

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

Grand Naniloa Hotel, 93 Banyan Drive, Hilo, Hawai'i 96720

Monday, September 24, 2018 at 9:30 a.m. to be continued, if necessary, on  
Tuesday, September 25, 2018, at 9:00 a.m.

**I. ORDER OF BUSINESS**

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes for February 2018, February 2015
- D. Public Testimony on Agendized Items

**II. ITEMS FOR DECISION MAKING**

**CONSENT AGENDA**

Homestead Services Division

- 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 / Cancellations (see exhibit)
- D-7 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see exhibit)
- D-8 Approval of Assignment to Leasehold Interest (see exhibit)
- D-9 Approval of Amendment of Leasehold Interest (see exhibit)
- D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-11 Commission Designation of Successor – **RICHARD H.E. PELFREY**, Residential Lease No. 2688z, Lot No. 66, Kuhio Village, Kamuela, Hawai'i

**III. ITEMS FOR INFORMATION (on Action Items)**

Office of the Chairman

- C-2 For Information Only - Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules for DCCRs; Multi-Family, Rentals, and Kupuna Housing; and Supplemental Dwelling Units

Planning Office

- G-3 For Information Only--Draft Environmental Assessment for the DHHL Honomū Subsistence Agricultural Homestead Community, Honomū, District of South Hilo, Hawai'i Island and Anticipated Finding of No Significant Impact (AFONSI) TMKs (3)2-8-011:009, 011, 019, and 999

#### IV. ITEMS FOR DECISION MAKING

##### REGULAR AGENDA

###### Office of the Chair Masagatani

- C-1 Acceptance of Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules for DCCRs; Multi-Family, Rentals, and Kupuna Housing; and Supplemental Dwelling Units

###### Land Management Division

- F-1 Annual Renewal of Right of Entry Permits, East, Central and South Hawaii Island (see exhibit)
- F-2 Status and Approval to Disburse Fund Balance in accordance with the Memorandum of Agreement (“MOA”) between DHHL and the East Hawaii Island Hawaiian Homes Community Associations, pursuant to the Community Benefit Contribution as provided by and through General Lease No. 245, Hilo Power Partners, LLC (Waiakea Shopping Mall)

###### Planning Office

- G-1 Declare a Finding of No Significant Impact for the Panaewa Hawaiian Home Lands Community Association & Panaewa Community Alliance Project Kamoleao Master Plan Final Environmental Assessment, TMK (3) 2-2-047:075, Panaewa, Hilo, Hawaii Island
- G-2 Acceptance of Beneficiary Consultation Report for DHHL Intergovernmental Agreement with County of Maui Department of Water Supply Related to Mahinahina Treatment Plan, TMK (2) 4-4-002:018 (por.), Honokowai, Maui

###### Administrative Services Office

- H-1 Transfer of Hawaiian Home Receipts Fund Money at the End of the First Quarter, FY 2019

#### V. EXECUTIVE SESSION (discussion to be held during lunch break)

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. Progress of land exchanges pursuant to Act 14, Special Session Laws of Hawaii 1995

#### VI. ITEMS FOR INFORMATION/DISCUSSION

##### A. GENERAL AGENDA

###### Requests to Address the Commission

- J-1 Pat Kahawaiolaa – Keaukaha Community Association
- J-2 Paula and Lauae Kekahuna – Maku‘u Farmers Association
- J-3 William Brown – Project Kamoleao

- J-4 Dora Aio-Leamons – Villages of Laiopua
- J-5 Bo Kahui – La‘i‘Opua 2020
- J-6 Rodney Bivens – Lease Transfer
- J-7 Olani Lilly – Ka ‘Umeke Kā‘eo
- J-8 Kepa Kaolulo – ‘Āina Mauna Legacy
- J-9 Hercules Freitas – Kurtistown Lessee

## B. WORKSHOPS

### Land Management Division

- F-3 For Information Only – ‘Āina Mauna Legacy Program Updates

### Planning Office

- G-4 For Information Only - East Hawai‘i Regional Update to the Hawaiian Homes Commission
- G-5 For Information Only – Update on East and South Hawai‘i Water Issues and Projects

### Administrative Services Office

- H-2 DHHL Biennium Budget Requests for Fiscal Biennium 2019-2021 (Sufficient Sums Budget) (relative to H-2)

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

Grand Naniloa Hotel, 93 Banyan Drive, Hilo, Hawai'i 96720

Tuesday, September 25, 2018, at 9:00 a.m.

**I. ORDER OF BUSINESS**

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

**II. ITEMS FOR DECISION MAKING**

A. REGULAR AGENDA

Administrative Services Office

- H-3 DHHL Biennium Budget Requests for Fiscal Biennium 2019-2021 (Sufficient Sums Budget)

**III. ITEMS FOR INFORMATION/DISCUSSION**

A. REGULAR AGENDA

Office of the Chairman

- C-3 2018 Draft Native American Housing Assistance and Self Determination Act (NAHASDA) Annual Performance Report

Homestead Services Division

- D-1 HSD Status Reports
  - A - Homestead Lease and Application Totals and Monthly Activity Reports
  - B - Delinquency Report
- D-2 For Information Only – Status Report for Streamline Refinanced Loans That Were Previously Delinquent

**IV. ANNOUNCEMENTS AND ADJOURNMENT**

- A. Next Meeting – October 15 & 16, 2018, Paukukalo, Maui, Hawai'i
- B. Adjournment

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

  
\_\_\_\_\_  
Jobie M. K. Masagatani, Chairman  
Hawaiian Homes Commission

COMMISSION MEMBERS

Randy K. Awo, Maui  
Michael P. Kahikina, O'ahu  
David B. Ka'apu, West Hawai'i  
Vacant, Kaua'i

Zachary Helm, Moloka'i  
Wallace A. Ishibashi, East Hawai'i  
Wren Wescoatt, O'ahu  
Vacant, O'ahu

Next community meeting is scheduled on Monday, September 24, 2017, 6:30 p.m. – 8:30 p.m.,  
Keaukaha Elementary School Cafeteria 240 Desha Avenue, Hilo, Hawai'i 96720

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 the  
**Information & Community Relations Office**, on Oahu, (808) 620-9590.

**ITEM D-3 EXHIBIT**

**APPROVAL OF CONSENT TO MORTGAGE**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AINA, Rayland	9817	Puukapu, Hawaii
ALANA-SWAIM, Jamelyn T.	787	Kewalo, Oahu
APANA, Virginia L.	6619	Waiahole, Oahu
BALDADO, Robert G.	9661	Keaukaha, Hawaii
CHIN, Jeffrey K.	11445	Leialii, Maui
FRASER, Keoki L. L.	4116	Waimanalo, Oahu
GRACE, Brandon	12493	Kauluokahai, Oahu
HALEMANO, Jensen	12492	Kauluokahai, Oahu
HIGA, Robert	12507	Kauluokahai, Oahu
HINES, Evelyn	9616	Kalawahine, Oahu
KAAHANUI, Nicole	12659	Kanehili, Oahu
KAALOA, Lou Ann M.	1904	Nanakuli, Oahu
KAAWALOA, Lindsey	12484	Kauluokahai, Oahu
KAHALIOUMI, Keenan K.	4263	Keaukaha, Hawaii
KALILIMOKU, Fredrick	12467	Kauluokahai, Oahu
KALILIMOKU, Oriana	12452	Kauluokahai, Oahu
KAMAI, Wesley K.	8512	Princess Kahanu Estates, Oahu
KAPAKU, Virginia M.	9322	Kaniohale, Hawaii
LOPES, Carolyn	12464	Kauluokahai, Oahu
LUCRISIA, Naleisha K. P. W.	12477	Kapolei, Oahu
MAUNAKEA, Buddy V. K.	8589	Nanakuli, Oahu
NAEOLE, Jaimie K.	4116	Waimanalo, Oahu
NEEDHAM, Kimo W.	12279	Waiehu 4, Maui
PAIKAI, Kawailehua K.	12566	Kanehili, Oahu
PATELESIO, Ka`i`inioku`upuluwai	12387	Kauluokahai, Oahu
ROBINS, Roy G. M.	10251	Waianae, Oahu
RODRIGUES, Harry F., Jr.	10339	Waiohuli, Maui
SANCHEZ, Bonnie Jay	3392A	Puukapu, Hawaii
TEXEIRA, Lehuanani	8191	Nanakuli, Oahu
WAIKI, Quincey W.	5076	Keaukaha, Hawaii
WERNER-CELES, Ronnelle K. E. A.	8373	Princess Kahanu Estates, Oahu

**ITEM D-4 EXHIBIT**

**APPROVAL OF STREAMLINE REFINANCE OF LOANS**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
KUIA, Jamie L. L.	7741	Waiohuli, Maui

**ITEM D-5 EXHIBIT**

**APPROVAL TO SCHEDULE LOAN DELINQUENCY CONTESTED CASE HEARINGS**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
KAHAUNAELE, Shanon K.	8564	Nanakuli, Oahu
KAULULAAU, Roy	5279	Waianae, Oahu

KEALOHA-MEYER, Denise K.	5533	Waianae Kai, Oahu
KEKINO, John K., Jr.	5309	Waianae, Oahu
KUIEE, Winette K. U.	4479	Waianae, Oahu
MARIA, Edward E.	8373	Princess Kahanu Estates, Oahu
TAITAGUE, Danette K.	8564	Nanakuli, Oahu

**ITEM D-6 EXHIBIT**

APPROVAL OF HOMESTEAD APPLICATION / CANCELLATIONS

APPLICANT		AREA
APO, Irene K.		Oahu IW Res
ARIAS, Nettie		Hawaii IW Agr
CHUN, Monique A.P.		Oahu IW Res
DANIELSON, Melody K.		Oahu IW Res
GABRIEL, Chassie M.		Hawaii IW Res
HOOPII, Carrie K.		Hawaii IW Res
IRVINE-HALAMA, Destiny		Oahu IW Res
KAMANA, Hiram K., Jr.		Maui IW Res
KAUHANE, Harry D.		Maui IW Res to Hawaii IW Res
MAKANUI, Lono K.		Oahu IW Res
SANBORN, Robert T.		Hawaii IW Agr to Hawaii IW Pas
SANBORN, Robert T., Jr.		Hawaii IW Agr to Hawaii IW Pas
YEE HOY, Kui L.		Oahu IW Res

\* IW = Islandwide

**ITEM D-7 EXHIBIT**

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

LESSEE	LEASE NO.	AREA
ANDERSON, Jennie L.K.	7054	Puupulehu, Hawaii
CALLES, Thelma R.	951	Keaukaha, Hawaii
HUEU, Claire K.	10095	Waiehu Kou III, Maui

**ITEM D-8 EXHIBIT**

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
GAEA, Stephanie N.	11570	Kanehili, Oahu
HAAE, James	7365	Nanakuli, Oahu
KAHANAOI, Debra J.	8191	Nanakuli, Oahu
KALILIKANE, Steven K.	2077	Hoolehua, Molokai
LEVY, Winona L.	253	Nanakuli, Oahu
MARIA, Edward	8373	PKE, Oahu
MARTIN, Iwalani	6533	Anahola, Kauai
PA, Stanley S.K.	11159	Anahola, Kauai
MOORE, Cecilia L.	7517	Waiohuli, Maui
NAEOLE, Rothwell K.	2967	Nanakuli, Oahu
NAHINU, Carolyn Uilani	4853	Nanakuli, Oahu

NEEDHAM, Barbara N.	4403	Nanakuli, Oahu
APILANDO, Frances L.M.	9000	Puukapu, Hawaii
GALDEIRA, Leonard T.M.	9011	Puukapu, Hawaii
KALILIKANE-KAMAUNU, Matthew K.	7904	Hoolehua, Molokai
KALILIKANE-KAMAUMU, Pihanalani N.E.J.N.G.	6081	Kalamaula, Molokai

**ITEM D-9 EXHIBIT**

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
CALLES, Thelma L.	951	Keaukaha, Hawaii
KAALOA, Lou Ann M.	1904	Nanakuli, Oahu
KAHANAIOI, Debra J.	8191	Nanakuli, Oahu
KALILIKANE, Steven K.	2077	Hoolehua, Molokai
KAMAI, Lillian M.	2754	Hoolehua, Molokai
KISSEL, Stacie K.	12404	Kauluokahai, Oahu
MONIZ, Crystal Ann H.	10431	Waiohuli, Maui
MOORE, Cecilia L.	7517	Waiohuli, Maui
NAEOLE, Rothwell K.	2967	Nanakuli, Oahu
NAONE, Moses K.	8590	Nanakuli, Oahu
NAONE, Dawnelle H.	8590	Nanakuli, Oahu

**ITEM D-10 EXHIBIT**

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

LESSEE	LEASE NO.	AREA
AKAU, Derrick K.	2676-B	Kamoku, Hawaii
HAAE-DELA CRUZ, Bernadette L.	7365	Nanakuli, Oahu
KAIMIKAUA, Kevin R.K.	11570	Kanehili, Oahu

**ITEM NO. F-1 EXHIBIT**

RIGHT OF ENTRY PERMITS EAST, CENTRAL, SOUTH HAWAI'I ISLAND

ACRE	NO.	USE	PERMITTEE	LOCATION	Date Started
280.0	465	Pastoral	Gilbert Medeiros, Jr.	Kamaoa-Puueo	2/9/1998
450.0	469	Pastoral	Daryl K. Kalua'u	Kau	9/7/2000
750.0	471	Pastoral	Daleico Ranch	Kau	4/19/2001
1,500.0	473	Pastoral	Dean Kaniho	Kamaoa-Puueo	7/15/2004
301.00	476	Pastoral	Charles & Jelene Clay	Honomu	7/7/2005
2.0	477	Agricultural	Guy Kaniho	Humuula	2/26/2007
300.0	478	Pastoral	April Awana-Mattos	Honomu	2/1/2010
2.210	481	Landscape	Ginger Patch Center	Waiakea	8/2/2010
1.0	482	Community	Keaukaha/Panaewa Farmers Association	Panaew	2/1/2011
0.00	597	Recreation	Hawaii Forest & Trail	Humuula	3/1/2003
5,000.0	610	Pastoral	Native Hawaiian General Services	Kamaoa-Puueo	6/1/2004

DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
September 24-25, 2018  
Keaukaha, Hawaii

C-ITEMS  
**OFFICE OF THE CHAIRMAN**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer   
Office of the Chairman

SUBJECT: Acceptance of Beneficiary Consultation Report on  
Department of Hawaiian Home Lands Proposed Amendments  
to Title 10, Hawaii Administrative Rules for DCCRs;  
Multi-Family, Rentals, and Kupuna Housing; and  
Supplemental Dwelling Units

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission accept the Beneficiary Consultation Report for proposed administrative rules for DCCRs; Multi-Family, Rentals, and Kupuna Housing; and Supplemental Dwelling Units.

DISCUSSION:

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.

The HHC approved the DHHL's request to proceed with beneficiary consultation regarding proposed administrative rules amendments for DCCRs; and Multi-Family, Rentals, and Kupuna Housing at its December 2017 meeting and the request to proceed to beneficiary consultation regarding proposed administrative rule amendments for Supplemental Dwelling Units at its January 2018 meeting. From April 30, 2018 to July 30, 2018, the DHHL conducted statewide beneficiary consultation meetings to discuss with and get feedback from beneficiaries about the proposed rule amendments.

The complete Beneficiary Consultation Report is provided as Item C-2, "For Information Only--Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Amendments to

Title 10, Hawaii Administrative Rules for DCCRs; Multi-Family, Rentals, and Kupuna Housing; and Supplemental Dwelling Units," of the September 2018 HHC regular meeting agenda and is incorporated by reference.

RECOMMENDATION:

Staff requests acceptance of the Beneficiary Consultation Report for Proposed Administrative Rules for DCCRs; Multi-Family, Rentals, and Kupuna Housing; and Supplemental Dwelling Units.

Acceptance of the Beneficiary Consultation Report does not indicate concurrence or approval of any information or comments that may appear therein.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer  
Office of the Chairman



SUBJECT: For Information Only - Beneficiary Consultation Report  
on Department of Hawaiian Home Lands Proposed  
Amendments to Title 10, Hawaii Administrative Rules  
for DCCRs; Multi-Family, Rentals, and Kupuna Housing;  
and Supplemental Dwelling Units

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. 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 December 2017 meeting, the HHC approved the DHHL's request for "Approval to Proceed to Beneficiary Consultation for Draft Administrative Rule Related to Declaration of Covenants, Conditions, and Restrictions (DCCR) Communities, Multi-Family Housing, and Rentals" (see Exhibit A). These proposed amendments to Title 10, Hawaii Administrative Rules, would adopt a new chapter to DHHL's administrative rules. At its January 2018 meeting, the HHC approved the DHHL's request for "Approval to Proceed to Beneficiary Consultation for Draft Administrative Rules Related to Supplemental Dwelling Unites on Hawaiian Home Lands" (see Exhibit B). From April 30, 2018 to July 30, 2018 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

The Department mailed meeting notification flyers to all lessees and beneficiaries on the waitlists with a valid mailing address on file (see Exhibit C). Based on feedback from previous consultations that the meeting notice was received too far in advance, staff staggered the mailout so that each community would receive notice for the meeting nearest their mailing address three to four weeks in advance of the meeting.

Each meeting was held in the evening from 6:00 p.m. to 9:00 p.m. Staff chose meeting venues close to DCCR communities to encourage attendance by those lessees because draft rules for DCCR communities was part of the consultation package and is aimed at improving relations and enforcement within DCCR communities. Because of this, two meetings were held on Maui, one in Paukukalo and one in Lahaina, and the West Hawaii meeting was held in Kailua-Kona instead of Waimea. In all, eight consultation meetings were held and over 380 beneficiaries attended. The chart below shows the meeting location, date, and the number of attendees that signed-in:

<b>Community</b>	<b>Meeting Date</b>	<b>Attendees Signed In</b>
<b>Molokai</b>	April 30, 2018	52
<b>Kauai</b>	May 7, 2018	30
<b>Paukukalo</b>	May 21, 2018	72
<b>Lahaina</b>	June 5, 2018	6
<b>Keaukaha</b>	June 25, 2018	74
<b>Kailua-Kona</b>	July 9, 2018	28
<b>Honolulu</b>	July 23, 2018	46
<b>Kapolei</b>	July 30, 2018	80
<b>Total Signed In:</b>		<b>388</b>

At each meeting, a powerpoint presentation was used to provide information about administrative rulemaking and to introduce the content of the proposals (see Exhibit D). Handouts of the powerpoint and Frequently Asked Questions for each topic were provided to attendees (see Exhibit E). After the presentation, facilitated discussions about each topic proposed from rulemaking were conducted. Each topic had a thirty minute block of time dedicated to discussion. One facilitation team member was assigned to take detailed notes during the discussions; these notes comprise the bulk of the record of comments received (see Exhibit F).

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 questions intended to initiate conversation and highlight issues from the Department's perspective. The questions for discussion were:

DCCR Questions:

1. The DCCRs are part of your homestead lease. Under the proposed rules, if the DCCRs are not followed, it can lead to lease cancellation. Are there other enforcement measures DHHL should consider in DCCR communities?
2. All lessees in DCCRs are required to pay monthly assessments to the association for upkeep of common areas and to keep the association going. What types of common areas are needed in homestead communities?
3. DCCRs include design restrictions on how you build your house. What types of design restrictions should/not be part of the DCCRs?

Multi-Family and Rentals Questions:

1. Should DHHL do multi-family housing? Leases? Rentals? Both?
2. Are there other housing options DHHL should provide or support beyond multi-family, rentals, and single-family homes? How do we keep housing affordable for beneficiaries?
3. Who should be allowed to rent on Hawaiian Home Lands?
4. What are some criteria that DHHL should consider in selecting a management company? Why?

Supplemental Dwelling Units Questions:

1. Do you support supplemental dwelling units on HHL? Why?
2. When should SDUs be allowed? What criteria should DHHL use to make that determination?
3. The proposal is a pilot project for residential lots on Oahu and Hawaii Island. What do you think about that?
4. Who can live in an SDU on HHL?
5. Size of an SDU has an impact on the value of the structure. Should DHHL limit the size of the SDU based on an appraisal cap to limit liability for the trust and keep units on HHL affordable?

Beneficiaries were also encouraged to share their thoughts about the proposals, whether in response to the Department's questions or not.

The Department created a webpage dedicated to the rules process (<http://dhhl.hawaii.gov/po/beneficiary-consultation/dhhl-administrative-rules-dccrs-multi-family-rentals-kupuna-housing-and-supplemental-dwelling-units/>) for those beneficiaries that could not attend the meetings or who wanted to access information independently. The information posted on that page includes: the consultation meeting agenda; text of the proposed rule changes; frequently asked questions.<sup>1</sup>

In addition to comments collected in the facilitated discussions at the meetings, beneficiaries could submit written comments using green comment sheets provided at the meetings, an online form available on the rules webpage, email, or mail. Three comments were received on the green comment sheets at the meetings. The period to submit written comments closed on August 30, 2018. Two beneficiaries commented by email, two used the online form, and one sent comments by fax (see Exhibit F).

RECOMMENDATION:

None. For information only.

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<sup>1</sup> The webpage will be updated as the rulemaking process moves forward.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

December 18, 2017

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer  
Office of the Chairman

SUBJECT: Approval to Proceed to Beneficiary Consultation for  
Draft Administrative Rules Related to Declaration of  
Covenants, Conditions, and Restrictions (DCCR)  
Communities, Multi-Family Housing, and Rentals



RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve proceeding to beneficiary consultation for draft administrative rules related to Declaration of Covenants, Conditions, and Restrictions (DCCR) Communities, Multi-Family Housing, and Rentals.

DISCUSSION:

The department has been working on draft administrative rules that would address section 207.5 of the Hawaiian Homes Commission Act, including DCCR homestead communities as well as multi-family housing and rentals. At the September 2017 Hawaiian Homes Commission meeting, staff presented a workshop about the relationship between DCCR homestead communities and the Department of Hawaiian Home Lands. Later that month, the Department convened a meeting with the DCCR associations' leadership to discuss the same topic and to get input on administrative rules that would govern the relationship between DCCR communities and the Department. At the November 2017 HHC meeting, staff provided the HHC with an update in light of the meeting with DCCR community leadership.

The draft rules that would be presented for beneficiary consultation include provisions specific to the DCCR communities and include provisions for multi-family housing and rental housing. The draft attempts to address challenges identified by the DCCR leadership and create a process inclusive of lessons learned should the Department use the DCCR model for future homestead communities. Staff believes the language is drafted

to allow various combinations of development and housing types providing greater flexibility in future homestead development. The draft rules are attached as Exhibit A.

RECOMMENDATION:

Staff respectfully requests approval of the motion as stated above.

DEPARTMENT OF HAWAIIAN HOME LANDS

Adoption of Chapter 10-7  
Hawaii Administrative Rules

[ ]

1. Chapter 10-7, Hawaii Administrative Rules, entitled "Planned Communities, Multi-Family Complexes, and Rental Housing", is adopted to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 10

DEPARTMENT OF HAWAIIAN HOME LANDS

CHAPTER 7

PLANNED COMMUNITIES, MULTI-FAMILY COMPLEXES, AND  
RENTAL HOUSING

Subchapter 1 General Provisions

\$10-7-1 Definitions  
\$10-7-2 Applicability of chapter  
\$10-7-3 Method of disposition  
\$10-7-4 Native Hawaiian cultural values  
\$10-7-5 Interpretation  
\$\$10-7-6 to 10-7-9 (Reserved)

Item C-2; Exhibit A

EXHIBIT A

Subchapter 2 The Declaration

- \$10-7-10 Establishment of the declaration
- \$10-7-11 Supplemental provisions of the declaration
- \$\$10-7-12 to 10-7-15 (Reserved)

Subchapter 3 The Association

- \$10-7-16 Establishment of the association
- \$10-7-17 Period of declarant control
- \$10-7-18 Membership
- \$10-7-19 Voting
- \$10-7-20 Vacant lots
- \$10-7-21 Unoccupied units
- \$10-7-22 Budget
- \$\$10-7-23 to 10-7-25 (Reserved)

Subchapter 4 Obligations of the Lessee

- \$10-7-26 Planned community education
- \$10-7-27 Association membership
- \$10-7-28 Payment of assessments
- \$10-7-29 Alteration of the unit prohibited
- \$\$10-7-30 to 10-7-34 (Reserved)

Subchapter 5 Enforcement of Governing Documents

- \$10-7-35 Compliance required
- \$10-7-36 Enforcement
- \$10-7-37 Civil action
- \$\$10-7-38 to 10-7-40 (Reserved)

Subchapter 6 Rental Housing

- \$10-7-41 Rental housing offers
- \$10-7-42 Kupuna housing
- \$10-7-43 Rental agreement controlling
- \$10-7-44 Successorship
- \$10-7-45 Vacant units
- \$10-7-46 Conversion to lessee

SUBCHAPTER 1

GENERAL PROVISIONS

**§10-7-1 Definitions.** As used in this chapter and any kānāwai or governing documents unless otherwise required by the context:

"Assessments" means funds collected by an association from association members to operate and manage the association, maintain property within the planned community or multi-family complex for the common use or benefit of association members, or provide services to association members.

"Association" means a nonprofit, incorporated, or unincorporated organization made up of all of the lessees within a Hawaiian home lands planned community or multi-family complex existing pursuant to covenants running with the land. In certain circumstances, the department may be part of the association.

"Board of directors" or "board" means the governing board or other body, regardless of name, designated in the governing documents to act on behalf of the association.

"Declarant" means the department or any person or entity to which the department has assigned any or all of the rights and obligations of the declarant set forth in the governing documents.

"Declaration" means any recorded instrument, however denominated, that creates a Hawaiian home lands planned community or multi-family complex, including any amendments to the instrument.

"Developer" means a person or entity who is contracted by the department to undertake development of a planned community or multi-family complex for, or in partnership with, the department.

"Governing documents" means the articles of incorporation or other document creating the association, the bylaws of the association, the declaration or similar organizational documents and any exhibits thereto, any rules related to use of

Item C-2; Exhibit A

EXHIBIT A

common areas, architectural control, maintenance of units, restrictions on the use of units, or payment of money as regular assessment or otherwise in connection with the provisions, maintenance, or services for the benefit of some or all of the units, the owners, or occupants of the units or common areas, as well as any amendments made to the foregoing documents.

"Lot" means any plot of land designated as a lot upon any recorded subdivision map of the development property and upon which a dwelling unit could be or has been constructed in accordance with all relevant Hawaii law. Lot shall not include the common areas.

"Member" means the lessee of a lot under a homestead lease from the department, or anyone included in the definition of a member under the governing documents.

"Multi-family complex" means a homestead or mixed use development on Hawaiian home lands that is subject to chapter 514A and 514B, HRS, as applicable, insofar as it does not conflict with this title and the act.

"Planned community" means a homestead or mixed use development on Hawaiian home lands that is subject to chapter 421J, HRS, insofar as it does not conflict with this title and the act.

"Property management company" means a person or entity that is contracted by the department or the developer to enter in to rental agreements with renters and undertake daily operations and management of a Hawaiian home lands rental housing development.

"Record" or "recorded" means to record in the bureau of conveyances in accordance with chapter 502, HRS, or to register in the land court in accordance with chapter 501, HRS, as appropriate.

"Rental agreement" means all written agreements, between a renter and the property management company or department, or both, which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit and premises, and may include an option to purchase.

"Rental housing development" means a Hawaiian home lands housing development, which may be comprised

of single family lots or multi-family housing complex, or both, for which rental agreements govern the terms and conditions of use and occupancy of the units. A rental housing development shall be managed by a property management company.

"Renter" means a native Hawaiian who occupies a dwelling unit for dwelling purposes under a rental agreement as part of a Hawaiian home lands rental housing development.

"Unit" or "dwelling unit" means any portion of property, as improved, intended for use and occupancy as a residence within a planned community or multi-family complex. [Eff and comp ]  
(Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-2 Applicability of chapter.** (a) This chapter shall apply to all planned community developments on Hawaiian home lands consisting of single-family lots or a multifamily complex, or both for which the declaration is recorded after XX, XX, 2017.

(b) This chapter may apply to an association for which the declaration was recorded before XX, XX, 2017, if adopted by a majority vote of the association. . [Eff and comp ]  
(Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-3 Method of disposition.** (a) The department may award homestead leases under the authority of this chapter.

(b) Any combination, or all of the department, the developer, and the property management company may enter into contracts of sale or rental agreements with native Hawaiians as verified by the department. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-4 Native Hawaiian cultural values.** (a)

The governing documents shall take in to account and embody native Hawaiian cultural values as appropriate for the location, development, and lessees.

(b) General parameters and guidelines shall be developed by the department through beneficiary consultation. The finalized document shall be approved by the commission and included in the declaration. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-5 Interpretation** This chapter and any

governing documents subject hereto shall be implemented and interpreted within the spirit of the act, including to promote native Hawaiian values and sense of place in the best interest of the lessees, renters, and residents living in planned communities, multi-family complexes, or rental housing developments on Hawaiian home lands. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

§§10-7-6 to 10-7-9 (Reserved)

SUBCHAPTER 2

THE DECLARATION

**§10-7-10 Establishment of the declaration.** (a)

The declarant shall cause the declaration to be drafted according to the following:

- (1) The declaration shall be in conformity with

Item C-2; Exhibit A

EXHIBIT A

all relevant Hawaii law; and  
(2) The declaration shall include the document developed under subsection 10-7-5(b) and accordingly take in to account and embody native Hawaiian cultural values as appropriate for the location and development.

(b) Upon approval of the declaration by the commission, the declarant shall record the declaration. The declaration shall be recorded prior to the execution of any lease or sales contract.

(c) The declaration shall inhere in the land and shall bind subsequent lessees. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-11 Supplemental provisions of the declaration.** The declarant is authorized to adopt supplemental provisions in accordance with this chapter to implement and carry out the purposes of this chapter; provided that any of the supplemental provisions adopted shall not conflict with the act and this title. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

§§10-7-13 to 10-7-15 (Reserved)

### SUBCHAPTER 3

### THE ASSOCIATION

**§10-7-16 Establishment of the association.** The declarant shall establish the association not later

Item C-2; Exhibit A

EXHIBIT A

than the date upon which the first unit in the planned community or a multi-family complex is ready for occupancy. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-17 Period of declarant control.** (a) As appropriate for the development and when provided in the declaration, the declarant may maintain a class B membership in the association for a fixed period while units are being awarded and first occupied. This period shall be known as the period of declarant control and shall terminate not later than the time at which all units or lots have been transferred to lessees.

(b) During the period of declarant control, the declarant may appoint and remove the members of the board.

(c) Not later than four months before the termination of any period of declarant control, the members shall elect a board of directors as provided in the governing documents. The declarant and the department shall coordinate with the newly member-elected board to transition from declarant control in a transparent manner that ensures the member-elected board is equipped and prepared to govern the association. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-18 Membership.** The association may be made up of lessees and the declarant, and divided in to two membership classes.

- (1) Lessees shall maintain a class A membership.
- (2) The declarant may maintain a class B membership for a fixed period. Class B membership shall terminate and may convert to a class A membership not later than the time at which the period of declarant

control terminates. [Eff and  
comp ] (Auth: HHC Act §222)  
(Imp: HHC Act §207.5)

**§10-7-19 Voting.** Class A membership and class B membership shall have voting powers as set by the declarant in the declaration, provided each class A member shall have one vote and, during the period of declarant control, class B membership shall have a greater number of votes per lot or unit than class A membership. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-20 Vacant lots.** (a) Assessments rates shall be set after the lots have been designed and plotted, number of lots in the development are finalized, and preliminary budget determined. Lots intended to be vacant due to engineering constraints or health and safety concerns shall not be included in calculating the pro-rata assessment amounts. If a lot becomes unsuitable for a residence, assessments shall be recalculated to exclude the unsuitable lot.

(b) Assessments due on vacant lots that are awarded as owner-builder or self-help are the responsibility of the lessee upon the signing of the lease. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-21 Unoccupied units.** (a) The department shall use all due diligence to fill developed units that become unoccupied. The department shall not be responsible for assessments due on those units unless the assessments lost due to the number of empty units threatens the viability of the association.

(b) An association with unoccupied units shall report annually to the department regarding income and

projected economic viability. If economic viability is threatened, the association may request payment of future assessments from the department until the empty units are filled. Such request is subject to approval by the commission. If approved, amounts due shall accrue from the date of receipt by the department, as indicated on the date and time stamp, of the request from the association. [Eff and comp ]  
(Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-22 Budget.** Each association shall adopt a budget and rate schedule, according to the governing documents, and submit the budget and rate schedule to the department between June 1 and June 30 of each year. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

§§10-7-23 to 10-7-25 (Reserved)

#### SUBCHAPTER 4

#### OBLIGATIONS OF THE LESSEE

**§10-7-26 Planned community education.** (a) To facilitate informed decision-making by homestead applicants, before award letters are mailed, the department shall notify the appropriate applicant field of a mandatory planned community orientation. This orientation shall provide an overview of rights, responsibilities, obligations, and benefits of planned community living, as well as possible consequences for non-compliance.

(b) Prior to signing a lease, the future lessee shall attend a planned community education training

Item C-2; Exhibit A

EXHIBIT A

program approved by the department, which shall include training specific to the development regarding member and association obligations and rights, and community planning and governance. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-27 Association membership.** (a) Upon signing the lease, the lessee shall become a member of the association. By signing the lease, lessee also agrees to abide by the governing documents.

(b) Lessees shall ensure that members of their family who reside with the lessee, and guests and invitees of such lessee, observe and perform the provisions regarding use and occupancy set forth in the governing documents. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-28 Payment of assessments.** The lessee shall pay assessments to the association in accordance with the governing documents. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-29 Alteration of the unit prohibited.** The lessee shall not construct or alter any improvements on the property except in accordance with the governing documents and with written approval of the department under section 10-3-34. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

§§10-7-30 to 10-7-34 (Reserved)

Item C-2; Exhibit A

EXHIBIT A

SUBCHAPTER 5

ENFORCEMENT OF GOVERNING DOCUMENTS

**§10-7-35 Compliance required.** The association, all lessees, and other persons lawfully in possession and control of any property interest shall comply with the bylaws, any rules lawfully adopted by the association, and any covenant, condition, and restriction set forth in any recorded document to which they are subject. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-36 Enforcement.** (a) The declaration shall include a formal process for the association to enforce the governing documents, including collection of delinquent assessments and any lease violations.

(b) The association shall adopt a collection policy with formal procedures whereby the lessee shall have the opportunity to settle amounts owed the association, including but not limited to delinquent assessments, penalties, late fees, and associated costs, before private legal action to collect the debt is taken under the authority of the association and section 10-7-37.

(c) If collection of the debt is unsuccessful through private legal action under the authority of the association and section 10-7-37, the association may petition the commission for a contested case hearing for lease cancellation pursuant to this title. The decision and order of a contested case hearing may direct the department to assume the outstanding debt on the unit, including but not limited to delinquent assessments, penalties, late fees, and associated costs.

Item C-2; Exhibit A

EXHIBIT A

(d) The association shall adopt formal procedures for the enforcement of lease violations other than delinquent assessments whereby the lessee shall have at least 90 days to cure the violation. If the lessee fails to cure the violation within the time provided, the association may petition the commission for a contested case hearing for lease cancellation pursuant to this title. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-37 Civil action.** Any violation is grounds for the association, any lessee, or lawful interest holder to commence a civil action for damages, injunctive relief, or both, and an award of court costs and reasonable attorney's fees in both types of action. The department shall not be party to any civil suit related to the violation of or noncompliance with the bylaws, any rules lawfully adopted by the association, or any covenant, condition, and restriction set forth in any recorded document. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

§§10-7-38 to 10-7-40 (Reserved)

## SUBCHAPTER 6

### RENTAL HOUSING

**§10-7-41 Rental housing offers.** If rental housing is available, the department and the property management company shall coordinate to offer the rental housing to native Hawaiians.

(1) The department shall notify residential

Item C-2; Exhibit A

EXHIBIT A

applicants on the respective area or island wide waiting lists of the rental housing opportunity.

- (2) The department shall provide the property management company with the list of native Hawaiians, who replied to the notice in paragraph (1), in rank order according to the appropriate waiting list.
- (3) The property management company shall identify qualified potential renters from the list based upon the rental program parameters and notify the department.
- (4) The department shall verify the application status of those native Hawaiians identified by the property management company as qualified for the rental program. Upon verification, the department or the property management company, or both, shall make the rental housing offers. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-42 Kupuna housing.** (a) A native Hawaiian, fifty-five years or older may be eligible for kupuna housing. If kupuna housing is available, the department shall notify native Hawaiians that would meet the age requirement for the kupuna housing development. The department and the property management company shall then proceed under section 10-7-41, as applicable.

(b) If a lessee accepts a kupuna housing offer, the lessee shall immediately occupy the kupuna housing unit and, within six months, either transfer or surrender his or her homestead lease. Upon accepting a kupuna housing offer, the lessee becomes a renter and a previous lessee under section 10-3-23.

(c) If the list compiled under subsection (a) has been exhausted and units are still available, the property management company may accept as renters native Hawaiians that are not homestead applicants,

lessees, or previous lessees if the potential renter is:

- (1) Verified by the department as eligible for Hawaiian home lands under the act; and
  - (2) Qualified for the kupuna housing development by the property management company.
- (d) The renter's spouse may reside in the unit with the renter. An additional occupant, including an adopted minor or a legal caregiver, may also reside with the renter in the unit as allowed by applicable state or federal law. [Eff and comp ]  
(Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-43 Rental agreement controlling.** The rental agreement shall control the rights, responsibilities, and obligations, including eviction, between the renter and the property management company. The rental agreement shall comply with the Hawaii landlord and tenant code, chapter 521, HRS, and the Fair Housing Act insofar as they do not conflict with the act. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-44 Successorship.** (a) If the renter is a homestead applicant, a successor under section 10-3-8 may succeed to the rental agreement; provided the successor meets the rental program requirements that apply to the specific unit. If the successor does not meet the rental program requirements or refuses the unit, the successor shall succeed to the application as provided in section 10-3-8.

(b) For kupuna housing, a spouse eligible to succeed under section 209 of the act and qualified for the kupuna housing unit may succeed to the kupuna housing rental agreement. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-45 Vacant units.** To ensure units do not become vacant for unnecessarily long periods of time, the property management company shall request from the department, as appropriate, names of additional potential renters. Upon such request, the department and the property management company shall proceed under section 10-7-41. If parameters of the previous offering have not changed, the department shall provide notice to the list of applicants in rank order from the application date of the last applicant previously contacted for the rental housing development. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

**§10-7-46 Conversion to lessee.** A renter who is a homestead applicant shall remain a homestead applicant during the rental period. The renter's homestead application and rank on any waiting list shall be maintained without regard to his or her status as a renter. The renter shall become a lessee upon signing a homestead lease." [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

2. The adoption of chapter 10-7, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafter in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on [ ] and filed with the Office of the Lieutenant Governor.

Item C-2; Exhibit A

EXHIBIT A

JOBIE M. K. MASAGATANI, Chairman  
Hawaiian Homes Commission

APPROVED AS TO FORM:

Deputy Attorney General

Item C-2; Exhibit A

EXHIBIT A

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer  
Office of the Chairman 

SUBJECT: Approval to Proceed to Beneficiary Consultation for  
Draft Administrative Rules Related to Supplemental  
Dwelling Units on Hawaiian Home Lands

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve proceeding to beneficiary consultation for draft administrative rules related to supplemental dwelling units on Hawaiian Home Lands.

DISCUSSION:

In March 2017, staff presented a workshop to the Hawaiian Homes Commission about supplemental dwelling units and some of the unique challenges that would be faced by lessees interested in building a second dwelling unit on their lots. Since that time, staff have endeavored to create a supplemental dwelling unit process that is as simple as possible for residential lessees. Although the draft rules rely on the counties' building codes and permitting processes, the department must conduct a review of the lot, lessee compliance, and the proposed occupant or renter because the Hawaiian Homes Commission Act contains specific requirements that must be followed, authorities that cannot be compromised, and processes whose implementation carries consequences for which the department must plan and anticipate.

The text of the draft rules is attached as Exhibit A. In summary, the draft rules structure the program as follows:

**§10-3-40.03 Pilot Program.** The program would commence as a five-year pilot program on the islands of Oahu and Hawaii. These counties were chosen because the department has a working relationship with their permitting and planning offices that can facilitate the process for lessees and help ensure the success

of the program. There is a mandatory evaluation for the program after three years. If found to be successful, the department can expand the program by the end of year five or the program will terminate.

**§10-3-40.04 SDU application and review.** A completed application would be submitted by the lessee, reviewed by the department, and approved by the commission. The structure and related improvements must be permitted by the county and meet all county building requirements but the language allows the commission to provide otherwise.

**§10-3-40.05 Lot requirements.** DHHL review of the lot ensures a supplemental dwelling is compatible with the specific lot, the Island Plan, and the Area Plan. Although also requiring the lot meet county regulations for additional dwellings, the language ensures the department has final control over land use decisions by providing that the department may waive certain county requirements based upon the area or site itself.

**§10-3-40.06 Lessee obligations, generally.** The lessee must be in good standing at all times.

**§10-3-40.07 Supplemental dwelling units.** In addition to setting size limitations, the supplemental dwelling can be categorized as an "ohana SDU" or a "rental SDU." For ohana use, the occupant must be a qualified relative of the lessee under HHCA section 209. For rental use, the HHCA section 208 requires the renter be native Hawaiian. The Department would verify the status of the occupant or the renter. Ohana use is intended to help lessee families who live in crowded conditions such that different generations could reside in different units but still contribute to the household as a single unit. Rental use, however, is intended as an income producing option for lessees and as providing additional housing options for native Hawaiian families.

RECOMMENDATION:

Staff respectfully requests approval of the motion as stated above.

TITLE 10

DEPARTMENT OF HAWAIIAN HOME LANDS

CHAPTER 3

NATIVE HAWAIIAN REHABILITATION PROGRAM

SUBCHAPTER 3.1

SUPPLEMENTAL DWELLING UNIT

**§10-3-40.01 Purpose.** The purpose of this subchapter is to provide residential lessees who qualify with the option to build a supplementary dwelling unit that could help ease certain housing issues facing native Hawaiian families like need, overcrowding, and financial strain. [Eff and comp . . . ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.02 Definitions.** As used in this subchapter, unless context clearly provides otherwise, "Dwelling unit renter" means the native Hawaiian who rents, from the lessee, either the primary dwelling unit or SDU individually, or with the native Hawaiian's immediate family, maintaining a common household to the exclusion of others.

"Good-standing" means the status of a lessee who is in compliance with all obligations contained in the residential homestead lease, the act, and this title.

"Ohana occupant" means the qualified relative under section 209(a) of the act who resides in either the primary dwelling or the ohana SDU individually or with the ohana occupant's immediate family.

"Supplemental dwelling unit (SDU)" means a dwelling unit that is supplementary to the primary dwelling, is smaller in size, has a separate entry, and includes its own kitchen, bedroom, and bathroom facilities. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.03 Pilot program.** Upon promulgation of this subchapter, the SDU program shall commence as a five-year pilot program on the islands of Oahu and Hawaii. The program shall be evaluated after three years. If deemed successful, the department may continue the program and expand to other islands, or the program shall terminate at the end of the five-year pilot period. Any SDU completed under the pilot program shall remain subject to this subchapter and any lease amendments made in furtherance of the program, even though the SDU program is discontinued or not expanded to other islands or both. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.04 SDU application and review.** (a) The lessee shall complete the application and return it to the department. Within 30 days, the department shall review the application for completeness and notify the lessee whether the application is complete or incomplete. If an application is deemed incomplete, it will be returned to the lessee with further instruction about how to revise. If the lessee fails to revise the application in accordance with the instructions provided and return the application to the department within 30 days, the application shall be cancelled.

(b) All applications require written approval from the commission before construction may commence. Such approval shall be considered only after a completed application has been submitted to the department, including a plan as to design, material, probable value of the SDU structure and related improvements, and any other information required by the department. The SDU structure and related improvements shall be permitted by and meet all building codes or other ordinances and regulations of the respective counties, except as otherwise provided by the commission. The department may take up to 60 days to render a decision on a completed application and notify the lessee of placement on the commission agenda or of the reasons for denying the application.

(c) The department shall not be required to finance construction of the SDU nor shall the department be liable for any cost or expense incurred in the processing and obtaining of the necessary county permits and approvals.

(d) The lessee shall complete construction of the SDU within one year after receiving notice that commission approval has been granted. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.05 Lot requirements.** A residential lot may qualify for the SDU program if it meets the following requirements:

- (1) Constructing an SDU on the lot is compatible with the island plan and the area plan;
- (2) The lot is at least 3,500 SF;
- (3) The lot is not landlocked;
- (4) The lot does not have more than one dwelling unit, attached or detached, already existing on the property;
- (5) Private covenants, conditions, and restrictions do not prohibit SDUs; and
- (6) Respective county requirements for an

additional dwelling unit. The department may, with the approval of the chairman, authorize a waiver of certain county regulatory requirements based upon specific area conditions, unique site characteristics, or other constraints related to the lot. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.06 Lessee obligations, generally.** (a)

To participate in the SDU program, the lessee shall be in good-standing at all times.

(b) The lessee shall reside in either the primary dwelling or in the SDU. If the lessee moves into the SDU, the lessee shall provide the department with an updated mailing address in accordance with section 10-3-10(a).

(c) Failure of the lessee to maintain good-standing shall be cause for lease cancellation pursuant to section 10-3-28. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.07 Supplemental dwelling units.** (a)

Any SDU shall fall within the following floor area maximums: 400 square feet (for lots with an area of 3,500 to 4,999 square feet) and 800 square feet (for lots with an area of 5,000 square feet or more).

(b) A lessee may apply for one of the following programs at the time of application:

- (1) Ohana SDU is specifically for non-rental, ohana use purposes. The ohana occupant shall establish the required biological relationship to the lessee to the satisfaction of the department before taking occupancy. The department may allow the ohana occupant to contribute toward

household expenses such as utilities and mortgage payments, if applicable, but rent shall not be charged.

- (2) Rental SDU is specifically for rental purposes, to supplement income for the lessee and potentially help to provide housing for native Hawaiians. The dwelling unit renter shall be qualified under the act by the department but is not required to establish a qualified relationship to the lessee. The department shall prioritize applications from lessees with a verifiable potential tenant currently on a waitlist.
- (A) The minimum rental period agreement on the unit shall be six months;
  - (B) The lessee shall provide a standard lease agreement to the tenant; and
  - (C) Each agreement shall carry a rider written by the department and signed by the lessee and dwelling unit renter that provides the general obligations of the department, waiver of liability, and guarantees made by the lessee.

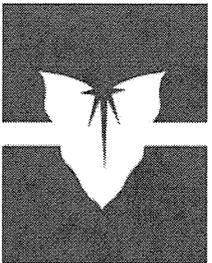
(c) The lessee shall submit a request to the department if the lessee wants to change the program use of the unit. The department shall provide a response to the lessee within 30 days of receipt of the request. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.08 Landlord-tenant code compliance.**

The residential landlord and tenant code, HRS ch. 521, is applicable only so far as it does not conflict with the act, this title, and the lease itself. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.09 Fair housing act compliance.** Lessee must remain in compliance with the section 804 of the fair housing act, 42 U.S.C. §3604 insofar as it does not conflict with the act, this title, and the lease. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)

**§10-3-40.10 Existing structures, non-compliance.** If one or more structures that have not been approved by the department or are unpermitted, or both, exist on the lot, the lessee may be allowed to come into compliance through the SDU process. However, if the existing structure or structures are unsafe for human habitation, the lessee may be required to bring the structure into compliance with county building codes, including demolition of the structure at the lessee's expense. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §208)



# HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

## Department of Hawaiian Home Lands Proposed Rule Changes

You're invited to attend a Beneficiary Consultation meeting in your community to discuss important proposed changes to DHHL's administrative rules:

<b>Declaration of Conditions, Covenants, and Restrictions Communities (DCCR)</b>	<b>Multi-family, Rentals, and Kupuna Housing</b>	<b>Supplemental Dwelling Units</b>
Proposes ways for the Department to enforce CCRs in existing DCCR communities and to standardize the relationship between the Department and DCCCRs.	Proposes to expand residential lease offerings to include multi-family housing. Also proposes rental, rent with option to purchase, and kupuna housing programs.	Proposes a pilot program on Oahu and Hawaii for residential lessees on qualifying lots to build a supplemental dwelling unit.

Please visit (<http://dhhl.hawaii.gov/bo/beneficiary-consultation/>) for the latest information or call DHHL Administrative Rules at (808) 620-9280. All meetings are subject to change.

EXHIBIT C



HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
DEPARTMENT OF HAWAIIAN HOME LANDS

# **Beneficiary Consultation**

## **Proposed Changes to DHHL Administrative Rules**

1

### **Agenda**

- 6:00 p.m. Pule/Opening
- 6:15 p.m. Presentation
  - Declaration of Covenants, Conditions, and Restrictions (DCCRs)
  - Multi-Family, Rentals, & Kupuna
  - Supplemental Dwelling Units (SDUs)
- 7:00 p.m. Break out discussion groups
- 8:45 p.m. Next Steps
- 9:00 p.m. Closing

2

EXHIBIT D

## Purposes

- Provide information about proposed rule changes so that beneficiaries have a better understanding about these housing options and the possible impacts on the trust.
- Find out what about these topics is important to beneficiaries so that the draft rules can be made better.

3



HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
DEPARTMENT OF HAWAIIAN HOME LANDS

# Rulemaking Process

4

EXHIBIT D

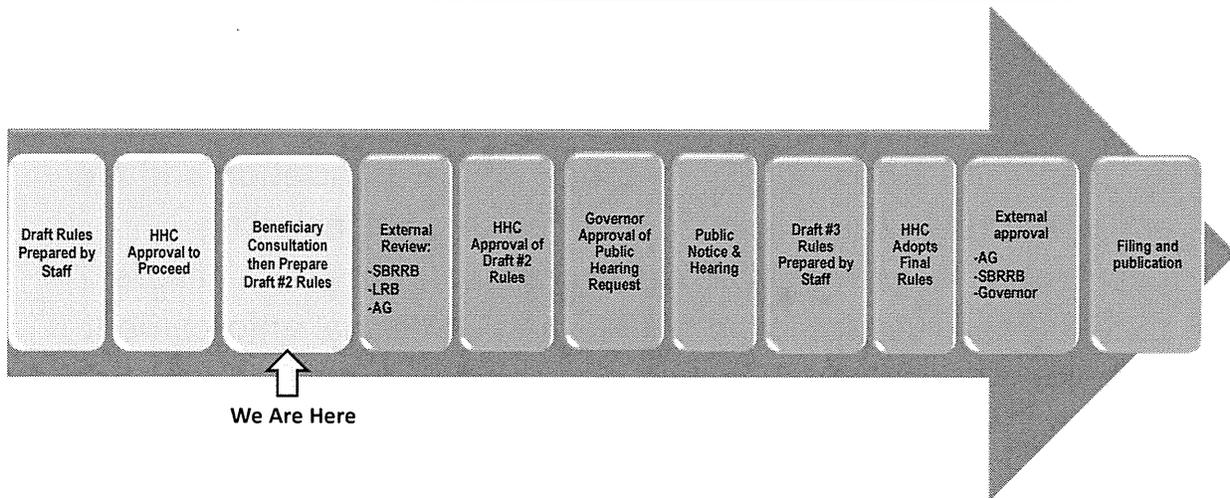
## What are Administrative Rules

- Every State agency has administrative rules.
- Rules govern how the department implements the HHCA.
- Rules make those operations public.
- DHHL's rules are known as Title 10, Hawaii Administrative Rules.

5

## DHHL Rulemaking Process

18-24 months



We Are Here

*...we've only just begun*

6

EXHIBIT D



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# Declaration of Covenants, Conditions, and Restrictions (DCCRs)

7

## Background

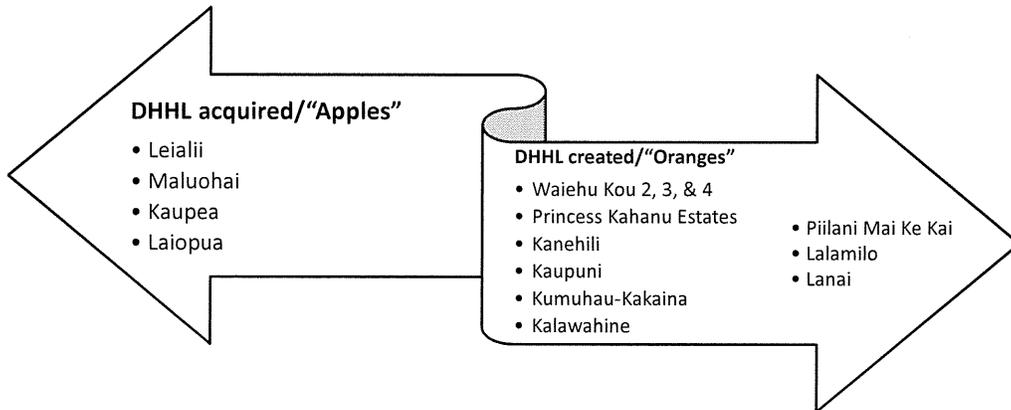
- DCCRs are planned development communities or condominium regimes that are legally organized under HRS.
- Residents are automatically members of the association and are subject to rules about living in that community, including payment of assessments for upkeep of common areas. Failure to follow the rules can lead to fines and additional enforcement measures under the CCRs.
- The association is responsible for enforcement of the CCRs.

8

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## "Apples" and "Oranges"

There are two types of DCCR communities on HHL  
 DHHL *created*, and  
 DHHL *acquired*



9

## Why Administrative Rules?

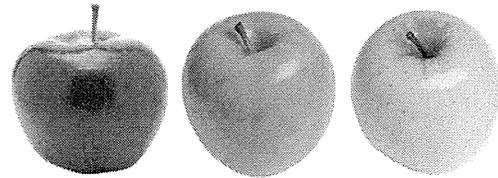
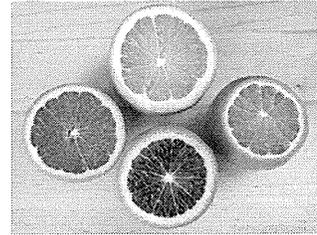
- HHCA section 207.5.
- "DHHL should have promulgated administrative rules before incorporating the DCCRs into the homestead leases issued to Kalawahine Project residents." *Kalawahine v. DHHL (2015)*.
- Translation: Because there are no administrative rules, DHHL cannot enforce the DCCRs for communities that are "Oranges."

10

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## How Would the Rules Work?

- Authorize the Department to help DCCR associations enforce their community rules.
- Help current and future lessees understand the obligations of living in a DCCR community.
- Help to ensure uniform relationships between the Department and the DCCR associations.



11

## Your Mana'o

- The DCCRs are part of your homestead lease. Under the proposed rules, if the DCCRs are not followed, it can lead to lease cancellation. Are there other enforcement measures DHHL should consider in DCCR communities?
- All lessees in DCCRs are required to pay monthly assessments to the association for upkeep of common areas and to keep the association going. What types of common areas are needed in homestead communities?
- DCCRs include design restrictions on how you build your house. What types of design restrictions should/not be part of the DCCRs?

12



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# Multi-Family, Rentals, Kupuna Housing

13

## What do We Mean by Multi-Family?

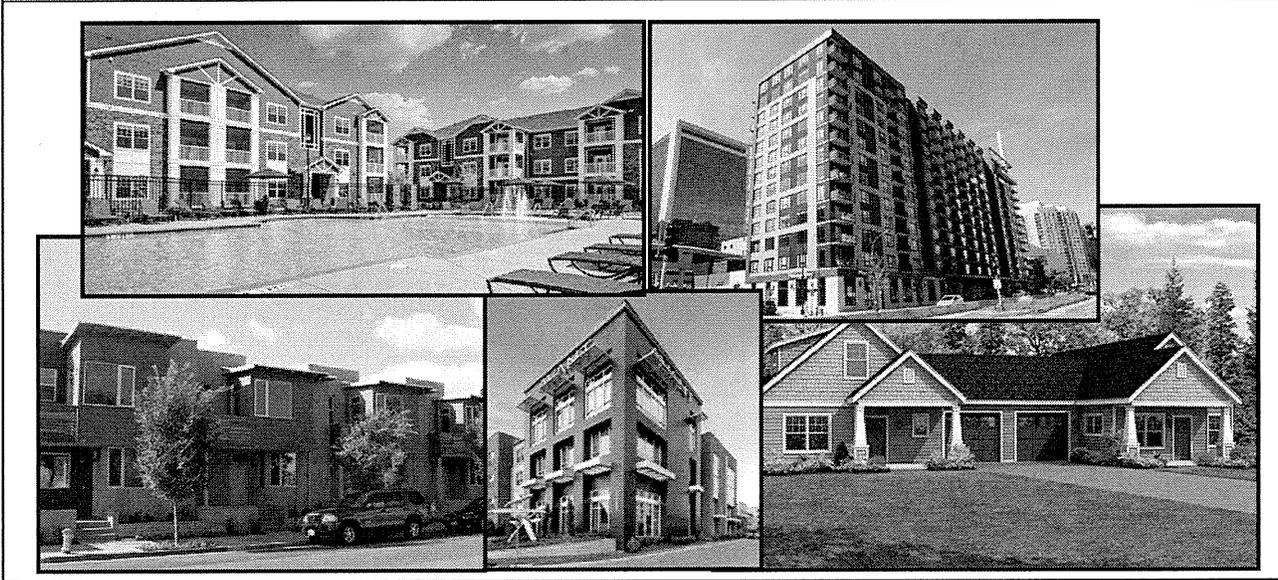


14

EXHIBIT D

EXHIBIT D

## What do We Mean by Multi-Family?



## Why Multi-Family?

- HHCA section 207.5.
- There is a need for more housing but space is limited. Multi-family is high-density so we can use less land and provide many families with homes.
- Multi-family can be more affordable than single-family homes.

## Why Rentals?

- HHCA section 207.5.
- Rentals can be an affordable alternative to owning a home.
- Rentals can offer a smaller, more manageable space for kupuna.
- Affordable rentals can help beneficiary families save and prepare to buy a home.
- Rentals could be multi-family or single-family rent with option to purchase.

17

## How Would the Rules Work?

- Offers would be made to residential area or island wide waiting lists based on where the development is located.
- The rental agreement would control the rights and responsibilities between the renter and management company.
- Renters would remain on the waiting list as homestead applicants until they become lessees.
- Successorship would be governed by HAR 10-3-8 (application). A qualified successor can take the rental unit if they meet program requirements or succeed to the application.

18

EXHIBIT D

## How Would the Rules Work?

- Kupuna housing would be offered based on age requirements.
- A kupuna lessee who accepts kupuna housing offer must transfer or surrender the homestead lease and would become a renter.
- A spouse eligible under HHCA section 209 and qualified for the kupuna housing unit, may succeed to the rental agreement.

19

## Your Mana'o

- Should DHHL do multi-family housing? Leases? Rentals? Both?
- Are there other housing options DHHL should provide or support beyond multi-family, rentals, and single-family homes? How do we keep housing affordable for beneficiaries?
- Who should be allowed to rent on Hawaiian Home Lands?
- What are some criteria that DHHL should consider in selecting a management company? Why?

20

EXHIBIT D



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# Supplemental Dwelling Units (SDUs)

21

## Background

- HHCA 208.
- Improvements like additional living space require Department approval.
- Building another dwelling or adding living space to your existing home without DHHL approval is a lease violation. It can delay a transfer request or result in excluding the unapproved structure from an appraisal for DHHL.

22

EXHIBIT D

## Why Administrative Rules for SDUs

- The rules provide a transparent, standard application process for Department approval of building another dwelling on a residential lot.
- More living space can ease crowding that lessee families sometimes face.
- Parity with the counties.

23

## How Would the Rule Work?

- Pilot project for residential lots on Oahu and Hawaii Island.
- Lessee must be in good standing.
- Your lot would need to meet county standards for adding a dwelling and you would need to get all county required approvals and permits.
- DHHL approval would be required before construction could begin.

24

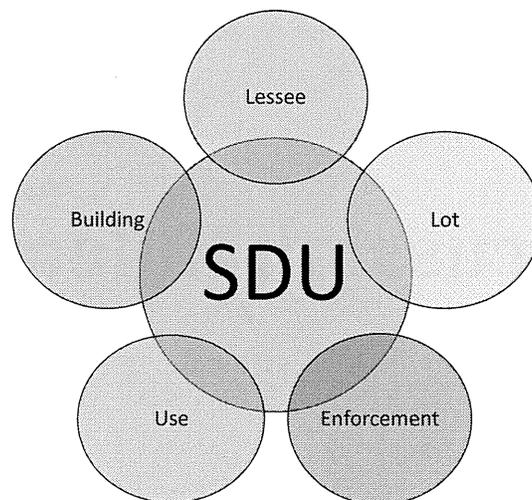
EXHIBIT D

## How Would the Rule Work?

- Lessee must live on the lot in either the main dwelling or in the SDU.
- Ohana purposes:
  - Qualified relative under HHCA 209(a) can live in SDU or main dwelling. No rent but can contribute to household expenses.
- Rental purposes:
  - Qualified native Hawaiian can rent for minimum term of six months. No short term rentals.

25

## Program Components



26

EXHIBIT D

## Your Mana'o

- Do you support supplemental dwelling units on HHL? Why?
- When should SDUs be allowed? What criteria should DHHL use to make that determination?
- The proposal is a pilot project for residential lots on Oahu and Hawaii Island. What do you think about that?
- Who can live in an SDU on HHL?
- Size of an SDU has an impact on the value of the structure. Should DHHL limit the size of the SDU based on an appraisal cap to limit liability for the trust and keep units on HHL affordable?

27



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## Discussion Kuleana

28

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## Discussion Kuleana

- Be creative!
  - Work toward future solutions/aspirations.
- Disagreement is ok as long as we are respectful of each other.
- Everyone gets a turn first, then repeats.
- Cell phones off or on silent.
  - Take all calls/texting outside.

29

## Discussion Kuleana

- 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.

30

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## Group Discussions

31

## Next Steps for DHHL

- Review and compile notes from today, and comments received by August 30, 2018;
- 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.

32

EXHIBIT D

## Next Steps for You

- Think about today's discussion;
- Talk to family, friends, neighbors;
- Submit comments by August 30, 2018;
- Check the website for updates  
<http://dhhl.hawaii.gov/po/beneficiary-consultation/>

33

## How to Submit Comments

- Green sheets.
- Email: [dhhl.rules@hawaiianhomelands.org](mailto:dhhl.rules@hawaiianhomelands.org)
- Mail:
  - Department of Hawaiian Home Lands
  - DHHL Administrative Rules
  - P.O. Box 1879
  - Honolulu, HI 96805
- Call: Hokulei at 620-9280 or your district office.

34

EXHIBIT D



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# Gallery Walk

35

EXHIBIT D

**FAQs:  
Declaration of Covenants, Conditions, and Restrictions (DCCR) communities  
Proposed Administrative Rules**

**What are Declaration of Covenants, Conditions, and Restrictions (DCCR) communities?**

DCCRs are documents that create what are called “master-planned communities.” These communities are organized as Hawaii nonprofit corporations and must comply with Hawaii Revised Statutes chapter 421J. They have their own specific rules intended to keep the neighborhood and lots in it clean, well maintained, and safe. The idea is that with these types of rules in place, the neighborhood becomes a more desirable place to live and property values are maintained for the long term. DCCR communities are governed by an association with an elected board. All owners in the community are members of the association and pay dues or assessments that go toward maintaining common areas or supporting community events. If you live in a DCCR community, you are a member of the association and subject to its rules.

**Are all homesteads DCCRs?**

No. On Hawaiian Home Lands, there are 15 DCCR communities subject to HRS 421J. Most of these are on Oahu but Maui, Lanai, Kauai, and Hawaii also have DCCRs.

**If DCCRs are rules for a specific homestead, why does DHHL need rules for them, too?**

There are two basic reasons. The first is that section 207.5 of the Hawaiian Homes Commission Act requires that rules be adopted for single-family and multi-family DCCR communities, and for rentals owned by the Department. The second reason is that administrative rules govern how the Department interacts with and relates to the beneficiaries and the public. These rules say how the Department will interact with its DCCR associations and lessees in those neighborhoods.

**I live in an existing DCCR, how can these rules help us when the DCCRs were in place before these rules?**

The draft rules include a provision for existing DCCR associations to “opt-in” by a majority vote of the association. If an association “opts-in,” the Department will be able to assist with the enforcement of the governing documents.

**If I’m moving into, or thinking about moving into, a DCCR community, how do I know what the rules are? What documents do I need?**

If you are receiving a new award, you will get the governing documents with your lease documents. If you are buying a lease or are getting one as a successor you can get the documents from the seller or you can ask DHHL for the documents during the transfer or succession process. To obtain replacement documents, a lessee should contact the association board.

You need a copy of all the major documents: the Declaration creating the community, the association Bylaws, and any amendments that have been adopted. The Declaration and any amendments will tell you about the community and its rules; the association Bylaws will tell you how the association is organized, what it can do, and your rights as a member.

**I’m a DCCR association board member, what documents should we be sure are current?**

Associations vary and compliance requirements can be different. However, all associations formed as a Hawaii nonprofit corporation must have the following governing documents, at a minimum:

- Organizing documents: The articles of incorporation and bylaws.

3/28/2018

- Managing conflicts of interest: A policy or procedures on managing conflicts of interest.
- Federally required policies that address operational matters and documents: The federal law requires nonprofit corporations to develop policies that (1) address staff complaints and suspected financial impropriety/misuse of resources and that (2) establish standards for document retention and destruction. Typically, the documents that address these matters are referred to as the whistleblower policy and document retention policy.

All these governing documents must be compliant with current federal and State laws.

For nonprofit corporations that are DCCR associations, the documents must also be consistent with Hawaii's Planned Community Associations law, HRS 421J, and the recorded Declaration (or other documentation establishing the association as a planned community).

For nonprofit corporations that have obtained tax-exempt status, the documents must also be compliant with current federal law applicable to the tax-exempt status.

\*\*\*All governing documents must have been properly approved and filed, as necessary.

EXHIBIT E

3/28/2018

**FAQs:  
Multi-Family, Rentals, and Kupuna Housing  
Proposed Administrative Rules**

**Are “rentals” about lessees renting their houses out to someone else?**

No. Rentals refers only to rental units owned by the Department and managed by the Department or a management company.

**Who can rent from the DHHL?**

Anyone who is a beneficiary of the HHCA and meets the qualifications of the rental program. Each rental development could have different financial requirements to meet a range of needs. The proposed rule also would allow for a variety of possible rental options like rent with option to purchase, kupuna housing, and multi-family housing.

**What is multi-family housing?**

Multi-family housing in the proposed rule can be apartment or condominium units in low-rise or high-rise buildings, or town house developments. It is possible that multi-family developments could have rental units or leased units, or both, and could even include some commercial spaces on the lower floors or surrounding area.

**Do I lose my place on the waitlist if I decide to rent from the Department?**

No. You keep your place on the waitlist until you are awarded a Hawaiian Home Lands lease.

**How would kupuna housing work?**

Kupuna housing would be provided as a rental option. To be eligible, you need to be a beneficiary under the HHCA and meet the age requirement. Your spouse could live with you and could succeed to the rental agreement if your spouse is eligible under section 209 of the HHCA and qualifies for kupuna housing. Other aspects would be governed by the rental agreement and applicable law.

**Would kupuna housing include assisted living residences?**

No. Tenants must be able to function and live independently – no medical or other assistance would be offered.

EXHIBIT E

3/28/2018

**FAQs:  
Supplemental Dwelling Units (SDU)  
Proposed Administrative Rules**

**What is an “SDU”?**

SDU stands for “supplemental dwelling unit.” It’s a second dwelling built on your lot and is smaller than your existing house.

**Who can have an SDU on their lot?**

For the first 5 years, the program will be a pilot project available only to residential lessees on Oahu and Hawaii who are in good standing, and live on a lot that is big enough and meets county requirements for building another dwelling. The program will be evaluated after 3 years and if it is found to be successful, the program may be expanded to other islands.

**What is the process to get approval for an SDU?**

You would need to submit a Request for Improvements with an SDU application to the Department, which includes obtaining the necessary county approvals and permits. Once your application is complete and approved, the Department would bring it forward for final approval by the Hawaiian Homes Commission. Construction can begin only after approval from the HHC.

**Who can live in the SDU?**

There are several options:

- A native Hawaiian, as defined by the HHCA, can rent the SDU;
- ‘Ohana qualified under section 209(a) of the HHCA, can live in the SDU;
- You can live in the SDU and a native Hawaiian can rent or qualified ‘ohana can live in the primary dwelling.

**What are the county requirements?**

Please refer to information provided by the City and County of Honolulu and Hawaii County. The City and County has published FAQs about their ADU requirements, which can be found online: [http://www.honoluludpp.org/Portals/0/pdfs/construction/ADU\\_FAQ\\_Final.pdf](http://www.honoluludpp.org/Portals/0/pdfs/construction/ADU_FAQ_Final.pdf). Hawaii County has information on their website: <http://www.hawaiicounty.gov/pw-building-guidelines/>.

EXHIBIT E

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
2	Common Area	More parking.	Honolulu
3	Common Area	Bigger road (some folks only have 1 lane).	Honolulu
4	Common Area	A way to keep folks out that shouldn't be there (e.g. electric fence).	Honolulu
5	Common Area	A gathering place where the community can come together.	Honolulu
6	Common Area	Parking limitations on junk cars.	Honolulu
7	Common Area	E.g. River- who cleans the river? Proper maintenance of common areas.	Honolulu
8	Common areas	We are almost completely landlocked, common area is only sidewalk. Would like a community center--a multi-functional center on land above Leialii (we can get grants)	Lahaina, Maui
9	Common Areas	No need common areas - have a county park.	Keaukaha, Hilo
10	Common areas	Laundromat, community garden, help people with 5 acres clean the land.	Keaukaha, Hilo
11	Common areas	Kauhale - kapuna care, keiki care, imu.	Keaukaha, Hilo
12	Common areas	Community should design common areas, volunteer time instead of use homeowner dues.	Keaukaha, Hilo
13	Common areas	DHHL should take care of the 'aina.	Keaukaha, Hilo
14	Common Areas	Community center. Health Center. Prison.	Keaukaha, Hilo
15	Common Areas	Put in roads not up to county standards. Homeowners association collects money to maintain roads.	Keaukaha, Hilo
16	Common Areas	Need swimming pool, like Kroc center.	Keaukaha, Hilo
17	Common Areas	Roads should be like Seabees made- Marston-Manning aluminum mesh.	Keaukaha, Hilo
18	Common Areas	Should have good fire protection-sprinkler systems - for common areas/facilities.	Keaukaha, Hilo
19	Common Areas	Fund a hui to take care of kupuna yards, Hawaiian Homes repairs.	Keaukaha, Hilo
20	Common areas	Parks for children. Should always be part of communities. Next generation.	Kona
21	Common areas	Nice landscaping. Sacred area preserves- sidewalks. Frontal (gateway) areas to neighborhoods. Neighborhood pride.	Kona
22	Common areas	Improvements mean association fees increase. Gotta think about that. Can we use grants for these areas.	Kona
23	Common Areas	Lo'i	Kona
24	Common areas	Sometimes in communities, cars encroach on other people's properties. 4 people = 4 cars. Community overflow parking area?	Kona
25	Common Areas	Covered bus stop for kids- public and school buses (so don't have to cross the street, etc.)	Honolulu
26	Common Areas	Drain smells- cleaning of	Honolulu
27	Common Areas	Security to protect homes and community members.	Honolulu

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
28	Common Areas	Street lights throughout the community for safety.	Honolulu
29	Common Areas	Mixed-use community center.	Honolulu
30	Common Areas	Save \$, don't plant trees (large ones can affect/damage cement).	Honolulu
31	Common Areas	Guest parking.	Honolulu
32	Common Areas	Water for watering yards.	Honolulu
33	Common Areas	Playgrounds and community center.	Honolulu
34	Common Areas	Community garden.	Honolulu
35	Design restrictions	Fence backyard	Molokai
36	Design restrictions	Limit animals (i.e., 2 dogs)	Molokai
37	Design restrictions	Height restrictions for trees/shrubs (safety issues)	Molokai
38	Design restrictions	No canopy tents (permanent)	Molokai
39	Design restrictions	2 story height limits for Molokai. Where need for more housing, maybe 3 stories	Molokai
40	Design restrictions	Number of chickens/animals	Molokai
41	Design restrictions	No drugs	Molokai
42	Design restrictions	Trees and where to plant. Leaves on lawns.	Molokai
43	Design restrictions	Encourage native plants	Molokai
44	Design restrictions	Set color scheme	Molokai
45	Design restrictions	Color conducive to environment	Molokai
46	Design restrictions	Design-Hawaiian	Molokai
47	Design restrictions	Height limit on trees	Molokai
48	Design restrictions	Junk cars off the lot	Molokai
49	Design restrictions	Clean yard--if not, looks ugly	Molokai
50	Design restrictions	Limit number of animals--no roosters	Molokai
51	Design restrictions	Two story limit	Molokai
52	Design restrictions	Limit color, size, design	Molokai
53	Design restrictions	No limit on size	Molokai
54	Design restrictions	Maybe height, but if you have acreage and can afford it, then should be allowed	Molokai
55	Design restrictions	Common sense: --rules need <u>respect</u> both ways --rules need <u>responsibility</u> both ways	Molokai
56	Design restrictions	No "monster" houses/should have size restrictions	Kauai
57	Design restrictions	Should not be a size restriction on how small the house it	Kauai
58	Design restrictions	Pigs not in residential area?	Kauai
59	Design restrictions	Lighting (too bright); noise	Kauai
60	Design restrictions	We should get out of design review business--no design restrictions other than county code; an unnecessary function	Puakukalo, Maui
61	Design restrictions	We sould have PV w/ DHHL paying for it	Puakukalo, Maui
62	Design restrictions	No pigs! Or fighting chickens	Puakukalo, Maui
63	Design restrictions	Don't block your neighbor's view	Puakukalo, Maui

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
64	Design restrictions	Don't block the sidewalk--no dead cars!	Puakukalo, Maui
65	Design restrictions	Limits on trees/trimming requirements--many have broken up the sidewalk (county tells DDDL which trees to plant)	Puakukalo, Maui
66	Design restrictions	Ensure value of property--better rules for how we negotiate with out neighbors; too vague now	Puakukalo, Maui
67	Design restrictions	Do not regulate where clothes lines go	Puakukalo, Maui
68	Design restrictions	Want: --Land for a charter school; --Area for retail-- for cottage industries; --Area for community gardens; --For every subdivision, provisions for cemetary, golf course, amenities for communities...native Hawaiian association could govern; --Park; --Clotheslines; --Two story houses (take out limitation on alteration of units because intergenerational families); --Allow farm animals/livestock because to ban them is anti-cultural. We are an agriculture-based culture. Allow if community agrees.	Puakukalo, Maui
69	Design restrictions	Don't Allow: --Junk cars; --Raising farm animals/livestock	Puakukalo, Maui
70	Design restrictions	Kula, Waiohuli is zoned for agriculture; it is a community decision not to have large animals Note: residential lease built to rural code (county); lease says "quiet enjoyment"	Puakukalo, Maui
71	Design restrictions	Note: Height restriction in county code--if build on land that was graded initially, second floor may exceed height restriction	Puakukalo, Maui
72	Design restrictions	Obscene colors; we shouldn't have those.	Lahaina, Maui
73	Design restrictions	Puts more burden on beneficiaries.	Keaukaha, Hilo
74	Design restrictions	No design requirements - HHCA is the controlling document. Section 207.5 has not received consent of Congress. Paid us back with land with DCCRs.	Keaukaha, Hilo
75	Design restrictions	No design restrictions	Keaukaha, Hilo
76	Design restrictions	Why make restrictions?	Keaukaha, Hilo
77	Design restrictions	Should be affordable, doesn't matter what it looks like.	Keaukaha, Hilo
78	Design restrictions	Let us work the land - should always know the rules and regulations - not have to go other places (county, etc.)	Keaukaha, Hilo

	A	B	C
1	Topic	Comment	Meeting
79	Design restrictions	Have more land awards and less residential lots - not DCCR's. People desperate, will take the house anyway. Let beneficiaries have input on design of houses, communities.	Keaukaha, Hilo
80	Design Restrictions	No monster homes. Kauhale. High density homes are the problem.	Keaukaha, Hilo
81	Design Restrictions	Consistent w/ homes in area. If no containers, don't allow.	Keaukaha, Hilo
82	Design restrictions	Restrictive when people tell you what you can have/cannot have in your yard. Hampers living style. Weekly inspections too much.	Kona
83	Design restrictions	Do you provide design restrictions? Are there options? How big, how high, colors, etc. Construction of home must be within restrictions.	Kona
84	Design Restrictions	Hard to identify where you would draw the line.	Honolulu
85	Design Restrictions	Some people might not be able to comply (e.g. Kupuna who can't cut grass as often).	Honolulu
86	Design Restrictions	Some value in having house colors that work with each other in community.	Honolulu
87	Design Restrictions	If restrictions, there has to be enforcement.	Honolulu
88	Design Restrictions	Should start with president of association- notify first vs. DHHL comes to your door and neighborhood pilikia starts.	Honolulu
89	Design Restrictions	Should have alternative dispute resolution process for resolving	Honolulu
90	Design restrictions	Specify that you can have a wall if houses are too close to each other - don't restrict this.	Honolulu
91	Design Restrictions	Restrictions on parking or make more (1 person can't hog all of the guest spots).	Honolulu
92	Design Restrictions	Maybe no need color paint restrictions. Maybe no need restriction on type of fencing (these seemed destructive to community).	Honolulu
93	Design Restrictions	No restrictions!	Honolulu
94	Design Restrictions	Restriction on size of houses (no mega-houses) this affects your neighbors.	Honolulu
95	Design Restrictions	Who determines what is tasteful?	Honolulu
96	Design Restrictions	Restrict parking of unsightly/junk/abandoned cars (affects health and safety). Especially re: access of emergency vehicles.	Honolulu
97	Design Restrictions	Homeless are parking cars in our community and living there (need to be living in community to park there).	Honolulu
98	Design Restrictions	Currently you have to get approval to make design changes? Answer: Yes.	Honolulu
99	Design Restrictions	Community watch/reporting process.	Honolulu
100	Design Restrictions	Pet-friendly policies. Could be DHHL. Could be property management company.	Honolulu
101	Design restrictions	We want things that don't bother, affect neighbors	Kapolei
102	Design restrictions	Don't want restrictions on house paint color --but some people like having a color scheme with some options	Kapolei
103	Design restrictions	We want to be "harmonious" with neighborhood (in real estate terms)	Kapolei
104	Design restrictions	Landscaping--don't restrict	Kapolei

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
105	Design restrictions	We need higher <u>fences</u> for privacy (but this might be county building codes)	Kapolei
106	Design restrictions	Self-help/Habitat houses may not have fences...you have to get on your own--this should be a requirement for privacy purposes	Kapolei
107	Design restrictions	Work with association to ensure that issues are addressed and community members needs are heard and met	Kapolei
108	Design restrictions	Fences for Kaupea	Kapolei
109	Design restrictions	Some people like restrictions on house colors, some doesn't like restrictions--how about a range of options	Kapolei
110	Design restrictions	Kaupea--don't restrict native plants for each area	Kapolei
111	Design restrictions	Get rid of restrictions on clotheslines (but maybe enclose within your fence)	Kapolei
112	Design restrictions	Clotheslines--maybe in backyard (but with sight line guidelines)	Kapolei
113	Design restrictions	Colors may affect value of other houses --counterpoint: western mentality is to make money vs ohana home	Kapolei
114	Design restrictions	Allowances for fruit trees/food providing	Kapolei
115	Design restrictions	Minimal design restrictions--each individual pays for own home	Kapolei
116	Design restrictions	Often the developer determines the design guidelines--you choose this when you decide to move in there--you take pride in your homestead	Kapolei
117	Design restrictions	DCCRs can be amended--community needs to come together to decide on changes--come to association meetings	Kapolei
118	Design restrictions	Each association should control design guidelines, no in administrative rules	Kapolei
119	Design restrictions	DCCRs can be amended as community evolves--community needs to come together to discuss	Kapolei
120	Design restrictions	Some people don't want to have to ask/talk with others about what I can do with my home	Kapolei
121	Design restrictions	Some like rules	Kapolei
122	Design restrictions	Habitat homes are not same color and design. We'd like to have a say in these decisions, not just DHHL	Kapolei
123	Design restrictions	Design guidelines are important to lessees who plan to sell home; may affect "comps" in neighborhood (clarification that DHHL does not value homes based on comps)	Kapolei
124	Enforcement	Get together with family and see how you can help them	Molokai
125	Enforcement	Cars (6-8) parked in other's driveway, trash cans	Molokai
126	Enforcement	3 strikes, you are out	Molokai
127	Enforcement	Severity--depends on that--shouldn't be straight to lease cancellations	Molokai
128	Enforcement	Penalties and fines before lease cancellation	Molokai
129	Enforcement	Noise issues--rule for quiet hours	Molokai
130	Enforcement	If we create rules, will it affect existing communities? A: no, would be new homesteads	Molokai
131	Enforcement	Will the rules be retroactive to the existing 14? (A: Existing DCCR communities would need to opt-in)	Molokai

	A	B	C
1	Topic	Comment	Meeting
132	Enforcement	Due diligence--3 notices/3strikes --First, contact/assessment/check-in --Letter with deadline (warning) --Second letter (fine) --Third certified (lease violation) Also send letters by email	Molokai
133	Enforcement	What about kupuna that may not know?	Molokai
134	Enforcement	Statewide implications. No DCCRs on Molokai, so why discuss on Molokai?	Molokai
135	Enforcement	No habitual violations	Molokai
136	Enforcement	For kupuna, have a point of contact if thru the letters, kupuna does not respond, contact point person	Molokai
137	Enforcement	If association is big, then rules are good; if small community (46 in Kapaakea) not all are part of association, but if there are rules, then maybe issues, want Kapaakea to stay as is.	Molokai
138	Enforcement	So its for planned communities	Molokai
139	Enforcement	Have all current rules so equal opportunity to know rules/policies that affect native Hawaiians	Molokai
140	Enforcement	Is there any violations now and what are you doing about it? A: need rules to enforce	Molokai
141	Enforcement	Is this for new communities or existing?	Molokai
142	Enforcement	What are the larger problems the existing communities are having?	Molokai
143	Enforcement	HHC take the responsibility to enforce the rules not the association--make the rules part of the lease	Molokai
144	Enforcement	Parking--association can work with County to deal with those issues--follow up	Molokai
145	Enforcement	PMKK--who is collecting funds?/where?/how?/why? What are the common areas? Who is management company? We need to know this first.	Kauai
146	Enforcement	Q: Is DHHL deciding not to take responsibility for enforcement of DCCRs and letting associations do it themselves? A: We are late to the game but rules would lay out steps for consistency from community to community; e.g. cultural values--we want the rules to be appropriate to HHL	Kauai
147	Enforcement	Q: Are all DCCRs different? A: yes	Kauai
148	Enforcement	Q: Board manages/directs management company. The association can fire the management company if they're not working out.	Kauai
149	Enforcement	C: PMKK reduced dues to minimal--small common areas for now; might go up later if bigger/more common areas	Kauai
150	Enforcement	Have steps: -Notice: written 30 days to pay with fine -Notice: written 60 days increase fine -Notice: written 90 days increase fine	Kauai

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
151	Enforcement	Q: what is appeal process upon cancellation of lease? A: There is a contested case process	Kauai
152	Enforcement	Due process--letter of correction with time frame	Kauai
153	Enforcement	Q: who will enforce? Association can't. DHHL? Not enough staff on island to enforce	Kauai
154	Enforcement	Neighbors can't enforce on neighbors. Need reasonable rules we can live with. DHHL or management company needs to be the "hammer"	Kauai
155	Enforcement	It would be helpful to have examples of current processes. The association doesn't have power to remove neighbors	Kauai
156	Enforcement	Contested case process can't enforce until we have admin rules	Kauai
157	Enforcement	We don't want to see anyone kicked out for \$500	Kauai
158	Enforcement	Give opportunity to pass lease on to another qualified lessee (family member)	Kauai
159	Enforcement	Q: why does there have to be an association? Is there another option? Why these rules necessary? What if we don't have family to pass on to? I don't really understand. Generally, we act with common courtesy. <u>Shouldn't this be an option household by household?</u> A: DCCR's can be changed over time and can evolve over time. Some people like rules to protect, for example, from raising pigs next door, for safety purposes, to keep value of land up, for quality of life	Kauai
160	Enforcement	Q: does PMKK have option to opt out of DCCRs? Unwind the process and not be a DCCR community?	Kauai
161	Enforcement	Q: Are DCCRs same for all associations? A: No, depends on community; may vary. Lease cancellation would be the same	Puakukalo, Maui
162	Enforcement	Q: If we're an "orange" can't enforce right now, right? A: Currently, yes. Administrative rules could change that so that DHHL can help enforce	Puakukalo, Maui
163	Enforcement	Q: Does this mean all projects going forward will have DCCRs? A: No, not necessarily	Puakukalo, Maui
164	Enforcement	If you don't follow the rules, then your lease should be cancelled	Puakukalo, Maui
165	Enforcement	In Waiehu Kou 3 signed contract between association and lessee. Phase 4 disbanded. 40% delinquency rate right now. DHHL can't enforce now. But with administrative rules, you can opt-in. I'm going to recommend we don't opt-in. DHHL doesn't have capacity. We can file civil suit but we would rather incentivize vs. becoming the hammer. Phase 2 took hammer approach.	Puakukalo, Maui
166	Enforcement	To opt-in, we would need to provide reporting information to DHHL, if I understand correctly. Also, we may need to be a 501(c)(3)? Is that what they're saying? This is too burdensome on associations.	Puakukalo, Maui
167	Enforcement	Associations meant to empower associations	Puakukalo, Maui
168	Enforcement	Currently there is option to have civil action before lease is cancelled. I support this.	Puakukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
169	Enforcement	If you're an orange, DHHL can't currently cancel lease because no administrative rules in place. I'm not in favor of hammer approach.	Puakukalo, Maui
170	Enforcement	Incentives--Waiehu Kou 4--if you're fully compliant, you get plot of land to do whatever you like, garden, etc.	Puakukalo, Maui
171	Enforcement	Give options. It causes problems between neighbors to have to enforce	Puakukalo, Maui
172	Enforcement	Let them know what money is for--education	Puakukalo, Maui
173	Enforcement	Payment plan--still need to pay but over time	Puakukalo, Maui
174	Enforcement	Waiehu Kou 4 does not have an association; would like to have an association. Now it is just any kine; we would like to revisit having an association all the young ones no like step in but kupunas would like an association needs to come from membership	Puakukalo, Maui
175	Enforcement	We established a collection policy and have a management team, 3rd person enforce (we had a law firm research and see what power board has). Letters first, we know what each procedure costs (\$50-180); we are sensitive to our neighbors, we use laws but apply with logic, mercy, grace--take case by case by the board; there may be extenuating circumstances	Puakukalo, Maui
176	Enforcement	Q: what's effective date for administrative rules? A: we need to ask Hokulei	Puakukalo, Maui
177	Enforcement	My concern is what about the fees, specifics, etc.--will these be general and applied to all of us? Or will they be customized base on each individual community? A: DCCRs are applied specific to community and should evolve as community evolves; they can be amended. Assessments depend on size of community and based on common areas. What is common across all DCCRs would be what options should be in place other than lease cancellation	Puakukalo, Maui
178	Enforcement	Declarant needs to incorporate educating those getting lease during the building of the community so that they are fully aware of DCCRs by the time they move in	Puakukalo, Maui
179	Enforcement	All community members should be convened and have training before they move in but also get to influence DCCRs	Puakukalo, Maui
180	Enforcement	DCCRs should evolve as community changes, they need to change	Puakukalo, Maui
181	Enforcement	People sign documents and don't realize what they're agreeing to	Puakukalo, Maui
182	Enforcement	In contract, people should know there is an existing association and they should get bylaws when they sign the lease	Puakukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
183	Enforcement	Beyond orientation, board members need to have <u>real board training</u> ...If they don't fully understand roles and responsibilities, we have screwed up communities (especially around enforcement)	Puakukalo, Maui
184	Enforcement	Q: What happens to Waiohuli leases awarded...do these DCCRS affect undivided interest awards? A: No. They are forming a non-profit and will be governed by bylaws	Puakukalo, Maui
185	Enforcement	No enforcement.	Keaukaha, Hilo
186	Enforcement	3-6 months to become current. Give them a certain time to pay.	Keaukaha, Hilo
187	Enforcement	First offense, one smaller penalty, then 2nd, 3rd it gets tougher.	Keaukaha, Hilo
188	Enforcement	Take money from the budget to pay dues.	Keaukaha,
189	Enforcement	DCCRs should be in alignment with native hawaiian values - not working for the way we live.	Keaukaha, Hilo
190	Enforcement	Criminal to cancel leasees if they don't pay assessment. There should be help for them.	Keaukaha, Hilo
191	Enforcement	Enforcement of rules that aren't right for native Hawaiians is wrong.	Keaukaha, Hilo
192	Enforcement	Why have people paying the homeowners association when the money should go to the trust? HHCA is what we should follow.	Keaukaha, Hilo
193	Enforcement	Don't want O'ahu people coming here and telling us what to do.	Keaukaha, Hilo
194	Enforcement	Fees in Laiopina are high- causing hakaka.	Keaukaha, Hilo
195	Enforcement	What about fixed income? Any drastic increase could impact them. Limit the amount of increase.	Keaukaha, Hilo
196	Enforcement	How can you take lease away for non-payment of dues if everything else is ok?	Keaukaha, Hilo
197	Enforcement	Like idea of getting everyone involved- self-policing- association helps everyone correct problems.	Keaukaha, Hilo
198	Enforcement	Warning, then fines.	Keaukaha, Hilo
199	Enforcement	Reasonable time period, every 30 days.	Keaukaha, Hilo
200	Enforcement	Put money into an escrow account.	Keaukaha, Hilo
201	Enforcement	Concerned about how often dues are increased.	Keaukaha, Hilo
202	Enforcement	Other issues besides dwelling units not being paid? Ex. Cars on streets, etc.	Kona
203	Enforcement	Proposed rules? Are there existing rules that govern DCCRs? People already past due. Not fair that those in compliance subsidizing those not. Who is supposed to enforce?	Kona

	A	B	C
1	Topic	Comment	Meeting
204	Enforcement	How does board communicate with community?	Kona
205	Enforcement	Shock and disappointment to hear that people agree with cancelling leases for non-compliance suggestion: Find away to help- e.g. repayment plan as a last ditch effort. Shouldn't kick people out right off the bat- department mission is to house Hawaiians.	Kona
206	Enforcement	Why isn't DHHL stepping in to enforce?	Kona
207	Enforcement	Rules will hopefully allow DHHL to enforce, however communities must opt in to rules.	Kona
208	Enforcement	Association board has authority to enforce payment of dues? Association has 1st authority to enforce.	Kona
209	Enforcement	Struggle w/ DCCRs now 18 years later finding out that department could not help enforce. Frustrating. Cart before the horse. On our own to enforce against neighbors. Not fair that some pay while others don't.	Kona
210	Enforcement	Lease cancellation for non-compliance is a good idea. Effective and fair.	Kona
211	Enforcement	Just like any other bill. Responsibility for homeowners.	Kona
212	Enforcement	Who is responsible for developing rules? Rules being made by people not living there. This should change- awardees sign to accept DCCRs without even reading them first.	Kona
213	Enforcement	La'i Opuia DCCRs already made, there would be more ownership of rules if lessees involved in rulemaking. Hawaiians with opportunity to live there making rules.	Kona
214	Enforcement	Problem is no one comes to association meetings. Which would allow changes/votes to be made. People are complacent.	Kona
215	Enforcement	Could it be that Board is disconnected? Can they be more accessible?	Kona
216	Enforcement	Who elects board? People need to be present to vote?	Kona
217	Enforcement	Plan non-threatening event. Meet people's needs.	Kona
218	Enforcement	Need to address/create a process for talking story with neighbors where privacy isn't violated.. To find out circumstances.	Honolulu
219	Enforcement	Need 3rd party to assist with enforcement- like DHHL.	Honolulu
220	Enforcement	Ability to kick off crappy association president that acts as a barrier to getting things done (non-profit law applies here)- in the government documents.	Honolulu
221	Enforcement	No nepotism with choices of property management company- avoid conflict of interest.	Honolulu
222	Enforcement	Charge daily fees for violations and have fee come back into community. This has to be transparent in the reporting from property management company.	Honolulu
223	Enforcement	Are you comfortable with everyone in the community knowing your business? This has to be clear at the outset.	Honolulu
224	Enforcement	Currently only HHC is authorized to cancel lease. Hearing before hearing officer. Time from start to finish can vary.	Honolulu

	A	B	C
1	Topic	Comment	Meeting
225	Enforcement	Kalawahine- 2 Committees- Design Committee (within association) --> DHHL, worked well. Management specialists- annual assessment; management specialists would pursue violations.	Honolulu
226	Enforcement	Someone to monitor and enforce- not neighbor to neighbor.	Honolulu
227	Enforcement	Create a fair process with time between notice of violation and next step so there is an opportunity to correct violation (also for evidence gathering if we are taking it to HHC).	Honolulu
228	Enforcement	Ho'oponopono- opportunity to help fellow lessees (these are previous assets).	Honolulu
229	Enforcement	A process for the community to come together to support individuals who need help.	Honolulu
230	Enforcement	A representative in community to talk with people who are in violation.	Honolulu
231	Enforcement	We need to know who our neighbors are and help them. But also respect privacy issues, we need to have insight into issues but also know limits of sharing info.	Honolulu
232	Enforcement	As new people move into community who weren't there when established, it can be challenging- they might not be as engaged.	Honolulu
233	Enforcement	Create projects within community that could incentivize participation (e.g. clean up river, help kokua neighbors). Would be different for each community.	Honolulu
234	Enforcement	How do you come up with monthly assessment? Answer: Depends on activities community wants- \$ ÷ by # of leases	Honolulu
235	Enforcement	A mediation process for disputes (alternative dispute resolution).	Honolulu
236	Enforcement	Warnings sent but informal process to talk story first and see if it can be resolved. As more warnings given, less flexibility.	Honolulu
237	Enforcement	Association could step in to help, but we'd need to have some rules about how much authority association would have.	Honolulu
238	Enforcement	Requires support to enforce- need to be enforceable DCCRs.	Honolulu
239	Enforcement	How many enforcement officers does DHHL have?	Honolulu
240	Enforcement	Letters (board first, then attorney sends). How long do you do this before you enforce?	Kapolei
241	Enforcement	Grant or other financial assistance for families who might be unable to pay temporarily	Kapolei
242	Enforcement	HRS 514B tells you what steps you/association can take	Kapolei
243	Enforcement	May depend on whether we are "apples" or "oranges"--When lessee changes out and property manager doesn't know, makes it hard for them to enforce	Kapolei
244	Enforcement	DHHL could have classes on this topic--help each other to learn (how to read the documents)	Kapolei
245	Enforcement	Some people feel DCCRs are too restrictive, others feel it helps keep the property nice and values up. Note: you are signing an agreement; don't sign if it doesn't work for you!	Kapolei
246	Enforcement	Need neighbors to be more harmonious	Kapolei
247	Enforcement	Continuing education	Kapolei

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
248	Enforcement	Our board was given DCCRs but now we are working on modifying/amending them (e.g. use of garage as living area prohibited)	Kapolei
249	Enforcement	Technical assistance, financial literacy, and outreach to lessee about their particular situation and work with them	Kapolei
250	Enforcement	Part of VOKA--different situations --if dues aren't paid to VOKA, DHHL "makes whole" --homestead associations--if dues aren't paid, DHHL doesn't pay for that *this is an issue we need to talk about	Kapolei
251	Enforcement	In documents for Maluohai, it says if we don't pay fees, we can be taken to contested case hearing	Kapolei
252	Enforcement	Can DHHL look for other options to support lessees if they have circumstances that prevent them from paying? Not imposing non-Hawaiian agencies/rules on us, which further disempowers us	Kapolei
253	Enforcement	When you sign your lease, you agree to certain terms--contractual	Kapolei
254	Enforcement	Have a noncompliance "court" assistance; some associations take care of this	Kapolei
255	Enforcement	Come together as a community to resolve differences; how hard is it to discuss issues? Instead of fees, courts, penalties, etc.--many people move to Hawaiian Home Lands because they have financial challenges/issues--a more informal way to resolve and help each other	Kapolei
256	Enforcement	Be allowed to explore other ways; otherwise just distancing native Hawaiians from empowerment	Kapolei
257	Enforcement	In some circumstances, 75% of community follows rules but 25% doesn't, it is challenging...we try to talk with them but they have different priorities	Kapolei
258	Enforcement	When unexpected challenges occur, talk with VOKA (Kaupea example) and figure out how to work with lessee to make a plan	Kapolei
259	Enforcement	Kaupea deals with DHHL and VOKA (puts number of violations per community into newsletter)	Kapolei
260	Enforcement	Nanakuli doesn't have association and DCCRs --sometimes I wish we had some rules to help with community pride (keep clean, etc) and help each other--would like to have some rules community would abide by	Kapolei
261	Enforcement	We want to see what's being done with our dues	Kapolei
262	Enforcement	Community association is an additional expense and someone is mandating what I can/can't do--I don't see the benefit	Kapolei
263	Enforcement	With association, we can give lessees leeway--community is different in how they deal with violations	Kapolei
264	Enforcement	Some "body" that oversees/inspects for violations hard when neighbors have to police other neighbors	Kapolei
265	Needed common areas	Community center/communitiy garden	Molokai

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
266	Needed common areas	Garbage fees	Molokai
267	Needed common areas	Maintenance of landscapes	Molokai
268	Needed common areas	Parks	Molokai
269	Needed common areas	Open space for parking (boats, etc.)	Molokai
270	Needed common areas	Play yard	Molokai
271	Needed common areas	Gathering place	Molokai
272	Needed common areas	Theater--Molokai style	Molokai
273	Needed common areas	Park	Molokai
274	Needed common areas	Weight room	Molokai
275	Needed common areas	Community center	Molokai
276	Needed common areas	Kitchen	Molokai
277	Needed common areas	Exercise walkway	Molokai
278	Needed common areas	Concerns with liability--no common areas	Molokai
279	Needed common areas	Park--beautification; work with County to share costs for maintenance	Molokai
280	Needed common areas	Stream	Molokai
281	Needed common areas	Community center	Molokai
282	Needed common areas	Ball field	Molokai
283	Needed common areas	Playground for kids	Molokai
284	Needed common areas	Park with a community center and kitchen	Kauai
285	Needed common areas	Park and playground (can be passive park--doesn't need community center)	Kauai
286	Needed common areas	Small park for kids to play and sports (baseball, soccer, basketball) and neighborhood center. We understand these require upkeep. Look at military model-3rd party contract for enforcement	Kauai
287	Needed common areas	Our ancestors designed villages so that every part had a purpose	Kauai

	A	B	C
1	Topic	Comment	Meeting
288	Needed common areas	Q: is it worthwhile to have common areas? Do people use? Is it worth it for the assessments we would have to pay?	Kauai
289	Needed common areas	Sidewalks, fencing--can add costs to upkeep; we can keep it super simple and cost effective or it can be more extravagant; depends on what the community wants	Kauai
290	Needed common areas	Also maintenance? Community members might have to supplement--do the work	Kauai
291	Needed common areas	Rent out space to others but consider liability issues with this model	Kauai
292	Needed common areas	Park	Puakukalo, Maui
293	Needed common areas	Tree trimming for sidewalks (would like to have voice in what trees are planted)	Puakukalo, Maui
294	Needed common areas	Community centers (but not saddled on lessees) so maybe separate from common areas	Puakukalo, Maui
295	Needed common areas	Abandoned vehicles (county) removal	Puakukalo, Maui
296	Needed common areas	Money should be focused on common good of community programs, etc. Not always physical space. All our money goes to paying insurance on these small strips of grass	Puakukalo, Maui
297	Needed common areas	Waiehu Kou 1, 2, 3, 4--no community centers; no place for kids to run and play; they have to run in bushes and road. We need recreation area for kids.	Puakukalo, Maui
298	Needed common areas	Q: who owns land between 3 and 4, Kope Gulch? Can we acquire for community center? For playground? Maybe otherside of the highway? No building because would require flood insurance. What about a basketball court? A: Under FEMA, it's a 100 year flood zone. Liability for that would be on HHL trust. When we had to develop the area, high water mark and Federal requirements..if it gets blocked, water could flood Waiehu Kou 3. We were trying to make it pono with a process for folks to ask DHHL to use it but with proposal and would hold harmless clause and have insurance.	Puakukalo, Maui
299	Needed common areas	Q: what about in front of Waiehu Kou 2? A: drainage area; DHHL looked at filling it up and building more houses but iwi are all around the area and it's needed as a retention basin	Puakukalo, Maui
300	Needed common areas	Something needs to be done with heavy rains, it gets crazy. There has to be consideration re: drainage	Puakukalo, Maui
301	Needed common areas	Q: what about a training center--skills training for community?	Puakukalo, Maui
302	Needed common areas	In our community, people who use the facility pay	Puakukalo, Maui
303	Needed common areas	Parks--viable area, not flood zone. There should always be land for parks	Puakukalo, Maui

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
304	Needed common areas	Note: I don't think DHHL should make DCCR communities because it isn't culturally appropriate. We are all individuals, it is difficult to apply general rules to everyone.	Puakukalo, Maui
305	Needed common areas	Community should get to decide it's own rules.	Puakukalo, Maui
306	Needed common areas	Community center should be up to the community. There are grants available.	Puakukalo, Maui
307	Needed common areas	Area for parking. Fees would be covered by monthly assessment (administered by association)	Puakukalo, Maui
308	Needed common areas	Incorporating Hawaiian values--activities--an area where we can meet to do these things. (cultural practices have been changing over time)	Kapolei
309	Needed common areas	Sidewalks (whose kuleana are they? DHHL?)	Kapolei
310	Needed common areas	Green area and trees	Kapolei
311	Needed common areas	Community garden to grow kalo--also where people could unite, meet, for keiki to connect to aina	Kapolei
312	Needed common areas	Park for kids to come together	Kapolei
313	Needed common areas	Community imu	Kapolei
314	Needed common areas	Strong leadership--in context of community--what works best	Kapolei
315	Needed common areas	Having a park for the kids	Kapolei
316	Needed common areas	Community center and office for association--and come together for meetings and classes	Kapolei
317	Needed common areas	Only lessees should be able to comment--other perspective is sometimes spouse who should have a say since they're paying...but can't vote	Kapolei
318	Needed common areas	Neighborhood policing	Kapolei
319	Other	Multi-family homes is a slippery slope...it may lead to being the only thing offered-not the original intent of the trust	Kauai
320	Other	The more options there are, the more requirements on the lessee who might want simple property to grow kalo, etc., like original intent. Ag award not done on Kauai in 30 years. Why? A: If you're on the residential list, you'll get those offers. Our Chairman is working on ag awards, subsistence ag; 3 acre lots, starting in Honomu on Hawaii Island	Kauai
321	Other	Q: why pilot program? Why not on Kauai already? A: we have land on Hawaii Island. Don't have staff capacity currently.	Kauai
322	Other	Q: Kalawahine case, 207.5 controls. A: different interpretations of sections of the HHCA	Kauai

	A	B	C
1	Topic	Comment	Meeting
323	Other	Can we get DHHL to buy-out the telephone company? We have junk phone service right now.	Puakukalo, Maui
324	Other	Develop training curriculum so that lessees can become property managers	Puakukalo, Maui
325	Other	Q: What are the reserve sections in rules? A: Reserve sections can be used to add new sections in the future. Basically, if it turns out later that we forgot something or circumstances require something totally new, we can use the reserve sections to amend and add the new stuff.	Puakukalo, Maui
326	Other	Don't do DCCR's - don't like.	Keaukaha, Hilo
327	Other	Need examples- a model of what DCCR's look like. We don't know enough to say.	Keaukaha, Hilo
328	Other	Don't like accepting DCCR communities (apples) just to keep surrounding property values high.	Keaukaha, Hilo
329	Other	Not starting at the beginning- why are we talking about something that shouldn't have been allowed to happen.	Keaukaha, Hilo
330	Other	Applies to other types of leases with larger lots?	Keaukaha, Hilo
331	Other	It's an insult.	Keaukaha, Hilo
332	Other	DHHL should provide families with financial challenges with help - someone from the office to help. (101 Financial)	Keaukaha, Hilo
333	Other	Where is the money from the shopping centers? We should all have nice homes? Our houses are falling down. Arizona houses. DHHL not helping us.	Keaukaha, Hilo
334	Other	Where's the money for Panaewa + Keaukaha?	Keaukaha, Hilo
335	Other	Need more self-help programs, where families help each other.	Keaukaha, Hilo
336	Other	Partner with habitat for humanity - blitz homes.	Keaukaha, Hilo
337	Other	Why is revenue from Walmart etc. filtering back to build lots + homes? Infrastructure?	Keaukaha, Hilo
338	Other	Our families not supposed to be living in chicken coops.	Keaukaha, Hilo
339	Other	Purpose of HHCA is to rehabilitate native Hawaiians. Purpose of Act.	Keaukaha, Hilo
340	Other	Can we get copies of other communities comments?	Keaukaha, Hilo
341	Other	Kuleana fits the concept of 'Aina Ho'opulapula- lots of wait listers out there- need to help.	Keaukaha, Hilo
342	Other	Put powerpoint on website.	Keaukaha, Hilo

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
343	Other	Clarify what is acquired vs. created. It refers to how the land parcel was acquired and the DCCRs established.	Kona
344	Other	Would like to know how many unts DHHL actually has/can turn around and in what timeframe? Really	Honolulu
345	Other	Can someone grow and or use pakalolo on lot (for medical reasons)? Answer: Special circumstances re: medical marijuana	Honolulu
346	Other	What will you learn from (SDU) pilot? Do with information found/learned? A: need rules first--will try to work out kinks	Molokai
347		Q: You're working on administrative rules and we're recipients of the Act, when we give information, will it lead to actual changes? A: Yes. Each round of rulemaking we've done, we've made changes based on beneficiary input. It is a balance tho, between beneficiary input and what DHHL has to factor in as a matter of law and policy. For example, we did consultation for water rules last year and we asked beneficiaries if you're delinquent on paying your water bill, what should the department do other than shutting off your water. Beneficiaries on Molokai suggested making payment in ways other than cash, like with produce from their farms. The HHC agreed to try but only up to 5% of the unpaid amount can be paid through goods or services. The rule was changed because of the consultation process.	Lahaina, Maui
348		Q: When you make amendments, do we have a say, again? A: Yes, you can get involved. There's a section in the rules that describe how amendments can be submitted.	Lahaina, Maui
349		Q: Other meetings sometimes they come with decisions already made; they're only there because it's required by law. Is this like that? A: No. We <u>want</u> to take your input and actually do something with it.	Lahaina, Maui
350		Q: Leialii is an "apple"/DHHL acquired DCCR. Because Kalawahine lawsuit took so long, DHHL hasn't helped us. Is the department willing to help us in court cases with folks who aren't paying dues? A: Once the rules are in place, DHHL will be able to help enforce the CCRs but we can't help the DCCR communities until the administrative rules are in place	Lahaina, Maui
351		Q: Will you help with the financial part--the court cases, etc.? A: The draft rules say the association must try to collect first but after that process, the association can come to DHHL for help	Lahaina, Maui
352		Q: So you're saying there weren't any rules in place before? That's absurd! A: Correct--there were no administrative rules for DCCRs because there were two interpretations of how to implement sections in the Act related to housing development. Kalawahine clarified those questions.	Lahaina, Maui

	A	B	C
1	Topic	Comment	Meeting
353		Where do you come in? We need the help, financial help and enforcement help, and back up! We don't control the leases. But we have to take legal action and we have to foot the bill. We can only go so far. We don't want to have to do this.	Lahaina, Maui
354		You should have someone from Hawaiian Homes come out every few months and check on conditions of homes and yards. That would help.	Lahaina, Maui
355		Before, we had no input. We were just told what to do. It is good to have this opportunity now, but how long do we have to wait for help? A: Princess Kahanu was first DCCR community. The department instituted because it seemed like a good idea at the time to increase the value of the homes and community. It is helpful to hear now what wasn't done right so we can address it.	Lahaina, Maui
356		Q: Why do we need an association? A: To help make sure the rules are adhered to	Lahaina, Maui
357		Hawaiian Homes is not doing its duty to support beneficiaries. You just make it and drop us.	Lahaina, Maui
358		Create a special department to make loans to us. We don't qualify at outside institutions	Lahaina, Maui
359		Your DCCRs are not made for the Hawaiian people. It's for the people living around us. Not in alignment with our values. You're looking at expanding and putting in particular neighborhoods. You can't tell us you're doing it for the Hawaiians; it's not increasing the property value for us. Our houses are depreciating.	Lahaina, Maui
360		The rules aren't made for the people who are going to occupy the property. A: You can amend the DCCRs and should amend them to make sense for your community's needs.	Lahaina, Maui
361		When we got our leases, the book with rules was there but many people never opened it. It's those folks' fault for not reading but maybe they can't read as well. We need to help them understand.	Lahaina, Maui
362		What you need is to provide money. HHL doesn't have anything. You're putting in all these subdivisions but many people are not going to live there. They would go the bushes. You have to think as the department how to build in those areas and make communities where these people want to live. What do <u>we</u> really know about design guidelines? No HRS that says HHL have to get regulations from the county (e.g., electricity--why not do your own power on your own lands)	Lahaina, Maui
363		The designs of these houses are terrible. E.g., garage is bigger than the living room. Who designed these?	Lahaina, Maui
364		Leialii--they squished houses on the lots	Lahaina, Maui
365		There's a real problem. It took Hawaiians to sue the state to get even the \$1 HHL has. Not enough. No wonder you can't help. We need to get more money from ceded lands.	Lahaina, Maui

	A	B	C
1	Topic	Comment	Meeting
366		Q: Why do we need an association? A: You're a planned community. C: I didn't know we were a planned community. You're forcing us to follow a lot of rules. A: Association is a powerful tool--you can work to change DCCRs	Lahaina, Maui
367		Park for the children. Can DHHL get it from the state--work together to get an exchange of land.	Lahaina, Maui
368		With Hawaiian Homes, there's no choice. What if I don't want to be in a planned community? Planned communities have gates, this is an "American style" thing.	Lahaina, Maui
369		Number of people at meetings is dwindling over time. We're aging. We don't want our grandchildren to inherit all these problems, e.g., what are we paying for perimeter wall? Shouldn't be lessees, should be DHHLs	Lahaina, Maui
370		If there was no association, would DHHL take care? No, they wouldn't do anything. When people don't pay, we put a lien on them. They shouldn't be kicked out; we're not kicking them out. I don't need an association; I don't need someone telling me how to live.	Lahaina, Maui

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
2	Housing options & affordability	Multi-family: older children lives with can take advantage to pass to children	Molokai
3	Housing options & affordability	Kupuna move into housing has to give up and succeed to children	Molokai
4	Housing options & affordability	I like rent to own	Molokai
5	Housing options & affordability	Rental: first priority should be the Hawaiians	Molokai
6	Housing options & affordability	Should be subsidized. Ex: Kalae USDA rents around \$100, that's good	Molokai
7	Housing options & affordability	Waitlist should be a priority for every list--first priority	Molokai
8	Housing options & affordability	One on list should be able to get first	Molokai
9	Housing options & affordability	Target the waitlist	Molokai
10	Housing options & affordability	Rent towards homeownership	Molokai
11	Housing options & affordability	Senior center kupuna apartments during Gov Cayetano's administration	Molokai
12	Housing options & affordability	Q: does DHHL have rules for selling their homes? Because how will multi-family be treated?	Molokai
13	Housing options & affordability	Keeping things affordable as it affects the affordability	Molokai
14	Housing options & affordability	Follow the lease who qualifies and educate those on the list to buy a house	Molokai
15	Housing options & affordability	Administrative rules: put in that you cannot transfer lease and keep unit affordable even in transfers	Molokai
16	Housing options & affordability	Rule by DHHL purchase house but cannot sell for a certain number of years	Molokai
17	Housing options & affordability	Rent-50% on the list then 25% next (grandchildren) <u>AGREE</u>	Molokai
18	Housing options & affordability	Q: Kupuna housing--why didn't it work? 15 years	Kauai
19	Housing options & affordability	Should not just be restricted to DHHL. Homestead associations that are 501(c)(3)s and housing authorities, we should have best interests of community in mind. We can do it for less. We can bring the products to people in an affordable way. Need to allow us to sit at the table and help. You're taking too long.	Kauai
20	Housing options & affordability	We have products that plenty people would appreciate but we can't even talk about it. Instead of saying "should DHHL," can we say "Should DHHL and native Hawaiian organizations and authorities and NPOs together do multi-family housing?"	Kauai

	A	B	C
1	Topic	Comment	Meeting
21	Housing options & affordability	Q: How does this idea fit in with HHCA-99 year leases at the rate of \$1? A 99 year lease on an apartment? A: Not quite as simple with multi-family units. DHHL has to consider how it would work. Some folks do want condo/apartment options. Younger folks.	Kauai
22	Housing options & affordability	Allow other types of construction: tiny homes; container; 3D print--super affordable; pre-fab--50% up for materials	Paukukalo, Maui
23	Housing options & affordability	Cost of containers: 12x20 size; 12x40 size	Paukukalo, Maui
24	Housing options & affordability	Banks not financing on DHHL; in house with stipulations	Paukukalo, Maui
25	Housing options & affordability	DHHL should develop their own financing	Paukukalo, Maui
26	Housing options & affordability	Get legislature	Paukukalo, Maui
27	Housing options & affordability	What happened to the self-help program? Owner builder?	Paukukalo, Maui
28	Housing options & affordability	Train homesteaders	Paukukalo, Maui
29	Housing options & affordability	Where is program for Big Island and Oahu?	Paukukalo, Maui
30	Housing options & affordability	Using DHHL, stick to mandate for our people first. Pre-rental and pre-ownership financial literacy	Paukukalo, Maui
31	Housing options & affordability	Go down the list first	Paukukalo, Maui
32	Housing options & affordability	DHHL offers three times, no responses, placed of deferred list	Paukukalo, Maui
33	Housing options & affordability	Called Oahu DHHL for change for Kihei, on list for a long time, no address change, house built in 1968, number was up there.	Paukukalo, Maui
34	Housing options & affordability	Qualifying for DHHL incubation center to prepare	Paukukalo, Maui
35	Housing options & affordability	Affordable housing doesn't work on Maui	Paukukalo, Maui
36	Housing options & affordability	HUD guidelines do not work; DHHL should have its own	Paukukalo, Maui
37	Housing options & affordability	Vertical, who can afford that? Public-private partnership; look at community development corporation	Paukukalo, Maui
38	Housing options & affordability	"Big houses" is that what we're going to be? DCCR should come into "big houses" Families with kupuna at home with medical assistance	Paukukalo, Maui
39	Housing options & affordability	Fill up vacant lots	Paukukalo, Maui
40	Housing options & affordability	You can put storage on agriculture lots	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
41	Housing options & affordability	--DHHL purchase existing houses --Need more "kupuna housing" include medical assisted --Improvement to existing houses of kupunas like mow yards, ADA access, assist homestead associations, DHHL to help ADA compliance	Paukukalo, Maui
42	Housing options & affordability	Training along lines of assisted purchase properties to expand inventory	Paukukalo, Maui
43	Housing options & affordability	DHHL options: money making--why don't we generate income to get native Hawaiians on the land	Paukukalo, Maui
44	Housing options & affordability	Put on house lot, don't want "ghetto"	Paukukalo, Maui
45	Housing options & affordability	Build townhouses for families they are beautiful	Paukukalo, Maui
46	Housing options & affordability	Do organic farm then sue them after...sorry	Paukukalo, Maui
47	Housing options & affordability	Is DHHL going to open Waiehu Kou IV? Do we have any more land?	Paukukalo, Maui
48	Housing options & affordability	Need community center	Paukukalo, Maui
49	Housing options & affordability	DHHL has to acquire more land	Paukukalo, Maui
50	Housing options & affordability	Take that mac nut farm and do something with it--PURCHASE	Paukukalo, Maui
51	Housing options & affordability	We need water, see if we can take that back	Paukukalo, Maui
52	Housing options & affordability	Should not supercede Royal Order	Paukukalo, Maui
53	Housing options & affordability	Drill our own well for water	Paukukalo, Maui
54	Housing options & affordability	Financing, monies have to come from our own, not borrow from outside	Lahaina, Maui
55	Housing options & affordability	Based on income for kupuna housing	Lahaina, Maui
56	Housing options & affordability	DHHL moving at a snail's pace, it's frustrating. DHHL should have built 2,000 houses	Lahaina, Maui
57	Housing options & affordability	Hawaiian-owned companies should bid for these jobs. Create job opportunities for them to bid	Lahaina, Maui
58	Housing options & affordability	Rent to own was success in Kapolei?	Keaukaha, Hilo
59	Housing options & affordability	\$212,000 mortgage in Keaukaha- all built by student and other free labor. How is that? (Answer: Davis bacon nothing to do with us)	Keaukaha, Hilo
60	Housing options & affordability	Affordable what you're able to pay	Keaukaha, Hilo

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
61	Housing options & affordability	DHHL supplement kupuna, it would help.	Keaukaha, Hilo
62	Housing options & affordability	Why didn't DHHL step in and help us? In order to have Hawaiian home lands you have to have lots of money. Self help/no interest rate/no down payment/ see never awarded that.	Keaukaha, Hilo
63	Housing options & affordability	Rent to own good idea. Like idea and village up there is waiting.	Kona
64	Housing options & affordability	How was the credit in Kapolei, single family? A: Has been successful. A: 85 families converted after 15 years. Took time and why DHHL did it. Lots of families couldn't do it. Learning process renters differ prospective than owner.	Kona
65	Housing options & affordability	Where did that take place? A: Kapolei. Lots comes down to financial stacking private developer. Negotiating with developer to make rents affordable.	Kona
66	Housing Options & Affordability	Is DHHL planning Kupuna Housing?	Kona
67	Housing Options & Affordability	Location- Waimanalo project too far out.	Kona
68	Housing Options & Affordability	Transportation- Kupuna can't drive. Waimanalo project was a "BIG DOWNER."	Kona
69	Housing Options & Affordability	Duplex housing. Good planning. Need to know. Meetings and picture wasn't what it was.	Kona
70	Housing Options & Affordability	10741 Rental Housing offer?	Kona
71	Housing Options & Affordability	Whole thing needs to be revised. People need to know.	Kona
72	Housing options & affordability	Is rental parameters included?	Kona
73	Housing options & affordability	Not included and should have been verified and included prior to not after.	Kona
74	Housing options & affordability	"Piggy-back" Palolo Valley 1970 Program, if you paid rent, state would provide extra to family so they can move up to another house.	Honolulu
75	Housing options & affordability	Rent-to-own Maluohai model is good.	Honolulu
76	Housing options & affordability	Multi-family units would keep it more affordable.	Honolulu
77	Housing options & affordability	Rent-to-own model is good. Do that more.	Honolulu
78	Housing Options & Affordability	My siblings live with me. I have good credit. They do not.	Honolulu
79	Housing Options & Affordability	Issue for lots of families is that they do not qualify for mortgage. Rent-to-own good solution.	Honolulu
80	Housing Options & Affordability	Why doesn't DHHL give out loans at lower interest? 3%	Honolulu

	A	B	C
1	Topic	Comment	Meeting
81	Housing Options & Affordability	Do more rent-to-own on Oahu. Jobs are here.	Honolulu
82	Housing options & affordability	I was a renter and luck to get turn key house. It was a struggle but I got to understand the federal government rules and it worked for us at Hoolimalima	Kapolei
83	Housing options & affordability	Tiny homes	Kapolei
84	Housing options & affordability	Why does it have to be SDU, why not tiny homes?	Kapolei
85	Housing options & affordability	Rapid changes have taken place. I'm from Nanakuli and the beauty of the place has changed from when I was a child	Kapolei
86	Housing options & affordability	Not paying for infrastructure, return to DHHL instead of selling and making profits. It should go to next one on the list.	Kapolei
87	Housing options & affordability	Has DHHL ever considered pre-fabricated houses?	Kapolei
88	Housing options & affordability	DHHL should purchase existing buildings and renovate for beneficiaires	Kapolei
89	Housing options & affordability	Compare to cost of preparing structure. DHHL might purchase. There are a lot of buildings out there	Kapolei
90	Housing options & affordability	RV's, trailers with nice parts to consider that. Like a trailer park. Affordable cost.	Kapolei
91	Housing options & affordability	Building close to rail, kupuna can give up cars and visit family	Kapolei
92	Housing options & affordability	Is there a height restriction along the rail?	Kapolei
93	Housing options & affordability	Ownership, condo style to buy in (design) people can buy in	Kapolei
94	Housing options & affordability	I want to be able to buy fee simple, what can DHHL do? Oahu has least amount of land. Look at DHHL to help applicants to get into a home that's affordable	Kapolei
95	Housing options & affordability	DHHL give financial help to buy a home	Kapolei
96	Housing options & affordability	Would that mean I would get off the DHHL waiting list?	Kapolei
97	Housing options & affordability	Don't go with tiny homes, it's not acceptable. DHHL has land, should have homes	Kapolei
98	Housing options & affordability	All individual choice, there should be options to housing by beneficiary choice	Kapolei
99	Housing options & affordability	Is there a vision of rehabilitated state? Have a conversation with beneficiaries about vision of rehabilitation	Kapolei
100	Housing options & affordability	Financial advising. Kupuna can't afford to get house but they're still on the waiting list so a small house can be an option	Kapolei
101	Housing options & affordability	An option should be a house that's affordable	Kapolei

	A	B	C
1	Topic	Comment	Meeting
102	Housing options & affordability	Is more land available to get a lot? Option to get a bigger lot	Kapolei
103	Housing options and affordability	Disagree with getting lease and turning around and selling. It's a privilege. Should not be buying and selling, buying and selling.	Kapolei
104	Housing options and affordability	Should have a 10-15 year period before you can sell.	Kapolei
105	Housing options and affordability	Buying lots to profit and using it to live on aina.	Kapolei
106	Housing options and affordability	Yes, should be able to lease, beneficial for financing a house on a lot because could help the family with equity. Smaller home, become lessee, and it's a benefit to them	Kapolei
107	Housing options and affordability	DHHL can't do any equity on their home	Kapolei
108	Housing options and affordability	Can people give a cultural thing in exchange for rent? Or students give back; give free rent during their studies like a free voucher	Kapolei
109	Housing options and affordability	What was Waimanalo experience?	Kapolei
110	Management company	DHHL creates their own management company	Molokai
111	Management company	Culturally sensitive; no collusion or political	Molokai
112	Management company	Create jobs	Molokai
113	Management company	Laws not good on our Hawaiian people	Molokai
114	Management company	DHHL to hire and set the rules for management company to follow	Molokai
115	Management company	People skills to manage and accounting skills, capability, and ALOHA, and compassion	Molokai
116	Management company	NO EDITING	Molokai
117	Management company	Be Hawaiian and compatible	Molokai
118	Management company	Show genealogy	Molokai
119	Management company	Concept of Native Hawaiian managing and in good standing	Molokai
120	Management company	Handle overall management	Molokai
121	Management company	Consider community/recreational area to congregate	Molokai
122	Management company	Don't get anyone from the mainland. From island where land is.	Kauai
123	Management company	Q: If DHHL is landlord, doesn't it have to follow existing rules? A: Nanakuli housing example; DHHL controls land, someone else manages	Kauai
124	Management company	Q: what if neighborhood association becomes landlord vs DHHL? Is this an option or is lease just for individuals? Can DHHL lease to NH beneficiary organization who can then be landlord? How would buildings get built? Grants/tax credits?	Kauai
125	Management company	Hawaiians should do the management	Paukukalo, Maui
126	Management company	Enough finances and a license to do it	Paukukalo, Maui
127	Management company	Why would DHHL hire a management company?	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
128	Management company	Bid for property management	Paukukalo, Maui
129	Management company	Waiehu Kou II handles common area fronting homes (Commercial Property does Waiehu Kou)	Paukukalo, Maui
130	Management company	Broken sprinkler charges to homeowner	Paukukalo, Maui
131	Management company	Striping roads	Paukukalo, Maui
132	Management company	Speed bumps	Paukukalo, Maui
133	Management company	Mowing common areas	Paukukalo, Maui
134	Management company	Went after DHHL for vacant lots lack of maintenance	Paukukalo, Maui
135	Management company	Association buffers with management company	Paukukalo, Maui
136	Management company	Rentals should be association and more supportive	Paukukalo, Maui
137	Management company	Helps along line of native values	Paukukalo, Maui
138	Management company	Coordinate with DHHL for support on homestead issues	Paukukalo, Maui
139	Management Company	No support. Farm out to beneficiary management.	Keaukaha, Hilo
140	Management Company	Work state/DHHL the get money.	Keaukaha, Hilo
141	Management Company	Not Native Hawaiian should be native Hawaiian	Keaukaha, Hilo
142	Management Company	You get 2 landlords, but just adding another layer. Have management- other kick them out.	Keaukaha, Hilo
143	Management Company	DHHL should do it.	Keaukaha, Hilo
144	Management Company	Is there evaluation of management company? What is the criteria for selecting.	Keaukaha, Hilo
145	Management company	No, why hire outside?	Keaukaha, Hilo
146	Management company	Habitat for humanities.	Keaukaha, Hilo
147	Management company	If multi-family is build, who is responsible for that complex?	Kapolei
148	Management company	Is DHHL going to maintain multi-family complex? Is it lessee or renter?	Kapolei
149	Management company	DHHL should have their own property management company	Kapolei
150	Management company	Years of experience	Kapolei
151	Management company	Keep management company honest and engaged with company	Kapolei
152	Management company	Company that has complassion and cares "better one now"	Kapolei
153	Management company	Why can't DHHL manage their own instead of paying a management company?	Kapolei
154	Management company	Who's going to manage it	Kapolei
155	Management company	Is the department going after federal monies?	Kapolei
156	Management company	Issues within development should be managed by those living in it and oversight by DHHL, with capacity	Kapolei

	A	B	C
1	Topic	Comment	Meeting
157	Management company	Is DHHL going after tax credits? --not as an agency	Kapolei
158	Management company	Look for beneficiary owned management company. We have 15 years to build capacity and instill in communities	Kapolei
159	Management company	Cultural accordance, preserve the culture	Kapolei
160	Management Company Criteria	Has to be some kind of cultural awareness.	Kona
161	Management Company Criteria	Address people's needs and move faster than molasses on a cold day.	Kona
162	Management Company Criteria	Hawaiians need to take care of each other. Got to be local in heart.	Kona
163	Management Company Criteria	Who should be responsible?	Kona
164	Management Company Criteria	Management company should work alongside associations.	Honolulu
165	Management Company Criteria	Cultural aspect should come from DHHL.	Honolulu
166	Management Company Criteria	Should be professional.	Honolulu
167	Management Company Criteria	Hawaiian-owned company- prioritize.	Honolulu
168	Management Company Criteria	Enforcement should come from outside community. Neighbor shouldn't enforce on neighbor.	Honolulu
169	Management Company Criteria	Be respectful of tenants. Treat tenants well. There is stigma of low-income, they need to treat with respect.	Honolulu
170	Management Company Criteria	Understand responsibilities of homestead trust operation. Should understand DHHL purpose.	Honolulu
171	Management Company Criteria	A reputable company. Sensitivity to Hawaiian culture.	Honolulu
172	Management Company Criteria	Would be nice if native Hawaiian owned, but don't know if that exist. Should at least have cultural sensitivity.	Honolulu
173	Management Company Criteria	Experts that understand home loans.	Honolulu
174	Management Company Criteria	People that work with the community, good relationship with the community. Property management should answer to the board of community.	Honolulu
175	Management Company Criteria	Management company should have experience in affordable housing management in Hawaii.	Honolulu
176	Other	Newsletter on status statewide to beneficiaries/waitlist applicants	Molokai
177	Other	Need land in Kauai, too. Not only Honomu	Kauai
178	Other	Who boards up the houses? A: DHHL enforcement or Sheriff's	Paukukalo, Maui
179	Other	Vacant lot, who can get and what is the process? Where are lands?	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
180	Other	Is it possible on DHHL lands: 20 capable Hawaiians approach land use authority and use eminent domain for Waiehu private lands. Have a coop partner, authority of native Hawaiian beneficiaries, a community development entity.	Paukukalo, Maui
181	Other	Undivided interest? Infrastructure needed for residential--water, sewage, lights, roads are expensive	Paukukalo, Maui
182	Other	Keokea, Waiohuli--advance notice; DHHL needs to address timeline, 1 year	Paukukalo, Maui
183	Other	Need to have DHHL enforce the rules	Paukukalo, Maui
184	Other	DHHL has to look at ways to make money. Get around legislative rules, make money, Big Money	Lahaina, Maui
185	Other	The state controls us too much	Lahaina, Maui
186	Other	Rehabilitation process- how does it affect my children?	Keaukaha, Hilo
187	Other	Where is DHHL monies going? Got plenty of land.	Keaukaha, Hilo
188	Other	To finance, is money cmoing from DHHL selling land?	Keaukaha, Hilo
189	Other	Nanakuli 2nd road how are they doing?	Keaukaha, Hilo
190	Other	Does DHHL have land near resort? Lands close to the jobs.	Keaukaha, Hilo
191	Other	What is awarded that?	Keaukaha, Hilo
192	Other	For each of the lots what island is awarded that.	Keaukaha, Hilo
193	Other	Build your own house. Owner builder. Start with studio. Get them on the land. Kit minimum order 25. Homes can withstand 165 miles land.	Keaukaha, Hilo
194	Other	Nice if agency to define what's good for its people. Not HUD standards.	Keaukaha, Hilo
195	Other	DHHL does 50% below & tracked by DHHL, Fed funding does come into play.	Keaukaha, Hilo
196	Other	201 says who you are on land. 50% successors on the land. Don't fiddle with the act.	Keaukaha, Hilo
197	Other	I agree (to comment above).	Keaukaha, Hilo
198	Other	Why do they need us? Why didn't you do rules? Can we make rules?	Keaukaha, Hilo
199	Other	Why should we be paying? Give the people free. We deserve free and give us free. Not small kind old timer. Houses from Arizona. Fix first they need help.	Keaukaha, Hilo
200	Other	Ground zero I have not.	Keaukaha, Hilo
201	Other	What is DHHL doing? Was 21 on list now 59. Have one child serving in marines. I'm 75%, have not. You guys too slow. More money. More staff.	Keaukaha, Hilo
202	Other	Still on waiting list. 38 years, come on, we waiting.	Keaukaha, Hilo
203	Other	Like to know when you going to come with answers. Work with judiciary. More rules.	Keaukaha, Hilo
204	Other	Don't make rules so hard/stiff.	Keaukaha, Hilo
205	Other	In Waimanalo, we talked to our council member to address parking isse.	Honolulu

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
206	Other	Why not develop in Hau'ula Ko'olau Loa? DHHL no lands there.	Honolulu
207	Other	If kupuna wanted to move to kupuna housing how to transfer home lease to kids?	Honolulu
208	Other	1/32 quantum going to be less than that	Kapolei
209	Other	All these meetings, this last one, do we get a follow up meeting?	Kapolei
210	Other	Get a better room and sound system, it's hard to hear, so we don't fight. On these administrative rules, is there a follow up meeting	Kapolei
211	Other	I don't have a computer, how do I get palapala?	Kapolei
212	Other	What is the experience of Waimanalo's multi-family? I would like to hear lessons learned	Kapolei
213	Other	Coming up with rules is so stringent	Kapolei
214	Other	Could you bring Waimanalo feedback to us at Kapolei	Kapolei
215	Other	If the term is 15 years, what if you want to do it in 10 years?	Kapolei
216	Other	Where are we looking possibly doing this? Would it be when the rules are done that I can come in and get a permit?	Kapolei
217	Other	Are we in the process of promulgating these rules?	Kapolei
218	Property management	Work from within, get some people who are skilled at property management	Lahaina, Maui
219	Property management	Management company should be from island, as opposed to the mainland. Different kind of concepts, understandings, culture. Should be offered to Hawaiians.	Lahaina, Maui
220	To do or not to do	Support multi-family living due to homelessness: --security for children --status of Oahu Hawaiian population	Molokai
221	To do or not to do	Monies to pay for rent/Molokai multi-family housing	Molokai
222	To do or not to do	Caregiver independence	Molokai
223	To do or not to do	Homeless. Molokai families don't have to go back on list	Molokai
224	To do or not to do	Young people can't afford, help young ones. Land available	Molokai
225	To do or not to do	DHHL consider-- --youth meet 50% qualification rarely --one point: everybody living in home and friction, agree rental is different	Molokai
226	To do or not to do	Q: kupuna housing. Mom lessee, significant other is not Hawaiian but children have, so spouse has nothing	Molokai
227	To do or not to do	Leases and multi-family do both	Molokai
228	To do or not to do	We should do multi-family and we support	Molokai
229	To do or not to do	Multi-family taking away true ownership rather than single ownership	Molokai
230	To do or not to do	Rent to own can be one of the options	Molokai
231	To do or not to do	Keep in spirit of what was formulated by the DHHL Act: Commission	Molokai
232	To do or not to do	Good plan: multi-family	Molokai
233	To do or not to do	Rental association and/or board should be created	Molokai
234	To do or not to do	Don't support multi-family	Molokai

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
235	To do or not to do	Do both multi-family and kupuna	Molokai
236	To do or not to do	Keep it in Hawaii and spirit of Hawaiian Home Commission	Molokai
237	To do or not to do	Can consider it due to cost of building a home	Molokai
238	To do or not to do	Q: would it bring waitlist down? (A: no, stay on waitlist until a homestead lease is issued)	Molokai
239	To do or not to do	Pilot project on Molokai-option to move to-do survey for Molokai	Molokai
240	To do or not to do	Affordable, kupuna are on fixed income	Molokai
241	To do or not to do	I disagree to have rental as a lease	Molokai
242	To do or not to do	Keep bowling alley for income	Molokai
243	To do or not to do	Waitlist already 50%	Molokai
244	To do or not to do	Give alternative--transition from rental to house (lease award)	Molokai
245	To do or not to do	Some units affordable	Molokai
246	To do or not to do	Income criteria: mix income of families	Molokai
247	To do or not to do	Duplex design good pilot project for Molokai	Molokai
248	To do or not to do	Water is concern on Molokai #1 priority	Molokai
249	To do or not to do	Puts more Hawaiians in houses	Kauai
250	To do or not to do	Why put them in rentals? Put them in houses. If want to build, let them build.	Kauai
251	To do or not to do	Does not pertain to us	Kauai
252	To do or not to do	in some cases, yes	Kauai
253	To do or not to do	Our family and people need houses	Kauai
254	To do or not to do	More manageable for kupuna	Kauai
255	To do or not to do	If ohana is together, got land, children got the "kala"	Kauai
256	To do or not to do	Got to have the credit, renting builds credit	Kauai
257	To do or not to do	Great if option (rental) if something in wording if also can grow kalo or do something on the land	Kauai
258	To do or not to do	History of DHHL does not bear it out--build houses with mortgage. DHHL use most of land for that option	Kauai
259	To do or not to do	Concern that options delay the process	Kauai
260	To do or not to do	Building well thought out and developed...security, etc.	Kauai
261	To do or not to do	Concern: is this addressing wait-listers? Commercialization, I'm not for that. We were restricted once we had to borrow money from <u>banks</u> . Original families in Anahola didn't have to do this. If DHHL can fully go out for Fed money, start <u>giving</u> us homes/land. No one can qualify. There is the land. Don't do multi-family opportunities--go back to original options--no qualification/just <u>rehabilitation</u> --get us on land (we can go to DHHL and pay back vs. paying bank)	Kauai
262	To do or not to do	Is it subject to "stipulations"? Rules to adhere to?	Paukukalo, Maui
263	To do or not to do	DHHL build in landlord tenant rules	Paukukalo, Maui
264	To do or not to do	50% native Hawaiian rental is not easy--what entry does rental have in all of this?	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
265	To do or not to do	Do we have to follow county rules?	Paukukalo, Maui
266	To do or not to do	If going to offer rental, how much will it take away leases? From building lease homes?	Paukukalo, Maui
267	To do or not to do	What do they want this agency to agree to do? Do you want to do this? Do you want to try this?	Paukukalo, Maui
268	To do or not to do	Not fair to applicants to do this	Paukukalo, Maui
269	To do or not to do	Prioritize this. 50 lots in Leialii. Build lease homes first.	Paukukalo, Maui
270	To do or not to do	Segregate the priorities	Paukukalo, Maui
271	To do or not to do	<u>Leases always priority</u>	Paukukalo, Maui
272	To do or not to do	Rentals for those who cannot afford single family house	Paukukalo, Maui
273	To do or not to do	Who's going to build the houses, big houses? Hawaiians or outside? Use Hawaiian developers	Paukukalo, Maui
274	To do or not to do	Multi-family option. Rent to own.	Paukukalo, Maui
275	To do or not to do	Group consensus: --Tiny houses --Tiny land--give me a piece of land	Paukukalo, Maui
276	To do or not to do	Trailer homes, why cannot? Only houses for wealthy people	Paukukalo, Maui
277	To do or not to do	Do multi-family and award lots to live in house with children.	Paukukalo, Maui
278	To do or not to do	Where does land and money come from?	Paukukalo, Maui
279	To do or not to do	Do a rental-only proposal	Paukukalo, Maui
280	To do or not to do	Like idea of renting multi-family units Economic arm: 6 top, 6 bottom on vacant land for homestead Revenue generating on association homestead Develop simultaneous rental and lease homes--10 vacant in every 100 Add to mix of home offerings	Paukukalo, Maui
281	To do or not to do	Yes, do multi-family, rentals, and kupuna housing	Paukukalo, Maui
282	To do or not to do	Rental pool--allocate priority sign up to be notified. Keep separate or a new list Options hits more people. Important not to lose place on DHHH waitlist. Inclusion and increase inventory	Paukukalo, Maui
283	To do or not to do	Project: financial qualification and risk. Do not pass applicants. Design to meet what is affordable, analysis to make ends meet	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
284	To do or not to do	Sorry, can't put Hawaiians in that	Lahaina, Maui
285	To do or not to do	Looking at my children, they live in multi-family housing, they aren't yard people. You could build multi-family in our subdivisions. There could be enough land so our kids have a place to live and kupuna could be taken care of all close by in one community.	Lahaina, Maui
286	To do or not to do	This is about options for our kids and grandkids.	Lahaina, Maui
287	To do or not to do	Build all the options and we will fill them all	Lahaina, Maui
288	To do or not to do	Looking at children and grandchildren, multi-family is a good option. Not a ghetto type building but take pride, do it right. Not like Mayor Wright Housing. The concept is for a new generation. And can be ownership not just "housing."	Lahaina, Maui
289	To do or not to do	Cannot be just one level	Lahaina, Maui
290	To do or not to do	Is it exclusive to DHHL beneficiaries? On ear mark residential? General lease.	Keaukaha, Hilo
291	To do or not to do	Still for Hawaiian people?	Keaukaha, Hilo
292	To do or not to do	What land you going to use for that?	Keaukaha, Hilo
293	To do or not to do	Need stats on Nanakuli Village Rentals.	Keaukaha, Hilo
294	To do or not to do	Where will multi family occur?	Keaukaha, Hilo
295	To do or not to do	Lack of land. Bowl-o-drome.	Keaukaha, Hilo
296	To do or not to do	Rehabilitate - Live in high rise apartment/condominiums.	Keaukaha, Hilo
297	To do or not to do	Does act allow to be created? Act does not allow it.	Keaukaha, Hilo
298	To do or not to do	FYI- Utilize Section 8 - Rent to own from state- 15 year period. Problems DCCR. Works in the above situation.	Keaukaha, Hilo
299	To do or not to do	Held to a standard	Keaukaha, Hilo
300	To do or not to do	Concern- Like kuhio park terrance/major wright housing. How does it work? (Answer: No)	Keaukaha, Hilo
301	To do or not to do	Isn't define the rules?	Keaukaha, Hilo
302	To do or not to do	As Hawaiians lot more deserving.	Keaukaha, Hilo
303	To do or not to do	Kauhale wanted it - 2-3 lots for 7 houses went nowhere	Keaukaha, Hilo
304	To do or not to do	Would you get HUD support?	Keaukaha, Hilo
305	To do or not to do	Is rules only for residential? Not pastoral.	Keaukaha, Hilo
306	To do or not to do	Multi-Family common areas- is that tacked on? Sidewalks, county garbage road.	Keaukaha, Hilo
307	To do or not to do	Yes, after address issues on current properties (then this is crossed out and says "no, misleading")	Keaukaha, Hilo
308	To do or not to do	Where is that in Hilo?	Keaukaha, Hilo
309	To do or not to do	Why ask in the first place? Get the answer. Then bring to us.	Keaukaha, Hilo
310	To do or not to do	Good for oahu, not us (Hilo)	Keaukaha, Hilo
311	To do or not to do	DHHL here long time, no such things.	Keaukaha, Hilo
312	To do or not to do	Big island, not for our island. Taking land and gone sell to someone else.	Keaukaha, Hilo
313	To do or not to do	Is it new ones you're going to build? Likes the option.	Keaukaha, Hilo
314	To do or not to do	Don't want multi-fmily. Give us homes.	Keaukaha, Hilo
315	To do or not to do	Misleading saying multi-family. No, not for it now.	Keaukaha, Hilo

	A	B	C
1	Topic	Comment	Meeting
316	To do or not to do	50-60 years. Broken promises. Same song over and over.	Keaukaha, Hilo
317	To do or not to do	What are you really trying to do, move people on the list? Row home give specific time 10 years. Will you help to secure their home?	Keaukaha, Hilo
318	To do or not to do	Yes good idea.	Kona
319	To do or not to do	Some families takes away from doing yard.	Kona
320	To do or not to do	No time.	Kona
321	To do or not to do	Grandma can live next door.	Kona
322	To do or not to do	Good children can decide what they want to do or where they want to live.	Kona
323	To do or not to do	What would be the biggest you could make it? A: Could be 2 or 3 bedrooms. Not to create limitations.	Kona
324	To do or not to do	I like that DHHL is looking at more options. All options good. Good design and consideration to needs of the community. Pride.	Kona
325	To do or not to do	Would single family homes still be offered? A: HUD housing ladder, small unit. With build up other opportunitites and could transfer. Expands opportunities.	Kona
326	To do or not to do	Concern with high density and noise. Hope DHHL does not build close units. Be mindful of closeness, not helpful.	Kona
327	To do or not to do	Single home available as option. I want my home.	Kona
328	To do or not to do	Individual if DHHL rents them who maintains the building? A: Handles by design, not talking about the details.	Kona
329	To do or not to do	Good idea, go in and quality, rent money can go to mortgage now, get mortgage, and get single family home.	Kona
330	To do or not to do	Very much an idea.	Kona
331	To do or not to do	Condominium by Stadium Bowl.	Honolulu
332	To do or not to do	Is there one in Kapolei? Answer: DHHL did two projects, rent to own Kupuna housing (Waimanalo).	Honolulu
333	To do or not to do	I like the idea in general.	Honolulu
334	To do or not to do	Don't want it to be like another KPT Hawaiians can't live like that.	Honolulu
335	To do or not to do	Papakolea Regional Plan wanted to incorporate bowl-a-drome. Bowl-a-drome should have community benefit to Papakolea.	Honolulu
336	To do or not to do	Design multifamily so not boxy.	Honolulu
337	To do or not to do	There are people renting in Kalawaihine, causing parking problem. Too many cars.	Honolulu
338	To do or not to do	Would description of multifamily be statewide or region specfic? Rules could allow for individual region.	Honolulu
339	To do or not to do	Address need for younger beneficiaries provide options for them.	Honolulu
340	To do or not to do	Development of multi-family should meet characteristic of the area.	Honolulu
341	To do or not to do	Papakolea parking problem. Multi-family would contribute to the areas parking problem.	Honolulu
342	To do or not to do	How long for kupuna housing in Papakolea? PCDC has disposition for HHL in Papakolea looking at kupuna housing.	Honolulu
343	To do or not to do	Supportive of multi-family housing (group sentiment).	Honolulu

	A	B	C
1	Topic	Comment	Meeting
344	To do or not to do	Where has DHHL done multi-family? Answer: Kapolei & Waimanalo.	Honolulu
345	To do or not to do	We went to DHHL meeting on bowl-a-drome.	Honolulu
346	To do or not to do	What kind of fees in multi-family? That should determine whether lease or rental.	Honolulu
347	To do or not to do	I would allow both rental & homestead lease.	Honolulu
348	To do or not to do	Are you looking at developments like KPT? That would be scary.	Honolulu
349	To do or not to do	All the jobs are in town.	Honolulu
350	To do or not to do	Would homestead lease in multi-family be same? Answer: Yes, 99 year lease. Allows you to transfer to family.	Honolulu
351	To do or not to do	For condominiums, how many units? Answer: That would be project specific.	Honolulu
352	To do or not to do	Where would development be for multi-family? Answer: We would need to do more studies.	Honolulu
353	To do or not to do	Use good quality material, more expensive but if it's going to be 99 year lease. Worth it.	Honolulu
354	To do or not to do	Is condo or 2 story shared unit multi family? Answer: Yes.	Honolulu
355	To do or not to do	What is minimum unit? Answer: HUD = 4 or more.	Honolulu

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
2	Appraisal cap	Keep cap so Hawaiians on the list can afford	Kapolei
3	Appraisal cap	We should be allowed to sell for full value	Kapolei
4	Appraisal cap	Need administrative rules to control value	Kapolei
5	Appraisal cap	Whatever we invest into the house, we can get out when we sell	Kapolei
6	Appraisal cap	Address the list	Kapolei
7	Appraisal cap	Waiting list first	Kapolei
8	Appraisal cap	I want my successor to have the option to sell	Kapolei
9	Appraisal cap	Have program to help Hawaiians	Kapolei
10	Appraisal cap	Let people sell at market value while DHHL addresses the waitlist	Kapolei
11	Appraisal cap and affordability	If there's no loan, limit SDU to 1,000 sq ft	Molokai
12	Appraisal cap and affordability	What about mobile homes and tiny homes?	Molokai
13	Appraisal cap and affordability	If lots in flood zone, who's going to lend them money?	Molokai
14	Appraisal cap and affordability	Limit value based on an appraised value of what's already there	Molokai
15	Appraisal cap and affordability	Financial qualifications	Molokai
16	Appraisal cap and affordability	Shouldn't set a monetary value because of inflation. Current market value.	Molokai
17	Appraisal cap and affordability	SDUs should be counted in appraisal value that DHHL has to cover. Is there a way for family to assume liability instead of DHHL?	Molokai
18	Appraisal cap and affordability	Keep it affordable	Molokai
19	Appraisal cap and affordability	Take care of parents. Mother-in-laws wait.	Molokai
20	Appraisal cap and affordability	Does the department have limitations currently on what they would approve, size-wise? A: Depends on the size of your lot, set backs requirements, etc. Right now hale is restricted to having one kitchen. In DCCR communities, those plans must be approved by the association first. If they approve, as long as it meets county requirements, DHHL would likely be ok. A: Lease says you must follow county, state, federal rules primarily for safety reasons	Kauai
21	Appraisal cap and affordability	Why are you asking this? Because have already had problems? A: Looking ahead; e.g., subsistence ag trying with engineer stamp vs. whole extensive county process. Baby steps. Expanding on discussion with HHC re: high prices, affordability for beneficiaries, and practical for trust	Kauai
22	Appraisal cap and affordability	Why Oahu centric/Hawaii Island centric? Different on other islands- less expensive. Bring pilot here, we can make it work. County Council is encouraging ADUs...why can't Hawaiian Homes contribute to the problem solving on Kauai; don't start with Oahu	Kauai

	A	B	C
1	Topic	Comment	Meeting
23	Appraisal cap and affordability	Market rates of housing-why can't we interrupt market since we are only leasing land? Since DHHL, can't you take the market out of it? A: Different kinds of transfers. Very issue going on right now with HHC and transfers. If there are additional units on the lot, there is additional value.	Kauai
24	Appraisal cap and affordability	If appraisal cap, doesn't that take it out of the market? This should have been done already or trust is losing money. Isn't DHHL not supposed to be about buying and selling homes? But about getting Hawaiians into housing? A: yes. A: Some people who have the resources may buy and flip houses; this is an issue that has come up before. A: we use Marshall & Swift/cost to replace model of appraisal. Price of house has to match appraisal value.	Kauai
25	Appraisal cap and affordability	Why would value of SDU be limited? A: Department liable for value; trust pays net proceeds	Paukukalo, Maui
26	Appraisal cap and affordability	Types of funding options to be considered in lieu of cap: longer loan amortization, down payment assistance, etc	Paukukalo, Maui
27	Appraisal cap and affordability	Department needs to exhaust all options to assist beneficiaries, e.g., subsidies	Paukukalo, Maui
28	Appraisal cap and affordability	Department should offer pre-purchase training three years before awards and flexibility in financing.	Paukukalo, Maui
29	Appraisal cap and affordability	Q: Does it need to be one or the other; appraisal cap vs no cap? Is there opportunity for flexibility/multiple options?	Paukukalo, Maui
30	Appraisal cap and affordability	Appraisal cap is good for consistency/parity within neighborhoods (e.g., no mega homes).	Paukukalo, Maui
31	Appraisal cap and affordability	Why are we being penalized for building ohana units?	Lahaina, Maui
32	Appraisal cap and affordability	Value of second unit should not exceed value of the original unit.	Keaukaha, Hilo
33	Appraisal cap and affordability	No limit on value of the second unit.	Keaukaha, Hilo
34	Appraisal cap and affordability	Needs to be a formula to take into consideration the value of existing house and area of lot. Expensive houses taking from others.	Kona
35	Appraisal cap and affordability	Implement a cap so if you build above it, you are responsible.	Honolulu
36	Appraisal cap and affordability	Should not be bigger than the main house.	Honolulu
37	Appraisal cap and affordability	Maybe city will address the issue.	Honolulu
38	Appraisal cap and affordability	Tied into city in 2010 for water.	Honolulu

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
39	Appraisal cap and affordability	Lots already are high value.	Honolulu
40	Appraisal cap and affordability	Has to be fair.	Honolulu
41	Appraisal cap and affordability	Use comparables.	Honolulu
42	Appraisal cap and affordability	Kalewahine will be higher	Honolulu
43	Appraisal cap and affordability	Liability and value is different.	Honolulu
44	Appraisal cap and affordability	Pay to the cap.	Honolulu
45	Appraisal cap and affordability	Sell the property for retail value.	Honolulu
46	Appraisal cap and affordability	Publish notice and come back to DHHL if no response.	Honolulu
47	Appraisal cap and affordability	Some compensation to those who put in the improvements.	Honolulu
48	Appraisal cap and affordability	If built illegally, no value for improvements.	Honolulu
49	Appraisal cap and affordability	No caps.	Honolulu
50	Other	Could we do a reverse mortgage on our house?	Molokai
51	Other	Where are the updates to all the laws and rules we have already? Send an update on status of laws and rules to every beneficiary	Molokai
52	Other	How can we help the department help us?	Paukukalo, Maui
53	Other	What is the timeline for creating rules?	Paukukalo, Maui
54	Other	Priority shift: was about getting people off the list and on land, but now priority should be enforcement. We're on our own and it's disappointing and discouraging.	Paukukalo, Maui
55	Other	Department should lead us, tell us who we can turn to for assistance	Paukukalo, Maui
56	Other	Is it to our advantage to have DCCRs?	Paukukalo, Maui
57	Other	DCCRs with no association; how do we change the CCRs if there's no association?	Paukukalo, Maui
58	Other	Fix our own roads, put gates, no one can come in	Lahaina, Maui
59	Other	Beneficiaries should be able to borrow money from Department; ceded lands money	Lahaina, Maui
60	Other	With all the money the department has gotten, why don't we have our own bank or credit union available to make loans? We should have our own.	Lahaina, Maui

	A	B	C
1	Topic	Comment	Meeting
61	Other	Suggestion: Send out materials in advance and in addition to website links for those without computers.	Keaukaha, Hilo
62	Other	Habitat for humanities.	Keaukaha, Hilo
63	Other	What if they're selling it to someone else and DHHL isn't involved?	Kona
64	Pilot project	Work out the kinks on Oahu and Hawaii, <u>then</u> come to Molokai	Molokai
65	Pilot project	Test it out on other islands, then come back to Molokai	Molokai
66	Pilot project	Would like to see Molokai part of this 5 year program--we need the housing	Molokai
67	Pilot project	Add Kauai immediately! Before Oahu and Hawaii Island	Kauai
68	Pilot project	Q: should be a 5 year pilot? A: no, just do it. And include Kauai	Kauai
69	Pilot project	Lessees able to work with community to be able to get SDU program on Maui	Paukukalo, Maui
70	Pilot project	Expand to Maui	Paukukalo, Maui
71	Pilot project	Maui wants to be part of the SDU project. Why is Maui left out?	Paukukalo, Maui
72	Pilot project	Power of people to convince county to work with DHHL	Paukukalo, Maui
73	Pilot Project	Proceed, but 5 years may not be enough to obtain permits.	Keaukaha, Hilo
74	Pilot project	We never hear about how pilot projects are turning out- full disclosure (want dates, feedback).	Kona
75	Pilot project	Where is it being proposed? (Hawaii Island).	Kona
76	Pilot project	Is the SDU not applicable to La'ioipine until the pilot program starts?	Kona
77	Pilot Project	Do you have the pilot coming?	Kona
78	Pilot Project	Based on relationship with county planning department.	Honolulu
79	Pilot Project	Kalawahine went through an extensive process to authorize improvements.	Honolulu
80	Pilot Project	Planning departments with the best relationship.	Honolulu
81	Pilot Project	In order to help with the housing crisis, create a way to help people through the process.	Honolulu
82	Pilot Project	Should be across the state or none.	Honolulu
83	Pilot Project	Best working relationship	Honolulu
84	Pilot Project	Neighbor islands may feel they are not as important.	Honolulu
85	Pilot Project	Consider midway of 5 years.	Honolulu
86	Pilot Project	Go for 5 years and review at 3 years.	Honolulu
87	Pilot Project	No permit to extend until cesspool connected.	Honolulu
88	Pilot project	Add in ag lots	Kapolei
89	Pilot project	As rules move, internally develop processes	Kapolei
90	Pilot project	Why not consider ag and pastoral? --Residential lots for houses, ag and pastoral for other uses --Can build workers quarters on ag and pastoral --So focus is on residential lots	Kapolei

	A	B	C
1	Topic	Comment	Meeting
91	Pilot project	Takes more to manage ag and pastoral so keeping the ohana together can help keep lot in compliance	Kapolei
92	Pilot project	Limited to Oahu and Hawaii because administrative relationship with those two counties	Kapolei
93	Pilot project	How is DHHL going to work with the counties? --DHHL already reached out to counties is the expectation	Kapolei
94	Pilot project	Consideration given to lessees not on Oahu and Hawaii so that if program is expanded, their applications given priority	Kapolei
95	Pilot project	Allow for ag lots	Kapolei
96	Pilot project	Good with pilot the way it is proposed	Kapolei
97	Pilot project	Timeline shorter than multi-family	Kapolei
98	Pilot project	As soon as we have rules, we have an SDU program	Kapolei
99	Pilot project	Who will build the SDU? --Entirely the lessee's responsibility	Kapolei
100	Pilot project	Can the DHHL suggest Hawaiian based contractors?	Kapolei
101	Pilot project	Is there a number cap for the pilot project?	Kapolei
102	Pilot project	Need a licensed contractor in the family	Kapolei
103	Support or not	Two houses on a lot is ok on Molokai, so your children and family can live. Not to rent.	Molokai
104	Support or not	Can rent for short term. Kids move away; SDU is a way to have income.	Molokai
105	Support or not	Yes, support on residential	Molokai
106	Support or not	Yes. Age in place. Extended family.	Kauai
107	Support or not	DHHL should take out whole rental "line." Rentals on island already happening but where's the enforcement?	Paukukalo, Maui
108	Support or not	SDU not attached	Paukukalo, Maui
109	Support or not	If lot is big enough, will two or more dwellings be allowed?	Paukukalo, Maui
110	Support or not	If lot is big enough, can I build another bigger house so my original house is the SDU?	Paukukalo, Maui
111	Support or not	Ag lots allow for multiple dwellings (worker's quarters)	Paukukalo, Maui
112	Support or not	Can DHHL use ag lands for residential use? Depends on DHHL Island Plan	Paukukalo, Maui
113	Support or not	Waiehu Kou 2, 3, 4 are DCCRs could SDUs be built there?	Paukukalo, Maui
114	Support or not	What are the effects of SDUs? More cars, people, etc. County requirements must be met	Paukukalo, Maui
115	Support or not	What about existing SDUs? If there isn't DHHL approval, it might be a lease violation. Current proposal requires compliance to build also allows existing to come into compliance.	Paukukalo, Maui
116	Support or not	Waiehu Kou requires assoaition approval for improvements (DCCR communities)	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
117	Support or not	Support of SDUs on HHL	Paukukalo, Maui
118	Support or not	Benefits: provides housing, keeps ohana together on same lot	Paukukalo, Maui
119	Support or not	Allow SDUs now	Paukukalo, Maui
120	Support or not	Support SDUs	Paukukalo, Maui
121	Support or not	DCCRs should be amended to include SDUs	Paukukalo, Maui
122	Support or not	Support SDUs	Paukukalo, Maui
123	Support or not	County permits are for land taxes	Lahaina, Maui
124	Support or not	Why increase value if taxes will increase?	Lahaina, Maui
125	Support or not	Should allow SDUs. I'm against not getting value from unpermitted improvements.	Lahaina, Maui
126	Support or not	Can you convert garages into living units? Would that be considered an improvement?	Lahaina, Maui
127	Support or not	No one is against SDUs, we don't want the department to work against us. I'm afraid to submit for approval because of losing value.	Lahaina, Maui
128	Support or not	Fix the rules to alleviate worry.	Lahaina, Maui
129	Support or not	County doesn't deny connected units so department shouldn't either.	Lahaina, Maui
130	Support or not	Additional homes--good	Molokai
131	Support or not	Support but need to have on residential <u>and ag</u>	Molokai
132	Support or not	Farmworker housing didn't work. Alternative to find housing	Molokai
133	Support or not	I'm for SDUs on residential and ag	Molokai
134	Support or not	Think of our kids and grandkids--this will affect them	Molokai
135	Support or not	I have a contractual loan, not a mortgage. How does this affect me?	Molokai
136	Support or not	Should be allowed on ag as well as residential	Molokai
137	Support or not	Q: Is there a time period I have to wait for how long I've lived on the lot before I can build an SDU? A: not under the draft.	Molokai
138	Support or not	Should be part of the farm plan	Molokai
139	Support or not	Facilites on Oahu no brainer. Won't work here (Big Island).	Keaukaha, Hilo
140	Support or not	Support of SDU: Proposal for residential yes, but should be expanded to agricultural lots too.	Keaukaha, Hilo
141	Support or not	SDUs are expensive due to water meter, electric, sewage because separate unit.	Keaukaha, Hilo
142	Support or not	Isn't this a third party lease? Allowed if third party is 50% hawaiian.	Keaukaha, Hilo
143	Support or not	Have we perfected the single housing practice? No, then why are we adding more options. Should perfect the primary residence.	Keaukaha, Hilo

	A	B	C
1	Topic	Comment	Meeting
144	Support or not	Supports SDU, but why limited to residential lots? Why not agricultural lots?	Keaukaha, Hilo
145	Support or not	Yes.	Keaukaha, Hilo
146	Support or not	Smaller residential lot sizes would make SDU impractical.	Keaukaha, Hilo
147	Support or not	Support for supplemental dwelling units if financing available. Some not supportive if no financing available.	Keaukaha, Hilo
148	Support or not	We have a housing crisis in this state. Agree- should have on all-residential, agricultural, pastoral. Smaller lots- how are you going to fit? Discriminatory to allow on residential lots. There are residents allowed on pastoral and agricultural lots. Adding another dwelling unit won't diminish what you're doing on the lot (still going to burden).	Kona
149	Support or not	Can we put that in the language now?	
150	Support or not	Only 1 house above us could have another dwelling unit. Too small.	Kona
151	Support or not	Like the idea, where the residential lots permit. Thinking outside the box, couldn't 4 families on 1 acre instead of just one. Like that you have to go through permitting process. DCCRs would allow for that?	Kona
152	Support or not	Makes sense	Honolulu
153	Support or not	More space	Honolulu
154	Support or not	Families that have young adults	Honolulu
155	Support or not	Keep ohana together	Honolulu
156	Support or not	Still a huge list of native hawaiians	Honolulu
157	Support or not	Thinking of the future or mo'opuna	Honolulu
158	Support or not	Make sure that mo'opuna taken care of.	Honolulu
159	Support or not	People pool \$ together.	Honolulu
160	Support or not	Key issue is parking.	Honolulu
161	Support or not	Planning should consider parking and transportation issues.	Honolulu
162	Support or not	Good that DHHL considering housing options.	Honolulu
163	Support or not	SDU for kupuna.	Honolulu
164	Support or not	Yes.	Honolulu
165	Support or not	Yes without size restriction.	Honolulu
166	Support or not	Support because of cost of living.	Honolulu
167	Support or not	Applicant stays on the list even if residing in the SDU.	Honolulu
168	Support or not	Yes	Honolulu
169	Support or not	Support if have parking.	Honolulu
170	Support or not	Already fighting over parking.	Honolulu
171	Support or not	Support SDU for income.	Honolulu
172	Support or not	DCCR already renting.	Honolulu
173	Support or not	Big enforcement problem.	Honolulu
174	Support or not	SDU for adopted child so may have to build on existing home.	Honolulu
175	Support or not	Pay additional monthly for sewer.	Honolulu
176	Support or not	How to go through permit process.	Honolulu
177	Support or not	Parking garage used for storage so that needs to be considered.	Honolulu

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
178	Support or not	No support.	Honolulu
179	Support or not	Yes	Kapolei
180	Support or not	Add in ag lots	Kapolei
181	Support or not	support because multiple families in the home	Kapolei
182	Support or not	More space	Kapolei
183	Support or not	Instead of care home, can care for kupuna. Family together and take care	Kapolei
184	Support or not	DCCR prohibits additional unit --DCCRs would have to be amended --Follow Kanehili DCCR --Need majority --Good topic for DCCR	Kapolei
185	Support or not	Badly needed for some families	Kapolei
186	Support or not	Kanehili has better change because not locked in to a master association	Kapolei
187	Support or not	Not supplemental if adding on to existing house	Kapolei
188	Support or not	Don't you need certain amount of square feet of land/lot --Follow county regulations. Older lots in Waianae, probably not Kapolei	Kapolei
189	Support or not	Can't do it in Kapolei	Kapolei
190	Support or not	New lots should be big enough to accommodate --if lots are bigger, there are less lots to award	Kapolei
191	Support or not	Shopping centers on HHL, what principles does DHHL operate around to determine land uses? --DHHL has Island, Regional, and Area Plans	Kapolei
192	Support or not	Help ohana	Kapolei
193	Support or not	Yes	Kapolei
194	Support or not	Shouldn't be smaller. Allow bigger than original dwelling like in Nanakuli where homes are smaller but lots are bigger	Kapolei
195	Support or not	Build a bigger house and rent the smaller one	Kapolei
196	Support or not	Don't allow monster houses like in Kalihi (20 room housing)	Kapolei
197	Support or not	4 or 5 bedroom house ok	Kapolei
198	Support or not	Size shouldn't really matter if you're building up above garage	Kapolei
199	Support or not	How would rental rules apply? --County will look at ADU regulations for the building --How you use it is where DHHL is involved	Kapolei
200	Support or not	Possible to get or identify construction companies to keep costs down --If construction company had certain pre-approved models	Kapolei
201	Support or not	Is survey required to put up another dwelling	Kapolei
202	Support or not	Similar to ADUs	Kapolei
203	Support or not	Maximum structure size by lot size	Kapolei
204	Support or not	Require either 1 or 2 off street parking depending if ADU or ohana dwelling	Kapolei
205	Support or not	Yes!	Kapolei

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
206	Support or not	If lot is big enough, yes	Kapolei
207	Support or not	Go up if lot is too small	Kapolei
208	Support or not	Concern as a neighbor for privacy and safety so build higher fences	Kapolei
209	Support or not	DHHL already allows extension to existing home	Kapolei
210	Support or not	Check on separate entrance issue	Kapolei
211	Support or not	Even the cost could be too expensive for many to afford	Kapolei
212	When to allow/criteria	Yes, good to comply with County law	Molokai
213	When to allow/criteria	On county water system--have to comply with county rules	Molokai
214	When to allow/criteria	DHHL should have its own permitting system	Molokai
215	When to allow/criteria	DHHL should make the county stop allowing swimming pools--wastes water	Molokai
216	When to allow/criteria	DHHL permitting would require a whole other department	Molokai
217	When to allow/criteria	Water is a big issue here. No one should be issuing new water meters	Molokai
218	When to allow/criteria	On. Ag. Lots. If the lot is big enough; just needs to be big enough	Molokai
219	When to allow/criteria	On ag should be a limit on number of SDUs. Shouldn't interfere with farming.	Molokai
220	When to allow/criteria	Number should depend on size of ag lot	Molokai
221	When to allow/criteria	I'm on a 1/2 acre.	Molokai
222	When to allow/criteria	In line with area plan, island plan	Molokai
223	When to allow/criteria	Should be enough water--new meter or existing meter	Molokai
224	When to allow/criteria	Only 1 story if you already have a 2 story	Molokai
225	When to allow/criteria	What if I elevate in flood zone but then want to occupy bottom floor?	Molokai
226	When to allow/criteria	DHHL should have its own permitting and rules/codes, and fees can go back to the trust	Molokai
227	When to allow/criteria	Criteria--by acreage	Molokai
228	When to allow/criteria	Sewage and water	Molokai
229	When to allow/criteria	Don't think the county should be approving. Keep it in DHHL. County takes too long.	Molokai
230	When to allow/criteria	Keep it in DHHL. Going thru the county will just confuse things.	Molokai
231	When to allow/criteria	When: now. Criteria: go by county laws; if DCCR neighborhood, must pay assessments and be in compliance/be in good standing; tiny homes model/consider size (limit how big but not how small); detached--separate entrance/kitchen/ etc.; just park in front of lot; rental stalls as common area (DCCRs could)	Kauai
232	When to allow/criteria	Shouldn't be obligated to county rules re: we should be able to hook up to the same water meter, etc. (share costs)	Kauai
233	When to allow/criteria	Resources are a concern	Kauai
234	When to allow/criteria	Space	Kauai
235	When to allow/criteria	Sewage--septic tank upgrade	Kauai
236	When to allow/criteria	Have to get a permit from county since they assess and you want equity, it's a catch 22, unless you're an owner-builder.	Kauai

	A	B	C
1	Topic	Comment	Meeting
237	When to allow/criteria	Q: Can you borrow off of HHL? Get your equity? A: Unless you have a NAHASDA loan	Kauai
238	When to allow/criteria	Build traditional hale/solar catchment/composting toilets. State is allowing on Hawaii Island. Not hooked up to city bill, etc. Something to consider	Kauai
239	When to allow/criteria	Should be consistent with county requirements	Paukukalo, Maui
240	When to allow/criteria	Development standards (zoning and building codes) come into play and must be followed	Paukukalo, Maui
241	When to allow/criteria	Sometimes design of homes, placement, does not allow for SDUs that would meet requirements like setbacks	Paukukalo, Maui
242	When to allow/criteria	SB2524 re: requirements for SDUs. Look at bill language for applicability	Paukukalo, Maui
243	When to allow/criteria	DHHL should come up with its own code. County is too stringent. They take good lands and shut Hawaiians out. We need prime land.	Paukukalo, Maui
244	When to allow/criteria	It's good business to work with the County but don't let them govern what we do	Paukukalo, Maui
245	When to allow/criteria	County building codes are established--DHHL should look at those.	Paukukalo, Maui
246	When to allow/criteria	Maximum square footage? Depends on lot size, follow county rules	Paukukalo, Maui
247	When to allow/criteria	Buildings must meet code	Paukukalo, Maui
248	When to allow/criteria	County has building code for kauhale type dwellings	Paukukalo, Maui
249	When to allow/criteria	DHHL should allow what respective counties allow	Paukukalo, Maui
250	When to allow/criteria	Criteria should follow county code/regulations	Paukukalo, Maui
251	When to allow/criteria	DHHL should explore creating a kanaka code--which is more beneficial for beneficiaries?	Paukukalo, Maui
252	When to allow/criteria	If a loan is required for constructionn, county regulations should be followed	Paukukalo, Maui
253	When to allow/criteria	Example: Kahikinui applies kanaka code. However, design review committee reviews for consistency international building code--requires architect stamp, etc. Run the risk of losing assets due to inability to insure if no permit	Paukukalo, Maui
254	When to allow/criteria	Maui county--no building permit and no water; work with the county	Paukukalo, Maui
255	When to allow/criteria	DHHL needs to assert claims for water; transmission and lines	Paukukalo, Maui
256	When to allow/criteria	Requirement that SDU be smaller should not be considered; some people start small	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
257	When to allow/criteria	How many SDUs would be allowed?	Paukukalo, Maui
258	When to allow/criteria	Parking/other impact considerations with SDUs differs by community	Paukukalo, Maui
259	When to allow/criteria	Permits for street parking	Paukukalo, Maui
260	When to allow/criteria	Parking areas (DCCR issue; needed common areas)	Paukukalo, Maui
261	When to allow/criteria	Parking is a consideration	Paukukalo, Maui
262	When to allow/criteria	Don't always like county rules, some things should be regulated by DHHL	Paukukalo, Maui
263	When to allow/criteria	DCCRs would apply if DCCR community	Paukukalo, Maui
264	When to allow/criteria	No enforcement or civic engagement	Paukukalo, Maui
265	When to allow/criteria	Q: can associations be combined, e.g., Waiehu Kou? Yes, possible also possible to dissolve but can be complex process	Paukukalo, Maui
266	When to allow/criteria	Have to submit plans to county; proposal is that county rules should be followed	Paukukalo, Maui
267	When to allow/criteria	DHHL should develop its own code with beneficiary input. --Affects insurance requirements, etc. --Offer different options for different scenarios; maybe no code requirements for some	Paukukalo, Maui
268	When to allow/criteria	Q: attached or separate SDUs? A: separate	Paukukalo, Maui
269	When to allow/criteria	Permit required for self-contained, off grid homes?	Paukukalo, Maui
270	When to allow/criteria	SDUs change community make up, more people/families, puts neighbors against neighbors for parking, etc. So there are enforcement issues.	Paukukalo, Maui
271	When to allow/criteria	DCCR communities can control SDU development	Paukukalo, Maui
272	When to allow/criteria	More rules being made when existing rules not enforced	Paukukalo, Maui
273	When to allow/criteria	No need go through County (permits, etc.), money should go back to Hawaiians. Department approval only.	Lahaina, Maui
274	When to allow/criteria	Department should develop a building code	Lahaina, Maui
275	When to allow/criteria	Size of residential lots will determine per county regulations whether can build an SDU.	Keaukaha, Hilo
276	When to allow/criteria	DHHL should create a division to approve building permits rather than go through the county.	Keaukaha, Hilo
277	When to allow/criteria	If houses is old, how do you build second unit not to exceed the first?	Keaukaha, Hilo

	A	B	C
1	Topic	Comment	Meeting
278	When to allow/criteria	What if built upward, would that qualify as an SDU? Whether funding available to cover cost increases by building up.	Keaukaha, Hilo
279	When to allow/criteria	Whether DHHL can advocate to the county on behalf on lessees to obtain exemptions?	Keaukaha, Hilo
280	When to allow/criteria	Cesspools no longer being an accepted practice; cost to convert to septic or connect to a sewer line.	Keaukaha, Hilo
281	When to allow/criteria	County or not? DHHL to work with county to advocate for lessees.	Keaukaha, Hilo
282	When to allow/criteria	Building permits require county approval.	Keaukaha, Hilo
283	When to allow/criteria	Can SDU be attached to the main unit? (Answer: No, then it would not be an SDU).	Keaukaha, Hilo
284	When to allow/criteria	Size of lot and of SDU is a function of county requirements, standards.	Keaukaha, Hilo
285	When to allow/criteria	Still ongoing concerns about rehabilitating the old houses.	Keaukaha, Hilo
286	When to allow/criteria	Hawaii County currently not considering Ohana housing requests.	Keaukaha, Hilo
287	When to allow/criteria	DHHL should advocate to county on behalf of lessees.	Keaukaha, Hilo
288	When to allow/criteria	Are Kawaihae lots big enough? (Yes- 1 acre)	Kona
289	When to allow/criteria	If you have a mortgage on the 1st house, will there be assistance, financings to build an SDU?	Kona
290	When to allow/criteria	Is there a height limitation? If 2 story would wipe out neighbor's view? DHHL won't let until county approves?	Kona
291	When to allow/criteria	Department should pay attention to the number of homes going in. How many people and cars, too close together. People don't follow the rules.	Kona
292	When to allow/criteria	Is application process for SDU or for getting on the list?	Kona
293	When to allow/criteria	Aren't they allowed currently?	Kona
294	When to allow/criteria	Is there already a cop on the main houses? (No.)	Kona
295	When to allow/criteria	Have list approved with counties.	Honolulu
296	When to allow/criteria	Why recreate the wheel	Honolulu
297	When to allow/criteria	Rules require go to counties.	Honolulu
298	When to allow/criteria	Parking/sewer/slope all issues.	Honolulu
299	When to allow/criteria	Look at all infrastructure issues. Parking/sewer, etc.	Honolulu
300	When to allow/criteria	Going up may be an option but cost of foundation is a factor.	Honolulu
301	When to allow/criteria	Grandson returning home so timing important.	Honolulu
302	When to allow/criteria	Once rules created then process developed.	Honolulu
303	When to allow/criteria	Pre-approved design to follow can make it easier, more affordable; same for everyone.	Honolulu
304	When to allow/criteria	Is it possible to make the existing home the SDU and build a larger home?	Honolulu
305	When to allow/criteria	Process of subdividing through county.	Honolulu
306	When to allow/criteria	Internal procedures to follow.	Honolulu
307	When to allow/criteria	Logically the request would come to DHHL first.	Honolulu
308	When to allow/criteria	Expensive to build so subdivision the best option.	Honolulu
309	When to allow/criteria	Is there a square footage requirement.	Honolulu
310	When to allow/criteria	Use county criteria.	Honolulu

	A	B	C
1	Topic	Comment	Meeting
311	When to allow/criteria	Homes in Papakolea already on the slope so SDU may be a challenge.	Honolulu
312	When to allow/criteria	Look at design of the structure.	Honolulu
313	When to allow/criteria	Why bother sending to county?	Honolulu
314	When to allow/criteria	Department to create its own process but long term.	Honolulu
315	When to allow/criteria	Build up as an option.	Honolulu
316	When to allow/criteria	Keep county guidelines but application reviewed in those areas not approved by the county.	Honolulu
317	When to allow/criteria	Create internal process as rules are approved.	Honolulu
318	When to allow/criteria	Have a process for DHHL to consider SDU.	Honolulu
319	When to allow/criteria	County code and department issue.	Honolulu
320	When to allow/criteria	Start it but control the size of the SDU.	Honolulu
321	When to allow/criteria	Shouldn't control the size of the SDU.	Honolulu
322	When to allow/criteria	Multi generations living in the house.	Honolulu
323	When to allow/criteria	Renovate original house and then SDU.	Honolulu
324	When to allow/criteria	Don't have that money 27,000 square foot properties.	Honolulu
325	When to allow/criteria	Work out an option to subdivide larger properties.	Honolulu
326	When to allow/criteria	Parking an issue.	Honolulu
327	When to allow/criteria	Kalawahine is still preservation land.	Honolulu
328	When to allow/criteria	Need to address maps.	Honolulu
329	When to allow/criteria	R5 should be in county records.	Honolulu
330	When to allow/criteria	Balance with obligation to service amenities.	Honolulu
331	When to allow/criteria	DHHL manage influx.	Honolulu
332	When to allow/criteria	Consider tiny homes to address list.	Honolulu
333	When to allow/criteria	Tiny home with option instead of condominium.	Honolulu
334	When to allow/criteria	What about option to generate income.	Honolulu
335	When to allow/criteria	Figure out enforcement.	Honolulu
336	When to allow/criteria	On issue of SDU- for example no Papakolea lot could have one; parking would be an issue.	Honolulu
337	When to allow/criteria	Have size/space to build then you should be allowed to build	Kapolei
338	When to allow/criteria	Whatever size county allows	Kapolei
339	When to allow/criteria	Criteria is DHHL and lots size	Kapolei
340	When to allow/criteria	DHHL should look at value	Kapolei
341	When to allow/criteria	Stay low income community	Kapolei
342	When to allow/criteria	Ratio between building and land like tiny homes	Kapolei
343	When to allow/criteria	One option is tiny home	Kapolei
344	When to allow/criteria	Lessee of the lot is the owner of the SDU	Kapolei
345	When to allow/criteria	Is the Department ready to handle permits? Lessee has to be in good standing through Homestead Services Division and building plans reviewed by Land Development Division	Kapolei
346	When to allow/criteria	Why even go to the city? --the city issues building permits, which can impact insurance and financing	Kapolei
347	When to allow/criteria	DHHL should get an exemption so dwelling can be larger	Kapolei

	A	B	C
1	Topic	Comment	Meeting
348	When to allow/criteria	Size of home based on size of lot	Kapolei
349	When to allow/criteria	Not a cookie cutter	Kapolei
350	When to allow/criteria	If lot allows larger dwelling, that should determine size of the SDU	Kapolei
351	When to allow/criteria	If you have a named successor, then that successor should be automatic if they pay for the SDU	Kapolei
352	When to allow/criteria	Do owner-builder for SDU	Kapolei
353	When to allow/criteria	Have parking permits	Kapolei
354	When to allow/criteria	Amendment of county requirements for DHHL	Kapolei
355	When to allow/criteria	Use same plumbing for affordability	Kapolei
356	When to allow/criteria	Cost will be outrageous for separate utilities	Kapolei
357	When to allow/criteria	Share sewer and water costs	Kapolei
358	When to allow/criteria	Extension separate and use existing utilities	Kapolei
359	When to allow/criteria	Build a senior cottage in the back for privacy of the senior couple	Kapolei
360	When to allow/criteria	If allowed to go up, will we be dealing with monster homes?	Kapolei
361	When to allow/criteria	Need parking on your lot for SDU no parking in your neighbor's lot	Kapolei
362	When to allow/criteria	Process requirements	Kapolei
363	When to allow/criteria	Who finances SDU? --Lessee is responsible for financing, permitting, and relationship with tenant	Kapolei
364	When to allow/criteria	I have a concern about a kupuna lessee financing and what will happen with the successor because sometimes the successor cannot assume the loan	Kapolei
365	When to allow/criteria	Follow DCCR to build an extension	Kapolei
366	When to allow/criteria	Financing for construction of the SDU with loan	Kapolei
367	When to allow/criteria	The lessee would need a rental agreement and would be responsible under landlord/tenant law	Kapolei
368	When to allow/criteria	Limit to Hawaiians because its on HHL	Kapolei
369	When to allow/criteria	Find out blood quantum of the renter	Kapolei
370	When to allow/criteria	Enforcement is a big question	Kapolei
371	When to allow/criteria	This is too risky to allow renters	Kapolei
372	Who can live in SDU	Person in SDU should be on waitlist	Molokai
373	Who can live in SDU	Ohana first. No short term.	Molokai
374	Who can live in SDU	And waitlist	Molokai
375	Who can live in SDU	Ohana ok--25%. Ok if not on list as long as 50%.	Molokai
376	Who can live in SDU	Rentals--help out firefighters, etc.	Molokai
377	Who can live in SDU	Want to add ag and pastoral for the kids. Instead, families transferring and jumping the list. Other lots could be for families that don't have.	Molokai
378	Who can live in SDU	Good to have your family around you as you get older.	Molokai
379	Who can live in SDU	Ohana can all contribute--residing would be more affordable	Molokai
380	Who can live in SDU	Molokai is economically deprived of jobs. Family is everything, want to be closer to family. Multiple houses, children all around us. Can't afford homestead on their own. Only 1 employer here now. Homesteaders not leaving this island so we need to help the homesteaders. Want our kids to stay here.	Molokai

	A	B	C
1	<b>Topic</b>	<b>Comment</b>	<b>Meeting</b>
381	Who can live in SDU	Keiki and kupuna--get everybody to live on the homestead. Be all together, family celebrations. Get people on the land.	Molokai
382	Who can live in SDU	Family. Don't do short term rentals	Molokai
383	Who can live in SDU	Beneficiaries. Successors. Extended family.	Molokai
384	Who can live in SDU	Lineal descendants. But even if spouse is not Hawaiian, spouse is still ohana	Molokai
385	Who can live in SDU	What about if they (widow) remarry and spouse is not Hawaiian?	Molokai
386	Who can live in SDU	Raising everyone together will help everyone get along better and prevent problems from happening among successors	Molokai
387	Who can live in SDU	If they all get their own house, they'd get along better	Molokai
388	Who can live in SDU	Family, broaden to extended family--nieces, nephews, cousins, aunties, uncles of 25%	Kauai
389	Who can live in SDU	Q: rent only to 50%? A: doesn't blood quantum apply only to lease? For SDU can't I rent to any Hawaiian? R: the farther we get away from the language of the act the more we are open to lawsuits--we want to expand by protect	Kauai
390	Who can live in SDU	I think we should be able to have anyone live for no rent; to rent, 50%	Kauai
391	Who can live in SDU	We need to define "live"	Kauai
392	Who can live in SDU	Q: If we're putting our life savings in to build these things, why can't we rent out to anybody? It is still benefitting native Hawaiian lessees (my husband, my kids) A: Because act stipulates otherwise	Kauai
393	Who can live in SDU	Fourth purpose from Prince Kuhio is merchantilism. Some folks are doing business from home. Self-sufficiency purposes. Have to consider for supplemental income purposes.	Kauai
394	Who can live in SDU	Who enforces 50% living in my house? Lessee rentals in my neighborhood. Why have rules if cannot enforce current rules? How do I find 50% rental under current rules?	Paukukalo, Maui
395	Who can live in SDU	Some NH blood quantum requirements being decreased. DHHL should look at doing same lower blood quantum	Paukukalo, Maui
396	Who can live in SDU	Do rentals affect property taxes?	Paukukalo, Maui
397	Who can live in SDU	If SDUs to be rented, landlord training should be required	Paukukalo, Maui
398	Who can live in SDU	Income from rental should be counted as income for loan qualification	Paukukalo, Maui
399	Who can live in SDU	Rental incentives (HUD vouchers, etc) should be allowed to be considered.	Paukukalo, Maui
400	Who can live in SDU	SDUs for families or rental or both? What about blood quantum?	Paukukalo, Maui
401	Who can live in SDU	Definition of ohana is too restrictive. Aloha vs law; self-determination	Paukukalo, Maui

	A	B	C
1	Topic	Comment	Meeting
402	Who can live in SDU	Relation and any amount of Hawaiian should be allowed	Paukukalo, Maui
403	Who can live in SDU	I'd like to see the department move towards stronger enforcement	Paukukalo, Maui
404	Who can live in SDU	Blood quantum divides us	Paukukalo, Maui
405	Who can live in SDU	If I move and vacate the house, can someone live there, like a caretaker?	Paukukalo, Maui
406	Who can live in SDU	Who will enforce?	Lahaina, Maui
407	Who can live in SDU	Renters must comply with landlord/tenant code.	Keaukaha, Hilo
408	Who can live in SDU	Be careful about use/practice of renting.	Keaukaha, Hilo
409	Who can live in SDU	Renting require a GE license?	Keaukaha, Hilo
410	Who can live in SDU	If your family is on the waitlist, do they come off if they establish an SDU.	Keaukaha, Hilo
411	Who can live in SDU	Ohana: Parents, children, siblings, cousins suggested.	Keaukaha, Hilo
412	Who can live in SDU	Ohana occupant- should be any member of the family- lots of people aren't 25%. What about rest of family?	Kona
413	Who can live in SDU	209(a) refers to the successor lessee. This refers to the occupant. This need to be further discussed.	Kona
414	Who can live in SDU	I have to rent out to 50% Hawaiian?	Kona
415	Who can live in SDU	I have a problem with this question. Opens it up. Too broad- opens up a can of works. Bring it back before us when you have revised draft rules- what to know what's proposed.	Kona
416	Who can live in SDU	Generations to follow.	Honolulu
417	Who can live in SDU	Standard already set.	Honolulu
418	Who can live in SDU	Quantum going down.	Honolulu
419	Who can live in SDU	How will this be enforced? Renter or applicant or apply.	Honolulu
420	Who can live in SDU	Newsletter for renters/space on website.	Honolulu
421	Who can live in SDU	Any legal ramifications for limiting rentals to native Hawaiians.	Honolulu
422	Who can live in SDU	Only rent to list provided.	Honolulu
423	Who can live in SDU	Anybody.	Honolulu
424	Who can live in SDU	Accommodate adopted, hanai or those living in the home.	Honolulu
425	Who can live in SDU	People living in SDU pay for costs.	Honolulu
426	Who can live in SDU	I open to non-Hawaiian, no title or benefit.	Honolulu
427	Who can live in SDU	Lessee is responsible for what happens on the lot.	Honolulu
428	Who can live in SDU	Qualified Hawaiians	Kapolei
429	Who can live in SDU	Ohana living on the lot may not be "qualified"	Kapolei
430	Who can live in SDU	Ohana is ohana, not about blood quantum	Kapolei
431	Who can live in SDU	Control through genealogy	Kapolei
432	Who can live in SDU	Tied to HHCA preserves the intentions	Kapolei
433	Who can live in SDU	How will this be monitored?	Kapolei
434	Who can live in SDU	Issue continues to divide	Kapolei
435	Who can live in SDU	In favor of tying who can live there to the HHCA because the issue is before the Commission	Kapolei
436	Who can live in SDU	We need to keep the integrity of the HHCA intact	Kapolei

	A	B	C
1	Topic	Comment	Meeting
437	Who can live in SDU	Hawaiian	Kapolei
438	Who can live in SDU	As long as can prove Hawaiian, don't care about blood quantum	Kapolei
439	Who can live in SDU	How will this be enforced?	Kapolei
440	Who can live in SDU	Prince Kuhio's vision was 1/32	Kapolei
441	Who can live in SDU	Start with waitlist	Kapolei
442	Who can live in SDU	If Hawaiian needs a place to live then they should be allowed to rent on HHL	Kapolei
443	Who can live in SDU	I support 25% quantum	Kapolei
444	Who can live in SDU	Landlord/tenant but Department will review	Kapolei
445	Who should live in SDU	25% for ohana.	Honolulu
446	Who should live in SDU	If rent, should go to native Hawaiians.	Honolulu
447	Who should live in SDU	Applicant information confidential so need process to inform applicants.	Honolulu
448	Who should live in SDU	Consent form for rental purposes.	Honolulu
449	Who should live in SDU	Family means any blood relation as long as Hawaiian	Kapolei
450	Who should live in SDU	Suggestion to allow adopted family	Kapolei
451	Who should live in SDU	Guidelines should not put DHHL at risk	Kapolei
452		Rent to ohana first	Molokai



Date: 5-7-18

Location: Lihue Kauai

Topic: SPY

Deary

COMMENT SHEET

PUBLIC HEARING FOR PROPOSED ADMINISTRATIVE RULE AMENDMENTS

NAME: Sham Cummings

ADDRESS: [Redacted] Lihue, 96766

COMMENTS: Very important of my aged. More of this is extremely important!

Melab Vai DHHL!!  
And especially Party Ulu hafa ad Party Bone!!

Date: 7 May 2018

Location: Hanamaulu Kauai

Topic: Multi-Family DCCRS

COMMENT SHEET

PUBLIC HEARING FOR PROPOSED ADMINISTRATIVE RULE AMENDMENTS

NAME: Tom Kanahale

ADDRESS: [Redacted] Lihue, HI 96766

COMMENTS: NO multi-family housing, leasing or rentals. This is what sections housing is for! No. No. No.  
If this is adopted, then every hawaiian or <sup>wait</sup> list should first be offered LAND, not an apartment, and NOT a mortgage.  
These kind of rule changes are a slippery slope. Just like how agricultural awards "disappeared," as mortgages come "on line" w/ DHHL, soon, apartments will be all DHHL ~~offer~~ is offering. No.  
As a cultural "in tact" kanaka maoli, I want land to plant kalo, plant mail

EXHIBIT F

Date: 5/7/18

Location: KING KAUMUAHI Topic: SDU

**COMMENT SHEET**

**PUBLIC HEARING FOR PROPOSED ADMINISTRATIVE RULE AMENDMENTS**

NAME: Alika Woodward

ADDRESS: [REDACTED], Kapaa, HI, 96746

COMMENTS: To allow lesses who's descendants (children) ~~also~~ does not meet the blood quantum to inherit what was given. ~~also~~ Because it is something that was given to their parent, they grew up on the homestead. it seems unfair to remove them because they dont quite meet that blood quantum / ~~also~~ ~~also~~ we should be allowed to rent SDU to our children and whoever if we want because it is a great way to allow our children to have their own dwelling if not them its a great way for hawaiians to have supplemental income for them to get ahead.

EXHIBIT F

# Beneficiary Consultation Comment on Proposed Admin Rule Changes

JoRina Holland <[REDACTED]>

Tue 5/8/2018 12:09 AM

To: Lindsey, Hokulei <hokulei.lindsey@hawaii.gov>;

**Name**

JoRina Holland

**Applicant or Lessee?**

Lessee

**E-mail**

[REDACTED]

**Comment or Message**

1. The Dept NEEDS to always consider due process before lease cancellation.
  - a) Blood quantum is being diluted therefore the lessee may only have 1/4 successors and to come this far just to get cancelled is WRONG!!!!
  - b) As members of the DCCR we need to hold them responsible for people throwing their junk into our neighborhood (have pictures if you don't believe me), homeless transplants living on our beaches just 50 feet from our property line (have pictures), and trash on our beaches (have pictures). Who is holding the DCCR accountable? If the association isn't cleaning up the common areas or using the funds responsibly what will the Dept do for the members of the DCCR?
2. Homestead communities always needs a community center with a full kitchen, women's bathroom stalls, men's bathroom stalls, and ohana bathroom. The community center must have a large seating area with tables, chairs, benches, and stage. The center must be equipped with electrical plugs throughout, overhead lighting, and ample parking. A children's playground area. Large grass lawn for outdoor activities such as inflatables for children's birthday party, soccer practice, croquet, etc.

EXHIBIT F

3. Design restrictions on homes should NOT consist on size, color, shape, or parking. If the lessee can afford it then the Dept should allow it.
4. The Dept MUST develop multi-family housing for lease, rent, and both.
5. Renting on Hawaiian Home Lands would begin with the application list, send out the questionnaire for interested applicants, you know the process.
6. Management Company must be based in the islands. Have Hawaiian personnel on their payroll. Be physically located on the island in which they are being considered. Why? To be given the opportunity to serve for the people one must be a part of the people and know the people. We are Hawaiian NOT a statistic!!
7. I support SDUs on HHL because of family growth, financial necessity, and support.
8. SDUs need to be allowed NOW! Criteria needs to meet county codes which follows health and water safety issues.
9. The proposal pilot NEEDS to include Kauai.
10. The SDU may be occupied by the discretion of the lessee.
11. Since the price of land has raised dramatically, the liability for the Dept has increased exponentially, therefore the Dept NEEDS to consider turning the leasehold to fee simple in order to relinquish the liability.

Sent from Department of Hawaiian Home Lands

EXHIBIT F

# Piilani Mai Ke Kai

JoRina Holland [REDACTED]

Thu 5/31/2018 7:45 AM

To: Lindsey, Hokulei <hokulei.lindsey@hawaii.gov>;

Aloha,

Noticed a few things at PMKK

1. Kids riding their dirt bikes on our properties.
2. People driving their cars on our properties.
3. Trash left everywhere from on our properties to the beach.
4. Abandon vehicles on the road to the beach.
5. PMKK is a DCCR with a \$60 annual fee - who is responsible for holding the DCCR association responsible for their duties?
6. Who holds DHHL responsible for the homeless, abandoned vehicles, and trash from Ehukai Rd to the beach?

Picture attached.

EXHIBIT F [REDACTED]



JoRina Holland  
Accountant

EXHIBIT F

# Proposed rule changes(SDUs)

william aila jr [REDACTED]

Wed 8/1/2018 9:23 AM

To: Lindsey, Hokulei <hokulei.lindsey@hawaii.gov>;

Aloha Hokulei, Mahalo for all your hard work in putting together these rule changes. Whatever can help the beneficiaries are greatly needed. As for the SDUs it would be very beneficial to Ag Lots. I understand as the rules stand now we can have a workman's quarter. I guess each case should be on a case by case basis. We do Ag but for now we do not sell what we grow we give it away. We have daytime jobs. A workman's quarters is not what we need. Another home would be what we need. If we need to get permits, funding, put a lot of time in the process. All of that energy would be well invested into a home rather, then a workman's quarter. I didn't get to share more of my input at Monday night's meeting but I am doing so now for the record. I do support SDU's. Mahalo again for your time. Have a nice day,

EXHIBIT F

# Beneficiary Consultation Comment on Proposed Admin Rule Changes

Lynette Kanani Sang [redacted]

Thu 8/2/2018 3:28 PM

To: Lindsey, Hokulei <hokulei.lindsey@hawaii.gov>;

**Name**

Lynette Kanani Sang

**Applicant or Lessee?**

Lessee

**E-mail**

[redacted]

**Comment or Message**

Aloha mai kakou! I attended the July 30 Kapolei Beneficiary consultation and participated in the break-out groups. Due to time constraints I was not able to discuss the topic of possibly allowing families to lease land where we can gather and live sustainable lives by providing our own food and building our homes. I don't know what the name of this concept is but I have seen it on Kaua'i, private land. A family consisting of 5 brothers & sisters each on a divided parcel of land which they built homes on.

I also wanted to mention that on a larger scale, maybe setting aside some land where families can gather to hold family reunions. Our family struggle to find a location that can hold the mass amount of family (my family in particular between 500-700) to hold such an event. The public parks are limited in size and only allow permits at some public beaches for 100 people and you can only apply for these permits up to 2 weeks prior to the event. This hinders families from planning for these types of events. Maybe if you have access to some beach property that can accommodate families.

EXHIBIT F

9/17/2018  
mailto:hokulei.lindsey@hawaii.gov

# FW: Proposed Changes to DHHL Administrative Rules

Homelani Schaedel [REDACTED]

Tue 9/4/2018 7:38 AM

To: Lindsey, Hokulei <hokulei.lindsey@hawaii.gov>;  
[REDACTED]

Aloha e Hoku:

My cousin Kau'i told me she sent in her comments (below) but it was kicked back as not deliverable. Although the deadline has passed, please include her comments in your review as she addresses some of the same issues we've discussed in the past.

Mahalo piha,  
Aunty Home

---

**From:** Kau'ilani Sang [REDACTED]  
**Sent:** Monday, September 3, 2018 4:53 PM  
**To:** [REDACTED]  
**Subject:** Fwd: Proposed Changes to DHHL Administrative Rules

Sent from my iPhone

Begin forwarded message:

**From:** "Kau'ilani Sang" [REDACTED]  
**Date:** August 31, 2018 at 3:53:25 PM HST  
**To:** [dhhl.rules@hawaiianhomelands.org](mailto:dhhl.rules@hawaiianhomelands.org)  
**Subject:** Proposed Changes to DHHL Administrative Rules

Aloha,

I would like to start of by saying mahalo for providing the opportunity to comment. I realize that these comments are one day beyond deadline but I hope that they may still be considered.

While I was present at the beneficiary consultation held at Hale Pono'i, I felt strongly that the facilitation process restricted the opportunity to have deeper discussion about the design factors that led to the presentation. My main concern can be identified on Slide 9 in the presentation deck. When taking a look at the process timeline, it is my strong belief that the beneficiary voice should be included in the front of the discussions. The consultation event doesn't show up until after decisions about draft rules are already made.

I would like to propose that the Department re-evaluate its process to take into consideration the beneficiary input as a way to design the draft rules and start the process again. Not only might this help mitigate back end buy-in, it provides for a more authentic, closer to ground, set of rules. Much of the commentary we heard at the convening was driven by something proposed that did not include beneficiary voice. If you move to include beneficiary voice at step one, and use some of the other steps to work towards collectively refining, we might get to a better more concerted effort.

With that, I thank you again for the opportunity to provide comments. If you would like to contact me, you may reach me by email here or by telephone at [REDACTED] I strongly urge a reconsideration to restart the process.

[REDACTED]

Na'u me ke aloha no ka 'āina,  
Kau'i Sang

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

August 30, 2018

TO: Department of Hawaiian Home Lands  
FROM: M Kapuniaia  
RE: Comments to Proposed Admin Rules

DELETE = ( ) INSERT = UNDERLINE NEW VERBIAGE

## CHAPTER 7

### PLANNED COMMUNITIES, MULTI-FAMILY COMPLEXES, AND RENTAL HOUSING

I am sorry, but not enough has been done to justify admin rules for  
Planned Communities subject to DCCR, at this point in time.

More research has to be done regarding:

- (1) the reasons for large delinquencies,
- (2) the struggles of the "associations" formed by anyone else but those who have to become members and the officers who are trying diligently to be accountable,
- 3) the drafting process of the DCCRs, no participation by those who have to comply, and, recordation of the DCCRs
- 4) the system where the new lessee has had to accept the unseen, already contrived and recorded DCCRs before selecting their lot  
( I do see that an educational effort ahead of lot selection has been proposed (yeh),
- 5) dictatorial powers allowed the "declarant",
- 6) need more concerted effort to resolve before imposing enforcement
- 7) formation of the "Association" can not be the responsibility of the "Declarant"

Spend more time with the struggling associations and the causes of the  
current situation to arrive at positive resolve.

Back to the drawing board - giant issue

EXHIBIT F

Inclusion of 209-(a) is absolutely incorrect -deals with deceased lessee who has not designated a successor, and is another discriminatory move to decrease our rights as a lessee of this "rehabilitation" program.

10-3-40.04

SDU application and review.

(a) last sentence - If the lessee fails to revise . . .return. . .within ( 30 days ) 6 months, the application shall be cancelled.

(It takes you folks years to complete a simple one-lot subdivision, if at all - **STOP BEING UNREASONABLE!!!**)

10-3-40.07

Supplemental dwelling units

(b) (1) The only biological relationship is immediate family lineal descendency as identified in previous subsections.

Sentence #2 (The department may allow . . .charged.)

The lessee may request that the ohana occupant contribute toward household expenses such as utilities and mortgage payments.

The lessee shall set parameters for occupancy.

EXHIBIT F

August 30, 2018

TO: Department of Hawaiian Home Lands  
FROM: M Kapuniai  
RE: Comments to Proposed Admin Rules

DELETE = ( ) INSERT = UNDERLINE NEW VERBIAGE

**CHAPTER 3, SUBCHAPTER 3.1**

**SUPPLEMENTAL DWELLING UNIT**

**10-3-40.01 Purpose**

The purpose of this subchapter is to provide **(residential)** lessees who qualify, with the option to build a supplementary dwelling unit that...financial strain.

**THIS OPPROTUNITY SHALL BE AVAILABLE TO ALL PROJECT AREAS, INCLUDING FARM AND PASTORAL!!!!**

**There is no justification for the discrimination, pilot project or not! All families have the same challenge and can benefit, no matter what type of lease is executed!!!!!!**

**YOU, ALL, HAVE BEEN ILL-ADVISED!!!**

**DELETE ALL "RESIDENTIAL" verbiage!**

**10-3-40.2 Definitions.**

As used in this subchapter, unless context... otherwise,

"Dwelling unit renter" means **(the native Hawaiian) the immediate family member or lineal descendant** who rents, from the lessee, ... others

"Good Standing" means... obligations contained in the **(residential)** homestead lease, the act, and this title.

"Ohana occupant" means the **(qualified relative under section 209 (a) of the act) immediate family member or lineal descendant** who resides...family.

EXHIBIT F

August 30, 2018

TO: Department of Hawaiian Home Lands  
FROM: M Kapuniai  
RE: Comments to Proposed Admin Rules

DELETE = ( ) INSERT = UNDERLINE NEW VERBIAGE

10-7-41 Rental Housing Offers

(1) The Department shall notify...

Insert New (2)

(2) The Department shall include with the notification to residential applicants, *The Rental Program Parameters*, which have been reviewed and approved by Housing Beneficiary Organizations, and approved by the Hawaiian Homes Commission.

10-7-42 Kupuna Housing

(b) If a lessee accepts a kupuna housing offer, the lessee shall (immediately) occupy, within six months, the kupuna housing and, within (six months) 12 months either transfer...lease.

(c) If the list... still available, the (property management company may accept...through (1) & (2)) the department shall initiate recruitment, accept qualified applicants for the Kupuna Rental Housing, and notify the Property Management Company of the potential tenants.

(d) as is

10-7-43 Rental Agreement Controlling. The Rental Agreement which has been reviewed by the department and approved by the Hawaiian Homes Commission shall control... till the end.

10-7-45 Vacant Units.

To ensure...shall proceed under section 10-7-41 as amended.

EXHIBIT F

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 18, 2017

To: Chairman and Members, Hawaiian Homes Commission

From: Niniau K. Simmons, NAHASDA Manager

Subject: Native Hawaiian Housing Block Grant  
Annual Performance Report (APR)

RECOMMENDED MOTION/ACTION:

To accept the 2017 Native Hawaiian Housing Block Grant Annual Performance Report.

DISCUSSION:

Title VIII of the Native American Housing and Self Determination Act requires the Department of Hawaiian Homes Lands, as the sole recipient of Native Hawaiian Housing Block Grant funds, to report annually on activities performed in the past year. The report, disseminated for thirty days of public comment on August 22, 2017, will be finalized and submitted to the U.S. Office of Housing and Urban Development by September 30, 2017. The shaded sections of the APR report on activities approved as the Annual Housing Plan in April 2016.

*Highlights:*

Spenddown Fourth Year July 1, 2016 - June 30, 2017:

**\$19.3 million expended**

Spenddown Third Year July 1, 2015 - June 30, 2016:

**\$11.6 million expended**

Spenddown Second Year July 1, 2014 - June 30, 2015:

**\$14.1 million expended**

Spenddown First Year July 1, 2013 - June 30, 2014:

**\$5.6 million expended**

**Fiscal Year 2016 - 2017 Expenditures by AHP Activity:**

AHP 1. 2016 Capital Improvement Projects	\$8,251,681
AHP 2. Developer Financing	\$ 3,548
AHP 3. HALE Risk Mitigation	\$ 612,517
AHP 4. HALE Loss Mitigation	\$ 103,395
AHP 5. Homeowner Financing	\$7,653,710
AHP 6. Energy Retrofits	\$ 49,006
AHP 7. Home Assistance Program	\$ 560,000
AHP 8. Water Improvements	\$ 0
AHP 9. Emergency Financing	\$ 56,997
AHP 10. Land Acquisition	\$ 0
AHP 11. Rental Operating Subsidy	\$ 0

NOTE: For AHP 8, Environmental Assessments not yet completed for Anahola and Hoolehua. Awaiting responses from State Historic Preservation Division.

For AHP 10, DHHL did look at some potential land purchases but environmental contamination ruled out said parcels.

For AHP 11, HUD technical assistance came in June 2017, too late to execute the subsidy until this current fiscal year.

Current NAHASDA Balance: \$29,759,152

Encumbered by Contract: \$12,486,103

Available NAHASDA Balance: \$17,273,049

# 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/APR

Office of Public and Indian Housing

Office of Native American Programs

For DHHL's Use: To cover eligible activities from July 1, 2017 – June 30, 2018.

## 2017 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](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/nahasda/guidance) until a guidance specific to the NHHP/APR form is made available.

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

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

## ***TABLE OF CONTENTS***

<u>SECTION</u>	<u>PAGE NUMBER</u>
COVER PAGE.....	3
SECTION 1: FIVE YEAR PLAN.....	5
SECTION 2: HOUSING NEEDS .....	11
SECTION 3: PROGRAM DESCRIPTIONS .....	13
SECTION 4: AFFORDABLE HOUSING RESOURCES .....	37
SECTION 5: BUDGETS.....	44
SECTION 6: OTHER SUBMISSION ITEMS.....	47
SECTION 7: NATIVE HAWAIIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE.....	49
SECTION 8: SELF-MONITORING.....	50
SECTION 9: INSPECTIONS.....	51
SECTION 10: AUDITS .....	52
SECTION 11: PUBLIC AVAILABILITY .....	53
SECTION 12: JOBS SUPPORTED BY NAHASDA.....	54
SECTION 13: NHHP WAIVER REQUESTS .....	55
SECTION 14: NHHP AMENDMENTS .....	56

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

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

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

**U.S. Department of Housing and Urban Development**

**NHHP/APR**

Office of Public and Indian Housing  
Office of Native American Programs

**COVER PAGE**

**(1) Grant Number: 12HBGHI0001; 13HBGHI0001; 14HBGHI0001; 15HBGHI0001; 17HBGHI0001**

**(2) Recipient Fiscal Year: 2018**

**(3) Federal Fiscal Year: 2017**

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

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

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

<b>(7) Name of Recipient:</b> Department of Hawaiian Home Lands		
<b>(8) Contact Person:</b> Niniiau Simmons, NAHASDA Manager		
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<b>(10) Mailing Address:</b> PO Box 1879		
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<b>(16) Tax Identification Number:</b> 99-0266483
<b>(17) DUNS Number:</b> 809935661
<b>(18) CCR/SAM Expiration Date:</b> 03/17/18
<b>(19) NHHBG Annual Grant Amount:</b> \$2,000,000.00
<b>(20) Name of Authorized NHHP Submitter:</b> Jobie M. K. Masagatani
<b>(21) Title of Authorized NHHP Submitter:</b> Chairman, Hawaiian Homes Commission
<b>(22) Signature of Authorized NHHP Submitter:</b>
<b>(23) NHHP Submission Date:</b> 05/31/2017
<b>(24) Name of Authorized APR Submitter:</b> Jobie M. K. Masagatani
<b>(25) Title of Authorized APR Submitter:</b> Chairman, Hawaiian Homes Commission
<b>(26) Signature of Authorized APR Submitter:</b>
<b>(27) APR Submission Date:</b>

**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: **2017** through **2022**

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

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

Enter the DHHL's Mission Statement here:

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

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

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

#### Goals May Include:

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

#### Objectives May Include:

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

<b>Program/Activity Description:</b> Infrastructure Development (Statewide)	To build infrastructure for lots statewide; 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.

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

Select from the goals listed above.

<b>Objective(s) Number: IIa.</b>	<b>(18) Other Housing Service</b>
--------------------------------------	-----------------------------------

Select from the objectives listed above.

<b>Program/Activity Description:</b> Risk Mitigation (Statewide)	At minimum, every family that receives a NAHASDA-funded loan will receive financial literacy education; case management assistance; and servicing by HALE vendor post-home ownership or home repair as needed.
--	--

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

<b>Goal(s) Number: V.</b>	(5) Create new affordable rental units
-------------------------------	--

Select from the goals listed above.

<b>Objective(s) Number: Va.</b>	(4) Construction of rental housing
-------------------------------------	------------------------------------

Select from the objectives listed above.

<b>Program/Activity Description:</b> Lai Opua Rent with Option to Purchase, Developer Financing	This activity will provide NAHASDA funding as part of a capital stack to conduct vertical construction of 118 units in Village 4 of Lai Opua.
--	---

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

<b>Goal(s) Number: VI.</b>	(5) Create new affordable rental units
--------------------------------	--

Select from the goals listed above.

<b>Objective(s) Number: VIa.</b>	(4) Construction of rental housing
--------------------------------------	------------------------------------

Select from the objectives listed above.

<b>Program/Activity Description:</b> Kupuna Housing Development	This activity will support the development of elderly housing for the aging native Hawaiian population. Sites may include the departments land at Isenberg and East Kapolei II.
---	---

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

<b>Goal(s) Number: VII.</b>	(7) Provide accessibility for disabled/elderly persons
---------------------------------	--

Select from the goals listed above.

<b>Objective(s) Number: VIIa.</b>	(16) Rehabilitation assistance to existing homeowners
---------------------------------------	---

Select from the objectives listed above.

<b>Program/Activity Description:</b> Home Assistance Program (Statewide)	<p>This activity provides three types of assistance: (1) a deferred, no payment loan up to \$100,000; (2) a small repayment loan (up to \$50,000) for costs exceeding the original \$100,000 amount; and (3) a demolition/new build loan for properties who cost to repair exceed the appraised or tax assessed value.</p> <p>Over 60 families identified for this program are located in: Kalamaula/Hoolehua, Molokai; Keaukaha-Panaewa, Hawaii; Nanakuli/Waianae/Waimanalo/Papakolea, Oahu.</p>
--	---

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

<b>Goal(s) Number: VIII.</b>	(3) Improve quality of substandard units
----------------------------------	--

Select from the goals listed above.

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

Select from the objectives listed above.

<b>Program/Activity Description:</b> Potable Water Development (Statewide)	This activity will support the development and delivery of potable water to new and existing homesteads.
--	--

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

<b>Goal(s) Number: IX.</b>	(1) Reduce over-crowding; (5) Create new affordable rental units; (2) Assist renters to become homeowners
--------------------------------	---

Select from the goals listed above.

<b>Objective(s) Number: IXa.</b>	(10) Acquisition of land for homebuyer unit development; (6) Acquisition of land for rental housing development;
--------------------------------------	--

Select from the objectives listed above.

<b>Program/Activity Description:</b> Land Acquisition (Oahu – Priority)	This activity will support land purchase(s) for home development.
---	---

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

<b>Goal(s) Number: X.</b>	(1) Reduce over-crowding
-------------------------------	--------------------------

Select from the goals listed above.

<b>Objective(s) Number: Xa.</b>	(18) Other Housing Service
-------------------------------------	----------------------------

Select from the objectives listed above.

<b>Program/Activity Description:</b> Alternative Housing Design	This activity will support the design of alternative housing models, to include multi-family; multi-lease; and culturally-relevant housing models.
--	--

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

<b>Goal(s) Number: XI.</b>	(8) Improve energy efficiency
--------------------------------	-------------------------------

Select from the goals listed above.

<b>Objective(s) Number: XIa.</b>	(16) Rehabilitation assistance to existing homeowners
--------------------------------------	---

Select from the objectives listed above.

<b>Program/Activity Description:</b> Energy Retrofits	This program reduces the high cost of energy in the State by installing solar panels or photovoltaic panels on lessee homes thru the use of subrecipient/vendor and/or new construction loans.
--	--

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

<b>Goal(s) Number: XII.</b>	(10) Other
---------------------------------	------------

Select from the goals listed above.

<b>Objective(s) Number: XIIa.</b>	(18) Other Housing Service
---------------------------------------	----------------------------

Select from the objectives listed above.

<b>Program/Activity Description:</b> Loss Mitigation	HALE vendors, and/or HUD certified housing agencies, address loss mitigation efforts for those lessees with guaranteed/insured loans or DHHL direct loans.
---	--

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

<b>Goal(s) Number: XIII.</b>	(3) Improve quality of substandard units
----------------------------------	--

Select from the goals listed above.

<b>Objective(s) Number: XIIIa.</b>	(19) Housing Management Services
--	----------------------------------

Select from the objectives listed above.

<b>Program/Activity Description:</b> Waimanalo Kupuna Housing Operating Subsidy	This activity establishes an Operating Subsidy for the Waimanalo Kupuna Housing from 2017 – 2046. Built in 2002 utilizing Low Income Housing Tax Credits, the operating subsidy will assist in stabilizing rental increases over the remainder of the project's LIHTC existence. The use of NHHBG funds in the project will result in tenant's maximum contribution not exceeding 30% of their gross monthly income.
--	--

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

# ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT

## SECTION 2: HOUSING NEEDS

(NAHASDA § 803(c)(2)(B))

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

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

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

In the last two housing plans, the DHHL has used this space to recount the history and context from which the Hawaiian Homes Commission Act was founded. In this, the 95<sup>th</sup> year of the HHCA's signing by President Warren G. Harding, the department rests on its prior years recounting of the efforts made to establish homesteading for native Hawaiians.

**(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)):*

Over the past three housing plans, the DHHL has developed nearly 400 lots for vertical development. As this current fiscal year enters its final quarter, new lot awards in Anahola, Kauai and Kakaina, Oahu have occurred and anticipated awards in Keokea-Waiohuli will round out the remaining months. HALE has been involved pre-award to provide financial literacy to applicants and the 60/40 split homeowner financing has already seen 7 homes built on Molokai in the first two quarters of this fiscal year. In addition, the department has received technical assistance from HUD providers for the development of this year's housing plan and the use of NAHASDA leveraging with USDA funds for water system improvements in Anahola and Hoolehua.

The activities set forth in the One Year Plan will continue to cover end of project costs for Capital Improvement Projects statewide as subdivision plans, punch list items, and close out construction costs. The major expenditure focus is Homeowner Financing which directly assists new lessees with home construction or home purchase.

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

In early 2013, the Department confirmed the Hawaiian Homes Commission's commitment in the \$75 million NAHASDA spend down to addressing new housing opportunities for home ownership. Since the need for housing was statewide, a priority had to be developed that beneficiaries and lessees could readily understand and accept. It was determined that prioritizing based on the homestead mo'okū'auhau would serve as the best methodology in prioritizing NAHASDA funding and the initial first three homesteads of Kalamaula, Ho'olehua and Keaukaha were chosen. The programmatic funding of Home Assistance Program (home rehabilitation); HALE (financial literacy/foreclosure prevention); and Homeowner Financing (60/40 split; Deferred Sales Price; Self Help; IDA; DPA) were utilized in these areas and then expanded to other homestead areas in the last two years. Homeowner Financing are direct loans (or DPA) from the department and the availability is limited to new homestead awards coming online.

**SECTION 3: PROGRAM DESCRIPTIONS**

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

**Planning and Reporting on Program Year Activities**

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

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

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

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

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

**Outcome May Include:**

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

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

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

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

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

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

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

**1.1 Program Name and Unique Identifier:** 2017 Capital Improvement Projects (AHP I)

**1.2 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 130 lots in IIC.

Waimanalo

To construct infrastructure development for 46 lots in Kakaina. Outstanding claims at the end of construction keeps this project in the housing plan for this next fiscal year.

Waiohuli

To construct onsite drainage mitigation measures and other improvements for 46 lots. Majority of work completed; however, some post-construction expenditures continue.

Panaewa

This activity provides infrastructure and lot development of 16 subsistence ag lots in Panaewa, Hawaii. Draft EA completed and awaiting County approval of DHHL zoning and subdivision request.

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

(24) Infrastructure to Support Housing [810(b)(1)]

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

(2) Assist renters to become homeowners

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

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

(24) Infrastructure to Support Housing [810(b)(1)]

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

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

Applicant lessees or undivided interest lessees who meet NAHASDA criteria will receive vacant or improved lots for new home construction.

**1.7 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.

**1.2 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 ONGOING

To construct infrastructure development for 130 lots in IIC. E Kapolei II (Kauluokahai) II-C: Still in Design stage; construction bid expected in early 2019.

Panaewa ONGOING

This activity provides infrastructure and lot development of 16 subsistence ag lots in Panaewa, Hawaii. Draft EA completed and awaiting County approval of DHHL zoning and subdivision request.

Waimanalo COMPLETED

To construct infrastructure development for 46 lots in Kakaina. Outstanding claims at the end of construction keeps this project in the housing plan for this next fiscal year.

Waiohuli COMPLETED

To construct onsite drainage mitigation measures and other improvements for 46 lots. Majority of work completed; however, some post-construction expenditures continue.

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

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

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

N/A.

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

N/A

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

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

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

This activity will provide for funding as part of a capital stack to conduct vertical construction of 70 rent with option to purchase units in Lai Opua, Village 4. Proposals received from developers in late Fall 2016; currently seeking best and final from the top three scores. Actual construction date estimated in the 3<sup>rd</sup> or 4<sup>th</sup> quarter of the fiscal year.

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

(4) Construction of Rental Housing [810(b)(1)]

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

7) Create new affordable rental units

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

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

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

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

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

Undivided interest lessees meeting the 80% AMI income guidelines will have the opportunity to rent with an option to purchase their unit. NAHASDA guidelines for rental projects keep the unit rents at or below 30% of the tenant's gross monthly income.

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

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

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

The Department utilized this activity for its East Kapolei IIB project to provide assistance to the developer for vertical construction of 100 units for turnkey construction. Developer agreement signed in fourth quarter of state fiscal year with construction beginning in July 2018.

Negotiations with the selected developer in Lai Opua are still ongoing to determine unit mix and AMI count.

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

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

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

DHHL project staff continue to work with the chosen developer for its Lai Opuia project. HUD provided valuable technical assistance in reviewing the selected developer’s proposal after selection. DHHL continues to negotiate with selected developer to build the 118 rental with option to purchase units.

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

None.

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

**1.1 Program Name and Unique Identifier:** HALE Program – Risk Mitigation (AHP III)

**1.2 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 and identified barriers to loan approval and developed risk mitigation efforts to address/remove those barriers.

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

(18) Other Housing Service [810(b)(2)]

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

(2) Assist renters to become home owners

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

**1.5 Actual Outcome Number** *(In the APR identify the actual outcome from the Outcome list.):* (2) Assist renters to become home owners

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

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

HALE's risk mitigation services will serve the following projects statewide, assisting beneficiaries to become loan qualified:

Kauai: 10 lessees, Piilani Mai Ke Kai

Maui: 6 Undivided Interest lessees

Molokai: 6 Package Home lessees

Molokai: 6 Home Repair lessees

Oahu: 2 Kanehili lessees for turnkey units

Oahu: 4 Kakaina lessees for self-help units

Oahu: 2 Kakaina lessees for Packaged Home units

Oahu: 160 East Kapolei IIB

Hawaii: 10 Lai Opuu lessees Blitz Build

Hawaii: 118 Lai Opuu lessees, Village 4

Hawaii: 5 Self Help lessees, Kawaihae Mauka

Hawaii: 33 Package Home lessees in Keaukaha

Hawaii: 12 Home Repair lessees in Keaukaha

Hawaii: 38 Discovery Harbor lessees in Kau

Total: 412 lessees

HALE may also assist other families as necessary, statewide.

**1.7 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 department has moved the two housing specialists into HALE and a new manager promoted to oversee the program. HALE staff now conduct lease awards on projects statewide and under this housing plan, expect to conduct lease awards across the islands.

The following vendors 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:

- 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 (Assist families on Oahu with homeownership preparation)

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

Executed Agreements:

- Hawaii Home Ownership Center, 2014 Award, \$622,263; bal. \$599,314 (Assist families on Hawaii Island & Kauai with homeownership preparation)
- Helen Wai, LLC, 2014 Award, \$498,000; bal. \$105,806 (Assist families on Oahu with homeownership preparation)

All homeowner contracts are expiring and unspent funds will be unencumbered and used for other eligible activities. New procurement under way to use Trust funds instead. NAHASDA staff are providing risk mitigation services for families with NAHASDA loans in Waiohuli in the absence of a HALE provider for Maui County.

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Households	35	<b>35</b>

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

NAHASDA will no longer be used to fund HALE services. The project concept of awarding a lot, linking that family to a HALE provider for assessment and coordination with DHHL loan staff proved difficult to execute.

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

None.

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

**1.1 Program Name and Unique Identifier:** HALE Program – Loss Mitigation (AHP IV)

**1.2 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.

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). Spurred to action based on the 11/30/14 Delinquency Report compiled by HSD that showed the direct loan portfolio at 26% delinquent (approximately \$16 million), it was the FHA Insured Loan portfolio that caused 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.

As part of its implementation of loss mitigation, the HALE Manager will now be able to refer families at key points in the delinquency continuum at 30-, 60-, and 90-days instead of waiting to make the referral to HALE providers. Working with HSD staff, Fiscal and the NAHASDA Manager, HALE will be able to export data from its providers and identify the following outcomes in the APR:

- family remains in home with workout plan
- family remains in home, delinquency refinanced
- family remains in home, mortgage loan refinanced
- family remains in home, contested case hearing scheduled
- family remains in home, contested case hearing ongoing
- family remains in home, lease cancelled/transition plan begins
- family evicted

**1.3 Eligible Activity Number** *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):* (18) Other Housing Service [810(b)(2)]

**1.4 Intended Outcome Number** *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):* (12) Other

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

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

(6) Assist affordable housing for low income households

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

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

**1.7 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:

- 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 Corporation, 2015 Award, \$100,000 (Assist up to 50 lease cancellation families)

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

The department is discontinuing the use of NAHASDA funds for this activity as the existing contracts expire.

Executed Agreements:

- Hawaii Community Assets, 2015 Award, \$300,000 (Assist up to 150 lease cancellation families); bal. \$260,398
- Helen Wai, 2015 Award, \$200,000 (Assist up to 100 lease cancellation families); bal. \$108,684
- Nanakuli Housing Corporation, 2015 Award, \$100,000 (Assist up to 50 lease cancellation families); bal. \$49,038

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Households	75	25

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

N/A

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

None.

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

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

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

This activity 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.

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

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

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

(2) Assist renters to become homeowners

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

**1.5 Actual Outcome Number** *(In the APR identify the actual outcome from the Outcome list.):* (2) Assist renters to become homeowners

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

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

Kauai: 10 lessees, Piilani Mai Ke Kai

Maui: 6 Undivided Interest lessees

Molokai: 6 Package Home lessees

Molokai: 6 Home Repair lessees

Oahu: 2 Kanehili lessees for turnkey units

Oahu: 4 Kakaina lessees for self-help units

Oahu: 2 Kakaina lessees for Packaged Home units

Oahu: 160 East Kapolei IIB

Hawaii: 10 Lai Opuu lessees Blitz Build

Hawaii: 118 Lai Opuu lessees, Village 4

Hawaii: 5 Self Help lessees, Kawaihae Mauka

Hawaii: 33 Package Home lessees in Keaukaha

Hawaii: 12 Home Repair lessees in Keaukaha

Hawaii: 38 Discovery Harbor lessees in Kau

Total: 412 lessees

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

**1.8 APR:** (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)): The department was able to execute \$2.7 million in direct loans this past year.

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
<b>Units</b>	<b>15</b>	<b>17</b>

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

N/A.

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

None.

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

**1.1 Program Name and Unique Identifier:** Energy Retrofits (AHP VI)

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

This program reduces monthly costs to the lessee by providing energy saving retrofits.

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

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

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

(10) Improve energy efficiency

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

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

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

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

Eligible lessees residing on department's trust lands are eligible for assistance.

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

The 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)

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

This contract expired this past year and remaining balance unencumbered.

Executed Agreements:

Council for Native Hawaiian Advancement, 2011 Award: \$453,058; Bal: \$379,037 (ex. 01/10/13; 60 families)

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Households	25	<b>11</b>

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

N/A.

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

None.

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

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

**1.2 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. 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 assisted.

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

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

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

(3) Improve quality of substandard units

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

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

(3) Improve quality of substandard units

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

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

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.

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

Deferred 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, 2012 Award: \$360,850; bal. \$313,727.67 (Assist 5 lessees)

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

The department was able to assist the following number of families in completing their home repair: 7.

The contract for this vendor also closed out this past year and completed its target goal of helping five families repair their home.

Executed Agreements:

- Nanakuli Housing Corporation, 2012 Award: \$360,850; bal. \$2.88 (Assist 5 lessees)

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Units	5	7

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

N/A

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

None.

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

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

This activity will be reported on the Uses of Funding Table

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

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

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

The DHHL will be using non-NAHASDA funding for this activity.

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

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

**1.1 Program Name and Unique Identifier:** Emergency Financing (AHP IX)

**1.2 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.

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

(24) Infrastructure to Support Housing [810(b)(1)]

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

(4) Improve quality of existing infrastructure

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

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

(4) Improve quality of existing infrastructure

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

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

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)

**1.7 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.

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

The DHHL was able to utilize funds from this activity to assist 80% AMI income eligible families with canal/bridge/retaining wall repairs.

This activity will be reported on the Uses of Funding Table

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

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

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

N/A

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

None.

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

**1.1 Program Name and Unique Identifier:** Property Acquisition (AHP X)

**1.2 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.

**1.3 Eligible Activity Number** *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):* (10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]

**1.4 Intended Outcome Number** *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):* (1) Reduce over-crowding

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

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

(1) Reduce over-crowding

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

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

Applicants on the waitlist will be assisted by having additional affordable housing stock made available to lease by the department.

**1.7 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.

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

The DHHL continues to look for eligible properties not bogged down by environmental concerns. As the NAHASDA balance is currently too low to support a large land purchase, this activity will likely be phased out in upcoming housing plans.

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Acres	1	0

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

Property that DHHL considered have been complicated by environmental issues which make long-term residential use unlikely.

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

None.

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

**1.1 Program Name and Unique Identifier:** Rental Operating Subsidy (AHP XI)

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

This activity provides funds for use as a rental operating subsidy to eligible rental housing on Trust Lands in Waimanalo.

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

(20) Operation and Maintenance of NHHBG-assisted Units

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

(6) Assist Affordable Housing for Low-Income Households

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

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

(6) Assist Affordable Housing for Low-Income Households

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

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

The rental housing project, with up to 85 units, on Trust Lands in Waimanalo will be assisted.

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

The project would be assisted with an annual operating subsidy paid directly to the development company. This elderly housing project was first occupied in 2002 and was constructed with funds from the state's Low-Income Housing Trust Fund and Rental Housing Trust Fund along with funds from DHHL and the Office of Hawaiian Affairs.

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

DHHL completed HUD technical assistance in June 2018, too late to execute and MOA with the developer that would provide rental assistance to kupuna at 80% AMI and below. DHHL staff currently working on agreement that would ensure rents do not exceed 30% of their adjusted monthly income while NAHASDA funds are used as a rental subsidy.

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: <b>Units; Households; Improved Lots; Acres</b>	Planned Number of <b>Outputs</b> to be completed in Fiscal Year Under this Program	APR: Actual Number of <b>Outputs</b> Completed in Fiscal Year
Units in Inventory	40	<b>0</b>

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

Review of the documents behind the 2002 project took some time by the HUD consultant. Meetings via phone/person/email over the past fiscal year helped to figure out what could be done and how.

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

None.

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

## SECTION 4: AFFORDABLE HOUSING RESOURCES

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

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

Wages remain relatively low in Hawai'i making housing affordability a major issue for residents of the state. Because wages remain low, families living in Hawai'i often work more than one job to make ends meet. The SMS Study of 2006 indicated that 44% of all households in the state were at or below 80% of median income. According to the same report, even families with household incomes between 120% and 140% of median income in Hawai'i require affordable housing units given the high 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'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 Sherriff's Office and the Attorney General's Office—Investigative Division to do surveillance and to evict the offending occupants whenever there is evidence of drug problems or other crimes in the homestead areas. If investigation results in a conviction, the lessee is taken to a contested case hearing for lease cancellation.

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

The DHHL was created by the State Legislature in 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) — 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) – 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) – 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) – 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) – 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) – 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) – 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 – concentrating on the design and construction of off-site and on-site improvements for the various subdivisions; and 2) Master-Planned Community – expediting the construction of housing options through partnerships with private sector and exploring other housing opportunities; and, 4) Housing Project—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  
Pearl Teruya, 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)  
Michelle Hitzeman, HALE Manager  
Paula Aila, 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  
Dean Oshiro, Housing Services Division Administrator  
Carol Ann Takeuchi, Housing Specialist (NAHASDA)  
Nadine Pomroy, Clerk (NAHASDA)  
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	23,000,000	2,000,000	25,000,000	6,130,000	18,870,000	29,759,152	2,000,000	31,759,152	17,322,708	14,436,444	8,019,596
2. NHHBG Program Income	0	480,000	480,000	480,000	0	87,664	1,091,987	1,179,651	1,111,182	68,469	
LEVERAGED FUNDS											
3. Other Federal Funds											
4. LIHTC											
5. Non-Federal Funds											
<b>TOTAL</b>	<b>23,000,000</b>	<b>2,480,000</b>	<b>25,480,000</b>	<b>6,610,000</b>	<b>18,870,000</b>	<b>29,846,816</b>	<b>3,091,987</b>	<b>32,938,803</b>	<b>18,433,890</b>	<b>14,504,913</b>	<b>8,019,596</b>

**Notes:**

- a. 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).**
- b. Total of Column D should match the total of Column N from the **Uses Table** on the following page.
- c. Total of Column I should match the Total of Column Q from the Uses Table on the following page.**
- d. 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)
<b>2017 CIP</b>	<b>AHP I</b>	<b>500,000</b>		<b>500,000</b>	<b>776,767</b>	<b>284,199</b>	<b>1,060,966</b>
Developer Financing – Lai Opu	AHP II	250,000		250,000	10,464,322	0	10,464,322
HALE Risk Mitigation	AHP III	150,000		150,000	224,238	105,255	329,493
HALE Loss Mitigation	AHP IV	150,000		150,000	46,317	33,179	79,496
Homeowner Financing	AHP V	1,500,000	480,000	1,980,000	2,718,869	266,620	2,985,489
Energy Retrofits	AHP VI	100,000		100,000	24,417	56,934	81,352
HAP	AHP VII	500,000		500,000	1,077,997	254,190	1,332,187
Water Improvements	AHP VIII	1,000,000		1,000,000	0	0	0
Emergency Financing	AHP IX	500,000		500,000	344,795	2821	347,616
Land Acquisition	AHP X	500,000		500,000	0	0	0
Rental Operating Subsidy	AHP XI	200,000		200,000	0	0	0
Planning & Administration		780,000		780,000	1,644,986	107,984	1,752,970
Loan Repayment – describe in 3 and 4 below.							
<b>TOTAL</b>		<b>6,130,000</b>	<b>480,000</b>	<b>6,610,000</b>	<b>17,322,708</b>	<b>1,111,182</b>	<b>18,433,891</b>

**Notes:**

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

**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 & Anahola Water System improvements will be leveraged with NHHBG and USDA. Estimated NAHASDA share at \$15 million for both Anahola and Hoolehua water systems.

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

The DHHL saw a small increase in program income this year, up \$300,000 from last year and a result of the number of NAHASDA loans being originated in the previous fiscal year.

## 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	Six month
\$25,000 to \$50,000	1 years
\$50,001 to \$100,000	10 years
\$100,001 to \$150,000	20 years
\$150,001 and above	30 years

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

For all NHHBG funded mortgage loans (new construction), 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.**

**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/APR**

Office of Public and Indian Housing  
Office of Native American Programs

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**(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.

**(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  Not Yet.

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

DHHL will be hiring a consultant this year to conduct self-monitoring and will be in Hawaii the last week in September to conduct the review.

## SECTION 9: INSPECTIONS

(NAHASDA § 819(b))

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

(A) Activity		(B) Total number of units inspected	Results of Inspections	
			(C) Total number of units (Inventory)	
<b>NAHASDA-Assisted Units:</b> Running inventory as of Fiscal Year Beginning (July 1) a 12-month total.				
a.	New Construction Completed	17		
b.	Rehab/Repair Completed	7		
c.	Rental Assistance (if applicable)	0		
d.	Other (energy retrofits)	9		
<b>Total</b>		<b>33</b>	<b>424</b>	

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

**(3) If no, why not:**

## SECTION 10: AUDITS

(24 CFR § 1006.375(d))

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

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

Yes  No

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

If No, an audit is not required.

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

## SECTION 11: PUBLIC AVAILABILITY

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

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

Check one:    Yes     No

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

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

**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.).

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

**(3) Narrative (optional):**

**SECTION 13: NHHP WAIVER REQUESTS**

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

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

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

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

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

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

**SECTION 14: NHHP AMENDMENTS**

(24 CFR § 1006.101(d))

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Notes:**

a. 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).**

b. Total of Column D should match the total of Column N from the **Uses Table** on the following page.

**c. Total of Column I should match the Total of Column Q from the Uses Table on the following page.**

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

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHP			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)
Planning and Administration							
Loan repayment							
<b>TOTAL</b>							

**Notes:**

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

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

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

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

DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
September 24-25, 2018  
Keaukaha, Hawaii

D-ITEMS  
**HOMESTEAD SERVICES DIVISION**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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

September 24, 2018

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through August 31, 2018

	As of 7/31/18	Add	Cancel	As of 8/31/18
Residential	8,370	3	4	8,369
Agricultural	1,096	0	1	1,095
Pastoral	410	0	0	410
<b>Total</b>	<b>9,876</b>	<b>3</b>	<b>5</b>	<b>9,874</b>

The number of Converted Undivided Interest Lessees represents an increase of 423 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 7/31/18	Converted	Rescinded/ Surrendered/ Cancelled	As of 8/31/18
Undivided	902	3	0	899

Balance as of 8/31/2018

Awarded	1,434
Relocated to UNDV	7
Rescinded	111
Surrendered	5
Cancelled	3
Converted	<u>423</u>
Balance to Convert	899

Lease Report For the Month Ending August 31, 2018

	----- RESIDENCE -----			----- AGRICULTURE -----			----- PASTURE -----			----- TOTAL LEASES -----		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
<b>OAHU</b>												
Hoolimalima	70	0	0	70	0	0	0	0	0	0	0	70
Kakaia	10	3	0	13	0	0	0	0	0	0	0	13
Kalawahine	91	0	0	91	0	0	0	0	0	0	0	91
Kanehili	358	0	0	358	0	0	0	0	0	0	0	358
Kapolei	255	0	0	255	0	0	0	0	0	0	0	255
Kaupea	325	0	0	325	0	0	0	0	0	0	0	325
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kewalo	249	0	0	249	0	0	0	0	0	0	0	249
Kumuhau	52	0	0	52	0	0	0	0	0	0	0	52
Lualualei	149	0	0	149	31	0	0	31	0	0	0	180
Maluohai	156	0	0	156	0	0	0	0	0	0	0	156
Nanakuli	1,048	0	0	1,048	0	0	0	0	0	0	0	1,048
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	271	0	0	271	0	0	0	0	0	0	0	271
Waiahole	0	0	0	0	16	0	0	16	0	0	0	16
Waiānae	419	0	0	419	11	0	0	11	0	0	0	430
Waimanalo	735	0	3	732	2	0	0	2	0	0	0	734
<b>TOTAL</b>	<b>4,271</b>	<b>3</b>	<b>3</b>	<b>4,271</b>	<b>60</b>	<b>0</b>	<b>0</b>	<b>60</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,331</b>
<b>MAUI</b>												
Hikina	30	0	0	30	0	0	0	0	0	0	0	30
Kahikinui	0	0	0	0	0	0	0	0	75	0	0	75
Keokea	0	0	0	0	65	0	0	65	0	0	0	65
Leali	104	0	0	104	0	0	0	0	0	0	0	104
Pāukukalo	180	0	0	180	0	0	0	0	0	0	0	180
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	109
Waiehu 3	114	0	0	114	0	0	0	0	0	0	0	114
Waiehu 4	97	0	0	97	0	0	0	0	0	0	0	97
Waiohuli	593	0	0	593	0	0	0	0	0	0	0	593
<b>TOTAL</b>	<b>1,266</b>	<b>0</b>	<b>0</b>	<b>1,266</b>	<b>65</b>	<b>0</b>	<b>0</b>	<b>65</b>	<b>75</b>	<b>0</b>	<b>0</b>	<b>1,406</b>
<b>EAST HAWAII</b>												
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	2
Kamāoa	0	0	0	0	0	0	0	0	25	0	0	25
Kaumana	42	0	0	42	0	0	0	0	0	0	0	42
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	121	0	0	121	0	0	0	121
Panaewa	0	0	0	0	262	0	0	262	0	0	0	262
Pihonua	17	0	0	17	0	0	0	0	0	0	0	17
Pueo	0	0	0	0	12	0	0	12	0	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	4
Waiakea	298	0	0	298	0	0	0	0	0	0	0	298
<b>TOTAL</b>	<b>839</b>	<b>0</b>	<b>0</b>	<b>839</b>	<b>395</b>	<b>0</b>	<b>0</b>	<b>395</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>1,259</b>
<b>WEST HAWAII</b>												
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16
Kanohāle	224	0	0	224	0	0	0	0	0	0	0	224
Kawaihae	186	0	0	186	0	0	0	0	1	0	0	187
Laiopua	284	0	0	284	0	0	0	0	0	0	0	284
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	30
Niēnie	0	0	0	0	0	0	0	0	21	0	0	21
Puukapu/Waimea/Kuhio VII	115	0	0	115	110	0	0	110	215	0	0	440
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
<b>TOTAL</b>	<b>872</b>	<b>0</b>	<b>0</b>	<b>872</b>	<b>110</b>	<b>0</b>	<b>0</b>	<b>110</b>	<b>282</b>	<b>0</b>	<b>0</b>	<b>1,264</b>
<b>KAUAI</b>												
Anahola	534	0	0	534	46	0	0	46	0	0	0	580
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1
<b>TOTAL</b>	<b>698</b>	<b>0</b>	<b>0</b>	<b>698</b>	<b>46</b>	<b>0</b>	<b>0</b>	<b>46</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>745</b>
<b>MOLOKAI</b>												
Hoolehua	157	0	1	156	346	0	1	345	21	0	0	522
Kalamāula	163	0	0	163	71	0	0	71	3	0	0	237
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	3
One Aili	28	0	0	28	0	0	0	0	0	0	0	28
<b>TOTAL</b>	<b>395</b>	<b>0</b>	<b>1</b>	<b>394</b>	<b>420</b>	<b>0</b>	<b>1</b>	<b>419</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>840</b>
<b>LANAI</b>												
Lanai	29	0	0	29	0	0	0	0	0	0	0	29
<b>TOTAL</b>	<b>29</b>	<b>0</b>	<b>0</b>	<b>29</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>29</b>
<b>STATEWIDE TOTAL</b>	<b>8,370</b>	<b>3</b>	<b>4</b>	<b>8,369</b>	<b>1,096</b>	<b>0</b>	<b>1</b>	<b>1,095</b>	<b>410</b>	<b>0</b>	<b>0</b>	<b>9,874</b>

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING  
August 31, 2018

AREA WAITING LIST

DISTRICT AREA	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu District	961	0	0	0	0	0	0	0	0	961
Mau District	50	0	0	4	0	0	5	0	0	59
Hawaii District	130	0	0	28	0	0	46	0	0	204
Kauai District	51	0	0	3	0	0	28	0	0	82
Molokai District	20	0	0	18	0	0	1	0	0	39
<b>TOTAL</b>	<b>1,212</b>	<b>0</b>	<b>0</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>80</b>	<b>0</b>	<b>0</b>	<b>1,345</b>

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu	9,706	16	11	3,696	4	2	0	0	0	13,409
Mau	3,798	4	3	4,659	1	1	608	1	1	9,066
Hawaii	5,733	5	1	7,165	6	0	1,874	1	1	14,782
Kauai	1,617	1	1	2,217	2	0	299	0	0	4,135
Molokai	792	4	0	1,050	1	0	199	2	0	2,048
Lanai	86	0	0	0	0	0	0	0	0	86
<b>TOTAL</b>	<b>21,732</b>	<b>30</b>	<b>16</b>	<b>18,787</b>	<b>14</b>	<b>3</b>	<b>2,980</b>	<b>4</b>	<b>2</b>	<b>43,526</b>

AREA AND ISLANDWIDE LISTS

AREA AND ISLANDWIDE LISTS	RES			AG			PAS			TOTAL			ADDITIONS			CANCELLATIONS			
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
OAHU	10,672	0	0	3,698	0	0	14,370	0	0	0	0	0	40	0	0	11	0	0	
MAUI	3,849	4,663	613	4,663	1	1	9,125	8	8	0	0	0	8	0	0	8	0	0	
HAWAII	5,867	7,199	1,920	7,199	6	0	14,986	0	0	0	0	0	0	0	0	2	0	0	
KAUAI	1,668	2,222	327	2,222	2	0	4,217	0	0	0	0	0	0	0	0	0	0	0	
MOLOKAI	816	1,069	202	1,069	1	0	2,087	0	0	0	0	0	0	0	0	0	0	0	
LANAI	86	0	0	0	0	0	86	0	0	0	0	0	48	0	0	0	0	0	
<b>TOTAL</b>	<b>22,958</b>	<b>18,851</b>	<b>3,062</b>	<b>44,871</b>	<b>14</b>	<b>3</b>	<b>48</b>	<b>2,980</b>	<b>4</b>	<b>2</b>	<b>2,982</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>21</b>

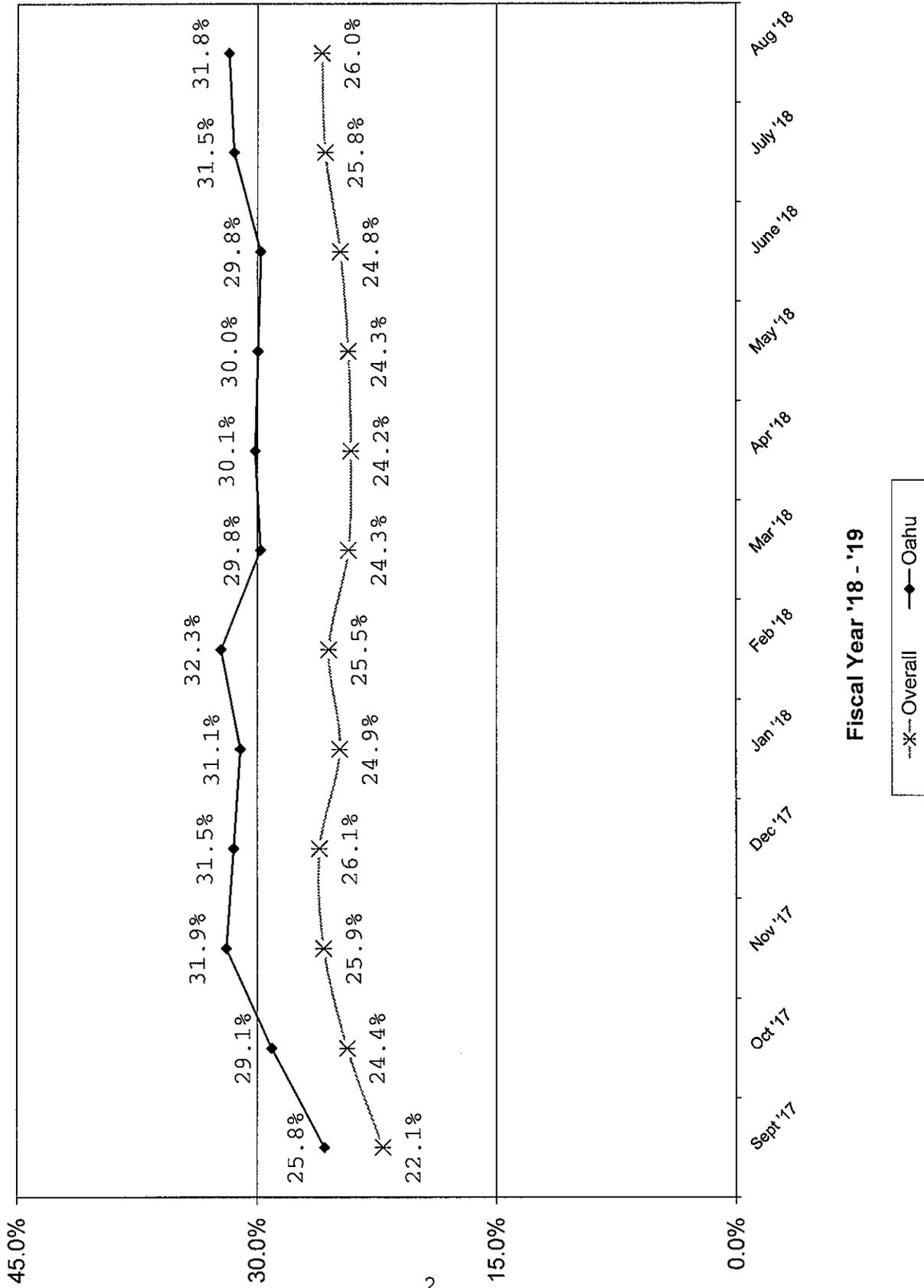
HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING

August 31, 2018

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
<b>OAHU DISTRICT</b>	170	0	0	0	0	0	0	0	0	170
Nanakuli	142	0	0	0	0	0	0	0	0	142
Waiānae	0	0	0	0	0	0	0	0	0	0
Luāluālei	71	0	0	0	0	0	0	0	0	71
Papakōleā/Kewalo	578	0	0	0	0	0	0	0	0	578
Waimanalo	961	0	0	0	0	0	0	0	0	961
Subtotal Area	9,706	16	11	3,696	4	2	0	0	0	13,409
Islandwide	10,667	16	11	3,696	4	2	0	0	0	14,370
<b>TOTAL OAHU APPS</b>										
<b>MAUI DISTRICT</b>	50	0	0	0	0	0	0	0	0	50
Paukukalo	0	0	0	4	0	0	5	0	0	9
Kula	50	0	0	4	0	0	5	0	0	59
Subtotal Area	3,798	4	3	4,659	1	1	608	1	1	9,066
Islandwide	3,848	4	3	4,663	1	1	613	1	1	9,125
<b>TOTAL MAUI APPS</b>										
<b>HAWAII DISTRICT</b>	69	0	0	0	0	0	0	0	0	69
Keaukaha/Waiākea	0	0	0	16	0	0	0	0	0	16
Pānaeoa	0	0	0	0	0	0	0	0	0	0
Humuhua	16	0	0	0	0	0	0	0	0	16
Kawaihāe	45	0	0	12	0	0	46	0	0	103
Wāimea	130	0	0	28	0	0	46	0	0	204
Subtotal Area	5,733	5	1	7,165	6	0	1,874	1	1	14,782
Islandwide	5,863	5	1	7,193	6	0	1,920	1	1	14,986
<b>TOTAL HAWAII APPS</b>										
<b>KAUAI DISTRICT</b>	43	0	0	3	0	0	21	0	0	67
Anahola	8	0	0	0	0	0	7	0	0	15
Kekaha/Puu Opae	51	0	0	3	0	0	28	0	0	82
Subtotal Area	1,617	1	1	2,217	2	0	299	0	0	4,135
Islandwide	1,668	1	1	2,220	2	0	327	0	0	4,217
<b>TOTAL KAUAI APPS</b>										
<b>MOLOKAI DISTRICT</b>	4	0	0	0	0	0	0	0	0	4
Kalamāula	8	0	0	18	0	0	1	0	0	27
Hoolehua	7	0	0	0	0	0	0	0	0	7
Kapaakea	1	0	0	0	0	0	0	0	0	1
One Alii	20	0	0	18	0	0	1	0	0	39
Subtotal Area	792	4	0	1,050	1	0	199	2	0	2,048
Islandwide	812	4	0	1,068	1	0	200	2	0	2,087
<b>TOTAL MOLOKAI APPS</b>										
<b>LANAI DISTRICT</b>	86	0	0	0	0	0	0	0	0	86
Islandwide	86	0	0	0	0	0	0	0	0	86
<b>TOTAL LANAI APPS</b>										
<b>TOTAL AREA ONLY</b>	1,212	0	0	53	0	0	80	0	0	1,345
<b>TOTAL ISLANDWIDE</b>	21,732	30	16	18,787	14	3	2,980	4	2	43,526
<b>TOTAL STATEWIDE</b>	22,944	30	16	18,840	14	3	3,060	4	2	44,871



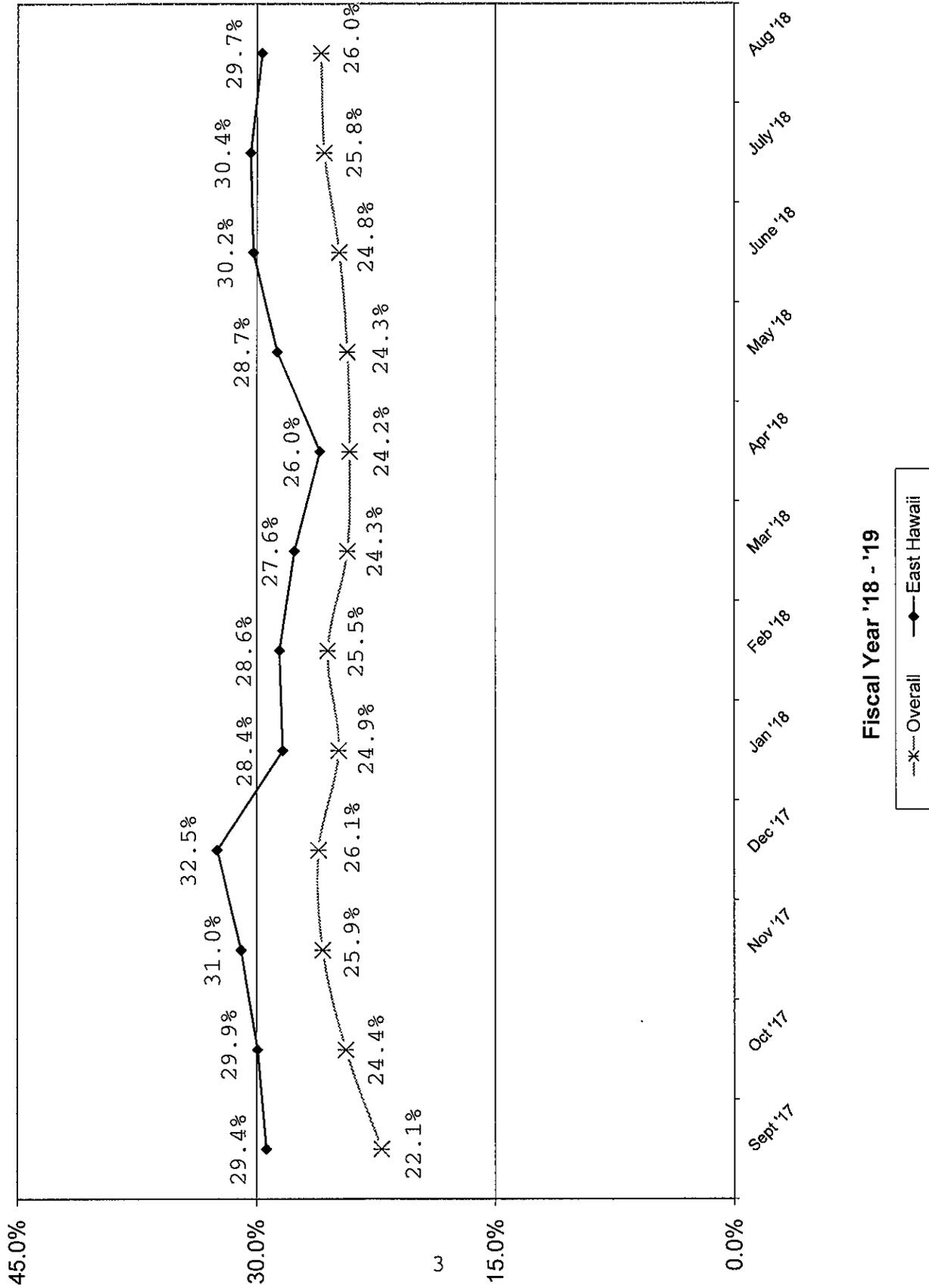
OAHU  
Direct Loans  
Delinquency Ratio Report



Fiscal Year '18 - '19

---x--- Overall    —◆— Oahu

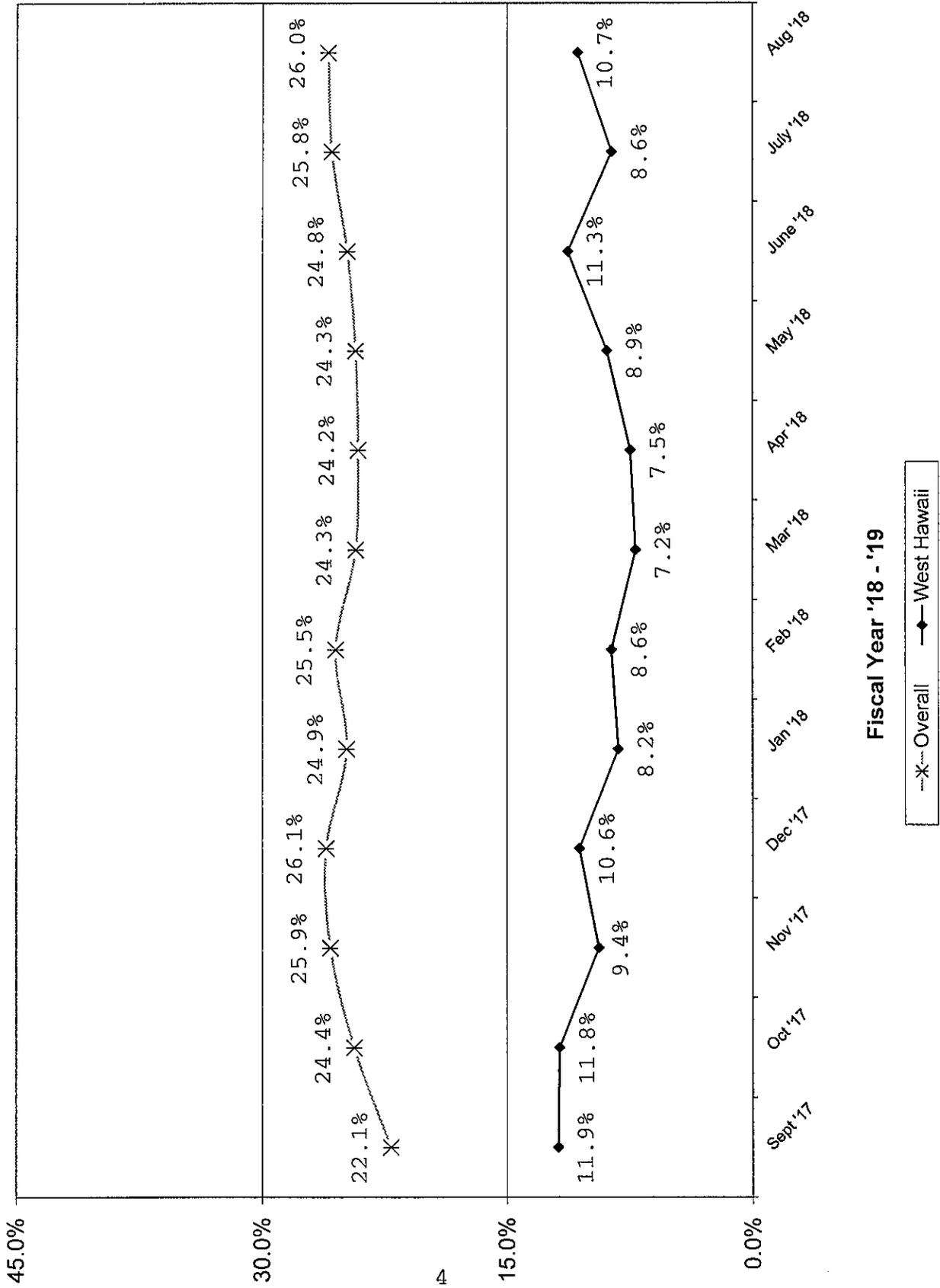
**EAST HAWAII  
Direct Loans  
Delinquency Ratio Report**



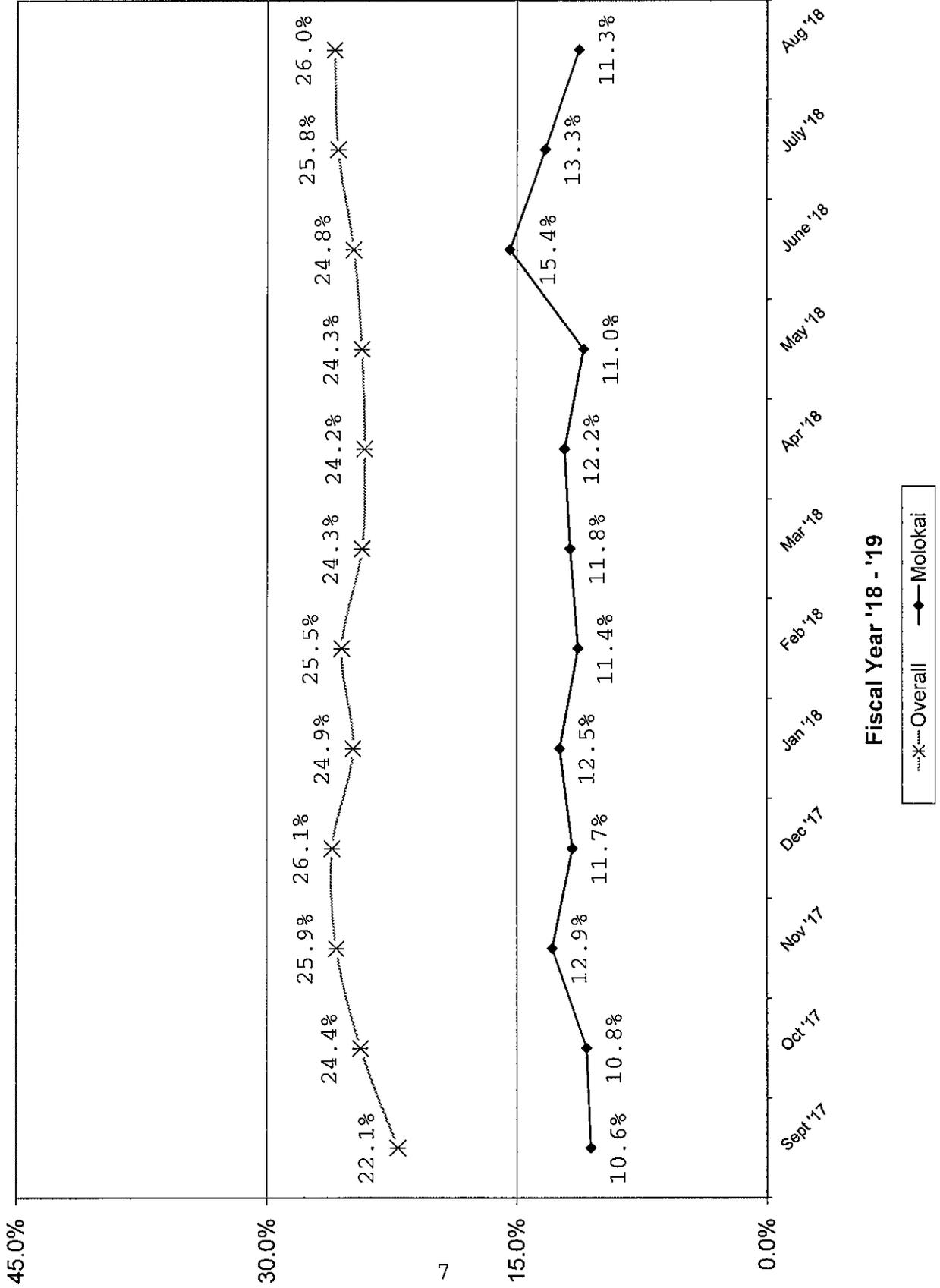
**Fiscal Year '18 - '19**

---\*--- Overall    —◆— East Hawaii

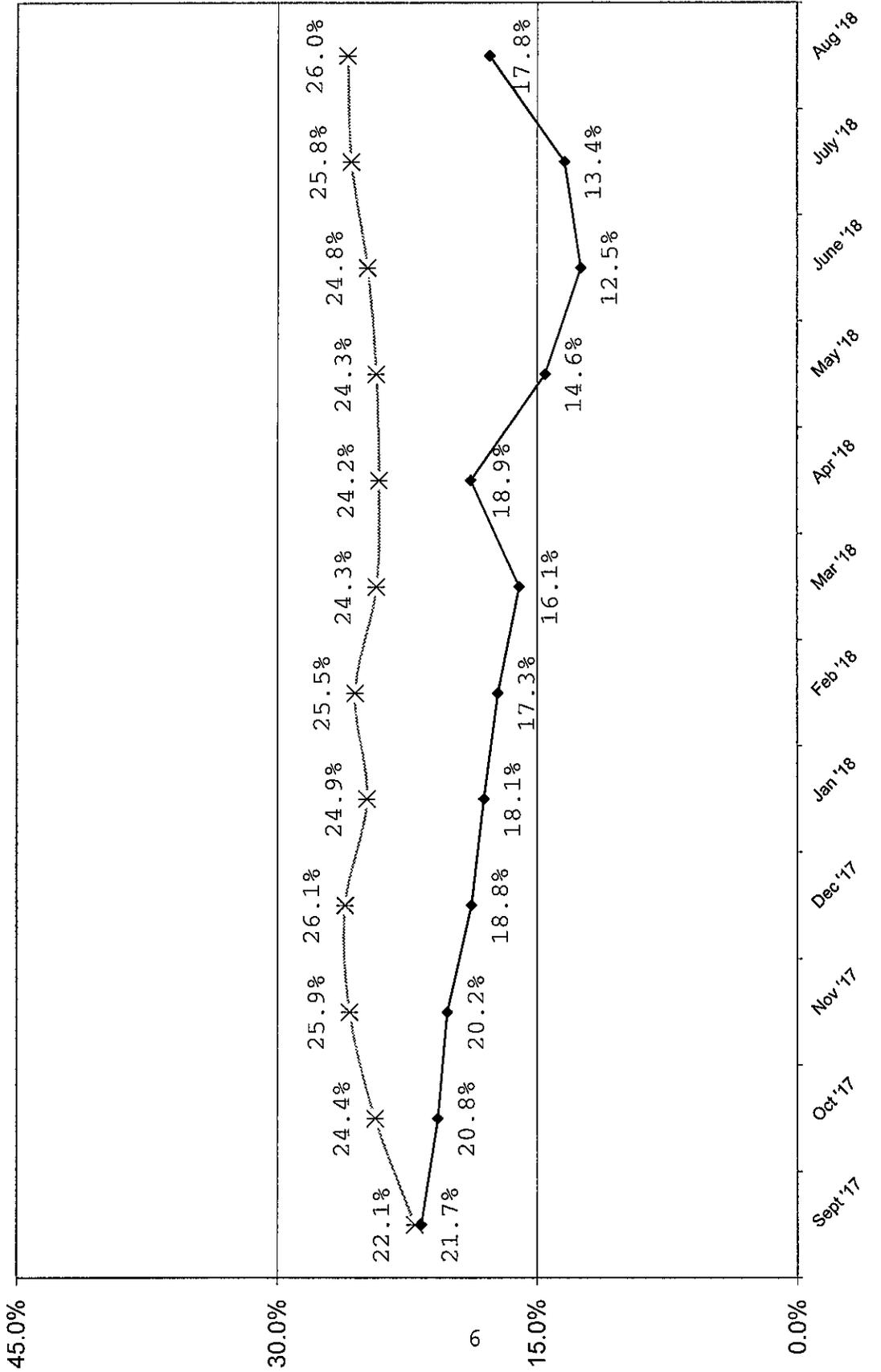
WEST HAWAII  
Direct Loans  
Delinquency Ratio Report



**MOLOKAI**  
**Direct Loans**  
**Delinquency Ratio Report**



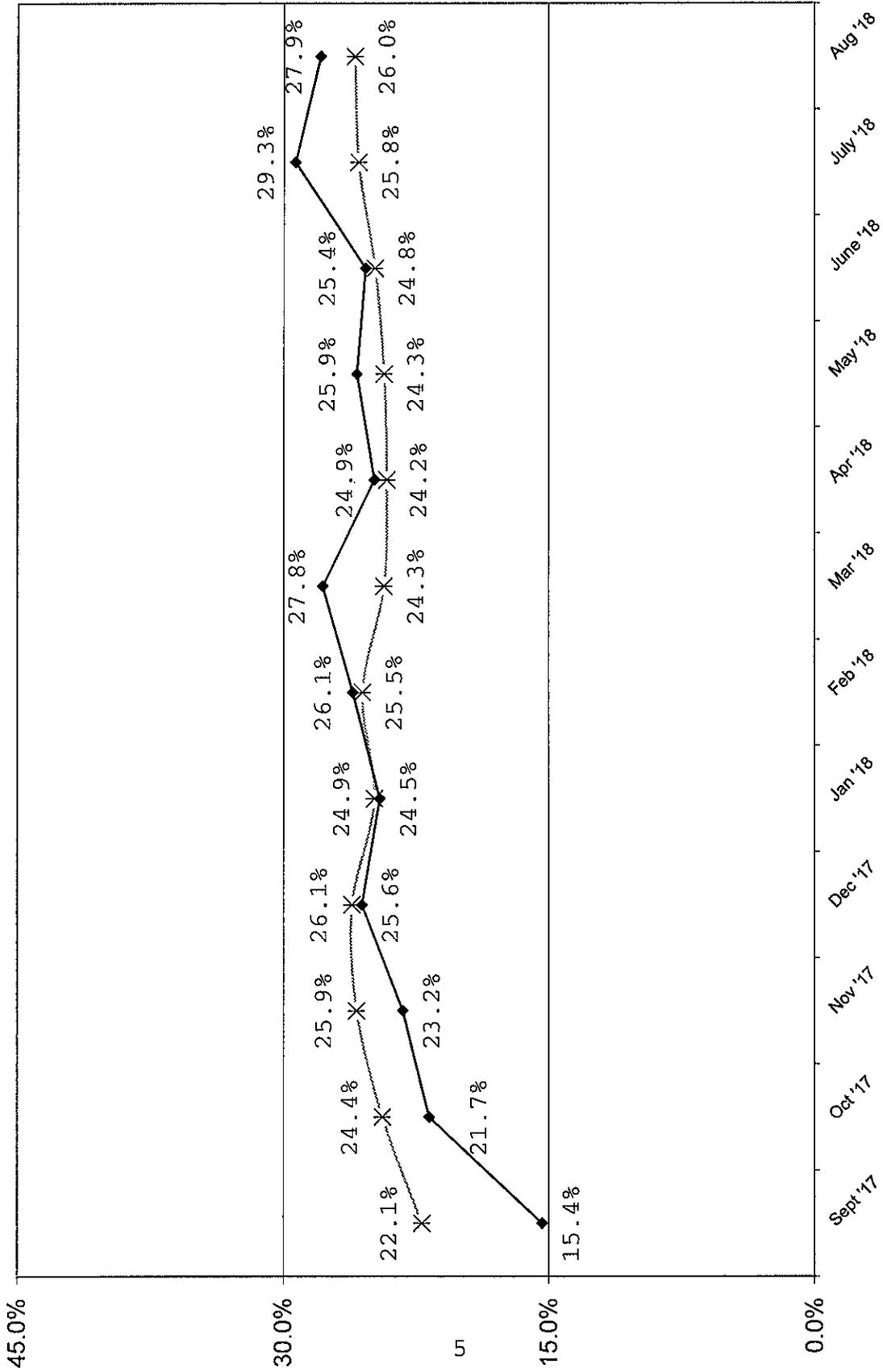
**KAUAI**  
**Direct Loans**  
**Delinquency Ratio Report**



**Fiscal Year '18 - '19**



**MAUI**  
**Direct Loans**  
**Delinquency Ratio Report**



**Fiscal Year '18 - '19**

Overall
  Maui

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator   
Homestead Services Division

SUBJECT: For Information Only - Status Report for Streamline  
Refinanced Loans That Were Previously Delinquent

RECOMMENDED MOTION/ACTION

None - for information only.

DISCUSSION

At its August 19, 2013 Hawaiian Homes Commission ("HHC") meeting, the HHC approved the "Streamline/Interest rate reduction loan" product. The criteria to qualify for this product were that twelve (12) consecutive monthly payments be made, the borrower's current interest rate be higher than the current DHHL interest rate, the borrower's be current with their Homeowners Insurance, Real Property Tax, Lease Rent, county sewer/refuse fees, and that the borrower does not have any advances made by DHHL on the borrowers behalf.

Since August 19, 2013, the HHC has approved a total of 142 loans under this product. The following is a "snapshot" of the accounts as of July 31, 2018:

- 1) 46 accounts were delinquent at the time of approval.
- 2) 1 of the 46 accounts was paid in full via a sale/transfer of the lease.
- 3) 18 of the 46 accounts were in the Contested Case Hearing process prior to being refinanced.
- 4) 4 of the 18 accounts are now delinquent again.
- 5) 11 of the 46 accounts are delinquent as of July 31, 2018.
- 6) 2 of the 11 delinquent accounts are back in the Contested Case Hearing process.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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>			
Nanakuli Lease No. 1904 TMK: 1-8-9-009:075	KAALOA, Lou Ann M. (Cash Out Refinance)FHA	Mann Mortgage	\$ 127,674
Princess Kahanu Estates Lease No. 8373 TMK: 1-8-7-043:016	WERNER-CELES, Ronnelle K. E. A. (Purchase)FHA	Guild Mortgage Co.	\$ 349,000
Kewalo Lease No. 787 TMK: 1-2-5-021:010	ALANA-SWAIM, Jamelyn T. (Cash Out Refinance)FHA	Mann Mortgage	\$ 109,880
Kapolei Lease No. 12477 TMK: 1-9-1-017:038	LUCRISIA, Naleisha K. P. W. (Purchase)HUD 184A	Bank of Hawaii	\$ 380,372

OAHU

Princess Kahanu Estates Lease No. 8512 TMK: 1-8-7-042:127	KAMAI, Wesley K. (Cash Out Refinance)FHA	Mann Mortgage	\$ 282,000
Waianae Lease No. 10251 TMK: 1-8-5-036:028	ROBINS, Roy G. M. (Cash Out Refinance)FHA	Hightechlend ing Inc.	\$ 274,000
Kanehili Lease No. 12659 TMK: 1-9-1-151:038	KAAHANUI, Nicole (Cash Out Refinance)HUD 184A	HomeStreet Bank	\$ 289,314
Kauluokahai Lease No. 12484 TMK: 1-9-1-017:075	KAAWALOA, Lindsey (Purchase)FHA	HomeStreet Bank	\$ 343,246
Kauluokahai Lease No. 12493 TMK: 1-9-1-017:074	GRACE, Brandon (Purchase)FHA	HomeStreet Bank	\$ 385,742
Kauluokahai Lease No. 12464 TMK: 1-9-1-017:078	LOPES, Carolyn (Purchase)HUD 184A	HomeStreet Bank	\$ 365,686
Kauluokahai Lease No. 12387 TMK: 1-9-1-017:079	PATELESIO, Ka`i`inioku`upuluwa i (Purchase)HUD 184A	HomeStreet Bank	\$ 363,045
Kauluokahai Lease No. 12507 TMK: 1-9-1-017:080	HIGA, Robert (Purchase)HUD 184A	HomeStreet Bank	\$ 361,835
Kauluokahai Lease No. 12452 TMK: 1-9-1-017:081	KALILIMOKU, Oriana (Purchase)FHA	HomeStreet Bank	\$ 304,679

ITEM NO. D-3

OAHU

Kauluokahai Lease No. 12492 TMK: 1-9-1-017:082	HALEMANO, Jensen (Purchase)FHA	Bank of Hawaii	\$ 357,570
Kauluokahai Lease No. 12467 TMK: 1-9-1-017:076	KALILIMOKU, Fredrick (Purchase)HUD 184A	Bank of Hawaii	\$ 362,033
Waimanalo Lease No. 4116 TMK: 1-4-1-030:019	NAEOLE, Jaimie K. & FRASER, Keoki L.L. (Cash Out Refinance)FHA	Guild Mortgage Co.	\$ 283,000
Waiahole Lease No. 6619 TMK: 1-4-8-011:044	APANA, Virginia L. (Cash Out Refinance)FHA	Bank of Hawaii	\$ 91,344
Kalawahine Lease No. 9616 TMK: 1-2-4-043:040	HINES, Evelyn (Rate/Term Refinance)FHA	Aries Loans Inc.	\$ 134,000
Nanakuli Lease No. 8589 TMK: 1-8-9-012:031	MAUNAKEA, Buddy V. K. (Cash Out Refinance)FHA	Siwell Inc., dba Capital Mortgage Services of Texas	\$ 365,000
Nanakuli Lease No. 8191 TMK: 1-8-9-012:006	TEXEIRA, Lehuanani (Purchase) FHA	Guild Mortgage Co.	\$ 303,000
Kanehili Lease No. 12566 TMK: 1-9-1-153:128	PAIKAI, Kawailehua K. (Cash Out Refinance) HUD 184A	HomeStreet Bank	\$ 378,750

ITEM NO. D-3

MAUI

Waiohuli Lease No. 10339 TMK: 2-2-2-034:007	RODRIGUES, Harry F., Jr. (1 Step Construction) FHA	HomeStreet Bank	\$ 220,367
Leialii Lease No. 11445 TMK: 2-4-5-036:041	CHIN, Jeffrey K. (Cash Out Refinance) FHA	Aries Loans Inc.	\$ 294,000
Waiehu 4 Lease No. 12279 TMK: 2-3-2-025:005	NEEDHAM, Kimo W. (Cash Out Refinance) FHA	Homestreet Bank	\$ 238,221

HAWAII

Kaniohale Lease No. 9322 TMK: 3-7-4-023:009	KAPAKU, Virginia M. (Purchase)FHA	Siwell Inc., dba Capital Mortgage Services of Texas	\$ 268,000
Puukapu Lease No. 9817 TMK: 1-9-1-119:058	AINA, Rayland (Cash Out Refinance) FHA	Mann Mortgage	\$ 227,146
Keaukaha Lease No. 4263 TMK: 3-2-1-021:070	KAHALIOUMI, Keenan K. (Cash Out Refinance) FHA	Aries Loans Inc.	\$ 286,000
Keaukaha Lease No. 9661 TMK: 3-2-1-020:088	BALDADO, Robert G. (Cash Out Refinance) FHA	The Money Source Inc.	\$ 262,000
Keaukaha Lease No. 5076 TMK: 3-2-1-020:069	WAIKI, Quincey W. (Rate/Term Refinance) FHA	Siwell Inc., dba Capital Mortgage Services of Texas	\$ 141,000

ITEM NO. D-3

HAWAII

Puukapu  
Lease No. 3392A  
TMK: 3-6-4-004:055

SANCHEZ,  
Bonnie Jay (Cash  
Out Refinance) FHA

Mann  
Mortgage

\$ 295,000

<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 6/30/18	298	\$ 77,704,372	13	\$4,914,100	12	\$3,929,543
Prior Months	25	\$ 6,302,780	1	\$ 561,000	3	\$1,188,691
This Month	<u>23</u>	<u>5,941,869</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total FY '18-'19	48	\$ 12,244,649	1	\$ 561,000	3	\$1,188,691
HUD 184A						
FY Ending 6/30/18	82	\$23,579,214				
Prior Months	11	\$ 3,771,961				
This Month	<u>7</u>	<u>2,501,035</u>				
Total FY '18-'19	18	\$ 6,272,996				

ITEM NO. D-3

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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:

LESSEE

Kuia, Jamie L.L

LEASE NO. & AREA

7741, Waiohuli

REFINANCING LOAN TERMS

NTE \$236,000 @4.5%  
interest per annum, NTE  
\$1,196 monthly, repayable  
over 30 years.

Loan Purpose: Refinance ASB buyback loan no. 19406.  
Original loan amount of \$239,904 at  
7.25% per annum, \$1,706 monthly,  
repayable over 30 years. A Contested  
Case Hearing was not held for this  
account.

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STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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 8/18</u>	<u>Balance At 8/18</u>
<u>Oahu</u>						
Kekino, John K. Jr.	5309	Waianae	19535 (HUD-Buyback)	TBD	TBD	TBD
Kahaunaele, Shanon K. & Taitague, Danette K.	8564	Nanakuli	19462 (HUD-Buyback)	TBD	TBD	TBD
Maria, Edward E.	8373	PKE	19536 (HUD-Buyback)	TBD	TBD	TBD
Kuiee, Winette K.U.	4479	Waianae	19336	\$626	\$5,183	\$99,705

<u>Lessee</u>	<u>Lease No.</u>	<u>Area</u>	<u>Loan No.</u>	<u>Monthly Payment</u>	<u>Amount at 8/18</u>	<u>Balance At 8/18</u>
<u>Oahu (cont'd)</u>						
Kealoha-Meyer, Denise K.	5533	Waianae Kai	19127	\$658	\$3,985	\$125,974
Kaululaau, Roy	5279	Waianae	14778	\$345	\$3,258	\$20,556
Woolsey, Doris K.	12790	Hoolimalima	19329	\$241	\$2,658	\$85,791
Goshert, Eloise P. & Goshert, Eloise B.	3520	Nanakuli	17707	\$360	\$7,840	\$44,208
Donner, Raynette L.H. & Donner, Robert R., Jr.	7336	Nanakuli	18385	\$799	\$15,645	\$83,263
Naweli, Kawika K. & Brodie, Iwalani M.	10268	Nanakuli	19015	\$781	\$6,920	\$97,696
Mahoe, Wiiliam K.	8138	Nanakuli	14416	\$296	\$2,081	\$15,456
Kuahine, Joseph F.	7280	Nanakuli	17706	\$568	\$3,402	\$91,551
Kong, Mark S.	3038	Nanakuli	19385	\$422	\$71,764	\$117,256
Kamealoha, Dorene O.	3433	Nanakuli	18481	\$774	\$6,719	\$57,606
DeFreitas, Joshua R.W.	8899	Nanakuli	18476	\$906	\$5,676	\$121,297

ITEM NO. D-5

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

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KAUHANE, Harry D.	08/20/1990	HAWAII	RES	02/24/2017
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

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SANBORN, Robert T.	10/20/1995	HAWAII	PAS	05/18/2018
SANBORN, Robert T. Jr.	11/24/1995	HAWAII	PAS	05/18/2018

2. Deceased Applicants

NONE FOR SUBMITTAL

### 3. Awards of Leases

#### OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

---

APO, Irene K. Assigned Residential Lease  
#3962, Lot 4 in Waimanalo, Oahu  
dated 07/11/2018. Remove  
application dated 04/23/1996.

CHUN, Monique A.P. Assigned Residential Lease  
#3078, Lot 47 in Waimanalo,  
Oahu dated 04/19/2018. Remove  
application dated 07/03/2014.

IRVINE-HALAMA, Destiny Assigned Residential Lease  
#5254, Lot 3 in Waianae, Oahu  
dated 08/02/2018. Remove  
application dated 09/09/2015.

YEE HOY, Kui L. Assigned Residential Lease  
#12284, Lot 33 in Kewalo, Oahu  
dated 03/24/2016. Remove  
application dated 12/01/2014.

#### MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

---

KAMANA, Hiram K., Jr. Assigned Residential Lease  
#430, Lot 203 in Nanakuli, Oahu  
dated 05/22/2018. Remove  
application dated 01/19/1983.

#### HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

---

GABRIEL, Chassie M. Assigned Residential Lease  
#1568, Lot 218 in Keaukaha,  
Hawaii dated 07/05/2018. Remove  
application dated 12/14/1993.

HOOPII, Carrie K. Assigned Residential Lease  
#6296, Lot 27-B in Keaukaha,  
Hawaii dated 07/12/2018. Remove  
application dated 11/24/2004.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

---

ARIAS, Nettie

Cancel application dated  
04/22/1993 at the request of  
applicant dated 08/16/2018 and  
received by the DHHL on  
08/20/2018.

6. Successorship

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

---

DANIELSON, Melody K.

Succeeded to Papakolea/Kewalo  
Area / Oahu Islandwide  
Residential application of  
father, Henry Pang, dated  
01/29/1962. Remove application  
dated 10/24/2005.

MAKANUI, Lono K.

Succeeded to Oahu Islandwide  
Residential application of  
grandfather, James T. Taa, Jr.,  
dated 02/06/2006. Remove  
application dated 03/05/2012.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

Last Month's Transaction Total	21
Last Month's Cumulative FY 2018-2019 Transaction Total	26
Transfers from Island to Island	3
Deceased	0
Cancellations:	
Awards of Leases	7
NHQ	0
Voluntary Cancellations	1
Successorship	2
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	13
<b>This Month's Cumulative FY 2018-2019 Transaction Total</b>	<b>39</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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 Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds**

RECOMMENDED MOTION/ACTION

To approve the designation of successor to the leasehold interest and person to receive the net proceeds, pursuant to Section 209, Hawaiian Homes Commission Act, 1920, as amended.

\*See attached list of Lessee.

Leasehold Interest:

Ratified for September 2018	3
Previous FY 2018 - 2019	16
FY 2018 - 2019 Total to Date	19

Ratified for FY '17 - '18 87

Net Proceeds

Ratified for September 2018	0
Previous FY 2018 - 2019	0
FY 2018 - 2019 Total to Date	0

Ratified for FY '17 - '18 1

LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR  
LEASEHOLD INTEREST  
FOR MONTH OF SEPTEMBER 2018

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. Jennie L. K. Anderson Lot No.: 28 Area: Puupulehu, Hawaii Lease No. 7054	<u>PRIMARY:</u> Mark M. M. Marumoto, Son  <u>ALTERNATE: Tenants in Common</u> Adam A. A. Marumoto, Son Ryan M. M. Marumoto; Son Pamela-Jean K. Anderson- Chip, Daughter, Penny M. Yamashita, Daughter, Kimberly Ann K. Emberate, Daughter Omit due to lack of genealogy documents to determine eligibility to successorship.  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
2. Thelma R. Calles Lot No.: 133 Area: Keaukaha, Hawaii Lease No. 951	<u>PRIMARY: Tenants in Common</u> Lindy L. Maluo, Granddaughter Peter K. Paulo, Jr., Grandson  <u>ALTERNATE:</u> N/A  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A

Deceased Lessee

3. Claire K. Hueu  
Lot No.: 103  
Area: Waiehu Kou III, Maui  
Lease No. 10098

Designated Successor

PRIMARY:  
Jordan K. Hueu, Son

ALTERNATE:  
N/A

DESIGNEE TO RECEIVE NET  
PROCEEDS:  
N/A

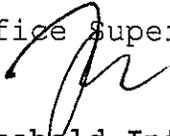
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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

Sixteen (16) assignments of lease.

<u>LESSEE</u>	<u>TRANSFeree</u>
1. Name: Stephanie N. Gaea Res. Lease No.: 11570 Lease Date: 2/12/2011 Lot No.: 18513 Area/Island: Kanehili, Oahu Property Sold: Yes Amount: \$549,000.00 Improvements: 3 bedroom, 2 bath dwelling	Name: Kevin R. K. Kaimikaua Relationship: None Loan Assump: No Applicant: Yes, Oahu IW Res., 7/14/2017
Reason for Transfer: "Moving off island." Special Condition: Transferee to obtain funds to pay purchase price.	



LESSEE

TRANSFeree

5.      Name: Winona L. Levy                      Name: Diana R. P. De Lima  
         Res. Lease No.: 253                      Relationship: Granddaughter  
         Lease Date: 5/13/1930                      Loan Assump: No  
         Lot No.: 14                                      Applicant: No  
         Area/Island: Nanakuli, Oahu  
         Property Sold: No  
         Amount: N/A  
         Improvements: 7 bedroom, 3 bath dwelling

Reason for Transfer: "Giving lease to relative."

6.      Name: Edward Maria                      Name: Ronnelle K. E. A.  
         Res. Lease No.: 8373                      Werner-Celes  
         Lease Date: 6/1/1996                      Relationship: Niece  
         Lot No.: 82                                      Loan Assump: No  
         Area/Island: PKE, Oahu                      Applicant: Yes, Oahu IW Res.,  
         Property Sold: Yes                                      9/21/2010  
         Amount: \$350,000.00  
         Improvements: 3 bedroom, 3 bath dwelling

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

7.      Name: Iwalani Martin                      Name: Stanley S. K. Pa  
         Res. Lease No.: 6533                      Relationship: Brother  
         Lease Date: 4/26/1990                      Loan Assump: No  
         Lot No.: 3                                      Applicant: No  
         Area/Island: Anahola, Kauai  
         Property Sold: Yes  
         Amount: \$163,500.00  
         Improvements: 3 bedroom, 1 bath dwelling

Reason for Transfer: "Stanley will purchase this lease for sale price and transfer his Undivided Lease No. 11159 to Iwalani." Special Condition: Transferees to obtain funds to pay purchase price. See simultaneous transfer below.

LESSEE

TRANSFeree

8. Name: Stanley S. K. Pa  
Res. Lease No.: 11159  
Lease Date: 5/13/2006  
Lot No.: UNDV158  
Area/Island: Anahola, Kauai  
Property Sold: No  
Amount: N/A  
Improvements: None

Name: Iwalani Martin  
Relationship: Sister  
Loan Assump: No  
Applicant: No

Reason for Transfer: "Stanley will transfer his undivided lease to Iwalani upon Iwalani transferring Lease No. 6533 to him."

9. Name: Cecilia L. Moore  
Res. Lease No.: 7517  
Lease Date: 2/7/2002  
Lot No.: 82  
Area/Island: Waiohuli, Maui  
Property Sold: No  
Amount: N/A  
Improvements: 4 bedroom, 3 bath dwelling

Name: Virginia K. Vallejo  
Relationship: Daughter  
Loan Assump: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

10. Name: Rothwell K. Naeole  
Res. Lease No.: 2967  
Lease Date: 9/23/1955  
Lot No.: 244-B  
Area/Island: Nanakuli, Oahu  
Property Sold: No  
Amount: N/A  
Improvements: 4 bedroom, 2 bath dwelling

Name: Johnette L. Conselva  
Relationship: Sister  
Loan Assump: No  
Applicant: Yes, Oahu IW Res.,  
7/26/1985

Reason for Transfer: "Giving lease to relative."

LESSEE

TRANSFeree

11.    Name: Carolyn Uilani Nahinu    Name: Zachary J. W. Nahinu  
       Res. Lease No.: 4853            Relationship: Son  
       Lease Date: 7/15/1978         Loan Assump: No  
       Lot No.: 7                        Applicant: No  
       Area/Island: Nanakuli, Oahu  
       Property Sold: No  
       Amount: N/A  
       Improvements: 5 bedroom, 1 bath dwelling

Reason for Transfer: "Giving lease to relative."

12.    Name: Barbara N. Needham         Name: Barbara P. Wilson  
       Res. Lease No.: 4403            Relationship: Daughter  
       Lease Date: 1/16/1978         Loan Assump: No  
       Lot No.: 33                        Applicant: Yes, Oahu IW Res.,  
       Area/Island: Nanakuli, Oahu    10/9/1998  
       Property Sold: No  
       Amount: N/A  
       Improvements: 4 bedroom, 2 bath dwelling

Reason for Transfer: "Giving lease to relative."

13.    Name: Frances L. M. Apilando       Name: Maysana A. Lopes  
       Pas. Lease No.: 9000            Relationship: None  
       Lease Date: 2/1/1991            Loan Assump: No  
       Lot No.: 126                       Applicant: No  
       Area/Island: Puukapu, Hawaii  
       Property Sold: No  
       Amount: N/A  
       Improvements: None

Reason for Transfer: "Medical reasons."

LESSEE

TRANSFeree

14. Name: Leonard T. M. Galdeira  
 Pas. Lease No.: 9011  
 Lease Date: 2/1/1991  
 Lot No.: 137  
 Area/Island: Puukapu, Hawaii  
 Property Sold: No  
 Amount: N/A  
 Improvements: None

Name: Justin Lee H. Kalawaia  
 Relationship: Nephew  
 Loan Assump: No  
 Applicant: No

Reason for Transfer: "Giving lease to relative."

15. Name: Matthew K. Kalilikane-Kamaunu  
 Agr. Lease No.: 7904  
 Lease Date: 6/1/1987  
 Lot No.: 8  
 Area/Island: Hoolehua, Molokai  
 Property Sold: No  
 Amount: N/A  
 Improvements: None

Name: Matthew K. Kalilikane-Kamaunu & Pihanalani N. E. J. N. G. Kalilikane-Kamaunu  
 Relationship: Lessee & Wife  
 Loan Assump: No  
 Applicant: No

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

16. Name: Pihanalani N. E. J. N. G. Kalilikane-Kamaunu  
 Agr. Lease No.: 6081  
 Lease Date: 11/1/1985  
 Lot No.: 12-A-1  
 Area/Island: Kalamaula, Molokai  
 Property Sold: No  
 Amount: N/A  
 Improvements: None

Name: Pihanalani N. E. J. N. G. Kalilikane-Kamaunu & Matthew K. Kalilikane-Kamaunu  
 Relationship: Lessee & Husband  
 Loan Assump: No  
 Applicant: No

Reason for Transfer: "Adding relative to lease."

Assignments for the Month of September `18	16
Previous FY '18 - '19 balance	<u>44</u>
FY '18 - '19 total to date	60
Assignments for FY '17 - '18	271

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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 of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Ten (10) amendments of lease.

1. Lessee: Thelma L. Calles  
Res. Lease No.: 951  
Lot No., Area, Island: 133, Keaukaha, Hawaii  
Amendment: To amend the lease title and lessor's name, to complete the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.
  
2. Lessee: Lou Ann M. Kaaloa  
Res. Lease No.: 1904  
Lot No., Area, Island: 376, Nanakuli, Oahu  
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.

3. Lessee: Debra J. Kahanaoi  
Res. Lease No.: 8191  
Lot No., Area, Island: 6, Nanakuli, Oahu  
Amendment: To amend the lease to release a reservation of life interest.
  
4. Lessee: Steven K. Kalilikane  
Agr. Lease No.: 2077  
Lot No., Area, Island: 126-D, Hoolehua, Molokai  
Amendment: To amend the lease title and lessor's name, to update the property description, and to incorporate the currently used terms, covenants, and conditions in the lease.
  
5. Lessee: Lillian M. Kamai  
Agr. Lease No.: 2754  
Lot No., Area, Island: 34-F 1&2, Hoolehua, Molokai  
Amendment: To amend the lease title and lessor's name, to updated the property description, and to incorporatate the currently used terms, covenants, and conditions to the lease.
  
6. Lessee: Stacie K. Kissel  
Res. Lease No.: 12404  
Lot No., Area, Island: 21, Kauluokahai, Oahu  
Amendment: To amend the lease to release a reservation of life interest.
  
7. Lessee: Crystal Ann H. Moniz  
Res. Lease No.: 10431  
Lot No., Area, Island: UNDV, Waiohuli, Oahu  
Amendment: To amend the commencement date, lt number, and property description due to final subdivision approval.

8. Lessee: Cecilia L. Moore  
 Res. Lease No.: 7517  
 Lot No., Area, Island: 82, Waiohuli, Oahu  
 Amendment: To amend the lease to release a reservation of life interest and to update the property description, lot number, and commencement date due to final subdivision approval.
9. Lessee: Rothwell K. Naeole  
 Res. Lease No.: 2967  
 Lot No., Area, Island: 244-B, Nanakuli, Oahu  
 Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.
10. Lessee: Moses K. & Dawnelle H. Naone  
 Res. Lease No.: 8590  
 Lot No., Area, Island: 21, Nanakuli, Oahu  
 Amendment: To amend the tenancy to reflect the death of a tenant by the entirety lessee.

Amendments for the Month of September '18	10
Previous FY '18 - '19 balance	<u>21</u>
FY '18 - '19 total to date	31
Amendments for FY '17 - '18	249

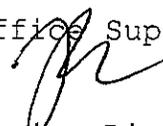
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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 cannot issue his/her own licenses.

DISCUSSION

Three (3) non-exclusive licenses.

1. Lessee: Derrick K. Akau  
Pas. Lease No.: 2676-B  
Lot No., Area, Island: 7-B, Kamoku, Hawaii  
Permittee: Sunrun Inc.
2. Lessee: Bernadette L. Haae-Dela Cruz  
Res. Lease No.: 7365  
Lot No., Area, Island: 139, Nanakuli, Oahu  
Permittee: Sunrun Inc.
3. Lessee: Kevin R.K. Kaimikaua  
Res. Lease No.: 11570  
Lot No., Area, Island: 18513, Kanehili, Oahu  
Permittee: Sunrun Inc.

Non-Exclusive License for the Month of September '18	3
Previous FY '18 - '19 balance	<u>20</u>
FY '18 - '19 total to date	23
Non-Exclusive License for FY '17 - '18	102

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24 & 25, 2018

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

THROUGH: Dean Oshiro, Acting Administrator   
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor - Richard H.E.  
Pelfrey, Residential Lease No. 2688Z, Lot No. 66,  
Kuhio Village, Kamuela, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the designation of Rebecca Kehaulani Pelfrey, as successor to Residential Lease No. 2688Z, Kuhio Village, Hawaii for the remaining term of the lease.

DISCUSSION

Mary K. Pelfrey was awarded Residence and Pastoral Lease No. 26688 to Residential Lot No. 66 (Kuhio Village) and Pastoral Lot No. 6 (Nienie) dated October 13, 1952 but commencing on October 1, 1952.

Mrs. Pelfrey transferred her interest to Residential Lot No. 66 at Kuhio Village and Pastoral Lot No. 6 at Nienie to her son, Rex Pelfrey, effective October 8, 1988.

Richard H.E. Pelfrey was awarded an Undivided (UND) Lease No. 10687 at the Villages of La'i'opua commencing December 3, 2005. Mr. Pelfrey transferred his UND Interest Lease No. 10687 to his daughter, Rebecca K. Pelfrey effective October 13, 2010.

Rex Pelfrey transferred his interest to Residential Lot No. 66 to his brother, Richard H.E. Pelfrey effective December 13, 2010.

On September 9, 2012, Richard H.E. Pelfrey passed away without naming a successor to his interest in the lease.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, The West Hawaii Today, The Maui News, and The Garden Island newspapers on January 29, February 2, 12, 16, 2014, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease Successorship claims.

Respondents to the Public Notice included the Decedent's nephew, Kirk K. Pelfrey; and daughters, Rebecca Kehaulani Pelfrey and Miechelle Lynn Kanoe Pelfrey Nations.

To be eligible as a claimant to her father's lease, Rebecca Kehaulani Pelfrey, transferred her La'i'opua Residential Lot Lease No. 10687, Lot No. UNDV061, to her sister, Miechelle Lynn Kanoe Pelfrey Nations. Lease Transfer documents were signed by both parties on July 6, 2018, which is currently in process of being finalized.

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

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

Improvements to the lot include a 5 bedroom, 2 full baths, open carport and one unapproved structure.

Based on the Act, as daughter, Rebecca Kehaulani Pelfrey, has the highest priority for successorship to the Decedent's leasehold interest. The Department requests approval of its recommendation.

DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
September 24-25, 2018  
Keaukaha, Hawaii

F-ITEMS  
**LAND MANAGEMENT DIVISION**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24-25, 2018

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: Annual Renewal of Right of Entry Permits, East, Central and South Hawaii Island

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

- A) Renew all East, Central and South Hawaii Island Right of Entry Permits as listed on Exhibit “A” and identified by approximate location on the Hawaii Island Map Exhibit “A-1” that are in compliance and issued temporary approvals, as of October 1, 2018.
- B) The annual renewal period, shall be on a month-to-month basis, for up to twelve (12) months, but no longer than September 30, 2019 or at the next scheduled HHC meeting on East Hawaii island whichever occurs sooner.
- C) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all East, Central and South Hawaii Island ROE permit(s) only, which shall effectively expire on September 30, 2018. As a means of maintaining a process by which PERMITEE’S can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit “A” references all Right of Entry Permits in East, Central and South Hawaii Island by order of commencement date, land use, then by acreage. While Right of Entry Permits generate additional revenue to the Trust, its primary purpose provides DHHL the ability to efficiently manage its lands through the issuance of these short-term dispositions which are typically not needed for longer-term dispositions (such as homesteading or general leases) over a 20-year time period or as dictated by DHHL’s respective island plan. DHHL’s total Hawaii Island land inventory covers approximately 127,000 acres<sup>1</sup> or 63% of DHHL’s statewide

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<sup>1</sup> DHHL Hawaii Island Plan – Final Report, PBR Hawaii, May 2002

inventory. The short-term disposition(s) within the Eastern, Central, and Southern portions cover approximately 8,586.0 acres or 7.0% of its inventory.

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

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

The table below reflects the revenue generated from ROE permits on Hawaii Island, which is almost 2.0% (\$54,857) of the ROE total revenues (\$2,803,945) that DHHL received statewide. The Eastern, Central, and Southern portions of Hawaii Island holds 11 of the 142 ROE permits Statewide. These permittees fall under a variety of land use purposes with the most being pastoral. Land Management Division (LMD) proposes an average increased rent of 4% to 1 of these 13 permittees whose land use is designated as recreation.

FY 2018		Total	FY 2019		Total
Agriculture	\$264	1	Agriculture	\$264	1
Caretaker/Landscape	\$1,508	1	Caretaker/Landscape	\$1,508	1
Commercial	\$0	-	Commercial	\$0	-
Community	\$240	1	Community	\$240	1
Industrial	\$0	-	Industrial	\$0	-
Office	\$0	-	Office	\$0	-
Pastoral	\$22,560	7	Pastoral	\$22,560	9
Preservation	\$0	-	Preservation	\$0	-
Recreation	\$30,285	1	Recreation	\$31,496	1
Research	\$0	-	Research	\$0	-
Stabling	\$0	-	Stabling	\$0	-
	\$54,857	11		\$56,068	11

According to research done by Colliers International, (See Exhibit “B”) “the Oahu Industrial vacancy rate rose to 1.97% its highest level in two years at year end 2017 ... average asking industrial base rents rose to their highest level in a decade at \$1.30 per square foot per month...” In light of this research, LMD is recommending a 4% increase in rental rates.

For FY 2019, renewals for the 11 Right of Entry Permits located in East, Central, and South Hawaii Island will total an annual rent revenue of \$56,068 as referenced in the table above. Rental fees for agricultural and pastoral use permits vary and are typically established at less than fair market rates (discounted) but not less than \$240/annum due to various site issues such as, insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.

AUTHORITY / LEGAL REFERENCE:

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

RECOMMENDATION:

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

RIGHT OF ENTRY PERMITS NORTH & WEST HAWAII ISLAND

TYPE	ISLAND	ACRE	NO.	USE	PERMITTEE	LOCATION	TMK	Date Started	Current Fees, All Right of Entry Permits
ROE	HAWAII	280.000	465	Pastoral	Gilbert Medeiros, Jr.	Kamaoa-Puueo	(3) 9-3-001:002(P)	2/9/1998	\$504
ROE	HAWAII	450.000	469	Pastoral	Daryl K. Kalua'u	Kau	(3) 9-3-001:002(P)	9/7/2000	\$840
ROE	HAWAII	750.000	471	Pastoral	Daleco Ranch	Kau	(3) 9-3-001:002(P)	4/19/2001	\$1,536
ROE	HAWAII	1500.000	473	Pastoral	Dean Kaniho	Kamaoa-Puueo	(3) 9-3-001:002(P)	7/15/2004	\$2,100
ROE	HAWAII	301.000	476	Pastoral	Charles & Jelena Clay	Honolulu	(3) 2-8-011:009	7/7/2005	\$5,796
ROE	HAWAII	2.000	477	Agricultural	Guy Kaniho	Humu'u'ula	(3) 3-8-001:007(P)	2/26/2007	\$264
ROE	HAWAII	300.000	478	Pastoral	April Awana-Mattos	Honolulu	(3) 2-8-011:011 (P)	2/1/2010	\$5,220
ROE	HAWAII	2.210	481	Landscape	Ginger Patch Center	Waiakea	(3) 2-2-060:001	8/2/2010	\$1,508
ROE	HAWAII	1.000	482	Community	Keaukaha Panaewa Farmers Association	Panaewa	(3) 2-1-025:091 (P)	2/1/2011	\$240
ROE	HAWAII	0.000	597	Recreation	Hawaii Forest & Trail	Humu'ula	(3) 3-8-001:007(P)	3/1/2003	\$3.00/visitor
ROE	HAWAII	5000.000	610	Pastoral	Native Hawaiian General Services	Kamaoa-Puueo	(3) 9-3-001:002(P)	6/1/2004	\$6,300

Denotes Beneficiary

Exhibit "A"

Item No. F-1

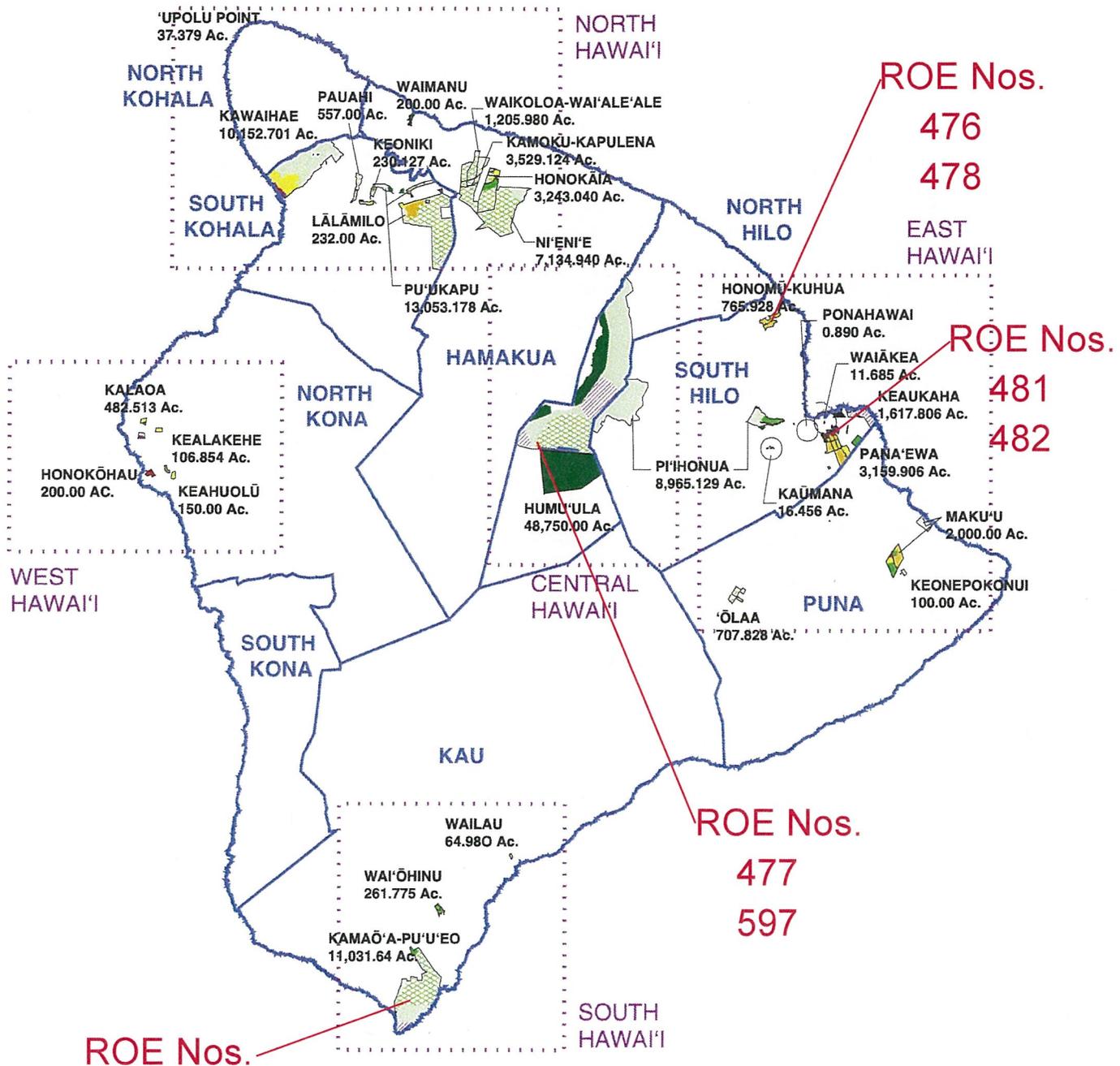


Figure 1  
Locational Map  
**HAWAII LAND INVENTORY**

DEPARTMENT OF HAWAIIAN HOME LANDS ISLAND OF HAWAII

NORTH NFAI SCALE (FEET)

40,000 0 80,000

PBR HAWAII

MAY 2002

EXHIBIT "A-1"  
ITEM NO. F-1

# INDUSTRIAL MARKET

Year-End 2017

Accelerating success

## Market Summary

Mike Hamasu Director of Research | Hawaii

- > Oahu's industrial market loss of 38,942 square feet of occupancy during the fourth quarter, as vacancy rates rose to 1.97%, its highest level in two years.
- > This is the third consecutive quarterly increase to vacancy rates as more than 157,000 square feet of negative net absorption was recorded for the year.
- > Positive gains in tourism expenditures for the first nine months of 2017 helped to boost wholesale revenues which rebounded strongly with an 18.4% jump over last September's sales revenues.
- > Mirroring wholesale revenues, contracting sales also posted a healthy 3.14% gain over last year's September year-to-date levels.
- > Direct weighted average asking industrial base rents rose to their highest level in a decade at \$1.30 per square foot per month, which reflects a gain of 7.4% over last year's average rent levels.
- > While there are the beginnings of some speculative development that will start in 2018, it is unclear if these development efforts will be enough to create meaningful change to a market with a sub-2% vacancy rate.

### Summary Statistics

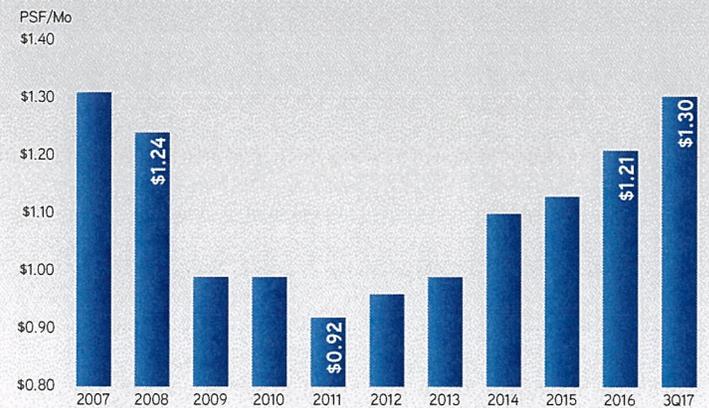
4Q 2017 Industrial Market

4Q2017 Net Absorption	-157,222 SF
Vacancy Rate	1.97%
Direct Weighted Average Asking Rent	\$1.30 PSF/Mo.
Average Operating Expense	\$0.37 PSF/Mo.

### Market Indicators

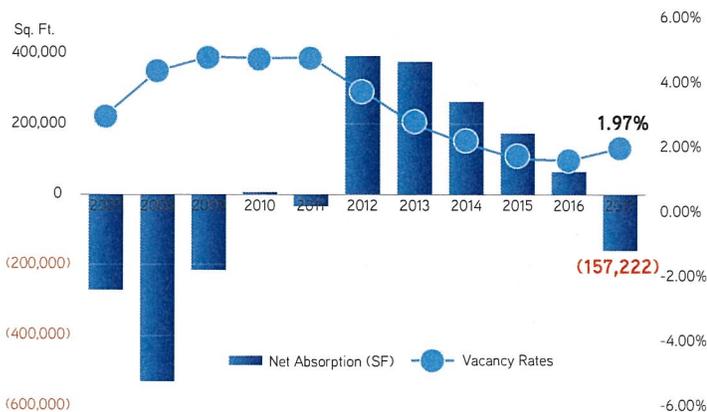
Relative to prior quarter	Year End 2017
VACANCY	↑
NET ABSORPTION	↓
CONSTRUCTION	↑
RENTAL RATE	↑

### Oahu Industrial Direct Wtd. Avg. Asking NNN Rents



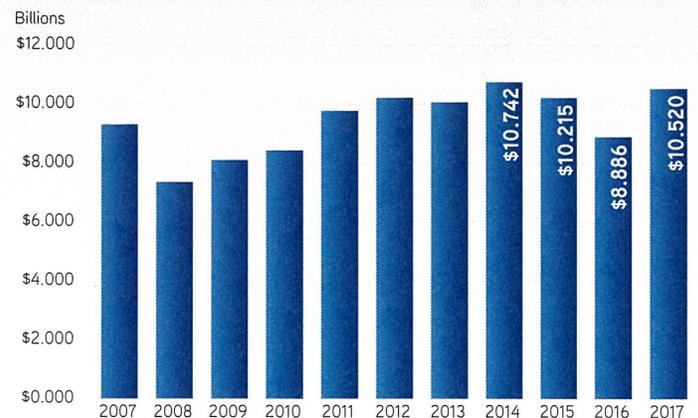
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### Industrial Net Absorption vs. Vacancy Rate



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### Wholesale Sales (September YTD)



Source: State Dept. of Taxation

EXHIBIT "B"  
Item No. F-1

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 17-18, 2018

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: Status and Approval to Disburse Fund Balance in accordance with the Memorandum of Agreement (“MOA”) between DHHL and the East Hawaii Island Hawaiian Homes Community Associations, pursuant to the Community Benefit Contribution as provided by and through General Lease No. 245, Hilo Power Partners, LLC (Waiakea Shopping Mall)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) grant its approval to respectively allocate a total fund balance disbursement of TWO HUNDRED EIGHTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$287,000.00) in accordance with the subject MOA. The respective funds as allocated would make the MOA recipients whole for the SEVEN (7) year period covering FY 2013 – FY 2019.

Based on the Trust Fund Fact Sheet Ledger (See Exhibit “A”) the balance reflects a credit of (\$345,333.11). Therefore, after applying the \$287,000 disbursement as proposed the trust fund credit balance would then reflect a total of (\$58,333.11). Credit will continue to be applied as payments are made by the Lessee in accordance with the terms and conditions of GL No. 245. The table below provides pertinent information as to the allocation of funds since inception of the MOA made effective as of July 19, 2013 (See Exhibit “B”), then amended on January 21, 2015 (See Exhibit “C”).

East Hawaii Island Hawaiian Homestead Associations								Total Annual Disbursed	Total Annual Disbursement	Outstanding Bal. to be Disbursed
	PCA	KPCA	KCA	PHHCA	KHHCA	MFA	KHHLA			
13	-	-	-	-	-	-	-	\$0	-\$100k	-\$100k
14	\$30k	-	\$15k	\$8k	\$8k	\$5k	\$5k	\$71k	-\$100k	-\$29k
15	\$30k	-	\$15k	\$8k	\$8k	\$5k	\$5k	\$71k	-\$100k	-\$29k
16	\$30k	\$29k	-	-	-	\$5k	-	\$64k	-\$100k	-\$36k
17	\$30k	-	-	-	-	\$5k	\$5k	\$40k	-\$100k	-\$60k
18	\$30k	\$116k	-	-	\$8k	\$5k	-	\$159k	-\$100k	\$59k
19	-	-	-	\$8k	-	-	-	\$8k	-\$100k	-\$92k
<b>TOTALS Distributed a/o FY 2019</b>								\$413K		
<b>TOTALS Due a/o FY 2019</b>									-\$700k	-\$287k

**DISCUSSION**

In the effort to support the guiding principles under the MOA, the proposed disbursement of funds will provide MOA recipients with opportunities to satisfy its purposes of promoting community development, educational and/or cultural programs and projects for the benefit of native Hawaiian residents of East Hawaii Island.

The annual Community Benefit Contribution of \$100,000 is allocated (percentage and dollar fund allocation) to the following East Hawaii Island Hawaiian Homes Community Associations recipients:

	<b>Hawaiian Homes Community Association</b>	<b>Fund Allocation by %age</b>	<b>Fund Allocation by \$Dollars</b>
1	Panaewa Community Alliance (PCA)	30%	\$30,000
2	Keaukaha/Panaewa Community Alliance (KPCA)	29%	\$29,000
3	Keaukaha Community Association (KCA)	15%	\$15,000
4	Piihonua Hawaiian Homestead Community Assn	8%	\$8,000
5	Kaumana Hawaiian Homes Community Assn	8%	\$8,000
6	Makuu Farmers Association	5%	\$5,000
7	Ka'u Hawaiian Home Lands Assn	5%	\$5,000
	<b>Total</b>	<b>100%</b>	<b>\$100,000</b>

**RECOMMENDATION**

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

Department of Hawaiian Home Lands		
Fiscal Office		
Trust Fund Fact Sheet		
Hilo Power Partners, LLC		
GL0245		
Date	Particulars	Amount
4/2/2013	Hilo Powers Partners, LLC	(224,999.99)
5/30/2013	Hilo Powers Partners, LLC	(16,666.66)
6/26/2013	Hilo Powers Partners, LLC	(8,333.33)
7/22/2013	Hilo Powers Partners, LLC	(8,333.33)
<b>FY '14</b>		
9/5/2013	Keaukaha Community Asso	15,000.00
9/5/2013	Makuu Farmers Asso.	5,000.00
9/5/2013	Panaewa HHLCA	30,000.00
9/9/2013	Hilo Powers Partners, LLC	(16,666.66)
11/20/2013	Hilo Powers Partners, LLC	(16,666.66)
1/7/2014	Hilo Powers Partners, LLC	(16,666.66)
3/5/2014	Hilo Powers Partners, LLC	(16,666.66)
5/12/2014	Hilo Powers Partners, LLC	(16,666.66)
6/19/2014	Piihonua HHCA	8,000.00
6/19/2014	Kau HHLA	5,000.00
<b>FY '15</b>		
7/16/2014	Hilo Powers Partners, LLC	(16,666.66)
9/29/2014	Hilo Powers Partners, LLC	(16,666.66)
10/9/2014	Piihonua HHCA	8,000.00
10/9/2014	Kau HHLA	5,000.00
10/30/2014	Hilo Powers Partners, LLC	(8,333.33)
12/2/2014	Hilo Powers Partners, LLC	(8,333.33)
12/30/2014	Hilo Powers Partners, LLC	(8,333.33)
1/5/2015	Kaumana HHCA	8,000.00
1/5/2015	Makuu Farmers Asso.	5,000.00
2/3/2015	Hilo Powers Partners, LLC	(8,333.33)
3/3/2015	Hilo Powers Partners, LLC	(8,333.33)
3/27/2015	Hilo Powers Partners, LLC	(8,333.33)
4/19/2015	Panaewa CA	30,000.00
4/19/2015	Keaukaha Community Asso	15,000.00
4/19/2015	Kaumana HHCA	8,000.00
4/28/2015	Hilo Powers Partners, LLC	(8,333.33)
5/28/2015	Hilo Powers Partners, LLC	(8,333.33)
6/22/2015	Hilo Powers Partners, LLC	(8,333.33)
<b>FY '16</b>		
8/20/2015	Hilo Powers Partners, LLC	(8,333.33)
9/2/2015	Hilo Powers Partners, LLC	(8,333.33)
9/23/2015	Hilo Powers Partners, LLC	(8,333.33)
10/23/2015	Hilo Powers Partners, LLC	(8,333.33)
11/4/2015	Panaewa CA	30,000.00
11/4/2015	Keaukaha Panaewa CA	29,000.00
11/4/2015	Makauu Farmers Asso.	5,000.00
11/25/2015	Hilo Powers Partners, LLC	(8,333.33)
12/22/2015	Hilo Powers Partners, LLC	(8,333.33)
2/3/2016	Hilo Powers Partners, LLC	(8,333.33)
2/29/2016	Hilo Powers Partners, LLC	(8,333.33)
3/31/2016	Hilo Powers Partners, LLC	(8,333.33)
5/6/2016	Hilo Powers Partners, LLC	(8,333.33)
6/8/2016	Hilo Powers Partners, LLC	(8,333.33)
<b>FY '17</b>		
7/12/2016	Hilo Powers Partners, LLC	(8,333.33)
8/3/2016	Hilo Powers Partners, LLC	(8,333.33)
9/1/2016	Hilo Powers Partners, LLC	(8,333.33)
10/7/2016	Hilo Powers Partners, LLC	(8,333.33)
11/1/2016	Makauu Farmers Asso.	5,000.00
11/7/2016	Hilo Powers Partners, LLC	(8,333.33)
12/30/2016	Hilo Powers Partners, LLC	(8,333.33)
2/1/2017	Hilo Powers Partners, LLC	(8,333.33)
2/28/2017	Hilo Powers Partners, LLC	(8,333.33)
3/17/2017	Hilo Powers Partners, LLC	(8,333.33)
5/3/2017	Hilo Powers Partners, LLC	(16,666.66)
5/24/2017	Hilo Powers Partners, LLC	(8,333.33)
6/9/2017	Panaewa CA	30,000.00
6/9/2017	Kau HHLA	5,000.00
6/29/2017	Hilo Powers Partners, LLC	(8,333.33)
<b>FY '18</b>		
8/1/2017	Hilo Powers Partners, LLC	(8,333.33)
8/9/2017	Kaumana HHCA	8,000.00
9/7/2017	Hilo Powers Partners, LLC	(8,333.33)
10/11/2017	Hilo Powers Partners, LLC	(8,333.33)
10/29/2017	Hilo Powers Partners, LLC	(8,333.33)
11/14/2017	Makuu Farmers Asso.	5,000.00
12/12/2017	Hilo Powers Partners, LLC	(8,333.33)
1/5/2018	Hilo Powers Partners, LLC	(8,333.33)
2/2/2018	Keaukaha Panaewa CA	116,000.00
2/28/2018	Hilo Powers Partners, LLC	(8,333.33)
3/5/2018	Hilo Powers Partners, LLC	(8,333.33)
3/29/2018	Hilo Powers Partners, LLC	(8,333.33)
4/26/2018	Hilo Powers Partners, LLC	(8,333.33)
4/30/2018	Panaewa Community Alliance	30,000.00
6/5/2018	Hilo Powers Partners, LLC	(8,333.33)
6/26/2018	Hilo Powers Partners, LLC	(8,333.33)
<b>FY '19</b>		
8/3/2018	Hilo Powers Partners, LLC	(8,333.33)
8/10/2018	Piihonua HHCA	8,000.00
	<b>Total Receipts a/o 28-Aug-2018</b>	<b>(758,333.11)</b>
	<b>Total Disbursed a/o 28-Aug-2018</b>	<b>413,000.00</b>
	<b>Total Trust Fund Balance a/o 28-Aug-2018</b>	<b>(345,333.11)</b>



MEMORANDUM OF AGREEMENT BETWEEN  
EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS

I. Purpose

The purpose of this Memorandum of Agreement (MOA) is to clarify the respective roles, responsibilities and obligations of the DEPARTMENT OF HAWAIIAN HOME LANDS (DHHL) named as primary recipient of the Community Benefit Contribution provided by and through its General Lease No. 245 and the RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS named in section II(D) below.

II. Guiding Principles

The following general principles have guided the development of this MOA:

- A. Pursuant to the Third Amendment of General Lease No. 245 DHHL is named as the primary recipient of the annual \$100,000.00 Community Benefit Contribution.
- B. Upon receipt of the annual Community Benefit Contribution, DHHL will disburse allocated funds, as determined by DHHL through its Hawaiian Homes Commission, to RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS subject to conditions more particularly described and established in Part III below.
- C. The funds as disbursed and allocated shall be used for purposes of promoting community development, educational and/or cultural programs and projects for the benefit of native Hawaiian residents of East Hawaii Island.
- D. Fund Allocation as determined by DHHL through its Hawaiian Homes Commission is as follows:

Hawaiian Homes Community Association	Fund Allocation by %age	Fund Allocation by \$Dollars
1 Panaewa Hawaiian Home Lands Community Association	30%	\$30,000
2 Keaukaha/Panaewa Farmers Association	29%	\$29,000
3 Keaukaha Community Association, Inc.	15%	\$15,000
4 Piihonua Community Association	8%	\$8,000
5 Kaunana Hawaiian Homes Community Assn.	8%	\$8,000
6 Makuu Farmers Association	5%	\$5,000
7 Ka'u Hawaiian Home Lands Assn.	5%	\$5,000
<b>Total</b>	<b>100%</b>	<b>\$100,000</b>

unless expressly approved in writing by DHHL. If at any time an association determines that use of its allocated fund is inconsistent with this category then expressed written approval from DHHL is required.

- f. Decisions relating to allocation or expenditures must be made by majority vote of the Board of Directors of each association named as secondary recipients, at a duly noticed meeting of its respective Board.
  - g. In the event an Association fails to maintain its nonprofit corporate status and its 501(c)(3) certification, allocates or expends the funds in a manner inconsistent with these conditions or commits any illegal act, the DHHL may terminate disbursement of allocated funds to the Association and provide no further funds to said association.
  - h. Each Association must provide an annual accounting to DHHL as to how the community benefit contribution is used and/or invested.
3. If an Association fails to comply with the conditions described and established above, DHHL may require the Association to immediately repay to DHHL any and all funds received that have been used in violation of this MOA or for any other improper or illegal purpose, or may take other action as directed by the Hawaiian Homes Commission.
4. Should any East Hawaii new Homestead Community Association be created and seek an allocation from the Community Benefit Contribution, or if an existing Association shall have been disqualified from receiving funds, DHHL may, upon approval by the Hawaiian Homes Commission and with a consensus of the original seven (7) associations, amend the list of eligible Associations and the allocations of disbursed funds in section II(D), above.

IV. Signage of MOA in counterparts

This MOA may be signed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute as one instrument.

III. Secondary Recipient Conditions

1. Pursuant to the Third Amendment of General Lease No. 245, DHHL as the Primary Recipient agrees to disburse the annual Community Benefit Contribution it receives from its LESSEE in a manner that is fair and consistent.

2. Prior to DHHL's disbursement allocation each respective East Hawaii Hawaiian Homes Community Association named in section II(D), above, agrees to the following conditions:

- a. DHHL to allocate the \$100,000.00 annual community benefit contribution accordingly for the first year of this agreement. However, for the ensuing years, all Associations receiving contribution funds shall within the twelve (12) month period following the full execution of this agreement and thereafter: (1) meet and maintain the necessary requirements for Hawaii nonprofit corporation status; and (2) obtain and maintain IRS §501(c)(3) certification.

In the event that an Association named in section II(D) fails to meet and maintain the requirements for Hawaii nonprofit corporation status or obtain and maintain IRS § 501(c)(3) certification as required above, all community benefit contribution funds allocated to that Association shall be forfeited and re-allocated pursuant to section III(4), below, until the Association's Hawaii nonprofit corporation and IRS § 501(c)(3) status is brought into compliance.

- b. Each Association shall provide verification on an annual basis, that a) it is in good standing with the Department of Commerce and Consumer Affairs, b) that it has complied with all reporting requirements with the Department of Commerce and Consumer Affairs, the IRS and all relevant regulatory agencies, and (c) that it has maintained its 501(c)(3) status, and that there are no tax liens, lawsuits or similar actions pending against it.
- c. Funds as disbursed and allocated shall be used for purposes of promoting community development, educational and/or cultural programs and projects for the benefit of native Hawaiian residents of East Hawaii Island.
- d. Funds must not be used for salaries, wages, compensation or benefits for employees, directors, or officers of each respective association named as secondary recipient, unless expressly approved in writing by DHHL.
- e. Funds may be used for costs and expenses which represent overhead or operating expenses for association matters,

In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19 day of July, 2013.

APPROVED BY THE HHC  
AT ITS MEETING HELD ON  
June 18, 2012

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By: [Signature]  
Jobie M. K. Masagani  
Chairman  
Hawaiian Homes Commission

[Signature]  
Deputy Attorney General  
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS  
COMMUNITY ASSOCIATION

KAUMANA HAWAIIAN HOMES COMMUNITY  
ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS  
ASSOCIATION

MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION,  
INC.

KA'U HAWAIIAN HOME LANDS  
ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

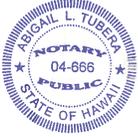
By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD  
COMMUNITY ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

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

On this 24<sup>th</sup> day of July, 2013, before me appeared JOBIE M. K. MASAGATANI, to me personally known, who, being by me duly sworn, did say that she is the Chairman of the Hawaiian Homes Commission and the person who executed the foregoing instrument and acknowledged to me that she executed the same freely and voluntarily for the use and purposes therein set forth.



Abigail L. Tubera  
 Notary Public, State of Hawaii  
**ABIGAIL L. TUBERA**  
 Print Name of Notary Public  
 My commission expires: 11.21.16

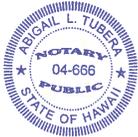
**NOTARY CERTIFICATION STATEMENT**

Document Identification or Description: Memorandum of Agreement between East Hawaii Island Hawaiian Homes Community Associations

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 5 Jurisdiction: 1<sup>st</sup> Circuit  
 (in which notarial act is performed)  
Abigail L. Tubera 07.24.13

Signature of Notary Date of Notarization and Certification Statement  
**ABIGAIL L. TUBERA**  
 Printed Name of Notary



In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19<sup>th</sup> day of July, 2013.

APPROVED BY THE HHC AT ITS MEETING HELD ON June 18, 2012 State of Hawaii DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM: By \_\_\_\_\_  
Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

\_\_\_\_\_  
 Deputy Attorney General  
 State of Hawaii

PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
 By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS ASSOCIATION MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
 By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC. KA'U HAWAIIAN HOME LANDS ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
Jeffrey Kekoa  
 President  
Jeffrey Kekoa  
 pending amendments on page 3 item 4

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
 By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_

STATE OF HAWAII )  
 ) SS.  
 COUNTY OF HAWAII )

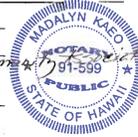
On this 19<sup>th</sup> day of July, 2013, before me appeared Jeffrey Kekoa to me personally known, who, being by me duly sworn, did say that he/she is the President of KAU HAWAIIAN HOME LANDS ASSN. and the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.



Madalyn Kaeo  
 Notary Public, State of Hawaii  
 Print Name Madalyn Kaeo  
 My commission expires: 8-19-15

**NOTARY CERTIFICATION**

Document Date: Undated # of Pages: 5  
 Notary Name: Madalyn Kaeo 2<sup>nd</sup> Circuit  
 Doc. Description: Memorandum of Agreement between East Hawaii Island Hawaiian Homes Community Associations  
Madalyn Kaeo  
 Notary Signature



In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19<sup>th</sup> day of July, 2013.

APPROVED BY THE HHC AT ITS MEETING HELD ON June 18, 2012 State of Hawaii DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM: By \_\_\_\_\_  
Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

\_\_\_\_\_  
 Deputy Attorney General  
 State of Hawaii

PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
\_\_\_\_\_  
 Its \_\_\_\_\_  
\_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS ASSOCIATION MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
 By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC. KA'U HAWAIIAN HOME LANDS ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
 By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_  
 By \_\_\_\_\_ Its \_\_\_\_\_ Print Name \_\_\_\_\_

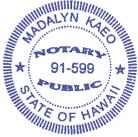
STATE OF HAWAII )  
 ) SS  
COUNTY OF HAWAII )

On this 19th day of July, 2013, before me appeared Reginald L. Rossotti, to me personally known, who, being by me duly sworn, did say that he/she is the Vice President/Secretary Kaunani Community Assn and the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.



Madalyn Kaeo  
Notary Public, State of Hawaii  
Print Name Madalyn Kaeo  
My commission expires: 8-19-15

Document Date: Undated # of Pages: 5  
Notary Name: Madalyn Kaeo 3rd Circuit  
Doc. Description: HOA Deeded DHHU and East Hawaii Community Assns East Hawaii  
Madalyn Kaeo  
Notary Signature  
NOTARY CERTIFICATION



In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19th day of July, 2013.

APPROVED BY THE HHC AT ITS MEETING HELD ON June 18, 2012

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Jobie M. K. Masagatani  
Chairman  
Hawaiian Homes Commission

[Signature]  
Deputy Attorney General  
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS ASSOCIATION

MAKUU FARMERS ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By: Paula K. Kekahuna  
Its President  
Print Name Paula K. Kekahuna

KEAUKAHA COMMUNITY ASSOCIATION, INC.

KA'U HAWAIIAN HOME LANDS ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_



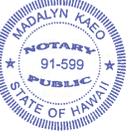
STATE OF HAWAII )  
 ) SS  
COUNTY OF HAWAII )

On this 19th day of July, 2013, before me appeared Paula K. Kekahuna, to me personally known, who, being by me duly sworn, did say that he/she is the President of Makuu Farmers Assn and the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.



Madalyn Kaeo  
Notary Public, State of Hawaii  
Print Name Madalyn Kaeo  
My commission expires: 8-19-15

Document Date: Undated # of Pages: 5  
Notary Name: Madalyn Kaeo 3rd Circuit  
Doc. Description: MOA DHHU & East Hawaii Community Assns  
Madalyn Kaeo  
Notary Signature  
NOTARY CERTIFICATION



In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19th day of July, 2013.

APPROVED BY THE HHC AT ITS MEETING HELD ON June 18, 2012

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Jobie M. K. Masagatani  
Chairman  
Hawaiian Homes Commission

[Signature]  
Deputy Attorney General  
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS ASSOCIATION

MAKUU FARMERS ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.

KA'U HAWAIIAN HOME LANDS ASSOCIATION

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By: Ronald T. Kodani  
Its Vice President  
Print Name Ronald T. Kodani



STATE OF HAWAII )  
 ) SS  
COUNTY OF HAWAII )

On this 19th day of July, 2013, before me appeared Ronald T. Kiden, to me personally known, who, being by me duly sworn, did say that he/she is the Vice President of Piikoi Community Assn. and the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.

  
Notary Public, State of Hawaii  
Name Madalyn Kaeo  
Commission expires: 8-19-15

Document Date: Madalyn # of Pages: 5  
Notary Name: Madalyn Kaeo 3rd Circuit  
Doc. Description: MHA Certificate  
DHA & East Hawaii Community Assn.  
Madalyn Kaeo  
Notary Signature  
**NOTARY CERTIFICATION**

In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19th day of July, 2013.

APPROVED BY THE HHC  
AT ITS MEETING HELD ON  
June 18, 2012

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By \_\_\_\_\_  
Jobie M. K. Masagatani  
Chairman  
Hawaiian Homes Commission

[Signature]  
Deputy Attorney General  
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS  
COMMUNITY ASSOCIATION

KAUMANA HAWAIIAN HOMES COMMUNITY  
ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS  
ASSOCIATION

MAKUU FARMERS ASSOCIATION

By [Signature]  
Its Vice Pres.  
Print Name Howard K. Pen

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION,  
INC.

KA'U HAWAIIAN HOME LANDS  
ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD  
COMMUNITY ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_



STATE OF HAWAII )  
 ) SS  
COUNTY OF HAWAII )

On this 19th day of July, 2013, before me appeared Howard K. Pen, to me personally known, who, being by me duly sworn, did say that he/she is the Vice President Keaukaha/Panawe Farmers Assn. and the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.

  
Notary Public, State of Hawaii  
Name Madalyn Kaeo  
Commission expires: 8-19-15

Document Date: Madalyn # of Pages: 5  
Notary Name: Madalyn Kaeo 3rd Circuit  
Doc. Description: MHA Certificate  
DHA & East Hawaii Community Assn.  
Madalyn Kaeo  
Notary Signature  
**NOTARY CERTIFICATION**

In agreement thereof, the parties have entered into this Memorandum of Agreement on this 19th day of July, 2013.

APPROVED BY THE HHC  
AT ITS MEETING HELD ON  
June 18, 2012

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By \_\_\_\_\_  
Jobie M. K. Masagatani  
Chairman  
Hawaiian Homes Commission

[Signature]  
Deputy Attorney General  
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS  
COMMUNITY ASSOCIATION

KAUMANA HAWAIIAN HOMES COMMUNITY  
ASSOCIATION

By [Signature]  
Its President  
Print Name William H. Brown

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS  
ASSOCIATION

MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION,  
INC.

KA'U HAWAIIAN HOME LANDS  
ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD  
COMMUNITY ASSOCIATION

By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_



STATE OF HAWAII )  
 ) SS  
COUNTY OF HAWAII )

On this 19th day of July, 2013,  
before me appeared William H. Brown, to me personally known,  
who, being by me duly sworn, did say that he/she is the  
President of Panaewa Hawaiian Home Lands Community Assn. and  
the person who executed the foregoing instrument and  
acknowledged to me that he/she executed the same freely and  
voluntarily for the use and purposes therein set forth.

Madalyn Kao  
Notary Public, State of Hawaii  
Print Name Madalyn Kao  
My commission expires: 8-19-15

Document Date: Undated # of Pages: 5  
Notary Name: Madalyn Kao 3rd Circuit  
Doc. Description: MOA Between  
DAHL & East Hawaii Community Assn  
Madalyn Kao  
Notary Signature  
NOTARY CERTIFICATION

In agreement thereof, the parties have entered into this  
Memorandum of Agreement on this 19th day of July, 2013.

APPROVED BY THE HHC State of Hawaii  
AT ITS MEETING HELD ON DEPARTMENT OF HAWAIIAN HOME LANDS  
June 18, 2012

APPROVED AS TO FORM: By \_\_\_\_\_  
Joe M. K. Masagatani  
Chairman  
Hawaiian Homes Commission  
Deputy Attorney General  
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION  
By \_\_\_\_\_ By \_\_\_\_\_  
Its \_\_\_\_\_ Its \_\_\_\_\_  
Print Name \_\_\_\_\_ Print Name \_\_\_\_\_

KEAUKAHA/PANAWEA FARMERS ASSOCIATION MAKUU FARMERS ASSOCIATION  
By \_\_\_\_\_ By \_\_\_\_\_  
Its \_\_\_\_\_ Its \_\_\_\_\_  
Print Name \_\_\_\_\_ Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC. KA'U HAWAIIAN HOME LANDS ASSOCIATION  
By Patrick Kahawaihi By \_\_\_\_\_  
Its PRESIDENT Its \_\_\_\_\_  
Print Name PATRICK KAHAWAIIHI Print Name \_\_\_\_\_  
(PENDING AMENDMENT OF PAGE 3) 7/1/13

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION  
By \_\_\_\_\_  
Its \_\_\_\_\_  
Print Name \_\_\_\_\_



STATE OF HAWAII )  
 ) SS  
COUNTY OF HAWAII )

On this 19th day of July, 2013,  
before me appeared Patrick Kahawaihi to me personally known,  
who, being by me duly sworn, did say that he/she is the  
President Community Association Inc. and  
the person who executed the foregoing instrument and  
acknowledged to me that he/she executed the same freely and  
voluntarily for the use and purposes therein set forth.

Madalyn Kao  
Notary Public, State of Hawaii  
Print Name Madalyn Kao  
My commission expires: 8-19-15

Document Date: Undated # of Pages: 5  
Notary Name: Madalyn Kao 3rd Circuit  
Doc. Description: MOA DAHL & East  
Hawaii Community Association  
Madalyn Kao  
Notary Signature  
NOTARY CERTIFICATION

STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
 EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS  
AMENDMENT NO. 1

THIS AGREEMENT, dated this 10<sup>th</sup> day of February, 2015, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, hereinafter "PRIMARY RECIPIENT," whose principle place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, hereinafter "SECONDARY RECIPIENTS," whose principal places of business and mailing addresses vary, to amend that certain:

Department of Hawaiian Home Lands' MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, dated July 19, 2013, between the State of Hawaii, by its Hawaiian Homes Commission, as "PRIMARY RECIPIENT", and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, as "SECONDARY RECIPIENTS" unrecorded, but filed with the Department of Hawaiian Home Lands.

WHEREAS, "PRIMARY RECIPIENT" accepts "SECONDARY RECIPIENTS'" request to amend the THREE (3) respective Hawaiian Homes Community Association name changes as reflected in the Secondary Recipient list; and

WHEREAS, the THREE (3) respective Hawaiian Homes Community Association name amendments refer specifically to the following Associations:

ASSOCIATION NAME	AMENDED ASSOCIATION NAME
Panaewa Hawaiian Home Lands Community Association	PANAWEA COMMUNITY ALLIANCE
Keaukaha / Panaewa Farmers Association	KEAUKAHA PANAWEA COMMUNITY ALLIANCE
Piihonua Community Association	PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

NOW THEREFORE, for and in consideration of the foregoing and mutual covenants, terms and conditions hereinafter provided, the parties hereto, for and on behalf of themselves, do hereby agree to amend this MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS as follows:

1. The Secondary Recipient list shall be amended and read in its entirety as follows:

Hawaiian Homes Community Association	Fund Allocation by %age	Fund Allocation by \$Dollars
1 Panaewa Community Alliance on behalf of Panaewa Hawaiian Home Lands Community Association	30%	\$30,000
2 Keaukaha Panaewa Community Alliance on behalf of Keaukaha/Panaewa Farmers Association	29%	\$29,000
3 Keaukaha Community Association, Inc.	15%	\$15,000
4 Piihonua Hawaiian Homestead Community Association	8%	\$8,000
5 Kaumana Hawaiian Homes Community Assn.	8%	\$8,000
6 Makuu Farmers Association	5%	\$5,000
7 Ka'u Hawaiian Home Lands Assn.	5%	\$5,000
<b>Total</b>	<b>100%</b>	<b>\$100,000</b>

2. All other terms and conditions of the MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS shall continue and remain in full force and effect.

3. This MOA Amendment may be signed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute as one instrument.

IN AGREEMENT THEREOF, the parties have entered into this Memorandum of Agreement Amendment No. 1 on this 10<sup>th</sup> day of February, 2015.

APPROVED BY THE HHC  
 AT ITS MEETING HELD ON  
 November 17-18, 2014

APPROVED AS TO FORM:

[Signature]  
 Deputy Attorney General  
 State of Hawaii

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
[Signature]  
 Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

PANAWEA COMMUNITY ALLIANCE

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE

MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.

KA'U HAWAIIAN HOME LANDS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

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

On this 10<sup>th</sup> day of February, 2015, before me appeared JOBIE M. K. MASAGATANI, to me personally known, who, being by me duly sworn, did say that she is the Chairman of the Hawaiian Homes Commission and the person who executed the foregoing instrument and acknowledged to me that she executed the same freely and voluntarily for the use and purposes therein set forth.



[Signature]  
 Notary Public, State of Hawaii  
**ABIGAIL L. TUBERA**  
 Print Name of Notary Public  
 My commission expires: 11.21.16

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Memorandum of Agreement between East Hawaii Island Hawaiian Homes Community Associations

Doc. Date: 02.10.15 or  Undated at time of notarization.

No. of Pages: 4 Jurisdiction: 1<sup>st</sup> Circuit (in which notarial act is performed)

Signature of Notary: [Signature] Date of Notarization and Certification Statement: 02.10.15

**ABIGAIL L. TUBERA**  
 Printed Name of Notary

STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
 EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS  
**AMENDMENT NO. 1**

THIS AGREEMENT, dated this 12<sup>th</sup> day of January, 2015 is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, hereinafter "PRIMARY RECIPIENT," whose principle place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, hereinafter "SECONDARY RECIPIENTS," whose principal places of business and mailing addresses vary, to amend that certain:

Department of Hawaiian Home Lands' MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, dated July 19, 2013, between the State of Hawaii, by its Hawaiian Homes Commission, as "PRIMARY RECIPIENT", and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, as "SECONDARY RECIPIENTS" unrecorded, but filed with the Department of Hawaiian Home Lands.

WHEREAS, "PRIMARY RECIPIENT" accepts "SECONDARY RECIPIENTS'" request to amend the THREE (3) respective Hawaiian Community Association name changes as reflected in the Secondary Recipient list; and

WHEREAS, the THREE (3) respective Hawaiian Homes Community Association name amendments refer specifically to the following Associations:

ASSOCIATION NAME	AMENDED ASSOCIATION NAME
Panaewa Hawaiian Home Lands Community Association	PANAWEA COMMUNITY ALLIANCE
Keaukaha / Panaewa Farmers Association	KEAUKAHA PANAWEA COMMUNITY ALLIANCE
Piihonua Community Association	PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

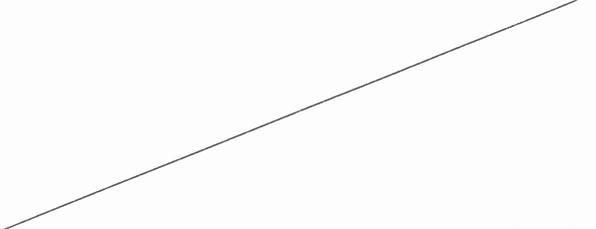
NOW THEREFORE, for and in consideration of the foregoing and mutual covenants, terms and conditions hereinafter provided, the parties hereto, for and on behalf of themselves, do hereby agree to amend this MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS as follows:

1. The Secondary Recipient list shall be amended and read in its entirety as follows:

Hawaiian Homes Community Association	Fund Allocation by %age	Fund Allocation by \$Dollars
1 Panaewa Community Alliance on behalf of Panaewa Hawaiian Home Lands Community Association	30%	\$30,000
2 Keaukaha Panaewa Community Alliance on behalf of Keaukaha/Panaewa Farmers Association	29%	\$29,000
3 Keaukaha Community Association, Inc.	15%	\$15,000
4 Piihonua Hawaiian Homestead Community Association	8%	\$8,000
5 Kaumana Hawaiian Homes Community Assn.	8%	\$8,000
6 Makuu Farmers Association	5%	\$5,000
7 Ka'u Hawaiian Home Lands Assn.	5%	\$5,000
<b>Total</b>	<b>100%</b>	<b>\$100,000</b>

2. All other terms and conditions of the MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS shall continue and remain in full force and effect.

3. This MOA Amendment may be signed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute as one instrument.



IN AGREEMENT THEREOF, the parties have entered into this Memorandum of Agreement Amendment No. 1 on this \_\_\_ day of \_\_\_\_\_, 2015.

APPROVED BY THE HHC  
 AT ITS MEETING HELD ON  
 November 17-18, 2014

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By \_\_\_\_\_  
 Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

C. e  
 Deputy Attorney General  
 State of Hawaii

PANAWEA COMMUNITY ALLIANCE

By \_\_\_\_\_  
 KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

Its \_\_\_\_\_  
 Print Name William H. Brown

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE

By \_\_\_\_\_  
 MAKUU FARMERS ASSOCIATION

Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.

By \_\_\_\_\_  
 KA'U HAWAIIAN HOME LANDS ASSOCIATION

Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

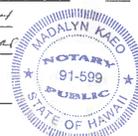
STATE OF HAWAII )  
 ) SS  
 COUNTY OF HAWAII )

On this 12<sup>th</sup> day of January, 2015, before me appeared William Henry Brown, to me personally known, who, being by me duly sworn, did say that he/she is the President and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.



Madalyn Kaeo  
 Notary Public, State of Hawaii  
 Print Name Madalyn Kaeo  
 My commission expires: 8-19-15

Document Date: January 12, 2015 # of Pages: 4  
 Notary Name: Madalyn Kaeo Circuit  
 Doc. Description: HHA Between EHI & Kaha L-Hawaiian Homes Comm Assn  
Madalyn Kaeo  
 Notary Signature  
**NOTARY CERTIFICATION**



STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
 EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS  
AMENDMENT NO. 1

THIS AGREEMENT, dated this 16<sup>th</sup> day of January, 2015, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, hereinafter "PRIMARY RECIPIENT," whose principle place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, hereinafter "SECONDARY RECIPIENTS," whose principal places of business and mailing addresses vary, to amend that certain:

Department of Hawaiian Home Lands' MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, dated July 19, 2013, between the State of Hawaii, by its Hawaiian Homes Commission, as "PRIMARY RECIPIENT", and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, as "SECONDARY RECIPIENTS" unrecorded, but filed with the Department of Hawaiian Home Lands.

WHEREAS, "PRIMARY RECIPIENT" accepts "SECONDARY RECIPIENTS'" request to amend the THREE (3) respective Hawaiian Homes Community Association name changes as reflected in the Secondary Recipient list; and

WHEREAS, the THREE (3) respective Hawaiian Homes Community Association name amendments refer specifically to the following Associations:

ASSOCIATION NAME	AMENDED ASSOCIATION NAME
Panaewa Hawaiian Home Lands Community Association	PANAWEA COMMUNITY ALLIANCE
Keaukaha / Panaewa Farmers Association	KEAUKAHA PANAWEA COMMUNITY ALLIANCE
Piihonua Community Association	PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

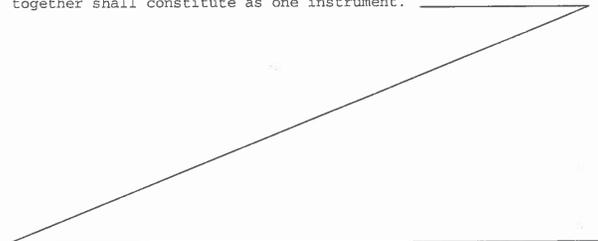
NOW THEREFORE, for and in consideration of the foregoing and mutual covenants, terms and conditions hereinafter provided, the parties hereto, for and on behalf of themselves, do hereby agree to amend this MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS as follows:

1. The Secondary Recipient list shall be amended and read in its entirety as follows:

Hawaiian Homes Community Association	Fund Allocation by %age	Fund Allocation by \$Dollars
1. Panaewa Community Alliance on behalf of Panaewa Hawaiian Home Lands Community Association	30%	\$30,000
2. Keaukaha Panaewa Community Alliance on behalf of Keaukaha/Panaewa Farmers Association	29%	\$29,000
3. Keaukaha Community Association, Inc.	15%	\$15,000
4. Piihonua Hawaiian Homestead Community Association	8%	\$8,000
5. Kaumana Hawaiian Homes Community Assn.	8%	\$8,000
6. Makuu Farmers Association	5%	\$5,000
7. Ka'u Hawaiian Home Lands Assn.	5%	\$5,000
<b>Total</b>	<b>100%</b>	<b>\$100,000</b>

2. All other terms and conditions of the MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS shall continue and remain in full force and effect.

3. This MOA Amendment may be signed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute as one instrument.



IN AGREEMENT THEREOF, the parties have entered into this Memorandum of Agreement Amendment No. 1 on this \_\_\_ day of \_\_\_, 2015.

APPROVED BY THE HHC AT ITS MEETING HELD ON November 17-18, 2014

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By \_\_\_\_\_  
 Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

Deputy Attorney General  
 State of Hawaii

PANAWEA COMMUNITY ALLIANCE

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE

MAKUU FARMERS ASSOCIATION

By Kibei A. Ahuna  
 Its President  
 Print Name Kibei A. Ahuna

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.

KA'U HAWAIIAN HOME LANDS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

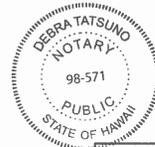
By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

STATE OF HAWAII )  
 ) SS  
 COUNTY OF HAWAII )

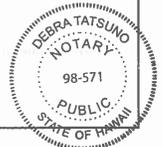
On this 16<sup>th</sup> day of January, 2015, before me appeared Kibei A. Ahuna, to me personally known, who, being by me duly sworn, did say that he/she is the President and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.



Debra Tatsuno  
 Notary Public, State of Hawaii  
 Print Name Debra Tatsuno  
 My commission expires: November 8, 2019

Document Date: 1-16-15 # of Pages: 4  
 Notary Name: Debra Tatsuno Tina Circuit  
 Doc. Description: Amendment No 1

Debra Tatsuno  
 Notary Signature  
 NOTARY CERTIFICATION



STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
 EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS  
AMENDMENT NO. 1

THIS AGREEMENT, dated this 21<sup>st</sup> day of January, 2015, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, hereinafter "PRIMARY RECIPIENT," whose principle place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, hereinafter "SECONDARY RECIPIENTS," whose principal places of business and mailing addresses vary, to amend that certain:

Department of Hawaiian Home Lands' MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, dated July 19, 2013, between the State of Hawaii, by its Hawaiian Homes Commission, as "PRIMARY RECIPIENT", and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, as "SECONDARY RECIPIENTS" unrecorded, but filed with the Department of Hawaiian Home Lands.

WHEREAS, "PRIMARY RECIPIENT" accepts "SECONDARY RECIPIENTS'" request to amend the THREE (3) respective Hawaiian Community Association name changes as reflected in the Secondary Recipient list; and

WHEREAS, the THREE (3) respective Hawaiian Homes Community Association name amendments refer specifically to the following Associations:

ASSOCIATION NAME	AMENDED ASSOCIATION NAME
Panaewa Hawaiian Home Lands Community Association	PANAWEA COMMUNITY ALLIANCE
Keaukaha / Panaewa Farmers Association	KEAUKAHA PANAWEA COMMUNITY ALLIANCE
Piihonua Community Association	PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

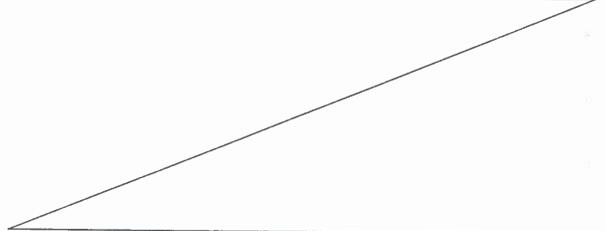
NOW THEREFORE, for and in consideration of the foregoing and mutual covenants, terms and conditions hereinafter provided, the parties hereto, for and on behalf of themselves, do hereby agree to amend this MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS as follows:

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<b>Total</b>	<b>100%</b>	<b>\$100,000</b>

2. All other terms and conditions of the MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS shall continue and remain in full force and effect.

3. This MOA Amendment may be signed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute as one instrument.



IN AGREEMENT THEREOF, the parties have entered into this Memorandum of Agreement Amendment No. 1 on this \_\_\_ day of \_\_\_\_\_, 2015.

APPROVED BY THE HHC AT ITS MEETING HELD ON November 17-18, 2014

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:  
  
 Deputy Attorney General  
 State of Hawaii

By: \_\_\_\_\_  
 Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

PANAWEA COMMUNITY ALLIANCE  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

MAKUU FARMERS ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.  
 By: RICK L. KAHAWAICAN  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KA'U HAWAIIAN HOME LANDS ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

STATE OF HAWAII )  
 ) SS  
 COUNTY OF HAWAII )

On this 21<sup>st</sup> day of January, 2015, before me appeared Rick L. Kahawaican to me personally known, who, being by me duly sworn, did say that he/she is the President - Keaukaha Community Assn. and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.

Notary Public, State of Hawaii  
 Print Name Madalyn Kaao  
 My commission expires: 8-19-15

Document Date: <u>Jan 21, 2015</u>	# of Pages: <u>4</u>
Notary Name: <u>Madalyn Kaao</u>	<u>3rd Circuit</u>
Doc. Description: <u>MOA Between Assns</u>	
NOTARY CERTIFICATION	



STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
 EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS  
AMENDMENT NO. 1

THIS AGREEMENT, dated this 20th day of January, 2015, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, hereinafter "PRIMARY RECIPIENT," whose principle place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, hereinafter "SECONDARY RECIPIENTS," whose principal places of business and mailing addresses vary, to amend that certain:

Department of Hawaiian Home Lands' MEMORANDUM OF AGREEMENT BETWEEN EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, dated July 19, 2013, between the State of Hawaii, by its Hawaiian Homes Commission, as "PRIMARY RECIPIENT", and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, as "SECONDARY RECIPIENTS" unrecorded, but filed with the Department of Hawaiian Home Lands.

WHEREAS, "PRIMARY RECIPIENT" accepts "SECONDARY RECIPIENTS'" request to amend the THREE (3) respective Hawaiian Homes Community Association name changes as reflected in the Secondary Recipient list; and

WHEREAS, the THREE (3) respective Hawaiian Homes Community Association name amendments refer specifically to the following Associations:

ASSOCIATION NAME	AMENDED ASSOCIATION NAME
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APPROVED BY THE HHC  
 AT ITS MEETING HELD ON  
 November 17-18, 2014

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By \_\_\_\_\_  
 Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

Deputy Attorney General  
 State of Hawaii

PANAWEA COMMUNITY ALLIANCE

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE

MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.

KA'U HAWAIIAN HOME LANDS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

PIIHONUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By Ronald T. Kodani  
 Its President  
 Print Name Ronald T. Kodani

STATE OF HAWAII )  
 ) SS  
 COUNTY OF HAWAII )

On this 20th day of January, 2015, before me appeared Ronald T. Kodani, to me personally known, who, being by me duly sworn, did say that he/she is the President of Piihonua Hawaiian Homestead Community Association and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.



Keakahi Kukuahi  
 Notary Public, State of Hawaii  
 Print Name Keakahi Kukuahi  
 My commission expires: 10/23/17

Document Date: 1/20/15 # of Pages: 3  
 Notary Name: Keakahi Kukuahi 2nd Circuit  
 Doc. Description: Amendment No. 1

Keakahi Kukuahi  
 Notary Signature

NOTARY CERTIFICATION





STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
 EAST HAWAII ISLAND HAWAIIAN HOMES COMMUNITY ASSOCIATIONS  
AMENDMENT NO. 1

THIS AGREEMENT, dated this 12<sup>th</sup> day of January, 2015, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, hereinafter "PRIMARY RECIPIENT," whose principle place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, and RESPECTIVE EAST HAWAII HAWAIIAN HOMES COMMUNITY ASSOCIATIONS, hereinafter "SECONDARY RECIPIENTS," whose principal places of business and mailing addresses vary, to amend that certain:

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APPROVED BY THE HNC AT ITS MEETING HELD ON November 17-18, 2014

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:  
 [Signature]  
 Deputy Attorney General  
 State of Hawaii

By: \_\_\_\_\_  
 Jobie M. K. Masagatani  
 Chairman  
 Hawaiian Homes Commission

PANAWEA COMMUNITY ALLIANCE  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

MAKUU FARMERS ASSOCIATION  
 By: [Signature]  
 Its \_\_\_\_\_  
 Print Name Paul K. Kekahuna

KEAUKAHA COMMUNITY ASSOCIATION, INC.  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KA'U HAWAIIAN HOME LANDS ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
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PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION  
 By: \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

STATE OF HAWAII )  
 ) SS  
 COUNTY OF HAWAII )

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[Signature]  
 Notary Public State of Hawaii  
 Print Name Madalyn Kao  
 My commission expires: 8-19-15

Document Date: handed # of Pages: 4  
 Notary Name: Madalyn Kao Circuit: 3rd  
 Doc. Description: MOA Between EHI  
Panaewa Hawaiian Home Community Assoc  
 [Signature]  
 Notary Signature  
 NOTARY CERTIFICATION



STATE OF HAWAII  
 DEPARTMENT OF HAWAIIAN HOME LANDS  
 MEMORANDUM OF AGREEMENT BETWEEN  
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**AMENDMENT NO. 1**

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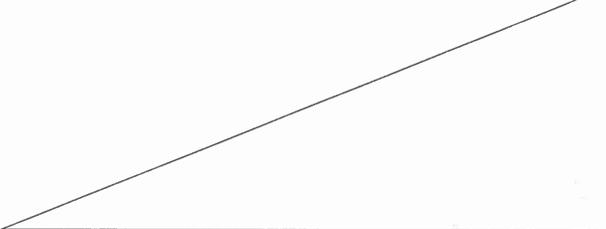
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APPROVED BY THE HHC  
 AT ITS MEETING HELD ON  
 November 17-18, 2014

State of Hawaii  
 DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

By \_\_\_\_\_  
 Jobie M. K. Masgatani  
 Chairman  
 Hawaiian Homes Commission

C. e.  
 Deputy Attorney General  
 State of Hawaii

PANAWEA COMMUNITY ALLIANCE

KAUMANA HAWAIIAN HOMES COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA PANAWEA COMMUNITY ALLIANCE

MAKUU FARMERS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

KEAUKAHA COMMUNITY ASSOCIATION, INC.

KA'U HAWAIIAN HOME LANDS ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

By Jeffrey Kekoa  
 Its President  
 Print Name Jeffrey Kekoa

PIIHONUUA HAWAIIAN HOMESTEAD COMMUNITY ASSOCIATION

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 Print Name \_\_\_\_\_

STATE OF HAWAII )  
 ) SS  
 COUNTY OF HAWAII )

On this 21<sup>st</sup> day of January, 2015, before me appeared Jeffrey Kekoa, to me personally known, who being by me duly sworn, did say that he/she is the President - Kaua'uan Home Lands Assn. and the person who executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.

Madalyn Kao  
 Notary Public, State of Hawaii  
 Print Name Madalyn Kao  
 My commission expires: 8-19-15



Document Date: Revised # of Pages: 4  
 Notary Name: Madalyn Kao Circuit  
 Doc. Description: MOA Between  
Madalyn Kao  
 Notary Signature  
 NOTARY CERTIFICATION



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24 & 25, 2018

TO: Chairman and Members, Hawaiian Homes Commission  
FROM: Acting Land Management Division P. Kahana Albinio  
SUBJECT: ITEM F-3 'Āina Mauna Legacy Program Updates

*RELEVANT MATERIAL WILL BE DISTRIBUTED AT THE TABLE.*

ITEM NO. F-3

DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
September 24-25, 2018  
Keaukaha, Hawaii

G-ITEMS  
**PLANNING PROGRAM DIVISION**

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24-25, 2018

To: Chairman and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager   
From: Andrew H. Choy, Planner   
Subject: Declare a Finding of No Significant Impact for  
the Panaewa Hawaiian Home Lands Community  
Association & Panaewa Community Alliance Project  
Kamoleao Master Plan Final Environmental  
Assessment, TMK (3)2-2-047:075, Panaewa, Hilo,  
Hawaii Island

Recommended Action

That the Hawaiian Homes Commission issue a Finding of No Significant Impact (FONSI) declaration based on the Final Environmental Assessment (FEA) for the Panaewa Hawaiian Home Lands Association (PHHLCA) and Panaewa Community Alliance (PCA) Project Kamoleao Master Plan.

Discussion

In May 2018, DHHL staff presented the public review draft environmental assessment (DEA) of the PHHLCA and PCA Project Kamoleao Master Plan to the Hawaiian Homes Commission (HHC). The DEA assessed the potential environmental impact to the surrounding environment of the project area of the master plan. In summary, the DEA found that the proposed implementation of the master plan will have minimal impact to the surrounding environment (Exhibit A).

The DEA also addressed the proposed Project Kamoleao Master Plan for consistency with existing plans and applicable land use policies. The proposed master plan actions are consistent with existing plans and applicable land use policies in the region.

Based upon the analysis completed in the DEA, staff anticipated a finding of no significant impact (FONSI) for the implementation of the master plan. Per Hawaii Administrative Rules (HAR) 11-200-11, the DEA and AFONSI are required to be published in the state Office of Environmental Quality Control "Environmental Notice" bulletin for a 30-day public review and comment period. The public comment period was from June 8, 2018 to July 9, 2018. DHHL also accepted comments from agencies after the close of the comment period.

#### FINAL ENVIRONMENTAL ASSESSMENT (SUMMARY)

Various government agencies at the federal, state, and county level as well local community groups and associations were asked to comment on the DEA. Revisions to the DEA were made based on the comments received during the public consultation period. These changes are reflected in the FEA Appendix G (Exhibit B).

A summary of the more important key substantive issues identified by other agencies during the public comment period and how those comments were addressed in the FEA are in the following table. A complete record of comments received and responses to those comments are included in FEA Appendix F of Exhibit B.

Agency	Comment/Summary	Response to Comment
<b>State Agencies</b>		
DBEDT State Office of Planning	DEA does not contain analysis on the project's alignment with State Functional Plans Part II of the Hawaii State Planning Act.	FEA will include analysis on the project's alignment with the State Functional Plans Part II of the Hawaii State Planning Act.
<b>County Agencies</b>		
Department of Water Supply	In order to allow one water meter to serve all phases of the project, the demand calculations will have to include the entire anticipated water demand. It would also be possible to meter each phase separately.	It may be preferable to meter each phase of Project Kamoleao separately rather than all with one.
Planning Department	Neighboring parcel to Kamoleao was identified by in the State's TOD Plan as a proposed transit hub. Planning Department supports FONSI for Project Kamoleao.	Future conversations regarding TOD uses of the parcel should be directed toward DHHL and its beneficiary community and will need to be consistent with the HHCA. Project Kamoleao would not preclude TOD opportunities.
<b>Federal Agencies</b>		
FEMA	Flood Insurance Rate Maps were updated for the County of Hawaii in 2017 and the County participates in the National Flood Insurance Program (NFIP) which may require minimum building standards.	Project Kamoleao is located in Flood Zone X based on the updated 2017 maps. Areas in Flood Zone X have less than 0.2% annual flood likelihood and are not subject to NFIP standards. Also, the County confirmed that there are no special local building requirements associated with this site attributable to its floodplain status and/or FIRM designation.

*Criteria for a Finding of No Significant Impact (FONSI)*

Hawaii 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.

1. *Involve an irrevocable loss or destruction of any natural or cultural resources.*

Discussion: Project Kamoleao is not anticipated to involve any activity that may lead to a loss or destruction of any natural or cultural resource. The Project Site has been the subject of biological, archaeological, and cultural studies, and those studies have revealed the absence of any significant natural or cultural resources.

2. *Curtail the range of beneficial uses of the environment.*

Discussion: Implementation of Project Kamoleao will not curtail the range of beneficial uses of the environment, but instead promote beneficial uses of the environment, by providing a long-planned community center and other socially beneficial uses.

3. *Conflict 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 Project is not in conflict with the long-term environmental policies, goals, and guidelines of the State of Hawaii as discussed in Section 5.1 of the FEA (Exhibit A).

4. *Substantially affects the economic or social welfare of the community or state.*

Discussion: The Community Center and Certified Kitchen components of Project Kamoleao are seen to target the estimated 2,100 Pana'ewa Homestead residents on a

preferential basis, but are expected to have capacity to also support and benefit from use by other area beneficiaries and residents. In the case of the Certified Kitchen, targeted users could also include start-up or small food-service related businesses from throughout the East Hawaii area that may utilize the six incubator-style kitchens that are proposed. These commercial facilities would benefit from Kamoleao's proximity to the Hilo airport, harbor and diversity of food product sources. In these respects, Project Kamoleao is seen to promote the economic and social welfare of the community, and thereby a portion of the State.

*5. Substantially affects public health.*

Discussion: There will be temporary impacts to noise and air quality levels during construction phases of the Project; however, these potential impacts will be short-term and are not expected to substantially affect public health. It should be noted the current county zoning allows for industrial use, and the Proposed Action would likely present lesser long-term impacts to air and noise quality, compared to a plan that might be dominated by industrial uses. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures. Rather, the various attributes of Project Kamoleao are envisioned to enhance the public health of the Panaewa Homestead community and neighboring communities.

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

Discussion: Project Kamoleao will not induce any increases or shifts in population and will not have a significant effect on any other public facilities.

*7. Involves a substantial degradation of environmental quality.*

Discussion: Construction activities associated with Project Kamoleao 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, development of Project Kamoleao will not result in

degradation of environmental quality. No long-term negative impacts are expected from implementation.

8. *Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions.*

Discussion: Although the implementation of Project Kamoleao has the potential to provide significant community and social benefits, it will have a cumulative impact on traffic (§0 above). Project Kamoleao will not contribute to nonpoint source pollution (§3.4 above). The Project is a stand-alone project, which does not involve a commitment for larger actions.

9. *Substantially affects a rare, threatened or endangered species, or habitat.*

Discussion: There are no known, threatened, or endangered species of flora, fauna, or associated habitats located on Kamoleao that could be adversely affected by the construction and operation of Project Kamoleao. However, according to the USFWS, it is possible that several endangered species may use or overfly Kamoleao. Mitigation measures will be specified and incorporated into the construction documents.

10. *Detrimentially affects air or water quality or ambient noise levels.*

Discussion: Construction activities for development of Project Kamoleao could potentially impact noise and air and water quality levels on Kamoleao. 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 an increase in impervious surfaces compared to Kamoleao's current vacant state; however, any increase in runoff will be accommodated by proposed drainage improvements and will not detrimentally affect water quality. Operational noise levels would be similar to ambient noise levels.

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

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. Project Kamoleao will be constructed in compliance with County of Hawaii 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.*

Discussion: Project Kamoleao will not alter the visual setting of the area, nor will it block any scenic vistas. The area is not listed as a scenic view plane or area of natural beauty by the County.

13. *Require substantial energy consumption.*

Discussion: Construction and operation of Project Kamoleao will not require substantial increases in energy consumption.

*Mitigation Measures Identified in the FEA*

- On-site drainage design includes vegetated buffer/filter strips, open vegetated channels, and infiltration, as appropriate.
- Erosion control measures such as temporary sediment basins to trap silt and/or temporary berms and/or straw bale barriers to trap silt could be utilized;
- Outdoor lighting will be in conformance to County Code to prevent impacts to seabirds;
- Barbed wire fence will not be used to prevent impacts to hoary bat;
- No night-time construction is anticipated to reduce impact to neighbors and endangered animals such as the hoary bat and Hawaiian Hawk;

- Avoid tree clearing during breeding seasons of hawk and hoary bat (March to September and June to September respectively);
- Prevent the spread of rapid ohia death disease, search for diseased trees on property should be conducted within two weeks prior to any tree cutting and consult with U.S. Fish and Wildlife Service if diseased trees are found.
- Work will stop if any inadvertent discovery of human remains or historic sites are found during construction.

These mitigations measures will ensure that the project will have minimal impact natural and cultural resources in the vicinity.

#### Next-Steps

Should the HHC approve the recommended action, PHHLCA and PCA can proceed with the implementation of the Project Kamoleao Master Plan. PHHLCA and PCA can continue to fundraise for architectural, engineering, and construction costs of the proposed improvements.

While PHHLCA and PCA have been successful in obtaining grants from third parties such as the State Legislature for Project Kamoleao, another critical component to their fundraising success is to have the ability to sub-lease portions of the 12-acre parcel to interested third-party developers in order to implement Phase 1B. Currently, PHHLCA has a 30-year license agreement from DHHL. However, PHHLCA will eventually need to convert their license to general lease from DHHL in order for Project Kamoleao to become an economically self-sufficient project over time. General lease conditions could include requiring adherence to the mitigation measures articulated in the FEA.

#### Recommended Action

DHHL staff respectfully requests approval as recommended.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

May 14-15, 2018

To: Chairman and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager   
From: Andrew H. Choy, Planner   
Subject: Draft Environmental Assessment (DEA) and  
Anticipated Finding of No Significant Impact  
(AFONSI) Project Kamoleao, Panaewa, Hilo, Hawaii  
(TMK 3-2-2-047:075)

Recommended Action

For information only. No action required.

Purpose

The purpose of this informational briefing is to update the HHC on the status of the DEA for Project Kamoleao and provide the HHC an opportunity to provide comments on the DEA prior to publication in the Office of Environmental Quality Control's Environmental Notice Bulletin in June 2018.

Background

The implementation of Project Kamoleao was identified as a Priority Project in the 2017 DHHL Panaewa Regional Plan Update. The name "Kamoleao" means the young shoots of a kalo plant nurtured by the bright sun (ao), symbolizing "growing from the foundation of the elders." An excerpt from the 2017 Panaewa Regional Plan Update and summarizes the history of the Kamoleao parcel is attached (Exhibit C). Conceptualization of community programs and uses for the Kamoleao parcel began as early as 1986. Since that time several iterations of master plan concepts have been developed.

However, none of the previous efforts resulted in the development of an HRS Chapter 343 environmental assessment (EA) for the entire 12-acre parcel nor were any conceptual business plans developed to identify potential revenue sources to address initial development costs and long-term operation and maintenance costs. The completion of an HRS Chapter 343 EA for the entire parcel and incorporating a conceptual business plan as a component of the master plan are a part of this current effort and should increase the probability of this project's success.

DHHL staff presented an informational submittal to the HHC regarding the Project Kamoleao Master Plan in October 2017 (Exhibit B). In summary, the preferred alternative plan consists of three development phases and the following major components:

- Community Center & Certified Kitchen (Phase 1A)
- Commercial Retail (Phase 1B)
- Light Industrial (Phase 1B)
- Health & Wellness Complex (Phase 2)
- Future Community Uses and/or Commercial Uses (Phase 3)
- Forested Open-Space/Puuhonua Concept (Existing)

A graphic illustration of the preferred master plan including acreage amounts for each of the above components is included in Chapter 2 of the DEA (Exhibit A) as well as a brief description of each of the components' concepts.

#### DEA Summary

The DEA (Exhibit A) assesses the potential environmental impact of the Project Kamoleao. The following discussion summarizes the analysis of the DEA assessment of the project's impact to various resources.

#### *Natural Resources*

A botanical survey conducted in 2009 of a portion of the project area identified no rare, threatened, or endangered plant species. Several common species of native plants were identified during the survey including: ohia, uluhe, kopiho, hala, kukui, hapuu, and popolo. The highest concentration of native plant species is in the center of the property. As such, the development scheme of the

Project Kamoleao Master Plan recommends siting development on the exterior of the property and keeping the center of the property in conservation. The center of the property will also serve as a "puuhonua" and quiet place of reflection.

Endangered faunal species such as the hoary bat and Hawaiian Hawk have been observed on occasion in the greater Hilo area, but not specifically at the project site. To mitigate potential disturbance to these species, the DEA recommends not cutting or removing trees larger than 15 feet during these animals breeding seasons (March thru September) as large trees could be potentially inhabited by these animals during that period.

#### *Historic and Cultural Resources*

An archaeological inventory survey (AIS) was conducted on the project site. The AIS found that the project site had been largely altered previously and that no existing cultural or historical sites were found on the property. A Cultural Impact Assessment (CIA) was conducted as part of the DEA study. The CIA contacted 11 individuals who may know of cultural practices that occur in the vicinity of the project area. Of the 11 individuals that were contacted, only two responded. Neither respondent noted ongoing cultural practices in the vicinity of or on the project site. Furthermore, Project Kamoleao is seen as an opportunity to allow native Hawaiians to gather and practice cultural activities as facilities such as the community center and conservation area in the middle of the property will help to facilitate cultural practices.

#### *Infrastructure -- Traffic*

The addition of project traffic to the intersections immediately adjacent to the site is not expected to result in any operational issues given the available capacity and limited extent and length of existing congestion. As noted under existing conditions, longer delays occur at the intersections along Kanoelehua Avenue during the peak commute periods. While project traffic is expected to be added to some of those intersections, the volumes are expected to have a minimal or negligible impact based on the project's total trip generation, the anticipated distribution focused on the adjacent neighborhood, and the

options for traffic to access the site (e.g., to use Railroad Avenue to travel north and south vs Kanoelehua Avenue.) The site design will also encourage patrons to walk and bicycle to the site by providing multiple connections to fronting sidewalks, as well as bicycle parking at strategic locations close to the building entrances.

#### *Infrastructure - Water & Wastewater*

The County Department of Water Supply (DWS) also indicated that the current domestic water allocation for this parcel is 1-water unit, which is equivalent to 400 gallons per day (gpd). Additional water units are available and shall be based on the water demand calculations for the proposed improvements as required by the DWS. The projected water demand for the master plan is not expected to significantly impact the existing County water system and local water resources.

The nearest County sewer main is located in Makaala Street, located to the north of the parcel. The existing 8-inch sewer main is over 1,000-feet away from the Kamoleao parcel. Because of the distance, the Kamoleao parcel is not required to connect to the County sewer system. Connecting to the existing sewer system would also significantly increase construction cost. Therefore, it is recommended that on-site individual wastewater systems be considered for wastewater treatment and disposal. Wastewater would be handled by an Individual Wastewater System (IWS) for each Phase or other sub-area of the plan. These wastewater systems shall be sized to accommodate the wastewater generated from each phase or area. The design of all IWS in all phases shall conform to the most current version of HAR 11-62 Wastewater Systems. Prior to construction of each septic tank and leach field, the design civil engineer will prepare an Individual Wastewater System permit and submit it to DOH, Wastewater Branch for approval.

#### *DHHL Planning System Consistency*

The 2002 DHHL Hawaii Island Plan land use designation of the project area is for community use. The proposed uses of the Project Kamoleao Master Plan is consistent with the community use land use designation. As mentioned previously, implementation of Project Kamoleao was

identified by DHHL beneficiaries as one of five priority projects in the 2017 update of the DHHL Panaewa Regional Plan.

Based upon the analysis completed in the DEA, staff anticipates a finding of no significant impact for the Project Kamoleao Master Plan. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR 11-200-12.

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

Discussion: Project Kamoleao is not anticipated to involve any activity that may lead to a loss or destruction of any natural or cultural resource. The Project Site has been the subject of biological, archaeological, and cultural studies, and those studies have revealed the absence of any significant natural or cultural resources.

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

Discussion: Implementation of Project Kamoleao will not curtail the range of beneficial uses of the environment, but instead promote beneficial uses of the environment, by providing a long-planned community center and other socially beneficial 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 Project is not in conflict with the long-term environmental policies, goals, and guidelines of the State of Hawaii as discussed in Section 5.1 above.

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

Discussion: The Community Center and Certified Kitchen components of Project Kamoleao are seen to target the estimated 2,100 Pana'ewa Homestead residents on a preferential basis, but are expected to have capacity to also support and benefit from use by other area

beneficiaries and residents. In the case of the Certified Kitchen, targeted users could also include start-up or small food-service related businesses from throughout the East Hawaii area that may utilize the six incubator-style kitchens that are proposed. These commercial facilities would benefit from Kamoleao's proximity to the Hilo airport, harbor and diversity of food product sources. In these respects, Project Kamoleao is seen to promote the economic and social welfare of the community, and thereby a portion of the State.

*(5) Substantially affects public health;*

Discussion: There will be temporary impacts to noise and air quality levels during construction phases of the Project; however, these potential impacts will be short-term and are not expected to substantially affect public health. It should be noted the current zoning allows for industrial use, and the Proposed Action would likely present lesser long-term impacts to air and noise quality, compared to a plan that might be dominated by industrial uses. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures. Rather, the various attributes of Project Kamoleao are envisioned to enhance the public health of the Panaewa Homestead community and neighboring communities.

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

Discussion: Project Kamoleao will not induce any increases or shifts in population and will not have a significant effect on any other public facilities.

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

Discussion: Construction activities associated with Project Kamoleao 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, development of Project Kamoleao will not result in degradation of environmental quality. No long-term negative impacts are expected from implementation.

EXHIBIT 11

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

Discussion: Although the implementation of Project Kamoleao has the potential to provide significant community and social benefits, it will have a cumulative impact on traffic (§0 above). Project Kamoleao will not contribute to nonpoint source pollution (§3.4 above). The Project is a stand-alone project, which does not involve a commitment for larger actions.

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

Discussion: There are no known, threatened, or endangered species of flora, fauna, or associated habitats located on Kamoleao that could be adversely affected by the construction and operation of Project Kamoleao. However, according to the USFWS, it is possible that several endangered species may use or overfly Kamoleao. Mitigation measures will be specified and incorporated into the construction documents.

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

Discussion: Construction activities for development of Project Kamoleao could potentially impact noise and air and water quality levels on Kamoleao. 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 an increase in impervious surfaces compared to Kamoleao's current vacant state; however, any increase in runoff will be accommodated by proposed drainage improvements and will not detrimentally affect water quality. Operational noise levels would be similar to ambient noise levels.

*(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. Project Kamoleao will be constructed in compliance with County of Hawaii 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;*

Discussion: Project Kamoleao will not alter the visual setting of the area, nor will it block any scenic vistas. The area is not listed as a scenic view plane or area of natural beauty by the County.

*(13) Requires substantial energy consumption.*

Discussion: Construction and operation of Project Kamoleao will not require substantial increases in energy consumption.

#### Next-Steps

The following is a list of next-steps for the completion of the master-plan and EA contract as well as estimated timeline for master plan Phase 1 completion.

- June 2018: DEA published OEQC Environmental Notice
- July 2018: 30-day public comment period
- August 2018: Revise DEA per public comments received
- Sept. 2018: HHC Approve FEA and FONSI
- 2018-2019: General Lease Discussions with DHHL
- 2018-2019: Pursue Funding/Grants
- 2019: Developer Contracting, Financial Analysis
- 2020: Secure Funding & Permits
- 2021-2022: Construction & Opening

#### Recommendation

For information only. No action required.

ITEM G-1  
EXHIBIT B

PLEASE SEE PDF OF  
PROJECT KAMOLEAO FINAL ENVIRONMENTAL ASSESSMENT  
REPORT AT:

<http://dhl.hawaii.gov/po/environmental-review/>

**West Maui Water Intergovernmental Agreement  
July 28, 2018 Beneficiary Consultation Meeting Notes**

*Q = Question, A = Answer, C = Comment, DWS = Department of Water Supply*

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Q: Wells are limited. Why is Honokowai only having a well instead of surface water? Unknown. I don't like wells. Honokowai should have surface water as well.

A: Mahinahina TP (Treatment Plant) is surface water. 200,000 [GPD] (Gallons per Day) is treated surface water.

Q: Agreement is in process?

A: No decision has been made. Still working w/ DWS (Department of Water Supply). DWS made request in 2017. HHC (Hawaiian Homes Commission) said see if we can get water instead of \$.

Q: Expedites water for HHL (Hawaiian Home Lands)?

A: 200,000 GPD is for HHL

C: Don't want to end up like Launiupoko. No more water there. Built a well – homes taking water from other places.

Q: Mock build up for Leialii. Model home – who pays for the water meter?

A: DHHL (Department of Hawaiian Home Lands) doesn't build model homes. Developers have plans/models.

A: When DHHL purchased Leialii, infrastructure was already there. Improvements made to meet County code. Normally DHHL does overall system infrastructure. Lessee does water meter installation.

Q: How many ag. (agriculture) lots proposed in Honokowai?

A: 2004 MIP (Maui Island Plan) – 41 res. (residential) lots, 15 5-acre ag. lots. Leialii took up lots of res. demand. During reg. (regional) plan process, demand for ag. Dept. started looking at ag. Looking at replanning Honokowai for all ag. lots. Opportunities- R1/surface water use for ag.

Q: Dual water system?

A: Will need potable for domestic uses. Non-potable for ag.

DWS: Mixed system for Lahaina. Mahinahina is combo of SW (surface water)/wells. Lahaina system is wells.

C: Water in the streams – not abundant anymore.

A: CWRM (Commission on Water Resources Management) setting IIFS (Interim Instream Flow Standards) for W. Maui.

Q: What is left for DWS?

A: Working w/ agencies to determine water – DWS & CWRM.

DWS: 200,000 [GPD] does not affect IIFS, existing capacity w/ reliable well backup to surface water.

C: I was never asked if I wanted ag. over res. People wanting ag. probably have homes. Go down list of people who need homes.

A: Since 1990s, HHC focused on res., no ag. Push for refocus on ag. Balance. 5 year beneficiary surveys, HHC mtgs. – discussion on balance comes up. Need beneficiary mana'o and advocacy. Participate in planning process.

Q: Ag. lots can be occupied w/ homes?

A: Yes.

Q: Tanks are for potable water. Tanks better than reservoirs?

DWS: Reservoir is for untreated surface water before it goes into Mahinahina. Proposed tank is for potable water from DWS/DHHL tanks.

Q: Rainy season vs dry season

A: Wells are backup to surface water. DWS' job is to manage the utility.

C: Kihei built out w/out reliable water. Lots of runoff.

Q: Are you considering lay of the land (contours)?

A: Planning process involves suitability analysis of land. We do what makes sense for the 'āina & community. Eg. Honokowai. We will look at what we see and what we hear. HHC supports this project - \$.

Q: Preparation. You're giving us awareness. Re old wells – Honokowai is not a place for wells (eg. sewer) 5 live streams in Honokowai. Sugarcane/ranching created reservoirs. Need new technology these days. Honokowai wet – surface water/streams. Cultural Impact Assessment (Cultural Impact Assessment) done?

A: Agreement is for DWS system – mixed surface/ground water. DHHL well can provide 1.0 MGD (Million Gallons per Day) once it's in production. No proposals for new wells. Well was dug for Leialii. Honokowai – developed our own source w/ State funds. CIA will be done as part of EA (Environmental Assessment) process for well – including reaching out to kuleana land owners. Honokowai was acquired – we don't know what happened on land. CIA/AIS (Archaeological Inventory Survey) will be done for research.

Q: How will you connect your land – where will line go?

A: Looking at alternative alignments. Eg. Existing siphon. Going thru EA process looking at alignments.

A: EA process end of year – would be good to get comments. Looking at flora/fauna, archaeology. Need to go over valley – owned by KLMC (Kaanapali Land Management Corporation). Trying to stay on HHL as much as possible.

Q: DHHL has 1<sup>st</sup> rights to water per CWRM IIFS process/State constitution. Why do we need deal w/ DWS when it's part of constitution?

A: 4 public trust uses of water (inc. DHHL) – all equal. Also includes public domestic uses, natural state, TCR (traditional and customary rights) of NH (Native Hawaiians). CWRM obligation to balance uses before private uses.

A: DHHL has no money, DWS has resources and expertise. We work w/ the experts.

A: We have a right to water from source, but how we get it (trans. (transmission) system) costs money. DWS already has system on DHHL lands. They manage system, makes sense that we partner.

Q: Why not ask them [DWS] to pay in infrastructure rather than water since DHHL has rights to water?

A: We calculated water demands for Honokowai lands – but where does water come from. DWS wells/system is theirs. Cost to provide infrastructure. DWS improvements are infrastructure to benefit DHHL.

DWS: 200,000 GPD is readily available water. DHHL just needs to provide infrastructure to bring it to end users. DWS/DHHL wells cost money to develop.

Q: DHHL consider monetary payment instead?

A: DWS offered \$400,000 for license originally. DHHL/P.O. (Planning Office) recommended that that wasn't enough. Staff advocated to work w/ DWS to get water. Infrastructure benefits also included. [Hawaiian Homes] Commission/[Maui County] Council can still deny, this is staff recommendation.

Q: Is infrastructure costs included in deal?

A: Land for infrastructure in exchange for water. Infrastructure will allow development of DWS/DHHL wells.

A: This agreement is 1<sup>st</sup> of 3 steps. 200,000 GPD is enough to service Leialii and still allow DWS to serve public.

Q: Where does 200,000 GPD come from?

A: Mixed sources, 8 wells and surface water.

- DWS: Opportunity to partner – allows reliability of water.
- Q: What is wet water/what is conservation notice?
- DWS: When wells need to be repaired, we ask public to conserve/be better stewards.
- A: Wet water is readily available water rather than just an agreement.
- C: Would like to not be limited – more water if needed.
- C: DWS has license to sell water/DHHL no license. Come straight down from Puukoolii w/ new bypass and put water in Wahikuli [reservoir].
- A: DHHL can sell water per HHCA (Hawaiian Homes Commission Act). 4 systems – subsidized by DHHL.
- A: Looking at Wahikuli as an option. Cost of transmission is extreme. Systems operations cost is extreme.
- C: Honokowai → Napili line is in the middle of Honoapiilani Hwy. Old lines/lots of maintenance costs in future. Wahikuli filled via pump. Look at this as an option. Bypass.
- DWS: We will maintain.
- Q: Who are other institutions? Kuleana LCA (Land Commission Award) awardees?
- A: Focus in on advocating for beneficiaries. Kuleana awardees in [Honokowai] valley. We are aware of exclusions/awardees. We honor awardees. Need to figure out how to contact.
- DWS: Request is only for areas on HHL. No impact on known kuleana awards.
- Q: Who are other stakeholders?
- A: Beneficiaries first, then larger community. Other large landowners, State and County agencies, neighbors.
- C: DWS will receive ~22.5 acres in exchange of 200,000 GPD to DHHL.
- Q: County has been there, what do they pay now? In order to continue they need a license?
- A: Correct. We are trying to finalize this agreement.
- Q: DHHL didn't have Honokowai until 2004, who had it before?
- A: DLNR, they gave ROE (Right of Entry) for plant. DHHL received lands, been working on agreement.
- Q: 200,000 GPD only for HHL. What about other developments eg. Pulelehua?
- A: Focused on DHHL. State agencies slower than private developers.
- DWS: Pulelehua has source requirement. 200,000 GPD is guaranteed once agreement is approved.
- Q: Where is Leialii Association? They should be here.
- Q: DWS will maintain system?
- A: Existing system will provide 200,000 GPD.
- Q: Council needs to approve?
- A: Yes, water agreements need to be approved by Council.
- Q: [Leialii] 1B will come up once water is given?
- A: Still need to work on sewer, road (Leialii Pkwy.). Kuleana is to develop pkwy. to service 1B.

## **Comments from July 24, 2018 Telephone Conversation with Gilbert Paoa**

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- DHHL/DWS should be mindful about the power grid and look into solar panels, like the one above Lahainaluna [High School], to assist with the water system energy.
- Hawaiian Airlines has a license at Kapalua Airport and they lease from Bishop Estate and should be considered as a stakeholder in the region.
- Water being supplied by Pu'ukoli'i well, people don't understand how much it costs; on the ag side, like at Waikapu, the small village is set up for tourists; my sister lives by Wai'ehu Golf Course and she's still able to build a home near/on ag land.
- The State of Hawai'i and Unions should help with house construction.
- Everything near the coastline including Marriott and Hyatt have big lawyers that can set up contracts/licenses.
- In the November election there will be items that will affect DHHL.
- People don't know how precious water is; my main focus last night was on the was on water meters: who pays for purchasing them and who pays for installation.
- We live in Honokōwai.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24 -25, 2018

To: Chairman and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager *g*  
From: Halealoha Ayau, Water Resource Management Specialist  
Andrew H. Choy, Planner *AC*  
Subject: For Information Only -- East Hawaii Regional Update  
to the Hawaiian Homes Commission

Recommended Action

For information only. No action required.

Background

Per the directive of the Chairman, 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 prior policies and/or plans specific to that previously adopted by the HHC specific to that particular geographic region.

A status report of DHHL's progress in implementing these policies/plans is also included for the HHC's consideration.

For September 2018, Planning Office will be providing an update to the HHC for East Hawaii.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

Hawaii Island Plan Policies Related to East Hawaii.

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 Hawaii Island Plan was adopted by the HHC in 2002. The 2002 Hawaii Island Plan delineated five planning regions on Hawaii Island, North, East, South, West, and Central. (see maps, Exhibit A). For the purposes of this informational submittal, Planning Office will be focusing on the lands in the East and South regions.

Land Use Designation	Acres	Percent of Total
Residential	1,001	4.5%
Subsistence Agriculture	1,968	9.1%
Supplemental Agriculture	3,019	13.8%
Pastoral	7,832	35.7%
Community Use	90	0.4%
General Agriculture	4,970	22.7%
Commercial	346	1.5%
Industrial	364	1.6%
Conservation	240	1.2%
Special District	2,058	9.5%
TOTAL	21,888	100%

#### Hawaii Island Plan Implementation Status

There have been no land use amendments made to the island plan in the East and South Regions since the adoption of the plan in 2002. The Hawaii Island Plan identified seven priority tracts for homestead development across the entire island. The priority tracts were further broken down into two development phases, a Phase I (priority) and Phase II. In the East and South Region, only the Lower Piihonua tract was identified as a Phase I priority for new homestead development. The Panaewa tract in the East Region and the Wailau tract in the South region were identified as Phase II priorities for new homestead development.

DHHL has initiated the planning and development process for new agriculture homesteads in its Honomu Tract. A Honomu Master Plan & EA is expected to be completed in 2019. The Island Plan designated Honomu for supplemental agriculture. However, the master plan is also looking at the feasibility of subsistence agriculture lots as well as community uses. Depending upon the outcome of the Honomu Master Plan's final recommendations, changes to the existing supplemental

agriculture land use designation in the Hawaii Island Plan may be warranted. Completion of engineering, design, and actual award of lots to waitlist applicants is anticipated in 2019. Planning Office will be requesting funding in FY 19 to undergo this planning update.

The 2002 Hawaii Island Plan is due for a review and update. Island Plans are intended to have a 20-year outlook and we are close to that time horizon. Furthermore, new circumstances over the last 15 years such as changes in overall population growth on the island of Hawaii, changes in County plans, changes in waitlist beneficiary preferences, as well as the occurrence of significant legal precedents such as the Nelson case and adoption of new administrative rules related to subsistence agriculture homesteads necessitate a re-look at the existing island plan.

#### *Keaukaha Regional Plan*

The *Keaukaha Regional Plan* was adopted by the HHC in December, 2010. Outreach with beneficiaries in the region through the planning process identified one priority project, the Keaukaha Hawaiian Community Pavilion.

#### *Makuu Regional Plan*

The *Makuu Regional Plan* was adopted by the HHC in December, 2010. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Makuu Farmers' Association Community Center
- (2) Makuu Offsite Water System Phase 2
- (3) Sustainability & Renewable Energy Initiatives
- (4) Farm Plans, Capacity Building & Promotion of Agriculture
- (5) Lease Enforcement Provisions

#### *Panaewa Regional Plan*

The Panaewa Regional Plan Update was adopted by the HHC in January, 2017. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Project Kamoleao (12-acre community parcel)
- (2) Panaewa Park & Family Center Management
- (3) Agricultural Capacity Building - Marketing & Training Center
- (4) Traffic Calming & Safety Improvements on Railroad Avenue and Auwae Avenue
- (5) Hawaii Island Plan Update for East Hawaii

#### *Kau Regional Plan*

The Kau Regional Plan was adopted by the HHC in May 2012. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Create a Kau Homestead Community Association
- (2) Obtain Additional Water for Homestead Lots in Kamaoa, Pueo, and Waiohinu
- (3) Protect and Preserve Cultural Sites & Natural Resources in Kamaoa
- (4) Agriculture Homestead Leases at Waiohinu and Pursue Partnership with DLNR for Hawaiian Homesteading

#### *Kaumana-Piihonua Regional Plan*

The Kaumana-Piihonua Regional Plan was adopted by the HHC in May, 2017. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Kaumana-Piihonua Community Center
- (2) Agriculture Sustainability - Community Pasture
- (3) Community Tool Shed and Work Days

(4) Pest-Control Mitigation and Removal (Kaumana Only)

*East Hawaii Regional Plan Implementation Statuses*

Tables 2-6 below identify the "project champion" as well as summarizes the status of each regional plan priority project.

Table 2: KEAUKAHA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Keaukaha Hawaiian Community Pavilion	KCA	In-Progress. Conceptual design and drawings have been completed. Draft EA is being prepared.

Table 3: MAKUU REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Makuu Farmers' Association Community Center - Site Preparation	MFA	In-Progress. Completed HRS 343 EA in 2011. Fundraising for community center construction.
Makuu Offsite Water System Phase 2	DHHL	Project no longer being pursued because of 2015 lava flow.
Sustainability and Renewable Energy Initiatives	MFA	Not started.
Farm Plans, Capacity Building, and Promotion of Agriculture	MFA	CTAHR technical assistance is available to Makuu lessees via a CTAHR Extension Agent.
Lease Enforcement Provisions	DHHL	<b>Not Started.</b> Makuu community leaders have made repeated requests to DHHL to begin enforcement of non-compliant lessees. The unoccupied lots are becoming a huge safety concern.

Table 4: PANAWEA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Project Kamoleao	PHHLCA	In-Progress. Seeking HHC FONSI approval on FEA September 2018. Looking to pursue funding for design work.
Panaewa Park & Family Center	PHHLCA /DHHL / County Parks	In-Progress. HHC approved issuance of license with County Parks and Recreation in 2016 subject to the County working out a park use agreement with PHHLCA. County, DHHL, and PHHLCA held initial meeting in March 2017 to discuss agreement.
Agricultural Capacity Building Marketing and Training Center	KPFA / DHHL	In-Progress. KPFA completed its strategic plan in 2017. UH-CTAHR CES agent has provided technical assistance and training to Panaewa agriculture homestead lessees.
Traffic Calming & Safety Improvements on Railroad Avenue and Auwae Avenue	DHHL / County / KPFA	KPFA conducted a meeting with County DPW-Traffic Division to assess options in addressing issue.
Hawaii Island Plan Update for East Hawaii	DHHL	<b>Not Started.</b>

Table 5: KAU REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Create a Kau Homestead Community Association	Kau Beneficiaries	Completed. The Kau Hawaiian Homestead Association was created in 2013 and received IRS 501c3 status.
Obtain Additional Water for Homestead Lots in Kamaoa, Puueo, and Waiohinu	DHHL	In-Progress. DHHL completed Kau Water Assessment. DHHL received \$1.5 million in CIP funds from legislature for plan, design, and construction. DHHL has proposed phase 1 improvements including 100,000-gallon storage tank, new pressure reducing valves, and transmission pipes to provide water to Kamaoa Pastoral homestead lots. Next step is designing improvements and then determining management of system once built.
Protect and Preserve Cultural Sites and Natural Resources in Kamaoa	DHHL/Kau	In-Progress. South Point Resources Management Plan was adopted October 2016. HHC approved FONSI for plan May 2018. HHC approved \$300k for South Point management in FY 19 budget.
Agriculture Homestead Leases at Waiohinu	DHHL	In-Progress. The BLNR approved transfer of 380-acre Waiohinu parcel to DHHL via executive order in February 2018. DHHL has been following up with DLNR staff to complete transfer paperwork.

Table 6: KAUMANA-PIIHONUA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Kaumana-Piihonua Community Center	Kaumana & Piihonua Associations and DHHL	In-progress. Kaumana and Piihonua communities looking at pursuing funding opportunities.
Agriculture Sustainability - Community Pasture	Kaumana & Piihonua Associations and DHHL	Not Started.
Community Tool-Shed and Work Days	DHHL	Not Started.
Pest-Control Mitigation and Removal (Kauamana Only)	Kaumana Association	Not Started.

Recommendation

For information only. No action required.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24-25, 2018

To: Chairman and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager  
From: Bryan Esmeralda, AICP, Planner  
Subject: Acceptance of Beneficiary Consultation Report for Proposed DHHL Intergovernmental Agreement with the County of Maui, Department of Water Supply Related to the Mahinahina Treatment Plant; Honokōwai, Lahaina, Maui; TMK (2) 4-4-002:018 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation report as the official record of beneficiary issues, questions, concerns, and comments regarding a proposed intergovernmental agreement with the County of Maui, Department of Water Supply (DWS) for the continued operation of the existing Mahinahina Surface Water Treatment Plant (SWTP), designation of access, utility, and grading easements, and other planned water system improvements on the subject parcel at Honokōwai, Lahaina, Maui.

Acceptance of this report does not indicate concurrence or approval of any staff recommendations that may appear herein.

DISCUSSION

Background

The Department of Hawaiian Home Lands (DHHL) acquired the subject parcel, which is part of the DHHL's Honokōwai tract (also comprised of TMKs (2) 4-4-002:003 and 008), from the Department of Land and Natural Resources (DLNR) in 1995. The Mahinahina SWTP was constructed via Right of Entry granted by the DLNR and put into service in 1995, and has been in operation since this time. When DHHL acquired the subject properties, no

disposition was granted to the DWS for the operation of the Mahinahina SWTP.

In 2017, the DWS approached the HHC and requested a land use license for the Mahinahina SWTP in exchange for a cash payment equivalent to the appraised value of the requested lands. The HHC, recognizing the need for water to support planned development on DHHL lands at Honokōwai and Leiali'i Phase I-B, requested that the DHHL and DWS work towards an agreement wherein the DWS would provide a water allocation to the DHHL from the Mahinahina SWTP in exchange for the license. Through negotiations, the DWS determined that an allocation of 200,000 Gallons Per Day (GPD) was within the existing capacity of the Mahinahina SWTP and could be provided to the DHHL as part a the proposed intergovernmental agreement. In exchange for the 200,000 GPD allocation, the DWS would receive a license for the uses described in **Table 1** and **Figure 1** below.

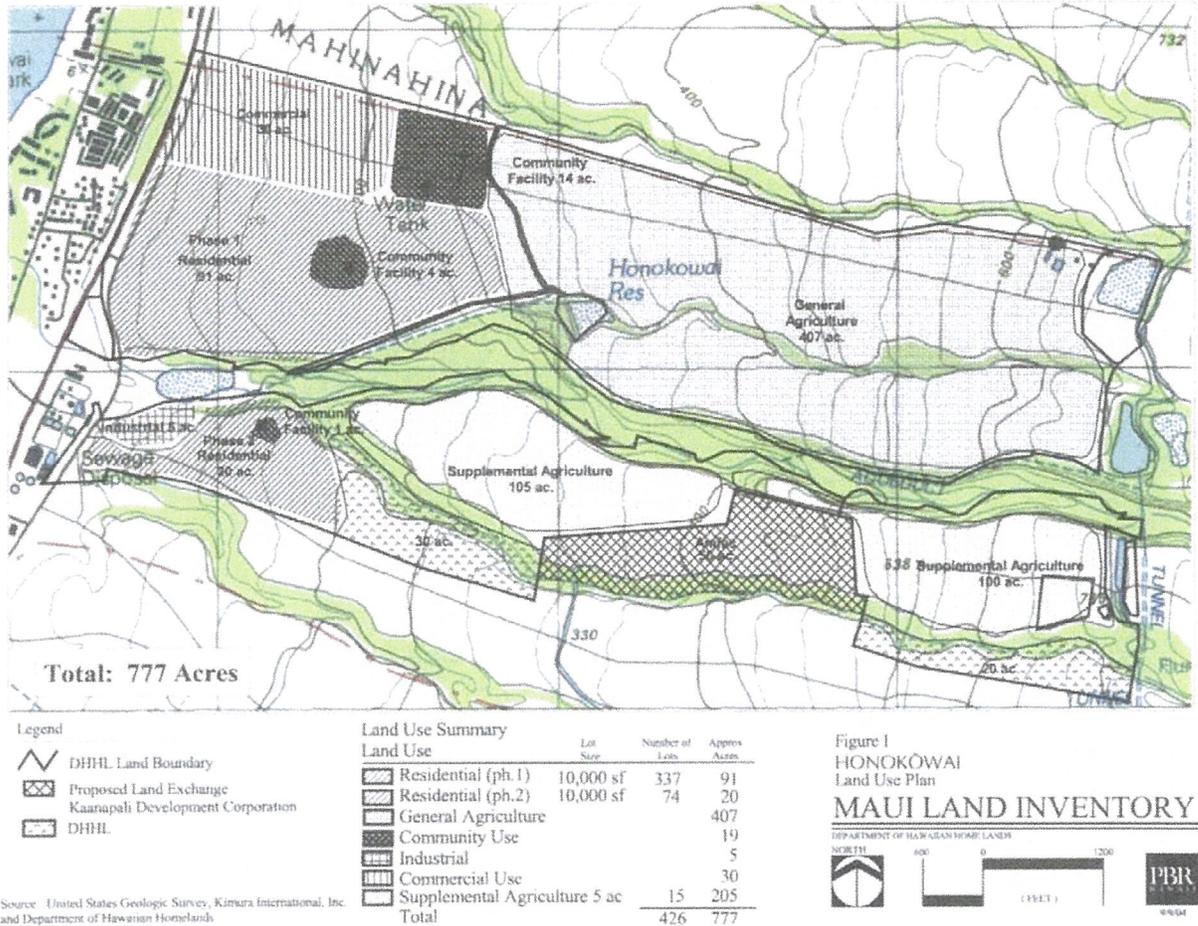
**Table 1.** Requested Licenses Uses and Acreages

<b>USE</b>	<b>ACREAGE</b>
Existing Mahinahina SWTP	11.603
Future Mahinahina SWTP Expansion Area	2.316
500,000-gallon Control Tank Site for DWS and DHHL Wells	1.224
Grading and Drainage Easement for 500,000-gallon Control Tank Site	0.567
Access and Utility Easement	5.488
Future 2 Million-gallon Tank Site	1.373
<b>TOTAL ACREAGE</b>	<b>22.571</b>



The DHHL Maui Island Plan (2004) designates the Honokōwai tract for Residential, General Agriculture, Community, Industrial, commercial, and Supplemental Agriculture uses. See **Figure 2.**

**Figure 2.** Honokōwai Tract



Source: Maui Island Plan

BENEFICIARY CONSULTATION ON THE INTERGOVERNMENTAL AGREEMENT AND PROPOSED LICENSE

Pursuant to the DHHL’s Beneficiary Consultation Policy, prior to any long-term land disposition, beneficiaries must be consulted with in order to submit a report of findings to the HHC to ensure that beneficiary concerns are properly documented, compiled, and reported. Beneficiary Consultation Reports are transmitted to the HHC in advance of decision-making on proposed land dispositions.

### Consultation Topic

The DWS is requesting a perpetual license as part of the proposed intergovernmental agreement for the uses as listed in **Table 1** above including the continued operation of the existing Mahinahina SWTP, designation of access, utility, and grading easements, and other planned water system improvements on the subject parcel at Honokōwai, Lahaina, Maui in exchange for a 200,000 GPD water allocation to DHHL.

### Notification

On July 5, 2018 DHHL mailed an invitation letter (see **Exhibit A**) to existing Leiali'i residents (101 lessees) and applicants on the Maui Agriculture Waiting List who reside in Lahaina (196 applicants), for a total of 297 invitations. In addition, staff notified all Maui homestead association leaders via email about the meeting and opportunity to attend and provide comments.

Beneficiaries were invited to attend a consultation meeting to share their thoughts on the terms of the proposed intergovernmental agreement.

### Beneficiary Consultation Meeting

The Beneficiary Consultation meeting was held on July 23, 2018 at 6:00pm at the Lahaina Civic Center Social Hall in Lahaina, Maui. A total of 16 participants registered on the provided sign in sheets, including two (2) DHHL Maui District Office Staff Members and three (3) staff members from DWS. See **Exhibit B**. Of the 11 Beneficiaries, three (3) identified as applicants. A comment sheet was offered to all attendees so that they may provide written comments if desired. In addition, a copy of the PowerPoint presentation was also provided to the meeting attendees.

DHHL staff gave a short presentation (see **Exhibit C**) which covered the purpose of the meeting, an overview of the Beneficiary Consultation process, and an informational presentation regarding the subject parcel, terms of the proposed intergovernmental agreement, and its compliance with DHHL plans (Villages of Leiali'i and Honokōwai Regional Plan (2009), Water Policy Plan (2014), and State Water Projects Plan (2017)). DWS staff was available and answered questions related to the operation and maintenance of the Lahaina region's water systems.

As part of the presentation, staff also discussed the benefits of the proposed agreement, which include expedited water for DHHL lands in West Maui which would help meet some of the total demand for planned development at Leiali'i and Honokōwai, compensation to the Hawaiian Home Lands Trust, an opportunity to partner with the County of Maui, and system improvements which would also serve DHHL's Honokōwai well, once operational.

At the close of the presentation, the group was asked to provide input on three (3) discussion questions:

1. What are your thoughts on the DHHL's proposed intergovernmental agreement with the DWS for a water allocation in West Maui in exchange for a land license? Are there any alternatives that DHHL should consider?
2. What are your thoughts on the perpetual term of the license request?
3. What other partnership opportunities are there for the DHHL and beneficiaries in this region related to water?

### Consultation Findings

This section summarizes information and feedback received from the meeting including oral comments and comment emails. No comment sheets were returned by meeting attendees.

The meeting yielded a mostly positive discussion. Overall, the consensus was that the group supported the proposed intergovernmental agreement. There were no comments or remarks in opposition of the proposed action. One phone call from a Beneficiary (Gilbert Paoa) was received on July 24, 2018 by staff.

Staff transcribed written notes taken on the testimony received at the meeting. The transcribed notes are provided as **Exhibit D**. Notes from the telephone conversation with Gilbert Paoa are also included. The discussion at the meeting centered around four (4) major themes: Benefits, DHHL Honokōwai Lands, Intergovernmental Agreement/Process, and DWS Water Systems. A summary of the comments within these themes is provided below.

#### Benefits

- The comments and questions related to Benefits included a request for clarification that the 200,000 GPD allocation would be strictly for Hawaiian Home

Lands, and whether this will allow Leiali'i I-B to be developed, to which staff explained that there are other issues to be resolved before Leiali'i I-B can be built, including needed wastewater and roadway infrastructure improvements.

- A question was also asked about whether DHHL would accept a monetary payment or infrastructure in lieu of water. Staff reiterated the HHC's position of obtaining water for planned development in the region instead of a monetary payment from the DWS. In addition, staff also explained that part of the proposed agreement includes lands on which the DWS plans to construct improvements and additional storage for the Mahinahina Water System. These improvements and the Mahinahina Water System will accept water from DHHL's Honokōwai Well and will serve planned development at Honokōwai and Leiali'i. In addition, because the system belongs to DWS, they will be responsible for maintenance of the system. In this regard, water is a much more valuable form of compensation.

#### Honokōwai

- The comments and questions related to Honokōwai included questions regarding the number of lots to be developed at Honokōwai, whether or not homes could be constructed on agricultural lots, and from whom DHHL acquired the Honokōwai lands in 1995.
- A question was also asked about whether staff takes into account the contours of the land when preparing development plans. Staff explained that DHHL's planning process involves a suitability analysis of the land wherein we look at existing conditions and identify development constraints so that we can ensure our developments are appropriate for the 'āina and surrounding community.
- A comment was made that DHHL should consider residential development at Honokōwai rather than agricultural homesteading as there is a dire need for housing. Staff explained that since the 1990's, the HHC's focus was on residential development. Currently, the HHC is focused on balancing development of both residential and agricultural communities. It was also explained during staff's presentation that Honokōwai was envisioned for residential development in the Maui Island Plan, however, after the adoption of the Maui

Island Plan, DHHL acquired Leialii, which became the focus of residential development in West Maui. As such, the vision for Honokōwai is being considered for agricultural uses.

#### Intergovernmental Agreement/Process

- The comments and questions related to the proposed intergovernmental agreement and the process currently underway between the DHHL and DWS included questions regarding the timing and next steps to get the agreement in place. Staff explained that the DHHL and DWS are still working out the terms of the agreement, however staff wanted to gain Beneficiary input on the proposed 200,000 GPD allocation in exchange for a perpetual land use license. Staff further explained that once the agreement is prepared, it will need to be reviewed and approved by both the HHC and the Maui County Council.
- A question was also asked to clarify the fact that the County is currently operating the Mahinahina SWTP without a disposition from the DHHL, and that the proposed agreement seeks to remedy this.
- Furthermore, a question was asked regarding DHHL's rights to water per the State Water Code and State of Hawai'i Constitution, and whether these inherent rights preclude having to enter into the proposed intergovernmental agreement. Staff explained that reservations of water for DHHL is one of four public trust purposes that the Commission on Water Resources Management (CWRM) must weigh equally. Staff explained further, that while we may have water reservations, the cost of the infrastructure required to convey the water to users is high, and since DWS has existing infrastructure in Honokōwai, there is an opportunity to partner with DWS.

#### DWS Water Systems

- The comments and questions related to the DWS' Mahinahina SWTP included questions about the type of system it is, capacity of the system and how the 200,000 GPD allocation for DHHL will affect overall system capacity, system source, maintenance responsibilities, and system distribution.
- One meeting attendant provided alternative waterline routes for consideration. DWS staff present at the meeting provided responses to these questions.

Other comments and questions offered by meeting attendees were related to:

- concern over use and development of wells in comparison with use of surface water
- decreased water flows in West Maui streams and the CWRM's process of setting Instream Flow Standards
- purchase of water meters and who bears this cost for Hawaiian Home Lands development
- suggestion for DHHL and DWS to look into the feasibility of utilizing solar power for the Mahinahina Water System
- increasing the list of regional stakeholders to include Hawaiian Airlines, who operates at the nearby Kapalua Airport, and landowner Bishop Estate

In general, as previously stated, the group in attendance was supportive of the proposed intergovernmental agreement in light of the benefits to the DHHL and Hawaiian Home Lands Trust.

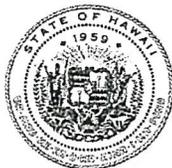
#### RECOMMENDED ACTION

DHHL staff respectfully requests approval as recommended.

#### LIST OF EXHIBITS

- Exhibit A: Invitation Letter
- Exhibit B: Meeting Sign-In Sheets
- Exhibit C: Meeting Presentation
- Exhibit D: Transcribed Notes

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII



JOBIE M. K. MASAGATANI  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

DOUGLAS S. CHIN  
LT. GOVERNOR  
STATE OF HAWAII

WILLIAM J. AILA, JR.  
DEPUTY TO THE CHAIRMAN  
HAWAIIAN HOMES COMMISSION

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

July 2, 2018

Aloha Hawaiian Home Lands Beneficiaries,

The Department of Hawaiian Home Lands (DHHL) and the County of Maui, Department of Water Supply (DWS) have been in discussion regarding proposed licensing of land within the DHHL Honokōwai tract to the DWS for the continued operation of the existing Mahinahina Surface Water Treatment Plant and other planned improvements. In exchange for this license, the DHHL and DWS would enter into an intergovernmental agreement allocating water credits to DHHL. A map and list of the proposed license areas are attached for your information.

DHHL will be sharing information and accepting comments regarding the proposed license and intergovernmental water credit agreement at a Beneficiary Consultation Meeting on:

**Monday, July 23, 2018**  
**Lahaina Civic Center Social Hall**  
**1840 Honoapi'ilani Highway, Lahaina, Hawai'i, 96761**  
**6:00 p.m. to 8:00 p.m.**

The Beneficiary Consultation Meeting will provide you with an opportunity to share your mana'o regarding the proposed license and intergovernmental water credit agreement. Your comments will be presented to the Hawaiian Homes Commission to assist in their decision-making process. As a beneficiary on the island of Maui, your input is important and we encourage you to attend.

If you have any questions, please contact Kaleo Manuel, Acting Planning Program Manager, at (808) 620-9481 or via email at [dhhl.planning@hawaii.gov](mailto:dhhl.planning@hawaii.gov).

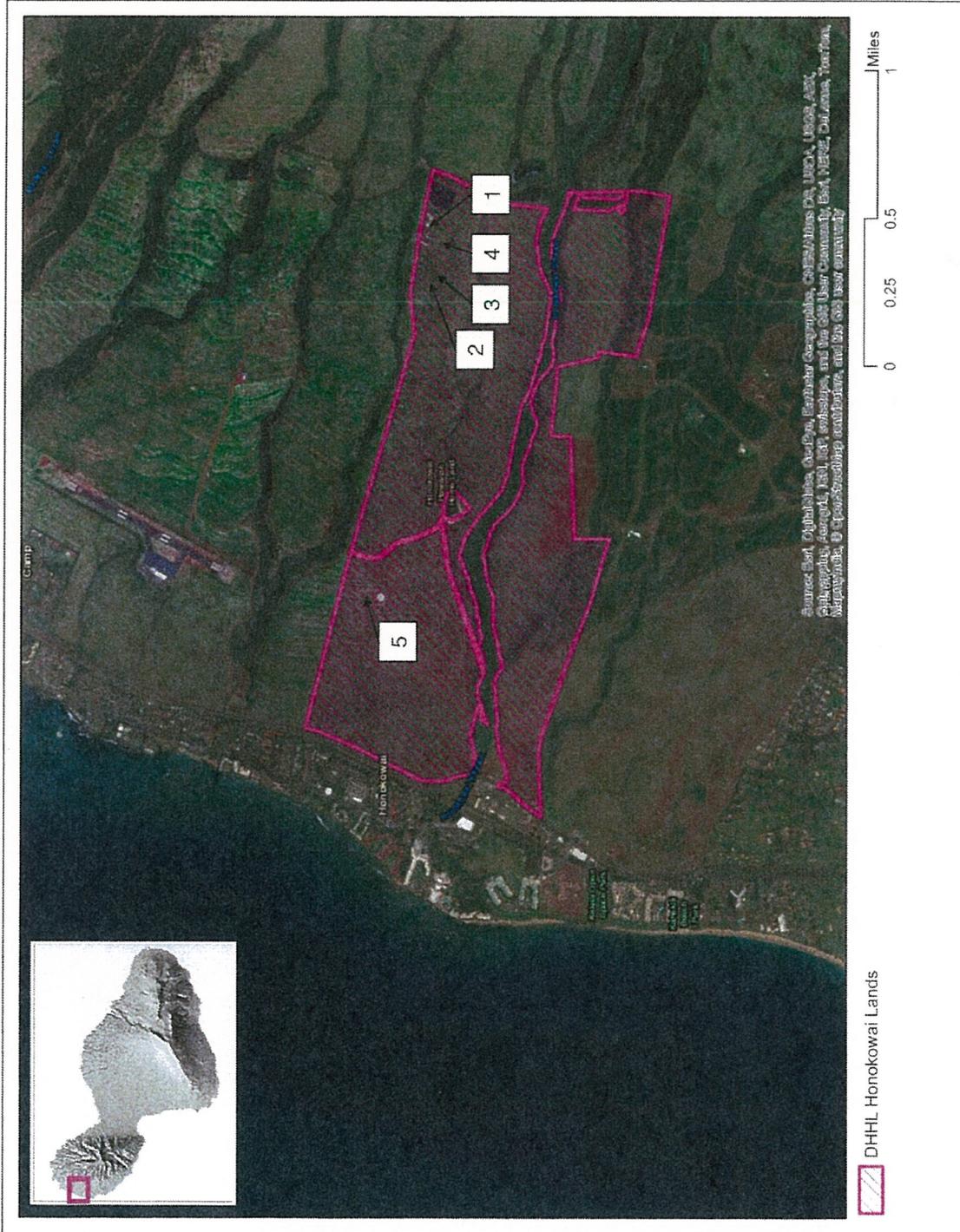
Mahalo,

Jobie M.K. Masagatani, Chairman  
Hawaiian Homes Commission

Attachment

Proposed License Uses & Acreage

1. Continued operation of the existing Mahinahina Surface Water Treatment Plant (17.09 acres)
2. Proposed 500,000 gallon control tank site to serve the proposed DWS wells and the proposed DHHL Honokōwai Well (1.224 acres)
3. Proposed grading and drainage easement for proposed 500,000 gallon control tank (0.567 acre)
4. Future expansion of Mahinahina Surface Water Treatment Plant (2.316 acres)
5. Future 2-million gallon Honokōwai tank (1.373 acres)





DEPARTMENT OF HAWAIIAN HOME LANDS

DEPARTMENT OF HAWAIIAN HOME LANDS  
SIGN-IN SHEET

EVENT West Maui Water Agreement  
Beneficiary Consultation Meeting

DATE Monday, July 23, 2018

\*\* (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) \*\*

BENEFICIARY	NAME	MAILING ADDRESS	E-MAIL	TELEPHONE
A L B O	Hans-Ernst Michel	1404 Olona Pl. Lahaione		667-7693
A B O	Sean J. Gordon	72 Aipuni St.	Sgordon12@hotmail.com	276-3936
A B O	Wendy Michel-Bunyard	1724 Holi St.		941-0716
A L B O	Kailani	Bx 10411 Lahaione	Kailani.Ross@gmail.com	
A L B O	Kanani Higbee	1037 Waihee St Lahaione #D-17	Kanani.Higbee1037@gmail.com	298-8047
A L B O	Leana Nahoi Kaika	101 pua wai Lane #103 Lahaione		(808) 205-5028
A L B O	Mimi Kapaka	1014 HL		
A L B O	Jane Gordon	DHHC		
A L B O	Jackie Hale	PO Box 12493 Lahaione		276-7712
A B O	Tommy Kealoha	PO Box 10903	Kahuna1956@gmail.com	808-264-3102



DEPARTMENT OF HAWAIIAN HOME LANDS

DEPARTMENT OF HAWAIIAN HOME LANDS  
SIGN-IN SHEET

EVENT West Maui Water Agreement  
Beneficiary Consultation Meeting

DATE Monday, July 23, 2018

\*\* (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) \*\*

BENEFICIARY	NAME	MAILING ADDRESS	E-MAIL	TELEPHONE
A L B O	Thomas Okuwat	200 S. HIGH ST WAILUKU	Thomas.Okuwat@ 20.Maui.Hi.US	270-7835
A L B O	WENDY TAOMOTO	STAIRS ABOVE	WENDY.TAOMOTO@ 20.MAUI.HI.US	270-7935
A L B O	Gladys Baisa	SAME AS ABOVE	gladysbaisa@20.MAUI.HI.US	270-7483
A L B O	Sherman Baisa	143 KUALA PI MAKAONO 96768	baisag@20maui.hi.us	264-1184
A L B O	W. Wendell K. Porey	52 LAWRENCE PL.	@276-8974	<del>276</del> 8974
A L B O	Paul J. Lynch	34 West Kapaemahu Pl	laurakita.hawaii@hawaii.gov	2691608
A L B O				
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**HAWAIIAN HOME LANDS**  
HAWAIIAN HOMES COMMISSION  
DEPARTMENT OF HAWAIIAN HOME LANDS

# **DHHL – County of Maui DWS West Maui Water Intergovernmental Agreement**

Beneficiary Consultation Meeting  
July 23, 2018  
6:00 p.m. – 8:00 p.m.  
Lahaina, Maui

## **Presentation Outline**

- Pule & Introductions
- Purpose of Meeting
- Beneficiary Consultation Process Overview
- Presentation on Proposed Intergovernmental Agreement
- Discussion and Q&A
- Closing & Next Steps

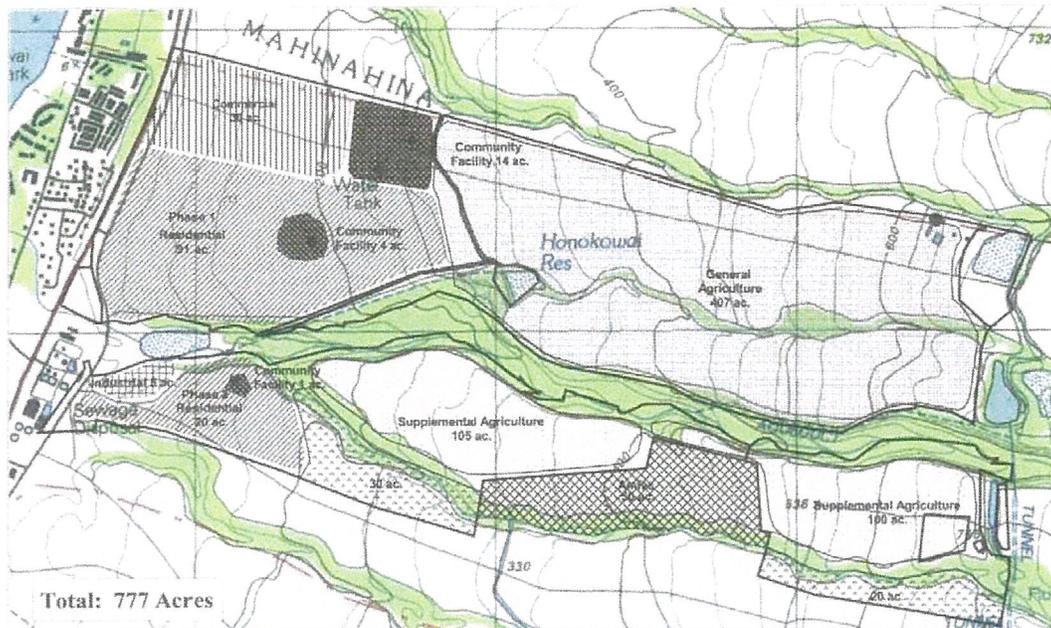
# Purpose of Meeting

- Share information regarding the proposed intergovernmental agreement with the County of Maui, Department of Water Supply (DWS) as well as on DWS' proposed water system improvements in West Maui.
- Consult with DHHL Beneficiaries regarding proposed agreement for a license to DWS in exchange for a water allocation for the Department of Hawaiian Home Lands (DHHL).
- Obtain comments from Beneficiaries on proposed agreement.

# Beneficiary Consultation Process

- HHC Policy of Consulting with Beneficiaries for:
  - Land use projects, long term licenses/leases
- Consultation Meeting
  - What's being proposed?
  - Will the use provide benefits for Beneficiaries?
  - Record Beneficiary input
- One-Month Consultation Period
  - Beneficiaries provide written comments (via mail or email)
- Beneficiary Consultation Report to HHC
  - Summarize main points and provide full record of comments for use in decision making





Total: 777 Acres

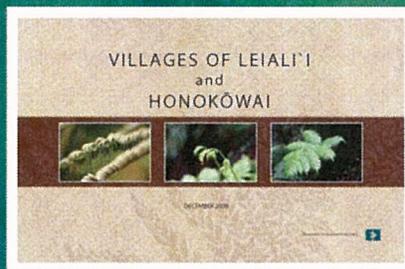
- Legend
- DHHL Land Boundary
  - Proposed Land Exchange Kaunapali Development Corporation
  - DHHL

Land Use	Lot Size	Number of Lots	Approx Acres
Residential (ph.1)	10,000 sf	337	91
Residential (ph.2)	10,000 sf	74	20
General Agriculture			407
Community Use			19
Industrial			5
Commercial Use			30
Supplemental Agriculture 5 ac		15	205
<b>Total</b>		<b>426</b>	<b>777</b>

Figure 1  
HONOKŌWAI  
Land Use Plan  
**MAUI LAND INVENTORY**  
DEPARTMENT OF HAWAIIAN HOME LANDS  
NORTH  
0 800 1200  
1:10,000  
PBR  
HWS

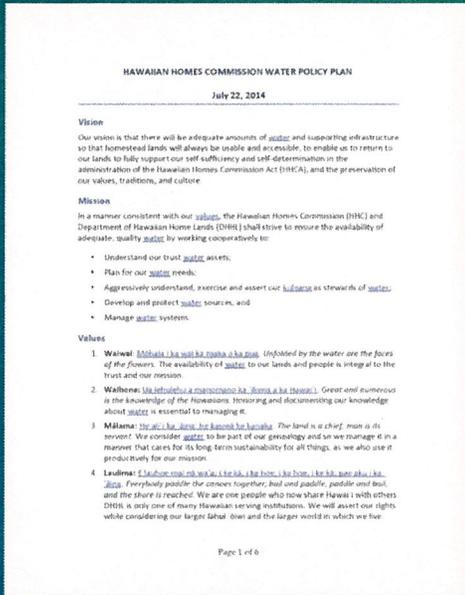
Source: United States Geological Survey, Kittara International, Inc. and Department of Hawaiian Home Lands

# Villages of Leiali'i and Honokōwai Regional Plan (2009)



- **Priority Project: Water Source Development**
  - DHHL is in the planning process for the development of a new Honokōwai well.
- **Priority Project: Preliminary Review of Honokōwai Lands**
  - DHHL will be starting the master planning process for the Honokōwai lands in 2018.

# Water Policy Plan (2014)

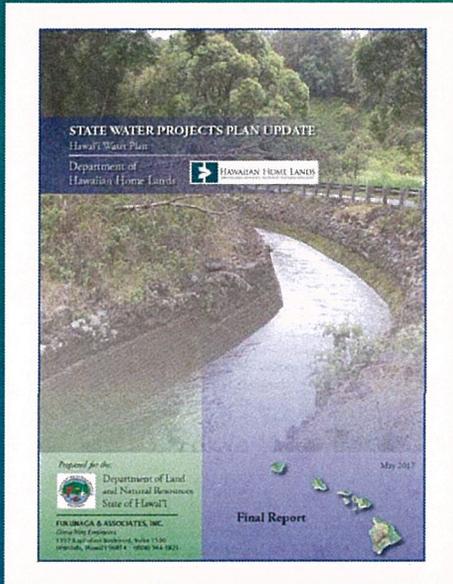


- Adopted by Hawaiian Homes Commission (HHC) on July 22, 2014
- Aimed at the pono use and management of water for the benefit of Beneficiaries
- Plan values include laulima, or cooperation amongst other institutions in asserting the rights of Beneficiaries.

# Water Policy Plan (2014)

- Relevant Policies:
  - Expressly determine and **plan for future** water needs and actively participate in broader water management, use and protection efforts in Hawai'i in order to secure water.
  - Aggressively exercise, reclaim, and protect Hawaiian home land water **kuleana**.
  - Affirmatively **communicate** our decisions, our reasoning, and our performance in managing, stewarding, and using water before and after making major water decisions.
  - **Educate** beneficiaries, the DHHL, HHC, and other stakeholders continually on our water kuleana.
  - Foster **self-sufficiency** of beneficiaries by promoting the adequate supply of water for homesteading when developing or managing water.
  - Explicitly consider **water availability and the costs** to provide adequate water when developing new homestead areas, designating land uses, issuing land dispositions, or exchanging properties.

# State Water Projects Plan



- Adopted by Commission on Water Resource Management in May 2017
- Identifies DHHL water needs over the next 20 years
- Calculates potable and non-potable water demands based on DHHL plans

# State Water Projects Plan

- Honokōwai and Leiali'i I-B potable water demands:

Area	Long-Term Demand
Honokōwai	617,900 GPD
Leiali 'i I-B	151,700 GPD
<b>TOTAL POTABLE:</b>	<b>769,600 GPD</b>
Non-Potable:	2,080,800 GPD

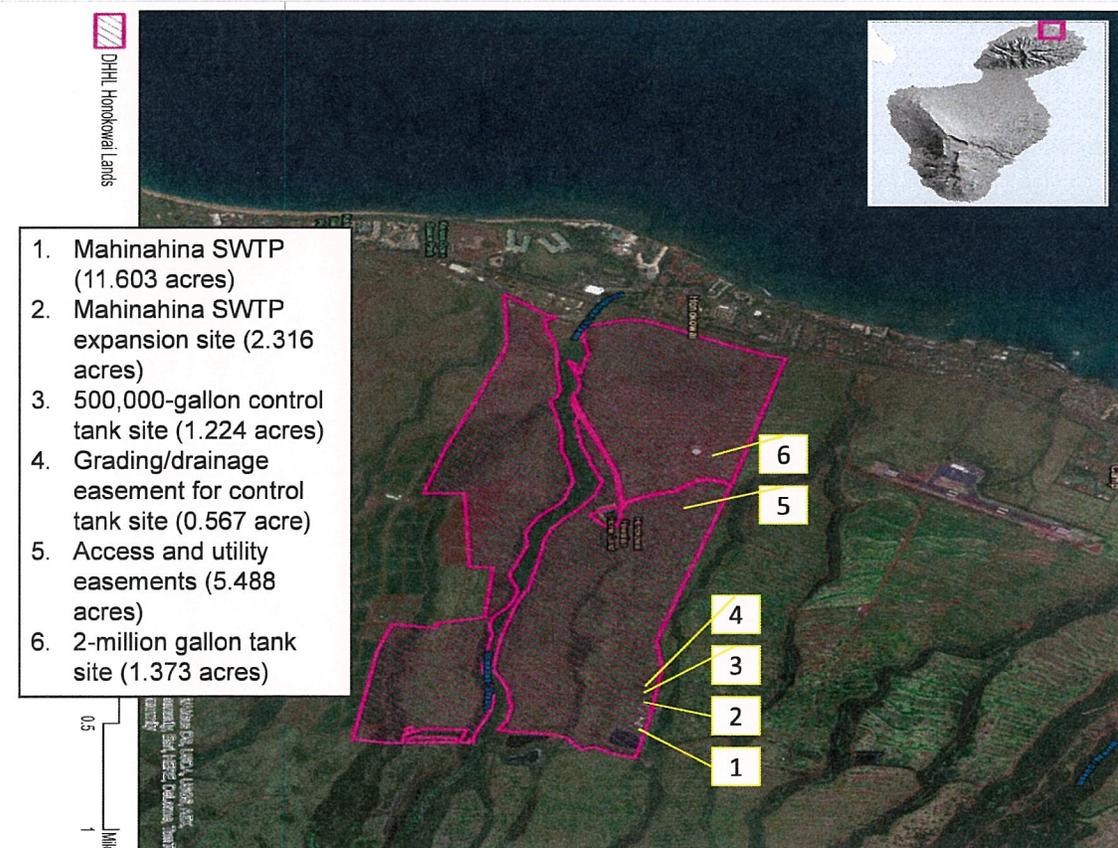
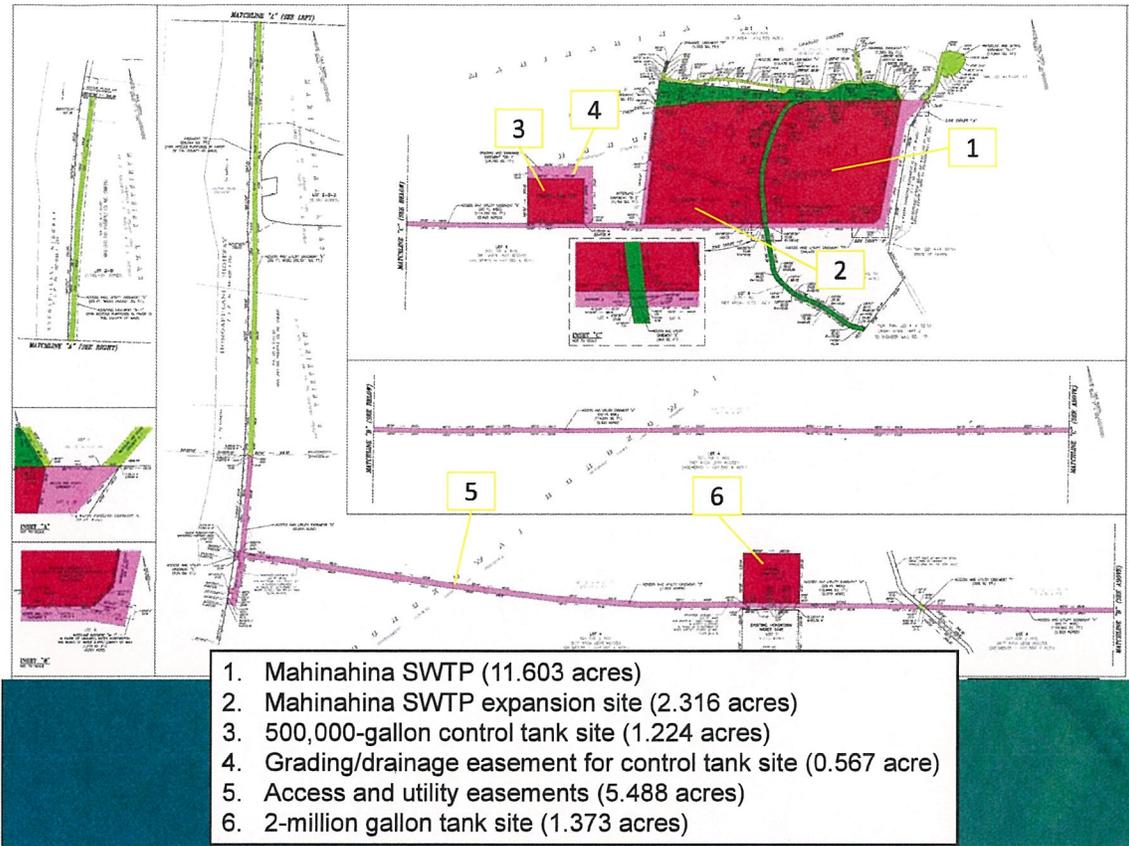
- Proposed to be provided by DWS system
- Projected in the long-term (2026 and beyond) based on available plans (e.g. 2004 Maui Island Plan)

# Summary of Proposed Intergovernmental Agreement

- DWS requests from DHHL a **perpetual land use license** for the following:
  1. Continued operation of the existing Mahinahina Surface Water Treatment Plant (11.603 acres)
  2. Future expansion of Mahinahina Surface Water Treatment Plant (2.316 acres)
  3. Proposed 500,000-gallon control tank site to serve the proposed DWS wells and DHHL Honokōwai Well (1.224 acres)
  4. Proposed grading and drainage easement for proposed 500,000-gallon control tank (0.567 acre)
  5. Access and utility easement (5.488 acres)
  6. Future 2-million gallon Honokōwai tank (1.373 acres)
- Total acreage request: **22.571 acres**
- DHHL requests from DWS **200,000 gallons per day** water allocation

# Summary of Proposed Intergovernmental Agreement

- DWS previously offered DHHL payment for land license based on appraised land value
- HHC in September 2017 asked DWS to work with DHHL to see if water could be provided in exchange for a land license in lieu of monetary payment
- Through negotiations with DWS, a 200,000 GPD allocation is still within existing available capacity of the Mahinahina SWTP and would not create significant impacts
- Average SF water usage is 600 GPD per unit. 200,000 GPD could support approximately 330 units.



## Benefits

- Expedites getting water for Hawaiian home lands
- Provides water to Hawaiian home lands
  - 200,000 GPD will help meet some of the total West Maui water demands (769,600 GPD as specified in the SWPP); enough for build-out of Leiali'i I-B
  - Honokōwai Well will help meet remaining water demands
- Alternative compensation to the Trust
- Opportunity to partner with County of Maui
- System improvements will also serve DHHL's planned Honokōwai well

## Discussion Kuleana

- Maintain an open and positive attitude
- Cell phones off or on silent
- Everyone gets a turn to speak
- Listen to understand
- Disagreement is okay as long as we are respectful of each other

## Discussion and Q&A

1. What are your thoughts on the DHHL's proposed intergovernmental agreement with the DWS for a water allocation in West Maui in exchange for a land license? Are there any alternatives that DHHL should consider?
2. What are your thoughts on the perpetual term of the license request?
3. What other partnership opportunities are there for the DHHL and beneficiaries in this region related to water?

## Closing and Next Steps

- 30-day Comment Period Ends – August 22, 2018
- Beneficiary Consultation Report to HHC – September 17-18, 2018 (Hilo, Hawai'i)
- HHC Consideration of Proposed Agreement – October 15-16, 2018 (Paukūkalo, Hawai'i)

# DHHL Contact Information

**Send Written Comments to DHHL Planning Office:**

Department of Hawaiian Home Lands  
Attention: Planning Office  
P.O. Box 1879  
Honolulu, HI 96805

[DHHL.Planning@Hawaii.gov](mailto:DHHL.Planning@Hawaii.gov)

**Questions? Please Contact:**

Bryan Esmeralda (DHHL Planning Office)  
[Bryan.K.Esmeralda@Hawaii.gov](mailto:Bryan.K.Esmeralda@Hawaii.gov)  
(808) 760-5125 / (808) 265-2382

**West Maui Water Intergovernmental Agreement**  
**July 28, 2018 Beneficiary Consultation Meeting Notes**

*Q = Question, A = Answer, C = Comment, DWS = Department of Water Supply*

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Q: Wells are limited. Why is Honokowai only having a well instead of surface water? Unknown. I don't like wells. Honokowai should have surface water as well.

A: Mahinahina TP (Treatment Plant) is surface water. 200,000 [GPD] (Gallons per Day) is treated surface water.

Q: Agreement is in process?

A: No decision has been made. Still working w/ DWS (Department of Water Supply). DWS made request in 2017. HHC (Hawaiian Homes Commission) said see if we can get water instead of \$.

Q: Expedites water for HHL (Hawaiian Home Lands)?

A: 200,000 GPD is for HHL

C: Don't want to end up like Launiupoko. No more water there. Built a well – homes taking water from other places.

Q: Mock build up for Leialii. Model home – who pays for the water meter?

A: DHHL (Department of Hawaiian Home Lands) doesn't build model homes. Developers have plans/models.

A: When DHHL purchased Leialii, infrastructure was already there. Improvements made to meet County code. Normally DHHL does overall system infrastructure. Lessee does water meter installation.

Q: How many ag. (agriculture) lots proposed in Honokowai?

A: 2004 MIP (Maui Island Plan) – 41 res. (residential) lots, 15 5-acre ag. lots. Leialii took up lots of res. demand. During reg. (regional) plan process, demand for ag. Dept. started looking at ag. Looking at replanning Honokowai for all ag. lots. Opportunities- R1/surface water use for ag.

Q: Dual water system?

A: Will need potable for domestic uses. Non-potable for ag.

DWS: Mixed system for Lahaina. Mahinahina is combo of SW (surface water)/wells. Lahaina system is wells.

C: Water in the streams – not abundant anymore.

A: CWRM (Commission on Water Resources Management) setting IIFS (Interim Instream Flow Standards) for W. Maui.

Q: What is left for DWS?

A: Working w/ agencies to determine water – DWS & CWRM.

DWS: 200,000 [GPD] does not affect IIFS, existing capacity w/ reliable well backup to surface water.

C: I was never asked if I wanted ag. over res. People wanting ag. probably have homes. Go down list of people who need homes.

A: Since 1990s, HHC focused on res., no ag. Push for refocus on ag. Balance. 5 year beneficiary surveys, HHC mtgs. – discussion on balance comes up. Need beneficiary mana'o and advocacy. Participate in planning process.

Q: Ag. lots can be occupied w/ homes?

A: Yes.

Q: Tanks are for potable water. Tanks better than reservoirs?

DWS: Reservoir is for untreated surface water before it goes into Mahinahina. Proposed tank is for potable water from DWS/DHHL tanks.

Q: Rainy season vs dry season

A: Wells are backup to surface water. DWS' job is to manage the utility.

C: Kihei built out w/out reliable water. Lots of runoff.

Q: Are you considering lay of the land (contours)?

A: Planning process involves suitability analysis of land. We do what makes sense for the 'āina & community. Eg. Honokowai. We will look at what we see and what we hear. HHC supports this project - \$.

Q: Preparation. You're giving us awareness. Re old wells – Honokowai is not a place for wells (eg. sewer) 5 live streams in Honokowai. Sugarcane/ranching created reservoirs. Need new technology these days. Honokowai wet – surface water/streams. Cultural Impact Assessment (Cultural Impact Assessment) done?

A: Agreement is for DWS system – mixed surface/ground water. DHHL well can provide 1.0 MGD (Million Gallons per Day) once it's in production. No proposals for new wells. Well was dug for Leialii. Honokowai – developed our own source w/ State funds. CIA will be done as part of EA (Environmental Assessment) process for well – including reaching out to kuleana land owners. Honokowai was acquired – we don't know what happened on land. CIA/AIS (Archaeological Inventory Survey) will be done for research.

Q: How will you connect your land – where will line go?

A: Looking at alternative alignments. Eg. Existing siphon. Going thru EA process looking at alignments.

A: EA process end of year – would be good to get comments. Looking at flora/fauna, archaeology. Need to go over valley – owned by KLMC (Kaanapali Land Management Corporation). Trying to stay on HHL as much as possible.

Q: DHHL has 1<sup>st</sup> rights to water per CWRM IIFS process/State constitution. Why do we need deal w/ DWS when it's part of constitution?

A: 4 public trust uses of water (inc. DHHL) – all equal. Also includes public domestic uses, natural state, TCR (traditional and customary rights) of NH (Native Hawaiians). CWRM obligation to balance uses before private uses.

A: DHHL has no money, DWS has resources and expertise. We work w/ the experts.

A: We have a right to water from source, but how we get it (trans. (transmission) system) costs money. DWS already has system on DHHL lands. They manage system, makes sense that we partner.

Q: Why not ask them [DWS] to pay in infrastructure rather than water since DHHL has rights to water?

A: We calculated water demands for Honokowai lands – but where does water come from. DWS wells/system is theirs. Cost to provide infrastructure. DWS improvements are infrastructure to benefit DHHL.

DWS: 200,000 GPD is readily available water. DHHL just needs to provide infrastructure to bring it to end users. DWS/DHHL wells cost money to develop.

Q: DHHL consider monetary payment instead?

A: DWS offered \$400,000 for license originally. DHHL/P.O. (Planning Office) recommended that that wasn't enough. Staff advocated to work w/ DWS to get water. Infrastructure benefits also included. [Hawaiian Homes] Commission/[Maui County] Council can still deny, this is staff recommendation.

Q: Is infrastructure costs included in deal?

A: Land for infrastructure in exchange for water. Infrastructure will allow development of DWS/DHHL wells.

A: This agreement is 1<sup>st</sup> of 3 steps. 200,000 GPD is enough to service Leialii and still allow DWS to serve public.

Q: Where does 200,000 GPD come from?

A: Mixed sources, 8 wells and surface water.

- DWS: Opportunity to partner – allows reliability of water.
- Q: What is wet water/what is conservation notice?  
 DWS: When wells need to be repaired, we ask public to conserve/be better stewards.  
 A: Wet water is readily available water rather than just an agreement.
- C: Would like to not be limited – more water if needed.
- C: DWS has license to sell water/DHHL no license. Come straight down from Puukoolii w/ new bypass and put water in Wahikuli [reservoir].  
 A: DHHL can sell water per HHCA (Hawaiian Homes Commission Act). 4 systems – subsidized by DHHL.  
 A: Looking at Wahikuli as an option. Cost of transmission is extreme. Systems operations cost is extreme.
- C: Honokowai → Napili line is in the middle of Honoapiilani Hwy. Old lines/lots of maintenance costs in future. Wahikuli filled via pump. Look at this as an option. Bypass.  
 DWS: We will maintain.
- Q: Who are other institutions? Kuleana LCA (Land Commission Award) awardees?  
 A: Focus in on advocating for beneficiaries. Kuleana awardees in [Honokowai] valley. We are aware of exclusions/awardees. We honor awardees. Need to figure out how to contact.  
 DWS: Request is only for areas on HHL. No impact on known kuleana awards.
- Q: Who are other stakeholders?  
 A: Beneficiaries first, then larger community. Other large landowners, State and County agencies, neighbors.
- C: DWS will receive ~22.5 acres in exchange of 200,000 GPD to DHHL.
- Q: County has been there, what do they pay now? In order to continue they need a license?  
 A: Correct. We are trying to finalize this agreement.
- Q: DHHL didn't have Honokowai until 2004, who had it before?  
 A: DLNR, they gave ROE (Right of Entry) for plant. DHHL received lands, been working on agreement.
- Q: 200,000 GPD only for HHL. What about other developments eg. Pulelehua?  
 A: Focused on DHHL. State agencies slower than private developers.  
 DWS: Pulelehua has source requirement. 200,000 GPD is guaranteed once agreement is approved.
- Q: Where is Leialii Association? They should be here.
- Q: DWS will maintain system?  
 A: Existing system will provide 200,000 GPD.
- Q: Council needs to approve?  
 A: Yes, water agreements need to be approved by Council.
- Q: [Leialii] 1B will come up once water is given?  
 A: Still need to work on sewer, road (Leialii Pkwy.). Kuleana is to develop pkwy. to service 1B.

## **Comments from July 24, 2018 Telephone Conversation with Gilbert Paoa**

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- DHHL/DWS should be mindful about the power grid and look into solar panels, like the one above Lahainaluna [High School], to assist with the water system energy.
- Hawaiian Airlines has a license at Kapalua Airport and they lease from Bishop Estate and should be considered as a stakeholder in the region.
- Water being supplied by Pu'ukoli'i well, people don't understand how much it costs; on the ag side, like at Waikapu, the small village is set up for tourists; my sister lives by Wai'ehu Golf Course and she's still able to build a home near/on ag land.
- The State of Hawai'i and Unions should help with house construction.
- Everything near the coastline including Marriott and Hyatt have big lawyers that can set up contracts/licenses.
- In the November election there will be items that will affect DHHL.
- People don't know how precious water is; my main focus last night was on the was on water meters: who pays for purchasing them and who pays for installation.
- We live in Honokōwai.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24-25, 2018

To: Chairman and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager  
From: Julie-Ann Cachola, Planner   
Subject: For Information Only--Draft Environmental Assessment  
for the DHHL Honomū Subsistence Agricultural Homestead  
Community, Honomū, District of South Hilo, Hawaii  
Island and Anticipated Finding of No Significant  
Impact (AFONSI) TMKs (3)2-8-011:009, 011, 019, and 999

Recommended Action

None; for information only.

Discussion

PURPOSE

The purpose of this informational briefing is to update the HHC on the status of the Honomū Subsistence Agricultural Homestead Community; to present summary highlights of the Draft Environmental Assessment (DEA); and to provide an opportunity for Commissioners to provide comments on the Draft Environmental Assessment (DEA) prior to publication in the Office of Environmental Quality Control's Environmental Notice Bulletin.

The DEA is attached as Exhibit A and will be posted on DHHL's website at:

<http://dhhl.hawaii.gov/po/honomu-subsistence-agricultural-homestead-community/>

BACKGROUND

In February 2017, the Hawaiian Homes Commission approved amendments to the Hawai'i Administrative Rules, Title 10, to allow small-lot agricultural homestead leases that are programmatically being administered as "Subsistence Agricultural" homestead leases. The site characteristics of

various DHHL tracts were assessed and Honomū was selected as the ideal location to implement the first Subsistence Agricultural Homestead community. Located in the Honomū and Kūhua ahupua'a in the South Hilo District of Hawai'i Island, DHHL's Honomū tract was selected because it has characteristics that can support successful agricultural ventures, including:

- **Accessibility:** Access to the entire property is from 'Akaka Falls Road which connects to existing unimproved cane haul roads that provide complete access to all corners of the property.
- **Rainfall:** With an annual range of 150 to 250 inches, rainfall is significant, allowing natural irrigation of crops.
- **Soil Quality:** Honomū has high quality soils that support agricultural cultivation.
- **Close proximity to agricultural support networks,** including the University of Hawai'i's College of Tropical Agriculture and Human Resources (CTAHR), Cooperative Extension Service and the Soil and Water Conservation District (SWCD).

The purpose of the Honomū Subsistence Agricultural Homestead Community ("the Project") is to award agricultural lots to beneficiaries on the Hawai'i Island Agricultural Homestead Waitlist. Beneficiary demand for agricultural homestead opportunities is very high; 48% of all Hawai'i Island homestead applications are for an Agricultural homestead lease. The Agricultural Waitlist is the longest of the three Waitlists. There are currently 7,193 applications for an Agricultural homestead lease on Hawai'i Island. The first 500 applicants on the Hawai'i Island Agricultural Waitlist have been on the waitlist since between 1952 and 1985. It has been 20 years since the last award of agricultural leases on Hawai'i Island.

DHHL's Honomū lands consists of three parcels, TMK: (3) 2-8-011:009, 011, 019, and 999, that straddle 'Akaka Falls Road, totaling 766 acres. Honomū was not part of the original HHCA; it became part of the Hawaiian Home Lands trust in 1994 when the State included it as part of its payment due for the State's breaches of the HHCA trust. The land is currently being used for pasture by two short-term licensees. A small portion of the property is in small-scale vegetable cultivation and about one-quarter of the property is unlicensed and fallow.

The project is proposed on DHHL lands and it will likely involve the use of state funds which triggers the preparation of an environmental assessment as prescribed by Hawai'i Revised Statutes, Chapter 343.

DRAFT ENVIRONMENTAL ASSESSMENT (DEA) SUMMARY

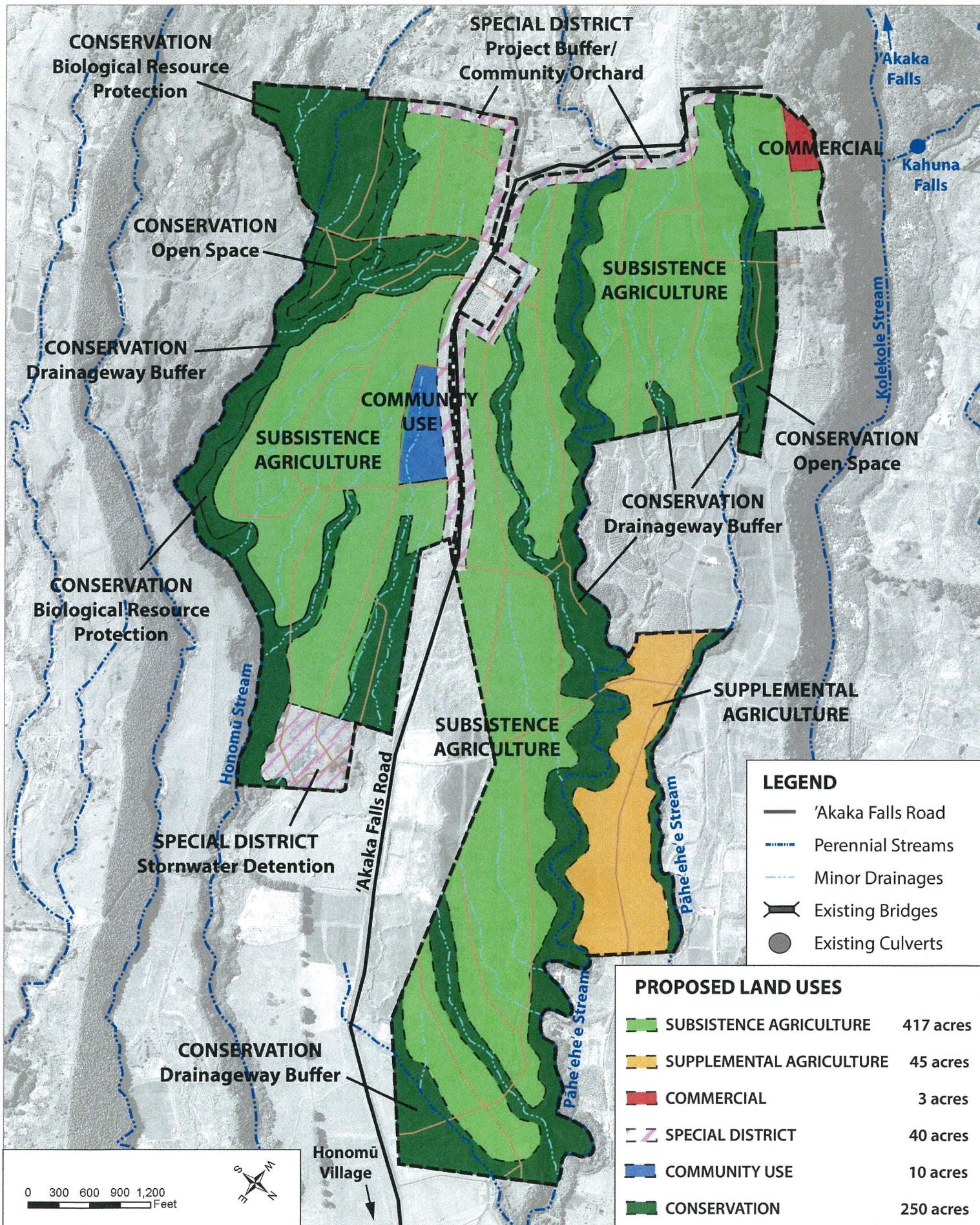
The DEA (Exhibit A) assesses the potential environmental impact of the proposed subsistence agricultural homestead community, as described below:

<b>Summary of Proposed Land Uses</b>	
<p><b>Subsistence Agriculture</b></p> <ul style="list-style-type: none"> <li>• Lots no larger than three acres in size. (55%)</li> <li>• Lessees are required to actively cultivate subsistence agriculture OR reside and cultivate subsistence agriculture on their lot.</li> <li>• Crops are expected to provide food to be consumed in the home or provide supplemental household income.</li> </ul>	<b>417 acres</b>
<p><b>Supplemental Agriculture</b></p> <ul style="list-style-type: none"> <li>• Larger-lots for supplement subsistence agriculture (6%) agriculture within the same homestead community. These larger lots would be for Subsistence Agricultural lessees who have fully cultivated their lot and have the desire and capability to cultivate more.</li> </ul>	<b>45 acres</b>
<p><b>Commercial</b></p> <ul style="list-style-type: none"> <li>• Land uses that are complementary to 'Akaka Falls State Park, that could include parking, scenic lookout, education kiosks, fruit stand, etc. (0.4%)</li> </ul>	<b>3 acres</b>
<p><b>Community Use</b></p> <ul style="list-style-type: none"> <li>• To provide a central gathering place for community-building land uses to be determined by the homestead community. (1%)</li> <li>• Possible uses include parks, community-based economic development, utilities, other facilities and amenities.</li> </ul>	<b>10 acres</b>
<p><b>Special District</b></p> <ul style="list-style-type: none"> <li>• Areas requiring special attention because of unusual opportunities and/or constraints. (5%)</li> <li>• Physical and visual buffers between 'Akaka Falls Road and the Project.</li> <li>• Stormwater management.</li> </ul>	<b>40 acres</b>
<p><b>Conservation</b></p> <ul style="list-style-type: none"> <li>• Environmentally sensitive areas, that include: steep slopes, areas for biological resource protection, drainageway buffers, and open space. (33%)</li> </ul>	<b>250 acres</b>
<b>TOTAL</b>	<b>766 acres</b>

The enclosed illustration (Figure 1-3, page 5 in the DEA) depicts the spatial layout of the proposed land uses. A more detailed description of the entire project and its potential impact to the surrounding environment and planned mitigation measures can be found in the DEA. In summary, these proposed land uses are not anticipated to have a significant impact on the surrounding environment. However, the lack of action will lead to an agricultural waitlist that continues to grow.

Infrastructure will provide for the health and safety of residents and visitors, but be appropriate for the rural nature of the Project:

<b>Proposed Infrastructure</b>
<p><b>Roads and Access</b></p> <ul style="list-style-type: none"> <li>• Rural standard roads: 10-foot travel lanes with 4-foot wide grassed swale and shoulder on each side of the road.</li> <li>• Not dedicable to the County.</li> <li>• Road right-of-way of 50-feet will be established to allow for future upgrades.</li> </ul>
<p><b>Grading and Runoff, Drainage, and Erosion Control</b></p> <ul style="list-style-type: none"> <li>• Adherence to County drainage requirements.</li> <li>• Development of a Master Drainage Plan in coordination with the Soil and Water Conservation District.</li> <li>• Streams and gulches designated as conservation areas.</li> </ul>
<p><b>Water Supply</b></p> <ul style="list-style-type: none"> <li>• Irrigation water supplied by natural rainfall (mean annual rainfall of 205 inches per year)</li> <li>• Domestic water supplied by water catchment tanks to be constructed by the lessee.</li> </ul>
<p><b>Wastewater Disposal</b></p> <ul style="list-style-type: none"> <li>• Individual wastewater systems to be constructed by the lessee, if they want to reside on the lot..</li> </ul>
<p><b>Solid Waste</b></p> <ul style="list-style-type: none"> <li>• Solid waste disposal to be the responsibility of each lessee.</li> </ul>
<p><b>Electrical Power</b></p> <ul style="list-style-type: none"> <li>• Electrical power will be provided by DHHL via overhead electrical lines along internal roads.</li> </ul>
<p><b>Communications</b></p> <ul style="list-style-type: none"> <li>• Communications, such as telephone and internet service, will be the responsibility of each lessee.</li> </ul>



## **Natural Resources**

Due to its long history of intensive sugarcane cultivation, a biological survey found the site to be dominated by non-native vegetation, with just a few native species present in certain areas of the site. A dozen native plant species and the native Hawaiian hawk ('io) were observed and it was assumed that the 'ōpe'ape'a (Hawaiian hoary bat) are present in the area. No endangered animals were observed in the project area during the study.

## **Historic and Cultural Resources**

A literature review and site inspection found that the majority of the Project area has been extensively modified by historic sugar cultivation and subsequent agricultural and ranching activities. No pre-Contact archaeological features were observed, although pre-Contact features may still be present within portions of the stream gulches that could not be accessed during the field inspection.

Historic transportation and sugarcane-related features were identified, such as 'Akaka Falls Road, Pāhe'ehe'e Mauka Bridge, unpaved cane roads, culverts, minor bridges, and plantation field berms. While no surface remains of the several known historic workers' camps were observed, associated subsurface deposits may still be present.

A Cultural Impact Assessment found that 'Akaka Falls is an important landmark, situated adjacent to the Project area, with historical, cultural, ecological, economic, and spiritual value to the people of Honomū. The existing agricultural community at Honomū is tight-knit and ethnically diverse, with a small, declining Hawaiian population. Cultural practices recalled by kūpuna included hunting, particularly for wild pigs, in the mountain areas above 'Akaka Falls and within the Project area. Honomū residents also gathered 'ōpae from the streams that flowed from 'Akaka Falls, but the practice has declined with new settlements and developments restricting access to streams and invasive freshwater prawns preying upon the 'ōpae.

All participants consulted in the Cultural Impact Assessment perceived the proposed Hawaiian Homestead as a positive development that will bring many benefits to Honomū, such as increasing the population of native Hawaiians in a town where the native Hawaiian population has been in decline. This, in turn, might bring back many Hawaiian cultural practices,

beliefs, and values to the area. In the long term, this project might facilitate the revitalization of Hawaiian culture in Honomū.

### **Hydrology and Drainage**

The three perennial streams located near the project area have been listed by the National Park Service as candidates for designation as a Scenic River under the National Wild and Scenic Rivers Act of 1968 which is meant to "preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations." Due to the high rainfall in the area, runoff and drainage is a concern for local residents of Honomū.

The Project will meet or exceed County drainage requirements by preparing a Master Drainage Plan in cooperation with the Soil and Water Conservation District. In addition, it the Project will set aside property for storm water retention; it will utilize grassed swales to control and convey runoff; and it will protect streams, gulches, and drainageways.

### **Infrastructure**

The Project site has no centralized wastewater service and individual wastewater systems will be the responsibility of the lessee. There is also no public water system, although Honomū Village, located makai of the DHHL property, has County water service. Water will be provided by natural irrigation and water catchment tanks that will be the responsibility of each lessee.

Vehicular access to DHHL's Honomū lands is via 'Akaka Falls Road, which is accessed from Old Māmalahoa Highway, Honomū Road, and Māmalahoa Highway, also known as the Hawai'i Belt Road (State Route 19).

There are existing joint power and communication poles along the south side of 'Akaka Falls Road, which may serve as the main power and communications trunk for the project area. Hawaiian Telcom also has facilities along 'Akaka Falls Road, but their service capacity is very minimal due to the existing landscape of homeowners in the area.

### **DHHL Planning System Consistency**

The DEA also addresses the proposed project uses for consistency with existing plans and applicable land use

policies. The DHHL Hawai'i Island Plan, completed in 2002, identified Lower Pi'ihonua as the priority tract for Subsistence Agriculture use on that island. Since then, additional site development planning revealed inadequate access. The improvements that would be required to allow for access were determined to be cost-prohibitive. DHHL evaluated its other lands on Hawai'i Island and concluded that the Honomū tract was ideal for a subsistence agricultural homestead community.

### **Anticipation of a Finding of No Significant Impact**

Based upon the analysis completed in the DEA, staff anticipates a finding of no significant impact for the Honomū Subsistence Agricultural Homestead Community. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in Hawai'i Administrative Rules 11-200-12. An analysis of the 13 criteria of significance is presented below:

1. Involve an irrevocable loss or destruction of any natural or cultural resources.

The proposed Project is not expected to adversely impact any natural or cultural resource. Technical studies have been conducted to assess the potential impact of the proposed Project on fauna and flora, as well as cultural and archaeological resources on DHHL's Honomū lands. These studies have found that the property was previously under long-term, intensive sugar cultivation and has since been used for farming and pasture, limiting the expectation of finding pre-Contact archaeological or cultural features, or significant native habitats.

Any negative impacts may be mitigated through management protocols developed with the lessees; continued coordination with the State Historic Preservation Division; and designation of streams, gulches, and biologically promising areas as conservation.

2. Curtail the range of beneficial uses of the environment.

The proposed Project is not expected to curtail the range of beneficial use of the environment by placing native Hawaiians on the land and by designating streams, gulches, and areas with the potential for native habitat restoration as conservation.

3. Conflict 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.

This proposed project does not conflict with the state's long-term environmental policies or goals and guidelines. Potential adverse impacts are associated with short-term construction activities that will be mitigated through compliance with regulatory guidelines and use of best management practices. In the long term, the Project conserves natural resources by protecting potentially sensitive environments on the property and provides an opportunity for native Hawaiians to improve their quality of life through agricultural subsistence.

4. Substantially affects the economic or social welfare of the community or state.

The proposed project will be beneficial to the economy and social welfare of the state by providing opportunities for native Hawaiian beneficiaries to obtain homestead leases at \$1.00/year for 99-years, and to receive other programmatic supports that increase crop production and build capacity for homesteaders to engage in subsistence agricultural activities and to possibly reside on the lot. The lessees provide an additional customer base for the existing commercial businesses within Honomū Village and other nearby towns.

5. Substantially affects public health.

The proposed project will have short-term construction-related impacts on noise and air quality, but they will be mitigated by compliance with Department of Health regulations. Long-term impacts on public health will be mitigated through wastewater disposal accommodated by individual wastewater disposal systems that are approved by the DOH, surface water runoff managed by a Master Drainage Plan, and streams and gulches protected as conservation-designated areas. DHHL is also providing an agricultural extension agent to work with its Hawai'i Island agricultural lessees on crop selection and agricultural practices on a long-term basis.

6. Involves substantial secondary impacts, such as population changes or effects on public facilities.

The Project will increase the population of Honomū, but based on the experience of previous DHHL agricultural homesteads, only 50% of the lots are expected to result in residences. However, all of the lessees, regardless of whether or not they ultimately reside in Honomū, will be required to pay property taxes on their lot, which will contribute toward public facilities and services.

Traffic improvements will be necessary and DHHL will work with the State DOT and County Department of Public Works to determine the appropriate mitigation necessary. Wastewater will be managed through DOH-approved individual wastewater systems so there will be no impact on public wastewater treatment facilities. Similarly, water will be supplied by individual catchment systems, so that the current County water system will not be impacted.

7. Involves a substantial degradation of environmental quality.

Construction activities will cause some impacts to air quality, noise, and traffic in the area of the project, but these are temporary in nature and will be mitigated by best management practices in accordance with State and County regulations. Potential impacts to surface water and drainage will be mitigated by a master drainage plan that is being developed to minimize erosion and manage runoff. Furthermore, roughly 30 percent of the project site will be dedicated to conservation uses in order to protect streams and drainageways and to provide areas for surface water detention/retention during high rainfall events.

8. Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions.

The proposed Project is not expected to have a significant negative cumulative effect upon the environment. Rather, the project will reestablish farming on the property, which was previously in intensive, large-scale sugar cultivation. DHHL does not have any

other projects in the vicinity and this project does not commit DHHL or others to additional actions.

9. Substantially affects a rare, threatened or endangered species, or habitat.

Other than a pair of endangered Hawaiian hawks that were observed circling overhead, there are no known threatened or endangered species or associated habitats on or near the property. Even then, the stream gulches and southwestern corner of the property, which has the potential for native plant habitat restoration, is proposed for conservation. Additionally, best practices will be carried out to protect against potential impacts to the Hawaiian hoary bat, Hawaiian hawk, and seabirds that may fly over the property.

10. Detrimentally affects air or water quality or ambient noise levels.

Construction activities will cause some impacts to air quality, noise, and surface water in the area of the project, but these are temporary in nature, will follow appropriate regulations, and will be mitigated by best management practices in accordance with State Department of Health and County of Hawai'i guidance. Potential impacts to surface water quality will be mitigated by a master drainage plan that is being developed to minimize erosion and manage runoff.

After construction, the Project is not expected to have a detrimental impact on air quality or noise levels. There may be a slight increase in impervious surfaces due to the construction of roads, houses, and community facilities, but any additional runoff will be contained on-site through drainage features identified during the development of a master drainage plan. This master drainage plan will identify features and practices to minimize erosion. DHHL is also providing an agricultural extension agent to work with its Hawai'i Island agricultural lessees on crop selection and agricultural practices on a long-term basis.

11. Affects or is likely to suffer damage by being located in an environmentally sensitive area such as flood plain,

tsunami zone, beach, or erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal water.

The Project is not located in an environmentally sensitive area. It is located outside of the flood plain, tsunami zone, beach area, geologically hazardous land, estuary and coastal water. While there are perennial streams that run through and near the property and there is the potential for some erosion on-site and in the gulches, a master drainage plan is being developed to manage both runoff and erosion. Conservation areas have also been designated around the gulches.

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

The site is not located in an area that has been identified as a scenic view plane or area of natural beauty by the County or State and it contains no significant geographical points, such as pu'u. The area was previously under intensive sugar cultivation and is proposed for subsistence agriculture. Lessees may choose to build a house on their lots, but they will be restricted to single family homes. An open space buffer is proposed to shield views from 'Akaka Falls Road to the subsistence agricultural lots.

13. Require substantial energy consumption.

The new agricultural activities and homes will increase energy consumption but is not anticipated to require substantial energy requirements when compared with other similar projects.

#### NEXT STEPS FOR EA COMPLETION

The following is a list of anticipated next steps and milestones in the completion of the EA.

- DEA anticipated to be published in the October 8, 2018 OEQC bi-monthly bulletin
- 30-day public comment period on the DEA ends November 7, 2018;

- Revise DEA per public comments and complete Final Environmental Assessment (FEA) (November 2018);
- Present FEA to HHC; HHC issues Finding of No Significant Impact (FONSI) declaration for the project (November 2018)
- HHC FONSI declaration for the project and FEA submitted to OEQC for publication in OEQC bi-monthly bulletin. (December 2018)

NEXT STEPS FOR OVERALL PROJECT IMPLEMENTATION

In addition to the completion of the FEA and HHC declaration of FONSI for the project in accordance with Hawaii Revised Statutes Chapter 343 and HAR 11-200, the following actions will need to be implemented:

- Complete Master Plan and lot layout.
- Obtain Agricultural Project District and lot TMKs from the County of Hawai'i.
- Complete Master Drainage Plan with the Soil and Water Conservation District
- Coordinate with various State and County agencies:
  - State Department of Transportation - traffic mitigation and access points to the Project site.
  - State Historic Preservation Division - ensure compliance with historic preservation laws.
  - State Department of Health - wastewater disposal compliance.
  - U.S. Department of Agriculture - rural development loans.
- Continue to coordinate with the existing Honomū community.

Sufficient budget will need to be allocated by the HHC and DHHL to implement the Project. Furthermore, a willingness by current and future decision-makers to follow through with various aspects of the Honomū Subsistence Agricultural Homestead Community will be needed to ensure successful implementation.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24 -25, 2018

To: Chairman and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager *g*  
From: Halealoha Ayau, Water Resource Management Specialist  
Andrew H. Choy, Planner *AC*  
Subject: For Information Only -- East Hawaii Regional Update  
to the Hawaiian Homes Commission

Recommended Action

For information only. No action required.

Background

Per the directive of the Chairman, 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 prior policies and/or plans specific to that previously adopted by the HHC specific to that particular geographic region.

A status report of DHHL's progress in implementing these policies/plans is also included for the HHC's consideration.

For September 2018, Planning Office will be providing an update to the HHC for East Hawaii.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

Hawaii Island Plan Policies Related to East Hawaii.

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 Hawaii Island Plan was adopted by the HHC in 2002. The 2002 Hawaii Island Plan delineated five planning regions on Hawaii Island, North, East, South, West, and Central. (see maps, Exhibit A). For the purposes of this informational submittal, Planning Office will be focusing on the lands in the East and South regions.

Land Use Designation	Acres	Percent of Total
Residential	1,001	4.5%
Subsistence Agriculture	1,968	9.1%
Supplemental Agriculture	3,019	13.8%
Pastoral	7,832	35.7%
Community Use	90	0.4%
General Agriculture	4,970	22.7%
Commercial	346	1.5%
Industrial	364	1.6%
Conservation	240	1.2%
Special District	2,058	9.5%
TOTAL	21,888	100%

#### Hawaii Island Plan Implementation Status

There have been no land use amendments made to the island plan in the East and South Regions since the adoption of the plan in 2002. The Hawaii Island Plan identified seven priority tracts for homestead development across the entire island. The priority tracts were further broken down into two development phases, a Phase I (priority) and Phase II. In the East and South Region, only the Lower Piihonua tract was identified as a Phase I priority for new homestead development. The Panaewa tract in the East Region and the Wailau tract in the South region were identified as Phase II priorities for new homestead development.

DHHL has initiated the planning and development process for new agriculture homesteads in its Honomu Tract. A Honomu Master Plan & EA is expected to be completed in 2019. The Island Plan designated Honomu for supplemental agriculture. However, the master plan is also looking at the feasibility of subsistence agriculture lots as well as community uses. Depending upon the outcome of the Honomu Master Plan's final recommendations, changes to the existing supplemental

agriculture land use designation in the Hawaii Island Plan may be warranted. Completion of engineering, design, and actual award of lots to waitlist applicants is anticipated in 2019. Planning Office will be requesting funding in FY 19 to undergo this planning update.

The 2002 Hawaii Island Plan is due for a review and update. Island Plans are intended to have a 20-year outlook and we are close to that time horizon. Furthermore, new circumstances over the last 15 years such as changes in overall population growth on the island of Hawaii, changes in County plans, changes in waitlist beneficiary preferences, as well as the occurrence of significant legal precedents such as the Nelson case and adoption of new administrative rules related to subsistence agriculture homesteads necessitate a re-look at the existing island plan.

#### *Keaukaha Regional Plan*

The *Keaukaha Regional Plan* was adopted by the HHC in December, 2010. Outreach with beneficiaries in the region through the planning process identified one priority project, the Keaukaha Hawaiian Community Pavilion.

#### *Makuu Regional Plan*

The *Makuu Regional Plan* was adopted by the HHC in December, 2010. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Makuu Farmers' Association Community Center
- (2) Makuu Offsite Water System Phase 2
- (3) Sustainability & Renewable Energy Initiatives
- (4) Farm Plans, Capacity Building & Promotion of Agriculture
- (5) Lease Enforcement Provisions

#### *Panaewa Regional Plan*

The Panaewa Regional Plan Update was adopted by the HHC in January, 2017. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Project Kamoleao (12-acre community parcel)
- (2) Panaewa Park & Family Center Management
- (3) Agricultural Capacity Building - Marketing & Training Center
- (4) Traffic Calming & Safety Improvements on Railroad Avenue and Auwae Avenue
- (5) Hawaii Island Plan Update for East Hawaii

#### *Kau Regional Plan*

The Kau Regional Plan was adopted by the HHC in May 2012. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Create a Kau Homestead Community Association
- (2) Obtain Additional Water for Homestead Lots in Kamaoa, Puueo, and Waiohinu
- (3) Protect and Preserve Cultural Sites & Natural Resources in Kamaoa
- (4) Agriculture Homestead Leases at Waiohinu and Pursue Partnership with DLNR for Hawaiian Homesteading

#### *Kaumana-Piihonua Regional Plan*

The Kaumana-Piihonua Regional Plan was adopted by the HHC in May, 2017. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Kaumana-Piihonua Community Center
- (2) Agriculture Sustainability - Community Pasture
- (3) Community Tool Shed and Work Days

(4) Pest-Control Mitigation and Removal (Kaumana Only)

*East Hawaii Regional Plan Implementation Statuses*

Tables 2-6 below identify the "project champion" as well as summarizes the status of each regional plan priority project.

Table 2: KEAUKAHA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Keaukaha Hawaiian Community Pavilion	KCA	In-Progress. Conceptual design and drawings have been completed. Draft EA is being prepared.

Table 3: MAKUU REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Makuu Farmers' Association Community Center - Site Preparation	MFA	In-Progress. Completed HRS 343 EA in 2011. Fundraising for community center construction.
Makuu Offsite Water System Phase 2	DHHL	Project no longer being pursued because of 2015 lava flow.
Sustainability and Renewable Energy Initiatives	MFA	Not started.
Farm Plans, Capacity Building, and Promotion of Agriculture	MFA	CTAHR technical assistance is available to Makuu lessees via a CTAHR Extension Agent.
Lease Enforcement Provisions	DHHL	<b>Not Started.</b> Makuu community leaders have made repeated requests to DHHL to begin enforcement of non-compliant lessees. The unoccupied lots are becoming a huge safety concern.

Table 4: PANAWEA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Project Kamoleao	PHHLCA	In-Progress. Seeking HHC FONSI approval on FEA September 2018. Looking to pursue funding for design work.
Panaewa Park & Family Center	PHHLCA /DHHL / County Parks	In-Progress. HHC approved issuance of license with County Parks and Recreation in 2016 subject to the County working out a park use agreement with PHHLCA. County, DHHL, and PHHLCA held initial meeting in March 2017 to discuss agreement.
Agricultural Capacity Building Marketing and Training Center	KPFA / DHHL	In-Progress. KPFA completed its strategic plan in 2017. UH-CTAHR CES agent has provided technical assistance and training to Panaewa agriculture homestead lessees.
Traffic Calming & Safety Improvements on Railroad Avenue and Auwae Avenue	DHHL / County / KPFA	KPFA conducted a meeting with County DPW-Traffic Division to assess options in addressing issue.
Hawaii Island Plan Update for East Hawaii	DHHL	<b>Not Started.</b>

Table 5: KAU REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Create a Kau Homestead Community Association	Kau Beneficiaries	Completed. The Kau Hawaiian Homestead Association was created in 2013 and received IRS 501c3 status.
Obtain Additional Water for Homestead Lots in Kamaoa, Puueo, and Waiohinu	DHHL	In-Progress. DHHL completed Kau Water Assessment. DHHL received \$1.5 million in CIP funds from legislature for plan, design, and construction. DHHL has proposed phase 1 improvements including 100,000-gallon storage tank, new pressure reducing valves, and transmission pipes to provide water to Kamaoa Pastoral homestead lots. Next step is designing improvements and then determining management of system once built.
Protect and Preserve Cultural Sites and Natural Resources in Kamaoa	DHHL/Kau	In-Progress. South Point Resources Management Plan was adopted October 2016. HHC approved FONSI for plan May 2018. HHC approved \$300k for South Point management in FY 19 budget.
Agriculture Homestead Leases at Waiohinu	DHHL	In-Progress. The BLNR approved transfer of 380-acre Waiohinu parcel to DHHL via executive order in February 2018. DHHL has been following up with DLNR staff to complete transfer paperwork.

Table 6: KAUMANA-PIIHONUA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Kaumana-Piihonua Community Center	Kaumana & Piihonua Associations and DHHL	In-progress. Kaumana and Piihonua communities looking at pursuing funding opportunities.
Agriculture Sustainability - Community Pasture	Kaumana & Piihonua Associations and DHHL	Not Started.
Community Tool-Shed and Work Days	DHHL	Not Started.
Pest-Control Mitigation and Removal (Kauamana Only)	Kaumana Association	Not Started.

Recommendation

For information only. No action required.

STATE OF HAWAI'I  
DEPARTMENT OF HAWAIIAN HOME LANDS  
SEPTEMBER 24-25, 2017

To: Chairperson and Members, Hawaiian Homes Commission  
Thru: M. Kaleo Manuel, Acting Planning Program Manager  
From: E. Halealoha Ayau, Water Resource Management Specialist *EHA*  
Subject: For Information Only – Update on East and South Hawai'i Water Issues and Projects

RECOMMENDED MOTION/ ACTION

None; for information only.

DISCUSSION

This submittal to the Hawaiian Homes Commission (HHC) provides an overview update of water issues and projects significant to beneficiaries and the Department of Hawaiian Home Lands (DHHL) on the island of Hawai'i. Significant East and South Hawai'i water projects and issues involve water resource management and development. The DHHL planning regions and tracts discussed are: (1) Honomū-Kuhua; (2) Pana'ewa-Keaukaha; (3) Lower Pi'ihonua; (4) Maku'u-Keonepoko; (5) 'Ōla'a; and (6) Ka'ū.

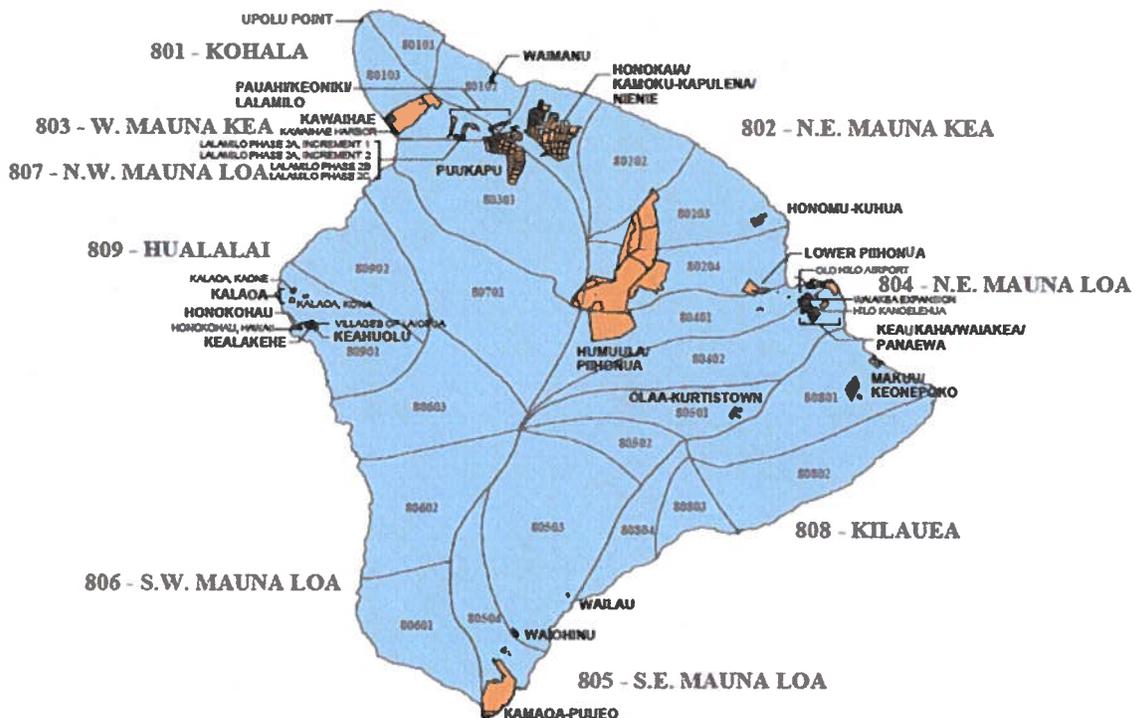


Fig. 1. Existing DHHL Tracts on Hawai‘i island in relation to groundwater aquifers

Priority tracts in East Hawai‘i are located in Pana‘ewa and Lower Pi‘ihonua. In South Hawai‘i, Wailau (part of the Ka‘ū planning region) is the priority tract. See, DHHL, Hawai‘i Island Plan (2009) (HIP).

1) Honomū-Kuhua tract water needs

The Honomū -Kuhua tract is the northernmost DHHL tract in East Hawai‘i. It consists of 766 acres adjacent to Akaka Falls State Park in South Hilo. HIP at 18. Long-term potable water needs consist of 0.0832 mgd, which can be supplied by the the County of Hawai‘i Department of Water Supply (HDWS) Honomū Water System. See, 2017 DHHL Update to the State Water Projects Plan (SWPP), which calculated medium estimations for long-term demands until the year 2031 for all DHHL tracts. Ambient rainfall is sufficient for long-term non-potable water needs of 2.261 mgd.

2) Pana‘ewa and Keaukaha planning regions and water systems

DHHL holds approximately 3,717 acres in the Pana‘ewa planning region, located in the Waiākea ahupua‘a, South Hilo District, Island and County of Hawai‘i in close proximity to urban services. Land use designations are as follows: Residential Homestead (425 acres), Supplemental Agriculture Homestead (1,500 acres), Subsistence Agriculture Homestead (446 acres), Community Use (40 acres), Commercial (235 acres), and industrial (365 acres).



Fig.2. Pana‘ewa tracts map & potable water infrastructure, DHHL Pana‘ewa Regional Plan at 18.

In addition, DHHL holds 1,670 acres in the Keaukaha area, which are divided into the Keaukaha Tract-1 and the King's Landing Tract-2. HIP at 19.



Fig. 3. Keaukaha & King's Landing tracts and potable water infrastructure, Keaukaha Regional Plan at 18.

Both the Pana'ewa and Keaukaha tracts are serviced by the HDWS Hilo system. DHHL Keaukaha Regional Plan at 17. The long-term potable water demand for the Pana'ewa-Keaukaha area is 1.688 mgd. The long-term non-potable water demand is 1.3838 mgd. Ambient annual rainfall in Pana'ewa is approximately 160 inches, which is sufficient to satisfy non-potable irrigation requirements for this subsistence agricultural homestead area. SWPP at 4-31.

### 3) Lower Pi'ihonua tract water issues and developments

DHHL's Lower Pi'ihonua tract is comprised of 1,882 acres located in South Hilo on the lower slopes of Mauna Kea. The long-term potable water demand is 0.14 mgd and long-term non-potable demand is 1.5946 mgd. Land use designations consist of Residential and Subsistence Agriculture, the potable needs of which will be supplied by the HDWS Hilo Water System and the non-potable needs will be met through ambient annual rainfall. The Lower Pi'ihonua tract is adjacent to Ho'okele gulch, the Waiiau gulch, and the Wailuku River. HIP at 18. Hawai'i Electric & Light Company (HELCO) owns and operates the Waiiau hydroelectric plant on the Wailuku River. Two registered diversions convey surface waters to an offsite ditch system which has a total declared use of 9.6 mgd. SWPP at 4-32.

Lower Pi'ihonua became a test site for exercising DHHL rights in water. HELCO currently holds an easement over DHHL lands for access purposes only to its

hydroelectric plant. In January 2016, HELCO contacted DHHL because it planned to propose to the Board of Land and Natural Resources (“BLNR”) conversion of its revocable permit for water resource use to a sixty-five year general lease per HRS § 171-58. DHHL discussed with HELCO how to structure the proposed water license to comply with the Native Hawaiian Rehabilitation Fund (“NHRF”) obligations and entitlements per the State Constitution which requires that thirty-percent of proceeds from state-issued water licenses be deposited into the NHRF fund. Discussions with HELCO expanded to consider methods for determining appropriate water license payment amounts. DHHL advocated for a costs-avoided method whereby charge for the license would be a function of the amount HELCO saves by using hydroelectric sources rather than another source.

On August 15, 2017, a Beneficiary Consultation Meeting was held in Hilo to discuss HELCO’s desire to continue to use the water to operate the two hydroelectric plants at lower Pi‘ihonua. Pursuant to HRS § 171-58(g), the DLNR and DHHL are required to jointly develop a “reservation” of water as part of the leasing process. A water reservation set aside is a set aside of water for current and foreseeable development and use, in this case by DHHL. The Water Leasing Process is as follows:

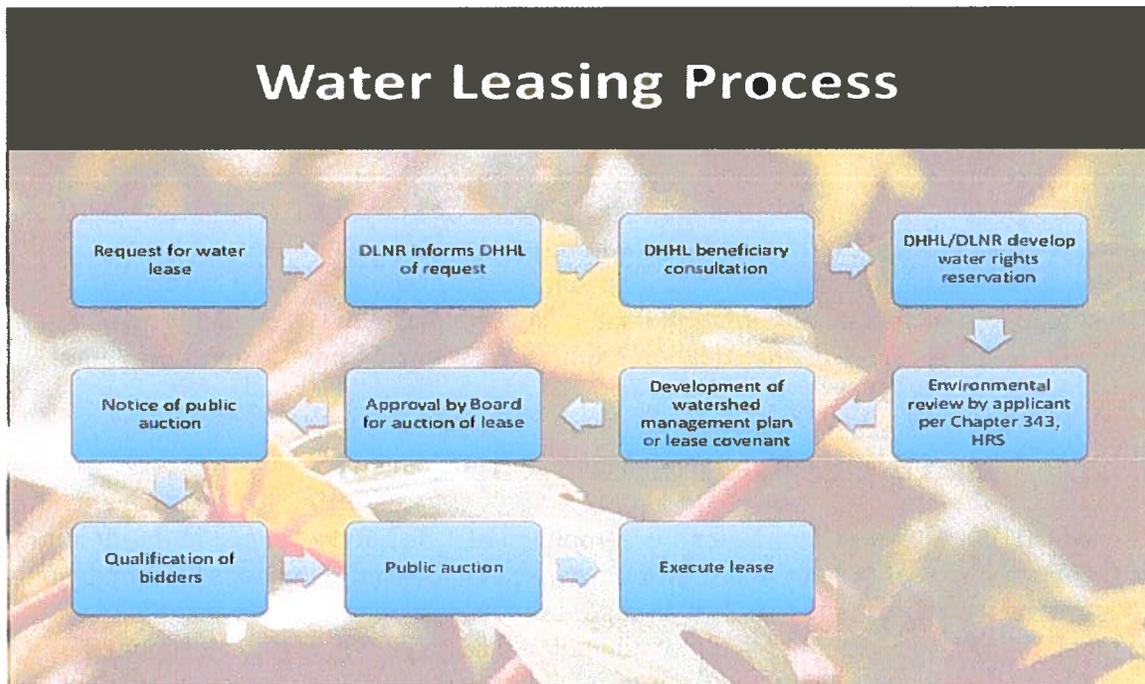


Fig. 4. Water Leasing Process

Consultation with DHHL beneficiaries focused on DHHL’s water needs for lands at lower Pi‘ihonua for purposes of establishing a water reservation. Information provided included the Hawai‘i Island Plan, Kaūmana-Pi‘ihonua Regional Plan and the SWPP regarding water demands. The potential DHHL water reservation for lower Pi‘ihonua potable and non-potable water needs are as follows: Potable (140,000 gpd) + Non-Potable (1,600,000 gpd) = DHHL Lower Pi‘ihonua combined water needs of 1,740,000 gpd. Questions discussed with beneficiaries included:

- (1) Should DHHL's water reservation include both potable and non-potable water needs for Lower Pi'ihonua? Why?;
- (2) Where should this water come from to meet those water needs? Wailuku River? Aquifer? Rainfall?; and
- (3) Are there any water needs that DHHL did not account for? If so, what are they?

The Beneficiary Consultation Report & Recommendations for DHHL's water reservation was approved by the HHC at its October 2017 meeting. The reservation is being worked on by the Planning Office and should be ready soon.

#### 4) Maku'u-Keonepoko Planning Region water needs and issues.

The Maku'u planning region consists of 2,000 acres split into a 1,500 acre mauka section and a 500 acre makai section. The makai parcel is recommended for non-priority general agricultural use and the mauka tract has been developed into agricultural homestead lots. Current potable needs of 0.056 mgd for the mauka tract are expected to increase to 0.660 mgd by 2031. Similarly, the Non-potable water demand is expected to grow to 3.383 mgd in that same time. SWPP at 4-33. Ambient annual rainfall within this region is approximately 120 inches and sufficient to satisfy the non-potable irrigation requirements of Subsistence and Supplemental Agricultural lands uses.

The Maku'u Farm and Agricultural lots (Maku'u Subdivision) require additional water. Existing reservoir facilities can provide adequate water through the HDWS Pāhoa system at or below the 523-foot elevation. For higher elevation lots, new water system improvements have been proposed. Maku'u Regional Plan at 18. The proposed water system will include an exploratory and production well, and a 1.0 million gallon reservoir.

Delays in water improvements construction is partly attributed to land ownership issues. Pursuant to Executive Order 4143, DLNR had set aside over 3.7 acres of lands for Maku'u water system improvements to the Water Board of the County of Hawai'i (WBCOH).<sup>1</sup> In 2006, the HDWS agreed to cancel E.O. 4143 so that DHHL could continue with its infrastructural improvements for the proposed Maku'u development. In 2009, BLNR approved the E.O. cancellation with support from DHHL.<sup>2</sup> The USDA and DHHL attempted a joint venture agreement to develop a new Maku'u well and waterline to connect to the existing HDWS Pāhoa system, which would be dedicated to HDWS, but funding for the project has been de-obligated. SWPP at 4-33. Lastly, the latest lava threat in Puna came within feet of the exploratory well, so any future use is pending.

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<sup>1</sup> Dep't of Water Supply, Hawai'i Island, Water Board Meeting Item 5.A "Cancellation Of Governor's Executive Order No. 4143 (Setting Aside Lands; Situated At Halona, Puna, Island Of Hawai'i, Hawai'i) Tax Map Key 1-5-008: Portion 001" (Dec. 16, 2008).

<sup>2</sup> Board of Land and Natural Resources, State of Hawai'i, Meeting Item No. D-1 "Cancellation of Governor's Executive Order No. 4143 and Reset-Aside to Department of Hawaiian Home Lands for Maku'u Well and Reservoir Site and Access and Utility Easement Purposes, Kaohe, Puna, Hawai'i, TMK: (3) 1-5-008:001 por." (April 24, 2009). Darrell Yagodich from DHHL said that the well will provide water to their existing subdivision in Puna and the planned 800 homestead unit and add to the County's existing system. *Id.* at 3. Item D-1 was unanimously approved.

5) 'Ōla'a tract water needs

DHHL's 'Ōla'a tract is a 708-acre parcel located in the district of Puna that is recommended for homestead pastoral use. HIP at 21. Potable water demand for domestic use is 0.0252 mgd. The non-potable demand is 0.0125 mgd, which will provide for stock pastoral land uses. No public or private water systems exist in the vicinity and extending the nearest HDWS 'Ōla'a-Mountain View system would not be feasible. SWPP at 4-33. Area residents meet their potable water needs with catchment and ambient rainfall which is adequate. Proposed new DHHL development in 'Ōla'a will likewise rely on supplies from individual rainwater catchment systems. SWPP at 4-33.

6) Ka'ū Planning Region water issues and needs

The Ka'ū planning region includes the Kamā'oa Pu'u'eo, Wailau, Wai'ōhinu, and Discovery Harbor tracts located in South Hawai'i. DHHL Ka'ū Regional Plan (May 2012).

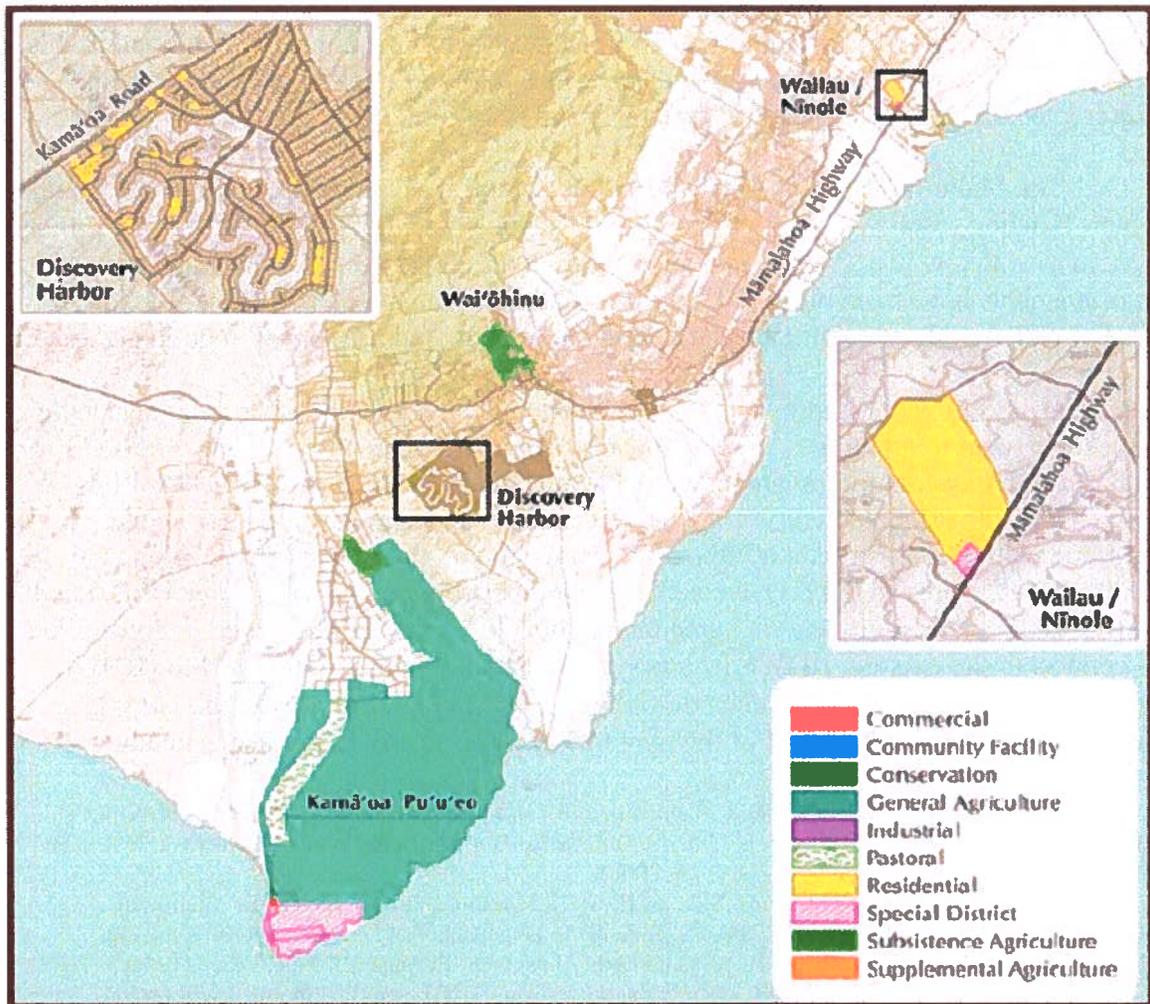


Fig. 5. Ka'ū planning region land use designations. DHHL Ka'ū Regional Plan at 12.

a. Wailau water needs

Wailau is a 65-acre Residential and Special District use priority tract located above Māmalahoa Highway in Ka‘ū. Future long term potable water demand is 0.005 mgd. No HDWS systems are located in the area. Sea Mountain Resort operates a private, Punalu‘u water system nearby. However, development of a new DHHL system was recommended to ensure DHHL’s full control over the water supply. SWPP at 4-34.

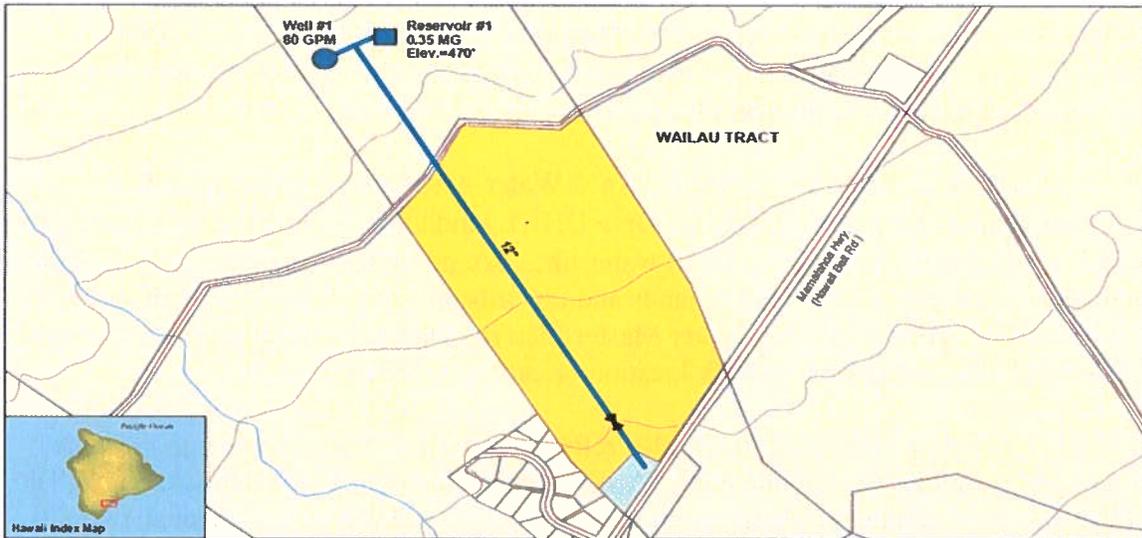


Fig. 6. Proposed DHHL Wailau water system. SWPP at 4-34 (Appendix G, Figure G.5).

b. Wai‘ōhinu and Discovery Harbor water systems

Wai‘ōhinu is a 262-acre tract recommended for Homestead Subsistence Agricultural use. Discovery Harbor consists of 40 scattered lots (approximately 13 acres) within a planned residential community. Ka‘ū Regional Plan at 12. The long term potable water needs for Wai‘ōhinu are 0.0304 mgd and the long term non-potable water needs are 0.7752 mgd. SWPP at 4-35. Potable water needs for Wai‘ōhinu and Discovery Harbor tracts are supplied by HDWS Wai‘ōhinu-Nā‘ālehu system, however households outside these areas either use water catchment or haul water to their residences. Ka‘ū Regional Plan at 22. The HDWS acquired the Wai‘ōhinu-Nā‘ālehu system via dedication from a former sugar plantation. Hawai‘i Water Use & Development Plan Update, 805-16 (Aug. 2010) (Hawai‘i WUDP). This water system primarily depends on the New Mountain House Tunnel Spring and Hā‘ao Spring for its supply. The Nā‘ālehu Well supplements the tunnel and spring sources during dry weather. Hawai‘i WUDP at 805-16.

c. Kamā‘oa Pu‘u‘eo water needs and issues

Kamā‘oa Pu‘u‘eo is an 11,031-acre tract recommended for Homestead Pastoral, General Agricultural and Special District Use. HIP at 24. The long term potable water need for Kamā‘oa Pu‘u‘eo is 0.1046 mgd and long term non-potable need is 0.4701 mgd. SWPP at 4-35. Although a water main connects Kamā‘oa Pu‘u‘eo to the HDWS Wai‘ōhinu-Nā‘ālehu system, HDWS believes it is too small to accommodate additional connections without affecting service to existing water users. The southerly portion of the HDWS Wai‘ōhinu-Nā‘ālehu Water System passes through lands owned by DHHL. None of the 12 agricultural homestead lots at Kamā‘oa Pu‘u‘eo have water service and only four meters service a portion of the 25 existing pastoral lots.

DHHL is working with G70 on a Ka‘ū Water Assessment Study to finalize recommendations for water systems to serve DHHL landholdings in Ka‘ū. G70 developed the following figure showing the DWS water lines extending southward away from South Point Road, passing through DHHL lands and towards an Army-built water tank at the tip of Ka Lae. The HDWS 20-Year Water Master Plan recommends a new well to service the South Point area, but did not specify location or capacity. SWPP at 4-34.

G70's water assessment study also references a 4' / 6" transite transmission line along South Point Road installed by the Army to feed the South Point Barracks Tank. The HDWS has since took over management of this line. Ka‘ū Water Assessment at 13. G70 recommends supplying the 25 Kamā‘oa pastoral lots, which has a total current potable and non-potable demand of 45,000 gpd with water from the HDWS line that otherwise overflows daily to the South Point Mauka tank. Ka‘ū Water Assessment at 5. The four existing water meters in the Kamā‘oa parcel are already receiving some of these waters. Improvements to the HDWS Wai‘ōhinu-Nā‘ālehu System may be the only feasible alternative to satisfy the irrigation requirement of 0.4701 mgd for the Kamā‘oa-Pu‘u‘eo tract. SWPP at 4-34.

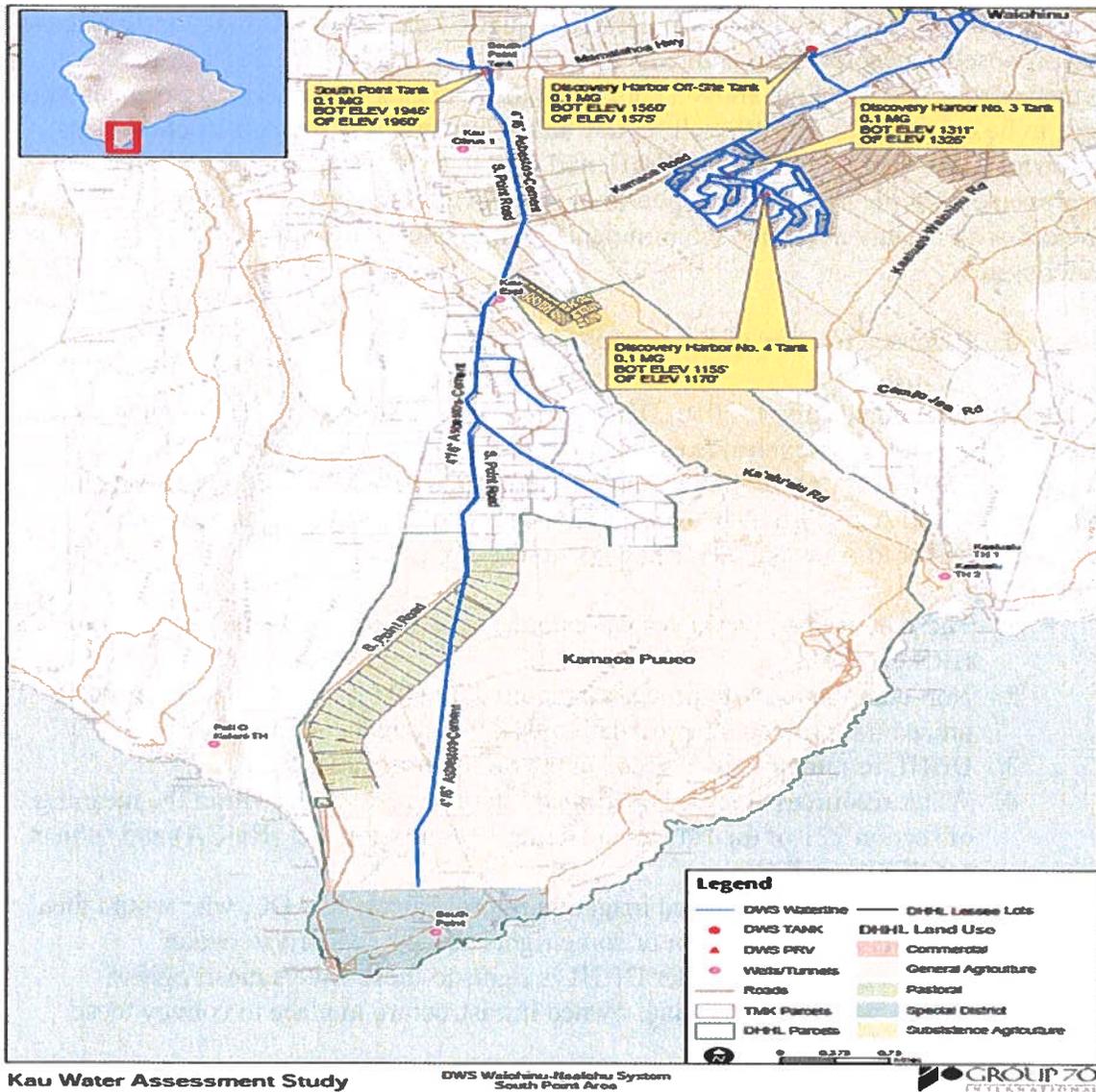


Fig. 7. G70 Ka'ū Water Assessment Study diagram (2013)

DHHL received \$1.5 million in CIP funds to plan, design and construct the Ka'ū Water System. These funds lapse on June 30, 2020. This is an opportunity for both the HDWS and DHHL to improve the water infrastructure in the Ka'ū region for the benefit of existing users and future developments. DHHL's immediate plan is to upgrade the County water system then assume operation and maintenance of approximately 4.5 miles of water main near the lower portion of South Point Road, as it crosses into DHHL lands just below the existing pressure regulation station #4 and ends at the existing 0.5 MG South Point Makai Tank. At the beginning of this segment, DHHL plans to install a new 0.10 MG minimum sized tank and a master meter. DHHL will own and operate the water system from this point onward and the existing lessees and any future lessees will be sub-

metered off the DHHL water system. DHHL requested the HDWS formal concurrence to this proposed conceptual plan and received it by letter date March 6, 2018. At a recent September 6, 2018 meeting, HDWS confirmed that a master meter water agreement would need to be entered into. HDWS will review and approved proposed construction plans following a site visit with HDWS, DHHL and G70 to confirm the conceptual plan improvements at the project site. Upon final agreement of the conceptual plan, DHHL will proceed with the any necessary environmental compliance and engineering design of the water system.

d. Proposed transfer of Ka‘ū irrigation systems to ADC.

By letter dated June 1, 2016, DHHL wrote to DLNR and objected to its proposed grant of a perpetual non-exclusive easement to the Agribusiness Development Corporation (ADC) for an irrigation water system and a transfer of various revocable permits.<sup>3</sup> DHHL stated it may be required to call for a contested case against the proposed transfer to ADC and identified six objections:

1. The proposed conveyances were not being executed by BLNR, in violation of HRS §171-58;
2. Non-compliance with processes required by HRS §171-58 meant obviating procedural protections provided to DHHL and its beneficiaries;
3. DHHL has unmet water needs in the South Point area;
4. Water resources at issue constituted “state owned” water within the meaning of section 221 of the Hawaiian Homes Commission Act (HHCA) and subject to DHHL’s rights;
5. “[s]elling the state-owned irrigation improvements to ADC, who would then presumably convey them or some rights to them to a private water cooperative, would render DHHL’s rights to these waters meaningless. DHHL would have no state-owned infrastructure in place to convey these waters to its lands;” and
6. The proposed conveyance to ADC at no cost impermissibly delegates the state’s fiduciary duties to ADC.

Month to month water users of the New Mountain House and Hā‘ao System requested conversions to long term water licenses similar to the one being requested by HELCO for Wailuku River. Coordination of all water users of this system is essential in DHHL’s efforts to assert its rights to water for the benefit of its beneficiaries. Last October 2017 via item G-3, the HHC authorized the Chairman to assert DHHL’s rights to water to protect the interests of its land holdings in Ka‘ū .

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<sup>3</sup> See Letter from Jobie M. K. Masagatani, Chairman, HHC to Kevin E. Moore, State Lands Ass’t Administrator, Land Division, Dep’t Land and Natural Resources (Jun. 1, 2016).

### III. CONCLUSION

East and South Hawai'i continue to face significant water issues that must be addressed in order for the goals of the Hawai'i Island Plan to be fulfilled. The Lower Pi'ihonua tract in East Hawai'i merits particular attention both because it is a HHC priority tract and because it is the site of current precedent-setting negotiations over the nature of DHHL rights in water licenses and methods for enforcing those rights (HELCO Wailuku River water reservation).

In addition, the Ka'ū planning region is also an important site due to the dispute with DLNR over proposed transfers of leases and administrative authority to ADC which negatively impact DHHL water rights and the ongoing efforts to improve the existing HDWS Wai'ōhinu-Nā'ālehu water system in order to deliver water to meet the potable and non-potable needs of the 25 pastoral lots at Kamā'oa Pu'u'eo with the potential to provide additional water for the needs for the general ag lots in the area.

### V. RECOMMENDED MOTION/ACTION

None; for informational only.

DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
September 24-25, 2018  
Keaukaha, Hawaii

H-ITEMS  
**ADMINISTRATIVE SERVICES  
OFFICE**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 24, 2018

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 First Quarter, FY 2019

RECOMMENDED MOTION/ACTION

That the Commission approve the transfer of the entire receipts deposited in the Hawaiian Home Receipts Fund as of September 30, 2018 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."

As of September 30, 2018, the estimated balance in the Hawaiian Home Receipts Fund will be approximately \$630,000. Based on the on-going loan requirements for fiscal year 2019, it is

recommended that cash receipts in the Hawaiian Home Receipts Fund for the quarter ending September 30, 2018 be transferred to the Hawaiian Home General Loan Fund.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 25, 2018

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Rodney K. M. Lau, Administrative Services Officer

SUBJECT: Approval of DHHL Biennium Budget Requests for Fiscal  
Biennium 2019-2021 (Sufficient Sums Budget)



RECOMMENDED MOTION/ACTION

1. That the Commission approve the FB 2019-2021 Operating and Capital Improvement Program (CIP) budget request (Sufficient Sums Budget) presented below to the Governor for consideration in the Administration's Executive Budget requests to the 2019 Legislature.
2. That the Commission approve the FB 2019-2021 Operating and Capital Improvement Program (CIP) budget request (Sufficient Sums Budget) be presented to the 2019 Legislature.
3. That the Commission authorize the Chairman to adjust the Operating and CIP budget request to make technical adjustments due to minor errors before it is incorporated into the Administration's Executive Budget.

DISCUSSION

For your information is a chronology of DHHL's biennium budget request for FB 2019-2021.

Article XII, Section 1 of the State Constitution states "The legislature shall make sufficient sums available for the following purposes: (1) development of home, agriculture, farm and ranch lots; (2) home, agriculture, aquaculture, farm and ranch loans; (3) rehabilitation projects to include, but not limited to, educational, economic, political, social and cultural processes by which the general welfare and conditions of native Hawaiians are thereby improved; (4) the administration and operating budget of the department of Hawaiian home lands..."

On October 19, 2007, several beneficiaries filed a lawsuit against the State and the Hawaiian Homes Commission claiming that the State violated its constitutional duty to sufficiently fund the Department of Hawaiian Home Lands.

On March 9, 2012, the Supreme Court affirmed the Intermediate Court of Appeals judgment in part that the courts can determine what constitutes "sufficient sums" for the DHHL's administrative and operating expenses to carry out the purposes of the Hawaiian Homes Commissions Act, 1920, as amended.

The Supreme Court also determined that "sufficient sums" for (1) development of lots, (2) loans, and (3) rehabilitation projects are political in nature and could not be judicially determined.

On November 17, 2015, the First Circuit Court entered its Findings of Fact, Conclusions of Law and Order concerning Plaintiffs' claim that the State of Hawaii failed to make sufficient sums available to the DHHL as required by article XII, section 1 of the Hawaii Constitution.

Judge Castagnetti declared in her order that:

"1. The State of Hawaii has failed to provide sufficient funds to the Department of Hawaiian Home Lands for its administrative and operating budget in violation of the State's constitutional duty to do so under article XII, section 1 of the Hawaii Constitution.

...3. Although what is "sufficient" will change over the years, the sufficient sums that the legislature is constitutionally obligated to appropriate in general funds for DHHL's administrative and operating budget (not including significant repairs) is more than \$28 million for fiscal year 2015-16.

4. Prior to 2012, the DHHL Defendants breached their trust duties by failing to take all reasonable efforts - including filing suit - to obtain all the funding it needs for its administrative and operating budget.

5. The defendants shall prospectively fulfill their constitutional duties and trust

responsibilities. They are enjoined from violating these obligations."

Final Judgment was entered on December 14, 2015.

On December 21, 2015, the State Defendants filed a Motion for Reconsideration of, or to Alter or Amend, the Judgment and Order.

On February 29, 2016, the court orally granted in part the Motion stating that:

"...paragraphs 3 and 5 of the Order previously entered on November 27, 2015 shall be AMENDED to read as follows:

3. Although what is sufficient will change over the years, the amount of general funds appropriated to DHHL for its administrative and operating budget for fiscal year 2015-16 (\$9,632,000) is not sufficient. The State is required to comply with the Hawaii Constitution and must fund DHHL's administrative and operating expenses by making sufficient general funds available to DHHL for its administrative and operating budget for fiscal year 2015-16.

5. The defendants must fulfill their constitutional duties and trust responsibilities.

The remaining paragraphs of the Order issued November 27, 2015 shall remain in full force and effect."

Plaintiffs filed a motion for reconsideration asking the circuit court to add into its revised order a statement saying that "Sufficient sums for DHHL's (A&O) budget (not including significant repairs) is more than \$28 Million for fiscal year 2015-16." The motion was denied. State Defendants files a notice of appeal, and Plaintiffs filed a notice of cross-appeal. The appeal and cross-appeal were filed in the Intermediate Court of Appeals. Briefing in both appeals is completed, and the Legislature was allowed, and filed an amicus curiae support of the State Defendant's positions on February 23, 2017.

On March 8, 2017, in response to the DHHL Defendant's application for transfer, the Hawaii Supreme Court transferred

the appeal and cross-appeal from the Intermediate Court of Appeals to the Hawaii Supreme Court.

On February 9, 2018, the Hawaii Supreme Court ruled that the Circuit Court exceeded its mandate in Nelson I when it determined the "sufficient sum" amount actually needed for DHHL's administrative and operating expenses.

The case is remanded back to the Circuit Court to determine whether the Legislature provided "sufficient sums" for DHHL's administrative and operating budget for FY 2016 using the only "judicially discoverable and manageable standard in Nelson I; the 1978 baseline of \$1.3 million, adjusted for inflation."

Based on the Article XII, Section I, the Hawaiian Homes Commission, the head of the Department of Hawaiian Home Lands, has a fiduciary responsibility to ask for amounts the Commission considers "sufficient sums" for the Department's administrative and operating expenses.

The Hawaiian Homes Commission request is formulated in two parts:

- a) Administrative and Operation costs relating to the Supreme Court ruling regarding purpose no. 4 of Article XII, Section I. This part also includes existing infrastructure projects with a long-standing history of operational, maintenance, and repair issues that have become capital improvement issues.
- b) Costs aligned with purposes numbers 1, 2 and 3, of Article XII, Section I, of the Hawaii State Constitution relating to: ...(1) development of home, agriculture, farm and ranch lots"; (2) home, agriculture, aquaculture, farm and ranch loans; and (3) rehabilitation projects to include, but not limited to, educational, economic, political, social and cultural processes by which the general welfare and conditions of native Hawaiians are thereby improved..." which the Supreme Court ruled as political in nature and could not be judicially determined.

**DHHL Biennium Budget Requests - Fiscal Years 2020 and 2021**

Administrative and Operating Costs: Purpose 4 of Article XII, Section I

The proposed biennium budget request for administrative and operating costs total \$45,783,188 and \$45,783,188 for fiscal years 2020 and 2021, respectively.

In the Nelson case I decision, the Circuit Court determined that more than \$28 million was the "sufficient sums" amount for fiscal year 2015-2016. "Personal Services" category costs were based on 260 (FTE) positions which was used to determine the "sufficient sums" amount in the court decision. Fringe benefit costs were to be absorbed by a separate Department of Budget and Finance general fund appropriation. The funding of general fund fringe benefit costs separately in a Department of Budget and Finance appropriation is a policy consistent with all other State general funded programs.

The 260 "sufficient sums" positions were kept intact as provided by the Circuit Court in Nelson I, except for those positions affected by actual and projected position variances. The annual personnel costs request represents an aggregate of the annual base salaries.

In the proposed FB 2019-2021 request, the DHHL's fiscal year 2019 budget for the "Other Current Expenses" category was used as a base line and adjusted to exclude costs related to development of homestead lots, loans, and rehabilitation projects. Consequently, the base budget was adjusted for debt service costs, loans, grants in aid and grants. The annual "Other Current Expenses" category totaled \$17,503,591. Attachment A-1 provides the "Other Current Expenses" category approved by the Commission relating to the Administrative and Operating Costs, with adjustments, to determine the "sufficient sums" amount.

Ongoing repairs and maintenance for existing infrastructure on Hawaiian home lands totaled \$3,613,000 annually for fiscal years 2020 and 2021 and is requested as a separate general fund "Repair and Maintenance" request in the "Other Current Expenses" category (See Attachment B-2).

DHHL's initial CIP general obligation bond request relating to existing infrastructure is made as a lump sum request under the title of "Hawaiian Home Lands Development, Statewide"

totaling \$10,000,000 and \$10,000,000 for fiscal years 2020 and 2021, respectively (See Attachment B-1). The existing infrastructure projects have a long-standing history of operational, maintenance and repair issues that have become capital improvement issues.

Attachments "A" provides a summary recap of the discussion.

Hawaiian Homes Commission Budget Request: Purpose no. 4 - State Constitution, Article XII, Section 1			
	FY 2020	FY 2021	
	(260.00)	(260.00)	
Administrative and Operating Budget Request	\$32,170,188	\$32,170,188	(A)
Operating Budget: Repairs and Maintenance of Existing Infrastructure	\$3,613,000	\$3,613,000	(A)
CIP Budget: Repairs and Maintenance of Existing Infrastructure	\$10,000,000	\$10,000,000	(C)
<b>Total HHC Administrative and Operating Budget Request</b>	<b>\$45,783,188</b>	<b>\$45,783,188</b>	
Means of Financing: (A)= General Fund; (C) = General Obligation Bond			

Hawaii State Constitution: Purposes 1, 2, 3 of Article XII, Section I; Lot Development, Loans and Rehabilitation Projects

The proposed biennium budget request for Purposes 1, 2, 3 of Article XII, Section I (Lot Development, Loans and Rehabilitation Projects) total \$214,918,100 and \$224,169,100 for FY 2018 and 2019, respectively. Details of the request are shown in Attachments "C" (Lot Development), "D" (Loans), and "E" (Rehabilitation Projects).

Hawaiian Homes Commission Budget Request: Purposes no. 1, 2, 3, State Constitution, Article XII, Section 1			
	FY 2020	FY 2021	
Purpose 1: Lot Development	\$74,775,000	\$79,975,000	(C)
Purpose 2: Loans	\$73,100,000	\$73,100,000	(C)
Purpose 3: Rehabilitation Projects	\$52,524,000	\$56,440,000	(C)
Rehabilitation Projects	\$14,519,100	\$14,654,100	(A)
<b>Total</b>	<b>\$214,918,100</b>	<b>\$224,169,100</b>	
Means of Financing: (A) = General Fund; (C)=General Obligation Bond			

In August 2018, DHHL participated in a Puwalu discussion in Maui that brought native Hawaiian beneficiary leaders state-wide together regarding priorities in their communities and programmatic needs. These needs provided by the beneficiaries were identified and sorted according to the purposes provided by

Article XII, Section 1 of the State Constitution and included in the FB 2019-2021 request. These projects are identified in Attachment "E".

Separate from the "sufficient sums" request, that is also included in Attachment "E", are grants-in-aid (GIA) projects that were brought up in the Puwalu discussion. DHHL will provide information to the Administration and the Legislature on GIA projects that may be coming forward. The GIA requesters will still need to go through the normal GIA process to secure funding.

**CIP Budget: HHC Federal Fund Request**

Separate from the "sufficient sums" request is a request for authorization to expend \$2 million in Federal funds for fiscal years 2020 and 2021 as provided by the U.S. Department of Housing and Urban Development (HUD) under the Native American Housing Assistance and Self Determination Act (NAHASDA) program.

Also separate from the "sufficient sums" request is a request to fund four (4) (FTE) positions and two (2) temporary positions funded by the Native American Housing Assistance and Self Determination Act (NAHASDA) program.

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

Department of Hawaiian Home Lands  
 Purpose 4: Administrative and Operating Costs  
 FY 2020 and FY 2021  
 Budget Request Summary

		FY 2020 Budget Request to HHC	MOF	FY 2021 Budget Request to HHC	MOF
<b>State Constitution, Article XII, Section 1, Purpose 4: Administrative and Operating Costs</b>					
	Personnel Costs	\$14,666,597	A	\$14,666,597	A
	Other Current Expenditures	\$17,503,591	A	\$17,503,591	A
	<b>Subtotal Administrative and Operating Costs</b>	<b>\$32,170,188</b>		<b>\$32,170,188</b>	
	Repair and Maintenance of Existing Infrastructure	\$3,613,000	A	\$3,613,000	A
	Repair and Maintenance of Existing Infrastructure	\$10,000,000	C	\$10,000,000	C
	<b>Subtotal R&amp;M of Existing Infrastructure</b>	<b>\$13,613,000</b>		<b>\$13,613,000</b>	
	<b>Total Administrative and Operating Costs</b>	<b>\$45,783,188</b>		<b>\$45,783,188</b>	

<b>Means of Financing:</b>					
A =	General Fund	\$35,783,188	A	\$35,783,188	A
C =	General Obligation Bonds	\$10,000,000	C	\$10,000,000	C
	Total	<u>\$45,783,188</u>		<u>\$45,783,188</u>	

**Purpose 4: "Other Current Expenses" Category**  
**Executive Budget for FY 2019 as Approved by the HHC on June 19, 2018**

		Administration and Operating Costs						TOTAL
Object		General	Administration	Operating Fund		Operating Fund (Non App)		Other Current
Code		Fund	Account	Operating Portion	Development Portion	Operating Portion	Development Portion	Expenditures
2900	Other Personal Services	704,000	100,000	25,000	0	0	0	829,000
3010	Operating Supplies - Gas & Oil Supplies	68,300	8,000	0	0	20,000	0	96,300
3020	Operating Supplies - Fuel & Oil Other	2,450	3,000	1,500	0	25,000	0	31,950
3030	Operating Supplies - Janitorial	24,380	0	1,048	0	500	0	25,928
3040	Operating Supplies- Medical	0	0	0	0	15,000	0	15,000
3090	Operating Supplies - Others	24,000	850	2,084	0	0	0	26,934
3100	Maintenance Materials Supplies & Parts	11,800	0	0	0	130,000	0	141,800
3200	Office Supplies	142,400	0	0	0	800	0	143,200
3400	Other Supplies	25,066	0	0	0	1,500	0	26,566
3500	Dues and Subscriptions	19,562	0	0	0	300	0	19,862
3600	Freight and Delivery Charges	5,770	1,200	0	0	4,000	0	10,970
3700	Postage	179,490	0	550	0	4,000	0	184,040
3800	Telephone	130,210	0	400	0	0	0	130,610
3900	Printing and Binding	108,700	84,000	0	0	0	0	192,700
4000	Advertising	106,200	0	0	0	0	0	106,200
4100	Car Mileage	23,500	0	0	0	0	0	23,500
4200	Transportation, Intrastate	375,700	0	0	0	15,000	0	390,700
4300	Subsistence Allowance, Intra-State	211,970	0	0	0	5,000	0	216,970
4400	Transportation, Out of State	78,000	0	0	0	0	0	78,000
4500	Subsistence Allowance, Out of State	72,500	0	0	0	0	0	72,500
4600	Hire of Passenger Cars	85,356	94	0	0	3,000	0	88,450
5000	Electricity	754,000	225,000	63,000	0	428,100	0	1,470,100
5200	Water	138,200	200,000	50,000	0	200,000	0	588,200
5500	Rental of Land and Bldg.	22,800	0	0	0	0	0	22,800
5600	Rental of Equipment	83,400	36,500	0	0	1,000	0	120,900
5700	Other Rentals	1,449,750	0	0	0	0	0	1,449,750
5810	Repairs- Data Processing	14,000	0	0	0	0	0	14,000
5815	Maintenance - Data Processing	130,000	0	0	0	0	0	130,000
5820	Repairs- Equipment, Building, etc.	77,910	52,000	4,800	0	20,000	0	154,710
5825	Maintenance- Equipment, Building, etc.	337,100	23,050	10,500	0	11,500	0	382,150
5830	Repairs- Motor Vehicles	35,450	3,000	0	0	10,000	0	48,450
5835	Maintenance- Motor Vehicles	27,000	5,000	0	0	5,000	0	37,000
5840	Maintenance-Unencumbered Lands & Othr	75,000	615,900	0	0	0	0	690,900
5895	Maintenance-Other Miscellaneous	81,684	0	0	0	10,000	0	91,684
5900	Insurance	75,000	0	0	0	0	0	75,000
7110	Services Fee Basis	897,050	2,584,115	2,620,295	936,885	802,450	350,000	8,190,795
7230	Training Costs	138,500	30,000	10,000	0	12,000	0	190,500
7290	Other Current Expenditures	44,700	8,000	0	0	2,500	0	55,200
6500	Grant-in-Aid	0	0	0	0	50,000	0	50,000
7700	Equipment	30,800	475,000	14,472	0	0	0	520,272
7700	Motor Vehicle	0	80,000	0	0	0	0	80,000
7900	Construction in Progress	0	290,000	0	0	0	0	290,000
<b>Total - Current Expenditure &amp; Equipment</b>		<b>6,811,698</b>	<b>4,824,709</b>	<b>2,803,649</b>	<b>936,885</b>	<b>1,776,650</b>	<b>350,000</b>	<b>17,503,591</b>

Department of Hawaiian Home Lands  
 Purpose 4: Administrative and Operating Costs  
 Repair and Maintenance of Existing Infrastructure  
 FB 2019 - 2021 Budget Request

ISLAND	AREA or SUBDIVISION	MAINTENANCE COMPONENTS- PURPOSE	FY 2020	FY 2021
Hawaii	Kawaihae	Water System Operation and Maintenance	120,000	120,000
Hawaii	Laiopua Villages	Brush Clearing and Fire Breaks	50,000	50,000
Hawaii	Puukapu	Water System Operation and Maintenance	255,000	255,000
Kauai	Anahola	Water System Operation, Maint, Emerg Call	75,000	75,000
Kauai	Piilani MKK and Anahola	Maintenance	75,000	75,000
Lanai	Lanai City	Maintenance	75,000	75,000
Maui	Kula	Maintenance	200,000	200,000
Maui	Leialii	Leialii Parkway Maintenance	85,000	85,000
Maui	Waiehu Kou	Detention Basins and Ditches	125,000	125,000
Maui	Waiehu Kou	Sewage Pump Station	80,000	80,000
Oahu	East Kapolei II	Detention Basins (2)	30,000	30,000
Oahu	Kapolei	Maluohai, Kaupea, Kanehili Maintenance	75,000	75,000
Oahu	Nanakuli	Princess Kahanu Road Repairs	30,000	30,000
Oahu	Oahu	Sewage Spill Response and Repair	150,000	150,000
Oahu	Oahu	Street Light Replacement	375,000	375,000
Oahu	Oahu	Scattered Location Repair and Maintenance	1,200,000	1,200,000
Oahu	Oahu	Albizia Control	290,000	290,000
Oahu	Waimanalo	Drainage Channel and Tree Trimming	38,000	38,000
Oahu	Waimanalo	Detention Basin	30,000	30,000
State	Statewide	Sign Replacement	255,000	255,000
		<b>Total</b>	<b>\$3,613,000</b>	<b>\$3,613,000</b>

Means of Financing: General Fund

Department of Hawaiian Home Lands  
 Purpose 1: Lot Development  
 Purpose 4: Administrative and Operating Costs  
 FB 2019-2021 Sufficient Sums Budget Request

PROJECT DESCRIPTION	Lots	PHASE	FY 2020	FY 2021
<b>PURPOSE 1: Lot Development</b>				
<b><u>Hawaii</u></b>				
Kau Water System		D C	2,000,000	2,000,000
Kau Farm and Ranch Lots Site Improvements		D C		2,000,000
Honoumuli Agricultural Lots, Phase 1	15	D C	5,000,000	
Hilo Community College Model Home	1	C	225,000	225,000
Kaunaloa Subdivision Lot Rehabilitation	4	D C	500,000	
Honokaaia Water System		C	1,300,000	
Lalamilo Phase 1 Kawaihae Road Improvements		D C	1,000,000	
Lalamilo Septic System Improvements		D C	500,000	
Lalamilo Phase 2A	151	D C		6,000,000
Puukapu Roadway Improvements		D C	2,000,000	
Puukapu Pastoral Lots Electrical Facilities		D C	2,100,000	
Kawaihae Water Production, Storage & Transmission		P D	750,000	
North Kona Exploratory Well		P D	2,000,000	
Laiopua Utility and Infrastructure Changes		c	500,000	
Laiopua Village 4 (Hema)	103	D C	14,300,000	
UXO Mitigation and Construction Support (Island-wide)		P D C	1,000,000	
<b><u>Kauai</u></b>				
Anahola Fire Station		P D	50,000	
Anahola Farm Lots, New Backup Well		D C	1,000,000	2,000,000
Piilani Mai Ke Kai III, Drainage & Subdivision Improvements	40	D C	500,000	4,000,000
Moloaa Farm Lots	47	P D		1,000,000
Wailua Residential Lots Masterplan	200	P D	1,000,000	
Wailua Second Well exploration	200	P D	1,000,000	
Hanapepe Residential Subdivision Phs 2 Offsite Development	50	P D	1,500,000	7,500,000
<b><u>Lanai</u></b>				
Lanai Residence Lots, Phase 2 Off-site Development and Lots	40	P D	3,000,000	
<b><u>Maui</u></b>				
Keokea Agricultural Off-site Water System Feasibility Study		P	2,000,000	
Keokea Archaeological Preservation			1,000,000	
Keokea Farm Lots Drainage System Improvements		D C	2,000,000	
Keokea-Waiohuli, Phase 2 Site Improvements	76	D C		12,500,000
Keokea-Waiohuli Phase 3 Site Improvements	27	D		750,000
Honokowai Master Plan		P	1,000,000	
Honokowai Water System Improvements		D C		4,000,000

Department of Hawaiian Home Lands  
 Purpose 1: Lot Development  
 Purpose 4: Administrative and Operating Costs  
 FB 2019-2021 Sufficient Sums Budget Request

PROJECT DESCRIPTION	Lots	PHASE	FY 2020	FY 2021
Leialii Parkway & Highway Improvements		D C		10,000,000
Villages of Leialii Ph1B, Increment 1, Subdivision Design	75	D C	500,000	8,000,000
<b><u>Molokai</u></b>				
Hoolehua Water System Improvements		D C	2,000,000	2,000,000
Kanakaloloa Cemetery Improvements		C	1,500,000	
Hoolehua Pasture Lot Development	30	D C		1,000,000
Naiwa Subdivision Site Improvements		D C		1,000,000
Hoolehua Scattered Agriculture Lots	8	D C	1,000,000	
Kalamaula Farm Lots Site Improvements	40	D C		1,000,000
Kalamaula Water & Drainage System Improvements		D	1,000,000	
Kalamaula & Kapaakea Aquaculture Development Plan		P	250,000	
<b><u>Oahu</u></b>				
Voice of America, Ph I Infrastructure	72	D C	800,000	10,000,000
East Kapolei Transit Oriented Development	150	P D C	2,000,000	
Waimanalo Agricultural Lots	50	D C	1,500,000	
<b><u>Statewide</u></b>				
Acquisition: Land and/or Building Purchase		L	10,000,000	
Statewide Lot Development		D C	5,000,000	5,000,000
Environmental Mitigation and Remediation on HHL		P D C	2,000,000	2,000,000
R & M of Utilities in Existing Homestead Subdivisions		P D C	2,000,000	2,000,000
<b>Total Purpose 1</b>	<b>1,379</b>		<b>\$74,775,000</b>	<b>\$79,975,000</b>
<b>PURPOSE 4: Administrative and Operating Costs</b>				
<b>Repair and Maintenance of Existing Infrastructure</b>				
R&M Sewer/ Wastewater Infrastructure			5,000,000	5,000,000
R&M Existing Infrastructure			5,000,000	5,000,000
<b>Total Purpose 4</b>			<b>\$10,000,000</b>	<b>\$10,000,000</b>
<b>Grand Total</b>			<b>\$84,775,000</b>	<b>\$89,975,000</b>
Phase: P = Planning				
D = Design				
C = Construction				
L = Acquisition				
Means of Financing: General Obligation Funds ( C )				

Department of Hawaiian Home Lands  
 Purpose 2: Loans  
 FB 2019 - 2021 Budget Request

Purpose	FY 2020	FY 2021
Mortgage Capitalization for Gap Group and Low to Moderate Income Families	37,500,000	37,500,000
Interim Financing (for Turnkey)	32,400,000	32,400,000
Debt Service - Revenue Bonds	3,200,000	3,200,000
<b>Total</b>	<b>\$73,100,000</b>	<b>\$73,100,000</b>





Department of Hawaiian Home Lands  
 Purpose 3: Rehabilitation Projects  
 FB 2019-2021 Budget Request

ISLAND	AREA	PROJECT COMPONENTS	PHASE	FY 2020			FY 2021						
				DHHL	OPERATING	CIP	DHHL	OPERATING	CIP	GIA			
Maui	Waiehu Kou	Community Garden - Water Development				30,000							
Maui	Waiehu Kou	Drainage Basins - siltation clean up (\$3,500,000)											
Maui	Kahikinui	Community Center/Pavilion				1,000,000							1,000,000
Maui	Kahikinui	Community Economic Center and Hale Pili	Planning & EA		250,000								
Maui	Kahikinui	Road Construction and Repair				5,000,000							5,000,000
Maui	Kahikinui	Road Development and Repair	Equipment			400,000				100,000			
Maui	Kahikinui	Fog Catchment System: Phase 2	Distribution System			750,000							
Maui	Kahikinui	Water Storage (water tanks)				150,000							
Maui	Kahikinui	Community Pasture Paddocks/Fencing	Design & Construction		250,000					250,000			
Maui	Kahikinui	Stewardship Economy				250,000							500,000
Maui	Kahikinui	Ungulate Removal and Reforestation			60,000					60,000			
Maui	Leialii	Neighborhood Park	Planning & Design			100,000							500,000
Maui	Honokowai	Community Subsistence Ag Program Development	Education, Training, Ag program		50,000								
Maui	Honokowai	Ag Education and Training	Facility and Program Dev			50,000							
Maui	Honokowai	R-1 Water for Ag Irrigation	Research, Planning and Dev			1,500,000							
Maui	Pulehunui	Community-Based Economic Dev				15,000,000							
Molokai		Transition Cespools to Septic Systems				1,500,000							
Molokai	Malama Park	Land Use Designation & Master Plan				500,000							
Molokai	Kiowa Park	Complete Pavilion Project								750,000			
Molokai		Deer management plan	Planning			500,000							
Molokai		Cross fencing/deer fencing											200,000
Molokai	Hoolehua	Playground and youth center											100,000
Molokai		Tiny homes											80,000
Molokai	Kalamaula Mauka	Passive Park	Planning										150,000
Molokai	Kapaakea	Temporary residence shelter											125,000
Molokai		Renovate Ahupuaa o Molokai Hale											250,000

Department of Hawaiian Home Lands  
 Purpose 3: Rehabilitation Projects  
 FB 2019-2021 Budget Request

ISLAND	AREA	PROJECT COMPONENTS	PHASE	FY 2020			FY 2021					
				DHHL	OPERATING	CIP	DHHL	OPERATING	CIP	GIA	GIA	
Molokai	Kapaakea	Remodel/renovate kupuna hsg in flood zone										
Molokai		Transitional home										
Oahu	Papakolea	Address Abandoned Homes		150,000			150,000					
Oahu	Papakolea	Kupuna Supportive Living Ctr Feasibility Study			250,000							
Oahu	Papakolea	Operate Kupuna Community Care Network				400,000						400,000
Oahu	Papakolea	Puowaina EA			250,000							
Oahu	Papakolea	Basketball Complex Improvements				5,000,000						
Oahu	Papakolea	Education/Health Programs				850,000						850,000
Oahu	Nanakuli	Ocean safety & Cultural education	Planning		250,000							
Oahu	Princess Kahanu	Traffic calming			60,000							
Oahu	Princess Kahanu	Community center expansion	Land acquisition									1,500,000
Oahu	Waiana'e Valley	Coumbarium with large area for cultural uses	Plng and Dsgn		300,000							
Oahu	Waiana'e Valley	Kaupuni Park Development										3,500,000
Oahu	Kapolei	Kapolei Heritage Center Phase II			300,000							
Oahu	Kanehili	Park Development										
Oahu	Kaupea	Perimeter wall at Kamaaha/Kapolei Pkwy (\$500,000)										
Oahu	Kapolei	Safety/Drug coalition with NSW		50,000								
Oahu	Kapolei	NSW equipment		5,000								
Oahu	Kapolei	Maintenance/Repair for dedication of roads (\$125,000)										
Oahu	Kapolei	Place of worship & place of rest/cemetery								250,000		
Oahu	Waimanalo	Emergency Evacuation and Street Extension			1,500,000					13,500,000		
				<b>Puwalu: Subtotal</b>	<b>\$1,775,000</b>	<b>\$52,524,000</b>	<b>\$24,900,000</b>	<b>\$1,910,000</b>	<b>\$56,440,000</b>	<b>\$14,150,000</b>		
		Homeowner Affordability Initiative		5,000,000					5,000,000			
		Lease Cancellation Prevention/Financial Literacy		5,000,000					5,000,000			
		Native Hawaiian Development Program Plan		2,744,100					2,744,100			
		<b>Total</b>		<b>\$14,519,100</b>	<b>\$52,524,000</b>	<b>\$24,900,000</b>	<b>\$14,654,100</b>	<b>\$56,440,000</b>	<b>\$14,150,000</b>			
		Means of Financing:		(A)	(C)			(A)	(C)			
		(A) General Funds										
		(C) General Obligation Bonds										
		* Projects are funded in other budgets										

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

September 24 & 25, 2018

TO: Chairman and Members, Hawaiian Homes Commission  
FROM: Administrative Services Officer Rodney Lau  
SUBJECT: ITEM H-3 DHHL Budget Requests for Fiscal Biennium 2019-2021 (Sufficient Sums Budget) (relative to H-2)

*\*MATERIAL USED FOR WORKSHOP ITEM H-2*

ITEM NO. H-3

DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION  
September 24-25, 2018  
Keaukaha, Hawaii

J-ITEMS  
**GENERAL AGENDA**

**Burrows-Nuuanu, Leatrice W**

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**From:** Pat Kahawaiolaa <kcaiprez@gmail.com>  
**Sent:** Tuesday, August 21, 2018 9:41 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** Address Commission

Aloha Leah, this is Unco Pat Kahawaiolaa from KCA and I want to request to put on the agenda for the upcoming HHC meeting slated for September 17-18, 2018 in East Hawaii. If need be I'd be more than happy to provide some background on issues I'd like to see resolved then in my opinion has been lingering far to long. I will put pen to paper and send a copy to you to share with the Commission. Thanking you in advance for all your help to me and KCA. 'Owau

Keaukaha Smiles  
'Owau me ka ha'aha'a  
Patrick L. Kahawaiolaa  
Sent from my iPhone

**Burrows-Nuuanu, Leatrice W**

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**From:** paula kekahuna <makuufarmersassociation@gmail.com>  
**Sent:** Tuesday, September 11, 2018 8:36 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** REQUEST TO BE ON THE COMMISSIONERS AGENDA  
**Attachments:** 091718 comissioners D agenda request.pdf

Aloha,

Lauae here from Maku'u to request a spot on the September commissioners agenda. Attached you will find a letter of request for decision making agenda.

Please contact me should you have any questions.

mahalo nui,

Lauae Kekahuna  
Treasurer/secretary  
Maku'u Farmers Association  
15-2131 Pahoia-Keaau Hwy  
Pahoia, Hi 96778  
(c) (808)989.1136

[Makkuufarmersassociation@gmail.com](mailto:Makkuufarmersassociation@gmail.com)

Lot # 26 TMK 1-5-120-009; Jason Keahilihau (decd.) over 3 years ago. brother to lot #27

- 12+ abandoned dogs on lot
- reportedly attacking other dogs in the area
- dog poop on the road ways
- dead puppies every so often of starvation
- constantly chasing cars
- reported to humane society, local police and DHHL constantly for over 5 years and no action or reply to remove dogs.
- Jason's wife drops by from time to time and she has been told by Paula Kekahuna (president of MFA) to take care of her dogs and lock them up and many failed attempts of the wife to actually do so.

Lot # 9 TMK 1-5-121-009; Clyde Malani (decd). 3months ago

- illegal drug operations
- constant growing traffic to Lot #9
- eye witnesses to multiple X-convicts residing on lot #9
- Half white and half black honda (license plate #ZDR 614) known x-convicts.
- No known relatives to Clyde Malani at the time on lot #9.

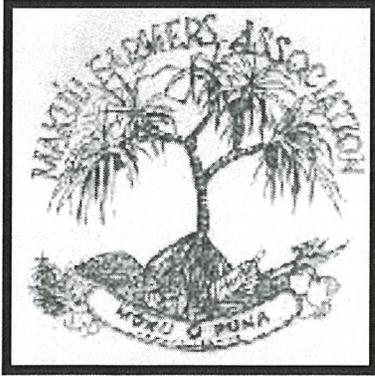
All Maku'u lessees stresses a safety concern and request and demand for immediate action for these people do not belong residing on these lots and stress a great threat to our safety. All Maku'u members did our diligence to the best of our ability and at this point we need action from our commissioners.

If you have any further questions for us please feel free to contact Lauae Kekahuna (808)989-1136 on my cell or e-mail at the [makuufarmersassociation@gmail.com](mailto:makuufarmersassociation@gmail.com).

Mahalo,



Lauae Kekahuna  
Treasurer/Secretary of MFA



Maku'u Farmers Association  
15-2131 Keaau Pahoa Highway  
Pahoa, HI 96778  
Phone: (808) 896-5537  
E-mail: makuufarmersassociation@gmail.com

"THE SECRET OF SUCCESS IS THE CONSTANCY OF PURPOSE"

Mission: To promote and perpetuate Native Hawaiian values and traditions, to provide educational and employment opportunities while also developing small businesses. To become self-sufficient as established by the Hawaiian Homes Commission Act of 1920

September 10, 2018

Department of Hawaiian Homes Commission

Re: Request to be placed on the "CONSENT AGENDA" line II ITEMS FOR DECISION MAKING  
Homestead Services Division.

Aloha,

On behalf of the Maku'u Farmers Association, Lauae Kekahuna and Paula Kekahuna would like to address the commissioners on September 17, 2018 pertaining to the immediate decision making to remove certain individuals who are illegally occupying lots in Maku'u and also running illegal drug operations and gun violence also increasing as unwanted traffic moves 24/7 to these specific lots.

The Maku'u Farmers Association members are starting to feel the drug impacts on these individuals and need help with DHHL and law enforcements to maintain a safe community.

Lot # 94B TMK 1-5-118-014; Jerome Schweitzer:

- Food truck vendors selling on land
- Operation of a non-permitted propane business (years without proper county permits)
- illegally 3rd party leaseeing
- breaching of his merchantile license for many many years

Lot # 27 TMK 1-5-120-010; Jolan Keahilihau (decd.) over 3 years ago.

- Occupied by non-relative; Kekai (Jay) Olsen, Violate Olsen and recent relative evacuees of the lava flow.
- illegal drug operations all hours of the night
- stolen and broken cars parked on the roads during the day and sometimes at night (video proof)
- Eye witness to a Silver brand new tachoma that comes from Honoka'a to drop off drugs 2 times per-week. seen doing drug deals on the top of the homestead right off HWY 130.
- constantly calling cops and one way communication with DHHL and no reply returned.
- (9/9/18) reported to officer Rapoza of Pahoa. Kekai Harassed Lauae, Haili and present two children in vechile (Azelia 8 and Anuhea 6).
- Kekai and Violet both caught snooping around on the Kekahuna residents lot. when approached they claimed to be looking for a tire pump.
- Drug family members with guns present on lot. reported shots fired from lot and growing.

**Burrows-Nuuanu, Leatrice W**

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**From:** PPHLCA <phhlca@aol.com>  
**Sent:** Thursday, September 06, 2018 8:13 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** COMMISSION MEETING

Aloha Leah .... i would like to be on the J agenda for the 17th and/or 18th for the schedule meeting in Hilo, the subject will be on Kamoleao.

William "Bill" Brown  
President, PPHLCA

**Burrows-Nuuanu, Leatrice W**

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**From:** Bo Kahui <bokahui@laiopua.org>  
**Sent:** Wednesday, August 29, 2018 3:02 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Cc:** Dora Aio  
**Subject:** VOLA President attend Comm. Mtg

Aloha Lea,

PLEASE be advised that Dora Aio-Leamons will be representing the Villages of Laiopua and is requesting to testify before the Commission at its next meeting in Hilo Sept 17th and 18th.

Please send confirmation to Dora who is copied on this email

Mahalo Nui

Craig "Bo" Kahui

Executive Director

Laiopua 2020

808-327-1221

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**Burrows-Nuuanu, Leatrice W**

**From:** Bo Kahui <bokahui@laiopua.org>  
**Sent:** Thursday, August 16, 2018 6:08 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Cc:** Bo Kahui; Avery Kramer; Diana Akao; Dora Aio; J Porter DeVries Esq.; Julie Lawrence; Leah Debina; Iwalani tsai; Kapua Baker; Karleen Cox; Maring Gacusana  
**Subject:** Request to Address the Commission Sept 17th & 18th

Aloha Lea,

On behalf of laiopua 2020 amd Villages of Laiopua Homestead Association, I would like to be placed on the DHHL Commission J-Agenda for Sept. 17th and 18th in Hilo.

Please send me your confirmation at your earliest convenience.

Mahalo Nui

Craig "Bo" Kahui

Executive Director

Laiopua 2020

808-327-1221

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**Subject:** FW: J Agenda Request - Monday, September 24, 2018

**From:** Rodney Biven <rodneybivenjr@gmail.com>

**Sent:** Monday, September 17, 2018 4:18 PM

**To:** Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>

**Subject:** Re: J Agenda Request - Monday, September 24, 2018

Aloha Lea

I am asking to be on the J agenda for September 24 2018 to answer any questions that the DHHL Commission has for me regarding the transfer between Ethel Andrade and Rodney Biven

Mahalo

Sent from my iPhone

**Burrows-Nuuanu, Leatrice W**

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**Subject:** FW: Request to be on Commission J Agenda

-----Original Message-----

From: Olani Lilly <olani@kaumeke.net>  
Sent: Tuesday, September 11, 2018 1:11 PM  
To: Yee Hoy, Louise K <louise.k.yeehoy@hawaii.gov>  
Subject: Request to be on Commission J Agenda

Aloha my name is Olani Lilly and I am the Po'okumu of Ka 'Umeke Kā'eo a Hawaiian language immersion charter school located in Keaukaha. We are currently purchasing a site that sits on DHHL lands and would like to request to lease Hawaiian Homelands near this site for the creation of a permanent campus. My phone number is 808-960-5732.

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**Subject:** FW: "J"agenda

**From:** KepaKekoa kaeo <[kepakekoa@gmail.com](mailto:kepakekoa@gmail.com)>  
**Sent:** Monday, September 17, 2018 1:18 PM  
**To:** Yee Hoy, Louise K <[louise.k.yeehoy@hawaii.gov](mailto:louise.k.yeehoy@hawaii.gov)>  
**Subject:** "J"agenda

Aloha ! The "BTC" mokuOkeawe will be talking about the Aina Mauna legacy for the beneficiaries.  
Mahalo nui loa kepa