed in the mid-1980s and is heavily overgrown with vegetation (Figure 2). At the time of the site reconnaissance, the property was vacant.

2.4 Descriptions of Structures, Roads, and Other Improvements on the Site

The property consists of one parcel of land with an area of 10.171 acres; access to the site is from Mahiai Street. The property is roughly rectangular in shape with gently sloping topography and a general topographic gradient towards the east. The elevation of the property is approximately 180 to 200 feet above mean sea level (msl). The residential dwelling on this site was built in the mid-1980s. Public water is provided by the County of Hawaii; and electricity is provided by the Hawaiian Electric Light Company (HELCO). Figure 2 shows the site layout. Photographs of the subject property are included in Appendix A.

2.5 Current Uses of the Adjacent Properties

Table 2-1 lists the parcel numbers, owners/occupants, and owner/occupant activities for the adjacent properties. The property is bounded to the north by grubbed and graded gardens and orchards, to the east and west boundaries by residential lots, and the southern boundary is bordered by undeveloped land. Figure 2 shows the locations of adjacent properties.

Table 2-1: Adjacent Properties

Parcel Number	Owner/Occupant	Owner/Occupant Activities
Parcel adjacent to the north		
2-2-061:003	DHHL (owner) Garry L. Yamada (lessee) No associated address	Agricultural / Residential
Parcel adjacent to the east across Mahiai Street		
2-2-061:008	DHHL (owner) Mary Kim K. Lum Ho (lessee) 175 Mahiai Street	Residential
Parcel adjacent to the south		
2-2-061:001	DHHL (owner) Davy P Mahi (lessee) No associated address	Undeveloped agricultural land
Parcel adjacent to the west		
2-2-046:078	Robert K. Palea and Susan L. Palea (owners) No associated address	Hillcrest Subdivision - Residential
2-2-046:079	Carol E. Manoha and Maile Manoha (owners) No associated address	Hillcrest Subdivision - Residential
2-2-046:080	Terry Kobayashi and Gwen Kobayashi (owners) 110 Waianuhe Place	Hillcrest Subdivision – Residential Kobayashi T. Lawn Maintenance
2-2-046:066	Charles T. Ikeda and Joyce Higashi Ikeda (owners) 111 Waianuhe Place	Hillcrest Subdivision - Residential

Section 3 User Provided Information

Mr. Isaac Takahashi, Acting Branch Chief, Housing Projects Branch for DHHL, completed an ASTM E1527-13 Questionnaire. The ASTM questionnaire is provided in Appendix B, and Mr. Takahashi's responses are provided in the following sections.

3.1 Title Records

Title records were not provided by the user.

3.2 Environmental Liens or Activity and Use Limitations

During the course of this investigation, the user did not provide E2 with information pertaining to activity and/or use limitations associated with the subject property.

3.3 Specialized Knowledge

No specialized knowledge in connection with the subject property was identified by the user.

3.4 Commonly Known or Reasonably Ascertainable Information

The user did not provide information regarding any commonly known or reasonably ascertainable information within the local community that is material to RECs in connection with the property.

3.5 Valuation Reduction for Environmental Issues

E2 was not provided with an appraisal for the subject property. No environmental issues were identified by the user that could result in property value reduction.

3.6 Owner, Property Manager, and Occupant Information

DHHL is the current property owner. The land owner contact is Ms. Niniau K. Simmons, Housing Administrator with the Native American Housing Assistance & Self Determination Act, Office of the Chairman, DHHL, and the site contact is Mr. Louis Hao, East Hawaii District Manager, with DHHL Hawaii District Office.

According to Mr. Takahashi, the property has been in residential and agricultural use for over 19 years. The prior use of the property was unknown to Mr. Takahashi, and he was not aware of any environmental concerns at the property.

3.7 Reason for Performing the Phase I ESA

The purpose of this assessment was to evaluate the environmental condition of the subject property and identify recognized environmental conditions on or associated with the subject property. The property will be subdivided into half-acre lots to provide house lots for DHHL Makuu Farm Lots residents forced to relocate due to advancing Kilauea lava flows.

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Section 4 Records Review

4.1 Standard Environmental Record Sources

4.1.1 Overview

To identify the presence of adverse environmental conditions at the subject property, several published sources of environmental records were reviewed. This section lists the records that were searched and the results of each search.

ASTM E1527-13 specifies search distances for specific environmental record sources. The following record sources were searched for incidents or sites within the listed search distances of the subject property:

Standard Environmental Record Sources	Search Distance (miles)	Number of Sites Identified
Federal NPL site list	1.0	0
Federal Delisted NPL site list	0.5	0
Federal CERCLIS list	0.5	0
Federal CERCLIS NFRAP site list	0.5	0
Federal RCRA CORRACTS facilities list	1.0	0
Federal RCRA Non-CORRACTS TSD facilities list	0.5	0
Federal RCRA generators list	Subject and Adjacent properties	0
Federal IEC registries	Subject property only	0
Federal ERNS list	Subject property only	0
State list of hazardous waste sites identified for investigation or remediation (NPL or CERCLIS equivalents)	1.0	1
State landfill and/or solid waste disposal site lists	0.5	0
State LUST list	0.5	0
State registered UST list	Subject and Adjacent properties	0
State IEC registries	Subject and Adjacent properties	0
State VRP sites	0.5	0
State Brownfield sites	0.5	0

Note: NPL = National Priorities List
NFRAP = No Further Remedial Action Planned
CORRACTS = facilities subject to Corrective Action under RCRA
TSD = treatment, storage, and disposal
IEC = institutional / engineering controls
LUST = leaking underground storage tank

E2 used an online regulatory database search service, provided by EDR, to review the above Federal and State government databases. A copy of the EDR report is included in Appendix C.

The following sections summarize the findings of the regulatory database search. In reviewing the environmental databases, it should be noted that such databases are not instantaneously updated by the specific regulatory agencies. Depending on the database and the agency, update frequency may be as infrequent as annually. The dates of the most recent updates for the searched environmental databases are listed in the EDR report in Appendix C.

The subject and adjoining properties were not listed on any of the databases searched by EDR (EDR 2015a).

4.1.2 Federal NPL Site List

The Federal NPL is a subset of CERCLIS and identifies over 1,200 sites identified for priority cleanup under the Superfund Program. The ASTM-designated search distance for the Federal NPL is one mile. EDR did not identify Federal NPL sites within one mile of the subject property.

4.1.3 Federal Delisted NPL Site List

The National Oil and Hazardous Substances Pollution Contingency Plan establish the criteria that the U.S. EPA uses to delete sites from the NPL. In accordance with 40 Code of Federal Regulations (CFR) 300.425(e), sites may be deleted from the NPL where no further response is appropriate. The ASTM-designated search distance for Federal delisted NPL sites is one-half mile. EDR did not identify Federal delisted NPL sites within one-half mile of the subject property.

4.1.4 Federal CERCLIS List

The CERCLIS list contains data on potentially hazardous sites that have been reported to the U.S. EPA by states, municipalities, private companies, and private persons pursuant to Section 103 of CERCLA. CERCLIS contains sites which are either proposed to be, or on the NPL and sites which are in the screening and assessment phase for possible inclusion on the NPL. The ASTM-designated search distance for Federal CERCLIS sites is one-half mile. EDR did not identify Federal CERCLIS sites within one-half mile of the subject property.

4.1.5 Federal CERCLIS NFRAP Site List

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of U.S. EPA's knowledge, assessment at a site has been completed and that U.S. EPA has determined no further steps will be taken to list this site on the NPL, unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site. The ASTM-designated search distance for Federal CERCLIS NFRAP sites is one-half mile. EDR did not identify Federal CERCLIS NFRAP sites within one-half mile of the subject property.

4.1.6 Federal RCRA CORRACTS Facilities List

U.S. EPA's facilities subject to CORRACTS or Corrective Action Sites database, identifies facilities that generate, treat, store, or dispose of hazardous wastes where RCRA corrective action activity has occurred. These sites have experienced spills or releases of hazardous chemicals prompting the need for corrective action. The ASTM-designated search distance for the Federal RCRA CORRACTS list is one mile. EDR did not identify Federal RCRA CORRACTS site within one mile of the subject property.

4.1.7 Federal RCRA Non-CORRACTS TSD Facilities List

The Federal RCRA Non-CORRACTS TSD facilities list is the U.S. EPA's list of TSD facilities that are not currently subject to corrective action. The RCRAInfo is U.S. EPA's comprehensive information system, providing access to data supporting the RCRA of 1976 and the Hazardous and Solid Waste Amendments of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System. The database includes

selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the RCRA. The RCRAInfo list includes facilities that treat, store, dispose of, or incinerate hazardous waste (TSD facilities). The ASTM-designated search distance for Federal RCRA Non-CORRACTS TSD facilities is one-half mile. EDR did not identify Federal RCRA Non-CORRACTS TSD sites within one-half mile of the subject property.

4.1.8 Federal RCRA Generators List

In addition to TSD facilities discussed above in Section 4.1.7, the RCRAInfo list also includes selective information on sites which generate hazardous waste as defined by the RCRA. Conditionally exempt small quantity generators generate less than 100 kilograms of hazardous waste, or less than one kilogram (kg) of acutely hazardous waste per month. Small quantity generators generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators generate over 1,000 kg of hazardous waste, or over one kg of acutely hazardous waste per month. The ASTM-designated search distance for Federal RCRA generators is the subject property and adjacent properties. EDR did not identify the subject or adjacent properties as Federal RCRA Generator sites.

4.1.9 Federal Institutional / Engineering Controls Registries

Federal IEC Registries are lists of sites that have institutional and/or engineering controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health. The ASTM-designated search distance for Federal IEC Registries is the subject property only. EDR did not identify the subject property as a Federal IEC Registry site.

4.1.10 Federal ERNS List

ERNS is a national database of more than 365,000 records, which contains information on specific notification of releases of oil and hazardous substances to the environment. The ASTM-designated search distance for Federal ERNS incidents is the subject property only. No reported Federal ERNS incidents have occurred on the subject property.

4.1.11 State of Hawaii Hazardous Waste Sites List

The State of Hawaii Hazardous Waste Sites (SHWS) list is Hawaii's equivalent to the NPL or CERCLIS. These sites may or may not already be listed on the federal NPL or CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. The HDOH HEER Office maintains a *Sites of Interest Database*, which includes sites that HDOH HEER has an interest in, has investigated, or may investigate under Hawaii Revised Statute 128D (the State Superfund law). The ASTM-designated search distance for the SHWS List is one mile. EDR identified one SHWS site within one mile of the subject property. General information on the SHWS site is provided below, and more detailed information is provided in the EDR report in Appendix C.

SHWS Site Name	Location Relative to the Subject Property	Site Status/Comments
KHI dba Waiakeawaena Chevron (Larry's Waiakea Chevron) 2188 Kinoole Street Hilo, HI	½ to 1 mile northwest (lower elevation/ crossgradient)	Response Ongoing – Hazard Undetermined, Low priority (contaminants of concern: Petroleum in two drywells)

It is not likely that the SHWS site listed above has negatively impacted the subject property due to the distance from, and/or location relative to the subject property (i.e., hydraulically crossgradient, etc.).

4.1.12 State of Hawaii Landfill and/or Solid Waste Disposal Site List

HDOH Solid and Hazardous Waste Branch (SHWB) has a list of permitted solid waste disposal facilities and landfills in the State of Hawaii. The ASTM-designated search distance for permitted solid waste disposal sites / landfills is one-half mile of the subject property. EDR did not identify permitted solid waste disposal facility sites within one-half mile of the subject property.

4.1.13 State of Hawaii LUST List

The State of Hawaii LUST database, compiled by the HDOH SHWB UST Section, contains an inventory of reported LUST incidents. The ASTM-designated search distance for State of Hawaii LUST sites is one-half mile. EDR did not identify State of Hawaii LUST sites within one-half mile of the subject property.

4.1.14 State of Hawaii Registered UST List

State of Hawaii Registered USTs are regulated under RCRA and must be registered with the state department responsible for administering the UST program. The list of registered UST sites is compiled by the HDOH SHWB UST Section. The ASTM-designated search distance for State of Hawaii Registered UST sites is the subject property and adjacent properties. EDR did not identify the subject or adjacent properties as State of Hawaii Registered UST sites.

4.1.15 State of Hawaii Institutional / Engineering Controls Registry

The ASTM-designated search distance for State of Hawaii IEC registries is the subject and adjacent properties. EDR did not identify any State of Hawaii IEC registries on the subject or adjacent properties.

4.1.16 State of Hawaii Voluntary Cleanup Sites

The ASTM-designated search distance for State of Hawaii VRP sites is one-half mile. EDR did not identify State of Hawaii VRP sites within one-half mile of the subject property.

4.1.17 State of Hawaii Brownfield Sites

The ASTM-designated search distance for State of Hawaii Brownfield sites is one-half mile. EDR did not identify State of Hawaii Brownfield sites within one-half mile of the subject property.

4.1.18 Additional Environmental Record Sources

4.1.18.1 Zoning and Land Use

The State Land Use Ordinance zoning for the subject property and surrounding property is Urban. The subject property and adjacent properties to the north and south are zoned A-1a (Agricultural District, minimum building site of 1 acre) and A-5a (Agricultural District, minimum building site of

5 acres), the adjacent property to the east is zoned A-5a, and the adjacent property to the west is zoned RS-10 (Multiple-Family Residential District [required land area of 14,500 square feet for each dwelling unit, or for each separate rentable unit]) (County of Hawaii 2015).

4.1.18.2 Hawaii Seismic and Lava Flow Hazard Zones

The site is located within the Hawaii Seismic Zone Assignment 4 (U.S. Geological Survey [USGS] 2001). The South Hilo area is rated Lava Flow Hazard Zone 3 on a scale of ascending risk 9 to 1. Zone 3 have has only one to five percent of their surfaces covered by lava since 1800, and 15 to 75 percent of their surfaces covered by lava within the past 750 years (USGS 2006).

4.1.18.3 Local Electric Utility Company

Electricity is supplied to the subject property by HELCO. One pole-mounted transformer is located on the north-central boundary of the subject property, according to Mr. James Moules, Commercial Account Manager with HELCO the transformer does not contain polychlorinated biphenyls (PCB).

4.2 Other Information Sources

The following sections describe information obtained from other information sources.

4.2.1 State of Hawaii Department of Health File Review

E2 submitted requests to access public information for the subject and adjacent properties and received responses from the following HDOH sections/branches:

4.2.1.1 Clean Water Branch

On June 15, 2015, Mr. Bobbie Teixeira, Environmental Health Specialist with the Clean Water Branch (CWB) confirmed that CWB has no relevant information regarding the subject property. On June 24, 2015, Ms. Angela Peltier, Geologist with E2, reviewed the *Hawaii Environmental Health Portal* and *Water Pollution Control Viewer*. No RECs or environmental concerns were identified.

4.2.1.2 Hazard Evaluation and Emergency Response Office

On June 15, 2015, Ms. Mae Domingo, Administrative Assistant for the HEER Office, confirmed there are no records for the subject or adjacent properties.

Mr. Marvin Heskett, Senior Chemist with E2 interviewed Ms. Laura Young, with the HEER Office. Ms. Young stated that to her knowledge, the subject and surrounding properties were graded and filled with soil from an unknown source.

The nature and source of fill brought onto the site are unknown. It is possible that fill material was obtained from former agricultural lands and may be negatively impacted by historical use of pesticides.

4.2.1.3 Indoor and Radiological Health Branch

The Indoor and Radiological Health Branch (IRHB) has not yet responded to the Request to Access Government Records sent to their office on June 3, 2015.

4.2.1.4 Safe Drinking Water Branch

On June 15, 2015, Mr. Norris Uehara, Supervisor of the Groundwater Pollution Control Section for the Safe Drinking Water Branch (SDWB), confirmed there are no Underground Injection Control permits associated with the subject and adjacent properties.

4.2.1.5 Solid and Hazardous Waste Branch

On June 16, 2015, Ms. Amy Susana Liana, Planner for SHWB, confirmed there are no records on the subject or adjacent properties at the UST, Hazardous Waste, or Solid Waste Sections.

4.2.1.6 Waste Water Branch

On June 3, 2015, Ms. Lori Morikami, Planner for the Planning & Design Section of the Waste Water Branch (WWB), confirmed there are two cesspools located on adjacent residential properties to the west within the Hillcrest Subdivision at TMK (3) 2-2-046: parcels 078 and 080; and one septic tank at TMK (3) 2-2-046: parcel 078. No RECs or environmental concerns were identified.

4.2.2 Department of Land and Natural Resources Commission on Water Resources Management

E2 interviewed Mr. Jonas Burgon with the Department of Land and Natural Resources (DLNR) Commission on Water Resources Management (CWRM) on June 6, 2015. According to the maps and documents provided by Mr. Burgon, no wells are located on the subject or adjacent properties. The municipal Panaewa wells owned by the Department of Water Supply Hawaii – Hilo, are located within 1/8 mile to the south of the subject property.

4.3 Physical Setting Sources

4.3.1 U.S. Geological Survey Topographic Map Coverage

Topographic map coverage of the site is included on the USGS 7.5-minute Honolulu quadrangle map, as shown on Figure 1. The property is located at 19° 40' 34.32" north latitude and 155° 3' 39.96" west longitude. The elevation of the subject property is approximately 180 to 200 feet msl (EDR 2015a).

4.3.2 Geologic and Hydrogeologic Setting

E2 reviewed published geologic and hydrogeologic reports and maps to obtain information regarding subsurface conditions in the general area of the site and to evaluate potential migration of contaminants.

4.3.2.1 Geology

The island of Hawaii has an area of 4,028 square miles and is comprised of five separate shield volcanoes (from oldest to youngest): 1) Kohala; 2) Mauna Kea; 3) Hualalai; 4) Mauna Loa; and 5) Kilauea. Mauna Loa, makes up more than half of the Big Island. The site is located approximately 3.3 miles south of Hilo Bay in South Hilo, on the southeast flank of the Mauna Loa Volcano in the saddle near the boundary of the Kilauea Volcano. Mauna Loa rocks are divided into the oldest Ninole Volcanic Series, then the Kahuku Volcanic Series, Pahala Ash layer, then the newest Kau Volcanic Series (Macdonald et al. 1983). The Kahuku Series is capped by Pahala Ash, and is believed to be coeval with the Hilina Series of Kilauea (Macdonald et al. 1983). The Kau Series overlies the Pahala ash and is correlative with the Puna Series of Kilauea (Macdonald et al. 1983). Lava flows of the Kau Series interfinger with the Puna Series of Kilauea interfinger along the boundary between the two volcanoes (Macdonald et al. 1983). The site is located on

the pre-historic rocks of the Kau Volcanic Series with an age of 5,000-11,000 years before present (Macdonald et al. 1983).

The geology of the region has been heavily influenced by lava flows from two active volcanoes, Kilauea and Mauna Loa. Lava tubes and lava tube caves are a notable geological feature underlying the area. In many cases, the presence of a lava tube is not known unless a cave roof collapses from construction activity or vegetation clearing otherwise results in the discovery of a skylight. The depth of lava tube caves often cannot be determined without detailed surveying.

4.3.2.2 Soils

According to the U.S. Department of Agriculture Natural Resources Conservation Service, the soil in the area of the site is classified as Papai extremely stony muck, three to 25 percent slopes. The Papai Complex consists of well drained to excessively drained sands and gravels (Soil Survey Staff et al. 2015). In a typical profile, the surface layer is very dark brown extremely stony muck about eight inches thick, underlain by fragmental aa lava. Permeability is rapid, runoff is slow, and the erosion hazard is slight (Soil Survey Staff et al. 2015).

4.3.2.3 Hydrogeology

Groundwater resources beneath the site are part of the Hilo Aquifer System of the Northeast Mauna Loa Sector. The aquifer is classified as basal, unconfined, where the water table is the upper surface of the saturated aquifer, and occurs in flank deposits (horizontally extensive basalt lavas). The aquifer is listed as currently used as a drinking water aquifer. This aquifer has fresh salinity (<250 milligram per liter chloride), is listed as irreplaceable, and is highly vulnerable to contamination (Mink and Lau 1993).

The subsurface conditions under the subject property are interpreted from available data and may vary. Groundwater is assumed to flow downgradient, based on topography and nearby water features, in a north northeast direction toward the shoreline of Hilo Bay. The depth to and direction of groundwater flow beneath the property are not definitively known. Characterization would require subsurface exploration, installation of groundwater monitoring wells, and surveys of groundwater elevations.

4.3.2.4 Surface Water

The closest surface water body to the site is the Waiakea-Uka Flood Control Channel located approximately 120 feet. The Palai Stream flows into the unlined open Waiakea-Uka Flood Control Channel, a continuation of the Four-Mile Creek Flood Control Channel. The channel runs from the Hilo Golf Course to Palai Stream.

4.4 Historical Use Information

4.4.1 Standard Historical Sources

Historical use of the subject and adjacent properties was obtained by reviewing the following standard historical sources: aerial photographs (1954 - 2014); property tax records available online; recorded land title records; historical topographic maps (1914 – 1995); other historical maps (1906 – 1976); local street directories; various printed publications and publications posted on the internet; documents, maps, and information from interviews with the owner's representative.

4.4.1.1 Aerial Photograph Review

E2 reviewed available historical aerial photographs of the subject property dated 1954, 1965, 1975, 1977, 1987, 1992, 2010, 2011, 2012, 2013, and 2014 (EDR 2015b, University of Hawaii 2015, and Google Earth 2015). No RECs or environmental concerns were identified during the review of the aerial photographs.

4.4.1.2 Sanborn Fire Insurance Maps

Sanborn Fire Insurance Maps were not available for this area from EDR (EDR 2015c).

4.4.1.3 Real Property Tax Records

According to real property tax records available online, the subject property is owned by DHHL and is leased by Frederick H.K. Baker Jr. The parcels consists of 10.171 acres of residential/agricultural land.

4.4.1.4 Historical Topographic Map Review

E2 reviewed available USGS topographic maps of the area dated 1914, 1932, 1963, 1980, 1981, and 1995 (EDR 2015d, Scientific Consultant Services, Inc. [SCS, Inc.] 2015, and University of Hawaii 2015). RECs and/or potential environmental concerns were not identified during review of the historical topographic maps.

4.4.1.5 Other Historical Maps Review

E2 reviewed other available historical maps of the area dated 1906, 1912, 1931, 1955, 1956, and 1976 (David Rumsey Map Collection Cartography Associates 1906 and County of Hawaii 2015, and DAGS 2015). RECs and/or potential environmental concerns were not identified during review of the historical topographic maps.

4.4.1.6 Local Street Directories

E2 reviewed local street directories dated 1992, 1995, 1999, 2003, 2008, and 2013 for Mahiai Street and Waianuhea Place (EDR 2015e). A copy of the local street directories is included in Appendix C. No RECs and/or environmental concerns were identified during the review of the local street directories. Previous Environmental Investigations and Information

4.4.2 Summary of Historical Land Use

E2 reviewed the historical use of the subject and adjacent properties from readily available standard historical sources. A brief summary of the historical use of the area and subject and adjacent properties is provided below.

A review of standard historical sources indicates that the subject and adjacent properties are located within an area formerly occupied by sugar cane fields from c. 1870s until c. 1966. The subject property was turned over to DHHL c. 1982 and the residential dwelling was constructed in the mid-1980s (County of Hawaii 2015 and SCS, Inc. 2015).

Section 5 Site Reconnaissance

Site reconnaissance was conducted on June 10, 2015, by Ms. Arlene Campbell, Senior Geologist, and Mr. Marvin Heskett, Senior Chemist with E2. Site reconnaissance included visual surveys of the property and brief surveys of the visible portions of the adjacent parcels. Site photographs are included in Appendix A.

5.1 Limiting Conditions

Large portions of the property were heavily overgrown with grassy vegetation at the time of the site reconnaissance; therefore, assessment of the parcel was limited to areas that were accessible and visible through the vegetation. E2 did not have access to the interior of the dwelling.

5.2 General Site Setting and Observations

The subject property was assessed on foot. At the time of the site reconnaissance, the subject property was occupied by one residential dwelling, an electrical utility shed, and a large kennel to the southeast of the dwelling. Observations made during the site reconnaissance are summarized below, in their pertinent section/subsection.

5.2.1 Hazardous Substances and Petroleum Products in Connection with Identified Uses

E2 did not observe any hazardous substances and/or petroleum products associated with identified uses at the site during the site reconnaissance.

5.2.2 Hazardous Substance and Petroleum Products Containers (Not Necessarily in Connection with Identified Uses)

E2 did not observe hazardous substances and petroleum products that were not associated with identified uses at the site during the site reconnaissance.

5.2.3 Storage Tanks

E2 did not observe the presence of storage tanks on the subject property during the site reconnaissance.

5.2.4 Odors

E2 did not note any unusually strong, pungent, or noxious odors in or at the subject property during the site reconnaissance.

5.2.5 Pools of Liquid

E2 did not observe the presence of standing water or pools of liquid on the subject property at the time of the site reconnaissance.

5.2.6 Drums

E2 did not observe the presence of drums on the subject property at the time of the site reconnaissance.

5.2.7 Unidentified Substance Containers

E2 did not observe unidentified substance containers on the subject property at the time of the site reconnaissance with the exception of the following:

- 5-gallon plastic bucket most likely filled with rainwater with algae growth.

The unidentified contents of one 5-gallon bucket is considered to be *de minimis*.

5.2.8 Polychlorinated Biphenyls

E2 did not observe electrical transformers, electrical equipment, or other signs of PCBs on the subject property at the time of the site reconnaissance with the exception of the following:

- One pole-mounted transformer, located on the north-central boundary.
- An abandoned electrical utility shed, located on the south side of the residence.

The abandoned electrical utility shed was empty and stripped of electrical components and HELCo confirmed that the pole-mounted transformer does not contain PCBs.

5.2.9 Pits, Ponds, or Lagoons

E2 did not observe pits, ponds, or lagoons on the subject property during the site reconnaissance with the exception of the following:

- The large kennel, located on the southeast side of the dwelling, has a narrow concrete drainage channel at the back of the structure, with what appears to be a polyvinyl chloride drainage pipe. It is likely that the pipe discharged animal waste to the ground resulting from kennel cleaning operations. The ground in the vicinity of the drainage pipe appears to have subsided and the depression is covered by a piece of plywood.

Discharge of wastewater directly to the ground without a discharge permit is not authorized by state and/or local agencies (conditions indicative of a release to the environment).

5.2.10 Stained Soil or Pavement

E2 did not observe stained soil or pavement at the site during the site reconnaissance.

5.2.11 Stressed Vegetation

E2 did not observe stressed vegetation on the subject property during the site reconnaissance with the exception of the following:

- There is a small area of stressed vegetation in the vicinity of the small kennel located on the north side of the residence. There may be something buried beneath a "wood cover".

5.2.12 Solid Waste

E2 did not observe the presence of solid waste on the subject property at the time of the site reconnaissance.

5.2.13 Wastewater

E2 did not observe wastewater and/or wastewater generation on the subject property during the site reconnaissance with the exception of the following:

- A polyvinyl chloride drainage tube and concrete ditch located on the east side of the kennels indicated that wastewater was generated on-site.

It is unknown where the ditch drains to, its specific use, and no permits are listed for the subject property; therefore, this is considered a REC.

5.2.14 Wells

E2 did not observe wells on the subject property during the site reconnaissance.

5.2.15 Septic Systems

E2 did not observe septic systems on the subject property during the site reconnaissance, however, it is likely there is a cesspool present in the vicinity of the residential dwelling.

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Section 6 Interviews

Information obtained during interviews is included in the pertinent sections of this report. Questionnaires and/or documentation completed/received as a result of the interviews are included in Appendix B.

6.1 Subject Property Owner and Manager

E2 interviewed Mr. Isaac Takahashi, Acting Branch Chief, Housing Project Branch for DHHL, Ms. Niniau K. Simmons, Housing administrator with the Native American Housing Assistance & Self Determination Act, Office of the Chairman, DHHL, and Mr. Louis Hao, East Hawaii District Manager, with DHHL Hawaii District Office regarding past and current use and activities on the property and adjacent properties. A copy of the User and Site Evaluation Questionnaires are included in Appendix B.

6.2 Local Government Agencies

6.2.1 State of Hawaii Department of Health

E2 interviewed the following HDOH representatives regarding the subject and adjacent properties: Mr. Bobbie Teixeira, Environmental Health Specialist with the CWB; Ms. Mae Domingo, Administrative Assistant and Ms. Laura Young, with the HEER Office; Mr. Norris Uehara, Supervisor of the Groundwater Pollution Control Section for the SDWB; Ms. Amy Susana Liana, Planner for the SHWB; and Ms. Lori Morikami, Planner for the Planning & Design Section of the WWB. The CWB, HEER Office, and SDWB confirmed that there were no files for the subject or adjacent properties.

E2 interviewed Mr. Jonas Burgon, Engineer Technician with the DLNR CWRM, regarding wells located in the vicinity of the subject property. Well information provided by Mr. Burgon is included in Section 4.2.2.

6.2.2 Hawaiian Electric Light Company

E2 interviewed Mr. James Moules, Commercial Account manager with HELCO, regarding a transformer located on the subject property. Transformer information provided by Mr. Moules is included in Section 4.1.18.3.

6.3 Other Interviews

No other interviews were conducted.

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Section 7 Findings, Opinions, and Conclusions

E2 has been retained by PBR HAWAII to conduct a Phase I ESA in conformance with ASTM Practice E 1527-13, Standard Practice for Environmental Site Assessments. The subject property is located at 230 Mahiai Street, Honolulu, Oahu, Hawaii, and designated as TMK: (3) 2-2-061: parcel 002. Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report.

Recognized Environmental Conditions

This assessment has revealed the following evidence of RECs associated with the site:

1. Fill material: According to Ms. Laura Young, with the HDOH HEER Office, the subject and surrounding properties were graded and filled with soil from an unknown source.

REC: The nature and source of fill brought onto the site are unknown. It is possible that fill material was obtained from former agricultural lands and may be negatively impacted by historical use of pesticides (conditions indicative of a release to the environment).

2. Potential illegal discharge to the ground: The large kennel, located on the southeast side of the dwelling, has a narrow concrete drainage channel at the back of the structure, with what appears to be a polyvinyl chloride drainage pipe. It is likely that the pipe discharged animal waste to the ground resulting from kennel cleaning operations. The ground in the vicinity of the drainage pipe appears to have subsided and the depression is covered by a piece of plywood.

REC: Discharge of wastewater directly to the ground without a discharge permit is not authorized by state and/or local agencies (conditions indicative of a release to the environment).

Potential Environmental Concerns

The following, while not RECs, are considered to be potential environmental concerns.

1. There is a small area of stressed vegetation in the vicinity of the small kennel located on the north side of the residence. There may be something buried beneath a "wood cover" (covered with vegetation) observed on the ground in front of the kennel. The cause of the stressed vegetation is unknown and is considered to be a potential environmental concern.

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Section 8 Deviations

In conducting this Phase I ESA, there were no deletions from the standard practice (ASTM Designation E1527-13 and E2600-10) and no client-imposed constraints.

In addition to the limitations described in Sections 1.5 and 5, the following data gaps were encountered:

1. Historical information regarding the subject property between 1907 to 1910, 1915 to 1930, 1933 to 1953, 1957 to 1962, and 1966 to 1974 was limited; however, the data gaps are not considered significant since use of the site and adjacent properties did not change much throughout the years.
2. At the time of the site reconnaissance, a large portion of the property was covered by thick grassy vegetation; therefore, assessment of the site was restricted due to restricted access and/or visibility.
3. IRHB did not respond to the Request to Access Government Records sent to their office on June 3, 2015.

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Section 9 Additional Services

Although E2 was not contracted to conduct additional services; as a courtesy to the client, the following additional services were performed:

- E2 listed a potential environmental concern, which is not considered to be a REC due to a lack of /or limited information, for the subject or adjacent properties based on their historical use.

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Section 10 Qualifications of Environmental Professionals

Qualifications of the Environmental Professionals are included in Appendix D.

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Section II References

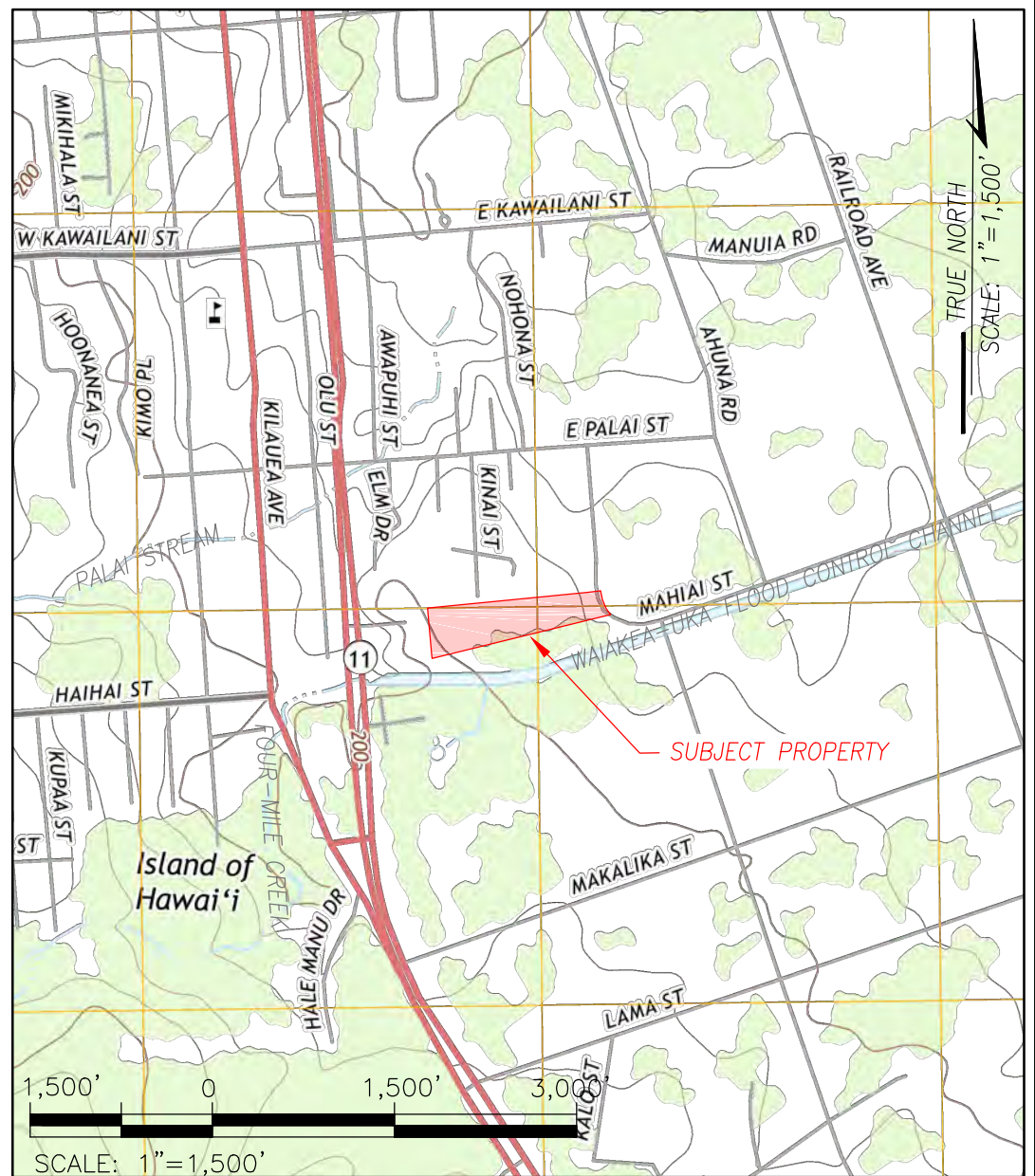
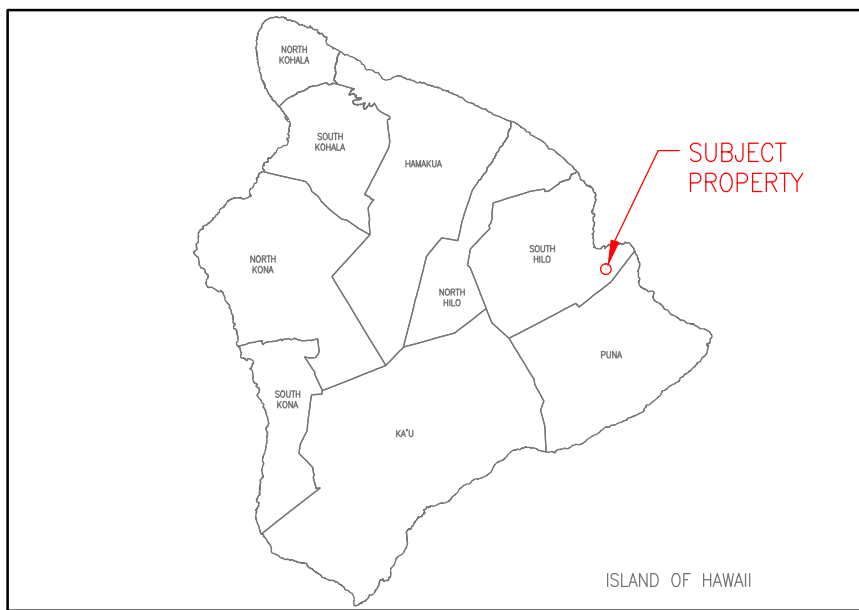
- ASTM International [ASTM] 2013. *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E1527-13)*. ASTM International (ASTM), Washington, 11 November.
- County of Hawaii 2015. *County of Hawaii Real Property Tax Office*. Retrieved from http://qpublic9.qpublic.net/hi_hawaii_search.php.
- Cultural Surveys Hawaii, Inc. 1996. *Final Archaeological Inventory Survey and Monitoring Plan, Phase I, Keaukaha Military Reservation (KMR), Hawai'i Army National Guard Facility, Waiakea Ahupua'a, South Hilo District, Island of Hawai'i, TMKs: [3] 2-1-012:003, 131 and [3] 2-1-013:010*. July
- Department of Accounting and General Services 2015. *Land Survey Map Search*. Retrieved from website 28 June. <http://ags.hawaii.gov/survey/map-search/>
- Element Environmental LLC 2015. *Proposal, Phase I Environmental Site Assessment on Four Parcels of Undeveloped Land, Tax Map Keys: (3) 2-1-025: Parcels 006, 007, 047, and 048, and Phase I ESA on the Non-Contiguous Residential Parcel, Tax Map Key: (3) 2-2-061: Parcel 002, Hilo, Hilo, Hawaii, Hawaii*. To PBR HAWAII, 2 March.
- Environmental Data Resources [EDR] 2015a. *The EDR Radius Map™ Report with GeoCheck®, DHHL Hilo Property (3) 2-2-061:002, 230 Mahiai Street, Hilo, HI 96720, Inquiry Number: 4315064.2s*. EDR Environmental Data Resources, Inc., 3 June.
- 2015b. *The EDR Aerial Photo Decade Package, DHHL Hilo Property (3) 2-2-061:002, 230 Mahiai Street, Hilo, HI 96720, Inquiry Number: 4315064.9*. Environmental Data Resources, Inc., 4 June.
- 2015c. *EDR Certified Sanborn Map Report, DHHL Hilo Property (3) 2-2-061:002, 230 Mahiai Street, Hilo, HI 96720, Inquiry Number: 4315064.3*. Environmental Data Resources, Inc., 3 June.
- 2015d. *EDR Historical Topographic Map Report, DHHL Hilo Property (3) 2-2-061:002, 230 Mahiai Street, Hilo, HI 96720, Inquiry Number: 4315064.4*. Environmental Data Resources, Inc., 4 June.
- 2015e. *The EDR-City Directory Image Report, DHHL Hilo Property (3) 2-2-061:002, 230 Mahiai Street, Hilo, HI 96720, Inquiry Number: 4315064.5*. EDR Environmental Data Resources, Inc., 5 June.
- Giambelluca, T.W., Q. Chen, A.G. Frazier, J.P. Price, Y.-L. Chen, P.-S. Chu, J.K. Eischeid, and D.M. Delparte 2013: Online Rainfall Atlas of Hawai'i. Bull. Amer. Meteor. Soc. 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1.
- Google Earth 2015. ©2010, 2011, 2012, 2013, and 2014 Google Image USGS, Image ©2015 DigitalGlobe. Retrieved from <http://www.google.com>.
- Macdonald, G. A., Abbott, A. T. and Peterson, F. L. 1983. *Volcanoes in the Sea: The Geology of Hawaii*. Honolulu (University of Hawaii Press).


- Mink, J. F. and Lau, S. 1993. *Aquifer Identification and Classification for Hawaii: Groundwater Protection Strategy for Hawaii*. Water Resources Research Center, University of Hawaii, Technical Report 191, May.
- David Rumsey Map Collection Cartography Associates. 1906. *Hawaii, Hawaiian Islands*. Primary triangulation by W.D. Alexander, C.J. Lyons, J.S. Emerson, J.M. Lydgate and E.D. Baldwin. Boundaries and topography by W.D. Alexander, C.J. Lyons, J.S. Emerson, J.M. Lydgate, J.F. Brown, E.D. Baldwin, F.S. Lyman, J.M. Alexander, S.M. Kanakanui and A.B. Loebenstein. Map by John M. Donn. 1901. (At head of title:) Hawaii Territory Survey, W.D. Alexander, Walter E. Wall, Surveyor. Andrew B. Graham Co., Lithographers, Washington, D.C. (1906)
- Scientific Consultant Services, Inc. [SCS, Inc.] 2015. *Request for Determination Letter for five 10-acre parcels of Department of Hawaiian Home Lands property in the Pana'ewa region of Waiakea Ahupua'a, South Hilo District, Hawai'i Island [TMK: (3) 2-1-025: 006, 007, 048, and (3) 2-2-061: 002]*. 25 March.
- Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at <http://websoilsurvey.nrcs.usda.gov/>. Accessed 7 July.
- United States Geological Society (Department of the Interior) [USGS] 2001. *Earthquakes: Hazards in Hawaii*. USGS Hawaiian Volcano Observatory, Website updated 18 June. <http://hvo.wr.usgs.gov/earthquakes/hazards/>.
- 2006. *Island of Hawaii Lava Flow Hazards*. USGS Hawaiian Volcano Observatory, Website updated October 30. <http://hvo.wr.usgs.gov/hazards/lavazones>.
- University of Hawaii 2015. *MAGIS (Maps, Aerial Photos, & GIS)*. Retrieved from website on 25 July. <http://guides.library.manoa.hawaii.edu/magis>.
- Western Regional Climate Center 2015. *Western Regional Climate Center, Hilo Intl Ap, Hawaii (511492), Period of Record Monthly Climate Summary, 10/1/1949 to 01/20/2015*. Retrieved from website on June 25, 2015. <http://www.wrcc.dri.edu>.

APPENDIX A

FIGURES AND PHOTOGRAPHS

Figures



	DATE: JUL 2015	PROJECT TITLE: PHASE I ESA FOR 230 MAHAI STREET (3) 2-2-061: PARCEL 002 HILO, HAWAII, HAWAII
	FIGURE TITLE: SITE LOCATION MAP	FIGURE NO.: 1

Site Reconnaissance Photographs



E2 Project No.: I 50024	Description	View looking southeast from balcony of the residence.	Photo 1
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	View looking northwest from balcony of the residence.	Photo 2
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	View looking west from balcony of residence.	Photo 3
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Residential dwelling on the property, view looking north.	Photo 4
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Residential dwelling on the property, view looking northeast.	Photo 5
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Residential dwelling on property, view looking east.	Photo 6
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Electrical utility shed, located on the south side of the residential dwelling.	Photo 7
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Transformer located on the north-central boundary of the subject property.	Photo 8
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Kennel located on the north side of the residential dwelling. Stressed vegetation present fronting the opening of the kennel.	Photo 9
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Kennels located on the subject property, view looking east.	Photo 10
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Drainage channel, drain, and covered pit (dry) located on the east side of the kennels.	Photo 11
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	PVC pipe drain inside drainage channel adjacent to the kennel.	Photo 12
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Covered pit (dry) located next to the kennel.	Photo 13
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	View of the interior of the covered pit.	Photo I4
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Bucket of what is likely rainwater with algae growth.	Photo I5
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	



E2 Project No.: I 50024	Description	Cable wire, plastic bucket lid, and other miscellaneous debris.	Photo I 6
	Site Name	DHHL Phase I ESA, Non-Contiguous Residential Parcel, 230 Mahiai Street, Hilo, Hawaii, Hawaii TMK (3) 2-2-061: parcel 002	Photo Date 06/10/2015
	Client	PBR HAWAII & Associates, Inc.	

APPENDIX B
QUESTIONNAIRES

Site Evaluation Questionnaire

INTERVIEW QUESTIONNAIRE

Date: June 25, 2015

Project Name: DHHL Phase I ESAs

Site 1: 230 Mahiai Street TMK (3) 2-2-061: parcel 002

Site 2: TMK: (3) 2-1-025: parcels 006, 007, 047, and 048

1. NAME AND PHONE NUMBER OF PERSON BEING INTERVIEWED.

Ms. Niniau K. Simmons, Housing Administrator, Native American Housing Assistance & Self Determination Act Office of the Chairman, DHHL, 91-5420 Kapolei Parkway, Kapolei, HI 96707 (808) 620-9513

2. PERSON'S RELATIONSHIP TO THE PROPERTY (i.e., past or present owner or occupant, key site manager, neighboring owner or occupant). owner - trust lands

3. HOW LONG HAS THE PROPERTY BEEN DEVELOPED? WHAT WAS THE PROPERTY USED FOR IN THE PAST?

Site 1 19+ years

Site 2 Undeveloped lands

4. CAN YOU PROVIDE A LIST OF TENANTS AND THE NATURE OF THEIR BUSINESS?

N/A

5. IS THERE A HEATING OR COOLING SYSTEM FOR BUILDINGS ON THE PROPERTY? WHAT IS THE FUEL SOURCE (i.e., heating oil, gas, electric, radiators from steam boiler fueled by gas).

NO

6. IS THERE A DISCHARGE OF WASTEWATER OR STORM WATER FROM THE PROPERTY? IS THERE A WASTEWATER DISCHARGE PERMIT OR A NPDES PERMIT?

NO

7. ARE THERE ANY ABOVE-GROUND OR UNDERGROUND STORAGE TANKS? NO

<u>SIZE/TYPE</u>	<u>CONTENT</u>	<u>AGE</u>	<u>REGISTERED WITH DOH?</u>	<u>HAVE THEY LEAKED?</u>
<u>None</u>				

8. ARE THERE ANY HYDRAULIC LIFTS OR OTHER HYDRAULIC EQUIPMENT? NO

9. IS OR WAS THERE A DRY CLEANER, PHOTO PROCESSING SHOP, GAS STATION, MOTOR REPAIR FACILITY, COMMERCIAL PRINTING FACILITY, JUNK YARD, LANDFILL, OR WASTE DISPOSAL OR RECYCLING FACILITY ON THE PROPERTY OR ON ADJOINING PROPERTIES? NO

10. ARE THERE ANY WASTE OR CHEMICAL PIPELINES, PITS, PONDS, OR LAGOONS ON THE PROPERTY OR ON ADJOINING PROPERTIES? NO

11. ARE THERE ANY WELLS ON THE PROPERTY (including water wells, dry wells, irrigation wells, injection wells, abandoned wells, or other wells)? NO

12. HAVE ANY OF THE FOLLOWING MATERIALS BEEN USED ON THE PROPERTY? NO

PESTICIDES/HERBICIDES (Are they EPA registered pesticides?):

FERTILIZERS:

PETROLEUM PRODUCTS (oils, lubricants, gasoline, waste oil): NO

SOLVENTS (cleansers, degreasers, paint thinners, coolants): NO

PCBs (electrical or hydraulic equipment):

ACIDS/BASES (lead-acid batteries): NO

IGNITABLE OR REACTIVE MATERIALS: NO

METALS (Arsenic, Cadmium, Chromium, Lead, Mercury, Silver): NO

RADIOACTIVE MATERIALS: NO

13. HOW WERE THESE MATERIALS DISPOSED OF? N/A

14. DO YOU KNOW OF ANY SPILLS OR LEAKS OF THESE MATERIALS ON THE PROPERTY? NO

15. WERE ANY OTHER TYPES OF WASTE GENERATED? IF YES, WHAT TYPES OF WASTES? NO

16. ARE YOU AWARE OF ANY WASTE DISPOSAL AREAS ON THE PROPERTY OR NEARBY PROPERTIES (including mounds or depressions or areas that are filled or graded by non-natural causes or filled by fill of unknown origin suggesting trash, construction debris, demolition debris, or other solid waste disposal or)? NO

17. ARE YOU AWARE OF ANY CONTAMINATION, ODORS, STAINED SOIL OR PAVEMENT, OR STRESSED VEGETATION (from something other than insufficient water) ON THE PROPERTY OR ON NEARBY PROPERTIES? NO

18. IS THERE ANY RUNOFF FROM ADJACENT PROPERTIES ON TO THE PROPERTY? NONE

19. ARE ANY OF THE FOLLOWING ENVIRONMENTAL DOCUMENTS AVAILABLE? NO

- Old site plans that show former buildings and other appurtenances
- Recent site plans that show buildings and other appurtenances
- Environmental site assessment reports
- Environmental compliance audit reports
- Environmental permits (for example, solid waste disposal permits, hazardous waste disposal permits, wastewater permits, NPDES permits, underground injection permits)
- Registrations for underground and above-ground storage tanks
- Registrations for underground injection systems
- Material Safety Data Sheets
- Community right-to-know plan
- Safety plans; preparedness and prevention plans; spill prevention, countermeasure, and control plans; etc.
- Notices or other correspondence from any government agency relating to past or current violations of environmental laws with respect to the property or relating to environmental liens encumbering the property
- Hazardous waste generator notices or reports
- Geotechnical studies
- Risk assessments
- Recorded activity and land use limitations

User Questionnaire

USER QUESTIONNAIRE
Department of Hawaiian Home Lands Parcel
230 Mahiai Street, Hilo, Hawaii
TMK: (3) 2-2-061: parcel 002

In order to qualify for one of the Landowner Liability Protections (LLPs)¹ offered by the Small Business Liability Relief and Brownfield information (if available) to the environmental professional. Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete.

(1.) Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).

Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law? **NO**

(2.) Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).

Are you aware of any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law? **NO**

(3.) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28). As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? **NO**

(4.) Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29). Does the purchase price being paid for this property reasonably reflect the fair market value of the property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property? **NO**

(5.) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30). Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as user,

(a.) Do you know the past uses of the property? **Residence and agricultural use.**

¹ Landowner Liability Protections, or LLPs, is the term used to describe the three types of potential defenses to Superfund liability in EPA's *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA Liability* ("Common Elements" Guide) issued on March 6, 2003.

(b.) Do you know of specific chemicals that are present or once were present at the property? NO

(c.) Do you know of spills or other chemical releases that have taken place at the property? NO

(d.) Do you know of any environmental cleanups that have taken place at the property? NO

(6.) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31). As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property? NO

Please provide the following additional information:

(a) The reason why the Phase I environmental site assessment is required. Subdivision

(b) The type of property and type of property transaction, for example, sale, purchase, exchange, etc.
Subdivision of property into 1/2 acre subsistence AG lots.

(c) The complete and correct address for the property (a map or other documentation showing property location and boundaries is helpful).

(d) The scope of services desired for the Phase I (including whether any parties to the property transaction may have a required standard scope of services on whether any considerations beyond the requirements of Practice E 1527 are to be considered).

(e) Identification of all parties who will rely on the Phase I report.

(f) Identification of the site contact and how the contact can be reached.
Louise Hao, East Hawaii District Manager # 808 974-4250

(g) Any special terms and conditions which must be agreed upon by the environmental professional.

(h) A copy of the title report for the property. N/A

(i) Any proceedings involving the property, for example:

(1) Any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the property; NO

(2) Any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the property; NO

(3) Any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products. NO

(j) Any other knowledge or experience with the property that may be pertinent to the environmental professional (for example, copies of any available prior environmental site assessment reports, documents, correspondence, etc., concerning the property and its environmental condition.) Documents that would be helpful include the following:

- Environmental site assessment reports:
- Environmental compliance audit reports:
- Environmental permits (for example, solid waste disposal permits, hazardous waste disposal permits, wastewater permits, NPDES permits, underground injection permits):
- Registrations for underground and above-ground storage tanks:
- Registrations for underground injection systems:
- Material Safety Data Sheets:
- Community right-to-know plan:
- Safety plans; preparedness and prevention plans; spill prevention, countermeasure, and control plans; etc:
- Notices or other correspondence from any government agency relating to past or current violations of environmental laws with respect to the property or relating to environmental liens encumbering the property:
- Hazardous waste generator notices or reports:
- Geotechnical studies:
- Risk assessments:
- Recorded activity and land use limitations:

Form Completed by:

Isaac Takahashi Acting Branch Chief, Housing Projects Branch

6/25/2015

Name, Title

Date

Department of Hawaiian Home Lands

Company

APPENDIX C

EDR REPORTS

The EDR Radius Map™ Report with GeoCheck®

DHHL Hilo Property 3 2-2-061 002

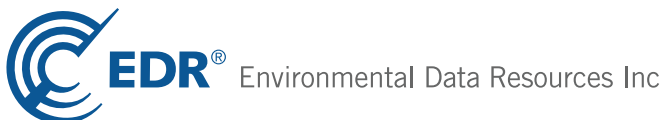
230 Mahiai Street

Hilo, HI 96720

Inquiry Number: 4315064.2s

June 03, 2015

The EDR Radius Map™ Report with GeoCheck®



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

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Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

230 MAHIAI STREET
HILO, HI 96720

COORDINATES

Latitude (North):	19.6762000 - 19° 40' 34.32"
Longitude (West):	155.0611000 - 155° 3' 39.96"
Universal Transverse Mercator:	Zone 5
UTM X (Meters):	283921.2
UTM Y (Meters):	2176829.5
Elevation:	191 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	19155-F1 HILO, HI
Most Recent Revision:	Not reported

MAPPED SITES SUMMARY

Target Property Address:
230 MAHIAI STREET
HILO, HI 96720

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
1	RAWSON SERVICES	63 A EAST PALAI ST	RCRA NonGen / NLR, FINDS	Lower	1247, 0.236, NW
2	KHI DBA WAIKEAWAENA	2188 KINOOLE ST	SHWS, LUST, UST, Financial Assurance	Lower	3649, 0.691, NW

EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL..... National Priority List
Proposed NPL..... Proposed National Priority List Sites
NPL LIENS..... Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL..... National Priority List Deletions

Federal CERCLIS list

CERCLIS..... Comprehensive Environmental Response, Compensation, and Liability Information System
FEDERAL FACILITY..... Federal Facility Site Information listing

Federal CERCLIS NFRAP site List

CERC-NFRAP..... CERCLIS No Further Remedial Action Planned

Federal RCRA CORRACTS facilities list

CORRACTS..... Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

Federal RCRA generators list

RCRA-LQG..... RCRA - Large Quantity Generators
RCRA-SQG..... RCRA - Small Quantity Generators
RCRA-CESQG..... RCRA - Conditionally Exempt Small Quantity Generator

Federal institutional controls / engineering controls registries

US ENG CONTROLS..... Engineering Controls Sites List
US INST CONTROL..... Sites with Institutional Controls

EXECUTIVE SUMMARY

LUCIS..... Land Use Control Information System

Federal ERNS list

ERNS..... Emergency Response Notification System

State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... Permitted Landfills in the State of Hawaii

State and tribal leaking storage tank lists

LUST..... Leaking Underground Storage Tank Database

INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

UST..... Underground Storage Tank Database

INDIAN UST..... Underground Storage Tanks on Indian Land

FEMA UST..... Underground Storage Tank Listing

State and tribal institutional control / engineering control registries

ENG CONTROLS..... Engineering Control Sites

INST CONTROL..... Sites with Institutional Controls

State and tribal voluntary cleanup sites

VCP..... Voluntary Response Program Sites

INDIAN VCP..... Voluntary Cleanup Priority Listing

State and tribal Brownfields sites

BROWNFIELDS..... Brownfields Sites

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

ODI..... Open Dump Inventory

INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands

Local Lists of Hazardous waste / Contaminated Sites

US CDL..... Clandestine Drug Labs

CDL..... Clandestine Drug Lab Listing

US HIST CDL..... National Clandestine Laboratory Register

Local Land Records

LIENS 2..... CERCLA Lien Information

EXECUTIVE SUMMARY

Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System
SPILLS..... Release Notifications
SPILLS 90..... SPILLS 90 data from FirstSearch

Other Ascertainable Records

DOT OPS..... Incident and Accident Data
DOD..... Department of Defense Sites
FUDS..... Formerly Used Defense Sites
CONSENT..... Superfund (CERCLA) Consent Decrees
ROD..... Records Of Decision
UMTRA..... Uranium Mill Tailings Sites
US MINES..... Mines Master Index File
TRIS..... Toxic Chemical Release Inventory System
TSCA..... Toxic Substances Control Act
FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing
SSTS..... Section 7 Tracking Systems
ICIS..... Integrated Compliance Information System
PADS..... PCB Activity Database System
MLTS..... Material Licensing Tracking System
RADINFO..... Radiation Information Database
FINDS..... Facility Index System/Facility Registry System
RAATS..... RCRA Administrative Action Tracking System
RMP..... Risk Management Plans
UIC..... Underground Injection Wells Listing
DRYCLEANERS..... Permitted Drycleaner Facility Listing
AIRS..... List of Permitted Facilities
INDIAN RESERV..... Indian Reservations
SCRD DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing
Financial Assurance..... Financial Assurance Information Listing
LEAD SMELTERS..... Lead Smelter Sites
US AIRS..... Aerometric Information Retrieval System Facility Subsystem
EPA WATCH LIST..... EPA WATCH LIST
US FIN ASSUR..... Financial Assurance Information
COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER..... PCB Transformer Registration Database
COAL ASH DOE..... Steam-Electric Plant Operation Data
2020 COR ACTION..... 2020 Corrective Action Program List
PRP..... Potentially Responsible Parties

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP..... EDR Proprietary Manufactured Gas Plants
EDR US Hist Auto Stat..... EDR Exclusive Historic Gas Stations
EDR US Hist Cleaners..... EDR Exclusive Historic Dry Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF..... Recovered Government Archive Solid Waste Facilities List

EXECUTIVE SUMMARY

RGA LUST..... Recovered Government Archive Leaking Underground Storage Tank
RGA HWS..... Recovered Government Archive State Hazardous Waste Facilities List

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STANDARD ENVIRONMENTAL RECORDS

State- and tribal - equivalent CERCLIS

SHWS: The State Hazardous Waste Sites records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. The data come from the Department of Health.

A review of the SHWS list, as provided by EDR, and dated 12/02/2014 has revealed that there is 1 SHWS site within approximately 1 mile of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<i>KHI DBA WAIKEAWAENA</i>	<i>2188 KINOOLE ST</i>	<i>NW 1/2 - 1 (0.691 mi.)</i>	<i>2</i>	<i>8</i>

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

RCRA NonGen / NLR: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

A review of the RCRA NonGen / NLR list, as provided by EDR, and dated 12/09/2014 has revealed that there is 1 RCRA NonGen / NLR site within approximately 0.25 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<i>RAWSON SERVICES</i>	<i>63 A EAST PALAI ST</i>	<i>NW 1/8 - 1/4 (0.236 mi.)</i>	<i>1</i>	<i>7</i>

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped. Count: 3 records.

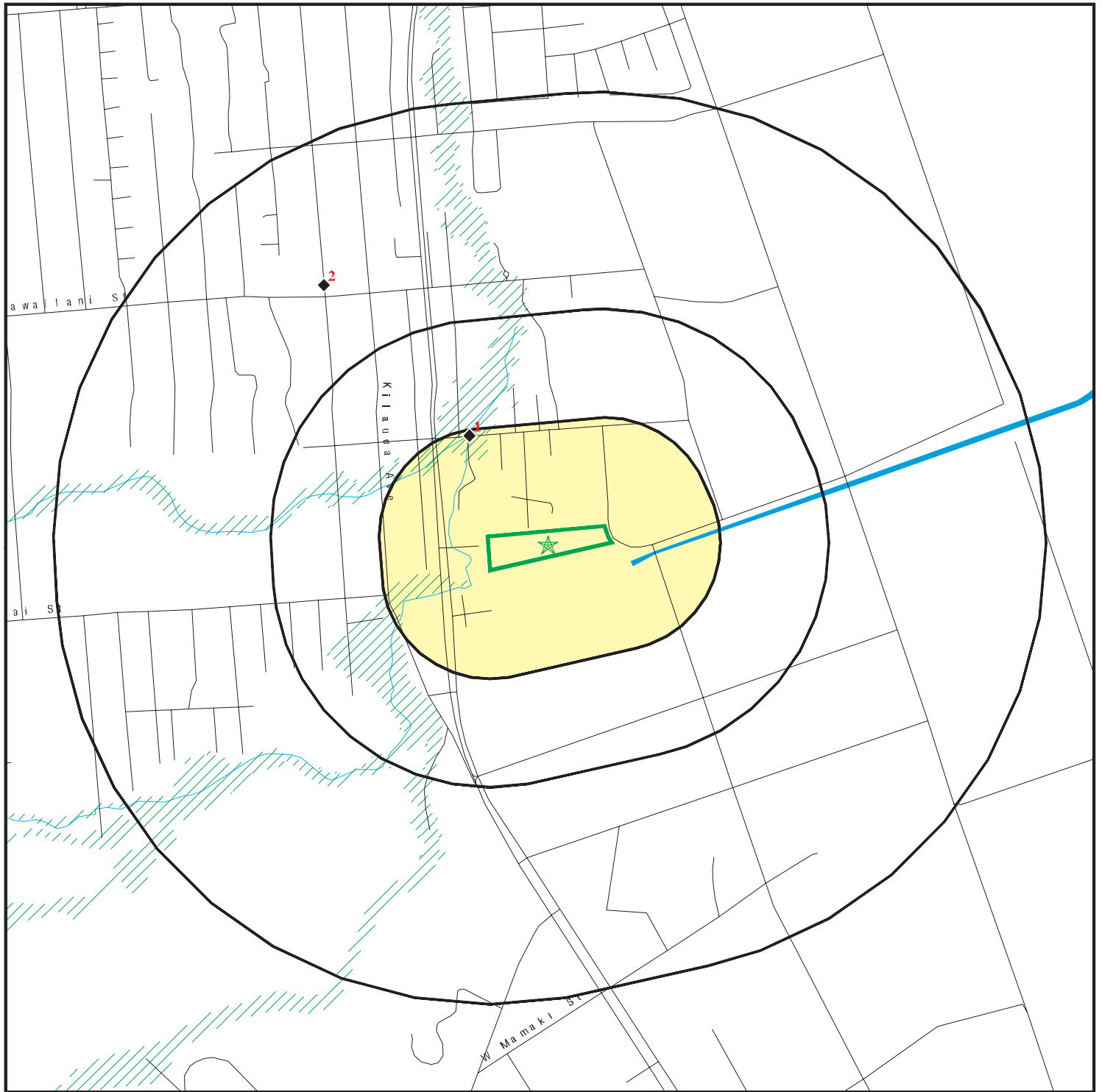
Site Name







HILO JUDICIARY CENTER PROJECT
HILO SAFEWAY/TARGET
KILAUEA VOLCANO AIR MONITORING





Database(s)

SHWS, ENG CONTROLS, INST CONTROL
SHWS, ENG CONTROLS, INST CONTROL
CERCLIS

OVERVIEW MAP - 4315064.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  Oil & Gas pipelines from USGS
-  100-year flood zone
-  500-year flood zone

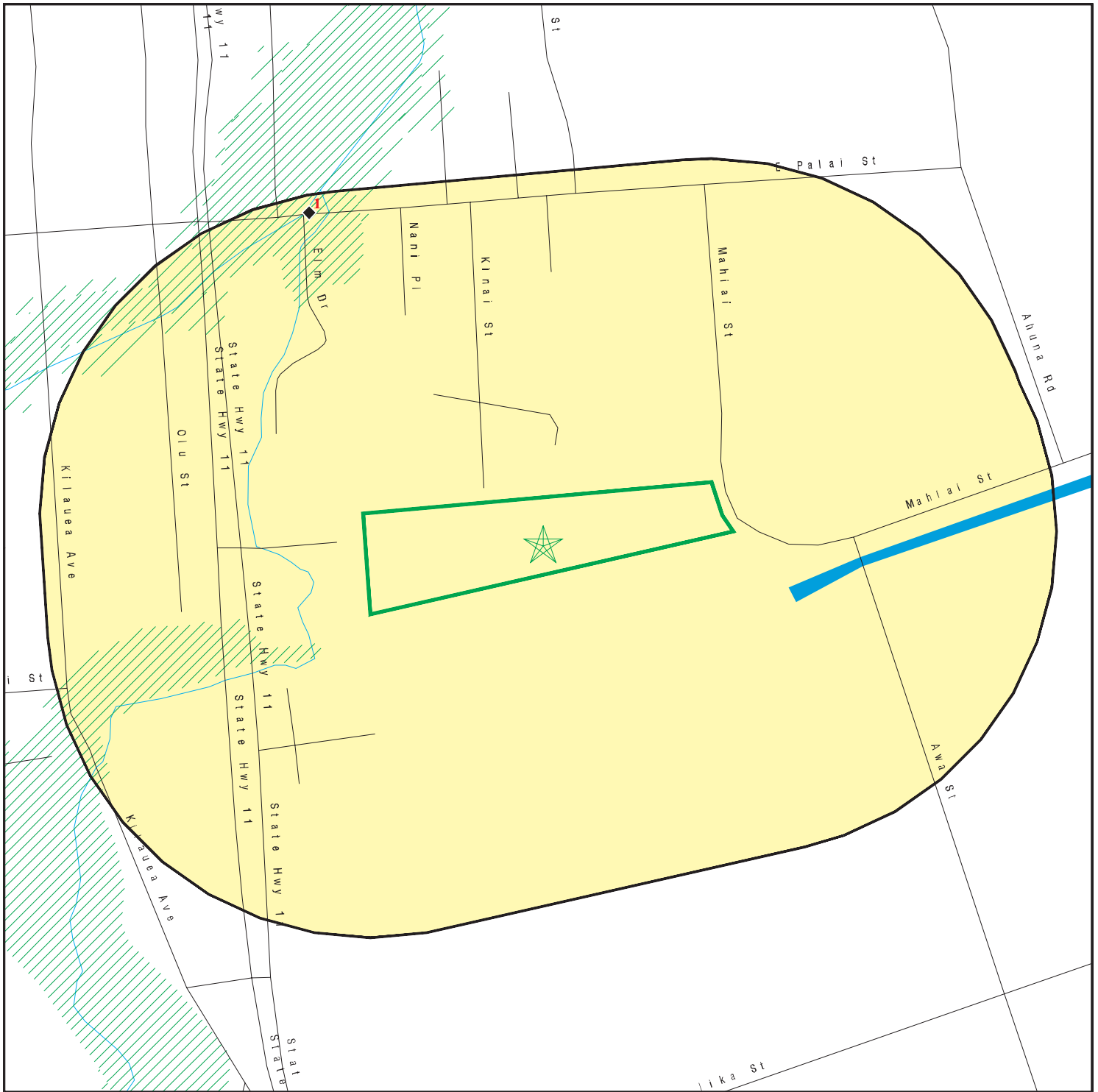
0 1/4 1/2 1 Miles








This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.





SITE NAME: DHHL Hilo Property 3 2-2-061 002
 ADDRESS: 230 Mahiai Street
 Hilo HI 96720
 LAT/LONG: 19.6762 / 155.0611

CLIENT: Element Environmental , LLC
 CONTACT: Angela Peltier
 INQUIRY #: 4315064.2s
 DATE: June 03, 2015 9:52 pm

DETAIL MAP - 4315064.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  Oil & Gas pipelines from USGS
-  100-year flood zone
-  500-year flood zone

0 1/16 1/8 1/4 Miles



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: DHHL Hilo Property 3 2-2-061 002
 ADDRESS: 230 Mahiai Street
 Hilo HI 96720
 LAT/LONG: 19.6762 / 155.0611

CLIENT: Element Environmental , LLC
 CONTACT: Angela Peltier
 INQUIRY #: 4315064.2s
 DATE: June 03, 2015 9:52 pm

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
<i>Federal NPL site list</i>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	TP		NR	NR	NR	NR	NR	0
<i>Federal Delisted NPL site list</i>								
Delisted NPL	1.000		0	0	0	0	NR	0
<i>Federal CERCLIS list</i>								
CERCLIS	0.500		0	0	0	NR	NR	0
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
<i>Federal CERCLIS NFRAP site List</i>								
CERC-NFRAP	0.500		0	0	0	NR	NR	0
<i>Federal RCRA CORRACTS facilities list</i>								
CORRACTS	1.000		0	0	0	0	NR	0
<i>Federal RCRA non-CORRACTS TSD facilities list</i>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<i>Federal RCRA generators list</i>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-CESQG	0.250		0	0	NR	NR	NR	0
<i>Federal institutional controls / engineering controls registries</i>								
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
LUCIS	0.500		0	0	0	NR	NR	0
<i>Federal ERNS list</i>								
ERNS	TP		NR	NR	NR	NR	NR	0
<i>State- and tribal - equivalent CERCLIS</i>								
SHWS	1.000		0	0	0	1	NR	1
<i>State and tribal landfill and/or solid waste disposal site lists</i>								
SWF/LF	0.500		0	0	0	NR	NR	0
<i>State and tribal leaking storage tank lists</i>								
LUST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0
<i>State and tribal registered storage tank lists</i>								
UST	0.250		0	0	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN UST	0.250		0	0	NR	NR	NR	0
FEMA UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
ENG CONTROLS	0.500		0	0	0	NR	NR	0
INST CONTROL	0.500		0	0	0	NR	NR	0
State and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US CDL	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
US HIST CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
SPILLS 90	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	1	NR	NR	NR	1
DOT OPS	TP		NR	NR	NR	NR	NR	0
DOD	1.000		0	0	0	0	NR	0
FUDS	1.000		0	0	0	0	NR	0
CONSENT	1.000		0	0	0	0	NR	0
ROD	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
TSCA	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
UIC	TP		NR	NR	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP	1.000		0	0	0	0	NR	0
EDR US Hist Auto Stat	0.250		0	0	NR	NR	NR	0
EDR US Hist Cleaners	0.250		0	0	NR	NR	NR	0

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF	TP		NR	NR	NR	NR	NR	0
RGA LUST	TP		NR	NR	NR	NR	NR	0
RGA HWS	TP		NR	NR	NR	NR	NR	0

- Totals --		0	0	1	0	1	0	2
-------------	--	---	---	---	---	---	---	---

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

1
NW
1/8-1/4
0.236 mi.
1247 ft.

RAWSON SERVICES
63 A EAST PALAI ST
HILO, HI 96720

RCRA NonGen / NLR
FINDS

1000385103
HID151130986

Relative:
Lower

RCRA NonGen / NLR:

Date form received by agency: 07/22/1986

Facility name: RAWSON SERVICES

Facility address: 63 A EAST PALAI ST

HILO, HI 96720

EPA ID: HID151130986

Contact: ENVIRONMENTAL MANAGER

Contact address: 63 A EAST PALAI ST

HILO, HI 96720

Contact country: US

Contact telephone: (808) 959-6396

Contact email: Not reported

EPA Region: 09

Land type: Other land type

Classification: Non-Generator

Description: Handler: Non-Generators do not presently generate hazardous waste

Owner/Operator Summary:

Owner/operator name: GARY RAWSON

Owner/operator address: NOT REQUIRED

NOT REQUIRED, ME 99999

Owner/operator country: Not reported

Owner/operator telephone: (415) 555-1212

Legal status: Private

Owner/Operator Type: Owner

Owner/Op start date: Not reported

Owner/Op end date: Not reported

Owner/operator name: NOT REQUIRED

Owner/operator address: NOT REQUIRED

NOT REQUIRED, ME 99999

Owner/operator country: Not reported

Owner/operator telephone: (415) 555-1212

Legal status: Private

Owner/Operator Type: Operator

Owner/Op start date: Not reported

Owner/Op end date: Not reported

Handler Activities Summary:

U.S. importer of hazardous waste: No

Mixed waste (haz. and radioactive): No

Recycler of hazardous waste: No

Transporter of hazardous waste: No

Treater, storer or disposer of HW: No

Underground injection activity: No

On-site burner exemption: No

Furnace exemption: No

Used oil fuel burner: No

Used oil processor: No

User oil refiner: No

Used oil fuel marketer to burner: No

Used oil Specification marketer: No

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

RAWSON SERVICES (Continued)

1000385103

Used oil transfer facility: No
Used oil transporter: No

Historical Generators:

Date form received by agency: 08/08/1980
Site name: RAWSON SERVICES
Classification: Not a generator, verified

Violation Status: No violations found

Evaluation Action Summary:

Evaluation date: 05/15/1996
Evaluation: COMPLIANCE EVALUATION INSPECTION ON-SITE
Area of violation: Not reported
Date achieved compliance: Not reported
Evaluation lead agency: State

FINDS:

Registry ID: 110005723360

Environmental Interest/Information System

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

2
NW
1/2-1
0.691 mi.
3649 ft.

KHI DBA WAIAKEAWAENA CHEVRON
2188 KINOOLE ST
HILO, HI 96720

SHWS
LUST
UST

U001237008
N/A

Financial Assurance

Relative:
Lower

SHWS:

Organization: Not reported
Supplemental Location: Not reported
Island: Hawaii
Environmental Interest: Larry's Waiakea Chevron
HID Number: Not reported
Facility Registry Identifier: 110013772462
Lead Agency: HEER
Program: State
Project Manager: Cal Miyahara
Hazard Priority: Low
Potential Hazards And Controls: Hazard Undetermined
Organization: Not reported
Island: Hawaii
Supplemental Location Text: Not reported
SDAR Environmental Interest Name: Larry's Waiakea Chevron
HID Number: Not reported
Facility Registry Identifier: 110013772462
Lead Agency: HEER
Program Name: State
Potential Hazard And Controls: Hazard Undetermined

Actual:
149 ft.

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

KHI DBA WAIAKEAWAENA CHEVRON (Continued)

U001237008

Priority:	Low
Assessment:	Response Necessary
Response:	Response Ongoing
Nature of Contamination:	Found: Petroleum in two drywells.
Nature of Residual Contamination:	Not reported
Use Restrictions:	Undetermined
Engineering Control:	Not reported
Description of Restrictions:	Not reported
Institutional Control:	Not reported
Within Designated Areawide Contamination:	Not reported
Site Closure Type:	Not reported
Document Date:	Not reported
Document Number:	Not reported
Document Subject:	Not reported
Project Manager:	Cal Miyahara
Contact Information:	(808) 586-4249 919 Ala Moana Blvd, Honolulu, HI 96814

LUST:

Facility ID:	9-601134
Facility Status:	Site Cleanup Completed (NFA)
Facility Status Date:	04/21/2006
Release ID:	040071
Project Officer:	Richard Takaba

Facility ID:	9-601134
Facility Status:	Site Cleanup Completed (NFA)
Facility Status Date:	01/06/1999
Release ID:	980215
Project Officer:	Richard Takaba

UST:

Facility ID:	9-601134
Owner:	KHI dba Waiakeawaena Chevron
Owner Address:	2188 Kinoole Street
Owner City,St,Zip:	Hilo, 96720 96720
Latitude:	19.684658
Longitude:	-155.069184
Horizontal Reference Datum Name:	NAD83
Horizontal Collection Method Name:	GPS

Tank ID:	87
Date Installed:	07/18/1984
Tank Status:	Currently In Use
Date Closed:	Not reported
Tank Capacity:	10000
Substance:	Gasoline

Tank ID:	89
Date Installed:	07/18/1984
Tank Status:	Currently In Use
Date Closed:	Not reported
Tank Capacity:	10000
Substance:	Gasoline

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

KHI DBA WAIKEAWAENA CHEVRON (Continued)

U001237008

Tank ID: 92
Date Installed: 07/18/1984
Tank Status: Currently In Use
Date Closed: Not reported
Tank Capacity: 10000
Substance: Gasoline

Tank ID: R-4
Date Installed: 07/18/1984
Tank Status: Permanently Out of Use
Date Closed: 09/20/2004
Tank Capacity: 1000
Substance: Used Oil

HI Financial Assurance:

Alt Facility ID: 9-601134
Tank Id: 87
Tank Status: Currently In Use
FRTYPE: Other
Expiration Date: Not reported

Alt Facility ID: 9-601134
Tank Id: 92
Tank Status: Currently In Use
FRTYPE: Other
Expiration Date: Not reported

Alt Facility ID: 9-601134
Tank Id: R-4
Tank Status: Permanently Out of Use
FRTYPE: Other
Expiration Date: Not reported

Alt Facility ID: 9-601134
Tank Id: 89
Tank Status: Currently In Use
FRTYPE: Other
Expiration Date: Not reported

Alt Facility ID: 9-601134
Tank Id: R-4
Tank Status: Permanently Out of Use
FRTYPE: Insurance
Expiration Date: 05/09/2015

Alt Facility ID: 9-601134
Tank Id: 92
Tank Status: Currently In Use
FRTYPE: Insurance
Expiration Date: 05/09/2015

Alt Facility ID: 9-601134
Tank Id: 87
Tank Status: Currently In Use
FRTYPE: Insurance
Expiration Date: 05/09/2015

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

KHI DBA WAIKEAWAENA CHEVRON (Continued)

U001237008

Alt Facility ID: 9-601134
Tank Id: 89
Tank Status: Currently In Use
FRTYPE: Insurance
Expiration Date: 05/09/2015

Count: 3 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
HILO	S107022566	HILO JUDICIARY CENTER PROJECT	KILAUEA AVE	96720	SHWS, ENG CONTROLS, INST CON1
HILO	1011487908	KILAUEA VOLCANO AIR MONITORING	KILAUEA VOLCANO		CERCLIS
HILO	S110061564	HILO SAFEWAY/TARGET	MAKAALA ST X RAILROAD AVE	96720	SHWS, ENG CONTROLS, INST CON1

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 12/16/2014	Source: EPA
Date Data Arrived at EDR: 01/08/2015	Telephone: N/A
Date Made Active in Reports: 02/09/2015	Last EDR Contact: 04/08/2015
Number of Days to Update: 32	Next Scheduled EDR Contact: 07/20/2015
	Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
Telephone: 415-947-4246

EPA Region 10
Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 12/16/2014	Source: EPA
Date Data Arrived at EDR: 01/08/2015	Telephone: N/A
Date Made Active in Reports: 02/09/2015	Last EDR Contact: 04/08/2015
Number of Days to Update: 32	Next Scheduled EDR Contact: 07/20/2015
	Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991	Source: EPA
Date Data Arrived at EDR: 02/02/1994	Telephone: 202-564-4267
Date Made Active in Reports: 03/30/1994	Last EDR Contact: 08/15/2011
Number of Days to Update: 56	Next Scheduled EDR Contact: 11/28/2011
	Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal Delisted NPL site list

DELISTED NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/16/2014	Source: EPA
Date Data Arrived at EDR: 01/08/2015	Telephone: N/A
Date Made Active in Reports: 02/09/2015	Last EDR Contact: 04/08/2015
Number of Days to Update: 32	Next Scheduled EDR Contact: 07/20/2015
	Data Release Frequency: Quarterly

Federal CERCLIS list

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 10/25/2013	Source: EPA
Date Data Arrived at EDR: 11/11/2013	Telephone: 703-412-9810
Date Made Active in Reports: 02/13/2014	Last EDR Contact: 05/29/2015
Number of Days to Update: 94	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Quarterly

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 07/21/2014	Source: Environmental Protection Agency
Date Data Arrived at EDR: 10/07/2014	Telephone: 703-603-8704
Date Made Active in Reports: 10/20/2014	Last EDR Contact: 04/08/2015
Number of Days to Update: 13	Next Scheduled EDR Contact: 07/20/2015
	Data Release Frequency: Varies

Federal CERCLIS NFRAP site List

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Date of Government Version: 10/25/2013	Source: EPA
Date Data Arrived at EDR: 11/11/2013	Telephone: 703-412-9810
Date Made Active in Reports: 02/13/2014	Last EDR Contact: 05/29/2015
Number of Days to Update: 94	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal institutional controls / engineering controls registries

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 03/16/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/17/2015	Telephone: 703-603-0695
Date Made Active in Reports: 06/02/2015	Last EDR Contact: 06/01/2015
Number of Days to Update: 77	Next Scheduled EDR Contact: 09/14/2015
	Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 03/16/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/17/2015	Telephone: 703-603-0695
Date Made Active in Reports: 06/02/2015	Last EDR Contact: 06/01/2015
Number of Days to Update: 77	Next Scheduled EDR Contact: 09/14/2015
	Data Release Frequency: Varies

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 12/03/2014	Source: Department of the Navy
Date Data Arrived at EDR: 12/12/2014	Telephone: 843-820-7326
Date Made Active in Reports: 01/29/2015	Last EDR Contact: 05/18/2015
Number of Days to Update: 48	Next Scheduled EDR Contact: 08/31/2015
	Data Release Frequency: Varies

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 03/30/2015	Source: National Response Center, United States Coast Guard
Date Data Arrived at EDR: 03/31/2015	Telephone: 202-267-2180
Date Made Active in Reports: 06/02/2015	Last EDR Contact: 03/31/2015
Number of Days to Update: 63	Next Scheduled EDR Contact: 07/13/2015
	Data Release Frequency: Annually

State- and tribal - equivalent CERCLIS

SHWS: Sites List

Facilities, sites or areas in which the Office of Hazard Evaluation and Emergency Response has an interest, has investigated or may investigate under HRS 128D (includes CERCLIS sites).

Date of Government Version: 12/02/2014	Source: Department of Health
Date Data Arrived at EDR: 12/22/2014	Telephone: 808-586-4249
Date Made Active in Reports: 01/27/2015	Last EDR Contact: 05/29/2015
Number of Days to Update: 36	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Semi-Annually

State and tribal landfill and/or solid waste disposal site lists

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SWF/LF: Permitted Landfills in the State of Hawaii

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 09/17/2012
Date Data Arrived at EDR: 04/03/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 37

Source: Department of Health
Telephone: 808-586-4245
Last EDR Contact: 04/02/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

State and tribal leaking storage tank lists

LUST: Leaking Underground Storage Tank Database

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 03/02/2015
Date Data Arrived at EDR: 03/04/2015
Date Made Active in Reports: 03/17/2015
Number of Days to Update: 13

Source: Department of Health
Telephone: 808-586-4228
Last EDR Contact: 06/01/2015
Next Scheduled EDR Contact: 09/14/2015
Data Release Frequency: Semi-Annually

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land

Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 01/30/2015
Date Data Arrived at EDR: 02/05/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 32

Source: EPA, Region 5
Telephone: 312-886-7439
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land

A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 02/01/2013
Date Data Arrived at EDR: 05/01/2013
Date Made Active in Reports: 11/01/2013
Number of Days to Update: 184

Source: EPA Region 1
Telephone: 617-918-1313
Last EDR Contact: 04/03/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 01/23/2015
Date Data Arrived at EDR: 02/10/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 31

Source: EPA Region 6
Telephone: 214-665-6597
Last EDR Contact: 01/26/2015
Next Scheduled EDR Contact: 05/11/2015
Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 09/30/2014
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 10

Source: EPA Region 4
Telephone: 404-562-8677
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 09/23/2014	Source: EPA Region 7
Date Data Arrived at EDR: 11/25/2014	Telephone: 913-551-7003
Date Made Active in Reports: 01/29/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 65	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 01/28/2015	Source: EPA Region 8
Date Data Arrived at EDR: 01/30/2015	Telephone: 303-312-6271
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 42	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Quarterly

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 01/08/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/08/2015	Telephone: 415-972-3372
Date Made Active in Reports: 02/09/2015	Last EDR Contact: 01/08/2015
Number of Days to Update: 32	Next Scheduled EDR Contact: 05/11/2015
	Data Release Frequency: Quarterly

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 02/03/2015	Source: EPA Region 10
Date Data Arrived at EDR: 02/12/2015	Telephone: 206-553-2857
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 29	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Quarterly

State and tribal registered storage tank lists

UST: Underground Storage Tank Database

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 03/02/2015	Source: Department of Health
Date Data Arrived at EDR: 03/04/2015	Telephone: 808-586-4228
Date Made Active in Reports: 03/17/2015	Last EDR Contact: 06/01/2015
Number of Days to Update: 13	Next Scheduled EDR Contact: 09/14/2015
	Data Release Frequency: Semi-Annually

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 02/03/2015	Source: EPA Region 10
Date Data Arrived at EDR: 02/12/2015	Telephone: 206-553-2857
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 29	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 12/14/2014	Source: EPA Region 9
Date Data Arrived at EDR: 02/13/2015	Telephone: 415-972-3368
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 01/26/2015
Number of Days to Update: 28	Next Scheduled EDR Contact: 05/11/2015
	Data Release Frequency: Quarterly

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 01/29/2015	Source: EPA Region 8
Date Data Arrived at EDR: 01/30/2015	Telephone: 303-312-6137
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 42	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Quarterly

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 01/23/2015	Source: EPA Region 6
Date Data Arrived at EDR: 02/13/2015	Telephone: 214-665-7591
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 01/26/2015
Number of Days to Update: 28	Next Scheduled EDR Contact: 05/11/2015
	Data Release Frequency: Semi-Annually

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 01/30/2015	Source: EPA Region 5
Date Data Arrived at EDR: 02/05/2015	Telephone: 312-886-6136
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 36	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations).

Date of Government Version: 09/30/2014	Source: EPA Region 4
Date Data Arrived at EDR: 03/03/2015	Telephone: 404-562-9424
Date Made Active in Reports: 03/13/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 10	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Semi-Annually

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 02/01/2013	Source: EPA, Region 1
Date Data Arrived at EDR: 05/01/2013	Telephone: 617-918-1313
Date Made Active in Reports: 01/27/2014	Last EDR Contact: 04/28/2015
Number of Days to Update: 271	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 09/23/2014	Source: EPA Region 7
Date Data Arrived at EDR: 11/25/2014	Telephone: 913-551-7003
Date Made Active in Reports: 01/29/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 65	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Varies

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/01/2010	Source: FEMA
Date Data Arrived at EDR: 02/16/2010	Telephone: 202-646-5797
Date Made Active in Reports: 04/12/2010	Last EDR Contact: 04/13/2015
Number of Days to Update: 55	Next Scheduled EDR Contact: 07/27/2015
	Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

ENG CONTROLS: Engineering Control Sites

A listing of sites with engineering controls in place.

Date of Government Version: 12/02/2014	Source: Department of Health
Date Data Arrived at EDR: 12/22/2014	Telephone: 404-586-4249
Date Made Active in Reports: 01/27/2015	Last EDR Contact: 05/29/2015
Number of Days to Update: 36	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Varies

INST CONTROL: Sites with Institutional Controls

Voluntary Remediation Program and Brownfields sites with institutional controls in place.

Date of Government Version: 12/02/2014	Source: Department of Health
Date Data Arrived at EDR: 12/22/2014	Telephone: 808-586-4249
Date Made Active in Reports: 01/27/2015	Last EDR Contact: 05/29/2015
Number of Days to Update: 36	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Varies

State and tribal voluntary cleanup sites

VCP: Voluntary Response Program Sites

Sites participating in the Voluntary Response Program. The purpose of the VRP is to streamline the cleanup process in a way that will encourage prospective developers, lenders, and purchasers to voluntarily cleanup properties.

Date of Government Version: 12/02/2014	Source: Department of Health
Date Data Arrived at EDR: 12/22/2014	Telephone: 808-586-4249
Date Made Active in Reports: 01/27/2015	Last EDR Contact: 05/29/2015
Number of Days to Update: 36	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Varies

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 09/29/2014	Source: EPA, Region 1
Date Data Arrived at EDR: 10/01/2014	Telephone: 617-918-1102
Date Made Active in Reports: 11/06/2014	Last EDR Contact: 04/02/2015
Number of Days to Update: 36	Next Scheduled EDR Contact: 07/13/2015
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN VCP R7: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 7
Telephone: 913-551-7365
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

State and tribal Brownfields sites

BROWNFIELDS: Brownfields Sites

With certain legal exclusions and additions, the term 'brownfield site' means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

Date of Government Version: 12/02/2014
Date Data Arrived at EDR: 12/22/2014
Date Made Active in Reports: 01/27/2015
Number of Days to Update: 36

Source: Department of Health
Telephone: 808-586-4249
Last EDR Contact: 05/29/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Varies

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 03/23/2015
Date Data Arrived at EDR: 03/24/2015
Date Made Active in Reports: 06/02/2015
Number of Days to Update: 70

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 03/24/2015
Next Scheduled EDR Contact: 07/06/2015
Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 04/23/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 05/01/2015
Next Scheduled EDR Contact: 08/17/2015
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 02/25/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 15

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 05/29/2015
Next Scheduled EDR Contact: 09/14/2015
Data Release Frequency: Quarterly

CDL: Clandestine Drug Lab Listing

A listing of clandestine drug lab site locations.

Date of Government Version: 08/04/2010
Date Data Arrived at EDR: 09/10/2010
Date Made Active in Reports: 10/22/2010
Number of Days to Update: 42

Source: Department of Health
Telephone: 808-586-4249
Last EDR Contact: 06/01/2015
Next Scheduled EDR Contact: 09/14/2015
Data Release Frequency: Varies

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 02/25/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 15

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 05/29/2015
Next Scheduled EDR Contact: 09/14/2015
Data Release Frequency: No Update Planned

Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 02/18/2014
Date Data Arrived at EDR: 03/18/2014
Date Made Active in Reports: 04/24/2014
Number of Days to Update: 37

Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/29/2014	Source: U.S. Department of Transportation
Date Data Arrived at EDR: 12/30/2014	Telephone: 202-366-4555
Date Made Active in Reports: 03/09/2015	Last EDR Contact: 03/31/2015
Number of Days to Update: 69	Next Scheduled EDR Contact: 07/13/2015
	Data Release Frequency: Annually

SPILLS: Release Notifications

Releases of hazardous substances to the environment reported to the Office of Hazard Evaluation and Emergency Response since 1988.

Date of Government Version: 12/02/2014	Source: Department of Health
Date Data Arrived at EDR: 12/22/2014	Telephone: 808-586-4249
Date Made Active in Reports: 01/28/2015	Last EDR Contact: 05/29/2015
Number of Days to Update: 37	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Varies

SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 03/10/2012	Source: FirstSearch
Date Data Arrived at EDR: 01/03/2013	Telephone: N/A
Date Made Active in Reports: 02/11/2013	Last EDR Contact: 01/03/2013
Number of Days to Update: 39	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

Other Ascertainable Records

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/09/2014	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/29/2014	Telephone: (415) 495-8895
Date Made Active in Reports: 01/29/2015	Last EDR Contact: 03/31/2015
Number of Days to Update: 31	Next Scheduled EDR Contact: 07/13/2015
	Data Release Frequency: Varies

DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012	Source: Department of Transportation, Office of Pipeline Safety
Date Data Arrived at EDR: 08/07/2012	Telephone: 202-366-4595
Date Made Active in Reports: 09/18/2012	Last EDR Contact: 05/05/2015
Number of Days to Update: 42	Next Scheduled EDR Contact: 08/17/2015
	Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 11/10/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 62

Source: USGS
Telephone: 888-275-8747
Last EDR Contact: 04/14/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Semi-Annually

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 06/06/2014
Date Data Arrived at EDR: 09/10/2014
Date Made Active in Reports: 09/18/2014
Number of Days to Update: 8

Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
Last EDR Contact: 03/13/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 04/17/2015
Date Made Active in Reports: 06/02/2015
Number of Days to Update: 46

Source: Department of Justice, Consent Decree Library
Telephone: Varies
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 11/25/2013
Date Data Arrived at EDR: 12/12/2013
Date Made Active in Reports: 02/24/2014
Number of Days to Update: 74

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 03/10/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Annually

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 09/14/2010
Date Data Arrived at EDR: 10/07/2011
Date Made Active in Reports: 03/01/2012
Number of Days to Update: 146

Source: Department of Energy
Telephone: 505-845-0011
Last EDR Contact: 05/26/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Varies

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 12/30/2014
Date Data Arrived at EDR: 12/31/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 29

Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959
Last EDR Contact: 03/06/2015
Next Scheduled EDR Contact: 06/15/2015
Data Release Frequency: Semi-Annually

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/31/2013
Date Data Arrived at EDR: 02/12/2015
Date Made Active in Reports: 06/02/2015
Number of Days to Update: 110

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 01/29/2015
Next Scheduled EDR Contact: 06/08/2015
Data Release Frequency: Annually

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 01/15/2015
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 14

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 03/27/2015
Next Scheduled EDR Contact: 07/06/2015
Data Release Frequency: Every 4 Years

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 05/20/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 05/20/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2009
Date Data Arrived at EDR: 12/10/2010
Date Made Active in Reports: 02/25/2011
Number of Days to Update: 77

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 04/10/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 01/23/2015
Date Data Arrived at EDR: 02/06/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 202-564-5088
Last EDR Contact: 04/09/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 07/01/2014
Date Data Arrived at EDR: 10/15/2014
Date Made Active in Reports: 11/17/2014
Number of Days to Update: 33

Source: EPA
Telephone: 202-566-0500
Last EDR Contact: 04/17/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Annually

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 12/29/2014
Date Data Arrived at EDR: 01/08/2015
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 21

Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Quarterly

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 02/27/2015
Date Data Arrived at EDR: 02/27/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 26

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 04/09/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 01/18/2015	Source: EPA
Date Data Arrived at EDR: 02/27/2015	Telephone: (415) 947-8000
Date Made Active in Reports: 03/25/2015	Last EDR Contact: 03/09/2015
Number of Days to Update: 26	Next Scheduled EDR Contact: 06/22/2015
	Data Release Frequency: Quarterly

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995	Source: EPA
Date Data Arrived at EDR: 07/03/1995	Telephone: 202-564-4104
Date Made Active in Reports: 08/07/1995	Last EDR Contact: 06/02/2008
Number of Days to Update: 35	Next Scheduled EDR Contact: 09/01/2008
	Data Release Frequency: No Update Planned

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 02/01/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/13/2015	Telephone: 202-564-8600
Date Made Active in Reports: 03/25/2015	Last EDR Contact: 04/27/2015
Number of Days to Update: 40	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2011	Source: EPA/NTIS
Date Data Arrived at EDR: 02/26/2013	Telephone: 800-424-9346
Date Made Active in Reports: 04/19/2013	Last EDR Contact: 05/29/2015
Number of Days to Update: 52	Next Scheduled EDR Contact: 09/07/2015
	Data Release Frequency: Biennially

UIC: Underground Injection Wells Listing

A listing of underground injection well locations.

Date of Government Version: 02/07/2013	Source: Department of Health
Date Data Arrived at EDR: 02/12/2013	Telephone: 808-586-4258
Date Made Active in Reports: 04/09/2013	Last EDR Contact: 06/01/2015
Number of Days to Update: 56	Next Scheduled EDR Contact: 09/14/2015
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

DRYCLEANERS: Permitted Drycleaner Facility Listing

A listing of permitted drycleaner facilities in the state.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 01/09/2015
Date Made Active in Reports: 02/11/2015
Number of Days to Update: 33

Source: Department of Health
Telephone: 808-586-4200
Last EDR Contact: 04/06/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

AIRS: List of Permitted Facilities

A listing of permitted facilities in the state.

Date of Government Version: 04/08/2015
Date Data Arrived at EDR: 04/10/2015
Date Made Active in Reports: 04/30/2015
Number of Days to Update: 20

Source: Department of Health
Telephone: 808-586-4200
Last EDR Contact: 04/06/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 12/08/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 34

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 04/14/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Semi-Annually

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 03/07/2011
Date Data Arrived at EDR: 03/09/2011
Date Made Active in Reports: 05/02/2011
Number of Days to Update: 54

Source: Environmental Protection Agency
Telephone: 615-532-8599
Last EDR Contact: 05/21/2015
Next Scheduled EDR Contact: 08/31/2015
Data Release Frequency: Varies

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 04/22/2013
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 6

Source: Environmental Protection Agency
Telephone: 703-308-4044
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 11/25/2014
Date Data Arrived at EDR: 11/26/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 64

Source: Environmental Protection Agency
Telephone: 703-603-8787
Last EDR Contact: 04/10/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001
Date Data Arrived at EDR: 10/27/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 36

Source: American Journal of Public Health
Telephone: 703-305-6451
Last EDR Contact: 12/02/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 10/16/2014
Date Data Arrived at EDR: 10/31/2014
Date Made Active in Reports: 11/17/2014
Number of Days to Update: 17

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Annually

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/16/2014
Date Data Arrived at EDR: 10/31/2014
Date Made Active in Reports: 11/17/2014
Number of Days to Update: 17

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Annually

COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 08/07/2009
Date Made Active in Reports: 10/22/2009
Number of Days to Update: 76

Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 04/15/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 07/01/2014
Date Data Arrived at EDR: 09/10/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 03/13/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

Financial Assurance: Financial Assurance Information Listing

A listing of financial assurance information for underground storage tank facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 03/13/2015
Date Data Arrived at EDR: 03/17/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 8

Source: Department of Health
Telephone: 808-586-4226
Last EDR Contact: 03/13/2015
Next Scheduled EDR Contact: 06/29/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 10/25/2013	Source: EPA
Date Data Arrived at EDR: 10/17/2014	Telephone: 202-564-6023
Date Made Active in Reports: 10/20/2014	Last EDR Contact: 05/14/2015
Number of Days to Update: 3	Next Scheduled EDR Contact: 08/24/2015
	Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/21/2014	Telephone: 617-520-3000
Date Made Active in Reports: 06/17/2014	Last EDR Contact: 05/07/2015
Number of Days to Update: 88	Next Scheduled EDR Contact: 08/24/2015
	Data Release Frequency: Quarterly

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005	Source: U.S. Geological Survey
Date Data Arrived at EDR: 02/06/2006	Telephone: 888-275-8747
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 04/14/2015
Number of Days to Update: 339	Next Scheduled EDR Contact: 07/27/2015
	Data Release Frequency: N/A

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 02/01/2011	Source: Environmental Protection Agency
Date Data Arrived at EDR: 10/19/2011	Telephone: 202-566-0517
Date Made Active in Reports: 01/10/2012	Last EDR Contact: 05/01/2015
Number of Days to Update: 83	Next Scheduled EDR Contact: 08/10/2015
	Data Release Frequency: Varies

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 03/09/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/10/2015	Telephone: 202-566-1917
Date Made Active in Reports: 03/25/2015	Last EDR Contact: 05/14/2015
Number of Days to Update: 15	Next Scheduled EDR Contact: 08/31/2015
	Data Release Frequency: Quarterly

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

EDR US Hist Auto Stat: EDR Exclusive Historic Gas Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR US Hist Cleaners: EDR Exclusive Historic Dry Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Health in Hawaii.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/17/2014
Number of Days to Update: 200

Source: Department of Health
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Health in Hawaii.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/08/2014
Number of Days to Update: 191

Source: Department of Health
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Health in Hawaii.

Date of Government Version: N/A

Date Data Arrived at EDR: 07/01/2013

Date Made Active in Reports: 01/03/2014

Number of Days to Update: 186

Source: Department of Health

Telephone: N/A

Last EDR Contact: 06/01/2012

Next Scheduled EDR Contact: N/A

Data Release Frequency: Varies

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

STREET AND ADDRESS INFORMATION

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GEOCHECK[®] - PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

DHHL HILO PROPERTY 3 2-2-061 002
230 MAHIAI STREET
HILO, HI 96720

TARGET PROPERTY COORDINATES

Latitude (North):	19.6762 - 19° 40' 34.32"
Longitude (West):	155.0611 - 155° 3' 39.96"
Universal Transverse Mercator:	Zone 5
UTM X (Meters):	283921.2
UTM Y (Meters):	2176829.5
Elevation:	191 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	19155-F1 HILO, HI
Most Recent Revision:	Not reported

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

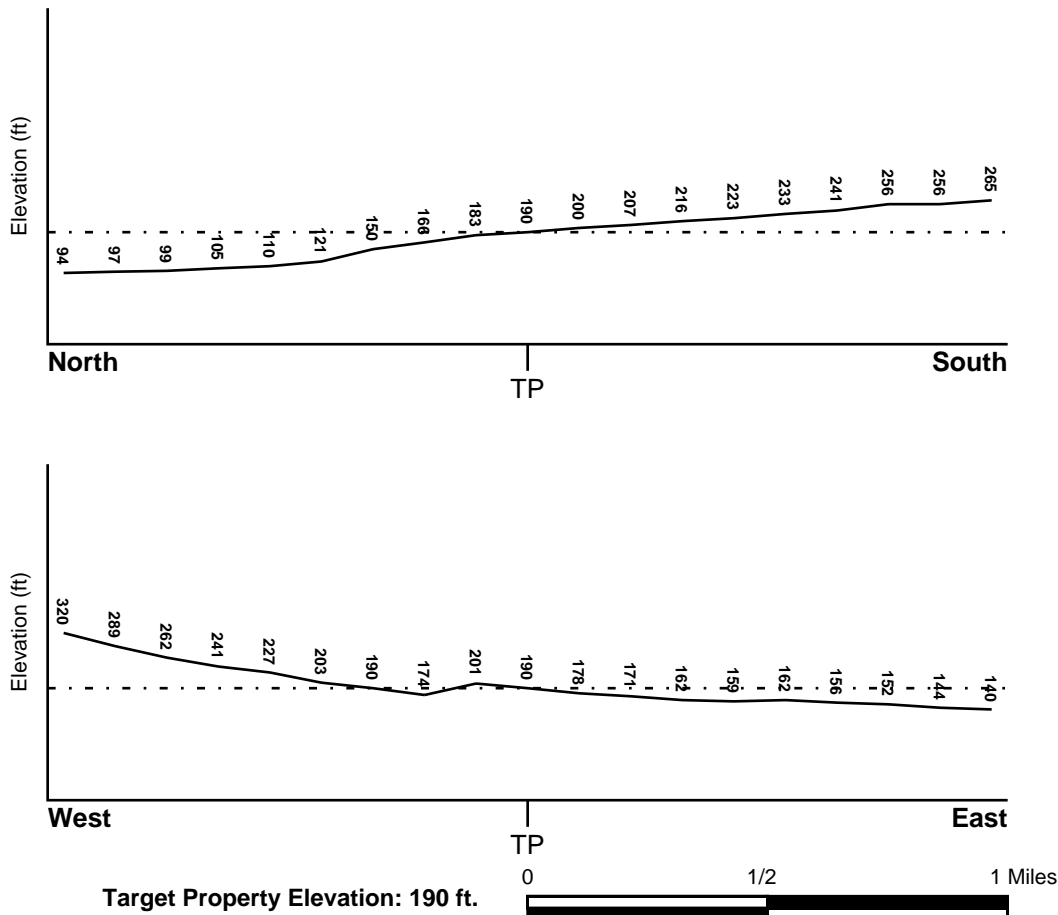
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General North

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

Target Property County
HAWAII, HI

FEMA Flood
Electronic Data
YES - refer to the Overview Map and Detail Map

Flood Plain Panel at Target Property: 1551660890C - FEMA Q3 Flood data

Additional Panels in search area: 1551660885C - FEMA Q3 Flood data
1551660880C - FEMA Q3 Flood data
1551660895C - FEMA Q3 Flood data

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property
HILO

NWI Electronic
Data Coverage
YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION</u> <u>FROM TP</u>	<u>GENERAL DIRECTION</u> <u>GROUNDWATER FLOW</u>
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

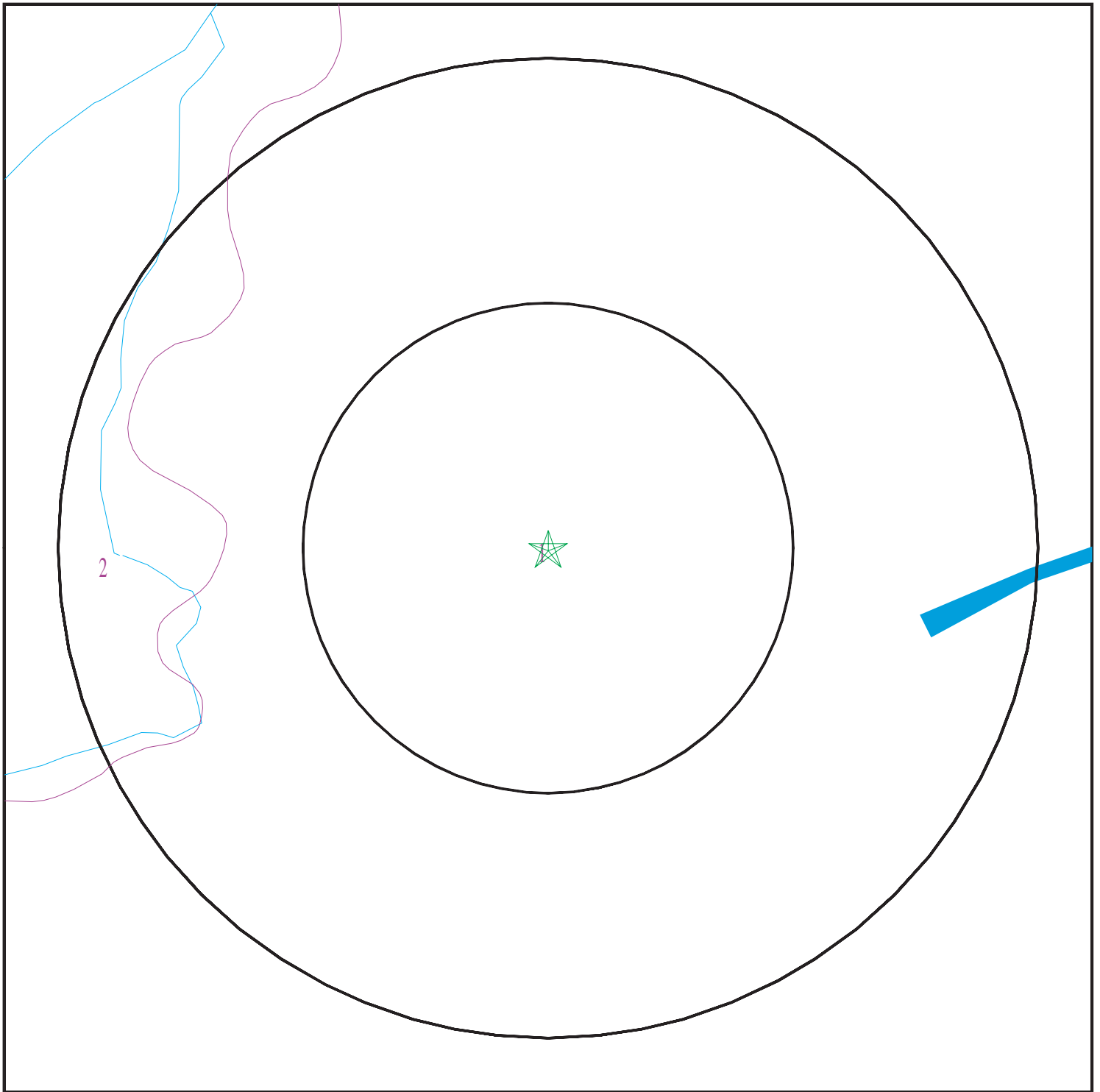
Era: -
System: -
Series: -
Code: N/A (*decoded above as Era, System & Series*)

GEOLOGIC AGE IDENTIFICATION

Category: -

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

SSURGO SOIL MAP - 4315064.2s



- ★ Target Property
- ∨ SSURGO Soil
- ∨ Water

0 1/16 1/8 1/4 Miles



SITE NAME: DHHL Hilo Property 3 2-2-061 002
ADDRESS: 230 Mahiai Street
Hilo HI 96720
LAT/LONG: 19.6762 / 155.0611

CLIENT: Element Environmental , LLC
CONTACT: Angela Peltier
INQUIRY #: 4315064.2s
DATE: June 03, 2015 9:52 pm

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: Papai

Soil Surface Texture: extremely stony muck

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 152 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches	extremely stony muck	A-8	Highly organic soils, Peat.	Max: 141 Min: 14	Max: 6.9 Min: 5.5
2	7 inches	59 inches	extremely cobbly material	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Clean gravels, Poorly Graded Gravel. COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel.	Max: 700 Min: 141.14	Max: Min:

Soil Map ID: 2

Soil Component Name: Olaa

Soil Surface Texture: silty clay loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches	silty clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Gravels, Clean gravels, Poorly Graded Gravel. COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel.	Max: 42.34 Min: 14.11	Max: 6.5 Min: 5.6
2	7 inches	25 inches	extremely stony silty clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Gravels, Clean gravels, Poorly Graded Gravel. COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel.	Max: 141.14 Min: 42.34	Max: 6.5 Min: 5.6
3	25 inches	35 inches	extremely cobbly material	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Clean gravels, Poorly Graded Gravel.	Max: 700 Min: 141.14	Max: 6.5 Min: 5.6

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

FEDERAL USGS WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
A2	USGS40000268543	0 - 1/8 Mile SSW
A3	USGS40000268541	1/8 - 1/4 Mile SSW
B7	USGS40000268542	1/4 - 1/2 Mile SSW
9	USGS40000268540	1/2 - 1 Mile ESE

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

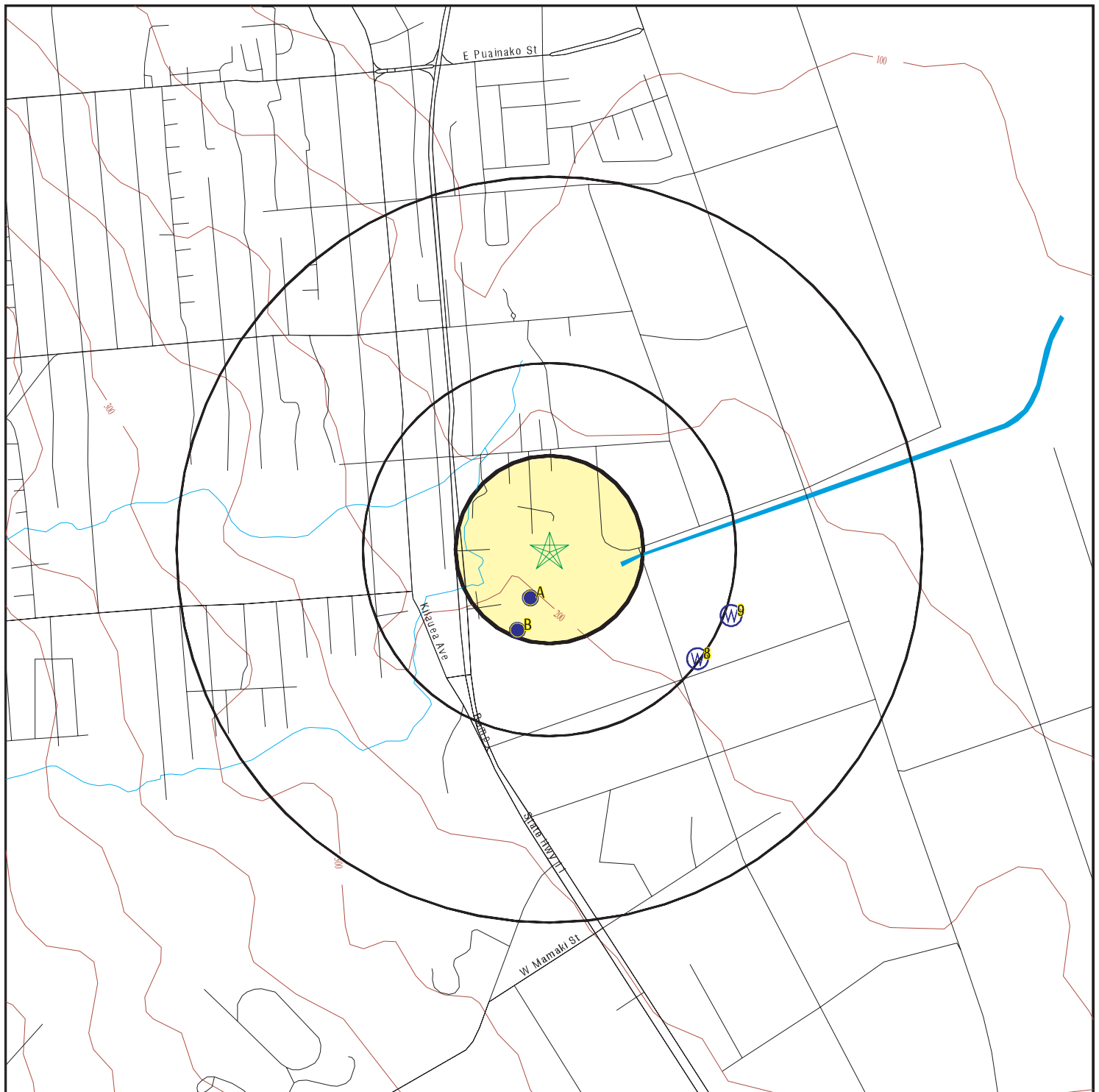
<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
A1	HI0000101	0 - 1/8 Mile SSW

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
A4	HI9000000004251	1/8 - 1/4 Mile SSW
B5	HI9000000004252	1/8 - 1/4 Mile SSW
B6	HI9000000004250	1/8 - 1/4 Mile SSW
8	HI9000000004253	1/4 - 1/2 Mile SE

PHYSICAL SETTING SOURCE MAP - 4315064.2s



- County Boundary
- Major Roads
- Contour Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons

- Groundwater Flow Direction
- Indeterminate Groundwater Flow at Location
- Groundwater Flow Varies at Location

SITE NAME: DHHL Hilo Property 3 2-2-061 002
 ADDRESS: 230 Mahiai Street
 Hilo HI 96720
 LAT/LONG: 19.6762 / 155.0611

CLIENT: Element Environmental , LLC
 CONTACT: Angela Peltier
 INQUIRY #: 4315064.2s
 DATE: June 03, 2015 9:52 pm

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

A1
SSW
0 - 1/8 Mile
Higher

FRDS PWS HI0000101

Epa region:	09	State:	HI
Pwsid:	HI0000101		
Pwsname:	HILO		
City served:	HILO	State served:	HI
Zip served:	Not Reported	Fips county:	Not Reported
Status:	Active	Pop srvd:	39658
Pwssvconn:	14421	Source:	Groundwater
Pws type:	CWS	Owner:	Local_Govt
Contact:	ANTONIO, JR., QUIRINO		
Contact or gname:	ANTONIO, JR., QUIRINO		
Contact phone:	808-961-8050	Contact address1:	DEPARTMENT OF WATER SUPPLY
Contact address2:	345 KEKUANAOA STREET, SUITE 20	Contact city:	HILO
Contact state:	HI	Contact zip:	96720
Activity code:	A		

Facid:	1		
Facname:	PIIHONUA WELLS A & B CHLORINATOR		
Facility type:	Treatment_plant	Activity code:	A
Treatment obj:	disinfection	Treatment process:	chlorination (frds-1.5)

Facid:	1495		
Facname:	SADDLE ROAD WELL A CHLORINATOR		
Facility type:	Treatment_plant	Activity code:	A
Treatment obj:	disinfection	Treatment process:	chlorination (frds-1.5)

Facid:	2		
Facname:	PIIHONUA WELL C & SADDLE RD WELL A CHLOR		
Facility type:	Treatment_plant	Activity code:	A
Treatment obj:	disinfection	Treatment process:	chlorination (frds-1.5)

Facid:	3		
Facname:	PANAEWA WELLS 1,2,3 CHLORINATOR		
Facility type:	Treatment_plant	Activity code:	A
Treatment obj:	disinfection	Treatment process:	chlorination (frds-1.5)

Facid:	5		
Facname:	PANAEWA WELL 3		
Facility type:	Treatment_plant	Activity code:	A
Treatment obj:	disinfection	Treatment process:	chlorination (frds-1.5)

Facid:	6		
Facname:	LYMAN SPRING		
Facility type:	Treatment_plant	Activity code:	I
Treatment obj:	disinfection	Treatment process:	gaseous chlorination, post

Location Information:			
Name:	HILO		
Pwstypcd:	CWS	Prmsrccd:	GW
Popserved:	37430		
Add1:	DEPARTMENT OF WATER SUPPLY		
Add2:	345 KEKUANAOA STREET, SUITE 20		
City:	HILO	State:	HI
Zip:	96720	Phone:	808-961-8050
Cityserv:	HILO	Cnty serv:	Not Reported
Stateserv:	HI	Zip serv:	Not Reported

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	01/21/2001
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	01/22/2001
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	04/16/2002
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	04/16/2002
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	07/31/2002
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2000	Enf act date:	07/21/2000
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	07/25/2002
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	07/25/2002
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2000	Enf act date:	07/13/2000
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2000	Enf act date:	04/30/2000
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	10/31/2002
Enf act detail:	St No addtl Formal Action needed	Enf act cat:	Informal

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Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	05/15/2001
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	10/31/2002
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	04/21/2002
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	10/24/2002
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2000	Enf act date:	04/20/2000
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	10/31/2002
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	11/25/2002
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	11/25/2002
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	10/26/2000
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	04/27/2001
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	01/22/2001
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

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Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	10/26/2000
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	10/23/2001
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	01/18/2002
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	10/23/2001
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	10/24/2002
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	10/31/2001
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	01/18/2002
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2002	Enf act date:	01/22/2002
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2003	Enf act date:	12/20/2002
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2000	Enf act date:	04/20/2000
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	400	Orig cd:	S
Enf fy:	2001	Enf act date:	05/15/2001
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

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Enforcement Information:

Violation id:	300	Orig cd:	S
Enf fy:	2000	Enf act date:	01/19/2000
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	300	Orig cd:	S
Enf fy:	2000	Enf act date:	01/19/2000
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	300	Orig cd:	S
Enf fy:	2000	Enf act date:	01/31/2000
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	203499	Orig cd:	S
Enf fy:	2009	Enf act date:	02/20/2009
Enf act detail:	St Public Notif received	Enf act cat:	Informal

Enforcement Information:

Violation id:	203499	Orig cd:	S
Enf fy:	2009	Enf act date:	02/06/2009
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	203499	Orig cd:	S
Enf fy:	2009	Enf act date:	02/28/2009
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving

Enforcement Information:

Violation id:	200	Orig cd:	S
Enf fy:	2000	Enf act date:	01/31/2000
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	200	Orig cd:	S
Enf fy:	2000	Enf act date:	01/19/2000
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	200	Orig cd:	S
Enf fy:	2000	Enf act date:	01/19/2000
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	100	Orig cd:	S
Enf fy:	2000	Enf act date:	01/19/2000
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	100	Orig cd:	S
Enf fy:	2000	Enf act date:	01/31/2000
Enf act detail:	St Public Notif issued	Enf act cat:	Informal

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Enforcement Information:

Violation id:	100	Orig cd:	S
Enf fy:	2000	Enf act date:	01/19/2000
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Violations Information:

Violation id:	400	Orig cd:	S
State:	HI	Viol fy:	2000
Contamcd:	0200		
Contamnm:	SWTR		
Viol code:	42		
Viol name:	Failure to Filter (SWTR)		
Rule code:	121		
Rule name:	SWTR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	01/01/2000
Cmpedt:	Not Reported		

Violations Information:

Violation id:	203499	Orig cd:	S
State:	HI	Viol fy:	2009
Contamcd:	0200		
Contamnm:	SWTR		
Viol code:	41		
Viol name:	Treatment Technique (SWTR and GWR)		
Rule code:	121		
Rule name:	SWTR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	01/01/2009
Cmpedt:	01/31/2009		

PWS ID:	HI0000101	
Date Initiated:	Not Reported	Date Deactivated: Not Reported
PWS Name:	DOW HILO DOWS 25 AUPUNI STREET HILO, HI 96720	

Addressee / Facility: System Owner/Responsible Party
MR. H. WILLIAM SEWAKE
MANAGER, HAWAII DOWS
25 AUPUNI STREET
HILO, HI 96720

Facility Latitude:	19 43 20.0000	Facility Longitude:	155 6 17.0000
Facility Latitude:	19 40 35.0000	Facility Longitude:	155 3 55.0000
Facility Latitude:	19 43 18.0000	Facility Longitude:	155 6 18.0000
Facility Latitude:	19 40 40.0000	Facility Longitude:	155 3 52.0000
Facility Latitude:	16 42 6.0000	Facility Longitude:	155 10 11.0000
Facility Latitude:	19 40 32.0000	Facility Longitude:	155 3 54.0000
City Served:	HILO		
Treatment Class:	Treated	Population:	36356

Violations information not reported.

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ENFORCEMENT INFORMATION:

Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	103	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	10/1/2002 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	11/25/2002 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	103	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	10/1/2002 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/16/2002 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	103	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	10/1/2002 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/16/2002 0:00:00
Enf action:	State No Additional Formal Action Needed		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	103	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	10/1/2002 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	12/20/2002 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	103	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	10/1/2002 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	11/25/2002 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	1/22/2002 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		

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Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/16/2002 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/23/2001 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/23/2001 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/24/2002 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/24/2002 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	7/31/2002 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		

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Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/26/2000 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/31/2001 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	10/31/2002 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/16/2002 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/16/2002 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/20/2000 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

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Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/20/2000 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/21/2002 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/27/2001 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	4/30/2000 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	5/15/2001 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	5/15/2001 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

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Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	7/13/2000 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	7/21/2000 0:00:00
Enf action:	State Public Notif Issued		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	7/25/2002 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	7/25/2002 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	1/22/2001 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		
Truedate:	03/31/2009	Pwsid:	HI0000101
Pwsname:	HILO		
Retpopsrvd:	39814	Pwstypecod:	C
Void:	400	Contaminant:	SWTR
Viol. Type:	Failure to Filter (SWTR)		
Complperbe:	1/1/2000 0:00:00		
Complperen:	10/16/2002 0:00:00	Enfdate:	1/22/2001 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Truedate: 03/31/2009	Pwsid: HI0000101
Pwsname: HILO	
Retpopsrvd: 39814	Pwstypecod: C
Void: 400	Contaminant: SWTR
Viol. Type: Failure to Filter (SWTR)	
Complperbe: 1/1/2000 0:00:00	
Complperen: 10/16/2002 0:00:00	Enfdate: 1/21/2001 0:00:00
Enf action: State Public Notif Issued	
Violmeasur: Not Reported	
Truedate: 03/31/2009	Pwsid: HI0000101
Pwsname: HILO	
Retpopsrvd: 39814	Pwstypecod: C
Void: 400	Contaminant: SWTR
Viol. Type: Failure to Filter (SWTR)	
Complperbe: 1/1/2000 0:00:00	
Complperen: 10/16/2002 0:00:00	Enfdate: 1/18/2002 0:00:00
Enf action: State Public Notif Requested	
Violmeasur: Not Reported	
Truedate: 03/31/2009	Pwsid: HI0000101
Pwsname: HILO	
Retpopsrvd: 39814	Pwstypecod: C
Void: 400	Contaminant: SWTR
Viol. Type: Failure to Filter (SWTR)	
Complperbe: 1/1/2000 0:00:00	
Complperen: 10/16/2002 0:00:00	Enfdate: 1/18/2002 0:00:00
Enf action: State Violation/Reminder Notice	
Violmeasur: Not Reported	
Truedate: 03/31/2009	Pwsid: HI0000101
Pwsname: HILO	
Retpopsrvd: 39814	Pwstypecod: C
Void: 400	Contaminant: SWTR
Viol. Type: Failure to Filter (SWTR)	
Complperbe: 1/1/2000 0:00:00	
Complperen: 10/16/2002 0:00:00	Enfdate: 10/26/2000 0:00:00
Enf action: State Violation/Reminder Notice	
Violmeasur: Not Reported	
System Name: DOW HILO	
Violation Type: Treatment Technique (SWTR)	
Contaminant: SWTR	
Compliance Period: 1999-10-01 - 1999-10-31	
Violation ID: 0000001	
Enforcement Date: 2000-01-19	Enf. Action: State Violation/Reminder Notice
System Name: DOW HILO	
Violation Type: Treatment Technique (SWTR)	
Contaminant: SWTR	
Compliance Period: 1999-11-01 - 1999-11-30	
Violation ID: 0000002	
Enforcement Date: 2000-01-19	Enf. Action: State Violation/Reminder Notice
System Name: DOW HILO	
Violation Type: Treatment Technique (SWTR)	
Contaminant: SWTR	
Compliance Period: 1999-12-01 - 1999-12-31	
Violation ID: 0000003	
Enforcement Date: 2000-01-19	Enf. Action: State Violation/Reminder Notice

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1000		
Enforcement Date:	10/26/2000 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1000		
Enforcement Date:	10/26/2000 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1000		
Enforcement Date:	10/30/2000 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/00 - 12/31/25		
Violation ID:	1000		
Enforcement Date:	10/26/00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/00 - 12/31/25		
Violation ID:	1000		
Enforcement Date:	10/26/00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/00 - 12/31/25		
Violation ID:	1000		
Enforcement Date:	10/30/00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/01 - 12/31/25		
Violation ID:	1001		
Enforcement Date:	10/31/01	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/01 - 12/31/25		
Violation ID:	1001		
Enforcement Date:	10/23/01	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/01 - 12/31/25		
Violation ID:	1001		
Enforcement Date:	10/23/01	Enf. Action:	State Violation/Reminder Notice

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1001		
Enforcement Date:	10/23/2001 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1001		
Enforcement Date:	10/31/2001 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1001		
Enforcement Date:	10/23/2001 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/02 - 10/16/02		
Violation ID:	1002		
Enforcement Date:	10/24/02	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/02 - 10/16/02		
Violation ID:	1002		
Enforcement Date:	10/31/02	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1002		
Enforcement Date:	10/31/2002 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1002		
Enforcement Date:	10/24/2002 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1002		
Enforcement Date:	10/24/2002 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1002		
Enforcement Date:	10/16/2002 0:00:00	Enf. Action:	State Compliance Achieved

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	7/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1002		
Enforcement Date:	10/16/2002 0:00:00	Enf. Action:	State No Additional Formal Action Needed
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/02 - 10/16/02		
Violation ID:	1002		
Enforcement Date:	10/16/02	Enf. Action:	State No Additional Formal Action Needed
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/02 - 10/16/02		
Violation ID:	1002		
Enforcement Date:	10/16/02	Enf. Action:	State Compliance Achieved
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	07/01/02 - 10/16/02		
Violation ID:	1002		
Enforcement Date:	10/24/02	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	101		
Enforcement Date:	1/21/2001 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	101		
Enforcement Date:	1/22/2001 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	101		
Enforcement Date:	1/22/2001 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/00 - 12/31/25		
Violation ID:	101		
Enforcement Date:	01/22/01	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/00 - 12/31/25		
Violation ID:	101		
Enforcement Date:	01/21/01	Enf. Action:	State Public Notif Issued

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/00 - 12/31/25		
Violation ID:	101		
Enforcement Date:	01/22/01	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/01 - 12/31/25		
Violation ID:	102		
Enforcement Date:	01/22/02	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/01 - 12/31/25		
Violation ID:	102		
Enforcement Date:	01/18/02	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	102		
Enforcement Date:	1/18/2002 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	102		
Enforcement Date:	1/18/2002 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	102		
Enforcement Date:	1/22/2002 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/01 - 12/31/25		
Violation ID:	102		
Enforcement Date:	01/18/02	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/02 - 10/16/02		
Violation ID:	103		
Enforcement Date:	10/16/02	Enf. Action:	State No Additional Formal Action Needed
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/02 - 10/16/02		
Violation ID:	103		
Enforcement Date:	10/16/02	Enf. Action:	State Compliance Achieved

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/02 - 10/16/02		
Violation ID:	103		
Enforcement Date:	11/25/02	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/02 - 10/16/02		
Violation ID:	103		
Enforcement Date:	11/25/02	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/01/02 - 10/16/02		
Violation ID:	103		
Enforcement Date:	12/20/02	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	103		
Enforcement Date:	10/16/2002 0:00:00	Enf. Action:	State No Additional Formal Action Needed
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	103		
Enforcement Date:	10/16/2002 0:00:00	Enf. Action:	State Compliance Achieved
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	103		
Enforcement Date:	11/25/2002 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	103		
Enforcement Date:	11/25/2002 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	10/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	103		
Enforcement Date:	12/20/2002 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/00 - 12/31/25		
Violation ID:	1100		
Enforcement Date:	10/26/00	Enf. Action:	State Public Notif Requested

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1100		
Enforcement Date:	10/30/2000 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1100		
Enforcement Date:	10/26/2000 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2000 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1100		
Enforcement Date:	10/26/2000 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/00 - 12/31/25		
Violation ID:	1100		
Enforcement Date:	10/26/00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/00 - 12/31/25		
Violation ID:	1100		
Enforcement Date:	10/30/00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1101		
Enforcement Date:	10/23/2001 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1101		
Enforcement Date:	10/23/2001 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2001 0:00:00 - 12/31/2025 0:00:00		
Violation ID:	1101		
Enforcement Date:	10/31/2001 0:00:00	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/01 - 12/31/25		
Violation ID:	1101		
Enforcement Date:	10/31/01	Enf. Action:	State Public Notif Issued

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/01 - 12/31/25		
Violation ID:	1101		
Enforcement Date:	10/23/01	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/01 - 12/31/25		
Violation ID:	1101		
Enforcement Date:	10/23/01	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/02 - 10/16/02		
Violation ID:	1102		
Enforcement Date:	10/16/02	Enf. Action:	State Compliance Achieved
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1102		
Enforcement Date:	10/24/2002 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/02 - 10/16/02		
Violation ID:	1102		
Enforcement Date:	10/24/02	Enf. Action:	State Public Notif Requested
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/02 - 10/16/02		
Violation ID:	1102		
Enforcement Date:	10/31/02	Enf. Action:	State Public Notif Issued
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	08/01/02 - 10/16/02		
Violation ID:	1102		
Enforcement Date:	10/24/02	Enf. Action:	State Violation/Reminder Notice
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1102		
Enforcement Date:	10/16/2002 0:00:00	Enf. Action:	State Compliance Achieved
System Name:	HILO		
Violation Type:	Failure to Filter (SWTR)		
Contaminant:	SWTR		
Compliance Period:	8/1/2002 0:00:00 - 10/16/2002 0:00:00		
Violation ID:	1102		
Enforcement Date:	10/16/2002 0:00:00	Enf. Action:	State No Additional Formal Action Needed

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

CONTACT INFORMATION:

Name:	HILO	Population:	39814
Contact:	PAVAO, MILTON D.	Phone:	808-961-8050
Address:	Department of Water Supply		
Address 2:	345 Kekuanaoa Street, Suite 20		
	HILO, HI 96720		

A2
SSW
0 - 1/8 Mile
Higher

FED USGS **USGS40000268543**

Org. Identifier:	USGS-HI		
Formal name:	USGS Hawaii Water Science Center		
Monloc Identifier:	USGS-194040155035201		
Monloc name:	8-4003-02 Panaewa 2, HI		
Monloc type:	Well		
Monloc desc:	Not Reported		
Huc code:	20010000	Drainagearea value:	Not Reported
Drainagearea Units:	Not Reported	Contrib drainagearea:	Not Reported
Contrib drainagearea units:	Not Reported	Latitude:	19.6747415
Longitude:	-155.061675	Sourcemap scale:	24000
Horiz Acc measure:	1	Horiz Acc measure units:	seconds
Horiz Collection method:	Interpolated from map		
Horiz coord refsyz:	NAD83	Vert measure val:	201.0
Vert measure units:	feet	Vertacc measure val:	.1
Vert accmeasure units:	feet		
Vertcollection method:	Level or other surveying method		
Vert coord refsyz:	HILOCAL	Countrycode:	US
Aquifername:	Hawaii volcanic-rock aquifers		
Formation type:	Not Reported		
Aquifer type:	Not Reported		
Construction date:	19680401	Welldepth:	301
Welldepth units:	ft	Wellholedepth:	301
Wellholedepth units:	ft		

Ground-water levels, Number of Measurements: 0

A3
SSW
1/8 - 1/4 Mile
Higher

FED USGS **USGS40000268541**

Org. Identifier:	USGS-HI		
Formal name:	USGS Hawaii Water Science Center		
Monloc Identifier:	USGS-194037155035301		
Monloc name:	8-4003-01 Panaewa 1, HI		
Monloc type:	Well		
Monloc desc:	former local no. W8-3		
Huc code:	20010000	Drainagearea value:	Not Reported
Drainagearea Units:	Not Reported	Contrib drainagearea:	Not Reported
Contrib drainagearea units:	Not Reported	Latitude:	19.6739082
Longitude:	-155.0619528	Sourcemap scale:	24000

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Horiz Acc measure:	1	Horiz Acc measure units:	seconds
Horiz Collection method:	Interpolated from map		
Horiz coord refsys:	NAD83	Vert measure val:	206.1
Vert measure units:	feet	Vertacc measure val:	.1
Vert accmeasure units:	feet		
Vertcollection method:	Level or other surveying method		
Vert coord refsys:	HILOCAL	Countrycode:	US
Aquifername:	Hawaii volcanic-rock aquifers		
Formation type:	Not Reported		
Aquifer type:	Not Reported		
Construction date:	19631004	Welldepth:	306
Welldepth units:	ft	Wellholedepth:	306
Wellholedepth units:	ft		

Ground-water levels, Number of Measurements: 0

A4
SSW
1/8 - 1/4 Mile
Higher

HI WELLS HI9000000004251

Wid:	8-4003-002	Island:	Hawaii
Well name:	Panaewa Well #2	Old name:	Panaewa 2
Yr drilled:	1968		
Driller:	Roscoe Moss Hawaii Inc		
Quad map:	67		
Long83dd:	-155.062222		
Lat83dd:	19.673889		
Gps:	-1	Utm:	0
Owner user:	Department of Water Supply Hawaii - Hilo, HDWS		
Land owner:	Department of Water Supply Hawaii - Hilo, HDWS		
Pump insta:	Water Resources International, Inc.		
Old number:	8-3B	Well type:	PER
Casing dia:	18	Ground el:	201
Well depth:	302		
Solid case:	212	Perf case:	300
Use:	MUN - County		
Use year:	Not Reported		
Init head:	13.1	Init head2:	Not Reported
Init head3:	Not Reported		
Init cl:	0		
Test date:	Not Reported	Test gpm:	3000
Test ddown:	4.4	Test chlor:	8
Test temp:	19.5	Test unit:	C
Pump gpm:	2200		
Draft mgy:	Not Reported	Head feet:	Not Reported
Max chlor:	Not Reported	Min chlor:	Not Reported
Geology:	QKL		
Pump yr:	1976		
Draft yr:	Not Reported	Bot hole:	-101
Bot solid:	-11	Bot perf:	-99
Spec capac:	Not Reported		
Pump mgd:	3.168		
Draft mgd:	Not Reported	Pump elev:	-9
Pump depth:	210	Tmk:	(3) 2-2-048:006
Aqui code:	80402		
Latest hd:	Not Reported	Wcr:	18-APR-68
Pir:	3/24/2011		
Surveyor:	Not Reported		
T:	Not Reported	Site id:	HI9000000004251

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

B5
SSW
1/8 - 1/4 Mile
Higher

HI WELLS HI9000000004252

Wid:	8-4003-003	Island:	Hawaii
Well name:	Panaewa Well #3	Old name:	Panaewa 3
Yr drilled:	1983		
Driller:	Big Island Drilling		
Quad map:	67		
Long83dd:	-155.0625		
Lat83dd:	19.673333		
Gps:	-1	Utm:	0
Owner user:	Department of Water Supply Hawaii - Hilo, HDWS		
Land owner:	Department of Water Supply Hawaii - Hilo, HDWS		
Pump insta:	Robert Beylik (Beylik Drilling & Pump Service Inc.)		
Old number:	Not Reported	Well type:	PER
Casing dia:	18	Ground el:	206
Well depth:	303		
Solid case:	222	Perf case:	302
Use:	MUN - County		
Use year:	Not Reported		
Init head:	12.2	Init head2:	Not Reported
Init head3:	Not Reported		
Init cl:	0		
Test date:	4/4/1983	Test gpm:	3000
Test ddown:	8.2	Test chlor:	3
Test temp:	20.6	Test unit:	C
Pump gpm:	2100		
Draft mgy:	Not Reported	Head feet:	Not Reported
Max chlor:	Not Reported	Min chlor:	Not Reported
Geology:	Not Reported		
Pump yr:	0		
Draft yr:	Not Reported	Bot hole:	-97
Bot solid:	-16	Bot perf:	-96
Spec capac:	366		
Pump mgd:	3.024		
Draft mgd:	Not Reported	Pump elev:	-26
Pump depth:	231	Tmk:	(3) 2-2-048:006
Aqui code:	80402		
Latest hd:	Not Reported	Wcr:	14-MAR-83
Pir:	Not Reported		
Surveyor:	Not Reported		
T:	Not Reported	Site id:	HI9000000004252

B6
SSW
1/8 - 1/4 Mile
Higher

HI WELLS HI9000000004250

Wid:	8-4003-001	Island:	Hawaii
Well name:	Panaewa Well #1	Old name:	Panaewa 1
Yr drilled:	1963		
Driller:	Goodfellow Construction, Inc. Corporate		
Quad map:	66		
Long83dd:	-155.0625		
Lat83dd:	19.673333		
Gps:	-1	Utm:	0
Owner user:	Department of Water Supply Hawaii - Hilo, HDWS		
Land owner:	Department of Water Supply Hawaii - Hilo, HDWS		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Pump insta:	Not Reported	Well type:	PER
Old number:	8-3A	Ground el:	206
Casing dia:	16		
Well depth:	306	Perf case:	306
Solid case:	220		
Use:	MUN - County		
Use year:	Not Reported	Init head2:	Not Reported
Init head:	13.12		
Init head3:	Not Reported		
Init cl:	0		
Test date:	10/23/1963	Test gpm:	2200
Test ddown:	1.6	Test chlor:	8
Test temp:	20	Test unit:	C
Pump gpm:	1500		
Draft mgy:	Not Reported	Head feet:	Not Reported
Max chlor:	Not Reported	Min chlor:	Not Reported
Geology:	QKL		
Pump yr:	1976		
Draft yr:	Not Reported	Bot hole:	-100
Bot solid:	-14	Bot perf:	-100
Spec capac:	1375		
Pump mgd:	2.16		
Draft mgd:	Not Reported	Pump elev:	Not Reported
Pump depth:	Not Reported	Trmk:	(3) 2-2-048:006
Aqui code:	80402		
Latest hd:	Not Reported	Wcr:	04-OCT-63
Pir:	Not Reported		
Surveyor:	Not Reported		
T:	Not Reported	Site id:	HI9000000004250

**B7
SSW
1/4 - 1/2 Mile
Higher**

FED USGS USGS40000268542

Org. Identifier:	USGS-HI		
Formal name:	USGS Hawaii Water Science Center		
Monloc Identifier:	USGS-194039155035601		
Monloc name:	8-4003-03 Panaewa 3, HI		
Monloc type:	Well		
Monloc desc:	Not Reported		
Huc code:	20010000	Drainagearea value:	Not Reported
Drainagearea Units:	Not Reported	Contrib drainagearea:	Not Reported
Contrib drainagearea units:	Not Reported	Latitude:	19.6725194
Longitude:	-155.0622305	Sourcemap scale:	24000
Horiz Acc measure:	1	Horiz Acc measure units:	seconds
Horiz Collection method:	Interpolated from map		
Horiz coord refs:	NAD83	Vert measure val:	205.0
Vert measure units:	feet	Vertacc measure val:	.5
Vert accmeasure units:	feet		
Vertcollection method:	Level or other surveying method		
Vert coord refs:	HILOCAL	Countrycode:	US
Aquifername:	Not Reported		
Formation type:	Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Aquifer type:	Not Reported	Welldepth:	303
Construction date:	19830310	Wellholeddepth:	303
Welldepth units:	ft		
Wellholeddepth units:	ft		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel

1983-03-10	192.80	

8
SE
1/4 - 1/2 Mile
Higher

HI WELLS HI9000000004253

Wid:	8-4003-004	Island:	Hawaii
Well name:	Toyama Gardens	Old name:	Not Reported
Yr drilled:	1988		
Driller:	Paul Frandsen (American Drilling)		
Quad map:	67		
Long83dd:	-155.055		
Lat83dd:	19.671944		
Gps:	0	Utm:	-1
Owner user:	Mark Mattos (Nani Mau Gardens)		
Land owner:	Not Reported		
Pump insta:	Not Reported		
Old number:	Not Reported	Well type:	PER
Casing dia:	10	Ground el:	195
Well depth:	235		
Solid case:	200	Perf case:	235
Use:	UNU - Unused		
Use year:	Not Reported		
Init head:	8	Init head2:	Not Reported
Init head3:	Not Reported		
Init cl:	14		
Test date:	Not Reported	Test gpm:	Not Reported
Test ddown:	Not Reported	Test chlor:	Not Reported
Test temp:	Not Reported	Test unit:	Not Reported
Pump gpm:	0		
Draft mgy:	Not Reported	Head feet:	Not Reported
Max chlor:	Not Reported	Min chlor:	Not Reported
Geology:	Not Reported		
Pump yr:	0		
Draft yr:	Not Reported	Bot hole:	-40
Bot solid:	-5	Bot perf:	-40
Spec capac:	Not Reported		
Pump mgd:	0		
Draft mgd:	Not Reported	Pump elev:	Not Reported
Pump depth:	Not Reported	Tmk:	(3) 2-2-048:013
Aqui code:	80402		
Latest hd:	Not Reported	Wcr:	01-JAN-88
Pir:	Not Reported		
Surveyor:	Not Reported		
T:	Not Reported	Site id:	HI9000000004253

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

9
ESE
1/2 - 1 Mile
Lower

FED USGS USGS40000268540

Org. Identifier:	USGS-HI		
Formal name:	USGS Hawaii Water Science Center		
Monloc Identifier:	USGS-194036155032301		
Monloc name:	8-4003-04 TOYAMA GARDENS		
Monloc type:	Well		
Monloc desc:	Not Reported		
Huc code:	20010000	Drainagearea value:	Not Reported
Drainagearea Units:	Not Reported	Contrib drainagearea:	Not Reported
Contrib drainagearea units:	Not Reported	Latitude:	19.6736304
Longitude:	-155.0536196	Sourcemap scale:	24000
Horiz Acc measure:	1	Horiz Acc measure units:	seconds
Horiz Collection method:	Interpolated from map		
Horiz coord refsys:	NAD83	Vert measure val:	195.
Vert measure units:	feet	Vertacc measure val:	1
Vert accmeasure units:	feet		
Vertcollection method:	Level or other surveying method		
Vert coord refsys:	HILOCAL	Countrycode:	US
Aquifername:	Not Reported		
Formation type:	Not Reported		
Aquifer type:	Not Reported		
Construction date:	19880624	Welldepth:	235
Welldepth units:	ft	Wellholedepth:	235
Wellholedepth units:	ft		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
1988-06-24	187.	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

AREA RADON INFORMATION

Federal EPA Radon Zone for HAWAII County: 3

Note: Zone 1 indoor average level > 4 pCi/L.

: Zone 2 indoor average level \geq 2 pCi/L and \leq 4 pCi/L.

: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for Zip Code: 96720

Number of sites tested: 43

<u>Area</u>	<u>Average Activity</u>	<u>% <4 pCi/L</u>	<u>% 4-20 pCi/L</u>	<u>% >20 pCi/L</u>
Living Area - 1st Floor	-0.112 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	-0.106 pCi/L	100%	0%	0%

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

HYDROGEOLOGIC INFORMATION

AQUIFLOW^R Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Services, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Well Index Database

Source: Commission on Water Resource Management

Telephone: 808-587-0214

CWRM maintains a Well Index Database to track specific information pertaining to the construction and installation of production wells in Hawaii

OTHER STATE DATABASE INFORMATION

RADON

Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRRA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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The EDR Aerial Photo Decade Package

DHHL Hilo Property 3 2-2-061 002

230 Mahiai Street

Hilo, HI 96720

Inquiry Number: 4315064.9

June 04, 2015

The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th Floor
Shelton, Connecticut 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

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Date EDR Searched Historical Sources:

Aerial Photography June 04, 2015

Target Property:

230 Mahiai Street

Hilo, HI 96720

<u><i>Year</i></u>	<u><i>Scale</i></u>	<u><i>Details</i></u>	<u><i>Source</i></u>
1954	Aerial Photograph. Scale: 1"=500'	Flight Date: April 10, 1954	EDR
1965	Aerial Photograph. Scale: 1"=500'	Flight Date: January 16, 1965	EDR
1975	Aerial Photograph. Scale: 1"=500'	Flight Date: July 17, 1975	USGS
1977	Aerial Photograph. Scale: 1"=1000'	Flight Date: January 03, 1977	EDR
1987	Aerial Photograph. Scale: 1"=1000'	Flight Date: March 22, 1987	EDR
1992	Aerial Photograph. Scale: 1"=500'	Flight Date: September 23, 1992	USGS



INQUIRY #: 4315064.9

YEAR: 1954

| = 500'





INQUIRY #: 4315064.9

YEAR: 1965

| = 500'





INQUIRY #: 4315064.9

YEAR: 1975

| = 500'



GS-VEEC

An aerial photograph showing a rural landscape. A road runs vertically on the left side of the image. The terrain is a mix of dark, wooded areas and lighter, open fields. The text 'GS-VEEC' is overlaid in large white letters at the top.

INQUIRY #: 4315064.9

YEAR: 1977

| = 1000'





INQUIRY #: 4315064.9

YEAR: 1987

| = 1000'





INQUIRY #: 4315064.9

YEAR: 1992

| = 500'



Certified Sanborn® Map Report

DHHL Hilo Property 3 2-2-061 002

230 Mahiai Street

Hilo, HI 96720

Inquiry Number: 4315064.3

June 03, 2015

Certified Sanborn® Map Report



6 Armstrong Road, 4th Floor
Shelton, Connecticut 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

6/03/15

Site Name:

DHHL Hilo Property 3 2-2-061
230 Mahiai Street
Hilo, HI 96720

Client Name:

Element Environmental , LLC
98-030 Hekaha Street
Aiea, HI 96701-0000



EDR Inquiry # 4315064.3

Contact: Angela Peltier

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Certified Sanborn Results:

Site Name: DHHL Hilo Property 3 2-2-061 002
Address: 230 Mahiai Street
City, State, Zip: Hilo, HI 96720
Cross Street:
P.O. # 150024
Project: 150024 DHHL Phase I ESA
Certification # 0A6D-4B4B-9B8A



Sanborn® Library search results
Certification # 0A6D-4B4B-9B8A

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- ☒ Library of Congress
- ☒ University Publications of America
- ☒ EDR Private Collection

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EDR Historical Topographic Map Report

DHHL Hilo Property 3 2-2-061 002

230 Mahiai Street

Hilo, HI 96720

Inquiry Number: 4315064.4

June 04, 2015

EDR Historical Topographic Map Report



6 Armstrong Road, 4th Floor
Shelton, Connecticut 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Historical Topographic Map Report

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Please contact EDR at 1-800-352-0050
with any questions or comments.

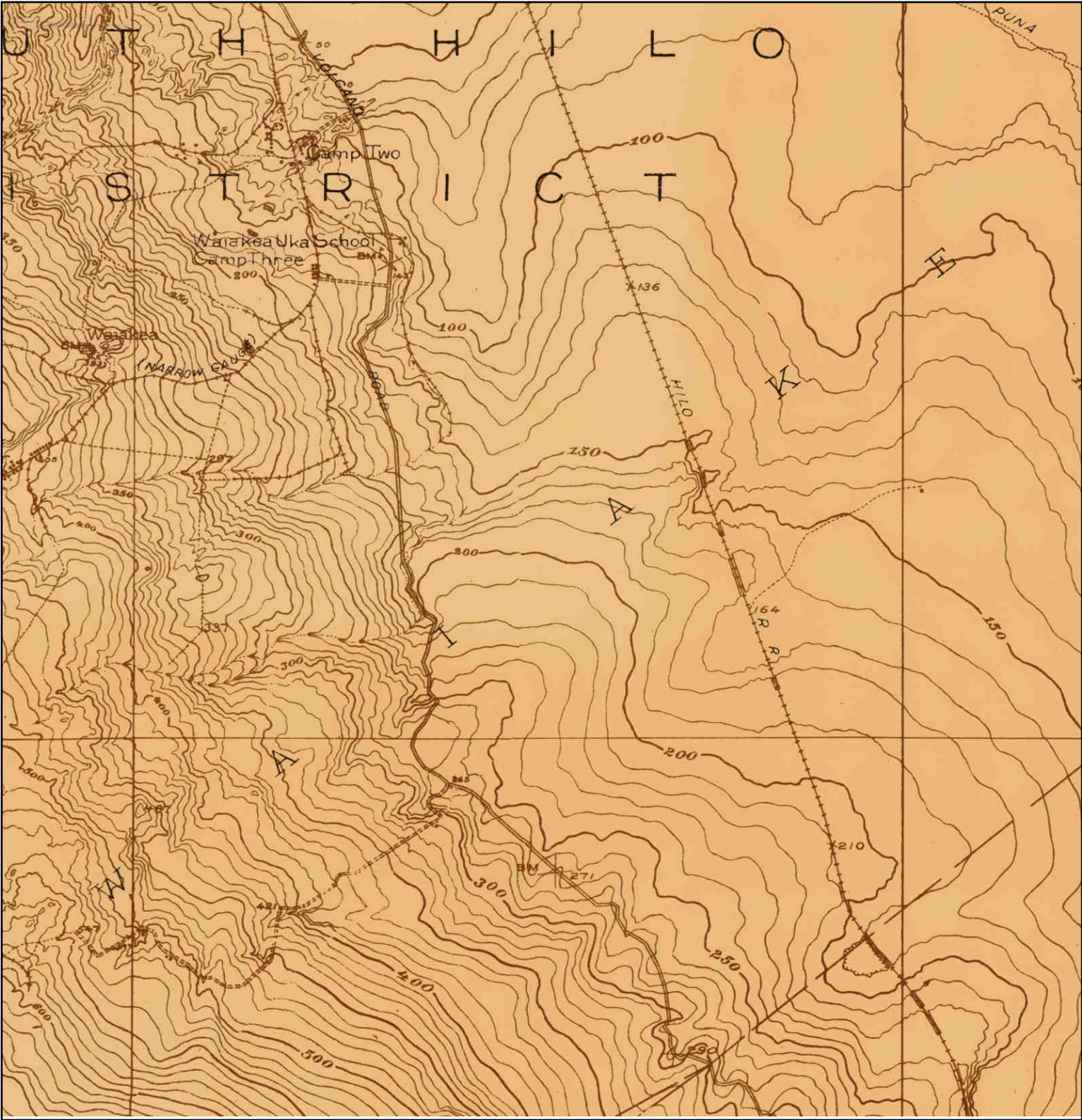
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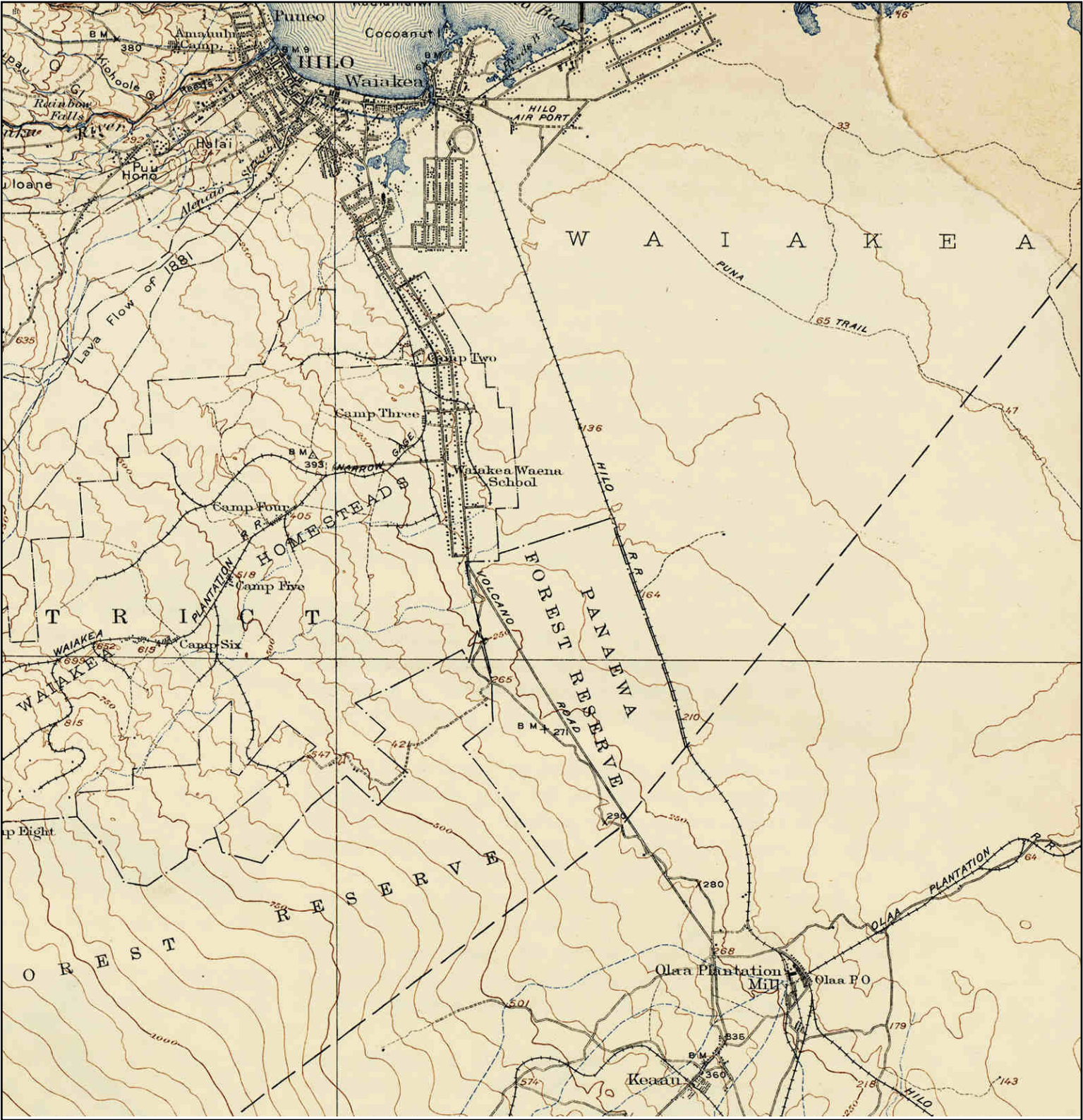
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Historical Topographic Map



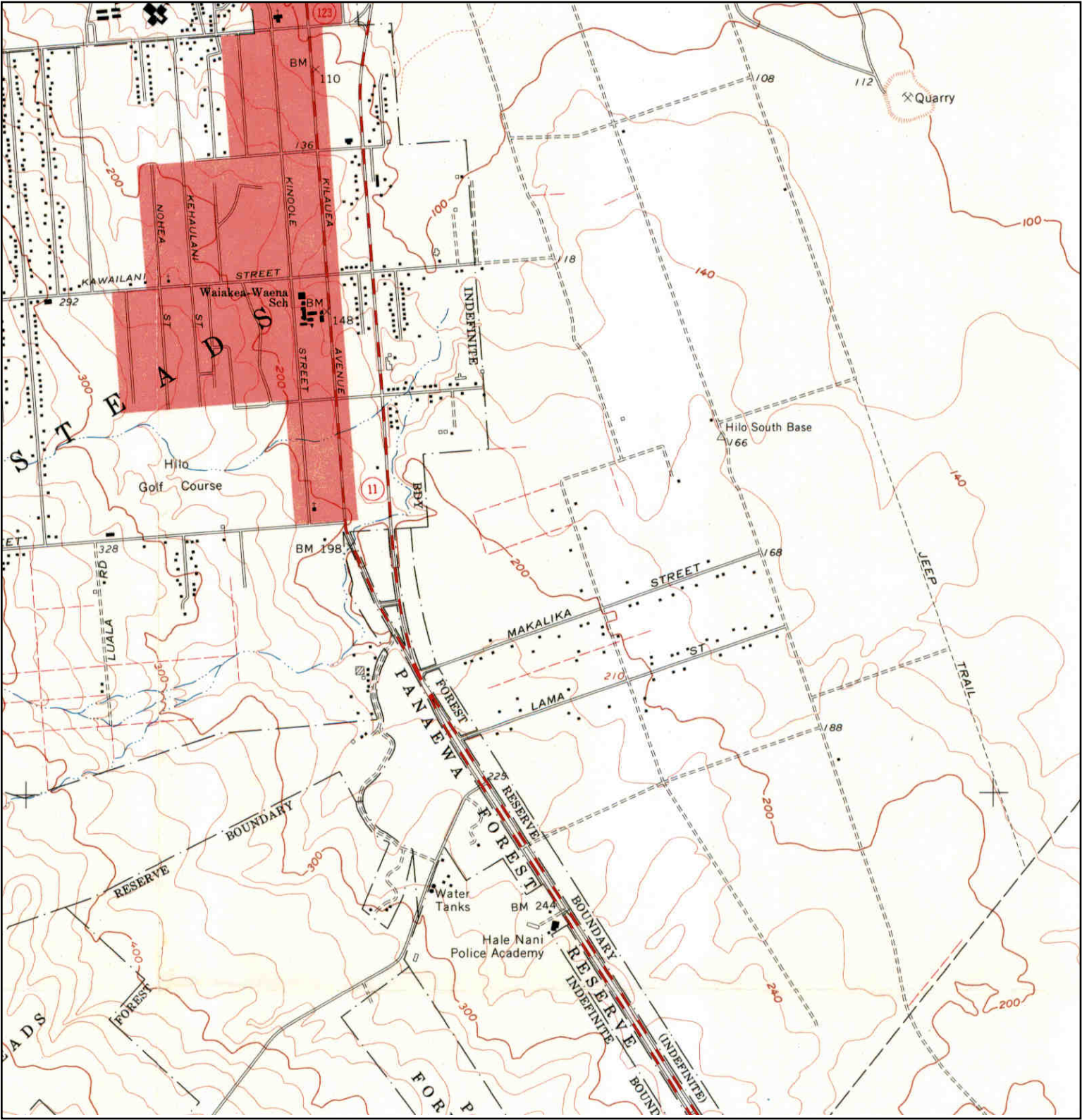
	TARGET QUAD	SITE NAME: DHHL Hilo Property 3	CLIENT: Element Environmental , LLC
	NAME: WAIAKEA	2-2-061 002	CONTACT: Angela Peltier
	MAP YEAR: 1914	ADDRESS: 230 Mahiai Street	INQUIRY#: 4315064.4
		Hilo, HI 96720	RESEARCH DATE: 06/04/2015
	SERIES: 7.5	LAT/LONG: 19.6762 / -155.0611	
	SCALE: 1:31680		


Historical Topographic Map



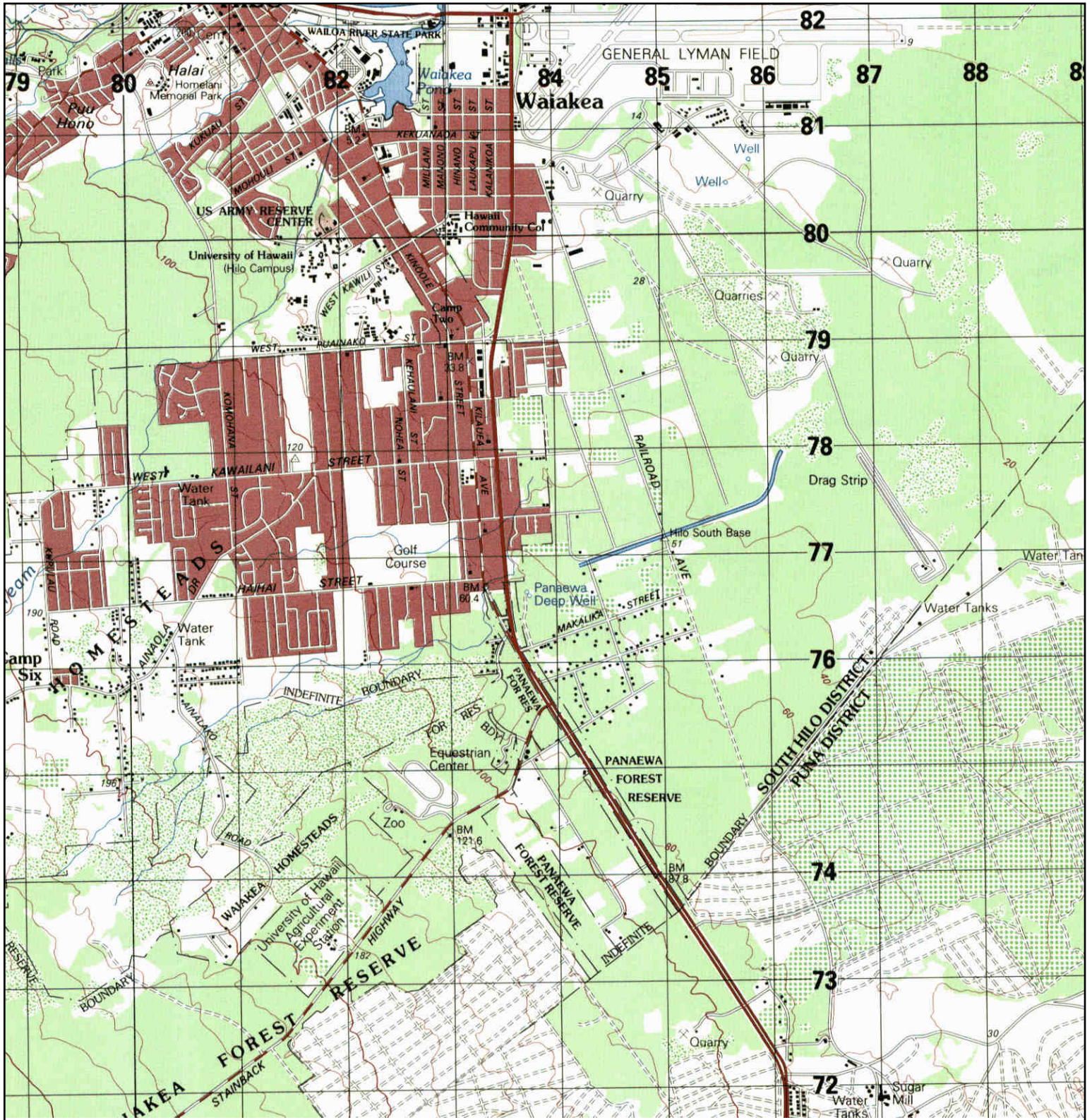
	TARGET QUAD	SITE NAME:	DHHL Hilo Property 3	CLIENT:	Element Environmental , LLC
	NAME: HILO		2-2-061 002	CONTACT:	Angela Peltier
	MAP YEAR: 1932	ADDRESS:	230 Mahiai Street	INQUIRY#:	4315064.4
			Hilo, HI 96720	RESEARCH DATE:	06/04/2015
	SERIES: 15	LAT/LONG:	19.6762 / -155.0611		
	SCALE: 1:62500				

Historical Topographic Map



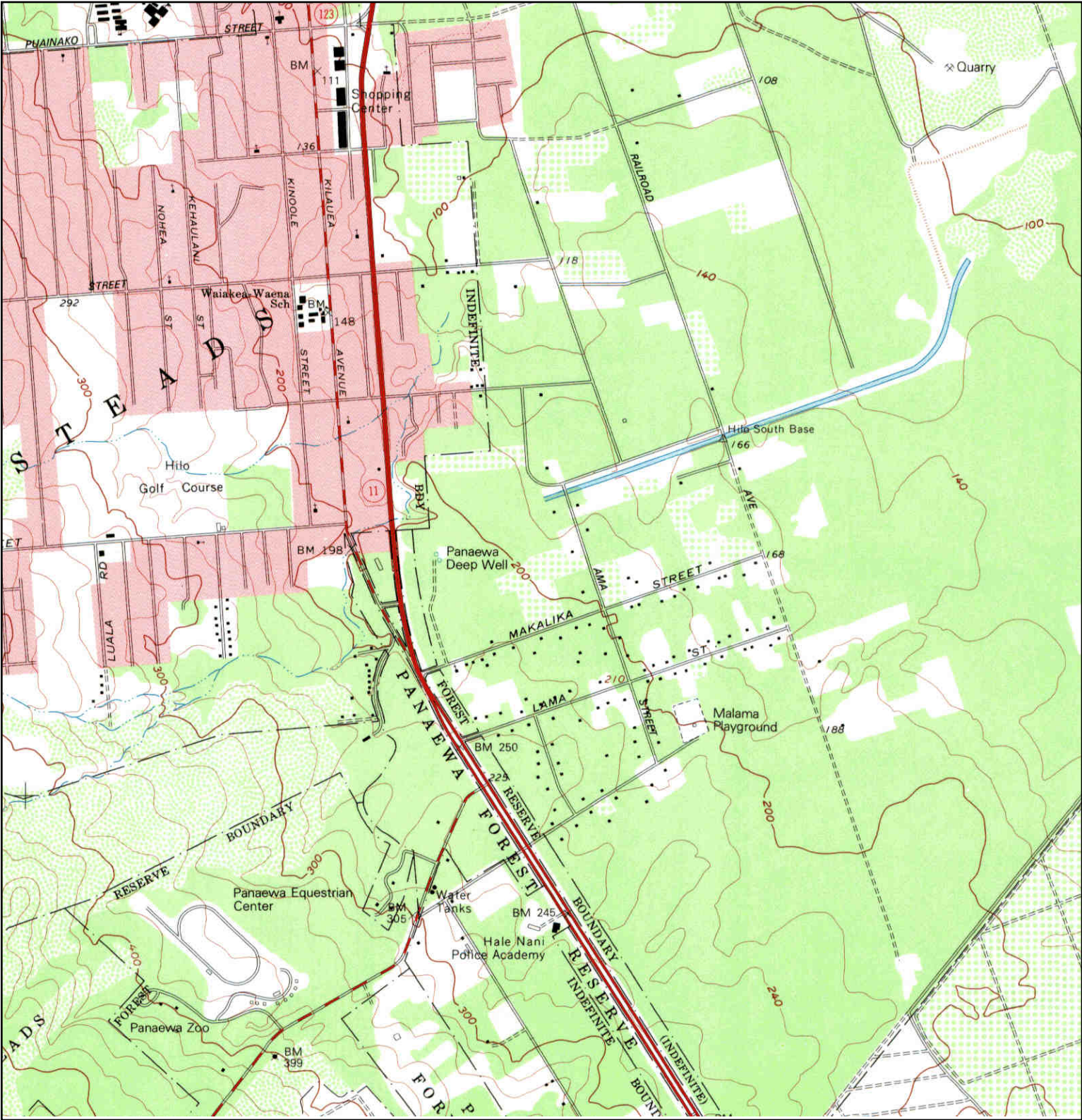
	TARGET QUAD	SITE NAME:	DHHL Hilo Property 3	CLIENT:	Element Environmental , LLC
	NAME: HILO		2-2-061 002	CONTACT:	Angela Peltier
	MAP YEAR: 1963	ADDRESS:	230 Mahiai Street	INQUIRY#:	4315064.4
			Hilo, HI 96720	RESEARCH DATE:	06/04/2015
	SERIES: 7.5	LAT/LONG:	19.6762 / -155.0611		
	SCALE: 1:24000				

Historical Topographic Map



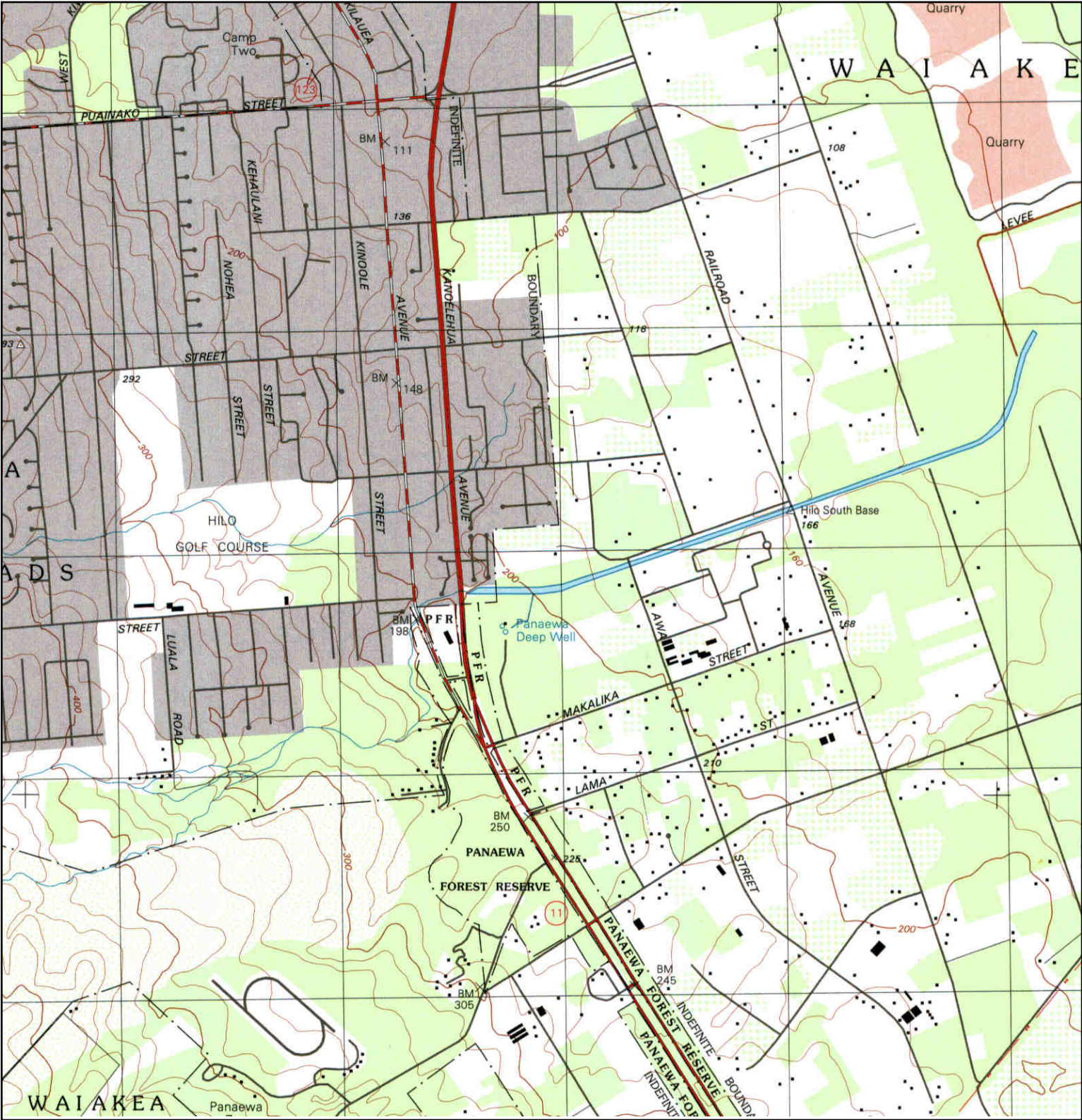
<p>N ↑</p>	<p>TARGET QUAD NAME: HILO MAP YEAR: 1980 SERIES: 15 SCALE: 1:50000</p>	<p>SITE NAME: DHHL Hilo Property 3 2-2-061 002 ADDRESS: 230 Mahiai Street Hilo, HI 96720 LAT/LONG: 19.6762 / -155.0611</p>	<p>CLIENT: Element Environmental , LLC CONTACT: Angela Peltier INQUIRY#: 4315064.4 RESEARCH DATE: 06/04/2015</p>
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Historical Topographic Map



<div><div>N</div><div>↑</div></div>	TARGET QUAD	SITE NAME:	DHHL Hilo Property 3	CLIENT:	Element Environmental , LLC
	NAME: HILO	ADDRESS:	2-2-061 002	CONTACT:	Angela Peltier
	MAP YEAR: 1981	LAT/LONG:	19.6762 / -155.0611	INQUIRY#:	4315064.4
	SERIES: 7.5			RESEARCH DATE:	06/04/2015
	SCALE: 1:24000				

Historical Topographic Map



<div>N</div> <div>↑</div>	TARGET QUAD	SITE NAME:	DHHL Hilo Property 3	CLIENT:	Element Environmental , LLC
	NAME: HILO	ADDRESS:	2-2-061 002	CONTACT:	Angela Peltier
	MAP YEAR: 1995	LAT/LONG:	19.6762 / -155.0611	INQUIRY#:	4315064.4
	SERIES: 7.5			RESEARCH DATE:	06/04/2015
	SCALE: 1:24000				

The EDR-City Directory Image Report

DHHL Hilo Property 3 2-2-061 002

230 Mahiai Street
Hilo, HI 96720

Inquiry Number: 4315064.5
June 05, 2015

The EDR-City Directory Image Report

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

City Directory Images

Thank you for your business.

Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Report includes a search of available city directory data at 5 year intervals.

RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Target Street</u>	<u>Cross Street</u>	<u>Source</u>
2013	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
2008	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
2003	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1999	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1995	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1992	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services

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FINDINGS

TARGET PROPERTY STREET

230 Mahiai Street
Hilo, HI 96720

<u>Year</u>	<u>CD Image</u>	<u>Source</u>
-------------	-----------------	---------------

MAHIAI ST

2013	pg A1	Cole Information Services
2008	pg A3	Cole Information Services
2003	pg A5	Cole Information Services
1999	pg A7	Cole Information Services
1995	pg A9	Cole Information Services
1992	pg A11	Cole Information Services

FINDINGS

CROSS STREETS

<u>Year</u>	<u>CD Image</u>	<u>Source</u>
-------------	-----------------	---------------

WAIANUHEA PL

2013	pg. A2	Cole Information Services
2008	pg. A4	Cole Information Services
2003	pg. A6	Cole Information Services
1999	pg. A8	Cole Information Services
1995	pg. A10	Cole Information Services
1992	pg. A12	Cole Information Services

City Directory Images

MAHIAI ST**2013**

175	R WOOLSEY
220	OCCUPANT UNKNOWN
230	OCCUPANT UNKNOWN
299	OCCUPANT UNKNOWN

WAIANUHEA PL 2013

73	BOBBY SUTTON
77	ELENA BUGARIN
95	JOVENCIO COLLADO
105	OCCUPANT UNKNOWN
110	OCCUPANT UNKNOWN
111	CHARLES IKEDA

MAHIAI ST

2008

175 MATHEW TORRES
299 OCCUPANT UNKNOWN

WAIANUHEA PL 2008

77	ELENA BUGARIN
	ELENAS EXPANDED CARE ARCH LLC
95	JOVENCIO COLLADO
96	YOSHIMI KOBAYASHI
105	OCCUPANT UNKNOWN
110	KOBAYASHI T LAWN MAINTENANCE
	TERRY KOBAYASHI
111	CHARLES IKEDA
121	CARL SMITH BALL LLP

MAHIAI ST

2003

175	OCCUPANT UNKNOWN
230	HAUNANI BAKER
299	OCCUPANT UNKNOWN

WAIANUHEA PL 2003

77	ELENA BUGARIN
95	OCCUPANT UNKNOWN
96	YOSHIMI KOBAYASHI
105	GEORGE YOSHIMURA
110	TERRY KOBAYASHI
111	CHARLES IKEDA

Target Street
✓

Cross Street
-

Source
Cole Information Services

MAHIAI ST 1999

230 H BAKER

WAIANUHEA PL 1999

77	ELENA BUGARIN
	J KUNEW
95	OCCUPANT UNKNOWN
96	YOSHIMI KOBAYASHI
105	GEORGE YOSHIMURA
110	TERRY KOBAYASHI

Target Street
✓

Cross Street
-

Source
Cole Information Services

MAHIAI ST 1995

175 LUM, HO A

WAIANUHEA PL 1995

77	BUGARIN, ELENA
95	OCCUPANT UNKNOWNN
96	KOBAYASHI, YOSHIMI
105	OCCUPANT UNKNOWNN
110	KOBAYASHI, TERRY
111	GERMONE, GARY J

Target Street
✓

Cross Street
-

Source
Cole Information Services

MAHIAI ST 1992

175 LUM, HO A

WAIANUHEA PL 1992

96	KOBAYASHI, YOSHIMI
105	YOSHIMURA, GEORGE H
110	KOBAYASHI, TERRY
111	GERMONE, GARY J

APPENDIX D

QUALIFICATIONS OF THE ENVIRONMENTAL PROFESSIONALS

Arlene Campbell, Licensed Geologist

EDUCATION:

Graduate Work in Geology - Vanderbilt University, 1988 - 1989

B.A., Geology (minor in Hydrology) - Austin Peay State University, 1988

PROFESSIONAL REGISTRATIONS:

Licensed Geologist, Washington State, No. 1664, 2002

SPECIALIZED TRAINING:

OSHA 40-hour Initial HAZWOPER Training and Current 8-hour Refresher
Hazardous Waste Site Supervisor Training

SUMMARY OF EXPERIENCE:

Ms. Campbell is an Associate and Senior Geologist at Element Environmental, LLC (E2). Ms. Campbell joined E2 on July 1, 2006, when E2 merged with Mountain Edge Environmental, Inc. She has 16 years of experience in Hawaii in the environmental consulting field. Her specific expertise includes site assessment, characterization, and remediation. Ms. Campbell has assisted with several state level task forces to assess environmental risk and address petroleum contaminated soils.

Ms. Campbell has managed many environmental projects involving Phase I Environmental Site Assessments (ESAs), preliminary assessments, emergency spill response, subsurface investigation, groundwater monitoring, assessment of fate and transport of surface and groundwater contaminants, soil and groundwater remediation, and risk assessment. She has also managed numerous underground storage tank (UST) removal projects which included preparation of plans and specifications for UST removal, UST removal monitoring, release response activities such as over-excavation, installation of soil borings and groundwater monitoring wells, long term remediation design and implementation, and report preparation.

Ms. Campbell has also managed a number of complex hazardous and biological waste removal and site closure projects which involved geophysical surveys, preparation of plans and specifications, waste characterization, and removal and disposal activities. She has performed Phase I ESAs and has assisted with the preparation and review of environmental impact statements. She has also performed environmental and hydrogeological investigations and has conducted remediation activities for several illegal landfill sites. Noteworthy projects Ms. Campbell has managed included several large emergency response site investigations and remediation projects involving the release of petroleum and PCBs. One of these projects included an emergency response to a major gasoline spill on Kauai that impacted air, soil, surface water, and groundwater. For this project, Ms. Campbell coordinated with the U.S. Coast Guard, county fire and police departments, EPA Region 9, Hawaii DOH, responsible parties, property owners, tenants, and the community. She monitored explosivity and contaminant migration in the subsurface, underground structures/utilities, buildings, a private sewage pumping station, an adjacent stream and the Pacific Ocean; coordinated emergency medical treatment and medical monitoring of affected spill response personnel and civilians; monitored installation of soil vapor points, soil borings, and groundwater monitoring wells; collected soil vapor, soil, groundwater, and stream water samples; prepared release response report; and provided technical support to legal team.

Ms. Campbell has been the principal investigator for several water quality related projects, including preparation of National Pollutant Discharge Elimination System (NPDES) permit applications for an auto recycling facility, an aquarium, a well drilling operation, a cemetery, and a museum; preparation of Storm Water Pollution Control Plans for an auto recycling facility and a solid waste transfer station; storm water and industrial discharge monitoring at various sites; and assisting clients in addressing NPDES compliance issues.

Angela Peltier, Geologist

EDUCATION:

B.S., Geology and Geophysics – University of Hawaii, 2004

SPECIALIZED TRAINING:

OSHA 40-hour Initial HAZWOPER Training

SUMMARY OF EXPERIENCE:

Ms. Peltier is a Geologist at Element Environmental, LLC (E2). Ms. Peltier joined E2 on July 1, 2006, when E2 merged with Mountain Edge Environmental, Inc. She has 8 years of experience in Hawaii in the environmental consulting field. Her specific expertise includes site assessment, characterization, and remediation.

Ms. Peltier has assisted in many environmental projects involving Phase I Environmental Site Assessments (ESAs), preliminary assessments, emergency spill response, subsurface investigation, groundwater monitoring, assessment of fate and transport of surface and groundwater contaminants, soil and groundwater remediation, risk assessment, groundwater monitoring, and explosive gas monitoring. She has also assisted in underground storage tank (UST) removal projects which included preparation of plans and specifications for UST removal, UST removal monitoring, release response activities such as over-excavation, installation of soil borings and groundwater monitoring wells, long term remediation design and implementation, and report preparation.

Ms. Peltier has also performed Phase I ESAs and has assisted with the preparation of environmental impact statements. She has also performed environmental and hydrogeological investigations and has conducted remediation activities for several illegal landfill sites.

Ms. Peltier has been involved in several water quality related projects, including preparation of National Pollutant Discharge Elimination System (NPDES) permit applications for an auto recycling facility, an aquarium, and a well drilling operation, preparation of Storm Water Pollution Control Plans for an auto recycling facility and a solid waste transfer station; storm water and industrial discharge monitoring at various sites.

**DRAFT ENVIRONMENTAL ASSESSMENT
COMMENTS AND RESPONSES**

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

DOUGLAS MURDOCK
Comptroller
AUDREY HIDANO
Deputy Comptroller

(P)1216.5

AUG 19 2015

Mr. Roy Takemoto
PBR Hawaii & Assoc., Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

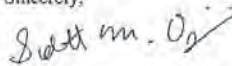
Dear Mr. Takemoto:

Subject: Draft Environmental Assessment
Proposed Subdivision of the Pana'ewa Ag Lots
Waialea, South Hilo District, Island of Hawaii
TMK: Various

This is in response to your letter dated July 12, 2015 regarding the subject project. The proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities, and we have no comments to offer at this time.

If you have any questions, your staff may call Mr. David DePonte of the Planning Branch at 586-0492.

Sincerely,


For JAMES K. KURATA
Public Works Administrator

DD:mo

c: Mr. Jerry Watanabe, DAGS-Hawaii District Office



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Fax: (808) 525-3160

HILO OFFICE
1719 Hialeka Street
Hilo, Hawaii 96720-1550
Tel: (808) 312-6878

March 15, 2016

Mr. James Kurata, Public Works Administrator
State of Hawai'i, Department of Accounting and General Services
P.O. Box 119
Honolulu, HI 96810-0119

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANAEWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Kurata,

Thank you for your letter dated August 19, 2015 (P.1216.5) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you have no comments to offer at this time.

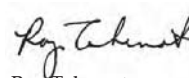
Please be advised that DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan. The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII


Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

O:\Job31\3151.02 Panaewa Ag Subdivision\Environmental Review Report\343 EA\Comments and Responses\Response letters\Response Plng.docx



**OFFICE OF PLANNING
STATE OF HAWAII**

335 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

Ref. No. P-14873

August 19, 2015

Ms. Niniau Simmons
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Ms. Simmons:

Subject: Draft Environmental Assessment for the Panaewa Agricultural Lots
Subdivision, Panaewa, Hawaii Island, Hawaii; Tax Map Key (3) 2-1-025:047,
(3) 2-1-025:048, (3) 2-1-025:006, (3) 2-1-025:007, and (3) 2-2-061:002

Thank you for the opportunity to provide comments on the Draft Environmental
Assessment (Draft EA) for the Panaewa agricultural lots subdivision, which was transmitted to
our office by letter dated July 28, 2015.

It is our understanding that this project consists of subdividing the various parcels into
approximately 80 half-acre lots with County dedicated roads and water system. The Department
of Hawaiian Home Lands will award the lots to native Hawaiian beneficiaries on the wait list,
and/or to existing lessees who need to relocate due to lava or other hazards.

This lot subdivision is beneficial to the people of Hawaii by providing affordable housing
opportunity for native Hawaiians within the urban core in proximity to jobs, schools, and
shopping. Furthermore, the one-half acre lot size provide opportunities for self-sufficiency
farming and small scale agricultural use.

The Office of Planning has reviewed the transmitted material and has the following
comments to offer:

1. The Draft EA addresses HRS Chapter 226, the Hawaii State Plan's policies,
objectives, and priority guidelines by including an examination of the subdivision of
the agricultural lots compatibility in Section 5.1.4, pages 32-35. The themes,
objectives, and policies that this project is consistent with include: HRS § 226-5
(Objectives and policies for population), HRS § 226-10 (the economy – potential
growth activities), HRS § 226-11 (physical environment – land-based, shoreline, and
marine resources), HRS § 226-19 (socio-cultural advancement – housing), and 226-
106 (the priority guidelines on affordable housing).

Ms. Niniau Simmons
August 19, 2015
Page 2

2. The project is consistent with HRS § 205A-2, the Hawaii Coastal Zone Management
program's objectives and enforceable policies. This issue was adequately addressed
in the Draft EA, Section 5.1.3, pages 27 to 32.
3. The Draft EA has provided an adequate examination of the project's plan to mitigate
soil erosion, sediment loss, stormwater runoff, and the use of Low-Impact
Development site design concepts such as grass swales, dry-wells, and keeping storm
runoff on-site and away from fragile coastal resources. This analysis is found in
Section 4.8.3 – Drainage Systems, pages 21 to 22.

We have no further comments at this time. If you have any questions regarding this
comment letter, please contact Mr. Josh Hekekie of our office at (808) 587-2845.

Sincerely,

Leo R. Asuncion
Acting Director

c: Mr. Roy Takemoto, Managing Director – Hilo, PBR HAWAII & Associates, Inc.



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Principal

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CARIE CULPIN, AICP
Senior Associate

ROY TAKEMOTO
Managing Director - Hilo

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Associate

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HILO OFFICE
1719 Halekale Street
Hilo, Hawaii 96720-1573
Tel/Fax: (808) 315-6678

March 15, 2016

Mr. Leo Asuncion, Acting Director
State of Hawai'i, Office of Planning
235 South Beretania Street, 6th Floor
Honolulu, HI 96804

**SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048**

Dear Mr. Asuncion,

Thank you for your letter dated August 19, 2015 (Reference Number P-14873) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and offer the following response.


We acknowledge that the Office of Planning finds that the Draft EA addresses HRS Chapter 226, and that it is consistent with HRS §§ 226-5, 226-10, 226-11, 226-19 and 226-106. We also appreciate your office's concurrence that the Draft EA adequately addresses HRS § 205A-2, as well as concurrence that the Draft EA provides an adequate examination of mitigation regarding soil erosion, sediment loss, stormwater runoff and LID design concepts.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII


Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

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and Responses\Response letters\Response OP.docx

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DAVID Y. IGE
GOVERNOR

MAJOR GENERAL ARTHUR J. LOGAN
DIRECTOR OF EMERGENCY MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE DIRECTOR OF EMERGENCY MANAGEMENT/CIVIL DEFENSE
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

DOUG MAYNE
ADMINISTRATOR OF EMERGENCY MANAGEMENT

PHONE (808) 733-4300
FAX (808) 733-4287

August 12, 2015

Mr. Roy Takemoto
PBR Hawaii & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813

Dear Mr. Takemoto:

Pre-Assessment Consultation for the Proposed Subdivision of the
Panaewa Agricultural Lots Located in the Ahupua'a of Wai'akea,
South Hilo District, Island and County of Hawaii, TMK: (3) 2-2-061: 002,
(3) 2-2-025: 006, (3) 2-1-025: 007, (3) 2-1-025: 047, and (3) 2-1-025: 048

Thank you for the opportunity to comment on the above project.

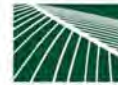
Based on the documents provided for the project, we have determined that the proposed installation of the warning siren at Pana'ewa Park will not provide coverage to the subject property.

Therefore, as stated in our April 2, 2015, letter responding to the Pre-Assessment Consultation request, we maintain our recommendation that one 121 db(c) omni-directional siren be installed on the property, and that the State of Hawaii Department of Defense, Hawaii Emergency Management Agency (HIEMA) will work with the developer to determine the best location for the siren site.

If you have any questions or concerns, please have your staff contact Ms. Havinne Okamura, Hazard Mitigation Planner, at (808) 733-4300, extension 556.

Sincerely,

DOUG MAYNE
Administrator of Emergency Management



PBR HAWAII
& ASSOCIATES, INC.

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Hilo, Hawaii 96720-1557
Tel/Fax: (808) 315-8878

March 15, 2016

Mr. Doug Mayne, Administrator of Emergency Management
State of Hawai'i Department of Defense
Office of the Director of Emergency Management/Civil Defense
3949 Diamond Head Road
Honolulu, HI 96716-4495

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Mayne,

Thank you for your letter dated August 12, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your office may be contacted in the future to comment on plans for the Auwae Lots.

DHHL acknowledges the DoD's comment that the proposed installation of the warning siren as described in the Draft Environmental Assessment will not provide coverage to the subject property as described. Since the comment pertains to the Auwae Lots, DHHL will consult with the State of Hawaii Department of Defense, Hawaii Emergency Management Agency (HIEMA) to determine the best location for the siren when DHHL decides to proceed with the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,
PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

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DoD.docx

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

August 11, 2015

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
File

EPO 15-180

Mr. Roy Takemoto
PBR Hawaii & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813

Dear Mr. Takemoto:

SUBJECT: Draft Environmental Assessment (DEA) for Panaewa Agricultural Lots Subdivision, Hawaii, South Hilo
TMK: (3) 2-1-025:047; (3) 2-1-025:048; (3) 2-1-025:006; (3) 2-1-025:007; (3) 2-2-061:002

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your DEA to our office on July 23, 2015. Thank you for allowing us to review and comment on the proposed Panaewa Agricultural Lots Subdivision, available on the OEQC website at:

http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Hawaii/2010s/2015-07-23-HA-5B-DEA-Panaewa-Agricultural-Lots-Subdivision.pdf

The DEA was routed to various branches. The various branches will provide specific comments to you if necessary. EPO recommends that you review the standard comments and available strategies to support sustainable and healthy design provided at: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/>. Projects are required to adhere to all applicable standard comments.

EPO offers the following comments:

1. We suggest you review the requirements for the National Pollutant Discharge Elimination System (NPDES) permit. We recommend contacting the Clean Water Branch at (808) 586-4309 or cleanwaterbranch@doh.hawaii.gov after relevant information is reviewed at:
 - a. <http://health.hawaii.gov/cwb>
 - b. <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/standard-npdes-permit-conditions>
 - c. <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms>
2. EPO recommends you review the need and/or requirements for a Clean Air Branch permit. The Clean Air Branch can be consulted via e-mail at: Cab.General@doh.hawaii.gov or via phone: (808) 586-4200.
3. If noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control". A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor and Radiological Health Branch at (808) 586-4700 and review relevant information online at: <http://health.hawaii.gov/irhb/noise>

Mr. Roy Takemoto
Page 2
August 11, 2015

Please note that all wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, chapter 11-62, "Wastewater systems". We do reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please contact the Planning and Design Section of the Wastewater Branch at 586-4294.

EPO also suggests that the Hazard Evaluation and Emergency Response (HEER) Office's Site Discovery and Response (SDAR) Section be contacted. The SDAR section protects human health and the environment by identifying, investigating, and remediating sites contaminated with hazardous substances (non-emergency site investigations and cleanup). The HEER Office's SDAR Section can be contacted at: (808) 586-4249 and relevant information can be reviewed at: <http://eha-web.doh.hawaii.gov/eha-cma/Leaders/HEER/site-assessment-and-cleanup-programs>

We encourage you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov>

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design.

Mahalo nui loa,

Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

c: Niniiau Simmons, DHHL
DOH: DHO HI, CWB, WWB & IRHB (via email only)



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W. FRANK BRANDT, FASLA
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Hilo, Hawaii 96720-1557
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March 15, 2016

Ms. Laura Leialoha Phillips McIntyre, AICP
Program Manager
State of Hawai'i, Department of Health
Environmental Planning Office
P.O. Box 3378
Honolulu, HI 96801-3378

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Ms. McIntyre,

Thank you for your letter dated August 11, 2015 (Reference Number EPO 15-180) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project (*copied below*, along with our response).

Please note that our response below pertains only to your comments on the Mahi'ai Lot, TMK number (3) 2-2-061:002. **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** (The updates are not anticipated to affect the Mahi'ai Lot.) The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot, with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated DHHL plans.

Your office may be contacted in the future to comment on plans for the Auwae Lots.

1. We suggest you review the requirements for the National Pollutant Discharge Elimination System (NPDES) permit. We recommend contacting the Clean Water Branch at (808) 586-4309 or cleanwaterbranch@doh.hawaii.gov after relevant information is reviewed at:

- <http://health.hawaii.gov/cwb>
- <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/standard-npdespermit-conditions>
- <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms>

A copy of the Draft Environmental Assessment was sent to the HDOH Clean Water Branch, and any comments will be incorporated in the Final Environmental Assessment. The need for a NPDES permit has been anticipated; DHHL intends to submit, and adhere to the standards of, the permit.

2. EPO recommends you review the need and/or requirements for a Clean Air Branch permit. The Clean Air Branch can be consulted via e-mail at: Cab.General@doh.hawaii.gov or via phone: (808) 586-4200.

Ms. McIntyre

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 2 of 3

The project is not expected to adversely impact air quality. Construction documents will include standard dust control measures to mitigate short-term impacts from fugitive dust, although the potential impact is minimal due to wet climate and low wind speeds at the site. If unanticipated air quality impacts emerge, DHHL will comply with HDOH guidance.

3. If noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control". A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor and Radiological Health Branch at (808) 586-4700 and review relevant information online at: <http://health.hawaii.gov/irhb/noise>

Construction documents will include standard noise control measures. The need for a noise permit has been anticipated. In addition, the Final Environmental Assessment incorporates pre-assessment consultation comments from Hawai'i District Environmental Health Program Chief Newton Inouye regarding Chapter 11-46, HAR, "Community Noise Control".

Please note that all wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, chapter 11-62, "Wastewater systems". We do reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please contact the Planning and Design Section of the Wastewater Branch at 586-4294.

We acknowledge that all wastewater plans must conform to applicable provisions of Chapter 11-62, HAR. DHHL will require lessees to install septic systems approved by the Department of Health.

EPO also suggests that the Hazard Evaluation and Emergency Response (HEER) Office's Site Discovery and Response (SDAR) Section be contacted. The SDAR section protects human health and the environment by identifying, investigating, and remediating sites contaminated with hazardous substances (non-emergency site investigations and cleanup). The HEER Office's SOAR Section can be contacted at: (808) 586-4249 and relevant information can be reviewed at: <http://eha-web.doh.hawaii.gov/ehacma/Leaders/HEER/site-assessment-and-cleanup-programs>

DHHL will conduct testing for soil arsenic. If contamination is found, DHHL will issue a notice to surrounding owners and cooperate with the HEER Office to address contamination concerns.

We encourage you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov>

Ms. McIntyre

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED
PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-
025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 3 of 3

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design.

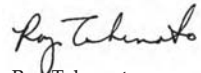
All of the information above has been noted and will be incorporated where applicable.
We appreciate EPO bringing these items to our attention.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

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PBR HAWAII



Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply please refer to:
File

08029PCTM.15

August 19, 2015

DEPARTMENT OF HAWAIIAN
LANDS

24 PM 1:43

Ms. Niniau Simmons
Department of Hawaiian Home Lands
97-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Ms. Simmons:

SUBJECT: Comments on the Draft Environmental Assessment (DEA) and Anticipated Finding of No Significant Impact (AFONSI) for the Panaewa Agricultural Lots Subdivision, TMK (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, (3) 2-1-025:048, and (3) 2-2-061:002 Hilo, Island of Hawaii, Hawaii

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated July 9, 2015, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

Ms. Niniau Simmons
August 19, 2015
Page 2

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For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:
 - a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like

Ms. Niniau Simmons
August 19, 2015
Page 3

08029PCTM.15

community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


ALEC WONG, P.E., CHIEF
Clean Water Branch

CTM:ay



PRINCIPALS

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President

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Executive Vice-President

VINCENT SHIGEKUNI
Vice-President

GRANT T. MURAKAMI, AICP, LEED AP BD+C
Vice-President

TOM SCHNEEL, AICP
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KIMMIKAMI YUEN, LEED AP BD+C
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W. FRANK BRAND, FASLA
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Senior Associate

CARIE CULPINSON, AICP
Senior Associate

ROY TAKEMOTO
Managing Director - Hilo

SCOTT MURAKAMI, ASLA, LEED AP
Associate

DACHENG DONG, LEED AP
Associate

MARC SHIMAMATSU, ASLA
Associate

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E-mail: info@pbrhawaii.com

HILO OFFICE
1719 Hialehale Street
Hilo, Hawaii 96720-1553
Tel/Fax: (808) 315-6678

March 15, 2016

Mr. Alec Wong, P.E., Chief
State of Hawai'i, Department of Health
Clean Water Branch
P.O. Box 3378
Honolulu, HI 96801-3378

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Wong,

Thank you for your letter dated August 19, 2015 (Reference number 08029PCTM.15) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

1. We acknowledge that the project and its potential impacts to State waters are subject to certain criteria.
 - a. The Pana'ewa Agricultural Lots Subdivision complies with the General Policy of Water Quality Antidegradation (§11-5-1.1, HAR). The project is not anticipated to have any significant adverse impact on either groundwater or surface water resources.
 - b. DHHL acknowledges designated uses under §11-54-3, HAR, as defined by the classification of receiving State waters. The nearest receiving State water, in this case, is Ka'ahakini Stream (Class 2 according to §11-54-5.1, HAR). The Pana'ewa Agricultural Lots Subdivision, however, is not anticipated to flow into Ka'ahakini Stream.
 - c. DHHL acknowledges CWB's comment regarding water quality criteria (§§11-54-4 and 11-54-8, HAR), and does not anticipate the project to degrade water quality with respect to these criteria.
2. DHHL has anticipated the need for a NPDES permit. DHHL will follow all proper procedures to obtain a NPDES permit and adhere to its requirements.
3. The USACE – Engineering Division was sent a copy of the Draft Environmental Assessment, and was invited to offer comments. As of the date of this letter, no comments have yet been received from the division. Stormwater will not discharge directly into Hilo Bay, due to distance of the Project from the ocean.
4. DHHL acknowledges that all discharges related to construction or operation of the Pana'ewa Agricultural Lots Subdivision must comply with State Water Quality Standards, regardless of NPDES and/or Section 401 WQC coverage. DHHL acknowledges the penalties for

Mr. Wong

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE
PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-
025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 2 of 2

noncompliance as specified in §11-55, HAR. Based on all available data and mitigation strategies, the project is not anticipated to have any significant adverse impact on either groundwater or surface water resources.

5. It is acknowledged that all projects must reduce, reuse and recycle to protect, restore and sustain water quality and beneficial uses of State waters.
 - a. DHHL acknowledges stormwater as a resource to be integrated into project planning and permitting, and recognizes stormwater's place in the water cycle. Although the project's paved roads will increase impermeable surface area, runoff will be slowed and mitigated by landscaping features such as grass shoulders and swales. Furthermore, the agricultural activities associated with the project ensure that a significant portion of the project area will remain unpaved.
 - b. The Environmental Assessment has been revised to clearly articulate the State's position. The document has also been revised to mention proactive mitigation measures, including LID and green building practices, which could reduce the project's overall hydrologic footprint. You will find these revisions in the Hydrology section in the Final Environmental Assessment.

This page intentionally left blank.


Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'eua Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII



Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
Benefit, Employment & Support Services Division
820 Mililani Street, Suite 606
Honolulu, Hawaii 96813

August 14, 2015

RACHAEL WONG, DrPH
DIRECTOR

PANKAJ BHANOT
DEPUTY DIRECTOR

Re: 15-0459

PBR HAWAII & Associates, Inc.
Attn: Roy Takemoto
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Dear Mr. Takemoto:

Subject: Pre-Assessment Consultation for the proposed subdivision of the Pana'ewa AG Lots Located in the Ahupua'a of Waiakea, South Hilo District, Island and County of Hawaii (TMK (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047, and (3) 2-1-025:048)

This is in response to your letter dated July 12, 2015 requesting the Department of Human Services (DHS) review and comment on the proposed subdivision of the Pana'ewa AG Lots project located in the Ahupua'a of Waiakea, South Hilo, Hawaii.

The DHS has reviewed the latest Draft EA and has no further comment upon the Pana'ewa subdivision construction project.

If you have any questions or need further information, please contact Ms. Jill Arizumi, Child Care Program Specialist, at (808) 586-5240.

Sincerely,

Scott Nakasone
Assistant Division Administrator

c: Rachael Wong, DrPH, Director



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MARC SHERMAINS, ASLA
Associate

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Tel: (808) 521-5631
Fax: (808) 523-1402
E-mail: roytakemoto@pbrhawaii.com

HILO OFFICE
1719 Hahaione Street
Hilo, Hawaii 96720-1553
Tel/Cel: (808) 313-6878

March 15, 2016

Mr. Scott Nakasone, Assistant Division Administrator
State of Hawai'i, Department of Human Services
Benefit, Employment & Support Services Division
820 Mililani Street, Suite 606
Honolulu, HI 96813

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Nakasone,

Thank you for your letter dated August 14, 2015 (Reference number 15-0459) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you have no further comments to offer at this time.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response DHS.docx

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 24, 2015

PBR Hawaii & Associates, Inc.
Attn: Roy Takemoto
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

via email: rtakemoto@pbrhawaii.com

Dear Mr. Takemoto:

SUBJECT: Draft Environmental Assessment (DEA) for Panaewa Agricultural Lots Subdivision, PBR Hawaii & Associates, Inc. for the Department of Hawaiian Home Lands, Applicant, Waiakea, South Hilo, Hawaii; TMK: (3) 2-2-061:002, and 2-1-025:006, 007, 047 & 048

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from the (i) Engineering Division, and (ii) Hawaii District Land Office on the subject matter. Should you have any questions, please feel free to call Kevin Moore at 587-0426.

Sincerely,

Russell Y. Tsuji
Land Administrator

Enclosure(s)

SUZANNE D. CASE
COMMISSIONER
DEPARTMENT OF LAND AND NATURAL RESOURCES
1155 KALANIANA'OLANI AVENUE, SUITE 1000, HONOLULU, HI 96813

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 4, 2015

MEMORANDUM

TO: FR.

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☐ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☐ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division - Hawaii District
- ☒ Historic Preservation

FROM: P.

SUBJECT: Draft Environmental Assessment (DEA) for Panaewa Agricultural Lots Subdivision
LOCATION: Waiakea, South Hilo, Hawaii; TMK: (3) 2-2-061:002, and 2-1-025:006, 007, 047 & 048

APPLICANT: PBR Hawaii & Associates, Inc. for the Department of Hawaiian Home Lands

Transmitted for your review and comment is information on the above-referenced project. The DEA is available for review on the Office of Environmental Quality Control website at <http://health.hawaii.gov/oeqc/> in the July 23, 2015 edition of The Environmental Notice. One CD of the DEA is also available for review in the Land Division office in Honolulu. We would appreciate your comments on this project. Please submit any comments by August 20, 2015.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Kevin Moore at 587-0426. Thank you.

- ☐ We have no objections.
- ☐ We have no comments.
- ☒ Comments are attached.

Signed:

Print name: Carty S. Chang, Chief Engineer
Date: 8/18/15

cc: Central Files

15 JUL 4 PM 10:40 ENGINEERING

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/ Russell Y. Tsuji
REF: DEA for Panaewa Agricultural Lots Subdivision, Waiakea, South Hilo
Hawaii.045

COMMENTS

- (X) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone X. The National Flood Insurance Program does not have any regulations for developments within Zone X.
- () Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone _____.
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is _____.
- () Please note that the project site must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
- () Mr. Carter Romero (Acting) at (808) 961-8943 of the County of Hawaii, Department of Public Works.
- () Mr. Carolyn Cortez at (808) 270-7253 of the County of Maui, Department of Planning.
- () Mr. Stanford Iwamoto at (808) 241-4896 of the County of Kauai, Department of Public Works.

- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
- (X) The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

() Additional Comments: _____

() Other: _____

Should you have any questions, please call Mr. Dennis Imada of the Planning Branch at 587-0257.

Signed: CARTY S. CHANG
CARTY S. CHANG, CHIEF ENGINEER

Date: 6/18/15

State of Hawaii FLOOD HAZARD ASSESSMENT REPORT	
<p>NATIONAL FLOOD INSURANCE PROGRAM</p>	
<p>FLOOD ZONE DEFINITIONS</p> <p>SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:</p> <ul style="list-style-type: none"> Zone A: No BFE determined. Zone AE: BFE determined. Zone AH: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined. Zone AO: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. Zone V: Coastal flood zone with velocity hazard (wave action); no BFE determined. Zone VE: Coastal flood zone with velocity hazard (wave action); BFE determined. Zone AEF: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE. <p>NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.</p> <ul style="list-style-type: none"> Zone XS (X shaded): Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. Zone X: Areas determined to be outside the 0.2% annual chance floodplain. Zone D: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities. 	<p>PROPERTY INFORMATION</p> <p>COUNTY: HAWAII TMK NO: (3) 2-1-025-006 PARCEL ADDRESS: _____</p> <p>FIRM INDEX DATE: APRIL 02, 2004 LETTER OF MAP CHANGE(S): NONE FEMA FIRM PANEL(S): 1551660885C PANEL EFFECTIVE DATE: SEPTEMBER 16, 1988</p> <p>PARCEL DATA FROM: JUNE 2013 IMAGERY DATA FROM: MAY 2005</p> <p>IMPORTANT PHONE NUMBERS</p> <p>County NFIP Coordinator County of Hawaii Carter Romero, P.E., CFM (808) 961-8943 State NFIP Coordinator Carol Tyau-Beam, P.E., CFM (808) 587-0267</p> <p><small>Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.</small></p> <p><small>If this map has been identified as "PRELIMINARY", please note that it is being provided for informational purposes and shall not be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.</small></p>

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 4, 2015

MEMORANDUM

TO:

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☐ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☐ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division - Hawaii District
- ☒ Historic Preservation

FROM: Russell Y. Tsuji, Land Administrator
SUBJECT: Draft Environmental Assessment (DEA) for Panaewa Agricultural Lots Subdivision
LOCATION: Waiakea, South Hilo, Hawaii; TMK: (3) 2-2-061:002, and 2-1-025:006, 007, 047 & 048
APPLICANT: PBR Hawaii & Associates, Inc. for the Department of Hawaiian Home Lands

Transmitted for your review and comment is information on the above-referenced project. The DEA is available for review on the Office of Environmental Quality Control website at <http://health.hawaii.gov/oecq/> in the July 23, 2015 edition of The Environmental Notice. One CD of the DEA is also available for review in the Land Division office in Honolulu. We would appreciate your comments on this project. Please submit any comments by August 20, 2015.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Kevin Moore at 587-0426. Thank you.

- ☐ We have no objections.
- ☒ We have no comments.
- ☐ Comments are attached.

Signed: _____

Print name: GORDON C. HEIT
Date: 8/12/15

cc: Central Files

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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LAND DIVISION
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E-mail: roytakemoto@pbrhawaii.com

HILO OFFICE
1719 Hahione Street
Hilo, Hawaii 96720-1553
Tel/Cel: (808) 313-6878

March 15, 2016

Mr. Carty Chang, Chief Engineer
State of Hawai'i Department of Land and Natural Resources
Engineering Division
P.O. Box 621
Honolulu, HI 96809

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Chang,

Thank you for your letter dated August 4, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

Thank you for confirming that the project site is located in Flood Zone X, for which the National Flood Insurance Program has no regulations for developments. Also, once studies are completed, DHHL will provide DLNR Engineering Division with water demands and calculations for your reference so it can be included in the State Water Projects Plan Update.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response DLNR-ENG.docx



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MARC SHIMMANS, ASLA
Associate

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E-mail: ap@pbrhawaii.com

HILO OFFICE
1719 Halekale Street
Hilo, Hawaii 96720-1553
Tel/Cel: (808) 313-6878

March 15, 2016

Mr. Russell Tsuji, Land Administrator
State of Hawai'i Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, HI 96809

**SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048**

Dear Mr. Tsuji,

Thank you for your letter dated August 4, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you have no further comments to offer at this time.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

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We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

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DAVID V. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHewa BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAROLUWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Niniau K. Simmons

April 29, 2015

Page 2

- (3) An AIS including subsurface testing be conducted and that an AIS report meeting the requirements of Hawaii Administrative Rule (HAR) §13-276 and the *Secretary of the Interior's Standards for Archaeological Documentation* be submitted for SHPD review and acceptance prior to DHHL submitting a project effect determination to SHPD for concurrence.

We look forward to working with you throughout the Section 106 process. Please contact Sean Nāleimaile at (808) 933-7651 or Sean.P.Naleimaile@Hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

April 29, 2015

Niniau K. Simmons
Department of Hawaiian Home Lands
PO Box 1879
Honolulu, HI 96805

LOG NO: 2015.01397
DOC NO: 1504SN08
Archaeology

Aloha Ms. Simmons:

SUBJECT: **Chapter 6E-8 and National Historic Preservation Act Section 106 Review –
Proposed Subdivision of the Pana'ewa AG Lots
Waiākea Ahupua'a, South Hilo District, Island of Hawai'i
TMK: (3) 2-1-025:006, 007, 047, and 048; (3) 2-2-061:002**

Mahalo for your letter dated April 7, 2015, initiating consultation on the proposed subdivision of the Pana'ewa AG lots. Also included with your letter was a draft letter report prepared by Scientific Consultant Services (SCS) for the five parcels. The draft letter report states that the entire 50-acre APE was surveyed utilizing pedestrian transects spaced 10 m apart and that no historic properties were identified.

Your submittal letter indicates that the Department of Hawaiian Home Lands (DHHL) is conducting an environmental assessment and NEPA review for the proposed project. The project will be funded using Native American Housing Assistance and Self-Determination Act (NAHASA) funds from the U.S. Department of Housing and Urban Development (HUD). The DHHL is acting as the responsible agency for the NHPA Section 106 consultation process. The proposed undertaking will subdivide 90 1/2-acre parcels for single-family housing on undeveloped DHHL state-owned land in Pana'ewa.

The Area of Potential Effect (APE) for this undertaking is the aforementioned TMKs. The acreage of the APE totals approximately 50 acres. Four parcels (TMK: (3) 2-1-025:006, 007, 047, and 048) are located adjacent to each other on Auwae Street. The fifth parcel (TMK: (3) 2-2-061:002) is located on Mahi'ai Street.

Our records indicate that we do not have an Archaeological Inventory Survey (AIS) on file for the APE. The draft SCS letter report was not prepared at the request of SHPD and has not been officially submitted to our division for review. Thus, we have insufficient information to evaluate the efficacy of the SCS surface survey or the potential for the proposed project to affect historic properties.

The State Historic Preservation Officer (SHPO) requests the following:

- (1) A letter from DHHL documenting the consultation process and results, including a list of consulting parties, method of consultation, and consultation comments shared by Native Hawaiian Organizations (NHOs) and other interested parties;
- (2) A letter from DHHL identifying the historic properties within the APE, the DHHL's determination of eligibility for each identified historic property and, if historic properties may be affected, DHHL's proposed mitigation recommendations; and



PRINCIPALS

THOMAS S. WITTEN, FASLA
Chairman

R. STAN DUNCAN, ASLA
President

RUSSELL Y. L. CHUNG, FASLA, LEED AP BD+C
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VINCENT S. HIGUCHI
Vice President

GRANT T. MURAKAMI, AICP, LEED AP BD+C
Vice President

TOM SCHNEITZ, AICP
Principal

KIMI MIKAMI YOUNG, LEED AP BD+C
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MARC SHIMAMATSU, ASLA
Associate

HONOLULU OFFICE

1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3444
Tel: (808) 521-5631
Fax: (808) 523-1402
E-mail: residmin@pbrhawaii.com

HILO OFFICE

1719 Halehale Street
Hilo, Hawaii 96720-1553
Tel/Fax: (808) 315-6878

March 15, 2016

Dr. Alan Downer, Administrator
State of Hawai'i Department of Land and Natural Resources
State Historic Preservation Division
Kākuhihewa Building
601 Kamokila Blvd, Ste 555
Kapolei, HI 96707

**SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANAEWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-
061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and
(3) 2-1-025:048**

Dear Dr. Downer,

Thank you again for your letter dated April 29, 2015 (Log Number 2015.01397, Doc Number 1504SN08) in regard to the proposed Panae'ewa Agricultural Lots Subdivision.

As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we assume that you have no further comments since we did not receive any additional response to the Draft Environmental Assessment (Draft EA).

Since the date of our last correspondence, DHHL has worked with SHPD to comply with the letter and spirit of both Chapter 6E, HRS and Section 106, NHPA. As a result, new information has become available regarding your previous comments. Your comments about the project are copied below, along with our response.

Our records indicate that we do not have an Archaeological Inventory Survey (AIS) on file for the APE. The draft SCS letter report was not prepared at the request of SHPD and has not been officially submitted to our division for review. Thus, we have insufficient information to evaluate the efficacy of the SCS surface survey or the potential for the proposed project to affect historic properties.

Scientific Consultant Services (SCS) conducted an archaeological inventory survey (AIS) of the Site and submitted that AIS to SHPD on June 10, 2015 for review. The AIS was conducted in accordance with Hawai'i Administrative Rules Chapter 13-275 (Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports) and Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR Part 800). The archaeologist determined through

Dr. Downer

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 2 of 3

archaeological survey that no historic properties exist within the area of potential effect and that no historic properties will be affected by the proposed undertaking. The report recommended that, pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended and 36 CFR part 800.2(c), the State Historic Preservation Officer (SHPO) concur with the determination of no effect. The AIS was included in the Draft EA, in Appendix D.

The State Historic Preservation Officer (SHPO) requests the following:

(1) *A letter from DHHL documenting the consultation process and results, including a list of consulting parties, method of consultation, and consultation comments shared by Native Hawaiian Organizations (NHOs) and other interested parties*

On August 28, 2015 DHHL consulted with all NHOs listed by the U.S. Department of the Interior Office of Native Hawaiian Relations. In addition, consultation was extended to SHPD's Hawai'i Island Burial Council. No responses have been received to date, except for a letter from the Office of Hawaiian Affairs that reiterated previous comments sent during the public review period.

(2) *A letter from DHHL identifying the historic properties within the APE, the DHHL's determination of eligibility for each identified historic property and, if historic properties may be affected, DHHL's proposed mitigation recommendations*

DHHL submitted a completed SHPD Application for Historic Preservation Review to your office on September 4, 2015. The application states that no historic or eligible properties exist within the APE of the project, and requested concurrence that no historic or eligible properties would be affected by the project. No response has been received to date.

(3) *An AIS including subsurface testing be conducted and that an AIS report meeting the requirements of Hawaii Administrative Rule (HAR) §13-276 and the Secretary of the Interior's Standards for Archaeological Documentation be submitted for SHPD review and acceptance prior to DHHL submitting a project effect determination to SHPD for concurrence.*

In the AIS, please note that no subsurface work was performed based on the results described in the submitted AIS that there were no historical evidence suggesting the likelihood of finds.

Dr. Downer

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE
PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-
025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 3 of 3

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

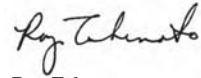
Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

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Sincerely,

PBR HAWAII



Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

September 8, 2015

FORD N. FUCHIGAMI
DIRECTOR

DEPUTY DIRECTORS
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
DIR 0937
HWY-PS 2.0551

Mr. Roy Takemoto
Managing Director
PBR Hawaii & Associates, Inc.
1719 Haleloke Street
Hilo, Hawaii 96720-1553

Dear Mr. Takemoto:

Subject: Draft Environmental Assessment
Panaewa Agricultural Lots Subdivision
South Hilo, Waiakea, Hawaii
TMK: (3) 2-2-061:002; (3) 2-1-025:006, 007, 047, 048

The Department of Hawaiian Homelands proposes to subdivide several parcels into eighty (80) ½-acre lots for homestead agriculture leases. The lots will provide for new leasees and for relocating leasees whose lots are threatened by lava flows and other hazards. The bulk of the lots will access Auwae Road and the remainder will access Mahiai Street, roadways are under the jurisdiction of the County of Hawaii.

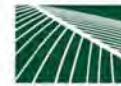
While the Department of Transportation (DOT) had requested traffic assessment (TA) preparation in its April 8, 2015 letter, STP 8.1783, a TA was not part of the draft environmental assessment. Given that the project will be accessing County roads, the DOT is willing to overlook the deficiency.

Based on the information provided, the project is not anticipated to have a significant impact to State highway facilities.

If there are any questions, please contact Nami Wong, Systems Planning Engineer, Highways Division, Planning Branch, at (808) 587-6336. Please reference file review number PS 2015-052 in all contacts and correspondence regarding these comments.

Sincerely,

FORD N. FUCHIGAMI
Director of Transportation



PBR HAWAII
& ASSOCIATES, INC.

March 15, 2016

Mr. Ford Fuchigami
State of Hawai'i Department of Transportation
869 Punchbowl Street
Honolulu, HI 96813-5097

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Fuchigami,

Thank you for your letter dated September 8, 2015 (Reference number DIR 0937, HWY-PS 2.0551) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

We acknowledge that you were willing to excuse the Draft Environmental Assessment document's lack of a traffic assessment since the project is not anticipated to have a significant impact to State highway facilities. DHHL may hire a traffic engineer to produce a Traffic Analysis Impact Report (TIAR) when DHHL plans to proceed with the Auwae Lots. Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response DOT-02.docx

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STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HWY., SUITE 200
HONOLULU, HAWAII 96817

DEPT. OF HAWAIIAN
HOME LANDS FAX (808) 594-1938

2015 AUG 27 P 12:26

HRD15/7408C

August 17, 2015

PBR HAWAII & Associates, Inc.
ATTN: Roy Takemoto, Managing Director – Hilo
1001 Bishop St., Suite 650
Honolulu, HI 96813

Re: Request Information for Comments on the Draft Environmental Assessment for the Department of Hawaiian Homelands Pana'ewa Agricultural Lots Subdivision
Waiākea Ahupua'a, Hilo Moku, Hawai'i Moku
Tax map key (3) 2-1-025:006, 007, 047, 048 and (3) 2-1-061:002

Aloha Mr. Takemoto:

The Office of Hawaiian Affairs (OHA) is in receipt of your August 4, 2015 letter requesting comments on the draft environmental assessment (DEA) for the Department of Hawaiian Homelands (DHHL) Pana'ewa Agricultural Lots Subdivision.

The DHHL is proposing to subdivide the five, 10-acre parcels into 90 half-acre lots. The subdivision will enable the relocation of Maku'u Farm Lot, other lessees, and allow for awards to individuals currently on the waitlist. Funding for the project derives from state and federal resources,¹ requiring compliance with the National Environmental Policy Act and the National Historic Preservation Act, Section 106. OHA participated in consultation for both federal processes by a July 15, 2015 letter.

An archaeological inventory survey of the proposed project site has been completed by Scientific Consultant Services (SCS) and is being reviewed by the State of Hawai'i Department of Land and Natural Resources State Historic Preservation Division. The survey consisted of 100% pedestrian coverage of the area, and no excavations were determined to be necessary.

¹ Native American Housing Assistance and Self-Determination Act (NAHASDA)

Roy Takemoto, PBR Hawaii & Associates, Inc.
August 17, 2015
Page 2

SCS concluded that no archaeological features were observed and that due to the previous ground disturbances and use of land for agriculture purposes they recommend a "no historic properties affected" determination.² Nevertheless, OHA does request assurances that should iwi kūpuna or Native Hawaiian cultural deposits be identified during any ground altering activities, all work will immediately cease and the appropriate agencies, including OHA, will be contacted pursuant to applicable law.

Mahalo for the opportunity to comment. Should you have any questions, please contact Jeannin Jeremiah at 594-1790 or by email at jeanninj@oha.org.

'O wau iho nō me ka 'oia 'i'o,

Kamana'opono M. Crabbe, Ph.D.
Ka Pouhana, Chief Executive Officer

KC:jj

C: /Niniau Simmons – Department of Hawaiian Home Lands
Lukela Ruddle – OHA Hilo Community Outreach Coordinator (via email)
Kamuela Bannister – OHA Hilo Community Outreach Coordinator (via email)

**Please address replies and similar, future correspondence to our agency:*

*Dr. Kamana'opono Crabbe
Attn: OHA Compliance Enforcement
560 N. Nimitz Hwy, Ste. 200
Honolulu, HI 96817*

² Hawai'i Administrative Rules § 13-275-6(e).



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ROY TAKEMOTO
Managing Director - Hilo

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1719 Halekale Street
Hilo, Hawaii 96720-1553
Tel/Fax: (808) 315-6678

March 15, 2016

Dr. Kamana'o pono Crabbe, Ka Pouhana, CEO
State of Hawai'i, Office of Hawaiian Affairs
560 N. Nimitz Highway, Suite 200
Honolulu, HI 96817

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Dr. Crabbe,

Thank you for your letter dated August 17, 2015 (Reference number HRD15/7408C) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

We understand that you would like the letter that OHA wrote to our project archaeologist, Scientific Consultant Services (dated July 15, 2015) to stand as consultation comments for the following consultations:

- ≠ 343 Pre-Assessment Consultation
- ≠ 343 Draft Environmental Assessment Consultation
- ≠ Section 106 and HRS 6E Consultation

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your office may be contacted in the future to comment on plans for the Auwae Lots.

The July 15 letter advised SCS to contact Bill Brown of the Pana'ewa Hawaiian Home Lands Community Association (PHHLCA). Cultural information was sent directly from SCS to Mr. Brown on July 29, 2015. While Mr. Brown did not respond directly, the PHHLCA later invited the team to present on the project. The archaeologist solicited audience comments at the meeting; none of the audience members alluded to any past or ongoing cultural practices associated with the project area. A copy of the Draft Environmental Assessment was sent to PHHLCA, and no further comments, were received.

Dr. Crabbe

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 2 of 2

We acknowledge OHA's request for notification, should iwi kūpuna or Native Hawaiian cultural deposits be identified during ground altering activities. As the Draft Environmental Assessment states:

The construction documents will include a provision that should historic sites such as walls, platforms, pavements and mounds, or remains such as artifacts, burials, concentrations of shell or charcoal or artifacts be inadvertently encountered during construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The contractor will immediately contact the State Historic Preservation Division, which will assess the significance of the find and recommend appropriate mitigation measures, if necessary.

Per your comments, the following sentence has been inserted:

The State Office of Hawaiian Affairs (OHA) will also be contacted.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or takemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response OHA.docx



UNIVERSITY
of HAWAII
MĀNOA

DEPT. OF HAWAIIAN
HOME LANDS

2015 AUG 27 P 12: 26

Water Resources Research Center

August 3, 2015

Department of Hawaiian Homelands
Attn: Niniau Simmons
91-5420 Kapolei Parkway
Kapolei, HI 96707

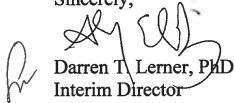
Ms. Simmons:

This is to acknowledge receipt of your letter for review of an Environmental Assessment.

Unfortunately, the Water Resources Research Center does not have the capacity to review the environmental impact statement at this time due to the faculty position vacancy.

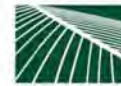
While we continue to explore filling the current vacancy, the Center will exclude itself from commentary on this specific environmental assessment study.

Sincerely,


Darren T. Lerner, PhD
Interim Director

2540 Dole Street, Holmes Hall 283
Honolulu, Hawaii 96822
Telephone: (808) 956-7847
Fax: (808) 956-5044

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& ASSOCIATES, INC.

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ROY TAKEMOTO
Managing Director - Hilo

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Associate

DACHENG DONG, LEED AP
Associate

MAIC SHIMATSU, ASLA
Associate

March 15, 2016

Dr. Darren Lerner, Interim Director
Water Resources Research Center
Attn: Environmental Assessment & Protection Division
2540 Dole Street
Holmes 283
Honolulu, HI 96822

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANA'EWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Dr. Lerner,

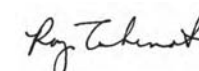
Thank you for your letter dated August 3, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you would like to exclude yourself from commentary for this specific project.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

We value your participation in the environmental review process, and will continue to invite WRRC to comment on future projects unless you request otherwise. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII


Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

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William P. Kenoi
Mayor



County of Hawai'i
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
345 Kekūanāʻoa St., Suite 41• Hilo, Hawai'i 96720
(808) 961-8083 • Fax (808) 961-8086
<http://www.hawaiicounty.gov/environmental-management/>

BJ Leithead Todd
Director

John A. Medeiros
Deputy Director

September 10, 2015

Mr. Roy Takemoto
Managing Director, Hilo Office
PBR Hawaii'i and Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

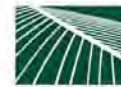
RE: Pre-Assessment Consultation for Proposed Subdivision of the Pana'ewa Ag Lots Located in the Ahupuaa of Waiākea, South Hilo, TMK: 2-2-061:002, 2-1-025:006; 2-1-025:006, 2-1-025:047 and 2-1-025:048

Our department has no comments to offer on this project.

Thank you for allowing us to review and comment.

Sincerely,

BJ Leithead Todd
DIRECTOR



PBR HAWAII
& ASSOCIATES, INC.

PRINCIPALS

THOMAS S. WITTEN, FASLA
Chairman

R. STAN DUNCAN, ASLA
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MARC SIMPSON, ASLA
Associate

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E-mail: roytakemoto@pbrhawaii.com

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Tel/Fax: (808) 933-6670

March 15, 2016

Ms. BJ Leithead Todd, Director
County of Hawai'i
Department of Environmental Management
25 Aupuni Street
Hilo, HI 96720

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Ms. Leithead Todd,

Thank you for your letter dated September 10, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you have no comments to offer at this time.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response DEM.docx



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KĒKŪANAO'A STREET, SUITE 20 • HILO, HAWAII 96720

TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 17, 2015

Mr. Roy Takemoto
PBR Hawai'i & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, HI 96813-3484

**DRAFT ENVIRONMENTAL ASSESSMENT
PANA'EWA AGRICULTURAL LOTS SUBDIVISION
TAX MAP KEY 2-1-025:006, 007, 047, 048 AND 2-2-061:002**

We have reviewed the subject Draft Environmental Assessment and have no further comments at this time. Our comments from our April 8, 2015, letter to you, still stand.

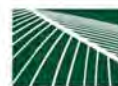
Should there be any questions, please contact Mr. Ryan Quitoriano of our Water Resources and Planning Branch, at 961-8070, extension 256.

Sincerely yours,

Keith K. Okamoto, P.E.
Manager-Chief Engineer

RQ:dfg

copy – Niniau Simmons, State of Hawai'i, Department of Hawaiian Home Lands



PBR HAWAII
& ASSOCIATES, INC.

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MARC SHIMATSU, ASLA
Associate

March 15, 2016

Mr. Keith K. Okamoto, P.E.
Manager-Chief Engineer
County of Hawai'i, Department of Water Supply
345 Kēkūanaō'a Street, Suite 20
Hilo, HI 96720

**SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL
ASSESSMENT FOR THE PROPOSED PANAEWA
AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002,
(3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048**

Dear Mr. Okamoto,

Thank you for your letter dated August 17, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you have no further comments to offer at this time.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response DWS.docx

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William P. Kenoi
Mayor



County of Hawai'i
HAWAII FIRE DEPARTMENT
25 Anapuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

Darren J. Rosario
Fire Chief
Renwick J. Victorino
Deputy Fire Chief

August 18, 2015

Mr. Roy Takemoto
PBR Hawaii & Associates, Inc.
1719 Haleloke Street
Hilo, Hawaii 96720-1553

Dear Mr. Takemoto

SUBJECT: PRE-ASSESSMENT CONSULTATION FOR THE PROPOSED
SUBDIVISION OF THE PANA'EWA AG LOTS LOCATED IN THE
AHUPUA'A OF WAIAKEA, SOUTH HILO DISTRICT, ISLAND AND
COUNT OF HAWAII, TMK: (3)2-2-061:002, (3)2-1-025:006, (3)2-1-
025:007, (3)2-1-025:047, AND (3)2-1-025:048.

In regards to the above-referenced project pre-assessment consultation, the following shall be in accordance:

NFPA 1, UNIFORM FIRE CODE, 2006 EDITION

Note: Hawaii's State Fire Code, National Fire Protection Association 2006 version, with County of Hawaii amendments. County amendments are identified with a preceding "C~" of the reference code.

Chapter 18 Fire Department Access and Water Supply

18.1 General. Fire department access and water supplies shall comply with this chapter.

For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, and the AHJ may require additional safeguards including, but not limited to, additional fire appliance units, more than one type of appliance, or special systems suitable for the protection of the hazard involved.

18.1.1 Plans.

18.1.1.1 Fire Apparatus Access. Plans for fire apparatus access roads shall be submitted to the fire department for review and approval prior to construction.



Hawaii's County is an Equal Opportunity Provider and Employer.

Roy Takemoto
August 18, 2015
Page 2

18.1.1.2 Fire Hydrant Systems. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

C~ 18.1.1.2.1 Fire Hydrant use and Restrictions. No unauthorized person shall use or operate any Fire hydrant unless such person first secures permission or a permit from the owner or representative of the department, or company that owns or governs that water supply or system. Exception: Fire Department personnel conducting firefighting operations, hydrant testing, and/or maintenance, and the flushing and acceptance of hydrants witnessed by Fire Prevention Bureau personnel.

18.2 Fire Department Access.

18.2.1 Fire department access and fire department access roads shall be provided and maintained in accordance with Section 18.2.

18.2.2* Access to Structures or Areas.

18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security.

18.2.2.2 Access to Gated Subdivisions or Developments. The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system.

18.2.2.3 Access Maintenance. The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.1 or 18.2.2.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access.

18.2.3 Fire Department Access Roads. (*may be referred as FDAR)

18.2.3.1 Required Access.

18.2.3.1.1 Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.

18.2.3.1.2 Fire Department access roads shall consist of roadways, fire lanes, parking lots lanes, or a combination thereof.

18.2.3.1.3* When not more than two one- and two-family dwellings or private garages, carports, sheds, agricultural buildings, and detached buildings or structures 400ft² (37 m²) or less are present, the requirements of 18.2.3.1 through 18.2.3.2.1 shall be permitted to be modified by the AHJ.

18.2.3.1.4 When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.

18.2.3.2 Access to Building.

18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside that provides access to the interior of the building. Exception: 1 and 2 single-family dwellings.

18.2.3.2.1.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.1 shall be permitted to be increased to 300 feet.

18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).

18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

18.2.3.4 Specifications.

18.2.3.4.1 Dimensions.

C~ 18.2.3.4.1.1 FDAR shall have an unobstructed width of not less than 20ft with an approved turn around area if the FDAR exceeds 150 feet. **Exception:** FDAR for one and two family dwellings shall have an unobstructed width of not less than 15 feet, with an area of not less than 20 feet wide within 150 feet of the structure being protected. An approved turn around area shall be provided if the FDAR exceeds 250 feet.

C~ 18.2.3.4.1.2 FDAR shall have an unobstructed vertical clearance of not less than 13ft 6 in.

C~ 18.2.3.4.1.2.1 Vertical clearances may be increased or reduced by the AHJ, provided such increase or reduction does not impair access by the fire apparatus, and approved signs are installed and maintained indicating such approved changes.

18.2.3.4.1.2.2 Vertical clearances shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.

C~ 18.2.3.4.2 Surface. Fire department access roads and bridges shall be designed and maintained to support the imposed loads (25 Tons) of the fire apparatus. Such FDAR and shall be comprised of an all-weather driving surface.

18.2.3.4.3 Turning Radius.

C~ 18.2.3.4.3.1 Fire department access roads shall have a minimum inside turning radius of 30 feet, and a minimum outside turning radius of 60 feet.

18.2.3.4.3.2 Turns in fire department access road shall maintain the minimum road width.

18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.

18.2.3.4.5 Bridges.

18.2.3.4.5.1 When a bridge is required to be used as part of a fire department access road, it shall be constructed and maintained in accordance with county requirements.

18.2.3.4.5.2 The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.

18.2.3.4.5.3 Vehicle load limits shall be posted at both entrances to bridges where required by the AHJ.

18.2.3.4.6 Grade.

C~ 18.2.3.4.6.1 The maximum gradient of a Fire department access road shall not exceed 12 percent for unpaved surfaces and 15 percent for paved surfaces. In areas of the FDAR where a Fire apparatus would connect to a Fire hydrant or Fire Department Connection, the maximum gradient of such area(s) shall not exceed 10 percent.

18.2.3.4.6.2* The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.

18.2.3.4.6.3 Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane.

18.2.3.4.7 Traffic Calming Devices. The design and use of traffic calming devices shall be approved the AHJ.

18.2.3.5 Marking of Fire Apparatus Access Road.

18.2.3.5.1 Where required by the AHJ, approved signs or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof of both.

18.2.3.5.2 A marked fire apparatus access road shall also be known as a fire lane.

18.2.4* Obstruction and Control of Fire Department Access Road.

18.2.4.1 General.

18.2.4.1.1 The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

18.2.4.1.2 Minimum required widths and clearances established under 18.2.3.4 shall be maintained at all times.

18.2.4.1.3* Facilities and structures shall be maintained in a manner that does not impair or impede accessibility for fire department operations.

18.2.4.1.4 Entrances to fire departments access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 shall not be obstructed by parked vehicles.

18.2.4.2 Closure of Accessways.

18.2.4.2.1 The AHJ shall be authorized to require the installation and maintenance of gates or other approved barricades across roads, trails, or other accessways not including public streets, alleys, or highways.

18.2.4.2.2 Where required, gates and barricades shall be secured in an approved manner.

18.2.4.2.3 Roads, trails, and other access ways that have been closed and obstructed in the manner prescribed by 18.2.4.2.1 shall not be trespassed upon or used unless authorized by the owner and the AHJ.

18.2.4.2.4 Public officers acting within their scope of duty shall be permitted to access restricted property identified in 18.2.4.2.1.

18.2.4.2.5 Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals that have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with, or otherwise vandalized in any manner.

18.3 Water Supplies and Fire Hydrants

18.3.1* A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

EXCEPTIONS:

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2 as amended in the code.
3. When there are not more than two dwellings, or two private garage, carports, sheds and agricultural. Occupancies, the requirements of section 18.3.1 may be modified by AHJ.

18.3.2* Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other approved systems capable of providing the required fire flow shall be permitted.

18.3.3* The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road on the site of the premises or both, in accordance with the appropriate county water requirements.

18.3.4 Fire Hydrants and connections to other approved water supplies shall be accessible to the fire department.

18.3.5 Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ.

18.3.6 Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

18.3.7 The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request.

C- 18.3.8 Minimum water supply for buildings that do not meet the minimum County water standards:

Buildings up to 2000 square feet, shall have a minimum of 3,000 gallons of water available for Firefighting.

Buildings 2001- 3000 square feet, shall have a minimum of 6,000 gallons of water available for Firefighting.

Buildings, 3001- 6000 square feet, shall have a minimum of 12,000 gallons of water available for Firefighting.

Buildings, greater than 6000 square feet, shall meet the minimum County water and fire flow requirements.

Multiple story buildings shall multiply the square feet by the amount of stories when determining the minimum water supply.

Commercial buildings requiring a minimum fire flow of 2000gpm per the Department of Water standards shall double the minimum water supply reserved for firefighting.

Fire Department Connections (FDC) to alternative water supplies shall comply with 18.3.8 (1)-(6) of *this code*.

NOTE: In that water catchment systems are being used as a means of water supply for firefighting, such systems shall meet the following requirements:

- 1) In that a single water tank is used for both domestic and firefighting water, the water for domestic use shall not be capable of being drawn from the water reserved for firefighting;
- 2) Minimum pipe diameter sizes from the water supply to the Fire Department Connection (FDC) shall be as follows:
 - a) 4" for C900 PVC pipe;
 - b) 4" for C906 PE pipe;
 - c) 3" for ductile Iron;
 - d) 3' for galvanized steel.
- 3) The Fire Department Connection (FDC) shall:
 - a) be made of galvanized steel;
 - b) have a gated valve with 2-1/2 inch, National Standard Thread male fitting and cap;
 - c) be located between 8 ft and 16 ft from the Fire department access. The location shall be approved by the AHJ;
 - d) not be located less than 24 inches, and no higher than 36 inches from finish grade, as measured from the center of the FDC orifice;
 - e) be secure and capable of withstanding drafting operations. Engineered stamped plans may be required;
 - f) not be located more than 150 feet of the most remote part, but not less than 20 feet, of the structure being protected;
 - g) also comply with section 13.1.3 and 18.2.3.4.6.1 of *this code*.
- 4) Commercial buildings requiring a fire flow of 2000gpm shall be provided with a second FDC. Each FDC shall be independent of each other, with each FDC being capable of flowing 500gpm by engineered design standards. The second FDC shall be located in an area approved by the AHJ with the idea of multiple Fire apparatus conducting drafting operations at once, in mind.
- 5) Inspection and maintenance shall be in accordance to NFPA 25.
- 6) The owner or lessee of the property shall be responsible for maintaining the water level, quality, and appurtenances of the system.

EXCEPTIONS TO SECTION 18.3.8:

- 1) Agricultural buildings, storage sheds, and shade houses with no combustible or equipment storage.
- 2) Buildings less than 800 square feet in size that meets the minimum Fire Department Access Road requirements.

Roy Takemoto
August 18, 2015
Page 9

- 3) For one and two family dwellings, agricultural buildings, storage sheds, and detached garages 800 to 2000 square feet in size, and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 1000 feet.
- 4) For one and two family dwellings, agricultural buildings, and storage sheds greater than 2000 square feet, but less than 3000 square feet and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 500 feet.
- 5) For buildings with an approved automatic sprinkler system, the minimum water supply required may be modified.

If there are any questions regarding these requirements, please contact the Fire Prevention Bureau at (808) 932-2911.



DARREN J. ROSARIO
Fire Chief

CB:ds



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March 15, 2016

Mr. Darren Rosario, Fire Chief
County of Hawai'i, Fire Department
25 Aupuni Street Suite 2501
Hilo, HI 96720

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Chief Rosario,

Thank you for your letter dated August 18, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

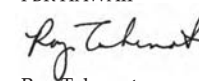
The Pana'ewa Agricultural Lots Subdivision will comply with the Uniform Fire Code, as amended by Chapter 26, Hawai'i County Code. We acknowledge that the Fire Prevention Bureau should be contacted if any questions arise regarding the requirements.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII



Roy Takemoto
Planner

cc: Department of Hawaiian Home Lands
\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response Fire.docx

Roy Takemoto

From: Morrison, Bethany <Bethany.Morrison@hawaiicounty.gov>
Sent: Monday, August 24, 2015 3:55 PM
To: Roy Takemoto
Subject: Draft EA Proposed Subdivision of Panaewa Ag Lots

Aloha Roy,

Thank you for a copy of the Draft EA. We have no further comments to offer.

Thank you,

Bethany Morrison
Planner
County of Hawaii
Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720
Fax (808) 961-8742
Phone (808) 961-8138
Bethany.Morrison@hawaiicounty.gov



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March 15, 2016

Ms. Bethany Morrison, Planner
County of Hawai'i, Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Ms. Morrison,

Thank you for your email dated August 24, 2015 (Subject: Draft EA Proposed Subdivision of Panaewa Ag Lots) in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge that you have no further comments to offer at this time.

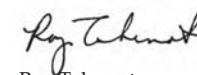
Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII


Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

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August 21, 2015

Mr. Roy Takemoto
PBR Hawaii & Associates, Inc.
1001 Bishop St., Suite 650
Honolulu, HI 96813

Subject : Comments to Draft Environmental Assessment
Pana'ewa Agricultural Lots Subdivision
South Hilo, Island of Hawaii

Dear Mr. Takemoto:

Sandwich Isles Communications, Inc. (SIC) was issued License No. 372 by the Department of Hawaiian Home Lands to provide telecommunication services to Hawaiian Home Lands. This project is subject to License No. 372 therefore, paragraph 4.8.5 Utilities should be amended to state that SIC will be the telecommunications provider in lieu of Hawaiian Telecom. It can also be noted that SIC will be installing fiber optics to each home.

Additionally, there is an error in the Table of Contents and should be revised to reflect the actual section titles starting with 4.7 Toxics and Hazardous Waste.

Sincerely,

Rodney Kaulupali
Director of Construction
Sandwich Isles Communications, Inc.



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E-mail: roytakemoto@pbrhawaii.com

HILO OFFICE
1719 Haleloke Street
Hilo, Hawaii 96720-1553
Tel/Fax: (808) 933-6678

March 15, 2016

Mr. Rodney Kaulupali, Director of Construction
Sandwich Isles Communications, Inc.
P.O. Box 893370
Mililani, HI 96789

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Kaulupali,

Thank you for your letter dated August 21, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

Paragraph 4.8.5 Utilities will be amended to state that SIC will be the telecommunications provider in lieu of Hawaiian Telecom, and will be installing fiber optics to each home.

The Table of Contents will be revised to reflect actual section titles. We appreciate SIC bringing this item to our attention.

Please be advised that **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot (TMK number (3) 2-2-061:002) with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your office may be contacted in the future to comment on plans for the Auwae Lots.

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII

Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response SIC.docx

Jobie Masagatani, Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, HI 96707

Jessica Wooley, Director
Office of Environmental Quality Control
Department of Health, State of Hawaii
235 S. Beretania Street, Rm. 702
Honolulu, HI 96813

RE: **COMMENTS ON EA 2015-07-12-HA-5B-DEA PANA'EWA AGRICULTURE LOTS
SUBDIVISION**

Dear Chairman Masagatani:

On behalf of Keaukaha Pana'ewa Farmers Association (KPFA) and homestead stakeholders, this letter formally submits testimony for consideration and response relative to the Draft Environmental Assessment ("DEA") 2015-07-12-HA-5B-DEA PANA'EWA AGRICULTURE LOTS SUBDIVISION and hereby request a 60-day extension to the OEQC 30-day comment period to allow for collection of relevant and pertinent data that is being requested herein, which will ultimately be part of this DEA record.

KPFA, as an agriculture homestead association in good standing, is bound to adhere to their rules of procedure and protocols related to any action it supports. The process of attaining additional information, forming a comprehensive positional statement and having its membership vote on its statement requires more time than that afforded by the Rule of Practice and Procedure by the Department of Environmental Quality Control, generally referenced as the "30-day comment period".

Members of KPFA and community stakeholders have requested a meeting with DDHL and its consultants to obtain additional information regarding the project, however, that meeting is set for Friday August 21, 2015, just 3 days prior to the comment period deadline. We anticipate DDHL and its consultants will require additional time to provide the information desired by KPFA and homestead stakeholders.

Based on the information present within the DEA, KPFA, at minimum requests the following:

1. An additional alternative access to the 80-lots planned for Auwae Road.
2. DHHL prepare a Traffic Impact Analysis Report ("TIAR") to assess the traffic impacts to Auwae Road and Kahaopea Street for the additional 80-lot proposed subdivision.
3. DHHL and the TIAR also assess the traffic impacts to the intersection of Kahaopea Street and Railroad based on the proposed subdivision of additional 80-lots.
4. DHHL and the TIAR further assess the cumulative impacts of the use of Railroad by the larger community.
5. DHHL prepare a traffic and crime impact study based upon Police analysis of traffic citations issued, vehicle collisions reported, residential and business crimes reported within a 1-mile radius of the planned Pana'ewa Agriculture Lot Subdivision area.
6. DHHL prepare a detailed report of anticipated environmental findings and contingency plans to address probable health and environmental issues relating to the anticipated environmental findings.
7. Resolve the disparity between the Hawaii County minimum agricultural lot size and the planned DHHL 80-lot subdivision agricultural lot size of 0.5 acres, and the planned roadway that will be constructed to County agricultural standards, which DHHL intends to transfer and dedicate to the County of Hawaii to maintain.
8. DHHL conduct at least two (2) beneficiary consultation meetings with the area native Hawaiian communities to discuss details of the planned ag lot development, including the scheduled meeting set for August 21, 2015, 5:30-7:30 pm at the Pana'ewa Family Center; future beneficiary consultation(s) should include regular public notice practices in conjunction with notice to area homestead organization leaders.

Members of KPFA and homestead stakeholders are either adjacent landowners or will be directly impacted by the proposed Auwae Road 80-lot development and at Mahi'ai 16-lot development and this request for additional time is reasonable and timely.

I can be reached at ianleeloy@hotmail.com, should there be any questions or if follow-up is needed.

Mahalo,

Ian B. Lee Loy
KPFA Board member



PRINCIPALS

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March 15, 2016

Mr. Ian Lee Loy, Board Member
Keaukaha Pana'ewa Farmers Association
c/o Department of Hawaiian Home Lands
Hilo District Office
160 Baker Avenue
Hilo, HI 96720

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Mr. Loy,

Thank you for your letter sent August 14, 2015 in regard to the Draft Environmental Assessment for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

Please note that this response pertains mainly to the Mahi'ai Lot, TMK number (3) 2-2-061:002. **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot, with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.) Your community may be contacted in the future to comment on plans for the Auwae Lots.

DHHL held a meeting with KPFA on August 21, 2015. Topics discussed included DHHL's plans for the Pana'ewa Agricultural Lots Subdivision and more in-depth discussion of KPFA's concerns.

As discussed at the meeting, several discussions initiated in the DEA comment period have not been concluded. Below is a status update on KPFA's comments:

1. *Alternative road access;*
2. *Traffic Impact Analysis Report;*
The State of Hawai'i Department of Transportation (DOT) determined the project is not anticipated to have a significant impact to State highway facilities. DOT excused

Mr. Loy

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025:006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 2 of 3

the Draft Environmental Assessment document's lack of a traffic assessment since the project will access County Roads. Further, DHHL may hire a traffic engineer to produce a Traffic Analysis Impact Report (TIAR) when DHHL plans to proceed with the Auwae Lots.

3. *Traffic impacts to the intersection of Kahaopea Street and Railroad Avenue, based on the 80-lot subdivision; and*
4. *Cumulative impacts of the use of Railroad Avenue by the larger community.*
These topics remain part of an ongoing discussion, pending the update of the Pana'ewa Regional Plan.
5. *Traffic and Crime impact study based on Police reports.*
As part of the planning process, DHHL engaged in early consultation with the County of Hawai'i Police Department. DHHL received a letter stating that the Police Department does not anticipate any significant impact to traffic and/or public safety concerns. In addition, the Police Department was sent a copy of the Draft Environmental Assessment and was invited to offer comments. As of the date of this letter, DHHL has not received any further comments from the Police Department regarding the project. DHHL will engage public safety discussions with the community as part of the Pana'ewa Regional Plan update process.
6. *Report of anticipated environmental findings and contingency plans.*
DHHL will send you a copy of the Final Environmental Assessment.
7. *Comparison between Hawai'i County minimum agricultural lot size and DHHL intended lot size, and implications for planned roadway.*
The topic of lot density remains an ongoing discussion for the Auwae Lots, pending the update of the Pana'ewa Regional Plan. DHHL will proceed with the half-acre lot size for the Mahi'ai Lot since there did not seem to be any community opposition due to the surrounding residential densities in that area.
8. *At least two beneficiary consultation meetings with area native Hawaiian communities to discuss the planned development, including the August 21, 2015 meeting; notification procedures for future beneficiary consultations.*
The Beneficiary Consultation is part of the consultation process for the Pana'ewa Regional Plan update, and your community will be included in this consultation.

Mr. Loy

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE
PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-
025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

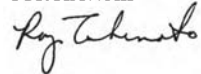
March 15, 2016

Page 3 of 3

We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII



Roy Takemoto
Planner

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Cc: Department of Hawaiian Home Lands

\\PBRFS04\Data\Shared\Admin\Job31\3151.02 Panaewa Ag Subdivision\Consultation\DEA\Comments and Responses\Response letters\Response KPFA-02.docx

Ms. Jojo Tanimoto
P.O. Box 44337
Kawaihae, Hawaii 96743
Email: Mumukukawaihae@yahoo.com

August 7, 2015

Ms. Niniau Simmons
Dept. of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Ms. Simmons:
Re: Panaewa Agricultural Subdivision-Draft Environmental Assessment.

Thank you for the opportunity to make comment on this Draft Environmental Assessment. DHHL has been very slow in awarding homes to families and this is a great community to begin an exciting journey of home ownership.

However, I have some concerns with this Project EA(which intends to relocate families (into a long-term lease function) into a location that makes plans without including future planning by neighboring interests (the County, businesses, etc.) that could affect the health and safety of these families. For example:

1. **Roads**
 - a) These families...and their neighbors on Auwae Road...should be concerned that there is no alternative access to Railroad Avenue (the main artery in Panaewa) in case of any any emergencies. DHHL needs to include a contingency plan in this EA to accommodate these 64 lots and everyone else on Auwae Road.
 - b) There is no mention of a traffic analysis that may affect the near future need to increase traffic on Auwae Road, Railroad Avenue and Kaneolehua Avenue. It is a primary concern that the general public proposed to connect the Kea'au community traffic to the businesses in the Panaewa community through Auwae Road and Railroad Avenue.
2. **Noise**-It has been a concern of the current lessees that the noise level from the quarry, the race track and the airport interferes with the phone reception, tv program and internet systems. DHHL needs to include long-term mitigation plans; not only during the construction stage.
3. **Leaching Health effects**-These 64 lots are closer to the Transfer Station than any of the farm sized leases in Panaewa. Therefore, this Environmental Report needs to make reference to what the Transfer Station used to be in order to make proper mitigations for health hazards. The Transfer Station was a dump site. There was no inventory as to what may still be in the soil; and leaching through years of rainfall. There is no reference to County planning to extend the land area or term limit to continuing to accept trash at this site. The EA needs to include this factor.

Thank you for the opportunity to make comments to this EA.

Sincerely
Jojo Tanimoto, homesteader



PRINCIPALS

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Vice President

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1719 Hahione Street
Hilo, Hawaii 96720-1553
Tel/Cel: (808) 313-6878

March 15, 2016

Ms. Jojo Tanimoto
P.O. Box 44337
Kawaihae, HI 96743

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED PANAEWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

Dear Ms. Tanimoto,

Thank you for your letter dated August 7, 2015 in regard to the Draft Environmental Assessment (DEA) for the proposed Pana'ewa Agricultural Lots Subdivision. As the planning consultant for the Department of Hawaiian Home Lands (DHHL), we acknowledge your comments about the project and provide the following response.

Please note that this response pertains mainly to the Mahiai Lot, TMK number (3) 2-2-061:002. **DHHL has decided to defer development of the Auwae Lots pending updates to the Pana'ewa Regional Plan and Hawai'i Island Plan.** The project area for the forthcoming Final Environmental Assessment will be limited to the Mahi'ai Lot, with the intention to prepare a separate Final EA for the Auwae Lots that follows the updated plans. (The updates are not anticipated to affect the Mahi'ai Lot.)

Your community may be contacted in the future to comment on plans for the Auwae Lots.

Roads and Noise

Several discussions initiated in the DEA comment period have not been concluded, including your comments on roads and noise. DHHL is currently working to update the Pana'ewa Regional Plan and the Hawai'i Island Plan. The Beneficiary Consultation process will be employed for the Regional Plan update, and your community will be included in this consultation. The Auwae Lots final design will follow this updated regional plan, so we encourage you to remain involved in the planning process and ensure that your concerns are addressed. DHHL may hire a traffic engineer to produce a Traffic Analysis Impact Report (TIAR) when DHHL plans to proceed with the Auwae Lots.

Ms. Jojo Tanimoto

SUBJECT: COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE
PROPOSED PANA'EWA AGRICULTURAL LOTS SUBDIVISION, TMK: (3) 2-2-061:002, (3) 2-1-
025-006, (3) 2-1-025:007, (3) 2-1-025:047 and (3) 2-1-025:048

March 15, 2016

Page 2 of 2

Leaching Health Effects

The Hilo Transfer Station on Leilani Street is a State of Hawai'i Brownfield site. The term "Brownfield" indicates that the Hilo Transfer Station is, or is perceived to be, contaminated. However, based on a Phase II Environmental Site Assessment done for HTS, the status of the Brownfield is "no contaminant found." Standards for Phase II Environmental Site Assessments are established by the American Society for Testing and Materials (ASTM) and, by definition, include sampling and laboratory analysis.

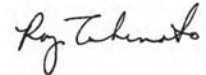
Furthermore, any groundwater passing beneath the Hilo Transfer Station would follow elevation down towards the coastline, and not towards the Pana'ewa agricultural lots.

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We value your participation in the environmental review process. Your letter will be included in the Final Environmental Assessment. If you have any questions or require more information, please do not hesitate to contact me at 521-5631 or rtakemoto@pbrhawaii.com.

Sincerely,

PBR HAWAII



Roy Takemoto
Planner

Cc: Department of Hawaiian Home Lands

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21-22, 2016

To: Chairman and Members, Hawaiian Homes Commission
Through: Niniau Simmons, NAHASDA Manager
Subject: Draft 2016 Native Hawaiian Housing Block Grant
Annual Housing Plan

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

The attached draft 2016 Native Hawaiian Housing Plan is being submitted for review. Each year, as part of its compliance with 24 CFR Part 1006, Title VIII of the Native American Housing and Self Determination Act (NAHASDA), the Department of Hawaiian Home Lands (DHHL) must file an approved annual housing plan with the U.S. Office of Housing and Urban Development. This year, the due date is April 17, 2016.

Notable changes this year include:

- Capital Improvement Projects are now listed as one activity, instead of by project. This allows more room in the budget section and also shortens the housing plan itself.
- Water infrastructure improvements are a new activity this year. DHHL intends to leverage USDA monies to improve its water systems at Anahola, Kauai and Hoolehua, Molokai.
- Language regarding the Nelson decision was included in the Housing Needs section.
- This year, the DHHL also included estimated NAHASDA funding needs for home rehabilitation, bringing the combined total need to \$10.8 billion.

Native Hawaiian Housing Block Grant (NHHBG)

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

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing
Office of Native American Programs

For DHHL Use:

2016 NATIVE HAWAIIAN HOUSING PLAN

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

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

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

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

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

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

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

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

COVER PAGE

(1) Grant Number: None

(2) Recipient Fiscal Year: 2016

(3) Federal Fiscal Year: 2016

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

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

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

(7) Name of Recipient: Department of Hawaiian Home Lands		
(8) Contact Person: Niniau Simmons, NAHASDA Manager		
(9) Telephone Number with Area Code: 808-620-9513		
(10) Mailing Address: PO Box 1879		
(11) City: Honolulu	(12) State: Hawaii	(13) Zip Code: 96805
(14) Fax Number with Area Code (if available): 808-620-9529		
(15) Email Address (if available): Niniau.Simmons@hawaii.gov		

(16) Tax Identification Number: 99-0266483
(17) DUNS Number: 809935661
(18) CCR/SAM Expiration Date: 07/20/2016
(19) NHHBG Annual Grant Amount: None
(20) Name of Authorized NHHP Submitter: Jobie M. K. Masagatani
(21) Title of Authorized NHHP Submitter: Chairman, Hawaiian Homes Commission
(22) Name of Authorized APR Submitter:
(23) Title of Authorized APR Submitter:

(24) Signature of Authorized APR Submitter:
(25) APR Submission Date:

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

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

SECTION 1: FIVE YEAR PLAN

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

Five Year Period: **2016** through **2021**

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

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

Enter the DHHL's Mission Statement here:

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

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

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

Goals May Include:

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

Objectives May Include:

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

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

Goal(s) Number: I	(2) Assist renters to become homeowners
------------------------------	---

Select from the goals listed above.

Objective(s) Number: I(a)	(24) Infrastructure to support housing
--------------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Infrastructure Development	To build infrastructure for lots on Maui and East Kapolei II; water infrastructure improvement for Hoolehua, Molokai and Anahola, Kauai.
---	--

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

Goal(s) Number: II	(5) Create new affordable rental units
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Select from the goals listed above.

Objective(s) Number: II(a)	(4) Construction of rental housing
---------------------------------------	------------------------------------

Select from the objectives listed above.

Program/Activity Description: Lai Opuu Rent with Option to Purchase, Developer financing	This activity will provide for funding as part of a capital stack to conduct vertical construction of 117 units in Lai Opuu, Village 4.
--	---

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

Goal(s) Number: III	(2) Assist renters to become homeowners
--------------------------------	---

Select from the goals listed above.

Objective(s) Number: III(a)	(18) Other Housing Service
--	----------------------------

Select from the objectives listed above.

Program/Activity Description: Risk Mitigation	The department began the HALE program pilot in August 2013, with the creation of the NHHBG Loan Review Committee which identified barriers to loan approval and developed risk mitigation efforts to address/remove those barriers. Part of those efforts include financial education; budgeting; and credit repair services.
---	---

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

Goal(s) Number: IV	(10) Other
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Select from the goals listed above.

Objective(s) Number: IV(a)	(18) Other housing service
---------------------------------------	----------------------------

Select from the objectives listed above.

Program/Activity Description: Loss Mitigation	HALE also addresses loss mitigation efforts by the department for those lessees with guaranteed/insured loans or direct loans by utilizing the same 5 agencies that received the aforementioned National Mortgage Settlement monies and supplementing with contracted vendors.
--	--

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

Goal(s) Number: V	(2) Assist renters to become homeowners
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Select from the goals listed above.

Objective(s) Number: V(a)	(11) New construction of homebuyer units
----------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Homeowner Financing	To provide NHHBG funded home loans to lessee families participating in new construction.
--	--

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

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

Objective(s) Number: VI. (a)	(16) Rehabilitation assistance to existing homeowners
-------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Home Assistance Program	To provide deferred/regular payment loans for the elderly and disabled in: Kalamaula/Hoolehua/Kapaakea; Keaukaha-Panaewa; Nanakuli/Waianae; Papakolea/Waimanalo. 60 families have been identified and are in the various stages of qualifying and/or being served.
--	--

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

Goal(s) Number: VII	(8) Improve energy efficiency
----------------------------	-------------------------------

Select from the goals listed above.

Objective(s) Number: VII(a)	(16) Rehabilitation assistance to existing homeowners
------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Energy retrofits	This program attempts to reduce the high cost of energy in the State by installing solar panels or photovoltaic panels on lessee homes thru the use of subrecipients and/or new construction loans.
---	---

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

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

Objective(s) Number: VIII(a)	(10) Acquisition of land for homebuyer unit development
-------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Land Acquisition	This activity will support land purchase for home development.
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Goal(s) Number: IX.	(1) Reduce over-crowding
----------------------------	--------------------------

Select from the goals listed above.

Objective(s) Number: IX(a)	(18) Other Housing Service
-----------------------------------	----------------------------

Select from the objectives listed above.

Program/Activity Description: Alternative Housing Design	This activity will support the design of alternative housing models, to include multi-family; multi-lease; and culturally-relevant housing models.
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Goal(s) Number: X.	(2) Assist renters to become homeowners
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Select from the goals listed above.

Objective(s) Number: X(a)	(8) Conversion of other structures to affordable housing
----------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Housing Conversion	This activity supports the exploration of converting existing land and structures to affordable housing whose general lease or license may soon expire and revert back to the department.
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Goal(s) Number: XI.	(5) Create new affordable rental units
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Select from the goals listed above.

Objective(s) Number: XI(a)	(4) Construction of rental housing
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Select from the objectives listed above.

Program/Activity Description: Kupuna Housing Development	This activity will support the development of elderly housing for the aging native Hawaiian population.
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Goal(s) Number: XII.	(3) Improve Quality of Substandard Units
---------------------------------	--

Select from the goals listed above.

Objective(s) Number: XII. (a)	(24) Infrastructure to support housing
--	--

Select from the objectives listed above.

Program/Activity Description: Water Development	This activity will support the development and delivery of water to existing/new homesteads.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

ONE YEAR PLAN

SECTION 2: HOUSING NEEDS

(NAHASDA § 803(c)(2)(B))

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

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

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

The Hawaiian Homes Commission Act of 1920, as amended, established the Hawaiian Home Lands Trust and defined the population eligible to reside on Hawaiian home lands as those native Hawaiians with at least 50% Hawaiian blood and their successors or assignees of less than 50% Hawaiian blood. With approximately 8,876 leases on homesteads stretching from Hawaii Island unto Kauai, the Department of Hawaiian Home Lands was created at Statehood to assist the commission meet its fiduciary obligations. As a condition of admission as a state into the United States of America, the State of Hawaii adopted the entirety of the HHCA into its State Constitution. In 1978, at its constitutional convention, Hawaii delegates amended Article XII, Section 1 to say ʻōi shall appropriate sufficient sums ʻō as opposed to

the discretionary word “may.”¹ Section 2 continues to say, “The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out.”²

Unfortunately, as recounted by Circuit Judge Jeannette Castagnetti in her oral ruling on the State’s appeal of the Nelson lawsuit, the Territory and State of Hawaii have failed to sufficiently fund DHHL for the purposes of fulfilling the HHCA.³

In 2014, DHHL contracted with SMS Research & Marketing Services, Inc. (SMS) to update the Beneficiary Needs Survey conducted in 1995, 2002 and 2008.

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

8,876	Lessees residing on the DHHL lands as of November 30, 2014 ⁴
27,341	Unduplicated waitlist as of June 30, 2014 ⁵
32,460	Estimated Potential Applicants based on SMS 2006 respondents ⁶
68,677	Total native Hawaiian individuals/households

By applying the SMS 2008 Beneficiary/Applicant Study and the SMS 2014 Applicant Study percentage estimates, we anticipate the following NAHASDA eligible native Hawaiian households as follows:

4,517	Lessees residing on the DHHL Lands \div 8,876 x 50.9%
12,303	Applicants \div 27,341 x 45% (to determine 80% AMI)
17,366	Potential Applicants \div 32,460 (SMS 2006 Study) x 53.5%
34,186	Total native Hawaiian households eligible for NAHASDA

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

12,303	Applicants \div 27,341 x 45%
17,366	Potential Applicants \div 32,460 (SMS 2006 Study) x 53.5%
29,669	x \$350,000 = \$10,384,150,000.00 sufficient funding for new construction

1 Hawaii State Constitution. <http://irbhawaii.org/con/conart12.html>

2 Ibid.

3 Nelson vs. Hawaiian Homes Commission, First Circuit Court, 02/29/16. Oral ruling.

4 Homestead Services Division, 12/15/14 Commission submittal. Includes lessees residing on residential, agricultural and pastoral lots, one lessee per lease, one house per lease/lot, as applicable. 961 Undivided Interest lessees omitted.

5 DHHL website Application Wait List as of June 30, 2014.

6 The SMS 2006 Housing Policy Study included a category for native Hawaiians with at least 50% blood quantum and not DHHL lessees or applicants.

In prior housing plans, the DHHL did not calculate rehabilitation for existing housing stock. In this plan, the DHHL does include the following:

4,517 Lessees residing on the DHHL Lands ó 8,876 x 50.9%

4,517 x \$100,000 amount under HAP = **\$451,700,000.00 sufficient funding for rehabilitation of existing housing**

TOTAL NAHASDA FUNDING NEEDED: \$10.8 billion

Native Hawaiian Rehabilitation

The kupuna of our past left the native Hawaiian people a wealth of information held in the Hawaiian newspapers and the archives of the many entities that Prince Jonah Kuhio Kalaniana'ole was credited with founding. One of those entities, the Ahahui Puuhonua, served as the catalyst toward the chronicling of the despair and destitution of the makaainana (commoner) in 1911. By 1918, one of the Prince's closest confidants and the kahu (reverend) of the Kawaiahao Church, put the results of many years of study in publishing, *õThe Sinews for Racial Development.õ* This book, which the Prince carried with him every day, was dedicated, *õ for leaders, for those whose hearts are touched by the pressing needs of the race and are willing to offer the very best of their lives and service freely for its uplift.õ*

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

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

The work of the Ahahui Puuhonua and its members provided Prince Kuhio the much needed support, both at home in Hawaii and abroad in Washington, D.C. to finally pass the Hawaiian Homes

⁷ Akana, Akaiko. (1992) *Light Upon the Midst*. Mahina Productions: Kailua-Kona, Hawaii.

Commission Act of 1920. It was an arduous task that encouraged and/or developed the following community strengthening organizations:

Royal Order of Kamehameha
Mamakakaua
Hale O Na Alii
Counties of Hawaii, Maui, Oahu and Kauai
Honolulu Civic Club
Territorial Legislature
Hawaii Republican Party

Through the Prince's leadership and participation in each of these community endeavors, the legacy of the Prince lives on for us today. This housing plan, a descendant of Kuhio's legacy thru the HHCA, is but a small piece of a much broader articulation of need in the State of Hawaii today. By focusing on the housing, this most basic of needs acknowledged in the Western world by Maslow, the department attempts to participate in the rehabilitation of the Hawaiian people. Should every Hawaiian have a safe, affordable, decent home, with fresh water for bathing and eating and cooking and food grown or gathered nearby, we could claim success. But with over \$10 billion in need and as the average 57-year-old applicant dies on the waiting list, it does not seem likely we will be able to make such a claim without immediate and swift monetary assistance in the next few years.

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

Given these housing needs, the department will focus the use of the NHHBG funds developing the supply of affordable housing units and then prepare the applicant lessee for home ownership. The department has also committed to using NHHBG funding to rehabilitate existing units as part of its Home Assistance Program. In addition, the department continues to provide necessary technical assistance to developing the capacity of partnering entities in order for them to successfully carryout and administer NHHBG funds within the timeline articulated in their agreements.

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

According to the 2010 Census, 70% of the state's population resides on the island of Oahu. Likewise, approximately 63% of all Native Hawaiians⁸, 51% of all DHHL applicants⁹, and 64% of all DHHL potential applicants¹⁰ in the state reside on the island of Oahu. As current figures reflect, 46% of homestead residential applications¹¹ are for Oahu. Hawaii Island follows at second with 26%¹². The lessee, wait list and actual acreage distribution are as follows:

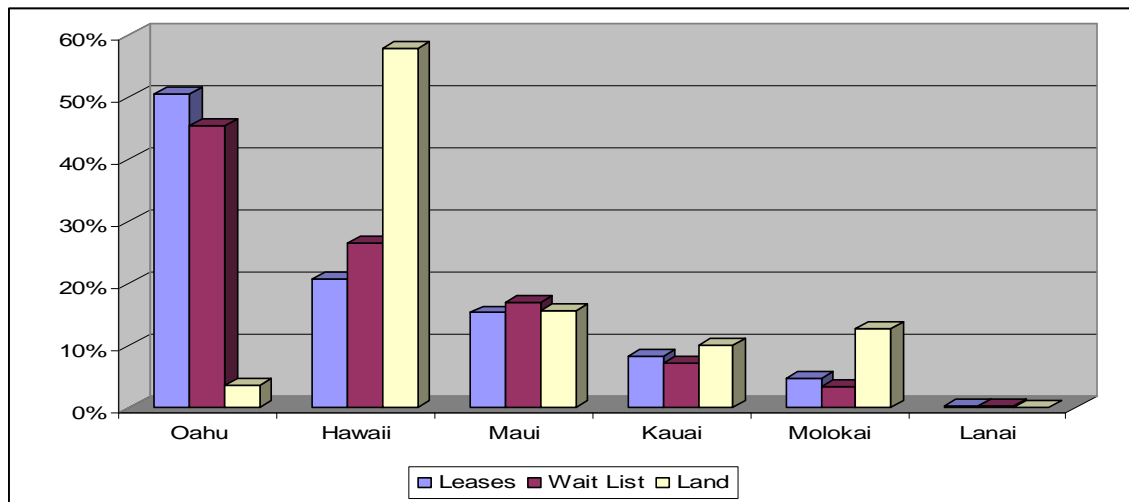
8 Taken from Aloha Counts by County, Alu Like 2003

9 SMS 2014 Applicant Study

10 Taken from SMS 2006 Study

11 Homestead Area & Islandwide Applications Waiting List, 12/31/15.

12 Ibid.



Residential Leases as of 12/31/15 ¹³			Residential Wait List as of 12/31/15 ¹⁴		Home Land Acreage as of 2008 Annual Report	
Island	Number	Percent	Number	Percent	Number	Percent
Oahu	4,214	51%	10,386	47%	7,495	3.69%
Hawaii	1,705	21%	5,766	26%	117,550	57.84%
Maui	1,268	15%	3,752	17%	31,796	15.65%
Kauai	698	8%	1,642	7%	20,565	10.12%
Molokai	395	5%	783	3%	25,769	12.68%
Lanai	29	<1%	82	<1%	50	0.02%
Total	8,309	100.00%	22,411	100.00%	203,225	100.00%

The data indicates that there is high demand for residential homesteads on the island of Oahu, an island with the second lowest Trust land holdings. The bulk of the Trust's lands are located on the island of Hawaii where residential waitlist numbers indicate it has the second highest demand. Based on the Trust's continued focus on building out East Kapolei II and Kakaina in Waimanalo, there also is room to continue the discussion of multi-family, condominium style development in the Trust property's urban core (the former Bowl a Drome) and near the existing rail development (transit oriented development).

¹³ Ibid.

¹⁴ Ibid.

SECTION 3: PROGRAM DESCRIPTIONS

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

Planning and Reporting on Program Year Activities

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

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

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

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

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

Outcome May Include:

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

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

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

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

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

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of

accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual OMB Circular A-133* audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

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

I. Program Name and Unique Identifier: 2016 Capital Improvement Projects (AHP I)

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

To build infrastructure for new construction in East Kapolei; Waimanalo; Panaewa and Waiohuli. Previous housing plans listed each CIP project separately but beginning with this housing plan, all CIP will be condensed under one program name/unique identifier.

Kapolei

To construct infrastructure development for lots in IIC.

Waimanalo

To construct infrastructure development for lots in Kakaina. Majority of work completed; however, some change orders may continue to FY 17.

Waiohuli

To construct onsite drainage mitigation measures and other improvements for 46 lots. Contract awarded in February 2016.

Panaewa

This activity provides infrastructure and lot development of 16 subsistence ag lots in Panaewa, Hawaii. Draft EA completed in Fall 2015 and IFB expected in late 2016.

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

(24) Infrastructure to Support Housing [810(b)(1)]

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

(2) Assist renters to become homeowners

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

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

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

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

Applicant lessees or undivided interest lessees who meet NAHASDA criteria will receive vacant or improved lots for new home construction.

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

This activity covers the cost of the infrastructure for each of the projects at East Kapolei, Waiohuli, Panaewa and Waimanalo.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

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

This activity will be reported on the Uses of Funding Table

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

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

II. Program Name and Unique Identifier: Developer Financing ó Lai Opuā (AHP II)

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

This activity will provide for funding as part of a capital stack to conduct vertical construction of 70 rent with option to purchase units in Lai Opuā, Village 4. Continued from last Housing Plan with no activity. RFP/IFB to be published later this calendar year.

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

(4) Construction of Rental Housing [810(b)(1)]

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

7) Create new affordable rental units

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

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

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

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

70 undivided interest lessees will be assisted through the vertical construction of their home in Lai Opua.

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

This activity covers the cost of the vertical construction for each of 70 lots.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
0	0	0			

This activity will be reported on the Uses of Funding Table

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

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

III. Program Name and Unique Identifier: HALE Program ó Risk Mitigation (AHP III)

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

The HALE Program has two branches: 1) Risk Mitigation, in the form of homebuyer education services; and 2) Loss Mitigation, in the form of lease cancellation/foreclosure prevention services. This first activity will deal with Risk Mitigation.

The department began the HALE program pilot in August 2013, with the creation of the NHHBG Loan Review Committee which identified barriers to loan approval and developed risk mitigation efforts to address/remove those barriers. The identified

recipients of HALE services are those families receiving NHHBG-funded homeowner financing, down payment assistance, individual development accounts, and/or NHHBG eligible but receiving outside financing.

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

(18) Other Housing Service [810(b)(2)]

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

(2) Assist renters to become home owners

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

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

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

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

HALE's risk mitigation services will serve the following projects statewide, assisting beneficiaries to become credit qualified:

Kauai: 6 Habitat lessees, Piilani Mai Ke Kai

Maui: 46 U/I lessees, Waiohuli

Molokai: 6 Habitat lessees, Kalamaula

Molokai: 77 Package Home lessees, Kalamaula

Molokai: 4 Habitat lessees, Hoolehua

Oahu: 10 Kanehili lessees for turnkey units

Oahu: 17 Kakaina lessees for self-help units

Oahu: 13 Kakaina lessees for turnkey units

Oahu: 160 East Kapolei IIB, Kapolei

Hawaii: 10 Habitat lessees, Lai Opuu

Hawaii: 118 Lai Opuu Lessees, Village 4

Hawaii: 6 Habitat lessees, Kawaihae Mauka

Hawaii: 33 Package Home lessees, Keaukaha

Total: 506 lessees

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

In the past three years, the department has discovered that many lessees who are attempting to qualify for homestead offerings simply do not have the credit to do so. Many of these lessees have taken homebuyer education courses that have had no impact to their behavior and as a result, for example, within six months of pre-qualifying for a self-help loan, they are debt ridden and not on a budget.

The creation of the NHHBG Loan Review has done the following:

- Review the barriers being experienced by the applicant lessee
- Identify mitigation strategies to minimize the risk to the NHHBG portfolio
- Utilize credit counseling partners to assist applicant lessee to loan closing

The department's NHHBG-funded housing specialists now develop a personal relationship with each loan applicant; assesses their family strengths/weaknesses and then engages with the Loan Review team to develop risk mitigation strategies. After securing referrals thru either contract providers or one of the 5 free HUD-certified counseling agencies, staff then receives regular reports on the family's progress. Once the family is ready to move forward, the loan review team prepares the necessary loan request for the Chairman's approval. The department realizes that our families need intensive handholding and frequent follow up in order to have the statewide projects identified in 4.6 realized.

The following subrecipients have/will have agreements that will focus on this goal and activity and will be reported as follows in the Annual Performance Report to enhance transparency and facilitate information dissemination:

Executed Agreements:

- Hawaiian Community Assets, 2012 Award, \$312,457; bal. \$207,715.67 (Assist 75 w/financial counseling & debt reduction grants)
- Hawaii Home Ownership Center, 2014 Award, \$622,263; bal. \$599,313.83 (Assist families on Hawaii Island & Kauai with homeownership preparation)
- Helen Wai, LLC, 2014 Award, \$498,000; bal. \$442,097.24 (Assist families on Oahu with homeownership preparation)

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
0	30	0			

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

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

IV. Program Name and Unique Identifier: HALE Program 6 Loss Mitigation (AHP IV)

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

This activity in the second branch of the HALE Program: 2) Loss Mitigation, in the form of lease cancellation/foreclosure prevention services.

NHHBG staff have been active participants of the department's Delinquency (DQ) Committee since its inception two years ago. Utilizing meetings with local/mainland banks and mortgage companies; research on best practices for loss mitigation; and piloting the East Hawaii Loss Mitigation products have resulted in the initial strategies currently being studied for implementation. At present, the department currently offers two distinct types of loans: external loans (247, 184A, USDA-RD, etc.) and direct loans (with Trust or NHHBG monies). While the 11/30/14 Delinquency Report compiled by HSD shows the direct loan portfolio at 26% delinquent (approximately \$16 million), it is the FHA Insured Loan portfolio that causes the greatest consternation: just 11% (307 loans) delinquent but representing approximately \$39 million in external loans that are on the path to defaulting back to the Trust.

In order to attempt to mitigate this problem, staff have met with each of the 5 agencies who received National Mortgage Settlement monies to educate them on this portfolio and to ask for their assistance in providing free services to our beneficiaries. Training of department staff in foreclosure prevention was done in early November 2013 and ongoing NeighborWorks trainings were held in 2014 for staff, subrecipients, and community stakeholders so that mitigation education can be found in every homestead community. The plan includes reaching out to these defaulting beneficiaries and secure their cooperation in preventing their external loan from defaulting. Where staff have heard from these service providers about the external lenders failing to provide loss mitigation services as defined by the current HUD memorandum of agreement, documentation of such and the Chairman's active involvement in seeking to address this issue at the federal level has been successful in diverting and/or reducing the amount of external loans defaulting back to the Trust.

Now that the department has hired its HALE Manager, these additional NHHBG funded loss mitigation options are being planned for the later part of this calendar year to include:

- Temporary financial assistance, short term
- Direct loan forbearance, interest rate reduction, and/or deferment
- Development of the HALE loss mitigation team

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

(18) Other Housing Service [810(b)(2)]

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

(12) Other

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

To maintain a lessee in his/her own home.

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

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

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

The lessees listed on the department's monthly statewide report who are delinquent 30+ days or more are eligible for loss mitigation services under HALE.

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

- Temporary financial assistance, short term
- Direct loan forbearance, interest rate reduction, and/or deferment

- Counseling and advocacy assistance for external loan lessees
- Counseling and advocacy assistance for direct loan lessees in the lease cancellation process

Executed Agreements:

- Hawaiian Community Assets, 2012 Award, \$312,457; bal. \$207,715.67 (Assist 75 w/financial counseling & debt reduction grants)*
- Hawaii Community Assets, 2015 Award, \$300,000 (Assist up to 150 lease cancellation families)
- Helen Wai, 2015 Award, \$200,000 (Assist up to 100 lease cancellation families)
- Nanakuli Housing Corp., 2015 Award, \$100,000 (Assist up to 50 lease cancellation families)

*Clarification received from HUD that eligible activities for debt reduction grants includes short-term subsidies to bring a delinquency current or to pay delinquent utility bills. Examples of non-eligible activities include non-housing related credit card debt or car loan payments.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
0	30	0			

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

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

V. Program Name and Unique Identifier: Homeowner Financing (AHP V)

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

This program will utilize statewide contracts with federally insured, federally regulated financial institutions to deploy financing for the housing projects identified in 5.6 above. The deployment of NHHBG monies to federal depository institutions means a high level of compliance with regulatory requirements common in the industry while disseminating loan origination and servicing duties to the communities where the homesteads are located. Financing will also be provided directly by the department through its Direct Loan Program.

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

(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]
1.3 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i> (2) Assist renters to become homeowners
Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i>
1.4 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i>
Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i>
1.5 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i> The lessees of the following projects will be targeted for assistance. While not all may receive assistance in the 12 month timeframe, we are estimating that given the length of time for program planning, procurement, and service delivery design, at least 6 families should receive home loans thru this program. Kauai: 6 Habitat lessees, Piilani Mai Ke Kai Maui: 46 U/I lessees, Waiohuli Molokai: 6 Habitat lessees, Kalamaula Molokai: 77 Package Home lessees, Kalamaula Molokai: 4 Habitat lessees, Hoolehua Oahu: 10 Kanehili lessees for turnkey units Oahu: 17 Kakaina lessees for self-help units Oahu: 13 Kakaina lessees for turnkey units Oahu: 160 East Kapolei IIB, Kapolei Hawaii: 10 Habitat lessees, Lai Opuu Hawaii: 118 Lai Opuu Lessees, Village 4 Hawaii: 6 Habitat lessees, Kawaihae Mauka Hawaii: 33 Package Home lessees, Keaukaha Total: 506 lessees
1.6 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i> Financing for home loans statewide utilizing NHHBG funds for projects afore-mentioned.
1.7 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i>

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
5		0			

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

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

VI. Program Name and Unique Identifier: Energy Retrofits (AHP VI)

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

This program reduces monthly costs to the lessee by providing energy saving retrofits.

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

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

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

(10) Improve energy efficiency

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

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

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

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

Eligible lessees residing on department's trust lands are eligible for assistance.

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

The following subrecipients have/will have agreements that will focus on this goal and activity and will be reported as follows in the Annual Performance Report to enhance transparency and facilitate information dissemination:

Executed Agreements:

- Council for Native Hawaiian Advancement, 2011 Award: \$453,058; Bal: \$409,547.70 (ex. 01/10/13; 60 families)

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
5					

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

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

VII. Program Name and Unique Identifier: Home Assistance Program (HAP) (AHP VII)

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

This program covers the department's attempt to address substandard, aging housing on the homelands. The policies and procedures for HAP were passed at the July 2013 meeting of the commission on Kauai. Using its existing partnerships with community agencies, the goal is to service the beneficiary lessees of: Kalamaula/Hoolehua/Kapaakea; Keaukaha-Panaewa; Nanakuli/Waianae; and Papakolea/Waimanalo. There are already 50 families identified or being served at present by the department and another 24 families set to be helped with pending agreements.

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

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

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

(3) Improve quality of substandard units

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

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

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

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

Families determined and identified by HAP or subrecipient staff as eligible will be assisted. This includes the 20 families who were waiting for help from the C&C of Honolulu program.

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

Deferred payment loans, as defined by HAP or the respective subrecipient agreement, will be provided.

The following subrecipients have/will have agreements that will focus on this goal and activity and will be reported as follows in the Annual Performance Report to enhance transparency and facilitate information dissemination:

Executed Agreements:

- Nanakuli Housing Corporation, 2011 Award: \$328,850; bal: \$50,002.88; (Assist 2 lessees)
- Nanakuli Housing Corporation, 2012 Award: \$360,850; bal. \$313,727.67 (Assist 5 lessees)
- Kauai Habitat, 2012 Award: \$300,000 (Assist 6 lessees); NTP issued 09/2015.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
5					

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

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

VIII. Program Name and Unique Identifier: Existing Water Infrastructure Improvements (AHP VIII)

1.1 Program Description *(This should be the description of the planned program.):* This activity will utilize NHHBG funding leveraged with USDA to improve water infrastructure for systems in Hoolehua, Molokai and Anahola, Kauai.

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

(24) Infrastructure to Support Housing [810(b)(1)]

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

(4) Improve quality of existing infrastructure

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

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

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

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

New and existing lessees in Anahola, Kauai and Hoolehua, Molokai would be assisted with water infrastructure improvements.

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

Improved water service delivery and/or new water service delivery for lessees in the previously mentioned homesteads.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

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

This activity will be reported on the Uses of Funding Table

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

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

IX. Program Name and Unique Identifier: Emergency Financing (AHP IX)

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

This activity provides emergency funding (CIP, fee for services) for the DHHL to use on behalf of existing lessees. In the instance where health or safety of lessee(s) may be compromised, this activity will allow for the use of NHHBG funds for emergency CIP or contract services to assist eligible families.

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

(24) Infrastructure to Support Housing [810(b)(1)]

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

(4) Improve quality of existing infrastructure

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

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

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

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

Assistance would be for lessees who have need for help on an emergency basis (retaining wall collapse; sewer/septic tank backup; shifting foundation; earthquake/flood/tsunami/lava flow)

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

The DHHL would use NHHBG funds to carry out assistance for lessees who may be in imminent danger or health/sanitation compromised by an existing/new situation.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

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

This activity will be reported on the Uses of Funding Table

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

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

X. Program Name and Unique Identifier: Property Acquisition (AHP X)

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

This activity provides funds for the department to purchase vacant land or existing housing for inclusion into Trust inventory.

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

(10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]

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

(1) Reduce over-crowding

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

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

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

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

Applicants on the waitlist will be assisted by having additional affordable housing stock made available to lease by the department.

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

Land identified for acquisition will be considered for purchase for future development to increase affordable housing inventory on DHHL Trust Lands.

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

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
		1			

This activity will be reported on the Uses of Funding Table

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

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

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

SECTION 4: AFFORDABLE HOUSING RESOURCES

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

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

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

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

The department currently sits as a member partner on the Legislature's Affordable Housing Think Tank and the Governor's Interagency Council on Homelessness. At a recent briefing for the state legislature, all state housing agencies attended to provide a schedule of upcoming housing activities/unit count. The department's NHHBG funded mortgage loans provide single family housing for the same or lower price than a studio in a multi-family high rise built by another housing agency in the urban core. Without NHHBG funding, the department would be unable to build or finance housing for the 80% AMI or below target population.

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

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

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

Section 184 A loan program.

DHHL has been utilizing the FHA 247 loan program since 1987. Almost \$390 million in mortgage loans are outstanding through the FHA 247 loan program to lessees on Hawaiian home lands. Also available is the FHA 203K program for rehabilitation of homes. The Veterans Affairs direct loan, Rural Development (U.S. Department of Agriculture) loan programs, Federal Home Loan Bank (Seattle) Affordable Housing Program grants and low-income housing tax credits are other financing options and tools utilized on Hawaiian home lands.

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

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

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

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

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

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

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

The DHHL was created by the State Legislature in 1960 to administer the Hawaiian home lands program and

manage the Hawaiian home lands trust. The DHHL is one of eighteen principal agencies of the Executive Branch of the State of Hawai'i.

The DHHL serves native Hawaiians or individuals of at least 50% Hawaiian blood, as defined by the Hawaiian Homes Commission Act of 1920, as amended, and their successors and assigns. These native Hawaiians are the beneficiaries of the Hawaiian home lands trust consisting of a land trust of over 200,000 acres, settlement monies from the State for the mismanagement of trust lands, funds received from the State general fund for a portion of its operating costs, and revenues and earnings from the land leasing program.

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

Currently, there are 99 full time employees in DHHL with six offices statewide. DHHL's main administrative office is located in Kapolei, Oahu and the five (5) district offices are located on neighbor islands. There are two (2) district offices on the Big Island, one in Hilo (East Hawaii) and one in Waimea (West Hawai'i), Hawai'i; one (1) district office in Lihue, Kauai; one (1) district office in Wailuku, Maui; and one (1) district office in Kalamaula, Molokai. DHHL is organized into five offices and three divisions under the Hawaiian Homes Commission and Office of the Chairman. The various offices and divisions are described as follows:

Office of the Chairman (OCH) ô 18 staff members

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

Administrative Services Office (ASO) ô 7 staff members

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

Fiscal Office (FO) ô 14 staff members

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

Planning Office (PO) - 8 staff members

The Planning Office conducts research and planning studies required in the development of policies, programs, and projects to benefit native Hawaiians. The PO coordinates and develops the Regional Plans, administers the Native Hawaiian Development Program, provides capacity building training for homestead organizations, and provides community based grants for the implementation of Regional priority projects, community based economic development, and membership development.

Information and Community Relations Office (ICRO) ô 3 staff members

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

Homestead Services Division (HSD) ó 32 staff members

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

Land Management Division (LMD) ó 9 staff members

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

Land Development Division (LDD) ó 15 staff members

LDD is charged with the responsibility of developing trust lands for homesteading and income-producing purposes. This is accomplished through the development of properties for residential, agricultural, pastoral, and economic development uses. LDD has three operating branches: 1) Design and Construction ó concentrating on the design and construction of off-site and on-site improvements for the various subdivisions; and 2) Master-Planned Community ó expediting the construction of housing options through partnerships with private sector and exploring other housing opportunities; and, 4) Housing Project's awards leases.

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

Hawaiian Homes Commission (HHC)

Jobie M.K. Masagatani, Chairman
David Kaapu, West Hawaii Commissioner
Wallace "Wally" Ishibashi, East Hawaii Commissioner
Doreen Napua Canto, Maui Commissioner
Gene Ross Davis, Molokai Commissioner
Kahele Richardson, Oahu Commissioner
Michael P. Kahikina, Oahu Commissioner
Wren Wescoatt, Oahu Commissioner
Kathleen Puamae ole "Pua" Chin, Kauai Commissioner

Department of Hawaiian Home Lands

Jobie M. K. Masagatani, Director
William J. Aila, Jr., Deputy to the Chairman
Derek Kimura, HHL Executive Assistant
Kamana'o Mills, Special Assistant
Rodney Lau, Administrative Services Officer
James Pao, Fiscal Management Officer
Kaleo Manuel, Acting Planning Program Manager
Francis Apoliona, HHL Compliance and Community Relations Officer
Niniau Simmons, Manager (NAHASDA)
Trisha Paul, Program Specialist (NAHASDA)
Dawnelle Forsythe, Compliance Specialist (NAHASDA)
Paula Aila, HALE Manager/Acting ICRO Manager
Juan Garcia, Homestead Services District Supervisor III

Louis Hao, East Hawaii Homestead District Supervisor
James Du Pont, West Hawaii Homestead District Supervisor II
Halealoha Ayau, Molokai Homestead District Supervisor II
Isaac Takahashi, Homestead Housing Specialist VI
Dean Oshiro, Housing Services Division Administrator
Sharon Mendoza, HHL Mortgage Loan Specialist (NAHASDA)
Michelle Hitzeman, Housing Specialist (NAHASDA)
Carol Ann Takeuchi, Housing Specialist (NAHASDA)
Nadine Pomroy, Clerk (NAHASDA)
Linda Chinn, Land Management Division Administrator
Norman Sakamoto, Land Development Division Administrator

SECTION 5: BUDGETS

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

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12- month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12- month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12- month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12- month fiscal year	(J) Actual unexpended funds remaining at end of 12- month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12- month fiscal year
1. NHHBG Funds	55,000,000	0	55,000,000	19,250,000	35,750,000						
2. NHHBG Program Income	0	480,000	480,000	480,000	0						
LEVERAGED FUNDS											
3. Other Federal Funds											
4. LIHTC											
5. Non-Federal Funds											
TOTAL	55,000,000	480,000	55,480,000	19,730,000	35,750,000						

Notes:

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

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

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHB			APR		
		(L) Prior and current year NHHBG (only) funds to be expended in 12- month fiscal year	(M) Total all other funds to be expended in 12- month fiscal year	(N) Total funds to be expended in 12- month fiscal year (L + M)	(O) Total NHHBG (only) funds expended in 12-month fiscal year	(P) Total all other funds expended in 12- month fiscal year	(Q) Total funds expended in 12-month fiscal year (O+P)
2016 CIP	AHP I	1,000,000	120,000	1,120,000			
Developer Financing – Lai Opua	AHP II	350,000	120,000	470,000			
HALE Risk Mitigation	AHP III	150,000	120,000	270,000			
HALE Loss Mitigation	AHP IV	150,000		150,000			
Homeowner Financing	AHP V	3,000,000	60,000	3,060,000			
Energy Retrofits	AHP VI	100,000	60,000	160,000			
HAP	AHP VII	1,500,000		1,500,000			
Water Improvements	AHP VIII	1,000,000		1,000,000			
Emergency Financing	AHP IX	2,000,000		2,000,000			
Land Acquisition	AHP X	10,000,000		10,000,000			
Planning and Administration		820,000		820,000			
Loan Repayment – describe in 3 and 4 below.							
TOTAL		19,250,000	480,000	19,730,000			

Notes:

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

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

The department will be providing NHHBG funds to the procured developer for the vertical construction described in AHP II but does not know at this time the other resources the vendor may utilize as part of the capital stack. The process to procure the developer has taken some time as the department reviews the prior project done in Kapolei called Hoolimalima. As a result, the Invitation for Bid has yet to be released. It is, however, anticipated that Low Income Tax Credits may be utilized for the project by a developer as the rent with option to purchase program for this project will afford undivided interest lessees who may not qualify immediately for a home loan with the long term option of renting to own.

For AHP VIII, the anticipated total project cost of \$28 million for the Molokai Water System improvements will be leveraged with NHHBG and USDA. As the USDA funding will be used after NHHBG's portion is utilized, that is not projected to happen until 2018.

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

SECTION 6: OTHER SUBMISSION ITEMS

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

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

<u>NHHBG Funds Invested</u>	<u>Affordability Period</u>
Up to \$24,999	6 months
\$25,000 to \$50,000	5 years
\$50,001 to \$100,000	10 years
\$100,001 to \$150,000	20 years
Over \$150,000	30 years

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

For all NHHBG funded mortgage loans or homeowner refinancing, the affordability period shall run with the term of the mortgage, which term is not to exceed 60 years.

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

None.

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

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

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

Native Hawaiian Housing Block Grant (NHHBG)

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

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

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

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

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

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

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

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

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

Yes ☒ No ☐

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

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

Yes ☒ No ☐ Not Applicable ☐

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

Yes ☒ No ☐ Not Applicable ☐

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

Yes ☒ No ☐ Not Applicable ☐ and

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

Yes ☒ No ☐ Not Applicable ☐

SECTION 8: SELF-MONITORING

(NAHASDA § 819(b), 24 CFR § 1006.401)

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

Yes ☐ No ☐

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

Yes ☐ No ☐

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

SECTION 9: INSPECTIONS

(NAHASDA § 819(b))

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

		Results of Inspections				
(A) Activity		(B) Total number of units (Inventory)	(C) Units in standard condition	(D) Units needing rehabilitation	(E) Units needing to be replaced	(F) Total number of units inspected
NAHASDA-Assisted Units:						
a.	Rental					
b.	Homeownership					
c.	Rental Assistance					
d.	Other					
Total						

Note: Total of column F should equal the sum of columns C+D+E.

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

(3) If no, why not:

SECTION 10: AUDITS

(24 CFR § 1006.375(d))

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

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

Yes ☐ No ☐

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

If No, an audit is not required.

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

SECTION 11: PUBLIC AVAILABILITY

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

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

Check one: Yes ☐ No ☐

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

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

Native Hawaiian Housing Block Grant (NHHBG)

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

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

SECTION 12: JOBS SUPPORTED BY NAHASDA

(NAHASDA § 820)

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

Native Hawaiian Housing Block Grant Assistance (NHHBG)	
(1) Number of Permanent Jobs Supported	
(2) Number of Temporary Jobs Supported	

(3) Narrative (*optional*):

Native Hawaiian Housing Block Grant (NHHBG)

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

U.S. Department of Housing and Urban Development

NHHP/APROffice of Public and Indian Housing
Office of Native American Programs**SECTION 13: NHHP WAIVER REQUESTS**

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

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

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

N/A

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

N/A

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

N/A

(4) Recipient:	Department of Hawaiian Home Lands
(5) Authorized Official's Name and Title:	Jobie M. K. Masagatani, Chairman
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

Native Hawaiian Housing Block Grant (NHHBG)

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

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

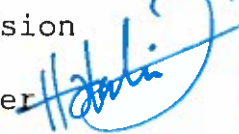
Office of Native American Programs

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer 
Office of the Chairman

SUBJECT: Beneficiary Consultation Report on Department of
Hawaiian Home Lands Proposed Amendments to Title 10,
Hawaii Administrative Rules

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

Pursuant to Hawaii Revised Statutes section 91-5, each agency is required to adopt and maintain administrative rules; "[c]ompilations shall be supplemented as often as necessary and shall be revised at least once every ten years."¹ In accordance with the Administrative Rules Development, Review, and Amendment Process adopted by the Hawaiian Homes Commission in July 2015, the Department of Hawaiian Home Lands conducts Beneficiary Consultation before initiating rulemaking under Ch.91, HRS.

At its September 2015 meeting, the HHC approved the DHHL's request to proceed with beneficiary consultation regarding proposed amendments to Title 10, Hawaii Administrative Rules. The proposed rule changes cover three main topic areas: Genetic Testing, Subsistence Agriculture, and the Transfer of Homestead Leases, as well as some "Housekeeping" amendments that deal primarily with administrative efficiencies and updates. From October 27, 2015 to December 10, 2015 the DHHL conducted statewide beneficiary consultation meetings to discuss with and get feedback from beneficiaries about the proposed rule amendments.

Summary of Beneficiary Consultation Process

¹ Haw. Rev. Stat. §91-5.

The Department mailed meeting notifications to all lessees and everyone on the waitlists with a valid mailing address on file; a total of 24,439 postcards were mailed, letters were sent to beneficiaries on Lana'i (see Exhibits A and B). In all, ten consultation meetings were held and over 700 beneficiaries attended. The chart below shows the meeting date and location, and the number of attendees that signed-in:

MEETING DATE	COMMUNITY	ATTENDEES SIGNED-IN
Oct. 27, 2015	Lana'i	18
Nov. 2, 2015	Nanakuli, O'ahu	119
Nov. 9, 2015	Waimea, Hawai'i	78
Nov. 10, 2015	Keaukaha, Hawai'i	81
Nov. 23, 2015	Kaua'i	29
Nov. 24, 2015	Papakolea, O'ahu	34
Nov. 30, 2015	Maui	87
Dec. 1, 2015	Moloka'i	51
Dec. 7, 2015	Kapolei, O'ahu	65
Dec. 10, 2015	Waimanalo, O'ahu	170

At each meeting, a powerpoint presentation was used to provide information about administrative rulemaking and to introduce each major topic area, copies of the presentation were distributed at the sign-in table (see Exhibit C). Also available for examination was a poster-sized chart detailing the "Housekeeping" proposals, and four binders with the full text of the proposed amendments. Beneficiaries could comment on the "Housekeeping" proposals by affixing post-it notes to the poster-sized chart. Following the presentation by staff, attendees gathered in three randomly assigned breakout groups for facilitated discussion about each of the major topics proposed for amendment (see Exhibit D). A minimum of two staff for each topic area rotated in twenty-minute intervals to each breakout group. Each breakout group, therefore, had at least twenty minutes of discussion dedicated to each topic area. Staff took detailed notes during these discussions; the notes taken comprise the bulk of the record of comments received at the meetings (see Exhibit E).

The format used at the consultation meetings was designed to solicit beneficiary input through facilitated conversation focusing on how the proposed amendments could be made better. The Department posed three questions per topic area to help initiate conversation and highlight issues from the Department's perspective. These questions are reproduced in the section that follows below exactly as they were posed at the meetings. Beneficiaries were also encouraged to share their thoughts about

the proposals, whether in response to the Department's questions or not.

The Department also created a webpage dedicated to the rules process (<http://dhhl.hawaii.gov/dhhlrules/>) for those beneficiaries that could not attend the meetings or who wanted to access information independently. The information posted on that page includes: streaming videos from Chairman Masagatani and staff; the meeting schedule; the text of the proposed rule changes; the powerpoint presentation; frequently asked questions; the "Housekeeping" proposals and a chart of potential impacts; HHC submittals; and the current version of Title 10, HAR.² The page was shared 400 times on Facebook.

In addition to comments collected in the breakout groups at the meetings, beneficiaries were encouraged to submit written comments using green comment sheets provided at the meetings, an online form available at the rules webpage, email, or mail. Fifty-one comments were received on the green comment sheets at the meetings. The period to submit written comments closed on January 11 2016, one month after the last meeting was held. Eighteen beneficiaries used the online form to submit comments and one commented by mail.³

Summary of Beneficiary Comments and Staff Responses

This section reports summary comments from Exhibit E, which provides the complete record of comments received from:

- a. Discussion notes which identify beneficiary comments from each of the Beneficiary Consultation meetings held statewide from October 27, 2015 to December 10, 2015;
- b. Green comment sheets which provide personalized beneficiary comments from each of the Beneficiary Consultation meetings held statewide from October 27, 2015 to December 10, 2015; and
- c. Written comments received via email online form or mail from beneficiaries who chose to utilize those opportunities.

To analyze the comments received, staff began with responses to the questions asked by the Department then staff identified additional prominent themes that were beneficiary driven rather

² The webpage will be updated as the rulemaking process moves forward.

³ The Department also received six questions or requests for information by phone.

than specifically prompted by the Department. As a result, the summary beneficiary comments reported below are both quantitative and qualitative in nature; some comments are easily counted as relating to a specific question while others more naturally provide greater thematic context and explanation.

Genetic Testing

Under the proposal, test results would be accepted to establish parent-child biologic relationships. Testing would be available as a final option if after the standard application process questions regarding parentage, which could establish blood quantum remain. Testing would be voluntary and at the applicant's expense. Testing utilized must have a power of exclusion of greater than 99.0% and a minimum combined maternity or paternity index of 500:1.

Why should it be limited to parent-child? Or why should it be broader, like aunts and uncles?

- Beneficiary comments: There was overwhelming support for expanding beyond parent-child relationships, especially if it would help people qualify. The common reasoning was that if an applicant's alleged parent was deceased, there may be a surviving sibling or other relative who could be tested.
- Response: Further research is required. Under the HHCA, the Commission and the Department must ensure applicants are at least 50% native Hawaiian to qualify as lessees. Although one of the reasons for accepting genetic test results is to help more applicants qualify, a balance must be struck whereby a sufficient level of confidence can be placed in the certainty of the test results.

How sure/positive should the results be?

- Beneficiary comments: While some comments were supportive of the proposed standard and others suggested raising or lowering the threshold, consensus seemed to be that they could not opine without knowing more about the process and meaning of the results. A consistent theme, however, related to how expanding the types of relationships tested would impact the degree of certainty expressed by the test results.
- Response: This issue is directly related to the previous question. The impact of expanding the relationships tested on the degree of certainty expressed by test results requires additional due diligence on the part of the DHHL.

How do you feel about this from a cultural perspective?

- Beneficiary comments: There was general consensus that undergoing genetic testing is a personal and individual choice. Related to Question 1 above, there was some discussion about testing if the alleged parent was deceased.
- Response: Testing would not be required under the proposed rule; whether to pursue genetic testing would be the applicant's choice. The draft language makes testing available as an option if standard documentation fails to verify at least 50% native Hawaiian ancestry. With regard to testing alleged parents that are deceased, staff can gather additional information to ascertain its feasibility.

Beneficiary Generated Themes:

Blood quantum testing.

- Beneficiary comments: A significant number of questions arose about testing for blood quantum or ethnicity. Suggestions related to terminology and using language more relatable like "ohana" or "paternity" or "DNA" testing.
- Response: For clarification of terminology, staff agrees and recommends adding "ohana testing" to the definition of "genetic testing." The proposed rule does not include testing for ethnicity or blood quantum. The exact allele frequencies of the native Hawaiian population are not published so a reliable determination of native Hawaiian ethnicity is not possible. Moreover, the proposal was drafted as a conservative first step using established and familiar standards under existing Hawai'i law for parent-child testing.

Cost of testing.

- Beneficiary comments: DHHL should pay the costs associated with testing.
- Response: While staff understands that cost can be a concern, the applicant is responsible for any costs or fees associated with the application process. The DHHL does not subsidize current costs and should not pay for an applicant to undergo genetic testing.

Privacy.

- Beneficiary comments: Two themes were raised related to privacy. One was the protection and confidentiality of the information. The other related to the use of test results to "disqualify" or "revoke" a previously issued lease.

- Response: State law provides that an individual has a significant privacy interest in information relating to "medical, psychiatric, or psychological history, diagnosis, condition, treatment, or evaluation."⁴ The test results submitted to the Department likely would be protected as a significant privacy interest of the applicant and alleged parent. Additional language can be included in the proposal to specifically provide that the DHHL shall not disclose the information without prior consent. A form and process can also be developed so the applicant and alleged parent can consent to disclosure or use of the information, if they choose.

In terms of test results being used to disqualify a lessee post-award, the Department reviews the native Hawaiian qualification as part of the award process.

Subsistence Agriculture

The proposal would create a specific agriculture award of one acre or less where the lessee would be required to reside on the lot. Programmatically known as the "subsistence ag" lot, these awards are intended as rural lifestyle lots where the lessee can grow a vegetable garden and fruits, and raise small animals as a food source for the lessee and family. Unlike an agriculture award of larger acreage, a farm plan and two-thirds cultivation would not be required.

How much acreage is enough to do subsistence farming and why?

- Beneficiary comments: Beneficiaries thought subsistence agriculture lots should be bigger than one acre. Comments also proposed allowing flexibility in acreage awarded depending upon island, area, and/or family size.
- Response: The one-acre lot size was proposed for subsistence agriculture use because one acre is generally within the size lot the various counties consider to be rural.⁵ Maintaining some consistency with the counties ultimately makes development and permitting easier. A strong theme in the consultation data was the desire to have family live on the same lot. It is reasonable to conclude that the push for a larger lot size is linked to the ability to subdivide rather than an actual link to the ability to engage in subsistence gardening. A one-acre lot is large enough to support two dwellings and subsistence activity. Language can be added to the proposal that would

⁴ See Haw. Rev. Stat. § 92F-14(b).

⁵ See Haw. Rev. Stat. § 205-2(a)(2), (c).

allow more than one dwelling unit on the subsistence agriculture lot.

What do we mean by "subsistence"?

- Beneficiary comments: Responses ranged from farming as a business for income to an off-grid lifestyle but most thought "subsistence" meant to grow your own food and maybe sell any extra. Thematically, enforcement was a concern given that there is little enforcement on agriculture lots. Comments also expressed that agricultural lands should be used for agricultural purposes.
- Response: Programmatically, defining what is meant by "subsistence" is important. The idea of subsistence as a rural or country lifestyle (something between urban and off-grid) where lessees grow food for their families and can sell any extra or sell value-added products is a way to put agricultural lands into production that is manageable and desirable for a broader pool of beneficiaries, and it fosters a greater level of food security on homestead lands. Staff agrees that enforcement strategies should be explored.

Instead of residency, what other type of use or occupancy could be used as the standard?

- Beneficiary comments: Discussion focused on housing options and affordability with virtually no elaboration on other ways to measure use of a subsistence agriculture lot. Suggestions for housing options included tiny homes, container homes, and owner-builder; the theme was living within one's means and/or living mortgage-free.
- Response: Programmatically, the vision is a return to the land and a rural lifestyle. Housing options which are consistent with this type of living should be explored.

Beneficiary Generated Themes:

Planning and development.

- Beneficiary comments: Beneficiaries want infrastructure; utilities in particular. Within the discussion of utilities, whether water would be domestic or agriculture was prominent, and on there was some concern about the cost of that water meter.
- Response: The rules proposed would create subsistence agriculture by setting a general framework for the program. If the program moves forward (beginning with the adoption of rules), issues related to infrastructure would be better addressed as part of planning and program development

because including these types of details in the rules could result in an unnecessarily rigid framework.

Technical assistance.

- Beneficiary comments: Beneficiaries want education opportunities related to farming and how to use the land in a productive and sustainable way.
- Response: Technical assistance is available for agricultural lessees on Hawai'i Island and Molokai. The DHHL is looking at partnering with other organizations to expand technical assistance opportunities.

Transfer of Homestead Leases

The proposed amendment would prohibit the sale of undivided interests and leases to lots that are vacant or undeveloped. These types of leases could be transferred by gift or succession, or returned to the DHHL.

What type of "improvement" should qualify for a sale?

- Beneficiary comments: Evidence of use or changes to the land according to lease type were suggested as ways to gauge improvement to the lot. The existence of a permanent structure and evidence (i.e., receipts, photographs) of monetary expenditure or working/clearing the land were thought to be sufficient improvement that would qualify a lease for transfer by sale.
- Response: The concept of progress toward the improvement of the lot as required by the lease is worth considering as a policy benchmark for improvement that would qualify a lease for transfer by sale. However, progress toward improvement should be sustained in such a way as to demonstrate actual intent to develop and use the lot rather than an attempt to create an "improvement trail" for the sole purpose of selling the lease; substance should prevail over form.

If this type of sale is not allowed, who should the lease go to?

- Beneficiary comments: Beneficiaries overwhelmingly thought that instead of selling UIs and leases to undeveloped or vacant lots it should go to someone on the waitlist. Within this response there were two prominent variations: 1. the lessee must transfer to someone already on the waitlist; or 2. the lease should be returned to the DHHL for re-award. Comments also suggested a prioritization of possible transferees, for example: family first, then qualified person of choice already on the waitlist, then return to DHHL for re-award.

- Response: There are three ways by which a lease can be returned to the DHHL: surrender, rescission, or contested case. Each has different consequences for the lessee. The DHHL does not currently assist lessees in identifying potential transferees.

Why should rehabilitation be limited to a return to the land?

- Beneficiary comments: There was broad consensus that a Hawaiian homestead lease is a special benefit and that lessees should not be able to sell leases to vacant or undeveloped lots for profit (see below under "ability to transfer"). There was also a strong sense that one should not be prevented from recouping one's investment. Whether financial gain was included as rehabilitation under the HHCA or whether rehabilitation was only by a return to the land split beneficiary responses.
- Response: The proposal would prohibit the sale of UIs and leases to lots that are vacant or undeveloped. The proposal would not limit or prevent beneficiaries from selling a lease to an improved lot.

Beneficiary Generated Themes:

Ability to transfer.

- Beneficiary comments: As noted above, there was an overwhelming response that there should be no sale when there is no improvement to the lot. Communities with undivided interest leases, however, also tended to express that UIs should remain transferable by sale. There were some comments generally supportive of the ability to sell leases but just as many comments supportive of the concept of "one chance." The one chance concept means that any one person can only have one lease during his or her lifetime. Under such a regime, if a lease is transferred using any method the lessee cannot return to the waitlist or obtain another lease.
- Response: The one chance concept has been around for a number of years. Existing rules allow a "previous lessee" to reapply and be added to the bottom of the waitlist.⁶ The current proposal does not address the status of previous lessees.

Although lessees with UI leases may be waiting for the Department to ready the land for residential use, the UI is still a lease that cost a lessee only \$1.00/year for ninety-nine years. Selling a UI lease (or lease to an

⁶ See HAR §10-3-23.

undeveloped or vacant lot) for profit realizes a gain without financial investment, and places the transferee at a financial disadvantage that does not exist when a lease is awarded by the Department. The proposal ensures fairness in this regard.

Enforcement.

- Beneficiary comment: Beneficiaries noted the lack of consistent enforcement and questioned the ability and likelihood of enforcing a rule that prohibits the sale of empty lots and UIs: how does the Department plan to monitor and enforce?
- Response: Enforcement of a rule like the one proposed needs careful consideration. There are several options that the DHHL could explore for example institute mandatory disclosure instead of voluntary disclosure; DHHL execute all transfers; or require all transfers be done through escrow. It is also possible that with adequate publicity of a rule prohibiting sales of these types of leases, potential purchasers would not proceed and/or would report an attempted sale to the Department.

"Housekeeping"

- Beneficiary comments: Comments about the Housekeeping proposals were mostly clarification questions, and a few suggestions were made.
- Response: The Housekeeping proposals deal primarily with general updates and administrative efficiencies intended to streamline certain departmental functions. The DHHL intends to undertake rulemaking on a regular basis; there will be opportunities to make additional changes.

RECOMMENDATION:

None. For information only.



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DHHL Proposed Rule Changes

You're invited to attend a Beneficiary Consultation meeting in your community to discuss three important proposed changes to the Department of Hawaiian Home Lands' (DHHL) Administrative Rules. Hawaii Administrative Rules govern operations at the DHHL, and the following proposed changes are in direct response to beneficiary feedback the department received over the years:

GENETIC TESTING

Proposes DHHL accept DNA tests to establish family ties in order to qualify for the Hawaiian Home Lands program.

LEASE TRANSFER

Proposes a process and requirements for transferring a vacant homestead lot (i.e. a lot with no home or other improvements built upon the land).

SUBSISTENCE LOTS

Proposes a new option in DHHL's agricultural program that supports a subsistence rural lifestyle.

Meeting schedule on reverse. All meetings subject to change. Visit dhhl.hawaii.gov/dhhlrules for the latest information, or call the DHHL Information & Community Relations Office at (808)620-9590.

Beneficiary Consultation Schedule

All meetings scheduled to run from 6:00 - 8:30 p.m.

Nānākuli, O'ahu - Monday, November 2, 2015

Nānāikapono Elementary School Cafeteria
89-153 Mano Ave., Wai'anae, HI 96792

Waimea, Hawai'i - Monday, November 9, 2015

DHHL West Hawai'i District Office - Kūhiō Hale
64-756 Māmalahoa Hwy., Kamuela, HI 96743

Keaukaha, Hawai'i - Tuesday, November 10, 2015

Keaukaha Elementary School Cafeteria
240 Desha Ave., Hilo, HI 96720

Kaua'i - Monday, November 23, 2015

King Kaumuali'i Elementary School Cafeteria
4380 Hanamā'ulu Rd., Līhu'e, HI 96766

Papakōlea, O'ahu - Tuesday, November 24, 2015

Stevenson Middle School Cafeteria
1202 Prospect St., Honolulu, HI 96822

Maui - Monday, November 30, 2015

Paukūkalo Community Center
655 Kaumuali'i St., Wailuku, HI 96793

Moloka'i - Tuesday, December 1, 2015

Lanikeha Community Center
2200 Farrington Hwy., Ho'olehua, HI 96729

Kapolei, O'ahu - Monday, December 7, 2015

DHHL Hale Pono
91-5420 Kapolei Pkwy., Kapolei, HI 96707

Waimānalo, O'ahu - December 10, 2015

Blanche Pope Elementary School Cafeteria
41-133 Huli St., Waimānalo, HI 96795

State of Hawai'i
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
P.O. Box 1879 | Honolulu, Hawai'i 96805
(808) 620-9500 | (808) 620-9529 Fax
dhhl.hawaii.gov

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EXHIBIT A

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOBBE 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

October 9, 2015

Aloha e Lānaʻi Beneficiaries,

You're invited to attend a meeting to discuss three important proposed changes to the Department of Hawaiian Home Lands' (DHHL) Administrative Rules. Hawaii Administrative Rules govern operations at the DHHL, and the following proposed changes are in direct response to beneficiary feedback DHHL has received over the years:

1. Genetic Testing

Proposes DHHL accept DNA tests to establish family ties in order to qualify for the Hawaiian Home Lands programs.

2. Sale of Vacant Homestead Lots

Proposes a process and requirements for transferring a vacant homestead lot (i.e. a lot with no home or other improvements built upon the land).

3. Subsistence Agriculture Lots

Proposes a new option in DHHL's agricultural program that supports a subsistence rural lifestyle.

The Beneficiary Consultation on DHHL Administrative Rules for Lānaʻi will be held on:

Tuesday, October 27, 2015

6:00 p.m. – 8:30 p.m.

**Lānaʻi High & Elementary School Cafeteria
555 Fraser Avenue, Lānaʻi City, Hawaiʻi 96763**

For more information, visit dhhl.hawaii.gov/rules or call the DHHL Information and Community Relations Office at (808) 620-9590.

Mahalo,

A handwritten signature in black ink, reading "Jobie M. K. Masagatani".

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

EXHIBIT B



HAWAIIAN HOME LANDS
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DEPARTMENT OF HAWAIIAN HOME LANDS

Beneficiary Consultation

Proposed Changes to DHHL Administrative Rules

Tonight's Agenda

6:00 p.m. – Pule, Introductions & Purpose of Meeting

6:15 p.m. – Administrative Rule Amendments

Process & Overview

Genetic Testing

Subsistence Ag Lots

Transfer of Leases

7:00 p.m. – Break Out Groups

8:00 p.m. – Group Reports, Next Steps & Closing
Remarks

For more information, visit dhhl.hawaii.gov/dhhlrules or email
dhhl.rules@hawaiianhomelands.org



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Rulemaking Process

What are Administrative Rules?

- Every State agency has administrative rules.
- Rules govern departmental operations.
- Rules make those operations public.
- DHHL's rules are known as Title 10, Hawaii Administrative Rules.

Why Amend Administrative Rules?

- Improve service, programs, and operations.
- Rules should be consistent with State law.
- Best practice.

DHHL Rulemaking Process

18-24 months



...we've only just begun



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Proposed Amendments

Housekeeping Amendments

- Changes to help the Department keep a "clean house:"
 - Grammar and formatting;
 - Updates;
 - Ease and efficiencies.

Housekeeping Amendments

- Physical addresses and contact information.
- New definitions.
- Duties of the chair.
- Rulemaking procedures.
- Approval for building plans.
- Fees and charges.



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Genetic Testing

Background

- New rule.
- What is the current application process?
 - Application form;
 - Genealogy records and documentation;
 - Qualification.

Background

- What if you wanted to submit DNA evidence today?
 - No.

Policy Question

Should genetic test results be accepted as part of the application and verification process for the Hawaiian Homes program?

Why Genetic Testing

- Yes. Because:
 - Genetic test results could help qualify more native Hawaiians.
 - There is a direct benefit to beneficiaries.
- Genetic testing does not affect how the Department reviews or qualifies an application.

How Would The New Rule Work?



- Only to establish parent-child relationships, not blood quantum;
- After the standard process, applicant can choose testing as a last resort;
- Applicant's expense;
- "Degree of certainty" of the results.

Your Mana'o

- Why should it be limited to parent-child? Or why should it be broader, like aunts and uncles?
- How sure/positive should the results be?
- How do you feel about this from a cultural perspective?



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Subsistence Ag

Background

- Expansion of the ag program that would create a smaller ag lot.
- How do ag awards work today?
 - Typically large acreage, up to 40 acres maximum;
 - Must have a farm plan;
 - Must have 2/3 in active cultivation at all times;
 - Can request additional acreage.

Policy Question

Should the Department expand the agricultural program to create a smaller ag lot and promote self-sufficiency?

Why Subsistence Ag

- Yes. Because:
 - A lot of beneficiaries are interested in subsistence ag, or a rural lifestyle;
 - The ag list is the longest list on every island except O'ahu;
 - It's a more manageable way to start farming;
 - It can put more beneficiaries on the land.

How Would Subsistence Ag Work?

- Ag lot of 1.0 acre or less for subsistence use;
- Lessee required to reside on the lot;
- Lessee can raise crops and/or small livestock;
- No ag plan;
- No 2/3 cultivation requirement.



Your Mana'o

- How much acreage is enough to do subsistence farming and why?
- What do we mean by "subsistence"?
- Instead of residency, what other type of use or occupancy could be used as the standard?



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Transfer of Homestead Leases

Background

- Would restrict the sale of vacant lots and undivided interests.
- How are vacant lots or undivided interests transferred now?
 - Give it away to another beneficiary;
 - Name a qualified successor;
 - Sell to another beneficiary.

Policy Question

Should the Department restrict the sale of leases to lots where a lessee has not made financial investment in its development?

Why Restrict the Sale of Leases

- Yes. Because:
 - The lessee is attempting to profit from only what the Trust provided;
 - The lessee has not used or invested in a vacant lot or undeveloped lot as required by the lease;
 - The purpose of the Act is to rehabilitate native Hawaiians by returning them to the land.

How Would the Sale of Leases Change?

- Applies only to “vacant lots” or “undeveloped lots” and “undivided interests;”
- These types of leases would be transferred only by gift or succession;
- No sale of vacant or undeveloped lots and undivided interests for profit.



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Your Mana'o

- What type of “improvement” should qualify for a sale?
- If this type of sale is not allowed, who should the lease go to?
- Why should rehabilitation be limited to a return to the land?



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Ground Rules

Ground Rules

- Be creative!
 - Work toward future solutions/aspirations.
- Conflict is ok as long as we are respectful of each other.
- Silence means agreement.
- Everyone gets a turn first, then repeats.
- Cell phones off or on silent.
 - Take all calls/texting outside.

Ground Rules

- You are personally responsible for:
 - Making sure everyone has equal opportunity to express their ideas;
 - Actively listening;
 - Keeping an open mind and maintaining a positive attitude;
 - Keep side conversations to a minimum.



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Small Group Discussions



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Closing

Next Steps for DHHL

- Review and compile notes from today, as well as additional comments received by January 11, 2016;
- Consider suggested and possible changes;
- Prepare and submit a report for the Commission;
- Submit the proposed amendments to the Commission for approval to move forward with the public hearing process.

Next Steps for You

- Think about today's discussion;
- Talk to family, friends, neighbors;
- Submit comments by January 11, 2016;
- Keep checking the website for updates
<http://dhhl.hawaii.gov/DHHLRules>.

How to Submit Comments

- Green sheets.
- Email: dhhl.rules@hawaiianhomelands.org
- Mail:
Department of Hawaiian Home Lands
DHHL Administrative Rules
P.O. Box 1879
Honolulu, HI 96805
- Online feedback form:
<http://dhhl.hawaii.gov/DHHLRules>

DEPARTMENT OF HAWAIIAN HOME LANDS
Statewide Beneficiary Consultation Meetings
Proposed Administrative Rule Amendments

October 27, 2015
6:00 p.m. – 8:30 p.m.
Lānaʻi High & Elementary School Cafeteria
Lānaʻi City, Lānaʻi

AGENDA

- 1. Pule, Introductions, Purpose of Meeting – (6:00 p.m.)**
To consult with beneficiaries on proposed administrative rule amendments specific to three (3) topic areas and to get feedback on these amendments to better inform the Department and Hawaiian Homes Commission in the amendment process.
- 2. Administrative Rule Amendments Process & Overview – (6:15 p.m.)**
 - a. Genetic Testing
 - b. Subsistence Ag Lots
 - c. Transfer of Leases
- 3. Break Out Groups – Various (7:00 p.m.)**
There will be three (3) sessions – 20 minutes each- to discuss the three (3) proposed administrative rule amendment topics. Break Out Group facilitators will rotate, so everyone will have an opportunity to share their manaʻo.
- 4. Group Reports, Next Steps & Closing Remarks (8:00 p.m.)**

For more information, visit dhhl.hawaii.gov/dhhlrules or email dhhl.rules@hawaiianhomelands.org

	A	B
1	Topic	Comment
2	Genetic Testing	1) Genetic Testing - I agree with accepting DNA tests to establish family ties in order to qualify for the Hawaiian Home Lands programs.
3	Genetic Testing	determine if they're of 25% or 50% Hawaiian blood, depending on the situation. However, if you find that an individual doesn't have the required blood quantum to receive a transfer,
4	Genetic Testing	Genetic Testing by giving a written response that if it is used as an added tool for current protocol to establish lineage I'm glad for those who've tried and fell short of providing this requirement.
5	Genetic Testing	<p>LEGEND: () = DELETE _____ = Add</p> <p>10-3-3.1 Application Processing (a)(3) If the department determines . . .reasonable uncertainty . . .the department shall request additional documentation in writing, <u>including a complete explanation for the specific concerns to be addressed.</u></p> <p>The department shall, within (90 business days) <u>30 business days</u> after the application is deemed complete, make an acceptance determination. Delete everything else.</p> <p>Process to contest a negative determination is missing.</p>
6	Genetic Testing	Genetic Testing used in a controlled process will assist many who otherwise may not have the opportunity to exercise their inherent right to become a beneficiary of the trust.
7	Genetic Testing	Genetic Testing - I support DHHL allowing genetic testing. The process will assist more potential beneficiaries in proving eligibility for benefits under the HHCA.
8	Genetic Testing	<p>The DNA testing is a great idea, bringing needed technology up to today's standards. Who will pay for this service? If applicant is responsible, DHHL will need to write a procedure and locate a Diagnostic Laboratory that is willing to partner with.</p> <p>It will be cost effective this way. I believe with today's standards a physician or court ruling can justify a DNA test.</p>
9	Genetic Testing	DNA testing I think that should be for those that are NOT able to provide documentation, NOT those currently verified on the waiting list or those that do have the required documentation. DNA should be a last resort
10	Genetic Testing	Blood quantum is a concern
11	Genetic Testing	Inaccuracy(?--illegible) of BC
12	Genetic Testing	As long as you're not being forced.
13	Genetic Testing	Concerns with it becoming mandatory
14	Genetic Testing	Outsource the results of DNA testing
15	Genetic Testing	Potential for litigation

	A	B
1	Topic	Comment
16	Genetic Testing	Adding the cost to a lessee's loan
17	Genetic Testing	Income qualification
18	Genetic Testing	Opposed to scholarship/grant to help with cost of DNA
19	Genetic Testing	Scholarship/grant to help with cost of DNA
20	Genetic Testing	Have an independent office handling
21	Genetic Testing	Oppose genetic testing
22	Genetic Testing	Keep genetic results confidential
23	Genetic Testing	Keep it private or permission from individual
24	Genetic Testing	Maybe destroy evidence or optional
25	Genetic Testing	Safeguard against hacking
26	Genetic Testing	Safeguard to protect family and individual
27	Genetic Testing	Protocol in place for genetic testing
28	Genetic Testing	Who holds the database of DNA testing
29	Genetic Testing	Consent form for family to use DNA
30	Genetic Testing	Concerns with handling of DNA
31	Genetic Testing	Expand to any living blood relative.
32	Genetic Testing	Expand to uncles and aunts
33	Genetic Testing	Look into % probability for aunty/uncle
34	Genetic Testing	Supportive of aunty and uncle DNA testing
35	Genetic Testing	Change % of probability for biological uncles and aunts
36	Genetic Testing	Support to get them through the door.
37	Genetic Testing	Expand DNA testing to successorship
38	Genetic Testing	Stipulation in the rules to grandfather the current lessees and applicants
39	Genetic Testing	I think the blood quantum needs to be revisited! This should be done now with the current process!
40	Genetic Testing	unless authorized by beneficiary to specific individual @ specific date.
41	Genetic Testing	Ancestry.com claims they can determine where your ancestors came from. Can there be some other tests? Current proposed rule says venter must be certified by American Assoc of Blood Bank.
42	Genetic Testing	After determine relationship, will test show % blood quantum? Response: No, test will not determine blood quantum.
43	Genetic Testing	Is there talk to lower blood quantum for applicants/lessees. Resp: There's always talk but would take amendment to HHCA and Congress has consent. This would open up bigger issues.
44	Genetic Testing	Is there test for blood quantum? Resp: technology not there yet.
45	Genetic Testing	Would the test results show blood quantum? No.
46	Genetic Testing	HHC approved moving forward with a bill on the leg. The lower % blood quantum for successors (needs Congr. Consent)
47	Genetic Testing	Cultural impact
48	Genetic Testing	Cultural impact
49	Genetic Testing	Sensitivity to the process/logistics sometimes there's other ways.
50	Genetic Testing	Culture: Hanai is part of our culture.
51	Genetic Testing	If parent is deceased, to be fair to everyone, should go another level -brothers, sisters, etc.

	A	B
1	Topic	Comment
52	Genetic Testing	What happens/what test can be done if parents deceased?
53	Genetic Testing	Would like to see expanded to deceased parents.
54	Genetic Testing	What about the hanai? What's current policy? Response: Currently DHHL does not recognize Hanai. Instead adopt and they become successor, still needs to be Hawaiian.
55	Genetic Testing	Does DHHL keep the records and help to determine parent-child relationship? Resp: will need a consent form in order to use previously submitted records.
56	Genetic Testing	Allow Genetic Testing as another tool to show parent-child relationship. Parent has the pala showing NH blood quantum.
57	Genetic Testing	Is there margin of error?
58	Genetic Testing	Need more info on the 99.9% probability
59	Genetic Testing	Probability -kind of hard to determine what does this mean 99% vs. 99.9%? Would like a definition in law to spell out 99.0% spell out in lay man's words.
60	Genetic Testing	What's the best practice" probability if expand beyond parent-child.
61	Genetic Testing	If expanding beyond parent-child, how would that affect the %probability? Could be lower than 99% (family court).
62	Genetic Testing	Test optional
63	Genetic Testing	Genetic testing is one more tool to use to be eligible for Hawaiian Homes Applicant still has to go through standard app. Process.
64	Genetic Testing	If parent unknown at the time, had pala pala, it may help to determine parentchild relationship.
65	Genetic Testing	Is genetic testing really an option if thru normal app process cannot show blood quantum (parents still living). Resp: No, would not help is no have blood quantum.
66	Genetic Testing	% probability lower for aunty, uncle, grandparents.
67	Genetic Testing	What if parents had only one child, should expand to aunty/uncle to give opportunity to everyone.
68	Genetic Testing	Yes! Support beyond parent-child include aunty, uncles, grandparents, etc.
69	Genetic Testing	What about between 2 sisters/siblings?
70	Genetic Testing	Could we go back to grandparents or other to show more blood quantum? Resp: Possible.
71	Genetic Testing	Open to the immediate aunty/uncle ONLY
72	Genetic Testing	If purpose is to prove you're a beneficiary, then any relationship. (Aunty, uncle, grandparents etc. No limitations.)
73	Genetic Testing	Who's administering the tests -there are vendors that are accredited by American Blood Bank Assoc., which has a list of certified vendors.
74	Genetic Testing	What is the "standard"? Resp: Proposed rule states vender must be accredited by American Assoc. of Blood Banks.
75	Genetic Testing	Would DHHL accept any test? Resp: Vender must be accredited by American Assoc. of Blood Bank.

1	A Topic	B Comment
76	Genetic Testing	What other "tests" are out there? Ancestry.com has been mentioned.
77	Genetic Testing	What type of "test: would be considered? Male: male, Female:female, etc.
78	Genetic Testing	Will genetic testing deny eligibility? No, it's voluntary.
79	Genetic Testing	Question: What about adoption?
80	Genetic Testing	When my mom delivers, she can designate ethnicity.
81	Genetic Testing	99% probaility is too high -> drop to 95% for parent-child.
82	Genetic Testing	Blood quantum 1/32 v. 50%
83	Genetic Testing	Conern: 50% -> 25%. Start adresssing drop quantum.
84	Genetic Testing	Even when my great great is 100% Hawaiian, still may not qualify.
85	Genetic Testing	Test and only show parent-child relationship NOT blood quantum. Why do we need to do this?
86	Genetic Testing	Want to discuss blood quantum FIRST before we can discuss genetic testing
87	Genetic Testing	When is blood quantum % going to be addressed?
88	Genetic Testing	When is DHHL going to address blood quantum> Kuhio 1/32. 50% are dying. Fewer and fewer 25%
89	Genetic Testing	Work on blood quantum FIRST before going to genetic testing
90	Genetic Testing	A blood quantum issue- be careful on this. Need to change framework on this. Prince Kuhio with congress
91	Genetic Testing	Is this test to certify blood quantum? No. Suggestion: Do away with blood quantum use the testing plus pala pala, to qualify my child now instead of waiting till I die, then my child gotta go qualify we waiting too long to drop blood quantum.
92	Genetic Testing	Question: Is this test measure blood quantum? No. Only tells relationship. Parent-child.
93	Genetic Testing	Balancing -if DHHL pays costs, less \$ for other DHHL expenses.
94	Genetic Testing	Why is DHHL budget limited and cannot pay for these costs? There's \$ in the department
95	Genetic Testing	99% probaility -would like to see lower.
96	Genetic Testing	This is for families missing some info.
97	Genetic Testing	Sperm bank.
98	Genetic Testing	Can DNA produce same results as genetic test
99	Genetic Testing	How much cost? Depend on vendors. Eg. Ancestry.com \$100
100	Genetic Testing	How much genetic testing cost? It varies by vendor -\$200 and up. Test itself
101	Genetic Testing	How much gentic testing cost? \$200 -> up test itself
102	Genetic Testing	Provide cost ranges, also if need to be certified, what does that mean?
103	Genetic Testing	If test positive, DHHL to reimburse.
104	Genetic Testing	Test positive results -> DHHL to reimburse the individual.
105	Genetic Testing	Why "genetic" not DNA? Can we do DNA, it's cheaper
106	Genetic Testing	DHHL should pay for for the genetic testing, for everything inlcuding successorship

	A	B
1	Topic	Comment
107	Genetic Testing	DHHL should pay for the genetic testing
108	Genetic Testing	Genetic testing is not culturally appropriate, group split decision
109	Genetic Testing	It's optional. So if you feel cultural issue, then don't do it.
110	Genetic Testing	"Cultural appropriate" a very subjective and personal matters not for/nor against
111	Genetic Testing	Cultural issues? We're taking parts of the body
112	Genetic Testing	If no pala pala, this genetic testing should help.
113	Genetic Testing	Parent-child. Siblings okay if both parents has the pala pala
114	Genetic Testing	Paper is paper. Genetic testing is saliva.
115	Genetic Testing	What if no pala pala because was none back then, what happens?
116	Genetic Testing	Department of Health can go back 2 generations. DOH should be consulted.
117	Genetic Testing	What about DHHL checking other ethnicity?
118	Genetic Testing	Go back to Kuhio intent
119	Genetic Testing	Hanai- depends on how hanai is being used.
120	Genetic Testing	Is hanai acceptable to DHHL? DHHL only uses blood quantum through biological parents.
121	Genetic Testing	What about Hanai? How is DHHL going to address this?
122	Genetic Testing	Cannot make good decision without full info.
123	Genetic Testing	Letters sent to my children that 49% but previously everyone qualified. So why my kids get letter?
124	Genetic Testing	When we submit our info, who determines everytime we prove something, nobody tells us "yes" eligible? How will genetic testing help us with this?
125	Genetic Testing	Allow applicants to get 2nd opinion but at applicant expense.
126	Genetic Testing	Against genetic testing. Maybe parent does not want child child to know the relationship.
127	Genetic Testing	Child should have different avenues
128	Genetic Testing	Where does info go? Privacy/confidentiality
129	Genetic Testing	Keep in family
130	Genetic Testing	There are kids that didn't know their parents are Hawaiian is this to be published?
131	Genetic Testing	Best explains what happens to info, protection of privacy.
132	Genetic Testing	DHHL is state, so conflict to handle DNA
133	Genetic Testing	Suggestion: DHHL should investigate what is the minimum not arbitrary choose 99%. Though 99% is used by family court. This is Hawaiian Homes. What is the min., for Hawaiian Homes?
134	Genetic Testing	99% is for parent-child, uncle-aunty-> Child will be lower
135	Genetic Testing	99% (came from family court) how does that work. You either ARE or not.
136	Genetic Testing	If there is a way now to determine parent/child, then we should allow this.
137	Genetic Testing	Question: Will genetic test become permanently put on record. Should test be mandated?

	A	B
1	Topic	Comment
138	Genetic Testing	How much research in genetic testing does DHHL do to help advise the applicant to go this route
139	Genetic Testing	Clarification: Go thru whole process FIRST, then can ask/allow for genetic testing.
140	Genetic Testing	DHHL cut off from accessing Department of Health files.
141	Genetic Testing	Sometimes, put different name -genetic test would help
142	Genetic Testing	If adverse results from someone taking the test, DHHL not held responsible.
143	Genetic Testing	If child info says this but parents say other, DHHL go with parent info first.
144	Genetic Testing	Vendor to be certified per proposed rule. What is name of organization to certify vendor? Is it a state agency?
145	Genetic Testing	When will this Genetic testing be approved? Rules process can take up to 2 years.
146	Genetic Testing	Something in rule says "grandfathered" in once certified, pau.
147	Genetic Testing	Have protections from state, Fed, United Nations
148	Genetic Testing	Protection for both parent and child determine what happens to the DNA.
149	Genetic Testing	This test does not measure blood quantum only will tell parent-child relationship. Should we expand this?
150	Genetic Testing	Is DHHL a state agency or stand alone?
151	Genetic Testing	Request to see the final draft before it goes to HHC
152	Genetic Testing	The feeling of "belonging" -hanai want to expand to sibling, grandmother.
153	Genetic Testing	Yes, expand to uncle, aunty, etc.
154	Genetic Testing	Expand to grandparents/siblings/uncles/aunty's etc.? YES ALL.
155	Genetic Testing	What happens if parent no longer here? Yes, would like to see EXPAND - uncle, aunty, siblings, nieces, nephews, etc.
156	Genetic Testing	Support only parent-child, not broader.
157	Genetic Testing	How far back in time can you still do genetic testing?
158	Genetic Testing	DHHL lost in court. Court says you have to do this. So DHHL have to do this.
159	Genetic Testing	How does test affect successors?
160	Genetic Testing	If genetic testing is good enough for applicant, then good enough for successor
161	Genetic Testing	2. Re: Genetic Testing. Yes. This gives people more possibilities to prove their kumu Ohana (genealogy). Eo Hawaiian Home Lands.
162	Genetic Testing	This big advantage to me personally. Been waiting for this genetic testing.
163	Genetic Testing	Yes do it, pau!
164	Genetic Testing	Department of Health no records/burned . Yes genetic testing would help.
165	Genetic Testing	"Genetic Testing" too broad. Try "Paternity" make Hawaiians friendly.
166	Genetic Testing	What happens if deceased? Can use genetic testing?

	A	B
1	Topic	Comment
167	Genetic Testing	This is optional, not mandatory
168	Genetic Testing	Someone will need to find out who the parent is its responsibility of the child to find out
169	Genetic Testing	Can also work the other way and disprove parent-child relationship.
170	Genetic Testing	Would DHHL use genetic testing AGAINST the applicant? Will it work both ways? Applicant <-> DHHL
171	Genetic Testing	Question: Will in future, genetic testing make me lose my lease should indiv. Show not Native Hawaiian.
172	Genetic Testing	Suggestion: don't allow genetic testing if we use it to qualify for land, it could be used to DIS-qualify someone.
173	Genetic Testing	Give lots to waitlisters, not add more to the list
174	Genetic Testing	If genetic testing will open up for _____ list already long. Genetic testing not going to make process go any faster.
175	Genetic Testing	Was this more important than dropping blood quantum? 50 first, then 25%?
176	Genetic Testing	This should not be used for blood quantum purposes –for relationship only.
177	Genetic Testing	Unknown consequences
178	Genetic Testing	What is the law on genetic testing? State law? 99% probability
179	Genetic Testing	Right now, applicant already bears cost to apply (i.e.: bc, marriage, death) so applicant should bear cost for genetic testing.
180	Genetic Testing	Up to applicant to pay/bear cost; if it is a match -> it is a benefit
181	Genetic Testing	Fair for costs to be bear by applicant.
182	Genetic Testing	Culturally inappropriate –for some.
183	Genetic Testing	Yes, up to the family (permission to use results). No –culturally inappropriate. Related to using DNA from deceased.
184	Genetic Testing	Scientists -99% confidence –leave to professionals and Best management practices/Industry standards
185	Genetic Testing	Does state make that probability?
186	Genetic Testing	Genetic testing is dangerous thing, where are results stored? Who has access to information/privacy?
187	Genetic Testing	If rule change does takes place, is there a way to protect it from it becoming mandatory requirement to apply?
188	Genetic Testing	Expand to aunty/uncle, grandparents with other documentation to show relationship.
189	Genetic Testing	Expand to parents siblings as well as grandparents
190	Genetic Testing	Keep parent -> child; keep narrow.
191	Genetic Testing	Use “any close branch of family tree” (Grandparent<-parent; Parent->siblings; Applicant ->siblings)
192	Genetic Testing	Very narrow –parent-child relationship expand to uncle-aunty –siblings of parents/grandparents
193	Genetic Testing	Expand to successors; more proof that you are related/qualified
194	Genetic Testing	What about percentage? It is going down?
195	Genetic Testing	Expand to also qualify successors in addition to applicants

	A	B
1	Topic	Comment
196	Genetic Testing	What about 25% successorship? Should include to allow for successors
197	Genetic Testing	Siblings of potential applicant
198	Genetic Testing	½ lessee, ½ applicant
199	Genetic Testing	½ applicant, ½ lessees
200	Genetic Testing	Mostly lessees in group discussion
201	Genetic Testing	All for qualifying Native Hawaiians.
202	Genetic Testing	Did DNA test for koko –but not this genetic testing.
203	Genetic Testing	What about grandma/grandpa? If parents passed away.
204	Genetic Testing	Exhumed body/DNA –that's family
205	Genetic Testing	Parent passed away, and child wants to do testing? How? Sampling of DNA prior to passing?
206	Genetic Testing	Split on whether to allow DNA from deceased: Yes. With exhuming body if agreed/consent to by family. No. Not culturally appropriate. (Will this be taken advantage or abused?)
207	Genetic Testing	Siblings should be able to use test results to show relationship.
208	Genetic Testing	"Gotta do what they gotta do"
209	Genetic Testing	Ok with this as long as they ok with it.
210	Genetic Testing	How confusing this is? Ag land 5 years ago -> on Maui
211	Genetic Testing	Communication between DOH and DHHL needs to be vamped up/strengthened.
212	Genetic Testing	Only extreme cases.
213	Genetic Testing	Do you need DNA or is B.C. enough? How/what is the process? There are variables.
214	Genetic Testing	Should move 50% to 1%
215	Genetic Testing	Can it establish quantum? Deal with this in rule.
216	Genetic Testing	What is minimum % that a G.T. expert needs to ensure there is a relationship? Medical vs. legal % ->not related to courts.
217	Genetic Testing	Who determined 99%? Check to see if can lower.
218	Genetic Testing	4th generation -> is that the problem -> mo'opuna/lessees puka with pala pala.
219	Genetic Testing	Clarify what genetic testing does? Take sample from child and parent and show relationship -> connect to pala pala of that "potential parent."
220	Genetic Testing	Why subject brought up now? --Dept. sued.
221	Genetic Testing	Current rule ->50% Hawaiian to qualify, go by genealogy via pala pala to succeed.
222	Genetic Testing	Who does DNA testing -> vendor accredited by A.A.B.B. ancestry.com -> acceptable? Not to prove parent/child.
223	Genetic Testing	G.T. doesn't tell you have blood quantum or that you are 50%.
224	Genetic Testing	\$/house is too expensive.
225	Genetic Testing	Inventory of land out there.
226	Genetic Testing	Put Hawaiian on land not make money.
227	Genetic Testing	UDI list vs. Maui Island list (2 list)

	A	B
1	Topic	Comment
228	Genetic Testing	If could, then would -> need parents involved ->it costs money. -Waste of money.
229	Genetic Testing	Cost/Time, 3/4 weeks, \$400
230	Genetic Testing	Set a goal or something to provide funding for those individual who cannot afford DNA testing -prequalified for funding!!
231	Genetic Testing	Costs -beared by applicant -> maybe OHA can help
232	Genetic Testing	Is DHHL paying for it? App. Responsibility ->not fair if they (app) has to prove.
233	Genetic Testing	Kupuna -back in the day only needed drivers license.
234	Genetic Testing	Dept. of Hawaiian Home Lands ->don't accept green or pink B.C. ->DOH not issuing 1/2 sheet. DHHL should accept green B.C.
235	Genetic Testing	Use Mormon record.
236	Genetic Testing	DHHL should lock down all vital statistics now at DOH; DHHL can ensure protection.
237	Genetic Testing	Ex. B.C. -> step mother is mother on B.C. not biological.
238	Genetic Testing	Please bring back to beneficiary before approving.
239	Genetic Testing	G.T. last option ->are/is DHHL going to hire expert to read data/info?
240	Genetic Testing	Going to have qualified lists of experts.
241	Genetic Testing	Successorship -> being proposed to reduced in Leg 2016 to 1/32.
242	Genetic Testing	Place burden upon Dept to prove relationship; only in situation where potential beneficiary needs another tool.
243	Genetic Testing	Had Tutu -> she applied and awarded then later passed on to her -> based on further research; now no longer qualified. Bill for Act to reduce.
244	Genetic Testing	If test don't prove 50% will paper still be used to qualify ->don't let G.T. to retain denial.
245	Genetic Testing	Genetic testing results protected so no one can get access to info, even courts.
246	Genetic Testing	Privacy is legitimate issue ->app. Control info released to dept.
247	Genetic Testing	Privacy protected
248	Genetic Testing	Privacy/law issues.
249	Genetic Testing	Privacy issue ->use/misuse ->discriminate against us ->amend 50% ->1%.
250	Genetic Testing	Process sets precedence for applicants. Ie: Ms. Stalong -B.C. change \$4,000.
251	Genetic Testing	Staff needs to be trained in process.
252	Genetic Testing	Ind. Basis ->additional tool -> not another rule.
253	Genetic Testing	How many waiting for approval for G.T?
254	Genetic Testing	Would that qualify ? Basis for qualification-> change clarify on what it can actually mean; doesn't make sense if you don't qualify; use as additional tool.
255	Genetic Testing	Before making more rules ->implement what you need to do/supposed to do.
256	Genetic Testing	Why bring up the rules if department doesn't even follow existing?

	A	B
1	Topic	Comment
257	Genetic Testing	Expand beyond parent/child if it helps to qualify.
258	Genetic Testing	If it can expand opportunity to get child onto list/qualified then expand beyond parent/sibling,
259	Genetic Testing	Should allow G.T. -> allow uncles/aunts/cousin -> anyone alive to prove relationships.
260	Genetic Testing	if parents are deceased, what do we do?
261	Genetic Testing	Parent dead -what do now?
262	Genetic Testing	Successorship should be changed to allow nephew/niece to be successor.
263	Genetic Testing	Expedite this rule.
264	Genetic Testing	Support G.T.; but case by case. Ex: Maui F-100%, M -100% = 50%
265	Genetic Testing	Adoption -> ex: daughter adopted by mother in law -> but biologically 50% -> this has been issue. See if this can still help to qualify beneficiary -what is the issue?
266	Genetic Testing	Need resting places for Genetic Testing our beneficiary.
267	Genetic Testing	Voluntary, up to app.
268	Genetic Testing	Existing lessees that now with new info/data proves not 50%.
269	Genetic Testing	Expand from applications to successors.
270	Genetic Testing	G.T. expanded to prove successorship as well.
271	Genetic Testing	Parent is lessee -> does it change what genetic testing means? Can this genetic testing be used to "disqualify" existing lessee.
272	Genetic Testing	2% or 68% -- you're Hawaiian
273	Genetic Testing	Still have to have the blood, regardless
274	Genetic Testing	We've lived on the land for generations...Why do we still have to prove we're Hawaiian? We seem to be only ones in the U.S.
275	Genetic Testing	Bio father and mother have homestead but child was denied eligibility. How does DHHL resolve this?
276	Genetic Testing	Majority of group want to stay at 99.0% probability
277	Genetic Testing	Adopted and don't know bio parents. Would DNA test help? --No, even though you grew up in a Hawaiian family, you still need bio parents to show parent-child relationship where parent is Hawaiian.
278	Genetic Testing	Are these rules related to the current DOI rules consultation? --No. DHHL has been planning these rules independent of the DOI.
279	Genetic Testing	Does this test show Hawaiian or ethnicity? --The proposed rule does not address this. Only addresses parent-child relationship.
280	Genetic Testing	For this rule you do need to find the parent.
281	Genetic Testing	Genetic testing for successorship? --Right now, no, this is only for applicant.
282	Genetic Testing	If cannot find bio parents, then no genetic testing will not help. Proposed rule is for those who can find bio parent that has Hawaiian
283	Genetic Testing	Proposed rule is applicant pays the cost.

	A	B
1	Topic	Comment
284	Genetic Testing	Rule is for applicants only, not successors. To help people get on the list.
285	Genetic Testing	Thought this genetic testing was for successors? --No, proposed rule is for applicants not successors
286	Genetic Testing	What happens if the parent doesn't have the palapala? --Then genetic testing may not help.
287	Genetic Testing	What is the 99.0% probability? -It is the likelihood change that parent-child relationship exists.
288	Genetic Testing	If test comes back 97.0%, does this disqualify? --Yes, as the rule stands now
289	Genetic Testing	Yes, 99.0% probability. If expanded to Aunty/Uncle, probability will go down.
290	Genetic Testing	DHHL should reimburse applicant for the test.
291	Genetic Testing	Who pays? We like to see DHHL pay for it. Proposed rule says right now, applicant pays for it.
292	Genetic Testing	Culturally appropriate--should be up to that individual person. Every individual will be different. No right or wrong answer to this.
293	Genetic Testing	Some may with open arms. Some want to be private.
294	Genetic Testing	Want a handout on "genetic testing" to breakdown info.
295	Genetic Testing	DHHL has to balance and do its due diligence to review the palapala.
296	Genetic Testing	On birth certificate, if listed as "Hawaiian" does DHHL assume 100% Hawaiian?
297	Genetic Testing	If applicant is paying for it, should be endless possibility
298	Genetic Testing	If one parent doesnot have enough Hawaiian then can go find other parent
299	Genetic Testing	Make sure there's consent form to protect privacy limits use of the info for only the purpose of qualifying applicant.
300	Genetic Testing	DHHL only holds the info for DHHL purposes only. If non-DHHL asking the info, we want to see consent form from the individual for DHHL to release info to non-DHHL parties.
301	Genetic Testing	DHHL use of consent form for handling personal info.
302	Genetic Testing	DHHL should help applicant to get testing step 1.2.3. This is a lot for an applicant to do.
303	Genetic Testing	How many have tried this genetic testing? --We're aware of the 1 case, which was the lawsuit
304	Genetic Testing	If thru genetic testing, by accident discovered parent not enough Hawaiian or was Hanai, what's DHHL policy? Does DHHL kick out the person? --Proposed rule is silent on this.
305	Genetic Testing	If expand to aunt/uncle, will that 99.0% go down? --Yes, then needs to be reflected in the rule.
306	Genetic Testing	Parent-child 99.0% Aunty/uncle can be less than 99.0%
307	Genetic Testing	Should test be used to qualify successor? Ex: both parents pass w/o designative a successor

	A	B
1	Topic	Comment
308	Genetic Testing	Yes, expand to aunty/uncle. Example: when parent passes.
309	Genetic Testing	Yes, would like to see rule expanded from parent-child to aunty/uncle
310	Genetic Testing	DHHL will not initiate/order the test. Only the applicant orders the test. It's optional for the applicant.
311	Genetic Testing	I want to pass down to my nieces/nephews
312	Genetic Testing	Parent Later finds out had a child with more blood quantum ↓ successor Parent can designate successor. Parent can change name of successor
313	Genetic Testing	Successor lower blood quantum to 1/32. Should be in perpetuity as long as the line is preserved and for same homestead land.
314	Genetic Testing	Vendors must be certified by Assoc. of American Blood Banks
315	Genetic Testing	This is voluntary and is an additional tool.
316	Genetic Testing	What types of test? --We know of saliva and blood.
317	Genetic Testing	If DHHL adopts this rule, concern that test results may be used agaisnt them, potentially.
318	Genetic Testing	We still have great needs with current waitlist. Wouldn't this add more to the waitlist? --Yes.
319	Genetic Testing	Can there be assurance for accuracy of DNA tests.
320	Genetic Testing	Create a department that exists to assist applicants. In genealogical process. Access to different departments, to foster facilitate completion of applicaton process.
321	Genetic Testing	What is the dept. present position on blood quantum?
322	Genetic Testing	Lessee shared experience. (Currently on HHL due to DNA testing) CAUTIONS everyone in DNA testing, Hawaiian blood is marketable.
323	Genetic Testing	Cultural sensitivity
324	Genetic Testing	What if parents alive but not on speaking terms?
325	Genetic Testing	Family dynamics/cultural concerns w/sensitive info re: DNA (What it reveals)
326	Genetic Testing	What is the parents passed?
327	Genetic Testing	What if the parent isn't 50% Hawaiian?
328	Genetic Testing	If 1 person takes DNA test, any family member with a consent can access that.
329	Genetic Testing	Why would known family members (i.e. bro/sis) need a consent?
330	Genetic Testing	(Cost) ex. Dad not listed on BC, but applicant required to prove father-- dept should foot cost.
331	Genetic Testing	NO CHARGE FOR DNA TEST!
332	Genetic Testing	Some would like to pay, some NOT.
333	Genetic Testing	If we required to take the test, dept. should pay.
334	Genetic Testing	Can we use other state accepted documents to relieve the applicant of additional fees.
335	Genetic Testing	Hooponopono vs. DNA

	A	B
1	Topic	Comment
336	Genetic Testing	Expand to allow for DNA from deceased.
337	Genetic Testing	Too restrictive, should also include uncles. Aunties especially in the cases of deceased parents.
338	Genetic Testing	What if parents are passed?
339	Genetic Testing	What if the person is deceased? Then what?
340	Genetic Testing	There needs to be a standardized policy (DHHL)
341	Genetic Testing	Can we database BCs, MCs, DCs? For use of other family members. -Department concern.
342	Genetic Testing	DHHL to tap into DOH
343	Genetic Testing	Can DNA testing be considered in correcting genealogies?
344	Genetic Testing	We need to look at the act?
345	Genetic Testing	Informative meetings to keep everyone on same page.
346	Genetic Testing	(Litigation Era) How are we gonna draft the rule to protect lessees/applicants? (from needless litigation)
347	Genetic Testing	No DNA Testing: 1. What state department is doing the DNA testing? 2. Is this testing will "shorten" the waiting list. 3. Testing will infringe on "individual" rights. Background "checks," financial checks, criminal, etc.
348	Genetic Testing	Want to make sure we protect!
349	Genetic Testing	DNA not to be shared w/any other department.
350	Genetic Testing	Protection to ban DOI interference? (Dept concern)
351	Genetic Testing	Is there minimum% (Besides 99%).
352	Genetic Testing	Why hasn't the department data basic our genealogy instead of buying birth, death, marriage records.
353	Genetic Testing	Wants something to build off of (from the department, draft something) vs. just providing responses and answers to dept.
354	Genetic Testing	Protecting the data!!
355	Genetic Testing	Establishing parent-child relationships - - need feedback for that
356	Genetic Testing	Why does DHHL honor Prince Kuhio and quantum for 1/32? -Malia P.
357	Genetic Testing	What are the safeguards? Do not want this to be abused.
358	Genetic Testing	Need extension to applicants who questions or even has no knowledge of their true father or mother.
359	Genetic Testing	Would also like it to also include grandchildren.
360	Genetic Testing	Can it be extended to niece/nephew? To benefit family. Would like to be expanded.
361	Genetic Testing	Would like to expand to at least 2 generations, for DNA testing. -Streamlining process.
362	Genetic Testing	Wants to support DNA testing w/conditions. What about adopted/fostered children?
363	Genetic Testing	Kupuna's taking care of grand children..but currently only includes parent-child relationships . Can we use 90% chance to test for kupuna to grandchild?
364	Genetic Testing	↓90%?
365	Genetic Testing	Do not do genetic testing as a label

A		B
1	Topic	Comment
366	Genetic Testing	Credible DNA test companies.
367	Genetic Testing	How will testing be conducted, with who?
368	Genetic Testing	What if it's kupuna trying to track their makua?
369	Genetic Testing	Good tool for applicants. Better for applicants to have that option.
370	Genetic Testing	Keep it as an option to test.
371	Genetic Testing	Better tracking of info/docs/tests.
372	Genetic Testing	DNA bank - Malia P.
373	Genetic Testing	I would like to support the proposal to accept genetic testing. My birth certificate has inaccurate information about my ethnicity because one of my parents listed on my certificate is not accurate. Accepting genetic testing would help people like myself who are Hawaiian, but have inaccurate legal documents.
374	Genetic Testing	I believe any means to include genetic testing should be allowed in order to afford any potential beneficiary the greatest opportunity to participate in the acquisition of their respective birthright programs available; in this case, the benefit of acquiring an interest in Hawaiian Home Lands.
375	Genetic Testing	For the record, I am in "opposition" and do not support DHHL's Proposed Administrative Rule Changes specific to: Genetic testing.
376	Genetic Testing	DNA testing, i feel we will be losing our so called constitutional rights under the United States or violated by Kanaka Maoli to submit to a test that law officials use to track criminals, our ancestry are proven by our lineages and birth records. Isn't that enough?
377	Genetic Testing	YES for Genetic Testing I commend you all for finally proposing this, compared to just having a birth certificate from 3 generations. Hopefully this will be an option. We are already in the prices of doing a paternity test for my daughter.
378	Genetic Testing	Has this been looked at through attorneys?
379	Genetic Testing	1934 -Act 227, some families not have Hawaiian blood this Genetic Testing would impact the families in Papakolea.
380	Genetic Testing	Genetic testing does not measure blood quantum.
381	Genetic Testing	Example: Father 0% + Mother 100% = Child 50%. Can Mother's info be used to qualify the child for Hawaiian Homes?
382	Genetic Testing	Genetic testing only establishes relationship between parent-child, not % blood quantum.
383	Genetic Testing	If only applies applicants, then cannot use Genetic Testing against a lessee/successor -> need to be clarified.
384	Genetic Testing	Make more clear/explicit this is about RELATIONSHIP not blood quantum.
385	Genetic Testing	This is for applicants not successors
386	Genetic Testing	Who pays for it? Applicant. Don't want DHHL to play any role in the financing.

	A	B
1	Topic	Comment
387	Genetic Testing	If DHHL recommends a vendor, then DHHL should bear some of the costs.
388	Genetic Testing	How much does it cost? Several hundred -> \$1,000 but, there may be add ____ costs -legal fees -person who's trying to get on list should bear the cost
389	Genetic Testing	Parent-child, Many not out blood quantum. Parent -different partner, another child __ts blood quantum. DHHL: biological parents goes against culture.
390	Genetic Testing	Consider use DNA from deceased parent to establish parent-child relationship.
391	Genetic Testing	What examples are there where only parent-child. What if one or both parents are deceased?
392	Genetic Testing	Look into how can get DNA when parent deceased?
393	Genetic Testing	Can we look at Hale that we had before --no concrete/cement?
394	Genetic Testing	DHHL to change rule on type of house/structure that can be put on land.
395	Genetic Testing	Some better communication for beneficiaries to understand.
396	Genetic Testing	Genetic testing...under the heading, make it clear "determine parent-child relationship." In this day and age, it happens...reality is, one may want to claim their rightful heir to be the next in line...It's a touchy sensitive subject, but could put a stop to the "wala'au" of He/she no...It's not a race based topic its in line with "qualification"
397	Genetic Testing	Would genetic testing open up "race based" issues?
398	Genetic Testing	Some limitation, otherwise testing could on and on. What's to stop people from doing this anyway.
399	Genetic Testing	Protection of privacy.
400	Genetic Testing	If don't hit the 99% probability, then no go.
401	Genetic Testing	Talk to people who've had genetic testing done involving aunty/uncle. What is the % in these cases?
402	Genetic Testing	Establish relationship between parent -child, not blood quantum.
403	Genetic Testing	Add: Grandparents. 1/4 -> 1/32, 25% -> 12 1/2%. Lessee succession only.
404	Genetic Testing	Expand also to successors
405	Genetic Testing	Yes, expand to aunty, uncle, grandparents, etc.
406	Genetic Testing	Yes, like to see expanded beyond parent-child, to include aunty, uncle, grandparents.
407	Genetic Testing	Like to see expand to aunty/uncle. Parent-child. Parent-brother-sister to child.
408	Genetic Testing	Does family court also use 99.0% for siblings?
409	Genetic Testing	(1) Parent-child only -6
410	Genetic Testing	(2) Expand -6
411	Genetic Testing	More education and requirement for lessees to designate successor. Example: Ka Nuhou newsletter, change of address, successor, basic info.
412	Genetic Testing	Object to rule -6, support -2, and undecided -2.

	A	B
1	Topic	Comment
413	Genetic Testing	Genetic testing should be an option but only as a last resort.
414	Genetic Testing	My questions about Genetic Testing on my behalf I find that my objection on the on this finding more on technology children to live in there generation gap
415	Genetic Testing	Is "genetic testing" same as DNA?
416	Genetic Testing	May not be the right thing to do. We don't yet understand fully ...we may not want it.
417	Genetic Testing	Object to genetic testing -management process. Integrity could be applied to a broader use later cannot specify what are it's boundaries.
418	Genetic Testing	As a lessee myself, there are a lot of misconceptions in regards to the genetic testing and selling / transfer of leases. Questions as: "does anyone applying need to provide a blood sample?" ; "if I am adopted or hanai and have no record of my birth father, can a genetic test prove that I have Hawaiian and what about the quantum or percentage?"
419	Genetic Testing	In agreement, 99% is a good # for last resort where all other failed
420	Genetic Testing	Undecided. Agree with the 99.0% certainty. As last resort is okay.
421	Genetic Testing	Why genetic testing now? --part of a lawsuit
422	Genetic Testing	Where do you find people to do genetic testing?
423	Genetic Testing	Native tenants and belong on the land
424	Genetic Testing	DNA only parent/child--not quantum
425	Genetic Testing	Last chance to use/take an opportunity to get qualified.
426	Genetic Testing	Let DOI office to get seal to prove 100% Hawaiian
427	Genetic Testing	Applicant to pay for it
428	Genetic Testing	Who bares the cost of genetic testing? --applicant
429	Genetic Testing	Want DHHL to pay
430	Genetic Testing	DHHL/applicant pay for it--50/50
431	Genetic Testing	Cost/time to do? Process already too long.
432	Genetic Testing	Use family tree--use genealogy
433	Genetic Testing	No genetic testing--serve those already on the list; don't expand
434	Genetic Testing	No. (1) genetic testing is a "region" test--process works already; redundancy; (2) Why being sued if you have rules, already? Kuhio/kingdom law validates genealogy
435	Genetic Testing	Don't let government use koko--beneficiary open lav to take tests
436	Genetic Testing	Protect findings
437	Genetic Testing	DHHL should use lab that they trust with doing tests--ethically
438	Genetic Testing	Who can I go to to find the father?
439	Genetic Testing	Voluntary!
440	Genetic Testing	Voluntary!
441	Genetic Testing	Why is this being considered? How many cases--%
442	Genetic Testing	We should be able to keep original
443	Genetic Testing	Expand the quantum level to aunt/uncle and you should pay for it. If you're Hawaiian you should have the chance to claim back the land, if DNA testing allow this, I'm for it

	A	B
1	Topic	Comment
444	Genetic Testing	Allow for aunty/uncle to be used
445	Genetic Testing	Beneficiary/applicant should exhaust the option in genetic testing--whatever process and any one--father/uncle, etc.
446	Genetic Testing	Father dead? Expand to aunt/uncle
447	Genetic Testing	Hanai out--always look at biological parent
448	Genetic Testing	If same biological parents, allow expansion to uncle/aunty, dead/alive
449	Genetic Testing	Agree, but expand parent-child to uncle/aunties if same biological parents...dead or alive
450	Genetic Testing	Voluntary for those without sufficient paperwork will help others for parent/child relationship--extend to other relatives (aunts/uncles)--DHHL to pay for DNA testing.
451	Genetic Testing	Please consider accepting "ancestry.com" type DNA to help people like my mother in-law, who do not know her father, establish that she is Hawaiian and thereby help her grandchildren have a higher amount of Hawaiian quantum
452	Genetic Testing	Keep between parent/child, increase to 99.0%
453	Genetic Testing	Parent to child--99.0%; lower %--if using uncle/aunty
454	Genetic Testing	Anything to help get Hawaiians on land I support
455	Genetic Testing	Avoid liabilities--need rule--good rule
456	Genetic Testing	(Heart) I have had so much problems with claiming my father. DNA testing is good but I would like you to pay for it. \$28mill? Please help. Should start parent-child then go broader. Name a qualified successor (blood/child)
457	Genetic Testing	Last resort, I would support
458	Genetic Testing	Is it done here on O'ahu--use certified vendors
459	Genetic Testing	It's 100%. I didn't know about %--it is none of your business who parents are--there is a process
460	Genetic Testing	Genetic testing is last resort; not first option; give/help a little
461	Genetic Testing	Eliminate hanai children? Hanai goes with biological parent.
462	Genetic Testing	Expand to allow genetic testing for successorship
463	Genetic Testing	Keep it to applicants, to soon to tell--get them the lease first
464	Genetic Testing	Only use results for application purposes only--not to disprove existing lessees are qualified
465	Genetic Testing	To name successor, not not require genetic testing
466	Genetic Testing	Use genetic testing only for specific situation/application and not for other situations/processes esp to "disprove" genealogy
467	Genetic Testing	How big of % more on waiting list? Yes, we are just adding people to the list.
468	Genetic Testing	Blood quantum issue--be careful on this. Need to change framework on this. Prince Kuhio with Congress.
469	Genetic Testing	My son 25% took DNA test shows blood quantum. Response: Genetic testing we're talking about not measuring blood quantum.
470	Genetic Testing	Son is <25%--blood quantum going down--how does genetic testing affect successorship?--Genetic testing is only for applicants

	A	B
1	Topic	Comment
471	Genetic Testing	This test does not measure blood quantum. Only will tell parent-child relationship
472	Genetic Testing	Be thoughtful, study, understand full ramification before implementing
473	Genetic Testing	Go thru whole process first, then can ask/allow for genetic testing
474	Genetic Testing	DHHL seeking clarity on this.
475	Genetic Testing	Like to see DHHL do its best to help the Hawaiians
476	Genetic Testing	Cost--applicant bears cost for the genetic test such as applicant pays to get birth certificates
477	Genetic Testing	I don't have the pala pala, records lost, but I have testimony is that allowed?
478	Genetic Testing	Paperwork has Haole name, that's how paperwork was done at that time. How will this propose rule affect me? --How do we re-visit this and determine blood quantum. Parents/kupuna passed away
479	Genetic Testing	Once determined a lessee, always remain lessee -New rule
480	Genetic Testing	Palapala does not reflect parent-child relationship
481	Genetic Testing	Should test be mandated?
482	Genetic Testing	Should we expand this?
483	Genetic Testing	What about adoption
484	Genetic Testing	Is there a genetic test to determine blood quantum? We would like to know if such a test exists.
485	Genetic Testing	If applicant exhausts its options, does DHHL tell applicant to go genetic testing? Not necessarily. It's up to applicant to choose the genetic test option. DHHL only says Up or down with the palapala
486	Genetic Testing	Applicant has some docs to determine if eligible but docs may not be 100% solid. If DHHL suggests genetic test, would DHHL bear the cost?
487	Genetic Testing	Will genetic test become permanent part on record?
488	Genetic Testing	Is this test measure blood quantum? --No only tells relationship parent-child
489	Genetic Testing	How does test affect successor?
490	Genetic Testing	Yes: expand to brothers/uncles/etc.
491	Genetic Testing	What happens if deceased? Can use genetic testing
492	Genetic Testing	Bit ambiguous. Says gentic testing does not determine blood quantum
493	Genetic Testing	Will in future, genetic testing make me lose my lease should indiv show not native Hawaiian
494	Genetic Testing	Was lesee for many years, then later determined not enough blood quantum, so not lessee anymore due to DHHL discrepancy in pala pala

	A	B
1	Topic	Comment
2	Subsistence Ag	3) Subsistence Agricultural Lots - Novel idea!.... but how will this be monitored , if at all possible?
3	Subsistence Ag	<p>I am a residence Lessee at Kawaihae Mauka and am on the wait list for AG Land.</p> <p>I was hoping AG Land would be available above Kawaihae Mauka, but see it is not eligible for this new ag program due to "no water available".</p> <p>Is it possible to offer AG LANDS on an UNDEVELOPED LAND INITIATIVE - STRICTLY FOR KAWAIHAE MAUKA with those applying agreeing to provide their own WATER CATCHMENT irrigation system; and agreeing to access being limited via JEEP TRAILS?</p> <p>I do believe this is a viable alternative solution to meet the needs foreseen by Prince Kuhio, and hope you will kindly make a provision like this possible.</p>
4	Subsistence Ag	<p>1. There's a need for create lot sizes to benefit more families on the waiting list, and subsistence lots can allow more Hawaiian families the opportunity to receive a Hawaiian Homes award, and also to grow food for their family.</p> <p>2. In my estimation, less than 2% of DHHL agricultural lots are utilized for commercial agricultural production in Ho'olehua, and even less are fully utilized. Most families lack the knowledge, financing, and business savvy to operate a commercial agricultural operation, and as a result thousands of acres lie unused and tied up in the hands of a few homesteaders when tens of thousands wait for a DHHL lease award. This resource needs to benefit more of those on the waiting list.</p> <p>3. Different scenarios and incentives need to be developed to create a fluid transfer of lands while still respecting the original homestead family's needs. Coming up with a new direction and strategy to get more Hawaiian families on the land means thinking outside the box. This could mean buying a homestead lot and sub-dividing it so more families can benefit, and also to provide them with a base to grow food for home use and even roadside sales of their home grown and value-added products. These would be small scale farms of 5 acres or less. Subsistence activities can operate on 1 to 2 acre lots.</p> <p>4. Lot dimensions need to be taken into consideration in creating ample space between lots, especially between residences and a template may need to be created. This means creating squarish lots, as opposed to long skinny rectangular lots, where houses are relatively far away from each other to create a rural atmosphere. For example, a 35-acre lot in Hoolehua of 550' X 2771' could produce 16 2-acre lots of 275' X 316.8' with a single 30 foot wide road down the middle of the main lot, OR around 31 1-acre lots of 163' x 267' with two 30 foot wide roads. These kinds of lot configurations will give space between homes, and sufficient area to raise crops.</p> <p>5. The raising of livestock, especially hogs, needs to be reconsidered in these small lots in light of odors and health issues unless strong guidelines are put in place as to how it will be allowed, especially on 1 acre lots, and everyone agrees in this new area OR that lots will be awarded with conditions that allow lessees to raise livestock.</p> <p>6. <u>Planning around livestock and non-livestock homesteads are a little more complicated. The</u></p>
5	Subsistence Ag	<p>Can you provide me with more information regarding subsistence lots and the proposed new option or direct me as to where I can learn more about this? What does this proposal exactly entail? mahalo</p>

1	A Topic	B Comment
6	Subsistence Ag	<p>Subsistence Agriculture Lots also, I add my written response that providing the land with all kinds of conditions to have a background in farming/agriculture or with a college degree is nice for those who can but by the same token what about those who've lived off the land and use what they produce for their own family? Because of my parents that's what they wanted to raise a few poultry, rabbits, chickens, a pig and a turkey. So now, I can use this award to do that but I'm almost 70. I'm glad you're reaching the Hawaiians today who just need to grow their own and sit/lie without being someone's nuisance.</p>
7	Subsistence Ag	<p>Subsistence Lots - I do not support DHHL issuing "subsistence ag. leases" that are 1.0 acres or less. In accordance with the HHCA, "not more than one acre of any class of land is to be used as a residence lot" Despite surveys indicating the desire for smaller subsistence lots, if DHHL is going to issue lots less than 1 acre for agriculture, I believe it must go through the process of amending the HHCA because 1 acre or less in accordance with the act is considered residential. For many years the State of Hawaii has created administrative rules or processes that directly conflict with the HHCA. In this case, the Act clearly states 1 acre or less is residential. Reducing the lot size for ag awards does not address DHHL's failure to issue ag lands. The current barriers to ag. awards were created by the state. The HHCA only requires a lessee to be 18 years of age and meet a 50% blood quantum. All other ag. requirements were mandated through administrative rules. In a time when Hawaii is conscious of its food dependency and ag lands are a precious commodity, it seems inappropriate to me to be limiting agriculture parcels to one acre or less. If that is the case, DHHL is issuing a residential lease. Subsistence farming can take place on residential leases. DHHL should not be allowed to reduce its agricultural wait list by issuing 1 acre residential leases. In my opinion, renaming a 1 acre parcel "subsistence ag" is a poor solution to addressing the ag wait list. We need lands to grow food and increase Hawaii's food sustainability.</p>

	A	B
1	Topic	Comment
8	Subsistence Ag	<p>LEGEND: () = DELETE _____ = Add</p> <p>10-3-25 Award of additional acreage <u>(h) The department shall amend the lease . . . additional acreage. The lessee may assign the Lease Addendum to another lessee.</u></p> <p>10-3-26 Residence on agricultural and pastoral lot (c) DELETE (Only one residence shall be permitted per lessee on Hawaiian home lands.) (c) (5) DELETE (Adequate infrastructure . . . workers' quarters) Much of the ag land leased are leased without infrastructure to begin with. Therefore it is incorrect and cruel to demand infrastructure for workers' Quarters. DHHL can lease without infrastructure, but the lessees cannot Build workers' quarters unless there is infrastructure? (d) A lessee possessing a residential lot lease may construct a residence on the lessee's agricultural lot (of more than one point zero (1.0) acres)_ or pastoral lot (provided that the lessee complies with the following conditions: (1) through (3)) DELETE</p>
9	Subsistence Ag	<p>Subsistence Lots returns us to the initial intent of Prince Kuhio and the distribution of original homestead lands for our people to sustain themselves through farming and raising livestock. While available trust lands limits this opportunity for some who wish to reside on O'ahu. I support this viable option for those who can realize self-sufficiency on the other islands where land is available.</p>
10	Subsistence Ag	<p>Vacant lots should be available, whether in a rural undeveloped for "subsistence living" and also in the subdivisions that are currently supplied with Electric, Water and cable service. Whatever process that is pono that gets our people to land opportunities, whether lot that they want to live in a Tiny Home or container dwelling to start the process of their permanent home should be done IMMEDIATELY.... Not one person on the list should DIE before they receive their award... I want my lot land wherever whatever condition</p>
11	Subsistence Ag	Size depends on success
12	Subsistence Ag	<p>Subsistence lot size is relative to number of people 45000 - 5000 home = 40000 - 20000 ag = 20000 - 15000 ag/ec = 5000 infrastructure number of people = land/sq ft land f(x) - people</p>
13	Subsistence Ag	How would we request more land? Commercial
14	Subsistence Ag	Whatever size would be helpful to have infrastructure
15	Subsistence Ag	If less than one acre? Can
16	Subsistence Ag	Too small; 3 acres
17	Subsistence Ag	1.5 acres-- .5 acre residency; 1 ac ag
18	Subsistence Ag	Option up to 3 acres

	A	B
1	Topic	Comment
19	Subsistence Ag	1 acre to test
20	Subsistence Ag	If want to do botanical gardens, can't have tour buses though?
21	Subsistence Ag	Beyond 1 acre, at what point would you require farm plan/cultivation requirement?
22	Subsistence Ag	1.5 acres. Garden--variety of vegetables. Growing cycles--rotate crops
23	Subsistence Ag	How much of 1 acre has to be devoted to ag
24	Subsistence Ag	Need financial stability
25	Subsistence Ag	I'm on pastoral list--if I sign up for ag program will I start at bottom of list?
26	Subsistence Ag	How many on ag list? Most people want residential
27	Subsistence Ag	This question not into ag. Entitlement mentality
28	Subsistence Ag	\$28 M for purchase property/land XO for ag lands for homesteaders--Gailbraith. Negotiate to acquire property
29	Subsistence Ag	Now ag from immigrants
30	Subsistence Ag	Typical kids "soft"
31	Subsistence Ag	Depends on individuals
32	Subsistence Ag	For Oahu, why not consider community ag lots for land on Oahu--ag undivided interest
33	Subsistence Ag	Starter crops and indigenous crops
34	Subsistence Ag	Medical marijuana
35	Subsistence Ag	Self-sufficiency/self-sustaining. Growing own food; sustainability
36	Subsistence Ag	Extra income. Extra food.
37	Subsistence Ag	Sustainability = to provide for your own living off the land.
38	Subsistence Ag	Subsistence--trying to feed family with what growing
39	Subsistence Ag	Aquaculture; hydroponics
40	Subsistence Ag	Feeding my family vegetables, fruits, eggs--save costs, feed family
41	Subsistence Ag	Can you do fish? Hydroponics, aquaponics
42	Subsistence Ag	Farming keeps you well--eat what they grow
43	Subsistence Ag	If we get cut off--can be sustainable. Share with neighbors
44	Subsistence Ag	Sounds like someone needs help; under par
45	Subsistence Ag	Some of what you grow--sell to restaurants
46	Subsistence Ag	Drainage needs to be worked out; affects other lots
47	Subsistence Ag	Start need \$80K to clear land
48	Subsistence Ag	Trend now is downsizing; living within your means
49	Subsistence Ag	What are the rules square footage to comply--1BR house
50	Subsistence Ag	Is container temporary or permanent structure? 750sq ft
51	Subsistence Ag	Hard to build my own home at my age--too overwhelming package
52	Subsistence Ag	Container--under \$20K--1BR, AC, would be permanent
53	Subsistence Ag	Toolshed there, mansion, have opportunity to add, can I increase my acreage?
54	Subsistence Ag	Need infrastructure--water, power, phone, sewer, road
55	Subsistence Ag	Can we have people to help educate? Whatever we want to do...
56	Subsistence Ag	1-3 years, then what? Come back and ask for more time
57	Subsistence Ag	Need benchmarks
58	Subsistence Ag	How long to build? If ag lots are 40 acres.

	A	B
1	Topic	Comment
59	Subsistence Ag	Vertical? Structures? Density
60	Subsistence Ag	Incremental development is more realistic
61	Subsistence Ag	Want to have house on the lot
62	Subsistence Ag	House should be an option
63	Subsistence Ag	Is it still 50% of ag lot for house?
64	Subsistence Ag	If already have ag lot--no infrastructure--where do I start? Waianae Valley
65	Subsistence Ag	Pahe'ehe'e--are you going back there?
66	Subsistence Ag	What codes have to follow?
67	Subsistence Ag	Increase diversity to ohana zoning
68	Subsistence Ag	Depending on zoning of area--rural
69	Subsistence Ag	This pertains to neighbor islands--why?
70	Subsistence Ag	There should be a time limit for temporary structures--when you need permanent
71	Subsistence Ag	Need sustainability
72	Subsistence Ag	If expands options and puts more people on land with home
73	Subsistence Ag	Does it have to be a requirement?
74	Subsistence Ag	What is max housing sq ft?
75	Subsistence Ag	How many years to occupy?
76	Subsistence Ag	First allotment (entry) to family.
77	Subsistence Ag	It would be very difficult to enforce the sustainability (farming the land). People would accept the lease just to have a lease. That should be ok. There should not be any criteria because DHHL have not been enforcing the existing ag leases. The leasees should not be subject to standards/criteria until all the existing ag leases are enforced.
78	Subsistence Ag	10,000 good enough.
79	Subsistence Ag	it depends if you just feed your family -1 ac. Ok.
80	Subsistence Ag	if full-time job -1 ac is enough because no time to work on land, but if can have farm workers, can work more land.
81	Subsistence Ag	If you take into consideration the potential to expand -needs to be bigger.
82	Subsistence Ag	Instead of a size limit -leave it up to person's plan.
83	Subsistence Ag	To be sustainable need 5 acres.
84	Subsistence Ag	5 acres should be minimum -if you have 10 kids -can spread out a little -family will grow.
85	Subsistence Ag	Make options -different sizes.
86	Subsistence Ag	Variety of lots 1, 3, 5 acs. Need plan after 3 acres
87	Subsistence Ag	Give a variety of options 1/2, 1, 2, 2 acres, choice of applicant.
88	Subsistence Ag	Med choice. Maybe farm plan require for 3 acres.
89	Subsistence Ag	If you want to raise livestock, need 3 acres.
90	Subsistence Ag	Small garden -1/2 acre ok -depends on individual.
91	Subsistence Ag	Pigs would be a problem
92	Subsistence Ag	Example in military had garden plots -every one take 7 rows.
93	Subsistence Ag	Takes partnerships -for equipment, etc.
94	Subsistence Ag	Possible for HHs to have equipment available? Would require staff.

	A	B
1	Topic	Comment
95	Subsistence Ag	One challenge in Anahola -land depleted due to plantation Ag -and expensive to rehab. Land. Will DHHL hook up with companies that do Ag. So can rehab land (amendments).
96	Subsistence Ag	Would benefit a lot because they's a lot of Ag land.
97	Subsistence Ag	Aren't DHHL getting strict about building?
98	Subsistence Ag	Define Mauka/Makai/upwind/downwind
99	Subsistence Ag	Living off the land, making money from that?
100	Subsistence Ag	Has to be part of your income -if you had another job, couldn't do it.
101	Subsistence Ag	Provide what you need off the land + ocean.
102	Subsistence Ag	Can't see how to provide for family of 2 off the land -need more income.
103	Subsistence Ag	Not buying food from the store, growing as much as you can. -it takes so much to grow in Hawaii -it will be a supplemental.
104	Subsistence Ag	Small scale, grow food so no need buy
105	Subsistence Ag	Feeding the family-take care of ohana
106	Subsistence Ag	Not for profit
107	Subsistence Ag	in the old days we were able to farm lands, and learn in the process -but not only land -ocean too.
108	Subsistence Ag	For family to substitute instead of buying.
109	Subsistence Ag	Distribution of land to more people.
110	Subsistence Ag	Somebody going give me something for free.
111	Subsistence Ag	Feed your family.
112	Subsistence Ag	Sustainable -sustain family.
113	Subsistence Ag	Integrated -livestock + crops
114	Subsistence Ag	P.V.
115	Subsistence Ag	Land feeding you -off grid
116	Subsistence Ag	Where does this fit? Ag or residential?
117	Subsistence Ag	Need to be clear about the rules -if you get 1 ac. + don't do nothing would it be ok?
118	Subsistence Ag	What about ____? Septic tank. Compost toilets.
119	Subsistence Ag	What is the law ____: House on Ag lot or home? Two houses?
120	Subsistence Ag	Once you have 2 kitchens -2 homes.
121	Subsistence Ag	Would workers quarters be acceptable? Not in subsist. Ag. Program.
122	Subsistence Ag	Licensed plumber, licensed electrician
123	Subsistence Ag	Don't need to establish a standard + require them to build to that standard.
124	Subsistence Ag	No county permit. Too expensive.
125	Subsistence Ag	Container house? Tent? Need some kind of standard.
126	Subsistence Ag	Do community bld. -contractors can help.
127	Subsistence Ag	Do you have a rule: How many houses on the lot? -County Rule? Quality ____ HHLs.
128	Subsistence Ag	Who will cover this? State or County? We build out homes and county said no jurisdiction.
129	Subsistence Ag	5 years house plan, be on land within 1 year.

	A	B
1	Topic	Comment
130	Subsistence Ag	If raw land, will infrastructure for power and water be in or do we have to provide it?
131	Subsistence Ag	Ag tie-in line needs to be bigger than residential
132	Subsistence Ag	Water -how to get infrastructure?
133	Subsistence Ag	Can I sign my residential to my children? Yes.
134	Subsistence Ag	What is the quality of the ag land?
135	Subsistence Ag	Have the lands been used for something else? Plantation? -eg. Kekaha homes.
136	Subsistence Ag	Just starting-want them to be on land.
137	Subsistence Ag	Requirement is good because that means you will use the land.
138	Subsistence Ag	If I have a lot, I would put tool shed.
139	Subsistence Ag	A house would put me in the hole.
140	Subsistence Ag	In this case HHLs will have to put in infrastructure and HHLs always say no money so I wouldn't inquire home..
141	Subsistence Ag	Require house
142	Subsistence Ag	Lax standards or Ag land homes. Functional standards -some can't afford -yurtz can withstand wind so use to pass code, not camot (?)
143	Subsistence Ag	HHLs homeowner standards
144	Subsistence Ag	Basic health/safety -septic tanks cesspools?
145	Subsistence Ag	If DHHL will buy my house -ok.
146	Subsistence Ag	No water; no life
147	Subsistence Ag	Does Kauai still have Ag water? Anahola and DHHL system ___ table but using for Ag -DHHL has to subsidize, water dept charges 2 different prices. Ag. Vs. Residential.
148	Subsistence Ag	Should keep with the standard
149	Subsistence Ag	Do this NOW
150	Subsistence Ag	Require garden certificate in related program -> link with program
151	Subsistence Ag	Agree need ed: we got land + didn't know what to do.
152	Subsistence Ag	How many homes can build on 5 acres?
153	Subsistence Ag	Was there a study done to determine 1 acre size
154	Subsistence Ag	Lot size should be dependent on # of people in household.
155	Subsistence Ag	One human for one acre? We have ratio for cows and animals create ratio for humans.
156	Subsistence Ag	It depends on individual and where land is. You need to factor this in.
157	Subsistence Ag	One-acre is a good size to start
158	Subsistence Ag	1 acre is a good size to start. Sub-ag = side income
159	Subsistence Ag	1. Re: Subsistence Ag Subject. Yes to 1 acre Ag lot(s) size. More than sufficient (former lessee of 3 acre Panaewa Ag lot). Transferred to son, who is current lessee. My spouse cultivated and continues to cultivate this land and it is very productive. We are so grateful for Hawaiian Home Lands. We have subsistence farming crops and small kind seasonal sale crops to local farmer's market. Eo Hawaiian Home Lands.
160	Subsistence Ag	Is there a possibility to get more land? Yes.

	A	B
1	Topic	Comment
161	Subsistence Ag	Sub-ag . When they created HHCA, Kuhio Village 1 acre. 2nd phase was 0.5 acre lalamilo too small now. Sub-ag lot should be at least 2 acre. Res max lot should be 1 acre.
162	Subsistence Ag	How are you supposed to raise anything on 0.5 acre? 5 acres is a good size to start.
163	Subsistence Ag	Should be 5 acre or more for lot
164	Subsistence Ag	Lets start getting back to basics. Start with home. Need more than 5 acre.
165	Subsistence Ag	Support for 2 acre lot size
166	Subsistence Ag	If sub-ag allows for animals (cattle) on lot you need more than 1 acre.
167	Subsistence Ag	One acre is not enough. If you want to feed family and earn money, need more.
168	Subsistence Ag	1 acre with animals too small
169	Subsistence Ag	It took us a while to fully farm 5 acres. 2.5 is good to start, but if I want to increase farm size and get another lot later how can I live on it. Can't live on 2.
170	Subsistence Ag	2.5 acres is a good size to start. If they need more if successful give more later.
171	Subsistence Ag	When my husband retired, we started to actively farm. But when he worked we didn't farm. 1 acre good to start.
172	Subsistence Ag	Different size lots for different regions, soils, and places different. You can do different things in different places.
173	Subsistence Ag	The minimum size depends on the place and it's characteristics like soil, water, etc.
174	Subsistence Ag	If you are a rancher not big enough to make \$.
175	Subsistence Ag	It would depend what kind of animal on lot
176	Subsistence Ag	What is the minimum size now? 5-40 acres on HI Island.
177	Subsistence Ag	Was there models done to get to 1-acre?
178	Subsistence Ag	Am I going to lose my land if I don't use the whole thing? I have horses, on my land.
179	Subsistence Ag	I farm I need more land for my commercial farm, but don't want to take from those with none.
180	Subsistence Ag	On sub-ag lot. The lessee would be able to build house that they can afford.
181	Subsistence Ag	Are ag lots getting own TMK?
182	Subsistence Ag	No TMKs, no taxes. Own zoning. DHHL too lazy to enforce its own code.
183	Subsistence Ag	Where are you going to get the land from?
184	Subsistence Ag	What kind of land? Should be farmable.
185	Subsistence Ag	In Kailapa we would like to have ag on our lots.
186	Subsistence Ag	What lands are you going to take out of ag for this new idea? DHHL is not going to take away from existing lessee.
187	Subsistence Ag	What should be the rule for building on sub-ag lot?
188	Subsistence Ag	What do you mean Lalamilo is "higher standard." We mean urban standards.
189	Subsistence Ag	When you say rules what are you referring to? HAR.

	A	B
1	Topic	Comment
190	Subsistence Ag	What section in the Rules? Section HAR 10-3
191	Subsistence Ag	How can Native Hawaiians afford the higher cost. Too expensive. Why different costs for the same house in Lalamilo
192	Subsistence Ag	Subsistence = self-sufficient economically as well.
193	Subsistence Ag	Your own consumption. Feed neighbors
194	Subsistence Ag	You're working on the land
195	Subsistence Ag	Sub ag= you survive off land no require \$
196	Subsistence Ag	Barter
197	Subsistence Ag	Grow everything you eat
198	Subsistence Ag	\$ for us
199	Subsistence Ag	Knowing what to plant
200	Subsistence Ag	Self-sufficient
201	Subsistence Ag	Off-grid
202	Subsistence Ag	In addition to regular income
203	Subsistence Ag	PT farmer
204	Subsistence Ag	Farmers market
205	Subsistence Ag	You need to define sub-ag. Subsistence means subsist to live whether you're selling or eating.
206	Subsistence Ag	Sub-ag = not commercial.
207	Subsistence Ag	What does sub-ag meant to you? You need enough ag to support family financially.
208	Subsistence Ag	If a sub-ag lessee is successful, they should be allowed to sell their crop.
209	Subsistence Ag	Sub-sistence = grow for family. Subsistence when I think about is nobody subsidizes me. I get all vegetables and feed family on 10,000 sqft.
210	Subsistence Ag	Does ag crops have to be edible? I don't think it has to be as long as we can sell it for money.
211	Subsistence Ag	What is DHHL def, of subsistence? DHHL wants to know your input before making a decision.
212	Subsistence Ag	This process doesn't work if people still don't farm.
213	Subsistence Ag	The majority of ag lots in Waimea not using their lots. You making new rules but no one following old rules of existing lots.
214	Subsistence Ag	How are we going to implement new rules if we haven't been enforcing old rules.
215	Subsistence Ag	DHHL should be looking and enforcing farm plans.
216	Subsistence Ag	Got to look at economy. Affordability is a problem. Doing financial paperwork is a problem.
217	Subsistence Ag	Once you award land, is DHHL going to provide assistance to farm? I would like to have a loan/finance assistance.
218	Subsistence Ag	Anticipate. We need to anticipate future needs.
219	Subsistence Ag	If you allow any kind of structures, community may not like that either, give people a list that they can choose from.
220	Subsistence Ag	If you let us build our own home do we have to build to code?
221	Subsistence Ag	If my parents have an empty lot. They're 90 yrs old. Can't farm. Is DHHL going to take it away? No in only affect new applicants.

	A	B
1	Topic	Comment
222	Subsistence Ag	Sub-ag lots need fire hydrants need address.
223	Subsistence Ag	Is infrastructure going in 1st? Or wait for DHHL to put in. In Kawaihae I want to put in a yurt or shipping container. Would you change the standard? If we build container home would be on lot faster.
224	Subsistence Ag	Would sub-ag lots have infrastructure? Yes it should have.
225	Subsistence Ag	Is there going to be infrastructure? Yes.
226	Subsistence Ag	We shouldn't pay the tax on house land.
227	Subsistence Ag	Where on this island are you planning sub-ag? TBD.
228	Subsistence Ag	There has to be something to assure land can be cultivated. Cannot raise crops in some areas. I had big holes on my lot.
229	Subsistence Ag	Sub ag. Program would be rural standard.
230	Subsistence Ag	There should be infrastructure
231	Subsistence Ag	How many acres in Waimea are going to this? Not many.
232	Subsistence Ag	Are talking about taking a way, from existing lessees? No.
233	Subsistence Ag	Is DHHL considering to open more ag land in Waimea?
234	Subsistence Ag	don't start w/400k loan
235	Subsistence Ag	We were offered a lot in Lalamilo in \$300k, the max loan you can get is 1/2 of median price of home on island. Not realistic.
236	Subsistence Ag	Should have county water.
237	Subsistence Ag	There has to be water.
238	Subsistence Ag	Water is important. Effects what I can farm.
239	Subsistence Ag	DHHL going to file for subdivision plan? If you require house, then yes DHHL should.
240	Subsistence Ag	Pu'ukapu lessees, some has no intention to farm, waiting for DHHL tech.
241	Subsistence Ag	If you have a res lease, can you do ag? We should be able to do ag on my res lot.
242	Subsistence Ag	Subsistence Ag:residential surrender house if on another land requires a house on land.
243	Subsistence Ag	Are you starting a new list? No people come off ag list.
244	Subsistence Ag	1 acres is goal
245	Subsistence Ag	Should award 30 acres, Phase II for Ag
246	Subsistence Ag	40 acres, too much
247	Subsistence Ag	1 acre is enough
248	Subsistence Ag	Need to ID how much to farm. 1ac, is sufficient especially due to limitation.
249	Subsistence Ag	Award lots – Phase 2, give them so much time. Get water line -1 meter. Start with ½ ac.
250	Subsistence Ag	We would like Ag lots
251	Subsistence Ag	Need Ag lots for Lana'i
252	Subsistence Ag	Hawaiian Community Gardens: Break up 50 acres Bulldoze flat Waterline out there Water mains out there

	A	B
1	Topic	Comment
253	Subsistence Ag	Palama community garden 1000 sq.ft. need to put in own meter.
254	Subsistence Ag	Hard because when get old – can't farm – no kids.
255	Subsistence Ag	Phase II – no demand
256	Subsistence Ag	No demand for phase 2, _____ plan based on needs of community.
257	Subsistence Ag	If lot awarded and overgrown you know it's not being leased.
258	Subsistence Ag	Vacant lands – interim use-
259	Subsistence Ag	Henry Aki
260	Subsistence Ag	Residential vacant lots
261	Subsistence Ag	Joelle Aki - _____
262	Subsistence Ag	Before HFD did the break
263	Subsistence Ag	Playground – county said they going
264	Subsistence Ag	What _____ - community center
265	Subsistence Ag	Gave by-laws, to HANO, but nothing OK to bring to community _____ come back.
266	Subsistence Ag	Award lots – Phase 2, give them so much time. Get water line -1 meter. Start with ½ ac.
267	Subsistence Ag	We will share – once you figure out balance you can increase it.
268	Subsistence Ag	We have 50 acres – only 13 acres for phase I, not being used. How to use some of that land for subsistence Ag.
269	Subsistence Ag	Feed the family.
270	Subsistence Ag	Subsistence = something that benefits, off sets costs, later _____ profit. Need to figure out flow – balance of _____, crops. Bring costs down.
271	Subsistence Ag	Grow in selections –seasonal
272	Subsistence Ag	Subsistence –how I live off the land.
273	Subsistence Ag	Subsistence Ag. Lot – both _____ and crops.
274	Subsistence Ag	Subsistence –helping someone out
275	Subsistence Ag	Enforcement is an issue.
276	Subsistence Ag	50 acres leased pastoral land/leased
277	Subsistence Ag	No residency requirement for Lana'i
278	Subsistence Ag	½ acre – 1 acre supplement to residential. (Downside)
279	Subsistence Ag	What do you know about farming? And what do you want to do? See if they can do it?
280	Subsistence Ag	If can't do it, what kind of help used?
281	Subsistence Ag	If not using it, got to give it up.
282	Subsistence Ag	Community farm
283	Subsistence Ag	Community garden
284	Subsistence Ag	Community-based Ag.
285	Subsistence Ag	Depends if too far – no electricity w/ag you have shed for supplies.
286	Subsistence Ag	In new lease agreement –specify time
287	Subsistence Ag	Acres depends on area. Kula - 1 ac not enough. Kahikinui -gulches.
288	Subsistence Ag	More successful you are, more land + water.
289	Subsistence Ag	Size of lot depends on their experience, their family size.

	A	B
1	Topic	Comment
290	Subsistence Ag	Oahu could be happy with 1ac. We want larger acreage -for whole family. Has to be a way to ensure neighborhood's desire for lifestyle is recognized in plan. Develop rules by island.
291	Subsistence Ag	Grew up family of 13 -1ac. Raised pigs, 1 cow, lo'i, fisherman, had water.
292	Subsistence Ag	Need 3-5 acres for subsistence.
293	Subsistence Ag	Min 2 acs.
294	Subsistence Ag	Remove farm plan _____ +2/3rd from any Ag lessees less than 5 acs.
295	Subsistence Ag	Subsistence -needs more acres
296	Subsistence Ag	If small scale Ag-need 2+ acres.
297	Subsistence Ag	If do 2 acs -not fair If no need farm plan.
298	Subsistence Ag	Kahikinui-kuleana homesteader. No water; off grid; farm squash--No need 5-10-40 acres--need land to support family--basic infrastructure
299	Subsistence Ag	Aquaponics plants, food, medicine, keawe. Whatever it is to help fairly generate more to live -So may not be 5 acre, depends on what lessee family can handle.
300	Subsistence Ag	15 years since Ag task force. A lot of declines -stuck on shelf -make sure you keep in contact with us. Be more aggressive to get this on ground -want to know when B/C report to HHC.
301	Subsistence Ag	When? Kicking off. 793 ag land idle
302	Subsistence Ag	Waiohuli -makai - all Ag list come work got place/land for subsist. Ag.
303	Subsistence Ag	How much Ag land on Maui.
304	Subsistence Ag	What happened to Pulehunui + Keokea.
305	Subsistence Ag	Why can't we open up 5000 acres below Kula + Honokowai
306	Subsistence Ag	Open land--below Waiohuli
307	Subsistence Ag	Proviso- can request additional acs up to 40 acs. (Not prohibited)
308	Subsistence Ag	Maui land for Maui residents.
309	Subsistence Ag	65 lots/20 familes.
310	Subsistence Ag	Pride is downhill--everything running downhill
311	Subsistence Ag	_____ what can do.
312	Subsistence Ag	Need to get banks out of HHL _____.
313	Subsistence Ag	Ther are la_____.
314	Subsistence Ag	Large lot res.
315	Subsistence Ag	Subsistence means working land, no job.
316	Subsistence Ag	Not getting killed with mortgage.
317	Subsistence Ag	Help us, help you.
318	Subsistence Ag	Anything to provide for your family, gathering, fishing.
319	Subsistence Ag	Must be able to support your family on land.
320	Subsistence Ag	Subsist means sometimes selling
321	Subsistence Ag	As hui or on HHLs
322	Subsistence Ag	Would subsist ag include Medical marijuana -YES + hemp. Coop
323	Subsistence Ag	Look at customary land uses
324	Subsistence Ag	Look ecologically, what happening on the land.
325	Subsistence Ag	Does DHHL have land next to shoreline.
326	Subsistence Ag	Subsistence Ag--change to farming. So can do solar farms.
327	Subsistence Ag	Hunting should be a part of this undeveloped land.

	A	B
1	Topic	Comment
328	Subsistence Ag	Should do businesses, not really re: Ag-paintball.
329	Subsistence Ag	Subsistence lifestyle -so not about doing whatever.
330	Subsistence Ag	To feed just your family -not profit
331	Subsistence Ag	Where water coming from
332	Subsistence Ag	We got on land -Ag lease. No H2O. Only 600 gals. Trying to get this resolved.
333	Subsistence Ag	How is DHHL going to help?
334	Subsistence Ag	No need re-invent rules-county has rules.
335	Subsistence Ag	Loans for subsistence Ag -DHHL.
336	Subsistence Ag	What is time frame difference B/N Ag lots + subsist. Ag lots?
337	Subsistence Ag	Object to this (cuz?) process.
338	Subsistence Ag	In designing subsistence-Ag subdivisions and ALL future hoemstead subdivisions, low impact design (LID) should be employed, as appropriate and feasible.
339	Subsistence Ag	County: plan review waiver -to approve house w/approvals.
340	Subsistence Ag	Let us build lot without permits shack, roof over head.
341	Subsistence Ag	Combo 1 area, pastoral area, Ag 1 area, allergies.
342	Subsistence Ag	How does DHHL give out rights to fishing.
343	Subsistence Ag	No res requirement Ag --> res/pastoral --> res.
344	Subsistence Ag	Why required to live on Ag lots? Same reasons -we don't have access to land is still same problem.
345	Subsistence Ag	Allow 2 houses If 2 acres -per county code.
346	Subsistence Ag	Should be allowed to stay in tent.
347	Subsistence Ag	Want to raise my family -who is to say.
348	Subsistence Ag	Need strength-age, not getting younger.
349	Subsistence Ag	Etab water company.
350	Subsistence Ag	Wai - Viable ag
351	Subsistence Ag	Where is water coming from determines viability.
352	Subsistence Ag	Need water
353	Subsistence Ag	Water -bring water down.
354	Subsistence Ag	HHCA sufficient water. CWRM has formula for H2O -use formula to get whole island.
355	Subsistence Ag	Don't reinvent the wheel -mimic Ag lot zoning.
356	Subsistence Ag	Ran both pastoral and Ag together with rules.
357	Subsistence Ag	Some have all the knowledge.
358	Subsistence Ag	Ed. Programs to do -MEO. Help the "4 core" CTAHR
359	Subsistence Ag	Younger generation on land quicker.
360	Subsistence Ag	Animals, plants, + whatever.
361	Subsistence Ag	Not only food -solar power
362	Subsistence Ag	Need viability. More product w/i homestead sell in homestead.
363	Subsistence Ag	How do you give it to the guy that can make it work. You're getting rid of all metrics
364	Subsistence Ag	Need money to build -collateralize(?) Bldgs products, recognized by lender. So can buy equipment, etc.

	A	B
1	Topic	Comment
365	Subsistence Ag	Had water workshop -Bill Tam. Native workshop find where H2O coming from, plant taro
366	Subsistence Ag	If virgin land. When are we expected to clear land.
367	Subsistence Ag	Community pastures rules. Subsistence rules. Eventually o'opu can't come down/go up.
368	Subsistence Ag	Workers and quarters? If kupuna lessee-family who can work land.
369	Subsistence Ag	Approve sausage building -this is the product we need,
370	Subsistence Ag	Can't hardly take care of my yard -older can't do everything on lot.
371	Subsistence Ag	Keokea can't farm. No H2O
372	Subsistence Ag	Animal husbandry + crops good but just change existing rules.
373	Subsistence Ag	Between living everyday life + doing farm is hard.
374	Subsistence Ag	All these years, waiting -how long for my 40 ac. Lot.
375	Subsistence Ag	Been on waitlist -years.
376	Subsistence Ag	1 acre plenty -- gardening but water too expensive
377	Subsistence Ag	5 acres for subsistence
378	Subsistence Ag	1 acre too small esp for MKK; requires 2 acres
379	Subsistence Ag	1 ac. Too small -- 2 acs ok. But need to prove you're using it. 1 ac=football field
380	Subsistence Ag	First priority should be to give to their families to subdivide 1 acre
381	Subsistence Ag	Subsistence ag should have option to go to larger lot.
382	Subsistence Ag	1/2 acre to 10 acres--not one size; choose your size
383	Subsistence Ag	If stick with 1 acre, won't get ag water meter. Go to DOA for rule change.
384	Subsistence Ag	If 10 acres can we subdivide?
385	Subsistence Ag	What about 40 acres? Would you subdivide those lands that aren't being used? We have kupuna homeless.
386	Subsistence Ag	1 ac should be able to build 2 homes
387	Subsistence Ag	Would we get ag water rates on 1 ac? County at 2 ac for ag. So have to lift moratorium
388	Subsistence Ag	Rehab pineapple lands--rehab lands
389	Subsistence Ag	DOA board is different (?)--need to step up recommendation to sit on Bd. Missing 2 homesteader seats, all pending items.
390	Subsistence Ag	At public hearing asked if need building permit if hook up at ____ didn't need permit for temporary meter.
391	Subsistence Ag	What is ____ to help grow like Hudson? Contract out.
392	Subsistence Ag	Plants
393	Subsistence Ag	Growing coop chickens
394	Subsistence Ag	Def growing food for sustainability
395	Subsistence Ag	Subsistence = living within your resources. Small house, growing poultry, plants
396	Subsistence Ag	Supporting household vs farming to produce / farm
397	Subsistence Ag	Subsistence means just enough--what you need--start here
398	Subsistence Ag	Ohana lot = living within means not ____ free: allow to assert LU authorities. Related to sale of leases + addresses problem of not having successors--Someone else gets improved lot--sweat and tears

	A	B
1	Topic	Comment
399	Subsistence Ag	Growing own food for family in your land; if extra sell/barter
400	Subsistence Ag	More people--allow ohana--to start here.
401	Subsistence Ag	Like 1920s--give land--goat it. That's the kind we like -- res/ag
402	Subsistence Ag	Opportunities to kukakuka--who grow what; barter.
403	Subsistence Ag	Culturally appropriate. Could survive on nothing. Different today.
404	Subsistence Ag	So no need County permit.
405	Subsistence Ag	Want opportunity to do "green" living. Traditional style--not improved infrastructure
406	Subsistence Ag	If DHHL puts in infrastructure is it residential or ag?
407	Subsistence Ag	Been in ag lot long time, new residents come in--now complaints
408	Subsistence Ag	If ag, then they cannot complain about ag activities
409	Subsistence Ag	Make sure situation doesn't happen like now--residences move to ag--complaints
410	Subsistence Ag	Ag land has a lot of rocks so help prepare the land
411	Subsistence Ag	County rule if 10x10 no permits. -outhouse
412	Subsistence Ag	If home + land/ag, which is first? What kind of home? Tent is good.
413	Subsistence Ag	Build with other things--containers so no overhead--mortgage
414	Subsistence Ag	House affordable--Why that kind of house?
415	Subsistence Ag	Still need roads
416	Subsistence Ag	Infrastructure--just water, roads, electricity-solar
417	Subsistence Ag	Concerned about infrastructure, need. Water? Electric? Good to build own home...not restricted rules. \$400K homes ca't afford.
418	Subsistence Ag	No need to follow--utilities, etc. build what you can.
419	Subsistence Ag	DHHL needs to determine what infrastructure needed to be self-sufficient.
420	Subsistence Ag	Where? Most land already belong to people--use it or lose it.
421	Subsistence Ag	If you want to be connected to grid then you need permits
422	Subsistence Ag	Need programs to help to do sustainable practices--off grid
423	Subsistence Ag	Help to clean the island
424	Subsistence Ag	Worker's quarters ok but only 1 house
425	Subsistence Ag	Like house esp without all rules.
426	Subsistence Ag	Traditional kauhale system so can put your families there. Supports ohana system; keeps it strong
427	Subsistence Ag	Concerned about water--why have ag water in house if can't drink it? Need to have both meters.
428	Subsistence Ag	Irrigation/meter is expensive.
429	Subsistence Ag	Does HHL provide meter? Not irrigation. Get funds to help.
430	Subsistence Ag	Make sure ag water can be on lot. No matter what size
431	Subsistence Ag	Rule--any size can use Ag water
432	Subsistence Ag	Who makes sure I'm growing?
433	Subsistence Ag	Hire more enforcement. Inspect.
434	Subsistence Ag	Farming practices impacts
435	Subsistence Ag	Need to factor in food safety fed rules--can DHHL provide the compliance?

	A	B
1	Topic	Comment
436	Subsistence Ag	We have no jobs here--if coming to MKK what are your finances? Skill base? Need to know these things so they will succeed.
437	Subsistence Ag	Can we ask for labor? Poison?
438	Subsistence Ag	Need equipment--hire MKK people
439	Subsistence Ag	Need money
440	Subsistence Ag	Kauhale system--ohana zoning should allow that--build for our kids. No need mortgage
441	Subsistence Ag	Allow guidelines re: maintaining. Temporary homes.
442	Subsistence Ag	Don't mortgage--tiny house
443	Subsistence Ag	residential lot & ag lot -- separate
444	Subsistence Ag	If build house -- residential -- so would pay a different tax on it? County would give exemption on house.
445	Subsistence Ag	Make it clear the H Homesteaders don't need to follow County rules. DHHL should have their own rules
446	Subsistence Ag	Need plan to do this. Rules and regs so people can stay in guidelines. Now doing by myself.
447	Subsistence Ag	First thing is water--I was using fresh water, too expensive--free ag water
448	Subsistence Ag	Kapaakea--HHL lot--no HHL water pay a lot.
449	Subsistence Ag	If subdivide 40 acres - what quantum
450	Subsistence Ag	Hold hand on like Hudson vs CTAHR
451	Subsistence Ag	Theres a permaculture (?) internet (?). DHHL should be in contact with so cn learn different ways; sono screw up land and learn how to plan.
452	Subsistence Ag	Should be able to go through training program so no ruin lands.
453	Subsistence Ag	When you have 40 acres, people don't want to give it up--give them _____ to transfer or relocate them to res area.
454	Subsistence Ag	affordability--cure homelessness
455	Subsistence Ag	Take baack ag land under _____ and return to original state
456	Subsistence Ag	If on wait list will you jump up? Subsistence ag program to jump in. Residential list-date of app.
457	Subsistence Ag	If on ag list should still be able to do 40 acres ag
458	Subsistence Ag	Get away from potable water--so expensive
459	Subsistence Ag	How can I get ag water on residential lot?
460	Subsistence Ag	Before 3 acres.
461	Subsistence Ag	Sustainable homestead: Allow flexible plan regarding acreage size to accomodate personal needs, financial capabilities research and development.
462	Subsistence Ag	1 acre plenty of land
463	Subsistence Ag	DHHL staff provided important point about ag land, by keeping it to 1 acre you won't need 2/3 farm or farm plan.
464	Subsistence Ag	2 acres
465	Subsistence Ag	1.25 acres. 1 acre = Kanu? .25 hale. If we all did this _____ -> can share make strong as community. It's a Kakou thing.
466	Subsistence Ag	Aquaponics 10 x 10
467	Subsistence Ag	Animal rights --> cows - Slopes _____

	A	B
1	Topic	Comment
468	Subsistence Ag	Community ag parks (colors?)
469	Subsistence Ag	Give lot and not mandate uses, don't put up blockages.
470	Subsistence Ag	Parking lot - Mauna Kea
471	Subsistence Ag	Kaw ___ o Ka aina
472	Subsistence Ag	Viability of sub ag lots on Ohana
473	Subsistence Ag	I am existing lessee --> want to be able trade existing res with sub ag lots.
474	Subsistence Ag	Free water
475	Subsistence Ag	Free food
476	Subsistence Ag	Ag H2O rates --> Cheaper water to make these sub ag lots more reasonable
477	Subsistence Ag	Define "hale" --> traditional hale
478	Subsistence Ag	What defines a house?
479	Subsistence Ag	Sub farming? - access to from hunting.
480	Subsistence Ag	Sub ag --> obligated to sell? If extra --> farmers market
481	Subsistence Ag	Family have own land and provide for themselves
482	Subsistence Ag	Grow enough to pay my bills and grow what I need
483	Subsistence Ag	aloha 'aina land is ___ we are stewards.
484	Subsistence Ag	Live off the land
485	Subsistence Ag	Co ___ - Everyone can use
486	Subsistence Ag	Some areas -> don't have inf -> how can you require?
487	Subsistence Ag	Who is going to enforce rule? "I gave you my word."
488	Subsistence Ag	How do we enforce --> Parked cars/rubbish?
489	Subsistence Ag	Ohana housing --> YES!
490	Subsistence Ag	No subsistence lots: 1. Create Hawaiian Homesteader businesses!
491	Subsistence Ag	Do we know where on O'ahu - island plans
492	Subsistence Ag	Existing res --> if take sub ag --> do have to give up one?
493	Subsistence Ag	On ag list -> do I have to sign up on new list
494	Subsistence Ag	At one time 3,4,5, 6 ___ -> ag land. "Who changed it?"
495	Subsistence Ag	Persepective; 1 acre = 9 house lots isn't that enough for sub.
496	Subsistence Ag	If farming, want to live on lot, over see everything -> use all acres; rain or shine -> got to the, if you can't -> 1 acre enough. (more than enough)
497	Subsistence Ag	1 acre -> for someone with a plan -> too small - should someone want to expand -> how if 1 acre is set already. -> provide expansion area nearby
498	Subsistence Ag	If farming becomes profitable, can you go and expand -> want to be able to expand.
499	Subsistence Ag	Little bigger than 1 acre --> 3 acre lots - manageable
500	Subsistence Ag	Acre too small - 3-5 acres
501	Subsistence Ag	1 acre Nanakuli - original rewards. Really small if you require live on property.
502	Subsistence Ag	Start with 1.5 acres, 1/2 acres house, 1 acre farm
503	Subsistence Ag	make 1 --> 10 acres, leave it up to people (range)
504	Subsistence Ag	1/2 - 5 acres subsistence -> 5-10 supplemental
505	Subsistence Ag	We should have option of 1-5

	A	B
1	Topic	Comment
506	Subsistence Ag	I like 1 acre to start off to make sure well kept --> then can expand.
507	Subsistence Ag	1/2 acre -Dwelling/structures
508	Subsistence Ag	Is this an extension of program? Not taking away 40 acres option
509	Subsistence Ag	I'm lessee, but not an ag lessee; can I get a part of neighbors ag lot? Willing to use/help/liability
510	Subsistence Ag	Needs to be arable lands
511	Subsistence Ag	Livestock on ag lots
512	Subsistence Ag	If you have res. -> can you have sub ag too? Reg ag programs _____ in place.
513	Subsistence Ag	How come we don't have land? Non-Hawaiians _____ -> How come
514	Subsistence Ag	This is an expansion of that program.
515	Subsistence Ag	Nankuli Valley -> Native Hawaiians not
516	Subsistence Ag	Kaunaki?: Mr. Hicks -> are we on right track? (6 acres)
517	Subsistence Ag	People who have 1 acre res. -> "sub ag" lot
518	Subsistence Ag	Can we transfer? Exhcnage res for ag lot?
519	Subsistence Ag	Bow - water/sewage - so if you use for ag -> more expensive
520	Subsistence Ag	Community gardens - come together as hui
521	Subsistence Ag	Sub. - Nanakuli wasn't about making -> imu, food, garden,
522	Subsistence Ag	Grow own crops, fish tank, animals and crops.
523	Subsistence Ag	Providing all of food/intake for livelihood--> when boat stops.
524	Subsistence Ag	"Survive"
525	Subsistence Ag	"Grow to eat"
526	Subsistence Ag	Sustainability
527	Subsistence Ag	Helping to make up
528	Subsistence Ag	Cost of living
529	Subsistence Ag	Supplementing income
530	Subsistence Ag	Organic
531	Subsistence Ag	Bussiness Opp.
532	Subsistence Ag	Provide medicine
533	Subsistence Ag	Hydroponics
534	Subsistence Ag	Power graden
535	Subsistence Ag	Look ->report -> measurment tool: how is it sustaining us? What are you growing?
536	Subsistence Ag	Feed community and homestead
537	Subsistence Ag	As long as plant something -> is that an ag lot? Whose going to monitor?
538	Subsistence Ag	Infrastructure, what provided? Can get away with gravel
539	Subsistence Ag	"Rural Standards"
540	Subsistence Ag	Apps - demonstrates _____. Education -> ohana should be exempt be. Have traditional knowledge
541	Subsistence Ag	Loans directly fron HHL
542	Subsistence Ag	Multi-dwellings for multi-gen. families
543	Subsistence Ag	Look at different categories/Designs -> provide options
544	Subsistence Ag	Infrastructures - water, electric, sewer
545	Subsistence Ag	Septic
546	Subsistence Ag	Off grid go

	A	B
1	Topic	Comment
547	Subsistence Ag	Need H2O; own valley B dry
548	Subsistence Ag	No forget water
549	Subsistence Ag	Ag h2o rates -> additional H2O sources
550	Subsistence Ag	Oahu too? Yes.
551	Subsistence Ag	Where is this 1 acre? Nanakuli Ranch
552	Subsistence Ag	Where are ag lands located, where 5 acres?
553	Subsistence Ag	I have 1/2 acre -> can't put cow? -> if you live in res area? -> no livestock -> DOH rules
554	Subsistence Ag	DHHL utilize exemption to achieve this. "Chicken are issue."
555	Subsistence Ag	This "sub ag" to extend to current "residential" lessees
556	Subsistence Ag	Modular homes?
557	Subsistence Ag	if we have to do our home, without assistance.
558	Subsistence Ag	"Undirect water" H___ Rights
559	Subsistence Ag	Ag lots on O'ahu? Statewide? Need to do on this island; not enough food on this island.
560	Subsistence Ag	I was given bushes/boulders --> then I have to put up rock wall (180K) (Pahe'ehe'e) --> now I have a lot; not complaining. [Help to clean lots, priority award]
561	Subsistence Ag	New Sub lots -> is there a way to do business plan-> help?
562	Subsistence Ag	Livestock -> curtain _____ necessary.
563	Subsistence Ag	I am not in favor of the creation of one acre or less agricultural lots. Residential lots can be increased to the size of one acre instead. Residential lots already have the occupancy requirement. The "subsistence rural lifestyle" can be achieved in a rural residential community where a home garden can certainly provide subsistence supplementation. Deed restrictions can be modified to include an allowance for potential livestock with reasonable limitations toward the goal of subsistence self sufficiency. It has been my experience that county zoning officials usually defer to the needs of the DHHL within the context of future development. I don't believe that sacrificing the lands designated for agricultural use should be compromised in any way. Furthermore, lender financing is far and away more amenable to residentially designated lots than to lots within an agriculturally designated subdivision. The Federal Housing Administration is primarily set up to accommodate residential financing not agricultural developments throughout the entire nation. Why try and re-invent the wheel when the wheel already exists?
564	Subsistence Ag	For the record, I am in "opposition" and do not support DHHL's Proposed Administrative Rule Changes specific to: Subsistence lots.
565	Subsistence Ag	UNDER SUBSISTENCE AG BULLET POINT 2 sub 3 COMMENT "2/3rds is a condition for building a worker's quarters, not a condition of the lease under HAR 10-3-26 (b)

	A	B
1	Topic	Comment
566	Subsistence Ag	Subsistence ag had good point of feeling 1.5 acre adequate to accommodate a home & grow food for selves. However, a question arose regarding have infrastructure inplace already. Also, what determines how much of land can be used up for a residence, and the rest for producing food? Might require a formula.
567	Subsistence Ag	If divided or _____ -think about your kids
568	Subsistence Ag	1-3 acs. Depending
569	Subsistence Ag	1 ac. Is big; depend on family size.
570	Subsistence Ag	as get older -harder for bigger _____.
571	Subsistence Ag	If can't manage 1 ac. Take back land.
572	Subsistence Ag	At 1ac can get more people of list
573	Subsistence Ag	5 acs can be used quickly. 1 ac too small, need 5 acres plus water
574	Subsistence Ag	Or if already have 5, go half @ 2.5 acres. Min. Little higher than 1 ac.
575	Subsistence Ag	If having problems, decrease size.
576	Subsistence Ag	Not just get us on land -it's about thriving on the land.
577	Subsistence Ag	If family has history of complying with Ag requirements -can they sub-divide?
578	Subsistence Ag	Administrator to correct stuff + help/chief.
579	Subsistence Ag	Conversion of existing lot
580	Subsistence Ag	Making money
581	Subsistence Ag	Able to grow own food
582	Subsistence Ag	your own business
583	Subsistence Ag	Self-sufficient
584	Subsistence Ag	Program in Wai _____ ahupua'a setting
585	Subsistence Ag	Non-consumable goods -plumeria farm.
586	Subsistence Ag	Take care of your own
587	Subsistence Ag	Live stock
588	Subsistence Ag	Look at community gardens
589	Subsistence Ag	Self-sustainable -solar, aquaponics.
590	Subsistence Ag	Survival
591	Subsistence Ag	Goat
592	Subsistence Ag	Aquaponics
593	Subsistence Ag	Finances through Ag.
594	Subsistence Ag	What homesteading is really about.
595	Subsistence Ag	Give people the land + hire as they please. This is what HHCA required in 1921.
596	Subsistence Ag	Plantation on steroids -talking _____ communities.
597	Subsistence Ag	_____ self-sufficiency. Part of rehab.
598	Subsistence Ag	Should allow lessee to be involved in commerical activity -should be able to make a living.
599	Subsistence Ag	Has to be a community
600	Subsistence Ag	Can build and live within your means.
601	Subsistence Ag	"Ulu" Lo'i
602	Subsistence Ag	DHHL should come up with financing.

	A	B
1	Topic	Comment
603	Subsistence Ag	Only 1 house? If family is large, expand this life opportunity, esp. if from big family -only 1 can be successor.
604	Subsistence Ag	Allow families to "grow" right on lot -ohana brought to land esp. when only have 1 successor.
605	Subsistence Ag	Can you build more than 1 house on the land to support larger ohana?
606	Subsistence Ag	Do you have to abide by building codes? Have DHHL standards.
607	Subsistence Ag	Bus on land; container home, tent ok. So can add to that.
608	Subsistence Ag	Tent on land while you build house.
609	Subsistence Ag	Water/road
610	Subsistence Ag	Septic tanks
611	Subsistence Ag	Roads; access to lots; solar.
612	Subsistence Ag	Infrastructure will be there?
613	Subsistence Ag	What are requirements for transfer to grandchildren?
614	Subsistence Ag	Mini health and safety standards.
615	Subsistence Ag	DHHL has its own standards on rural-style housing for sustinence land. This includes basic living amenities, i.e. toilet, water (potable), being off the ground. This should allow for off-the-grid housing, yurts, container homes
616	Subsistence Ag	What infrastructure?
617	Subsistence Ag	Residency is good -exciting because you live right on the land, make a community of your family.
618	Subsistence Ag	Live on the lot
619	Subsistence Ag	Residency , but 1 year is too short, up to 3 36 months -or surrender lease (lose).
620	Subsistence Ag	Takes long to build house because can't qualify.
621	Subsistence Ag	Why not eliminate requirements?
622	Subsistence Ag	Residency requirement is good.
623	Subsistence Ag	Kalawahine 14000 -conversion
624	Subsistence Ag	Go back in the day -this is your lot but build your home.
625	Subsistence Ag	Residency -sleep there.
626	Subsistence Ag	Have to do something on property.
627	Subsistence Ag	Shouldn't specify what is acceptable . If not there we'll help you get there.
628	Subsistence Ag	Time frame should be max 5 years.
629	Subsistence Ag	Why arbitrary timeframe -should be progress. Keep it clean.
630	Subsistence Ag	There has to be rules.
631	Subsistence Ag	Water for give; _____ + Ag.
632	Subsistence Ag	Share Ag irrigation
633	Subsistence Ag	Some of some detail address in on my behalf hope to work out well in next future for the children and subsestens ag
634	Subsistence Ag	This will allow multi-generational families to grow.
635	Subsistence Ag	Will help to deal with cash and _____.
636	Subsistence Ag	Subsistence should be required to live on land.
637	Subsistence Ag	Those who retire could have this opportunity.
638	Subsistence Ag	Long list would probably qualify for it.

	A	B
1	Topic	Comment
639	Subsistence Ag	Does an applicant who applied for residential need to reapply for a subsistence ag lot in order to qualify?
640	Subsistence Ag	Acrage not limited by household #'s
641	Subsistence Ag	Depends on what you're going to do on the land--3 acres
642	Subsistence Ag	1 acre is high depending
643	Subsistence Ag	.5 acre--we survived
644	Subsistence Ag	1 ac. "farmable land" not up mountain, not heiau
645	Subsistence Ag	Give them room to grow and use the land properly
646	Subsistence Ag	Reduce lots to 5000 sq ft
647	Subsistence Ag	.5 acre ok
648	Subsistence Ag	Shouldn't have to live on the land. Do .5 acre--more better
649	Subsistence Ag	Should have more than 1 acre
650	Subsistence Ag	5 acres
651	Subsistence Ag	I would like more than 1 acre because we should be truly self-sufficient. 3-7 acres? Will the smaller subsistence ag be able to add additional acreage
652	Subsistence Ag	Will there be an option?
653	Subsistence Ag	Have a range of options re: lot size
654	Subsistence Ag	Should be flexible size
655	Subsistence Ag	Want to do aquaponics, too--no need 1 acre for this
656	Subsistence Ag	Ag land should be both livestock and plants. I feel it should be more than 1 acre
657	Subsistence Ag	Subsidize to 3 acres; residency required; water infrastructure
658	Subsistence Ag	Why can't use land just sitting, like Bellows
659	Subsistence Ag	If you want ag submit your plan to get awarded
660	Subsistence Ag	Go in order of application regardless of list
661	Subsistence Ag	By date of application
662	Subsistence Ag	Ag land being used by non-Hawaiians; RPs
663	Subsistence Ag	Success people need money
664	Subsistence Ag	(Illegible) ...used to have cows--not anymore--what's going on with that?
665	Subsistence Ag	Award Waialeale (?) lots
666	Subsistence Ag	Put solar on lots to reduce costs, put septic tanks lower monthly bills
667	Subsistence Ag	Include pigs, goats, cows
668	Subsistence Ag	Extra help
669	Subsistence Ag	Feeding your family
670	Subsistence Ag	Sell crops/livestock
671	Subsistence Ag	Multiple families
672	Subsistence Ag	Living off the land
673	Subsistence Ag	Having workers/family to help
674	Subsistence Ag	Teaching our keiki-next generation
675	Subsistence Ag	Community helping each other
676	Subsistence Ag	Live off the land
677	Subsistence Ag	Sustainability
678	Subsistence Ag	Free water
679	Subsistence Ag	Programs/educational to help

	A	B
1	Topic	Comment
680	Subsistence Ag	Not about providing parking for heavy equipment
681	Subsistence Ag	Subsist on what land offers
682	Subsistence Ag	Crops, plants, aquaponics
683	Subsistence Ag	Allowed to sell
684	Subsistence Ag	Housing for the homeless
685	Subsistence Ag	Renewable-self-sufficient
686	Subsistence Ag	Farming
687	Subsistence Ag	Share knowledge
688	Subsistence Ag	Let farmers count what they're doing
689	Subsistence Ag	Funding for homes/federal
690	Subsistence Ag	Can we do affordable housing-utilities at \$161/month?
691	Subsistence Ag	Give 5 years to build house and establish crops
692	Subsistence Ag	For infrastructure use septic tank to eliminate sewer fees and decrease water monthly for N Hwns.
693	Subsistence Ag	If have a house turn it over to a family member
694	Subsistence Ag	If awarded, can't be allowed to sell
695	Subsistence Ag	No ag; all residential
696	Subsistence Ag	Along mountains, good parcels
697	Subsistence Ag	Why ag land when we're trying to put roof over our heads
698	Subsistence Ag	Bellows?
699	Subsistence Ag	Home
700	Subsistence Ag	No permanent tent
701	Subsistence Ag	Need access to water meter, catchment
702	Subsistence Ag	Good idea--people live on land--open up land
703	Subsistence Ag	Everyone deserves this opportunity
704	Subsistence Ag	Agree with this proposed amendment
705	Subsistence Ag	Should have classes to teach how to garden, what to garden, what grows good in area
706	Subsistence Ag	Want to know how to get to (illegible)--can do aquaponics
707	Subsistence Ag	Should be allowed to sell plants
708	Subsistence Ag	As long as subsistence is being done. But who monitors this?
709	Subsistence Ag	Agreement up front--subsistence, animals
710	Subsistence Ag	If already on land should be able to have chickens on land, gardening.
711	Subsistence Ag	How long do we have to live there?
712	Subsistence Ag	PV, composting, toilets, ADUs
713	Subsistence Ag	If some one leaves and comes back? How does the department handle? --caretaker.
714	Subsistence Ag	Community of ADUs
715	Subsistence Ag	Share what we do know to help each other
716	Subsistence Ag	Support from Department--programs to do aquaponics--get funding to sustain
717	Subsistence Ag	I agree with her definition (above). I believe 0.5 and 1 acres is residential not ag. 2.5 is big enough.
718	Subsistence Ag	1 acre sounds great. It's manageable. DHHL lots getting smaller and smaller. I worry lots will eventually be too small.

	A	B
1	Topic	Comment
719	Subsistence Ag	If the lot size is to small, going to get lots of law suits.
720	Subsistence Ag	I have 5 acres now, do I need to use whole lot? No, 2/3.
721	Subsistence Ag	Lot size depends on how many in household.
722	Subsistence Ag	1 acre a good size.
723	Subsistence Ag	In waimea our group suggested 2.5 acre. But I think should be 1 acre. But DHHL needs to put in the infrustructure. DHHL can serve more applicants with 1 acre lot size. DHHL will have to go farther and farther out to develop.
724	Subsistence Ag	1 acre is a good size, get house and can grow.
725	Subsistence Ag	I can grow a lot on an acre, but land get plenty guava. 1-acre lot no animals is fine.
726	Subsistence Ag	Do not need 5 acres for this.
727	Subsistence Ag	Minimum 5 acres
728	Subsistence Ag	Subsistence= I can feed my family and sell left over. I like 2.5 acres. 1 acre too small. 2.5 big enough.
729	Subsistence Ag	Before you could get 10 acres, some have 3 acres and 5 acres.
730	Subsistence Ag	If you ask for more lands is that subsistence. No.
731	Subsistence Ag	How do you get additioanl acres if you want to farm more.
732	Subsistence Ag	This propsal will not affect existing ag-program.
733	Subsistence Ag	Current ag program max size is 40 acres. Does it require a house.
734	Subsistence Ag	If you got a lease, you are taken off lease and can't get more. But DHHL HHCA has provision for additional acreage. DHHL not practicing what you telling them.
735	Subsistence Ag	The density of too many people going into ag will cause problem like spraying.
736	Subsistence Ag	DHHL has to better implement its supplemental ag, commercial ag.
737	Subsistence Ag	Workers quarters
738	Subsistence Ag	Can you subdivide existing ag lot? Yes if you do, can you give to your kids if they're not 50%. Yes if they are 25%.
739	Subsistence Ag	DHHL does not promote ag by providing assitance to existing farmers on homestead.
740	Subsistence Ag	We have lots of vacant ag land? How is that land going to be used?
741	Subsistence Ag	Take "subsistence" out and not require house. You should be able to see some cultivation.
742	Subsistence Ag	You cannot keep people waiting on the list longer than a year. Not more than 5 years.
743	Subsistence Ag	Residential and ag are two separate animals. Do not combine.
744	Subsistence Ag	Right now this is DHHL way of limiting #of lots to one person so more people can get a lot? Yes.
745	Subsistence Ag	Folks with no ag lots should make imu.
746	Subsistence Ag	I can subdivide existing ag lot into 1/2 acre subsistence?
747	Subsistence Ag	Can we take existing ag lots and convert to subsistence.
748	Subsistence Ag	Are you going to be allowed to grow medical marijuana?
749	Subsistence Ag	Define as home gardening lots
750	Subsistence Ag	There are sub-ag lots in Maku'u is 2 acres. That should be the definition

	A	B
1	Topic	Comment
751	Subsistence Ag	What does subsistence mean? DHHL will help
752	Subsistence Ag	Grow to feed family
753	Subsistence Ag	Supplement
754	Subsistence Ag	Not mono-crop diverse
755	Subsistence Ag	Sustainability
756	Subsistence Ag	Not for sale
757	Subsistence Ag	Additional income
758	Subsistence Ag	Subsistence=no profit coming from lot.
759	Subsistence Ag	Growing crops for a family not a profit.
760	Subsistence Ag	Rehabilitate your family by growing food.
761	Subsistence Ag	We shouldn't restrict lessee on sub-ag from making money from crops.
762	Subsistence Ag	Subsistence for a family can include selling crop at market.
763	Subsistence Ag	What is subsistence? For me I am a widow, 1/2 acre enough for me.
764	Subsistence Ag	Is crop on land just for residents?
765	Subsistence Ag	This introduces a high density development in low density area.
766	Subsistence Ag	If DHHL cannot afford to provide infrastructure to existing lots, how can you build more lots?
767	Subsistence Ag	More staff though takes away from homesteaders.
768	Subsistence Ag	How does DHHL define subsistence? We don't have one.
769	Subsistence Ag	You need a new group of people (DHHL staff) to enforce.
770	Subsistence Ag	Everyone has kuleana to enforce. Partnership.
771	Subsistence Ag	if DHHL hasn't properly implemented, existing rules, how you going implement a new rule.
772	Subsistence Ag	There shouldn't be a sub-ag program. Just stick with existing programs and make lot sizes 2.5 acres not 5 acres.
773	Subsistence Ag	Would have to do a farm plan on sub-ag? No.
774	Subsistence Ag	At the last HHC meeting, DHHL proposed 0.5 acre subsistence lots. What's the status of that proposal. DHHL waiting for the Panaewa regional plan update and get community feedback from that 1st.
775	Subsistence Ag	Ag units have zero financial help.
776	Subsistence Ag	You shouldn't have to qualify for a home loan to get a sub-ag lot.
777	Subsistence Ag	Is the financial responsibility for ag lessee to develop lot. Would like DHHL assist with ag program.
778	Subsistence Ag	How did DHHL come up with 2/3 production for current ag-homestead. It's in the HHCA! Will rule conflict with HHCA?
779	Subsistence Ag	We should be allowed to build a house that is simple, not to code.
780	Subsistence Ag	I agree with above comment to build simple house.
781	Subsistence Ag	Kuleana project was to all multiple generations to be on the same lot.
782	Subsistence Ag	If you expect lessee to build house, DHHL needs to provide resources to meet requirements.
783	Subsistence Ag	What is DHHL requiring house size to be on subsistence ag? There's a lot more that should be on lot
784	Subsistence Ag	What about existing 1 acres lots. What happen; to them?
785	Subsistence Ag	If I broke down a house can I have two lots?

	A	B
1	Topic	Comment
786	Subsistence Ag	What if I have a house not DHHL and I get a subsistence lot, do I have to live there?
787	Subsistence Ag	We want copies of these notes.
788	Subsistence Ag	You need to infrustructure for existing farm lessees.
789	Subsistence Ag	Lets change rule that we have to provide infrustructure.
790	Subsistence Ag	If you can have animals, that's pastoral. Can you mix ag and pastoral lots. We can have pastoral-ag lots at 10 acres.
791	Subsistence Ag	If I have a ag lot and I want to give to successor but successor already has a lot, what happens.
792	Subsistence Ag	I don't think subsistence should be done at all. It will impact ag lands. People who will want to farm won't get land.
793	Subsistence Ag	Cannot mix residential with ag.
794	Subsistence Ag	Is management plan required for sub-ag? No.
795	Subsistence Ag	Would people on ag-list be awarded subsistence lot? Yes.
796	Subsistence Ag	Requiring residence lots on sub-ag lot disqualifies you from getting another residential lot.
797	Subsistence Ag	This will be cutting down good farm lands for residential use.
798	Subsistence Ag	There should be option of putting house. Not require.
799	Subsistence Ag	If you just want to work the land, they should be able to. You shouldn't be required to build a house.
800	Subsistence Ag	Does this change the rules? We are proposing to change rules.
801	Subsistence Ag	This sub-ag concept doesn't make sense. Back yard gardening can be done on 0.5 acre. Should be called sub-ag residential not sub-agriculture
802	Subsistence Ag	How long is process to get additional land to grow?
803	Subsistence Ag	This is for residential or ag? There's a waiting list for res or ag. Prioritize or people waiting for something.
804	Subsistence Ag	Do you have to reapply to a new list to get sub-ag lot. No, this serves ag-waitlist

	A	B
1	Topic	Comment
2	Transfer of leases	2) Sale of Vacant Homestead Lots - I think a process should be made to transfer vacant homestead lots to other beneficiaries on the wait list.
3	Transfer of leases	<p>1. I do not support any new conditions imposed on lease transfers, including a payment to DHHL as part of the transfer conditions. If you do it for this, you should do this for all lots, improved and unimproved, otherwise it will not be a fair rule. To put one condition on an empty lot and another condition on an improved lot with a house is unfair. With this initiative, you open up a whole can of worms. Sometimes, a hands-off approach is better in dealing with these gaping holes in the Hawaiian Homes Act.</p> <p>2. To a large extent, this problem was created by the inability of DHHL to award leases in a timely manner, the nature of DHHL, and the State and Legislature in not adequately funding DHHL programs. One of the major problems with Hawaiian Homes, especially the Hawaiian Homes Commission, is they have focused more on issues related to those already on the land, such as this issue, and little on getting more Hawaiians on the land. I realize this is a complex issue, especially when DHHL is the 'step-child' of state agencies.</p> <p>3. Another major problem is a revolving door of politically-appointed commissioners and chairpersons, many who may not fully understand their mission or being able to clearing prioritize what is really important, and this is just one example. Maybe commissioners need to take a test in how well they understand the Act, and its shortcomings before. I don't have confidence in some of the commissioners who may not know what they're doing and can only do more harm than good for the future of HHL.</p> <p>4. For some of those on the waiting list, purchasing a lease may be the only way they will ever occupy a homestead lot before they pass away. Many also look at the purchase of a lease as the only way to assure that their children can have a homestead.</p> <p>5. The sale of lots may even solve problems when awarded lots are not being utilized by lessees, because the key is utilization of lots. I realize this is a complicated issue, and too many lots are not be utilized for its intended purposes. Market forces will always come into play even with a long-term lease program such as this.</p> <p>6. About 25 years ago, I was not in support of the open transfer of a lease and that conditions needed to be put in place to prevent speculation such as not allowing those who sell a lease to go back on the waiting list. Since then, I've come to learn about the myriad reasons homesteaders transfer their lease. <u>At a meeting of those on the waiting list at a Council for Native Hawaiian</u></p>
4	Transfer of leases	<p>Sale of Vacant Homestead Lots is an interesting issue because everyone has a stake in this land. Sometimes I feel that those who've never been given award should be given a small stipend towards living expenses if they are indeed well below the poverty line in their respective counties while they are waiting for an award as long as they meet all other requirements and if and then they get an award then consider the options for agriculture and perhaps a new project. Trailer parks. Why not? I've been to many that were plopped in the backyard for family that couldn't afford anything else. I hope my ohana will remember to perpetuate the good and great in our culture.</p>

	A	B
1	Topic	Comment
	5 Transfer of leases	<p>(2) <u>At least one-quarter Hawaiian . . . or grandchild, or direct decedent niece or nephew of the lessee.</u></p> <p>DELETE (Provided that leases for vacant or undeveloped lots and undivided interests may only be transferred by gift or succession.)</p> <p>A. Restricting lessees rights to transfer as allowed per the HHCA B. Restricting lessees rights of self determination C. Restricting lessees rights by preselecting "to whom they may be allowed to transfer and ultimately, under what condition" D. Rationalizing lessee realizing unfair gain. 1. All lands are appraised a value by the County 2. For one division of the department to be allowed to use the assessed value to calculate fees for general lease, right of entry, or revocable permit (when finally Implemented) and another division restrict value of the land as a measure for Transfer is double-dealing. 'A'OLE E. The 2001 Farm Task Force Recommendations were approved by the HHC, but DHHL never implemented them, which greatly contributed to interested eligible native Hawaiians searching for opportunities to acquire farm leases. F. Ag lots which were returned to the department were put in the inventory of Land Management Division, instead of being made available to the next applicant on the list.</p>
	6 Transfer of leases	<p>I strongly agree that all leases, that were issued on undivided land, should be returned to DHHL, if the lessee is no longer interested. These lands should not be sold by the current lessee for profit.</p> <p>In fact all leases that were issued to undeveloped lands and the lessee has not done anything with the property, (build, plant, farm etc) should be returned to DHHL. If I recall when these lessee were given these lands , they had so many years (3 ?) to complete whatever their goal was? What happened?</p>
	7 Transfer of leases	<p>I've advocated for stopping the sale of undivided leases and unimproved lots for many years I strongly support this change to end this type of abuse to our trust.</p>

	A	B
1	Topic	Comment
8	Transfer of leases	<p>Lease Transfer - it is important for DHHL to acknowledge the following facts as they pertain to non gift or successorship transfers. - leases are being transferred to eligible wait list Hawaiians- urgency and fear grows among families with aging 50%er's due to the time it takes for lease awards. Emotionally, the sale of leases is not acceptable. Realistically, the sale of leases is occurring because people are tired of waiting so they take matters into their own hands. My position on sales is that if DHHL issued leases at an efficient rate, there would be no market for the sales that are occurring. More importantly, it is not clear how DHHL would enforce this rule without amending the HHCA. Successorship relationships are clearly defined but transfers are still allowed between eligible 50% beneficiaries. I am unclear as to how DHHL will enforce sales that take place without disclosure. DHHL has little or no enforcement authority to prevent sales from occurring.</p>
9	Transfer of leases	<p>Sales of Hawaiian Home Lands lots</p> <p>The one issue that is the most difficult is the selling of leases, because any actions that will tighten up the selling of leases should apply to any other transfer, sublease, and sales of lots no matter if its developed or undeveloped land. If the goal of DHHL is to recover their investment in developing lots, they will need to look at all transfer of assets, properties, and profits made of the sale, transfer, and sublease of land. On many general leases or licenses, lessees whether Hawaiian or non Hawaiian are reaping huge profits from these lands and DHHL is benefitting little. I've seen this on Molokai where a licensee was subleasing to the corn companies and reaping huge financial benefits, and DHHL saw little of this. Before implementing new laws on the sales of raw land, DHHL needs to fully understand the ramifications of such a law, and how they may need to implement other laws to gain true benefits from every financial transaction connected to Hawaiian Home Lands parcels.</p>
10	Transfer of Leases	Should only get what they paid--\$100
11	Transfer of Leases	Selling for profit is another thing.
12	Transfer of Leases	Stop the people who are jumping back on the list--one time change to sell. Or maybe one more time if special circumstances
13	Transfer of Leases	Now--have to qualify financially.Harder.
14	Transfer of Leases	Can we expand to include self-help housing? Turning after 2-3 years, making a big profit. Should be limited.
15	Transfer of Leases	Set a ceiling--max profit that you can get. Reach the most people on the list.
16	Transfer of Leases	Don't like selling and going back on the list.

	A	B
1	Topic	Comment
17	Transfer of Leases	AI-can't sell. Paying \$99/year--Not allow to sell for thousands of dollars.
18	Transfer of Leases	Vacant lots--no bank would loan. Have to have cash.
19	Transfer of Leases	Prevent selling, period. Have to pass it to the kids.
20	Transfer of Leases	Vacant lot--shouldn't sell it.
21	Transfer of Leases	Purpose is to get people off the list, but a lot won't qualify. Still should go to the list.
22	Transfer of Leases	Give it back to DHHL, get your \$100 back, go to next person on list. BUT can go back on list if no sale.
23	Transfer of Leases	But we're still waiting--waiting longer for first award.
24	Transfer of Leases	Now you're telling me I can't sell?
25	Transfer of Leases	Applicants have equal standing as lessees.
26	Transfer of Leases	Maybe a wait time until you can reapply
27	Transfer of Leases	Shouldn't get back on list if you sell.
28	Transfer of Leases	If you have to sell, ok but pau. Emergency, medical bills. but can't go back on list
29	Transfer of Leases	Can we shorten the enforcement process? Speed up lease revocation?
30	Transfer of Leases	Add definition of "improvement"
31	Transfer of Leases	If farm never produce--made honest investment to clear and plant--\$80K.
32	Transfer of Leases	Tool/storage shed. If you have a building.
33	Transfer of Leases	Show proof you did something.
34	Transfer of Leases	Temporary vs permanent. Need to be able to prove.
35	Transfer of Leases	Intention wasn't there to develop it.
36	Transfer of Leases	Have to make improvements
37	Transfer of Leases	Improvements--equity is there. No longer needs-based. Jumped up to middle class. Should be only owner-builder. Already going down that road--don't take that ability away--putting us back into poverty. Put kupuna on list on hold. Too expensive--union wages.
38	Transfer of Leases	Cleared, kept up. Money or service--has value.
39	Transfer of Leases	Permanent structure--fence isn't enough. Utilities? No. Not a shed
40	Transfer of Leases	One good-looking container
41	Transfer of Leases	Ag lot--have to pay for water, electricity. Should get back what we put in.
42	Transfer of Leases	UI should have financial help--can't get a loan. Not moving.
43	Transfer of Leases	Have to have something built in 30 years
44	Transfer of Leases	How to determine value? Amount you put in? Plus present value of improvements.
45	Transfer of Leases	Ag land--should get appreciation also
46	Transfer of Leases	Can you sublet on ag? Do you give loans? Do loans for subleases.

	A	B
1	Topic	Comment
47	Transfer of Leases	What if house burns down? Can't they get something back for it?
48	Transfer of Leases	Only one 50%. I get back on the list because only way my family can get. Goes to the bottom.
49	Transfer of Leases	People have difficulties--sometimes there are special circumstances
50	Transfer of Leases	Blood quantum--can't transfer UI because not enough BQ. Want to sell, can't pass it on. Therefore, not benefitting. Can pass on profit so family can buy outside. Either lower the BQ or let people sell.
51	Transfer of Leases	Wait list got bigger--Piianaia, con-con--Help needs based to get fee simple
52	Transfer of Leases	What if they can pass it down to a successor?
53	Transfer of Leases	Scrutinize why they are selling. If wrong reason, land should go back to DHHL and lessee can or can't go back on depending on the reason. Need criteria.
54	Transfer of Leases	All Hawaiians should receive this benefit, given this right--should be able to do what we want.
55	Transfer of Leases	Idea is to get people off the list, onto the land.
56	Transfer of Leases	Value of improvement
57	Transfer of Leases	We have to be smarter in this day--gotta be practical
58	Transfer of Leases	Should get back what you put in. People shouldn't game the system. Not fair to people still waiting.
59	Transfer of Leases	Only the value of the house. And after you've lived in it for awhile.
60	Transfer of Leases	Getting \$40K--don't own the land
61	Transfer of Leases	Sat on it so long, why should they profit?
62	Transfer of Leases	Should be able to sell your house if you want. Farming--crops are in
63	Transfer of Leases	I don't have a problem with them making money
64	Transfer of Leases	People are taking advantage of DHHL by buying and selling
65	Transfer of Leases	Strongly object to selling--speculation. Using homestead to make money, buy fancy house in Hawaii Kai. Using the trust. Expand to those who have a home--should only get value of the house, not land.
66	Transfer of Leases	Maui pastoral waitlist--DHHL told me I should cut a deal with a lessee to get on the land with not fence, no improvements. Want to go on fresh--Department should take land back. Want to do it now, when I'm 50, not 70. Need enforcement, monitoring.
67	Transfer of Leases	Should name a successor
68	Transfer of Leases	Give it to kupuna so they can pass it on. Do it by BQ and time waiting
69	Transfer of Leases	Offer to applicant waiting the longest. Vacant and UI--return to DHHL.

	A	B
1	Topic	Comment
70	Transfer of Leases	Successors--inherit rest of lease. Can pass it on. Doesn't start over.
71	Transfer of Leases	No selling. Should go to waiting list. Priority on BQ, time on list.
72	Transfer of Leases	Not fair to everyone else who are waiting. 50% should go first.
73	Transfer of Leases	People who end up buying aren't even on the list. Limit to people on the list--go in order
74	Transfer of Leases	Like only sell to waiting list.
75	Transfer of Leases	People waiting 40, 50 years? Should be first.
76	Transfer of Leases	No buying and jumping the list. Wrong.
77	Transfer of Leases	Land for profit not right, shouldn't get to go back on list. Pick them back and give it to someone who's waiting.
78	Transfer of Leases	No sales at all, transfer by gift or succession only. Assume mortgage.
79	Transfer of Leases	Lower blood quantum to assist more Hawaiians.
80	Transfer of Leases	Clarify -still can transfer to 25% if ohana? Clarify transfer vs. successorship. If ohana- then 25% ok. If not ohana, then 50% + on the list.
81	Transfer of Leases	Dilemma -crazy already -gotten outta hand.
82	Transfer of Leases	Building - work shed, tool shed that's used.
83	Transfer of Leases	Better definition of "vacant lot" -how about irrigation systems?
84	Transfer of Leases	Have to submit a progress report -enforcement of lease terms.
85	Transfer of Leases	fence line, landscaping
86	Transfer of Leases	Improvements: Any changes beyond the state of the land when received.
87	Transfer of Leases	Should be lawful/permitted.
88	Transfer of Leases	Need to document/papertrail (receipts, hours worked) but what if your family has been helping? Not everything would be a papertrail.
89	Transfer of Leases	Years of property ____/site improvements (swales, soil improvements, etc.) Preparing the lot for ag use.
90	Transfer of Leases	What kind lease? Waterlines for a farm. Removal of rocks clearing for farming.
91	Transfer of Leases	No permit compensation for time + materials.
92	Transfer of Leases	Shed -keeps us at ag tax rate -County considers it an "improvement."
93	Transfer of Leases	Appraisal value of improvements only. Shouldn't be county's appraised value.
94	Transfer of Leases	Grandfather you in if you paid prior to rule passing?
95	Transfer of Leases	Was \$2,000, \$3,000 on the list -would never get offered otherwise will I get my money back that I paid? Wanted to go home, but plans could change. Not enough water, upper kula.
96	Transfer of Leases	Hearing all kinds of mixed messages- Don't know which way to go.
97	Transfer of Leases	Have res, Ag open up -can transfer res lot?

	A	B
1	Topic	Comment
98	Transfer of Leases	What if you have a 20 year old who never signed up and you want to give?
99	Transfer of Leases	Hard to judge -everyone's story is different.
100	Transfer of Leases	If DHHL was doing it's job, she wouldn't be in that position, desperate "buying" becomes an option.
101	Transfer of Leases	Can DHHL restrict the amount they can charge? Should only get \$ for the value of the improvement + labor. % of progress. Good track record. Should be compliant with purpose of the Act. Don't want next generation to learn the wrong thing.
102	Transfer of Leases	Can we get our investment back that are put in, if we like leave?
103	Transfer of Leases	Dollar figure. Even if you put \$ - reimburse for what was spent.
104	Transfer of Leases	"Rehab" not correct term to use.
105	Transfer of Leases	Family member-transfer
106	Transfer of Leases	Should be on wait list already, unless a qualified family member. Open to the islands?
107	Transfer of Leases	Who can be transferred to?
108	Transfer of Leases	Put ohana first, then someone you know that you could transfer to. If no one, then go back to the list.
109	Transfer of Leases	Should be on the list already - preference ohana 25%/successor
110	Transfer of Leases	Back to Dept. To go to next person on list.
111	Transfer of Leases	Even family should already be on the list.
112	Transfer of Leases	If they keep going by the list, you're never going to get, too many people have to make 1st.
113	Transfer of Leases	Getting \$ for lots once infrastructure goes in, "value" increases.
114	Transfer of Leases	Applicants getting older-they are trying to pass it on-they could lose out.
115	Transfer of Leases	Can they give their place on list to family, so they don't die on the list?
116	Transfer of Leases	As an applicant, I see vacant lots - how long am I supposed to wait? Been waiting 10 years.
117	Transfer of Leases	Lessee didn't put anything into lot; sale not allowed
118	Transfer of Leases	If lease requirements not met, is it even an option to sell?
119	Transfer of Leases	Can lot/lease be sold and return to list? Then get another award and sell again.
120	Transfer of Leases	Keokea'Waiohuli sales \$85 - 100k
121	Transfer of Leases	Lessee should consider successor before selling/giving back
122	Transfer of Leases	If lots has home, crops, etc. can sell.
123	Transfer of Leases	No sale. Give back to get re-award
124	Transfer of Leases	3. Re: Sale of Lease = gift to other
125	Transfer of Leases	Lessees should return U/I
126	Transfer of Leases	U/I return to DHHL
127	Transfer of Leases	Vacant lot return to DHHL
128	Transfer of Leases	Selling vacant/undivided interest

	A	B
1	Topic	Comment
129	Transfer of Leases	Vacant lots in one homestead, but give somewhere else
130	Transfer of Leases	Cost \$10K to clean lease
131	Transfer of Leases	Vacant, unimproved lots
132	Transfer of Leases	Trust lands not leased to non-Hawaiians.
133	Transfer of Leases	Move staff to help E. HI District office
134	Transfer of Leases	Do away with Davis-Bacon
135	Transfer of Leases	Trust pays for infrastructure
136	Transfer of Leases	Access to homes being offered for reward
137	Transfer of Leases	Educate commission, et. Al. on HHCA
138	Transfer of Leases	What is DHHL doing about vacant Pana'ewa lots
139	Transfer of Leases	Drive around to identify vacant lots
140	Transfer of Leases	Can enforce existing rules
141	Transfer of Leases	DHHL enforce Ag/Res/Leases
142	Transfer of Leases	Better enforcement
143	Transfer of Leases	DHHL "loose/don't" enforce
144	Transfer of leases	2. Transfers should remain as is. Let the department handle abuses. Enforce its laws that currently are on the books. (no need to return to the pool of inventory)
145	Transfer of Leases	Enforce existing rules then new rules
146	Transfer of Leases	HHCA purpose: rehabilitating native Hawaiians
147	Transfer of Leases	If we follow HHCA, this not issue
148	Transfer of Leases	HHCA : Cannot sell, mortgage, sublease, etc.
149	Transfer of Leases	HHCA: Kuhio wrote + latter day commissions, dept allowed activities not approved in HHCA.
150	Transfer of Leases	Different housing options
151	Transfer of Leases	Clearing of property/portion of property = recoupable investment
152	Transfer of Leases	Whatever lessee put in that's what lessee get back (time, money, cleaning lot, water, fencing, trees)
153	Transfer of Leases	Compliance with Ag plan
154	Transfer of Leases	Challenges with types of Ag land: need economic support, appreciate existing 'ohi'a forest
155	Transfer of Leases	Change 1 year lease requirement to 5
156	Transfer of Leases	Lease requirement: 1 year
157	Transfer of Leases	Pili # of years on list with # of years to develop and improve
158	Transfer of Leases	Extending 1-3-5 years lease res/ag requirements
159	Transfer of Leases	Multiple lessees on lease; hesitant to make improvements based on tenants in common, joint tenancy=cannot pass on interest
160	Transfer of Leases	1 year short timeline to build
161	Transfer of Leases	Currently, 1 year to occupy
162	Transfer of Leases	Transfers should remain as is. Let the department handle abuses. Enforce its laws that currently are on the books. (no need to return to the pool of inventory)
163	Transfer of Leases	Take lot away

	A	B
1	Topic	Comment
164	Transfer of Leases	Dept should award vacant lots
165	Transfer of Leases	When lessee sells, should go back to bottom of list
166	Transfer of Leases	Vacant, unimproved lots and not selling? What should happen?
167	Transfer of Leases	May make new rules if old one not followed
168	Transfer of Leases	Dept not implement rule until study why lessees selling
169	Transfer of Leases	Proposed rule: no sale of vacant lots or u/l
170	Transfer of Leases	What will happen to vacant Ka'u lessees
171	Transfer of Leases	If lot has improvements what would that be? Any investment lessee made
172	Transfer of Leases	Realtors making \$ off sales
173	Transfer of Leases	Lessee may have reason to sell
174	Transfer of Leases	Selling only way out for accelerated lot lessees
175	Transfer of Leases	Sales drive value [up] so applicants on waitlist can't compete
176	Transfer of Leases	DHHL should help lessee w/vacant lots
177	Transfer of Leases	Eliminate real estate agent from process
178	Transfer of Leases	In current process, DHHL records transfer.
179	Transfer of Leases	Vacant lots go back to dept to re-award.
180	Transfer of Leases	If nothing done on lot, others are waiting. Give back to be re-awarded
181	Transfer of Leases	Undivided interest (Lalamilo, Waiohuli, Lai Opua, Kanehili)
182	Transfer of Leases	Undivided interest: Lai Opua, Waiohuli, Kanehili, Lalamilo
183	Transfer of Leases	Should be able to recoup your investment –but shouldn't be able to make a business out of it –
184	Transfer of Leases	Kula is famous for selling their lots
185	Transfer of Leases	It's unfair.
186	Transfer of Leases	Abusing what we have.
187	Transfer of Leases	Transfer –lease condition that prohibits selling.
188	Transfer of Leases	Gift transfer to family ok.
189	Transfer of Leases	Who gave them permission to do that?
190	Transfer of Leases	No they shouldn't be able to sell. No. Not fair.
191	Transfer of Leases	Restrict sales- take it back, give to someone else. Move it along.
192	Transfer of Leases	Should be able to sell your house. Successor, or go back to someone on waiting list.
193	Transfer of Leases	No sales. Should already be on the list.
194	Transfer of Leases	If no successor, it comes back. 18 or older. Sticky situation.
195	Transfer of Leases	Get subsistence ag lots here. Revise master plan.
196	Transfer of Leases	50% to get in the door
197	Transfer of Leases	Need ag on Lana'i – equal opportunity. No can lot.
198	Transfer of Leases	Community garden. Rec center. Then phase II.
199	Transfer of Leases	ADU -2 du's one lot.
200	Transfer of Leases	On this island –you'll get that _____. No one does that here (transfer).
201	Transfer of Leases	Missed that rule to build, do ag on Ag Homestead – didn't tell us that.

	A	B
1	Topic	Comment
202	Transfer of Leases	How do you enforce the rules?
203	Transfer of Leases	They can say just a transfer, but could be exchanging \$
204	Transfer of Leases	Have so many rules, but no one follows them anyway.
205	Transfer of Leases	Where they're selling, Hawaiians are homeless.
206	Transfer of Leases	If you didn't do anything, not right. Should have to get permission. Common sense.
207	Transfer of Leases	24 vacant homes reserved for 4 seasons mgmt(?). Housing is expensive. Subsistence ag lots needed. If _____ stops, we'll serve. Coop could work here. Subsistence is the point of homestead. Main concern is water.
208	Transfer of Leases	Need to have jobs where your award is
209	Transfer of Leases	Lana'i still has vacant lots – not an issue here.
210	Transfer of Leases	An association to address our needs. Don't have anybody to care for our area –residents are doing it. Need a voice.
211	Transfer of Leases	Maintaining vacant areas – get equipment.
212	Transfer of Leases	Take care of our landscaping? Told by October it would get done.
213	Transfer of Leases	Empty lots –concerned
214	Transfer of Leases	I think that would be a risk. Does DHHL know there's a sale?
215	Transfer of Leases	Shouldn't be rewarded for a gift. Lucky to be able to even go on the land.
216	Transfer of Leases	Condition of building 25 houses
217	Transfer of Leases	Need our own commissioners. Need help getting motivated.
218	Transfer of Leases	If they don't qualify for a loan; they stay at the same spot. Should go end of the list? Defer (can't read hand writing)-stay on same place.
219	Transfer of Leases	Do they go back to bottom of the list?
220	Transfer of Leases	Restrict Sales?
221	Transfer of Leases	How did that start?
222	Transfer of Leases	Just the one awarded the lease can sell? To someone qualified.
223	Transfer of Leases	We had to prove that we had \$ to build before we got the award. Just ag lots then?
224	Transfer of Leases	2 year limit –just for Lanai, or different on the other islands?
225	Transfer of Leases	Limited now on who you can transfer to?
226	Transfer of Leases	Self-sufficient –supposed to be helping each other.
227	Transfer of Leases	The act was to benefit the people as a whole –land is not commodity –cultural basis. Backwards.
228	Transfer of Leases	It was given to you for \$/year –making money off of nothing is greedy
229	Transfer of Leases	Making money off something that isn't even yours is wrong.
230	Transfer of Leases	Getting something for nothing should give 'em back.
231	Transfer of Leases	Against the purpose of the act
232	Transfer of Leases	"Selling" the leases is poisonous. Don't understand the mentality. If you don't understand your past, don't understand why it's idiotic.

	A	B
1	Topic	Comment
233	Transfer of Leases	Don't they have to return after 2 years anyways? If you don't build, you _____. Not right.
234	Transfer of Leases	Should go to residents already there.
235	Transfer of Leases	Don't have to be on waiting list if it's family
236	Transfer of Leases	Give them the list – family, successors.
237	Transfer of Leases	Transfer to family
238	Transfer of Leases	Transferring to successors? When Kupuna is gone and Mo'opuna are there still?
239	Transfer of Leases	Should already be on the list.
240	Transfer of Leases	To people who have been on the list a long time? Whose next on the list –push list forward.
241	Transfer of Leases	Regulation of vacant lots
242	Transfer of Leases	Move the list. Lana'i list first –special list.
243	Transfer of Leases	People will figure out to sell illegally underground anyway.
244	Transfer of Leases	If you sell a lot, then you should not be able to go back on list. Not fair to those on the list.
245	Transfer of Leases	People sell house to people not on the waitlist. That is bad.
246	Transfer of Leases	Everyone knows of when this occurred. My problem is the people who sell, then go back on list, get another property and sell again.
247	Transfer of Leases	You sell, you go back of the line.
248	Transfer of Leases	When I transferred my lease, I was told I couldn't.
249	Transfer of Leases	People hang onto properties they cannot develop. Will this rule apply to leases that already went out? It won't apply to anything before the effective date.
250	Transfer of Leases	How does DHHL help kupuna who cannot afford to make improvements? They waited for long-time. My father died waiting. He went to go buy it from another beneficiary. But DHHL said cannot.
251	Transfer of Leases	I never get my land yet, I see people sell them, not fair,
252	Transfer of Leases	You sell the lease, the land still belongs to DHHL. Where does the \$ go?
253	Transfer of Leases	Go to lineal, let the family take the UI lease.
254	Transfer of Leases	The original rule proposed by Kuhio was no blood quantum and fee simple. We should go back to that.
255	Transfer of Leases	What happens when 99 years pau? You can renew or extend the lease for another 100 years.
256	Transfer of Leases	What does DHHL do with properties when lessee dies? If no successor, then it goes back to DHHL.
257	Transfer of Leases	How come lessee pay the back back not DHHL?
258	Transfer of Leases	DHHL works for beneficiary first. DHHL main responsibility is to put Hawaiians on land.
259	Transfer of Leases	No change. Keep rule the same.
260	Transfer of Leases	Don't change the rule.

	A	B
1	Topic	Comment
261	Transfer of Leases	The foreclosure homes go to anyone who is on the list and can qualify financially. There's another hidden list.
262	Transfer of Leases	When the realtors came in that's when \$ came into picture, it's not fair.
263	Transfer of Leases	DHHL is not requiring beneficiary to pay DHHL back for infrastructure improvements
264	Transfer of Leases	DHHL doesn't go out in the community and enforce, don't just stay in the office.
265	Transfer of Leases	The biggest problem with DHHL is no consistency. Need that consistency. We share and care for each other, but we losing that.
266	Transfer of Leases	How would DHHL be able to enforce this new rule? (Right now it's a voluntary disclosure. Enforcement would be an issue)
267	Transfer of Leases	What kind of language will be included in rule to make in enforceable? How will DHHL know if a sale is happening? The effectiveness of enforcement is how you write your rule. You should include mandatory disclosure on how you transfer lease.
268	Transfer of Leases	For vacant lots, why is DHHL letting them keep lots? There's a time limit to use lot. Enforce the rules already in place.
269	Transfer of Leases	Right now you need to qualify for a home loan, people can't qualify,
270	Transfer of Leases	How is DHHL going to help our kids? Should exempt financial qualifications. No financial limit to qualify.
271	Transfer of Leases	Kahikinui is one example of not having financial qualifications.
272	Transfer of Leases	People should be allowed to build something they can afford, not just to county code.
273	Transfer of Leases	Not fair, not enough time, how big is the list? Res for maui 10k. Developers should build homes for HHL first. Provide more homes for Native Hawaiians so we don't fight among each other.
274	Transfer of Leases	How is DHHL going to prove they didn't make improvements.
275	Transfer of Leases	Florida has old folks community, they're trailer homes, but their beautiful private properties.
276	Transfer of Leases	DHHL is proposing to change rule to successor from 25% to 1/32.
277	Transfer of Leases	What about the proposal to lower to 1/32 for successors? That's going to legislature.
278	Transfer of Leases	How will the beneficiaries be able to give input on that? Tell your legislature.
279	Transfer of Leases	Who controls who gets my land? Right now lessee. So no change.
280	Transfer of Leases	The majority of recent lessees are turn key homes.
281	Transfer of Leases	are all the rules we talking about tonight going to the legislature? No -DHHL makes decision

	A	B
1	Topic	Comment
282	Transfer of Leases	The original rule was passed in 1950 that allowed for sale of lease. Then got switched in 1980s.
283	Transfer of Leases	You change the rule, there's going to be a ripple effect. Let the lessee decide what they want to do with it.
284	Transfer of Leases	There are so many hoops DHHL creates. First the 50% hoop, then the financial qualification.
285	Transfer of Leases	I'm ok with transferring your lot if you have health issue and cannot develop. But you can't sell and go back on the list. Once you sell you are saying you don't Hawaiian Home Lands.
286	Transfer of Leases	My aunty had unimproved lot in Pu'ukapu. DHHL put 0 infrastructure in. She sold it and used \$ to repair her house. Lots sometimes are unimproved because there's no infrastructure.
287	Transfer of Leases	A lot of times people sell lease to get out of debt.
288	Transfer of Leases	My father gave me my house, my children will get it too. It's a gift to my family. Stay in the bloodline. Now it's harder to qualify. Give to bloodline.
289	Transfer of Leases	Let people in the drivers seat make the choice.
290	Transfer of Leases	Without strong language to enforce, then it's a problem. This is a double-edge sword, you also penalizing a hard working Hawaiian who can afford to buy the lease.
291	Transfer of Leases	If a family wishes to sell lot, it should be the lessee's prerogative. Don't change the rule.
292	Transfer of Leases	If I do nothing with the lease, I should sell the lease.
293	Transfer of Leases	If lessee can receive \$ from an unused lot, that's a good thing. It's a benefit.
294	Transfer of Leases	DHHL was created to put Hawaiians on the land. This current situation is preventing that. But it's a different story if you made an investment. Language should mandate disclosure of how you transfer.
295	Transfer of Leases	Land will never be for sale.
296	Transfer of Leases	It's wrong to sell your vacant property.
297	Transfer of Leases	To sell a lot may be a good thing, but abusing the application and waiting list process is another.
298	Transfer of Leases	I don't think rule should apply to UI lessees. DHHL didn't do anything to improve lot.
299	Transfer of Leases	We qualified financially for a lot but, DHHL didn't subdivide and develop the UI lots. DHHL took too long. It discouraged others from reapplying. People ____, no longer had the same income. It's not their fault. How can we benefit from UI?
300	Transfer of Leases	UI applicants should receive remuneration for waiting for so long. For UI DHHL takes too long. Not lessee fault.
301	Transfer of Leases	Why not get \$ for having to wait so long for DHHL to develop UI lot?
302	Transfer of Leases	I agree shouldn't sell an unimproved lot. But for UI lease no.

	A	B
1	Topic	Comment
303	Transfer of Leases	If I sell my house, that's my heirship. My choice.
304	Transfer of Leases	The rule should have exceptions.
305	Transfer of Leases	I don't think you should change this rule. If DHHL had developed the UI lots, then we shouldn't fight among each other. Some people waited long time, old now, can no longer develop.
306	Transfer of Leases	The people who abuse process should go to bottom of list.
307	Transfer of Leases	Who should go back too? It shouldn't go to people not on the list.
308	Transfer of Leases	DHHL builds home people cannot afford. Build tiny homes.
309	Transfer of Leases	DHHL fault that the list is so large.
310	Transfer of Leases	People shouldn't be allowed to jump list.
311	Transfer of Leases	People sell the lease and then go back on the list and get another parcel. They should go to the end of the list.
312	Transfer of Leases	If it's a transfer or sale, what happens to your name on the list? (You can go back on the list.
313	Transfer of Leases	Have to make an improvement before they can sell.
314	Transfer of Leases	Why are you saying we can't do it--everyone is doing it. It's not good, but how do you stop it?
315	Transfer of Leases	Lessees are doing a better job of getting people on the land than DHHL.
316	Transfer of Leases	Price cap.
317	Transfer of Leases	No sell.
318	Transfer of Leases	Shouldn't be able to sell to those not on the list.
319	Transfer of Leases	If not related, a transfer is going to be a sale
320	Transfer of Leases	Can swap with another lessee.
321	Transfer of Leases	Wrong group this is presented to--need applicants. We all have leases already. Is it the money? Can DHHL tell the difference between people profiting, and those who want to settle their families in perpetuity?
322	Transfer of Leases	Is it true that the person goes to the top of the list again? They go to the bottom?
323	Transfer of Leases	So this lets people who have built a home make a profit?
324	Transfer of Leases	Should have to reapply.
325	Transfer of Leases	Had one chance--shouldn't get more chances.
326	Transfer of Leases	Should not even get to reapply--giving to their kids 4 times over penalizes people on list for 30 years. Should only get one chance.
327	Transfer of Leases	If you give it away to a 50% nH, then you can't go back on the list. Dept should track this.
328	Transfer of Leases	Making list stop moving
329	Transfer of Leases	Improvements--water meter--personal investment vs what DHHL put into infrastructure
330	Transfer of Leases	Need a farm plan.
331	Transfer of Leases	Make sure ag lessees know they have to farm on large lots.

	A	B
1	Topic	Comment
332	Transfer of Leases	What is DHHL doing about lessees that don't do anything with their lot? Overgrown next door--hazardous. Enforcement. Daughter has been on list for 10 years, waiting.
333	Transfer of Leases	DHHL's fault for not enforcing lease terms
334	Transfer of Leases	Offer to descendants if lessee not using/building on the lot
335	Transfer of Leases	Shouldn't let people buy and not build.
336	Transfer of Leases	New subdivisions in Hoolehua--DHHL told me I have one year to build. But vacant lots everywhere--no enforcement. Forcing us off.
337	Transfer of Leases	Many people who've done transfers don't even tell DHHL--you guys are out of it. Ohana zoning.
338	Transfer of Leases	Bring back ohana housing. Ag lots.
339	Transfer of Leases	Buying and selling stuff has been disasterous. DHHL need to open up alternatives--sub ag, kauhale--way to expand your family.
340	Transfer of Leases	What if no can help? Need help to build. Bad luck--lost job.
341	Transfer of Leases	Irrigation pipes--cost. Recoup investment? Or can sell for above the cost. --(RPT) Everyone's lot is worth \$100.
342	Transfer of Leases	One year is not enough time to build a house--jobs are scarce.
343	Transfer of Leases	Each lessee needs to be held accountable--not maintaining the lot. Residency requirement. Enforcement--malama the aina.
344	Transfer of Leases	Need to prepare people prior to issuing the lease. Used to have tractors here that prepped the land for peole. Support us in being ready.
345	Transfer of Leases	That's why Molokai is Molokai
346	Transfer of Leases	Why do we even have undivided interest?
347	Transfer of Leases	It takes too long to get the land--DHHL moves too slow. That's why people are selling/buying
348	Transfer of Leases	Really expensive to buy outside, so still cheaper to buy a lease. So much land out there, make townhouses for kids to rent. DHHL has to do something. Get awards out!
349	Transfer of Leases	Think of another way to get kids onto the land; subdivide, blood quantum still 50% for lessees. Only way to get it to kids
350	Transfer of Leases	When kids want to come home, can't qualify, can't get building permit. Get on land and farm. Feed ourselves.
351	Transfer of Leases	Non-ohana coming in when no more bloodline/no successor
352	Transfer of Leases	People think, "If my kid not going get 'em, I going sell 'em"
353	Transfer of Leases	Don't allow people to not name a successor.
354	Transfer of Leases	If you take away my chance to give to my kids, then what do we do? Didn't sell.
355	Transfer of Leases	Way to get kids less than 50% onto the land.
356	Transfer of Leases	Kupuna sold so he could get back his infrastructure investment--45 years. There are legitimate reasons to sell your property.
357	Transfer of Leases	Do different things to get long-time applicants off the waitlist

	A	B
1	Topic	Comment
358	Transfer of Leases	Opposed to idea of people benefitting financially from unoccupied lots, but if it gets someone else on the land faster....
359	Transfer of Leases	Be able to transfer lease to another island if you have to move.
360	Transfer of Leases	Some people had to work on another island, want to do something with a parcel later in life.
361	Transfer of Leases	Why would you stop the process of transferring for money?
362	Transfer of Leases	Selling isn't right.
363	Transfer of Leases	Selling the property is like selling the paper--there's nothing on it! Not fair--nothing there. Give it back. How do you do that?
364	Transfer of Leases	Shouldn't be able to sell a paper lease. Not a Hawaiian value. Subsistence isn't selling land.
365	Transfer of Leases	Abusing the privilege--walking away with big money. Real issue is exchange of money
366	Transfer of Leases	People on the bottom of the list--gives them an opportunity. Person selling should then go to the bottom of the list. Shouldn't make money, but it's an opportunity to go faster than the Dept.
367	Transfer of Leases	Rules are good if it opens up more land to more families.
368	Transfer of Leases	What if you sell your home for more than it's worth?
369	Transfer of Leases	Developers are running us over--values are low. Not generating wealth--should have the ability to be competitive.
370	Transfer of Leases	Work with OHA about ads.
371	Transfer of Leases	Should go back to DHHL if you don't want it--can pass to a successor
372	Transfer of Leases	Can't even give away if they're not on the list.
373	Transfer of Leases	How many transfers occur instead of moving people off the list?
374	Transfer of Leases	If it's going to be given, it should go to next person on the list (not sold)
375	Transfer of Leases	Lessee should have a say if they're not related can't be a successor.
376	Transfer of Leases	Needs to go to a kupuna.
377	Transfer of Leases	Concern to add on, concern to
378	Transfer of Leases	No, should not be able to sell profit.
379	Transfer of Leases	Should make exceptions for lessees who want to build but cannot so they want to give to ohana. Should go to successor.
380	Transfer of Leases	2 transfers then pau.
381	Transfer of Leases	Grandpa brother was awarded lot. He live in CA. He offered to family. I took it, it was gift. But no sell.
382	Transfer of Leases	Put a cap on the home price.
383	Transfer of Leases	Should give back to DHHL
384	Transfer of Leases	Land is given free. It should be given back.
385	Transfer of Leases	If lot goes back to DHHL, how will it get re-awarded? The next person on waitlist?

	A	B
1	Topic	Comment
386	Transfer of Leases	No sale. Just transfer.
387	Transfer of Leases	Shouldn't be able to sell.
388	Transfer of Leases	There's difference between empty lot vs. occupied lot
389	Transfer of Leases	Clarification-DHHL is trying to prevent speculation. Have cause no speculation
390	Transfer of Leases	So much people waiting on list. HEWA to sell. If you don't want it, use it to give it back.
391	Transfer of Leases	If its just paper no sell.
392	Transfer of Leases	Transfer of leases. What if as a beneficiary I want to put my son or daughter who is not blood related but has taken care of my wants and needs, including paying my bills.
393	Transfer of Leases	No selling U/I
394	Transfer of Leases	Can DHHL be honest about process for awarding homesteads. Needs to be fair.
395	Transfer of Leases	Rule is still there that still 50%
396	Transfer of Leases	Under Kauikeouli and Prince Jonah = 1/32 blood. All kanaka's on the aina.
397	Transfer of Leases	Mrs. Padaken (?) as director is when this started.
398	Transfer of Leases	No Lease Transfer: 1. Will commerical interest be involved?
399	Transfer of Leases	Governments change. How to make more stable?
400	Transfer of Leases	You get lease to lot, but also get the house. How you gonna resolve?
401	Transfer of Leases	DHHL supposed to educate what the Act says. DHHL needs to say what the act says.
402	Transfer of Leases	Association can help with monitoring of vacant lots. With compensation to association for their service.
403	Transfer of Leases	Ohana homes. Build extensions.
404	Transfer of Leases	We need to clarify help. Charity or loan.
405	Transfer of Leases	Can DHHL help families who are not financially ready?
406	Transfer of Leases	How does DHHL price home, determine price? No one can afford the price now. Figure out ways to value homes, make more affordable.
407	Transfer of Leases	Systematic problem, kupuna cannot afford to build. Thos on list cannot.
408	Transfer of Leases	In princess Kahanu. Many couldn't afford. Help came from outside. Share financial responsibilty.
409	Transfer of Leases	What is the length of time now a person can hold lot and not do anything?
410	Transfer of Leases	There should time to limit on how long can be vacant
411	Transfer of Leases	If you cannot do anything in 1 year, create a process to allow for more time.
412	Transfer of Leases	Timeline for builds
413	Transfer of Leases	20 years is a long time for nothing to happen. It should be 1 year for someone to be build.

	A	B
1	Topic	Comment
414	Transfer of Leases	You have 5 years to develop. But you can ask for extension. You don't want to pit Hawaiian vs. Hawaiian by having people on the list jump over people in front of them.
415	Transfer of Leases	There should be a time limit to develop.
416	Transfer of Leases	DHHL told me I had 1 year. Across the street vacant longer. Should be fair.
417	Transfer of Leases	Who approves sale of lease? It's important to know is in contract.
418	Transfer of Leases	DHHL should inventory vacant lots. Drive around.
419	Transfer of Leases	What if lessee never do nothing because of extenuating circumstances.
420	Transfer of Leases	I know one person got 4 lots, how is that possible
421	Transfer of Leases	No to the rule. We are poor and going into poverty. We need to bring in people. Give our Native Hawaiian capitalist a chance.
422	Transfer of Leases	Once you transfer lease. You pau. No can go on list again.
423	Transfer of Leases	The idea of "1 chance" and having a time limit that is consistently enforced.
424	Transfer of Leases	You can leave for your child. So some people go on the list many times and give lots to children. Rule should address that.
425	Transfer of Leases	Turn keys. Lots not covered by this rule.
426	Transfer of Leases	DHHL needs to inform those that this rule effects. Even if I do nothing this lot is still mine.
427	Transfer of Leases	We need to hold people accountable to. But how DHHL will enforce rule?
428	Transfer of Leases	Give to qualified Hawaiians. They should have goals.
429	Transfer of Leases	Should go to next person on the list. DHHL made a list, it's an established process.
430	Transfer of Leases	If vacant. Does the lessee have to pay property tax.
431	Transfer of Leases	How did DHHL allow this to happen?
432	Transfer of Leases	What started this. What is the need for this rule?
433	Transfer of Leases	No sell land.
434	Transfer of Leases	This rule is only for empty lots or undivided interest.
435	Transfer of Leases	Are you taking about Undeveloped? Yes. Vacant undeveloped.
436	Transfer of Leases	Is this rule for lots that are just sitting? Yes.
437	Transfer of Leases	What is the current rule for how long a person can do nothing with the lot? Important to know this information to inform my mana'o.
438	Transfer of Leases	The approval process for selling is wrong.
439	Transfer of Leases	If you sell lease you should not be able to go back on list. Make a separate list so we know who those are.
440	Transfer of Leases	We know people sell it.
441	Transfer of Leases	Unfair profit
442	Transfer of Leases	What is the current rule for successor? Current rule _____.

	A	B
1	Topic	Comment
443	Transfer of Leases	Successors not supposed to get lease until lessee dies. DHHL doesn't enforce that.
444	Transfer of Leases	The concern should be that people making big profit not because they don't have the ability to build. I support rule.
445	Transfer of Leases	It wasn't Prince's intention to displace each other. We want to make sure the selling stops. Profiteering vs. Rehabilitaion on the 'aina.
446	Transfer of Leases	No land swapping
447	Transfer of Leases	Undivided interest was like golden ticket. Today we talking about empty units.
448	Transfer of Leases	Don't say "black market," it is not a crime. -Quoted from DHHL staff
449	Transfer of Leases	The problem is the lessee needs to step up and say I no need the lot.
450	Transfer of Leases	People aren't using lots for a reason. Should they give it back?
451	Transfer of Leases	Price increase. Keep price control.
452	Transfer of leases	I am opposed to any limitations of any leasehold transfer rights between eligible native Hawaiians irrespective of their placement on any waiting list. The transfer of such rights should not be limited to gifts or succession. Any value attached to such rights is a private matter between consenting eligible natives. Such exchanges of value should not be impeded by the Department of Hawaiian Home Lands; instead it should be facilitated by these authorities as a matter which exemplifies how this program is, indeed, encouraging the rehabilitative process within the native community. Such transactions enriches the abilities of those involved to succeed in commerce and, hopefully, takes the beneficiary to his or her next level of development as a valuable citizen in his or her community.
453	Transfer of leases	For the record, I am in "opposition" and do not support DHHL's Proposed Administrative Rule Changes specific to: Lease transfer.
454	Transfer of Leases	In Kalawahine, had to pay \$75k per lot for infrustructure -need to take that into account.
455	Transfer of Leases	Shouldn't be forced to give up the lease.
456	Transfer of Leases	Mother told me, one day you'll have to buy this land, so save your money.
457	Transfer of Leases	Should there be a cap? What did you want in the beginning?
458	Transfer of Leases	Only one time sale -shouldn't be able to sell more than once.
459	Transfer of Leases	The right thing is to give to someone else -why should I get money for nothing?
460	Transfer of Leases	What someone is willing to pay -market system.
461	Transfer of Leases	Should go back to DHHL. But hard to give up something you waited so long for.

1	A Topic	B Comment
462	Transfer of Leases	Just the house, not crops? Grow food -selling is haole mentality.
463	Transfer of Leases	Should open it up for bid? Open it up to more people.
464	Transfer of Leases	Should have 2 choices -give back, or find someone to transfer to.
465	Transfer of Leases	Clearing the land
466	Transfer of Leases	Removing broken cars
467	Transfer of Leases	Kokua -won't have a dollar value.
468	Transfer of Leases	Time has value. Equal to what it would be if you paid someone to do it. Have a record -journal before and after pictures.
469	Transfer of Leases	Improvements -Define
470	Transfer of Leases	Should be funded through DHHL no matter what. Land is leased.
471	Transfer of Leases	Shelter
472	Transfer of Leases	Homesteading is, you give us a vacant lot, and we're on our own -we build the house. Time limits need to be fair. Infrastructure needs to be in place. Don't tell us how we need to live.
473	Transfer of Leases	Made the effort to clean the land, prepared to build but couldn't
474	Transfer of Leases	Only if improvements -that's fair
475	Transfer of Leases	If no improvements, no money -not fair to make profit.
476	Transfer of Leases	Some UI's take years -like maui. Got to be consistent, so as not to hurt people.
477	Transfer of Leases	Start farming
478	Transfer of Leases	Minimum -\$1,000 investment -should get that back.
479	Transfer of Leases	Any improvements should qualify.
480	Transfer of Leases	Can't build without infrastructure -waiting 12 years Naiwa SD.
481	Transfer of Leases	If they haven't made improvements in 3 years, it should go back to DHHL to be given out again. Family should have helped out in that time.
482	Transfer of Leases	Perpetuate what Kuhio did -understand our heritage. People of the first. His wisdom. Way we can afford to live.
483	Transfer of Leases	Reason why we can't build -need to consider.
484	Transfer of Leases	Should have already qualified.
485	Transfer of Leases	What if you want to sell here you can go Big Island.
486	Transfer of Leases	Family lineage -should be able to pass it down. Need to take extenuating circumstances into account.
487	Transfer of Leases	On the list for 60+ years -should you get something for taking care?
488	Transfer of Leases	Should get compensated for waiting so long on the list.
489	Transfer of Leases	No poho -if you can get money -should go for it because you waited so long.

	A	B
1	Topic	Comment
490	Transfer of Leases	Should be able to sell it if you waited a longtime and are elderly -too old to get a loan, already in Kupuna housing. If you can't do anything within a year, either you can sell or department can take it back.
491	Transfer of Leases	Benefiting because you're ad____ing. People knew what they were getting into. DHHL isn't giving it out again anyway. It's the Dept's fault.
492	Transfer of Leases	They should fix the old rules -we don't have the money to build what you want us to build.
493	Transfer of Leases	There were kickbacks back in the day -\$150,000 to politicians. That's how it was done. Too much pilikia. Rule are a good thing.
494	Transfer of Leases	Successorship issue
495	Transfer of Leases	If you had no intention of building, then against it. Proceeds should go back to DHHL fr infrastructure improvements, provide more opportunities.
496	Transfer of Leases	Good thing if it stops people from selling -shouldn't be "flipping" homesteaders
497	Transfer of Leases	Understand the plight of the Kupuna -if intention is to provide housing for Hawaiians, you can profit from it -that's not the intention, slippery slope. What an easy profit. Doesn't seem right.
498	Transfer of Leases	Speculation going on -stays 3 years, sells. People are making money. Ani Ani ku Street. Need to stay a minimum of 10 years. Selling has to stop. Families are fighting, using Kupuna. Taking advantage, tearing families apart -changing successors.
499	Transfer of Leases	How can I find out if a house is available for me?
500	Transfer of Leases	When people jump the list -that's why I've been on it forever and ever.
501	Transfer of Leases	Agree -wipe the list out.
502	Transfer of Leases	People are dying on the list. Just got to be fair, consistent.
503	Transfer of Leases	People who aren't 50% shouldn't be on the list. (enforcement)
504	Transfer of Leases	Everyone else had a chance to buy or sell -now no one will. Then they will be penalized. If it gets extended to UI -they lose out. Waited long enough on the list. Losing out.
505	Transfer of Leases	Ka Wai Ola ad -says "must be on the list." It that true? Since the 80's.
506	Transfer of Leases	Can get help -HFH- _____? House
507	Transfer of leases	Consensus regarding leases--do not sell if is for profit. Also, what designates "rehabilitation"? Must be determined by a formula if necessary--not just a fence, a moved property...
508	Transfer of leases	More clarification on transferring leasee due to case by case

	A	B
1	Topic	Comment
509	Transfer of leases	As a lessee myself, there are a lot of misconceptions in regards to the genetic testing and selling / transfer of leases..... I've also heard many complaints about the transfer and selling process., "Why does the process take so long?"; "Is there anything in writing stating the process of selling or transferring my lease? For the most part with the process of selling / transferring leases, there should be a due process stated clearly in writing (like a pamphlet if must) listing the things needed from both the lessee and transferee, etc. It will minimize complaints, etc.
510	Transfer of Leases	Act says "transfer" today we think "sell"--should change the language to specify "no financial gain"
511	Transfer of Leases	If waiting because of DHHL, should move on, but lose your place on the waitlist. If you sell, you don't get back on same place.
512	Transfer of Leases	No sales.
513	Transfer of Leases	Don't sell--no
514	Transfer of leases	I don't approve with selling of land
515	Transfer of leases	Land leases should never be allowed to sell: NEVER
516	Transfer of leases	Should not be sale-able. Lease is a lease. No land sales--only leases; borrowed only
517	Transfer of leases	Development or/and improvement of lot can be sold based on market value not land but I know that geographic makes a difference. How is this being handled?
518	Transfer of leases	Expand to developments as well, but transactions must pass to DHHL as "watch dog"
519	Transfer of Leases	No sale. Goes back into the pot--back to the waiting list
520	Transfer of Leases	Can trade but not exchange of money
521	Transfer of Leases	Can give it to keiki
522	Transfer of Leases	Yes-can transfer to any qualified beneficiary
523	Transfer of Leases	What about issuing vacant house?
524	Transfer of Leases	When people have a house on one side, ag on other side of island-house on both is not allowed
525	Transfer of Leases	Solution to homeless problem is multi-occupancy. Hawaiians living on the beach
526	Transfer of Leases	Boarded up houses but not being reawarded
527	Transfer of Leases	Cut state out of HHL--State is what's messing things up.
528	Transfer of Leases	Focus on people who want to live in Waimanalo--speed up award process, tell us status, be more efficient
529	Transfer of Leases	People not doing that because it takes too long
530	Transfer of Leases	Hire more staff at DHHL to speed up process
531	Transfer of Leases	Increase staffing and increase DHHL presence in Waimanalo. Suggest a Windward office--hubs, satellite offices, like HC&C. Go out to community more often. More things like this.
532	Transfer of Leases	30 years on the list--never gotten an offer for Waimanalo. Takes too long
533	Transfer of Leases	Still selling going on--redo the lease with stipulations re: selling
534	Transfer of Leases	What about renting? Doing a care home?

	A	B
1	Topic	Comment
535	Transfer of Leases	Infrastructure should be in
536	Transfer of Leases	Cattle, water, warehouse, tool storage, irrigation
537	Transfer of Leases	Any improvement. One fence post.
538	Transfer of Leases	Proof of expenditure, labor. Something you can see.
539	Transfer of Leases	Could we put a container home on the lot within one year?
540	Transfer of Leases	Offer lower cost, termit-free, smaller, sustainable--Maui has
541	Transfer of Leases	What is timeline to determine if financial concern/improvement is made? --1year
542	Transfer of Leases	Need evidence of improvements
543	Transfer of Leases	UI, acceleration--still don't have infrastructure--can't build.
544	Transfer of Leases	Valuation of improvements
545	Transfer of Leases	Will only be able to control outside transactions if everything runs through DHHL--goes to next qualified (\$\$+BO) applicant.
546	Transfer of Leases	It's for your ohana--why you want to sell?
547	Transfer of Leases	When realtors get involved they make money on these transfers
548	Transfer of Leases	I went through a long, grueling process, 10 years and can't pass on to my keiki
549	Transfer of Leases	People are selling because they don't have eligible successors
550	Transfer of Leases	If not living on land--can't sell
551	Transfer of leases	Do not restrict sale of leased lots to another Hawaiian whom may malama the land (lot)
552	Transfer of Leases	If made improvements, should make a small finanical gain
553	Transfer of Leases	Residency requirement--have to live on the lot before you can sell, like self-help housing
554	Transfer of Leases	Price of land--\$99. Take proceeds of house. Land, lease is not for sale. Fee simple you can sell
555	Transfer of Leases	Should get proceeds of improvements that I paid for
556	Transfer of Leases	Vision of Kuhio was to put Hawaiians on Hawaiian land--not transfer leases for money. Benefit and privilege. Transfer for sale is new.
557	Transfer of Leases	Supposed to use the land, not buy and sell.
558	Transfer of Leases	Land can't be sold--value of improvements ok
559	Transfer of Leases	Only pay \$1--not ok to get \$\$\$--should not sell, making it expensive
560	Transfer of Leases	Never agreed to anyone being able to sell a lot--nobody should be able to sell--it's not ours to sell--wrong. If they sell a house need to go through DHHL--goes back to DHHL
561	Transfer of Leases	How can DHHL monitor whether or not I get money from a private deal? Will need something in place, will need enforcement
562	Transfer of leases	What happens to lots abandoned/not lived on? If family to lessee does not succeed it. Wait list should be considered first--no favorites or skipping those in line. No sale
563	Transfer of Leases	Succession is ok

	A	B
1	Topic	Comment
564	Transfer of Leases	Successorship-25% but family. Transfer-to anyone 50%
565	Transfer of Leases	So many of us on the list--exhaust the list first
566	Transfer of Leases	No-should go to next person on the list
567	Transfer of Leases	Won't work if next applicant on list can't afford. Putting more work on DHHL--DHHL can't handle what we're doing now
568	Transfer of Leases	No to resell and get back on list
569	Transfer of Leases	Appraised-get form to show around that value -> get form compensated for "improvement."
570	Transfer of Leases	No , no \$ to dept. If lot with improvements sold.
571	Transfer of Leases	Should be \$1 - (10 years only \$10) no profit off land.
572	Transfer of Leases	Should allow for unpermitted structure to be part of "appraised" value -> Jurisdictional county issue; banks won't consider unpermitted structure to have value -> related to lending.
573	Transfer of Leases	Sell for appraised value of structure.
574	Transfer of Leases	Does it have to be family or can it be a 50% Hawaiian? Yes, current rule. 25% family, 50% everyone else.
575	Transfer of Leases	Profit on land and appraised values around them; how can you profit on something you don't own; they only own lease.
576	Transfer of Leases	Bloodline deteriorating -> reduce blood quantum -> less than 25% -> for generation to come -> where does land go? Can't address with transfer of leases -> can't change HHCA in congress. Think about successorship.
577	Transfer of Leases	99 years -> keiki can stay on land until end of lease even if not qualified.
578	Transfer of Leases	Lot with house--not occupied--back to Dept/reaward
579	Transfer of Leases	Ag/pastoral lots lessee not even on island -> (135 families in working class group -> help with compliance). Waimea 52 of 115 on res(?) land; enforce. Next generation is buying lots, take back.
580	Transfer of Leases	Making proposals & not enforcing rules now -> How do you enforce under the table transactions.
581	Transfer of Leases	Lease compliance
582	Transfer of Leases	Told 1 year to fence/produce -> DHHL doesn't enforce.
583	Transfer of Leases	Is a cow enough to not be vacant
584	Transfer of Leases	Funding issue to live/build/form on property get started.
585	Transfer of Leases	Differentiate timeframe to occupy between res, ag, past; also differentiate between islands
586	Transfer of Leases	1 year -- might to hard for those that need job etc
587	Transfer of Leases	1 year -- be ready when you on list
588	Transfer of Leases	Given time table before back into pool.
589	Transfer of Leases	Maybe 3 years ->contingent on funding
590	Transfer of Leases	Anything put on property - appraiser puts value on it; row of orange trees/imp - drive way.
591	Transfer of Leases	Banking also affects timeframe

	A	B
1	Topic	Comment
592	Transfer of Leases	Certified appraiser that helps value those in lots - fair appraisals
593	Transfer of Leases	Dept give technical assistance for res, ag, pas.--increase staff--case workers--increase more budget--increase fees for general leases/commercial leases to make more money
594	Transfer of Leases	Provide all infrastructure before awarding land ->can't take away without giving water/infrastructure
595	Transfer of Leases	DHHL provide TA (HOAP) and funding to help.
596	Transfer of Leases	At least have plan in 1 year
597	Transfer of Leases	Progress on plan
598	Transfer of Leases	Staggard imp./fitting income
599	Transfer of Leases	How fast county process permits--issue with timeframe & external processes
600	Transfer of Leases	Same timeframe for every island
601	Transfer of Leases	Depends on location/infrastructure
602	Transfer of Leases	Internal/external processes affect 1 year occupancy
603	Transfer of Leases	Residential lot--build within 1 year--don't all sub have diff rules? --Those without infrastructure--not until sub approved did 1 year kick in
604	Transfer of Leases	Depends on individual--don't know financial situation--1 year requirement--3 years; 5 years--no matter what timeframe, DHHL need to follow through malama them; give option for extension
605	Transfer of Leases	DHHL qualify 1st -> then go to list as eligible beneficiary
606	Transfer of Leases	Why do they have to buy?
607	Transfer of Leases	What do we mean about "improvements"? "perimeter fence"
608	Transfer of Leases	Rehab. Of Hawaiian race -doesn't seem like leading to this -> a lot of homeless -> \$ is very temporary
609	Transfer of Leases	I agree with prohibiting selling; no profit if no investment
610	Transfer of Leases	I bought lease \$100k -> it is your birth right to.
611	Transfer of Leases	House market value -should get that much.
612	Transfer of Leases	Can't put \$ value on lands -> these are trust lands; land, water basis for value, I can feed family-> that's value.
613	Transfer of Leases	Raw land for \$200K in Waimea - that's b.s./dumb -> they get for free; no sell
614	Transfer of Leases	Sec. 208-3 -lessee occupy within 1 year (May v. Shall) why not looking at existing rules vs. making new rules -" maybe required" not addressed in rules; vague. HAR should address this issue.
615	Transfer of Leases	Section 208 - 4 "Dept., by rules -> cultivation; Live in community; you again not being enforced
616	Transfer of Leases	Make beneficiary sign statement that not making profit
617	Transfer of Leases	Does pertain to res? If vacant house -> does this pertain to this?

	A	B
1	Topic	Comment
618	Transfer of Leases	If not using or not family to succeed, then give back to Dept., and then reaward.
619	Transfer of Leases	If given away, need to be on list? Yes, jumping the line; not go in front of those waiting.
620	Transfer of Leases	Squatters rights - use?
621	Transfer of Leases	"Milestones" -1 year -resident, ag/pas - lack of enf - increase timeframe.
622	Transfer of Leases	Primary residence when offered - that simple.
623	Transfer of Leases	Should honor the list; should have plan and be resident on island. -need them to make the move.

Housekeeping

	A	B	C									
1	Topic	Category	Comment									
2	Housekeeping	§10-3-2	Why decrease requirement when 1% of our ag lots are in use--more should be better / not an estate-they should be farming									
3	Housekeeping	§10-3-34	If disapproved recourse to take to commission									
4	Housekeeping	§10-3-76	Gratis for beneficiary orgs									
5	Housekeeping	§10-1-5	Beneficiary org where is it? Opportunity to add it!									
6	Housekeeping	§??	Should allow <u>commissioner</u> to add to agenda items or issues from the regions they represent									
7	Housekeeping	§10-3-34	Who within department would do approval?									
8	Housekeeping	§10-3-35	What does this mean? If not chairman, then who specifically in the department									
9	Housekeeping	§10-2-16	What dollar amount?									
10	Housekeeping	§10-3-39(a)	I feel the th... (incomplete/comment not finished)									
11	Housekeeping	§10-3-39(a)	(don't agree) Should be 3 years for ag awards vs 1 yr for residential. (ag has other requirements if award is >1 ac. Which takes more time + \$\$)									
12	Housekeeping	§10-3-35	Based on what criteria?									
13	Housekeeping	§10-5-23	What is the procedure you are recommending?									
14	Housekeeping	§10-5-3	Under what circumstances? Why have rules then?									
15	Housekeeping	§10-2-33	What else? Aloha spirit should be given.									
16	Housekeeping	§10-3-76	Community pastures too? What if all beneficiaries are in the "community?"									
17	Housekeeping	10-3-6 (a)	if you don't qualify for loan, why do you get placed in the same slot? Shouldn't you move to the back so that list can move?									
18	Housekeeping	Duties of the	We the Native Hawaiian people want a say									
19	Housekeeping	Housekeeping	Hawaiian vote & head only, please									
20	Housekeeping	§10-3-76	<p>Aloha. The current fees have not been increased in many years, if at all. West Hawaii Concrete (WHC) charges \$15 to weigh trucks and trailers, etc. WHC and DHHL are the only two sites in Waimea that have scales that can weigh heavy items. I'm working off of Admin Rule changes from the 1998 version.</p> <table><tr><td></td><td>Current Fees</td><td>Proposed Fees</td></tr><tr><td>Lessees</td><td>\$2.00</td><td>\$10.00</td></tr><tr><td>General Public</td><td>\$4.00</td><td>\$15.00</td></tr></table> <p>It takes Michelle and I about 10-15 minutes to take payments, open gate to the scale, calibrate scale, weigh item and complete ticket for customer to confirm weight for DMV. Cattle take a lot longer because they have to be unloaded and loaded from a trailer.</p>		Current Fees	Proposed Fees	Lessees	\$2.00	\$10.00	General Public	\$4.00	\$15.00
	Current Fees	Proposed Fees										
Lessees	\$2.00	\$10.00										
General Public	\$4.00	\$15.00										
21	Housekeeping	§10-3-33	<u>Commercial Activities</u> Develop and implement a simple Variance, similar to County variances.									
22	Housekeeping	§10-3-34	<u>Building Requirements</u> DELETE from last sentence (except as otherwise provided by the department.)									

1 of 4

DEPT. OF HAWAIIAN
HOME LANDS

2015 NOV 12 P 1:26

November 7, 2015

STATE OF HAWAII

Department of Hawaiian Home Lands

Hale KALANIANA'OLE

91-5420 Kapolei Parkway

Kapolei, Hawaii 96707

RE: DHHL Proposed Rules Changes.

Dear Sias and Na'au.

My Name is Roland I. Kehano, Sr. AN INMATE THAT WAS NOT GIVEN A Fair Trial
ON A GRANTED 704 Oral Motion, AND IS UNCONSTITUTIONALLY Imprisoned For The
past 23 years.

With THAT SAID.

Genetic Testing:

1. IS DHHL HAVE THE SUM TO pay For Genetic Testing or do Hawaiians
Must Pay For it Themselves.
2. ARTICLE II SECTION 2 OF THE UNITED STATES CONSTITUTION says in
Close Quote. All Citizens ^{OF THE SEVERAL STATES} ARE ENTITLED TO ALL IMMUNITIES
AND PRIVILEGES OF THE SEVERAL STATES

1. EXHIBIT E

3. White was born on October 2, 1948, Male of Filipino / Hawaiian

A. Went on Join THE UNITED STATES NAVY for 3 years and 8 months of Active Service While Serving my Country and Protecting Our UNITED STATES CONSTITUTION from September 3, 1966 To July of 1970, This Writer Participated in 217 Combat Patrol / Missions and Engaged The Enemy on Seven Occasion. VIETNAM.

B. All The Time Knowing THAT Writer is $\frac{1}{2}$ Filipino and $\frac{1}{2}$ Hawaiian).

Issue THAT Must be brought to This DHHL Proposed Rule Changes

Hawaiians Married to Caucasians, Afro Americans, Asian and other Racial background.

Now These Couples awarded DHHL and is Living Comfortably. Then THE HAWAIIAN dies Living his other Spouse in Their Home.

Now you have an IGNORANT Part Hawaiian THAT Files A Complaint. Why, Is This Man or Lady Living in THAT Home on Hawaiian Home Land. I Should be in THAT House?

ITS A Possibility THAT This Genetic Testing is ALL About

Writer Input would be. The spouse he or she of THE Hawaiian should be able to Live in THAT Home until he or she pass... and whatever Sum They (DHHL) get From This Home Per Stripe goes to THE Deceased Hawai Children, if There is ANY? and NOT OF Hawaiian Ancestry.

Lease Transfer:

Propose a process and requirements for Transferring a Vacant Homestead Lot (i.e. a Lot with No home or other improvement built upon the Land).

1. Because of the Homeless, a Change was Made THAT A Livable Container Can be put on a Lot or Property.

A. I know its the past that Home Owners like to raise Bittles, Cans and all types of Vehicles :-!

Old School Hawaiians, May be Illiterate (tenant in the land) and live a Simple Life. Wake-up around 4:00 A.M. Tidy up the House and Yard, then goes to the Beach/Shoreline to gather Ophittis, ^{+fish.} Limu Maybe some wild Bitter Melons and Shoots, by 9:30/10:00 a.m. back home Pakini Topped off with Ophittes, Pakini Topped off with Limu Kohu and a Bag of Lipoa. For the Family and Neighbors.

Subsistence Lots:

Propose a New Option in DHHL's Agriculture program THAT Supports a Subsistence Rural Lifestyle.

Crops and Animal Husbandry and More.

Writer have a Question 65,000 (LH) Molokai - 5,266 Acres Located Right Outside of KAWAKAKAI AND Molokai Airport.

Writer wants To Know How Much an Acre and How Long is the Lease For?

Writer did write to KW Kellen Williams Honolulu, 1347 Kapiolani Blvd, 3rd Floor, Honolulu, HI 96814 / Charmaine Quilt Poki but No Response.

Will This Department of Hawaiian Homelands Respond to my Letter?

If There is NO "Structural Error" in The Ruling of My Writ of Certiorari SCWC-14-000825 IN THE Supreme Court of THE STATE of HAWAII, THIS Hawaiian Should be Successful in HES Writ of Certiorari. (Corrected) Filipino/Hawaiian.

Back then Uncle, Now days 2nd Cousin. Well my Uncle Kalai Kaholokula. Waite Pua Okeva. was with THE 100 Battalion. I Worked in his brother, my Uncle Johnny Kaholokula's pineapple Field with my Older brothers since I was 12 yrs. of Age. picking pineapples with baskets. In High School THE Most I Carried was 26 pineapples in a basket. Between my Classmate Karl KAPALOLA, Howard Gonzalez-Hee, My Cousin Leslie Okamura, Our Foreman Tweedy, Nanihooe we would Fill 4 Truckload of $3\frac{1}{2}$ TO 4 Ton of Pineapples a day. Payday My Uncle Johnny and Auntie Hildred "Dodo" would give each of us Bonuses. This was Great at \$1.25 an hour.

Just to let you all know that I was in Local 625 Ironworker Structural Foreman and Local 3 Operators EW Givens, Foreman and a 6E Certified Welder.

I've Learned While in Prison THAT LEONARD PELTIER ALSO KNOWN AS Standing Deer THAT He was Successful IN THE UNITED STATES Supreme Court on Religious and Cultural Rights For THE ESKIMOS, HAWAIIANS AND ALUTE Tribe.

Founded on 10-8-1840 by Const'l Authority of the Sovereign King Thero Kiny Kamehameha III "His Council"
UNIFORM RATE OF ASSESSMENT.

Enacting Clause: it is hereby enacted for all parties hereto, That no party shall reap the Rewards of Other's Investments, Labor and Materials That They Themselves have not Invested in.

Further Subdivision of Kuleana.

No Kuleana shall be further subdivided. All Kuleana are to be Setback 100 Linear Feet from Shoreline, and No Kuleana Kauhale, except Those used for Cultural educational and Spiritual purpose shall be a dwelling for Human or Animal Habitation

Only The Following buildings and Structures may be built on each Kuleana. Safe and Quality Standard Living Structures, of Approved quality by The Site Committee, Not exceeding two Stories high and Not Exceeding Two homes per Kuleana.

All Makai Ocean Side Kuleana homes shall only be of one Story. Other buildings, greenhouse or barns, workshops, sheds, garage etc must be up to Standard and quality of Health.

No other non-permanent dwelling shall be used for Human Habitation, such as busses, Cars, Tents, etc. on Kuleana.

Duration of Restriction.

ALL OF THE COVENANTS, CONDITIONS AND RESTRICTIONS set forth herein shall Continue and Remain in Full Force effect at all Times Against The Property and The Owners Thereof, Subject To The Right of Amendment or Modification provided for below, for a period of Twenty (20) years which Time They shall be Automatically Extended for Successive period of Twenty (20) years unless

Terminated by a Unanimous Vote of The Kulewa Owners, Komike Kulewa AND Trust.

Amendment. This declaration may only be Amended by a Written document executed by The Komike Kulewa and Trustees and Acknowledged before a Notari Aupuni Ko Hawaii Pae Aina, duly voted upon and Agreed to by Owners of Two-Thirds of The Kulewa. A Kulewa Kauhale's (Specific to Ahupua'a within an Estate) Vote Must be Cast Unanimously by its Owners in Order for said Vote to be Allowed. Any Such Amendment shall be effective when it is recorded in The Office of The Royal Repository and Registry of Ko Hawaii Pae Aina.

These C.C.R.'s are to apply to every party, Their Heirs, and Lawful Assigns in Organic Form and as Amended under These Legal Terms and Conditions and Covenants agreed to and Subscribed hereto, as exhibited hereunder by an heir, Beneficiary and or Trustee as a Kulewa Owner.

C.C.R. = Assignment by Heirs in Trust With Codes, Covenant & Restrictions

Cultural Rights:

- 1) Sea Turtle, at least Two Sea Turtles per Family of Hawaiian per Year for Family's Food and Jewelry from Sea Turtles.
- 2) Only The SHANKS is enjoying 3-400 lbs of Turtle and They draw Sharks to The Shoreline and with The Introduction of Hawaiian Monk Seals by NOAA.
 - A. As a Youngster, All The Shorelines We gathered from an Outer Island.

NOT ONE SEAL OR MONK SEAL.

When I worked for Holmes and Narver Inc. AT Johnston Island, Johnston Atoll This guy named Jake had a Pet So Call Monk SEAL AND Under Atomic Energy Commission. He Told Me THAT She was a Hawaiian Monk SEAL. This was in 1970 AND THAT He will Re Introduce This Animal back into Hawaiian Shores.

As a LCM 8, LCM 6 Boat Operator This Monk Seal was a Nuisance.

No Domestic Animals shall be permitted on any Kulewa THAT is deemed to be a Nuisance by The Kulewa Owners. That is too small and may Cause Unhealthy Conditions.

When She's on The Boat Ramp, I had to wait Till She SWIM OFF AND AWAY. AT TIMES delay my Run to Sand, North and East Island, or Jake would come and Call her To Swim with him.

I would Like To, When I'm Successful To gather Iron Stones For Free Dive in Areas I once for Fish, Octopus, Sea Urchins Pick Opah's AND NOT Thrown into a Reserve. ITS Width, X Depth, 1000 FT. X'S DISTANCE. No Fishing.

I'll Send This When I Have STAMPS From Stone On Den
I THANK You For Your Time AND Your Response
Found a stamp 11-8-2015 AMEN. TO THAT.

Very Truly
Deland Williams Jr.
November 7, 2015

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

MARCH 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer
Office of the Chairman

SUBJECT: Recommendations Following Beneficiary Consultation for
Amendments to Title 10, Hawaii Administrative Rules



RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION

Several areas addressed in the Beneficiary Consultation Report on the Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules¹ required further due diligence and recommendation by staff. This document contains staff's analysis and recommendations regarding some of the questions and themes raised by beneficiaries in the consultation process.

Genetic Testing

Should the proposal be revised to expand the relationships tested? What impact would such an expansion have on the certainty expressed by the results of the existence of the relationship tested?

After consultation with Dr. Timothy Donlon, a genetics expert familiar with DHHL and this issue, staff recommends keeping the proposal as drafted, limiting the accepted testing to parent-child relationships. Under the Hawaiian Homes Commission Act, the HHC and the DHHL have an obligation to ensure that a lessee is qualified as having at least 50% native Hawaiian ancestry. At this point in time, genetic testing can provide only a limited level of certainty to support the existence of a biologic relationship beyond parent-child.

¹ See Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules, Hawaiian Homes Commission Meeting of March 21, 2016, Item No. C-3.

The proposal taken to consultation essentially adopts the standard used by the State of Hawai'i in family court-type situations. This standard requires test results have a power of exclusion greater than 99.0% and a minimum combined paternity index of 500:1. The power of exclusion expresses the accuracy of the test and the combined paternity or maternity index represents the likelihood the alleged parent is the biological parent in comparison to the likelihood of a random man or woman. Here, a power of exclusion greater than 99.0% means that more than 99.0% of the female or male population is excluded from being the biological mother or father. A minimum combined maternity or paternity index of 500:1 means that one out of 500 random women or men would have the same result as the alleged mother or father. From a genetics perspective, this standard has significance and provides a defensible level of certainty that the parent-child biologic relationship exists.

If the DHHL were to accept test results to establish kinship relationships (i.e., any situation that does not include a parent-child) the results would be expressed as likelihood ratios rather than a per cent exclusion, and in most cases it would be difficult to derive a combined maternity or paternity index. Likelihood ratios are largely conjectural. They express "odds" favoring or not favoring a biologic relationship. Greater odds may be obtained by testing more people within the alleged kinship group.² However, the relationships of step-sibling, aunt or uncle, and grandparent generally would be in the range of 1-100. Below is a chart generally used for forensic purposes that translates likelihood ratios into words:

Table of Verbal Equivalents for Likelihood Ratios	
Limited evidence to support	LR<1-10
Moderate evidence to support	LR 10-100
Moderately strong evidence to support	LR 100-1000
Strong evidence to support	LR 1000-10000
Very strong evidence to support	LR>10000

In addition, beyond the parent-child relationship, it becomes very difficult to establish objective criteria for all cases.

² The more people tested the greater the cost.

Staff therefore recommends proceeding with the proposal as drafted: testing is used to establish parent-child relationships and the results must have a power of exclusion greater than 99.0% and a minimum combined maternity or paternity index of 500:1.

Should the proposal be revised to allow for results of tests done with samples collected from alleged parents that are deceased?

No. From a genetics perspective, it is possible to apply the proposed standards to samples collected from an alleged parent that is deceased. Whether it is legally possible to acquire the sample for this purpose and if so the complexities of that process are separate questions. Even if it is possible, given the likely legal and other costs related to such an endeavor, staff recommends adding language to the proposal to clarify "living alleged parent."

Should the proposal be revised to allow for blood quantum or ethnicity testing?

No, staff recommends revising the proposal to add "ohana testing" to the definition of "genetic testing" for clarification that testing is to establish family relationships not ethnicity.

How can DHHL protect the applicant's and alleged parent's privacy in the test results?

Staff recommends revising the proposal to include language that specifically prohibits DHHL from disclosing the information without prior consent of the tested parties.

Subsistence Agriculture

Should the proposal be revised to specify larger acreage for subsistence agriculture?

No, staff recommends keeping the proposal as drafted so that subsistence agriculture lots would be one acre or less. That the lot size should be larger seems to be linked to beneficiaries wanting to subdivide so that family can live on the same award. One acre lots can support subsistence gardening activities as well as more than one dwelling.³ Staff, therefore, recommends adding language to the proposal that would allow no more than two separate dwelling units on the subsistence agriculture lot.

Transfer of Homestead Leases

Should further restrictions like "one chance" or the status of "previous lessee" be addressed as related to the sale of leases?

³ See Haw. Rev. Stat. § 205-2(a)(2), (c).

Staff recommends keeping the proposal as drafted to address only the sale of vacant or undeveloped lots and undivided interests. One chance and/or previous lessee status would be better addressed in future proposals to allow for a full discussion and vetting through the Beneficiary Consultation process.

"Housekeeping"

§10-3-76 Fees and Charges. The draft proposal would amend this section by deleting subsections (a) thru (h) and adding a new subsection (a) to allow the DHHL to establish rental fees and service charges for use of DHHL facilities. Staff recommends revising this section by deleting current subsections (a) thru (e), (g), and (h); and revising current subsection (f) to read as follows: "The department shall assess the following fees for scaling services: (1) Lessees: (A) \$10.00-pick-up towed trailers; and (B) \$0.25-per head truck loads. (2) Non-lessees: (A) \$15.00-pick-up towed trailers; and (B) \$0.50-per head truck loads." This represents an increase in fees for (1) (A) from \$2.00 to \$10.00 and (2) (A) from \$4.00 to \$15.00.

According to staff involved with weighing trucks and trailers, the \$15.00 charge for the public matches the amount charged by West Hawaii Concrete.

RECOMMENDATION

None. For information only.

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
MARCH 21 & 22, 2016
KAPOLEI, O'AHU


AGENDA SECTION II. B

D-ITEMS
HOMESTEAD SERVICES DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
From: Dean T. Oshiro, Acting 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

March 21, 2016

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through February 29, 2016

	As of 1/31/16	Add	Cancel	As of 2/29/16
Residential	8,308	3	0	8,311
Agricultural	1,097	0	0	1,097
Pastoral	408	0	0	408
Total	9,813	3	0	9,816

The number of Converted Undivided Interest Lessees represents an increase of 387 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 1/31/16	Converted	Rescinded/ Surrendered/ Cancelled	As of 2/29/16
Undivided	946	0	0	946

Balance as of 2/29/2016

Awarded	1,434
Relocated to UNDV	7
Rescinded	101
Surrendered	5
Cancelled	2
Converted	387
Balance to Convert	946

Lease Report For the Month Ending February 29, 2016

	RESIDENCE				AGRICULTURE				PASTURE				TOTAL LEASES			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Kalaehine	92	0	0	92	0	0	0	0	0	0	0	0	92	0	0	92
Kanehili	350	0	0	350	0	0	0	0	0	0	0	0	350	0	0	350
Kapolei	271	0	0	271	0	0	0	0	0	0	0	0	271	0	0	271
Kaupo	326	0	0	326	0	0	0	0	0	0	0	0	326	0	0	326
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	250	0	0	250	0	0	0	0	0	0	0	0	250	0	0	250
Kumuhau	51	0	0	51	0	0	0	0	0	0	0	0	51	0	0	51
Lualualei	149	0	0	149	31	0	0	31	0	0	0	0	180	0	0	180
Malu'ohai	156	0	0	156	0	0	0	0	0	0	0	0	156	0	0	156
Nanakuli	1,049	0	0	1,049	0	0	0	0	0	0	0	0	1,049	0	0	1,049
Papahale	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahalo Estates	271	0	0	271	0	0	0	0	0	0	0	0	271	0	0	271
Waialae	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	420	0	0	420	11	0	0	11	0	0	0	0	431	0	0	431
Waimanalo	745	0	0	745	2	0	0	2	0	0	0	0	747	0	0	747
TOTAL	4,213	0	0	4,213	60	0	0	60	0	0	0	0	4,222	0	0	4,223
MAUI																
Hikua	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Kahikuanui	0	0	0	0	0	0	0	0	75	0	0	75	75	0	0	75
Keokea	0	0	0	0	65	0	0	65	0	0	0	0	65	0	0	65
Leaia	104	0	0	104	0	0	0	0	0	0	0	0	104	0	0	104
Paukukalo	180	0	0	180	0	0	0	0	0	0	0	0	180	0	0	180
Waiehu 1	38	0	0	38	0	0	0	0	0	0	0	0	38	0	0	38
Waiehu 2	107	0	0	107	0	0	0	0	0	0	0	0	107	0	0	107
Waiehu 3	112	0	0	112	0	0	0	0	0	0	0	0	112	0	0	112
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	0	98	0	0	98
Waiohuli	599	0	0	599	0	0	0	0	0	0	0	0	599	0	0	599
TOTAL	1,268	0	0	1,268	65	0	0	65	75	0	0	75	1,408	0	0	1,408
EAST HAWAII																
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2
Kamapa	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaunana	44	0	0	44	0	0	0	0	0	0	0	0	44	0	0	44
Keaukaha	471	1	0	472	0	0	0	0	0	0	0	0	471	1	0	472
Kulistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	123	0	0	123	0	0	0	0	123	0	0	123
Panaewa	0	0	0	0	262	0	0	262	0	0	0	0	262	0	0	262
Pihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	12	0	0	12	0	0	0	0	12	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waialea	299	0	0	299	0	0	0	0	0	0	0	0	299	0	0	299
TOTAL	840	1	0	841	397	0	0	397	25	0	0	25	1,262	1	0	1,263
WEST HAWAII																
Honokaia	0	0	0	0	0	0	0	0	23	0	0	23	23	0	0	23
Humuula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kanohale	225	0	0	225	0	0	0	0	0	0	0	0	225	0	0	225
Kawailae	186	0	0	186	0	0	0	0	1	0	0	1	187	0	0	187
Laiepua	280	0	0	280	0	0	0	0	0	0	0	0	280	0	0	280
Lalamo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nihoa	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio Vll	114	0	0	114	110	0	0	110	214	0	0	214	438	0	0	438
Puupulehu	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
TOTAL	865	0	0	865	110	0	0	110	280	0	0	280	1,255	0	0	1,255
KAUAI																
Anahola	534	1	0	535	46	0	0	46	0	0	0	0	580	1	0	581
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	0	117	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	698	1	0	699	46	0	0	46	1	0	0	1	745	1	0	746
MOLOKAI																
Hoolehua	158	0	0	158	344	0	0	344	21	0	0	21	523	0	0	523
Kalamaula	161	1	0	162	72	0	0	72	3	0	0	3	236	1	0	237
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
O'ne Ahi	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
TOTAL	395	1	0	396	419	0	0	419	27	0	0	27	841	1	0	842
LANAI																
Lanai	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
TOTAL	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
STATEWIDE TOTAL	8,308	3	0	8,311	1,097	0	0	1,097	408	0	0	408	9,813	3	0	9,816

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
February 29, 2016

AREA WAITING LIST

DISTRICT AREA	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
Oahu District	1,018	0	0	1,018	3	0	0	3	0	0	0	0
Maui District	73	0	0	73	4	0	0	4	5	0	0	5
Hawaii District	135	0	0	135	15	0	0	15	62	0	0	62
Kauai District	58	0	1	57	3	0	0	3	29	0	0	29
Molokai District	20	0	0	20	19	0	0	19	1	0	0	1
TOTAL	1,304	0	1	1,303	44	0	0	44	97	0	0	97
												1,444

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
Oahu	9,376	23	7	9,392	3,536	11	0	3,547	0	0	0	0
Maui	3,682	8	0	3,690	4,551	4	0	4,555	587	1	0	588
Hawaii	5,629	4	6	5,627	7,009	5	3	7,011	1,842	0	2	1,840
Kauai	1,584	2	3	1,583	2,185	1	2	2,184	291	0	0	291
Molokai	764	2	1	765	1,015	3	0	1,018	195	0	0	195
Lanai	83	1	0	84	0	0	0	0	0	0	0	0
TOTAL	21,118	40	17	21,141	18,296	24	5	18,315	2,915	1	2	2,914
												42,370

AREA AND ISLANDWIDE LISTS

	RES				AG	PAS	TOTAL	ADDITIONS				CANCELLATIONS			
	Last Month	Add	Cancel	TOTAL				Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU	10,410	3,550	0	13,960	3,536	11	3,547	52	0	0	52	New Lease Awards	8	0	8
MAUI	3,763	4,559	593	8,915	4,551	4	4,555	13	0	0	13	Application Transfers	13	0	13
HAWAII	5,762	7,026	1,902	14,690	7,009	5	7,011	Lease Rescissions	0	0	0	Succ'd and Cancel Own	1	0	1
KAUAI	1,640	2,187	320	4,147	2,185	1	2,184	App Reinstatements	0	0	0	Public Notice Cancel	0	0	0
MOLOKAI	785	1,037	196	2,018	1,015	3	1,018	HHC Adjustments	0	0	0	Voluntary Cancellations	1	0	1
LANAI	84	0	0	84	0	0	0	TOTAL	65	0	0	Lease Successorships	0	0	0
TOTAL	22,444	18,359	3,011	43,814	18,296	24	18,315					HHC Adjustments	2	0	2
												Dec'd No Successor	0	0	0
												NHQ Unqualified	0	0	0
												TOTAL			25

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

February 29, 2016

	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU DISTRICT												
Nanakuli	182	0	0	182	0	0	0	0	0	0	0	0
Waianae	160	0	0	160	0	0	0	0	0	0	0	0
Luaiualei	0	0	0	0	3	0	0	3	0	0	0	0
Papakolea/Kewalo	73	0	0	73	0	0	0	0	0	0	0	0
Waimanalo	603	0	0	603	0	0	0	0	0	0	0	0
Subtotal Area	1,018	0	0	1,018	3	0	0	3	0	0	0	0
Islandwide	9,376	23	7	9,392	3,536	11	0	3,547	0	0	0	0
TOTAL OAHU APPS	10,394	23	7	10,410	3,539	11	0	3,550	0	0	0	0
MAUI DISTRICT												
Paukukalo	73	0	0	73	0	0	0	0	0	0	0	0
Kula	0	0	0	0	4	0	0	4	5	0	0	5
Subtotal Area	73	0	0	73	4	0	0	4	5	0	0	5
Islandwide	3,682	8	0	3,690	4,551	4	0	4,555	587	1	0	588
TOTAL MAUI APPS	3,755	8	0	3,763	4,555	4	0	4,559	592	1	0	593
HAWAII DISTRICT												
Keaukaha/Waiakea	72	0	0	72	0	0	0	0	1	0	0	1
Panaewa	0	0	0	0	15	0	0	15	0	0	0	0
Humuula	0	0	0	0	0	0	0	0	0	0	0	0
Kawaihae	19	0	0	19	0	0	0	0	0	0	0	0
Waimea	44	0	0	44	0	0	0	0	61	0	0	61
Subtotal Area	135	0	0	135	15	0	0	15	62	0	0	62
Islandwide	5,629	4	6	5,627	7,009	5	3	7,011	1,842	0	2	1,840
TOTAL HAWAII APPS	5,764	4	6	5,762	7,024	5	3	7,026	1,904	0	2	1,902
KAUAI DISTRICT												
Anahola	50	0	1	49	3	0	0	3	21	0	0	21
Kekaha/Puu Opae	8	0	0	8	0	0	0	0	8	0	0	8
Subtotal Area	58	0	1	57	3	0	0	3	29	0	0	29
Islandwide	1,584	2	3	1,583	2,185	1	2	2,184	291	0	0	291
TOTAL KAUAI APPS	1,642	2	4	1,640	2,188	1	2	2,187	320	0	0	320
MOLOKAI DISTRICT												
Kalamaula	4	0	0	4	0	0	0	0	0	0	0	0
Hoolehua	7	0	0	7	19	0	0	19	1	0	0	1
Kapaakea	8	0	0	8	0	0	0	0	0	0	0	0
One Ali	1	0	0	1	0	0	0	0	0	0	0	0
Subtotal Area	20	0	0	20	19	0	0	19	1	0	0	1
Islandwide	764	2	1	765	1,015	3	0	1,018	195	0	0	195
TOTAL MOLOKAI APPS	784	2	1	785	1,034	3	0	1,037	196	0	0	196
LANAI DISTRICT												
Islandwide	83	1	0	84	0	0	0	0	0	0	0	0
TOTAL LANAI APPS	83	1	0	84	0	0	0	0	0	0	0	0
TOTAL AREA ONLY	1,304	0	1	1,303	44	0	0	44	97	0	0	97
TOTAL ISLANDWIDE	21,118	40	17	21,141	18,296	24	5	18,315	2,915	1	2	2,914
TOTAL STATEWIDE	22,422	40	18	22,444	18,340	24	5	18,359	3,012	1	2	3,011

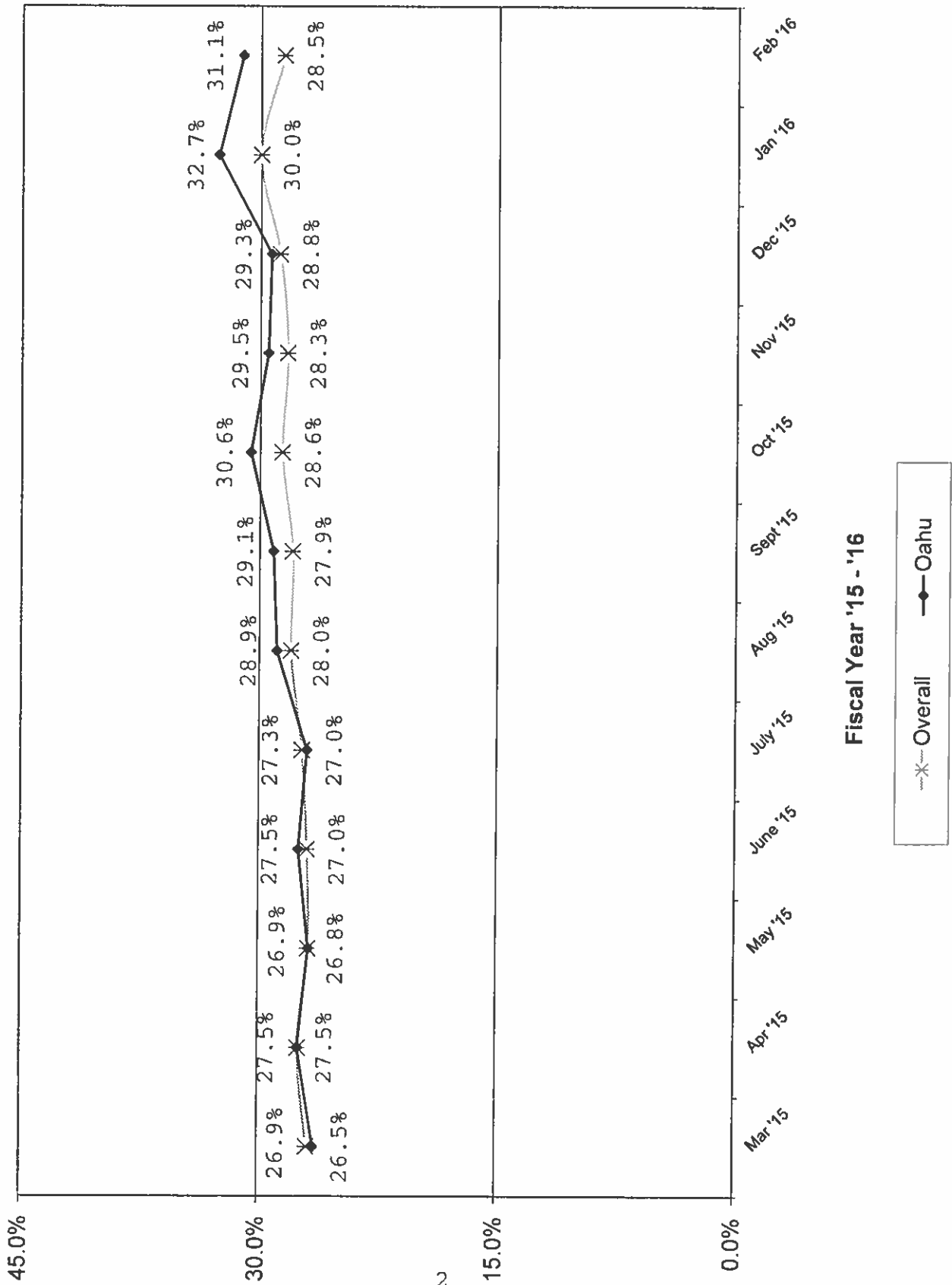
DELINQUENCY REPORT - STATEWIDE

March 21, 2016
(\$Thousands)

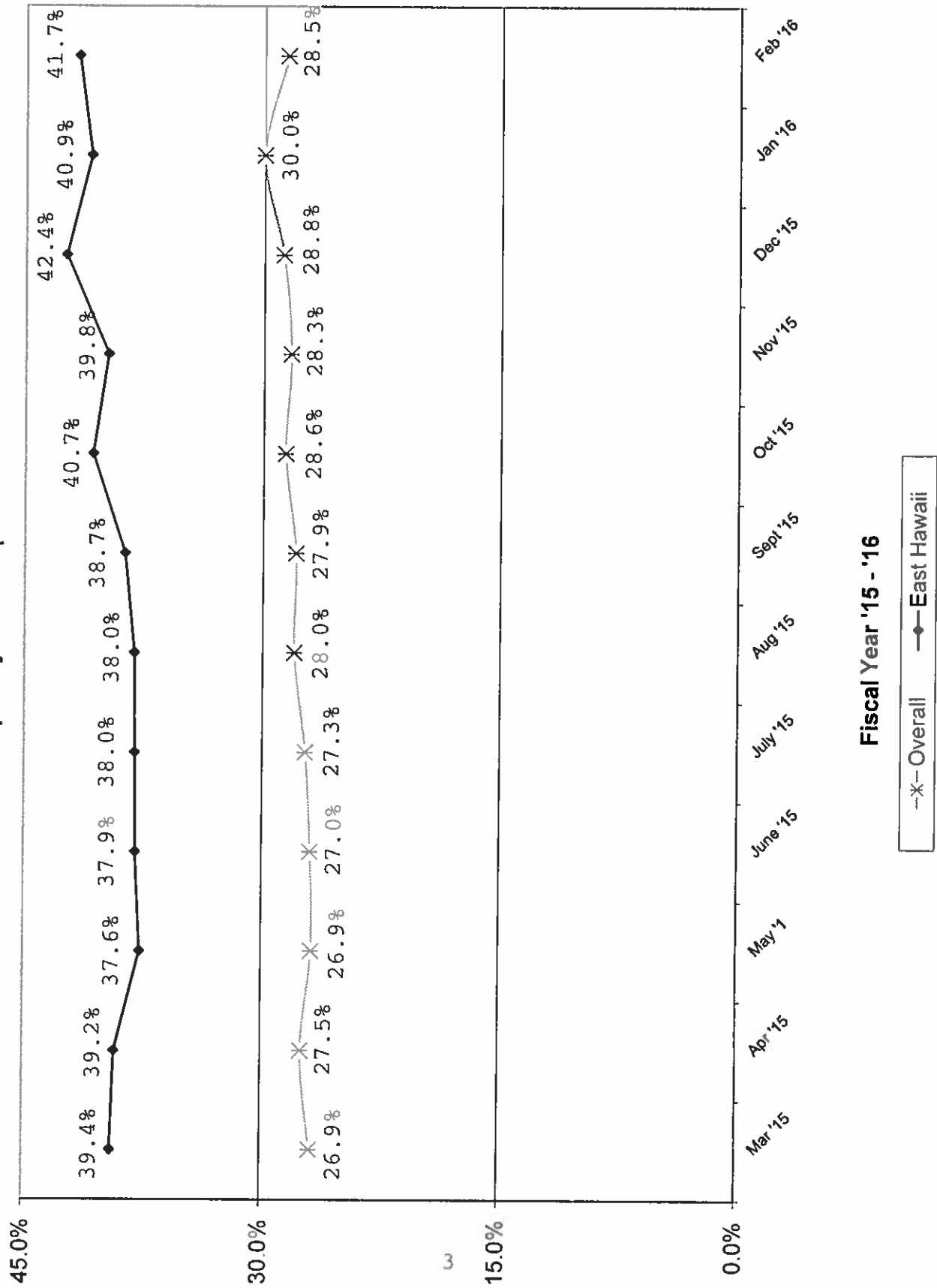
DIRECT LOANS OAHU		Total Outstanding (000s)		Total Delinquency (000s)		30 Days (low) (000s)		60 Days (Medium) (000s)		90 Days (High) (000s)		180 Days (Severe) (000s)		% of Totals 2/29/2016	
		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	\$
		389	29,449	96	9,169	17	1,676	11	852	16	1,065	52	5,577	24.7%	31.1%
EAST HAWAII		232	13,317	95	5,550	16	667	6	377	17	469	56	4,037	40.9%	41.7%
WEST HAWAII		68	5,863	14	773	0	0	0	0	2	243	12	529	20.6%	13.2%
MOLOKAI		73	2,696	21	629	4	68	3	88	3	105	11	368	28.8%	23.3%
KAUAI		109	7,737	14	855	2	60	1	60	3	197	8	538	12.8%	11.1%
MAUI		71	5,349	15	1,406	3	277	0	0	3	93	9	1,035	21.1%	26.3%
TOTAL DIRECT		942	64,410	255	18,382	42	2,748	21	1,377	44	2,172	148	12,084	27.1%	28.5%
		100.0%	100.0%	27.1%	28.5%	4.5%	4.3%	2.2%	2.1%	4.7%	3.4%	15.7%	18.8%		
Advances (including RPT)		263	6,878	263	6,878	0	0	0	0	263	6,878			100%	100%
DHHL LOANS & Advances		1,205	71,289	518	25,260	42	2,748	21	1,377	307	9,050	148	12,084	43.0%	35.4%
LOAN GUARANTEES as of June 30, 2015															
SBA		1	112	0	0	0	0	0	0	0	0			0.0%	0.0%
USDA-RD		329	42,116	58	7,025	0	0	0	0	58	7,025			17.6%	16.7%
Habitat for Humanity		70	3,272	17	1,142	0	0	0	0	17	1,142			24.3%	34.9%
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		24	367	10	230	0	0	0	0	10	230			41.7%	62.7%
FHA Interim		8	1,551	0	0	0	0	0	0	0	0			0.0%	0.0%
OHA		88	987	5	47	0	0	0	0	5	47			5.7%	4.8%
TOTAL GUARANTEE		526	48,486	91	8,451	0	0	0	0	91	8,451			17.3%	17.4%
PMI Loans		307	59,197	26	5,770	2	536	0	0	24	5,234			8.5%	9.7%
HUD REASSIGNED for Recovery		149	19,508	126	18,226	1	79	1	73	4	346	120	17,728	84.6%	93.4%
FHA Insured Loans		2,809	416,931	275	34,626	0	0	0	0	275	34,626			9.8%	8.3%
TOTAL INS. LOANS		3,265	495,636	427	58,622	3	615	1	73	303	40,206	120	17,728	13.1%	11.8%
OVERALL TOTALS(EXC Adv/RP		4,733	608,533	773	85,454	45	3,363	22	1,451	438	50,829	268	29,812	16.3%	14.0%
ADJUSTED TOTALS		4,996	615,411	1,036	92,332	45	3,363	22	1,451	701	57,707	268	29,812		15.0%

Note: HUD 184A loan program has 362 loans, with a total outstanding principal balance of \$82,753,504.18 as of June 30, 2015. 18 loans, totalling \$4,258,216.32, are delinquent.

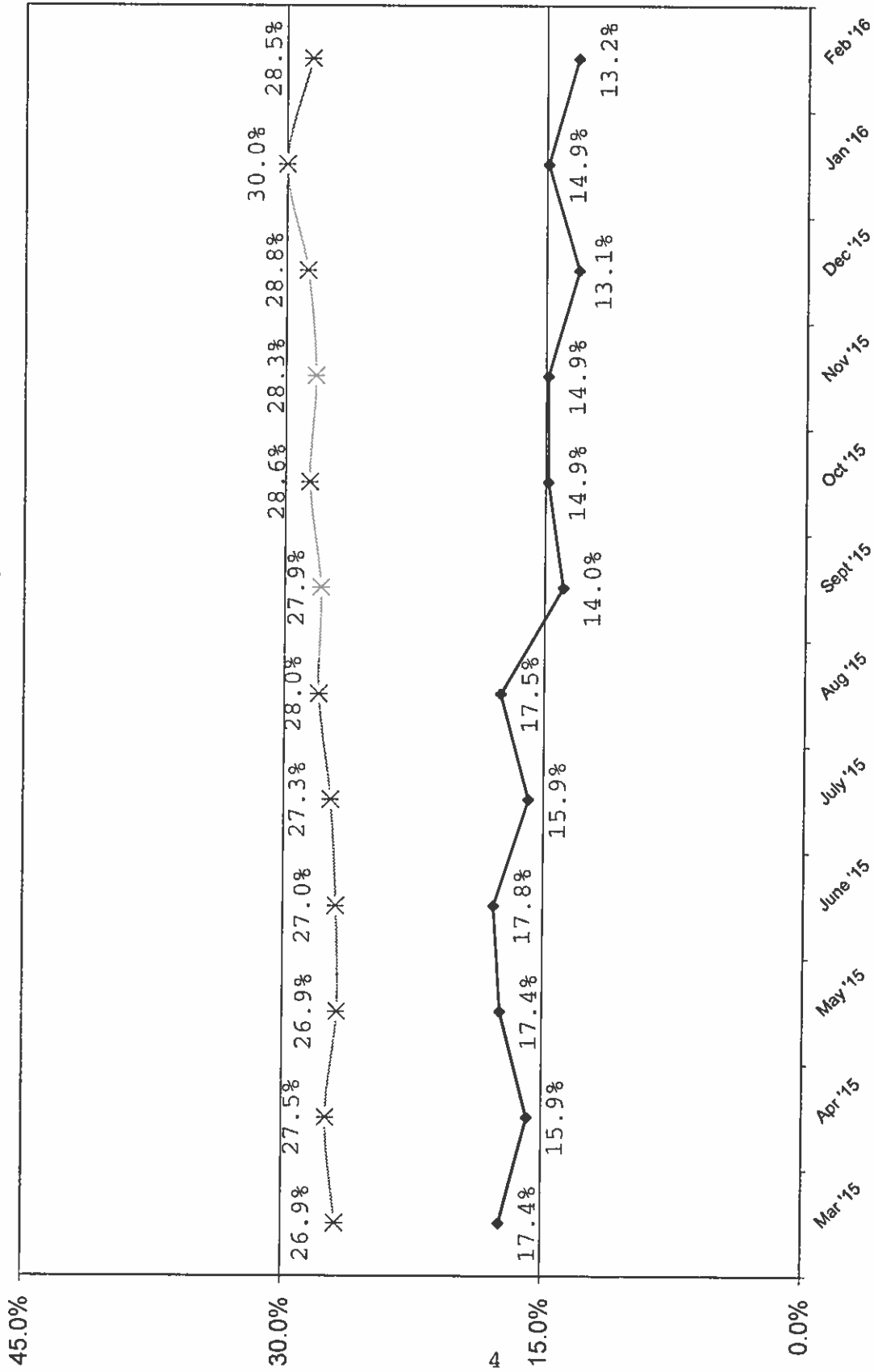
OAHU
Direct Loans
Delinquency Ratio Report



EAST HAWAII Direct Loans Delinquency Ratio Report



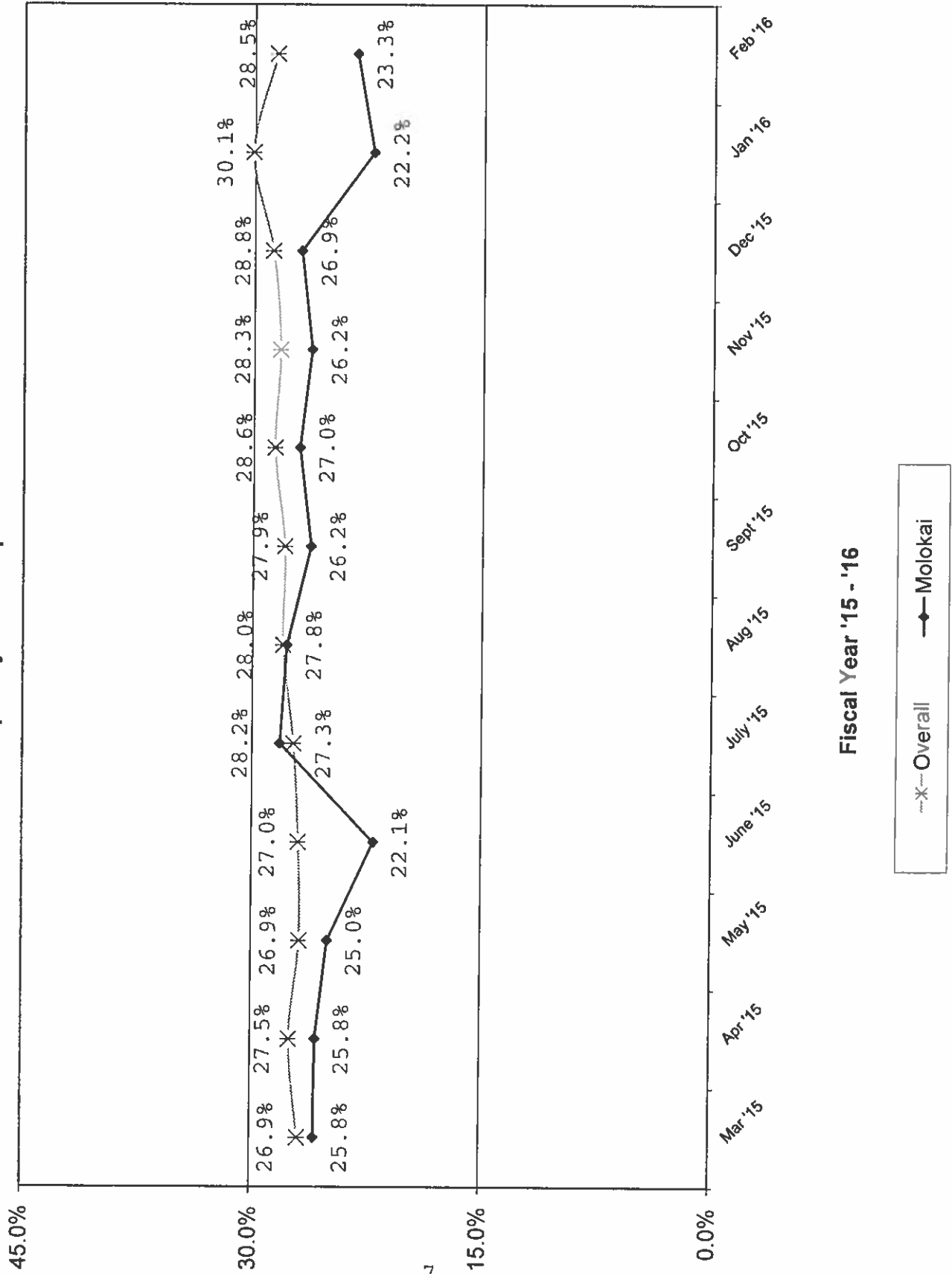
WEST HAWAII
Direct Loans
Delinquency Ratio Report



Fiscal Year '15 - '16

x Overall ♦ West Hawaii

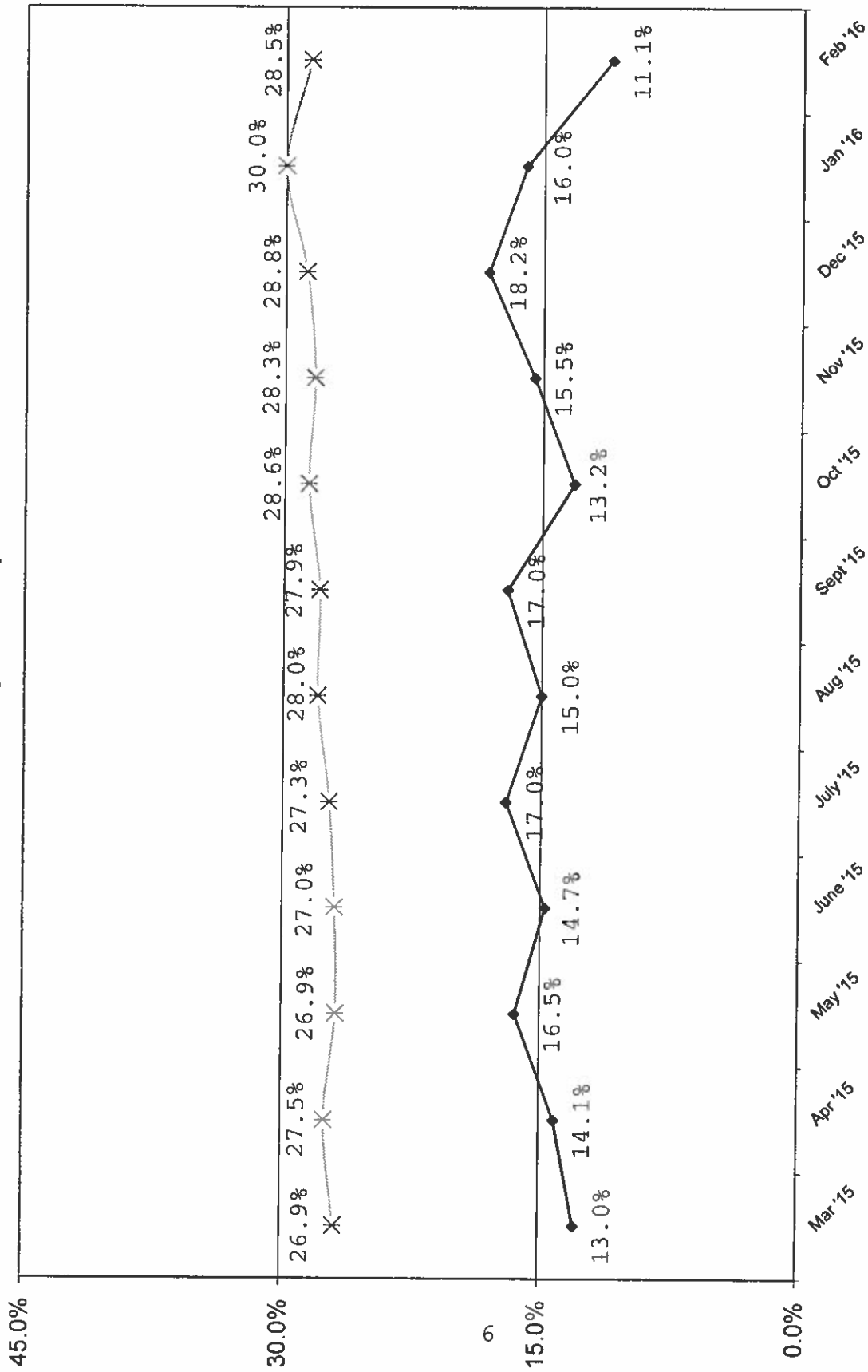
MOLOKAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '15 - '16

--x-- Overall —◆— Molokai

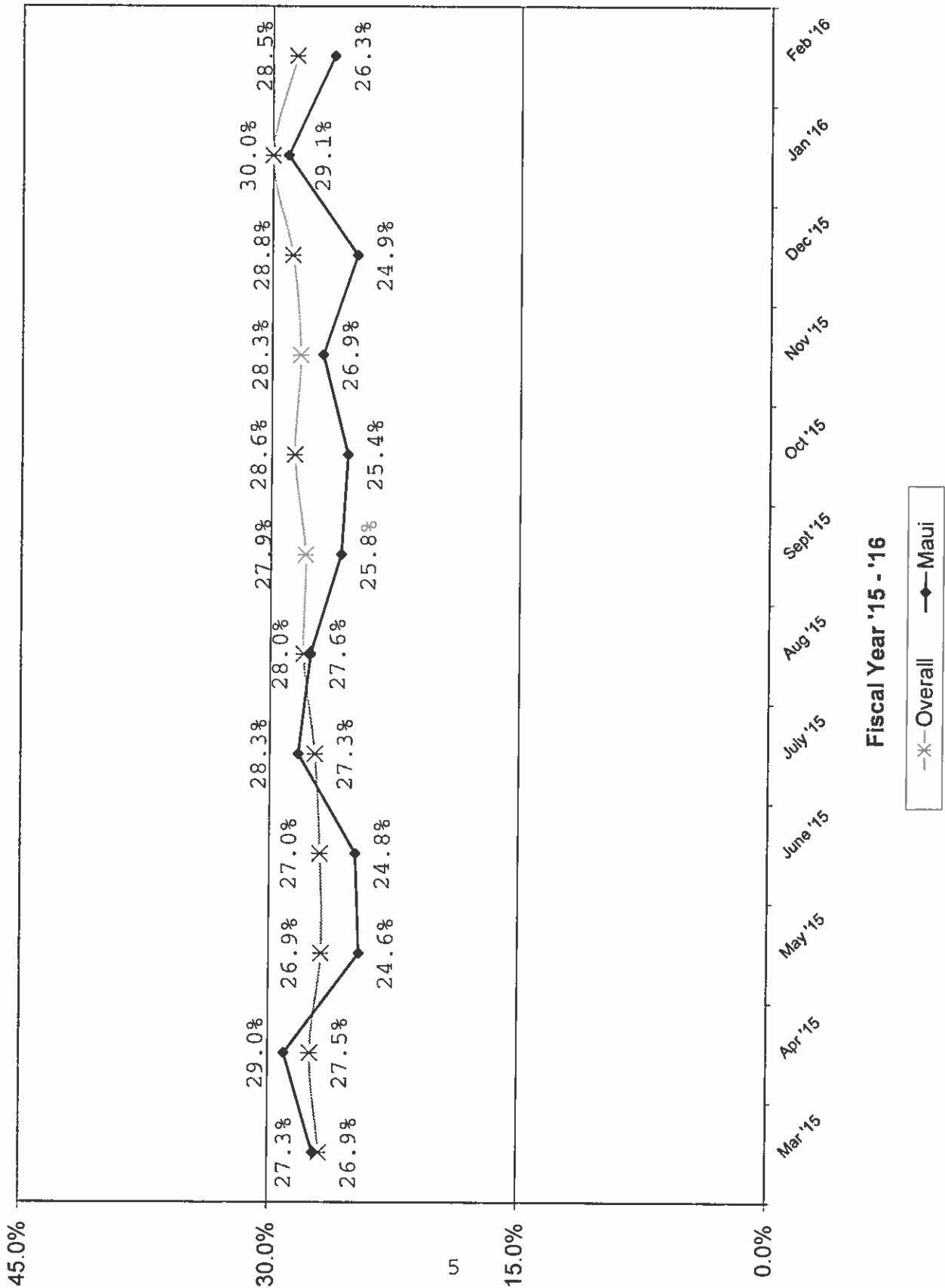
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '15 - '16

--x-- Overall --◆-- Kauai

MAUI
Direct Loans
Delinquency Ratio Report



March 21, 2016

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>
41	Anahola	Bungula, Thomasyna L.A.	\$160,230	2/22/16
287	Kanehili	Kaliko, Myrah K.	\$120,000	2/22/16
34C-2B	Hoolehua	Lankford-Faborito, Lu Ann	\$220,000	3/7/16

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/15	2	\$ 242,400
Previous Months	3	\$ 526,830
This Month	<u>3</u>	<u>500,230</u>
FY '15-'16 to date	6	\$ 1,027,060

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator
Homestead Services Division

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>
Hoopii, Gilbert	10342, WK-I	NTE \$173,000, 4.5% interest per annum, \$877 monthly, repayable over 30 years

Loan Purpose: Purchase existing improvements in conjunction
with lease award.

Hefeie, Ronald	10455, Waiohuli	NTE \$178,500, 4.5% interest per annum, NTE \$905 monthly, repayable over 30 years
----------------	-----------------	---

Loan Purpose: Purchase existing improvements in conjunction
with lease award.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	1	\$ 67,000
Prior Months	4	322,900
This Month	0	-0-
Total FY '15-'16	4	\$ 322,900

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	7	\$ 280,795
Prior Months	0	-0-
This Month	0	-0-
Total FY '15-'16	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	2	\$ 251,500
Prior Months	0	-0-
This Month	0	-0-
Total FY '15-'16	0	\$ -0-

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	0	\$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '15-'16	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	0	\$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '15-'16	0	\$ -0-

<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	5	\$ 689,300
Prior Months	2	373,500
This Month	2	351,500
Total FY '15-'16	4	\$ 725,000

<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	0	\$ -0-
Prior Months	1	159,000
This Month	0	-0-
Total FY '15-'16	1	\$ 159,000

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 22, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator
Homestead Services Division

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>			
Kanehili Lease No. 12566 TMK: 1-9-1-153:128	PAIKAI, Kawailehua K. (Assumption)FHA	HomeStreet Bank	\$ 274,323
Princess Kahanu Estates Lease No. 8537 TMK: 1-8-7-043:110	BARNETT, Frances X. K.(Cash Out Refi)HUD 184A	HomeStreet Bank	\$ 189,880
Papakolea Lease No. 644 TMK: 1-2-2-015:046	KALEI, Chris H., Sr.(Cash Out Refi)HUD 184A	HomeStreet Bank	\$ 345,937
Kaupea Lease No. 12025 TMK: 1-9-1-139:027	MIYASATO, Lynne L. (Purchase)HUD 184A	Bank of Hawaii	\$ 388,850

OAHU

Princess Kahanu Estates Lease No. 8534 TMK: 1-8-7-043:107	LIANA, Debra I. (Cash Out Refi) HUD 184A	Bank of Hawaii	\$ 231,290
Kalawahine Lease No. 9628 TMK: 1-2-4-043:035	KAMANA-MARZAN, Deidre N. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 292,900
Kaupea Lease No. 12112 TMK: 1-9-1-140:022	PAULINE, Caprice K. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 323,200
Kanehili Lease No. 12579 TMK: 1-9-1-153:142	AKINA, Dane A. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 400,000
Princess Kahanu Estates Lease No. 8382 TMK: 1-8-7-043:025	LOPES, Wesley K. (Limited Cash Out Refi) FHA	HomeStreet Bank	\$ 190,100
Nanakuli Lease No. 7321 TMK: 1-8-9-017:043	MAKILAN, John C., Jr. (Cash Out Refi) FHA	HomeStreet Bank	\$ 155,700
Lualualei Lease No. 5548 TMK: 1-8-6-023:114	FREITAS, Elaine S. I. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 296,435
Lualualei Lease No. 5583 TMK: 1-8-6-023:036	KAOWILI, Ocean (Cash Out Refi) FHA	Bank of Hawaii	\$ 173,994
Kaupea Lease No. 12109 TMK: 1-9-1-140:027	FERNANDEZ, Quannette L. L. (Purchase) FHA	Guild Mortgage Co.	\$ 364,000

ITEM NO. D-3

OAHU

Kalawahine Lease No. 9617 TMK: 1-2-4-043:041	PIERCEALL, Jeanine M. (Cash Out Refi) FHA	HomeStreet Bank \$ 116,531
Princess Kahanu Estates Lease No. 8440 TMK: 1-8-7-042:067	NAHALEA, Anja A. (Purchase) FHA	Hightechlending Inc. \$ 160,000
Princess Kahanu Estates Lease No. 8559 TMK: 1-8-7-033:029	JURY-HALE, Kristle L. (Purchase) FHA	Hightechlending Inc. \$ 302,000
Waianae Lease No. 6745 TMK: 1-8-5-031:052	JURY MURRAY, Jamie-Lynn P. (Purchase) FHA	Hightechlending Inc. \$ 202,000
Lualualei Lease No. 5584 TMK: 1-8-6-023:112	AIKALA, Kalsey L. (Purchase) FHA	Guild Mortgage Co. \$ 283,000
Nanakuli Lease No. 8581 TMK: 1-8-9-012:040	BROWN, Laureen K. & BROWN, William, III (Cash Out Refi) HUD 184A	HomeStreet Bank \$ 224,422
Waimanalo Lease No. 8189 TMK: 1-4-1-037:029	AH YUEN, Betty Jean N. (Purchase) FHA	HomeStreet Bank \$ 250,417
Nanakuli Lease No. 7300 TMK: 1-8-9-017:022	NAHALEA, Valmajan L. (Purchase) FHA	Hightechlending Inc. \$ 202,000

ITEM NO. D-3

OAHU

Kaupea Lease No. 17099 TMK: 1-9-1-140:155	KAMAKA, Leipualilia J. C. (Rate Term Refi) FHA	Mann Mortgage LLC	\$ 270,000
Kaupea Lease No. 12125 TMK: 1-9-1-140:136	KAHALEWAI, Richard M. (Limited Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 362,994
Nanakuli Lease No. 1939A TMK: 1-8-9-005:104	CHAVEZ, Danielle K. (Purchase) FHA	HomeStreet Bank	\$ 206,344
Kanehili Lease No. 12613 TMK: 1-9-1-152:059	KAHAWAI-KAMANAWA, Dawn K. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 404,000

MAUI

Paukukalo Lease No. 4174 TMK: 2-3-3-005:085	VALLE, Wanda N. (Cash Out Refi) FHA	HomeStreet Bank	\$ 145,320
Waiohuli Lease No. 7568 TMK: 2-2-2-028:079	BROWN, Sandra J. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 70,700
Waiehu 3 Lease No. 10100 TMK: 2-3-2-024:108	LEE, Tammy J. H. (Cash Out Refi) FHA	Golden Empire Mortgage Inc	\$ 136,000

LANAI

Lanai Lease No. 10970 TMK: 2-4-9-024:015	ZABLAN, Isaac K. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 278,760
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ITEM NO. D-3

KAUAI

Anahola Lease No. 8678 TMK: 4-4-8-019:027	KUA, Joseph, Jr. (Cash Out Refi) FHA	GEM Mortgage	\$ 274,208
Kekaha Lease No. 11319 TMK: 4-1-2-017:006	FELIX-KEAMOAI, Jolina L. (Rate Term Refi) HUD 184A	Bank of Hawaii	\$ 214,120
Anahola Lease No. 5488Z TMK: 4-4-8-018:023	SIMMONS, Lana K. (Cash Out Refi) FHA	Siwell Inc., dba Capital Mortgage Services of Texas	\$ 190,000
Anahola Lease No. 6563 TMK: 4-4-8-021:012	MAHELONA, Nalani R. (Cash Out Refi) FHA	Golden Empire Mortgage Inc	\$ 152,000
Anahola Lease No. 11198 TMK: 4-4-8-008:042	AKIONA, Wilma E. P. (Rate Term Refi) HUD 184A	Bank of Hawaii	\$ 180,790

HAWAII

Waiakea Lease No. 2958 TMK: 3-2-2-059:010	WHITE, Thomas, Jr. (Streamline Refi) FHA	HomeStreet Bank	\$ 101,472
Makuu Lease No. 6944 TMK: 3-1-5-119:040	KALAWAIA, Chad (Purchase) USDA, RD	HomeStreet Bank	\$ 148,277
Keaukaha Lease No. 6313 TMK: 3-2-1-021:024	TAM, Russell K. (Cash Out Refi) FHA	HomeStreet Bank	\$ 233,550

ITEM NO. D-3

HAWAII

Keaukaha
Lease No. 1424
TMK: 3-2-1-023:119

AINA-PAOAO,
Chanelle
L. (Purchase) FHA

HomeStreet \$ 44,423
Bank

Lalamilo
Lease No. 12545
TMK: 3-6-6-012:015

FELICIANO,
Daran (Cash Out
Refi) FHA

Bank of \$ 242,892
Hawaii

Keaukaha
Lease No. 5076
TMK: 3-2-1-020:069

WAIKI,
Quincey
W. (Purchase) HUD
184A

HomeStreet \$ 172,772
Bank

Puupulehua
Lease No. 9837
TMK: 3-6-4-032:020

HOOPER,
Michele
K. (Assumption) FHA

HomeStreet \$ 69,000
Bank

<u>RECAP</u>	<u>NO.</u>	<u>FHA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>USDA-RD</u> <u>AMOUNT</u>
FY Ending 6/30/15	291	\$ 63,019,783	9	\$2,421,822	32	\$7,742,283
Prior Months	163	\$ 38,800,646	4	\$1,150,938	7	\$2,237,000
This Month	<u>24</u>	<u>4,739,274</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>148,277</u>
Total FY '15-'16	187	\$ 43,539,920	4	\$1,150,938	8	\$2,385,277
HUD 184A						
FY Ending 6/30/15	92	\$22,210,337				
Prior Months	39	\$10,604,273				
This Month	<u>16</u>	<u>4,377,050</u>				
Total FY '15-'16	55	\$14,981,323				

ITEM NO. D-3

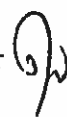


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

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>
Elia, Kimberly K.	8139, Waiakea	NTE \$73,200 @4.5% interest per annum, NTE \$470 monthly, repayable over 20 years.

Loan Purpose: Refinance of loan no. 19094. Original loan amount of \$74,445 at 7.75% per annum, \$600 monthly, payable over 21 years. No Contested Case Hearing was held for this account.

Silva, Hartwell T.	7251, Kawaihae	NTE \$236,500 @4.5% interest per annum, NTE \$1,199 monthly, repayable over 30 years.
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Loan Purpose: Refinance of loan no. 18511. Original loan amount of \$251,093 at 6% per annum, \$1,506 monthly, payable over 30 years. No Contested Case Hearing was held for this account.

Kualii, Kipukai L.P.	11011, Anahola	NTE \$220,000 @4.5% interest per annum, NTE \$1,392 monthly, repayable over 20 years.
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Loan Purpose: Refinance of loan no. 19089. Original loan amount of \$225,322 at 5.375% per annum, \$1,262 monthly, payable over 30 years. No Contested Case Hearing was held for this account.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>REFINANCING LOAN TERMS</u>
Chung, Donald S.K.L., Jr.	5647, Waianae Kai	NTE \$220,700 @4.5% interest per annum, NTE \$1,119 monthly, repayable over 30 years.

Loan Purpose: Refinance of loan no. 18280. Original
loan amount of \$168,337 at 6.5% per
annum, \$1,064 monthly, payable over 30
years. A Contested Case Hearing was
held on 1/27/10 for this account.




STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

SUBJECT: **Approval to Schedule Loan Delinquency Contested Case Hearings**

RECOMMENDED MOTION/ACTION

To authorize the scheduling of the following loan delinquency contested case hearings as shown below.

DISCUSSION

The department has been working to resolve the problem of loan delinquencies. The past due delinquent loan status with lessees continues to be a problem for the department; therefore, we recommend that contested case hearings be scheduled:

<u>Lessee</u>	<u>Lease No.</u>	<u>Area</u>	<u>Loan No.</u>	<u>Monthly Payment</u>	<u>Amount at 2/16</u>	<u>Balance at 2/16</u>
<u>Oahu</u>						
Iokia, Ioane K.K.	8253	Lualualei	18873	\$1,185	\$8,286	\$196,396
Kamaka, James	2174	Kewalo	80215 RPT Advance	\$---	\$1,421	\$1,421
<u>Hawaii</u>						
Gunderson, Cherilyn K. & Kahumoku, Sharleen U.	9279	Kaniohale	17683	\$1,212	\$5,994	\$142,789
Hanohano, John I.	8950	Waiakea	17466 (OHA Buyback)	\$---	\$35,909	\$35,909

<u>Lessee</u>	<u>Lease No.</u>	<u>Area</u>	<u>Loan No.</u>	<u>Monthly Payment</u>	<u>Amount at 2/16</u>	<u>Balance at 2/16</u>
<u>Maui</u>						
Santos, Thomas Jr.	9466	Waiehu Kou II	19142 (OHA Buyback)	\$---	\$30,868	\$31,409
<u>Molokai</u>						
Ritte-Manangan, Tiare	7854	Kalamaula	16692	\$123	\$647	\$16,213

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean T. Oshiro, Acting HSD Administrator
FROM: Ross K. Kapeliela, Application Officer
Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

HICKS, Heather K.	08/30/2002	LANAI	RES	12/24/15
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

OLIVEIRA, Roman Gabriel K.	06/05/1992	OAHU	AGR	07/20/15
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HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

AUKAI, Roy	05/17/1996	OAHU	RES	12/28/15
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KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

KAAHANUI, Calvin I., Jr.	05/16/2008	MAUI	AGR	11/19/15
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

KAAHANUI, Calvin I., Jr. 05/16/2008 MAUI RES 11/19/15

2.Deceased Applicant

NONE FOR SUBMITTAL

3.Awards of Leases

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

BARROS-KAHIKINA, Kealoha K. Assigned Agricultural Lease
#6673, Lot 65 in Lualualei,
Waianae, Oahu (Paheehee Ridge)
dated 06/19/2015. Remove
application dated 05/19/2014.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AKAU, Norman C. A., III Assigned Residential Lease
#3755, Lot 19 in Waimanalo,
Oahu dated 02/22/2016. Remove
application dated 06/01/2010.

DEHMER, Deborah I. Assigned Residential Lease
#10814, UNDV188 in Laiopua,
Hawaii dated 12/07/2015.
Remove application dated
06/19/2003.

KAHUE-BURROWS, Bronson K. Assigned Residential Lease
#11396, Lot 17210 in Kapolei,
Honouliuli, Ewa, Oahu (Kaupea)
dated 11/25/2015. Remove
application dated 08/06/2008.

KELIIHOLOKAI, Solomon K. Assigned Residential Lease
#3552, Lot 86 in Waimanalo,
Oahu dated 02/22/2016. Remove
application dated 04/01/2005.

WAHILANI-ULUFALE, Sherron H. Assigned Residential Lease
#4009, Lot 368 in Nanakuli,
Oahu dated 02/04/2016. Remove
application dated 10/16/1989.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

HARTSOCK, Bertram D. W.	Assigned Residential Lease #4115, Lot 2 in Waimanalo, Oahu dated 10/06/2015. Remove application dated 10/13/2008.
KALAMA, Zachary C. K., Jr.	Assigned Residential Lease #3664, Lot 63 in Waimanalo, Oahu dated 02/12/2016. Remove application dated 07/25/2005.
LINDO, Henry A., Jr.	Assigned Residential Lease #9554, Lot 14 in Hoolehua, Molokai dated 12/24/2015. Remove application dated 05/25/2005.
NAEOLE, Herberleen U.	Assigned Residential Lease #9442, Lot 4 in Waiehu, Wailuku, Maui (Waiehu Kou 2) dated 01/27/2016. Remove application dated 09/21/2010.
SNIFFEN, Theresa K.	Assigned Residential Lease #10417, UNDV120 in Waiohuli, Maui dated 02/09/2016. Remove application dated 10/28/2004.
WOOLSEY, Edwin M., Jr.	Assigned Residential Lease #10579, UNDV282 in Waiohuli, Maui dated 12/17/2015. Remove application dated 03/21/2007.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

AKAU, Makapena W. B.	Assigned Residential Lease #10827, UNDV201 in Laiopua, Hawaii dated 08/04/2015. Remove application dated 10/23/2013.
RODRIGUES, Rodney R.	Assigned Residential Lease #9433, Lot 119 in Kaniohale, Hawaii dated 12/07/2015. Remove application dated 02/23/2006.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

NONE FOR SUBMITTAL

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

NAPEAHI, Robert K., Jr.

Transferred Agricultural Lease
#6247, Lot 37-B in Panaewa,
Hawaii to daughter dated
01/23/2002. Remove non-
transferable application for
additional agricultural acreage
dated 07/02/1986.

Last Month's Transaction Total	16
Last Month's Cumulative FY 2015-2016 Transaction Total	151
Transfers from Island to Island	5
Deceased	0
Cancellations:	
Awards of Leases	14
NHQ	0
Voluntary Cancellations	0
Successorship	0
Additional Acreage	0
HHC Adjustments	1
This Month's Transaction Total	20
This Month's Cumulative FY 2015-2016 Transaction Total	171

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean T. Oshiro, Acting HSD Administrator

FROM: Ross K. Kapeliela, Applications Officer
Homestead Services Division

SUBJECT: **Cancellation of Deceased Applicant from Waiting List,
Public Notice 2014 - Edwin K. MORTENSEN**

RECOMMENDED MOTION/ACTION

To cancel the following application of the deceased applicant pursuant to Sections 10-3-8(c) and (d) of the *Hawaii Administrative Rules (HAR)*.

DISCUSSION

Section 10-3-8 *HAR, Transfer of Application Rights*, sub-sections (c) and (d), requires the department to publish a statewide notice once every calendar year, for two successive weeks, listing applicants whom the department has reason to believe passed away without designating successors to their application rights. Interested parties must submit their written requests to succeed to a decedent's application rights not later than 180 days after the last date of publication or the application(s) in question will be cancelled and the applicant's name shall be removed from the respective waiting list or lists, as the case may be. Where there are respondents to the department's notice, a requestor must provide documentation to qualify for successorship not later than 365 days after the initial 180-day response period or the application(s) will be cancelled and the applicant's name removed from the waiting list.

The department published its *Notice to Successors* on Sunday, November 23, 2014, and on Sunday, November 30, 2014. The department received no written requests to succeed to the following application within the 180-day response period as detailed above:

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

<u>APPLICANT</u>	<u>PUBLICATION DATE</u>	<u>APPLICATION DATE</u>	<u>DATE OF DEATH</u>
MORTENSEN, Edwin K.	11/2014	10/06/2006	10/10/2007

Previous Cumulative Total for Current FY	50
Current Month's Total	1
Fiscal Year Total: July 2015-June 2016	51

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean T. Oshiro, Acting HSD Administrator

FROM: Ross K. Kapeliela, Applications Officer
Homestead Services Division

SUBJECT: **Reinstatement of Deferred Application - Charlotte M. KEALA**

RECOMMENDED MOTION/ACTION

To reinstate the application that was deferred due to the applicant not responding to two successive contacts as required by the department's administrative rules.

DISCUSSION

Section 10-3-10(b) of the *Hawaii Administrative Rules* states in part that "Whenever an applicant does not respond to any two successive requests from the department for updated information, the department shall place such applicant on a deferred status until such time as updated information is received."

The following applicant was deferred and has since contacted the department with updated information:

WAIANAE AREA AND OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

<u>APPLICANT</u>	<u>APPLICATION DATE</u>	<u>HHC ACTION TO DEFER</u>	<u>CONTACT DATE WITH DEPARTMENT</u>
KEALA, Charlotte M.	03/16/1977	01/25/1994	02/12/2016


Previous Cumulative Total for Current FY	4
Current Month's Total	1
Fiscal Year Total: July 2015-June 2016	5


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

FROM: Juan Garcia, Oahu District Office Supervisor 
Homestead Services Division

SUBJECT: **Ratification of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds**

RECOMMENDED MOTION/ACTION

To ratify the approval of the designation of successor to the leasehold interest and person to receive the net proceeds, pursuant to Section 209, Hawaiian Homes Commission Act, 1920, as amended. This designation was previously approved by the Chairman.

*See attached list of Lessee.

Leasehold Interest:

Ratified for March 2016	7
Previous FY 2015 - 2016	<u>53</u>
FY 2015 - 2016 Total to Date	60

Ratified for FY '14 - '15	45
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Net Proceeds

Ratified for March 2016	0
Previous FY 2015 - 2016	<u>2</u>
FY 2015 - 2016 Total to Date	2

Ratified for FY '14 - '15	1
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**LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR
LEASEHOLD INTEREST
FOR MONTH OF March 2016**

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. Gregory K. Adams Lot No.: 35 Area: Nanakuli, Oahu Lease No. 8169	<u>PRIMARY:</u> Gaison K. Adams, Nephew <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
2. John K. Kaauwai, Sr. Lot No.: 44B Area: Anahola, Kauai Lease No. 4197	<u>PRIMARY:</u> Barbara Jean Kaauwai, Wife <u>ALTERNATE:</u> Jill L. Kaauwai, Daughter <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
3. Joseph U. Kaupu Lot No.: 81 Area: Nanakuli, Oahu Lease No. 4385	<u>PRIMARY:</u> Joanka Kauikeolani Kaupu, Daughter <u>ALTERNATE:</u> Jason Thurston Hiilani Kaupu, Son Joseph Ukepa Kaupu, Jr., Son <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A

Deceased Lessee

Designated Successor

4. Ruth L. Poaipuni
Lot No.: 30
Area: Kapaakea, Molokai
Lease No. 4710

PRIMARY:

Jonah J. Poaipuni, Jr., Son

ALTERNATE:

To succeed in the following
order: 1) Timothy B. Poaipuni,
Son, 2) Mark K. Poaipuni, Son,
3) Clayton M. Poaipuni, Son

DESIGNEE TO RECEIVE NET

PROCEEDS:

N/A

5. Sharlette L. Poe
Lot No.: 49
Area: Waianae, Oahu
Lease No. 4640

PRIMARY:

Sharlette L. K. Poe, Jr.,
Daughter

ALTERNATE:

N/A

DESIGNEE TO RECEIVE NET

PROCEEDS:

N/A

6. Theopista K. Purdy
Lot No.: 6E
Area: Hoolehua, Molokai
Lease No. 124

PRIMARY:

Wailana Fay K. L. Purdy-Kaai,
Daughter

ALTERNATE:

Anna M. Purdy, Daughter

DESIGNEE TO RECEIVE NET

PROCEEDS:

N/A

7. Elizabeth M. Tufi
Lot No.: 13725
Area: Maluohai, Oahu
Lease No. 9746

PRIMARY:

Muluea Mualem, Daughter
Pulefano Ulugaono, Son
Otis Whitman, Son

ALTERNATE:

N/A

DESIGNEE TO RECEIVE NET

PROCEEDS:


N/A

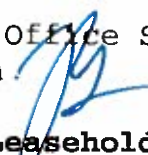
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

FROM: Juan Garcia, Oahu District Office Supervisor 
Homestead Services Division

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

RECOMMENDED MOTION/ACTION

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.

DISCUSSION

Twenty one (21) assignments of lease.

<u>LESSEE</u>	<u>TRANSFeree</u>
1. Name: Sheila L. P. K. Awai Res. Lease No.: 810 Lease Date: 7/25/1940 Lot No.: 6A Area/Island: Kalamaula, Molokai Property Sold: No Amount: N/A Improvements: 3 bedroom, 1 bath dwelling	Name: Sheila L. P. K. Awai & Candace W. K. Otsuka Relationship: Lessee & Daughter Loan Assump: No Applicant: No

Reason for Transfer: "Requesting to share lease with my daughter in order to remodel my home and to develop/improve the homestead for agriculture and her studio endeavors."

LESSEETRANSFeree

2. Name: Craig K. Hopkins & Name: Kawailehua K. H. Paikai
 Sandradee P. Hopkins Relationship: Daughter
 Res. Lease No.: 12566 Loan Assump: No
 Lease Date: 3/8/2010 Applicant: No
 Lot No.: 18347
 Area/Island: Kanehili, Oahu
 Property Sold: Yes
 Amount: \$274,323.00
 Improvements: 4 bedroom, 3 bath dwelling

Reason for Transfer: "When this lease was acquired, I always had the intention to pass the lease onto my daughter and family. After six years, I felt that it was time for the lease to be passed on to her." Special Conditions: Transferee to obtain funds to pay the purchase price.

3. Name: Albert S. Kaaukai Name: Albert S. Kaaukai &
 Res. Lease No.: 4007 Charlene J. K. Faria
 Lease Date: 3/30/1973 Relationship: Lessee & Cousin
 Lot No.: 72 Loan Assump: No
 Area/Island: Waiakea, Hawaii Applicant: Yes, Hawaii IW
 Property Sold: No Res., 5/11/2000
 Amount: N/A
 Improvements: 3 bedroom, 1 bath dwelling

Reason for Transfer: "Add on my cousin as co-lessee with joint tenants."

4. Name: Charles M. Kaaukai Name: Stephanie K. Kaaukai-
 Res. Lease No.: 3853 Ranis
 Lease Date: 10/23/1970 Relationship: Daughter
 Lot No.: 373 Loan Assump: No
 Area/Island: Nanakuli, Oahu Applicant: No
 Property Sold: No
 Amount: N/A
 Improvements: 3 bedroom, 2-1/2 bath dwelling

Reason for Transfer: "I give all my interest to my daughter, Stephanie Kaaukai-Ranis, who is the co-lessee."

LESSEETRANSFeree

5. Name: Lorna K. Kaholo Name: Loreen H. Funaki
 Res. Lease No.: 4801 Relationship: Friend
 Lease Date: 7/8/1978 Loan Assump: No
 Lot No.: 32 Applicant: Yes, Hawaii IW
 Area/Island: Waiakea, Hawaii Res., 6/6/1995
 Property Sold: Yes
 Amount: \$115,000.00
 Improvements: 3 bedroom, 2 bath dwelling

Reason for Transfer: "Pass on my interest and move to fee simple in Pahoa." Special Conditions: Transferee to obtain funds to pay the purchase price.

6. Name: Paul K. Kai Name: Julie M. A. C. Kai
 Ag. Lease No.: 5371 Relationship: Daughter
 Lease Date: 2/7/1983 Loan Assump: No
 Lot No.: 21-A Applicant: No
 Area/Island: Panaewa, Hawaii
 Property Sold: No
 Amount: N/A
 Improvements: 3 bedroom, 2 bath dwelling

Reason for Transfer: "Transfer to daughter."

7. Name: Trixie K. L. D. Kaliko Name: Trixie K. L. D. Kaliko
 Res. Lease No.: 2598 & William E. Kaliko
 Lease Date: 11/24/1951 Relationship: Lessee &
 Lot No.: 156-B Husband
 Area/Island: Nanakuli, Oahu Loan Assump: No
 Property Sold: No Applicant: No
 Amount: N/A
 Improvements: 3 bedroom 2 bath dwelling

Reason for Transfer: "Would like to add husband on to the Lease."

LESSEETRANSFeree

8. Name: Diane U. Kaliloa
Res. Lease No.: 4988
Lease Date: 4/27/1979
Lot No.: 44B 2
Area/Island: Hoolehua,
Molokai
Property Sold: Yes
Amount: \$75,000.00
Improvements: 3 bedroom, 1 bath dwelling

Name: Godfrey K. Bush
Relationship: Nephew
Loan Assump: No
Applicant: Yes, Molokai IW
Res., 9/30/2010

Reason for Transfer: "To give my nephew the opportunity to be a lessee." Special Conditions: Transferee to obtain funds to pay the purchase price.

9. Name: Julia L. Kaulukukui
Res. Lease No.: 1192
Lease Date: 6/27/2027
Lot No.: 76-A
Area/Island: Keaukaha,
Hawaii
Property Sold: No
Amount: N/A
Improvements: 3 bedroom, 2 bath dwelling

Name: Lynette K. Estencion
Relationship: Daughter
Loan Assump: No
Applicant: Yes, Hawaii IW
Res., 2/6/1998

Reason for Transfer: "Daughter to take over responsibilities."

10. Name: Genevieve G. Kinney
Ag. Lease No.: 5120
Lease Date: 12/03/2005
Lot No.: 11-A & B
Area/Island: Panaewa, Hawaii
Property Sold: No
Amount: N/A
Improvements: 2 bedroom, 2 bath dwelling

Name: Kealohanuiopuna M. F.
Kinney
Relationship: Son
Loan Assump: No
Applicant: No

Reason for Transfer: "Transferring to son, Kealohanuiopuna Mark Kinney."

LESSEETRANSFeree

11. Name: Josephine M. Lee
Res. Lease No.: 9563
Lease Date: 5/1/2000
Lot No.: 60
Area/Island: Kalawahine,
Oahu
Property Sold: No
Amount: N/A
Improvements: 3 bedroom 2-1/2 bath dwelling

Name: Jamie M. Yamashita
Relationship: Daughter
Loan Assump: No
Applicant: No

Reason for Transfer: "Daughter is refinancing loan to fund home repairs, etc. Transfer is per lender's advisory."

12. Name: Damien A Manoa
Res. Lease No.: 12603
Lease Date: 6/16/2010
Lot No.: 18362
Area/Island: Kanehili, Oahu
Property Sold: Yes
Amount: \$525,000.00
Improvements: 5 bedroom, 3 bath dwelling

Name: Russell K. Pelekai
Relationship: None
Loan Assump: No
Applicant: Yes, Hawaii IW
Res., 2/28/2002

Reason for Transfer: "I need to move home to take care of Grandma, Parents and 3 children of my late sister. Parents have custody, kids getting older and wiser adding stress and pressure to my parents. House they are living in was built in 1971. I need to make it better and more comfortable for 4 more people. Take care of family first. Its the right thing to do." Special Conditions: Transferee to obtain funds to pay the purchase price.

13. Name: Jennifer L. Nascimento
Res. Lease No.: 12089
Lease Date: 9/14/2007
Lot No.: 17005
Area/Island: Kaupea, Oahu
Property Sold: Yes
Amount: \$391,000.00
Improvements: 3 bedroom, 2 bath dwelling

Name: Testa Ned N. Waikiki
Relationship: None
Loan Assump: No
Applicant: Yes, Oahu IW Res.,
5/13/2015

Reason for Transfer: "Going through divorce and can no longer pay the mortgage." Special Conditions: Transferee to obtain funds to pay the purchase price.

LESSEETRANSFeree

14. Name: Kalena K. Pelekai-Wai Name: Kulea K. Pelekai-Wai
Agr. Lease No.: 8412 Relationship: Brother
Lease Date: 9/1/1995 Loan Assump: No
Lot No.: 121 Applicant: Yes, Oahu IW Res.,
Area/Island: PKE, Oahu 11/06/2014
Property Sold: No
Amount: N/A
Improvements: 2 bedroom, 1 bath dwelling

Reason for Transfer: "Work Related."

15. Name: William F. Rittmeister Name: William F. Rittmeister
Res. Lease No.: 7894 & Benjamin J. K. Rittmeister
Lease Date: 10/27/1994 Relationship: Lessee & Son
Lot No.: 17 Loan Assump: Yes
Area/Island: Anahola, Kauai Applicant: No
Property Sold: No
Amount: N/A
Improvements: 5 bedroom, 4 bath dwelling

Reason for Transfer: "I would like to share my lease with my son Benjamin J. K. Rittmeister"

16. Name: Jo N. Rosario Name: Jeremy K. Rosario
Res. Lease No.: 4475 Relationship: Son
Lease Date: 11/28/1977 Loan Assump: No
Lot No.: 77 Applicant: No
Area/Island: Waianae, Oahu
Property Sold: No
Amount: N/A
Improvements: 5 bedroom, 2 bath dwelling

Reason for Transfer: "This is part of my bucket list! I want my son with seven kids to have their own home."

LESSEETRANSFeree

17. Name: Marleen K. Uso & Mara L. Uso
 Res. Lease No.: 8879
 Lease Date: 2/1/2000
 Lot No.: 38
 Area/Island: Hanapepe, Kauai
 Property Sold: Yes
 Amount: \$190,000.00
 Improvements: 3 bedroom, 2 bath dwelling
- Reason for Transfer: "Do not want to move to Kauai. We live in Las Vegas. We are successors." Special Conditions: Transferee to obtain funds to pay the purchase price.
18. Name: Jeffrey Hulama
 Res. Lease No.: 4717
 Lease Date: 4/10/1978
 Lot No.: 90
 Area/Island: Nanakuli, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: 3 bedroom, 2 bath dwelling
- Reason for Transfer: "To keep in the family."
19. Name: Sheila L. P. K. Awai
 Agr. Lease No.: 810
 Lease Date: 7/25/1940
 Lot No.: 18
 Area/Island: Hoolehua, Molokai
 Property Sold: No
 Amount: N/A
 Improvements: None
- Reason for Transfer: "Requesting to share lease with my daughter in order to remodel my home and to develop/improve the homestead for agriculture and her studio endeavors."

LESSEETRANSFeree

20. Name: Makana Rivera
Res. Lease No.: 11121
Lease Date: 5/13/2006
Lot No.: UNDV120
Area/Island: Anahola, Kauai
Property Sold: No
Amount: N/A
Improvements: None

Name: Frank S. Rivera, Jr.
Relationship: Cousin
Loan Assump: No
Applicant: No


Reason for Transfer: "Spouse and son does not have enough
Hawaiian to carry out term or legacy."

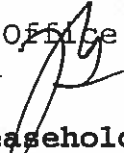
Assignments for the Month of March '16	20
Previous FY '15 - '16 balance	<u>159</u>
FY '15 - '16 total to date	179
Assignments for FY '14 - '15	260

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

FROM: Juan Garcia, Oahu District Office 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

Eleven (11) amendments of lease.

1. Lessee: Raymond M. Ahana
Res. Lease No.: 8236
Lot No., Area, Island: 1, Waimanalo, Oahu
Amendment: To amend the tenancy to severalty due to the death of a joint tenant lessee.
2. Lessee: Sheila L.P.K. Awai
Res. Lease No.: 810
Lot No., Area, Island: 6A, Kalamaula, Molokai
Amendment: To amend the lease to reflect Lot No. 6A to remain with Lease 810 and Lot No. 18 to be under newly created Lease 810A, amend the lease title and lessor name, to update the property description, to incorporate the currently used terms, covenants and conditions, to extend the current lease term to an aggregate term of 199 years.

3. Lessee: Mary Ann K. Crowell
Res. Lease No.: 3699
Lot No., Area, Island: 30, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, to amend the property description, to incorporate the currently used terms, covenants, and conditions in the lease.
4. Lessee: Frank K. DeRego, Jr.
Res. Lease No.: 3037
Lot No., Area, Island: 356 & 357, Nanakuli, Oahu
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, to extend the lease term to an aggregate term of 199 years.
5. Lessee: Yola N. M. Forbes
Agr. Lease No.: 515
Lot No., Area, Island: 1, Hoolehua, Molokai
Amendment: To amend the lease to incorporate the currently used terms, covenants, and conditions in the lease, to extend the current lease term to an aggregate term of 199 years.
6. Lessee: Albert S. Kaaukai
Res. Lease No.: 4007
Lot No., Area, Island: 72, Waiakea, Hawaii
Amendment: To amend the lease to incorporate the currently used terms, covenants, and conditions in the lease.
7. Lessee: Andrew Kaawa, Jr.
Res. Lease No.: 1744
Lot No., Area, Island: 68, Nanakuli, Oahu
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, to extend the lease term to an aggregate term of 199 years.

8. Lessee: Paul K. Kai
 Agr. Lease No.: 5371
 Lot No., Area, Island: 21-A, Panaewa, Hawaii
 Amendment: To amend the lease to reflect Lot
 No. 21B to remain with Lease 5371
 and Lot No. 21A to be under newly
 created Lease 5371A, and to update
 the property description.

9. Lessee: Julia L. Kaulukukui
 Res. Lease No.: 1192
 Lot No., Area, Island: 76-A, Keaukaha, Hawaii
 Amendment: To amend the lease title and
 lessor's name, to incorporate the
 currently used terms, covenants,
 and conditions in the lease, to
 extend the lease term to an
 aggregate term of 199 years.

10. Lessee: Wanda N. Valle
 Res. Lease No.: 4174
 Lot No., Area, Island: 37, Paukukalo, Maui
 Amendment: To amend the lease title and
 lessor's name, to incorporate the
 currently used terms, covenants,
 and conditions in the lease, and to
 update the property description.

11. Lessee: Garry L. Yamada
 Agr. Lease No.: 3571
 Lot No., Area, Island: 184, Panaewa, Hawaii
 Amendment: To amend the lease to incorporate
 the currently used terms,
 covenants, and conditions in the
 lease.

Amendments for the Month of March '16	11
Previous FY '15 - '16 balance	<u>99</u>
FY '15 - '16 total to date	110
 Amendments for FY '14 - '15	 163

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean Oshiro, Acting HSD Administrator
FROM: Juan Garcia, Oahu District Office 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

Four (4) non-exclusive licenses.

1. Lessee: Aurelia P. Kihoi
Res. Lease No.: 4755
Lot No., Area, Island: 71, Nanakuli, Oahu
Permittee: Neighborhood Power Corporation
2. Lessee: Henry L.K. Lane
Res. Lease No.: 3321
Lot No., Area, Island: 68B1, Waimanalo, Oahu
Permittee: Sunrun Inc.
3. Lessee: Juanita K. Mayeda
Res. Lease No.: 12057
Lot No., Area, Island: 17051, Kaupea, Oahu
Permittee: Sunrun Inc.

4. Lessee: Jason-Wayne P. Sitarek
 Res. Lease No.: 6700
 Lot No., Area, Island: 32, Waianae, Oahu
 Permittee: Sunrun Inc.


Non-Exclusive License for March '16	4
Previous FY '15 - '16 balance	<u>214</u>
FY '15 - '16 total to date	218
 Non-Exclusive License for FY '14 - '15	 104


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

FROM: Juan Garcia, Oahu District Office Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor**
BENJAMIN O. MILIKAA
Lease No. 7254, Lot No. 2, Nanakuli, Oahu

RECOMMENDED MOTION/ACTION

To approve the designation of Julia P. Milikaa (Julia), successor to her late husband's Nanakuli Residential Lease No. 7254, Lot No. 2, for the remaining term of the lease.

DISCUSSION

On May 21, 1993, Benjamin O. Milikaa (Decedent) received Nanakuli Residence Lease No. 7254, Lot No. 2, through a transfer of lease from Thomas K. Aila. On February 9, 2014, the Decedent passed away without having submitted his designation of successor to his leasehold interest.

In compliance with the Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaiian Tribune Herald, The West Hawaii Today, The Maui News, and The Garden Isle newspapers on September 6, 16, 20, and 30, 2015, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The Department received two successorship claims from the Decedent's wife, Julia, and son, Daniel Milikaa (Daniel). Julia is thirty-eight per cent Hawaiian and Daniel is an applicant on the Oahu Islandwide Waiting List. Both claimants have been determined to be eligible for succession.

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

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

Existing improvements consist of a five-bedroom, three-bath single family dwelling built in 1995.


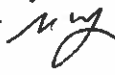
As of February 16, 2016, there is no outstanding loan, the lease rent account shows a credit balance of seven dollars, and the real property taxes are paid current.

The Department requests approval of its recommendation to name Julia for successorship, as she has the highest priority of all the claimants, to succeed to the lease.

State of Hawaii

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean T. Oshiro, Acting HSD Administrator 
FROM: Mark K. Yim, Homestead Lease Coordinator 
SUBJECT: **Approval for Partial Advancement of Net Proceeds - JOSEPH W.O. YUNG, SR. from LEONA M. ATCHERLEY (Dec'd.) - Waianae Residential Lot Lease No. 5080, Lot No. 11, Waianae, Oahu**

RECOMMENDED MOTION/ACTION

To authorize the advance payment of net proceeds in the amount of \$60,000 from the General Home Loan Fund.

DISCUSSION

On August 1, 1981, Leona M. Atcherley (Ms. Atcherley) received Lease No. 5080, Lot No. 11, Waianae Residential Subdivision. She lived there with her companion, Joseph W.O. Yung, Sr. (Mr. Yung) until her death.

On April 8, 2013, Ms. Atcherley passed away without designating a successor. However, she named Mr. Yung to receive the Net Proceeds from her Lease.

On April 14, 2014, the Hawaiian Homes Commission cancelled Lease No. 5080 after the Public Notice expired and no successorship claim was ever received by the Department.

On February 6, 2015, an appraisal was conducted on the three bedroom-two bath dwelling, and valued the improvements at \$94,000. There is no mortgage attached to the lease and taxes are paid current. That same day, staff met with Mr. Yung and informed him that he would have to vacate the premises at an agreed date in order to award this property to the next qualified applicant on the waitlist. He acknowledged and understood the rules.

On June 30, 2015, Mr. Yung and his family agreed to vacate the house so the Department could prepare it for the next eligible applicant on the waitlist. He was originally given a vacate date of September 7, 2015, but he and his family decided to vacate earlier.

This property is presently in the re-award process with the Housing Branch, and a new selectee is now being qualified to receive this lease.

On July 1, 2015, the Department received a "Letters of Administration" ruling issued by the State of Hawaii, First Circuit Court from Mr. Yung's attorney, naming him as the Personal Representative to Ms. Atcherley's estate, with no limited powers (see Exhibit "A").

On February 1, 2016, the Deputy Attorney Generals ruled that HHCA section 209(a) directs payment of the net proceeds in a case like this to the "legal representative of the deceased lessee...". Since Mr. Yung had been appointed as the personal representative of the deceased lessee, under Hawaii Revised Statutes Chapter 560:3-711, the personal representative would generally have the "same power over the title to property of the estate that an absolute owner would have...". Therefore, it was concluded that Mr. Yung was now eligible to receive the net proceeds from Ms. Atcherley's estate.

On February 24, 2016, the Department received a letter from Mr. Yung, requesting a Net Proceeds advance of \$60,000 (see Exhibit "B"). His letter stated that he is an 88-year old native Hawaiian and living on a fixed income. Because he no longer has his own home, he is forced to live with relatives in an undesirable, temporary living situation. The Waianae residence was his only home for the past thirty-five (35) years, and now feels that he is a burden to his family. The advance would allow him the financial ability to purchase or rent a private residence of his own.

Currently, the Net Proceeds payable from this lease is approximately \$66,000. The remaining Net Proceeds will be held as a retainage until the property is re-awarded in order to address any unforeseen expenses.

The remainder of Net Proceeds will be paid once the house is re-awarded to the next qualified applicant on the waitlist, pursuant to the Department's Administrative Rules section 10-3-65(c).

The Department requests approval of its recommendation.

FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

2015 JUL -1 PM 12:34

OKURA & ASSOCIATES

BONNIE L. MOORE 7138
VICTORIA LIN SAKAMAKI 7807
1314 S. King Street, Suite 760
Honolulu, Hawaii 96814
Telephone: (808) 533-9030

F. PAGAY
CLERK

Attorneys for Personal Representative
JOSEPH WAH ON YUNG, SR.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

THE ESTATE)	P. NO. <u>15-1-0303</u>
)	(Informal)
OF)	
)	LETTERS OF ADMINISTRATION
LEONA MERLE ATCHERLEY, also)	
known as LEONA M. ATCHERLEY,)	
)	
DECEASED.)	
_____)	

LETTERS OF ADMINISTRATION

JOSEPH WAH ON YUNG, SR. is informally appointed Personal Representative of the Estate of the decedent.

Limitations of powers: None.

These Letters of Administration and the authority of the Personal Representative shall expire three (3) years from the date hereof, unless renewed for good cause.

DATED: Honolulu, Hawaii, JUL - 1 2015

F. PAGAY

Clerk of the Above-Entitled Court



I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

Clerk, Circuit Court, First Circuit
State of Hawaii

ITEM NO. D-14
EXHIBIT A

DHHL
HSD

2016 FEB 24 PM 1:48

February 22, 2016

Chairman and Commissioners of the Hawaiian Homes Commission
C/o State of Hawaii, DHHL
PO BOX 1879
Honolulu, HI 96805

Aloha Ms. Masagatani & Hawaiian Homes Commissioners,

My name is Joseph Yung, Sr., and I am the beneficiary of Leona M. Atcherley who is now deceased. I am 88 years old, and Native Hawaiian. I also am an Honorable Veteran of three wars, serving my country in the army for 30 years before retiring and becoming a mason. I am writing this letter to ask for your help in my time of need.

Leona and I lived together in the Hawaiian Homes house at 85-1102 Kepauaia Place in Waianae for over 40 years. Because we were not married and she had no children, I had to move out of the house after she died. However, she never worked, and I paid for all the bills including her mortgage. Although we were not married, I loved her very much.

When she passed away in 2013, I did not know what was going to happen to me. Sadly, I had to move out last year so the house could be offered to another Hawaiian. I understand this is the rule, but now I have no place to live on my own. I am now staying with my nephew and his wife, but I want to get my own place, or an assisted living apartment.

I hired an attorney, and the Hawaii District Court ruled that I was the legal representative to her estate. This cost me a lot of time and money, but I was happy that the Attorney Generals from Hawaiian Homes agreed with the Court decision too. They said I am now eligible to receive the proceeds from her house. Thanks to your staff for their help in working with the attorneys.

I am asking for your help. Would you please consider advancing me the net proceeds from this property as soon as possible so that I can find a place of my own and not depend on anyone or become a burden on them? I have been checking my mail everyday hoping the money has been sent. As I said, I am 88 years old, and I have been retired for some time. I am on a fixed income, and this money will really help me.

Would you please consider this request at your next meeting? If you need more information, I have been working with Mark Yim in your Kapolei office. He knows all about the situation, and the house. You can reach me at 808-286-3203. My nephew's address is 87-158 Laiku St., Waianae, HI 96792.

Mahalo for your kokua.


Joseph Yung, Sr.

I AM ASKING FOR ~~\$50,000~~ ^{\$60,000}. Joseph Yung

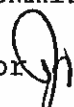
ITEM NO. D-14
EXHIBIT B



State of Hawaii

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean T. Oshiro, Acting HSD Administrator 

FROM: Mark Yim, Homestead Lease Coordinator 
Loida Chun, Homestead Development Assistant 

SUBJECT: **Approval for Payment of Net Proceeds - CINDY A. KAULIA,
Kanihale Residential Lot Lease No. 9233, Lot No. 20,
North Kona, Hawaii**

RECOMMENDED MOTION/ACTION

1) Accept the following appraisal, 2) approve the following purchase of improvements, and 3) authorize the following payment of net proceeds.

Lessee Name:	Cindy A. Kaulia
Lease Commencement Date:	October 1, 1998
Residential Lease No./Lot No.:	9233/20
Area/Island:	Kanihale/Hawaii
Date of Cancellation:	September 27, 2010
Date of Appraisal/Amount:	February 3, 2012/ \$129,000
DHHL Loan:	\$ 88,965.22
Expenses to Prepare for Re-award, Property Tax, Survey, Lease Rent Credit, Etc.:	\$ 4,939.28
Total Indebtedness Amount:	\$ 93,904.50
Approx. Net Proceeds:	\$ 35,095.50


Residential Lot was re-awarded on April 8, 2013.

RECOMMENDATION

The Department recommends approval of this action.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean Oshiro, Acting HSD Administrator 
FROM: James Du Pont, West Hawaii District Office Supervisor
SUBJECT: **Commission Designation of Successor - ALAN K. MILLER,
Lease No. 9396, Lot No.83, Kaniohale, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the designation of Walter K. Miller, brother, as successor to Residential Lease No. 9396, Lot No. 83, Village 3, Kaniohale, La'i'opua, Hawaii, for the remaining term of the leases.

DISCUSSION

Alan K. Miller was awarded Lease No. 9396 to Lot No. 83 with a commencement date of October 1, 1999.

On September 5, 2000, Alan designated his parents, Walter M. and Margaret K. Miller, as successors to his leasehold interest. Mrs. Miller passed away on April 14, 2007.

Mr. Walter M. Miller was awarded Residential Lease No. 11187 to Lot No. 31 at Waiakea with a commencement date of April 15, 2007.

The department was notified by his realtor of his passing away on January 30, 2011. His death certificate was received on May 21, 2012.

Department staff met with the Miller 'Ohana on April 12, 2011. Due to his age and health issues Walter M. Miller was not in attendance. It was at that time that the family shared that Mrs. Miller had passed away and that Walter M. Miller had received Residential Lease No. 11187 to Lot No. 31 at Panaewa from the department.

The family stated that Michael Miller, Walter K. Miller's son, was caretaking his uncle's homestead. Walter K. Miller had made that decision without consulting with his father. A request was made to the family to have Walter M. Miller inform

the department of his plans and the caretaker status with the home.

The department explained that options that were available to Walter M. Miller in light of his being designated as successor (D/S) to his son's lease. The options were as follows:

1. Mr. Miller accepts the D/S to Alan Miller's lease. If he chose this option he would have to transfer his Panaewa residential lease.
2. Surrender his Panaewa lease and accept the D/S to the Kaniohale residential lease.
3. Mr. Miller rescinds the D/S and removes himself from consideration. The department would then publish a Public Notice for qualified family members to file a claim to succeed to the lease.

The family mentioned that there was a Veterans Affairs loan on the Panaewa lot and Walter M. Miller didn't want to transfer this lease and lose his benefits. He believed that he could transfer Alan K. Miller's lease directly to his son, Walter K. Miller. The family was informed that this was not an option.

A letter to Walter M. Miller, dated August 4, 2011, summarized the meeting with his family. Norrie Judd, Walter M. Miller's daughter, inquired about her father being able to transfer the Kaniohale lease to another family member. She was informed that this would only be possible once her father succeeded to her brother's lease. There was still the issue with him not holding two residential leases at the same time.

A follow up letter was sent dated October 27, 2011 when no communication was received from Mr. Miller. In response, in a letter dated November 29, 2011, Mr. Miller informed the department that he wanted to transfer the Kaniohale lease to his son, Walter K. Miller. He stated that he already had a residential lease in Hilo.

The department wrote to Mr. Miller on December 11, 2011 and again explained the options available to him. The rescission option was further explained that would allow another family member to file a claim for Alan's lease. However, the Miller Family was concerned that if Walter M. Miller gave up his rights to Alan's lease that they would lose any hope of keeping the lease in their family. Despite reassuring them that this would not happen they asked for the department rules on a rescission notice and the resulting Public Notice.

Walter M. Miller in a letter dated January 13, 2012 expressed his concerns with rescinding his successorship. He felt that he would be giving up his rights to the Kaniohale house. He referred to a clause in the DHHL Lessee's Handbook that basically said if a residential lessee received another residential lease through successorship that the successorship

lease could be transferred to another native Hawaiian or family member. This section was later clarified by the department's Legal Assistant, through the Deputy Attorney General, to state that the lessee would have had to transfer or surrender their lease prior to being named as successor to another residential lease.

Walter M. Miller eventually signed a Renouncement of Successorship form dated February 19, 2014. This allowed the department to run a Public Notice for the successorship to Alan Miller's lease.

In compliance with the Administrative Rule 10-3-63, the department published legal ads in the Honolulu Star Advertiser, The Garden Isle News, The Hawaii Tribune Herald, the West Hawaii Today, and the Maui News on November 2, 12, 16 and 26, 2014 to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The department received one successorship claim from Walter K. Miller dated December 30, 2014 who has been determined to be not less than 50% Hawaiian ancestry and is eligible for successorship to the lease.

Pursuant to Section 209 of the Hawaiian Homes Commission act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives 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 or wife or child, then the grand-children; or
4. If there is no husband or wife or child or grandchild, then brothers or sisters; or
5. If there is no husband or 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 or nephews.


There is no mortgage loan on this 2-bedroom, 1-bath home with a garage.

At the September 2015 Hawaiian Homes Commission meeting, the action to approve Walter K. Miller as successor was deferred due to delinquent association dues and real property taxes. As of March 4, 2016, the delinquent association dues were paid are now current. Real property taxes are past due for February 22, 2016, in the amount of \$659.18.

The department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean Oshiro, Acting HSD Administrator 
FROM: James Du Pont, West Hawaii District Office Supervisor
SUBJECT: **Approval of Assignment of Leasehold Interest - Rockylin M. Loo, Lease No. 7052, Lot No. 25, Pu'u Pulehu, Waimea, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the transfer of Lease No. 7052, Lot No. 25, Pu'u Pulehu from Rockylin M. Loo to Jack Manini for the remaining term of the lease.

DISCUSSION

Department of Hawaiian Home Lands Residential Lot Lease No. 7052, dated November 14, 1986, but commencing October 1, 1986 (amended to March 14, 1996) located at Pu'u Pulehu, Pu'ukapu, Waimea, South Kohala was issued to Leonard Chesebro.

Mr. Chesebro submitted a Lease Transfer Request dated March 5, 2008 naming Rockylin M. Loo as the transferee. Lot No. 25 was a vacant residential lot with no improvements. Mr. Chesebro stated that he would be owning another Hawaiian Home Lands lot in Keaukaha as the reason for the transfer. He stated that the lease was being sold in the amount of \$25,000. The Assignment of Lease was completed on May 23, 2008.

At that time, the department was requiring confirmation that the transferee would construct a home on the property. Construction plans were submitted by Mr. Loo for a 1-bedroom, 1-bath home with a cesspool. Approval was granted by the department that allowed Mr. Loo to apply for and obtain a building permit, which was received on April 9, 2008. In addition, Mr. Loo obtained an Insurance Binder for fire coverage only for the dwelling.

Mr. Loo submitted a construction schedule that listed his obtaining a construction contract and financing beginning April-May 2008. Home construction was to begin in June 2008 with an anticipated completion date of February 2009. The department approved the construction of the dwelling on June 26, 2008.

Between June 2008 and May 2011 the department's Housing Branch contacted lessees with vacant lots encouraging them to build on their lots. Options were presented including transferring, surrendering, or rescinding their lease and being placed back on the waitlist at their original date of application or outright surrender of the lease.

For those lessees who couldn't comply with this request the department instituted an Adverse Action process. Similar options as stated above were offered. Lessees were also given the opportunity to elect to have a contested case hearing to address the failure to build. Part way through this period the Enforcement Team was instructed to suspend any Adverse Action cases. They were asked to give priority to loan delinquencies.

On September 10, 2014 Mr. Loo submitted a notice to the department's Housing Branch that stated "I am working with a contractor and am processing a loan to construct a house on my lot/I will construct a home on my lot." The department asked for evidence of loan approval that should be received within the next 90 days. Construction should commence within the next three to six months. Mr. Loo listed his contractor as Reef Development and his lender as First Hawaiian Bank.

After this point in time there was no other contact made with Mr. Loo as to his progress on home construction. He then submitted a transfer request to Mr. Manini at a transaction price of \$45,000.

Mr. Loo submitted a statement dated February 28, 2016 that explains why he was unable to construct his home (attached as Exhibit A). He also provided an itemized list of expenses that were incurred as a result of purchasing the lease and preparing to build on the lot (attached as Exhibit B).

The department requests approval of its recommendation.

Purchase of Property- \$25,000

Time spent processing loan (work time) \$3,000

Property tax- (7 years) \$700.00

House Plan- \$1574.90

Maintaining the property (mowing property) \$25.00 an hour-\$8400.00

2 Lawn mower – (\$650.00 each) \$1300.00

2 Weed eater (\$350 each) -\$700.00

Service for weed eater and lawnmower- \$160.00

Gas for lawn mower and weed eater- (4.35 gal) 48 gallon a year -1456.00

Poison- 2½ gallon a year \$105.00- \$805.00

Realtor- \$2200.00 (discounted price)- \$1320.00

Escrow Fee- \$450.00

These are addition expenses to attend the March 21 2016 meeting in Honolulu.

Request to take off from Work- \$435.00

Gas- to Hilo and Honolulu-\$80.00

Airfare- \$225.00

Car rental- \$70.00

Sunday February 28,2016

Hawaiian Homes commission(HCC)

Aloha James Du Pont,

This is the information you requested for in assisting with our transfer of our Hawaiian home lease.

Back in 2009 we Purchase a Hawaiian Home lease from Leonard Miliili Chesebro having all the intention of building our home. We proceeded with the process by qualifying for a loan and purchasing a house plan. The economy crisis in 2011 affected our plans to build our home. The construction industry slowed down and I was uncertain if there were enough jobs to keep me busy through out the year. By the time I knew it, my oldest son was starting college and had other financial obligations that needed to be met.

We tried to sell the lease by word of mouth but were not successful. Barbara Kennedy who has been very helpful by listing the property for us, who is barely making any money from it. In fact she is cutting the cost down by 880.00. With in a year's time, she found a buyer, Mr Jack Manini who has been complying with the process and is in the position to start the building process as soon as he becomes the new lessee. He has completed all necessary documents that are needed. All of his financial cash has been verified for both purchasing the lease as well as building a home. A preliminary house plan is ready to be picked up at Hilo HPA. . Having the transferred delay has made a big impact in Mr. Manini plans. Not knowing that the transfer would be delayed, he accepted a job in Kona. He is flying back and forth to Honolulu, which is costing him money and his company is renting a home in Kona for the time being.

I ask that you no longer delay this transfer for it will cost Jack Manini additional funds traveling back and forth to Honolulu as well as living expense and it is also costing us time and money to continue to maintain the property. It is my hope that you take to consideration the needs and welfare of our Hawaiian people. We have valid reasons, which does not allow us to perform the terms of the lease, therefore making it available to a DHHL application that is ready and willing to enjoy the benefits thereof.


ALOHA,

Rockylin Loo

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean Oshiro, Acting HSD Administrator 
FROM: E. Halealoha Ayau, Acting District Supervisor
Molokai District Office, Homestead Services Division
SUBJECT: **Request to Schedule Contested Case Hearing - Lease
Violation, Holliday Pelekai, Lease No. 4809
Lot No. 86F, Hoolehua, Molokai**

RECOMMENDED MOTION/ACTION

To approve the scheduling of a contested case hearing
for the following lessee listed below.

DISCUSSION

The following lessee has violated the terms and
conditions of her homestead lease, therefore, we recommend that
a contested hearing be scheduled.

Lessee: Holliday K. Pelekai
Address: P O Box 120 Hoolehua, HI 96729
TMK (2)-5-2-006:153
Lease No: 4809
Lot/Area/Island: 86F, Hoolehua, Molokai
Lease Violation: Violation of paragraph 9 of the lease relating
to nuisance and the improper or offensive use
of the premises and violations of paragraph 10
relating to compliance with municipal and state
laws.

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
MARCH 21 & 22, 2016
KAPOLEI, O'AHU

AGENDA SECTION II. C

F-ITEMS
LAND MANAGEMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21-22, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *P. Albinio*
M. Kaleo Manuel, Acting Program Manager *K. Manuel*
Planning Office

From: Shelly Carreira, Land Agent
Land Management Division
Gigi Cairel, Grants Specialist *G. Cairel*
Planning Office
Nancy McPherson, Planner *N. McPherson*
Planning Office

Subject: Approval to Issue a License Agreement, Molokai
Homestead Farmers Alliance, Hoolehua, Island of
Molokai, TMK: (2) 5-2-015:053 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) grant its approval to the issuance of a license agreement to Molokai Homestead Farmers Alliance, a Hawaii non-profit organization, hereinafter referred to as LICENSEE, for the purpose of management and maintenance of Lanikeha Hoolehua Community Center, comprised of meeting and office spaces and a community-based commercial kitchen as identified by TMK: (2) 5-2-015:053 (por.), and further shown in the attached Exhibit "A".

Approval of the license is subject to the following conditions:

1. The initial term shall be ten (10) years, commencing upon execution of the license agreement. The license may be extended by the Chairman of the Hawaiian Homes Commission for additional five (5) year terms, up to a total of twenty

(20) years provided that LICENSEE has satisfactorily fulfilled the purposes for which the license was issued;

LICENSEE must submit a written request for the renewal of the license at least six (6) months prior to expiration. The renewal is subject to the Chairman's approval based on staff's review of LICENSEE'S progress, performance and compliance with the terms and conditions of the license;

2. The fee for the term of the license shall be a nominal \$20.00 per month for the first five-year period and shall be adjusted bi-annually based on its performance and the fair market rent;
3. LICENSEE shall submit a Project Business Plan within six (6) months of full execution of the license. The Project Business Plan shall include a description of need for the project, project timeline and schedule, Pro Forma, and expense and income budget (start-up/initial costs, facility operating budget, maintenance budget, reserve fund, project income and user rate structure);
4. Processing and documentation fee of \$175.00 for this non-profit organization shall be waived;
5. LICENSEE shall operate the community-based commercial kitchen in accordance with all necessary governmental approvals and permits and all such approvals and permits shall be a the sole expense of the LICENSEE;
6. LICENSEE shall be responsible for providing physical and fiscal management of the subject areas and facilities to include:
 - a. Coordinating reservations for use of Lanikeha's community hall and commercial kitchen.
 - b. Coordinating kitchen use of Lanikeha for parties and commercial users.
 - c. Collecting and managing the user fees.
 - d. Collecting and refunding security deposits.
 - e. Checking users in and out of the facilities.
 - f. Interior cleaning, janitorial service, maintenance, repair and cleaning of the grounds, restrooms and common areas of Lanikeha after use, including all necessary cleaning supplies, paper products, trash receptacles and bags.
 - g. Maintaining facility equipment (i.e. tables and

- chairs), including kitchen appliances in accordance with instructions identified in the Operations Manuals, Foodservice Equipment.
- h. Procuring and maintaining the services of a handyman for minor repairs to licensed premises.
 - i. Servicing and maintenance of the range hood fire suppression system and portable fire extinguishers located within licensed premises.
7. LICENSEE shall, at its own expense, effect, maintain and keep in force throughout the life of this license, a comprehensive public liability insurance policy, with limits of not less than \$1,000,000.00 for each occurrence, including property damage, personal injury and advertising injury; \$100,000.00 for fire damages to the Premises for any one fire; \$10,000.00 in medical expenses for any one person, and an aggregate limit of \$2,000,000.00 per policy year;
 8. LICENSEE shall pay, when due, all charges for utility services (i.e. gas and electricity) necessary for kitchen operations;
 9. LICENSEE shall be responsible for the security of the premises and all of LICENSEE'S personal property thereon;
 10. LICENSEE shall inform LICENSOR immediately if it loses its federal tax-exempt status or if any revenue generated from activities on the premises is deemed subject to taxation.
 11. As part of LICENSOR'S regular review of LICENSEE activities, and in exchange for gratis base rent, LICENSEE shall submit an Annual Progress Report to LICENSOR each year on the anniversary date of lease commencement. The Annual Progress Report shall document the LICENSEE'S activities of the previous year and shall include, but not be limited to the following:
 - a. Preconstruction and construction progress report that provides a description of pre-construction and construction milestones completed in the respective year of the Annual Progress Report. LICENSEE shall also provide LICENSOR with an anticipated schedule of completion of pre-construction and construction milestones for the following year.
 - b. Upon completion of the improvements to the Lanikeha Center, a narrative program report that describes

LICENSEE'S progress on achieving its charitable purposes as articulated in its Internal Revenue Services (IRS) 1023 application form shall be included in the Annual Progress Report. LICENSEE shall work with LICENSOR to identify specific reporting requirements and applicable metrics to monitor progress towards achieving the LICENSEE'S charitable purposes. Minimum reporting requirements shall include number of beneficiaries served and a description of how LICENSEE has been serving beneficiaries of the Hawaiian Homes Commission Act of 1921, as amended.

- c. A financial report that includes standard annual financial statements and the LICENSEE'S IRS 990 Form for the preceding fiscal year, as well as a budget for the following year, shall be included in the Annual Progress Report.
 - d. Letters from the boards of homestead community associations, other community nonprofits, and any other community-based organizations, including any future HHCA beneficiary-based community organization within the service area of the Lanikeha Center. Letters shall include information on whether or not the LICENSEE has satisfactorily provided programs and services to community members and beneficiaries in the respective year of the Annual Progress Report. Note: Molokai Region is defined as the region that is specified in the March 2010 DHHL Island of Molokai Regional Plan.
12. The license agreement document shall be subject to other standard terms and conditions of similar documents issued by the Department of Hawaiian Home Lands and will be subject to the review and approval of the Department of the Attorney General, State of Hawaii; and
13. Upon approval of the Hawaiian Homes Commission, the Chairman shall be authorized to issue the license agreement and to set forth any additional terms and conditions deemed prudent and necessary.

BACKGROUND

At its meeting on April 22, 2014, the Hawaiian Homes Commission (HHC) granted its approval to the issuance of a two (2) year interim license to the MHFA Inc. for the purpose of

providing administrative, fiscal, and physical management services for the day to day operations of the Lanikeha Community Center's meeting spaces and commercial kitchen. The term commenced on June 1, 2014 and terminates on May 31, 2016.

The license was issued as an interim agreement while MHFA Inc. finalized their 501(c)3 status and secured funding. The license would then be converted to a longer-term general lease for financing purposes, encompassing the entire center, open field, and including management of existing tenants. Such action would have required broader community input and Hawaiian Homes Commission approval.

In early 2015, the MHFA Inc. board changed and along with this change came new direction. MHFA Inc. elected to discontinue their management duties thus allowing the Molokai Homestead Farmers Alliance the opportunity to pursue management of the center.

Essentially, MHFA Inc. was created by the Molokai Homestead Farmers Alliance and is comprised of the same board members. Both entities share the same vision to promote and expand agricultural socioeconomic opportunities on Molokai. However, Molokai Homestead Farmers Alliance is better suited to fulfill this vision as they have obtained 501(c)3 status; are in good standing with Department of Commerce and Consumer Affairs (DCCA) and has secured Grant In Aid (GIA) CIP funding in the amount of \$1,750,000.00 for improvement projects at Lanikeha Center.

DISCUSSION

The Molokai Homestead Farmers Alliance is requesting a license agreement for management of Lanikeha Community Center. The area encompasses meeting spaces within the hall, a community based commercial kitchen, separate office space within the hall and kitchen and the office space formerly occupied by the Molokai Habitat for Humanity.

The license agreement will allow the Molokai Homestead Farmers Alliance to provide agricultural, socioeconomic and entrepreneurial opportunities that will benefit native Hawaiians, the homestead community and the community at large, as further described in the Project Description attached as Exhibit "B". In addition, the license agreement is a crucial and necessary component for completing the GIA process.

Consistency with DHHL Plans, Policies and Programs

DHHL General Plan (2002)

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

Land Use Planning

Goals:

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

- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

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

Economic Development

Goals:

- Provide economic opportunities for beneficiaries within areas designated for their use.

Molokai Island Plan (2005)

Land Use

The subject parcel is characterized as follows:

Location:	2200 Farrington Ave. (State Hwy. 480), Ho'olehua, Molokai
Planning Area:	Ho'olehua-Pālā'au (Apana 1 & 2)
Land Use Designation:	Community Use
Current Status:	Actively used
Character of Use:	Community facility (Commercial kitchen, preschool, office space, large community events)

The recommended disposition is consistent with the following elements of the Molokai Island Plan:

Definition of Community Use land use designation:

"Common areas for community use. Includes space for parks and recreation, cultural activities, CBED, and other public amenities."

The existing and proposed uses outlined in the license agreement are consistent with the definition of Community Use.

Molokai Regional Plan (2010)

The recommended disposition is consistent with the following elements of the Molokai Regional Plan:

While not identified as a potential project during the last Molokai Regional Plan update, the disposition will support the goal that emerged during the general discussion of homestead priorities to develop a "Community Base" in order to better promote agricultural initiatives and coordinate DHHL support. The community expressed a need to have access to more opportunities for agricultural entrepreneurship and value-added activities on DHHL lands.

Program Plans

Water Policy Plan (2014)

While the license agreement does not specify activities that would implement DHHL's Water Policy Plan, it is anticipated that renovations facilitated by the granting of the license will include water conservation measures to make the center more efficient in the use of water.

Ho'omalūō Energy Policy (2009)

While the license agreement does not specify activities that would implement DHHL's Energy Policy, it is anticipated that renovations facilitated by the granting of the license will include energy conservation measures to make the center more efficient in the use of energy.

Evaluation of Organizational Capacity and Readiness

Planning and implementation of community development and economic development projects involves three elements: Organizational Capacity; Project Planning and Development; and a broad base of community support and network of resources.

1. Organization capacity - Having good management; sound financial and administrative systems; board and staff capabilities, skills and experience; and organizational ability to manage outside technical assistance and training resources (such as business planning consultant, legal counsel, professional services, architectural / engineering services).

2. Project Planning and Development - project feasibility, market study, initial capital, operating expenses, cash flow projection, management and facility operations plan, community benefits.

3. Community support and network of resources - broad base of HHCA beneficiary support, community support, public and private sectors, funders, etc. to support the proposed project. (See Exhibit "B")

COMMUNITY INFORMATIONAL MEETING

An informational meeting on the proposed Lanikeha Center management was conducted by DHHL with its Ho'olehua beneficiaries on April 7, 2014 at the Lanikeha Center. The attendance sheet identifies thirty-seven individuals signed in at the meeting. The department received twenty letters of support for issuance of the license to the Molokai Homestead Farmers Alliance. Six attendees asked questions or made comments related to the project and a summary of the comments received are attached as Exhibit "C". Majority of the attendees were in support of the proposed action. Support letters were received from the following:

• Winona K. Kaawa	• Wayden	• Irene Kaahuanui	• George Makuau
• Judy Caparida	• Tony Lauifi	• Roberta Helm	• Tuddie Purdy
• David K.K. Bush	• Ruth Manu	• Sherry U. Sasada	• Beverly Pauole-Moore
• Jose Faraon	• Juanna Piialii	• Ochie Bush	• Mark House
• Rollanda Faraon	• Georgina Kuahuhia	• Michelle Naeole	• Zhanell K.M. Dudoit

HRS Chapter 343 Compliance

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List approved by the Environmental Council on June 30, 2015, this request can be exempt pursuant to Exemption Class #1, which encompasses "Operations, repairs or maintenance of existing structures, facilities, equipment or

topographical features, involving negligible or no expansion or change of use beyond that previously existing."

Any repairs/upgrades and building improvements to the existing facility will require further review and analysis for Chapter 343 compliance. Based on the project description (Exhibit 'C'), the Planning Office anticipates that all renovations will be eligible for exemption from the preparation of an Environmental Assessment under Exemption Classes 1, 2, 3, 4, 6 and 7.

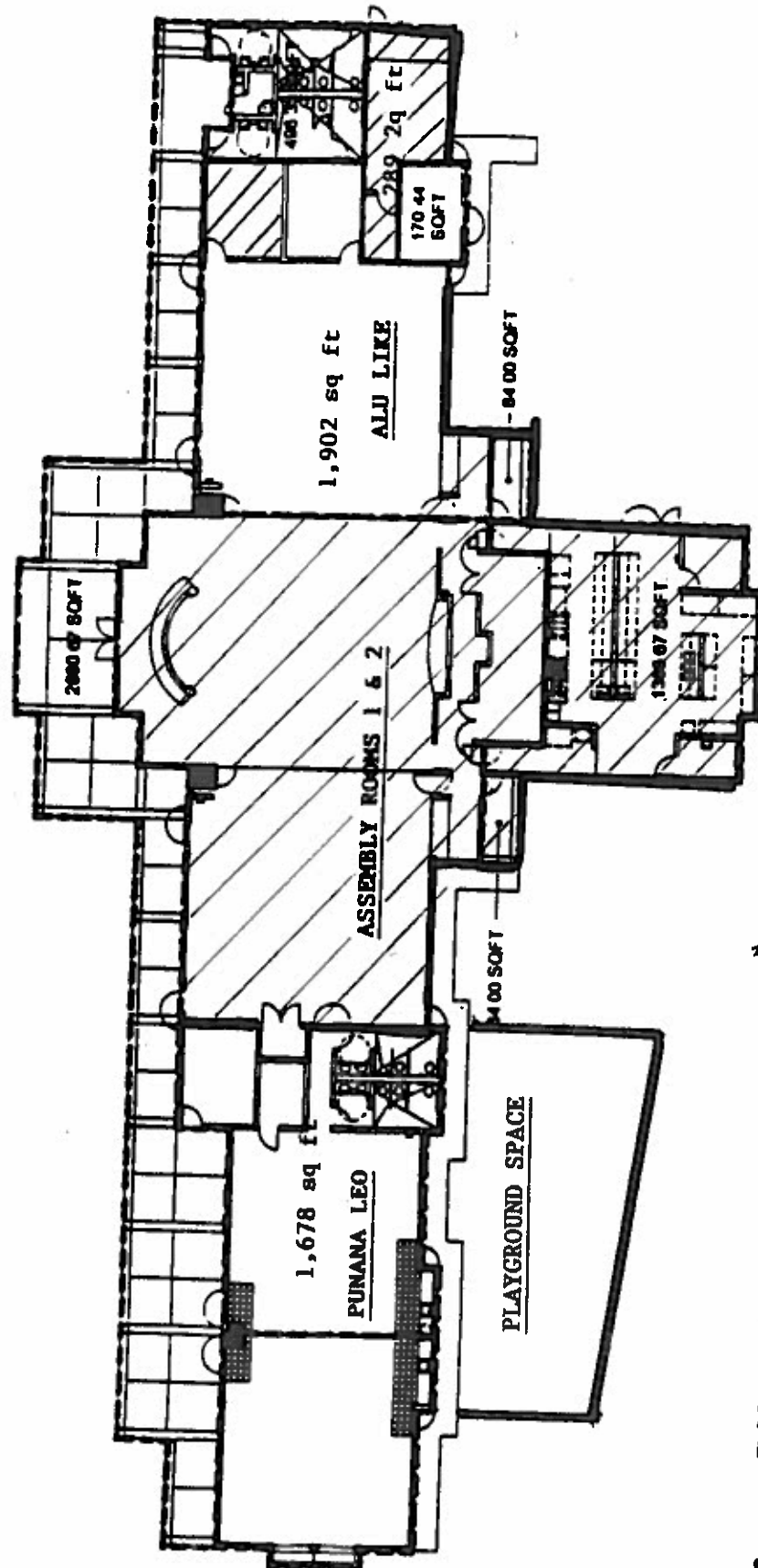
AUTHORITY

§ 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.

§ 10-4-21(d) and (e) provide the waiver of processing fees for licenses that benefit native Hawaiians.

RECOMMENDATION

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



FLOOR PLAN: AREA CALCULATIONS

LANIKEHA HO'OLEHUA

EXHIBIT "A"
ITEM NO. F-1

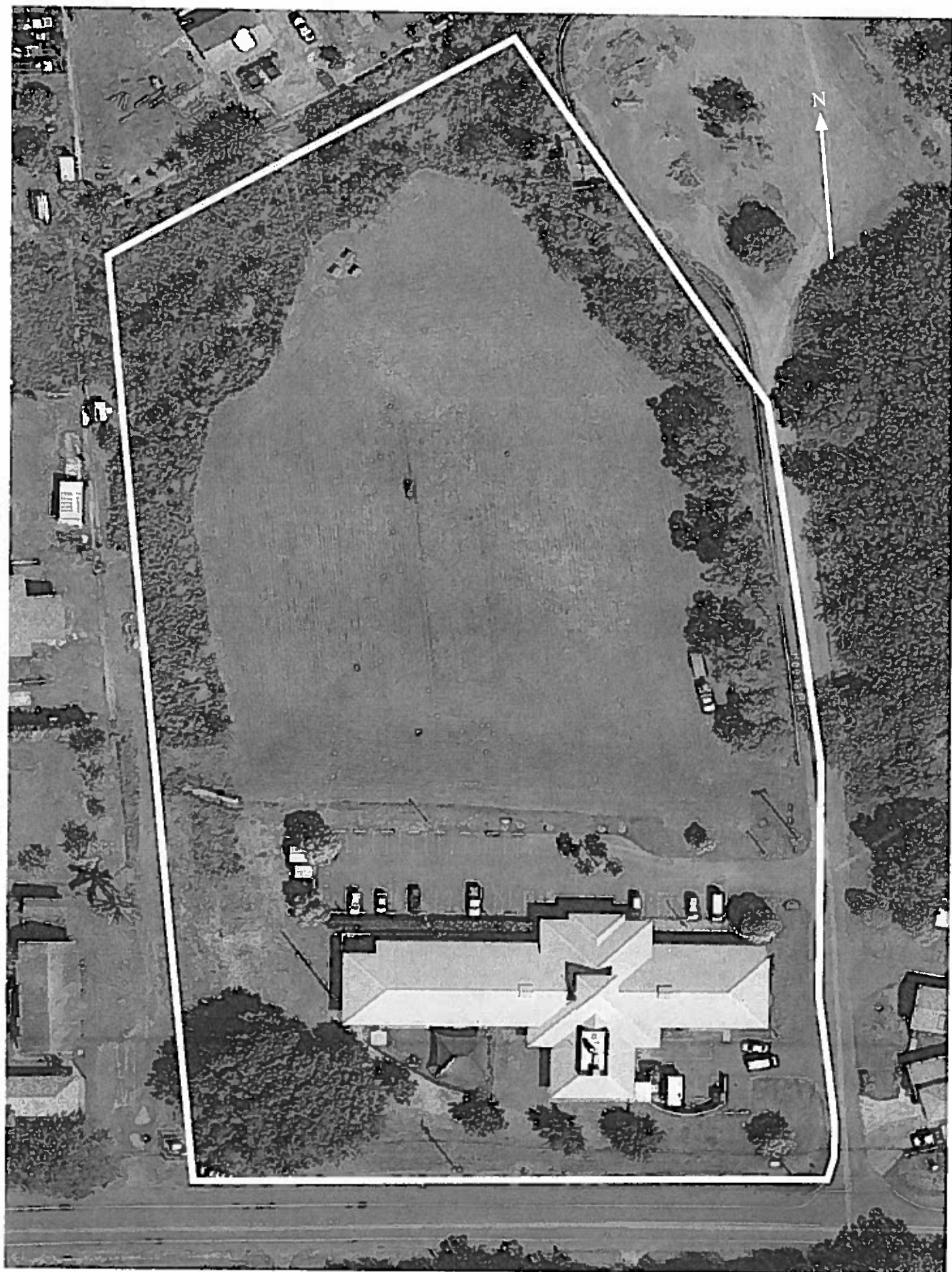


EXHIBIT B

March 14, 2016

PROJECT DESCRIPTION

Molokai Homestead Farmers Alliance

The Molokai Homestead Farmers Alliance's (Alliance) proposed project is to plan, design, and construct improvements to the Lanikeha Center in Ho'olehua on the island of Moloka'i. Planned improvements include the following:

- Repair and upgrade kitchen facilities
- Repair roof and windows
- Replace floors and new paint
- Upgrade electrical system
- Install back-up generator
- Install alternative energy technology to address the high cost of electricity
- Establish Lanikeha Center as a Community Emergency Shelter facility
- Establish a Community Business and Retail Incubator

At completion, this project will be a centrally located resource to address social, cultural, economic and educational needs in the community. Community members island-wide will have access to Lanikeha Center and its facilities for events, meetings, and educational workshops. Additionally, the certified kitchen will allow for small business owners and farmers (large- and small-scale) to prepare products and ship out to various markets. The Kupuna Program also uses the Center as a meeting place to discuss community matters and to carry on traditional cultural practices. Lanikeha Center is the only large facility in the Ho'olehua area designed to serve the community.

Rationale for Recommendation

DHHL staff recommends approval to the issuance of a license agreement to Molokai Homestead Farmers Alliance (Alliance) for the purpose of management and maintenance of Lanikeha Center. Through thoughtful planning and community involvement and support, the Alliance has achieved strong organizational capacity, including a \$1.75 million State Grant-In-Aid, to undertake its proposed project for capital improvements to the Lanikeha Center.

The Alliance is a homestead community based nonprofit organization. The Alliance's purposes are to provide the community with education in agriculture, water, food safety, and technology to

stimulate the economy and sustainable growth by producing value-added products, using renewable energy and being environmental friendly.

DHHL's mission states that it partners with others toward developing self-sufficient and healthy communities. The Alliance's proposed capital improvements project for Lanikeha Center supports DHHL's mission by providing a place for native Hawaiians, farmers and the larger community to come together, grow and work in the facilities of Lanikeha Center.

Organization Capacity

In 2005, a group of homestead farmers created the Molokai Homestead Farmers Alliance (Alliance) to advocate for the protection of water rights for homestead farmers. This effort evolved to include broad community support, including all farmers in commercial operations and subsistence farming. In 2005-2006, the Alliance was well organized and advocated for legislation to assess and investigate the Molokai Irrigation System (MIS). To this day, the Alliance continues to play a key role to support all farmers and helping to secure resources (such as training, education, networking, volunteers, funding) for homestead farmers and others to thrive.

The Alliance incorporated as a nonprofit in the State of Hawaii on May 24, 2006. And, through some trial and error in 2014-2015, the Alliance took initiative to assess its organization and carry out a thoughtful and thorough planning process to achieve IRS 501(c)(3) charitable tax exempt status in February 2016. Through this process, the Alliance recognized it could not have accomplished this on its own. The Alliance engaged in a strategic partnership with DHHL and technical assistance providers to help set up and structure the Alliance's internal systems (administrative and fiscal). The Alliance also built up self-confidence to undertake the proposed improvements to the Lanikeha Center.

Lastly, the homestead communities on Moloka'i are well aware of the Alliance as an organization. The Alliance is also an active member of the Ahupua'a o Moloka'i, which serves as the umbrella group for most homestead associations to coordinate activities, share information and help each other.

Project Planning and Development

In 2004, the Alliance prepared an initial Business Plan as well as a Grant-In-Aid application (Attached). Both of these documents laid out the Alliance's vision and goals, including the role of the Lanikeha Center in helping the Alliance and the broader community on Moloka'i to achieve economic self-sufficiency, while addressing cultural preservation and practices. The Business Plan, however, needs additional information on the technical feasibility aspects (market study) and financial information such as a CIP budget, facility operations and maintenance budget, and proposed income budget, including user fee structure and other facility income. With technical support, the Alliance can build on its initial Plans and is certain to complete a more comprehensive Business Plan.

The Alliance is working towards self-sufficiency by offering Lanikeha Center and the certified kitchen for rent for events, community meetings and gatherings; and for small business owners

and farmers to prepare, package and market their products. The goal is to generate enough revenue to operate and maintain Lanikeha Center (insurance, electricity, water, etc.).

Community support and network of resources

The Alliance has built a broad base of support and partnerships, as follows:

- The Alliance is a member of the Ahupua'a o Moloka'i.
- County of Maui, Office of Economic Development and Kuhao Business Center to provide educational trainings, certificates, and workshops in water and agriculture. Over 500 residents have attended these workshops.
- Hawaii Tropical Fruit Growers, a community group comprised of individual farmers specializing in diverse products, backyard growers, and commercial entities. The Alliance's partnership with this organization helps to promote education, research, marketing and to utilize the Fruit Growers website for exposure to Made-On-Moloka'i products.
- In 2010 and 2011, the Alliance planned, coordinated and conducted an Agricultural Fair event. The Fair was well attended by over 1,200 community members from Moloka'i as well as throughout the State of Hawai'i. Partners included Department of Hawaiian Home Lands, Office of Hawaiian Affairs, County of Maui Office of Economic Development, Kuhao Business Center, University of Hawai'i Moloka'i Cooperative Extension, and local businesses.
- From 2005 to 2009, the Alliance organized the community to introduce a legislative resolution requesting the investigation of the management of the MIS irrigation system.

Additionally, through its planning process and first attempt in 2014 to secure the license for managing the Lanikeha Center, the Alliance secured broad community support, including beneficiary support, which resulted in HHC approval for a 2-year interim license to a sister nonprofit, MHFA Inc. The Alliance learned and grew over this 2-year period, including the following:

- The Alliance worked on achieving its own IRS 501(c)(3) charitable tax exempt status and accomplished this in February 2016;
- Applied and was awarded a \$1.75 million Grant-In-Aid for capital improvement program (CIP) funds; and
- The Alliance has laid the basic foundation to manage and operate the Center, including improved communications and coordination with DHHL and DHHL tenants at Lanikeha Center and the reservation process for the Hall and Kitchen areas.

Ultimately, the Alliance came to a decision to pursue the license directly and discontinue the services of its sister agency, MHFA Inc.

DHHL staff supports the recommendation to issue a license agreement to the Alliance for Lanikeha Center contingent upon the following:

- **Submission of a Project Business Plan within six months of full execution of the license. The Plan shall include a description of the need for the improvements project, project timeline and schedule, Pro Forma, and Budgets (start up/initial costs, facility operating budget, maintenance budget, reserve fund, project income and user fee structure).**

The governor and the department of budget and finance will determine whether to release these funds. Grant recipients should contact the department the grant has been assigned to in order to assess the timeliness of the release of the funds. The governor is required by Ch. 42F-107 to notify recipients of any unreleased grant within ninety days of the effective date of the legislation awarding the grant.

1	DEPT.	TITLE	DESCRIPTION	CD FY15	MOF
2	AGR	MALAMA KAUAI, KAUAI	CONSTRUCTION FOR THE DEVELOPMENT OF KILAUEA AGRICULTURAL PARK. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	120	C
3	AGS	KAUAI MUSEUM ASSOCIATION, LTD, KAUAI	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS AND RENOVATIONS OF THE MUSEUM, TO INCLUDE INSTALLATION OF A PHOTOVOLTAIC SYSTEM. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	776	C
4	AGS	ANEKONA OULI KANEHOA VFD COMPANY, HAWAII	CONSTRUCTION FOR A VOLUNTEER APPARATUS GARAGE. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	20	C
5	AGS	BISHOP MUSEUM, FACILITY IMPROVEMENTS, OAHU	CONSTRUCTION AND EQUIPMENT FOR THE DEFERRED MAINTENANCE OF VARIOUS BISHOP MUSEUM BUILDINGS. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	1,000	C
6	AGS	MAUI ARTS AND CULTURAL CENTER, MAUI	DESIGN, CONSTRUCTION AND EQUIPMENT FOR IMPROVEMENTS AND FACILITY/GROUNDS EXPANSION IN ACCORDNACE WITH THE MASTER DEVELOPMENT PLAN FOR THE MAUI ARTS AND CULTURAL CENTER. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	625	C

	A	B	C	F	G
7	AGS	LYMAN HOUSE MEMORIAL MUSEUM, HAWAII	CONSTRUCTION OF A NEW ISLAND HERITAGE GALLERY. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	500	C
8	AGS	THE FILIPINO COMMUNITY CENTER, INC., OAHU	PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT TO RETROFIT EXISTING CENTRAL AIR-CONDITIONING SYSTEM. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	550	C
9	BED	HALE MAHAOLU EWALU, INC., MAUI	CONSTRUCTION FOR A SENIOR AFFORDABLE RENTAL HOUSING CAMPUS AT THE KULAMALU TOWN CENTER SUBDIVISION. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	4,000	C
10	DEF	OAHU VETERANS COUNCIL, OAHU	PLANS, DESIGN AND CONSTRUCTION FOR PHASE 3 OF THE OAHU VETERANS CENTER LOCATED AT FOSTER VILLAGE. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	265	C
11	DEF	VETERANS OF FOREIGN WARS-HAWAII, OAHU	PLANS AND DESIGN FOR A VETERANS OF FOREIGN WARS CENTER. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	500	C
12	DEF	PACIFIC AVIATION MUSEUM PEARL HARBOR, OAHU	CONSTRUCTION FOR THE HISTORIC FORD ISLAND CONTROL TOWER COMPLEX RESTORATION. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	550	C

	A	B	C	F	G
13	EDN	KANU O KA AINA LEARNING OHANA, HAWAII	CONSTRUCTION FOR A NEW COMMUNITY RECREATION CENTER. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	1,700	C
14	HHL	MOLOKAI HOMESTEAD FARMERS ALLIANCE, MOLOKAI	DESIGN, CONSTRUCTION AND EQUIPMENT FOR REPAIRS, IMPROVEMENTS AND INSTALLATION OF RENEWABLE ENERGY SYSTEMS FOR THE LANIKEHA CENTER. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	1,750	C
15	HHL	KAILAPA COMMUNITY ASSOCIATION, HAWAII	PLANS AND DESIGN FOR THE KAILAPA COMMUNITY RESOURCE CENTER. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	60	C
16	HHL	LA'I'OPUA 2020, HAWAII	CONSTRUCTION FOR IMPROVEMENTS FOR THE PARKING LOT AND ROAD. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	950	C
17	HHL	WAOIHULI HAWAIIAN HOMESTEADERS ASSOCIATION, INC., MAUI	CONSTRUCTION FOR PHASE 2 OF THE WAOIHULI COMMUNITY CENTER AND PARK MASTER PLAN. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	1,500	C
18	HMS	HOUSING SOLUTIONS, INC., OAHU	PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR RECONSTRUCTION AND/OR RENOVATION OF THE THOMAS BUILDING. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.	500	C

House District 13

Senate District 7

THE TWENTY-SEVENTH LEGISLATURE
APPLICATION FOR GRANTS & SUBSIDIES
CHAPTER 42F, HAWAII REVISED STATUTES

Log No:

For Legislature's Use Only

Type of Grant or Subsidy Request:

☐ GRANT REQUEST - OPERATING

XXX GRANT REQUEST - CAPITAL

☐ SUBSIDY REQUEST

"Grant" means an award of state funds by the legislature, by an appropriation to a specified recipient, to support the activities of the recipient and permit the community to benefit from those activities.

"Subsidy" means an award of state funds by the legislature, by an appropriation to a recipient specified in the appropriation, to reduce the costs incurred by the organization or individual in providing a service available to some or all members of the public.

"Recipient" means any organization or person receiving a grant or subsidy.

STATE DEPARTMENT OR AGENCY RELATED TO THIS REQUEST (LEAVE BLANK IF UNKNOWN): Department of Hawaiian Home Lands
STATE PROGRAM I.D. NO. (LEAVE BLANK IF UNKNOWN):

1. APPLICANT INFORMATION:

Legal Name of Requesting Organization or Individual:
Molokai Homestead Farmers Alliance

Dba: Molokai Homestead Farmers Alliance

Street Address:

Mailing Address: P.O. Box 125
Hoolehua, Molokai, Hawaii 96729

2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION:

Name: Lynn De Coite
Title: President
Phone #: 808-567-9234
Fax #: 808-567-9045
e-mail: molokaisweetpotato@gmail.com

3. TYPE OF BUSINESS ENTITY:

- ☒ Non profit Corporation
☐ For profit Corporation
☐ Limited Liability Company
☐ Sole Proprietorship/Individual

6. DESCRIPTIVE TITLE OF APPLICANT'S REQUEST:

Lanikeha Center and Certified Kitchen: To provide improvements and renovations throughout the entire facility, inclusive of a new roof, repair to electrical system, windows, and floors, new paint, equipment fixtures, generators and the installation of renewable energy resources to offset the high cost of electricity.

4. Federal tax id #: [REDACTED]

5. State tax id #: [REDACTED]

7. AMOUNT OF STATE FUNDS REQUESTED:

Fiscal Year 2014: \$1,500,000

8. STATUS OF SERVICE DESCRIBED IN THIS REQUEST:

- ☐ New Service (presently does not exist)
☐ Existing Service (presently in operation)

Specify the amount by sources of funds available at the time of this request:

State: \$0.00
Federal: \$0.00
County: \$0.00
Private/Other

TYPE NAME & TITLE OF AUTHORIZED REPRESENTATIVE:

Lynn De Coite, President
NAME & TITLE

January 30, 2014
DATE SIGNED

Application for Grants and Subsidies

If any item is not applicable to the request, the applicant should enter "not applicable".

I. Background and Summary

This section shall clearly and concisely summarize and highlight the contents of the request in such a way as to provide the State Legislature with a broad understanding of the request. Include the following:

1. A brief description of the applicant's background;

In 2005 a group of homestead farmers created Molokai Homestead Farmers Alliance (MHFA). We organized to advocate for the protection of water rights for homestead farmer, evolving to all farmers in commercial operations and subsistence farming. Since 2005, we have provided education to our farmers and community by updating them on laws pertaining to food and safety, water issues, certifications, agriculture laws, trainings, and innovative technology tools for farmers to expand their produce and product.

The proposed project for Lanikeha Center is to provide improvements and renovations throughout the entire facility - an overhaul of antiquated equipment and building improvements. Installation of renewable energy resources to offset the high cost of electricity, a new roof throughout, upgraded kitchen equipment and fixtures, replace and or repair electrical system, windows, paint throughout the Center and other repairs as needed. The improvements to Lanikeha Center will allow us to provide a functional site for farmers to process their products and our community to conduct events.

2. The goals and objectives related to the request;

The goals and objectives to this request are:

- Objective #1: To repair and upgrade the kitchen facilities of the Lanikeha Center.
- Objective #2: To renovate the Lanikeha Center by repairing the roof and windows, replace the floors and paint, and upgrade the electrical and install back-up generator.
- Objective #3: To install alerter native energy technology.
- Objective #4: To establish the Lanikeha Center as a Community Emergency Center for the Molokai Community.
- Objective #5: To establish a Community Business and Retail Incubator for the Molokai Community.

3. The public purpose and need to be served;

The purpose is to provide a functional and friendly user facility to meet the need of the public. The need to provide this facility is in response to high a demand, being the only site available to lease for many purposes at a low fee. The Center is a priority for many farmers and community members to be able to utilize the Center for events, meetings and fundraisers. The certified kitchen will allow for small food business owners to prepare food, small and large farmers to prepare their produce and product to ship out to outer islands. The Center holds workshops to bring awareness and education to the community about updated regulation and policy, such as food safety, land and water issues. The Kupuna Program uses this Center, as a meeting place, to discuss important issues in the community, activities, and to carry on the tradition and cultural practices for our community. Lanikeha Center is also the only large facility in the area of Hoolehua, Molokai, and thereby will be renovated to serve as the Community Emergency Center.

4. Describe the target population to be served; and

The residents of Molokai are the target population to be served. The Molokai population is 7,257, of which 60% represent the agriculture/farming community. The Lanikeha Center will be available to the public for the purpose of and not limited to: daycare, afterschool activities, preschool, workshops, trainings, product development, retail opportunities, public safety trainings, and private and public events.

5. Describe the geographic coverage.

The island of Molokai is the geographic coverage. The island is 38 miles long and 10 miles wide. Our island is a federally designated underserved rural area, severally distressed census tract identified and an Enterprise Zone.

II. Service Summary and Outcomes

The Service Summary shall include a detailed discussion of the applicant's approach to the request. The applicant shall clearly and concisely specify the results, outcomes, and measures of effectiveness from this request. The applicant shall:

1. Describe the scope of work, tasks and responsibilities;

The scope of work is to perform the proposed Project goals and objectives of Lanikeha Center, as described in Section I. Tasks set-forth are the responsibility of the Board of Directors of MHFA to hire the Project Manager(s) to manage the Project and the Consultant(s) to assist the Project Manager(s) to ensure the Capital Improvement Project is completed within 6 months of funding. The Project Manager(s) will oversee the Architect and General Contractors. The responsibilities set-forth for the Project Manager(s) is to promote and support the MHFA Board of Directors to accomplish and complete the Lanikeha Center; to increasing the capacity and availability of the Center's potential; and to create skills, knowledge, and sustainability potential and economic return for our community.

2. Provide a projected annual timeline for accomplishing the results or outcomes of the service;

An approved construction and permitting process may take 6 months to complete (3 months for pre-construction/permitting and 3 months to complete construction). Perimeters for progress are based on the Phases of Construction, which are:

1. Pre-construction (9-11 weeks)
2. Floors (1-2 weeks)
3. Roof (3-4 weeks)
4. Electrical and plumbing (3-4 weeks)
5. Finish work (4-5 weeks)
6. Inspections and occupancy (4-5 weeks)

While pre-construction and construction are projected to be completed within 6 months, the alternative energy technology may take up to 12 months, due to permitting and thus is not included in the timeline above. Shipping may also affect the proposed timeline by 3-4 weeks.

The outcomes can be measured by monthly meetings updates and results reported by the project manager on the accomplishments of each phase to completion. Please see the matrix below for more information.

3. Describe its quality assurance and evaluation plans for the request. Specify how the applicant plans to monitor, evaluate, and improve their results; and

The MHFA Board will require monthly meetings and financial reports from the Project Manager(s), Consultant(s), and all related construction parties (i.e. architect and general contractor). The meeting would be to monitor the timeline, and determine where the project is in the line of accomplishment.

MHFA has and will continue to operate with all Government regulations and policies to include but are not limited to 501 (c) 3 non-profits. In addition, MHFA will follow the policies and procedures set-forth by MHFA's by-laws. As required in the procurement process, reporting procedures to DHHL and the State of Hawaii will be followed. In addition, an annual financial audit will be performed under the MHFA By-Laws policies and guidelines; the audit will be outsourced to the accounting offices firm.

Perimeters to monitor for progress are based on the 1st Phase of renovation and improvements; evaluation of the progress will be based on a checklist of completion, timelines, progress and an expense report, account summary or detailed report can be given at any time on each phase of the project.

Indicators

MHFA will generate a checklist of responsibilities and timelines for each member of the group and progressive feedback from meeting(s), and questionnaires through participating partners and individuals. The following matrix table provides an outline of indicators.

Monitor	Outputs	Outcomes	Evaluation
1. To provide updates at weekly meetings with all members of construction involved in the Lanikeha Project.	a. To develop infrastructure of comprehensive dialogue with all partners of construction. b. Involve project managers, consultants, architect, and construction supervisors.	a. To identify roles for each individual; and b. Develop the protocol of communication and progress, completed each month; and c. All protocols would be available and provided to all partners.	a. A checklist would be developed to implement the following criteria for evaluation process. b. Questionnaires would be provided for feedback on the checklist. Comments in verbal and writing would also be encouraged. c. All partners and individuals would provide a verbal and written report on a monthly basis.

4. List the measure(s) of effectiveness that will be reported to the State agency through which grant funds are appropriated (the expending agency). The measure(s) will provide a standard and objective way for the State to assess the program's achievement or accomplishment. Please note that if the level of appropriation differs from the amount included in this application that the measure(s) of effectiveness will need to be updated and transmitted to the expending agency.

The funds would be appropriated to the MHFA. MHFA will submit reports as required by the State of Hawaii. MHFA will meet on a monthly schedule to review the outcomes for the month from the checklist implemented. The monthly Project and Financial reports will be submitted to the MHFA Board and included in the grant reports.

Project Milestones	Timeline
Identify Property	Completed
Design Facility	To be completed, during Q1 of 2015, upon award.
Finalize Design	To be completed, during Q1 of 2015, upon award.
Planning and Permitting	To be completed, during Q2 of 2015, upon award.
Solicit Bids & Selections of Contractor	To be completed, during Q2 of 2015, upon award.
Award Contract	To be completed, during Q2 of 2015, upon award.
Renovation	To be completed, during Q3 of 2015, upon award.
Alternative Energy	To be completed, during Q4 of 2015, upon award.

Q1 = Quarter 1 (January, February, March); Q2 = Quarter 2 (April, May, June);

Q3 = Quarter 3 (July, August, September); Q4 = Quarter 4 (October, November, December)

Note: The Year is based on Award and Release of Funds.

III. Financial

Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request.
2. The applicant shall provide its anticipated quarterly funding requests for the fiscal year 2015.

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Grant
\$600,000	\$600,000	\$200,000	\$100,000	\$1,500,000

3. The applicant shall provide a listing of all other sources of funding that they are seeking for fiscal year 2015.

Bank of Hawaii, Atherton Foundation, First Nations Development Institute, McNerny Foundation, and Blue Planet Foundation.

4. The applicant shall provide a listing of all state and federal tax credits it has been granted within the prior three years. Additionally, the applicant shall provide a listing of all state and federal tax credits they have applied for or anticipate applying for pertaining to any capital project, if applicable.

MHFA is actively seeking New Markets Tax Credits to support the Capital Improvement Project. It is estimated that New Markets Tax Credits could provide a 17 – 22% subsidy to the project, upon MHFA raising 78 – 83% of the Project costs.

New Markets Tax Credit (NMTC) Program: The federal New Markets Tax Credit (NMTC) program is currently the largest federal economic development incentive program. The program was enacted as part of the Community Renewal Tax Relief Act of 2000 to encourage investment into operating businesses and real estate projects located in low-income communities.

NMTC is very flexible and can be used for a wide range of purposes. Most types of businesses, including not-for-profit businesses are eligible for NMTC subsidy. The program has supported a wide variety of community and economic development initiatives including restaurants, childcare facilities, community centers, charter schools, supermarkets, shopping centers, manufacturing and industrial facilities, health care centers, and mixed-use buildings with affordable housing. For the many communities that could benefit from the NMTC, the first step is to understand how it works.

In brief, the NMTC Program attracts investment capital to low-income communities by permitting individual and corporate investors to receive a tax credit against their Federal income tax return in exchange for making equity investments in specialized financial institutions called Community Development Entities (CDEs). The Community Development Financial Institutions

(CDFI) Fund, part of the U.S. Treasury Department, certifies qualified Community Development Entities and conducts competitions for the allocation of NMTCs to CDEs. An "allocation" allows the CDE to select a project and coordinate funding, including by receiving the tax credit investor's capital and directing the tax benefits to the investor.

The credit totals 39 percent of the original investment amount and is claimed over a period of seven years (five percent for each of the first three years, and six percent for each of the remaining four years). The investment in the CDE cannot be redeemed before the end of the seven-year period.

The capital is typically approximately the project budget amount. At closing, investors pay a percentage of the total benefits they receive over time. This means the tax credits result in a subsidy for projects typically in the range of 17 – 22% of the total capital raised by the CDE. The capital must be used for qualifying projects, usually required to be located in low-income census tracts or projects that serve or employ low-income persons.

Since the NMTC Program's inception, the CDFI Fund has made 664 awards allocating a total of \$33 billion in tax credit authority to CDEs through a competitive application process.

Source: Community Development Financial Institutions Fund, United States Department of the Treasury (http://www.cdfifund.gov/what_we_do/programs_id.asp?programID=5).

5. The applicant shall provide the balance of its unrestricted current assets as of December 31, 2013.

Not Applicable. MHFA is a not-for-profit organization, and as such, its assets are restricted.

IV. Experience and Capability

A. Necessary Skills and Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the request. State your experience and appropriateness for providing the service proposed in this application. The applicant shall also provide a listing of verifiable experience of related projects or contracts for the most recent three years that are pertinent to the request.

Our skills have grown over time and have promoted the MHFA, a non-profit organization, run by volunteers to advocate for farmers since 2005. MHFA has successfully maintained partnerships with many organizations throughout Molokai and expanded their membership for our farmers. Our skills and experience stems from perseverance and determination to succeed by promoting our produce and products for farmers of Molokai. Our skills have developed tremendously from the following partnership experiences as follows:

- 2014 – 2009: Presently, a maintained partnership with County of Maui Office Economic Development and Kuhao Business Center to provide educational trainings, certificates,

and workshops in water and agriculture. Other resources are being developed to keep farmers informed. Over 500 residents have attended these workshops.

- 2014 – 2013: Hawaii Tropical Fruit Growers, a community group comprised of individual farmers specializing in diverse products, backyard growers and commercial entities. Promoting education, research, marketing, and made on Molokai products utilizing exposure through their website.
- 2014 – 2005: A member of the Ahupuaa Homestead Associations supporting Native Hawaiian with issues of land, water, and other topics affecting homesteaders throughout the State of Hawaii.
- 2011 – 2010: The Agricultural Fair in partnership with Office of Hawaiian Affairs, County of Maui Office Economic Development, Kuhao Business Center, University of Hawaii Molokai Cooperative Extension, and local businesses. MHFA developed and created the Agricultural Fair, which was executed by volunteer MHFA members and community. A very successful event attended by over 1,200 community members from Molokai and throughout the State of Hawaii which was held at the Lanikeha Center.
- 2005 – 2009: The MIS irrigation system, legislative in 2005, to introduce a resolution requesting the investigation of the management of the MIS.

B. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the request. If facilities are not presently available, describe plans to secure facilities. The applicant shall also describe how the facilities meet ADA requirements, as applicable.

The Lanikeha Center is located at 2200 Farrington Highway, Hoolehua, Hawaii. The Lanikeha Center is equipped with a certified kitchen, hall, multi-purpose rooms, classrooms, and an administrative office. The facility is ADA compliant, as required by law.

V. Personnel: Project Organization and Staffing

A. Proposed Staffing, Staff Qualifications, Supervision and Training

The applicant shall describe the proposed staffing pattern and proposed service capacity appropriate for the viability of the request. The applicant shall provide the qualifications and experience of personnel for the request and shall describe its ability to supervise, train and provide administrative direction relative to the request.

2 – Project Managers (Contracted)

The Project Managers will pose the qualifications and experience to oversee and manage the Architect to identify and accomplish the goal and objectives; to meet the timeline; expected outcomes and evaluation; to provide support, direction, and guidance to Architect and Consultants. These roles are vital to insure the Architect is on schedule with all timelines as indicated on all phases of the construction process and permitting. The Project Managers will have access to valuable information towards pursuing and moving the project forward. The project managers will also advise the consultants and provide on-going assistances as needed to accomplish reports and/or assist with other tasks as required. Responsible for planning, scheduling, and coordinating meeting with Architect and consultants; and to train others in and assisting in the development of protocols and monitoring to access the outcomes.

1 – Architect (Contracted)

The Architect will provide assistance and guidance in the development of the Lanikeha Canter renovation and improvements. The architect will draft and design the plans; handle ordinance administration, and many other responsibilities geared towards the beginning and completion of this project. The Architect will provide the procedures and protocols to meet the goals and objectives, the timeline, expected outcomes, and evaluation. The Architect will report to the Project managers and assist the Project managers in recruitment of construction assistance for the phases of construction.

2 – Project Consultants (Contracted)

The Consultants will administer the project reporting to the Board and Project Managers. These roles require knowledgeable consultants versed in non-profit management, fundraising, farming knowledge, grant writing and experience in working with a diverse group of community organizations, ability to nourish these relationships with partners and manage staff. Experience in managing non-profit programs, reporting, deadlines, budget revisions, development of curriculum and implementation of programs, working with community and its organizations to generate realistic results.

Board Members:

President: Lynn DeCoite. Lynn DeCoite was born and raised on Molokai. She has spent her life on Molokai involved with many projects for the community, including many years as a successful Business Owner of several businesses. Mrs. DeCoite has marketed her produce and products of sweet potato, L& R Farms, throughout the State of Hawaii. A leader in Native Hawaiian issues pertaining to the land and water issues. Most important Mrs. DeCoite was appointed by the Governor to be the first Molokai representative on the Board of Agriculture for the State of Hawaii. Mrs. DeCoite has been with the MHFA since infancy and continues to provide leadership in all areas of farming. Most recently, Mrs. DeCoite became the President of the Ahupuaa, a group of 8 homestead associations consisting of only homestead beneficiaries. Chair of the Molokai Chamber Foundation 2009 - 2013, Chair of the Molokai Light Parade, Chair of Farm Service Agency Maui County Committee. Mrs. DeCoite's community involvement is extensive as she serves on several community boards and holds membership in a variety of local groups.

Vice President: Faith Tuipulotu. Faith Tuipulotu, was born and raised on Molokai in 1961 with an associates in farm management and associates in turf and grass management. An employee of the University of Hawaii since 2000 working as an Ag Technician 4. She does extensive outreach to community on taro, sweet potato, vegetable crops, evaporation, pollination, and also on conservation. Mrs. Tuipulotu, is also a member of the Hawaii Tropical Fruit Growers. She and her husband also have their own papaya and Tongan Yam farm, and is also a Organic Inspector since 2009 for the International Certification Services (ICS).

Secretary: Rollanda Faraon. Rollanda Faraon was born and raised on Molokai, Hawaii. Mrs. Farron resides on homestead and is a contributing volunteer and an active community advocate involved with Native Hawaiian health issues, especially for services that are limited and/or absent from this rural and remote community. Mrs. Faraon is involved with promoting farming programs and events to meet the educational needs for farmers. Rollanda has been employed with the Molokai General Hospital for over 18 years.

Treasurer: Viola Wichman. Mrs. Viola Wichman was born in Honolulu and raised in the mainland; moved home to her homestead lot in 1997. Mrs. Wichman has been a farmer and livestock owner for the past 17 years. She has given back to the community by serving on 10 different boards during those 17 years. Mrs. Wichman is the founder of the 4H Clover Lopers; she provides this program on a volunteer basis to the youth of Molokai. The program equips youth with life skills to prepare them for the future. Mrs. Wichman and her husband farm organic papayas, bananas, raise horses, chicken layers and fruit trees. They have established a local market with Kumu Farms, Fruit Stand and local Saturday markets vendors. Mrs. Wichman is knowledgeable in bookkeeping and keeps updated with all current laws from the IRS and laws pertaining to overseeing the books for MHFA.

Director: Jose Faraon. Jose Faraon was born and raised on the island of Molokai. Mr. Farron, worked for Hawaiian Tel for over 20 years and recently retired. Mr. Faraon is now farming full-time and is marketing his produce and products to Whole Foods as an organic farmer. He also established several markets on Molokai. Mr. Faraon has been a member of the MHFA since the beginning. Mr. Faraon continues to volunteer his time to the MHFA, not only a Director, but also with hands on projects.

Supervision and training, is in accordance with MHFA policies and procedures. The MHFA Board of Directors will acquire the services of Project Managers and supervise accordingly. The Project Managers will be qualified to oversee the Capital Improvement Project. The Project Managers will be assigned to hire qualified Consultations, Architect and General Contractor to accomplish this Project and will provide supervision and training in the required or needed areas to this Project.

B. Organization Chart

The applicant shall illustrate the position of each staff and line of responsibility/supervision. If the request is part of a large, multi-purpose organization, include an organizational chart that illustrates the placement of this request.

See Attached.

C. Compensation

The applicant shall provide the annual salaries paid by the applicant to the three highest paid officers, directors, or employees of the organization by position.

Not Applicable. MHFA is a volunteer Board with no employees.

VI. Other

A. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgement. If applicable, please explain.

Not Applicable.

B. Licensure or Accreditation

The applicant shall specify any special qualifications, including but not limited to licensure or accreditation that applicant possesses relevant to this request.

Not Applicable.

BUDGET REQUEST BY SOURCE OF FUNDS
(Period: July 1, 2014 to June 30, 2015)

Applicant: MOLOKAI HOMESTEAD FARMERS ALLIANCE

BUDGET CATEGORIES	Total State Funds Requested (a)	(b)	(c)	(d)
A. PERSONNEL COST				
1. Salaries				
2. Payroll Taxes & Assessments				
3. Fringe Benefits				
TOTAL PERSONNEL COST				
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island				
2. Insurance				
3. Lease/Rental of Equipment				
4. Lease/Rental of Space				
5. Staff Training				
6. Supplies				
7. Telecommunication				
8. Utilities				
9. Consultants	320,000			
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
TOTAL OTHER CURRENT EXPENSES	320,000			
C. EQUIPMENT PURCHASES	580,000			
D. MOTOR VEHICLE PURCHASES	0			
E. CAPITAL	600,000			
TOTAL (A+B+C+D+E)	1,500,000			
SOURCES OF FUNDING		Budget Prepared By:		
(a) Total State Funds Requested	1,500,000	Lynn De Coite, President 808-567-9234		
(b)		Name (Please type or print) Phone		
(c)		11/312014		
(d)		Signature of Authorized Official Date		
TOTAL BUDGET	1,500,000	Lynn De Coite, President Name and Title (Please type or print)		

Applicant: MOLOKAI HOMESTEAD FARMERS ALLIANCE

Period: July 1, 2014 to June 30, 2015

Page 5
Application for Grants and Subsidies

BUDGET JUSTIFICATION - EQUIPMENT AND MOTOR VEHICLES

Applicant: MOLOKAI HOMESTEAD FARMERS ALLIANCE
 Period: July 1, 2014 to June 30, 2015

DESCRIPTION EQUIPMENT	NO. OF ITEMS	COST PER ITEM	TOTAL COST	TOTAL BUDGETED
KITCHEN EQUIPMENT	1	\$230,000.00	\$ 230,000.00	230000
PV SYSTEM	1	\$350,000.00	\$ 350,000.00	350000
			\$ -	
			\$ -	
			\$ -	
TOTAL:	2		\$ 580,000.00	580,000

JUSTIFICATION/COMMENTS:

To ensure kitchen remains operational and certified, kitchen equipment needs to be upgraded. Molokai has the highest electrical cost in the Nation and the PV System will reduce operational cost.

DESCRIPTION OF MOTOR VEHICLE	NO. OF VEHICLES	COST PER VEHICLE	TOTAL COST	TOTAL BUDGETED
			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:			\$ -	

JUSTIFICATION/COMMENTS:

BUDGET JUSTIFICATION CAPITAL PROJECT DETAILS

Applicant: MOLOKAI HOMESTEAD FARMERS ALLIANCE

Period: July 1, 2014 to June 30, 2015

FUNDING AMOUNT REQUESTED						
TOTAL PROJECT COST	ALL SOURCES OF FUNDS RECEIVED IN PRIOR YEARS		STATE FUNDS REQUESTED	OTHER SOURCES OF FUNDS REQUESTED	FUNDING REQUIRED IN SUCCEEDING YEARS	
	FY: 2012-2013	FY: 2013-2014	FY: 2014-2015	FY: 2014-2015	FY: 2015-2016	FY: 2016-2017
PLANS						
LAND ACQUISITION						
DESIGN			100000			
CONSTRUCTION			600000			
EQUIPMENT			580000			
TOTAL:			1,280,000			
JUSTIFICATION/COMMENTS:						
The above amount represents the cost to renovate the Center. It does not include the Project Managers and other Consultants necessary. It does include the architect.						

**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS AND SUBSIDIES PURSUANT TO
CHAPTER 42F, HAWAII REVISED STATUTES**

The undersigned authorized representative of the applicant certifies the following:

- 1) The applicant meets and will comply with all of the following standards for the award of grants and subsidies pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant or subsidy is awarded;
 - b) Complies with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
 - c) Agrees not to use state funds for entertainment or lobbying activities; and
 - d) Allows the state agency to which funds for the grant or subsidy were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant or subsidy.
- 2) The applicant meets the following requirements pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is incorporated under the laws of the State; and
 - b) Has bylaws or policies that describe the manner in which the activities or services for which a grant or subsidy is awarded shall be conducted or provided.
- 3) If the applicant is a non-profit organization, it meets the following requirements pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is determined and designated to be a non-profit organization by the Internal Revenue Service; and
 - b) Has a governing board whose members have no material conflict of interest and serve without compensation.

Pursuant to Section 42F-103, Hawaii Revised Statutes, for grants or subsidies used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant or subsidy was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant or subsidy used for the acquisition of the land.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

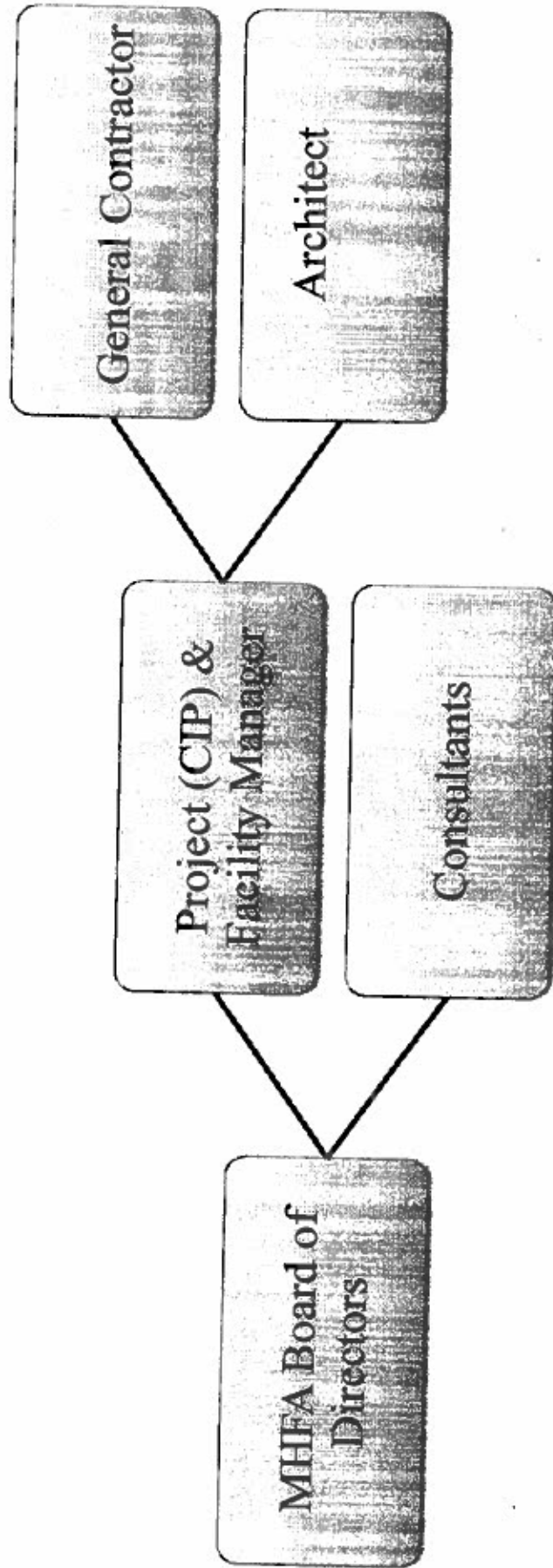
MOLOKAI HOMESTEAD FARMERS ALLIANCE
(Typed Name of Individual or Organization)


(Signature)

Lynni De Coite
(Typed Name)

January 31, 2014
(Date)

President
(Title)



Notes on the Informational Meeting – 4/7/2014
Molokai Homestead Farmers Alliance Proposal

37 individuals signed in

20 letters of support received

6 individuals asked questions or made comments related to the project

Questions and Comments include:

- Lanikeha Kitchen was one of the Enterprise Community (EC) Board projects. The kitchen is owned by DHHL, but the equipment for the kitchen was bought with EC funds. What was the original lease agreement? Equipment does not belong to one entity. Where is the equipment? Money was dedicated to purchase the equipment.
We are trying to inventory equipment, determine who owned what equipment and we are looking at what equipment is left.
We identifying basic equipment needed getting it in the kitchen as quickly as possible so we can get the kitchen up running.
We will equip with only what is needed and equipment will belong to DHHL.
- The high school is designated as a center for emergencies. How will this proposal affect that?
Lanikeha could be a back up for the school. This is still something we are figuring out.
- DHHL should have been working to bring Molokai Community Service Council and Molokai Farmers Alliance together at the same table. Poor communication?
We are trying to allow for a smooth transition.
Lynn DeCoite did talk to Karen Holt.
On February 27, 2014, DHHL met with Molokai Community Service Council and Molokai Farmers Alliance to discuss their proposals.
At this meeting it became clear that the recommendation would be Molokai Farmers Alliance because they wanted to manage both kitchen and meeting spaces.
- Should have brought it to the homesteaders. DHHL should have sat down with both entities to make this work smoothly. Taro and salt guys are without a kitchen and 15-20 families are being hurt. What is the timeframe for getting certification?
The goal is to get certification as soon as possible and get the kitchen operational again.
We are trying to get certification this week.
License is being brought to Hawaiian Homes Commission this month.
We need to get equipment and trying to get the equipment within 60 days.
- Two months without kitchen for salt, poi, and chip making?
We don't know because we need to assess what equipment is needed and get that in as soon as possible.
We need to get a better sense of where we are and what is needed for everyone to operate.
- When Molokai Community Service Council was managing the kitchen and Alu Like managing the hall, why wasn't one organization managing it all?
Alu Like did not want to manage to manage the hall, but the District Office didn't have capacity.
The hall was managed in exchange for reduced rent.


Molokai Community Service Council was the only entity at the time that could receive state grants and had capacity. They were the logical entity to start running the facility. The kitchen was intended to run as a sustainable kitchen.

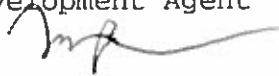
- Applaud Molokai Farmers Alliance for taking on kuleana.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21-22, 2016

To: Chairman and Members, Hawaiian Homes Commission

Thru: Kahana Albinio, Acting Administrator
Land Management Division 

From: Mike Robinson, Property Development Agent
Land Management Division 

Subject: Waipahoehoe Management Unit Fencing and Long Term
Restoration License, Aina Mauna R-3, Piihonua Mauka, Island
of Hawaii

RECOMMENDED MOTION/ACTION

Approval to Issue a ten (10) year license, with an option to renew an additional five (5) years, to the Big Island Resource Conservation & Development, Inc. (BI RC&D). BI RC&D is the fiscal agent of the Mauna Kea Watershed Alliance (MKWA). MKWA will fence the Waipahoehoe Management Unit and assist DHHL in the restoration of the Unit's native forest, Aina Mauna, R-3, Humu'ula, Island of Hawaii.

DISCUSSION

At its June 15, 2015 meeting the Hawaiian Homes Commission unanimously adopted submittal F-3 (Attachment A - Meeting Minutes) to issue a license to MKWA to fence the Waipahoehoe Management Unit and assist DHHL in the restoration of the Unit's native forest. This area is designated as part of mapping unit R-3 of the Aina Mauna Legacy Program Plan and Environmental Assessment, Piihonua mauka, Island of Hawaii.

The approval of that submittal, considered the "most viable option" by the HHC, was to license the area to the MKWA, of which all neighboring landowners (DHHL, DLNR, and USFWS) are part of. The following quote is from the original submittal:

"MKWA has been assisting DHHL with the management of the Kanakaleonui Bird Corridor (KBC) for several years now, involving many volunteers and students in those restoration efforts. MKWA staff have also recently upgraded the new Waipahoehoe makai fence line. MKWA is capable of acquiring grants and applying for financial assistance via Federal, State, and County programs that DHHL currently cannot. MKWA has a proven track record of working with many Big Island native Hawaiian communities and schools to enhance their educational experiences on DHHL lands. Concurrently, because the MKWA coordinator is a Trust beneficiary, all volunteers in MKWA activities, be they

Hawaiian or not, are exposed to Hawaiian culture and its respect for the land."

When drafting the license with MKWA, however, DHHL staff has learned that the phrase "MKWA is capable of acquiring grants and applying for financial assistance..." is not accurate. Although MKWA has applied successfully for Federal, State, and County grants, they have not acquired them directly.

Rather, MKWA relies on a fiscal agent, the Big Island Research & Development, Inc. to receive grant funds and administer them on behalf of MKWA. Thus the need to issue the Waipahoehoe Management Unit Fencing and Long Term Restoration License to the BI RC&D and not MKWA. To take advantage of yet unknown financial resources that MKWA might gain access to, the license would also contain language recognizing other fiscal agents acting on behalf of MKWA, but who are not licensees.

Key Elements of an Approved License

The following elements were part of the HHC's June 15, 2015 decision and would be included in the license. The attached minutes reflect the HHC's desire to include the original six included in the submittal, plus a seventh as shown below. They have been reviewed to ensure that no original intent of having MKWA manage this project is lost.

1. The term of the license would be a minimum of 10 years, with an option to renew for an additional five (5) years. This would allow MKWA to satisfy requirements of its pending grant with the US Fish & Wildlife Service. US Fish & Wildlife Service (FWS) grant funds require a minimum ten (10) year commitment that the land use will not change from when the funds were awarded. This is similar to DHHL's 2007 agreement with the FWS which established the Kalakaleonui Bird Corridor (KBC). That agreement resulted in a \$340,000 fence being built at no cost to DHHL to enclose approximately 500 acres of land. This mauka/makai corridor is designed to allow native birds resume their traditional migration patterns. As important, MKWA has been able to bring in over \$300,000 in other grants to help DHHL restore the native forest at KBC. MKWA has also involved hundreds of volunteer groups and individuals in their efforts. The KBC now serves as a significant research area, adding more benefit to DHHL's efforts to manage its lands appropriately.

The second requirement that a minimum 10 year license would satisfy is that of the USDA Natural Resource Conservation Service (NRCS), which also requires long term commitments and access of those receiving their financial assistance (e.g. MKWA/BI RC&D). As a State agency, DHHL cannot qualify directly for the multitude of assistance programs that NRCS offers the private/non-profit sector. MKWA, with a license in hand via its fiscal agent BI

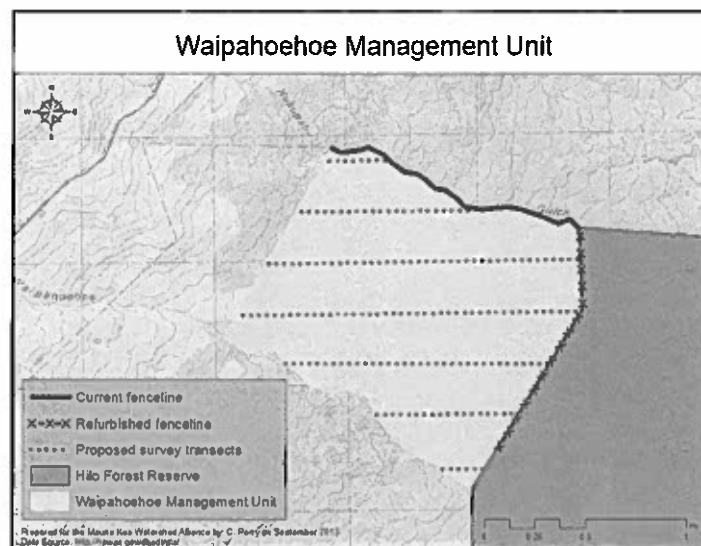
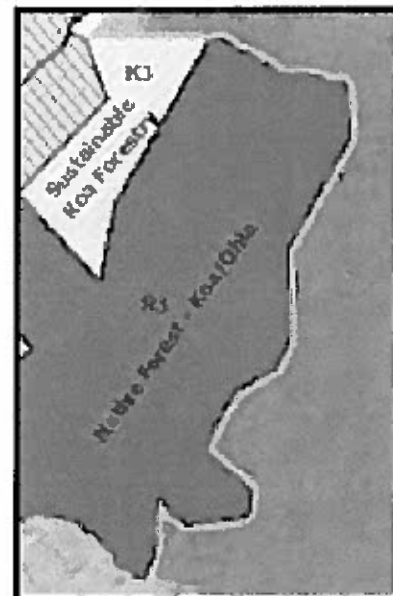
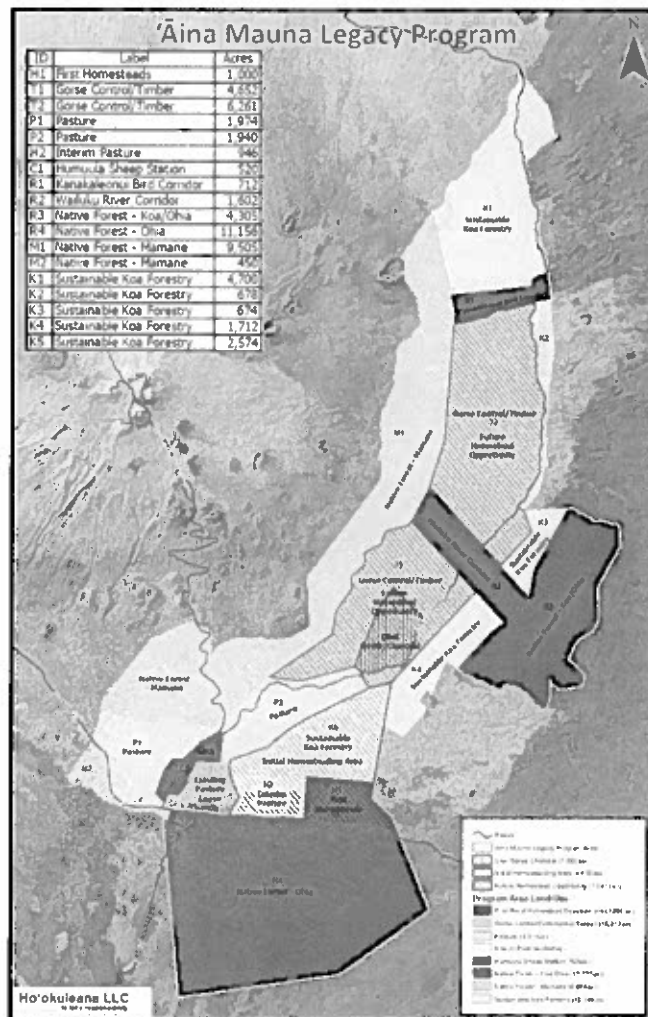
RC&D, would qualify to apply for NRCS funds for use on DHHL lands.

2. The license would not be an exclusive use license. MKWA would retain access and restoration project implementation rights to the property for the license duration, but DHHL could conduct other activities, e.g. research or cultural activities, in the WAIMAU I area that would be compatible with MKWA's licensed actions.
3. Fence maintenance, as required by FWS for 10 years, would be the responsibility of MKWA.
4. Given the area's normally wet ecosystem, Best Management Practices regarding activities such as road use would be well defined in the license.
5. Semi-annual progress reports to DHHL staff, and annual progress reports to the HHC, would be required from MKWA, e.g. invasive species removed, volunteers engaged, and/or native plants planted.
6. All standard clauses in a State license would be made part and parcel of the license agreement with MKWA.
7. The Fee for the license will be gratis as long as DHHL is a member of the Mauna Kea Watershed Alliance. If DHHL ceases to be a member of the alliance, the license will come back to the commission for consideration as to the appropriate fee.

RECOMMENDATION

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

EXHIBIT A - Waipahoehoe Management Unit Fence Installation and Habitat
Restoration Project Location Maps



DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
MARCH 21 & 22, 2016
KAPOLEI, O'AHU


AGENDA SECTION II. C III.A



G-ITEMS
PLANNING OFFICE

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21-22, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: M. Kaleo Manuel, Acting Planning Program Manager 

FROM: Julie-Ann Cachola, Planner 
Andrew H. Choy, Planner 

SUBJECT: Accept Beneficiary Consultation Report for 'Āina Mauna
Legacy Plan - DLNR License Renewal Request

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission accepts this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to the proposed license renewal with the Department of Land and Natural Resources (DLNR) at TMK (3)-3-8-001: 003, 004, 008 Humu'ula, Hawai'i Island.

DISCUSSION

Background

The purpose of this DHHL beneficiary consultation was to collect beneficiary feedback and input on a proposed renewal of a non-exclusive license agreement with the Department of Land and Natural Resources (DLNR) for TMK (3)-3-8-001: 003, 004, 008 Humu'ula, Hawai'i Island, an area of 14,945.80 acres of Hawaiian Home Lands (See Map Exhibit A).

In September of 1992, the HHC approved the issuance of a 20-year license agreement to DLNR, as licensee, for the non-exclusive right to operate, maintain, and manage the premises for wildlife management, forest reserve, and public hunting purposes for the above parcels (Exhibit B). The 20-year license agreement has since lapsed and DHHL is in the process of considering renewal of the agreement with DLNR. As part of the decision-making process, DHHL has sought beneficiary feedback on the proposed license renewal.

Beneficiary Consultation Process

The Department's Beneficiary Consultation Policy, approved January 2009, recognizes that meaningful, timely, and effective beneficiary consultation is essential to the successful implementation of Commission policies, programs, and projects.

The proposed license renewal went through the following steps prior to ensure that beneficiaries were informed about the opportunity to provide feedback on this proposal prior to HHC approval.

STEP 1. THE PROPOSED ACTION IS DESCRIBED:

Renewal of a license agreement to DLNR, as proposed licensee, for the non-exclusive right to operate, maintain, and manage the premises for wildlife management and public hunting purposes for TMK parcels (3)-3-8-001: 003, 004, 008 Humu'ula, Hawai'i Island, an area of 14,945.80 acres.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT (See Exhibit C):

1. Invitation Letter to attend the February 3 & 4, 2016 Beneficiary Consultation meetings in Hilo and Waimea. Approximately 5,000 letters were mailed to all Hawai'i Island lessees, undivided interest lessees, and all Homestead applicants who reside on Hawai'i Island.

STEP 3. PRESENTATION MATERIALS FOR ALL MEETINGS ARE AVAILABLE FOR FEEDBACK (See Exhibit D):

1. Agenda and Information Packet distributed at the February 3 & 4 Waimea and Hilo meetings.
2. Presentation materials posted online for public review and comment.

STEP 4. COMMENTS ARE COMPILED INTO MEETING REPORTS (See Exhibit E):

1. February 3 & 4, 2016 Waimea and Hilo Beneficiary Consultation Meeting Notes and List of Meeting Participants.

2. March 5, 2016 30-day period for additional comments on project ends.

The proceeding table and data below attempt to capture the level of participation and engagement at the two (2) Beneficiary Consultation meetings that were held in February 2016.

Table 1: Summary of Proposed Renewal of DLNR License Agreement Beneficiary Consultation Attendance and Participation

Beneficiary Consultation Meeting	Estimated Attendance	No. Sign In	No. Self-ID as DHHL Beneficiaries	No. of Comments
February 3, 2016 DHHL Kuhio Hale Waimea	60	42	32	48
February 4, 2016 Keaukaha Elementary School Hilo	100	89	61	33
Written Comments Received during 30-Day Comment Period	--	--	--	2

The meeting materials and project details presented at the February 2016 Beneficiary Consultation meetings were based upon excerpts from the DHHL 'Āina Mauna Legacy Program Plan, information and data provided by DLNR, and conversations between DHHL and DLNR staff regarding preliminary license terms and conditions. The following section provides a summary of the input and feedback received at the two (2) Beneficiary Consultation meetings in February on this proposal.

Summary of Beneficiary Comments

DHHL Beneficiaries OPPOSE Renewal of License Agreement with DLNR

In the Waimea and Hilo meetings, there was overwhelming consensus among beneficiaries that DHHL should not renew this license agreement with DLNR. Beneficiaries were opposed to the license agreement renewal for several reasons:

- Beneficiaries oppose the renewal of the license primarily in larger protest of DHHL's past practice of issuing dispositions to non-beneficiaries for activities that are inconsistent with the purposes of the Hawaiian Homes Commission Act (HHCA);

"The Waimea Hawaiian Homestead Association is not against DLNR. We thank DLNR. That's not the issue. The issue is the failure of the DHHL and HHC for breach of fiduciary responsibility to the people—and these guys waiting for so long to go on the land and they come here to listen to others. The courts reprimanded the Department and the State for failing to fund the Department. Our protest is not against what you're doing, it's the principle of our lands continuously going out to non-beneficiaries when we have 27,000 people waiting to go on the land. If we have to fight this license by license, to say no not just to this license but to all licenses that go out to non-beneficiaries, to get attention to this, we will [Waimea Meeting Notes, pg. 8, Comment #47]."

- The license agreement with DLNR has no clear and direct benefit to DHHL beneficiaries;

".....as a wahine I don't hunt so I don't benefit. I don't see how it benefits the beneficiaries. Please say no to this proposal [Hilo Meeting Notes, pg. 5, Comment #18]."

"You said that part of DLNR's purpose is to help regulate people that shouldn't be in the area, but you don't do that!" For example, Pono called to notify the Department of poaching, but was told by DLNR that it was not our jurisdiction' [Hilo Meeting Notes, pg. 7 Comment #27]."

- Beneficiaries need to be more involved in the management of these areas. Over the term of the previous license agreement, DLNR has not actively involved beneficiaries in the management of these Hawaiian Home Lands;

"You are our trustee, you shouldn't allow other people to take our land. Keaukaha says No! Cut it off. We should be the managers and stewards. Keaukaha says no, the beneficiaries should be direct stewards of the land [Hilo Meeting Notes, pg. 3, Comment #4]."

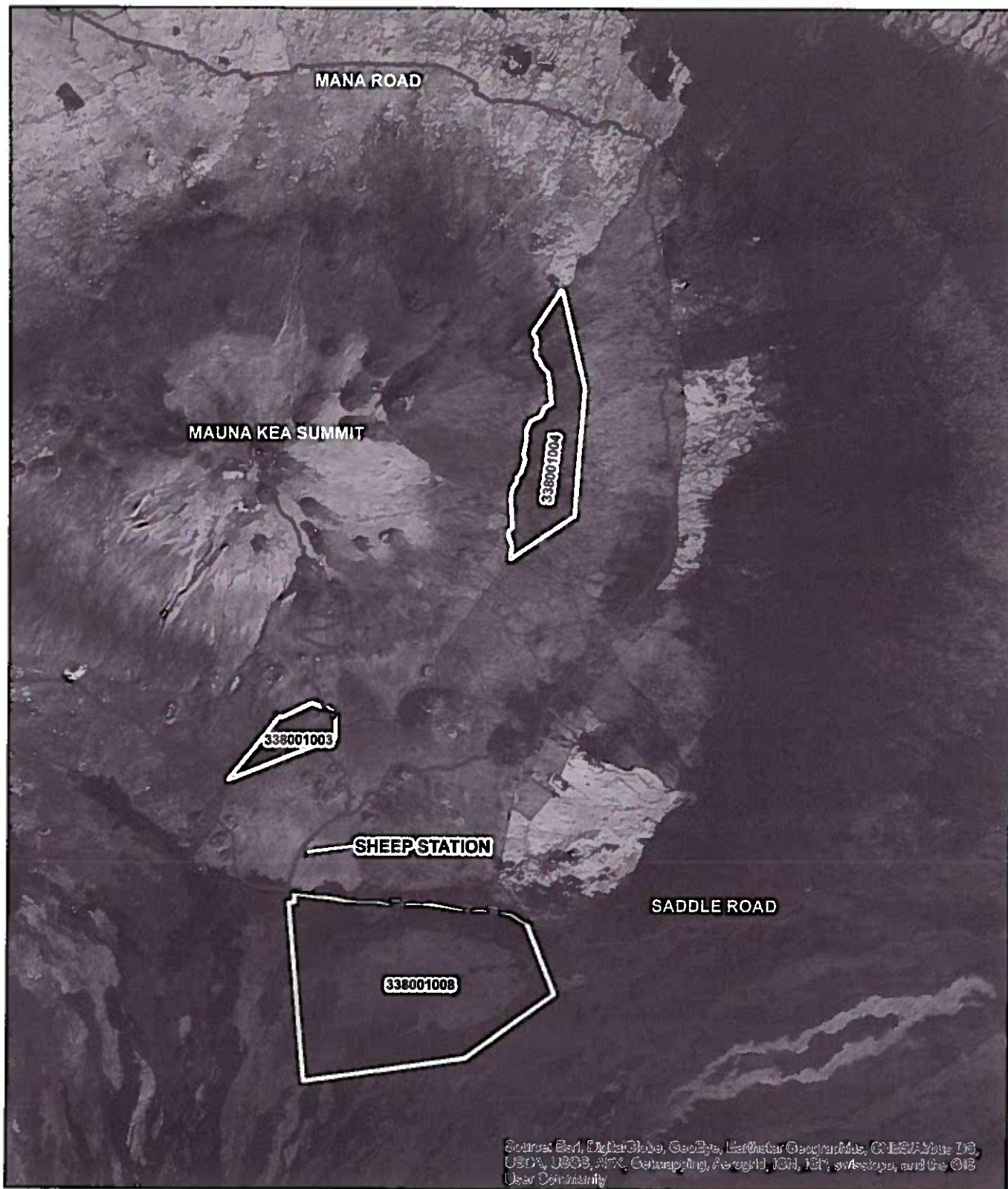
"...If we have to sacrifice not hunting some birds for a few weeks, then we have to sacrifice. If wao is not accessed, kanaka die, we need access to all wao. We need to manage our lands. It is DHHL's responsibility to make sure we have stewardship to wao akua all the way to makai. That is your responsibility [Waimea Meeting Notes, pg. 5, Comment 33]."

- Perception that DLNR has enough of its own land on Mauna Kea to carry-out its programmatic mission and purpose.

"I know most of this land from Pua'ala-- you have Hakalau--If you spend time in the forest, you would know that most of the Palila is below Hakalau. I have spent years up there. I don't understand why you're going to take the 2 parcels ((3) 3-8-001:004 and 003). How much land do you need? When does it stop? If most of the Palila are below this area, why does DLNR need the other 2 parcels? You have the whole Mauna Kea area already [Waimea Meeting Notes, pg. 3, Comment 6].

Recommendation

Staff respectfully requests that the Hawaiian Homes Commission accepts the Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to the proposed license renewal with the Department of Land and Natural Resources (DLNR) at TMK (3)-3-8-001: 003, 004, 008 Humu'ula, Hawai'i Island.



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

- ROAD
- Parcels Licensed from DHHL to DLNR under 1992 Agreement
- DHHL Land

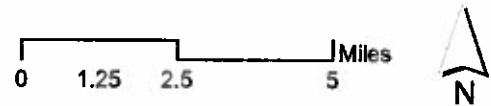


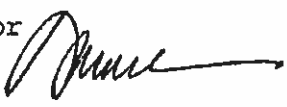
EXHIBIT "A"


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 18-19, 2015

To: Chairman and Members, Hawaiian Homes Commission

Through: Linda Chinn, Administrator
Land Management Division 

From: Kahana Albinio, Property Development Manager
Land Management Division 

Subject: FOR INFORMATION ONLY. Request from State of Hawaii
Department of Land and Natural Resources to Continue
Management of the Aina Hou Wildlife Sanctuary Area,
Humuula, Hawaii

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

The purpose of this informational briefing is to provide the Hawaiian Homes Commission ("HHC") with background regarding the DLNR's management of the Aina Hou Wildlife Sanctuary Area, Humuula, Hawaii identified more specifically by portions of TMK Nos: (3)3-8-001:003(por.), :004(por.), and :008(por.) under expired License Agreement No. 312.

The following is a chronology of the significant events to date:

September 22, 1992	HHC approves the issuance of a 20-year license agreement to DLNR, as Licensee, for the non-exclusive right to operate, maintain, and manage the premises for wildlife management, forest reserve, and public hunting purposes (Kipuka Aina Hou Wildlife Sanctuary and portion of Mauna Kea Forest Reserve and Public Hunting Area) situated on approximately 14,945.80 acres of HHL. (See Exhibit "A")
May 1, 1994	License Agreement No. 312 fully executed, effective as of October 28, 1992 and expiring on October 27, 2012. (See Exhibit "B")

EXHIBIT "B"

ITEM No. F-10

May 2015

February 25, 1995	Hawaiian Homes Commission approves amending License No. 312, which stipulates the annual annual rent of \$5,897.00 as established be waived for the first eight (8) years of the term of the license. (See Exhibit "C".)
December 3, 2013	MEMO from DLNR-DOFAW Administrator, Roger Imoto, requests review of License Agreement renewal for Kipuka Aina Hou between DHHL and DLNR. (See Exhibit "D")

CURRENT STATUS:

Due to DHHL's interest in pursuing Feral Game Management opportunities on its lands in 2013 the review process was stalled. To date, DHHL has not issued any disposition for such purposes as granted by DHHL under expired License Agreement No. 312. LMD is desiring to initiate the process and make its recommendation to the HHC at a later date.

EXHIBIT "B"

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHANE T. TSUTSUMI
LT. GOVERNOR
STATE OF HAWAII



JORIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1079
HONOLULU, HAWAII 96809

January 15, 2016

Dear DHHL Hawaii Island Beneficiary:

We would like to invite you to participate in upcoming beneficiary consultation meetings regarding DHHL Humu'ula lands that are near the Saddle Road, TMK (3)-8-001:003 (por.) 004 (por.) and 008 (por.) (see enclosed location map). In 1992, the Hawaiian Homes Commission approved a 20-year license agreement with the state Department of Land and Natural Resources (DLNR) to help manage these remote forested lands. The 20-year license agreement has since lapsed and DHHL is in the process of considering renewal of the agreement with DLNR. As part of that process, DHHL would like to hear beneficiary feedback. We will be conducting two beneficiary consultation meetings to get your feedback at the following locations:

**Waimea
Wednesday, February 3, 2016
6:00 PM – 8:00 PM
Kuhio Hale
64-756 Māmalahoa Highway**

**Hilo
Thursday, February 4, 2016
6:00 PM – 8:00 PM
Keaukaha Elementary School Cafeteria
240 Desha Avenue**

At these meetings, we will:

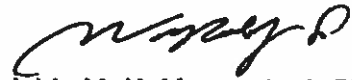
- Present background information on the existing condition of these lands;
- DLNR staff will give an update on previous and current management activities;
- Present draft license agreement renewal terms and conditions that DHHL and DLNR are considering;
- Answer any questions you may have on the above and also get your feedback on the proposal.

EXHIBIT "C"

January 15, 2016
Page 2

We look forward to seeing you at this meeting. If you have any questions, or for more information, please contact Andrew H. Choy, DHHL Planner, at andrew.h.choy@hawaii.gov or 808-620-9279.

Me ke aloha,

A handwritten signature in black ink, appearing to read 'Jobie M. K. Masagatani', written in a cursive style.

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

Enclosure

EXHIBIT "C"



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
DEPARTMENT OF HAWAIIAN HOME LANDS

**Hawaii Island Beneficiary Consultation
Potential DHHL-DLNR License
Agreement
TMK (3)-3-8-001:003, 004, 008**

February 3-4, 2016

AGENDA

- I. Presentation**
 - A. Purpose of This Meeting**
 - B. Overview of DHHL Planning Process, Plans, and Lands in License Proposal**
 - C. DLNR Management Activities 1992-Present**
 - D. DRAFT License Terms & Conditions**
- II. Beneficiary Questions & Feedback**
- III. Next Steps & Closing**

EXHIBIT "D"

DHHL PLANNING SYSTEM



DHHL 'ĀINA MAUNA LEGACY PROGRAM



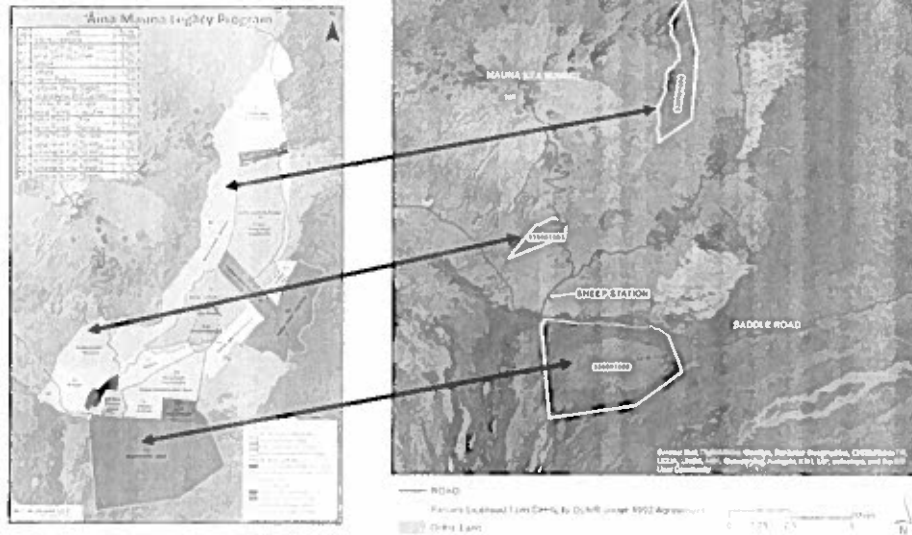
Adopted by the Commission in 2009

Environmental Assessment approved in 2011

"Provide for the management and protection of native lands to support cultural and resource management activities and create homesteading opportunities for the future"

- Homesteading
- Pasture
- Forestry (Koa, etc.)
- Conservation
- Commercial (ecotourism, etc.)

AREAS OF INTEREST



1992 DHHL-DLNR LICENSE AGREEMENT

- September 1992 – Hawaiian Homes Commission approves the issuance of a 20-year license agreement to DLNR for non-exclusive right to operate, maintain, and manage the premises for wildlife management, forest reserve, and public hunting purposes.
- October 2012 – License agreement expired.
- December 2013 – DLNR requests DHHL to renew the license agreement



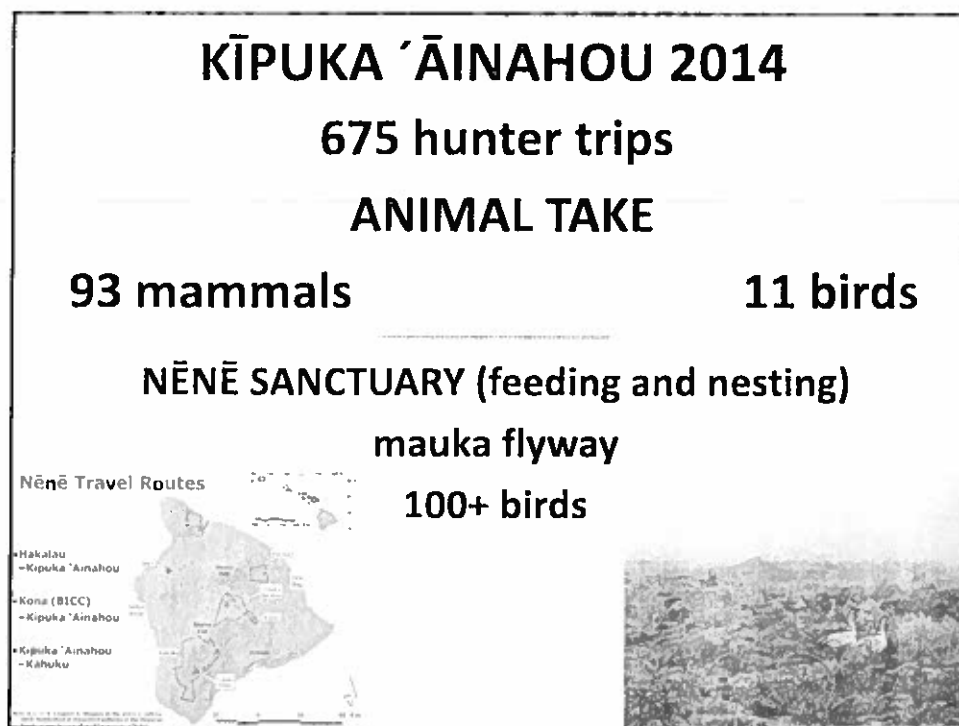
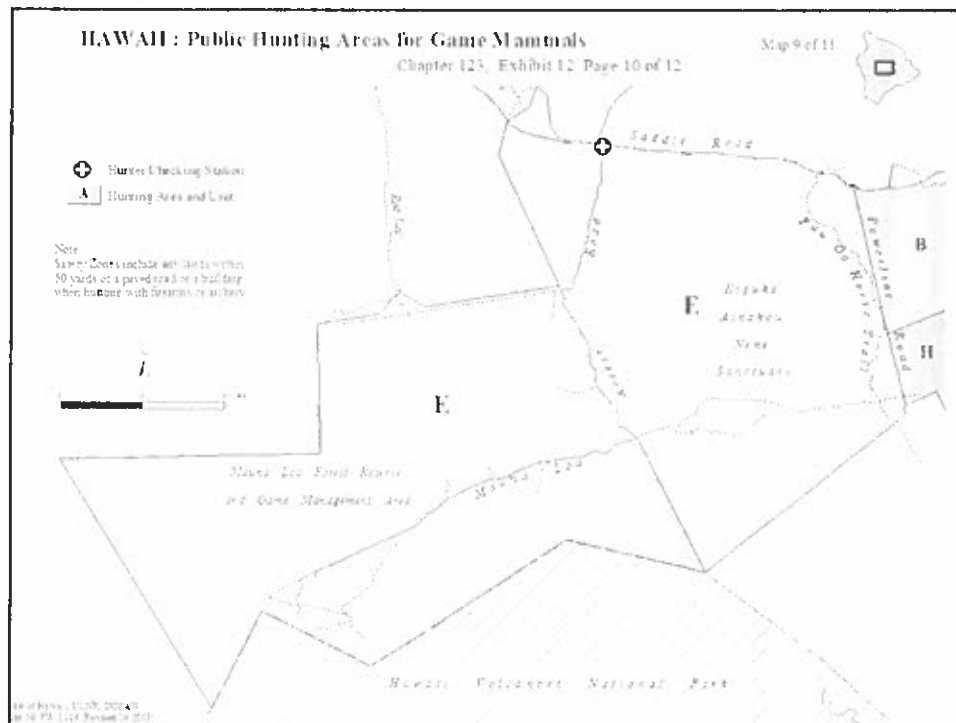


EXHIBIT "D"

know before you go

HUNTING LICENSE, stamps, tags (age 10+)

Hawai'i Hunter Education Wallet Card

OR

Letter of Exemption (outtastate OR 1/1/72:1/1/90)

Disabled Vehicle Permit, Crossbow Permit

FIREARM REGISTRATION (County Police)

**NEXT OPEN CLASSES
FOR HUNTER EDUCATION**

KONAWAENA ELEMENTARY SCHOOL

CAFETERIA

MAR 21, 22 5:30PM – 10:00PM


MULTI-PURPOSE ROOM

MAR 24 5:30PM – 10:00PM


EXHIBIT "D"

know before you go
RIGHT PLACE---TIME---METHOD

Open Season, Hunting Day (Sunrise -30 to Sunset +30)



Public Notice
Closed Area
Limit the number of hunters



Legal Access Route
check-in and check-out

Safety Zone --- 50 yards from paved road, building

Conditions & Restrictions (Equipment, Dogs, Vehicles)

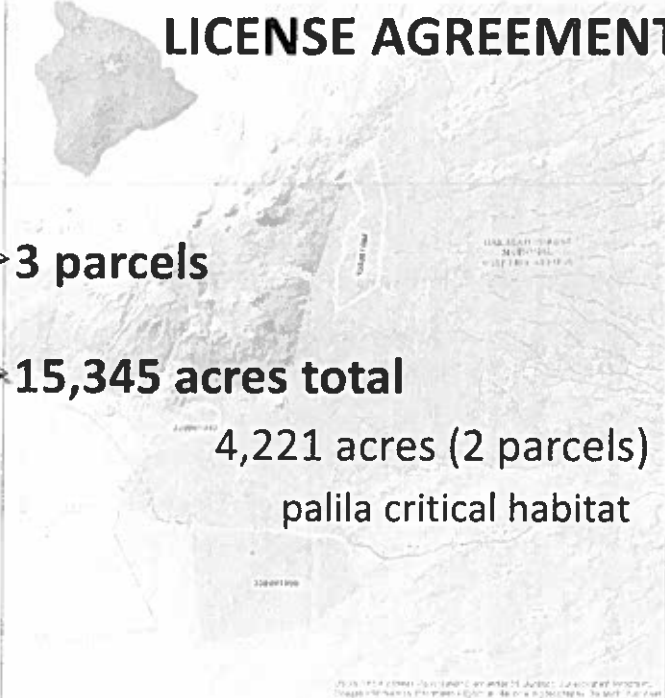
- Bag Limits, Disposition of Game
- General Restrictions/Special Conditions

LICENSE AGREEMENT

➤ **3 parcels**

➤ **15,345 acres total**

4,221 acres (2 parcels)
palila critical habitat



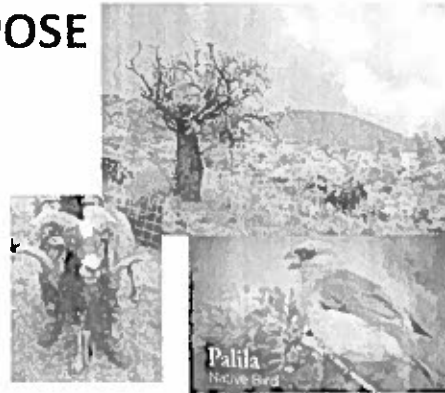
LICENSE AGREEMENT

PURPOSE

✓ Wildlife Management

✓ Public Hunting

fire, weeds, animals
people



➤ DOFAW activity plan - update every year

➤ DHHL option - require that DOFAW restore to pre-license conditions

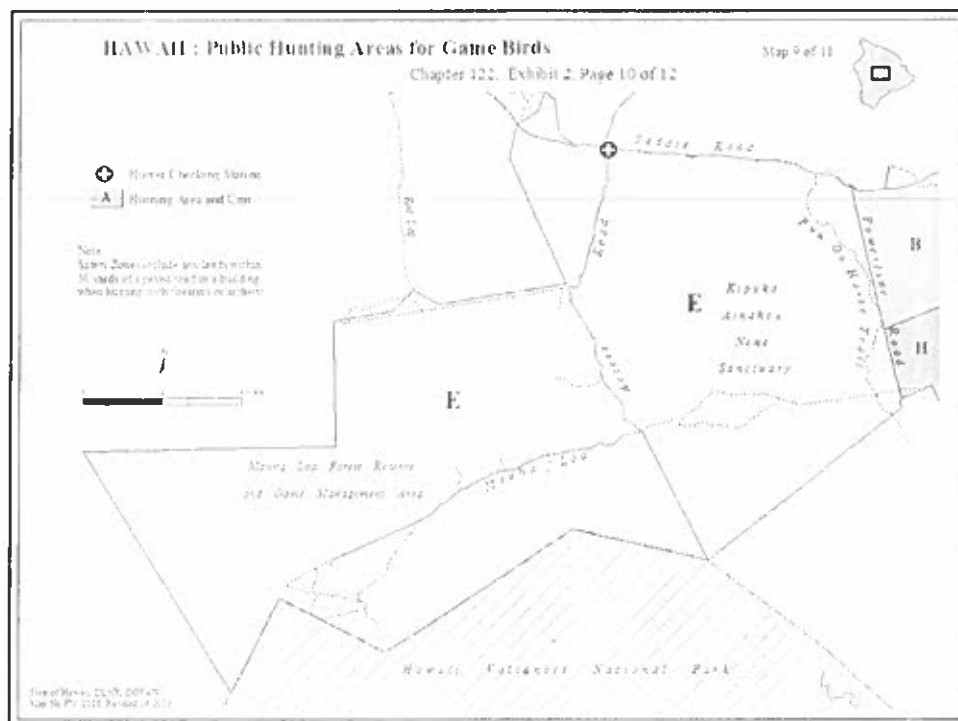




EXHIBIT "D"


KĪPUKA 'ĀINAHOU (UNIT E(3))




< GAME BIRD >

November-January
Sat/Sun/Holiday








March 01-31
Daily



GAME MAMMAL >

October-March
Sat/Sun/Holiday

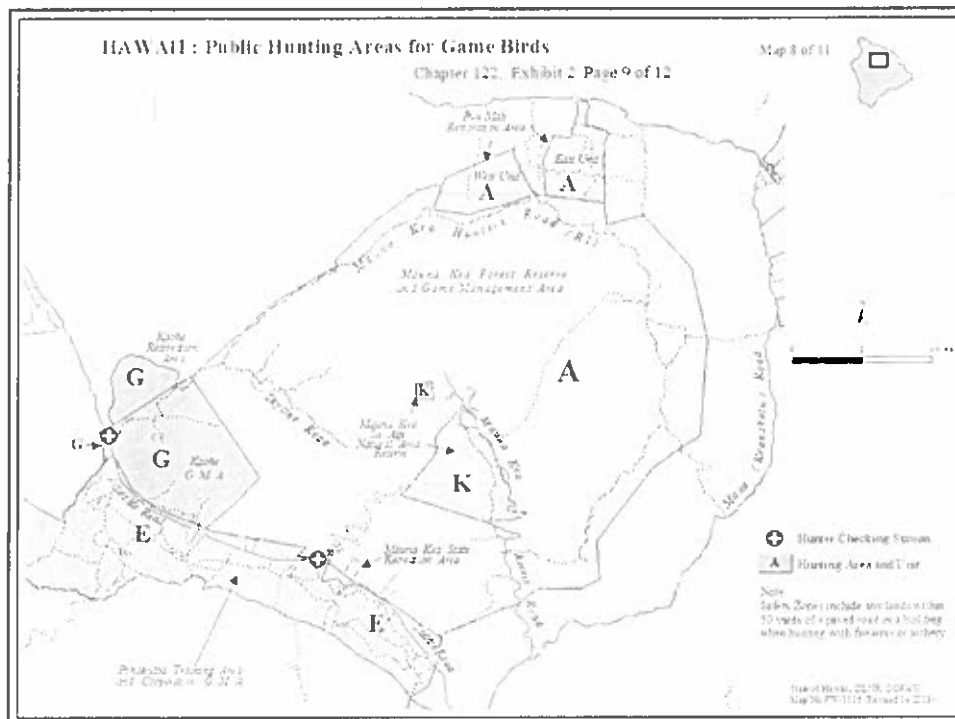



EXHIBIT "D"


MAUNA KEA (UNIT A)


November-January < GAME BIRD > March 01-April 15

Sat/Sun/W/Th/Holiday



Daily







GAME MAMMAL >

EVERY DAY


on game bird days





below treeline, March 01-April 15

Check-out from Game Management Area by 7:30 pm at Kilohana or Pu'u Huluhulu



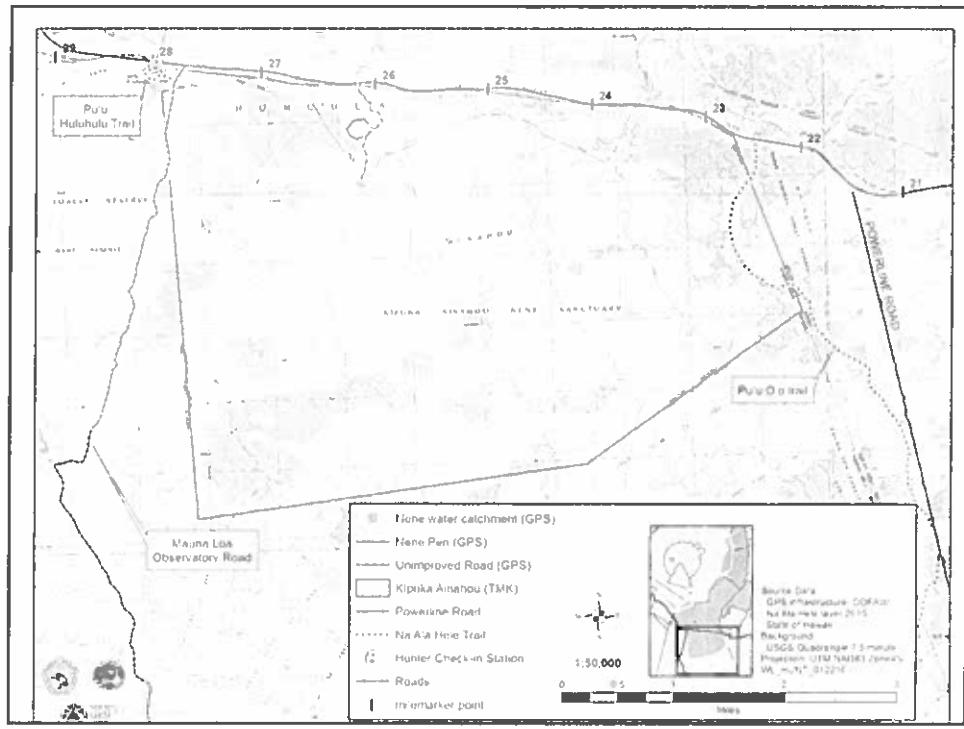


EXHIBIT "D"

Major Terms & Conditions Proposed by DLNR to DHHL

- Licensee – DLNR. License will be non-transferable and non-assignable.
- Term – 10 years. With DHHL option to extend an additional 10 years.
- Land Area – TMK (3)-3-8-001:003, 004, 008. See Map. (Approx. 15,000 acres)
- Rent – Fair market value. To be negotiated.
- Permitted Use – Licensee (DLNR) shall not use the Premises for any purpose other than for wildlife management and public hunting purposes.

Major Terms & Conditions Proposed by DLNR to DHHL (continued)

- Special Conditions:
 - With the exception of fees collected for public hunting purposes, DHHL reserves any and all rights to economic development and revenue-producing uses and activities on the premises.
 - Within one-year of date of license issuance, DLNR must submit an inventory of existing structures and improvements on the premises.
 - DLNR must submit an annual report to DHHL on activities and accomplishments in the previous year and planned activities for the following year.

QUESTIONS?

COMMENTS?

NEXT STEPS

- 30-day Beneficiary comment period after these meetings (March 4, 2016 comment deadline).
- Submit additional comments to **andrew.h.choy@hawaii.gov**
- Beneficiary consultation report submitted to Hawaiian Homes Commission March 2016.
- Potential approval by Board of Land and Natural Resources Spring or Summer 2016.
- Potential approval by Hawaiian Homes Commission Spring or Summer 2016.

EXHIBIT "D"

HAWAI'I ISLAND BENEFICIARY CONSULTATION
POTENTIAL DHHL-DLNR LICENSE AGREEMENT
TMK (3) 3-8-001:003, 004, 008

WAIMEA MEETING NOTES

64-756 Māmalahoa Highway, Waimea
Kūhio Hale
February 3, 2016
6:00 p.m. to 8:00 p.m.

Attendance:

DLNR: David Penn, Project Coordinator, DOFAW Access & Acquisitions Program; Joey Mello, East Hawai'i Wildlife Manager, Steven T. Bergfeld, Branch Manager;
DHHL: Kahana Albinio, Jr., Acting Administrator, Land Management Division; Mike Robinson, Property Development Agent, Land Management Division; Andrew Choy, Planner, Planning Office; Julie-Ann Cachola, Planner, Planning Office
HHC: David Ka'apu, West Hawai'i Commissioner, Hawaiian Homes Commission

Beneficiaries:

32 Beneficiaries registered at the sign-in table (see attached List of Participants)

Presentation:

The presentation by DLNR and DHHL was followed by questions and answers and comments.

Beneficiary Questions/Answers and Comments

1. You're talking a lot about the palila bird--what about other birds?
2. Now DLNR is charging extra. Why? What is the increase for?

DLNR: The \$10.00 increase is used to manage game birds. If you don't like it, we need you to come to the hunters meetings. There are bird hunters that want DLNR to release more birds and others don't want DLNR to release any birds. Your suggestion is a hot topic that needs to be discussed more. Kīpuka 'Āinahou is a difficult place. There are some other areas on the mauka portion that are suitable for management.

3. If DHHL needs the land, is there a clause that says that DHHL we can take the land back?

DHHL: Yes

4. You're talking about using 15,000 acres of Hawaiian Home Lands-- how many acres of land does DLNR have on Mauna Kea ?

DLNR: About 116,000 acres.

EXHIBIT "E"

5. What is the lease rent you are paying?

DLNR: For the last 20 years, DLNR paid DHHL \$8,000 per year.

DHHL: Clarification of the preliminary terms and conditions of the license agreement: DLNR cannot sublease; the term is 10-years with the possibility of extending another 10-years; rent is based on fair market value; only permitted uses are allowed.

6. I know most of this land from Pua'ala-- you have Hakalau--If you spend time in the forest, you would know that most of the Palila is below Hakalau. I have spent years up there. I don't understand why you're going to take the 2 parcels ((3) 3-8-001:004 and 003). How much land do you need? When does it stop? If most of the Palila are below this area, why does DLNR need the other 2 parcels? You have the whole Mauna Kea area already.

DLNR: On the hunting side, this is a program we've been operating for 20-years, so we want to continue the program. The Palila area is established by the federal government (critical habitat).

7. Your mapping of the Nene is wrong. They come down to Pu'ukapu, but people don't want to tell you because they're worried that you will condemn that land too. You have to talk to the local people that live there. [Applause] DLNR should talk more often with the people who live in the area.
8. Maka'ala Kaneali'i: If DHHL doesn't license the land to DLNR, would DHHL still allow hunting in these areas and would the community be able to manage the area?

DHHL: Some of you know what we've been doing—we're trying to manage the sheep. So I established an advisory committee and we went to the HHC. At that meeting the AG came in and told the HHC that DHHL doesn't have the right to manage a hunting program. So we're not hunting; we're trapping wild animals and we're giving them away. So we either change the legislation or ask DLNR if we can do a hunting program. We're trapping animals where it's easy. It's a great question, but we probably couldn't do it.

9. What is the statutory reference that says that DLNR has jurisdiction over federally-designated critical habitat that are on HHLs?

DLNR: Chapter 183-D, HRS.

DHHL: We've been looking at this statute for a long time—I keep thinking there must something we can do to promote multiple objectives.

DLNR: The local people who work at DLNR were trying to get them to reinstate the hunting program under DHHL. —I want everyone to know—it's not us; it's the law.

11. Parker Ranch leased the lands in the North area. One of the conditions of the lease was that Parker Ranch was supposed to return the lands back to the Department in the same condition as they were received. The Department let Parker Ranch walk away without requiring that they restore the land back to its original condition. Now you have DLNR there. What assurances do we have that DLNR will return the land back to its original state?
12. Here are some other management issues:
 - Sheep only eat short grass; anything over 8-inches, they won't eat. When you look at the grass, you see that the grass is green on the top, but all brown underneath. This is perfect fuel for a wild fire.
 - The koa pods can't get to the dirt to grow because there's nothing eating the grass. You need common sense.
 - The rest of the people should help with the management of and they should use whatever is there (including feral animals) to help control fuel for wild-fire.
 - I think we should go back to Parker Ranch; they should assist with the restoration of the area.
13. Why are there bag limits for hunters, when the number of hunter takes is so small and when DLNR goes up in the air and shoots them all anyway?

DLNR: There are NO bag limits in areas where DOFAW is eradicating. We have also removed bag limits on sheep and goats at Kīpuka 'Āinahou, which includes 2 sections totaling 38,000 acres.

- 14.: What is the fire mitigation plan for the 3 parcels?

DLNR: For the Mauna Kea portion we have a Fire Management Plan that was developed in 1994 and updated in 2000. We maintain R1 (?), fire vehicle equipment. Whenever we get a call we respond. We have fought many fires on Hawaiian Home Lands over the past 20 years. Kīpuka 'Āinahou is not really a fire threat because it's wetter. I started working here 26 years ago and the first thing I had to do was clean out gorse. Now, 26 years later, I'm still cleaning out gorse. We manage it so it will not go over the road to Kīpuka 'Āinahou area—it's so nice there—we're trying to protect its pristine state.

15. What is the fair market value that DHHL will use when it negotiates with DLNR?

DHHL: We like to say that fair market value is as much as we can get, but we still have to negotiate.

16. Does the county have the assessed value for these lands?

DHHL: I believe it does, we have to check.

17. The handout materials say that in 1992-2000 there was a lease agreement. Then in 2011 there was an Environmental Assessment (EA). Are there specific soil samples

taken in these areas and has there been any improvement in the land due to DLNR's management of the area?

DLNR: I can only speak from my personal experience. I would say, from the time I started to now, 26 years later, it's status quo—it's the same conditions, no change—except for the 'Ōhi'a dying off, but that hasn't happened on these parcels...yet.

18. In the 2011 EA, are the sampling of the soils specific to these 3 areas? Why do you want these particular areas? How can DLNR and DHHL go back to cultivation practices of konohiki that directly benefit the people of the area? (beneficiaries)
19. How can DHHL work with DLNR to implement more traditional land use practices? Do you have thoughts on this?
20. I'm sure we all have thoughts on this because we come from different places/perspectives. In our communities, farmers can hunt and hunters can farm. If you're just giving land away at pennies on the dollar, maybe we should look at integrating more traditional land use practices when managing lands?
21. I have the same concerns with the management of our lands. A few of us have taken on the kuleana of gathering leaders from our 6 moku districts in order to propose management and stewardship of this land.
22. Thank you for this. Are you getting any help from DHHL to do this?
23. No, we're working with the community. This is one of the meetings that we agreed that we should attend—to come out and hear the beneficiaries. We have a lot of kokua. Tonight we come in humbly to see if others want to come in with us. It's whatever the beneficiaries want to do. Therefore we have to gather census data, among our lāhui to determine what we want. We're going out to all the districts, to see what the districts think. All of this is all our kuleana.
24. In the license agreement maybe DHHL could encourage/require DLNR to involve beneficiary households in the management of the land, including the money to do it.
25. I've been working with other beneficiaries from Keaukaha and other homestead communities. What he was talking about is that we don't have a place to come to on this land. We can hunt or gather, but we don't have a place to be, to gather. So we're suggesting that people from each moku come together to take areas that they can manage. The land at Mauna Kea is a big area for DLNR/DOFAW/hunting to manage. We're called the Koa Kia'i. We're trying to initiate the 'Āina Mauna Plan. We want to get all the communities in line-- in place-- so people can come in, be heard, to connect to 'āina. We're trying to help with this. We don't want to get funds—it would help, but right now we're just trying to get beneficiaries out there. We're not at the point when we need funds, we're trying to bring beneficiaries together. We went to Kapolei, we talked with the HHC and the Department. This is not about shutting down telescopes...it's just about beneficiaries having a place. They have a lot of plans up there (Mauna Kea) for economic development, but before that, we want beneficiaries to get in on the ground first. We want to give presentations. We're trying to organize ourselves.
26. Like Uncle said, for 20-years, he said the place has been the same, no improvement. How come?
27. How come there's been no improvement in the area?

DLNR: When I say no improvement, I mean it's a beautiful place--so we maintained it as a beautiful place. We control gorse, wild dogs, and other game. So when I say, "status quo," I mean it in a good way.

28. So you're saying the gorse is the same?

DLNR: We would be doing gorse control. But it needs to be clarified that there is very little gorse in Kīpuka 'Āinahou. We go in and try to find it and I'm not naïve to say there's nothing there, but it's hard to find—so we maintain pristine areas—you don't 'improve' places like this. You're maintaining the area.

29. This isn't along Mauna road?

DLNR: Regarding the license, it's non-exclusive so DLNR would not have exclusive control. The license doesn't exclude people from accessing the area.

30. Do you think it would be a good idea to include beneficiaries?

DLNR: Yes, we just have to organize it and make it work.

31. In the license, it should require DLNR to work with others, to engage beneficiaries to work together, to better define management indicators that would be regularly presented in management reports, so we know what's happening on the land.

32. What is DLNR's annual budget to do what they want to do on these parcels?

DLNR: We don't get much from state funds, especially for wildlife funds. We basically have a firearms budget (\$200,000) for wildlife management of over 600,000 acres of land. If you take the "hunter takes" and the "hunter trips," that would be 600 hunter trips—so we would get \$1500.00 from 150 hunters @ \$10. We have 4 people to manage East Hawaii. Management is very minimal and the numbers of game is minimal; we don't have the kind of animals that we have in the other parcels of land. It's a quality hunt especially for archery.

33. These are my comments to the Hawaiian Homes Commissioners. Why aren't our laws evolving? Why doesn't it say that we can manage our Hawaiian Home Lands Trust? I'm also interested in this proposal that is requesting land that is encompassing our roads and our links to "wao" (wao nahele, wao akua, wao kanaka). Ahupua'a is mauka to makai that involves the people. If people cannot access all of the "wao," the "wao" cannot exist...and the Kanaka cannot exist. Regarding the benefits of this proposed license, is DLNR saying that DLNR wouldn't come to assist if there was a fire on Hawaiian Home Lands? No, of course not...DLNR would jump in to help. So I just want to point out that this is not a benefit that results from the License agreement...it would happen even without a license. When is DHHL going to say, enough is enough??? We understand that DLNR and DHHL don't have lands but when are we going to change the legislation? If we have to sacrifice not hunting some birds for a few weeks, then we have to

sacrifice. If “wao” is not accessed, kanaka die, we need access to all “wao.” We need to manage our lands. It is DHHL’s responsibility to make sure we have stewardship to wao akua all the way to makai. That is your responsibility.

DLNR: Regarding your fire question, if it’s not under us, then it would be the county, but we would respond if needed.

34. Yes, we know you would respond, so fire response and help is not really a selling point.

35. I’m a new guy—only on the list for 30-years, so I’m learning. I know we have a lot of smart Hawaiians here tonight. I’m a fence contractor. I manage a lot of lands. I also run a program that helps 10-50 kids (120 kids) in the youth challenge program. They come to my ranch, they learn conservation, cattle, and sheep. We all been talking about coming together, working together. I have this youth program. I do it with the State. These kids are sexually molested; some have gun charges—it’s really not their fault. Hard work got me ahead and helping the kids. Working together is a good thing, not just one group, but for all organizations.

36. \$8,000 over 20-years—given the purpose of the trust (native Hawaiians on the land, provided with technical assistance, water, financial assistance), how do you see this license meeting the purpose of the trust? How does this enhance the purpose of the trust? It is your policy to support the self-sufficiency and self-determination of native Hawaiians. The purpose of the trust is to live, ranch, farm, engage in commercial, industrial, activities to promote efficiently getting Hawaiians on the land, settle lands, provide water, technical assistance, training, and water. As DLNR presented tonight, when you talk about endangered species laws (came out in early 90’s—31 years after Territory asked to be a state of the union) in 1959 the Territory asked to be a part of the union.

The HHCA was before the Endangered Species Act. Nowhere does it say that conservation, etc. is a priority. The [DHHL] staff before did a lot of wrong things, but now we’re a lot smarter and we’re glad to see beneficiaries as staff. So it confuses me to talk about a License that has no benefit for beneficiaries. I think about the time [DHHL] spent on this, the manpower to do the power-point, set up the meetings, etc., when it has no bearing on the purpose of the HHCA. So how can you explain this? How is this license consistent with the purpose of the HHCA?

DHHL: Thank you for the question; I’ll try my best to answer. It may not be what you want to hear...but that’s why we’re coming to our communities. Nothing is set in stone. We want as much as possible. We want to keep our lands in good condition. This (the license) is not the only avenue. We understand your comments and concerns.

37. So that’s why you’re here tonight? We’re not being ramrodded?

- Section 206, HHCA says that no other power can control HHLs. No other authority can extend to HHLs. Others can advise, but not control.

38. I haven't come to these meetings before I just want to ask one more time, if all of you beneficiaries want to see improvement vs. status quo, we're all workers here, we love the 'āina. We would do anything to perpetuate, if you guys could talk with us after this meeting, we're trying to connect to 'āina to perpetuate our connection to 'āina. The money thing is not the focus, but we could use your support.
39. The Waimea Hawaiian Homestead Association Board unanimously voted to oppose renewal of this license.
40. I'm a beneficiary—how many of you are still on the wait list? How long are you given on the list? I've been on the list since 1983. In 1986 I was number 74 on the list. Now I'm number 300 on the list...how did this happen? I never had to answer anything. Hawaiians should plant what we know—plant what you know. The question is: why is it taking so long to award ag or pastoral lands?

DHHL: The Department is trying to award more subsistence ag lots, how long more is it going to take? Administrative Rules process takes about 18 months.

41. 18-months? I've been waiting 30-years. I'm a beneficiary, born on the island. When are you going to distribute land, when we are crippled? We try as hard as we can to get on the list. DHHL doesn't help. Don't help. You say 18-months; it's been 33-years. I want a written answer explaining how I went from #74 to #279 on the list? And the land is right there!
42. Yes, give these lands out. Why are you taking people off the list just because they are deceased? You got PhDs, but when I try to find out, people don't know.
43. Why are they still waiting decades, but the DLNR parcel lapsed 4 years ago and we still can't get on the land? Why are we waiting? How do these guys (DLNR) get free passes?
42. Since the license expired, why does DLNR get to remain there? And why wasn't there an announcement earlier?

DHHL: We have 200,000 acres of land to manage across the state, this parcel was not on the top of the list in 2012. Now it's finally made its way to the top. It's really a matter of insufficient staffing due to insufficient funding.

43. In the news and through hearsay, I heard something about Pohakuloa. It's right around the corner and we should keep tabs on what they are doing. Is Pohakuloa a motivation for DLNR to get this parcel?

DLNR: No it has nothing to do with it. We (DLNR) just want to manage the land for conservation and to provide hunting opportunities for the public.

44. You said that the lease rent would be based on fair market value. I looked it up online; it has no property value online. So how does DHHL assess a dollar value for these parcels when the county has assigned zero value on these lands? What method will the Department use to value the property?

DLNR: We need to clarify that the lease rent was \$8,000 per year for 20 years.

DHHL: I just pulled the information from the county website. The combined market value for the 3 parcels is \$434,200. The combined acreage is 15,345 acres. So it comes out to \$28.29 per acre. To be clear, \$434,200 is not what we're charging—that's the county assessed value. We usually look at 8% of the per acre market value (\$28.29) which is \$2.26, for a total of \$30.56 per acre, for a total of \$468,934 per year (based on 2016 County Tax assessment).

45. When was it assessed, how often do they assess?

DHHL: The assessment is done annually; these numbers are from the 2016 assessment. In 1992, we got \$8,000 which has increased in value so now we're looking at 8% more. At the same time, we're getting management of the lands—that's not DHHL hiring people. So DHHL gets land managed, plus money for rent, and maybe we can get beneficiaries up there too. If someone has a better way to do this let's do it.

46. I heard on the streets that we don't want to put Hawaiians on the land, but you put up a tent and you're set for life. I apply for grants—I got a \$200,000 grant from NRCS...I'm emotional about this because I'm Hawaiian. We should be able to put native Hawaiians on the land if they qualify—if you get a grant, great, ultimately DHHL wants to manage the land. So I'm sure that's why they're looking at DLNR, but we've been on the list for all this time. So if we work with them and work together...it's all about managing the lands.

47. I wanted to clarify what I said earlier. The Waimea Hawaiian Homestead Association is not against DLNR. We thank DLNR. That's not the issue. The issue is the failure of the DHHL and HHC for breach of fiduciary responsibility to the people—and these guys waiting for so long to go on the land and they come here to listen to others. The courts reprimanded the Department and the State for failing to fund the Department. Our protest is not against what you're doing, it's the principle of our lands continuously going out to non-beneficiaries when we have 27,000 people waiting to go on the land. If we have to fight this license by license, to say no not just to this license but to all licenses that go out to non-beneficiaries, to get attention to this, we will. Earlier, I read to you the principles and purpose of the HHCA. We have to take a stand against things like this; things that go against our rights.

48. I want to request that any land in this area, come with radiation monitoring and systems to manage radiation. There has been a lot of bombing in area and data has been extracted and have been covering up what's happening here. We don't know the extent. All lands should have radiation monitoring of the soils and the meat.

Closing notes:

Once we get all the mana'o, we'll submit a Beneficiary Consultation report to the HHC which will have a summary of what we heard. After that, there will be two more

opportunities to weigh in if it goes that far. The BLNR will be considering this in the spring/summer of 2016, then the HHC will have to decide.

**HAWAI'I ISLAND BENEFICIARY CONSULTATION
POTENTIAL DHHL-DLNR LICENSE AGREEMENT
TMK (3) 3-8-001:003, 004, 008**

HILO MEETING NOTES

Keaukaha Elementary School
Hilo, Hawai'i
February 4, 2016
6:00 p.m. to 9:00 p.m.

Attendance:

DLNR: David Penn, Project Coordinator, DOFAW Access & Acquisitions Program; Joey Mello, East Hawai'i Wildlife Manager, Steven T. Bergfeld, Branch Manager;
DHHL: Kahana Albinio, Jr., Acting Administrator, Land Management Division; Mike Robinson, Property Development Agent, Land Management Division; Andrew Choy, Planner, Planning Office; Julie-Ann Cachola, Planner, Planning Office
HHC: Wally Ishibashi, East Hawai'i Commissioner, Hawaiian Homes Commission

Beneficiaries:

61 Beneficiaries signed-in at the registration table (see Exhibit B for a List of Participants)

Presentation:

The presentation by DLNR and DHHL was followed by questions and answers and comments.

Beneficiary Questions/Answers and Comments

1. Thank you for coming, but you haven't been good stewards of our lands. The cattlemen's association needs to get their cattle out so we can put ours in.
2. Did you hear how many times you said beneficiary? This meeting is supposed to be for the beneficiaries. All of these non-beneficiaries are here.

DHHL: DHHL sends letters out to only its beneficiaries. Because this is a public meeting since we are a state agency we cannot turn away people who come to the meeting. The HHC is interested in beneficiary comments above and beyond comments by others.

3. This doesn't concern me. I'm not a hunter. I came to see what you're going to give to me. The Department should be telling beneficiaries what they are going to give the beneficiaries.
4. How many of you know who I am? I grew up in this community. How many of you were here on Dec 16? I'm 4th generation homestead, and am proud of it. We still have a place on Kalaniana'ole. How many of you listened to your parents? Grandparents? Some of you I know; some I don't know. Did you know that we have 9 businesses who had a lease for 100 years? Parker Ranch. I want an audit. I want to see. Did you do any history with Parker Ranch? How many of you hunted at Pu'u

'Ō'ō? That land, 56,000 acres are all Hawaiian Home Lands. Parker Ranch did the same thing --you would think that DHHL would ask how many on the pastoral wait list? How many? Just divide 56,000 acres by how many on the pastoral wait list. On Dec 16, 2024 it will mark 100 years. DLNR and DHHL, you are on notice--9 more years--how many have been given a pastoral lease? All 56,000 acres are within our jurisdiction. Go look at what number you are on the list. It's over 70. I'm really disappointed. The last guys they gave--I'm proud to say--happened when I was on the Commission. We settled the Aged Hawaiians case. 67 Hawaiians that were on the 1952 list got their lease. Jimmy Akiona and Irene—2 out of the 67 that gained access, told me that Sonny's lot was right next to them—300 acres. The 1952 list; settled in 2006 or 2007. Let us go and restore our lands and culture. We got to be positive, give input, beneficiaries will take the lead. We have to educate. One way or another, let's do it as a family. For me, if they want the lease, the answer is no because they can get the license, provided that they help the beneficiary. From the Ka Wai Ola paper, there's only 1 Department in the State of Hawai'i that has a Constitutional provision that guarantees operational and administrative funding. The Nelson case. If they do their job, it's so simple. Communication is the biggest failure. You can do it if you input us throughout—put us through the whole program. That mountain is a gold mine. Restoration of koa is important for me to stand in front everybody else. I'm tired of hearing people that have been on the list for 30 years. Lot's of contracts on that mountain. Cut them all off unless beneficiaries are participating. From the last 20 years, how much did DLNR pay?

DHHL: DLNR paid \$8,848.00 for the 15,435 acres, for 1 year.

5. Was that the lease amount or what you collected?

DHHL: It's what we collected.

6. At the end, if people can give money---give us an opportunity. For me this is another 20 years--I want it to stop at this 4th generation. Make it positive, \$1.00—if we're all listening—we say no more money, no more money...but enforcement is a problem. Stop all the leases we have and let the associations help. In summary, the acres on 'Āina Mauna could be used to address the Wait List. If DLNR wants to be there, beneficiaries need to be the lead, DLNR can partner with beneficiaries.

Commissioner Wally Ishibashi: I have 3 questions on behalf of the Hawaiian Homes Commission:

1. How can the renewal of this lease promote the rehabilitation of our people?
2. How can the renewal of this lease meet the fiduciary responsibilities of the Trust?
3. How does this renewal meet any of the purposes of the Act?

These are tough questions because we're not following the Act. These questions need to be the first questions you ask. All dispositions need to consider these questions. Under the purpose of the Hawaiian Homes Commission Act

- Section 101- the Congress of the United States and the State of Hawaii declare the policy to return native Hawaiians to their land in order to fully support self-sufficiency of Hawaiians and the administration of this Act. Purposes include: establishing a permanent land base for their benefit and use, to live, farm, ranch, and engage in other activities; placing native Hawaiians on the land in a prompt, efficient manner; ensuring long term benefit to their successors; no alienation so land remains in the Trust; adequate water and infrastructure so land is always accessible; and technical assistance to native Hawaiians so by pursuing strategies, the traditions, culture and quality of life shall be forever self-sustaining.
 - Section 206 –the power that the Governor and BLNR has over State land shall not extend to the Hawaiian Home Lands—no one can control our land except us. All leases canceled on Mauna Kea. We should not be doing anything inconsistent with the Act, everything should be consistent with the Act.
7. I stand on what the Commissioner said. This Act is for native Hawaiians, not the palila bird. The word tells us that you're trying to transition it to your style. Whatever land you have here should go back to the beneficiaries on the land. It's time to return the land to native Hawaiians. We build our trust on righteousness. It has to be ua mau ke ea o ka 'āina i ka pono. Stick to the plan. Don't try to manipulate lies. Back in 1978 we marched for righteousness and you've been trying to take it away. The pebble was dropped in the pond—but how is it going to pick up the Hawaiian? The land should be returned the beneficiaries first and foremost.
 8. I'm not the greatest speaker—but it should be out...where are the watersheds that you're trying to protect? Is this the only way to do this? They gave a 1,000 trees to someone so they would stop this.
 9. Keep our water rights; keep it out of DLNR. Do not renew the lease. Keep the water in beneficiaries' hands.
 10. The only thing I see wrong with all of this is that we are not the real managers and stewards of this land. I would ask how does this benefit the native Hawaiians of this land? We always know that DHHL is not good business. We have to be the ones up there making decisions on the land. You are our trustee, you shouldn't allow other people to take our land. Keaukaha says No! Cut it off. We should be the managers and stewards. Keaukaha says no, the beneficiaries should be direct steward of the land.
 11. To think we have looked at this list, sit here and to realize how many have passed. I sat in a TMT meeting and I heard the President of the University of Hawaii speak to Paul Neves: son...he said, we told you folks—prove to us that you were here before. How do we prove this? At Pohakuloa they had found iwi. In March 2020, they explained about the iwi, but there were no 'ohana there. In Oct 2015, we received a big envelop from the Department of the Army, which was a golden egg. It was from a Lt. Colonel at Pohakuloa. The iwi was dated back 3,000 years. This was a blessing. We are presently in the court room explaining exactly how they failed us. It's over. They have changed our language, our crown land, and now our ceded lands. People are getting into a new term. Rather than "sub-leasing," they're changing the words to take it out of the courts. I have sat and watched...every time you have a change in

- Governor, there's a change in plans. After spending so much money on something, they say don't use that thing. Enough is enough. We are the beneficiaries. Stand up for who you are. Ke Akua knows that we are of our Queen. What moves me is the prayer of our Queen. Forgive them for they know not what they do; come and save our people. For those of you who sit to take care of our beneficiaries—don't abuse your rights; be diligent; the land should be returned to beneficiaries. The Department shouldn't be using beneficiaries.
12. We went to last night's meeting at Waimea. We've been spending a lot of time at Maunakea. We want to share that Waimea is already moving forward to unite the beneficiaries and mālama the 'āina. We discussed our proposal with the Commission and the Dept. Waimea accepted that we're going to work together and we started communicating. This is a big kuleana and we have to be proactive.
13. To explain this vessel. We see the neglect and want to do something. I was raised in Keaukaha; we spent a lot of time on the Mauna, we saw a lot of neglect. We didn't see kanaka! There's no place for our kanaka to get together, to connect. 'Āina is the connection of the kanaka to the environment. So we started to roll out an idea. Our idea is that we'd create 6 moku. There would be 6 representatives from 6 moku. We're trying to be proactive, ensure participation of kanaka to be at par with this. Get the 'ōpio involved too because it's their future. For the Koa Kia'i program, we went through all kinds of hassles just to make a presentation to the Hawaiian Homes Commission (HHC). We didn't realize that the HHC didn't have to respond. We're proposing 6 member nonprofit boards. We're looking for people to serve on the boards. The 'Āina Mauna program document is 200-pages long. How are we going to control this? We're proposing that we take the first step and we start planting and restoring. But it's for the people to decide. It's going to take all of us to mālama. We don't have funds, but we have a lot of energy. We have 'ōpio but we want kūpuna to lead us too. We want to be doing our own community meetings too. The beneficiaries need to benefit. You already heard. Cut the leases on the mountain. Let's make it 'āina; 'āina is a connection between kanaka and the environment.
14. I'm the President of Pi'ihonua Hawaiian Homestead Association. We are a small association and we are very concerned about the mountain. We're the only place that's not covered in a regional plan. Skylark said we'll be doing a regional plan. We are in the ahupua'a of Pi'ihonua. We're sitting on over 20-30% of our whole inventory. Tonight we have 7 homestead associations. The waiting list says 27,000 people-- I think it should be bigger. Beneficiaries don't want to come in --we really applaud Dept. staff who are functioning with only 40% of staffing. Every year the HHC has to take the budget into the legislature. We all need to register to vote. In Summary: register to vote. Kaumana and Pi'ihonua Regional Plan Process will start in September of this year-- so we will have more say in our community.
15. We're the one with the lawsuit for all HHLs. We're trying to stop everything, and this includes Maunakea. If you read up on HHLs, it's not just 200,000 acres, it says all available lands. We're trying to get back to the beginning and bring it forward...quickly. The court didn't want to talk about annexation. It didn't even want to address subleasing, section 204 says you cannot sublease. Here, you're taking the land. We're not going to get action at the state courts, so our action is in federal courts, trying to get it all back; clear the slate, get it all back. Because what

they're doing is taking all the land they opened in the overthrow in the hearing. US cannot annex land. The Kū'ē Petition was never brought to court. For the use of any kind of Hawaiian Home Lands, the answer should be NO, unless it's about native Hawaiian beneficiaries. Any time there's a petition for HHLs and it's not going to a native Hawaiian, the answer should be no.

16. It's so good to see everyone here tonight. It's good perspective for me as President of the Farmers Association. I just want to share with you that before the State-of-the-State address, the Department convened a meeting of homestead leaders where we learned about the legislative process and the Nelson case. It was a great eye opener for me. I'm 3rd generation Keaukaha; my parents were leaders too. I want to deal with the issues we're faced with today, because I really don't want my kids to be dealing with this again. This group is powerful. After learning about the legislative process, all of the leaders were awakened.

This is what I have to share about the license: the license expired in 2012—just table it –don't give them the lease or license. This is a process that's going to continue, meeting to meeting. I heard the Department say that they did this for you folks. We have no one else to go to; we need them to get everything together so we can move together as one. It was very disturbing on the day of the State-of-the-State address. We're trying to fight them, but when we went to the legislature, we still had to tell the legislators how to vote on it. We have to make sure our Department has the funds it needs to operate. There's a court order that says this too. My thoughts are that if we don't get funding, all these things are going to continue to happen. The commitment side of this: if we want anything, we have to give testimonies. The ones that I know, I have to encourage them to send testimony. All of the associations are doing this right now. They are trying to push the issue. So this is the Hawaiian Home Lands; it's a program. I'm kind of disappointed that they're not supporting us. Our legislators are bound by the oath they took when they came into their office –they said they would uphold the Constitution. The Governor didn't mention anything about us. We're at the bottom of the pile. We have to share, how we're going to get it. This is a distraction--we should table this because this is taking our attention off the important matter with Legislative funding. DHHL has hired an independent counsel to help define what is sufficient sums that should be funded. This issue is important but it's not the most important issue for native Hawaiian beneficiaries. Kihei is asking all beneficiaries to call their legislators to tell them to abide by the Nelson decision and fund the Department. In the meantime, table this discussion.

17. I am 2nd generation Keaukaha. I went through first from the business side. It said \$8,000 but it says fees. We're not getting income or land. There's no specific benefits that we receive from this. To make it simple, this is my business, my money. I want our people to get something out of this. The reason they're not here is that they passed it on. Take this off the table, sorry DLNR, we don't want to give this to anyone. I want to put my name on something to say no...no further licensing. As a wahine I don't hunt so I don't benefit. I don't see how it benefits the beneficiaries. Please say no to this proposal.
18. I never know where to start. I was just at the DLNR meeting on the 15th about leases on Banyan Drive. You put us through this then we find out that the lease is

- already made. How have we helped small investors to come in? This is Hawai'i; not America. All this doesn't exist. If you want to do this, go on your own land, somewhere else. You take from us. You want us to die—its genocide, it's called let them die. I'm not going to be nicer. I'm going to be honest. We don't care what your courts have to say, we have our own courts and we will make decisions on our lands. You took it from us and used fraud and theft and since then, you're only perpetuate fraud and treason. You're supposed to stop.
19. One main point. There are 3 US laws that explicitly state that the US and the State does not have jurisdiction or authority over our lands. The joint resolution is invalid. We should make our own bank. This document tells you exactly who we are. It's our land. In addition, the US federal government does not have subject matter jurisdiction under common law or admiralty law. You were never ordained. You cannot come in the kitchen and tell me what to do. They're taking advantage of us. We need to build our bank under our jurisdiction.
20. What's up? I hear a bunch of bullshit. I came here with my grandfather. Where is Mike Robinson and Kahana? They're gone. These 3 people—DLNR—are still here listening. My grandfather has been on the list for a long time. What are we going do Hawaiians? We have the next generation coming up, we're all hungry. We have the will power and the real power. I love everyone in here and am willing to put it all on the line. I never liked the plan from the beginning. Actually, it's not so much the plan--it's who is controlling the plan that's the problem. So 7 years later he comes tonight and wants to talk about hunting? What we're going to do is come back to the next meeting. My grandfather is 100 years old and he still didn't get his land, so that's all the generations; true 'ike is here. This year is going to be awesome. We gave you one message, one decision. We're ready to strike hot. And this comes from a place of love. A lot of love.
21. Thanks to my grandmother. If you really do care and you can commit, I want you to call Lākea Trask. If we look at this map, the gorse is occupying this 'āina. The termites. The question is to everybody –if you are committed, please share your contact number with Lākea. We don't have money but it's no problem because we never had money. I went to UH but it was foreign to me. We found out their connection to the community—things Uncle Henry did up at the UH but didn't have energy to do it anymore. The UH promised to be a bigger part of the community. The UH farm is in Pana'ewa there's so much going on. Come down on Thursday and Friday...Jan and Arnold will be there. Would like to invite the community to come to the farm--for allowing UH to be there. If you want to see commitment and wheels turning.
22. I'm Hawaiian and I'm a pig hunter. Saddle road—what's the difference where I park? I now see federal government signs on HHLs in Ka'ū. Why are there federal government signs on Hawaiian Home Lands? From Hilo side to Keanakolu cabin, it's all buss up. Once you pass, you can drive a rental car. So as soon as I can, I go up there. For our kids. Teach them how to skin the pig, we shot a sheep, and picked imu stone. Unfortunately, they shut us down and said that we couldn't take imu rock-- they made us take it all back. Why can't I take imu rock to teach the next generation with our land, our mountains, our rivers, how are kids going to come up with we don't teach them now.

23. Clearly based on what was said tonight, East Hawaii beneficiary organizations, do not want to renew this license. Beneficiaries came out to this meeting and there was consensus that the Department/HHC should say no to this proposal.

WRITTEN COMMENTS/QUESTIONS SUBMITTED

24. What was done in the initial 20 years?
25. How do they plan on seeing results/making things happen, if they couldn't do it before.
26. I think there should be a better way of documenting the number of hunters/animal, like an app.
27. You said that part of your purpose is to help regulate people that shouldn't be in the area, but you don't do that! For example, Pono called to notify the Department of poaching, but was told by DLNR that it was "not our jurisdiction."
28. The meeting got out of control. Should have had a facilitator. Speakers should only address what's on the agenda. I believe that DHHL should have beneficiary consultations before working on the agreement with a potential lessee. Have beneficiary input then.
29. I just wanted to say I support the beneficiary blood quantum going down to 1/32nd. I am third generation Keaukaha Boy. My blood quantum is 25%. My children are 1/8 Hawaiian. I only wish that I will be able to give them the land and home which we have lived on my whole life. I am very thankful that I have been able to live in Keaukaha my whole life and hope that my children and their family will be able to enjoy this for generations to come.
30. We should be the stewards of the land. Get the beneficiaries to take over the land lease of Mauna Kea. We are being screwed by all of you collecting a pay check using us as your payroll. Cancel all leases related to 'Āina Mauna Legacy Program. Stop the evictions of beneficiaries. 'Āina Mauna Legacy Program T1, T2 so typical. Give the gorse lands to the stupid Hawaiians. Take the keys back from DLNR.
31. I think the lands to be given to the beneficiaries. Put the people on the land. I am on the list. I hope I get awarded my land soon. Let the beneficiaries manage the land.
32. A'ole to the re-issuing of the lease. TMK385001004—it's the land above Waipio. I'ts better to use that land for cultural benefit. TMK 338001008 should be used for homesteading purposes.
33. (from Waimea mtg): I heard that a water well was dug on Hawaiian Home Lands in the Kipuka 'Āina Hou area. Can that be utilized for future homestead use?

Name: Danielle Pau
Email: nelly_gurl_808@yahoo.com
Phone: (808) 756-3387

QUESTIONS/COMMENTS:

- what was done in the initial 20 yrs?
- how do they plan on seeing results/making things happen if they couldn't do it before. what's different?
- o I think there should be a better way of documenting the number of hunters/animals like an "app"
- o you said that part of your purpose is to help regulate people that shouldn't be in the area but you don't do that!
ex: pono called to notify of poaching but was told 'not our jurisdiction' by DLNR.



DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

Name: Shirley Pedro
Email:
Phone: (808) 896-0992

QUESTIONS/COMMENTS:

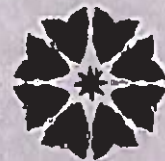
Meeting got out of control. Should have had a facilitator. Speakers should only address what's on agenda.
I believe that DHHH should have beneficiary consult before working an agreement with a potential leasee. Tonight have beneficiary input then.



DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

EXHIBIT "E"

Name: MARCUS HANSON
Email: KEAUKAHA77@GMAIL.COM
Phone: (808) 845-4730



2-11-11
Kearland

DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

QUESTIONS/COMMENTS:

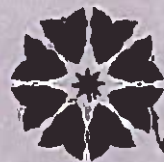
I just WANTED to SAY I support the beneficiary blood quantum
going down to $\frac{1}{32}$ ^{to take} I AM ~~that~~ ~~that~~ third generation Keauka
Boy My blood quantum is 25% My ~~clerk~~ children ARE $\frac{1}{8}$ HAWAIIAN
I only wish that I will be able to give them the LAND
and Home which ~~we~~ we HAVE lived on ON My whole life. ~~I feel~~
~~that~~ I AM very thank ful that I HAVE been Able to live on
Keaukaha my whole life. And hope that My children And their family
will be ABLE to enjoy this for generations to come.

THANK YOU Aloha
MARCUS HANSON

Name:
Email:
Phone:

SHARON V VANNATTA

9351820



2-11-11
Kearland

DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

QUESTIONS/COMMENTS:

~~we~~ We should be the stewards of the land.

GET THE BENEFICIARIES TO TAKE OVER THE
LAND LEASE OF MAUNA KEA. WE ARE BEING SCREWED
by all of you collecting a pay & using us as your
payroll. CANCEL all leases ^{re: Aina Mauna Legacy} you USERS.
STOP THE EVICTIONS of beneficiaries!!

EXHIBIT "E"

Aina Mauna Legacy Program - T1 T2 So typical.
GIVE THE GORSE CONTROL LANDS TO THE STUPID HAWAIIANS
TAKE THE KEA back for

2/4/16, Keaheke

Name: Hauana Kalehano-Hail;
Email:
Phone:



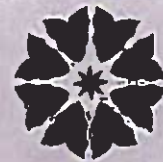
QUESTIONS/COMMENTS:

DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

I think the lands to be given to the beneficiaries. Put the people on the land. I ~~hope~~ am on the list. I hope I get awarded my land soon.

Residential/Pastoral
Let the beneficiaries manage the land.

Name: Cindy Mata (Kaai)
Email:
Phone: 965-6559



2/4/16
Keaheke

QUESTIONS/COMMENTS:

DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

Aole to the Re-lease
338001004 - its the land above weip, its not to be DHHL. Its better to use that land for cultural benefit ~~for DHHL~~

338001008 - should be used for Homestead.

338001003 -

EXHIBIT "E"

Choy, Andrew H

From: Wallace Wong <Wallace.Wong@hawaiiintel.com>
Sent: Thursday, February 04, 2016 8:40 AM
To: Choy, Andrew H
Subject: DHHL Beneficiary Consultation Meetings

Aloha Andrew,

Mahalo for an excellent presentation and discussion at last night's meeting.

My comment would be **NOT** to renew the lease with DLNR.

My suggestion for the future management of these parcels would be to gather Community Organizations and Beneficiaries to take on this kuleana with financial assistance from DHHL for equipment and supplies.

Wally

This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please notify the sender immediately and delete the original. Any other use of this message by you is prohibited.

EXHIBIT "E"

Herring Kaku



Questions for the February 4th meeting.

- 1 Why Lease was negotiated with an 8 year no payment clause?
- 2 Why are improvements to the land allowed to be removed?
- 3 What other contracts have similar clauses? Understanding is any improvements are to remain on DHHL lands?
- 4 Why are hunting allowed on DLNR leased DHHL lands but not on DHHL owned lands?
- 5 What improvements to the land was made during the first 8 years.
- 6 What remains to be repaired? All fences, roads gates, etc. repaired or is it still in need of repairs?
- 7 What was the rental fees after the lease has expired in 2012? (Paid in full? Or was it free.)
- 8 Are they allowed to remove cattle from the lease lands?
- 9 Item 6 makes reference to an inventory of improvements made by DLNR. Where is that report?
- 10 Item 8 makes reference of clearing up boundary and acreage uncertainties? Please explain uncertainties. (Completed, copies available to beneficiaries)
- 11 What other contracts have special sub section arrangements that is not in the best interests to the trust. Example Hawaiian Paniolo Society, Water Shed alliance, Hakalau bird reserve, Who else has access by way of RP,RO, General lease.
- 12 Why is Hawaiian not put on the land? Who has priority to the lands???
- 13 Why are there no programs available to prepare farmers or ranchers, business or homesteader's?
- 14 NO more general leases to none beneficiaries. Any mercantile lease available.
- 15 Cattle contracts , Sheep contracts, game management contracts, Koa contracts, evasive specie contracts, helicopter contracts, all contracts. Where are we with expiration dates of all leases? Can a list be provided?

EXHIBIT "E"

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21-22, 2016

To: Chairman and Members, Hawaiian Homes Commission
Thru: Kaleo M. Manuel, Acting Planning Program Manager 
From: Andrew H. Choy, Planner 
Subject: Waimānalo, O'ahu Regional Update to the Hawaiian
Homes Commission

Recommended Action

For information only. No action required.

Background

Planning Office will be providing the Hawaiian Homes Commission (HHC) with updates of the respective DHHL geographic region in which the HHC conducts its monthly community meeting. The purpose of the monthly update is to provide the HHC with information related to DHHL plans, programs, and projects previously adopted by the HHC that are specific to that particular geographic region. A status report of DHHL's progress in implementing these initiatives is also included for the HHC's consideration.

For March 2016, Planning Office will be providing an update to the HHC for Waimānalo, O'ahu.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

O'ahu Island Plan Policies Related to Waimānalo

The purpose of each DHHL Island Plan is to (1) assign land use designations for land holdings on each island, (2) establish land use goals and objectives of the General Plan specific to each island, and (3) identify island-wide needs, opportunities, and priorities. The O'ahu Island Plan was adopted by the HHC in July 2014. For Waimānalo,

the plan identifies the following land use designations (see map, Exhibit A) and acreage amounts in Table 1 below.

Table 1

Waimānalo, O'ahu Land Use Designation	Acres	Percent of total
Residential Homestead	210	11%
Subsistence Agriculture	15	0.7%
Industrial	35	1.8%
General Agriculture	100	5.3%
Community Use	120	6.4%
Conservation	1,430	74.8%
Total Acres	1,910	100%

O'ahu Island Plan Implementation Status

Since its recent adoption in July 2014, no suggested land use amendments or updates to the Waimānalo region are being considered at this time in the O'ahu Island Plan. The plan also acknowledges that DHHL will need to acquire additional lands to meet the demand of its beneficiaries waiting for a homestead on O'ahu. In Waimānalo, DHHL is in the process to acquire a 50-acre parcel commonly known as "Wong Farm" from the Department of Land and Natural Resources. DHHL needs to re-submit a sub-division application to the City & County of Honolulu Department of Planning and Permitting for the purposes of conveyance. Once conveyance occurs, DHHL plans to develop 200 residential homestead lots.

Waimānalo Regional Plan

The Waimānalo Regional Plan was first adopted by the HHC in August, 2008 and subsequently updated in November, 2011. Outreach with Waimānalo beneficiaries through the planning process identified the following priority projects:

- (1) Emergency Evacuation Plan
- (2) Hawaiian Cultural Learning Center
- (3) Honolulu Police Department Satellite Office
- (4) Develop Affordable & Obtainable Homestead Alternatives in Waimānalo

(5) Waimānalo Business Park (Industrial / Technology)

Waimānalo Regional Plan Implementation Status

Table 2 below identifies the "project champion" as well as summarizes the status of each regional plan priority project.

Table 2: PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Emergency Evacuation Plan	Hawaii Hazards Awareness and Resilience Program (HHARP)	In-Progress. HHARP, a program of the state Civil Defense Department, was created to help communities prepare to be self-reliant during and after natural hazard events. HHARP has been conducting monthly meetings in the Waimanalo community (second Wednesday of each month).
Hawaiian Cultural Learning Center	Halau Na Pualei O Likolehua	Not Started. DHHL recently completed a rock fall mitigation feasibility study for the same site in which the halau requested long-term use of. Rock fall mitigation measures suggested in the study are exceedingly expensive making homestead use of the site not financially viable at this time. Any party proposing a non-homestead use for the site will need to cover cost of rock fall mitigation.
Honolulu Police Department Satellite Office	State Rep. Chris Lee & HPD	Not Started. Funding for the project did not materialize. Need to re-engage project champions to see if project is still a priority.
Support & Develop Affordable & Obtainable Homestead Alternatives in Waimānalo	DHHL	In-Progress. This issue is a state-wide issue among DHHL beneficiaries. DHHL has been analyzing various affordable housing alternatives, including rentals as well as providing financial literacy services via its HALE program.
Waimānalo Business Park (Industrial/Technology)	Waimānalo Hawaiian Homestead Association (WHHA)	In-Progress. WHHA completed construction of its Community Technology and Education Center (CTEC) and is in the process of obtaining a Certificate of Occupancy for the building.

DHHL Water Policy Plan Implementation Status

In Windward O'ahu, DHHL has an existing water reservation of 0.124 mgd for its foreseeable future needs. The Honolulu BWS is providing DHHL Waimānalo homestead residents with water on its system.

Recommendation

For information only. No action required.

O'AHU ISLAND PLAN DEPARTMENT OF HAWAIIAN HOME LANDS

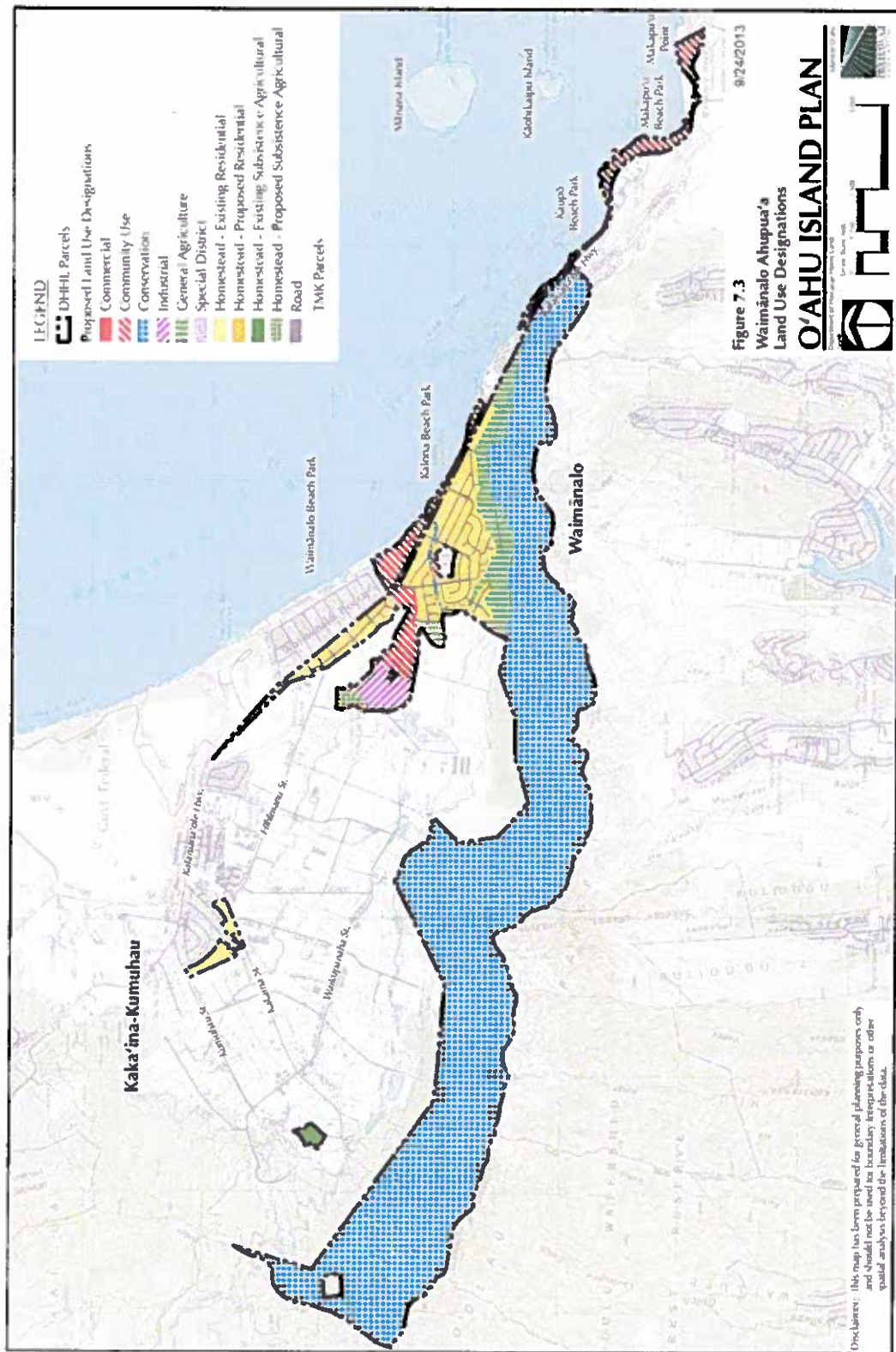


Figure 7-3 Waimānalo Ahupua'a Land Use Designations

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
MARCH 21 & 22, 2016
KAPOLEI, O'AHU

AGENDA SECTION II. C

H-ITEMS
**ADMINISTRATIVE SERVICES
OFFICE**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Rodney K. M. Lau, Administrative Services Officer
SUBJECT: Transfer of Hawaiian Home Receipts Money at the End
Of the Third Quarter, FY 2016



RECOMMENDED MOTION/ACTION

That the Commission approve the transfer of the entire receipts deposited in the Hawaiian Home Receipts Fund as of March 31, 2016 to the Hawaiian Home General Loan Fund.

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 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."

The projected March 31, 2016 cash balance in the Hawaiian Home Receipts Fund is estimated to be \$850,000. The increased demands

on the Hawaiian Home General Loan Fund in FY 2016 requires sufficient loan funds be made available. We recommend the cash receipts balance in the Hawaiian Home Receipts Fund as of March 31, 2016 be transferred into the Hawaiian Home General Loan Fund.

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
MARCH 21 & 22, 2016
KAPOLEI, O'AHU

AGENDA SECTION III.A

J-ITEMS
GENERAL AGENDA

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **LEHUANANI
KAMAEWAKAINAKALEOMOMONA**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Princes Lehuanani wishes to address the Commission regarding Kahikinui.

ITEM NO. J-1

Burrows-Nuuanu, Leatrice W

From: Princes Lehuanani <princeslehuanani@yahoo.com>
Sent: Friday, December 04, 2015 4:37 PM
To: Burrows-Nuuanu, Leatrice W; Archikins Camarillo; Kapeliela, Ross K;
princesslehuanani@yahoo.com
Subject: oahu hawaiian home lands.....commission meeting

Aloha Leah,
I would like to confirm DEC. 15, 2015
to speak at your next.....OAHU HAWAIIAN HOME LANDS MEETING
THANK YOU ALL FOR YOUR TIME
please inform me, what is needed toPROCEED

princeslehuanani.
808-359-1848

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **DAVID BENEVEDES**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Mr. Benevedes wishes to address the Commission regarding his Waimānalo lease.

ITEM NO. J-2

Burrows-Nuuanu, Leatrice W

From: David Benevedes <dbenev2@hawaii.edu>
Sent: Wednesday, March 09, 2016 2:48 PM
To: Burrows-Nuuanu, Leatrice W
Subject: Re: J-Agenda Request

The lease number is 8189.

The plan I had was to give the house to my aunty because I couldn't qualify for the loan so I was gonna sell it to her but the deal was that I could live there and she offered me \$10,000. I felt like that wasn't fair for me so I tried my best to find a way that I could save the house for myself and keep it in the family. I asked my fiancée brother if he could help co sign with me for the loan for the house but homestreet bank said that you had to be blood related in order for him to co sign with me on the loan but that didn't work out so I had to approach a different plan where I give my house to my fiancé dad because he is more then 50% Hawaiian and he can add her on the loan after but she can't be added to the loan because she doesn't have credit so now I am currently working with Hawaiian Community Assets. So they are currently helping me but Hawaiian homes only gave me 90 days which is impossible to find the money for my house. Which is \$231,000. I don't know anyone who can come up with that in 99 days. I'm only 19 years old this is my grandparents house. They wanted me to have it because I had enough Hawaiian to get the house. There is a really long story to my whole situation and it would be to much to type through e mail.

On Mar 9, 2016, at 12:45 PM, Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Ok. I will list you on the March 21, 2016 HHC Agenda. We recently changed the format of our agenda whereby the J-Agenda items are taken on the first day, in this case Monday, March 21st. As soon as the agenda is finalized and filed with the LG's office, I'll send you a confirmation letter along with the official agenda so you can determine the best time to arrive.

Can you provide me with a lease number and a brief summary or timeline of why you need the extension? If can.

Mahalo, Leah

From: David Benevedes [<mailto:dbenev2@hawaii.edu>]
Sent: Wednesday, March 09, 2016 12:41 PM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: Re: J-Agenda Request

Yes this is for the J-Agenda. I will be talking about my house in Waimanalo asking for an extension from the commission to give me more time to try and save my house so that I could keep it in my family

On Mar 9, 2016, at 12:36 PM, Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Aloha David,

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **MARION KAPUNIAI – Lessee**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Kapuniai wishes to address the Commission regarding various lease issues.

ITEM NO. J-3

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **HOMELANI SCHAEDEL - Maluohai**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Schaedel wishes to address the Commission regarding a Maluohai.

ITEM NO. J-4

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **SANDRALYNN NAEA**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Naea wishes to address the Commission regarding the successorship for Clement Kaniaupio.

ITEM NO. J-5

HHC Item No. J-2 *for December*
Exhibit A
Date Aug 24 2015 August 20, 2015

TO: Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapololei Parkway
Kapolei, Hawaii 96707

FR: Sandralynn Naea
41-602 Bell Street
Waimanalo, Hawaii 96795

SUBJECT: REQUEST FOR HEARING WITH HAWAIIAN HOMES COMMISSIONER

Dear Hawaiian Homes Commissioner(s),

I am requesting for a hearing or a meeting to discuss problems we have been receiving concerning my successorship of my late father, Clement Kaniaupio.

Since February 2015, I have numerous problems with DHHL staff, Mr. Lloyd Pagaduan. My sister-in-law Gina Kaniaupio and I have notified Dean Oshiro, verbally about the numerous problems with Mr. Pagaduan, which includes the following:

- 1) Mr. Pagaduan has been stalling my successorship to Clement Kaniaupio
- 2) Mr. Pagaduan has been numerously providing my half-brother, Carter Spencer information about me.
- 3) Mr. Pagaduan has been coaching Carter Spencer on things to do to the home, which has been physically and mentally affecting my family, my late father and me.
- 4) When asking Mr. Pagaduan for information and time frame on requests, he constantly changes his answers and delays all my requests.

Upon Clement Kaniaupio's passing, I have notified DHHL. I was instructed to bring his death certificate. In February 2015, Gina Kaniaupio, Herbert Kaniaupio III, Tuulima Naea and myself went to DHHL to hand deliver the death certificate.

I requested to have a copy of the Successorship to stop the harassment I was receiving by Carter Spencer. Mr. Pagaduan said he couldn't provide that to me. However, upon my leaving the department, I received a call from Carter Spencer questioning me how come I did not inform him that I were going to DHHL.

2015 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LANDS

REQUEST FOR HEARING WITH HAWAIIAN HOMES COMMISSIONER

August 20, 2015

Page 2

Since that day on, we kept calling Mr. Pagaduan on the status of the successorship. He first said it might take about 3 months, then 6 months, then up to a year.

We have contacted Dean Oshiro to assist. Gina Kaniaupio informed Mr. Pagaduan about my medical condition and if there is a way to expedite the successorship, Mr. Pagaduan said they do not look at medical condition as a reason to expedite the requests.

In June 2015, Carter Spencer and his spouse flew in from their hometown, Hilo Hawaii and began doing construction to the property while me and my family was in the home. He had no permits to proceed in doing any construction or demolition. I complained to Mr. Pagaduan and he stated that Carter Spencer is the leasee and can do anything to the home. Carter Spencer had informed that Mr. Pagaduan told him to take a hammer and whatever it takes, to remove the shed that were built. This shed was not even on the property, and was also told to Dean Oshiro that the shed was on State Property.

Gina Kaniaupio complained about Mr. Pagaduan and Carter Spencer, however, Dean Oshiro and Mr. Pagaduan both came to my home and said he has the right and I have no rights. I were told numerous times that I had NO RIGHTS, however according to DHHL website, a successor takes over immediately upon the death of the leasee.

I was constantly told that I had to pay for the financial loan. I complained that if I have NO RIGHTS, then why am I paying for this loan. I complained that isn't a policy that the leasee supposed to reside in the home. I informed you and Mr. Pagaduan that Carter Spencer's physical resident is in Hilo Hawaii. However, nothing was done.

On August 4, 2015, Gina Kaniaupio, my authorized representative and myself had met with Mr. Pagaduan to sign the lease as successor to Clement Kaniaupio's lease.

During this meeting, Gina Kaniaupio asked Mr. Pagaduan, "Since Sandralynn is now signing this lease, does this mean she now have rights?" Mr. Pagaduan said "NO, not until this document is signed by the department approving the lease. A few minutes later, Jeremy (loan officer) came into the meeting. Mr. Pagaduan stood by the door. Jeremy introduced himself and began to discuss the financial loan. I immediately asked Jeremy to go talk to Carter Spencer about the loan. Jeremy informed that I am now a leasee and am responsible for this loan.

Gina Kaniaupio immediately informed Jeremy that Mr. Pagaduan just told us a few minutes before you walked in that Sandralynn has NO RIGHTS. Jeremy again stated that Sandralynn has rights as of today.

2015 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LAND

REQUEST FOR HEARING WITH HAWAIIAN HOMES COMMISSIONER

August 20, 2015

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Mr. Pagaduan then assisted with the completion of the lease. Gina Kaniaupio asked Mr. Pagaduan how long will it take for the completion of this lease. He responded about a week. Gina Kaniaupio then told Mr. Pagaduan that she had submitted a "Durable Power of Attorney" indicating that she is legal representative to his supervisor, Dean Oshiro.

Mr. Pagaduan acknowledged that he did see the POA, however, he needs to see if the contents are valid. Gina Kaniaupio asked him, who or which office will need to confirm the validity of the POA and how long will it take? He responded The Attorney Generals Office and about a week.

Mr. Pagaduan then informed that lease tax was due and before I leave, I need to pay. I ended up paying \$12.00 for 12 years.

On August 13, 2015, we have not heard from Mr. Pagaduan so Gina Kaniaupio called him. She asked if the lease were approved. He said no. She asked how long will it take. He said about a month. Gina Kaniaupio then told him, I thought you told us during the meeting it would take a week. He responded there is many lease signing and they will not have the commissioner sign one at a time. They will take it in bulk. Gina Kaniaupio then asked him if Sandralynn could pick up the signed lease, he said no. There is a procedure and the document needs to be mailed.

Since February, Gina Kaniaupio and I numerously complained about the treatment of Mr. Pagaduan and his actions. However, we feel that Mr. Pagaduan is taking our complaints personal and delaying the completion of my successorship. I was told that I still need to pay for this loan. In the meantime, my brother, Herbert Kaniaupio III and Gina Kaniaupio is now ensuring that the payments of my share are completed on time to avoid a default.

I would greatly appreciate your assistance to ensure that our request is completed within a reasonable timely manner and that we receive assistance by a DHHL staff to ensure we understand the process or inform us of what additional documents are required. We have received numerous problems, in which we feel that a certain staff(s) may be delaying our requests due to previous complaints.

Due to the overwhelming problems with Mr. Pagaduan and Carter Spencer, I am physically and mental exhausted. I am now submitting a Transfer of my total share of my Lease to my brother, Herbert Kaniaupio III effective immediately. Herbert Kaniaupio III genealogy has already been established with DHHL since he was a Lessee and who had transferred his lease to his son, Stanton Kaniaupio, which had also been stalled.

2015 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LANDS

REQUEST FOR HEARING WITH HAWAIIAN HOMES COMMISSIONER

August 20, 2015

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I am requesting that my case be transferred from Mr. Pagaduan's workload due to his unfair treatment of my case.

Please inform me of a date, time and place where the Homestead Commissioner(s) can address our concerns.

I have provided DHHL a copy of my POA giving the department my permission for Gina Kaniaupio to speak or represent me on my behalf as needed. The department has my permission to release any documents to her, release my personal file and any information to her as needed. If you have any questions or concerns, please contact me anytime via email or telephone.

Thank you for your time and assistance on our concerns.

Sincerely,



Sandralynn Naea
41-602 Bell Street
Waimanalo, Hawaii 96795
Phone: (808) 861-0599

SN: gmk

C: Office of the Ombudsman; Dean Oshiro; Gina Kaniaupio

2015 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LANDS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **HERBERT KANIAUPI'O III**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Mr. Kaniaupi'o wishes to address the Commission regarding a lease transfer.

ITEM NO. J-6

HHC Item No. J-1
Exhibit A
Date Aug 24, 2015

for December

August 20, 2015

TO: Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapololei Parkway
Kapolei, Hawaii 996707

FR: Herbert Kaniaupio III
P.O. Box 715
Kaneohe, Hawaii 96744

SUBJECT: HOMESTEAD LEASE TRANSFER REQUEST FOR LEASEE: HERBERT KANIAUPIO III TO BE TRANSFERRED TO BIOLOGICAL SON: STANTON KAIMANA KANIAUPIO

Dear Hawaiian Homes Commissioner(s),

I am requesting for a hearing or a meeting with the commissioner(s) to discuss problems we have been receiving with the Request for Homestead Lease Transfer Request I have previously submitted back in February 2015. Until today, I have not received any notice or phone calls concerning the status of this transfer.

I am re-submitting another Transfer Request and documents to DHHL today:

- 1) Attachment A - Homestead Lease Transfer Request (2nd request)
- 2) Attachment B - Geneology chart for Stanton Kaniaupio, whom is currently my successor.
- 3) Attachment C - Geneology documents; Birth / Death Certificates for:
 - a) Stanton Kaniaupio
 - b) Herbert Kaniaupio III
 - c) Gina Lobitos
 - d) Judy Kaniaupio
 - e) Herbert Kaniaupio Jr
 - f) Pacita Mero
 - g) Pedro Lobitos Sr
 - h) Herbert Kaniaupio Sr
 - i) Kathleen K Kaulahea
 - j) Joseph W Kahale
 - k) Ellen H Lopez
 - l) Pedro Lobitos Sr
 - m) Pacita B Mero

2015 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LANDS

Attachment #B

**HOMESTEAD LEASE TRANSFER REQUEST FOR LEASEE: HERBERT KANIAUPIO III TO BE TRANSFERRED
TO BIOLOGICAL SON: STANTON KAIMANA KANIAUPIO**
August 20, 2015

page 2

ATTACHMENT : B

Geneology Chart

Stanton Kaimana Kaniaupio

Paternal:

Father: Herbert Kaniaupio III

Grandfather: Herbert Kaniaupio Jr.

Great-Grandfather: Herbert Kaniaupio Sr.

Great-Grandmother: Kathleen Kalolena Kaulahea

Grandmother: JudyMay Kahale

Great-Grandfather: Joseph Wahinui Kahale

Great-Grandmother: Ellen Hamolekuihao Lopez

Maternal:

Mother: Gina May Lobitos

Grandfather: Pedro Lobitos Sr

Great-Grandfather: Julian Lobitos

Great-Grandmother: Margaret Jeberola

Grandmother: Pacita Bernadette Mero

Great-Grandfather: Marcos Mero

Great-Grandmother: Linda Matia Alcover

2015 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LAND

HOMESTEAD LEASE TRANSFER REQUEST FOR LEASEE: HERBERT KANIAUPIO III TO BE TRANSFERRED TO BIOLOGICAL SON: STANTON KAIMANA KANIAUPIO

August 20, 2015

page 3

In the past, we have experienced numerous delays on requests that were made which caused me the inability to move forward in obtaining a lease, exchanging my lease with my Uncle Rudy, and now, transferring my leasehold to my son.

I would greatly appreciate your assistance to ensure that our request is completed within a reasonable timely manner and that we receive assistance by a DHHL staff to ensure we understand the process or inform us of what additional documents are required. We have received numerous problems, in which we feel that a certain staff(s) may be delaying our requests due to previous complaints.

We are trying to ensure that Stanton Kaniaupio has established his blood quantum requirements and recorded to avoid future delays.

We are requesting for an immediate transfer of the Homestead Lease from Herbert Kaniaupio III to Stanton Kaniaupio.

Please inform me of a date, time and place where the Homestead Commissioner(s) can address our concerns.

Thank you for your time and assistance on our concerns.

Sincerely,



Herbert Kaniaupio III

2016 AUG 20 PM 2:32

DEPARTMENT OF
HAWAIIAN HOME LAND

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
SUBJECT: Request to Address the Commission – **BO KAHUI – Executive Director,**
La‘iopua 2020.

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Mr. Kahui wishes to address the Commission regarding grants and homestead beneficiary organizations sustainability.

ITEM NO. J-7

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 16, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **MICHELLE KA'UHANE – Chairman and CEO, Council for Native Hawaiian Advancement.**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Kauhane wishes to address the Commission regarding progress regarding the 9-acre parcel.

ITEM NO. J-8

Burrows-Nuuanu, Leatrice W

From: Michelle Kauhane <michelle@hawaiiancouncil.org>
Sent: Saturday, November 28, 2015 8:31 AM
To: Burrows-Nuuanu, Leatrice W
Subject: HHC J Agenda

Leah

Please include Kaupe'a Homestead
Association on the J agenda for the next commission meeting.

I will update the commission on our progress regarding the 9-acre parcel

Also include Sonny Gay, Kaupe'a lessee. He would also like to address the commission.

Mahalo

Michelle Kauhane

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission
SUBJECT: Request to Address the Commission – **ROBIN DANNER – Chairman, State Council of Hawaiian Homestead Associations**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Danner wishes to address the Commission regarding advocacy projects of the SCHHA.

ITEM NO. J-9

Burrows-Nuuanu, Leatrice W

From: Robin Danner <robin.puanani.danner@gmail.com>
Sent: Sunday, November 22, 2015 10:16 AM
To: Burrows-Nuuanu, Leatrice W
Subject: Dec J Agenda

Aloha Leatrice,

I'd like to address the Commission on the J agenda, as the SCHHA Chairman, to brief the Commission on advocacy projects of the SCHHA. I will bring sufficient handouts.

Thanks so much!

Robin Puanani Danner, SCHHA Chairman

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Request to Address the Commission – **DAVID PENN**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Mr. Penn wishes to address the Commission regarding renewal of a Kipuka Aina Hou License.

ITEM NO. J-10

Burrows-Nuuanu, Leatrice W

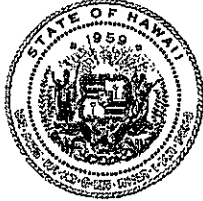
From: Choy, Andrew H
Sent: Monday, March 07, 2016 3:26 PM
To: Penn, David
Cc: Burrows-Nuuanu, Leatrice W; Aila Jr, William J; Robinson, Michael E; Manuel, Kaleo L; Albinio Jr, Peter K
Subject: Request to speak on March J-Agenda

Aloha David,

Per our phone conversation, if DLNR would like to address the HHC regarding the renewal of the Kipuka Aina Hou license, please email the Hawaiian Homes Commission Secretary Leatrice Burrows-Nuuanu (Cc'd on this email). In your email, just specify in a brief sentence the subject matter and the person or persons that will be addressing the HHC on behalf of DLNR.

Thanks,
Andrew

Andrew H. Choy
Planner
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway, Kapolei, HI 96707
P.O. Box 1879, Honolulu, HI 96805
Phone: (808) 620-9279
Fax: (808) 620-9559
Email: Andrew.H.Choy@hawaii.gov



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

Notice of Annual Hawaiian Homes Commission Regular Meeting

Monday, March 21, 2016 at 9:30 a.m.
and Tuesday, March 22, 2016 at 9 a.m.

at Hale Pono'i, Department of Hawaiian Home Lands
91-5420 Kapolei Parkway, Kapolei, O'ahu 96707

Hawaiian Homes Commission Meeting agendas are available approximately
one week in advance on the HHC Meetings page on our website, dhhl.hawaii.gov/hhc

Hawaiian Homes Commission Meeting with the Waimānalo Homestead Community

on Monday, March 21, 2016 from 6:30 – 8:30 p.m.
at Ka Ho'oilina Na Kūhiō Community Center
41-253 Ilauhole Street, Waimānalo, O'ahu 96795

AGENDA

6:30 - 7:00 p.m.	DHHL Update
7:00 - 7:30 p.m.	Homestead Community Update
7:30 - 8:30 p.m.	Open House*
8:30 p.m.	Adjournment

*During Open House, representatives from DHHL divisions will be available for one-on-one consultation with beneficiaries. Community organizations will also present informational booths.

To request accommodations for a sign language interpreter or accessible parking (must be requested five days prior to the meeting date), or for more information, please contact the DHHL Information and Community Relations Office on O'ahu at 808-620-9590.