STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

DHHL East Hawai'i District Office, 160 Baker Avenue, Hilo, Hawai'i, 96720
Monday, October 16, 2017 at 9:30 a.m. to be continued, if necessary, on
Tuesday, October 17, 2017 at 9:00 a.m.

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov, by Saturday, October 14, 2017.

I. ORDER OF BUSINESS

A. Roll Call
B. Approval of Agenda
C. Approval of Minutes for July 2014
D. Public Testimony on Agendized Items

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

D-2 Ratification of Loan Approvals (see exhibit)
D-3 Approval of Consent to Mortgage (see exhibit)
D-4 Approval to Schedule Loan Delinquency Contested Case Hearings (see exhibit)
D-5 Approval of Homestead Application Transfers / Cancellations (see exhibit)
D-6 Commission Designation of Successors to Application Rights – Public Notice 2016 (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 Approval of Subdivision, Transfer of a Portion of Lease, Amendment of Lease No. 05057, Lot No. 207-A, Keaukaha, Hawaii – **LAWRENCE K. KALOI, JR.**
D-12 Approval of Subdivision, Transfer of a Portion of Lease, Amendment of Lease No. 01067, Lot No. 124-A, Keaukaha, Hawaii – **HAUOLI FREEMAN and SHERRY ANN K. IONA**
D-13 Commission Designation of Successor – **LARRY KAMAKA**, Lease No. 02590, Lot No. 215-A, Keaukaha, Hawaii
D-14 Request to Schedule Contested Case hearing – Lease Violation (Failure to allow inspection of homestead) – **MARVA LEE AH LOY** – Pastoral Lot Lease No. 2674-A Lot No. 9, Puukapu, Waimea, Hawaii
D-15 Request to Schedule Contested Case Hearings - Authorization to Proceed to Public Notice Under Section 209, HHCA, Due to Nonresponsive Designated Successor(s) (see exhibit)

B. WORKSHOPS (BACKGROUND INFORMATION FOR DECISION MAKING ITEMS)

Planning Division

G-3 For Information Only - Actions to Secure the Control and Use of Water for Hawaiian Homes Lands in Wai'ōhinu, Kamā'oa, and Pu'u'eo, Ka'ū
G-4 East Hawai'i Regional Plans Update
G-5 East Hawai'i Water Issues and Projects

C. REGULAR AGENDA

Office of the Chairman

C-1 Acceptance of Beneficiary Consultation Report for Proposed Administrative Rules for the Water Systems and Planning System

C-2 Approval of Recommendations for Proposed Administrative Rules for the Planning System and to Proceed with Rulemaking Under Chapter 91, Hawaii Revised Statutes

Homestead Services Division

D-16 Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 9054, Lot A, Keoniki-Kauniho, Waimea, Hawaii – **FLORA BEAMER SOLOMON**

Land Management Division

F-1 Annual Renewal of Right of Entry Permits, East, Central & South Hawaii Island (see exhibit)
F-2 Approval to Issuance of Right of Entry Permit to State of Hawaii, Department of Transportation (DOT), Hawaii Island, TMK No. (3)9-5-019:016
F-3 Approval to Issuance of Right of Entry Permit to Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW), Hawaii Island, TMK Nos (3)3-8-001:009; 004, 002 and 007)

Planning Division

G-1 Confirmation of Aina Mauna Legacy Program Plan Implementation Advisory Council Members
G-2 Acceptance of Beneficiary Consultation Report for Hawaiian Electric Light Company's Request for Water Lease from Wailuku River and Authorize the Chairman to Formally Request a Water Reservation from the Commission on Water Resource Management for Hawaiian Home Lands in Lower Pi'ihonua, Hawai'i
G-3 Authorize the Chairman to Take Actions to Secure the Control and Use of Water for Hawaiian Homes Lands in Wai'ōhinu, Kamā'oa, and Pu'u'eo, Ka'ū

Administrative Services Office

H-1 Amendment to DHHL Supplemental Budget Requests for Fiscal Year 2018-2019 (Sufficient Sums Budget)

III. 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. Legal Issues Associated with County license request for Roadway Access, Maintenance, and Utility Purposes ("License Easement"), Puukapu Pasture Lots, Hawaii Island, TMK No. (3)-6-4-004:057 (por.), Lot 16-D
2. Legal Issues Associated with settlement in Arbitration of Lease Rent for General Lease No. 136 Between Department of Hawaiian Home Lands and Hamakua Macadamia Nut Co., DPR #16-0566-A.

IV. ITEMS FOR INFORMATION/DISCUSSION

A. WORKSHOPS

Land Management Division

F-4 Issuance of License to County of Hawaii, Department of Parks & Recreation, for use, operation and maintenance purposes of Hawaiian home lands as a park facility, Keaukaha, Hawaii Island, TMK No. (3)2-1-023:120

F-5 Issuance of a Non-Exclusive License Easement to the County of Hawaii for Roadway Access, Maintenance, and Utility Purposes ("License Easement"), Puukapu Pasture Lots, Hawaii Island, TMK No. (3)-6-4-004:057 (por.), Lot 16-D

Planning Division

G-6 Project Kamoleao Master Plan & Environmental Assessment Update; Hilo, Hawaii (TMK 3-2-2-047:075)

G-7 Kawaihae Fence Project by Honokoa (Kailapa) Community Association and the Kohala Mountain Watershed Partnership, Kawaihae, Hawaii (TMK 3-6-1-001:003)

B. GENERAL AGENDA

Requests to Address the Commission

J-1 Linda and Jerry Schweitzer- Maku'u Farm Lots
J-2 Maile Luuwai – President Keaukaha Panaewa Farmers Association
J-3 Patrick Kahawaiolaa – President Keaukaha Community Association
J-4 Paula Kekahuna – President Maku'u Farmers Association
J-5 Emily Naeole – Pilot Plan Project of Unawarded Lots
J-6 Bo Kahui – La'iOpua 2020 & Villages of La'iOpua

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DEPARTMENT OF HAWAIIAN HOME LANDS

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Tuesday, October 17, 2017 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

Office of the Chairman

F-6 Approval of settlement in Arbitration of Lease Rent for General Lease No. 136 Between Department of Hawaiian Home Lands and Hamakua Macadamia Nut Co., DPR #16-0566-A.

III. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR AGENDA

Homestead Services Division

D-1 HSD Status Reports
A - Homestead Lease and Application Totals and Monthly Activity Reports
B – Delinquency Report

IV. ANNOUNCEMENTS AND ADJOURNMENT

A. Next Meeting –November 20 & 21, 2017, HHC Meeting Waiohuli, Maui.
B. Adjournment

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

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Kathleen P. Chin, Kaua'i
David B. Ka'apu, West Hawai'i
William K. Richardson, O'ahu
Randy K. Awo, Maui
Wallace A. Ishibashi, East Hawai'i
Michael P. Kahikina, O'ahu
Wren Wescoatt, O'ahu
Vacant, Moloka'i

Next community meeting is scheduled on Monday, October 16, 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 Brian Cheplic, at the **Information & Community Relations Office,** on Oahu, (808) 620-9590.

ITEM D-2 EXHIBIT
RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
CASHMAN, Alexander J.	6185	Puukapu, Hawaii
FREEMAN, Hauoli	1067	Keaukaha, Hawaii

ITEM D-3 EXHIBIT
APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AKINA, Steven, Jr.	4504	Nanakuli, Oahu
AUNA, Aaron K.	7972	Waiakea, Hawaii
CUBAN, Tanyan A.	5187	Nanakuli, Oahu
DUNCAN, Herbert D., Sr.	5205	Nanakuli, Oahu
FAUFATA, Melissa	12006	Kaupea, Oahu
GARZA, Lael K.	598	Papakolea, Oahu
HAUPU, Hendrick M.	9525	Waiehu 2, Maui
HULATON, Jeserie M. M.	8642	Nanakuli, Oahu
KAMAKA, Cranston P. K.	12088	Kaupea, Oahu
KAMALU, Calvin K.	8338	Princess Kahanu Estates, Oahu
KIM, Kristine I. H.	9512	Waiehu 2, Maui
KUHAULUA, Benjamin W. O., III	6605	Anahola, Kauai
LARONAL, Michael D.	8430	Princess Kahanu Estates, Oahu
LEAO, Leolani S.	11920	Kaupea, Oahu
MATSUO, Dean L. A.	2952	Nanakuli, Oahu
NAKAGAWA, Pamela K. P.	9610	Kalawahine, Oahu
NAKOOKA, Dana Ann L.	12247	Waiehu 4, Maui
NAMAHOE, Renee K.	9338	Kaniohale, Hawaii
OLIVAL, George N.	10819	Laiopua, Hawaii
RAMENTO, Randy O.	5507	Lualualei, Oahu
SAM FONG, Willard K.	2203	Kewalo, Oahu
SILVA, Danlynn P.	7076	Kawaihae, Hawaii
SPENCER-KENNEDY, Daniel K.	7029	Puupulehu, Hawaii
VAN GIESON, John P.	8743	Nanakuli, Oahu
VAN GIESON, Kaua`imano`okalaniwai K.	8743	Nanakuli, Oahu
VICTOR, Nikki K. I.	4247	Keaukaha, Hawaii
WRIGHT, Kawaiokeola	8250	Nanakuli, Oahu

ITEM D-4 EXHIBIT

APPROVAL TO SCHEDULE LOAN DELINQUENCY CONTESTED CASE HEARINGS

LESSEE	LEASE NO.	AREA
DOWSETT, Maryann K.	4759	Waimea, Hawaii
KAKALIA, Derek R.	9388	Kaniohale, Hawaii
KAMOKU, Paul, Sr.	9379	Kaniohale, Hawaii
KAULIA-PELLAND, Ziana	3883	Kalamaula, Molokai
KAWELO, David K.	8475	Princess Kahanu Estates, Oahu

ITEM D-5 EXHIBIT

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
AKI, Lono M.	Kauai IW Agr
AKI, Lono M.	Kauai IW Res
AMANTIAD, Willette K.	Hawaii IW Pas
HANCHETT, Michael P.	Molokai IW Res
KALA, Alice L.	Maui IW Res
KALEIOHI, Teri Ann K.K.	Kauai IW Res to Maui IW Res
KALEIOHI, Teri Ann K.K.	Kauai IW Agr to Maui IW Agr
KAM, Garrett R.	Oahu IW Res
KEALAIKI, Henry A.	Molokai IW Agr to Maui IW Agr
KEALAIKI, Henry A.	Oahu IW Res to Maui IW Res
KEKAUOHA, Keith G.K.	Hawaii IW Agr
KEOLANUI, Gilbert S.D.K.R.	Oahu IW Res
LIKE, Ryan K.	Kauai IW Res
LUULOA KEALAIKI, Reginald K. Jr.	Molokai IW Res
MILLER, Jessie K.	Oahu IW Res
NAKAMURA, Lucille H.	Oahu IW Res
NAPOLEON, Liliana K.I.	Molokai IW Res
OMEROD, James N.	Oahu IW Res
PURDY, Janell B.	Molokai IW Agr to Maui IW Agr
SIEGMUND, Dianah K.	Hawaii IW Res

* IW = Islandwide

ITEM D-6 EXHIBIT

COMMISSION DESIGNATION OF SUCCESSORS PUBLIC NOTICE 2016

APPLICANT	AREA
AKI, Lono M.	Kauai IW Agr
AKI, Lono M.	Kauai IW Res
KAHANA, Lindon K.	Oahu IW Agr
KAHANA, Lindon K.	Oahu IW Res
KAPAHU, Keala J.	Kauai IW Agr
KAPAHU, Keala J.	Kauai IW Res

KEKAUOHA, Keith G.K.	Oahu IW Agr
LUULOA KEALAIKI, Reginald K., Jr.	Molokai IW Res
MILLER, Jessie K.	Hawaii IW Res
SIEGMUND, Dianah K.	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
CROWELL, Harold K., Jr.	3699	Waimanalo, Oahu
KAAWA, Annie V.	5184	Nanakuli, Oahu
KAMOKU, John W.	4800	Waiakea, Hawaii
KIKO, Joseph, III	4797	Waiakea, Hawaii
WONG, James D.H.	11848	Kapolei, Oahu
WOODS, Edward, Jr.	309	Nanakuli, Oahu
BURROWS, Lynette L. H.	238	Hoolehua, Molokai

ITEM D-8 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AMADEO, Raynar K.	7667	Waiohuli, Maui
PANG, Chauncey K.	7667	Waiohuli, Maui
BATOON, Karly G.	8250	Nanakuli, Oahu
CARROLL, Karen L.	8250	Nanakuli, Oahu
BILERMO, Magdalena T.K.P.	2489	Waimanalo, Oahu
PILAYO, Christopher T.	2489	Waimanalo, Oahu
ECKART, Tennille M.	9312	Kaniohale, Hawaii
ELVENIA, Judy A.	6240	Panaewa, Hawaii
ELIA, Ronald K.	194	Hoolehua, Molokai
FREITAS, Glenn P.	12737	Kaupea, Oahu
GIDDENS, Augustina A.K.	8377	PKE, Oahu
GIMA, Thelma L.	392	Nanakuli, Oahu
GUTH, Naomi M.L.K.	11534	Leialii, Maui
IGNACIO, Walter K.	4047	Waiakea, Hawaii
KALEHUA, John K.	6288	Keaukaha, Hawaii
KANNO, Laverne P.	10985	Lanai, Lanai
KEKAULA, Christine H.	6787	Lualualei, Oahu
KEKAUOHA, Paulson P.	4117	Waimanalo, Oahu
KITASHIMA, Myrna K.	12682	Anahola, Kauai
LIZAMA, Evalani B.B.	11037	Anahola, Kauai
LUM, Milnor F.C.	5109	Panaewa, Hawaii
PAALUHI, Florine M.	3696	Kewalo, Oahu
PAKELE, June Dale K.	5565	Lualualei, Oahu
SAMSON, Duane K.	11896	Lualualei, Oahu
SYLVA, Clarence W., Jr.	5507	Lualualei, Oahu
RAMENTO, Bianca-Lyn P.	5507	Lualualei, Oahu

WHITNEY, Lillian	1370	Keaukaha, Hawaii
WILLIAMS, Eugene P.P.K.	10030	Waiehu Kou III, Maui
ARTATES, Louisa K.	10340	Waiohuli, Maui
ASUELA, Kalai J.H.	10407	Waiohuli, Maui
PUU, Kalani G.	10306	Waiohuli, Maui
BRIGHT, Eileen I.	10446	Waiohuli, Maui
KAAUAMO, Wilkens P.	10328	Waiohuli, Maui
MAKUAKANE, Kenneth A.	10374	Waiohuli, Maui
RUSSELL, Joanne K.H.O.	11205	Waimanalo, Oahu
MAKUAKANE-JARRELL, Joni Mae L.	11205	Waimanalo, Oahu
MAKUAKANE, Kenneth A.	11205	Waimanalo, Oahu
WILLIAMS, Frances A.	10343	Waiohuli, Maui
AKAHI, James	9137	Kahikinui, Maui
KEKAUALUA, Barbara K.	6996	Makuu, Hawaii
MEDEIROS, Sharon K.L.	8080	Puukapu, Hawaii
PATNAUDE, Deborah S.	1389	Keaukaha, Hawaii

ITEM D-9 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AKINA, Glen L.	9444	Waiehu Kou II, Maui
AKINA, Glynn L.U.	9444	Waiehu Kou II, Maui
AYAU, Violet	3768	Nanakuli, Oahu
BILERMO, Magdalena T.K.P. Et al.	2489	Waimanalo, Oahu
DULATRE, Elizabeth M.	3023	Keaukaha, Hawaii
ELVENIA, Judy A.	6240	Panaewa, Hawaii
IGNACIO, Walter	4047	Waiakea, Hawaii
KAIKUAANA, Lillian	1370	Keaukaha, Hawaii
KAIWI, David	3868	Kuhio Village, Hawaii
KANNO, Laverne P.	10985	Lanai, Lanai
KAONOHI, James K., Jr.	2978	Waimanalo, Oahu
KAUHI, Adelaide A.	2732	Keaukaha, Hawaii
KAUKA, Henry, Jr.	6061	Kalamaula, Molokai
KEKAUOHA, Paulson P.	4117	Waimanalo, Oahu
MIRANDA, Rosita P.	6299	Keaukaha, Hawaii
PAALUHI, Florine M.	3696	Kewalo, Oahu
WOODS, Edward, Jr.	309	Nanakuli, Oahu

ITEM D-10 EXHIBIT

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

LESSEE	LEASE NO.	AREA
CUMMINGS, Beatrice L.	5324	Waianae, Oahu
ENOS, Chadwick K.	11901	Nanakuli, Oahu
KAWELO, Eugene M.K.	6757	Waianae, Oahu
KOTRYS, Thomas K.	3847	Nanakuli, Oahu
LEE, Walter Y.	12743	Hoolimalima, Oahu

MEYERS, Carl A.K.	5642	Lualualei, Oahu
ROMAN, Jennie P.	4410	Nanakuli, Oahu

ITEM D-15 EXHIBIT

REQUEST TO SCHEDULE CONTESTED CASE HEARING – AUTHORIZATION TO PROCEED TO PUBLIC NOTICE UNDER SECTION 209, HHCA, DUE TO NONRESPONSIVE DESIGNATED SUCCESSOR(S)

LESSEE	LEASE NO.	AREA
KAIWI, Louisann H.	6548	Anahola, Kauai
KALIMA, Sachiko	6548	Anahola, Kauai
MAHUIIKI, Bernard H.	3751	Anahola, Kauai
MAHUIIKI, Teri Ellen	3751	Anahola, Kauai

ITEM F-1 EXHIBIT

RIGHT OF ENTRY PERMITS

EAST, CENTRAL, & SOUTH HAWAII ISLAND

ACRE	NO.	USE	PERMITTEE/ADDRESS	LOCATION	TMK	Date Started
2.00	477	Agricultural	Guy Kaniho	Humu'ula	338001007(p)	3/14/2007
1.00	482	Community	Keaukaha Panaewa Farmers Association	Panaewa	321025091(p)	2/1/2011
2.21	481	Landscape	Ginger Patch Center	Waiakea	322060001(p)	8/1/2010
280.00	465	Pastoral	Gilbert Medeiros, Sr. & Gilbert Medeiros, Jr.	Kamaoa-Puueo	393001002(p)	2/1/1998
327.00	467	Pastoral	Parnell E. Hanoa	Wailau - Waiohinu	395019016 & 395005002	10/1/2004
100.00	468	Pastoral	George Pua, Sr.	Olaa	318011012	8/1/2000
450.00	469	Pastoral	Daryl K. Kalua'u	Kau	393001002(p)	11/1/2000
750.00	471	Pastoral	Daleico Ranch	Kau	393001002(p)	6/1/2001
1500.00	473	Pastoral	Dean Kaniho	Kamaoa-Puueo	393001002(p)	7/15/2004
301.00	476	Pastoral	Charles & Jelena Clay	Honomu	328011009	8/1/2005
300.00	478	Pastoral	April Awana-Mattos	Honomu	328011011(p)	2/1/2010
5000.00	610	Pastoral	Native Hawaiian General Services c/o John Kuluau	Kamaoa-Puueo	393001002(p)	8/1/2004
0.000	597	Recreation	Hawaii Forest & Trail, Ltd.	Humuula	338001007(p)	2/1/2003

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
October 16 & 17, 2017
Hilo, Hawai'i

C-ITEMS

OFFICE OF THE CHAIRMAN

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

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

SUBJECT: Acceptance of the Beneficiary Consultation Report for Proposed Administrative Rules for the Water Systems and Planning System

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission accept the Beneficiary Consultation Report for proposed administrative rules for the Water Systems and Planning System.

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 the Water Systems and Planning System at its April 2017 meeting. From June 22, 2015 to August 24, 2017 the DHHL conducted statewide beneficiary consultation meetings to discuss with and get feedback from beneficiaries about the proposed rule amendments.

At the September 2017 meeting of the HHC, staff presented, for information only, a report that included a description of the beneficiary consultation process, the information provided at the meetings, attendance counts, and the transcribed notes from each meeting.

The complete Beneficiary Consultation Report includes the for information submittal from the September 2017 HHC meeting (see Exhibit 1) and the analysis in this submittal.

Analysis of Transcribed Meeting Notes

The chart below summarizes the transcribed meeting notes into patterns or themes and provides a staff response. It also identifies several specific suggestions from beneficiary comments that resulted in a recommendation to change the draft proposals.

Water Systems:

Question	Draft Provision	Beneficiary Comments	Response
What are the most important kuleana for consumers? For DHHL?	• Global.	• Consumer kuleana responses almost exclusively revolved around two ideas: 1. *Resource stewardship*, including to conserve water, not to waste, and to fix leaking pipes and fixtures; and 2. *Paying your water bill*. • DHHL kuleana responses can be categorized into three themes: 1. *System efficiencies*, including the use of alternative energy and technology to keep costs down, and making it easier to make a bill payment by offering electronic bill payment options; 2. *Working with the counties* on source development and source protection, and to lower rates or provide a subsidy for those on the county water systems; and 3. *Resource protection and stewardship* to	• The comments to this question are revealing of perspective: consumer kuleana comments are few and limited while DHHL kuleana comments are numerous and expansive. The concept of *kuleana* is reciprocal; even though not explicitly articulated, there is a corresponding "consumer kuleana" for every "DHHL kuleana." The comments can be used to inform changes to the draft. • The proposed rules are about moving toward long-term sustainability of the resource and of the system. The department is aggressively pursuing system efficiencies. The rules are also about running a water utility and what it takes both fiscally and

		care for the water shed and aquifer.	operationally to keep the systems safe and to deliver water to the consumer.
What are reasonable enforcement provisions?	• 10-4-78, 10-4-79, 10-4-80, 10-4-81, and 10-4-82 impose fines, require payment of bills, authorize suspension of service where delinquency exists, and provide process for restoration of service.	• Most comments suggested working with a lessee who is delinquent in bill payment and/or provide assistance to those in need like kupuna on a fixed income. • Concerns were expressed about actual enforcement and the staffing levels necessary for effective implementation of the enforcement provisions. • A fair number of comments recognized that the draft provisions are similar to the Board of Water Supply or County systems enforcement.	• Overall, the responses tended to reflect the situation of the commenter. Those on county water systems tended to be less sympathetic regarding delinquencies and suspension of service; however, they also were cognizant that input from those on the DHHL systems should be prioritized over those not on DHHL systems. Those on DHHL water systems tended to be more protective but even among those voices, opposition to suspension of service was not overwhelming or even a majority opinion. • As a practical matter, comments are accurate that implementation and enforcement of water systems rules will require an increase in staffing, technology, and resources. • Staff recommends no substantive change to the enforcement provisions. There are, however, several

			areas of clarification and technical changes that are required. • Changes could be made to the payment plan provision, which would allow alternative "work-out" methods. What the possibilities are and whether they are actually feasible requires further research and consideration.
How should public water spigots be managed?	• 10-4-65 provides for "public water spigots"	• Two management concepts were clear: one was that it should not be "public" water spigots, use should be limited to beneficiaries; and the second related to monitoring access; the consistent theme was technology, whether an electronic key card, credit card swipe, coin machine, access code, or DHHL water app for phones. • Some comments were not supportive of the idea, which was a surprising response because the question focused on management; the question of whether or not there should be spigots was secondary. These comments expressed that it would be unfair and that	• Staff recommends further research and discussion about whether the spigots are feasible given the level of management that would be necessary. • Staff, however, recommends that the provision for water spigots remain in the rules because DHHL has existing water spigots that beneficiaries access. At minimum, the rules should address management of the existing spigots.

		spigots would undermine the enforcement provisions—why enforce if DHHL is offering free water down the street? They also expressed that the systems should operate "in the black" before open spigots are made available.	
Water rates are set using operating and maintenance costs. What other criteria should be considered when setting rates?	• 10-4-76 relates to water rates and rate setting	• Comments centered on ways to bring operating costs down to lower rates, offering subsidies for beneficiaries in economically depressed areas and who are kupuna, and offering credits for low use due to conservation or high efficiency/low flow fixtures.	• A rate study is being conducted which will provide the department with data and analysis critical for evaluating rate structure and strategies for affordability. • Staff recommends further research and discussion.

Planning System:

Question	Draft Provision(s)	Beneficiary Comments	Response
What kind of information should each plan include?	• 10-4-55 thru 10-4-57 provide the baseline of information that is to be included in each type of plan.	• There was a wide range of comments. The majority can be grouped in to themes: (1) *"holistic planning"* comments were about planning by ahupuaa not just DHHL lands, looking at state and county plans that impact DHHL plans or lands, generational planning for the future, and womb to tomb concepts of communities that have everything residents need for a lifetime lived; (2) *"quality of life"* comments were about considering housing costs, affordability and renewable energy to lower costs, traffic impacts, as well as looking at environmental conditions like sea level rise that can impact a community's life; (3) *"accountability"* comments suggested including timelines, evaluation of past plans, and updates that include status reports. There were also specific suggestions that surfaced consistently: (1) identify lands that	• This question initially caused some frustration for beneficiaries as they tried to think of technical land use and development considerations, and ultimately expressed an unsureness of how to respond. Because of this, staff modified the approach by providing more information about what kind of information is already included in a plan and turned the group away from technical aspects to focus on what *they* would like to see in a plan. This modified approach generated more meaningful conversation. Staff believes many of the concepts beneficiaries talked about are present in draft sections 10-4-55, 10-4-56, 10-4-57, 10-4-58, and 10-4-59. These sections cover information included in the plans, implementation, and evaluation. • Based on comments received, staff recommends the following changes: (1) replace the

		may be exchanged for other lands; and (2) link planning and budget.	current draft language of 10-4-56(a)(5) with, "Analyze state and county plans to identify potential impact on department land use and infrastructure"; and (2) include "affordable housing, energy, disaster preparedness, community resiliency, agriculture" as functional areas for program plans in 10-4-56(b). Staff believes the recommended changes more directly capture the suggestions from consultation than the original language.
Should interim changes be allowed? Who should initiate them? Under what circumstances should they be considered?	• 10-4-54(c) allows for interim amendments upon beneficiary consultation. Interim amendments can be initiated (1) by the chairman, (2) concurrently with the adoption of a tier 2 plan, or (3) by a beneficiary or member of the public. • 10-4-54(b) provides the timeframes for comprehensive amendments: Tier 1 = 20 years; Tier 2 and 3 = 8 years.	• Comments were supportive of interim changes to the plans.	
		• A majority of comments wanted to limit the ability to initiate interim changes to the (1) chairman with the support of the commission; and (2) beneficiaries. Only a few comments wanted to include the public. When asked about "who" is included in the term "beneficiary" most responses included lessees and applicants.	• Based on beneficiary comments, staff recommends "member of the public" be deleted from the draft provision. That those who have the greatest interest in the Hawaiian home lands trust should have greater input and greater influence in planning for the use of the trust's lands and resources is a point that resonated throughout the

			consultation process and across homestead communities statewide.
		• There was broad consensus of the value of interim changes given changing environmental conditions, technologies, and emerging opportunities. This was tempered by the sentiment that beneficiary consultation be part of the process for adopting an interim change; many would focus the consultation to those beneficiaries who would be most impacted by the potential change.	• Staff recommends not to include specific circumstances that would justify consideration of an interim amendment. Instead, the comments should be used to inform or guide implementation policies. Beneficiary consultation is included in the process for adopting interim amendments.
		• One commenter suggested a specific language change to 10-4-54(c)(2), which allows an interim change concurrently with adoption of a Tier 2 plan. The suggestion was that the concurrent change be allowed only if it was supported by comments from beneficiary consultation conducted with the Tier 2 plan.	• Upon consideration, staff recommends deleting that specific provision because it could allow a Tier 2 plan to dictate the General Plan. Although the specific suggestion from beneficiary comments is not being recommended for adoption, consideration of the comment resulted in the staff recommendation to delete the provision, which staff believes

			also addresses the underlying concern expressed by the suggestion.
		• A lot of discussion surfaced about the timeframes for updates. Many thought the timeframes proposed were too long and should be shorter to allow increased flexibility and perhaps reduce the need for interim changes.	• Staff recommends timeframes be adjusted in response to comments. (1) Tier 1 plans should remain at 20-year updates but the phrase locking the plan in place for the last three years of the 20-year period should be deleted; and (2) Tier 2 and Tier 3 plans be separated into different subsections. Tier 2 plans should maintain the 8-year timeframe because it would allow a two-term chairman the opportunity to work with a complete Tier 2 plan. Tier 3 should be shortened to 4 years, which would allow a chairman the opportunity to work with development plans and regional plans. The shorter timeframe also creates a more rigorous period within which to implement and evaluate Tier 3 plans, which could be beneficial for accountability and transparency of progress made.

Who can request the commission to review a proposed or past action by the department for consistency with a plan?	• 10-4-54(d)(2) is a "watchdog" provision whereby a commission member, beneficiary, or interested member of the public may request review of a proposed or past action for consistency with the applicable plan(s).	• Feedback generally was wide ranging. The consistent responses were "beneficiary" and "commission member" should be able to request review. There was great diversity regarding "interested member of the public." some thought the public should not be included; some thought, as a watchdog provision, more people watching is better; while still others thought general public should be categorized into interest groups such as "successors," "lessee household," "elected officials who represent a large number of native Hawaiians."	• Staff recommends the provision remain as drafted, listing the following parties as those who may request review of past or proposed action: "commission member, beneficiary, or interested member of the public." This approach captures the diversity of comments and preserves the integrity of trust interests because "member of the public" is modified by "interested." The use of "interested" is intended to include many of those non-beneficiary parties identified in the comments: successors, members of a lessee's household, an elected official who represents a large homestead or beneficiary population, as well as a general lease holder, licensee, or those non-beneficiaries with an actual property or contractual interest the in implementation of the applicable plan(s).

Other comments & suggestions	• 10-4-52 definition of "beneficiary consultation"	• One written comment suggested deleting "and other interested persons" from the definition of "beneficiary consultation."	• Staff recommends adopting the suggestion. The suggestion is consistent with how beneficiaries understand the concept; as being an exclusive forum for the department to consult with beneficiaries of the trust. It is also consistent with the sentiment expressed in relation to the question of who should be able to request an interim change. "Beneficiaries" are those most impacted and as such should have the greatest input and the space to provide that input.
	• 10-4-52 definition of "implementing action"	• One written comment suggested adding "legislation" to the definition of "implementing action."	• Staff recommends adopting the suggestion. The addition creates a definition that is inclusive of the major implementing actions, though more minor actions may also exist. Relatedly, staff recommends adding "legislation" to 10-4-58 Implementation for consistency.

RECOMMENDATION:

Staff requests acceptance of the Beneficiary Consultation Report for Proposed Administrative Rules for the Water Systems and Planning System.

Acceptance of the attached Report does not indicate concurrence or approval of any staff recommendations that may appear therein.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 19, 2017

TO: Chairman and Members, Hawaiian Homes Commission

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

SUBJECT: Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Water Systems and Planning System Amendments to Title 10, Hawaii Administrative Rules

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

Pursuant to Hawaii Revised Statutes section 91-5, each agency is required to adopt and maintain administrative rules; "[c]ompilations shall be supplemented as often as necessary and shall be revised at least once every ten years."[1] In accordance with the Administrative Rules Development, Review, and Amendment Process adopted by the Hawaiian Homes Commission in July 2015, the Department of Hawaiian Home Lands conducts beneficiary consultation before initiating rulemaking under Ch.91, HRS.

At its April 2017 meeting, the HHC approved the DHHL's request for "Approval to Proceed to Beneficiary Consultation for Water Systems and Planning System Rules" (see Exhibit A). These proposed amendments to Title 10, Hawaii Administrative Rules, would adopt two new subchapters. From June 22, 2017 to August 24, 2017 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 postcards to all lessees and beneficiaries on the waitlists with a valid mailing

[1] Haw. Rev. Stat. §91-5.

address on file; 26,782 postcards were mailed (see Exhibit B). Two meetings, one in the morning and another in the evening were planned for the West Hawaii, Molokai, and Kauai because parts of those communities are served by the Department owned water systems and they would be most affected by the proposed water systems rules. Although, originally scheduled for eleven meetings to be held from June 22, 2017 to August 1, 2017, an additional meeting on Molokai was added and held on August 24, 2017. This third Molokai meeting was scheduled because of irregularities in the postcard mailout, which affected Molokai addresses. Notice for the August 24, 2017 meeting was placed in the water bills of Molokai lessees and appeared for three weeks in the Molokai Dispatch (see Exhibit C). In all, twelve consultation meetings were held and over 200 beneficiaries attended. The chart below shows the meeting location, date, and the number of attendees that signed-in:

Community	Meeting Date	Attendees Signed-In	
		a.m.	p.m.
Kauai	June 22, 2017	6	10
Kapolei	June 27, 2017	--	42
Waimea	July 6, 2017	10	18
Waimanalo	July 10, 2017	--	35
Maui	July 20, 2017	--	35
Keaukaha	July 21, 2017	--	31
Molokai	July 25, 2017	11	10
	August 24, 2017	--	27
Lanai	August 15, 2017	--	12
			Total attendees: 237

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). After the presentation, facilitated discussions about each topic proposed from rulemaking were conducted. Each topic had a forty-five 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 E).

The format used at the consultation meetings was designed to solicit beneficiary input through facilitated conversation focusing on how the proposed amendments could be made better. The Department posed questions intended to initiate conversation and highlight issues from the Department's perspective. The questions for discussion were:

Planning System Questions:

1. What information should each plan include?
2. Should interim changes be allowed? If so, who should initiate them? Under what circumstances should they be considered?
3. Who can request the commission to review a proposed or past action by the Department for consistency with a plan?

Water Systems Questions:

1. What are the most important kuleana for consumers? For DHHL?
2. What are reasonable enforcement provisions?
3. How should public water spigots be managed?
4. Water rates are set using operating and maintenance costs. What other criteria should be considered when setting rates?

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/2017/07/03/comment-on-dhhls-proposed-new-administrative-rules/) 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; summary and impacts chart for the proposed changes.[2]

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. Four comments were received on the green comment sheets at the meetings. The period to submit written comments closed on September 1, 2017. Three beneficiaries commented by email, one used the comment form on the webpage, and one sent comments by mail[3] (see Exhibit F).

RECOMMENDATION:

None. For information only.

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[2] The webpage will be updated as the rulemaking process moves forward.

[3] The Department also received twenty-two questions or requests for information by phone, and three email requests for information.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 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 Water Systems and Planning System Rules

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve proceeding to beneficiary consultation for proposed new rules for the water systems and the planning system.

DISCUSSION:

The Department of Hawaiian Home Lands has begun to prepare for another round of administrative rulemaking. Among the topics for consideration are rules for the water systems and rules for a planning system. Complete drafts have been prepared by consultants with expertise in these areas.

The draft water systems rules are attached as Exhibit A. This draft is comprehensive, it includes everything required by the federal Safe Drinking Water Act (SDWA) and the state Department of Health (DOH). Several sections and subsections are highlighted. These highlighted sections are not supported by the SDWA and DOH but are of interest to the DHHL or represent a best practice. While the final product may not be as lengthy, there are necessary elements required by federal and state law that must be part of the final rules.

The draft planning system rules are attached as Exhibit B. The planning system rules provide processes that the Department must follow in making decisions about land use and programs. These rules would replace the current planning system, which has been in place since it was adopted by the HHC in 2002. The current system, diagrammed in Exhibit C, and the proposed system are similar. The proposed system would add "Special Area Plans," like the Ka'u Management Plan, to tier 3. The most

EXHIBIT A

impactful difference is that the current system does not contain a mandate and therefore implementation is voluntary and at the pleasure of the administration; the Department potentially could change direction at any time despite the existence of a planning system. Promulgating planning system rules would limit major shifts and promote greater consistency and accountability across administrations because the planning documents and implementation processes are institutionalized. Flexibility for each administration would be in priority setting. The additional value and importance is that the proposal ensures beneficiary consultation is conducted at a scale that matches the likely impact of a decision or action.

RECOMMENDATION:

Staff requests approval of the recommended motion as stated above.

SUBCHAPTER 5

WATER SYSTEMS

§10-4-61 Purpose. The purpose of this subchapter is to promote the health, safety and general welfare of the community by providing standards through water administrative rules for governing the provision of water service by the department water services.

§10-4-62 Applicability. This subchapter shall apply to all public drinking water systems operated by DHHL. This chapter shall not be construed to amend or modify rights or entitlements to water as provided for in section 221 of the act and native Hawaiian rights customarily and traditionally exercised for subsistence, cultural, and religious purposes in accordance with article XII, section 7, Constitution of the State of Hawaii.

§10-4-63 Administration. Except as otherwise provided in this subchapter, the chairman shall administer, implement, and enforce the provisions herein. All powers granted to, or duties imposed upon, the chairman may be delegated by the chairman to personnel within the department. All communication to the commission shall be addressed as provided in section 10-2-1 of this title.

§10-4-64 Definitions. As used in this subchapter, unless plainly evident from the context that a different meaning is intended:

"Agricultural consumer" means a consumer that actively engages in crop production, livestock raising, dairy farming, or aquaculture for commercial production, and whose minimum gross annual income from such activities is $1,000 $1,000 as shown by the consumer' current State of Hawai'i General Excise Tax License and General Excise/Use Tax Returns.

"Applicant" means any person who causes, or applies to cause, land to be subdivided. It also means any person applying for water service or additional water service.

"Application" means a request for water service or additional water service.

"Consumer" means the person, firm, corporation, association, or governmental entity, whether owner or tenant, whose name appears on the records of the Department as the party responsible and liable for receiving water service from the department.

"Consumer's water system" means the pipes and plumbing extending from the water service connection.

"Cross-Connection" means any actual or potential connection between the public water supply and a source of contamination or pollution.

"County" means the county where the department water service is located.

"Department of Health" means the State of Hawaii Department of Health.

"Department of Health rules" means Hawaii administrative rules, Title 11, Chapter 20, entitled "Rules Relating to Public Water Systems" and Title 11, Chapter 21, entitled "Cross-Connection and Backflow Control."

"Main" or "main pipe" means the department's supply or distribution pipe from which service connections are made.

"Potable water" means water that has been certified by the department of health as suitable for cooking or drinking purposes.

"Premises" means a parcel of real property and any structures thereon which have water service, will require water service, or requires additional water service.

EXHIBIT A

"Public water spigot" means a potable water spigot to be maintained by the department for lessee access to potable water.

"Public drinking water system" means a water system owned, operated, and maintained by the department.

"Service connection" or "service lateral" means the complete installation of pipes, fittings, appurtenances, and meter necessary to provide water service to a consumer's premises and water system.

"Temporary meter" means any meter connected to a fire hydrant or a service lateral used less than one year in accordance with an agreement with the department.

"Water meter" means a device that measures the volume of water delivered to any premises.

"Water service connection" means the terminal end of a service connection from the public drinking water system; i.e., where the department loses jurisdiction and sanitary control over the water at its point of delivery into the consumer's water system. If a meter is installed at the end of the service connection then the water service connection shall mean the downstream end of the meter.

"Water service" means the delivery of water to any premises.

"Water system" means a network of pipelines, main taps, storage, facilities, pumps, shut-off valve, and other appurtenances, wells, water filtration treatment facilities, or other sources which furnishes a supply of water to the premises.

§10-4-65 Public water spigots. (a) Public water spigots shall be provided on all water systems operated by the department or its contractors. The public water spigot, and water spigot area, shall be maintained by the Department or Department's contractor and they may be used by beneficiaries to obtain potable water.

EXHIBIT A

(b) All tanks shall be inspected prior to connection to a public water spigot and before any consumer fills such tank. The connection shall include a backflow prevention device or a properly installed air gap, or both, which must also be inspected.

(c) Once a satisfactory inspection has occurred, a spigot use permit shall be issued for the specific tank inspected. The capacity of the tank must be provided and listed on the permit. The spigot use permit must be kept with the tank, visible to department personnel and the public, should they so request.

(d) Water may only be obtained at the public water spigot noted on the spigot use permit; the spigot use permit is specifically for use at the public water spigot noted on the document.

(e) The consumer shall check in with the department before each fill-up. Failure to do so may result in revocation of the spigot use permit.

(f) Each fill-up will be metered. If not documented, each trip or fill-up shall be assumed to have required a full tank.

(g) The department may refuse a spigot use permit to those unwilling to meet the above criteria and during times of water restrictions.

(h) The department guarantees potable water only to the point of withdrawal from its system.

§10-4-66 Fire hydrants. (a) Any use of a fire hydrant or the taking of water from one for purposes other than fire protection by persons other than authorized employees of a fire department or of the department is prohibited without a written hydrant permit from the department. A fire department shall have the prior right to use any hydrant at any time and shall have the authority to remove peremptorily, if necessary in case of emergency, any connection approved by the Department. Hydrant main line valves shall not be used to control flows.

(b) The Department may provide water to consumers from fire hydrants located within and served by the Department upon compliance with the terms and conditions described in subsections (c) through (k).

(c) The consumer seeking to purchase water from fire hydrants must first apply for a hydrant permit. The consumer shall provide the department an estimation of the length of time for which a hydrant permit is sought. No permit shall be issued for a period longer than six months. Hydrant permit approval shall be withheld unless the applicant agrees to notify the department as soon as the use of the hydrant is finished. The department may reject any application and revoke approval at any time.

(d) At the time of hydrant permit issue, the department shall collect a non-refundable hydrant permit fee and security deposit. The amounts to be paid shall be established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department. The security deposit is a meter assembly and unpaid charges deposit. This sum shall remain on hold during the life of the hydrant permit and may be applied by the department against damage to, loss of, or failure to return the meter assembly or to the water use charges owing. Upon surrender or termination of the hydrant permit, the deposit shall, unless applied to such damage or charges, be refunded to the consumer without accumulation of interest.

(e) The department reserves the authority to and shall collect from the consumer the difference between the deposit and the cost of repair or replacement of the meter.

(f) Upon receipt of the hydrant permit fee and security deposit and issuance of the hydrant permit, the consumer shall be issued a meter assembly to be attached to a designated fire hydrant as directed by the department and through which water is to be purchased by the consumer.

(g) Any failure of the consumer to properly utilize the meter assembly to record water taken through a fire hydrant shall constitute a violation of

the hydrant permit and shall terminate the hydrant permit and the consumer's right to continue use of the meter. Consumers found to have violated the hydrant permit shall have their deposit forfeited as liquidated damages for such violation and be disqualified from obtaining a hydrant permit from the department until such time as a hydrant use agreement can be drafted by the department.

(h) The hydrant permit fee shall not include the cost of the water usage. The department shall bill the consumer for the amount of water consumed. The consumer shall pay the bulk sales rate established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department.

(i) The consumer shall deliver the meter to the department at the end of the hydrant permit period for verification of reading and billing. The department shall thereafter issue a billing for water used during the applicable period. Charges billed shall be subject to past due and late payment penalties authorized pursuant to this rule.

(j) A charge per calendar day shall be levied for each day, or a portion thereof, that the meter is past due.

(k) The use of any hydrant under a hydrant permit and the connections thereto shall be subject to the direction and approval of the department. As a further condition of the validity of the hydrant permit, the consumer shall comply with all rules and regulations of the department and shall maintain the hydrant permit or a valid copy thereof on site, and surrender it for inspection to department's personnel, at all times during which it shall engage in the removal of water from any fire hydrant. The consumer shall report any defect in or damage to the hydrant promptly to the department.

(l) Only regulation fire hydrant wrenches which shall have been approved by the department shall be used for the operation of fire hydrants. The use of any other type of wrench or operating device shall not be permitted. The permit will be revoked if other

than approved regulation fire hydrant wrenches are used.

(m) The department may reject any application and to revoke approval at any time.

(n) If approval is revoked, the department shall remove any connections to the hydrant after notice to the consumer is made. The consumer shall pay all of the costs of disconnecting from the hydrant. The department shall inspect each hydrant and all costs of repair, which the department has determined to be due to consumer use, as well as the cost of inspection, shall be paid for by the consumer.

(o) The department shall not be held responsible for any damage to property or injury to persons arising from the use of any hydrants for any cause whatsoever. Any damage to fire hydrants shall be paid by the consumer.

(p) The department guarantees potable water only to the point of withdrawal from its system.

(q) Any and all person or persons or entities, or both, found to have used obstructed, or tampered with a department fire hydrant without the express written consent of department shall be assessed fees and charges.

(1) For each offense the person or persons, or entities or both shall be:

(A) Charged for an estimated amount of water based on the intended use and estimated size of the vehicle conveying the water at the current rate for bulk water sales;

(B) Charged, at the bulk water rate for water discharged by the Department to clear the mains affected by the illegal use;

(C) Charged for labor and materials required to correct adverse conditions created by the illegal use of a fire hydrant, such charges at prevailing rates;

(D) Charged administrative costs incurred for

the purposes of billing the offenders, such charges at prevailing rates; and

(E) Fined increasing amounts for first, second and third offenses.

(2) Each invoice not paid within ten days of date thereon will accrue a late charge equal to five per cent of the unpaid balance at the time it becomes delinquent and an additional five per cent for each month delinquent thereafter.

(s) The department shall, if it approves the request for a change in location of a hydrant, change such location; provided, that the cost of all labor, material, equipment and all other charges are paid in advance by the consumer.

§10-4-67 General conditions for water service. (a) Any applicant whose premises is located within service limits established by the department and adjacent to a distribution main, where pressure conditions permit, may obtain water service, provided, that:

(1) The existing water system servicing the area has adequate physical and legal capacity as determined by the department for such intended use without impairing service to existing consumers or future lessees;

(2) All applicable fees and deposits for such service have been paid in full;

(3) The applicant is not delinquent on other services in his or her name; and,

(4) The applicant agrees to abide by the rules, regulations and standards of the department.

(b) Water service shall be restricted to the property for which the application is made.

(c) All water service supplied by the department shall be measured by means of meters furnished by the department. The amounts to be paid for water service shall be established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department.

(d) The department shall determine the final location and size of the service connection. All service connections and service laterals up to the water service connection shall be operated and maintained by the department.

(e) The department shall only be responsible for the operation and maintenance of its public drinking water systems.

§10-4-68 Application for water service. (a) Each prospective consumer shall be required to complete a standard application form for the water service desired. The application shall include, but is not limited to: name, address, phone number, legal description of property to be served, parcel or tax map of property to be served with requested meter location noted. Verification of information provided may be required. Such information shall be considered confidential and to be used for setting up the water service, billing and collection purposes only. Prospective consumers shall assume responsibility for the payment of future charges for service at the designated location before water is turned on for any use. The department will inform the applicant in writing that the application is complete and accepted or that the application is deficient and what specific information is necessary to make the application complete. When a complete application is received, the department shall assign an account number. The person, entity or organization executing the application form shall be held liable for the payment of all charges for water service at the designated location.

(b) If a consumer fails to pay water service bills rendered as required in these Rules water will remain available to the lessee at the public water spigot.

(c) Charges for service will begin when the service connection and the consumer's water system are physically joined and water is made available to the

consumer and will continue until due notification in writing from the consumer, the consumer's authorized agent, or by judicial order, or until discontinued by the department for failure of the consumer to comply with the provisions of this subchapter.

(d) When an application for water service is made by a former consumer who was responsible for and failed to pay all bills for water service previously rendered, regardless of location or time incurred, the Department may refuse to furnish service to the premises of the applicant until the outstanding bills are paid.

(e) A consumer taking possession of premises and using water without having made application for the transfer of water service shall be held liable for the water delivered from the date of the last recorded meter reading. If required application for transfer is not made, and if accumulated bills for water service are not paid upon presentation, the water service may be discontinued ten business days after written notice is given to the consumer.

§10-4-69 Accessing the consumer's premises. Any properly identified officer or employee of the department shall have the right of ingress to and egress from the consumer's premises at all reasonable hours for any purpose reasonably connected to the protection of the public drinking water system and furnishing of water to said premises and the exercise of any and all rights secured to it by law or this subchapter. In case any such officer or employee is otherwise prevented from carrying out the duties, the department may cause the water to be turned off from said premises after giving at least twenty-four hours' notice to the consumer/occupant of said premises.

§10-4-70 Installation of water service. (a) When an application for water service has been

approved, such water service will be installed as agreed upon between the department and applicant. There shall be one meter for each service, unless the department, because of operating necessity, installs a combination meter or two or more meters in parallel. All meters shall be sealed and tested for accuracy before installation. All meters shall be installed along the property boundary, unless due to operating necessity or other extenuating situations, the department approves installation of the meter elsewhere.

(b) It is the consumer's responsibility and expense to install their supply pipe and water system, to connect such system to the department's service connection, and to install an approved backflow prevention devise on the consumer's system on the downstream side of the meter. The department may provide backflow prevention devices to lessees and beneficiaries as a means to protect the public drinking water system. The consumer's water system shall, at all times, remain the sole property of the consumer, who shall be responsible for its maintenance, repair, and/or replacement.

(c) A readily accessible shutoff valve controlling all outlets will be installed by the department on the consumer's water system supply pipe at a location to be determined by the department (usually immediately after the meter and within the meter box). In addition, the department may install a shutoff valve before the meter for the use of employees of the Department. If a replacement of the shutoff valve is necessary, it shall be installed by the department and paid for by the consumer.

(d) If the consumer's water system supply pipe is installed to the intended and agreed location of the meter, the department may make the connection to it when setting the meter.

(e) Only employees of the department will be allowed to connect or disconnect the water service to or from the department's main.

(f) When the proper size of service connection for any premises has been determined and the

installation has been made by the department at the location specified by the consumer, the department has fulfilled its obligations insofar as the size of the service and the location thereof are concerned. For those water systems where the department has determined that water is available, each dwelling unit or lot shall use a separate 5/8-inch meter at a minimum. If thereafter the consumer desires a change in size of the service connection or a change in the location thereof, the consumer shall bear all costs of such change.

(g) Whenever a check valve or pressure reducing valve is installed on the consumer's cold water supply line between the meter and the hot water storage tank or heater, there shall be installed on the consumer's hot water distribution system a suitable pressure relief valve.

(h) Once installed, any costs associated with the repair or replacement of damaged or missing meters and services will be charged to the owner of the property. Such costs may include but are not limited to gaskets, meter boxes, lid inserts, meters, pressure regulator valves, related labor, equipment, vehicles, and materials. This does not include replacement of meters that are operating outside of tolerances.

§10-4-71 Responsibility for equipment. (a) At the consumer's own risk and expense, the consumer shall furnish, install and keep in good, safe and operating condition all equipment that may be required for receiving, controlling, applying, and utilizing water. The department shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence, want of proper care, or wrongful act of the consumer.

(b) Water service may be discontinued to any consumer whose water system includes plumbing fixtures or water containers in any form, or of any use, which in the opinion of the department may contaminate the Department's water supply or may endanger the public

water supply from a public health standpoint. Any such discontinuation of service shall continue until such objectionable fixtures or uses have been corrected, removed or discontinued, and the department is assured that the objectionable fixtures or uses will not be reinstalled or resumed.

(c) The department shall not be responsible for damage to property caused by spigots, faucets, valves, and other equipment that may be open when water is turned on at the meter either when turned on originally or when turned on after temporary shutdown.

(d) All water service connections and service laterals shall become the property of the department and shall be operated and maintained by the department.

(e) All equipment belonging to the Department and installed upon the consumer's premises for measurement, test, check, or any other purpose, shall continue to be the property of the Department, and the Department may access the consumer's premises at all reasonable times so that the equipment may be repaired, replaced or removed by the department without consent of the consumer. The consumer shall exercise reasonable care to prevent damage to meters and other equipment of the department upon said premises and shall in no way interfere with the operation of the same.

(f) Any cost to repair damage to water mains, service connections, valves, fire hydrants, or other property of the Department shall be paid for by the person or organization responsible for the damage. The consumer shall be liable for any damage to a meter or other equipment or property of contractors, licensees or permittees, on the consumer's premises, and the Department shall be promptly reimbursed by the consumer for any such damage upon presentation of the bill there of. In the event settlement for such damage is not promptly made within thirty days, the department reserves the right to discontinue water service to such premises.

(g) When a meter is found to have been damaged by hot water or steam emanating from the premises

served, the consumer shall pay for all costs required to repair the meter.

§10-4-72 Electrical grounding. (a) Protective grounding of alternating current secondary distribution circuits made to the water system shall conform in all details with the national electrical code of the national board of fire underwriters and with the county building code where the water system is located.

(b) The department shall not be responsible for any damage or injury caused by any electrical grounding.

(c) No grounding of direct current to any portion of the water system shall be permitted.

(d) No grounding other than as provided in this section shall be made to any portion of the water system without the department's written approval.

(e) The department shall not be responsible for the maintaining of a continuous metallic water piping system and reserves the right, without liability to public utility electric companies, electric consumers, or any other agency, consumer, or individual, to create a physical break in its service connections and mains, or to incorporate non-metallic pipes and appurtenances in its system and to make joints of any materials, without regard to their efficiency as conductors of electricity and without giving notice.

§10-4-73 Cross-connection control and backflow prevention. (a) No cross-connections with other water supplies shall exist or be installed, located, maintained or operated that could permit the flow of water or other liquids, mixtures, gases or other substances from the consumer's premises into the department's water system.

(b) It is unlawful for any person to make, maintain, or cause temporarily or permanently, any

cross-connection that has a potential for backflow between their plumbing pipes or water fixtures and the department's water system. Existing cross-connections between the department's water system and any auxiliary water supply shall be eliminated or protected by means of an approved backflow prevention assembly. Cross-connection control and backflow prevention requirements for facilities and/or premises shall be in accordance to the department's rules and standards.

(c) The department shall require the consumer to install an approved backflow prevention assembly at the consumer's expense for continued service or before a new service will be provided, whenever the consumer has an actual or potential situation for backflow condition within their premises and/or for any reason or cause deemed in the best interest of the Department. The assembly shall be located immediately downstream of the meter.

(d) The department may at its discretion, provide for the installation of an approved backflow prevention assembly to lessees and beneficiaries.

(e) If there is a need for uninterrupted water service, an additional backflow prevention assembly shall be installed in an approved manner to ensure continued water service whenever inspection, testing and repair procedures is being performed on any one of these assemblies.

(f) The consumer is solely responsible for the installation, maintenance, testing and repair of their backflow prevention assembly. The department will not be responsible for any loss or damage incurred by the consumer or owner as a result of non-compliance with the department's rules and standards.

(g) All installations shall conform to the uniform plumbing code, the county's code, and the department's rules and standards.

(h) Details of backflow prevention assemblies, showing both plan and elevation views, including size and location of devises, shall be submitted to the Department for review and approval prior to installation. The backflow prevention assemblies

shall be installed on the consumer side of the property line immediately downstream of the water meter. Connections between the meter and backflow assembly are not permitted. Installation heights shall conform to the department's standards.

(i) Backflow assemblies shall be installed above ground unless otherwise approved by the department.

(j) The department reserves the right to determine the type of backflow prevention installation based on a case-by-case evaluation. In situations where the hazard cannot be readily determined or access is restricted, a reduced pressure principle assembly or air-gap separation shall be required.

(k) Temporary water meter installations shall require installation of an approved backflow prevention assembly to protect the department's water system. The following conditions shall apply:

(1) Applications for temporary meter installations shall be made at the department on appropriate forms provided by the department. All costs and fees for the installation of the temporary water meter, backflow protection assembly and water use shall be paid by the consumer.

(2) The applicant shall install a department approved reduced pressure principle backflow preventer. The department shall inspect the installation and test the applicant's backflow preventer before activating the temporary service. Applicant shall be responsible for the maintenance, repair, and yearly testing of the backflow preventer.

(l) Conditions relative to the installation and maintenance of cross-connection control and backflow prevention referred to in this section shall be subject to change to meet changing requirements of the State and federal health authorities, the county's building and plumbing codes, and the department's rules.

(m) It is the responsibility of the consumer/owner to maintain all backflow prevention assemblies on the consumer's premises in good working

order. No piping or other arrangement for the purpose of bypassing backflow prevention assemblies shall be permitted. Upon request by the department, the consumer shall present an affidavit certifying that there are no cross-connections with other water supplies or other physical cross-connections installed, located, maintained, or operated that could permit backflow.

(n) Records of tests, repairs, parts and inspections shall be made on forms prescribed by the Department. The consumer shall furnish a copy of such records to the department. Failure of the consumer to make the proper tests and submissions of records may result in termination of service. The department has the option to schedule tests, needed repairs, and replacements at the expense of the consumer. Failure to pay for such costs shall be a cause for termination of water service.

(o) The department shall provide periodic testing and inspection schedules for all backflow prevention assemblies. Intervals between such testing, inspections and overhauls of each assembly shall be established in accordance with the degree of hazard, age and condition of the backflow assembly and the cost to do it shall be the responsibility of the consumer. The following maintenance requirements shall apply:

(1) All backflow prevention assemblies shall be inspected and tested upon initial installation.

(2) All backflow prevention assemblies shall be inspected and tested yearly.

(3) If a backflow prevention device fails the requirements from a certified tester, the consumer is responsible for the costs to repair and for the device to be re-tested before being placed back into service. Wastewater facilities' backflow prevention assemblies shall be inspected and tested every four months, immediately repaired if necessary, and retested before being placed back into service.

(4) A certified general tester acceptable to the department shall perform the inspection and testing.

(5) Inspections and test of backflow prevention assemblies may be required at more frequent intervals as required by the department.

(6) Test equipment shall be certified by University of Southern California Foundation for Cross Connection Control and Hydraulic Research, calibrated by the manufacturer every two years, and shall maintain a precision of +/- 5% of the actual reading.

(p) All backflow prevention devices assemblies, testing, and record keeping shall be in accordance to the department's backflow standard operating procedures.

(q) When a backflow prevention assembly fails in service the consumer shall notify the department. Repairs are the responsibility of the consumer. A certified general tester approved by the department shall perform the testing. Backflow prevention assembly test forms shall be completed and sent to the Department for confirmation that the device has been properly repaired and functions as required. Inspection and approval by the department shall be conducted before the device is put back into operation.

(r) When the department encounters water uses that represent a clear and immediate hazard to the department's water supply that cannot be immediately abated, the department may terminate water service at the premises immediately. A written notice will be given to the consumer after water service termination. Conditions or water uses that create a basis for immediate water service terminations include, but are not limited to the following:

(1) Refusal to install or to test a backflow prevention assembly, or to repair or replace a faulty backflow prevention assembly.

(2) Direct or indirect connections between the department's water system and a sewer line.

(3) Unprotected direct or indirect connections

between the department's water system and a system or equipment containing pollutants and/or contaminants.

(4) Unprotected direct or indirect connections between the department's water system and an auxiliary water system.

(s) For other situations requiring backflow protection where there is not apparent and immediate hazard to the water supply, the department will terminate water service to a consumer's premises after proper notification has been sent. The termination steps are the following:

(1) The consumer will be notified by letter of the department's intent to terminate water service, allowing thirty calendar days to remedy the situation.

(2) If compliance has not been met, a letter to terminate water service will be issued stating that water service will be terminated with in five calendar days. Water service will not resume until the corrective action has been completed and approved by the department.

§10-4-74 Interruption of water supply and emergency conditions. (a) While the department shall exercise reasonable diligence and care to deliver an adequate supply of potable water under reasonable pressure, the department shall not be financially liable for any direct or consequential damages resulting from water supply interruption, shortage, insufficiency of supply, inadequate or excessive water pressure, leakage on the consumer's premises, or temporary colored and turbid water quality conditions caused by emergency repair of water mains. The department further disclaims all warranties, expressed or implied, and reserves the right to shut off water mains for repairs, extensions, or alterations, and to terminate water service as provided herein for conservation measures, during emergency conditions and

for other reasons deemed by the department to be necessary and proper without notice.

(b) The department may declare water shortage whenever the water supply becomes inadequate in any area because of a period of drought, an infrastructure or mechanical malfunction, natural disaster, or other event causing a water shortage. Whenever, in the department's opinion, special conservation measures are advisable in order to forestall water shortage and/or an emergency, the department may restrict the use of water by any reasonable method of control including the procedures set forth below. The department shall also have the right to limit the quantity of water taken from any of its facilities. In determining the priorities in restricting the use of water, the health and safety of the public shall be given first consideration over other uses.

(c) When the department's water supply usage exceeds the rate of resupply (when we are not able to meet demand), the commission may declare whether such condition constitutes a stage 1 minor emergency, a stage 2 moderate emergency, or a stage 3 severe emergency, whereupon the following user restrictions and penalties shall apply to use of water from the department's sources:

(1) Stage 1 Minor Emergency Conditions:

(A) No watering of lawns but this does not include the grass areas of public use athletic and physical education fields;

(B) No washing of sidewalks, walkways, driveways, parking lots, or other impervious surface areas;

(C) No washing of any building or structure except that high pressure, low water volume washers may be used;

(D) No washing of any motor vehicle, boat, travel trailer other than for safety cleaning of windows;

(E) No tap water served to customers at restaurants unless requested by the customer to whom it is provided;

(F) No use of water for fire department

drills or burn house exercises; and

(G) Bulk water restrictions at the commission's discretion.

(2) Stage 2 Moderate Emergency Conditions:

(A) All of the restrictions listed in subsection (c)(1) above;

(B) No washing of any building or structure;

(C) No use of water to fill any indoor or outdoor swimming pools or spas; and

(D) No use of water for operating private or public fountains or ponds for aesthetic or scenic uses.

(3) Stage 3 Severe Emergency Conditions:

(A) All of the restrictions listed in subsection (c)(1) and (2) above; and

(B) Shrubs, flowers and tree seedlings and vegetable gardens may only be hand watered or watered by manually initiated timer controlled irrigation systems.

(4) Upon first violation, the consumer will be issued a written notice of warning. Upon a second and additional violations, the consumer shall be fined in accordance with the rates established by the commission. Copies of these rates shall be on file and available at the department. Upon a third or additional violation, the consumer shall be issued a written notice of violation and water service to such consumer may be disconnected as determined by the commission.

(5) Any consumer notified of a violation of emergency conditions shall pay an emergency conditions violation fine. The emergency conditions violation fine shall be established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department. The fine will be included in the consumer's next regular billing for

water service by the department. If the fine is not paid in accordance with billing procedures set forth in this subchapter it shall be subject to collections and the commission may elect to take whatever legal action is deemed necessary to collect unpaid fines and protect the assets of the commission.

(d) Any consumer contending that the mandatory water restrictions contained in this section constitute a public or personal health or safety hazard may apply for an exemption from, or modification of, the restriction by application to the commission. For good cause shown, the commission may modify any mandatory water use restriction applicable to such consumer or exempt the consumer from the subject restriction.

(e) The department shall notify consumers of emergency conditions by written communication through mailing, electronic posting, or the newspaper, or any combination thereof.

(f) The department reserves the right at any and all times to shut off water from the mains without notice for the purpose of making repairs, extensions, alterations, or for other reasons deemed necessary or in the best interest of the department. Consumers depending upon a continuous supply of water shall provide for their own emergency water storage and any check valves or other devices necessary for the protection of plumbing or fixtures against failure of the pressure or supply of water in the department's mains. Repairs or improvements shall be completed as rapidly as practicable.

§10-4-75 Water pressure and elevation conditions. (a) The department shall exercise reasonable diligence and care to maintain adequate pressure in its water mains but accepts no responsibility for maintain such pressure.

(b) Where a premise is situated at such an elevation that it cannot be assured of a dependable supply or of adequate service from the department's distribution system, the consumer, in consideration of water service and connection to the department's system:

(1) Shall agree to accept such service as the department is able to render from its existing facilities;

(2) Shall agree to install, if necessary, and maintain at the consumer's expense a tank and pump, with an air gap between the consumer's supply pipe and the department's system, of suitable design and of sufficient capacity to furnish an adequate supply of water; and

(3) Shall execute a written release in favor of the department for all claims on account of any inadequacy in the department's system or inadequacy of water supply to the premise.

(c) When the pressure of the department's supply fluctuates or is higher than that for which individual fixtures are designed, the consumer shall protect such fixtures by installing and maintaining pressure reducing and/or relief valves. The department shall not be liable for damage due to pressure conditions or for damages caused by or arising from the failure of, or the defective condition of such pressure regulators and/or relief valves, or for damage that may occur through the installation, maintenance, or use of such equipment.

§10-4-76 Water service rates. (a) Water rates for consumers shall be established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department.

(b) Agricultural consumers are those consumers that actively engages in crop production, livestock raising, dairy farming, or aquaculture for commercial

production, and whose minimum gross annual income from such activities is $1,000 as shown by the consumer' current State of Hawai'i General Excise Tax License and General Excise/Use Tax Returns.

(c) Consumers who are actively engaged in crop production, livestock raising, dairy farming, or aquaculture for commercial food production, but do not meet the minimum gross annual income requirement to qualify as an agricultural consumer for a given year, because their crop, stock or service did not harvest or produce for that given year, may request a waiver of the income requirement for that year. If approved by the department, the same consumer may request further waivers of the income requirement for subsequent years.

(d) Agricultural consumers will have a separate meter to provide water for agricultural activities. The cost of providing an agricultural meter and backflow prevention device is the responsibility of the consumer.

(e) In the event the total water supply shall be insufficient to meet all of the needs of the consumers, or in the event there is a shortage of water, the Department may prorate the water available among the various consumers on such basis is deemed equitable by the Department, and may also prescribe a schedule of hours covering the use of water and require adherence thereto, provided that if at any time the total water supply shall be insufficient to meet all of the needs of the consumers for domestic and other purposes, the Department must first satisfy all of the needs of the consumers for domestic purposes before supplying any water for other purposes.

§10-4-77 Meter reading and rendering of bills. (a) Meter readings and billings shall be on at least a bi-monthly basis, except for closing of accounts for special conditions with the approval of the department.

(b) Closing bills for shorter periods of time shall be determined by the sum of the charges per water meter reading and prorating of the monthly service charge. If a meter cannot be read, an estimated bill will be rendered.

(c) Bills for metered water service shall be on a per meter basis, and several separate meter readings shall not be combined in the event that a consumer has more than one metered installation on his or her premises.

§10-4-78 Obstructed meter fine. (a) The department shall charge the property owner an obstructed meter fine per billing period when access to the meter is significantly obstructed by landscaping or other barriers and the meter cannot be read. This fine shall be applied only after the property owner has been notified, via a door hanger, that the obstruction exists and that the problem must be corrected by the time of the next meter reading.

(b) The obstructed meter fine shall continue to be charged each billing period until such time as the obstruction has been removed. The obstructed meter fine shall be established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department.

§10-4-79 Tampering fine. (a) The department shall levy a fine to the property owner for water services and/or meters which are tampered with and shall further charge the property owner, on a time and materials basis, the department's costs associated with any necessary repair to the water service connection and/or meter. Consumers are prohibited from using or tampering with the valve or stopcock before the meter. Meters which are tampered with shall be removed and will not be reinstalled until the Tampering Fine is paid. The tampering fine shall be

established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department.

(b) In the event such charges shall remain unpaid for a period of thirty days following the date of billing, the department shall charge the late fee to the account. After sixty days the department shall certify such delinquency to the commission and turn the amount due to collections. The commission may elect to take whatever legal action is deemed necessary to collect unpaid fines and protect the assets of the commission.

§10-4-80 Payment of bills. All bills shall be due and payable within twenty-one days from the bill date. Payment shall be made at the office of the department or, at the department's option, to duly authorized collectors of the department. If any bill is not paid within thirty days from the bill date, it shall be considered delinquent and the water service shall be subject to shut-off.

§10-4-81 Delinquency, shut-offs, and collections. (a) An account is delinquent when it is not paid in full within thirty days after the bill date and at that time the account the outstanding balance becomes subject to a monthly late fee as established in a resolution by the commission. A copy of the rates and fines resolution shall be on file and available at the department.

(b) When a delinquent account remains unpaid twenty-one days after the second regular billing water service will be shut-off/discontinued to the consumer.

(c) For those water charges not paid by the due date, a reminder notice will be sent to the consumer. The notice shall state the amounts and types of charges past due and the date by which such charges must be paid to avoid turn off procedures. The

reminder notice shall be placed in the United States mail during the next billing cycle.

(d) For those water charges not paid by the due date stated on the reminder notice, a shut-off notice shall be hung on the front door of the dwelling or hung on the property gate at least forty-eight hours prior to the scheduled actual shut-off. The department shall maintain a list of all shut-off notices indicating the time and location the notice was placed and by whom. The shut-off notice shall state the amounts and types of charges past due and the date and time such charges must be paid to avoid actual shut-off of services.

(e) All accounts determined to be unpaid forty-eight hours after a shut-off notice has been placed on the premises shall be listed and scheduled for shut-off. The forty-eight hours shall be counted on business days only and shall not include holidays or weekends. On the day scheduled for shut-off, daily payments will be reviewed to determine if any applicable payments have been received. The list as amended will then be delivered to the appropriate department personnel that will then shut off and lock those meters on the list.

(f) A delinquency fee established in a resolution by the commission shall be added to each account that has not been paid prior to the time indicated on the shut-off notice. The fee covers all costs associated with the delinquent collection process. The charge shall apply even if actual shut-off is not performed due to the payment of the past due balance made in the office just prior to shut-off.

(g) Water service will be reconnected the same day as disconnection if the outstanding bill and related charges are paid in full by close of business of the district office. If payment is not made prior to the close of business of the district office, the consumer's water will not be reconnected until the next regular business day. No water will be reconnected after normal operating hours or on weekends.

(h) A charge of one hundred fifty dollars shall be added to each account in which a meter is turned off and locked for nonpayment if the consumer or other party cuts the lock and turns the meter back on without prior approval of the department. The meter will be removed from the ground and the water service capped off. Water service shall not be reconnected until the consumer has paid the past due water charges, water disconnection charge, and the meter disconnection charge.

(i) An account remains disconnected or shut-off it will continue to accrue monthly base rate charges as well as late fees.

(j) An account that has been delinquent without response or payment for over six will be notified by certified mail that they are subject to collections and the commission may elect to take whatever legal action is deemed necessary to collect unpaid water bills and protect the assets of the commission. If no response is received by the department within two weeks of the date of the certified letter the account will be sent for collection.

(k) Each consumer about to vacate any premises supplied with water by the department shall give notice of their intention to vacate, specifying the date service should be discontinued. Otherwise, the consumer shall be responsible for all water service furnished to such premises until the Department has received a notice of discontinuance. The consumer and/or applicant shall be responsible for all charges resulting from non-notification. Before buildings are demolished, the department should be notified so the water service can be closed.

(l) The department shall provide written notice to the consumer fifteen days prior to discontinuing water service for any of the following reasons:

(1) Non-payment of bills. If the consumer fails to pay any fees due the department has the right to discontinues service as set forth in these rules.

(2) Noncompliance with rules and regulations. If

the consumer fails to comply with any of the departments rules and regulations, the department has the right to discontinue service.

(3) Unauthorized use of water. If a consumer or other person uses water without the authorization of the department, the department has the right to discontinue service.

(4) Wasteful use of water. If it is determined by the department that the consumer or other users are negligent or wasteful with water or are not putting the water to beneficial use the department may discontinue service.

(5) Service detrimental to others. The department may refuse to furnish water and may discontinue the service to any premises, where the demands are beyond the useage allotted to the consumer or results in inadequate service to others.

§10-4-82 Restoration of water service. (a) Water service shall not be resumed until all of the consumer's delinquent accounts, including all fees and reinstallation charges (which shall include the cost of labor, materials, transportation, holiday pay, overtime pay, and all other incidental charges) for reinstalling the meter and turning on the water, have been paid or until the consumer has entered into and signed an approved payment plan.

(b) The department may enter into a payment agreement with a consumer to facilitate the payment of delinquent water charges. Such agreements shall not exceed the term of five years, current charges must continue to be paid when due, and the agreement must be signed by the Department and the consumer. Breach of such an agreement by the consumer shall result in further collection efforts or disconnection.

§10-4-83 Meter test and adjustment of bill. (a) All meters are tested prior to installation. Any consumer who has a reasonable doubt of the accuracy of the meter serving his premises may request a test of the meter. The consumer, if requested, shall be notified as to the time of the test and may witness the test if desired. No charge shall be made for meter tests unless such tests are requested more often than once every twelve months.

(b) If, as the result of the test, the meter is found to register more than five percent fast under conditions of normal operation, the department shall refund to the consumer the overcharge based on past consumption, for a period not exceeding six months, unless it can be proven that the error was due to some cause, the date of which can be determined and established. In this latter case, the overcharge shall be computed back to, but not beyond, such date.

(c) The consumer has sole control of the water delivered beyond the department's meter and the department is not responsible for the maintenance and repairs to pipes and fixtures beyond the meter.

(d) If the meter fails to register due to any cause except the non-use of water, an average bill may be rendered. Such average bill will be subject to equitable adjustment taking into account all factors before, during, and after the period of said bill.

§10-4-84 Unscheduled meter replacement. If a consumer requests a meter replacement prior to the scheduled routine change, the consumer will be billed for the service call plus the current cost of the meter. As is the case with all new meters, upon installation the meter becomes the property of the department.

§10-4-85 Leak adjustment. (a) When a consumer experiences a leak on within their water system/line, the consumer may request the department provide a leak adjustment to the water bill provided a leak adjustment has not been granted to the consumer within the twelve month period prior to request (only one leak adjustment per year shall be granted any single account) and the leak was reported to the Department and repaired within 30 days of detection. An adjustment shall be calculated for the latest single billing cycle which reflects the leak.

(b) If the consumer demonstrates that the leak is repaired within thirty days of department notice thereof, the consumer's account is credited as follows:

(1) The amount determined to have leaked is calculated as the total metered usage less use from the same period one year prior equals leaked water; and

(2) The revised water will be for the total metered usage less the estimated leaked water.

(c) No additional refunds will be considered or given.

(d) If there is not an existing valve on the consumer side of the meter, there shall be no credit processed on the account until a valve is installed.

(e) Department personnel will be dispatched to inspect the consumer's meter to verify the leak has been repaired.

(f) Dripping faucets, leaking toilets or outdoor spigots that have been left running do not constitute a leak. This subsection only covers underground piping on the consumer's side of the meter that has been compromised.

(g) If the consumer has extenuating circumstance a written appeal from this section may be made to the commission.

EXHIBIT A

§10-4-86 Water charge adjustment. Errors in billing or collection shall be corrected in a timely manner by the Department. Resulting credits on accounts or refunds shall be made as expeditiously as possible. Disputed billings or other collection transactions shall be heard by the chairman or designee. Any appeals concerning utility rates or services, or interpretation or enforcement of these Rules are to be heard by the chairman. Any applicant aggrieved by the chairman's decision may appeal to the commission by filing with the commission a written request for review no later than ten days after receiving the chairman's decision.

§10-4-87 Insufficient funds fee. The department shall charge the consumer an insufficient funds fee (NSF) on all bank items/checks returned by the consumer's bank unpaid. The amount shall be equal to the amount charged by the financial institution but no less than fifteen dollars. The amount shall be applied to the consumer's account. On accounts where non-payable bank items/checks are submitted more than four times in one calendar year the department may require payment on the account to be made by cash, by certified or cashier's check or by money order, and may require a deposit to be held.

§10-4-88 Meter turn on/turn off fee. (a) The department shall charge a turn on/turn off fee equal to one hour of labor and overheads to those consumers requesting disconnection or reconnection of a water meter when not related to an account delinquency. The department shall apply such charges to the consumer's account.

(b) Upon request and payment of a turn off fee the department shall turn off the water at the meter during regular business hours. Upon request and

payment of a turn on fee, the department shall turn on the water at the meter during regular business hours.

§10-4-89 Connect/disconnect administration fee. (a) The department shall levy a charge where a change in service status requires administrative action and/or a special meter reading by department personnel.

(b) In the event that a change in account status requires a special water meter reading by the department a fee equal to one hour of labor and overheads will be levied.

(c) In the event that a change in account status does not require a special water meter reading by the department the standard change of owner fee will be charged.

§10-4-90 Consumer's sale of water. Unless specifically agreed upon by the department, the consumer shall not sell any water received or purchased from the department.

§10-4-91 Compensation. Employees of the department are strictly forbidden to demand or accept personal compensation for services rendered.

EXHIBIT A

§10-4-2 [~~**General Plan.**~~]**Consistency with Plans.** The department shall [~~develop and maintain a general plan providing~~] be guided by the plans, policies, and strategies developed pursuant to subchapter 4 of this chapter for the development and use of land needed for the purposes of the act. [~~The general plan shall be based upon sociological, financial and economic considerations, among others. A public hearing shall be held before a general plan is adopted or amended.~~] [Eff 7/30/81; am and comp 10/26/98; am and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

SUBCHAPTER 4

PLANNING SYSTEM

§10-4-51 Purpose. The purpose of the planning system is to further the objectives of the act by systematically coordinating the management of Hawaiian home lands and programs in a manner that is comprehensive, consistent, and collaborative. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-52 Definitions. As used in this subchapter, unless context clearly provides otherwise:

"Beneficiary consultation" means the department's outreach to lessees, applicants, and native Hawaiians as defined by the act, and other interested persons as part of the department's or commission's decision-making process.

"Implementing action" means those actions that implement the plans and the overall planning strategy of the department, including but not limited to,

budgeting, rulemaking, adoption of procedures, and land dispositions.

"Plans" mean the general plan, island plans, program plans, development plans, regional plans, and special area plans. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-53 General framework. The planning system shall consist of a three-tier hierarchy of plans. Tier 1 is the top tier consisting of the general plan and shall establish overall policy. Tier 2 and Tier 3 are the lower tiers and shall be guided by the general plan. Tier 2 and Tier 3 focus with increasing specificity on programs or geographic areas. The planning system shall also include implementation mechanisms that link with the plans, as well as evaluation mechanisms to refine the plans and implementing actions. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-54 Adoption and amendment procedures. (a) Adoption. All plans in each of the three tiers shall be adopted by a majority vote of the commission. Any comprehensive update or interim amendment requires a majority vote of the commission to be effective. Beneficiary consultation shall be required as part of any comprehensive update or interim amendment.

(b) Comprehensive update. Comprehensive updates to plans provide an opportunity to refine or refocus based on changes in conditions, new trends, emerging issues, or past performance. Unless otherwise specified, an adopted comprehensive update shall supersede and void the entire previous plan.

(1) Tier 1. The general plan in tier 1 shall be updated at least every twenty years. The department at its discretion may initiate the update sooner than the twenty years but

no later than three years before the twenty-year lapse of the general plan;

(2) Tiers 2 and 3. The plans in tiers 2 and 3 shall be reviewed every eight years and updated at the discretion of the department if an update is justified.

(c) Interim amendments. Between comprehensive updates, any plan may be amended upon beneficiary consultation appropriate to the plan as set forth in section 10-4-60, and a majority vote by the commission. Initiation of the amendment may be as follows:

(1) The chairman may propose, in writing, interim amendments to any of the plans by first notifying the commission and then initiating beneficiary consultation appropriate to the plan as set forth in section 10-4-60;

(2) Upon adoption of tier 2 plans, the commission may concurrently amend the general plan, when appropriate, with applicable polices or maps supported by the tier 2 plan and without additional beneficial consultation already conducted for the tier 2 plan;

(3) A beneficiary or member of the public may submit an application form requesting the chairman to initiate interim amendments to any plan. The application form shall include information prescribed by the department. Upon receipt of a completed application form, the department shall have ninety days to respond to the application. Should the department initiate an amendment, the department shall prepare a report of its recommendation and initiate beneficiary consultation appropriate to the plan as set forth in section 10-4-60.

(d) Consistency and conflicts.

(1) Where conflicts exist among plans, the higher tier shall prevail over the lower tier.

(2) Implementation actions set forth in section 10-4-58 shall be consistent with applicable plans. A commission member, beneficiary, or interested member of the public, may request the commission review a proposed or past action by the department for consistency. The request must detail the disputed action and describe why the petitioner believes disputed action is inconsistent with a particular plan. The commission may direct the chairman to prepare a response to the request.

(3) Upon declaration of an emergency by the governor or mayor, the department may proceed with an action that is inconsistent with a plan, provided that the chairman has notified the commission. The chairman shall propose an amendment to the relevant plan or plans at the earliest practicable time to restore consistency.

(d) Repository. The department shall make available to the public through its website all current adopted plans as may be amended.

[Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-55 General plan (tier 1). Based on the act, the general plan shall establish statewide polices that guide land management and programs. At a minimum, the general plan shall:

(1) Establish a uniform system of land use designations that all island plans shall use;

(2) Incorporate the most recent land use maps from adopted island plans;

(3) Establish the relationship between land use designations and the applicable types of land dispositions;

(4) Establish criteria to identify suitable lands for homesteading;

(5) Establish criteria to determine available lands not required for homesteading within the planning period;
(6) Establish criteria to identify lands for revenue generation;
(7) Establish criteria to identify lands for community use and policies to govern how the community could manage such lands for community building;
(8) Establish level of service standards for infrastructure and community facilities, or specify a program plan or methodology to develop such standards; and
(9) Specify indicators to measure progress and evaluate effectiveness in meeting policy goals. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-56 Island and program plans (tier 2). (a) Island plans. Island plans shall be prepared for islands where there are over one hundred acres of Hawaiian home lands. If the landholdings are less than one hundred acres, the department may initiate a tier 3 plan. At a minimum, island plans shall:
(1) Apply the criteria from the general plan to identify suitable homestead lands, including areas for new development, infill, and redevelopment;
(2) Apply criteria to determine available lands not required for homesteading, including areas for revenue generation, community use, and other non-homesteading uses designated in the general plan;
(3) Prioritize the development or redevelopment of designated homestead lands based on defined criteria;
(4) Identify infrastructure requirements; and
(5) Determine the relationship to county zoning

and infrastructure standards and implications for enforcement and maintenance.

(b) Program plans. Program plans are statewide plans that inform or carry out general plan policies and priorities for specific functional areas, such as housing, native Hawaiian development, and water resources. Program plans may be specified in the general plan or initiated by the chairman. To initiate a program plan, the chairman shall propose the subject matter and scope of the plan to the commission, and upon a majority vote in favor, proceed with the preparation of the plan. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-57 Development, regional, and special area plans (tier 3). (a) Development plans. Development plans provide more detail for specific projects identified in island plans for purposes of establishing feasibility, budget, and schedule. To assess feasibility, the development plan shall consider a diversity of housing types and prices appropriate for the target wait list, estimate development costs, and estimate the costs to be respectively borne by the department and the prospective lessees or licensees as the case may be. The budget presented in the adopted development plan shall be the basis for CIP budget requests. The chairman may select the projects identified in the island plan that require a development plan, and proceed with the preparation of the development plan upon notice to the commission.

(b) Regional plans. Regional plans build a sense of community and capacity, stimulate partnerships for development and improvements, facilitate beneficiary participation in issues and areas of concern, and identify priority projects within existing and planned homestead areas. The plan may focus on a particular homestead community or

several homestead communities in the region. At a minimum, the regional plan shall document current conditions and trends and identify a prioritized list of projects important to the community and the department. The chairman may initiate a regional plan by proposing the scope of the plan to the commission, which require a majority vote of the commission to proceed with the preparation of the plan.

(c) Special area plans. Where an island plan designates special districts, the chairman may initiate a special area plan by proposing, in writing, the scope of the plan to the commission, which require a majority vote of the commission to proceed with the preparation of the plan. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-58 Implementation. (a) Budgets, rules, procedures, land dispositions and other implementing actions shall be guided by the plans. The chairman shall develop a rational overall strategy to prioritize and allocate resources and present this strategy to the commission in the first year of the chairman's term, which the chairman may amend and present to the commission as needed from time to time. At a minimum, the overall strategy shall: link budgets to policies, programs, and plans; establish homestead and revenue-generation development priorities; establish disposition strategies for unencumbered lands; and prioritize regional plan projects.

(b) Fiscal implementation. The department shall maintain a multi-year capital improvement program to be updated annually and approved by a majority vote of the commission. The funded projects shall be reasonably consistent with the plans and overall strategy. The initial fiscal year of the budget shall be a committed budget. The projected amounts for future years shall be for information only. The intent of the multi-year projection is to identify the funding needs for future phases of a project. The

budget shall identify existing and potential funding sources that would be considered. The operational budget shall be reasonably consistent with the plans and overall strategy.

(c) Legal implementation. Legal implementation mechanisms include, without limitation, legislative amendments to the act; adoption, amendment, or repeal of administrative rules; and adoption of internal procedures. The chairman may pursue any of these mechanisms guided by the plans and overall strategy, with final approval by a majority vote of the commission.

(d) Land dispositions. The land dispositions issued by the department and approved by a majority vote of the commission shall be guided by the general plan, island plans, overall strategy, and any other applicable plan or policy adopted by the commission.

[Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-59 Evaluation. The purpose of an evaluation system is to improve the planning system and implementation effectiveness. The chairman shall present an annual evaluation report to the commission, which may be combined with the report required under section 222 of the act. The general plan shall specify evaluation indicators, and the department shall collect and analyze pertinent data in the evaluation report. The chairman may include other measures of performance and effectiveness. The annual evaluation report shall include recommendations for improvements as applicable. The chairman shall bring to the attention of the commission development plans that are completed or outdated, and a majority vote of the commission shall void or update such plans.

[Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

§10-4-60 Beneficiary Consultation. (a) Meaningful and timely consultation with beneficiaries promotes trust, partnership, and civic engagement. The type of consultation shall be appropriate to the potential impact of the decision or action.

(b) Types of consultation. The type of consultation is determined by the type of plan or implementing action:

(1) Comprehensive. Comprehensive consultation is statewide. Notice shall be provided to all existing homesteaders, all waiting lists applicants, and other native Hawaiians who have registered with the department. The notice shall describe the proposed action and the date, time, and place of a public meeting to be held on each island. Comprehensive consultation shall apply to the preparation and amendment of Tier 1 plans, preparation and amendment of program plans, and promulgation of administrative rules.

(2) Place-based. Place-based consultation is geographically specific. Notice shall be provided to existing homesteaders, waiting lists applicants, and other native Hawaiians who have registered with the department and who are associated with a geographic area impacted by the proposed action. The chairman shall determine the appropriate scope of the notice. The notice shall describe the proposed action and the date, time, and place of a public meeting to be held within the geographic area. Place-based consultation shall apply to the preparation and amendment of island plans, preparation and amendment of tier 3 plans, and proposed projects that require an environmental assessment or environmental impact statement.

(3) Ad hoc. Ad hoc consultation consists of the formation of an advisory body to provide input to the department for the preparation

and amendment of any plan or implementing action. The chairman may select the advisory body, subject to consultation and ratification by the commission, for the preparation or amendment of any plans. Such ad hoc consultation for the preparation and amendment of plans shall supplement and not replace comprehensive or targeted consultation. The chairman may select an ad hoc body for an implementing action and provide a report to the commission.

(c) Consultation methods. The department shall use its best effort to employ diverse and creative notification and participation methods that reach the intended audience in the most effective yet efficient manner." [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act, all)

EXHIBIT A

DHHL Planning System

Strategic Program Plans
Statewide, 3-6 year timeframe

Island Plans
Regional, 20-year timeframe

Regional Plans
Developed Areas, 2-4 year timeframe

Development Plans
Undeveloped Areas, 10-year timeframe

Funding
- *CIP, Operating Budget*
- *2-5 year timeframes*

Legislation
- *Administrative Rules*
- *Amendment Process*

Land Use
- *Designations, Reviews*
- *Amendment Process*

EXHIBIT A

ITEM C-2 - EXHIBIT C

HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Beneficiary Consultation

You are invited to attend a Beneficiary Consultation meeting in your community to discuss proposed changes to the Department of Hawaiian Home Lands' Administrative Rules.

Pu'ukapu. The proposed rules would enable better management and system controls by establishing clear processes for system operations and consumer services.

Manage resources? Make planning and program decisions? Planning System rules propose a comprehensive method to systematically coordinate how these types of decisions are made so that there is regular engagement with beneficiaries, and predictability and consistency.

Meeting schedule on reverse. All meetings subject to change.
Email dhhl.rules@hawaiianhomelands.org for more information or call 808-620-9280

Beneficiary Consultation Schedule

Kaua'i – Thursday, June 22, 2017
Kapa'a Elementary School Cafeteria
4886 Kawaihau Road Kapa'a, HI 96746
9 a.m. - 12:00 p.m. or 6 p.m. - 9 p.m.

Kapolei, O'ahu – Tuesday June 27, 2017
DHHL Hale Pono'i
91-5420 Kapolei Parkway, Kapolei, HI 96707
6 p.m. - 9 p.m.

Waimea, Hawai'i – Thursday, July 6, 2017
DHHL Kuhio Hale
64-756 Mamalahoa Highway, Waimea, HI 96745
9 a.m. - 12:00 p.m. or 6 p.m. - 9 p.m.

Waimānalo, O'ahu – Monday, July 10, 2017
Waimānalo Hawaiian Homestead Association Halau
41-209 Ilauhole Street, Waimanalo, HI 96795
6 p.m. - 9 p.m.

Maui – Thursday, July 20, 2017
Paukukalo Hawaiian Community Center
655 Kaumuali'i Street, Wailuku, HI 96793
6 p.m. - 9 p.m.

Keaukaha, Hawai'i – Friday, July 21, 2017
Keaukaha Elementary Cafeteria
240 Desha Avenue, Hilo HI 96720
6 p.m. - 9 p.m.

Moloka'i – Tuesday, July 25, 2017
Kulana 'Oiwi Halau and Conference Room
600 Maunaloa Hwy., Kalamaula, HI 96748
9 a.m. - 12:00 p.m. or 6 p.m. - 9 p.m.

Lana'i – Tuesday, August 1, 2017
Lanai Community Center
Eight Street and Lanai Avenue, Lanai City, HI 96763
6 p.m. - 9 p.m.

State of Hawai'i
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
P.O. Box 1879 | Honolulu, Hawai'i 96805
(808) 620-9500 | (808) 620-9529 Fax
dhhl.hawaii.gov

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EXHIBIT B

Response to 'Disingenuous' Letter

The issues pointed out in the Aug. 8 letter titled "Demands for Removal of Planning Commission Chair" are disingenuous.

As Vice Chair of the Molokai Planning Commission, I have first-hand knowledge of the items referenced. Today, I am speaking as an individual.

Items that are passed by the Commission are passed by a majority vote, not by the Commission's chair. It is disingenuous to implicate one person when a majority vote is needed to pass any rule.

And for the record, this commission consists of the most "Molokai born and raised" commissioners in the past decade. Trust this commission is genuinely considering all things prior to making a decision.

Because of the escalation during recent public testimony, by the advice of Corporation Council, the meeting was recessed and police were asked to have a presence to ensure the community's safety.

There is a difference between civil discourse and unruly behavior. It is for this reason that setting guidelines for a public meeting are welcomed and needed. It is something I consistently hear from our greater community who feel discouraged to attend, but should have no less a voice.

Through faith, I have served my country, and today I serve my community. The implied assertions are unmerited. I stand in support of the current chair's abilities as well as the rest of the commissioners.

Laurence Kalamakulanakilaokeulelikikie Lassa
Kalama'ula, Moloka

Simple Philosophy

Life is a big, beautiful piece of art every day. Life is beautiful and very special, every day is important. Life is unpredictable, we never know what is going to happen day by day.

Live life to the best and appreciate every day. Do good, respectful, happy things every day. We all sculpt our own life. We also have hope, belief to re-sculpt, rebuild, renew our life, from our mistakes we did today, yesterday, and in the past. Keep learning more about our beautiful gifts and talent that we are born with. Whatever we do, do our very best with a positive happy frame of mind every day, and success will always follow us in our lifetime.

One of our important missions in life is to reach out and help, be part of someone else's life. Now, we all can walk the same happy trail of our rich life together — our community. To me, simple philosophy is the true meaning of the word "rich." Rich with the life that God provides for all the human race to survive and be happy with. The land. The ocean. The rich survival of our beautiful life in this beautiful earth.

Money is part of our life and society. But it's not everything in our life. Look at the leaders of our beautiful country. The are mentally ill with greed, selfishness, money and power, don't care about the welfare of most citizens in our country. These are the people who represent the true meaning of the words mentally ill. Think about it. We are richer than all of them. We live a very happy, simple life in our own beautiful paradise. We help and support each other.

Molokai, always remember our rich survival of our beautiful life is land, ocean. We must plant and farm the land. We must take good care of the ocean, keep it clean. It's the rich survival of our beautiful life.

Have a wonderful and a very pleasant day, every day, with a beautiful Molokai no ka heke smile.

Seanoa Lica

Beware of Internet Scams

This letter is to inform fellow Molokai residents that there is grave danger in what appear to be simple offers on the Internet. I am a senior living on Molokai on very limited income and I've been scammed twice. In spite of my own embarrassment, I want to let the public know how easy it is to get yourself into big danger.

The first time I saw an ad for Meryl Streep and how beautiful she looks. The ad was for a sample of face crème for $4.99, so I thought, cool! I gave them my credit card number and when I received the order, they had tacked on another product. That's nine bucks, no big deal. But when I got my bank statement a month later there was a charge for $98.63. I called and complained that I did not authorize to pay for more product. They would not refund my money.

The next month, I did the same stupid thing. I immediately called the number and demanded to cancel the order. I was given the run-around. I demanded confirmation numbers of cancellation. I thought I had successfully cancelled until a week later I received the products in the mail. I wrote to the Better Business Bureau with all of the information I had, and they contacted me saying there is an epidemic of illusive companies under one umbrella in Asia somewhere that they cannot locate. The phone numbers that are given are bogus. There is no visible name of any company.

Here is the scariest part. Once you authorize the cost of the product sample, you have given them permission to enter your bank account at any time and take whatever they want. They seem untouchable. Once again I had to cancel my bank card. The same thing happened to one of my neighbors. Pretty scarey stuff! I am willing to expose my stupidity for the sake of hopefully saving someone else the same problem. These scammers are very intelligent and I am not feeling truly safe. There is nothing the bank can do to protect us, we have to learn to get smart enough to protect ourselves.

Sincerely,
Carolyn Havens

DHHL Consultation on Water and Planning

DHHL News Release

On Aug. 24, Department of Hawaiian Home Lands (DHHL) will conduct a beneficiary consultation meeting to discuss proposed administrative rules for the DHHL Water Systems and DHHL Planning Systems. This is a follow-up to the two meetings held on July 25 on these very same subjects.

These meeting have been held statewide. DHHL wants to ensure that Molokai is provided every opportunity to comment on these proposed rules. The meeting will be held at 6 p.m. at the Kulana 'Oiwi Halau. For information on the proposed rules and comments received already, please see the DHHL website.

CHURCH SERVICES

Topside Molokai UCC Churches
Charles Poole | 553-5828 | Wafalua - 11:00am
Kalaiakamanu Hoa - 9:30am | Ho'olehua - 8 am
Kalua'aha - 12:30am (4th Sunday, only)

Saint Damian Catholic Parish
Father William Prule | 553-5220
St. Damien, Kaunakakai, 6 pm Sat, 9 am Sun;
Our Lady of Seven Sorrows, Kalua'aha, 7 am Sun;
St. Vincent Ferrer, Maunaloa, 11 am Sun;
St. Joseph, Kamalo. No weekly services

Heart of Aloha Church
Kualapuu Community Center 10:30 am
Last Sunday of the month services held at
Maunaloa Community Center at 10:30 am
Pastor Cameron Hiro | heartofaloha.org | 658-0433

First Assembly of God King's Chapel
Kahu Robert Sabagan | 553-5540, Cell: 646-1140
Maunaloa, Sunday 9 am. Kaunakakai, Sunday
10:30 am. Sunday Evening 6 pm, Tuesday Evening
6:30, Mana'e, Sunday 6 pm

Polynesian Baptist Church
Pastor Rev. Bob Winters | 552-0258
South of Elementary School, Maunaloa Town
Sunday School & Adult Worship Service 10 am

Seventh-day Adventist Church
Pastor Abel Pangan | 808-646-1257
1400 Maunaloa Hwy, Kaunakakai, HI
9:15 am Adult & Children Sabbath School
11 am Worship

Grace Episcopal Church
Rev. John Lunn
gracemolokiepiscopal@gmail.com | 567-6420
2210 Farrington Ave | Worship 10 am Sun

Baha'i Faith
Open house every 3rd Sunday of the month
Mile 14 east | 5pm | 558-8432
molokaibahai@gmail.com | www.bahai.org

Molokai Shekinah Glory Church
Pu'ukapele Avenue, Hoolehua
(drive all the way down) 10 AM Worship Service
Senior Pastor Isaac Gloor | Pastor Brandon Jono
"We Welcome All"

Bible Baptist Church
Pastor Ken-Japeth Olaveria 208-206-7002
South of Maunaloa Elementary School
Sunday School - 9:30 a.m | Worship - 10 a.m.

Kaunakakai Baptist Church
Pastor Mike Inouye | 553-5671 | 155 Ken V Hwy
9 am adult Sunday school | Worship 10:15 am

To update church information, email editor@themolokaidispatch.com

EXHIBIT C

HAWAIIAN HOME LANDS

Beneficiary Consultation

Proposed Changes to DHHL Administrative Rules

Agenda

- Pule & Opening
- Presentation
  - Administrative Rules and Timeframes
  - DHHL Water Systems
  - DHHL Planning System
- Break Out Discussions
  - Information Packets
- Next Steps
- Gallery Walk

Purpose

- Provide information about DHHL's Water Systems and DHHL's Planning System so that beneficiaries have a better understanding about these topics.
- Find out what about these topics is important to beneficiaries so that the draft rules can be made better.

HAWAIIAN HOME LANDS

Rulemaking Process

What are Administrative Rules?

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

Why Adopt, Amend, or Repeal Rules?

- Improve service, programs, and operations.
- Rules must be consistent with applicable law.
- Best practice.

DHHL Rulemaking Process

18-24 months

...we've only just begun

HAWAIIAN HOME LANDS

DHHL Water Systems

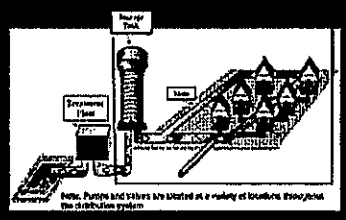
Background

- New subchapter.
- HHCA section 221.
- What is a "water system?" Where are DHHL's water systems located?

What is a Water System?

U.S. EPA:

A modern day auwai system of tanks, pumps, pipes, and valves that takes water from source to delivery.



Where are DHHL's Water Systems Located?

Policy Question

Should DHHL's water systems be managed to ensure resource sustainability and long-term system viability?

Why Rules for the DHHL Water Systems

- Rules can provide process and procedure that helps ensure resource safety and sustainability, and system longevity.
- We are all stewards of the resource; our future depends upon water.

How Would the Rules Work

- The draft reads like we're running a water utility.... We are.
  - How to connect and disconnect.
  - What happens in drought or other emergency conditions.
  - Rates and fines.
  - What happens when you don't pay; enforcement.
  - How to get water from a public water spigot.

Rate Setting

- Your water bill is calculated using a rate that is based upon system operation and maintenance costs, including:
  - Equipment: pumps, valves, fire hydrants.
  - Water treatment, sampling & lab testing
  - Source protection: security measures at well sites
  - Employee training & certifications
  - Vehicle maintenance & costs
  - Electricity

Fines and Enforcement

- Fines:
  - Obstructed meter fine;
  - Tampering fine.
- Enforcement:
  - Bill payment due within 21 days.
  - Late fee after 30 days.
  - Water service can be shut off after 60 days.

Public Water Spigots

Can look like the hose spigot on the outside of a house.

Works like a drinking fountain: pull up, fill up, and go.

Your Mana'o

- What are the most important kuleana for consumers? For DHHL?
- What are reasonable enforcement provisions? Why?
- How should public water spigots be managed?
- Water rates are set using operating and maintenance costs. What other criteria should be considered when setting rates?

HAWAIIAN HOME LANDS

DHHL Planning System

Background

- New subchapter.
- HHCA authorizes broad land use authority.
- The department currently uses a planning process to create land use and program plans. These rules would formalize a similar process.

Policy Question

Should the department ensure consistency and transparency in its planning processes by formalizing a planning system?

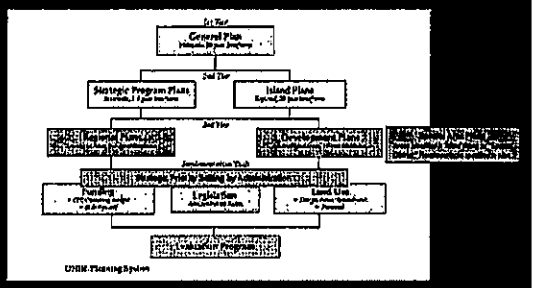
Why Rules for a Planning System

- Furthers the objectives of the HHCA.
- Encourages predictability and consistency across different administrations.
- Ensures that beneficiaries are consulted and input is incorporated.

How Would the Rules Work

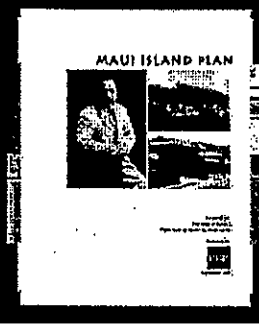
- The rules would create a 3-tiered system where each level of planning creates greater detail while being guided by the more general levels.

How Would the Rules Work



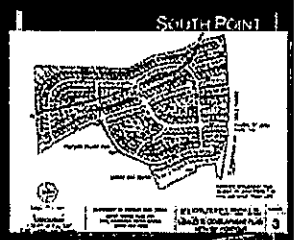
DHHL Plans

- Tier 1 General Plan: Statewide policies & goals.
- Tier 2 Strategic Program Plans: Carry out specific policy areas from the General Plan.
- Tier 2 Island Plans: designate lands for different uses.



DHHL Plans

- Tier 3 Regional Plans: Region specific information & priority projects.
- Tier 3 Development Plans: Details about developing a specific area.
- Tier 3 Special Area Plans: Wahi pana.



Information Included in Plans

- These plans are like a navigational chart. They help DHHL and beneficiaries understand where we're going and how to get there.
  - Environmental, cultural, socioeconomic data.
  - Different development scenarios.
  - Costs to develop.

Your Mana'o

- What kind of information should each plan include?
- Should interim changes be allowed? Who should be able to initiate them? Under what circumstances should interim changes be considered?
- Who can request the commission to review a proposed or past action by the department for consistency with a plan?

HAWAIIAN HOME LANDS

Discussion Kuleana

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.

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.

HAWAIIAN HOME LANDS

Break Out Discussions

HAWAIIAN HOME LANDS

Next Steps

DHHL Rulemaking Process

18-24 months

...we've only just begun

Next Steps for DHHL

- Review and compile notes from today, and comments received by September 1, 2017;
- Consider suggested and possible changes;
- Prepare and submit a report for the Commission;
- Submit the proposed amendments to the Commission for approval to move forward with the public hearing process.

Next Steps for You

- Think about today's discussion;
- Talk to family, friends, neighbors;
- Submit comments by September 1, 2017;
- Keep checking the website for updates http://dhhl.hawaii.gov/department-of-hawaiian-home-lands-administrative-rules/.

How to Submit Comments

- Green sheets.
- Email: dhhl.rules@hawaiianhomelands.org
- Mail:

  Department of Hawaiian Home Lands
  DHHL Administrative Rules
  P.O. Box 1879
  Honolulu, HI 96805
- Call: Hokulei at 620-9280 or your district office.

HAWAIIAN HOME LANDS

Gallery Walk

	A	B	C	D
1	Topic	Comment	Meeting	Method
2	Consumer kuleana	pay our water bill	Kapolei	Meeting notes
3	Consumer kuleana	don't waste	Kapolei	Meeting notes
4	Consumer kuleana	Appropriate use of water	Kapolei	Meeting notes
5	Consumer kuleana	Conservation and sustainability of water	Kapolei	Meeting notes
6	Consumer kuleana	oversight of conservation principles	Kauai; PM	Meeting notes
7	Consumer kuleana	don't waste	Kauai; PM	Meeting notes
8	Consumer kuleana	pay our fair share cause DHHL paying 60% of the costs now	Kauai; PM	Meeting notes
9	Consumer kuleana	what's non-potable water for ag lots	Kauai; PM	Meeting notes
10	Consumer kuleana	inventory of lands (Wailua)	Kauai; PM	Meeting notes
11	Consumer kuleana	Koolau well--Moloaa by non-beneficiary	Kauai; PM	Meeting notes
12	Consumer kuleana	New proposed well	Kauai; PM	Meeting notes
13	Consumer kuleana	kuleana lands	Kauai; PM	Meeting notes
14	Consumer kuleana	Good stewards of water, no waste	Waimanalo	Meeting notes
15	Consumer kuleana	Pay your bill timely and banking online	Waimanalo	Meeting notes
16	Consumer kuleana	Prevent waste of water	Waimanalo	Meeting notes
17	Consumer kuleana	Prevent water waste	Waimanalo	Meeting notes
18	Consumer kuleana	Be more efficient--proper care of the system on our side	Maui	Meeting notes
19	Consumer kuleana	Beneficiary be part of the solution	Maui	Meeting notes
20	Consumer kuleana	Exercise our sovereignty to operate/maintain our own water systems	Maui	Meeting notes
21	Consumer kuleana	If ag lease, should be farming; residential should be on the land	Maui	Meeting notes
22	Consumer kuleana	Stay alive	Maui	Meeting notes
23	Consumer kuleana	Protector of ahupuaa and water shed for all users	Maui	Meeting notes
24	Consumer kuleana	Make sure bills are paid in a timely manner	Molokai; AM	Meeting notes
25	Consumer kuleana	Conserve water, fix broken pipes, leaking toilets	Molokai; AM	Meeting notes
26	Consumer kuleana	Maintain area, nothing obstructing the meter	Molokai; AM	Meeting notes
27	Consumer kuleana	Make sure no leaks	Molokai; PM	Meeting notes
28	Consumer kuleana	Have backflow prevention device	Molokai; PM	Meeting notes
29	Consumer kuleana	Water is a need and need to take care of water	Lanai	Meeting notes
30	Consumer kuleana	Do what's right	Lanai	Meeting notes
31	Consumer kuleana	Everyone needs water	Lanai	Meeting notes
32	Consumer kuleana	If you want that lot/house need to take care	Lanai	Meeting notes
33	Consumer kuleana	conserve water	Lanai	Meeting notes
34	Consumer kuleana	Think about what you're doing, will affect your children/future	Lanai	Meeting notes
35	Consumer kuleana	If you see someone abusing use of water, say something	Lanai	Meeting notes
36	Consumer kuleana	As beneficiaries thru HHC, advocate to Dept of Ag for ag water	Molokai; 8/24	Meeting notes
37	Consumer kuleana	MIS, have people on the advisory board	Molokai; 8/24	Meeting notes
38	Consumer kuleana	Water conservation--don't use expensive potable water for ag	Molokai; 8/24	Meeting notes
39	Consumer kuleana	Be more aware of what's in our area and how impacts us	Keaukaha	Meeting notes
40	Consumer kuleana	Leak detection and water conservation (fix leaky toilets)	Keaukaha	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
41	Consumer kuleana	Homesteaders pay their fair share...consider economically distressed areas--affordability	Keaukaha	Meeting notes
42	Consumer kuleana	Don't waste water	Keaukaha	Meeting notes
43	DHHL kuleana	how and when is DHHL going to make this happen	Kapolei	Meeting notes
44	DHHL kuleana	set rates @ competitive rates for non-NH	Kapolei	Meeting notes
45	DHHL kuleana	better rate for beneficiary	Kapolei	Meeting notes
46	DHHL kuleana	Dept should pay	Kapolei	Meeting notes
47	DHHL kuleana	alternate energy to address water system efficiency	Kapolei	Meeting notes
48	DHHL kuleana	put rates on all homesteads incl. county systems	Kapolei	Meeting notes
49	DHHL kuleana	make rates most affordable for benef. 2 separate rate structures: benef. and non	Kapolei	Meeting notes
50	DHHL kuleana	never ever give up the wai	Kapolei	Meeting notes
51	DHHL kuleana	for beneficiaries first, not "consumers"	Kapolei	Meeting notes
52	DHHL kuleana	dialogue w/counties DWS incl re: non DHHL systems	Kapolei	Meeting notes
53	DHHL kuleana	getting water to us/pipes to the homestead	Kapolei	Meeting notes
54	DHHL kuleana	Ensure water is safe to drink	Kapolei	Meeting notes
55	DHHL kuleana	Ensure future allocations (source) of water	Kapolei	Meeting notes
56	DHHL kuleana	Conservation and sustainability of water	Kapolei	Meeting notes
57	DHHL kuleana	Establish policies for water uses by beneficiaries	Kapolei	Meeting notes
58	DHHL kuleana	Do not sell water to non-beneficiaries w/o serving beneficiaries first	Kapolei	Meeting notes
59	DHHL kuleana	Making proposed rules available to beneficiaries in advance to consider before consultation meetings (PL)	Kapolei	Meeting notes
60	DHHL kuleana	Keep prices down	Kauai; AM	Meeting notes
61	DHHL kuleana	Expand the system to increase users	Kauai; AM	Meeting notes
62	DHHL kuleana	Improve the control/sovereignty over water	Kauai; AM	Meeting notes
63	DHHL kuleana	How do we get beneficiaries off the county water system	Kauai; AM	Meeting notes
64	DHHL kuleana	How do we get the county to lower its rates	Kauai; AM	Meeting notes
65	DHHL kuleana	Need to develop ag water delivery system to Bayview & Farm lots	Kauai; AM	Meeting notes
66	DHHL kuleana	We have to work on rates that	Kauai; AM	Meeting notes
67	DHHL kuleana	Provide safe drinking water	Kauai; AM	Meeting notes
68	DHHL kuleana	Look into alternatives to cholrination of water	Kauai; AM	Meeting notes
69	DHHL kuleana	Install water catchments	Kauai; AM	Meeting notes
70	DHHL kuleana	Establish another well to be able to expand service	Kauai; AM	Meeting notes
71	DHHL kuleana	Negotiate with county to lower water rates for DHHL beneficiaries on county water systems	Kauai; AM	Meeting notes
72	DHHL kuleana	safe drinking water	Kauai; PM	Meeting notes
73	DHHL kuleana	fire protection	Kauai; PM	Meeting notes
74	DHHL kuleana	source protection	Kauai; PM	Meeting notes
75	DHHL kuleana	enforcement of these rules--more on-site staff; DHHL on-island rep?	Kauai; PM	Meeting notes
76	DHHL kuleana	measure amt of groundwater & sustainability	Kauai; PM	Meeting notes
77	DHHL kuleana	Water quality and safety	Waimanalo	Meeting notes
78	DHHL kuleana	Be good stewards of the water	Waimanalo	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
79	DHHL kuleana	Automate billing and payment systems	Waimanalo	Meeting notes
80	DHHL kuleana	Prevent waste and wasteful use of water through education of consumers	Waimanalo	Meeting notes
81	DHHL kuleana	Make sure water source is healthy and secure	Waimanalo	Meeting notes
82	DHHL kuleana	Provide safe drinking water and comply with fed/state regulation	Waimanalo	Meeting notes
83	DHHL kuleana	Prevent water waste i.e., use new technology	Waimanalo	Meeting notes
84	DHHL kuleana	Why subsidize $1M. The question is how do we make it profitable? Not negative income.	Waimanalo	Green sheets (Ilima Wong)
85	DHHL kuleana	DHHL owned systems should exclusively serve lessees/beneficiaries	Waimea; AM	Meeting notes
86	DHHL kuleana	Delete "public." DHHL water systems should be used for DHHL beneficiaries.	Waimea; AM	Meeting notes
87	DHHL kuleana	Kuleana--lower the price (water fee) for lessees	Waimea; AM	Meeting notes
88	DHHL kuleana	ITC contract provides water services. The amount of contract too high/not worth the benefit. Water operating service contract should somehow be in rules. Fine tune in contracts what service being provided.	Waimea; AM	Meeting notes
89	DHHL kuleana	You need a 6-in line for a fire hydrant, make some distinction for the Puukapu system is unique	Waimea; AM	Meeting notes
90	DHHL kuleana	The rules aren't ready until we address Mahana's comments	Waimea; AM	Meeting notes
91	DHHL kuleana	Are you talking about ag water system or drinking water system? A: Kawaihae & Puukapu	Waimea; PM	Meeting notes
92	DHHL kuleana	--Who planned system? Puukapu? Last ranch water does not reach my ranch at end of system. Since 1991 I haul water, every week. How is DHHL going to help me? '--We had meetings before system build and gave out mana'o, suggestion were given but never considered, (certified backflow installer) '--DHHL wants to charge me to install backlow but I can do that on my own '--Trying to make water system work on my ranch (200 acres) '--Last fire, the water system didn't help '--Water truck used to water roads	Waimea; PM	Meeting notes
93	DHHL kuleana	DHHL kuleana to design correctly	Waimea; PM	Meeting notes
94	DHHL kuleana	DHHL kuleana to get water to property with enough pressure to ensure it can get to back of lot	Waimea; PM	Meeting notes
95	DHHL kuleana	Why in Puukapu need to install backflow? DHHL kuleana--backflow at county meter & not at all lots	Waimea; PM	Meeting notes
96	DHHL kuleana	We installed backflow on existing system, then take out then purchase meter	Waimea; PM	Meeting notes
97	DHHL kuleana	Kohala ranch contract--not charged county rate. DHHL kuleana: county rates are put on bill to know how much I'm being charged	Waimea; PM	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
98	DHHL kuleana	Pastoral been for years, before moving to "new" homesteads. DHHL kuleana to focus on existing; prioritize existing vs new	Waimea; PM	Meeting notes
99	DHHL kuleana	"7 wells" in Puukapu--2 drinking & 5 non-potable. DHHL staff said "don't open mouth when shower"	Waimea; PM	Meeting notes
100	DHHL kuleana	Spigot at Puukapu at 1st tank. DHHL kuleana: cover water tanks better	Waimea; PM	Meeting notes
101	DHHL kuleana	Kahua Ranch--no water problems, why can't we use that water	Waimea; PM	Meeting notes
102	DHHL kuleana	DHHL kuleana--DHHL awards--promise will have water	Waimea; PM	Meeting notes
103	DHHL kuleana	Sufficient funds for DHHL to operate	Maui	Meeting notes
104	DHHL kuleana	Prioritize/establish water systems on Maui & other areas	Maui	Meeting notes
105	DHHL kuleana	Ensure state and county uphold water code in terms of Native Hawaiian priority & kalo growers	Maui	Meeting notes
106	DHHL kuleana	On Molokai, we have control of water system, bring more people on the land	Maui	Meeting notes
107	DHHL kuleana	When DHHL finds water (dig well) negotiate better with County on source	Maui	Meeting notes
108	DHHL kuleana	Potable water for Kahikinui	Maui	Meeting notes
109	DHHL kuleana	Existing County water line--please look into it	Maui	Meeting notes
110	DHHL kuleana	Make current systems more efficient	Maui	Meeting notes
111	DHHL kuleana	Zero cost to consumers	Maui	Meeting notes
112	DHHL kuleana	Advocate for establishment of water systems on Maui	Maui	Meeting notes
113	DHHL kuleana	Commit resources to water shed sources on Maui	Maui	Meeting notes
114	DHHL kuleana	Advocate with Maui County to lower water rates for beneficiaries	Maui	Meeting notes
115	DHHL kuleana	Maintain adequate pressure	Molokai; AM	Meeting notes
116	DHHL kuleana	Provide water for all homestead areas on Molokai or accommodate the homesteader on County system	Molokai; AM	Meeting notes
117	DHHL kuleana	Keep water rates reasonable	Molokai; AM	Meeting notes
118	DHHL kuleana	Take over MIS to support forms; MIS originally for DHHL beneficiaries	Molokai; AM	Meeting notes
119	DHHL kuleana	Ensuring different rate structures for beneficiaries and non-beneficiaries	Molokai; AM	Meeting notes
120	DHHL kuleana	Implement Naiwa	Molokai; AM	Meeting notes
121	DHHL kuleana	Check no leaks	Molokai; PM	Meeting notes
122	DHHL kuleana	Take care of the system	Lanai	Meeting notes
123	DHHL kuleana	Know what's going on	Lanai	Meeting notes
124	DHHL kuleana	Manage the infrastructure	Lanai	Meeting notes
125	DHHL kuleana	DHHL needs to manage the systems efficiently; no one else going to do it	Lanai	Meeting notes
126	DHHL kuleana	Be more clear in water bill that costs is for transmission of the water and not for water itself	Molokai; 8/24	Meeting notes
127	DHHL kuleana	Concern: overhead costs is too high. More rules/responsibilities also increases costs	Molokai; 8/24	Meeting notes

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1	Topic	Comment	Meeting	Method
128	DHHL kuleana	Rules/regs not followed in past. How make this better	Molokai; 8/24	Meeting notes
129	DHHL kuleana	Comply--do research on alii	Molokai; 8/24	Meeting notes
130	DHHL kuleana	$1/year lease for the land. DHHL had a plan to make this happen. Can you/DHHL do something similar for the water/infrastructure?	Molokai; 8/24	Meeting notes
131	DHHL kuleana	Not reasonable to shut off water	Molokai; 8/24	Meeting notes
132	DHHL kuleana	Concern: hard for kupuna to go get their own water	Molokai; 8/24	Meeting notes
133	DHHL kuleana	Make system to run more efficiently to bring costs down	Molokai; 8/24	Meeting notes
134	DHHL kuleana	What's systainability of the aquifer? [per CWRM 5 mil]	Molokai; 8/24	Meeting notes
135	DHHL kuleana	Advocate for DHHL's long term allocation	Molokai; 8/24	Meeting notes
136	DHHL kuleana	How beneficiaries can get ag water and (2) ag water rate	Molokai; 8/24	Meeting notes
137	DHHL kuleana	DHHL hold (state) entities responsible for what they owe DHHL	Molokai; 8/24	Meeting notes
138	DHHL kuleana	All ag land, put water infrastructure in before putting people on land	Molokai; 8/24	Meeting notes
139	DHHL kuleana	Help beneficiaries test the water if there's change in taste/odor	Molokai; 8/24	Meeting notes
140	DHHL kuleana	Bring water to those not currently on the DHHL system--equality	Molokai; 8/24	Meeting notes
141	DHHL kuleana	All benenficiaries on DHHL systems or compensate us via a subsidy	Molokai; 8/24	Meeting notes
142	DHHL kuleana	Get back MIS system; equal access to all beneficiaries to MIS	Molokai; 8/24	Meeting notes
143	DHHL kuleana	Increase DHHL employees to operate systems	Molokai; 8/24	Meeting notes
144	DHHL kuleana	Train more beneficiaries/associations to compete for operations contracts	Molokai; 8/24	Meeting notes
145	DHHL kuleana	Accept credit card, electronic payments, pay on-line	Molokai; 8/24	Meeting notes
146	DHHL kuleana	Operate efficiently	Keaukaha	Meeting notes
147	DHHL kuleana	Aging infrastructure costs	Keaukaha	Meeting notes
148	DHHL kuleana	Future source development	Keaukaha	Meeting notes
149	DHHL kuleana	Water reservations--partner with county	Keaukaha	Meeting notes
150	DHHL kuleana	Actively assert water rights	Keaukaha	Meeting notes
151	DHHL kuleana	Alternative energy	Keaukaha	Meeting notes
152	DHHL kuleana	Identify source in one location and transmit to another location, e.g., Piihonua to Laiopua	Keaukaha	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
153	DHHL kuleana	Water development	Keaukaha	Meeting notes
154	DHHL kuleana	Partner with others, beneficiary organizations	Keaukaha	Meeting notes
155	DHHL kuleana	Consider as priority water projects by beneficiary organization	Keaukaha	Meeting notes
156	DHHL kuleana	Better contractor performance oversight	Keaukaha	Meeting notes
157	DHHL kuleana	Focus on existing water systems before building new ones	Keaukaha	Meeting notes
158	DHHL kuleana	Advocating at the county level re: DHHL lessees on the county water system	Keaukaha	Meeting notes
159	DHHL kuleana	Assert our authority in favor of beneficiaries when the well (source) and infrastructure is located on DHHL trust lands	Keaukaha	Meeting notes
160	DHHL kuleana	Assign trust funds to develop water systems in homestead communities where the systems don't exist	Keaukaha	Meeting notes
161	DHHL kuleana	Can DHHL capture the excess water in Hilo?	Keaukaha	Meeting notes
162	Enforcement provisions	only way to learn if beneficiary have no more or pay what we pay (BWS rate)	Kapolei	Meeting notes
163	Enforcement provisions	benef. who are blessed using DHHL system don't know what they have	Kapolei	Meeting notes
164	Enforcement provisions	how to penalize those who can't pay; DHHL make sys more efficient (energy reduce costs)	Kapolei	Meeting notes
165	Enforcement provisions	no enforcement rules yet, DHHL get its act together. Make system as efficient as possible	Kapolei	Meeting notes
166	Enforcement provisions	Incentives for homesteaders	Kapolei	Meeting notes
167	Enforcement provisions	how does DHHL get punished to run inefficiently. Get pono first before charging the people	Kapolei	Meeting notes
168	Enforcement provisions	shame. Who's costing us the most publicize the who	Kapolei	Meeting notes
169	Enforcement provisions	"fake" state's kuleana, pay the water for beneficiary (A&O) water is us/beneficiaries when comes to cultural practices, the water is free	Kapolei	Meeting notes
170	Enforcement provisions	some kind of regular payments to catch up	Kapolei	Meeting notes
171	Enforcement provisions	Encourage lessees to report water abuse	Kapolei	Meeting notes
172	Enforcement provisions	Need appropriate staffing levels to provide 24/7 service for enforcement & operations	Kapolei	Meeting notes
173	Enforcement provisions	Create a hotline for each island to use to report enforcement matters	Kapolei	Meeting notes
174	Enforcement provisions	Create a calling card w/contact info re water enforcement	Kapolei	Meeting notes
175	Enforcement provisions	consider using social media to inform lessee and applicants of important water information	Kapolei	Meeting notes
176	Enforcement provisions	Serious concern raised to shut off water service (must avoid shutting off)	Kauai; AM	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
177	Enforcement provisions	who enforcing taking resource from aquifer: which would've gone to a beneficiary	Kauai; PM	Meeting notes
178	Enforcement provisions	explore KIUC alt. energy to offset costs of sys	Kauai; PM	Meeting notes
179	Enforcement provisions	concern giving up deflate aquifer is forever, not given back	Kauai; PM	Meeting notes
180	Enforcement provisions	Is there inconsistency by DHHL?	Kauai; PM	Meeting notes
181	Enforcement provisions	DHHL first assess the situation as to why there is a lack of payment	Waimanalo	Meeting notes
182	Enforcement provisions	Not fair to those who do pay their water bills if others do not. How do we help those who are not paying?	Waimanalo	Meeting notes
183	Enforcement provisions	These reasonable provisions should be defined by those on the DHHL water systems	Waimanalo	Meeting notes
184	Enforcement provisions	Only beneficiaries provide input, not the public!	Waimanalo	Meeting notes
185	Enforcement provisions	Draft rules are similar to BWS	Waimanalo	Meeting notes
186	Enforcement provisions	On fixed income (kupuna), water service should not be shut off	Waimanalo	Meeting notes
187	Enforcement provisions	The current process seems reasonable--no change.	Waimea; AM	Meeting notes
188	Enforcement provisions	Tampering of water meter needs to be proved, due diligence in investigating incident before pointing fingers.	Waimea; AM	Meeting notes
189	Enforcement provisions	If meter is not in an individual lessee's property, don't punish lessee for not maintaining/cleaning area around meter.	Waimea; AM	Meeting notes
190	Enforcement provisions	There have been incidents of tampering.	Waimea; AM	Meeting notes
191	Enforcement provisions	If meter is in DHHL easement, need to clarify whose kuleana to maintain.	Waimea; AM	Meeting notes
192	Enforcement provisions	Change the shut off time to 6 months, first hoopono with the family to understand why the lessee cannot pay. Work out a payment plan	Maui	Meeting notes
193	Enforcement provisions	Pay whatever cost it takes to subsidize the water systems	Maui	Meeting notes
194	Enforcement provisions	Water should be our number one priority	Maui	Meeting notes
195	Enforcement provisions	Codify practice of working with lessee on delinquent bills	Maui	Meeting notes
196	Enforcement provisions	Provisions seem reasonable. Reads like Maui County rules	Maui	Meeting notes
197	Enforcement provisions	When sign their lease, lessees made aware of the water system and terms/conditions to use it. Could jeopardize their lease.	Maui	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
198	Enforcement provisions	Required to go to an educational session (i.e. DUI) such as budget class	Maui	Meeting notes
199	Enforcement provisions	Ag leases...2 years & 3/4 cultivation...or lease cancellation	Maui	Meeting notes
200	Enforcement provisions	Shut off of water service is reasonable given the proposed approach after 60 days	Molokai; AM	Meeting notes
201	Enforcement provisions	Restrictors before water shut off	Molokai; PM	Meeting notes
202	Enforcement provisions	Yes, reasonable. We pay the lowest rates. This is common sense	Molokai; PM	Meeting notes
203	Enforcement provisions	60 days seems too short to shut off water. Need time for payment plan. Maybe consider 90-120 days	Molokai; PM	Meeting notes
204	Enforcement provisions	10-4-81 Delinq shut off & coll. (j) six _____ (?)	Molokai	Green sheets
205	Enforcement provisions	Yes, it's reasonable to shut off	Lanai	Meeting notes
206	Enforcement provisions	Community service to "work off" the bill	Lanai	Meeting notes
207	Enforcement provisions	Instead of water shut off, program to work it off	Molokai; 8/24	Meeting notes
208	Enforcement provisions	If farming, exchange of crops comparable to value of the water bill	Molokai; 8/24	Meeting notes
209	Enforcement provisions	Pay fair share	Molokai; 8/24	Meeting notes
210	Enforcement provisions	Approach OHA to partner to assist beneficiaries	Molokai; 8/24	Meeting notes
211	Enforcement provisions	Have costomer work it off	Molokai; 8/24	Meeting notes
212	Enforcement provisions	Exchange of value such as produce to credit water bill	Molokai; 8/24	Meeting notes
213	Enforcement provisions	Remediation/appeals process/re-payment plan	Molokai; 8/24	Meeting notes
214	Enforcement provisions	10-4-78 obstructed meter fine--oppose	Molokai; 8/24	Meeting notes
215	Enforcement provisions	Who's going to enforce?	Molokai; 8/24	Meeting notes
216	Enforcement provisions	DHHL hire personnel whose only job is the enforcement payment plan	Molokai; 8/24	Meeting notes
217	Enforcement provisions	Draft rules comparable to the county	Keaukaha	Meeting notes
218	Enforcement provisions	Consider an appeal process when get notice for water shut off	Keaukaha	Meeting notes
219	Enforcement provisions	Social programs for low income families to assist with bill payment	Keaukaha	Meeting notes

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1	Topic	Comment	Meeting	Method
220	Enforcement provisions	Refer family to educational program--budgeting/financial management	Keaukaha	Meeting notes
221	Enforcement provisions	Adjust bill extenuating circumstances (unusual spike in usage)	Keaukaha	Meeting notes
222	Enforcement provisions	Follow the county water system in terms of enforcement	Keaukaha	Meeting notes
223	Enforcement provisions	Unfair and unreasonable to shut off water	Keaukaha	Meeting notes
224	Other	Administration--HHC not chairman 10-4-63	Waimea; PM	Meeting notes
225	Other	10-4-62: apply to all public drinking water systems (per DOH)--PWS--for human water consumption Terminology--be consistent	Waimea; PM	Meeting notes
226	Other	No water for 32 years. DHHL needs to address this need. Why hasn't Makuu been dealt with?	Keaukaha	Meeting notes
227	Public water spigot	don't offer unless system is in green	Kapolei	Meeting notes
228	Public water spigot	for beneficiaries only	Kapolei	Meeting notes
229	Public water spigot	devise system to verify beneficiary status	Kapolei	Meeting notes
230	Public water spigot	non-benef charge them a fee	Kapolei	Meeting notes
231	Public water spigot	location of spigot and access	Kapolei	Meeting notes
232	Public water spigot	Allow use only by homesteaders	Kapolei	Meeting notes
233	Public water spigot	Available pursuant to a time schedule not 24/7	Kapolei	Meeting notes
234	Public water spigot	Does not make sense to cut off water service but then have free water available through spigots	Kapolei	Meeting notes
235	Public water spigot	Unfair to provide water to a lessee who does not pay for their water service	Kapolei	Meeting notes
236	Public water spigot	Needs monitoring of the spigots	Kapolei	Meeting notes
237	Public water spigot	Should be provided free of charge	Kauai; AM	Meeting notes
238	Public water spigot	procedure for ensuring non-beneficiary using spigot	Kauai; PM	Meeting notes
239	Public water spigot	to be managed by some one	Kauai; PM	Meeting notes
240	Public water spigot	limit hours spigot is available	Kauai; PM	Meeting notes
241	Public water spigot	good idea to have spigot	Kauai; PM	Meeting notes
242	Public water spigot	Resource go to beneficiary/priority right (PL)	Kauai; PM	Meeting notes
243	Public water spigot	At the spigot, meter the amount of water used and bill accordingly	Waimanalo	Meeting notes
244	Public water spigot	Should this water be allowed for bathing, and other uses or not?	Waimanalo	Meeting notes
245	Public water spigot	Use a charge card to users of the public spigots	Waimanalo	Meeting notes
246	Public water spigot	Put big sign, "No waste water!"	Waimanalo	Meeting notes
247	Public water spigot	Cost to upkeep spigot and who pays for it	Waimanalo	Meeting notes
248	Public water spigot	Put spigot closer to the homes so homewoners have better access	Waimanalo	Meeting notes
249	Public water spigot	Management of the spigot by the homestead association	Waimanalo	Meeting notes
250	Public water spigot	Access for drinking water only, not car washing, bathing	Waimanalo	Meeting notes
251	Public water spigot	Have a card/key (1 card per lessee)... and unlimited water	Waimanalo	Meeting notes
252	Public water spigot	Because it's "free" no need to monitor	Waimanalo	Meeting notes

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1	Topic	Comment	Meeting	Method
253	Public water spigot	Find ways to keep costs down	Waimanalo	Meeting notes
254	Public water spigot	Limit amt of water per card/per day	Waimanalo	Meeting notes
255	Public water spigot	The existing spigot was for Honokaia lessees	Waimea; AM	Meeting notes
256	Public water spigot	The Puukapu sysem was supposed to have a spigot, but there was no instruction	Waimea; AM	Meeting notes
257	Public water spigot	"Volume water system" spigot at district office was meant to speed up filling up water for ranchers. Meant for ranchers. Should be both a water spigot & high volume spigot at Puukapu for ranchers.	Waimea; AM	Meeting notes
258	Public water spigot	There's a spigot in Puukapu but we have no access to it. Morning hours better, no traffic. Issue a key to lessee for 24 hrs access (Puukapu only)	Waimea; AM	Meeting notes
259	Public water spigot	Droughts--spigots made available by DWS only during these times. Puukapu should have access to potable water.	Waimea; AM	Meeting notes
260	Public water spigot	Spigot--inform for water meter	Waimea; PM	Meeting notes
261	Public water spigot	Limit to beneficiaries; enforce spigot so no selling of water	Waimea; PM	Meeting notes
262	Public water spigot	24/7 spigot	Waimea; PM	Meeting notes
263	Public water spigot	Spigot at gate of lot	Waimea; PM	Meeting notes
264	Public water spigot	Spigots should be for all uses	Waimea; PM	Meeting notes
265	Public water spigot	Key to spigot/lessee	Waimea; PM	Meeting notes
266	Public water spigot	Not "public" --delete from entire rules	Waimea; PM	Meeting notes
267	Public water spigot	Kahikinui spigot is governed by County. Will DHHL rules apply? [No]	Maui	Meeting notes
268	Public water spigot	If not paying their bill, having a spigot available defeats the purpose. Should not be allowed to use spigot	Maui	Meeting notes
269	Public water spigot	Meter the usage from the spigot	Maui	Meeting notes
270	Public water spigot	How can. Not no can. Water is a right.	Maui	Meeting notes
271	Public water spigot	Spigot in every homestead.	Maui	Meeting notes
272	Public water spigot	Access to water at spigots must be limited to DHHL beneficiaries	Maui	Meeting notes
273	Public water spigot	Use technology--access code, card--to regulate water taking from spigots; meter the spigots	Molokai; AM	Meeting notes
274	Public water spigot	Usage only by beneficiaries	Molokai; AM	Meeting notes
275	Public water spigot	Support having spigots but must be managed	Molokai; AM	Meeting notes
276	Public water spigot	We're using digital meters....use for spigot to monitor usage	Molokai; PM	Meeting notes
277	Public water spigot	Coin-operated machine	Molokai; PM	Meeting notes
278	Public water spigot	No spigot. Molokai homesteaders have access to water so no need spigot	Molokai; PM	Meeting notes
279	Public water spigot	Spigot come in handy to homestead areas that are leased but no access to water (Kalama'ula)	Molokai; PM	Meeting notes
280	Public water spigot	Spigot will help open other areas that can be used for ag/pastoral	Molokai; PM	Meeting notes
281	Public water spigot	Monitor usage, should be limits	Lanai	Meeting notes
282	Public water spigot	For people who live on the land, not those not on the land	Lanai	Meeting notes
283	Public water spigot	DHHL needs to manage this	Lanai	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
284	Public water spigot	Remote monitoring via cell phone (DHHL water app?)	Lanai	Meeting notes
285	Public water spigot	No spigot to non-beneficiaries	Molokai; 8/24	Meeting notes
286	Public water spigot	Access to a DHHL spigot for those not currently on the DHHL system	Molokai; 8/24	Meeting notes
287	Public water spigot	Provide access to a water truck	Molokai; 8/24	Meeting notes
288	Public water spigot	Limit use to beneficiaries only; not the public	Keaukaha	Meeting notes
289	Public water spigot	Don't do it	Keaukaha	Meeting notes
290	Public water spigot	Put gutters on houses for catchment	Keaukaha	Meeting notes
291	Public water spigot	Spigot for emergency use	Keaukaha	Meeting notes
292	Public water spigot	Location only accessible to beneficiaries	Keaukaha	Meeting notes
293	Public water spigot	Prefer potable water truck instead of spigot	Keaukaha	Meeting notes
294	Rates criteria	incl sewer/not? Don't incl sewage	Kapolei	Meeting notes
295	Rates criteria	more efficiency in energy costs; ops. Costs	Kapolei	Meeting notes
296	Rates criteria	size of household	Kapolei	Meeting notes
297	Rates criteria	type of water use--res., ag,	Kapolei	Meeting notes
298	Rates criteria	DHHL get involved w/counties DWS to address water rates	Kapolei	Meeting notes
299	Rates criteria	look at subsidies, LIHEAP, programs	Kapolei	Meeting notes
300	Rates criteria	Social/economic situation of the area and ability to pay	Kapolei	Meeting notes
301	Rates criteria	Age of the water system	Kapolei	Meeting notes
302	Rates criteria	Presence of ag water systems	Kapolei	Meeting notes
303	Rates criteria	Hardships on 'ohana, on kupuna to have to get their own water if water is shut off; DHHL should shoulder a portion of the cost to operate the 4 water systems	Kauai; AM	Meeting notes
304	Rates criteria	There is a solar plant on DHHL lands that should be used to help address electricity needs of Anahola water system.	Kauai; AM	Meeting notes
305	Rates criteria	What's it gonna take to lower rates --make system more efficient --leak detection --digital registers on the meter	Kauai; PM	Meeting notes
306	Rates criteria	consider # of people consuming water; single-person vs family of 4, 5, +	Kauai; PM	Meeting notes
307	Rates criteria	scale rate structure	Kauai; PM	Meeting notes
308	Rates criteria	KIUC gets "cheap" land and not providing power	Kauai; PM	Meeting notes
309	Rates criteria	too many wells being drawn concern w/non-DHHL well put in	Kauai; PM	Meeting notes
310	Rates criteria	Monitor customer usage, and where usage goes down due to conservation, DHHL provides a credit	Waimanalo	Meeting notes
311	Rates criteria	Prevent waste of water e.g., fix a running toilet	Waimanalo	Meeting notes
312	Rates criteria	Climate change impacts on water availability	Waimanalo	Meeting notes
313	Rates criteria	Educate water conservation	Waimanalo	Meeting notes
314	Rates criteria	Unemployment rates and economic status of our beneficiaries should be considered	Waimanalo	Meeting notes
315	Rates criteria	Solar for all other water systems other than Molokai	Waimanalo	Meeting notes

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1	Topic	Comment	Meeting	Method
316	Rates criteria	Consider economic status of the community (unemployment, fixed income, etc.)	Waimanalo	Meeting notes
317	Rates criteria	Yes, different rates for beneficiary vs. non-beneficiary	Waimanalo	Meeting notes
318	Rates criteria	For non-potable system rates should include consumption. Actual use. Not flat rate.	Waimea; AM	Meeting notes
319	Rates criteria	Agree--Puukapu system rate should be based on consumption	Waimea; AM	Meeting notes
320	Rates criteria	Type of use & lot size could also be included in water rates vs flat rate	Waimea; AM	Meeting notes
321	Rates criteria	In rules, address when/how to assess costs and set rates	Maui	Meeting notes
322	Rates criteria	For rate setting, include future projection of rising costs	Maui	Meeting notes
323	Rates criteria	Are there economic opportunities to more users on the system	Maui	Meeting notes
324	Rates criteria	Build in cost for collection	Maui	Meeting notes
325	Rates criteria	DHHL admin costs for work-out payment plans	Maui	Meeting notes
326	Rates criteria	DHHL future developments	Maui	Meeting notes
327	Rates criteria	Ability to pay	Maui	Meeting notes
328	Rates criteria	Assistance programs for those who can't pay	Maui	Meeting notes
329	Rates criteria	Equal water rates, put all beneficiries on County water systems under a DHHL water system	Maui	Meeting notes
330	Rates criteria	Put more lessees on the land to help spread the costs of operation of water systems	Maui	Meeting notes
331	Rates criteria	Not trying to take away from the other water system, just want DHHL to provide Maui with its own water systems and off set their current water bills	Maui	Meeting notes
332	Rates criteria	Affordability to lessees; ability to pay	Molokai; AM	Meeting notes
333	Rates criteria	Lower rates for higher volume useage of water even on residential lots	Molokai; AM	Meeting notes
334	Rates criteria	Look at more efficient pumps in CIP improvements--help lower electricity demand	Molokai; PM	Meeting notes
335	Rates criteria	Consider median household income/affordability for homesteaders only	Molokai; PM	Meeting notes
336	Rates criteria	Look up procedures/rates for other water systems, esp County --hook up costs --delinquency	Molokai	Green sheets
337	Rates criteria	Household usage; more you use, more you pay	Lanai	Meeting notes
338	Rates criteria	Changing people's mindset to conserve water	Lanai	Meeting notes
339	Rates criteria	Economic status (limited/fixed income)	Molokai; 8/24	Meeting notes
340	Rates criteria	Health status	Molokai; 8/24	Meeting notes
341	Rates criteria	Increase consumer base	Molokai; 8/24	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
342	Rates criteria	Charge higher/different rate by user customer class	Molokai; 8/24	Meeting notes
343	Rates criteria	Charge to County when they're over pumping resulting in higher choloride levels	Molokai; 8/24	Meeting notes
344	Rates criteria	Return MIS to DHHL. Income generation opportunity	Molokai; 8/24	Meeting notes
345	Rates criteria	Oppose to any increase in water rates	Molokai; 8/24	Meeting notes
346	Rates criteria	Request hearing before proposed rate increase	Molokai; 8/24	Meeting notes
347	Rates criteria	Tiered consumption/usage	Keaukaha	Meeting notes
348	Rates criteria	Not more than county rates	Keaukaha	Meeting notes
349	Rates criteria	Not charge exhorbitant rates just to balance the budget	Keaukaha	Meeting notes
350	Rates criteria	Expand consumer base; sell water	Keaukaha	Meeting notes
351	Rates criteria	Portion of rates goes toward future maintenance, i.e., capital reserve	Keaukaha	Meeting notes
352	Rates criteria	Continue benecificiary consultations when setting rates	Keaukaha	Meeting notes
353	Rates criteria	Beneficiaries directly impacted have more weight in their input than other beneficiairies	Keaukaha	Meeting notes
354	Rates criteria	Discount to beneficiaries with efficient (low flow toilets, etc) appliances/water savers	Keaukaha	Meeting notes
355	Rates criteria	Incentives for water conservation	Keaukaha	Meeting notes
356	Water/Wai	How do we* (beneficiaries) get back and undo the rules that gave the state the rights to the waters (in Hilo) under DHHL lands? Sue the state?	Keaukaha	Green sheets

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1	Topic	Comment	Meeting	Method
2	Info in plan	Lease land water to non-beneficiaries, competitive ROI not $1 year--income	Kapolei	Meeting notes
3	Info in plan	Plan meetings need to be inclusive Growth info, new development Lack of communication w/lessees	Kapolei	Meeting notes
4	Info in plan	Have to live on Hawaii and want another island as an award--award issue	Kapolei	Meeting notes
5	Info in plan	Traffic impact, growth in existing homestead; repect homerue autonomous	Kapolei	Meeting notes
6	Info in plan	Need to ask homesteaders about plannin gcommunity driven plans	Kapolei	Meeting notes
7	Info in plan	Homestead leaders assn involved in plans, multi-meetings	Kapolei	Meeting notes
8	Info in plan	Need info on website focus Advance notice for meeting Update website, make it easy to access info to prepare	Kapolei	Meeting notes
9	Info in plan	Silence is not yes	Kapolei	Meeting notes
10	Info in plan	Questions in advance via mail	Kapolei	Meeting notes
11	Info in plan	Document plan meeting, who etc. Background appendix, back story, context in each, process in plan (required plan)	Kapolei	Meeting notes
12	Info in plan	State clearly + plainly--Consult w/benef's; BC on <u>each step</u> of each plan	Kapolei	Meeting notes
13	Info in plan	Contact person for add'l info on each plan to answer questions	Kapolei	Meeting notes
14	Info in plan	If someone gives up their lease, how can applicants be qualified?	Kapolei	Meeting notes
15	Info in plan	Concept of "quiet enjoyment" of lot in homestead	Kapolei	Meeting notes
16	Info in plan	How will these new rules be implemented--with add'l staff? How much will it cost?	Kapolei	Meeting notes
17	Info in plan	Take info from benef's on doing a new plan--e.g. Nanakuli Ave bikepath	Kapolei	Meeting notes
18	Info in plan	Timelines, stage of development	Kauai; PM	Meeting notes
19	Info in plan	Land swaps proposals	Kauai; PM	Meeting notes
20	Info in plan	Updates, status of projects	Kauai; PM	Meeting notes
21	Info in plan	Green energy Kealia farm lot development Open up lands	Kauai; PM	Meeting notes
22	Info in plan	Update water development	Kauai; PM	Meeting notes
23	Info in plan	*DHHL position on County General Plan re: provisional ag & overlay w/DHHL's General Plan*	Kauai; PM	*Gallery Walk*
24	Info in plan	Enforcement (farm lots)	Kauai; AM	Meeting notes
25	Info in plan	Communication w/beneficiaries re:changes	Kauai; AM	Meeting notes
26	Info in plan	Award information changes	Kauai; AM	Meeting notes
27	Info in plan	Directly relate to rehab (ag)	Kauai; AM	Meeting notes
28	Info in plan	Econ, social, educational; lift families	Kauai; AM	Meeting notes
29	Info in plan	Revenue business plan; sust/self-sufficiency; trust sustainability	Kauai; AM	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
30	Info in plan	Youth input in plans, cultural values	Kauai; AM	Meeting notes
31	Info in plan	Input important	Kauai; AM	Meeting notes
32	Info in plan	Buy in complete; act to people's needs, econ, aina, water; people develop outcomes	Kauai; AM	Meeting notes
33	Info in plan	Data for engineering	Waimanalo	Meeting notes
34	Info in plan	Plans should include what DHHL does with empty/vacant lots	Waimanalo	Meeting notes
35	Info in plan	#1 issue is put people in homes or empty lots	Waimanalo	Meeting notes
36	Info in plan	Processes to move quicker to put lessee in empty lot	Waimanalo	Meeting notes
37	Info in plan	Be more expeditious to move peole on the land	Waimanalo	Meeting notes
38	Info in plan	Take care of the people	Waimanalo	Meeting notes
39	Info in plan	Before you start plan, look at area and identify vacant lots	Waimanalo	Meeting notes
40	Info in plan	Notification in the newspaper	Waimanalo	Meeting notes
41	Info in plan	Speed up process for vacant lot	Waimanalo	Meeting notes
42	Info in plan	What is the timing of how comments will be encorporated	Waimanalo	Meeting notes
43	Info in plan	We could utilize annual budget reports and contractors on out lands	Waimanalo	Meeting notes
44	Info in plan	Block grants, standardize house cost & include solar to reduce cost of living expenses.	Waimanalo	Meeting notes
45	Info in plan	Credits for renewable energy (Tax credits). Plans should factor in cost of living for beneficiaries and pla to reduce that cost. Help reduce cost.	Waimanalo	Meeting notes
46	Info in plan	Current information of the area, particularly existing infrastructure like roads, traffic.	Waimanalo	Meeting notes
47	Info in plan	Quality of life, hours in traffic	Waimanalo	Meeting notes
48	Info in plan	Plans should include info on admin cost & strategies to curb admin costs, find cost efficiencies/programs to curb costs	Waimanalo	Meeting notes
49	Info in plan	Does DHHL do EIS on all projects? A: comply with Ch 343 as state lands	Waimea; PM	Meeting notes
50	Info in plan	Can't take land and sell to outsiders? Before lands given to outsiders, come consult to beneficiaries first /given to beneficiaries first before others	Waimea; PM	Meeting notes
51	Info in plan	Even if on another island, all trust lands need to go to people on list first or consult w/beneficiaries before issue	Waimea; PM	Meeting notes
52	Info in plan	Does DHHL share thoughts with land use planning with county? DHHL should participate in county planning via rule so services are adequate	Waimea; PM	Meeting notes
53	Info in plan	Communicate with beneficiaries	Waimea; PM	Meeting notes
54	Info in plan	In plans--include info on existing infrastructure	Waimea; PM	Meeting notes
55	Info in plan	Get water from Humu'ula to pastoral lots via plans (Aina Mauna & Reg. Plan)	Waimea; PM	Meeting notes
56	Info in plan	Water going to state park	Waimea; PM	Meeting notes
57	Info in plan	See in future justification for DHHL to develop a certain type of development. i.e. Lalamilo next to rubbish dump--This did not follow plan	Waimea; AM	Meeting notes
58	Info in plan	This is why we need rules	Waimea; AM	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
59	Info in plan	How does State Water Plan fit within DHHL's plans? A; It's in 2d tier Strategic Program Plan & Island Plan	Waimea; AM	Meeting notes
60	Info in plan	Consider weighted criteria in 1st tier and weighted criteria as you go down deeper--go thru process not necessarily put in rules	Waimea; AM	Meeting notes
61	Info in plan	What are you basing decision on, i.e., homestead/not for homestead development so whe we see Lalamilo by the rubbish dump, we know how this happened	Waimea; AM	Meeting notes
62	Info in plan	What is the outcome/overall goal?	Waimea; AM	Meeting notes
63	Info in plan	Before you come out with a draft, we have a conversation with community first. "Top down" approach	Waimea; AM	Meeting notes
64	Info in plan	Methodology used e.g. 600 gals Puukapu water Outcomes/end results--objective of the plan/intention Evaluation of a prior plan period Validation of a change e.g. island plan--relfect on how external plans impact (re: above: maybe not for Gen Plan, but certainly all other plans) Relate/reference & coordinate DHHL plans w/external plans	Waimea; AM	Meeting notes
65	Info in plan	How to find out about the plan? [website; district office; request to planning office]	Maui	Meeting notes
66	Info in plan	How does authority come to DHHL? [HHCA before County; authority to zone lands]	Maui	Meeting notes
67	Info in plan	Mission to manage lands for native Hawaiians effectively [purpose of planning systems rules read]	Maui	Meeting notes
68	Info in plan	Housing is such a crisis so partner with others--County collaboration; tiny homes	Maui	Meeting notes
69	Info in plan	Do water rights trump other rights? [question to water systems]	Maui	Meeting notes
70	Info in plan	Codify in the rule how to implement plan with on-island staff	Maui	Meeting notes
71	Info in plan	Make sure rights in constitution included in Planning System	Maui	Meeting notes
72	Info in plan	Plans should have quantifiable goals, timeline, and watchdog processs	Maui	Meeting notes
73	Info in plan	Enforcement of rules by review process at end of each year to see what has been achieved of quantifiable goals	Maui	Meeting notes
74	Info in plan	Include goals and objectives that are met or unmet	Maui	Meeting notes
75	Info in plan	Planning and budget linkage	Maui	Meeting notes
76	Info in plan	Link water in plans	Maui	Meeting notes
77	Info in plan	Get back to Act--more then land to build houses Homes Ag Merchantile	Maui	Meeting notes
78	Info in plan	Document to synthesize so info will allow beneficiaries to make decisions	Maui	Meeting notes

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1	Topic	Comment	Meeting	Method
79	Info in plan	Urgency built in the plan	Maui	Meeting notes
80	Info in plan	Planned communty dev statewide on each island	Maui	Meeting notes
81	Info in plan	How are general leases reflected in the plan	Maui	Meeting notes
82	Info in plan	Need water for Maui	Maui	Meeting notes
83	Info in plan	Recognize crappy land so consider purchase of land	Maui	Meeting notes
84	Info in plan	Common sense with land because of cost	Maui	Meeting notes
85	Info in plan	Renewable energy on land not usable--solar not windmills	Maui	Meeting notes
86	Info in plan	Infrastructure that makes sense & conducive to the area	Maui	Meeting notes
87	Info in plan	Beneficiary input with knowledge to develop smaller	Maui	Meeting notes
88	Info in plan	Design to topography (i.e. not like Waiohuli)	Maui	Meeting notes
89	Info in plan	Water catchment where there is water in Waiohuli or areas unusable	Maui	Meeting notes
90	Info in plan	Marginal lands used for something more feasible like water & renewable energy	Maui	Meeting notes
91	Info in plan	Look at lands in Island Plan process	Maui	Meeting notes
92	Info in plan	Knowledgeable staff	Maui	Meeting notes
93	Info in plan	Consult knowledgeable people	Maui	Meeting notes
94	Info in plan	On-island land planner/land manager	Maui	Meeting notes
95	Info in plan	Strategic plans to keep up with each generation	Maui	Meeting notes
96	Info in plan	Generaltional planning--9 going forward	Maui	Meeting notes
97	Info in plan	Succession planning	Maui	Meeting notes
98	Info in plan	Zoning & who goes where	Maui	Meeting notes
99	Info in plan	Plan should guide budgeting	Maui	Meeting notes
100	Info in plan	Which generation where property taxes come into play	Maui	Meeting notes
101	Info in plan	Property taxes in planning process	Maui	Meeting notes
102	Info in plan	Plans to take care of homeless/houseless native Hawaiians & those in jail	Maui	Meeting notes
103	Info in plan	Eats & Sheets facility by DHHL or homestead associations	Maui	Meeting notes
104	Info in plan	DHHL has land as key element to address homeless native Hawaiians	Maui	Meeting notes
105	Info in plan	Cadre of educated native hawaiians to buy land, need to give authority with UI to hui capital & design community	Maui	Meeting notes
106	Info in plan	Alternative development	Maui	Meeting notes
107	Info in plan	Plans consider land in the area near DHHL to empower beneficiaries	Maui	Meeting notes
108	Info in plan	Island Plan identify adjacent properties	Maui	Meeting notes
109	Info in plan	Aggressively pursue land use authority	Maui	Meeting notes
110	Info in plan	Plan by area/ahupuaa, not just DHHL land, & use zoning or condemnation & access to capital	Maui	Meeting notes
111	Info in plan	Planning system to keep in mind rehabilitation	Maui	Meeting notes
112	Info in plan	Purpose is faithful application of distribution of land to native Hawaiians and let them figure it out	Maui	Meeting notes
113	Info in plan	Purpose statememt should be: result in Hawaiians on the land/with the land	Maui	Meeting notes
114	Info in plan	Don't plan for the sake of planning	Maui	Meeting notes

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1	Topic	Comment	Meeting	Method
115	Info in plan	DHHL does stuff without Molokai knowing--land exchange--sharing information before it happens	Molokai; AM	Meeting notes
116	Info in plan	Water information so you know when that area is going to be developed	Molokai; AM	Meeting notes
117	Info in plan	Island Plans should look at county plan for adjacent areas	Molokai; AM	Meeting notes
118	Info in plan	RP's womb to tomb--look at entire lifespan of beneficiaries on homestead. Youth, health, education, recreation. Lifelong needs of lessees--cover in plan	Molokai; AM	Meeting notes
119	Info in plan	Cemetary for Kapaakea--all aspects of our lives	Molokai; AM	Meeting notes
120	Info in plan	What's needed for thriving homesteads	Molokai; AM	Meeting notes
121	Info in plan	Info on Hawaiian Home Lands	Molokai; PM	Meeting notes
122	Info in plan	High cost of housing	Molokai; PM	Meeting notes
123	Info in plan	Concern about county involvement or paying county, like moving of water	Molokai; PM	Meeting notes
124	Info in plan	Concern about king tide and flooding	Molokai; PM	Meeting notes
125	Info in plan	Shoreline erosion and climate change	Molokai; PM	Meeting notes
126	Info in plan	Land getting eaten up and lessees not following rules	Molokai; PM	Meeting notes
127	Info in plan	Main focus for plan is housing	Molokai; PM	Meeting notes
128	Info in plan	Plan to deal with water because affecting kupuna who want to subdivide	Molokai; PM	Meeting notes
129	Info in plan	Land available on Molokai like Ualapue	Molokai; PM	Meeting notes
130	Info in plan	Water being drawn from the same aquifer needs to be addressed	Molokai; PM	Meeting notes
131	Info in plan	Preserve the right of kupuna with subdivision of lots affected because of water	Molokai; PM	Meeting notes
132	Info in plan	Put people on land	Molokai; PM	Meeting notes
133	Info in plan	Lots of homeless on Molokai	Molokai; PM	Meeting notes
134	Info in plan	Housing affordability should be considered	Molokai; PM	Meeting notes
135	Info in plan	Frustrated--like get into houses, onto the land already. Rents keep increasing 4x. Locally owned companies going out of business, getting bought out at inflated process. Regular working people are getting priced out. Economics, how it's affecting the locals. Entrepreneures, self-employed--want to bring back ohia, ag-related, keep the culture going. Need a place to keep my tools.	Lanai	Meeting notes
136	Info in plan	Hauowi o hauoli--Uncle Sol named for health, wanted to build a hall for youth, gathering place, have people come and teach lei making, lauhala weaving, community center that we don't have to rent, don't have to wait in line. Senior center is just for kupuna Malihini coming with their money. $2M for aff homes--Co of Maui--by the waste water treatment plant, too close. Ellison has affect on use, people not going to open their waha.	Lanai	Meeting notes

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1	Topic	Comment	Meeting	Method
137	Info in plan	Got the notive too long ago. Needed a reminder. Don't get info from DHHL	Lanai	Meeting notes
138	Info in plan	Need better notification for B.C. reminders, announcements in newspaper, bulletin boards	Lanai	Meeting notes
139	Info in plan	Transfers--people are selling, then going back on the list. Not right. Said it would only be 5 years. Contractor took the money & went to China w/$ millions. Expensive to get materials to Lanai. County wanted to build portable homes next to HHL--we said no. Peole have to work 2 jobs, for the co. to afford the mortgage. People are afraid to say anything. People scared that there'll be consequences.	Lanai	Meeting notes
140	Info in plan	Sufficient infrastructure--when it was done, thought it was sufficient but now it's not. Changed Kalamaula from pastoral to homestead, ag to res--now it's not sufficient. Should take care of existing while planning for future	Molokai; 8/24	Meeting notes
141	Info in plan	Plans for ag lots should include drinking water and ag water	Molokai; 8/24	Meeting notes
142	Info in plan	Look at smaller lot sizes for ag homestead	Molokai; 8/24	Meeting notes
143	Info in plan	Take out the County; DHHL should enforce, not the County	Molokai; 8/24	Meeting notes
144	Info in plan	Look at getting all future development on to homestead water systems	Molokai; 8/24	Meeting notes
145	Info in plan	Make it clear that it's all DHHL kulenan--eveyone else out of the picture	Molokai; 8/24	Meeting notes
146	Info in plan	Beneficiary consultation should be part of general lease negotiation	Molokai; 8/24	Meeting notes
147	Info in plan	Which islands does the general lease rent go to?	Molokai; 8/24	Meeting notes
148	Info in plan	Beneficiary consultation should be based on impacts	Molokai; 8/24	Meeting notes
149	Info in plan	General lease negotiation shoul dinclude an earmark for the island it's on	Molokai; 8/24	Meeting notes
150	Info in plan	Land exchanges should benefit the island giving up the land	Molokai; 8/24	Meeting notes
151	Info in plan	Better outreach and transparency on all projects and changes big or small	Molokai; 8/24	Meeting notes
152	Info in plan	Analyze impacts of development up mauka on folks down below	Molokai; 8/24	Meeting notes
153	Info in plan	How is what you're proposing to do going to affect the homesteads already there?	Molokai; 8/24	Meeting notes
154	Info in plan	Older subdivisions don't have adequate infrastructure--how will it be affected by new development?	Molokai; 8/24	Meeting notes
155	Info in plan	Kapaakea Cemetary	Molokai; 8/24	Meeting notes
156	Info in plan	Gotta look at water source--is there going to be enough? How much is it going to cost?	Molokai; 8/24	Meeting notes
157	Info in plan	Why should you have to qualify for a loan in order to get an award? Blood quantum should be enough	Molokai; 8/24	Meeting notes
158	Info in plan	DIY building should by ok. --County codes make it hard	Molokai; 8/24	Meeting notes
159	Info in plan	Support special area plans for wahi pana; include Moomomi	Molokai; 8/24	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
160	Info in plan	How we going to get MIS back to DHHL--need a plan for that; it makes money	Molokai; 8/24	Meeting notes
161	Info in plan	Make process to get licenses easier for beneficiaires	Molokai; 8/24	Meeting notes
162	Info in plan	Info on available parcels, priority for beneficiaries to use	Molokai; 8/24	Meeting notes
163	Info in plan	Issues of "selling" leases--should return; address transfer	Molokai; 8/24	Meeting notes
164	Info in plan	Discuss issues of enforcement of lease consitions	Molokai; 8/24	Meeting notes
165	Info in plan	Show original plans for each area	Molokai; 8/24	Meeting notes
166	Info in plan	Beneficiaries should be a prirority in the planning process	Molokai; 8/24	Meeting notes
167	Info in plan	Disconnect between planning and Molokai beneficiaries--need to strengthen the connection	Molokai; 8/24	Meeting notes
168	Info in plan	Need to look at economic development--beneficiaries participate in Kalaupapa--more communication and consultation by DHHL for Kalaupapa	Molokai; 8/24	Meeting notes
169	Info in plan	Ad-hoc committees, advisory, volunters in community advising DHHL	Molokai; 8/24	Meeting notes
170	Info in plan	Need more funding for HHAs; advisory committee for each island; HHC'er	Molokai; 8/24	Meeting notes
171	Info in plan	Only Molokai issues when HHC meets on Molokai; only once a year	Molokai; 8/24	Meeting notes
172	Info in plan	Beneficiaries are principal partners in the planning--central voice, others benefitting, our voices not being heard. You gotta listen to what we're saying.	Molokai; 8/24	Meeting notes
173	Info in plan	Deal with vacant land not awarded--put people on the land. People renting out their homesteads--need to enforce	Molokai; 8/24	Meeting notes
174	Info in plan	People not residing, letting their kids live on the homestead	Molokai; 8/24	Meeting notes
175	Info in plan	Need a plan for sea level rise, relocation	Molokai; 8/24	Meeting notes
176	Info in plan	Working together to have a bigger voice--Hawaiian-serving orgs-need better partnerships	Molokai; 8/24	Meeting notes
177	Info in plan	Replicate Kulana Oiwi on every island. Bring services to HHL	Molokai; 8/24	Meeting notes
178	Info in plan	See what happened in past and what not completed (previous activities and status progress report)	Keaukaha	Meeting notes
179	Info in plan	Beneficiary consultation has weight and importance to it; this is what beneficiaries felt is important--feedback from beneficiaries on what is the priorities/most pressing	Keaukaha	Meeting notes
180	Info in plan	DHHL has in the past empower communities to do economic development with little resources (i.e., Kulia)--new programs/plans should have funding tied to policies and plan implementation	Keaukaha	Meeting notes
181	Info in plan	Definitions are broad and leave room for interpretation--should be more specific	Keaukaha	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
182	Info in plan	In transition of administrations, find out how to implement revocable permit priority projects --How does DHHL kokua beneficiaries in planning process and implementation --Include spending policy of trust funds and how beneficiaries get involved/have say	Keaukaha	Meeting notes
183	Info in plan	Time period for implementation	Keaukaha	Meeting notes
184	Info in plan	Think rules for planning is great	Keaukaha	Meeting notes
185	Info in plan	Review of all HAR; some things are missing	Keaukaha	Meeting notes
186	Info in plan	Where are beneficiaries in the DHHL planning system? --Our input is never "steady" with dept--do consult but then plans change --Must consult beneficiaries in developing plans	Keaukaha	Meeting notes
187	Info in plan	Region-specific consultations--spearhead/establish that	Keaukaha	Meeting notes
188	Info in plan	Plans need to include needs of the beneficiaries--existing and applicants	Keaukaha	Meeting notes
189	Info in plan	Regional plans--should incorporate water and land use; to develop more homesteads and generate $$	Keaukaha	Meeting notes
190	Info in plan	Trust lands--every beneficiarey has a say BUT	Keaukaha	Meeting notes
191	Info in plan	Specific issue raised by specific community, then specific beneficiary consultation	Keaukaha	Meeting notes
192	Info in plan	Any conservation land use designation? Who makes decision? Why?	Keaukaha	Meeting notes
193	Info in plan	100 people never come to Makuu; drugs in community; I'm enforcing. PS--should determine/enforce lack of use of homesteads	Keaukaha	Meeting notes
194	Info in plan	Issue with county CDP/GP are law (lawsuit in Kona) --currently includes DHHL lands; but should distinguish DHHL's land use authority --amend charter--except HHL --"not applicable" on plans at Hawaii County	Keaukaha	Meeting notes
195	Info in plan	Definitions in plans--who plans will benefit --who will not benefit? Depending on this, then determine level of beneficiary consultation	Keaukaha	Meeting notes
196	Info in plan	Has lease rules; but DHHL not enforcing --How can we help?--may have issues/implication with land use decisions and implementation	Keaukaha	Meeting notes
197	Interim changes	Yes, allow changes	Kapolei	Meeting notes
198	Interim changes	Circumstances change. Public no say, only chair or beneficiaries. Need input by lessees.	Kapolei	Meeting notes
199	Interim changes	Side/Nanakuli valley access--beneficiary impact	Kapolei	Meeting notes
200	Interim changes	Beneficiaries if affected, could be both	Kapolei	Meeting notes
201	Interim changes	Directly impacted beneficiaries should have voice	Kapolei	Meeting notes
202	Interim changes	Beneficiary & chair--no general public	Kapolei	Meeting notes
203	Interim changes	Associations need rules to speak for beneficiaries	Kapolei	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
204	Interim changes	Need to be fiscally responsible re: change must inform beneficiaries, note trust obligation 80/20 logic	Kapolei	Meeting notes
205	Interim changes	If someone has a good idea	Kapolei	Meeting notes
206	Interim changes	Should be regular (every 5 years) review of plans,then benef's should vote. 10 yrs GP/5 years tier 2 + 3	Kapolei	Meeting notes
207	Interim changes	Take out "and the gerneral public"	Kapolei	Meeting notes
208	Interim changes	Just chair + benef's	Kapolei	Meeting notes
209	Interim changes	Not like OHA--just benef's	Kapolei	Meeting notes
210	Interim changes	Elected officials	Kapolei	Meeting notes
211	Interim changes	Beneficiaries & public	Kauai; PM	Meeting notes
212	Interim changes	Beneficiaries priority	Kauai; PM	Meeting notes
213	Interim changes	Any changes need BC	Kauai; PM	Meeting notes
214	Interim changes	Only beneficiaries	Kauai; PM	Meeting notes
215	Interim changes	If affects general public then they should be informed	Kauai; PM	Meeting notes
216	Interim changes	Changes [illegible] Wailua How to initiate land use change ex more homesteads	Kauai; PM	Meeting notes
217	Interim changes	Lot size and affordability need ADU, restrictions, uniformity	Kauai; PM	Meeting notes
218	Interim changes	STP if you build homesteads Need best quality reduce impact Energy efficiency, R-1 water	Kauai; PM	Meeting notes
219	Interim changes	Mainland applicant file application	Kauai; PM	Meeting notes
220	Interim changes	Open to public	Kauai; PM	Meeting notes
221	Interim changes	STP concern 10K homes impact Concern capacity, DHHL STP	Kauai; PM	Meeting notes
222	Interim changes	County swap--need DOI	Kauai; PM	Meeting notes
223	Interim changes	Beneficiary--define	Kauai; AM	Meeting notes
224	Interim changes	Communication to make changes	Kauai; AM	Meeting notes
225	Interim changes	Kupuna, 10 people, Hawaiian peole, no blood quantum, no Hawaiians	Kauai; AM	Meeting notes
226	Interim changes	Applicants, successors, equal to lessee	Kauai; AM	Meeting notes
227	Interim changes	Beneficiaries only should make changes	Waimanalo	Meeting notes
228	Interim changes	Anyone of Hawaiian ancestry	Waimanalo	Meeting notes
229	Interim changes	25% successors should have decision making power	Waimanalo	Meeting notes
230	Interim changes	Any Native Hawaiian regardless of quantum	Waimanalo	Meeting notes
231	Interim changes	What happens eventually if peole are less than 1/32?	Waimanalo	Meeting notes
232	Interim changes	Plans should include info vacant lots, a map of vacant lots. Share that info.	Waimanalo	Meeting notes
233	Interim changes	The public shouldn't have input. Limit to beneficiaries.	Waimanalo	Meeting notes
234	Interim changes	Those who live in homestead households.	Waimanalo	Meeting notes
235	Interim changes	How do you know the person is a beneficiary? Need process to verify	Waimanalo	Meeting notes
236	Interim changes	Do these changes happen often?	Waimanalo	Meeting notes
237	Interim changes	New technologies should warrant changes	Waimanalo	Meeting notes
238	Interim changes	Public shouldn't have input on when to change plans. Should be native Hawaiians as specified in the act. HHCA.	Waimanalo	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
239	Interim changes	What about Hawaiians living on mainland?	Waimanalo	Meeting notes
240	Interim changes	Follow definition in the HHCA.	Waimanalo	Meeting notes
241	Interim changes	All changes should go through beneficiary consultation	Waimanalo	Meeting notes
242	Interim changes	Beneficiary consultation should include questionnaire	Waimanalo	Meeting notes
243	Interim changes	What is an interim change? Doesn't mean temporary	Waimanalo	Meeting notes
244	Interim changes	Anything that affects land assets	Waimanalo	Meeting notes
245	Interim changes	Shorter time frames. Reports on progress whithin the time frame of plan. Make public.	Waimanalo	Meeting notes
246	Interim changes	20 year plan ok. If logical, then change.	Waimanalo	Meeting notes
247	Interim changes	Everybody that lives on Hawaiian Homesteads	Waimea; PM	Meeting notes
248	Interim changes	Applicants, lessees, homstead associations, beneficiary organizations	Waimea; PM	Meeting notes
249	Interim changes	#2--yes, interim changes; beneficiary orgs/hmstd assoc doing work in community Update when projects complete or no longer valid Community part should be allowed to change	Waimea; PM	Meeting notes
250	Interim changes	Can beneficiaries/communities generate revenue?	Waimea; PM	Meeting notes
251	Interim changes	Methodology used e.g. 600 gals Puukapu water Outcomes/end results--objective of the plan/intention Evaluation of a prior plan period Validation of a change e.g. Island plan--relfect on how external plans impact (re: above: maybe not for Gen Plan, but certainly all other plans) Relate/reference & coordinate DHHL plans w/external plans	Waimea; AM	Meeting notes
252	Interim changes	8 years instead of 5 years	Waimea; AM	Meeting notes
253	Interim changes	Circumstances when land use changes, i.e., county temp dump next to Lalamilo homestead	Waimea; AM	Meeting notes
254	Interim changes	Any interim change to any plan that previously went thru BC, needs to (again) go thru BC	Waimea; AM	Meeting notes
255	Interim changes	Consider criteria (i.e., health/safety, etc) then an interim change may be considered/move forward--flip side: an opportunity comes up, define "opportunity" Incl. the same language that's in the proposed rule To further homestd development; example of specific/explicit criteria DHHL sustainability Opportunities consistent w/Gen Plan	Waimea; AM	Meeting notes
256	Interim changes	Minimum number of beneficiaires when public requests interim changes	Maui	Meeting notes
257	Interim changes	Shouldn't have interim changes	Maui	Meeting notes
258	Interim changes	Interim changes require beneficiary consultation	Maui	Meeting notes
259	Interim changes	Time frame too long	Maui	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
260	Interim changes	Shorter time frame for Tier 2 & 3 plans-- Tier 3 every 4 years; Tier 2 every 7 years with review in 5 years	Maui	Meeting notes
261	Interim changes	If member of public, need beneficiary support	Maui	Meeting notes
262	Interim changes	What is the cost and where is money coming from	Maui	Meeting notes
263	Interim changes	Shorter timeframe from 8 years to 5 and no need changes	Maui	Meeting notes
264	Interim changes	Chairman and/or majority of HHC	Maui	Meeting notes
265	Interim changes	Need interim updates on island information, e.g. land exchanges	Molokai; AM	Meeting notes
266	Interim changes	Years move, changes happen, allow interim changes as things progress	Molokai; AM	Meeting notes
267	Interim changes	When we get new land coming into inventory	Molokai; AM	Meeting notes
268	Interim changes	Who: beneficiaries. Commissioner is the process. Propose for Chair	Molokai; AM	Meeting notes
269	Interim changes	Require BC even if Chair initiates it	Molokai; AM	Meeting notes
270	Interim changes	Remove "member of the public." Dangerous to let them decide for us what happens on HHL. Benefits them not beneficiaries	Molokai; AM	Meeting notes
271	Interim changes	Ok for member of the public if there's a beneficiary interest	Molokai; AM	Meeting notes
272	Interim changes	Always come from beneficiaries. It should go through homestead community reps first	Molokai; AM	Meeting notes
273	Interim changes	Beneficiary initiated; beneficiary benefits. BC for everything, even if beneficiary initiated	Molokai; AM	Meeting notes
274	Interim changes	Change is a broad term	Molokai; AM	Meeting notes
275	Interim changes	Surrounding zoning makes changes	Molokai; AM	Meeting notes
276	Interim changes	Should always be a public BC--so everybody is heard. All beneficiaries--opportunity to hear from all the peole. Not limited to a certain hui.	Molokai; AM	Meeting notes
277	Interim changes	Face to face is best	Molokai; AM	Meeting notes
278	Interim changes	Multiple ways to provide testimony	Molokai; AM	Meeting notes
279	Interim changes	Beneficiaries should be able to initiate changes	Molokai; PM	Meeting notes
280	Interim changes	Be aware of changes & impact	Molokai; PM	Meeting notes
281	Interim changes	Should be beneficiaries	Molokai; PM	Meeting notes
282	Interim changes	Children take part from generation to generation	Molokai; PM	Meeting notes
283	Interim changes	Circumstance is getting peole on the land and high cost of housing	Molokai; PM	Meeting notes
284	Interim changes	Applicants should have voice or input	Molokai; PM	Meeting notes
285	Interim changes	Non-beneficiaries should not have a say	Molokai; PM	Meeting notes
286	Interim changes	Living on the homestead & those applying	Molokai; PM	Meeting notes
287	Interim changes	Any valid change like needs	Molokai; PM	Meeting notes
288	Interim changes	Yes, allow interim changes	Lanai	Meeting notes
289	Interim changes	Chair shouldn't be allowed to initiate changes alone--HHC apprval. Also check with Ags	Lanai	Meeting notes
290	Interim changes	Should be a majority of the HHC?	Lanai	Meeting notes
291	Interim changes	Beneficiaries? Lessees--yes. Applicants--not so much	Lanai	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
292	Interim changes	Lessees live in that neighborhood--they would know but applicants should still have say	Lanai	Meeting notes
293	Interim changes	General public--only if they're Hawaiians	Lanai	Meeting notes
294	Interim changes	Not for general public	Lanai	Meeting notes
295	Interim changes	Murdoch--we wanted 100 acres, got 50-something than nothing	Lanai	Meeting notes
296	Interim changes	Yes--whent Lanai ownership changes hands, should do a plan update	Lanai	Meeting notes
297	Interim changes	Now would be the time to change it	Lanai	Meeting notes
298	Interim changes	Plans should be reviewed more often--could be natural disasters, etc. Should look at yearly. Ask beneficiaries if changes are needed	Molokai; 8/24	Meeting notes
299	Interim changes	Use plans to get $$ from legislature--needs to be solid	Molokai; 8/24	Meeting notes
300	Interim changes	Priority #1 is water	Molokai; 8/24	Meeting notes
301	Interim changes	Who's going to review the plans yearly? Those most affected	Molokai; 8/24	Meeting notes
302	Interim changes	Yes--allow	Molokai; 8/24	Meeting notes
303	Interim changes	Advisory committee to commission	Molokai; 8/24	Meeting notes
304	Interim changes	Need to have food and drinks at planning meetings	Molokai; 8/24	Meeting notes
305	Interim changes	Beneficiaries as advisory	Molokai; 8/24	Meeting notes
306	Interim changes	Participate in A&M so have a stronger voice	Molokai; 8/24	Meeting notes
307	Interim changes	County had plan that they approved and needs to follow; I don't thing the dept should allow interim changes	Keaukaha	Meeting notes
308	Interim changes	How does DHHL plans and county plans interface/relate? i.e., building set backs; resolving conflicts via rule process	Keaukaha	Meeting notes
309	Interim changes	We will not relinquish any rights by dept, including land use--make that part of the purpose/definitions	Keaukaha	Meeting notes
310	Interim changes	Tired of tossed around between county and DHHL	Keaukaha	Meeting notes
311	Interim changes	Create liaison officer(maybe commissioner)--advocate on behalf of beneficiaries even if not at meeting or in process	Keaukaha	Meeting notes
312	Interim changes	Provide info/technical assistance on technical matters	Keaukaha	Meeting notes
313	Interim changes	District office manager job description with skill set to deal the county/state processes and beneficiaries (issue with disection/authority)	Keaukaha	Meeting notes
314	Interim changes	Beneficiaries should have say in decisions made on a specific island/community	Keaukaha	Meeting notes
315	Interim changes	What qualifies/justifies for interim changes? --beneficiary driven initiatives --*maybe--carrying capacity (reassess based on infrastructure) --natural disasters	Keaukaha	Meeting notes
316	Interim changes	Before interim changes is made need to consult with beneficiaries	Keaukaha	Meeting notes
317	Interim changes	Only *beneficiary orgs/associations should initiate interim change to plans; no one individual shoud make request	Keaukaha	Meeting notes
318	Interim changes	Create range of updates periods (i.e., 4-8 years, 8-10 years)	Keaukaha	Meeting notes
319	Interim changes	Mahiai St without consultation	Keaukaha	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
320	Interim changes	Why change when plans develop? Go back to Island Plans--priority but not implemented (Lower Piihonua, Humuula)	Keaukaha	Meeting notes
321	Last comments	Look at property tax & get people on the land	Maui	Meeting notes
322	Last comments	Accountability is what planning system provides	Maui	Meeting notes
323	Last comments	Exchange of expectations to improve plans	Maui	Meeting notes
324	Other	Put flier in district office, assoc pres notification of next draft	Waimea; AM	Meeting notes
325	Other	Delete void provision in 10-4-59	Maui	Meeting notes
326	Other	List circumstances for beneficiary consultation--EA, EIS, SMA, or reference any statutory	Maui	Meeting notes
327	Other	10-4-60 should include ad hoc committee of lessees & applicants	Maui	Meeting notes
328	Other	Budget increasing--how is cost capped so money can be for housing	Maui	Meeting notes
329	Other	Legislative strategy to secure sufficient funding for plans	Maui	Meeting notes
330	Other	How do we get people past planning stage Get building inspecters & permits Lenders--loan requires permit process Insurance requirements Start permitting and planning works sub/division [within DHHL] DHHL should be the banker	Maui	Meeting notes
331	Other	DHHL declare lands are sovereign & DHHL declare sovereignty	Maui	Meeting notes
332	Other	What happened to water on DHHL?	Maui	Meeting notes
333	Other	Maui Island Plan in 2004 & need update	Maui	Meeting notes
334	Other	Big General Plan done in 2002	Maui	Meeting notes
335	Other	In all aspects of planning process, beneficiary embedded in process	Maui	Meeting notes
336	Other	Beneficiaries at the table and early in the process	Maui	Meeting notes
337	Other	Communication on priorities and timeframes	Maui	Meeting notes
338	Other	Where does money for commercial land go and get FMV for use of land	Maui	Meeting notes
339	Other	Sovereignty of land would increase value of land	Maui	Meeting notes
340	Other	HHCA governed by US Congress	Maui	Meeting notes
341	Other	HHC must agressively use authority to address needs of beneficiaries in a timely manner	Maui	Meeting notes
342	Other	DHHL not aggressive enough so need to be more aggressive	Maui	Meeting notes
343	Other	Review and update plans	Maui	Meeting notes
344	Other	Dept help those who cannot afford home by providing loans and construction at low cost	Maui	Meeting notes
345	Other	Land is sovereign	Maui	Meeting notes
346	Other	Mechantile staff on each island	Maui	Meeting notes
347	Other	When was land given for tennis courts in Leialii	Maui	Meeting notes
348	Other	HHC versed with training & orientation of vision & expectations	Maui	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
349	Other	Election of HHC because HHC appointed	Maui	Meeting notes
350	Other	Chairman like EO instead of on HHC	Maui	Meeting notes
351	Other	Some of our kupuna don't have internet--have at DO	Molokai; AM	Meeting notes
352	Request review	No general public	Kapolei	Meeting notes
353	Request review	Concern: associations counting households, need to focus on lessee, household couble be non-beneficiary	Kapolei	Meeting notes
354	Request review	Let all community know	Kapolei	Meeting notes
355	Request review	Successors could be included--(may be) classes as general public	Kapolei	Meeting notes
356	Request review	Members of lessee's household could make changes	Kapolei	Meeting notes
357	Request review	Not eliminate public living in homestead	Kapolei	Meeting notes
358	Request review	Commission members ok	Kapolei	Meeting notes
359	Request review	Beneficiaries--ok	Kapolei	Meeting notes
360	Request review	General public--no, but what about elected officials that represent a large number of native Hawaiians	Kapolei	Meeting notes
361	Request review	Ok if a community project gets challenged by beneficiaries--need transparency	Kapolei	Meeting notes
362	Request review	Rentals at Nanakuli Village Center to non-Hawaiians--want to know how that happened. Need transparency in the planning.	Kapolei	Meeting notes
363	Request review	Should not go back on the list if they sell their home--"one bite of the apple." They don't need Hwn homes. Applicants stay in the same place. Revolving door is not ok	Kapolei	Meeting notes
364	Request review	Think of all the things that cold happen before you make a decision on complicated situations	Kapolei	Meeting notes
365	Request review	Why are you looking at giving existing lessees bigger lots when there are applicants still waiting? (pastoral)	Kapolei	Meeting notes
366	Request review	Transparency--noticing when a lot is available	Kapolei	Meeting notes
367	Request review	If someone wants to sell, should have to go down the list	Kapolei	Meeting notes
368	Request review	Rule change--need to advertise, even if improvements	Kapolei	Meeting notes
369	Request review	Should have to go back into the inventory--surrender	Kapolei	Meeting notes
370	Request review	HHC, beneficiary, public	Kauai; PM	Meeting notes
371	Request review	Beneficiary	Kauai; PM	Meeting notes
372	Request review	Democratic review	Kauai; PM	Meeting notes
373	Request review	Check emergency project in plan	Kauai; PM	Meeting notes
374	Request review	Tiny homes/ADU/Waiawa issues	Kauai; PM	Meeting notes
375	Request review	Beneficiary can initiate review	Kauai; AM	Meeting notes
376	Request review	Applicants must know they are beneficiaries; education needed	Kauai; AM	Meeting notes
377	Request review	Public & beneficiairy ok watchdog	Kauai; AM	Meeting notes
378	Request review	Public request ok	Kauai; AM	Meeting notes
379	Request review	All perspectives important	Kauai; AM	Meeting notes
380	Request review	20, 10, 5 plan horizons	Kauai; AM	Meeting notes
381	Request review	Broader information on plans not just HHC mtg	Kauai; AM	Meeting notes
382	Request review	Use lessee orgs to host mts for applicants	Kauai; AM	Meeting notes
383	Request review	Schedule mtg re communities	Kauai; AM	Meeting notes

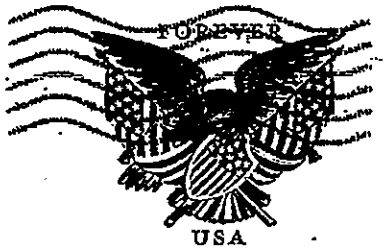
	A	B	C	D
1	Topic	Comment	Meeting	Method
384	Request review	Lessees--only	Waimanalo	Meeting notes
385	Request review	DHHL beneficiaries	Waimanalo	Meeting notes
386	Request review	Homestead associations	Waimanalo	Meeting notes
387	Request review	Non-homestead lands should be used for homestead	Waimanalo	Meeting notes
388	Request review	Ben. Consultation is good. Face to face is the best.	Waimanalo	Meeting notes
389	Request review	More regular enforcement of leases	Waimanalo	Meeting notes
390	Request review	Not the public	Waimanalo	Meeting notes
391	Request review	Person of Hawaiian ancestry	Waimanalo	Meeting notes
392	Request review	DHHL beneficiaries	Waimanalo	Meeting notes
393	Request review	Lands not used for homesteading can still be of benefict to beneficiaries	Waimanalo	Meeting notes
394	Request review	Limited to beneficiaries & staf (those who have standing)	Waimea; AM	Meeting notes
395	Request review	Remove gen public in proposed rules--research. Can DHHL do this? & pls follow up/circle bak to us	Waimea; AM	Meeting notes
396	Request review	Wording "public"--govt agency	Waimea; AM	Meeting notes
397	Request review	Maybe doesn't matter who submits an app...as long as BC also still needs to go to HHC for approval	Waimea; AM	Meeting notes
398	Request review	Be consistent if will use "public"	Waimea; AM	Meeting notes
399	Request review	Duly recognized assoc request enforecement	Maui	Meeting notes
400	Request review	Listen to assoc to save money and allow for community dev	Maui	Meeting notes
401	Request review	Voting or veto for this process	Maui	Meeting notes
402	Request review	System for complaint to be acted on	Maui	Meeting notes
403	Request review	HHC act on issue brought to HHC	Maui	Meeting notes
404	Request review	Initiative process for beneficiaries	Maui	Meeting notes
405	Request review	At Tier 3, enforcement path to correct what DHHL doing	Maui	Meeting notes
406	Request review	Revive Act 302 process	Maui	Meeting notes
407	Request review	Implement Act 302	Maui	Meeting notes
408	Request review	Beneficiries should have right to create a vote statewide to override input of the public	Maui	Meeting notes
409	Request review	Statewide vote shouldn't be done because other communities shouldn't make decisions for issues impacting an island	Maui	Meeting notes
410	Request review	Gov can smash everything	Maui	Meeting notes
411	Request review	Beneficiary consultation on land exchanges	Molokai; AM	Meeting notes
412	Request review	HHC member--yes.	Molokai; AM	Meeting notes
413	Request review	Beneficiaires--yes.	Molokai; AM	Meeting notes
414	Request review	Member of the public--yes.	Molokai; AM	Meeting notes
415	Request review	Should have to go through beneficiaires. Offended at HHC meeting--non-homesteaders could take up a lot of time on HHC agenda; we only get HHC once a year	Molokai; AM	Meeting notes
416	Request review	Any beneficiary should be able to request	Molokai; PM	Meeting notes
417	Request review	Non-beneficiary should not have a say because this is Hawaiian Home Lands	Molokai; PM	Meeting notes
418	Request review	Lessee should have the voice [for the household on HHL matters]	Molokai; PM	Meeting notes
419	Request review	The ability to subdivide is important issue	Molokai; PM	Meeting notes

	A	B	C	D
1	Topic	Comment	Meeting	Method
420	Request review	Gotta make it right, make it pono, yes, HHC should be able to request	Lanai	Meeting notes
421	Request review	Beneficiaries--same thing--yes. Like the county	Lanai	Meeting notes
422	Request review	Member of the public--no.	Lanai	Meeting notes
423	Request review	Beneficiaires	Molokai; 8/24	Meeting notes
424	Request review	Who enforces that State pays what they're supposed to?	Molokai; 8/24	Meeting notes
425	Request review	Beneficiaries affected by the change	Molokai; 8/24	Meeting notes
426	Request review	DHHL should enforce and regulate	Molokai; 8/24	Meeting notes
427	Request review	Should always have food and drinks at meetings	Molokai; 8/24	Meeting notes
428	Request review	Beneficiaries	Molokai; 8/24	Meeting notes
429	Request review	Ahupuaa o Molokai	Molokai; 8/24	Meeting notes
430	Request review	non-beneficiaries too--good to hear another voice	Molokai; 8/24	Meeting notes
431	Request review	Get orgs together so it's not just on person's agenda	Molokai; 8/24	Meeting notes
432	Request review	DHHL--get out of the state, go back to the feds	Molokai; 8/24	Meeting notes
433	Request review	Need "approval/review" process so at minimum beneficiaires and associations can come back to dept and review plans and resolve conflicts	Keaukaha	Meeting notes

EXHIBIT F

[redacted]
Kuhlspny, HI 96767

HONOLULU HI 968
26 JUL 2017 PM 5 L



DHHL
Att. Hokulei Lindsay
POB 1879
Honolulu, HI 96805

DEPT. OF HAWAIIAN HOME LANDS
2017 JUL 28 A 9:08

96805-187979

Aloha to everyone who is looking out for the best interests of the DHHL BENEFICIARIES.

First of all, I would like for us beneficiaries, staff & employees of DHHL to remember who gave Us our lands & water & only He (God) owns it. We all have part in being stewards to what has been given because He sees everything. With that said, I would like to suggest some of my interest in these 2 topics.

DHHL Water System of the island of Molokai.

DHHL KULEANA

1. Is there a water pump up in the mountain that sits on DHHL land? If there is not, than I suggest we put a pump in the highest part of the DHHL mountain land to get water more efficiently & the pumps don't have to work hard pumping water upwards. Most of the water comes from mountains where it rains a lot.
2. Educate the lessees & their family about the water meter & what Kuleana are theirs & the department.
3. I agree to warn & then shut off the delinquent homesteader water pipe if they don't pay, but the rate should change. Commercial, agricultural & pastoral land rates should include the water pumps, pipelines, vehicles, water usage & etc. They have bigger lands, it's a business that profits them, & there is more maintaining. Residential land should be charged only for the maintenance & not the usage of water. The water for residential should be monitored, so we don't go over the maximum usage that is required. When it goes over, than we should pay for the extra water usage.
4. All department staffs should have all the fruit of the spirit of God, (love, joy peace, longsuffering, gentleness, goodness, faith, meekness, temperance), because you were blessed with this job to help. We can't go to any other place, but you (DHHL) to answer our questions for our needs, help, or anything. I work @ a place where I come in contact with customers that are not the same, but I wait, listen, let them finish talking about their concern, and then I addressed it until we have it solved. It is not easy most days, but we wanted the job.
5. DHHL should not sell, borrowed it out, or give any water to anyone other than Homesteaders.
6. Why was Kalamaula mauka residential? There are boulders, rocks, rocks, rocks, & more rocks. If that was the plan, I think DHHL should've the big machines to clear the land to where we can plant grass & plants, and make use of the rocks to build stonewall for the homesteaders (Pile it up one place).
7. DHHL should supply machines to help residential homesteaders out.
8. DHHL should make everything transposed before anything that will affect the beneficiaries. Shouldn't let outside entities or groups dictate us. We were given gifts to us because we humbly ask, not for power, greed, or evil. We live in our homes to enjoy family, friends, & to pass it on to our children. We need water to drink, bathe, drink for our plants & much good use, not for swimming pool that takes up to much water. It looks like we who was born & still live here have to be the conservative one, yet those who come here don't understand the meaning of content & thankful, but here to make money, money, money, sell & abuse our resources, don't have to work, want to change the living here, & go back where their real home is & spend the money there.

EXHIBIT F

9. I would think that homesteaders don't ask for much, but to trust those that would help us to follow the rules that is for everyone equally & not favoritism. In the best interests for us our children, our children's children & so on. Enough has been taken away, so help us to preserve & to put to use what God has given us.

DHHL PLANNING SYSTEM

1. In each Homestead community there should be the BEST playground for our children from 4yrs-17yrs old.
2. In each Homestead community there should be a FULL hall or center with everything, parking included.
3. I believe that we are richly blessed in money, only if we go get it, so our plans can go.
4. When we get awarded or we get monies, that should be for fixing up, improvements, checking off the do list, and not for staff. You need to wait in line just as everything else, and you are getting paid already.
5. The plans should accommodate beneficiaries & not be costly to use.
6. We pay a lot already, so having our own land to build the resources for the beneficiaries will help us to enjoy and not have to pay.
7. LANDS are very special to us & the lands that are leased should be able to pay for our necessities.
8. Just make sure that the planning is what we beneficiaries want, & not what the government want to sign. I mean we are the beneficiaries that are affected.

Mahalo

[redacted]

Mahalo everyone @ the Kalama'ula Hale or Conference Room on Molokai

[redacted]

EXHIBIT F

July 1, 2017

MEMORANDUM

To: Hokulei Lindsey, DHHL Administrative Rules Officer

From: [redacted], Beneficiary and Homestead Lessee

Subject: COMMENTS ON DHHL PROPOSED WATER SYSTEM RULES

Aloha and thank you for providing a copy of the subject draft rules for comment.

The proposed rules were complex and lengthy, covering many aspects of the system and different circumstances. I appreciated the fact that it conveyed to the reader how serious water system operations are to human life and public health. We sometimes forget how easily the water we drink can be contaminated, disrupted, or more costly if we don't follow the rules. This means it can be an inconvenience and may cost us money. But maintaining the integrity of the system for the good of all consumers is priority.

My more specific comments:

- I noticed that the proposed rules for Water Service Rates is procedural, offering no direction in how rates would be determined. Consider the possibility of including rates in the rules, rather than having to deal with this issue every time the resolution needs to be re-approved. To me, the issues are fairly straightforward.

- Beneficiary consumers on each island should pay the same as other beneficiaries on the same island's County water systems. This seems equitable and will help support our water systems, though subsidies are still needed.

- Non-Beneficiary consumers should be allowed on our systems when there is an "excess" of water capacity, but they should pay the actual cost to DHHL to deliver the water plus an additional percent to eventually replace the system and defray overall water system costs. N Molokai, for example, this might be $8.00 per thousand gallons. In some cases, the number of consumers (relative to water system capacity) is so low; we should add more consumers/demand to cover system costs.

- Beneficiary farm and ranch homestead lessees who do not have access to State irrigation water should have access to DHHL water and with water rates

EXHIBIT F

which provide incentives for them to farm and ranch.

- There should be a section on water conservation with incentives to encourage consumers to save water.

- There should be some mention of part of the fees being set to eventually replace the water systems. In our use of USDA funds for Molokai, for example, we will have to pay back part of the construction cost.

[redacted]
Kapolei, HI 96707

EXHIBIT F

June 30, 2017

MEMORANDUM

To Hokulei Lindsey, DHHL Administrative Rules Officer
Office of the Chairman

From: [redacted] Beneficiary and Homestead Lessee

Subject COMMENTS ON DHHL PROPOSED PLANNING SYSTEM RULES

Aloha, Hokulei, and thank you for transmitting a copy of the proposed rules for my review and comment.

-51 Purpose

Add language to mention the trust responsibilities we have and our responsibility to the trust - that is, to ensure this perpetual trust to benefit beneficiaries, now and in the long term, as well as the sustainability of the trust itself.

Add language to show the planning system is goal and results driven. Words like "comprehensive, consistent, and collaborative" seem bureaucratic and lacking action.

-52 Definitions

Under "Implementing Actions" add language regarding legislation and program work plans.

-54(c) Adoption and Amendment - Interim Amendments

The proposed language allows interim amendments to be requested by the Chairman, Department (I assume by the DHHL Planning Director), and any beneficiary or member of the public.

Unlike County General, Development, and Land Use Ordinance/Zoning plans which seek to manage public and private lands, Hawaiian home lands are public lands owned by the State of Hawaii. The HHC has total control over the terms for use of Hawaiian home lands. The HHC has broad discretion and many more tools available as the landowner to promote and manage use of its land.

EXHIBIT F

The amendment requests, both the substance and process, are complex, costly, and lengthy. They require data and analysis at a level similar to that conducted for master plans and environmental assessments. The data and analysis must take into account the interests of the perpetual trust, its homestead lessees and applicants, other native Hawaiians, now and in the long-term, specific and big picture. Past island plan amendments (like West Hawaii, Anahola) have involved consultant assistance, cost more than $25,000, are likely to take 6 - 12 months with consultation, and involve considerable staff time.

Do we want to set up a system where anyone can request a land use change over any property, triggering a lengthy and costly review, even when they have no property interest?

Should the Department "bundle" requests over a period of time and initiate a large-scale interim review?

Should requests be limited to those with a property interest (like a lease or license) or to property with no property interest (like vacant unencumbered land)?

How do we ensure that the proper level of data and analysis takes place so the HHC can conduct an orderly review and act?

Should we limit interim amendments of Tier 2 and 3 to comprehensive reviews (every 8 years), unless it is urgent and time is of the essence?

-54(d) Consistency and Conflict

Add a section on the need to consider other State and County Plans.

-55 General Plan (Tier 1)

Add: Establish criteria to identify lands for cultural and natural resource use and protection.

Add: Policies, priorities, and results to achieve through program plans.

-58(a) Add: legislation

-60 Beneficiary Consultation

(c) Consultation Methods - Add: At a minimum, beneficiary consultations will be posted on the DHHL website.

EXHIBIT F

On a related note, I wanted to encourage you to make the draft Planning System rules available to a wider group for review and comment. As a State department with exclusive control over 203,500 acres and program initiatives, HHC decisions affect the Counties and other State agencies in supporting their work (or not). More importantly, DHHL seeks their cooperation and support of our initiatives. We often receive helpful comments from them. Consider sending copies or having a review session with:

State Agencies, especially planning or facilities sections in:

- Transportation
- Education
- Land and Natural Resources
- Agriculture
- Office of State Planning

County Agencies:

- Planning and Permitting
- Public Works

Planning Organizations

- American Planning Association, Hawaii Chapter

Past HHC Chairmen who have hands-on experience of managing collective and long/short term interests

- Ray Soon (also a professional planner)
- Kali Watson
- Micah Kane

Local Planning Firms with a working history with DHHL

- PBR Hawaii
- G70 (Kawika McKeague)
- HHF Planners (David Curry)
- Past PBR Planner Scott Abrigo (now at KS)

EXHIBIT F

[redacted]

DHHL Proposed changes to the Hawaiian Home Lands Administrative Rules:
Proposed Planning System Rules and Proposed Water System Rules: Beneficiary Consultation

Consultation provided by [redacted] on 7/6/17 at DHHL Kuhio Hale

Aloha my name is [redacted]. I am here to give input as a lessee and beneficiary of the Department of Hawaiian Home Lands Puu Kapu Pastoral Homestead Community, regarding the Proposed Planning System Rules and Proposed Water System Rules to the Department of Hawaiian Home Lands Administrative Rules.

I have a 15 acre lease (passed on to me by my mom) located on the upslopes of Mauna Kea, within the Puu Kapu Ahupua'a.

I would first like to acknowledge the efforts made to get to this stage of the DHHL Commission rule making and changes process. I am grateful for the opportunity to provide beneficiary feedback, input and questions today.

I will start by saying I am in support of the DHHL evaluating its Administrative Rules and improving them as needed for the benefit of fulfilling the intentions of the HHC Act for us, its beneficiaries. I find it a proactive, responsible, and sustainable approach that has been long overdue. I hope to see continued follow through of this process and regular and consistent updates and dialogue by the DHHL and with us the beneficiaries, and all other related entities.

After reviewing the proposed changes to the Administrative Rules, Subchapter 4 (Planning System) and Subchapter 5 (Water Systems) I have the following questions and comments that I will share with you at this time. I hope to receive answers, feedback or at least acknowledgment of receipt from the DHHL of my questions and comments, prior to the formal approval and acceptance of these proposed changes.

I will begin with feedback to subchapter 4 proposed changes, Planning System:

Administrative Rule 10-4-53 General Framework:

The Department released back in January for public the the State DLNR the July 2016 Advance Final Report of the State Water Projects Plan Update Hawaii Water Plan, Department of Hawaiian Home Lands, prepared for the Department of Land and Natural Resources State of Hawaii, by Fukunaga & Associates, Inc. Where does this plan fall within the planning system? Is it a Tier 2, specificity, was it looked at and considered along with any other similar plans when proposing the changes to the planning system? I feel strongly and recommend that plans as substantial as the State Water Projects Plan need to be included and identified appropriately in relation to the Planning System. There were a lot of methods identified by the DHHL in that Water Projects Plan that are used by the department which should be reviewed for compatibility with the proposed changes in subchapter 4.

Administrative Rule 10-4-54 (b2) Adoption and amendment procedures:

The Department is proposing that tier 2 and 3 plans be reviewed every 8 eight years. I feel this is to long of a time period. I would like to ask the Commission to consider a 3-5 year window. To go 8 years between each review period would more likely cause a 10 year actual "action"

EXHIBIT F

period, where if reviews are done every 3-5 years, if any action is needed the window to complete such action would be more like the intended 8 years.

Administrative Rule 10-4-54 (c2) Adoption and amendment procedures

The Department is proposing that "upon adoption of tier 2 plans, the commission may concurrently amend the general plan, when appropriate, with applicable policies or maps supported by the tier 2 plan and without additional beneficiary consultation already conducted for the tier 2 plan"
I would like to request and recommend the following additional language be added as an added at the end of that section as an added protection to establish and or maintain a level of trust between the Department and the beneficiary: "or where amendments are not in direct conflict with beneficiary consultation during the initial consultation period of the tier 2 plan."

Administrative Rule 10-4-55 General Plan (tier 1):

This section speaks to a lot of suggested criteria to determine land identification, land use, infrastructure and community facilities or program plan or methodology to develop such standards. I agree with the establishment and use of criteria.
I ask and feel strongly and recommend that this section be expanded to include the establishment of "weighted criteria" and not just criteria. Though this process could add time on the front end, criteria does not create a clear path to follow when it is not weighted in order of priority. Projects resulting from unweighted criteria become very inconsistent and sometimes stop or hit a road block. Processes used throughout that project also become hard to evaluate and measure efficiency. Weighted criteria or the ranking of the criteria should be a joint effort between the DHHL and the beneficiaries. The process may seem burdensome in the beginning, but after the criteria is set and priorities are accepted by all, as best as can be, the work done after to see a project, plan, etc, through is consistent and clear and easily measured and evaluated.

I now move on to my feedback to subchapter 5 proposed changes, Water Systems:

I commend the department for creating this subchapter. It has been long overdue. It is a good starting point.

I ask the Department to evaluate if this subchapter and recommend it should be broken into 2 parts. 1 part being the subchapter 5 which speaks to purpose, adminstration, definitions and the rest actually be removed from the administrative rules and be combined into an actual Rules and Regulations. These can be universal and then modified by system specific needs. I am concerned that trying to combine the intent of this subchapter and overall guidance the department will follow along with the with the details and more in depth levels of managing the water systems, the process will not work and become over burdensome with requested exceptions or amendments.
As already know by the department and the beneficiaries, the 4 water systems currently owned by DHHL are very different in their make up, type of water system sold and type of distribution system. The details identified in 10-4-65, 66,69,70,71-89 are really more appropriate as rules and regulations to specific systems and may not fit all circumstances "cookie cutter" style for all the different water systems.

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[redacted]

Also, with EPA rule changes and regulatory compliance requirements, some of the details in these sections may need to updated or amended or reviewed on a more frequent basis.

Definitions:
I am concerned that some of the definitions called out, i.e. Potable Water, Public drinking Water System, are not consistent with that of the Safe Drinking Water Act and will cause confusion and possible conflict with some of the other sections details and requirements. Making it harder to manage this program. I recommend the Definitions be revisited and revised to be consistent with that of the Department of Health Regulation i.e. Potable, Public Water System, Non-Potable etc. This will make it easier for the Department of Hawaiian Home Lands to develop water system rules and regulations and it will make it clearer for their end users and customer (beneficiaries). On a Federal level, The Safe Drinking Water Act literally spells out all types of Community Water Systems and or non-community. The definitions used here should all be consistent, even if non-potable.

Section 10-4-65 (b) Public Water Spigots

How does the Department plan to address those hauling water using small portable tanks that are not a permanent tank or set up with an air gap, i.e. those currently hauling out to the Puu Kapu Pastoral that use a hose to fill? I recommend a grandfather clause be considered for those areas who have hauled potable water this way for years to continue allowing this, but I recommend the DHHL install an official stand pipe in place of the hose bib faucet and hose set up in these locations (i.e. West Hawaii District Office). The stand pipe need not be fancy by adequate in height that those filling can pull up under it with their tanks. This is turn allows DHHL the protection it needs of an air gap and does not take away the option of hauling with the smaller containers. As this section is written it implies that anyone trying to haul using those could no longer. This would be of detriment to a lot of beneficiaries.

Section 10-4-66 Fire Hydrants

Over all comment. It is not good practice for a water system to allow draw from a hydrant other than for fire purposes. Temporary connections might happen, but the risk of severe water hammers and potential damage to system appurtenances are more likely which increases the cost to maintain such system. I recommend the section be edited to allow for this type of criteria should it need to happen, but this should be highly discouraged and on an emergency need basis.

Sections 10-4-69-72 Accessing of consumers property, installation of water service, responsibility of equipment, electrical grounding:

I recommend these sections be revisited for evaluation of consistency and enforceability. In some of the sections it is made clear the responsibility of the consumer, but yet the authority and ownership related to such matter is stated to be that of the Department. As I currently witness now in our system, this makes it very difficult to manage and create standards of operation. This inconsistency creates confusion and finger pointing. These sections also might create conflict with Privacy Acts and Trespassing Laws.

EXHIBIT F

[redacted]

In one section 10-4-71 responsibility of equipment

It speaks about disconnecting services if plumbing fixtures or things on the customer end are not to Departments approval, yet in section 10-4-70 Installation of water service the rule states that anything downstream of the meter is the customers responsibility and not any part of the Departments responsibility. This is a direct conflict from one section to the next. This to me causes confusion and a gap on how to enforce any of these items, when there is not a clear consistent delineation of where the Departments responsibility ends and the consumers begins. This is a section better fir for rules and regs and not administrative rules.

Also in these sections, specifically 10-4-71 (e):
The rules imply that the department can access equipment at any time needed without consumer. Have easements been identified, or will easements be addressed, to protect both the consumer and the department from any unnecessary liability issues? I recommend the establishment of easements be done prior to anyone trying to access water system appurtenances on someone's private leased property.

10-4-71 (g) damage to meter from hot water
Though I understand the issue trying to be addressed, I recommend more research be done on this matter to better identify solutions to the issue, maybe a reference to a plumbing code. How will investigation be handled to prove it was an error on the consumer end prior to just holding the consumer responsible? I recommend a detailed process be outlined on how an investigation will be conducted. This is another section that is an item better fit into rules and regs then into the Administrative Rules.

10-4-73 Cross connection control program:

In my opinion this is a good start, but is lacking of a form al plan. It can and should be reviewed again in more detail, prior to acceptance.
This section starts to specify the requirements, but none seem to be enforceable or traceable. I recommend the Department look at stating it clearly that inspections are done once a year and copies of the inspections are due to the department within 44 days of the inspection. This section does have some conflicting guidelines and could be cleaned up after further review.
Within this section 10-4/-73 (e): Is the department trying to call out a redundant system? Which is a parallel installation? I recommend this be a matter addressed at construction of a new water system with licensed engineers as it is costly and not normal for residential use, more for hospitals, schools larger users like that. It does not make sense to me to have it in the Admin Rules or Rules and Regs, but I would recommend it be better fit into Rules and Regs.

10-4-73 (o4 and q)Cross connection control program:

Please correct to A "certified backflow tester" as there is actual certifications titled as such for this purpose and recognized by the EPA and Primacy.
There is not a mention of a Certified Backflow Specialist who again is certified to do the inspections and make the determinations of a lot of the applications and non-approved applications this entire section calls out. Again, this makes it very hard to actually implement.

10-4-75 Water Pressure and elevation:

EXHIBIT F

Tying this comment back to one I made earlier about clarifying definitions, in a Potable water system (which is a Public Water System and regulated by the Dept of Health) a system is required to maintain system pressures at 20 psi or more. Part of this is because backflow assemblies do not work once pressure drops below 20psi. I recommend that department review this section again, and really look at public water system safe drinking water act rules apply for the systems the Department owns that are regulated. For those that are not, this section makes a little more sense, but then I question the requirement of backflow assemblies when it might be know that certain areas cannot afford pressure to operate the backflow assembly. Again, added unnecessary costs for the consumer and or the department. If the system is deemed a non-potable and the DHHL will run it as such (no regular testing or monitoring of water or backflow assemblies) backflow preventors not be required of the beneficiaries. If these are to be required in non-potable systems as well, then for the safety and protection of all connected to the system, I recommend the department provide the annual testing of the assemblies to ensure they are properly functioning. This is another section that would fit better into rules and regs.

Also, in this section (b) I'd like to request the department look at establishing a rule that of there are X many homes in the same area that do not have adequate pressure that the department make it a part of their construction plan to have booster pumps installed and have the existing language be used for after the fact construction projects where it is a sporadic distribution of no pressure. I would like to see the standard rule be more proactive where the costs can be shared by all and not a burden placed on the individuals because of lack of planning.

Section 10-4-81 (i) Delinquency, shut off and collections:
This is not fair and I feel it should be relooked at. If a service is disconnected and meters removed, there are many variables that come into play. A permanent disconnection, vs a temporary and these should be addressed accordingly and not blanketed.

Section 10-4-84 Unscheduled meter replacement:
I would like to request this section be reviewed once more and that thought be given to allowing at least 1 courtesy call out. This section should be expanded.

Section 10-4-86 Water Charge Adjustment:
I would like to see a actual time frame called out. 30 days or 60 days and not just as is "timely manner". There has got to be a two way street here. In all sections clear time frames are called out when the consumer needs to act or do something, why is it when the Department needs to take action in benefit of the consumer the time frame is loose and called out as "timely manner" there should be a level of assurance and ownership by the department here.

There are a lot of fees and charges called out within this subchapter. I question the reasoning to identify such fees here and the need for these fees, when a properly operated and maintained program is in place, these fees are a part of those contracts and included in the monthly charges. This seems to create more work on the department and potential double charges paid for by the consumer. Again, I go back to whether or not some of this needs to broken out of the administrative rules and put into a system specific rule and regulation or a tier 2 plan.

I also did not see anywhere in the rules any reference to rate structure study, evaluation and validation. It is a standard practice that should be enforced and fulfilled by the Department every 3 -5 years, not just for the sake of its consumers, but for assurance that the systems can be sustainable long term. This should include an evaluation of operational and maintenance costs plus long term asset replacement and emergency reserves.

EXHIBIT F

[redacted]

Thank you for your time and again I commend the department for this big step that has been taken. I look forward to continued communications and dialogue with you.

[redacted]

EXHIBIT F

Fwd: Thoughts on Land Use

[redacted]

Mon 8/28/2017 2:15 PM

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

FYI. For the record.

Get Outlook for iOS

From: [redacted]
Sent: Friday, August 25, 2017 12:56:45 PM
To: [redacted]
Subject: Thoughts on Land Use

Aloha All,

My schedule was screwed up yesterday with too many meetings. Got to the consultation meeting one hour early kind of exhausted, and thought we were going to be the only ones attending so decided to call it a day, but I got the handout from the HHL office. I will submit something, especially after the Wednesday kukakuka.

The proposed land use changes will be interesting. I think it's important that those on the land realize they have no control on who moves in next to them. However, my main concern is that it doesn't impact on the farmers who are upholding the original intent of the Act. How will the laws by changed related to 'cultivating your land on our own behalf' and '2/3's cultivation', the obligation to farm and its impact on large lots if they don't farm? I realize the water on Molokai cannot sustain large production or many homesteaders using water. The MIS can only serve 2500 acres at the high end, and climate change is increasing per acre water use big time. We used to use 1 acre inch per acre per week as the standard (27,154 gallons). Last summer it was 1 ½ to 2 acre-inches, and last week it was up to 3 acre inches. There's lots of water now, but with a lot of kona storms in winter, especially from the west, Waikolu doesn't capture the rain and the MIS doesn't get recharged.

I agree on the smaller lots. I just got an email from Kiersten asking how large should a subsistence lot be, and I told her 1-2 acres. The configuration makes a difference, and you want it as close to a square to leave breathing room between lots. Long skinny lots don't provide that. I have 18 ¾ acres and have a hard time farming 3 as a part timer. As a full timer with background and experience in farming, 10 acres would be a real challenge. The one thing I realize is that DHHL can do whatever it wants in regard to land use, lot size, zoning, etc, but with that comes a lot of responsibility/kuleana. Most land use changes go through the gauntlet when moving from the status quo, but DHHL doesn't have to do that if it doesn't want to. As result, it can get innovative but it can also screw up what's already happening there, and this is my concern. If I suddenly have 10 new neighbors downwind from my farm, and they're pissed off at me for making dust on their clothes drying in the wind, life can very contentious with a lot of bad vibes. This has happened to the point where a large farmer was ready to quit. And pigs would have an even bigger impact on air quality. If everyone is on the same page, then no problem, but this is rarely the case especially when you mix traditionally urban dwellers with rural country folk.

If I was in charge and wanted to get people to farm, I would provide tractor service. I see this as a major limiting factor for gardening all the way to production, and hear this all the time and realize this. Few people can afford $30,000 for even a basic tractor and implement, and this need has come out in

EXHIBIT F

surveys and interviews. By the way the HHL Ag Task Force is still relevant and Alton just brought it up this morning. I have some ideas and can secure a large 100 HP tractor with implements if we can find a driver. Most of the implements are at the DHHL base yard in Hoolehua. Would DHHL want to partner even with a pilot project. To make lessees jump through hoops, only those with an up-to-date farm plan can have access to tractor service. Based on their progression and track record in farming, only limited areas will be cleared; this not to keep your grass down. Gardeners can have access if they attend training and will only have small areas cleared (20X20 or more) to prove their commitment. I can contract homestead farmers on the gardening. Something to think about if you make things happen, especially on Molokai. I guess there's a lot

I understand all the excuses for not farming, but I farmed for 20 years without a tractor but I was driven and wasn't going to let anything stop me from using my aina. I always share in my beginning farmer classes that the major limiting factor in your success as a farmer is YOU!

I know my wife is going to propose Homesteading 101 because she's been harping on this. As a 4th generation Hoolehua homestead farmer, I believe she's on to something. All new homesteaders need to understand the Act, understand their kuleana, and also understand DHHL's kuleana. This is not a paternalist program where DHHL is going to save you and that you're waiting for them to feed you. This can help them create a solid foundation, understand resources available to them, and even create resources to fill gaps in their new community. I think Gigi's leadership training, how well intended will not get committed homesteaders to attend Sat/Sun. Few can commit to this time slot; this is family time and a day of rest.

More to come, especially if I dwell on something for too long.

See you folks next week!

Aloha,

[redacted]

EXHIBIT F

Beneficiary Consultation Comment on Proposed Admin Rule Changes

[redacted]

Mon 7/17/2017 9:28 PM

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

Name

[redacted]

Applicant or Lessee?

[redacted]

E-mail

[redacted]

Comment or Message

This portion of the definition of Beneficiary Consultation should be omitted as it has no place in the definition. It is conniving way to place comments from non beneficiary that have a complete different interest and agenda and claim it came from beneficiaries by labeling it "Beneficiary Consultation" Create a separate definition for just consultation as in CFR 43, subsection 47
"and other interested persons as part of the department's or commission's decision making process".

Sent from Department of Hawaiian Home Lands

EXHIBIT F

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 18 & 19, 2017

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey Administrative Rules Officer

SUBJECT:

C-2 Approval of Recommendations for Proposed Administrative Rules for the Planning System and to Proceed with Rulemaking Under Chapter 91, Hawaii Revised Statutes

THE SUBMITTAL WILL BE DISTRIBUTED UNDER SEPARATE COVER or AT THE TABLE

ITEM NO. C-2

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
October 16 & 17, 2017
Hilo, Hawai'i

D-ITEMS
HOMESTEAD SERVICES DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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

ITEM NO. D-1

October 16, 2017

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through September 30, 2017

	As of 8/31/17	Add	Cancel	As of 9/30/17
Residential	8,373	3	2	8,374
Agriculturual	1,099	0	0	1,099
Pastoral	410	0	0	410
Total	**9,882**	**3**	**2**	**9,883**

The number of Converted Undivided Interest Lessees represents an increase of 407 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 8/31/17	Converted	Rescinded/ Surrendered/ Cancelled	As of 9/30/17
Undivided	918	0	0	918

Balance as of 9/30/2017

Awarded	1,434
Relocated to UNDV	7
Rescinded	109
Surrendered	5
Cancelled	2
Converted	407
Balance to Convert	918

ITEM NO. D-1
EXHIBIT A

Lease Report For the Month Ending september 30, 2017

	RESIDENCE				AGRICULTURE				PASTURE				TOTAL LEASES			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Hoolimalima	66	1	0	67	0	0	0	0	0	0	0	0	66	1	0	67
Kalawahine	91	0	0	91	0	0	0	0	0	0	0	0	92	0	0	91
Kanehili	358	0	0	358	0	0	0	0	0	0	0	0	358	0	0	358
Kapolei	257	0	0	257	0	0	0	0	0	0	0	0	257	0	0	257
Kaupea	325	0	0	325	0	0	0	0	0	0	0	0	325	0	0	325
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	249	0	0	249	0	0	0	0	0	0	0	0	249	0	0	249
Kumuhau	52	0	0	52	0	0	0	0	0	0	0	0	0	0	0	52
Lualualei	149	0	0	149	31	0	0	31	0	0	0	0	180	0	0	180
Malu'ohai	156	0	0	156	0	0	0	0	0	0	0	0	156	0	0	156
Nanakuli	1,051	0	1	1,050	0	0	0	0	0	0	0	0	1,051	0	1	1,050
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	271	0	0	271	0	0	0	0	0	0	0	0	271	0	0	271
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	420	0	0	420	11	0	0	11	0	0	0	0	431	0	0	431
Waimanalo	745	0	0	745	2	0	0	2	0	0	0	0	747	0	0	747
TOTAL	4,273	1	1	4,273	60	0	0	60	0	0	0	0	4,282	1	1	4,333
MAUI																
Hikina	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Kahikinui	0	0	0	0	0	0	0	0	75	0	0	75	75	0	0	75
Keokea	0	0	0	0	65	0	0	65	0	0	0	0	65	0	0	65
Lealii	104	0	0	104	0	0	0	0	0	0	0	0	104	0	0	104
Paukukalo	180	0	0	180	0	0	0	0	0	0	0	0	180	0	0	180
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	114	0	0	114	0	0	0	0	0	0	0	0	114	0	0	114
Waiehu 4	97	0	0	97	0	0	0	0	0	0	0	0	97	0	0	97
Waiohuli	593	0	0	593	0	0	0	0	0	0	0	0	593	0	0	593
TOTAL	1,266	0	0	1,266	65	0	0	65	75	0	0	75	1,406	0	0	1,406
EAST HAWAII																
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaumana	44	0	0	44	0	0	0	0	0	0	0	0	44	0	0	44
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	0	473	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	122	0	0	122	0	0	0	0	122	0	0	122
Panaewa	0	0	0	0	264	0	0	264	0	0	0	0	264	0	0	264
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	12	0	0	12	0	0	0	0	12	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waiakea	298	0	0	298	0	0	0	0	0	0	0	0	298	0	0	298
TOTAL	841	0	0	841	398	0	0	398	25	0	0	25	1,264	0	0	1,264
WEST HAWAII																
Honokaia	0	0	0	0	0	0	0	0	23	0	0	23	23	0	0	23
Humuula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kaniohale	224	0	0	224	0	0	0	0	0	0	0	0	224	0	0	224
Kawaihae	187	1	1	187	0	0	0	0	1	0	0	1	188	1	1	188
Laiopua	284	0	0	284	0	0	0	0	0	0	0	0	284	0	0	284
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio Vil	114	0	0	114	110	0	0	110	216	0	0	216	440	0	0	440
Puupulehu	32	1	0	33	0	0	0	0	0	0	0	0	32	1	0	33
TOTAL	871	2	1	872	110	0	0	110	282	0	0	282	1,263	2	1	1,264
KAUAI																
Anahola	534	0	0	534	46	0	0	46	0	0	0	0	580	0	0	580
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	0	117	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	698	0	0	698	46	0	0	46	1	0	0	1	745	0	0	745
MOLOKAI																
Hoolehua	157	0	0	157	346	0	0	346	21	0	0	21	524	0	0	524
Kalamaula	163	0	0	163	71	0	0	71	3	0	0	3	237	0	0	237
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
O'ne Alii	28	0	0	28	0	0	0	0	0	0	0	0	28	0	0	28
TOTAL	395	0	0	395	420	0	0	420	27	0	0	27	842	0	0	842
LANAI																
Lanai	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
TOTAL	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
STATEWIDE TOTAL	8,373	3	2	8,374	1,099	0	0	1,099	410	0	0	410	9,882	3	2	9,883

ITEM NO. D-1

EXHIBIT-A

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
September 30, 2017

AREA WAITING LIST

DISTRICT AREA	RESIDENCE				AGRICULTURE				PASTURE				TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	
Oahu District	1,015	0	0	1,015	3	0	0	3	0	0	0	0	1,018
Maui District	73	0	0	73	4	0	0	4	5	0	0	5	82
Hawaii District	135	0	0	135	15	0	0	15	59	0	0	59	209
Kauai District	56	0	0	56	3	0	0	3	29	0	0	29	88
Molokai District	20	0	0	20	19	0	0	19	1	0	0	1	40
TOTAL	**1,299**	**0**	**0**	**1,299**	**44**	**0**	**0**	**44**	**94**	**0**	**0**	**94**	**1,437**

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE				AGRICULTURE				PASTURE				TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	
Oahu	9,613	22	8	9,627	3,649	12	0	3,661	0	0	0	0	13,288
Maui	3,744	8	4	3,748	4,609	5	2	4,612	598	2	0	600	8,960
Hawaii	5,676	21	3	5,694	7,092	13	0	7,105	1,867	2	1	1,868	14,667
Kauai	1,609	2	4	1,607	2,214	1	3	2,212	296	0	0	296	4,115
Molokai	778	2	0	780	1036	2	0	1038	198	0	0	198	2,016
Lanai	84	0	0	84	0	0	0	0	0	0	0	0	84
TOTAL	**21,504**	**55**	**19**	**21,540**	**18,600**	**33**	**5**	**18,628**	**2,959**	**4**	**1**	**2,962**	**43,130**

AREA AND ISLANDWIDE LISTS

	RES	AG	PAS	TOTAL
OAHU	10,642	3,664	0	14,306
MAUI	3,821	4,616	605	9,042
HAWAII	5,829	7,120	1,927	14,876
KAUAI	1,663	2,215	325	4,203
MOLOKAI	800	1,057	199	2,056
LANAI	84	0	0	84
TOTAL	**22,839**	**18,672**	**3,056**	**44,567**

ADDITIONS	
New Applications	89
Application Transfers	3
Lease Rescissions	0
App Reinstatements	0
HHC Adjustments	0
TOTAL	**92**

CANCELLATIONS	
New Lease Awards	10
Application Transfers	3
Succ'd and Cancel Own	10
Public Notice Cancel	0
Voluntary Cancellations	2
Lease Successorships	0
HHC Adjustments	0
Dec'd No Successor	0
Additional Acreage	0
NHQ Unqualified	0
TOTAL	**25**

ITEM NO.D-1
EXHIBIT A

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

September 30, 2017

	RESIDENCE				AGRICULTURE				PASTURE				
OAHU DISTRICT	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	TOTAL
Nanakuli	179	0	0	179	0	0	0	0	0	0	0	0	179
Waianae	160	0	0	160	0	0	0	0	0	0	0	0	160
Lualualei	0	0	0	0	3	0	0	3	0	0	0	0	3
Papakolea/Kewalo	72	0	0	72	0	0	0	0	0	0	0	0	72
Waimanalo	604	0	0	604	0	0	0	0	0	0	0	0	604
Subtotal Area	1,015	0	0	1,015	3	0	0	3	0	0	0	0	1,018
Islandwide	9,613	22	8	9,627	3,649	12	0	3,661	0	0	0	0	13,288
TOTAL OAHU APPS	10,628	22	8	10,642	3,652	12	0	3,664	0	0	0	0	14,306
MAUI DISTRICT													
Paukukalo	73	0	0	73	0	0	0	0	0	0	0	0	73
Kula	0	0	0	0	4	0	0	4	5	0	0	5	9
Subtotal Area	73	0	0	73	4	0	0	4	5	0	0	5	82
Islandwide	3,744	8	4	3,748	4,609	5	2	4,612	598	2	0	600	8,960
TOTAL MAUI APPS	3,817	8	4	3,821	4,613	5	2	4,616	603	2	0	605	9,042
HAWAII DISTRICT													
Keaukaha/Waiakea	72	0	0	72	0	0	0	0	1	0	0	1	73
Panaewa	0	0	0	0	15	0	0	15	0	0	0	0	15
Humuula	0	0	0	0	0	0	0	0	0	0	0	0	0
Kawaihae	19	0	0	19	0	0	0	0	0	0	0	0	19
Waimea	44	0	0	44	0	0	0	0	58	0	0	58	102
Subtotal Area	135	0	0	135	15	0	0	15	59	0	0	59	209
Islandwide	5,676	21	3	5,694	7,092	13	0	7,105	1,867	2	1	1,868	14,667
TOTAL HAWAII APPS	5,811	21	3	5,829	7,107	13	0	7,120	1,926	2	1	1,927	14,876
KAUAI DISTRICT													
Anahola	48	0	0	48	3	0	0	3	21	0	0	21	72
Kekaha/Puu Opae	8	0	0	8	0	0	0	0	8	0	0	8	16
Subtotal Area	56	0	0	56	3	0	0	3	29	0	0	29	88
Islandwide	1,609	2	4	1,607	2,214	1	3	2,212	296	0	0	296	4,115
TOTAL KAUAI APPS	1,665	2	4	1,663	2,217	1	3	2,215	325	0	0	325	4,203
MOLOKAI DISTRICT													
Kalamaula	4	0	0	4	0	0	0	0	0	0	0	0	4
Hoolehua	7	0	0	7	19	0	0	19	1	0	0	1	27
Kapaakea	8	0	0	8	0	0	0	0	0	0	0	0	8
One Alii	1	0	0	1	0	0	0	0	0	0	0	0	1
Subtotal Area	20	0	0	20	19	0	0	19	1	0	0	1	40
Islandwide	778	2	0	780	1,036	2	0	1,038	198	0	0	198	2,016
TOTAL MOLOKAI APPS	798	2	0	800	1,055	2	0	1,057	199	0	0	199	2,056
LANAI DISTRICT													
Islandwide	84	0	0	84	0	0	0	0	0	0	0	0	84
TOTAL LANAI APPS	84	0	0	84	0	0	0	0	0	0	0	0	84
TOTAL AREA ONLY	1,299	0	0	1,299	44	0	0	44	94	0	0	94	1,437
TOTAL ISLANDWIDE	21,504	55	19	21,540	18,600	33	5	18,628	2,959	4	1	2,962	43,130
TOTAL STATEWIDE	22,803	55	19	22,839	18,644	33	5	18,672	3,053	4	1	3,056	44,567

ITEM NO. D-1

EXHIBIT A

DELINQUENCY REPORT - STATEWIDE
October 16, 2017
($Thousands)

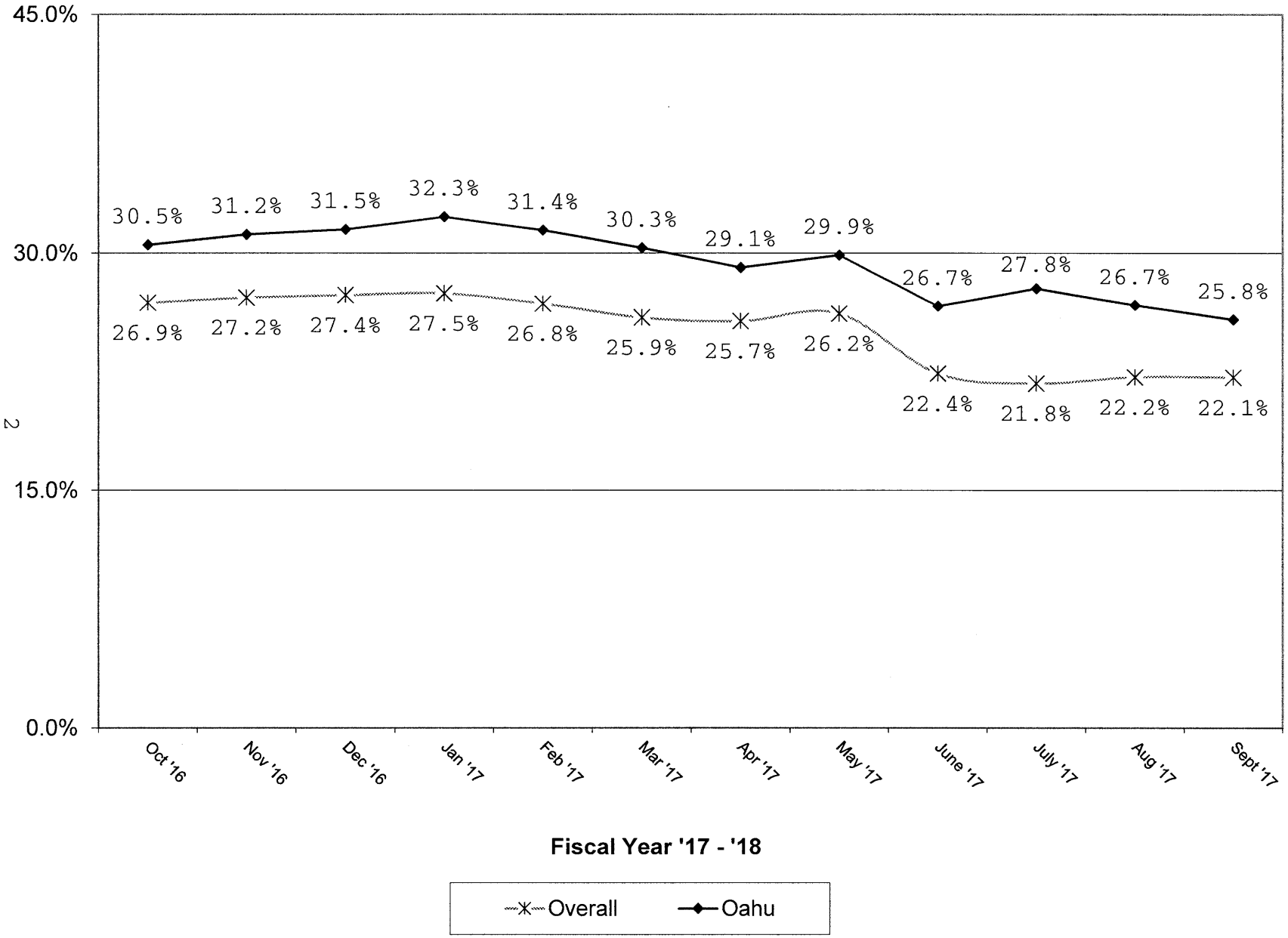
	Total Outstanding		Total Delinquency		RISK 30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)		% of Totals 9/30/2017	
DIRECT LOANS	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	$
OAHU	408	34,681	89	8,955	9	787	10	944	17	1,900	53	5,324	21.8%	25.8%
EAST HAWAII	228	13,923	66	4,089	11	396	1	3	12	423	42	3,267	28.9%	29.4%
WEST HAWAII	80	8,138	13	966	4	302	1	182	1	134	7	347	16.3%	11.9%
MOLOKAI	89	6,232	21	660	5	93	2	65	1	29	13	473	23.6%	10.6%
KAUAI	103	7,451	21	1,618	7	696	2	129	3	49	9	743	20.4%	21.7%
MAUI	88	10,339	19	1,591	6	360	0	0	5	269	8	962	21.6%	15.4%
TOTAL DIRECT	**996**	**80,763**	**229**	**17,878**	**42**	**2,634**	**16**	**1,324**	**39**	**2,804**	**132**	**11,116**	**23.0%**	**22.1%**
	100.0%	**100.0%**	**23.0%**	**22.1%**	**4.2%**	**3.3%**	**1.6%**	**1.6%**	**3.9%**	**3.5%**	**13.3%**	**13.8%**		
Advances (including RPT)	**245**	**8,112**	**245**	**8,112**	**0**	**0**	**0**	**0**	**245**	**8,112**			**100%**	**100%**
DHHL LOANS & Advances	**1,241**	**88,875**	**474**	**25,990**	**42**	**2,634**	**16**	**1,324**	**284**	**10,916**	**132**	**11,116**	**38.2%**	**29.2%**
LOAN GUARANTEES as of June 30, 2017														
SBA	1	101	0	0	0	0	0	0	0	0			0.0%	0.0%
USDA-RD	297	39,078	50	6,142	0	0	0	0	50	6,142			16.8%	15.7%
Habitat for Humanity	74	3,295	29	1430	0	0	0	0	29	1,430			39.2%	43.4%
Maui County	5	74	0	0	0	0	0	0	0	0			0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7			100.0%	100.0%
City & County	18	313	14	289	0	0	0	0	14	289			77.8%	92.3%
FHA Interim	8	1,484	0	0	0	0	0	0	0	0			0.0%	0.0%
OHA	48	481	1	6	0	0	0	0	1	6			2.1%	1.2%
TOTAL GUARANTEE	**452**	**44,833**	**95**	**7,874**	**0**	**0**	**0**	**0**	**95**	**7,874**			**21.0%**	**17.6%**
PMI Loans	215	36,228	9	1,772	3	718	1	132	5	922			4.2%	4.9%
HUD REASSIGNED for Recovery	**130**	**17,055**	**109**	**15,836**	**1**	**74**	**0**	**0**	**3**	**140**	**105**	**15,622**	**83.8%**	**92.8%**
FHA Insured Loans	2,805	422,056	219	27,315	0	0	0	0	219	27,315			7.8%	6.5%
TOTAL INS. LOANS	**3,150**	**475,339**	**337**	**44,923**	**4**	**792**	**1**	**132**	**227**	**28,377**	**105**	**15,622**	**10.7%**	**9.5%**
OVERALL TOTALS(EXC Adv/RP	**4,598**	**600,936**	**661**	**70,675**	**46**	**3,426**	**17**	**1,456**	**361**	**39,055**	**237**	**26,738**	**14.4%**	**11.8%**
ADJUSTED TOTALS	**4,843**	**609,047**	**906**	**78,787**	**46**	**3,426**	**17**	**1,456**	**606**	**47,167**	**237**	**26,738**		**12.9%**

Note: HUD 184A loan program has 397 loans, with a total outstanding principal balance of $89,846,988.26 as of June 30, 2016. 11 loans, totalling $5,020,610.90, are delinquent.

EXHIBIT B

ITEM NO. D-1

OAHU
Direct Loans
Delinquency Ratio Report



ITEM NO. D-1
EXHIBIT B

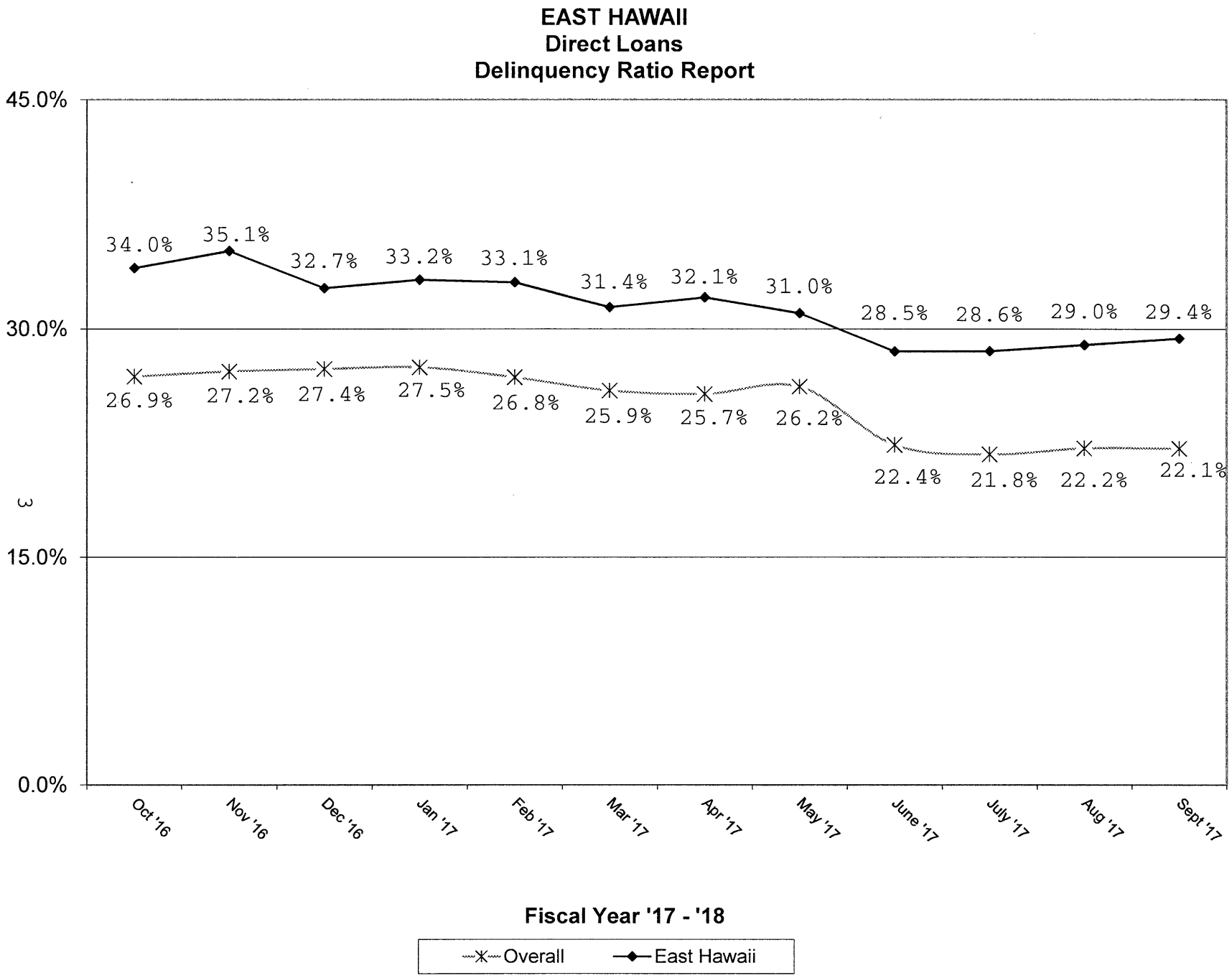


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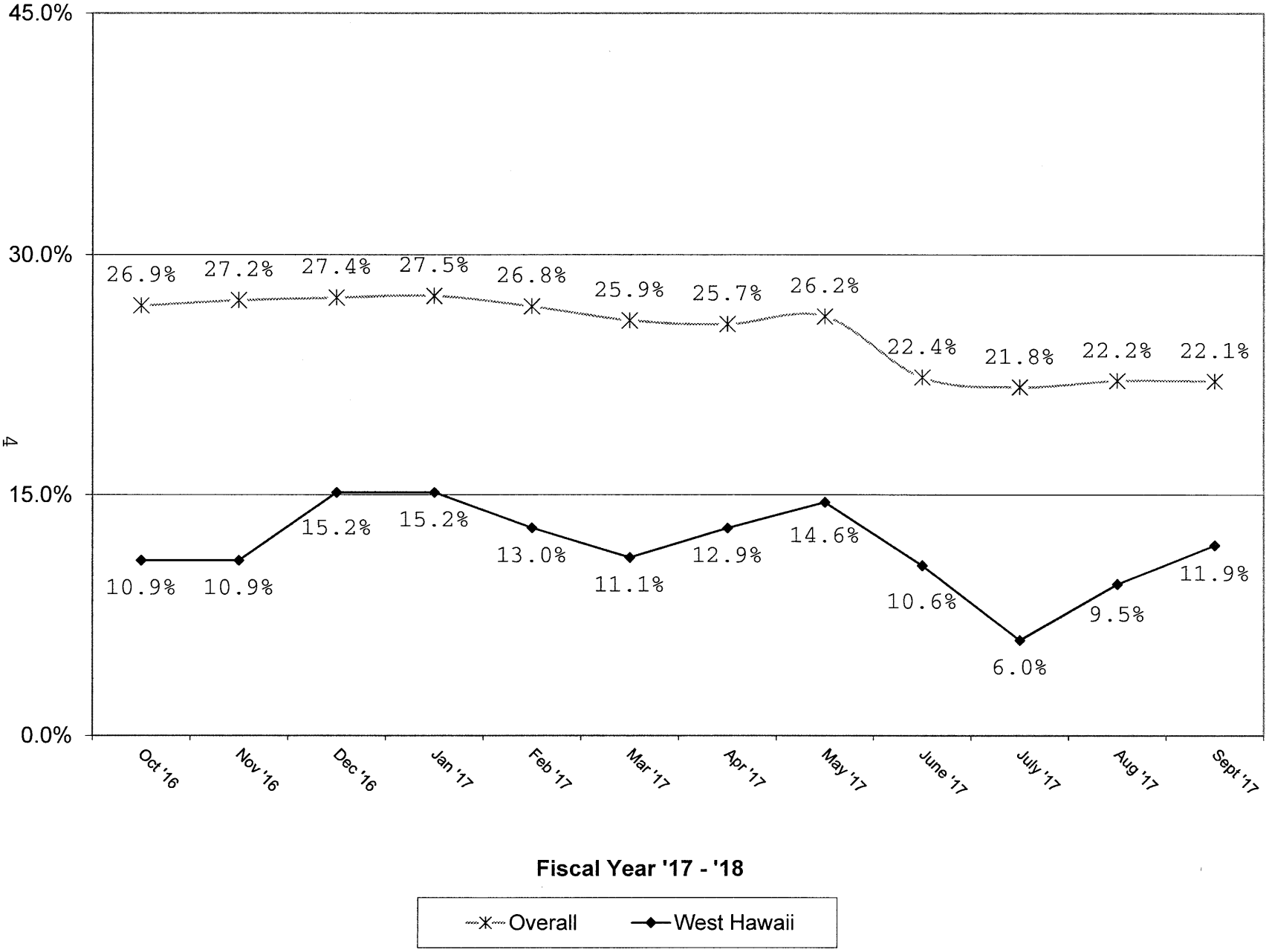
EXHIBIT B

WEST HAWAII
Direct Loans
Delinquency Ratio Report

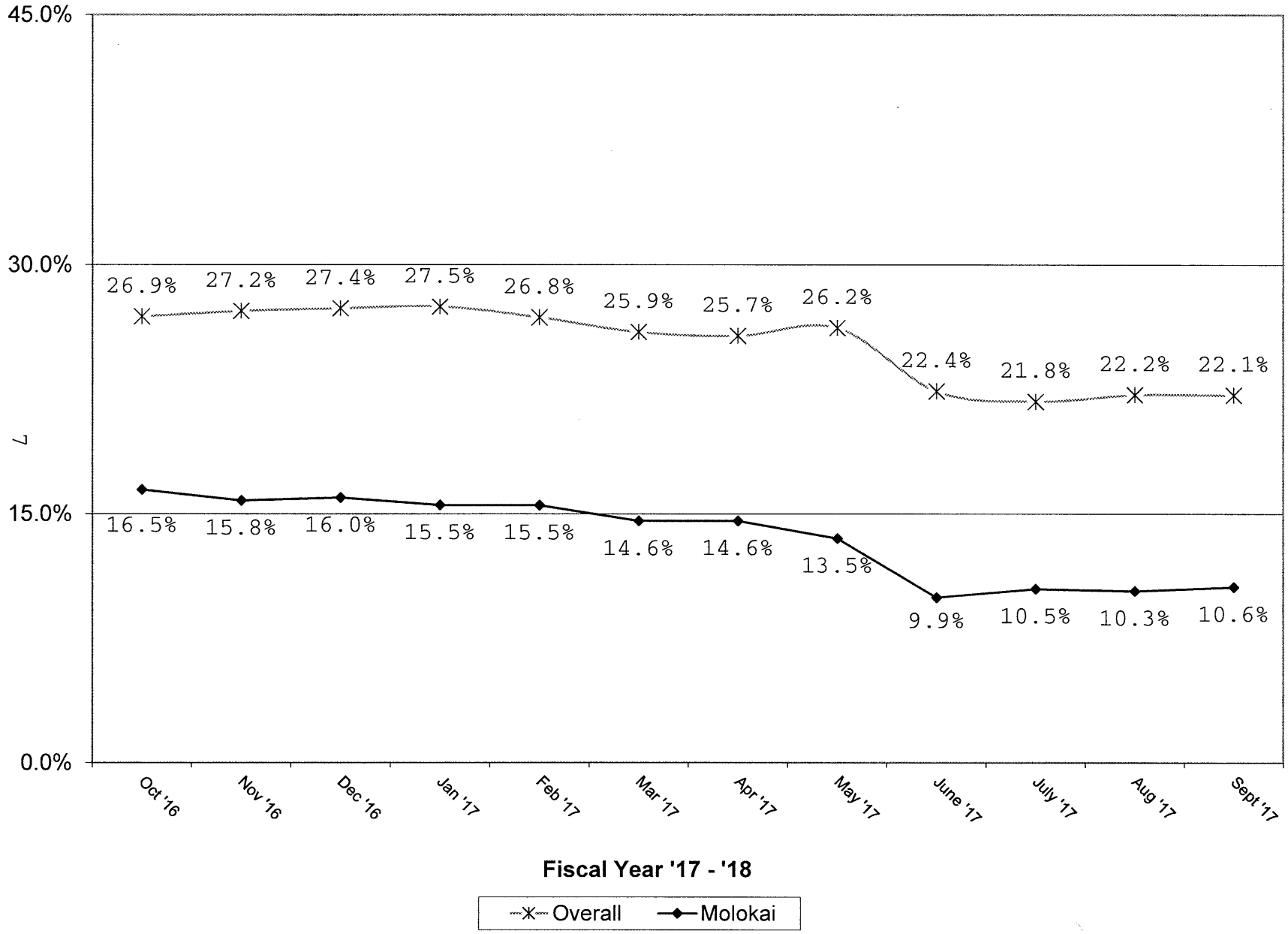


Fiscal Year '17 - '18

Overall — West Hawaii

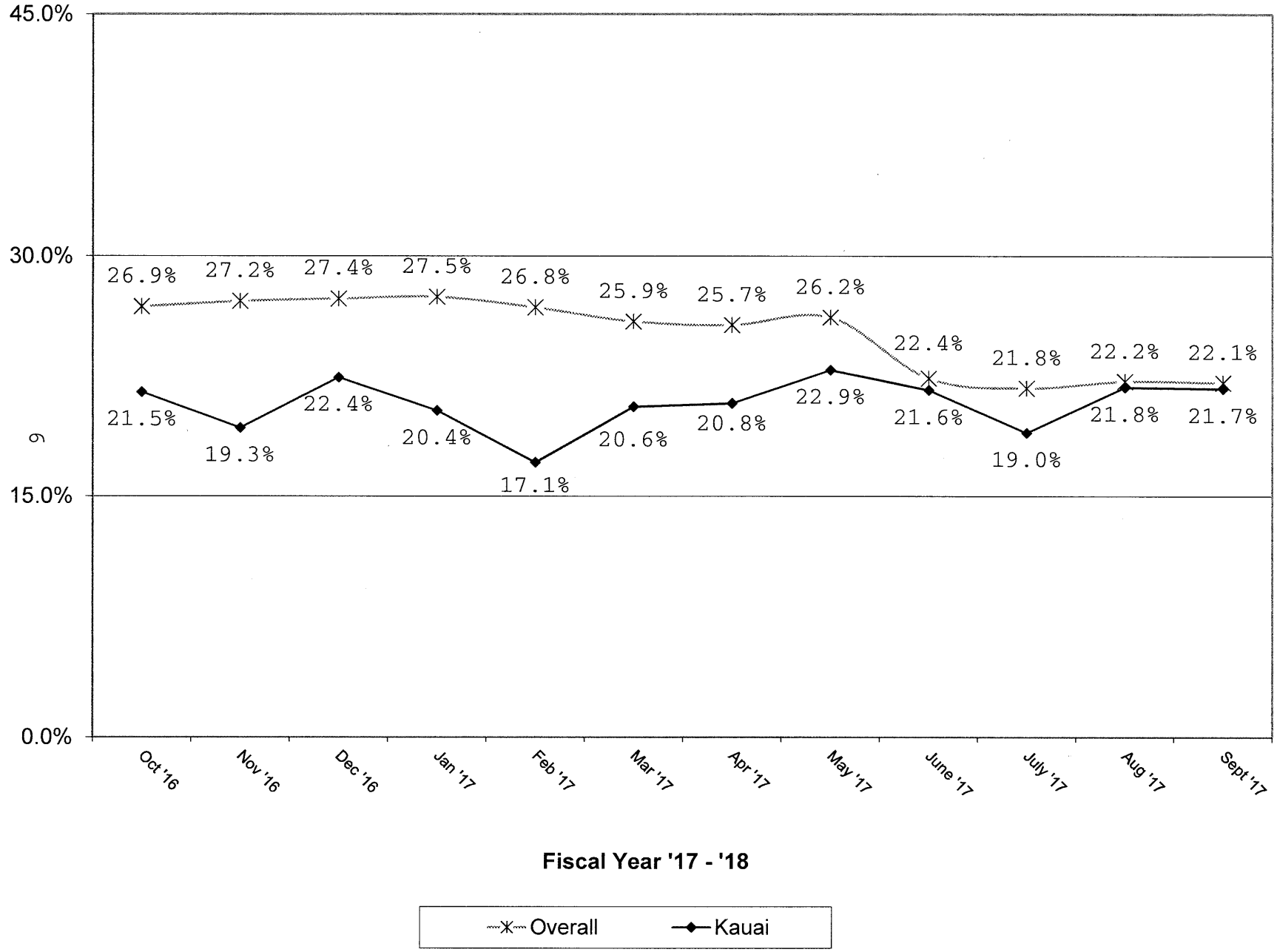
ITEM NO. D-1
EXHIBIT B

MOLOKAI
Direct Loans
Delinquency Ratio Report



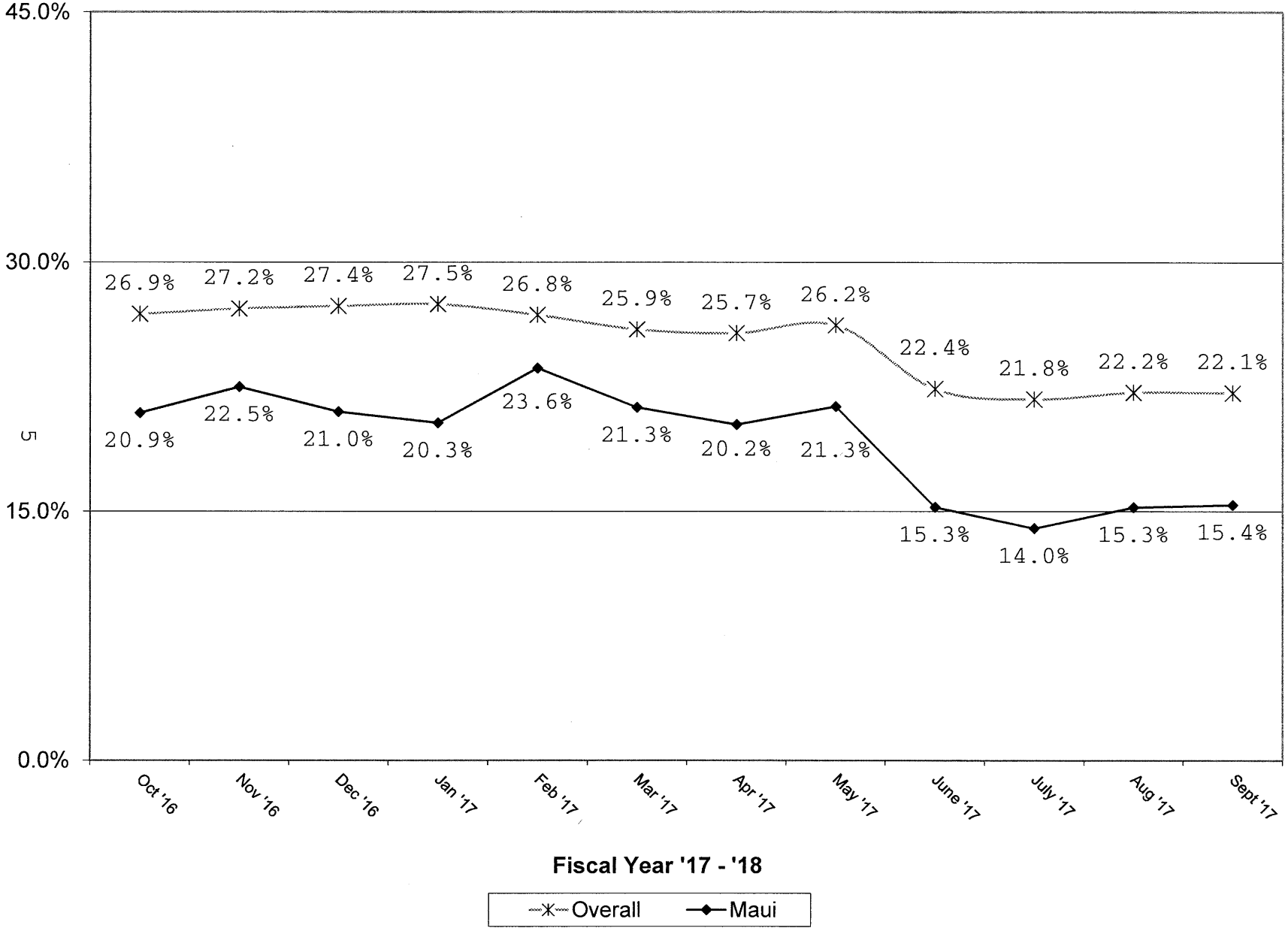
ITEM NO. D-1
EXHIBIT B

KAUAI
Direct Loans
Delinquency Ratio Report



ITEM NO. D-1
EXHIBIT B

MAUI
Direct Loans
Delinquency Ratio Report



ITEM NO. D-1
EXHIBIT B

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator
Homestead Services Division

SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

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

LESSEE	LEASE NO. & AREA	LOAN TERMS
Cashman, Alexander J.	6185, Puukapu	Loan #1: NTE $184,000, 4.5% interest per annum, interest only payments, 1-year term Loan #2: NTE $184,000, 4.5% interest per annum, NTE $931 monthly, repayable over 30 years

Loan Purpose: To construct a 3 bedroom, 2-1/2 bath home with a detached 3 car garage.

Freeman, Hauoli	1067, Keaukaha	NTE $39,000, 4.5% interest per annum, NTE $274 monthly, repayable over 30 years

Loan Purpose: Refinance contract of loan no. 17083, in conjunction with the subdivision of residential Lease No. 17083.

ITEM NO. D-2

REFINANCE	NO.	LOAN AMOUNT
FY Ending 6/30/17	7	$ 590,494
Prior Months	0	-0-
This Month	0	-0-
Total FY '17-'18	0	$ -0-

REPAIR	NO.	LOAN AMOUNT
FY Ending 6/30/17	0	$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '17-'18	0	$ -0-

HOME CONSTRUCTION	NO.	LOAN AMOUNT
FY Ending 6/30/17	0	$ -0-
Prior Months	0	-0-
This Month	1	184,000
Total FY '17-'18	1	$ 184,000

FARM	NO.	LOAN AMOUNT
FY Ending 6/30/16	0	$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '17-'18	0	$ -0-

TRANSFER WITH LOAN	NO.	LOAN AMOUNT
FY Ending 6/30/17	0	$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '17-'18	0	$ -0-

AWARD	NO.	LOAN AMOUNT
FY Ending 6/30/17	4	$ 741,286
Prior Months	0	-0-
This Month	0	-0-
Total FY '17-'18	0	$ -0-

OTHER	NO.	LOAN AMOUNT
FY Ending 6/30/17	0	$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '17-'18	0	$ -0-

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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

PROPERTY	LESSEE	LENDER	LOAN AMOUNT
OAHU			
Kaupea Lease No. 11920 TMK: 1-9-1-139:161	LEAO, Leolani S. (Cash Out Refi)FHA	Guild Mortgage Company	$ 314,000
Princess Kahanu Estates Lease No. 8430 TMK: 1-8-7-043:073	LARONAL, Michael D. (Cash Out Refi)FHA	Guild Mortgage Company	$ 275,000
Nanakuli Lease No. 5205 TMK: 1-8-9-014:004	DUNCAN, Herbert D., Sr. (Cash Out Refi)FHA	HomeStreet Bank	$ 259,500
Nanakuli Lease No. 4504 TMK: 1-8-9-010:107	AKINA, Steven, Jr. (Purchase)FHA	HomeStreet Bank	$ 155,718

ITEM NO. D-3

OAHU

Kaupea Lease No. 12088 TMK: 1-9-1-140:085	KAMAKA, Cranston P. K. (Cash Out Refi)FHA	Mann Mortgage LLC	$ 469,000
Kalawahine Lease No. 9610 TMK: 1-2-4-043:026	NAKAGAWA, Pamela K. P. (Cash Out Refi)FHA	Hightechlend ing Inc.	$ 430,000
Princess Kahanu Estates Lease No. 8338 TMK: 1-8-7-042:047	KAMALU, Calvin K. (Cash Out Refi)FHA	HomeStreet Bank	$ 284,412
Nanakuli Lease No. 8250 TMK: 1-8-9-005:080	WRIGHT, Kawaiokeola (Purchase)FHA	Guild Mortgage Company	$ 352,000
Papakolea Lease No. 598 TMK: 1-2-2-015:016	GARZA, Lael K.(Cash Out Refi)HUD 184A	Bank of Hawaii	$ 386,325
Nanakuli Lease No. 8642 TMK: 1-8-9-017:005	HULATON, Jeserie M. M. (Purchase)HUD 184A	HomeStreet Bank	$ 240,895
Nanakuli Lease No. 8743 TMK: 1-8-9-013:029	VAN GIESON, Kauaimanookalaniwai K. &,VAN GIESON, John P. (Purchase)FHA	HomeStreet Bank	$ 350,584
Kewalo Lease No. 2203 TMK: 1-2-5-021:026	SAM FONG, Willard K. (Cash Out Refi)FHA	Mann Mortgage LLC	$ 179,000
Nanakuli Lease No. 2952 TMK: 1-8-9-004:076	MATSUO, Dean L. A. (Cash Out Refi)FHA	Guild Mortgage Company	$ 178,000

ITEM NO. D-3

OAHU

Nanakuli Lease No. 5187 TMK: 1-8-9-013:050	CUBAN, Tanyan A. (Purchase)FHA	HomeStreet Bank	$ 165,275
Kaupea Lease No. 12006 TMK: 1-9-1-140:129	FAUFATA, Melissa (Purchase)FHA	HomeStreet Bank	$ 235,392
Lualualei Lease No. 5507 TMK: 1-8-6-023:126	RAMENTO, Randy O. (Purchase)VA	Department of Veterans Affairs	$ 288,000

MAUI

Waiehu 2 Lease No. 9525 TMK: 2-3-2-023:031	HAUPU, Hendrick M.(Rate & Term Refi)FHA	Mann Mortgage LLC	$ 127,000
Waiehu 4 Lease No. 12247 TMK: 2-3-2-026:004	NAKOOKA, Dana Ann L.(Cash Out Refi)HUD 184A	HomeStreet Bank	$ 239,410
Waiehu 2 Lease No. 9512 TMK: 2-3-2-023:018	KIM, Kristine I. H. (Cash Out Refi)FHA	Mann Mortgage LLC	$ 217,969

KAUAI

Anahola Lease No. 6605 TMK: 4-4-8-020:051	KUHAULUA, Benjamin W. O., III (Cash Out Refi)FHA	Siwell Inc., dba Capital Mortgage Services of Texas	$ 106,000

HAWAII

Puupulehu Lease No. 7029 TMK: 3-6-4-032:002	SPENCER-KENNEDY, Daniel K. (Cash Out Refi)FHA	HomeStreet Bank	$ 292,716

ITEM NO. D-3

HAWAII

Laiopua Lease No. 10819 TMK: 3-7-4-027:113	OLIVAL, George N. (Purchase)USDA, RD	HomeStreet Bank	$ 287,878
Keaukaha Lease No. 4247 TMK: 3-2-1-022:077	VICTOR, Nikki K. I. (203K Rehab)FHA	HomeStreet Bank	$ 156,000
Waiakea Lease No. 7972 TMK: 3-2-2-057:036	AUNA, Aaron K.(Cash Out Refi)HUD 184A	HomeStreet Bank	$ 161,655
Kawaihae Lease No. 7076 TMK: 3-6-1-007:015	SILVA, Danlynn P. (Purchase)HUD 184A	HomeStreet Bank	$ 98,727
Kaniohale Lease No. 9338 TMK: 3-7-4-023:025	NAMAHOE, Renee K. (Purchase)FHA	HomeStreet Bank	$ 225,375

ITEM NO. D-3

RECAP	FHA NO.	FHA AMOUNT	VA NO.	VA AMOUNT	USDA-RD NO.	USDA-RD AMOUNT
FY Ending 6/30/17	300	$ 72,689,610	8	$3,021,043	9	$1,695,424
Prior Months	66	$ 16,297,857	1	$ 450,000	2	$ 653,535
This Month	19	4,772,941	1	288,000	1	287,878
Total FY '17-'18	85	$ 21,070,798	2	$ 738,000	3	$ 941,413

HUD 184A		
FY Ending 6/30/17	105	$25,483,508
Prior Months	13	$ 4,027,751
This Months	5	1,127,012
Total FY '17-'18	18	$ 5,154,763

ITEM NO. D-3

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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:

Lessee	Lease No.	Area	Loan No.	Monthly Payment	Amount at 9/17	Balance At 9/17
Molokai						
Kaulia-Pelland, Ziana	3883	Kalamaula	19444 (HUD buyback)	$TBD	$TBD	$TBD
Oahu						
Kawelo, David K.	8475	PKE	19445 (HUD buyback)	$TBD	$TBD	$TBD
Hawaii						
Kakalia, Derek R.	9388	Kaniohale	19446 (HUD buyback)	$TBD	$TBD	$TBD

ITEM NO. D-4

Lessee	Lease No.	Area	Loan No.	Monthly Payment	Amount at 9/17	Balance At 9/17
Hawaii (cont'd)						
Kamoku, Paul Sr.	9379	Kaniohale	19447 (HUD buyback)	$TBD	$TBD	$TBD
Dowsett, Maryann K.	4759	Waimea	19448 (HUD buyback)	$TBD	$TBD	$TBD

ITEM NO. D-4

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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

Revised 10/3/2017 11:00 am

1. Requests nsfer

OAHU ISLANDWIDE RESIDE

KEALAIKI, Henry A.	07/13/2009	MAUI	RES	07/22/2016

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

KALEIOHI, Teri Ann K.K.	05/04/2005	MAUI	AGR	05/15/2017

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

KALEIOHI, Teri Ann K.K.	05/04/2005	MAUI	RES	05/15/2017

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

KEALAIKI, Henry A.	04/15/1991	MAUI	AGR	07/22/2016
PURDY, Janell B.	11/03/2003	MAUI	AGR	06/28/2017

ITEM NO. D-5

2. Deceased Applicants

NONE FOR SUBMITTAL

3. Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAM, Garrett R.	Assigned Residential Lease #9584, Lot 57 in Kalawahine, Oahu dated 04/20/2017. Remove application dated 08/03/2001.
KEOLANUI, Gilbert S.D.K.R.	Assigned Residential Lease #4476, Lot 143 in Waianae, Oahu dated 08/01/2017. Remove application dated 10/19/2016.
NAKAMURA, Lucille H.	Assigned Residential Lease #11634, UNDV091 in Kapolei, Oahu dated 11/13/2007. Remove application dated 11/01/2005.
OMEROD, James N.	Assigned Residential Lease #711, Lot 129 in Kewalo, Oahu dated 09/28/2015. Remove application dated 12/06/2007.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KALA, Alice L.	Assigned Residential Lease #7537, Lot 130 in Waiohuli, Maui dated 12/01/2016. Remove application dated 09/18/1990.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

LIKE, Ryan K.	Assigned Residential Lease #6516, Lot 8 in Anahola, Kauai dated 11/14/2016. Remove application dated 05/09/2016.

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

HANCHETT, Michael P.	Assigned Residential Lease #5770, Lot 12 in Hoolehua, Molokai dated 08/28/2015. Remove application dated 05/19/2006.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

MILLER, Jessie K.	Succeeded to 07/09/1985 Hawaii Islandwide Residential application of father, Francis T. Miller. Remove application dated 09/12/2006.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

KEKAUOHA, Keith G.K.	Succeeded to 06/05/1991 Oahu Islandwide Agricultural application of father, John K. Kekauoha. Remove application dated 07/11/1991.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

SIEGMUND, Dianah K.	Succeeded to 06/06/1991 Oahu Islandwide Residential application of sibling, Bethsiene L. Waialae. Remove application dated 07/02/1986.

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

AKI, Lono M.	Succeeded to 03/21/1988 Kauai Islandwide Agricultural application of sibling, Fred M. Aki, Jr. Remove application dated 06/18/2013.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

AKI, Lono M.	Succeeded to 03/21/1988 Kauai Islandwide Residential application of sibling, Fred M. Aki, Jr. Remove application dated 06/18/2013.

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

LUULOA KEALAIKI, Reginald K., Jr.	Succeeded to 06/29/1988 Molokai Islandwide Residential application of mother, Dolores N. Luuloa. Remove application dated 10/31/2016.
NAPOLEON, Liliana K.I.	Succeeded to 06/14/1985 Molokai Islandwide Residential application of grandmother, Getrude H. Tsugawa. Remove application dated 06/16/2008.

7. Additional Acreage

HAWAII ISLANDWIDE PASTORAL LEASE LIST

AMANTIAD, Willette K.	Transferred Puukapu, Hawaii pastoral lease #8031, Lot 56. As the former lessee no longer holds the aforementioned lease, the former lessee's additional acreage application associated with pastoral lease #8031, Lot 56 is, in effect, "orphaned" and is no longer valid [10-3-25(a)HAR]. Remove additional

acreage application dated 08/19/1999.

8. HHC Adjustments

NONE FOR SUBMITTAL

Last Month's Transaction Total	25
Last Month's Cumulative FY 2017-2018 Transaction Total	74
Transfers from Island to Island	5
Deceased	0
Cancellations:	
Awards of Leases	7
NHQ	0
Voluntary Cancellations	0
Successorship	7
Additional Acreage	1
HHC Adjustments	0
This Month's Transaction Total	20
This Month's Cumulative FY 2017-2018 Transaction Total	**94**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean T. Oshiro, Acting HSD Administrator

FROM: Ross K. Kapeliela, Application Officer
Homestead Services Division

SUBJECT: **Commission Designation of Successors to Application Rights - Public Notice 2016**

RECOMMENDED MOTION/ACTION

To designate the following individuals as successors to the application rights of deceased applicants who did not name qualified successors.

DISCUSSION

The following qualified applicants passed away on or after October 26, 1998, without naming a qualified successor. Pursuant to 10-3-8(c) of the *Hawaii Administrative Rules*, a public notice listing the names of deceased applicants and calling for possible successors to their application rights was published in the Star-Advertiser on the last two consecutive Sundays of November for the year the Department received notification. Requests to succeed to the decedents' application rights were submitted within the required 180 days following the last date of publication. Prospective successors were the sole respondents and are deemed by the Department to have met the requirements of successorship. The Homestead Services Division recommends approval of the following designees:

1a.Deceased Applicant:	Fred M. Aki, Jr.
Date of death:	August 30, 2016
Successor to application rights	Lono M. Aki
Relationship to decedent:	Sibling
Island:	Kauai Islandwide
Type:	Agricultural
Date of Application:	March 21, 1988
Date of Public Notice:	November, 2016

ITEM NO. D-6

1b. Island:	Kauai Islandwide
Type:	Residential
Date of Application:	March 21, 1988
Date of Public Notice:	November, 2016

2a. Deceased Applicant:	David K. Kahana
Date of death:	April 10, 2015
Successor to application rights	Lindon K. Kahana
Relationship to decedent:	Child
Island:	Oahu Islandwide
Type:	Agricultural
Date of Application:	January 26, 1989
Date of Public Notice:	November, 2016

2b. Island:	Oahu Islandwide
Type:	Residential
Date of Application:	January 26, 1989
Date of Public Notice:	November, 2016

3. Deceased Applicant:	John K. Kekauoha
Date of death:	October 1, 2015
Successor to application rights	Keith G. K. Kekauoha
Relationship to decedent:	Child
Island:	Oahu Islandwide
Type:	Agricultural
Date of Application:	June 5, 1991
Date of Public Notice:	November, 2016

4. Deceased Applicant:	Dolores N. Luuloa
Date of death:	November 14, 2015
Successor to application rights	Reginald K. Luuloa Kealaiki, Jr.
Relationship to decedent:	Child
Island:	Molokai Islandwide
Type:	Residential
Date of Application:	June 29, 1988
Date of Public Notice:	November, 2016

5. Deceased Applicant:	Francis T. Miller
Date of death:	December 22, 2011
Successor to application rights	Jessie K. Miller
Relationship to decedent:	Child
Island:	Hawaii Islandwide
Type:	Residential
Date of Application:	July 9, 1985
Date of Public Notice:	November, 2016

6a. Deceased Applicant:	Nadine K. Pagan
Date of death:	February 1, 2015
Successor to application rights	Keala J. Kapahu
Relationship to decedent:	Sibling
Island:	Kauai Islandwide
Type:	Agricultural
Date of Application:	February 1, 2015
Date of Public Notice:	November, 2016

6b. Island:	Kauai Islandwide
Type:	Residential
Date of Application:	August 22,2006
Date of Public Notice:	November, 2016

7. Deceased Applicant:	Bethsiene L. Waialae
Date of death:	June 26, 2014
Successor to application rights	Dianah K. Siegmund
Relationship to decedent:	Sibling
Island:	Oahu Islandwide
Type:	Residential
Date of Application:	June 6, 1991
Date of Public Notice:	November, 2016

Previous Cumulative Total for Current FY	5
Current Month's Total	10
2017-2018 Fiscal Year Total:	**15**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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 approval 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 October 2017	7
Previous FY 2017 - 2018	26
FY 2017 - 2018 Total to Date	33
Ratified for FY '16 - '17	104

Net Proceeds	
Ratified for October 2017	0
Previous FY 2016 - 2017	1
FY 2017 - 2018 Total to Date	1
Ratified for FY '16 - '17	2

ITEM NO. D-7

LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR LEASEHOLD INTEREST FOR MONTH OF OCTOBER 2017

	Deceased Lessee	Designated Successor
1.	Lynette L. H. Burrows Lot No.: 156 Area: Hoolehua, Molokai Lease No. 238	PRIMARY: Tenants in Common Amber-Lee H. W. Kaholoaa, Granddaughter Kea'ia'imaikalani P. Kaholoaa, Granddaughter ALTERNATE: Leatrice W. Burrows-Nuuanu, Daughter DESIGNEE TO RECEIVE NET PROCEEDS: N/A
2.	Harold K. Crowell, Jr. Lot No.: 30 Area: Waimanalo, Oahu Lease No. 3699	PRIMARY: Joint Tenants Mary Ann K. Kang, Daughter Darren P. C. Nohara, Grandson ALTERNATE: N/A DESIGNEE TO RECEIVE NET PROCEEDS: N/A
3.	Annie V. Kaawa Lot No.: 47 Area: Nanakuli, Oahu Lease No. 5184	PRIMARY: Charrel A. K. Yacapin, Granddaughter ALTERNATE: Robert B. K. Yacapin, Grandson DESIGNEE TO RECEIVE NET PROCEEDS: N/A

	Deceased Lessee	Designated Successor
4.	John W. Kamoku Lot No.: 39 Area: Waiakea, Hawaii Lease No. 4800	PRIMARY: Mary Jane L. N. Kamoku, Wife ALTERNATE: N/A DESIGNEE TO RECEIVE NET PROCEEDS: N/A
5.	Joseph Kiko, III Lot No.: 13 Area: Waiakea, Hawaii Lease No. 4797	PRIMARY: Joint Tenants Kimo A. Kiko Son, Joseph K. Kiko, Son ALTERNATE: N/A DESIGNEE TO RECEIVE NET PROCEEDS: N/A
6.	James D. H. Wong Lot No.: UNDV305 Area: Kapolei, Oahu Lease No. 11848	PRIMARY: Nada H. L. Wong, Wife ALTERNATE: Jenifer N. K. Donatiello, Daughter DESIGNEE TO RECEIVE NET PROCEEDS: N/A
7.	Edward Woods, Jr. Lot No.: 111 Area: Nanakuli, Oahu Lease No. 309	PRIMARY: Edward Woods, III, Son ALTERNATE: N/A DESIGNEE TO RECEIVE NET PROCEEDS: N/A

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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

Forty (40) assignments of lease.

	LESSEE	TRANSFEREE
1.	Name: Raynar K. Amadeo Res. Lease No.: 7667 Lease Date: 2/7/2002 Lot No.: 169 Area/Island: Waiohuli, Maui Property Sold: Yes Amount: $450,000.00 Improvements: 4 bedroom, 3 bath dwelling	Name: Chauncey K. Pang Relationship: None Loan Assump: N/A Applicant: No

Reason for Transfer: "Sale." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

LESSEE	TRANSFEREE

2. Name: Chauncey K. Pang
Res. Lease No.: 7667
Lease Date: 2/7/2002
Lot No.: 169
Area/Island: Waiohuli, Maui
Property Sold: Yes
Amount: $450,000.00
Improvements: 4 bedroom, 3 bath dwelling

Name: Mahina K. Goodness
Relationship: Daughter
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Purchase." Special Condition: Transferee to obtain funds to pay purchase price.

3. Name: Karly G. Batoon & Karen L. Carroll
Res. Lease No.: 8250
Lease Date: 8/1/1993
Lot No.: 73B
Area/Island: Nanakuli, Oahu
Property Sold: Yes
Amount: $450,000.00
Improvements: 4 bedroom, 2 bath dwelling

Name: Kawaiokeola Wright
Relationship: None
Loan Assump: N/A
Applicant: Yes, Oahu IW Res., 1/11/2011

Reason for Transfer: "No longer living in Hawaii. Relocated to mainland." Special Condition: Transferee to obtain funds to pay purchase price.

4. Name: Magdalena T. K. P Bilermo & Christopher T. Pilayo
Res. Lease No.: 2489
Lease Date: 11/13/1950
Lot No.: 79
Area/Island: Waimanalo, Oahu
Property Sold: No
Amount: N/A
Improvements: 3 bedroom, 2 bath dwelling

Name: Gloria J. P. Gaines
Relationship: Sister
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Want to get out."

LESSEE	TRANSFEREE
5. Name: Tennille M. Eckart Res. Lease No.: 9312 Lease Date: 1/1/1999 Lot No.: 99 Area/Island: Kaniohale, Hawaii Property Sold: No Amount: N/A Improvements: 2 bedroom, 1 bath dwelling.	Name: Judy A. Elvenia Relationship: Mother Loan Assump: N/A Applicant: Yes, Hawaii IW Res., 12/5/2006

Reason for Transfer: "Exchange properties." See simultaneous transfer below.

6. Name: Judy A. Elvenia Agr. Lease No.: 6240 Lease Date: 6/22/1993 Lot No.: 30B Area/Island: Panaewa, Hawaii Property Sold: No Amount: N/A Improvements: 5 bedroom, 3 bath dwelling/ warehouse with sheds	Name: Tennille M. Eckart Relationship: Daughter Loan Assump: N/A Applicant: No

Reason for Transfer: "Exchange properties."

7. Name: Ronald K. Elia Agr. Lease No.: 194 Lease Date: 6/17/1929 Lot No.: 146 Area/Island: Hoolehua, Molokai Property Sold: No Amount: N/A Improvements: 5 bedroom, 3 bath dwelling	Name: Danalynn U. Boswell Relationship: Hanai Sister Loan Assump: N/A Applicant: Yes, Molokai IW, Agr., 10/16/2014

Reason for Transfer: "I live in Denver, CO. now and want to transfer to my hanai sister so her and her family can farm the land."

LESSEE	TRANSFEREE

8. Name: Glenn P. Freitas
Res. Lease No.: 12737
Lease Date: 1/13/2015
Lot No.: 17186
Area/Island: Kaupea, Oahu
Property Sold: Yes
Amount: $380,000.00
Improvements: 2 bedroom, 1 bath dwelling.

Name: Glenn E. Koester, Jr.
Relationship: None
Loan Assump: N/A
Applicant: No

Reason for Transfer: "House to small, family of 7 people." Special Condition: Transferee to obtain funds to pay purchase price.

9. Name: Augustina A. K. Giddens
Res. Lease No.: 8377
Lease Date: 7/1/1996
Lot No.: 86
Area/Island: PKE, Oahu
Property Sold: Yes
Amount: $350,000.00
Improvements: 4 bedroom, 2-1/2 bath dwelling

Name: Leona P. Carrick
Relationship: None
Loan Assump: N/A
Applicant: Yes, Molokai IW Agr., 10/16/2014

Reason for Transfer: "Moving to the mainland." Special Condition: Transferee to obtain funds to pay purchase price.

10. Name: Thelma L. Gima
Res. Lease No.: 392
Lease Date: 11/25/1930
Area/Island: Nanakuli, Oahu
Property Sold: Yes
Amount: $350,000.00
Improvements: 3 bedroom, 2 bath dwelling

Name: Glenn K. Kamana
Relationship: None
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Sale of house. Special Condition: Transferee to obtain funds to pay purchase price.

LESSEE	TRANSFEREE

11. Name: Naomi M. L. K. Guth
Res. Lease No.: 11534
Lease Date: 8/22/2007
Lot No.: 1
Area/Island: Leialii, Maui
Property Sold: Yes
Amount: $250,000.00
Improvements: 3 bedroom, 2 bath dwelling and attached garage

Name: Su Lun N. H. Novikoff
Relationship: Daughter
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Gifting our daughter." Special Condition: Transferee to obtain funds to pay purchase price.

12. Name: Walter K. Ignacio
Res. Lease No.: 4047
Lease Date: 9/28/1973
Lot No.: 51
Area/Island: Waiakea, Hawaii
Property Sold: No
Amount: N/A
Improvements: 3 bedroom, 1-1/2 bath dwelling

Name: Nikol K. I. Lonokapu
Relationship: Daughter
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Getting old. Minimize red tape later."

13. Name: John K. Kalehua
Res. Lease No.: 6288
Lease Date: 12/01/1985
Lot No.: 20A
Area/Island: Keaukaha, Hawaii
Property Sold: Yes
Amount: $350,000
Improvements: 3 bedroom, 2 bath dwelling

Name: Haliaka C. Moller,
Relationship: None
Loan Assump: N/A
Applicant: Yes, Hawaii IW Res., 9/14/1993

Reason for Transfer: "The death of my brother in law and my sister left a huge mortgage balance due on their home. The money from the sale of the house is to pay off the entire outstanding mortgage balance due to the lender. As well as the expenses incurred to have the house." Special Condition: Transferee to obtain funds to pay purchase price.

LESSEE	TRANSFEREE

14. Name: Laverne P. Kanno
Res. Lease No.: 10985
Lease Date: 7/9/2010
Lot No.: 1197
Area/Island: Lanai, Lanai
Property Sold: Yes
Amount: $127,627.78
Improvements: 1 bedroom, 1 bath dwelling

Name: Kainoa Kanno
Relationship: Son
Loan Assump: N/A
Applicant: No

Reason for Transfer: "I want my son to have my Hawaiian Homestead." Special Condition: Transferee to obtain funds to pay purchase price.

15. Name: Christine H. Kekaula
Res. Lease No.: 6787
Lease Date: 10/1/1986
Lot No.: 75
Area/Island: Lualualei, Oahu
Property Sold: Yes
Amount: $231,500.00
Improvements: 3 bedroom, 1-1/2 bath dwelling

Name: Tiare Lynn K. Nakata
Relationship: None
Loan Assump: N/A
Applicant: Yes, Oahu IW Res., 6/7/2016

Reason for Transfer: "Relocating." Special Condition: Transferee to obtain funds to pay purchase price.

16. Name: Paulson P. Kekauoha
Res. Lease No.: 4117
Lease Date: 2/15/1974
Lot No.: 4
Area/Island: Waimanalo, Oahu
Property Sold: No
Amount: N/A
Improvements: 4 bedroom, 2 bath dwelling

Name: Pauline K. Bates
Relationship: Sister
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Transfer to my sister Pauline K. Bates."

LESSEE	TRANSFEREE

17. Name: Myrna K. Kitashima
Res. Lease No.: 12682
Lease Date: 9/20/2010
Lot No.: 34
Area/Island: Anahola, Kauai
Property Sold: No
Amount: N/A
Improvements: 3 bedroom, 2 bath dwelling

Name: Kaui M. Kitashima
Relationship: Grandson
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Moving to another island, but keeping it in the family."

18. Name: Evalani B. B. Lizama
Res. Lease No.: 11037
Lease Date: 1/31/2009
Lot No.: 9
Area/Island: Anahola, Kauai
Property Sold: No
Amount: N/A
Improvements: 2 bedroom, 2 bath dwelling

Name: Daniel L. Lizama
Relationship: Son
Loan Assump: N/A
Applicant: No

Reason for Transfer: "Gift".

19. Name: Milnor F. C. Lum
Agr. Lease No.: 5109
Lease Date: 9/23/1982
Lot No.: 182B
Area/Island: Panaewa, Hawaii
Property Sold: No
Amount: N/A
Improvements: 3 bedroom, 2 bath dwelling

Name: Reuben M. Pukahi
Relationship: Nephew
Loan Assump: N/A
Applicant: No

Reason for Transfer: "At age 87 and in poor health and the wish to see my farm in full production as it was all these years. I hereby transfer the remaining parcel to Reuben Pukahi who has the lease to the other connective parcel, both originally considered as one farm lot."

LESSEE	TRANSFEREE
20. Name: Florine M. Paaluhi Res. Lease No.: 3696 Lease Date: 2/24/1967 Lot No.: 243 Area/Island: Kewalo, Oahu Property Sold: No Amount: N/A Improvements: 8 bedroom, 2-1/2 bath dwelling	Name: Donna D. Lii Relationship: Mother Loan Assump: N/A Applicant: No

Reason for Transfer: "Give lease back to my mom."

21. Name: June Dale K. Pakele Res. Lease No.: 5565 Lease Date: 6/3/1985 Lot No.: 149 Area/Island: Lualualei, Oahu Property Sold: Yes Amount: $325,000.00 Improvements: 3 bedroom, 1-1/2 bath dwelling	Name: Angel K. N. Morales Relationship: Niece Loan Assump: N/A Applicant: No

Reason for Transfer: "I am giving Angel the house with my love for her children to carry on and have a home to always be there." Special Condition: Transferee to obtain funds to pay purchase price.

22. Name: Duane K. Samson Res. Lease No.: 11896 Lease Date: 2/15/2007 Lot No.: 69 Area/Island: Lualualei, Oahu Property Sold: Yes Amount: $395,000.00 Improvements: 3 bedroom, 2 bath dwelling	Name: Jamaine K. Kea-Anduha Relationship: None Loan Assump: N/A Applicant: Yes, Oahu IW Res., 1/17/2012

Reason for Transfer: "Relocation to a different island." Special Condition: Transferee to obtain funds to pay purchase price.

LESSEE	TRANSFEREE
23. Name: Clarence W. Sylva, Jr. Res. Lease No.: 5507 Lease Date: 6/3/1985 Lot No.: 126 Area/Island: Lualualei, Oahu Property Sold: Yes Amount: $288,000.00 Improvements: 2 bedroom, 1 bath dwelling.	Name: Bianca-Lyn P. Ramento Relationship: None Loan Assump: N/A Applicant: Yes, Oahu IW Res., 1/26/2017

Reason for Transfer: "Moving." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

24. Name: Bianca-Lyn P. Ramento Res. Lease No.: 5507 Lease Date: 6/3/1985 Lot No.: 126 Area/Island: Lualualei, Oahu Property Sold: Yes Amount: $288,000.00 Improvements: 2 bedroom, 1 bath dwelling.	Name: Randy O. Ramento Relationship: Husband Loan Assump: N/A Applicant: No

Reason for Transfer: "Husband is a Veteran, need to transfer 100% in order to qualify for the loan." Special Condition: Transferee to obtain funds to pay purchase price.

25. Name: Lillian Whitney Res. Lease No.: 1370 Lease Date: 12/11/1933 Lot No.: 152 Area/Island: Keaukaha, Hawaii Property Sold: No Amount: N/A Improvements: 4 bedroom, 2 bath dwelling	Name: Ioane K. Kua Relationship: Grandson Loan Assump: N/A Applicant: Yes, Hawaii IW Res., 8/16/2010

Reason for Transfer: "Transfer to my grandson."

	LESSEE	TRANSFEREE
26.	Name: Eugene P. P. K. Williams Res. Lease No.: 10030 Lease Date: 1/15/2005 Lot No.: 1 Area/Island: Waiehu Kou III, Maui Property Sold: Yes Amount: $300,000.00 Improvements: 3 bedroom, 2 bath dwelling	Name: Chandee D. K. Kaohu Relationship: None Loan Assump: N/A Applicant: Yes, Maui IW Res., 10/29/2008

Reason for Transfer: "My wife has a lease already."
Special Condition: Transferee to obtain funds to pay purchase price.

27.	Name: Louisa K. Artates Res. Lease No.: 10340 Lease Date: 6/18/2005 Lot No.: UNDV043 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Anuhea M. A. Tinao Relationship: Granddaughter Loan Assump: N/A Applicant: Yes, Maui IW Res., 2/26/2004

Reason for Transfer: "Passing on to my granddaughter, Anuhea M. Artates Tinao."

28.	Name: Kalai J. H. Asuela Res. Lease No.: 10407 Lease Date: 6/18/2005 Lot No.: UNDV110 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Kalani G. Puu Relationship: Brother in Law Loan Assump: N/A Applicant: No

Reason for Transfer: "Exchanging Lease with Kalani Puu."
See simultaneous transfer below.

	LESSEE	TRANSFEREE
29.	Name: Kalani G. Puu Res. Lease No.: 10306 Lease Date: 6/18/2005 Lot No.: UNDV009 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Kalai J. H. Asuela Relationship: Sister in Law Loan Assump: N/A Applicant: No
	Reason for Transfer: "Exchanging Lease with Kalai Asuela."	
30.	Name: Eileen I. Bright Res. Lease No.: 10446 Lease Date: 6/18/2005 Lot No.: UNDV149 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Sherman Lee K. Kauhaa Po Relationship: Nephew Loan Assump: N/A Applicant: Yes, Maui IW Res., 5/11/2017
	Reason for Transfer: "Want to lease on Kauai instead."	
31.	Name: Wilkens P. Kaauamo Res. Lease No.: 10328 Lease Date: 6/18/2005 Lot No.: UNDV031 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Terrence J. K. Rodrigues Relationship: Nephew Loan Assump: N/A Applicant: Yes, Maui IW Res., 6/13/2017
	Reason for Transfer: "Want nephew to have lot."	

	LESSEE	TRANSFEREE
32.	Name: Kenneth A. Makuakane Res. Lease No.: 10374 Lease Date: 6/18/2005 Lot No.: UNDV077 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Joni Mae L. Makuakane-Jarrell Relationship: Sister Loan Assump: N/A Applicant: Yes, Hawaii IW Res, 6/4/1987

Reason for Transfer: "Exchanging parcels with my sister."

33.	Name: Joanne K. H. O. Russell Res. Lease No.: 11205 Lease Date: 9/16/2006 Lot No.: UNDV007 Area/Island: Waimanalo, Oahu Property Sold: No Amount: N/A Improvements: None	Name: Joni Mae L. Makuakane-Jarrell Relationship: None Loan Assump: N/A Applicant: Yes, Hawaii IW Res, 6/4/1987

Reason for Transfer: "Taking over sister's lease."

34.	Name: Joni Mae L. Makuakane-Jarrell Res. Lease No.: 11205 Lease Date: 9/16/2006 Lot No.: UNDV007 Area/Island: Waimanalo, Oahu Property Sold: No Amount: N/A Improvements: None	Name: Kenneth A. Makuakane Relationship: Brother Loan Assump: N/A Applicant: No

Reason for Transfer: "Exchanging lots with my brother."

	LESSEE	TRANSFEREE
35.	Name: Kenneth A. Makuakane Res. Lease No.: 11205 Lease Date: 9/16/2006 Lot No.: UNDV007 Area/Island: Waimanalo, Oahu Property Sold: No Amount: N/A Improvements: None	Name: Kawaipuna C.J. Makuakane Relationship: Son Loan Assump: N/A Applicant: No
	Reason for Transfer: "Transferring to my son."	
36.	Name: Frances A. Williams Res. Lease No.: 10343 Lease Date: 6/18/2005 Lot No.: UNDV046 Area/Island: Waiohuli, Maui Property Sold: No Amount: N/A Improvements: None	Name: Zaviere M. Roros Relationship: Daughter Loan Assump: N/A Applicant: No
	Reason for Transfer: "Lessee #2 is fully capable, financially ready for Vacant Lot process and procedure for Construction Loan. Also is determined to follow policy inherent upon transfer request. A first time homebuyer, mother of 2 young children and husband to relocate finally on her island home. Husband has agreed to terms."	
37.	Name: James Akahi Pas. Lease No.: 9137 Lease Date: 5/29/1999 Lot No.: 98 Area/Island: Kahikinui, Maui Property Sold: No Amount: N/A Improvements: None	Name: Kaulana A. Akahi-Akana, Maui L. Akahi, & Justin J. L. Akahi Relationship: Daughters & Son Loan Assump: N/A Applicant: No
	Reason for Transfer: "I want to give to my children, Kaulana, Maui, and Justin."	

	LESSEE	TRANSFEREE
38.	Name: Barbara K. Kekaualua Agr. Lease No.: 6996 Lease Date: 12/1/1986 Lot No.: 52 Area/Island: Makuu, Hawaii Property Sold: No Amount: N/A Improvements: None	Name: Ira C. Kekaulaua & Lisa-Gayle L. Kekaualua-Medeiros Relationship: Son & Daughter Loan Assump: N/A Applicant: Yes, Hawaii IW Agr., 4/7/1989 - Ira Yes, Hawaii IW Agr., 11/27/1987 - Lisa

Reason for Transfer: "To give to my son and daughter."

39.	Name: Sharon K. L. Medeiros Pas. Lease No.: 8080 Lease Date: 2/1/1991 Lot No.: 106 Area/Island: Puukapu, Hawaii Property Sold: No Amount: N/A Improvements: None	Name: Roy K. Lewi Relationship: Friend Loan Assump: N/A Applicant: No

Reason for Transfer: "Due to my age I am unable to maintain my lot so I am giving my lot to Roy, because he has shown interest in my lot."

40.	Name: Deborah S. Patnaude Res. Lease No.: 1389 Lease Date: 2/19/1938 Lot No.: 147 Area/Island: Keaukaha, Hawaii Property Sold: No Amount: N/A Improvements: None	Name: Kawekiulani T. P. Swain Relationship: Hanai Nephew Loan Assump: N/A Applicant: Yes, Hawaii IW Res, 8/13/1993

Reason for Transfer: "Passing to hanai nephew."

LESSEE	TRANSFEREE
Assignments for the Month of October `17	40
Previous FY '17 - '18 balance	61
FY '17 - '18 total to date	101
Assignments for FY '16 - '17	229

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

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

Sixteen (16) amendments of lease.

1. Lessee: Glen L Akina & Glynn L.U. Akina
Res. Lease No.: 9444
Lot No., Area, Island: 6, Waiehu Kou II, Maui
Amendment: To amend the tenancy to tenant in severalty due to the death of joint tenant lessee.

2. Lessee: Violet Ayau
Res. Lease No.: 3768
Lot No., Area, Island: 304, Nanakuli, Oahu
Amendment: To remove the reservation of life interest, and to incorporate the currently used terms, covenants, and conditions in the lease.

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3. Lessee: Magdalena T. K. P. Bilermo, Et al.
Res. Lease No.: 2489
Lot No., Area, Island: 79, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, to amend the tenancy to tenants in common, 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.

4. Lessee: Elizabeth M. Dulatre
Res.Lease No.: 3023
Lot No., Area, Island: 399, 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.

5. Lessee: Judy A. Elvenia
Agr. Lease No.: 6240
Lot No., Area, Island: 30B, Panaewa, Hawaii
Amendment: To amend the property description.

6. Lessee: Walter Ignacio
Res. Lease No.: 4047
Lot No., Area, Island: 51, Waiakea, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease.

7. Lessee: Lillian Kaikuaana
Res. Lease No.: 1370
Lot No., Area, Island: 152, 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.

8. Lessee: David Kaiwi
Res. Lease No.: 3868
Lot No., Area, Island: 14B, Kuhio Village, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease.

9. Lessee: Laverne P. Kanno
Res. Lease No.: 10985
Lot No., Area, Island: 1197, Lanai, Lanai
Amendment: To amend the lease to release the 5 year retention period established for the Native Hawaiian Housing Block Grant.

10. Lessee: James K. Kaonohi, Jr.
Res. Lease No.: 2879
Lot No., Area, Island: 110, Waimanalo, 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.

11. Lessee: Adelaide A. Kauhi
Res. Lease No.: 2732
Lot No., Area, Island: 226A, Keaukaha, Hawaii
Amendment: To amend the lease to extend the lease term to an aggregate term of 199 years.

12. Lessee: Henry Kauka, Jr.
Res. Lease No.: 6061
Lot No., Area, Island: 15, Kalamaula, Molokai
Amendment: To amend the tenancy to tenant in severalty due to the death of joint tenant lessee.

13. Lessee: Paulson P. Kekauoha
Res. Lease No.: 4117
Lot No., Area, Island: 4, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, and to incorporate the currently used terms, covenants, and conditions in the lease.

14. Lessee: Rosita P. Miranda
Res. Lease No.: 6299
Lot No., Area, Island: 38B, Keaukaha, Hawaii
Amendment: To amend the property description.

15. Lessee: Florine M. Paaluhi
Res. Lease No.: 3696
Lot No., Area, Island: 243, Kewalo, Oahu
Amendment: To amend the lease title and lessor's name, and to incorporate the currently used terms, covenants, and conditions in the lease.

16. Lessee: Edward Woods, Jr.
Res. Lease No.: 309
Lot No., Area, Island: 111, 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.

Amendments for the Month of October '17	16
Previous FY '17 - '18 balance	62
FY '17 - '18 total to date	78
Amendments for FY '16 - '17	193

ITEM NO. D-9

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator

FROM: Juan Garcia, Oahu District Office Supervisor
Homestead Services Division

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

RECOMMENDED MOTION/ACTION

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

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

DISCUSSION

Seven (7) non-exclusive licenses.

1. Lessee: Beatrice L. Cummings
   Res. Lease No.: 5324
   Lot No., Area, Island: 73, Waianae, Oahu
   Permittee: SunPower Solar

2. Lessee: Chadwick K. Enos
   Res. Lease No.: 11901
   Lot No., Area, Island: 106, Nanakuli, Oahu
   Permittee: Sunrun Inc.

3. Lessee: Eugene M.K. Kawelo
   Res. Lease No.: 6757
   Lot No., Area, Island: 95, Waianae, Oahu
   Permittee: Sunrun Inc.

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4. Lessee: Thomas K. Kotrys
Res. Lease No.: 3847
Lot No., Area, Island: 338, Nanakuli, Oahu
Permittee: Sunrun Inc.

5. Lessee: Walter Y. Lee
Res. Lease No.: 12743
Lot No., Area, Island: 13745, Hoolimalima, Oahu
Permittee: MDI PV, LLC

6. Lessee: Carl A.K. Meyers
Res. Lease No.: 5642
Lot No., Area, Island: 28, Lualualei, Oahu
Permittee: Sunrun Inc.

7. Lessee: Jennie P. Roman
Res. Lease No.: 4410
Lot No., Area, Island: 43, Nanakuli, Oahu
Permittee: Sunrun Inc.

Non-Exclusive License for the Month of October '17	7
Previous FY '17 - '18 balance	28
FY '17 - '18 total to date	35
Non-Exclusive License for FY '16 - '17	69

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator
Homestead Services Division

FROM: Olinda L. Fisher, East Hawaii District Supervisor
Homestead Services Division

SUBJECT: **Approval of Subdivision, Transfer of a Portion of Lease, Amendment of Lease No. 05057, Lot No. 207-A, Keaukaha, Hawaii Lawrence K. Kaloi, Jr.**

RECOMMENDED MOTION/ACTION

1. To approve the request of Lawrence K. Kaloi, Jr. to subdivide Department of Hawaiian Home Lands Residential Lease No. 05057, Lot No. 207-A, Keaukaha, Hawaii, consisting of 25,686 square feet, and further identified as TMK (3) 2-1-022:081 into Lots 207-A and 207-A1, provided that the Lessee is responsible for all cost incurred in the processing and obtaining of the subdivision, including but not limited to surveying fees, fees imposed by the County of Hawaii, fees for utility (electric, water, etc.) and other fees associated with the subdivision of Lot No. 207-A.

2. To approve the amendment of Lease No. 05057, to reflect the subdivision of the Lot into Lots 207-A and 207-A1; update the property description of original Lot No. 207-A; and to incorporate the currently used terms, covenants, and conditions in the lease.

3. To approve the designation of Residential Lease No. 05057, demising Lot No. 207-A.

4. To approve the transfer of Lot No. 207-A1, under Lease No. 050507-B, to Samuel N. Kaloi.

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

DISCUSSION

Department Residence Lot Lease No. 05057, Lot No. 207-A, located in Keaukaha, Hawaii, commenced on February 2, 1981.

Lawrence is requesting the approval to subdivide his lot into two lots and to give to his son, Samuel, the other lot. Lawrence son's Hawaiian Blood Quantum was deemed to be the required 50% quantum for the transfer of a portion of his lease. Once the lot is subdivided, Lawrence will then retain Lot No. 207-A for himself and Samuel will receive Lot No. 207-A1. Samuel is an applicant and applied on February 13, 2004 and is qualified to receive a transfer of a portion of Lot No. 207-A.

Section 10-3-38 of the Administrative Rules (Rules) states that "A lessee of a residential lot, with approval of the commission, may subdivide and transfer a portion of the lot for the remaining term of the lease to any individual who is native Hawaiian and is at least 18 years old; provided that after the transfer, each lot conforms to County zoning standards. The department shall not be required to finance the construction of the house on the transferred portion." The Rules also state "The Department shall not be required to pay for any costs incurred in the processing and obtaining of the subdivision."

Attached is "Exhibit A" of the plot plan for Lot No. 207-A illustrating the lessee's desire to subdivide the lot into two lots, Lot No. 207-A consisting of 14,843 square feet and Lot No. 207-A1 consisting of 14,843 square feet. The existing home is located on the front portion of Lot No. 207-A, which is to be retained by Lawrence.

There is no outstanding loan attached to the lease. The lease rent to the Department is current.
The real property tax owed to the County of Hawaii is current.

The Department recommends the approval of its recommendations.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator
Homestead Services Division

FROM: Olinda L. Fisher, East Hawaii District Supervisor
Homestead Services Division

SUBJECT: **Approval of Subdivision, Transfer of a Portion of Lease, Amendment of Lease No. 01067, Lot No. 124-A, Keaukaha, Hawaii - Hauoli Freeman and Sherry Ann K. Iona**

RECOMMENDED MOTION/ACTION

1. To approve the request of Co - lessees Hauoli Freeman and Sherry Ann K. Iona to subdivide Department of Hawaiian Home Lands Residential Lease No. 01067, Lot No. 124-A, Keaukaha, Hawaii, consisting of 92,310 square feet, and further identified as TMK (3) 2-1-02:017 into Lots 124-A and 124-B, provided that the co-lessees are responsible for all cost incurred in the processing and obtaining of the subdivision, including but not limited to surveying fees, fees imposed by the County of Hawaii, fees for utility (electric, water, etc.) and other fees associated with the subdivision of Lot No. 124-A.

2. To approve the amendment of Lease No. 01067, to reflect the subdivision of the Lot into Lots 124-A and 124-B; update the property description of original Lot No. 124-A; and to incorporate the currently used terms, covenants, and conditions in the lease.

3. To approve the designation of Residential Lease No. 01067, demising Lot No. 124-A.

4. To approve the transfer of Lot No. 124-B, under Lease No. 01067-B, to Sherry Ann K. Iona.

ITEM NO. D-12

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

DISCUSSION

Department Residence Lot Lease No. 01067, Lot No. 124-A, located in Keaukaha, Hawaii, commenced on April 22, 1925.

Hauoli and Sherry Ann are requesting the approval to subdivide the lot into two lots and to give Sherry Ann, the other lot. Once the lot is subdivided, Hauoli will then retain Lot No. 124-A for herself and Sherry Ann will receive Lot No. 124-B. Sherry Ann is co-lessee with Hauoli as joint tenants; therefore, she is qualified to receive a transfer of a portion of Lot No. 124-A.

Section 10-3-38 of the Administrative Rules (Rules) states that "A lessee of a residential lot, with approval of the commission, may subdivide and transfer a portion of the lot for the remaining term of the lease to any individual who is native Hawaiian and is at least 18 years old; provided that after the transfer, each lot conforms to County zoning standards. The department shall not be required to finance the construction of the house on the transferred portion." The Rules also state "The Department shall not be required to pay for any costs incurred in the processing and obtaining of the subdivision."

Attached is "Exhibit A" of the plot plan for Lot No. 81 illustrating the lessee's desire to subdivide the lot into two lots, Lot No. 124-A consisting of 46,155 square feet and Lot No. 124-B consisting of 46,155 square feet. The existing home is located on the front portion of Lot No. 124-A, which is to be retained by Hauoli.

Hauoli will retain existing lease No. 01067 with loan No. 17083, current balance is $38,486.83 as of August 29, 2017. The lease rent to the Department is current.
The real property tax owed to the County of Hawaii is current.

The Department recommends the approval of its recommendations.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Jean Oshiro, Acting Administrator
Homestead Services Division

FROM: Olinda L. Fisher, East Hawaii District Supervisor
Homestead Services Division

SUBJECT: **Commission Designation of Successor - LARRY KAMAKA, Lease No. 02590, Lot No. 215-A, Keaukaha, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the designation of Lawrence S. Kamaka (Lawrence), as successor to Residential Lease No. 2590, Keaukaha, Hawaii for the remaining term of the lease.

DISCUSSION

On September 30, 1986, Larry Kamaka (Decedent) was assigned through a transfer, Department of Hawaiian Home Lands Residential Lot Lease No. 2590, Lot No. 215-A, Keaukaha, Hawaii (Lease).

On December 12, 2015, the Decedent passed away naming his wife Denise Kamaka, as the receiver of net proceeds.

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 8, 19, 22 and February 1, 2017, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The Department received a successorship claim from the Decedent's son, Lawrence. The claimant is 25% Hawaiian and has been determined to be eligible for succession.

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

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

Existing improvements consist of a two bedroom, half bath single family dwelling, built in 1957. An appraisal was done by Valley Isle Appraisal, appraising the improvements at $45,000.00.

As of December 9, 2016, there are no outstanding loans. Lease rent is due $6.00 and real property taxes are paid current.

The Department requests approval of its recommendation to name Lawrence for successorship, as he is the sole respondent to succeed to the lease.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator
Homestead Services Division

FROM: James Du Pont, West Hawaii District Office Supervisor
Homestead Services Division/Office of the Chairman

SUBJECT: Request to Schedule Contested Case Hearing - Lease Violation - **MARVA LEE AH LOY** - Pastoral Lot Lease No. 2674-A, Lot No. 9, Puukapu, Waimea, Hawaii

RECOMMENDED MOTION/ACTION

To approve the scheduling of contested case hearings for the following lessees listed below:

DISCUSSION

The following lessee has violated the terms and conditions of their homestead leases; therefore, we recommend that a contested case hearing be scheduled.

Lessee:	Marva Lee Ah Loy
Lease No.	2674-A
Lot No./Area/Island:	9, Pu'ukapu, Waimea, Hawaii
Lease Violation:	Failure to allow inspection of homestead.

ITEM NO. D-14

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator
Homestead Services Division

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

SUBJECT: **Request to Schedule Contested Case Hearing - Authorization to Proceed to Public Notice Under Section 209, HHCA, Due to Nonresponsive Designated Successor(s)**

RECOMMENDED MOTION/ACTION

To approve the scheduling of a contested case hearing for the designated successors.

DISCUSSION

The Department has tried on numerous occasions to contact the respective designated successors to execute the Lease to complete the successorship. Department correspondence were mailed to the designated successors requesting they contact the Department to arrange for the execution of the successorship of lease document. In addition, the Department's attempted to make contact through known telephone numbers, however, these attempts were unsuccessful in having the successorship lease document signed. In certain cases, the Department has no information on any known location or mailing address for the designated successor(s), therefore, the Department has been unable to make contact.

Through the contested case hearing process, the Department will seek authorization to proceed with the public notice process to notify all interested related individuals to submit a successorship claim, or proceed with the alternate designated successor(s) to the lease.

The Department recommends approval of the motion as stated.

Deceased Lessee	Designated Successor(s)
1. Loisann K. Kaiwi Lot No.: 63 Area: Anahola, Kauai Lease No.: 6548	Sachiko Kalima, Daughter
2. Bernard H. Mahuiki Lot No.: 40 Area: Anahola, Kauai Lease No.: 3751	Terri Ellen Mahuiki Sembrano, Daughter

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Jobie Masagatani, Chairman
Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Homestead Services Division Administrator

FROM: James Du Pont, West Hawaii District Office Supervisor

SUBJECT: **Amended Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 9054, Lot A, Keoniki, Waimea, Hawaii - FLORA BEAMER SOLOMON**

RECOMMENDED MOTION/ACTION

1. To approve the request of Flora Beamer Solomon to subdivide Department of Hawaiian Home Lands Pastoral Lease No. 9054, Lot A, Keoniki, Waimea, Hawaii, consisting of 125 acres, and further identified as TMK: 3-6-5-001:010 into Lots A-1, A-2 and A-3 (see attached subdivision map labeled Exhibit A), subject to the following conditions:

   A. The Lessee is responsible for all cost incurred in the processing and obtaining of the subdivision, including but not limited to surveying fees, fees imposed by the County of Hawaii (County), fees for utilities (electric, water, etc.).

   B. Lessee to obtain approval from the Hawaiian Homes Commission (HHC) for a "workers quarters" pursuant to Hawaii Administrative Rules (HAR) 10-3-26 (b).

   C. An updated ranch plan for each of the three subdivided lots must be submitted within ninety (90) days pursuant to HAR 10-3-26 (f) and 10-3-24.

   D. Transfer of lots shall only be to lessee's daughters, Hulali Solomon Covington (Lot A-1) and Alice Leiomalama Solomon (Lot A-3). Lessee to retain Lot A-2.

   E. Amend Lease No. 9054, to reflect the subdivision of Lot A into Lot Nos. A-1, A-2 and A-3, to incorporate the currently used terms, covenants and conditions in the lease.

F. Survey work to be conducted by a licensed surveyor, including but not limited to the surveying and staking of boundary corners of the lots, submitting to the County of Hawaii, preparing and submitting the legal description of the lots to the Department of Hawaiian Home Lands, applying to the County of Hawaii for subdivision approval, obtain the tax map keys for the Lots and final subdivision approval by the County of Hawaii.

G. Applicant must comply with Chapter 343, of the Hawaii Revised Statutes (HRS), prior to obtaining final subdivision approval by the HHC. Chapter 343 requires that an Environmental Assessment (EA) be conducted for a complex subdivision. A complex subdivision is defined as one lot being subdivided into three or more lots.

H. Detailed plot plans for each of the three (3) subdivided lots along with the respective "Request for Improvements" form to be submitted for review and approval by DHHL. The plot plans shall include; location of all improvements, any easements granted or to be granted for utilities. In addition, a building permit for each structure with proper identification shall be submitted.

DISCUSSION

On January 15, 2014, the Hawaiian Homes Commission (HHC), approved Item G-1 to remove the moratorium on subdivisions of agricultural and pastoral leases as authorized under Section 10-3-26 of the Department of Hawaiian Home Lands (DHHL) Hawaii Administrative Rules (HAR). On May 20, 2014, the HHC approved the Implementation Plan to allow Subdivisions and Transfer of Agricultural and Pastoral Leases. On January 13, 2015, a "for information only" submittal was presented to the HHC by DHHL's Planning Office. The submittal outlined the procedure for processing agricultural and pastoral subdivision requests.

Department Lease No. 9054, Lot A, located at Keoniki-Kauniho, Waimea, Hawaii (Lease) was awarded to Flora Beamer Solomon after she requested a relocation from her previous homestead. The relocation was approved by the Hawaiian Homes Commission on January 28, 1997. Mrs. Solomon is requesting approval to subdivide the pastoral homestead lot and transfer a portion of the lot to her daughters, Hulali Solomon Covington and Alice Leiomalama Solomon. Both daughters are deemed to be not less than 25% Hawaiian ancestry and are therefore qualified to receive their subdivided portion of the lot.

A plot plan of the lot illustrating the lessee's desire to subdivide the lot into three (3) lots of various sizes is attached (Exhibit A). Each lot will consist of a dwelling with a request for a worker's quarters to be allowed on Lot A-2.

Upon satisfaction to DHHL on the compliance of all conditions listed above, DHHL will resubmit the requested action for the HHC's final approval.

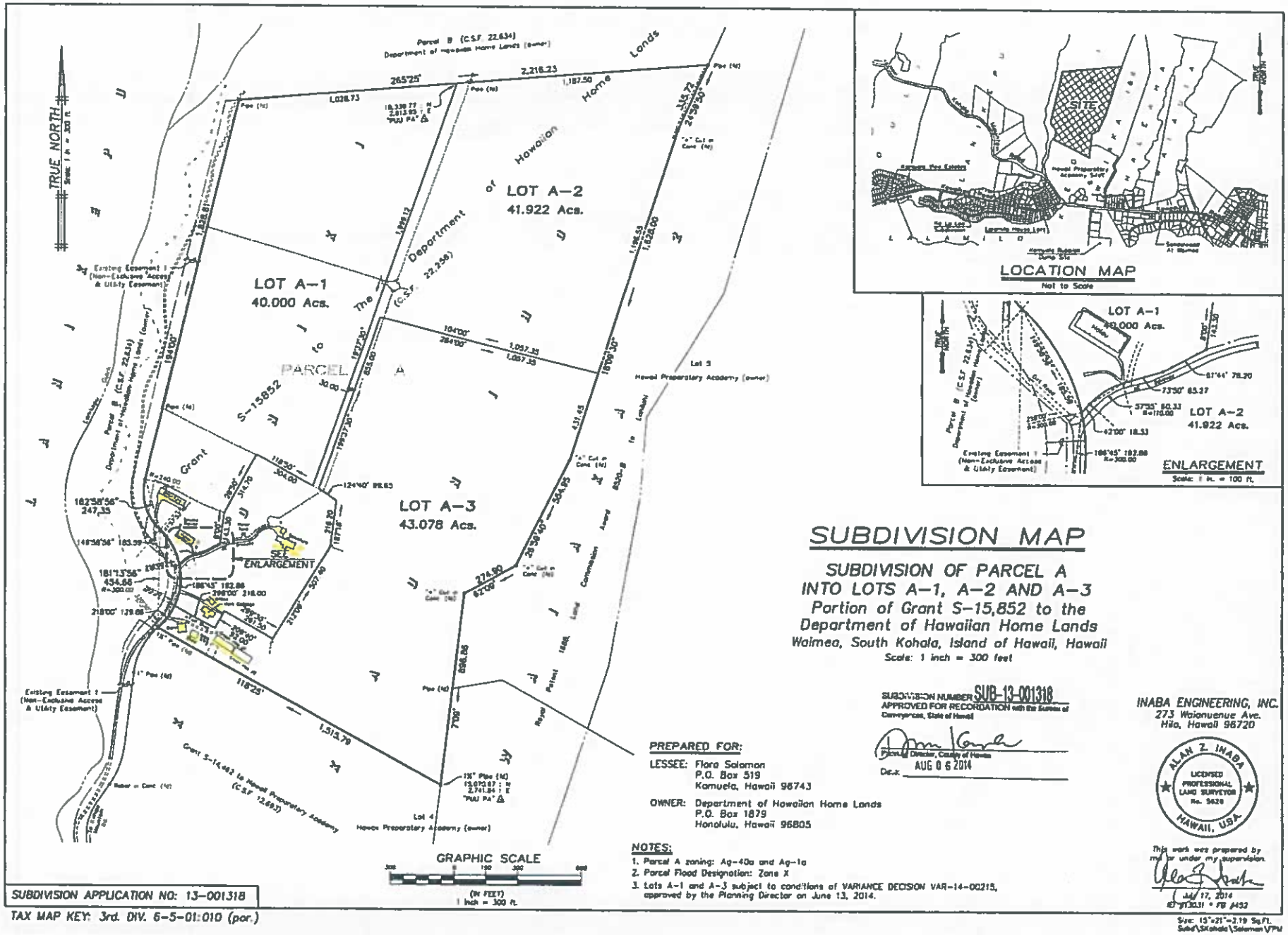
At the November 17, 2014 meeting concern was expressed by the commission about the financial burden that homesteaders would endure should they pursue a complex subdivision. Department staff recommended that in this subdivision, since the zoning and use as an agricultural lot was not being changed, that an exemption be granted. That would address Item G related to Chapter 343 and an Environmental Assessment for a complex subdivision.

The County of Hawaii has issued all necessary permits for the various structures on the property. However, not all the structures have been approved by the department. These few structures would not be eligible for an appraisal should the lease be returned to the department.

There is no outstanding loan attached to the lease. The lease rent to the Department and the real property tax owed to the County of Hawaii are paid current.

RECOMMENDATION

HSD recommends approval of the motions as stated.



ITEM NO. D-16
Exhibit A

EXHIBIT A

ITEM NO. D-16
Exhibit A

ITEM NO. D-16
Exhibit A

October 6, 2016

To: James DuPont, West Hawaii District Supervisor

Homestead Service Division

From: A Leiomalama Solomon POA for Flora Beamer Solomon

Aloha,

Please be advised Mauloaokala Solomon Covington, (Grandson) as of October 31, 2016 will be occupying Flora Beamer Solomon Workmen's Cottage.

Please refer to attachment A as to his job qualifications and job description.

Mahalo nui loa,

A. Leiomalama Solomon, Ph.D Ranch Manager Dba Waiaka Farms

POB 519, Kamuela Hawaii 96743

Email: Malama_solomon@yahoo .com

ITEM NO. D-16
Exhibit A

ATTACHMENT A
Planned Operation and Description

Livestock:

Herd size based on a 3 acre to 1 animal unit ratio with livestock water catchment (watershed with 25,000 gallon tank) and Hawaii County water meter with 3/ 500 gallon stainless steel trough. We estimate our carrying capacity to be at 82 cows with 82 calves and 2 bulls at Honokaia and 50 cows with 50 calves, 5 bulls and 1 horse.

Mauloa has been actively employed for 11 years on our family's cattle ranch as a ranch hand/cowboy. He has knowledge of USDA intensive pastoral management practices and experience in animal handling of cattle, horses and formal education in farming and agriculture. Between the ages of 14 and 21 he worked under the guidance of my Father (Randolph F. Solomon) who was my primary mentor. Upon my grandfather's retirement at age 84 and between ages 21 and 26, he worked under my supervision, I will serve as his primary mentor, and eventually relinquish my position as the family ranch manager.

In addition, Mauloa will be responsible for the management of our Agricultural Processing Commercial Kitchen, registered with the Department Health as Po'ohala Kitchen.

Formal Education:

Honokaa High School Graduate Class of 2004:

- Farming and Agriculture High School Science Courses

Hawaii Community College Class of 2008:

- Associate Degree in Food Service: Specialty in Meat Processing
- Associate Degree in Auto Body Repair
- Took Science Electives in Farming and Agriculture

Ranch Hand Daily Operations: Honokaia & Waiaka

- Make sure all cows, bulls eat and drink every day
- Check cattle; every 3-5 days cattle need to be rotated
- More during dry weather conditions and need to be checked more if severe weather

Sort Calves, Background, Shipping:

- Tag, brand, ear tag and vaccinate calves 3x a year
- Tag and pour on cows, sort cull cows 1x a year
- Separate calves with mother-cows if needed
- Wean calves feed and water daily
- New pregnant Heifers need to be checked daily when calving Summer and Fall months

Repair and Maintenance:

- I have experience in equipment repair, fences, corals, water pens and buildings (barn, garage)

- I have skills to operate a Bob Cat, Kubota Tractor, Backhoe, Kawasaki Mule, 250 4x4 truck with ability to use 20 ft. gooseneck/flatbed trailers
- Maintained all water systems, I have knowledge of a tank gravitation system, repair pipes, water trough apparatus
- Fence construction & repair; hog, Barb wire, electric
- I have knowledge of hand tools, power tools
- I understand pasture maintenance, weed control, irrigation and ranch road repair

Conservation:

- I have worked with Mentor A. Leiomalama Solomon and Maunka Kea SWCD to put together conservation plans for both areas and prescribed grazing programs, a practice that is continued.

Waiaka Farms POB 519 Kamuela Hawaii Phone 808 885-3553

Email: malama_solomon@yahoo.com

Justification for Workers Quarters on Flora Beamer Waiaka Lot A-2 at 41.992

Submitted by, Malama Solomon, POA for Flora Beamer Solomon & Ranch Manager

08/16/2016

Flora Beamer Solomon age 90 and Husband Randolph F. Solomon age 91 are unable to up keep and continue their ranch operations without a full time Ranch hand. They need to provide living quarters for the following.

In 1997 parents were allowed to occupy homestead both were 75 years old, they built a workers quarters which was approved by the County of Hawaii Building Department.

Malama Solomon daughter at the age of 50 occupied their workers quarters for 15 years and full filled Ranch Hand and Ranch Manager Position. She was able to complete project infrastructure and herd management for both parcels.

Mother Flora Beamer Solomon requires 24/7 care. Husband Randolph provides day care, daughter Malama age 65 is the primary care giver and no longer able to provide Ranch hand daily services but will continue as the Ranch Manager.

Ranch Hand Job Description and Performance: 12 months

All year around breeding, herd size 100 brood cows with 96 calves, 4 bulls on two separate parcels involving 267 acres Waiaka & Honokaia. Must have a 4WD requires a 20 mile commute between properties.

Individual must have knowledge of USDA Intensive pastoral management practices. Experience in animal handling of cattle and horses or education

Daily Operations

Make sure all cows, bulls eat and drink every day.

Check cattle; Waiaka every 3 days and Honokaia every 7 days cattle need to be rotated.

More during dry weather conditions and need to be checked more if severe weather

Sort calves, background, ship

Tag, brand, ear tag and vaccinate calves 3x a year

ITEM NO. D-16
Exhibit A

Tag and pour on cows, sort cull cows 1x a year

Separate calves with mother-cows if needed

Wean calves feed and water daily

New Pregnant Heifers need to be checked daily when calving Summer and Fall months

Repair and maintenance as needed, equipment, fences, corals, water pens and buildings (Barn, Garage) must have skills to operate Bob Cat and or Kubota Tractor

Maintain all water systems, must have knowledge of a tank gravitation system, repair pipes, water trough apparatus must be clean and checked daily

Fence construction & repair; hog, Barb wire, electric checked weekly

New construction if needed must be knowledgeable about hand tools, power tools

Pasture maintenance, weed control, irrigation ranch road repair if necessary

Lawn maintained every 3 weeks, mowed, weed eat and spray any noxious weeds around residence, barn and equipment shed, workers quarters and ranch office

Rubbish removed weekly and deposited in County Trash Stations

Need to have valid driver's license for 250 4x4 truck with ability to use 20 Ft. gooseneck trailers flatbed and hauling and Kawasaki Mule

Hours & Terms

Full Time Job salary $1200.00 a month with House 2 bedrooms, 1 full bath, laundry, kitchen with appliances, dining room, living room. 2 car covered garage attached to Ranch Office.

Utilities: Water, internet, Electricity included.

No health care provided

Monday through Friday 7a.m. – 3p.m. 8 hours a day-30 minute lunch break

Work Saturday and Sunday if necessary

Days off weekends, with pay 12 days by arrangement, week days by arrangement

Date: June 1st, 2015

Memo to the file: Regarding Malama Solomon's subdivision of the DHHL property in Waimea on Hawaii Island

From: DHHL Deputy William Aila, Jr.

Deputy said that all of Malama Solomon's paperwork that is needed by Hawaii County regarding her request to subdivide her DHHL parcel in Waimea is done and has been submitted to Hawaii County Planning Department and she has received the County's approval for this subdivision on the condition that she (Malama) receives DHHL/HHC approval.

The paperwork that was submitted includes a certified survey of her property, a detailed plot plan and the forms for subdivision.

Deputy Aila spoke with Hawaii County Planning Director Duane Kanuha on Friday, May 29th, 2015 and Mr. Kanuha said that Hawaii County has no requirement for the need for Malama Solomon to have an Environmental Assessment done for this parcel since it is an agricultural subdivision.

Still to be done by Deputy Aila:

Review the HHC decision and directions to Malama Solomon regarding this potential subdivision, for example – she may have needed to submit an updated farm plan…etc.

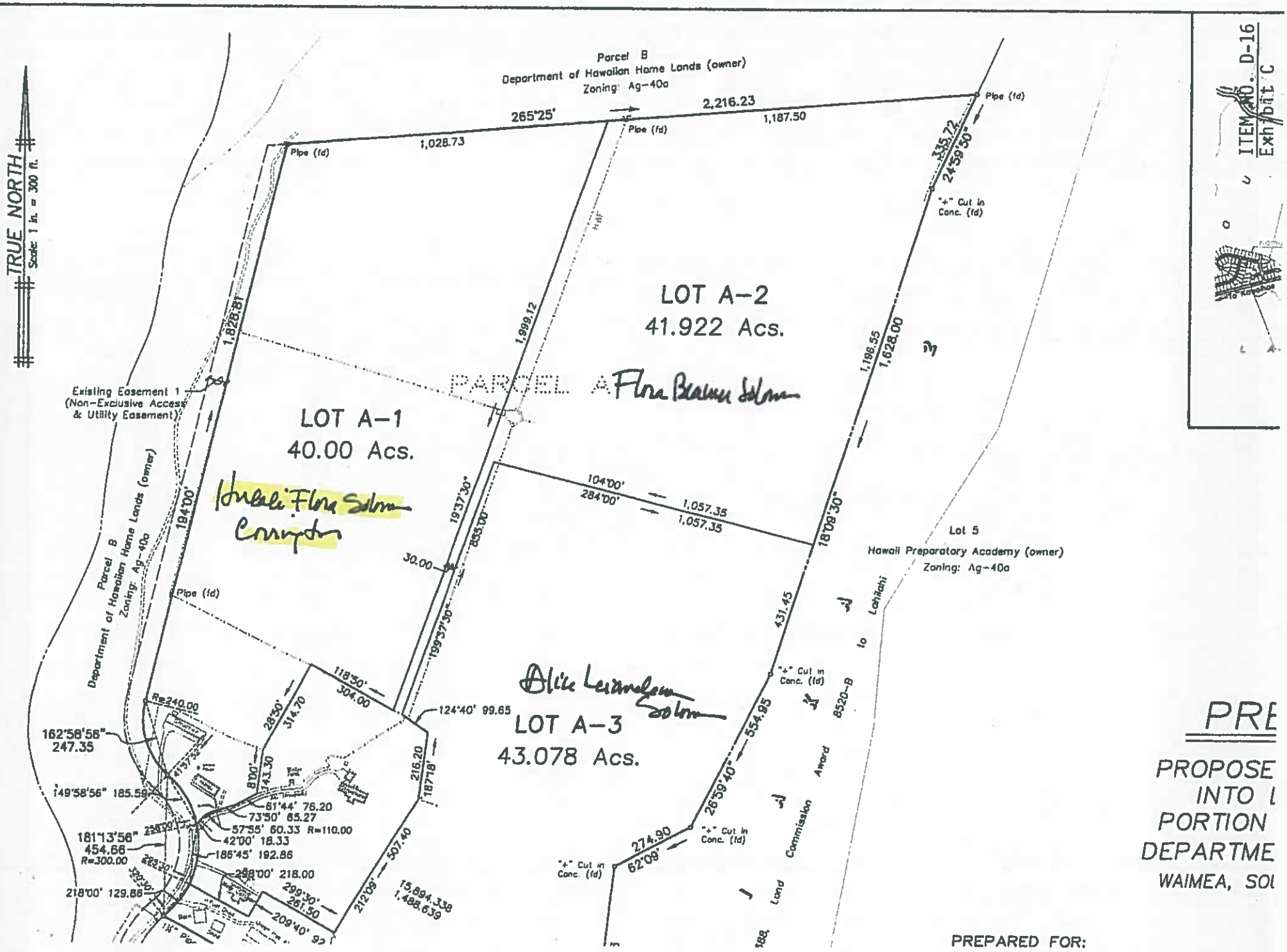
ITEM NO. D-16
EXHIBIT B

September 5, 2017

Farm and Ranch Development Plan for Flora Beamer Solomon, Alice Leiomalama Solomon and Hulali Flora Solomon

Please note we have prepared individual Farm and Ranch Development plans for our Hawaiian Homestead leases however, we will continue to operate as one ranch operation with Ranch Manager Alice Leiomalama Solomon, full time Ranch hand and Paniolo Mauloa Covington.

ITEM NO. D-16
Exhibit C



ITEM NO. D-16
Exhibit C

PRE

PROPOSE
INTO L
PORTION
DEPARTME
WAIMEA, SOU

PREPARED FOR:

FARM / RANCH DEVELOPMENT PLAN

Date: _____

Name of
a) Applicant: Hulali Flora Solomon Corrington

b) Spouse: Robert Corrington

Address: P.O. Box 1319 Kamuela, HI 96743

Phone: (Home) (808) 887-3153 (Bus) _____

c) Person(s) who will do most of the work on the Farm/Ranch: Maurice Corrington

d) Other person(s) who will work on the Farm/Ranch: _____

e) Person filling out this form: Hulali Solomon Corrington & Alice Leimalama Solomon

Location: 6-5-001-057-0000

Lot Selected: A-1

Acreage: 40 Acres.

A. Farming/Ranching Experience and Education:

1) List formal agricultural or ranching education:

SCHOOL	DATE From	DATE To	DEGREE
University of Hawaii Manoa	1971	1977	B.Ed - M.Ed

ITEM NO. D-16
Exhibit C

2) List other Farming/Ranching education such as classes, workshops and field days, etc.

EVENT	DATE From	DATE To	PLACE
University of Hawaii Science Classes for Undergraduate + Graduate Studies	1971	1977	Hilo - UH Manoa - UH

3) List Farm/Ranching work experience (s):

EMPLOYER or PLACE	DATE From	DATE To	LIVESTOCK	HOURS PER WEEK
Kohala Farms	1969	1990	cow/calf operation	5-10 hrs.
Waiake Farms	1990	2017	cow/calf operation	5-10 hrs

4) Are you a member of a Cattleman's Association? Yes ____ No ✓

5) Are you a Future Farmer of America graduate? Yes ____ No ✓

6) List any Farm/Ranching-related organization you belong to:

B) Purpose of the Farm/Ranch

1) What is the purpose of your Farm/Ranch? (Circle the most appropriate answer)

a) Commercial production (greater than 50% of your annual income will be derived from activities on the lot)

b) To supplement income (less than 50% of your annual income will be derived from activities on the lot)

ITEM NO. D-16
Exhibit C

c) Subsistence: (Activities on the lot would only supply immediate family needs)

2) How do you plan to Farm/Ranch? Circle (Circle most appropriate answer)

a) Full-time

b) Part-time

3) If you plan to Farm/Ranch part-time indicate how many hours per week 20 hours

C) Farm/Ranch Feasibility

1) Indicate on Table I, for the first three (3) years of Farm/Ranch development and at full production.

a) Livestock or crops to be raised

b) Projected acreage or quantity in production.

c) Projected annual Farm/Ranch expenses.

d) Projected annual gross Farm/Ranch income.

(Table I attached)

2) Indicate on Table II the estimated itemized Farm/Ranch expenses for five (5) years.

production for each category listed, where appropriate. (Table II attched)

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Exhibit C

3) Indicate on Table III, the major monthly activities and the appropriate amount or acreage which is accomplished.

For Example:

Month	Activity	Amount/Acreage
1	Land preparation Erect fence Install water system	100 acres 10,712 ft.
2	Purchase Livestock	12 cows
3	Pasture Improvement	25 acres
4	Land Preparation	4,000 ft.

(Table III attached)

4) Indicate on Table 4, annual gross non-Farm/Ranch income and annual gross non-Farm/Ranch expenses.

(Table IV attached)

D. Financing

1) Indicate the amount of financing from each source listed below to be invested in the lot.

a) My own capital: $ 30,000.00

b) Capital borrowed from relatives or friends: $ _____

c) Loan: $ _____

2) If you apply for loans indicate the amounts you will request from the sources listed below.

a) Department of Hawaiian Home Lands: $ 0

b) State Farm Loan: $ 0

c) Commercial Institutions: $ 0

d) Farm Services: $ 0

e) Farmers Home Administration: $ 0

f) Others: $ 0

3) Do you have any current loans outstanding? _____ Yes ✓ No

4) If you have any current loans outstanding, indicate your total current balance. $ none

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Exhibit C

5) **If you have any current loans outstanding, indicate your total monthly payment on your current balance.**

$ Ø

6) **If you are delinquent on your current balance, indicate the amount of delinquency.** $ Ø

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Exhibit C

7) List any present Farm/Ranching assets:

	Value	Location	Description
a) Ranch or Farm land	$ 40 acres DHH	Waiale	2-rope Paddocks
b) Equipment	ATV		
c) Plants or Livestock	10 cows / 1 Bull	Waiale	
d) Supplies	None		
e)			
f)			
g)			

8) List the major equipment needed and the approximate cost.

Type	Cost
None	$
	$
	$
	$

E) Marketing

1) What is the estimated time from raising to sale:

Type of Crop/Livestock	Months
weaner calves	8

2) What is the expected yield and current market price?

Type of Crop/Livestock	Yield	Current Market Price
	10 calves	$.70 steers / $.64 Heifers per lb

average $.67 x 10 x 425 lbs = $2,762.50

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Exhibit C

3) What is the potential market of the type of crop/livestock you plan to raise? (For each type, check one column)

Type of Crop/Livestock	Potential: Good	Fair	Poor
425 lb weaner calves	✓		

4) List where you will market your product (s). Who will you sell them to?

Pacific International Livestock – Palmilo –

5) Who are your major competitors and what is your competitive strategy?

Other Ranch interests – competitive strategy premium breeding program – grade out good or choice –

6) What improvements to the land do you intend to make and at what cost?

Prescribed grazing program including rotation – and paddock control –

7) How will you develop the land from the beginning of the lease until it is in full operation?

Controlled grazing – optimize pasture conditions to sustain cow/calf operation & maximize calf production & achieve weights

ITEM NO. D-16
Exhibit C

Give estimated times required by each major activity and projected percentages of development.

Completed

ITEM NO. D-16
Exhibit C

8) How will you finance the operations?

own funds –

9) What problems are anticipated in carrying out this plan and how will you resolve them?

Climate warming

10) What are the breeds/crosses of livestock you will raise and why did you select them?

Angus Hereford cross – best for calf production

F. Labor & Technical Assistance

1) From the "Activities" listed in Table III, list those that you or your family will perform.

~~life~~ all Ranch operations –
Livestock management
fencing R+M
H2O system R+M –

2) List any activities you are not able to do by yourself.

all R+M – husband/son will perform

ITEM NO. D-16
Exhibit C

3) From the question above, indicate the activities which you will hire outside labor or specialists to do.

R+M as needed

4) Personally, what are your agricultural/livestock knowledge abilities or skills?

Engaged in family farm & Ranch business - lifeopen
Skills inherited from family business -

5) Personally, what are your agricultural/livestock weakness or deficiencies?

not enough acreage - to expand into a commercial
Ranching operation - 45 cows.

6) What types of technical assistance will you need and who or what agency will you go to for this assistance?

Type of Technical Assistance	Person or Agency
Vet service -	Dr. William Burgi -
Herd management	Alice Fairchild John

ITEM NO. D-16
Exhibit C

G. Residence

Do you plan to build a house on your agriculture/pastoral lot?

Yes ✓ **No** _____ House plans on file DHHL office Waimea

H. Plot Plan

1) Draw a map and indicate:

a) The acreage you will develop in the 1st year.

b) The acreage you will develop in the 2nd year.

c) The acreage you will develop in the 3rd year.

d) Location of house site, if you are planning to build a house on your pastoral lot.

ITEM NO. D-16
Exhibit C

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII

JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

DARRELL T. YOUNG
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P O BOX 125
KAMUELA, HAWAII 96743

FARM DEVELOPMENT PLAN
AGRICULTURAL LOT

APPLICANT: Hulali Flora Solomon Covington —

ADDRESS: POB 1319 Kamuela Hawaii 96743

PHONE: (808) ~~[illegible]~~ 885-7044

LOCATION: 6-6-001-057 0000 LOT NO.: A-1 ACREAGE: 40 acs -

CROPS TO BE GROWN:

PURPOSE OF FARM: (circle one)
a. Commercial
~~b.~~ Supplemental Income
c. Subsistence

ESTMATED ANNUAL INCOME: $ 2720.00 x 2 = $5440.00 per year.

ESTIMATED ANNUAL EXPENSE: $ 2310.00 per year.

MARKET PLAN: Sell 10 weanlings at 425 lbs at market price -

TIMETABLE 2x a year -

FARM EDUCATION: family Business — Agriculture Science courses Undergraduate / Graduate Classes U.H. Manoa — Hilo

FARM EXPERIENCE family Business

Hulali Flora Solomon Covington 09/5/2017
SIGNATURE DATE

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Table II Monthly Expenses

EXPENSES MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

NAME: OF LESSEE completed DATE:

MONTH

YEAR 2	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
Fencing (Perimenter) 5280	$10.00 linear ft												$120.00
Cross Fencing 2640	Linear ft $10.00												$120.00
Tools purchase and R&M	0												0
Machinery purchase; R&M	0												0
Water System Install; upkeep	50.00												600.00
Labor	0												0
Livestock purchase	0												0
Minerals & Feed	$5.00												60.00
Pest/Parasite Control; vet fees	0											50.00	50.00
Forage cultivation	0												0
Weed Control	0								50.00				50.00
Structures; upkeep	0											50.00	50.00
Transportation; R&M	10.00									50.00	~~10.00~~	50.00	190.00
AI and breeding	0												0
Slaughter and sale								$100.00	0	0	0	~~[illegible]~~ 0	100.00
Insurance; taxes, etc.	$50.00												
Other costs	0												600.00
TOTAL	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	~~1490.00~~ 1650.00

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NAME: Hulali Flora Solomon Corporation

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 1	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	5440.00	5315.00	5190.00	5065.00	4815.00	4690.0	7235.00	7235.00	7110.00	6985.00	6810.00	6685.00	9230.00
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0						2720.00					2720.00	
(a)													
(b)													
(c)													
4. Other ranch income	0												
TOTAL CASH AVAILABLE	5440.00												
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
2. Loan Payments	0												
(a)													
(b)													
(c)													
3. Other Cash Payments	0												
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	6685.00	9230.00	
MONTH END CASH	5315	5190.00	5065.00	4940	4815.00	4690.0	7235.00	7110.00	6985.00	6810.00	6685.00	9230.00	

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NAME: Heidi Flora Stenn Crompton

Monthly Cash Flow Projections

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MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 2	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	9230.00	9105.0	8980.0	8855.0	8730.0	8605.0	8480.0	11025.0	10900.0	10775.0	10600.00	10475.0	
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0						2720.00					2720.00	
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE	9230.00											~~175.~~	
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
2. Loan Payments	0												
(a)													
(b)													
(c)													
3. Other Cash Payments	0												
TOTAL CASH PAID OUT	125.0	125.0	125.0	125.0	125.0	125.0	175.00	125.	125.0	175.00	125.0	175.00	
MONTH END CASH	9105.0	8980.0	8855.0	8730.0	8605.0	8480.0	11025.0	1090.0	10775.0	10600.00	10475.0	13,020	13,020.0

NAME: Unkli Flora Solomon Covington

Monthly Cash Flow Projections

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MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 3	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	13,020.0	12,895.0	12,770.0	12,645.0	12,520.0	12,395	12,270.	~~12,145~~ 14,812.0	~~14,970~~ 14,687.0	~~14,845.0~~ 14,562.0	~~14,670.0~~ 14,387.0	~~14,545.0~~ 14,262	
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0						2720.0					2720.0	5440.00
(a)													
(b)													
(c)													
4. Other ranch income	0												
TOTAL CASH AVAILABLE	13,020.0												
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
2. Loan Payments	0												
(a)													
(b)													
(c)													
3. Other Cash Payments	0												
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
MONTH END CASH	12,895.	12,770.0	12,645.0	12,520.0	12,395.	12,270.	~~12,095~~ 14,812.0	~~14,970~~ 14,687	~~14,845.0~~ 14,562	~~14,670.0~~ 14,387.0	~~14,545.0~~ 14,262	~~14,370~~ 16,807.0	~~16,370~~ 16,807.0

NAME: Hubert Flora Solomon Covington

Monthly Cash Flow Projections

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MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 4	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	16,804.0	16,682.0	16,557.0	1643.20	16,307.0	16,182.0	16,059	18,602.00	18,477.0	18,352.0	18,177.0	18,052.0	
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0						2720.00					2720.00	—
(a)													
(b)													
(c)													
4. Other ranch income	0												
TOTAL CASH AVAILABLE	16,804.0												
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	—
2. Loan Payments	0												
(a)													
(b)													
(c)													
3. Other Cash Payments	0												
TOTAL CASH PAID OUT													
MONTH END CASH	16,682.0	16,557.0	16432.0	16,307.	16,182.0	16,059	18,602.00	18,477.0	18352.0	18,177.0	18,052.0	20,597.0	20597.0

NAME: Hulali Flora Solomon Covington Monthly Cash Flow Projections

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MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 5	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	20,597.0	20,472.0	20,347.0	20,222.0	20,097.0	19,972.0	19847.0	22,392.	22,267.0	22,142.0	21,967.0	21842.0	
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0						2720.0					2720.0	
(a)													
(b)													
(c)													
4. Other ranch income	0												
TOTAL CASH AVAILABLE	20,597.0												
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
MONTH END CASH	20,472.0	20,347.0	20,222.0	20,097.0	19,972.0	19847.0	22,392	22,267.0	22,142.0	21,967.0	~~21,842.~~ 21,842.	24,387	$24,387.00

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Fencing									
1) Perimeter	a) Wooden posts			0					
	b) T-posts			0	120.00	120.00	120.00	120.00	120.00
	c) Wire Fence (Field fence, electric, barb wire, etc.)			0					
	d) Stays			0					
	e) Gates			0					
2) Cross fence (interior)	a) Wooden posts			0					
	b) T-posts			0					
	c) Wire Fence (Field fence, electric, barb wire, etc.)			0	120.00	120.00	120.00	120.00	120.00
	d) Stays			0					
	e) Gates			0					
					0	0	0	0	0
Equipment	Hand Tools				~~[illegible]~~	~~[illegible]~~	~~[illegible]~~	~~[illegible]~~	~~[illegible]~~
	Horse (shoe, feed, saddle, vet bills, etc.)				0	0	0	0	0
	ATV (maintence, gas, etc.)				120.00	120.00	120.00	120.00	120.00
Machinery	Tractor				0	0	0	0	0
	Truck				600	600	600	600	600
Fencing Labor									
1)Payroll									
Water System									
	PVC pipe			0					
	Water Trough/Tubs			0					
	Pump			0					
	County Water			0	50.00	50.00	50.00	50.00	50.00
	Back flow preventer			0					
					1010.00	1010.00	1010.00	1010.00	1010.00

Completed

Completed

Completed

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Labor					0	0	0	0	0

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Livestock									
Cattle	Bull	800.00	1	800.00					
	Cows	600.00	10	6000.00					
	Heifers	297.50	5	2975.00					
	Steers	~~297~~ 340.00	5	3 400.00 —	Livestock $13,175.00				
Goats	Buck								
	Does								
Sheep	Ram								
	Ewe								
	Lamb								
Pigs	Boar								
	Sows								
	Gilts								
Minerals & Supplement									
Salt Block									
Multivitamin					60.00	60.00	60.00	60.00	60.00 —
Pest/Parasite Control									
Rodents	Traps			0					
	Poison			0					
Insects	Wormer (pour-on, injectible, pellets)			0	60.00	60.00	60.00	60.00	60.00
	Vaccinations			0					
	Fly Spray/Pour-on/dusting powder			0					
Grass/Legume Cultivars			TOTAL —		120.00	120.00	120.00	120.00	120.00

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Grass	Seed			0					
	Sod			0					
	Plugs			0					
Legume	Starter pots			0					
	Plugs			0					
Weed Control									
Chemicals	Herbicide			0	50.00	50.00	50.00	50.00	50.00
	Shredding/Mowing								
Equipment	Back Pack Sprayer								
	Tractor (shredding large foliage)								
	Lawn mower								
	Weed wacker								
	Chain saw								
Structures									
Tool Shed									
Corral	Squeeze chute (process livestock, sorting, injections, worming, AI, etc.)				Completed				
Barn/stalls (livestock shelter)					Completed				
					Completed				
Transport, Breeding									
Artificial Insemination	a) Semen			0					
	b) Synchronization (CIDR, prostaglandin drug)			0	NA				
	c) AI Technician			0	NA				
Transport Equipment	a) Trailer			0					
				Total	$50.00	50.00	50.00	50.00	50.00

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Slaughter & Sale									
Slaughter	Transport				200.00	200.00	200.00	200.00	200.00
Sale	Marketing								
	Packaging								
	Advertising								
Other costs									
Lease									
Insurance					600.00	600.00	600.00	600.00	600.00
Tax									
Workers Comp.									

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
			Expenses:		1930.00	1930.00	1930.00	1930.00	1930.00

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September 5, 2017

Farm and Ranch Development Plan for Flora Beamer Solomon, Alice Leiomalama Solomon and Hulali Flora Solomon

Please note we have prepared individual Farm and Ranch Development plans for our Hawaiian Homestead leases however, we will continue to operate as one ranch operation with Ranch Manager Alice Leiomalama Solomon, full time Ranch hand and Paniolo Mauloa Covington.

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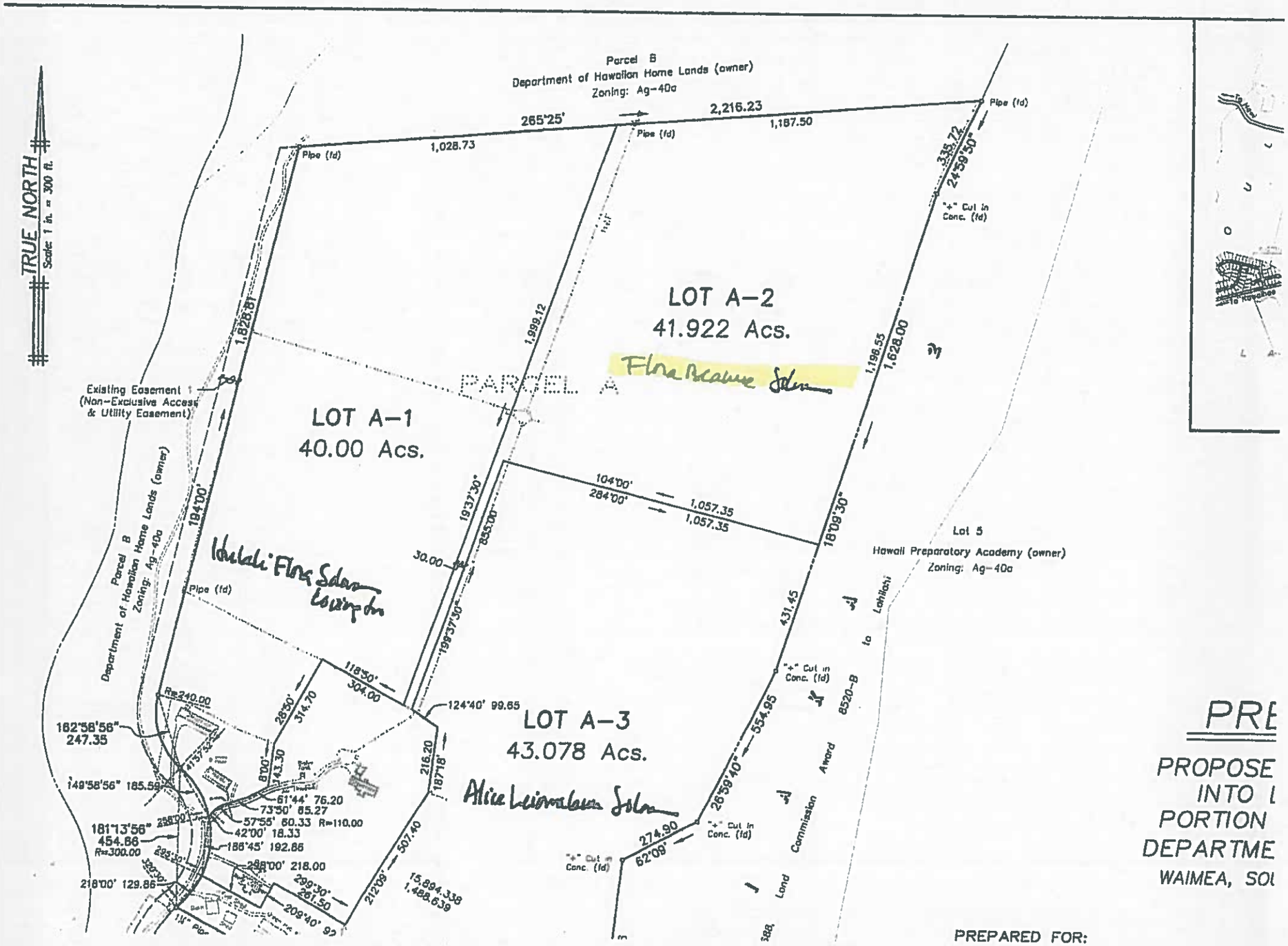

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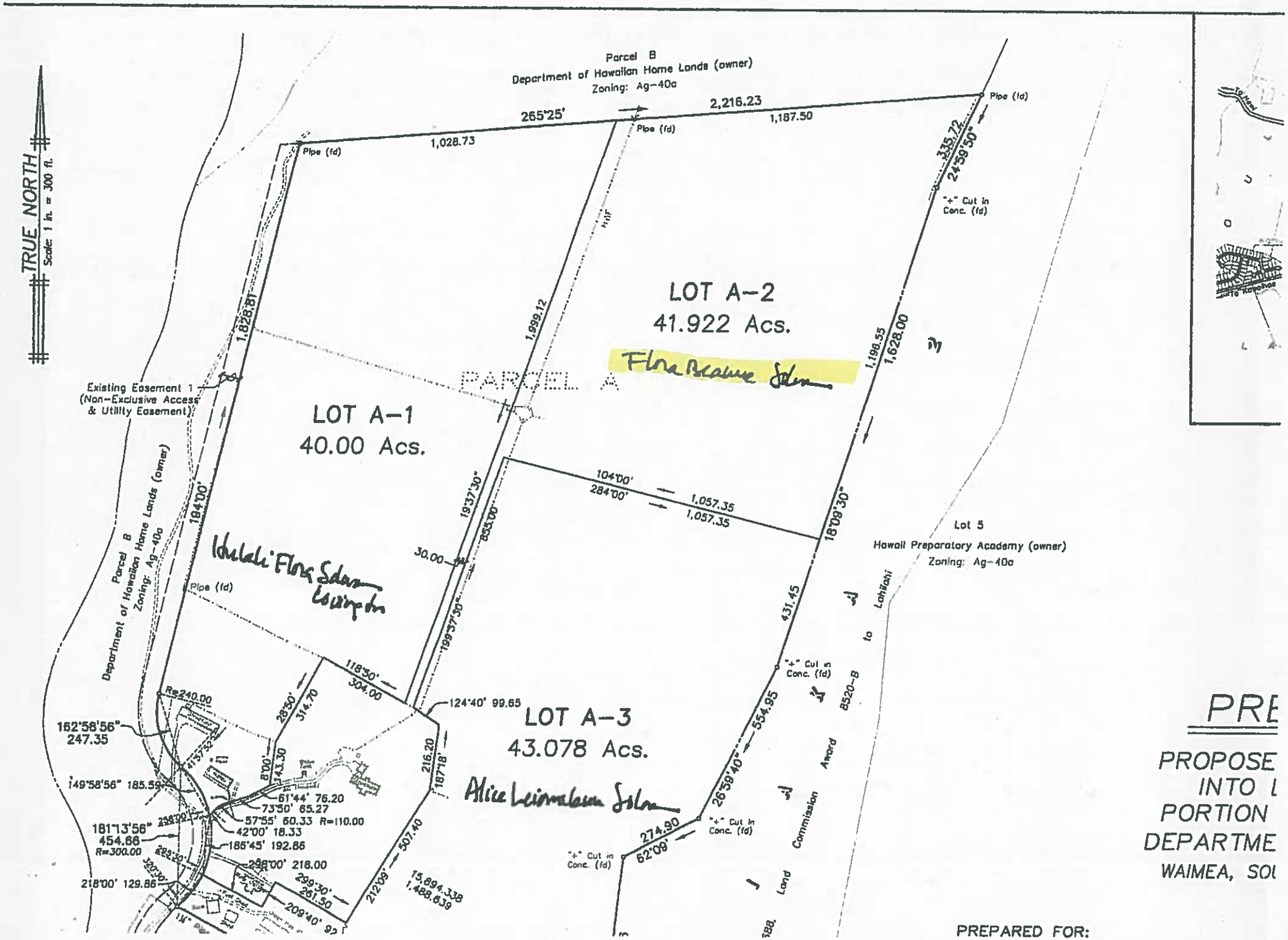

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FARM / RANCH DEVELOPMENT PLAN

Date: 09/05/2017

Name of

a) Applicant: Flora Beamer Solomon incorporated into Alice Leimalama Solomon projection.

b) Spouse: Randolph F Solomon –

Address: PO Box 519 Kamuela HI 96743

Phone: (Home) (808) 885-3553 (Bus) Same

c) Person(s) who will do most of the work on the Farm/Ranch: Maurba Covington –

d) Other person(s) who will work on the Farm/Ranch: Alice Leimalama Solomon

e) Person filling out this form: Alice Leimalama Solomon

Location: 6-5-001-010-0000

Lot Selected: A-2

Acreage: 41-922 Acs.

A. Farming/Ranching Experience and Education:

1) List formal agricultural or ranching education: Randolph F Solomon Sr

SCHOOL	DATE From	DATE To	DEGREE
University of Hawaii	1951	1954	Agriculture

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2) List other Farming/Ranching education such as classes, workshops and field days, etc.

EVENT	DATE From	DATE To	PLACE
Kohala Farms / Kuikui Farm	1951	1990	Kohala, Hawaiian, Waimea
Waiaka Farms	1990 –	2010	

3) List Farm/Ranching work experience (s):

EMPLOYER or PLACE	DATE From	DATE To	LIVESTOCK	HOURS PER WEEK
owner Kohala Farms –	1951 -	1996	cow/calf	40 –
owner Kuikui Farm	1981 –	1996	cow/calf	40
owner Waiaka	1996 -	2010	cow/calf	40 –

4) Are you a member of a Cattleman's Association? Yes ✓ No ____

5) Are you a Future Farmer of America graduate? Yes ____ No ____

6) List any Farm/Ranching-related organization you belong to:
Hawaii Farm Bureau

B) Purpose of the Farm/Ranch

1) What is the purpose of your Farm/Ranch? (Circle the most appropriate answer)

a) Commercial production (greater than 50% of your annual income will be derived from activities on the lot)

b) To supplement income (less than 50% of your annual income will be derived from activities on the lot)

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c) Subsistence: (Activities on the lot would only supply immediate family needs)

2) How do you plan to Farm/Ranch? Circle (Circle most appropriate answer)

a) Full-time retired —

b) Part-time

3) If you plan to Farm/Ranch part-time indicate how many hours per week retired — _____ hours

C) Farm/Ranch Feasibility

1) Indicate on Table I, for the first three (3) years of Farm/Ranch development and at full production.

a) Livestock or crops to be raised

b) Projected acreage or quantity in production.

c) Projected annual Farm/Ranch expenses.

d) Projected annual gross Farm/Ranch income.

(Table I attached)

2) Indicate on Table II the estimated itemized Farm/Ranch expenses for five (5) years.

production for each category listed, where appropriate. (Table II attched)

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3) Indicate on Table III, the major monthly activities and the appropriate amount or acreage which is accomplished.

For Example:

Month	Activity	Amount/Acreage
1	Land preparation Erect fence Install water system	100 acres 10,712 ft.
2	Purchase Livestock	12 cows
3	Pasture Improvement	25 acres
4	Land Preparation	4,000 ft.

(Table III attached)

4) Indicate on Table 4, annual gross non-Farm/Ranch income and annual gross non-Farm/Ranch expenses.

(Table IV attached)

D. Financing

1) Indicate the amount of financing from each source listed below to be invested in the lot.

a) My own capital: $ 31,000

b) Capital borrowed from relatives or friends: $ 0

c) Loan: $ 0

2) If you apply for loans indicate the amounts you will request from the sources listed below.

a) Department of Hawaiian Home Lands: $ 0

b) State Farm Loan: $ 0

c) Commercial Institutions: $ 0

d) Farm Services: $ 0

e) Farmers Home Administration: $ 0

f) Others: $ 0

3) Do you have any current loans outstanding? _____ Yes ✓ No

4) If you have any current loans outstanding, indicate your total current balance. $ None

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5) If you have any current loans outstanding, indicate your total monthly payment on your current balance.

$ None

6) If you are delinquent on your current balance, indicate the amount of delinquency. $ None

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7) List any present Farm/Ranching assets:

	Value	Location	Description
a) Ranch or Farm land	$ ~~[illegible]~~ 250 Ac additional	Hondcare	250 Ac & pasture
b) Equipment	0		
c) Plants or Livestock	88 cows / 2 Bulls –		
d) Supplies	0		
e)	0		
f)	0		
g)	0		

8) List the major equipment needed and the approximate cost.

Type	Cost
None	$
	$
	$
	$

E) Marketing

1) What is the estimated time from raising to sale:

Type of Crop/Livestock	Months
ween calfs 8 months –	8

2) What is the expected yield and current market price?

Type of Crop/Livestock	Yield	Current Market Price
	84 calves –	$.70 steers & $.60 Heifers per lb.

average $.65 x 84 calves x 425 lbs

$23,205.00 –

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_____	_____	_____
_____	_____	_____
_____	_____	_____

3) What is the potential market of the type of crop/livestock you plan to raise? (For each type, check one column)

Type of Crop/Livestock	Potential Good	Fair	Poor
485 lb ween calves -	X		

4) List where you will market your product (s). Who will you sell them to?

Pacific International Livestock Pa'auhau —

5) Who are your major competitors and what is your competitive strategy?

Other Ranching Interest - Premium breeding program —
Grade out good or choice —

6) What improvements to the land do you intend to make and at what cost?

Prescribed grazing program includes rotation / + paddock —

7) How will you develop the land from the beginning of the lease until it is in full operation?

completed

Give estimated times required by each major activity and projected percentages of development.

Completed.

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8) How will you finance the operations?

Own funds

9) What problems are anticipated in carrying out this plan and how will you resolve them?

Climate warming

10) What are the breeds/crosses of livestock you will raise and why did you select them?

Angus/Hereford cross - best for Hawaii calf production

F. Labor & Technical Assistance

1) From the "Activities" listed in Table III, list those that you or your family will perform.

Alice Leimelema Solomon daughter responsible for Ranch Management

2) List any activities you are not able to do by yourself.

All - Alice Leimelema Solomon daughter responsible

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3) From the question above, indicate the activities which you will hire outside labor or specialists to do.

None Office Financial Solum Responsible

4) Personally, what are your agricultural/livestock knowledge abilities or skills?

60 years of being a full time Rancher/Farmer

5) Personally, what are your agricultural/livestock weakness or deficiencies?

None

6) What types of technical assistance will you need and who or what agency will you go to for this assistance?

Type of Technical Assistance	Person or Agency
None	

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G. Residence

Do you plan to build a house on your agriculture/pastoral lot?

Yes ✓ **No** _____

Completed on file w/ DHHL Office Waiver

H. Plot Plan

1) Draw a map and indicate:

a) The acreage you will develop in the 1st year.

b) The acreage you will develop in the 2nd year.

c) The acreage you will develop in the 3rd year.

d) Location of house site, if you are planning to build a house on your pastoral lot.

Hmdkaai additional Ac. attached to Flore Beamer Solomon Lot —

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NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII

JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

DARRELL T. YOUNG
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O BOX 125
KAMUELA, HAWAII 96743

FARM DEVELOPMENT PLAN
AGRICULTURAL LOT

APPLICANT: Flora Beamer Solomon — Incorporated into Alice Leialoha Solomon Farm/Ranch plan

ADDRESS: POB 519 PHONE:
Kamuela Hi 96743

LOCATION: 6-5-001-1210-0000 LOT NO.: ACREAGE: 41.922

CROPS TO BE GROWN:

PURPOSE OF FARM: (circle one)
a. Commercial
b. Supplemental Income
c. Subsistence

ESTMATED ANNUAL INCOME: $ 2720.00 x 2 = $5440.00 per year.

ESTIMATED ANNUAL EXPENSE: $ $2310.00 — per year.

MARKET PLAN: See 10 weanoffs at 425 lbs. at Market price —

TIMETABLE 2x a year —

FARM EDUCATION: Life experience — University of Hi. retired —

FARM EXPERIENCE Life —

Flora B. Solomon POA Alice Leialoha Solomon
09/05/2017
SIGNATURE DATE

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NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII

JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

DARRELL T. YOUNG
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
P O BOX 125
KAMUELA, HAWAII 96743

FARM DEVELOPMENT PLAN
AGRICULTURAL LOT

APPLICANT: Hulali Flora Solomon Covington —

ADDRESS: POB 1319 Kamuela Hawaii 96743 PHONE: (808) ~~[illegible]~~ 885-7044

LOCATION: 6-6-001-057 0000 LOT NO.: A-1 ACREAGE: 40 acs -

CROPS TO BE GROWN:

PURPOSE OF FARM: (circle one)
a. Commercial
b. Supplemental Income
c. Subsistence

ESTMATED ANNUAL INCOME: $ 2720.00 x 2 = $5440.00 per year.

ESTIMATED ANNUAL EXPENSE: $ 2310.00 per year.

MARKET PLAN: Sell 10 weanoffs at 450 lbs at market price -

TIMETABLE 2x a year -

FARM EDUCATION: family Business — Agriculture Science courses Undergraduate / Graduate Classes UH. Manoa — Hilo

FARM EXPERIENCE family Business

Hulali Flora Solomon Covington 01/5/2017
SIGNATURE DATE

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Table II: Monthly Expenses

EXPENSES MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

NAME: OF LESSEE Flora Bamer Schools Completed

DATE: 09/2017

MONTH

YEAR 2	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
Fencing (Perimenter)													
Cross Fencing													
Tools purchase and R&M													
Machinery purchase; R&M													
Water System Install; upkeep													
Labor													
Livestock purchase													
Minerals & Feed													
Pest/Parasite Control; vet fees													
Forage cultivation													
Weed Control													
Structures; upkeep													
Transportation; R&M													
AI and breeding													
Slaughter and sale													
Insurance; taxes, etc.													
Other costs													
													0
TOTAL													

NO

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NAME: Flora Beamer Solomon

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 1	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	2720.00											5440.00	
a. Cash added by owner													
2. Loans													
(a)													
(b)													
(c)													
3. Sales							2720.00					2720.00	
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE							~~2720.00~~					~~2720.00~~	
1. Ranch Expenses													
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	0						0					0	
MONTH END CASH	2720.00						5440.00					8160.00	

NO - reduced

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NAME: Flora Beaver Solano

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 2	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	8160.00						8160.00					10,880.00	
a. Cash added by owner													
2. Loans													
(a)													
(b)													
(c)													
3. Sales							2720					2720	
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE													
1. Ranch Expenses													
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	0												
MONTH END CASH	8160.00						10,880					13,600.00	13,600.00

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NAME: Flora Banner Farm

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 3	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	13,600.00						13,600					16,300	
a. Cash added by owner													
2. Loans													
(a)													
(b)													
(c)							2700.00					2720.00	
3. Sales													
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE													
1. Ranch Expenses													
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	0												
MONTHLY END CASH	13,600.00						16,300.00					19,020.00	

N/A

Refinance

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NAME: Elne Beamer Solomon

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 4	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	19,020.00										21,740-		
a. Cash added by owner													
2. Loans													
(a)													
(b)													
(c)													
3. Sales							2720				2720-		
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE	19,020.00												
1. Ranch Expenses	0												
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	0												
MONTH END CASH	19,020.00						21,740.00				24,440-		24,440-

Reduce to N/A

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NAME: _____

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 5	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	24,440.00						24,440.00					27,160.00	
a. Cash added by owner													
2. Loans													
(a)													
(b)													
(c)													
3. Sales							2720-					2720.00	
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE	24,440.00												
1. Ranch Expenses	0												
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	0												
MONTH END CASH	24,440.00						27,160.00					29,880.00	

Refused WB

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Fencing									
1) Perimeter	a) Wooden posts			0					
	b) T-posts			0					
	c) Wire Fence (Field fence, electric, barb wire, etc.)			0					
	d) Stays			0					
	e) Gates			0					
2) Cross fence (interior)	a) Wooden posts			0					
	b) T-posts			0					
	c) Wire Fence (Field fence, electric, barb wire, etc.)			0					
	d) Stays			0					
	e) Gates			0					
Equipment	Hand Tools								
	Horse (shoe, feed, saddle, vet bills, etc.)								
	ATV (maintence, gas, etc.)								
Machinery	Tractor								
	Truck								
Fencing Labor									
1)Payroll									
Water System									
	PVC pipe			0					
	Water Trough/Tubs			0					
	Pump			0					
	County Water			0					
	Back flow preventer			0					

Reduced N/A

Category	Sub areas	cost/	No.	Total	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
		Unit	Units	Cost					
Labor									

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Exhibit C

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Livestock									
Cattle	Bull								
	Cows								
	Heifers								
	Steers								
Goats	Buck								
	Does								
Sheep	Ram								
	Ewe								
	Lamb								
Pigs	Boar								
	Sows								
	Gilts								
Minerals & Supplement									
Salt Block									
Multivitamin									
Pest/Parasite Control									
Rodents	Traps			0					
	Poison			0					
Insects	Wormer (pour-on, injectible, pellets)			0					
	Vaccinations			0					
	Fly Spray/Pour-on/dusting powder			0					
Grass/Legume Cultivars									

Defined N/A

Value of 10 cows, 1 Bull, 10 wean stock = $13,175.00 × 5 years = $65,875.00

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Grass	Seed			0					
	Sod			0					
	Plugs			0					
Legume	Starter pots			0					
	Plugs			0					
Weed Control									
Chemicals	Herbicide								
	Shredding/Mowing								
Equipment	Back Pack Sprayer								
	Tractor (shredding large foliage)								
	Lawn mower								
	Weed wacker								
	Chain saw								
Structures									
Tool Shed									
Corral	Squeeze chute (process livestock, sorting, injections, worming, AI, etc.)								
Barn/stalls (livestock shelter)									
Transport, Breeding									
Artificial Insemination	a) Semen			0					
	b) Synchronization (CIDR, prostaglandin drug)			0					
	c) AI Technician			0					
Transport Equipment	a) Trailer			0					

N/A

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Slaughter & Sale									
Slaughter	Transport								
Sale	Marketing								
	Packaging								
	Advertising								
Other costs									
Lease									
Insurance									
Tax									
Workers Comp.									

N/A

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Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5

NA

Alice Fairmolenue Randy Plan
Adams

Expenses — Credit card -

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September 5, 2017

Farm and Ranch Development Plan for Flora Beamer Solomon, Alice Leiomalama Solomon and Hulali Flora Solomon

Please note we have prepared individual Farm and Ranch Development plans for our Hawaiian Homestead leases however, we will continue to operate as one ranch operation with Ranch Manager Alice Leiomalama Solomon, full time Ranch hand and Paniolo Mauloa Covington.

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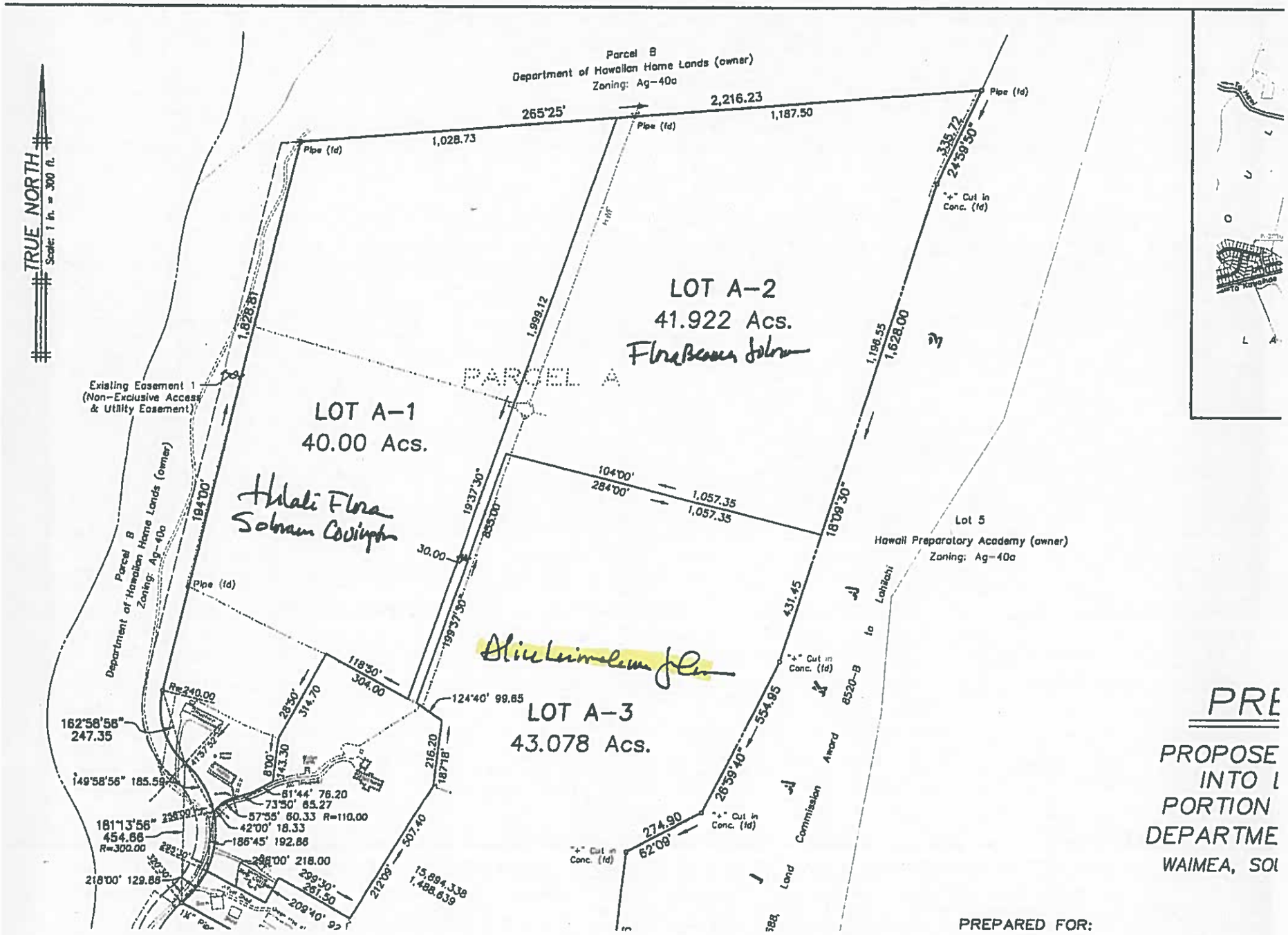

PRE

PROPOSE
INTO L
PORTION
DEPARTME
WAIMEA, SOU

FARM / RANCH DEVELOPMENT PLAN

Date: 09/05/2017

Name of
a) Applicant: Alice Luamalama Solomon

b) Spouse:

Address: PO B 519 Kamuela, Hi 96743

Phone: (Home) (808) 885-3553 (Bus) (808) 938-8853

c) Person(s) who will do most of the work on the Farm/Ranch: self

d) Other person(s) who will work on the Farm/Ranch: Maulua Solomon Covington

e) Person filling out this form: self

Location:

Lot Selected: A-3

Acreage: 43.078 Ac

A. Farming/Ranching Experience and Education:

1) List formal agricultural or ranching education:

SCHOOL	DATE From	DATE To	DEGREE
University of Hawaii Hilo	1970	1973	BEd
University of Hawaii Manoa	1973	1975	M.Ed
~~Uni~~ Oregon State University	1975	1978	Ph.D.

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2) List other Farming/Ranching education such as classes, workshops and field days, etc.

EVENT	DATE From	DATE To	PLACE
University of H. Workshops	1973	2017	Hilo, Waimea Kona Hawaii
Hawaii Farm Bureau	1999 -	2017	Hilo, Waimea

3) List Farm/Ranching work experience (s):

EMPLOYER or PLACE	DATE From	DATE To	LIVESTOCK	HOURS PER WEEK
Kohala Farms / Kuilei Farm	1969	1990	cow/calf operation	122 hr's
Waiula Farms	1990 -	2017	cow/calf operation	20-40 hrs.

4) Are you a member of a Cattleman's Association? Yes ____ No ✓

5) Are you a Future Farmer of America graduate? Yes ____ No ✓

6) List any Farm/Ranching-related organization you belong to:

Hawaii Farm Bureau Kohala Chapter

B) Purpose of the Farm/Ranch

1) What is the purpose of your Farm/Ranch? (Circle the most appropriate answer)

a) Commercial production (greater than 50% of your annual income will be derived from activities on the lot)

(b) To supplement income (less than 50% of your annual income will be derived from activities on the lot)

c) Subsistence: (Activities on the lot would only supply immediate family needs)

2) How do you plan to Farm/Ranch? Circle (Circle most appropriate answer)

a) Full-time

b) Part-time

3) If you plan to Farm/Ranch part-time indicate how many hours per week 40 hours

C) Farm/Ranch Feasibility

1) Indicate on Table I, for the first three (3) years of Farm/Ranch development and at full production.

a) Livestock or crops to be raised

b) Projected acreage or quantity in production.

c) Projected annual Farm/Ranch expenses.

d) Projected annual gross Farm/Ranch income.

(Table I attached)

2) Indicate on Table II the estimated itemized Farm/Ranch expenses for five (5) years.

production for each category listed, where appropriate. (Table II attched)

3) Indicate on Table III, the major monthly activities and the appropriate amount or acreage which is accomplished.

For Example:

Month	Activity	Amount/Acreage
	Land preparation	100 acres
1	Erect fence	10,712 ft.
	Install water system	
2	Purchase Livestock	12 cows
3	Pasture Improvement	25 acres
4	Land Preparation	4,000 ft.

(Table III attached)

4) Indicate on Table 4, annual gross non-Farm/Ranch income and annual gross non-Farm/Ranch expenses.

(Table IV attached)

D. Financing

1) Indicate the amount of financing from each source listed below to be invested in the lot.

a) My own capital: $ 31,400.00 -

b) Capital borrowed from relatives or friends: $ 0

c) Loan: $ 0

2) If you apply for loans indicate the amounts you will request from the sources listed below.

a) Department of Hawaiian Home Lands: $ 0

b) State Farm Loan: $ 0

c) Commercial Institutions: $ 0

d) Farm Services: $ 0

e) Farmers Home Administration: $ 0

f) Others: $ 0

3) Do you have any current loans outstanding? _____ Yes ✓ No

4) If you have any current loans outstanding, indicate your total current balance. $ none

5) **If you have any current loans outstanding, indicate your total monthly payment on your current balance.**

$ none

6) **If you are delinquent on your current balance, indicate the amount of delinquency.** $ none

7) List any present Farm/Ranching assets:

	Value	Location	Description
a) Ranch or Farm land	125 Acres Leased $ 40 Acres fee	Waimea Kohala	2-60 Ac paddock 4-10 Ac paddock
b) Equipment	F-250 4x4 $3,000.00 Kubota Tractor Kawasaki mule grasshopper	Waimea	good condition
c) Plants or Livestock	66 cows/calves $59,000	Waimea	5-7 years old
d) Supplies	Hand tools - pruning tools $3000.00		good condition
e)	T-posts, Barb wire $2500.00		galvanized, 3/4 gauge
f)	paint, wood post lumber for repair $1000.00		2-4 in. diameter 2x4 - plywood
g)	Mineral, feed, medicine 500.00		

8) List the major equipment needed and the approximate cost.

Type	Cost
None	$
	$
	$
	$

E) Marketing

1) What is the estimated time from raising to sale:

Type of Crop/Livestock	Months
Weaned calfs - 8 months	8

2) What is the expected yield and current market price?

Type of Crop/Livestock	Yield	Current Market Price
	63 calves	$.70 steers $.60 Heifers per lb

average $.65 x 63 calves x 425 lbs = $17,403.75.

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_____	_____	_____
_____	_____	_____
_____	_____	_____

3) What is the potential market of the type of crop/livestock you plan to raise? (For each type, check one column)

Type of Crop/Livestock	Potential: Good	Fair	Poor
425 lb wean calves	X		

4) List where you will market your product (s). Who will you sell them to?

Pacific International Livestock Pa'auilo —

5) Who are your major competitors and what is your competitive strategy?

Other Ranching Interests — Competitive strategy premium breeding program - grade out good or choice —

6) What improvements to the land do you intend to make and at what cost?

Prescribed grazing program includes rotation and paddock control

7) How will you develop the land from the beginning of the lease until it is in full operation? Control grazing, weed control optimize pasture conditions to sustain cow/calf operation — and maximize calf production/ weight —

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Give estimated times required by each major activity and projected percentages of development.

completed —

8) How will you finance the operations?

Own funds participating w/ Federal program — w/ USDA — equipt. NRCS —

9) What problems are anticipated in carrying out this plan and how will you resolve them?

Climate warming —

10) What are the breeds/crosses of livestock you will raise and why did you select them?

Angus / hereford cross - best for calf production —

F. Labor & Technical Assistance

1) From the "Activities" listed in Table III, list those that you or your family will perform.

live stock management — vatalin —
fencing R & M —
H2O System R + M —

2) List any activities you are not able to do by yourself.

all R & M — Nephew Maurice Covington will perform

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3) From the question above, indicate the activities which you will hire outside labor or specialists to do.

R&M — as needed

4) Personally, what are your agricultural/livestock knowledge abilities or skills?

family engaged in ranch farm operation for 80+ years — Skills inherited - Working w/ the best mentors in the profession — University Science classes → agricultural based —

5) Personally, what are your agricultural/livestock weakness or deficiencies?

not enough acreage to expand to a commercial Ranching operation — 400 cows —

6) What types of technical assistance will you need and who or what agency will you go to for this assistance?

Type of Technical Assistance	Person or Agency
Vet. services.	Dr. William Burgin —
Herd management Question —	Mr. Freddie Rice

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G. Residence

Do you plan to build a house on your agriculture/pastoral lot?

Yes ✓ **No** _____

H. Plot Plan unpeeled file in DHHL Office Waimea

1) Draw a map and indicate:

a) The acreage you will develop in the 1st year.

b) The acreage you will develop in the 2nd year.

c) The acreage you will develop in the 3rd year.

d) Location of house site, if you are planning to build a house on your pastoral lot.

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII

JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

DARRELL T. YOUNG
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
P O BOX 125
KAMUELA, HAWAII 96743

FARM DEVELOPMENT PLAN
AGRICULTURAL LOT

APPLICANT: Alice Leimalama Solomon —

ADDRESS: PO B 519 PHONE: 808-885-3153
Kamuela Hawaii 96743

LOCATION: 6-5-001-058-0000 LOT NO.: A-3 ACREAGE: 43.078 acs.

CROPS TO BE GROWN:

PURPOSE OF FARM: (circle one)
a. Commercial
b. Supplemental Income
c. Subsistence

ESTMATED ANNUAL INCOME: $ 2720.00 X 2 = $5440.00 per year.

ESTIMATED ANNUAL EXPENSE: $ ~~$660.00~~ $2310.00 per year.

MARKET PLAN: Sell 10 weenoffs at 425.lbs at market price —

TIMETABLE 2x a year

FARM EDUCATION: Horticulture, Animal Husbandry, Poultry — forestry University of Hawaii Hilo, Manoa —

FARM EXPERIENCE Life family farm + Ranch —

Alice Leimalama Solomon
SIGNATURE

DATE
09/5/2017

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Table II: Monthly Expenses

EXPENSES MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

NAME: OF LESSEE Alice Leonardina Solomon Completed

DATE: 09/2017 –

MONTH September

YEAR 2	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
Fencing (Perimenter) 5280	$10.00 Lineal ft	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$120.00
Cross Fencing 2640	Lineal ft $10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$120.00
Tools purchase and R&M	0	0	0	0	0	0	0	0	0	0	0	0	0
Machinery purchase; R&M	0	0	0	0	0	0	0	0	0	0	0	0	0
Water System Install; upkeep	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00	$600.00
Labor	0	0	0	0	0	0	0	0	0	0	0	0	0
Livestock purchase	0	0	0	0	0	0	0	0	0	0	0	0	0
Minerals & Feed	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$5.00	$60.00
Pest/Parasite Control; vet fees	0	0	0	0	0	0	$50.00	0	0	0	0	$50.00	100.00
Forage cultivation	0	0	0	0	0	0	0	0	0	0	0	0	0
Weed Control	0	0	0	0	0	0	0	$50.00	0	0	0	0	50.00
Structures; upkeep	$0.00	0	0	0	0	0	0	0	0	0	0	$50.00	$50.00
Transportation; R&M	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$10.00	$50.00	0	$50.00	$190.00
AI and breeding	0	0	0	0	0	0	0	0	0	0	0	0	0
Slaughter and sale	0	0	0	0	0	0	0	100.00	0	0	0	0	$100.00
Insurance; taxes, etc.	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	$600.00
Other costs	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL	$125.00	$125.00	$125.00	$125.00	$125.00	$125.00	$175.00	$125.00	$125.00	$175.00	$125.00	$175.00	$~~1970.00~~ 1650.00

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NAME: Alice Leiomelume Solomon

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

Completed

YEAR 1	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	0	0	0	0	0	0	$2720.00	2545	2245.00	2120.00	1995.00		
a. Cash added by owner 17,000.00								0	0	0	0	0	
2. Loans	0	0	0	0	0	0	0	0	0	0	0	0	0
(a)													
(b)													
(c)													
3. Sales	0	0	0	0	0	0	$2720.00					$27.20.00	
(a)													
(b)													
(c)													
4. Other ranch income	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL CASH AVAILABLE	17,000	16,750	16,625.00	16,625.00	16,375.00	0	2720	2545					
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	
2. Loan Payments	0	0	0	0	0	0	0	0	0	0	0	0	
(a)													
(b)													
(c)													
3. Other Cash Payments	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	
MONTH END CASH	$16,875	$16,750	16,625.00	16,625.00	16,375	16,250	16,875 + 2720.00	2545.0	2245.	2120.	1995.00	4715.00	

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NAME: Alice Leimelene Solom — Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 2	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand 4715.00	~~4837.00~~	4712.00	4587.00	4462.00	4337.00	4512.00	4087.00	6632.00	6507.00	6382.00	6257.00	6132.00	8677.00
a. Cash added by owner	122.00												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0						2720.00					2720.00	
(a)													
(b)													
(c)													
4. Other ranch income	0												
TOTAL CASH AVAILABLE	4837.00												
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
2. Loan Payments	0	0	0	0	0	0	0	0	0	0	0	0	
(a)													
(b)													
(c)													
3. Other Cash Payments	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	125.00	125.00	175.00	
MONTH END CASH	4712.00	4587.00	4462.0	4337.00	4512.00	4087.00	6632.00	6507.00	6382.00	6257.0	6132.00	8677.00	

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NAME: Alice Leimalene Solomon

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 3	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	8677.00	8552.00	8427.00	8302.00	8177.00	8052.00 ~~7927.00~~	7927.00	10,472	10347.0	10222.00	10047.00	9922.00	12,467.00
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0	0	0	0	0	0	2720.00					2720.00	
(a)													
(b)													
(c)													
4. Other ranch income													
TOTAL CASH AVAILABLE	8677.00	8552.00	8427.00	8302.00	8177.00	8052.00	7927.00	10472	10347.0	10222.00	10047.00 9922.00	12467.00	
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	
2. Loan Payments													
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	
MONTH END CASH	8552.00	8427.00	8302.00	8177.0	8052.00	~~7927.00~~ 7927.00	10,472	10347.0	10222.	10047.00	9922.00	12467.00	12,467.50

ITEM NO. D-16
Exhibit C

NAME: Alice Lerimadame Johnson

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 4	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	12 467.00	12342.00	12217.00	12092.00	11967.00	11842.00	11717.00	14,262.00	14 137.00	14012.00	13,837.00	13 712.00	16,257.20
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales													
(a)													
(b)													
(c)													
4. Other ranch income	0	0	0	0	0	0	2720.00	0	0	0	0	2720.00	
TOTAL CASH AVAILABLE	12,467.00	12342.0	12217.00	12092.00	11 967.00	11842.00	14262.00	14137.0	14012.00	13887.00	13712.00	16,257.00	
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	
2. Loan Payments	0	0	0	0	0	0	0	0	0	0	0	0	
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	
MONTH END CASH	12,342.	12217.00	12092.00	11967.00	11842.00	11719.00	14262.00	14137.00	14012.00	13837.0	13712.00	16,257.00	

ITEM NO. D-16
Exhibit C

NAME: Alice Lainalure Folsom

Monthly Cash Flow Projections

MAKE PROJECTIONS FOR THE NEXT FIVE YEARS

YEAR 5	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1. Cash on Hand	16,257.00	16132.00	16007.00	15882.00	15,757.00	15,632	15,502	18052.00	17,927.00	17802.	17677.0	20,222.	20,222.00
a. Cash added by owner	0												
2. Loans	0												
(a)													
(b)													
(c)													
3. Sales	0	0	0	0	0	0	2720	0	0	0	0	2720	
(a)													
(b)													
(c)													
4. Other ranch income	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL CASH AVAILABLE													
1. Ranch Expenses	125.00	125.00	125.00	125.00	125.00	125.00	175.00	125.00	125.00	175.00	125.00	175.00	
2. Loan Payments	0	0	0	0	0	0	0	0	0	0	0	0	
(a)													
(b)													
(c)													
3. Other Cash Payments													
TOTAL CASH PAID OUT	125.00	125.00	125.00	125.00	125.00	125.00	175.00						
MONTH END CASH	16,132.00	16007.00	15882.00	15,757.00	15,632	15,507.	18052.00	17,927.00	17802.00	17627.00	17,502.	20,047-	

ITEM NO. D-16
Exhibit C

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Fencing									
1) Perimeter	a) Wooden posts			0	120.00	120.00	120.00	120.00	120.00
	b) T-posts			0					
	c) Wire Fence (Field fence, electric, barb wire, etc.)			0					
	d) Stays			0					
	e) Gates			0					
2) Cross fence (interior)	a) Wooden posts			0	120.00	120.00	120.00	120.00	120.00
	b) T-posts			0					
	c) Wire Fence (Field fence, electric, barb wire, etc.)			0					
	d) Stays			0					
	e) Gates			0					
					0	0	0	0	0
Equipment	Hand Tools				100.00	100.00	100.00	100.	100.
	Horse (shoe, feed, saddle, vet bills, etc.)								
	ATV (maintence, gas, etc.)				120.00	120.00	120.00	120.00	120.00
Machinery	Tractor				250.00	250.00	250.00	250.00	250.00
	Truck				600.00	600.00	600.00	600.00	600.00
Fencing Labor									
1)Payroll									
Water System									
	PVC pipe			0					
	Water Trough/Tubs			0					
	Pump			0					
	County Water			0	50.00	50.00	50.00	50.00	50.00
	Back flow preventer			0					
					$1340.00	1340.00	1340.00	1340.00	1340.00

Completed

Completed

Completed

ITEM NO. D-16
Exhibit C

Category	Sub areas	cost/	No.	Total	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
		Unit	Units	Cost	0	0	0	0	0
Labor									

ITEM NO. D-16
Exhibit C

Category	Sub areas	cost/	No.	Total	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
		Unit	Units	Cost					
Livestock	Bull	1	800.00	800.00					
Cattle	Bull	10	600.00	6000.00					
	~~Cows~~ 425lbs x .70 — Heifers	5	595.00	2975.00					
	~~Heifers~~ 425lbs x .80 Steers	5	680.00	3400.00					
	Steers								
Goats	Buck								
	Does								
Sheep	Ram								
	Ewe								
	Lamb								
Pigs	Boar								
	Sows								
	Gilts								
Minerals & Supplement									
Salt Block					60.00	60.00	60.00	60.00	60.00
Multivitamin									
Pest/Parasite Control									
Rodents	Traps			0					
	Poison			0					
Insects	Wormer (pour-on, injectible, pellets)			0	60.00	60.00	60.00	60.00	60.00
	Vaccinations			0					
	Fly Spray/Pour-on/dusting powder			0					
Grass/Legume Cultivars									
				Total	$120.00	$120.00	$120.00	$120.00	$120.00

Value of 10 cows, 1 bull, 10 weaner stock = $13,175.00

ITEM NO. D-6
Exhibit C

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Grass	Seed			0					
	Sod			0					
	Plugs			0					
Legume	Starter pots			0					
	Plugs			0					
Weed Control									
Chemicals	Herbicide				50.00	50.00	50.00	50.00	50.00
	Shredding/Mowing	NA							
Equipment	Back Pack Sprayer								
	Tractor (shredding large foliage)								
	Lawn mower								
	Weed wacker								
	Chain saw				0	0	0	0	0
Structures									
Tool Shed									
Corral	Squeeze chute (process livestock, sorting, injections, worming, AI, etc.)				Completed				
Barn/stalls (livestock shelter)					Completed				
					Completed				
Transport, Breeding									
Artificial Insemination	a) Semen			0	NA				
	b) Synchronization (CIDR, prostaglandin drug)			0					
	c) AI Technician			0	NA				
Transport Equipment	a) Trailer			0					
				Total:	$50.00	$50.00	$50.00	$50.00	$50.00

Exhibit C
ITEM NO. 16

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
Slaughter & Sale					200	200	200	200	200
Slaughter	Transport								
Sale	Marketing								
	Packaging								
	Advertising								
Other costs									
Lease									
Insurance					600.00	600.00	600.00	600	600.00
Tax									
Workers Comp.									

ITEM NO. D-16
Exhibit C

Category	Sub areas	cost/ Unit	No. Units	Total Cost	Yr. 1	Yr.2	Yr. 3	Yr. 4	Yr.5
all categories					2310.00	2310.00	2310.00	2310.00	2310.00 — cost of operation
				(excluding value of stock — $13,75.00)					

ITEM NO. D-16
Exhibit C

Waiaka Attachment 2

USDA

United States Department of Agriculture

10/3/2014

ALICE LEIOMALAMA SOLOMON
PO BOX 370
KAMUELA, HI 96743

Subject: Annual Practice Reminder Letter
Dear ALICE LEIOMALAMA SOLOMON:

This letter is being sent as a reminder of your obligation to install the following practice(s) under the terms of a contract for the EQIP 2008 and Contract Number #7492511100D.

Contract Item Number	Practice Name	Units Scheduled	Date Scheduled
12	Prescribed Grazing	109.1	2014

As stated in the contract, the practice(s) must be installed by the schedule noted above to remain in compliance with your contract obligations.

To assist you with practice installation, you may contact the Natural Resources Conservation Service or use a technical service provider listed at http://techreg.usda.gov. If you choose to hire a TSP, you must contact us to confirm the availability of funding for TSP assistance in your contract and to review the NRCS requirements before the TSP begins any work.

Please notify this office immediately if you anticipate any of the following changes:

- Loss of control of all or part of the land under contract
- Changes to your operation, including land use changes or enrollment in another program
- Changes to your banking information that will affect direct deposit of program payments
- Changes to the distribution of payment shares
- A need to adjust your practice schedule

Thank you for your interest and participation in NRCS conservation programs.

Sincerely,

Matthew Wung

Matthew Wung
District Conservationist

Natural Resources Conservation Service
WAIMEA SERVICE CENTER
67-1185 MAMALAHOA HWY, SUITE H148
KAMUELA, HI 96743-1089
Phone: (808) 885 - 6602 Fax: (808) 885 - 4420

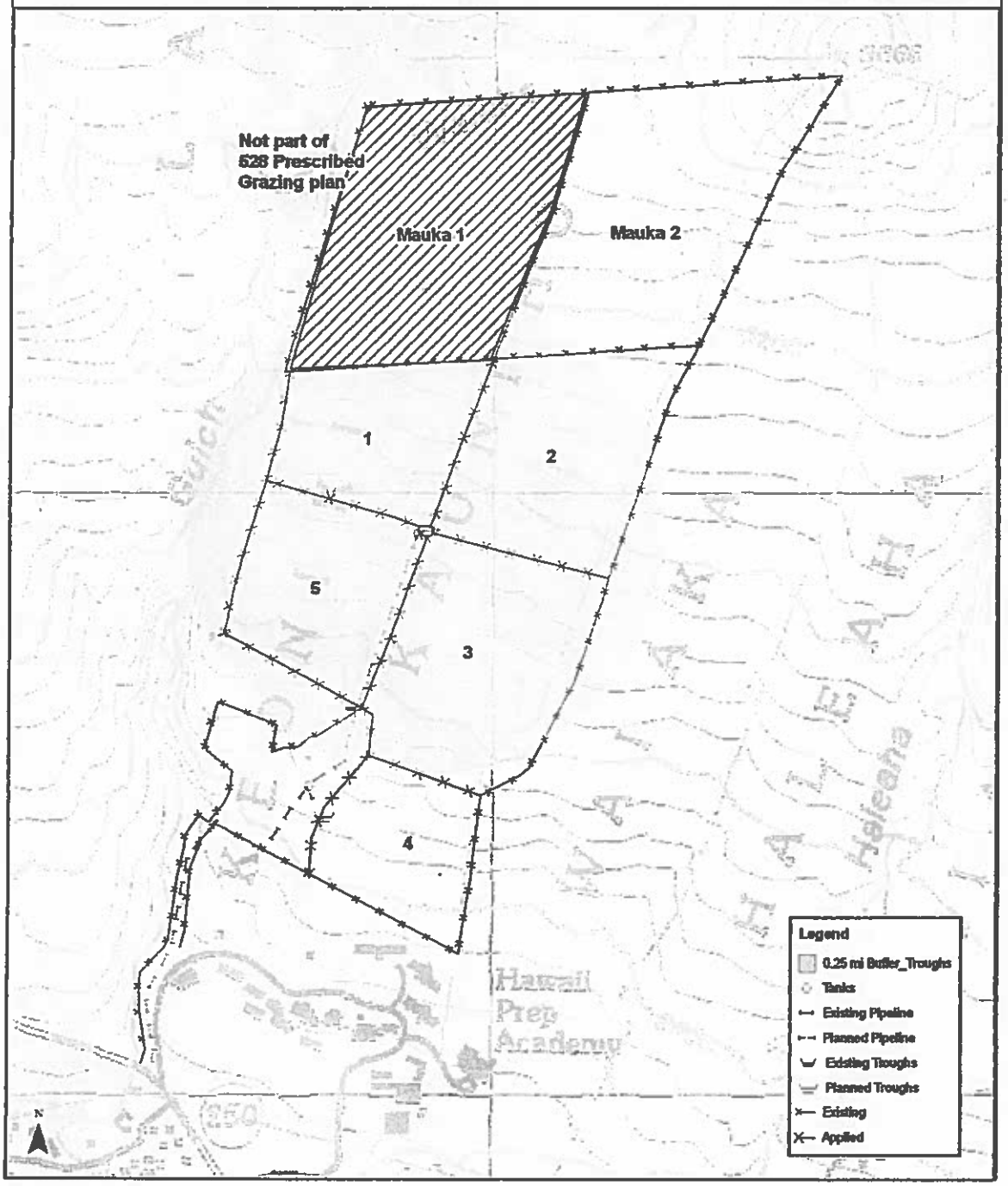
EXHIBIT D
ITEM NO. D-16
Exhibit D

Job Sketch / Pasture Map

Customer(s): MALAMA SOLOMON
District: MAUNA KEA SOIL AND WATER CONSERVATION DISTRICT
Approximate Acres: 232.5
Legal Description: TMK 365001010

Field Office: KAMUELA SERVICE CENTER
Agency: NRCS
Assisted By: C. Wong
Date: 09/05/2012

1 inch equals 700 feet



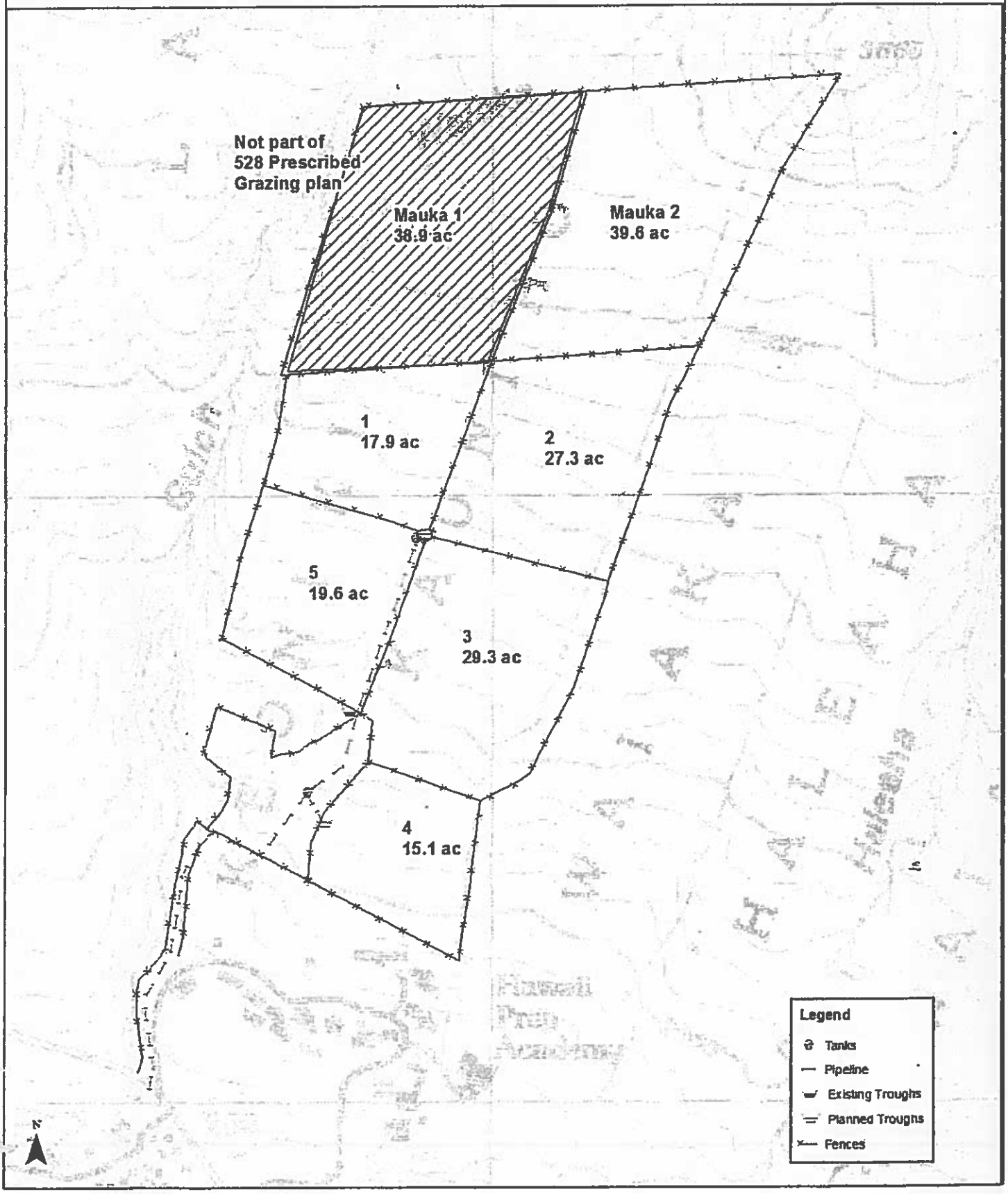
Waiaka 10/2010

ITEM NO. D-16
Exhibit D

Customer(s): MALAMA SOLOMON
District: MAUNA KEA SOIL AND WATER CONSERVATION DISTRICT
Approximate Acres: 232.5
Legal Description: TMK 365001010

Field Office: KAMUELA SERVICE CENTER
Agency: NRCS
Assisted By: C. Wong
Date: 09/25/2013

1 inch = 700 feet



ITEM NO. D-16
Exhibit D

COUNTY OF HAWAI'I

Real Property Tax Office

Owner and Parcel Information

Owner Name	DEPT OF HAWN HOME LANDS Fee Owner SOLOMON,FLORA Lessee	**Today's Date**	May 18, 2016
Mailing Address	PO BOX 519 KAMUELA, HI 96743-0519	**Parcel Number**	650010100000
Location Address	65-2260 LOIHI PLACE	**Project Name**	
Property Class	HOMEOWNER	**Parcel Map**	Show Parcel Map Plat (TMK) Maps
Neighborhood Code	6479E-5	**Land Area (acres)**	41.922
Legal Information	F/D: AREA, BDRY, LOT A-2 41.922 AC	**Land Area (approximate sq ft)**	1,826,122

Assessment Information

Show Historical Assessments

Year	Property Class	Market Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Market Building Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Taxable Value
2016	HOMEOWNER	$ 726,600	$ 0	$ 726,600	$ 0	$ 600,600	$ 585,500	$ 180,000	$ 405,500	$ 405,500

Appeal Information

No appeal information on parcel.

Land Information

Property Class	Square Footage	Acreage	Agricultural Usage
AGRICULTURAL	1,826,122	41.922	

Residential Improvement Information

Building Number	Year Built	Effective Year Built	Square Feet	Total Room Count	Full Baths	Half Baths	Bedrooms	Framing	Exterior Wall	Roof Material	Heating/AC	Fireplace	Grade	Sketch
1	2000	2000	1,916	6	2	0	1	Frame	DOUBLE WALL	METAL	NONE	1	4-	Sketch Building 1
Building Number	**Year Built**	**Effective Year Built**	**Square Feet**	**Total Room Count**	**Full Baths**	**Half Baths**	**Bedrooms**	**Framing**	**Exterior Wall**	**Roof Material**	**Heating/AC**	**Fireplace**	**Grade**	**Sketch**
2	1999	1999	1,488	5	2	0	2	Frame	DOUBLE WALL	METAL	NONE	0	3-	Sketch Building 2
Building Number	**Year Built**	**Effective Year Built**	**Square Feet**	**Total Room Count**	**Full Baths**	**Half Baths**	**Bedrooms**	**Framing**	**Exterior Wall**	**Roof Material**	**Heating/AC**	**Fireplace**	**Grade**	**Sketch**
3	2007	2007	520	3	1	0	1	Frame	DOUBLE WALL	METAL	NONE	0	2	Sketch Building 3

Other Building and Yard Improvements

Description	Quantity	Year Built	Area	Gross Building Value
GARAGE WOOD BIT/CONC FLOOR	1	2000	480	$ 22,900

Permit Information

Date	Permit Number	Reason	Permit Amount
02/20/2010	B2010-0279H	SOLAR	$ 7,500
09/19/2007	B2007-2195H	ALTER	$ 98,000
03/08/2007	B2007-0712H	SOLAR	$ 6,000
12/15/1999	991505	DWG	$ 150,000
08/18/1998	981143	DWG	$ 55,000

Dept of Public Works Bldg Division Permit and Inspections Information

Permit Date	Permit Type	Permit Number	Permit Reason	Permit Description	Estimated Cost	Inspection Date	Inspection Status
05/22/2013	Electrical	EH2013-00788	Alteration	ELECTRIC ONLY-UPGRADE SERVICE	$4,000		
08/04/2011	Electrical	E2011-1289K	Addition;Solar;Electric Only	INSTALL PHOTOVOLTIAC POWERED SYSTEM	$1,500		
		E2011-	Addition;Solar;Electric				

EXHIBIT E
ITEM NO. D-16
Exhibit E

08/04/2011	Electrical	1292K	Only	INSTALL PHOTOVOLTIAC POWERED SYSTEM	$1,500		
08/04/2011	Electrical	E2011-1288K	Addition;Solar;Electric Only	INSTALL PHOTOVOLTIAC POWERED SYSTEM	$1,500		
08/04/2011	Electrical	E2011-1291K	Addition;Solar;Electric Only	INSTALL PHOTOVOLTIAC POWERED SYSTEM	$1,500		
08/04/2011	Electrical	E2011-1290K	Addition;Solar;Electric Only	INSTALL PHOTOVOLTIAC POWERED SYSTEM	$1,500		
03/04/2010	Plumbing	M2010-0373H	Alteration;Solar	INSTALLATION OF SOLAR WATER HEATER, PANELS ONLY ON ROOF	$7,500	03/11/2010	COMPLETED
03/01/2010	Electrical	E2010-0307H	Alteration	INSTALLATION OF SOLAR WATER HEATER, PANELS ONLY ON ROOF	$150	03/12/2010	COMPLETED
02/20/2010	Building	B2010-0279H	Alteration, Solar	INSTALLATION OF SOLAR WATER HEATER, PANELS ONLY ON ROOF	$7,500	03/31/2010	COMPLETED
05/28/2008	Plumbing	M2008-0732H	Addition;Alteration	ADDITION/ALTERATION TO EXISTING DWELLING	$10,000	08/06/2008	COMPLETED
05/22/2008	Electrical	E2008-0827H	Addition;Alteration	ADDITION/ALTERATION TO EXISTING DWELLING	$6,000	09/09/2008	COMPLETED
09/19/2007	Building	B2007-2195H	Alteration, Addition	ADDITION/ALTERATION TO EXISTING DWELLING	$98,000	09/04/2008	COMPLETED
09/13/2007	Electrical	E2007-1851H	New	NEW DWELLING	$6,500	09/02/2008	COMPLETED
03/08/2007	Building	B2007-0712H	Alteration, Solar	SOLAR WATER HEATER INSTALLATION	$6,000	09/10/2007	COMPLETED
03/08/2007	Building	B2007-0713H	Alteration, Solar	SOLAR WATER HEATER INSTALLATION	$6,000	09/10/2007	COMPLETED
03/08/2007	Plumbing	M2007-0516H	Alteration;Solar	SOLAR WATER HEATER INSTALLATION	$6,000	03/28/2007	COMPLETED
03/08/2007	Plumbing	M2007-0517H	Alteration;Solar	SOLAR WATER HEATER INSTALLATION	$6,000	03/28/2007	COMPLETED
03/08/2007	Electrical	E2007-0529H	Alteration;Solar	SOLAR WATER HEATER INSTALLATION	$150		
03/08/2007	Electrical	E2007-0530H	Alteration;Solar	SOLAR WATER HEATER INSTALLATION	$150	09/09/2008	COMPLETED
01/28/2005	Plumbing	M2005-0191H	New		$4,000	08/06/2008	COMPLETED
09/10/2003	Electrical	E031372*	New		$6,000	04/13/2004	CANCELLED
09/10/2003	Electrical	E031372*	New		$6,000	04/13/2004	COMPLETED
09/08/2003	Plumbing	M031132*	New		$18,000	02/20/2004	REJECTED
09/08/2003	Plumbing	M031132*	New		$18,000	05/11/2004	COMPLETED
08/29/2003	Building	031776*	New		$134,000	04/21/2004	REJECTED
08/29/2003	Building	031776*	New		$134,000	05/12/2004	COMPLETED
06/16/2003	Building	031252*	New		$24,000		
06/16/2003	Electrical	E030949*	New		$1,000		
02/22/2000	Building	000279*	New		$47,320	09/04/2008	COMPLETED
01/04/2000	Plumbing	M000004*	New		$5,000	03/29/2000	COMPLETED
12/23/1999	Electrical	E991332*	New		$8,000	03/30/2000	COMPLETED
12/15/1999	Building	991505*	New		$150,000	06/09/2000	COMPLETED
08/19/1999	Electrical	E990851*	New		$3,000		
08/02/1999	Plumbing	M990553*	New		$2,500	09/27/1999	COMPLETED
08/28/1998	Building	981143*	New		$55,000	12/08/1999	COMPLETED

As a courtesy to the public, we provide building permit data as supplied by the Department of Public Works. As such, no warranties, expressed or implied, are provided for the data herein, its use or its interpretation, and accuracy.

Sales Information

Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording	Land Court Document Number	Cert #	Book/Page	Conveyance Tax	Document Type
08/06/2014	$ 0		OTHER	Mapping Change	08/06/2014					Mapping Change
12/31/2013	$ 0		OTHER	Mapping Change	12/31/2013					Mapping Change
06/17/2008	$ 0		OTHER	Route Slip						Route Slip
01/04/2001	$ 0	0000000000								
12/23/1998	$ 0	9900010353			01/22/1999					
09/21/1995	$ 0	0000000000							0.00	

Current Tax Bill Information

2015 Tax Payments Show Historical Taxes

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
									$ 0.00

No Tax Information available on this parcel.

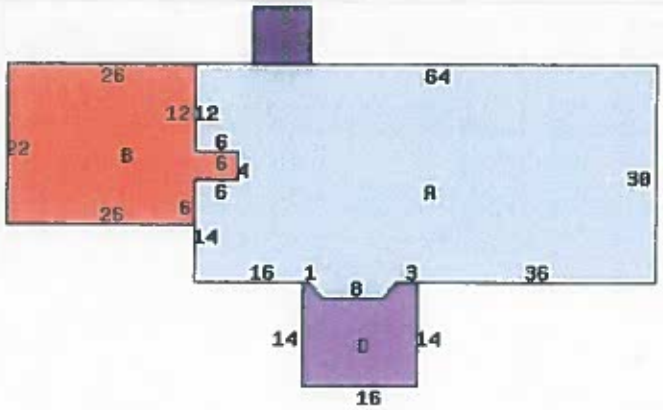
ITEM NO. D-16
Exhibit E

COUNTY OF HAWAI'I

Real Property Tax Office

Parcel Number: 650010100000 **Building Number: 1**

Owner: DEPT OF HAWN HOME LANDS **Physical Address: 65-2260 LOIHI PLACE**



Color	Area Type Description	Square Feet
A	MAIN AREA	1916
B	GARAGE WD FR BIT/CONC FLOOR	596
C	PORCH CEILED/UNCEILED ENCLS	64
D	PORCH CEILED/UNCEILED ENCLS	204

Enlarge

Close Window

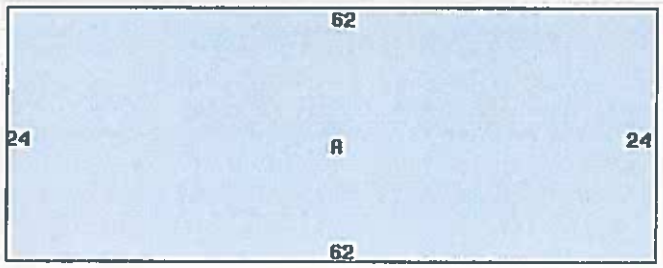
ITEM NO. D-16
Exhibit E

COUNTY OF HAWAI'I

Real Property Tax Office

Parcel Number: 650010100000 **Building Number: 2**

Owner: DEPT OF HAWN HOME LANDS **Physical Address: 65-2260 LOIHI PLACE**



Color	Area Type Description	Square Feet
A	MAIN AREA	1488

Enlarge

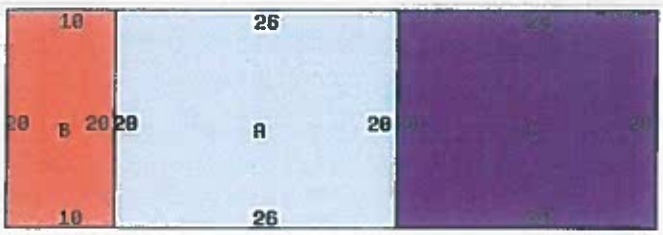
Close Window

COUNTY OF HAWAI'I

Real Property Tax Office

Parcel Number: 650010100000 **Building Number: 3**

Owner: DEPT OF HAWN HOME LANDS **Physical Address: 65-2260 LOIHI PLACE**



Color	Area Type Description	Square Feet
A	MAIN AREA	520
B	PORCH UNCEILED SHED ROOF	200
C	OPEN CARPORT BIT/CONC FLOOR	480

Enlarge

Close Window

COUNTY OF HAWAI'I

Real Property Tax Office

Recent Sales in Area | Previous Parcel | Next Parcel | Return to Main Search Page | Hawaii Home | Real Property Home

Owner and Parcel Information

Owner Name	DEPT OF HAWN HOME LANDS Fee Owner SOLOMON,FLORA Lessee	**Today's Date**	May 18, 2016
Mailing Address	PO BOX 519 KAMUELA, HI 96743-0519	**Parcel Number**	650010570000
Location Address	65-2266 LOIHI PLACE	**Project Name**	
Property Class	AGRICULTURAL	**Parcel Map**	Show Parcel Map Plat (TMK) Maps
Neighborhood Code	6479E-5	**Land Area (acres)**	40
Legal Information	FROM: 6501-10 40.000 AC NEW PARCEL	**Land Area (approximate sq ft)**	1,742,400

Assessment Information

Show Historical Assessments

Year	Property Class	Market Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Market Building Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Taxable Value
2016	AGRICULTURAL	$ 718,000	$ 0	$ 0	$ 718,000	$ 456,600	$ 456,600	$ 0	$ 456,600	$ 1,174,600

Appeal Information

No appeal information on parcel.

Land Information

Property Class	Square Footage	Acreage	Agricultural Usage
AGRICULTURAL	1,742,400	40	

Residential Improvement Information

Building Number	Year Built	Effective Year Built	Square Feet	Total Room Count	Full Baths	Half Baths	Bedrooms	Framing	Exterior Wall	Roof Material	Heating/AC	Fireplace	Grade	Sketch
5	2004	2004	2,496	6	2	0	2	Frame	DOUBLE WALL	METAL	NONE	0	3	Sketch Building 1

Other Building and Yard Improvements

Description	Quantity	Year Built	Area	Gross Building Value
FRAME UTILITY SHED	1	2009	1,920	$ 85,400

Permit Information

Date	Permit Number	Reason	Permit Amount
03/08/2007	B2007-0713H	SOLAR	$ 6,000
08/29/2003	031776		$ 134,000
02/22/2000	000279	DWG	$ 47,320

Dept of Public Works Bldg Division Permit and Inspections Information

Permit Date	Permit Type	Permit Number	Permit Reason	Permit Description	Estimated Cost	Inspection Date	Inspection Status

No permit and inspections information associated with this parcel.

As a courtesy to the public, we provide building permit data as supplied by the Department of Public Works. As such, no warranties, expressed or implied, are provided for the data herein, its use or its interpretation, and accuracy.

Sales Information

Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording	Land Court Document Number	Cert #	Book/Page	Conveyance Tax	Document Type
08/06/2014	$ 0		OTHER	Mapping Change	08/06/2014					Mapping Change

Current Tax Bill Information

2015 Tax Payments | Show Historical Taxes

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2015-2	Real Property Tax	02/22/2016	$ 0.00	$ 0.00	$ 528.45	$ 0.00	$ 10.57	$ 0.00	$ 539.02
									$ 539.02

Tax bill is computed to 04/30/2016 Or pay online at http://payments.ehawaii.gov/propertytax/hawaii Other Payment Options Click Here

ITEM NO. D-16

Exhibit E

COUNTY OF HAWAI'I

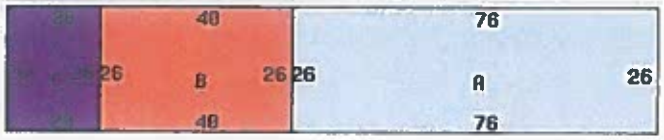
Real Property Tax Office

Parcel Number: 650010570000

Building Number: 5

Owner: DEPT OF HAWN HOME LANDS

Physical Address: 65-2266 LOIHI PLACE



Color	Area Type Description	Square Feet
A	MAIN AREA	1976
B	GARAGE WD FR BIT/CONC FLOOR	1040
C	1ST STORY FRAME	520

Enlarge

Close Window

COUNTY OF HAWAI'I

Real Property Tax Office

Recent Sales in Area | Previous Parcel | Next Parcel | Return to Main Search Page | Hawaii Home | Real Property Home

Owner and Parcel Information

Owner Name	DEPT OF HAWN HOME LANDS Fee Owner SOLOMON,FLORA Lessee	**Today's Date**	May 18, 2016
Mailing Address	PO BOX 519 KAMUELA, HI 96743-0519	**Parcel Number**	650010580000
Location Address	65-2252 LOIHI PLACE	**Project Name**	
Property Class	AGRICULTURAL	**Parcel Map**	Show Parcel Map Plat (TMK) Maps
Neighborhood Code	6479E-5	**Land Area (acres)**	43.078
Legal Information	FROM: 6501-10 43.078 AC NEW PARCEL	**Land Area (approximate sq ft)**	1,876,477

Assessment Information

Show Historical Assessments

Year	Property Class	Market Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Market Building Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Taxable Value
2016	AGRICULTURAL	$ 731,900	$ 0	$ 0	$ 731,900	$ 93,400	$ 93,400	$ 0	$ 93,400	$ 825,300

Appeal Information

No appeal information on parcel.

Land Information

Property Class	Square Footage	Acreage	Agricultural Usage
AGRICULTURAL	1,876,478	43.078	

Improvement Information

No improvement information available for this parcel.

Other Building and Yard Improvements

Description	Quantity	Year Built	Area	Gross Building Value
BANK BARN	1	1998	1,600	$ 55,100
CARPORT OPEN BIT/CONC FLOOR	1	2000	2,088	$ 25,900
CARPORT OPEN GRAVEL FLOOR	1	2005	1,008	$ 12,400

Permit Information

Date	Permit Number	Reason	Permit Amount
06/16/2003	031252	STG	$ 24,000

Dept of Public Works Bldg Division Permit and Inspections Information

Permit Date	Permit Type	Permit Number	Permit Reason	Permit Description	Estimated Cost	Inspection Date	Inspection Status

No permit and inspections information associated with this parcel.

As a courtesy to the public, we provide building permit data as supplied by the Department of Public Works. As such, no warranties, expressed or implied, are provided for the data herein, its use or its interpretation, and accuracy.

Sales Information

Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording	Land Court Document Number	Cert #	Book/Page	Conveyance Tax	Document Type
08/06/2014	$ 0		OTHER	Mapping Change	08/06/2014					Mapping Change

Current Tax Bill Information

2015 Tax Payments | Show Historical Taxes

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
									$ 0.00

No Tax Information available on this parcel.

Recent Sales in Area | Previous Parcel | Next Parcel | Return to Main Search Page | Hawaii Home | Real Property Home

ITEM NO. D-16
Exhibit E

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
October 16 & 17, 2017
Hilo, Hawai'i

F-ITEMS
LAND MANAGEMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

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 November 1, 2016, granted by the Hawaiian Homes Commission at its October 2016 meeting under Agenda Item No. F-1.

B) The annual renewal period, shall be on a month-to-month basis, for up to twelve (12) months, but no longer than October 30, 2018 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

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 on 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[1] or 63% of DHHL's statewide inventory. The

[1] DHHL Hawaii Island Plan – Final Report, PBR Hawaii, May 2002

short-term disposition(s) within the Eastern, Central, and Southern portions cover approximately 9,013.0 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. Permitee'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 3.0% ($52,992) of the ROE total revenues ($2,087,780) that DHHL received statewide for FY 2017. For FY 2018 Hawaii Island will hold 13 of the 145 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 3% to 1 of these 13 permittees whose land use is designated as recreation.

FY 2017		Total
Agriculture	$264	1
Caretaker/Landscape	$1,508	1
Commercial	$0	-
Community	$240	1
Industrial	$0	-
Office	$0	-
Pastoral	$24,424	9
Preservation	$0	-
Recreation	$26,600	1
Research	$0	-
Stabling	$0	-
	$53,036	13

FY 2018		Total
Agriculture	$264	1
Caretaker/Landscape	$1,508	1
Commercial	$0	-
Community	$240	1
Industrial	$0	-
Office	$0	-
Pastoral	$24,424	9
Preservation	$0	-
Recreation	$27,398	1
Research	$0	-
Stabling	$0	-
	$54,627	13

According to research done by Colliers International, (See Exhibit "B") "the Oahu Industrial vacancy rate registered a minuscule 1.53% at the end of the first quarter of 2017 ...Industrial rents posted a decline from $1.21 per square foot per month recorded at year-end 2016 to $1.19 psf/mo, currently..." In light of this research, LMD recommends a 3% increase in rental rates for its industrial/commercial tenants.

For FY 2018, renewals for the 13 Right of Entry Permits located in East, Central, and South Hawaii Island will total an annual rent revenue of $54,627 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:

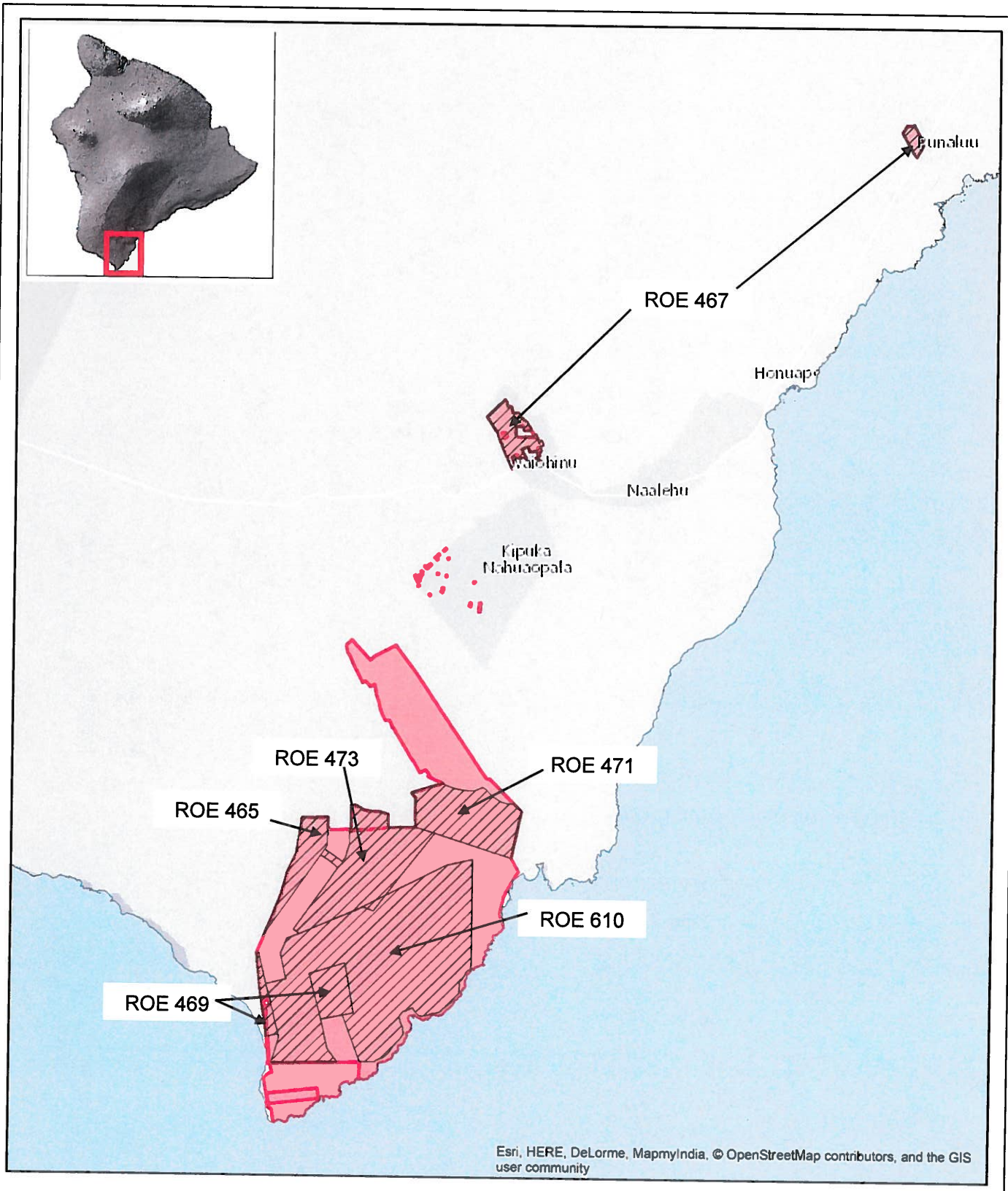
Land Management Division respectfully requests approval of the motion as stated.

RIGHT OF ENTRY PERMITS EAST, CENTRAL, AND SOUTH HAWAII ISLAND

TYPE	ISLAND	ACRE	NO.	USE	PERMITTEE/ADDRESS	LOCATION	TMK	Date Started	Current Fees, All Right of Entry Permits	Current Fees, Commercial & Industrial Permits	Proposed Fees for Commercial & Industrial Permits	Proposed Increase (Annual), Commercial & Industrial Permits
ROE	HAWAII	2.000	477	Agricultural	Guy Kaniho, 73-4341 Kukulu Place, Kailua-Kona, Hawaii 96740	Humu'ula	(3) 3-8-001:007(P)	3/14/2007	$264			
ROE	HAWAII	1.000	482	Community	Keaukaha Panaewa Farmers Association, Attn: Kihei Ahuna, President, P. O. Box 6844, Hilo, Hawaii 96720-8935	Panaewa	(3) 2-1-025:091 (p)	2/1/2011	$240			
ROE	HAWAII	2.210	481	Landscape	Ginger Patch Center, LLC, 101 Aupuni Street, Hilo, Hawaii 96720	Waiakea	(3) 2-2-060:001	8/1/2010	$1,508			
ROE	HAWAII	280.000	465	Pastoral	Gilbert Medeiros, Sr., 37 Kimo Street, Hilo, Hawaii 96720	Kamaoa-Puueo	(3) 9-3-001:002(P)	2/1/1998	$504			
ROE	HAWAII	327.000	467	Pastoral	Winifred P. and Parnell E. Hanoa, P. O. Box 488, Pahala, Hawaii 96777	Wailau - Waiohinu	(3) 9-5-019:016 and (3) 9-5-005:002	10/1/2004	$1,488			
ROE	HAWAII	100.000	468	Pastoral	George Pua, Sr., 180 Chong Street, Hilo, Hawaii 96720	Olaa	(3) 1-8-011:012	8/1/2000	$660			
ROE	HAWAII	450.000	469	Pastoral	Daryl K. Kalua'u, 89-1706 Milolii Road, Captain Cook, Hawaii 96704	Kau	(3) 9-3-001:002(P)	11/1/2000	$840			
ROE	HAWAII	750.000	471	Pastoral	Daleico Ranch, P. O. Box 1149, Kailua-Kona, Hawaii 96745	Kau	(3) 9-3-001:002(P)	6/1/2001	$1,536			
ROE	HAWAII	1500.000	473	Pastoral	Dean Kaniho, P. O. Box 87, Naalehu, Hawaii 96772	Kamaoa-Puueo	(3) 9-3-001:002(P)	7/15/2004	$2,100			
ROE	HAWAII	301.000	476	Pastoral	Charles & Jelena Clay, P. O. Box 159, Honomu, Hawaii 96728	Honomu	(3) 2-8-011:009	8/1/2005	$5,796			
ROE	HAWAII	300.000	478	Pastoral	April Awana-Mattos, 2265 Ainaola Drive, Hilo, Hawaii 96720	Honomu	(3) 2-8-011:011 (p)	2/1/2010	$5,200			
ROE	HAWAII	5000.000	610	Pastoral	Native Hawaiian General Services c/o John Kuluau, 72-3970 Hawaii Belt Road, Kailua-Kona, Hawaii 96740	Kamaoa-Puueo	(3) 9-3-001:002(P)	8/1/2004	$6,300			
ROE	HAWAII	0.000	597	Recreation	Hawaii Forest & Trail, Ltd., Robert Pacheco, 74-5035B Queen Kaahumanu Highway, Kailua-Kona, Hawaii 96740	Humuula	(3) 3-8-001:007(P)	2/1/2003	$26,600	$26,600	$27,398	$798
Total	13								$53,036	$26,600	$27,398	$798

Denotes Beneficiary

EXHIBIT "A"
ITEM NO. F-1



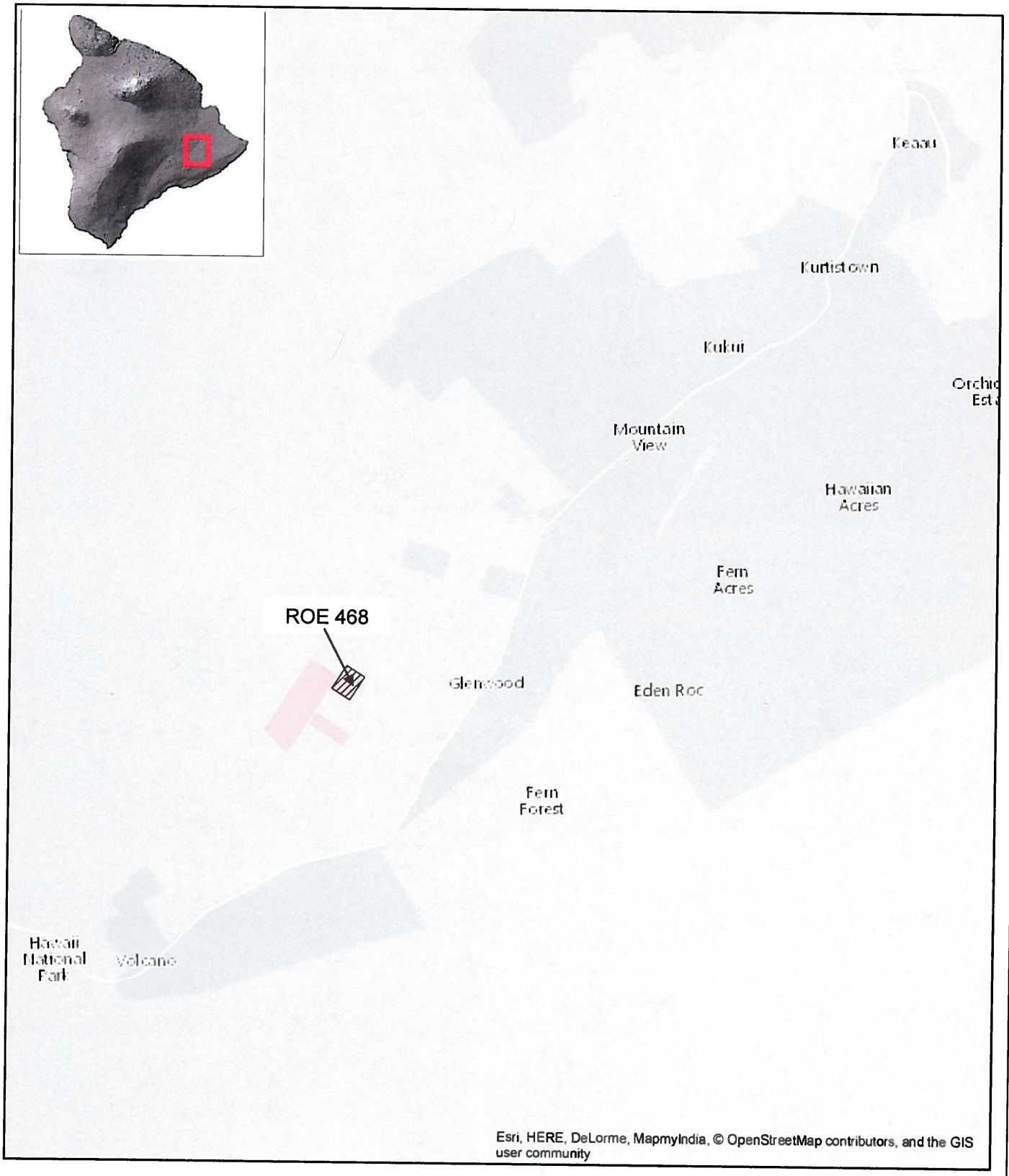
Non-Homestead ROE

DHHL Lands

DHHL Kau
Right-of-Entry Permits (ROE)

0 1 2 Miles

EXHIBIT "A"
ITEM NO. F-1



Non-Homestead ROE

DHHL Land

DHHL Olaa
Right-of-Entry Permits (ROE)

0 2.5 5 Miles

DEPARTMENT OF HAWAIIAN HOME LANDS

EXHIBIT "A"

ITEM NO. E-1

Non-Homestead ROE

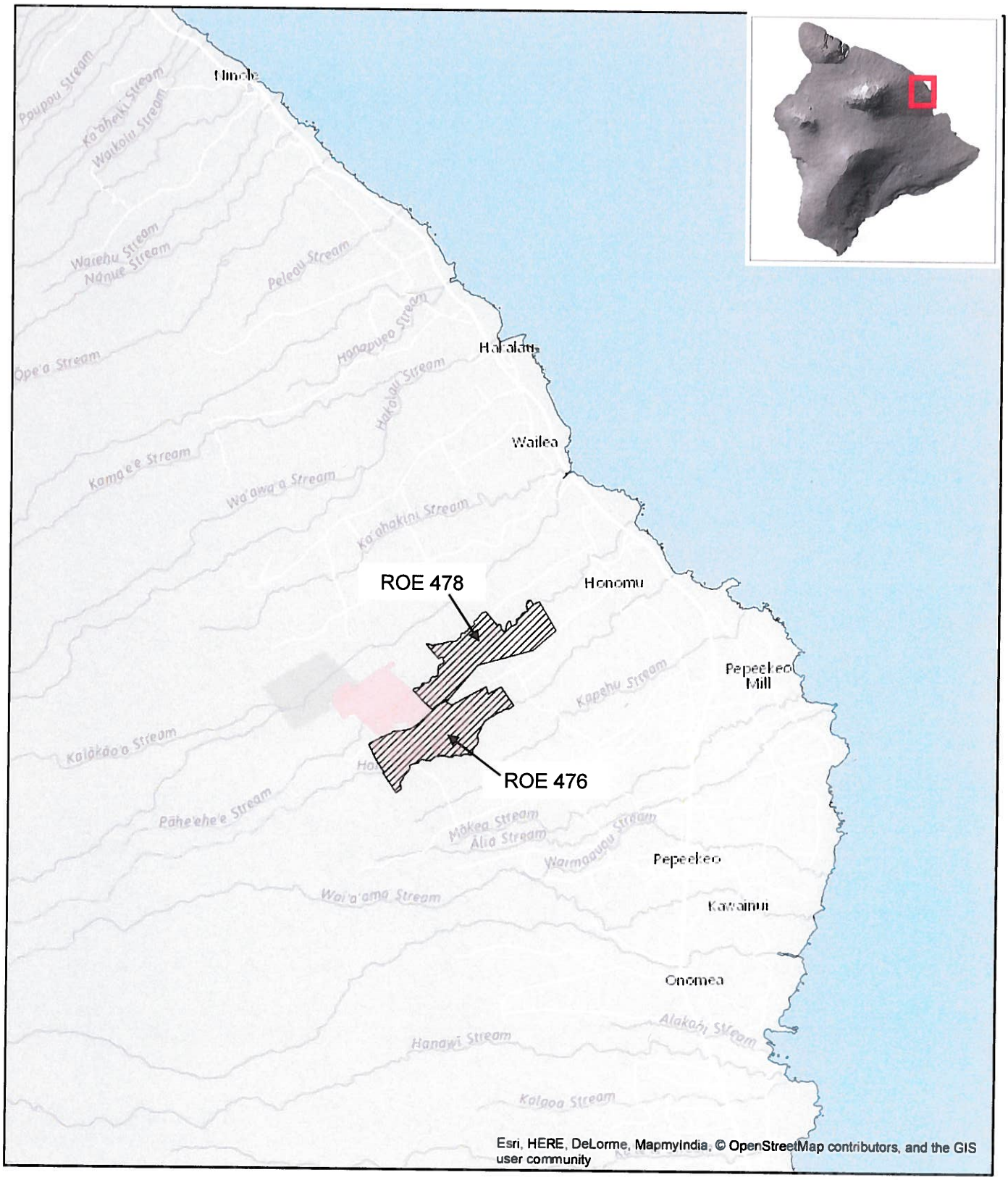
DHHL Land

0 0.5 1 Miles

DHHL Hilo
Right-of-Entry Permits (ROE)

DEPARTMENT OF HAWAIIAN HOME LANDS

EXHIBIT "A"
ITEM NO. F-1



Non-Homestead ROE

DHHL Land

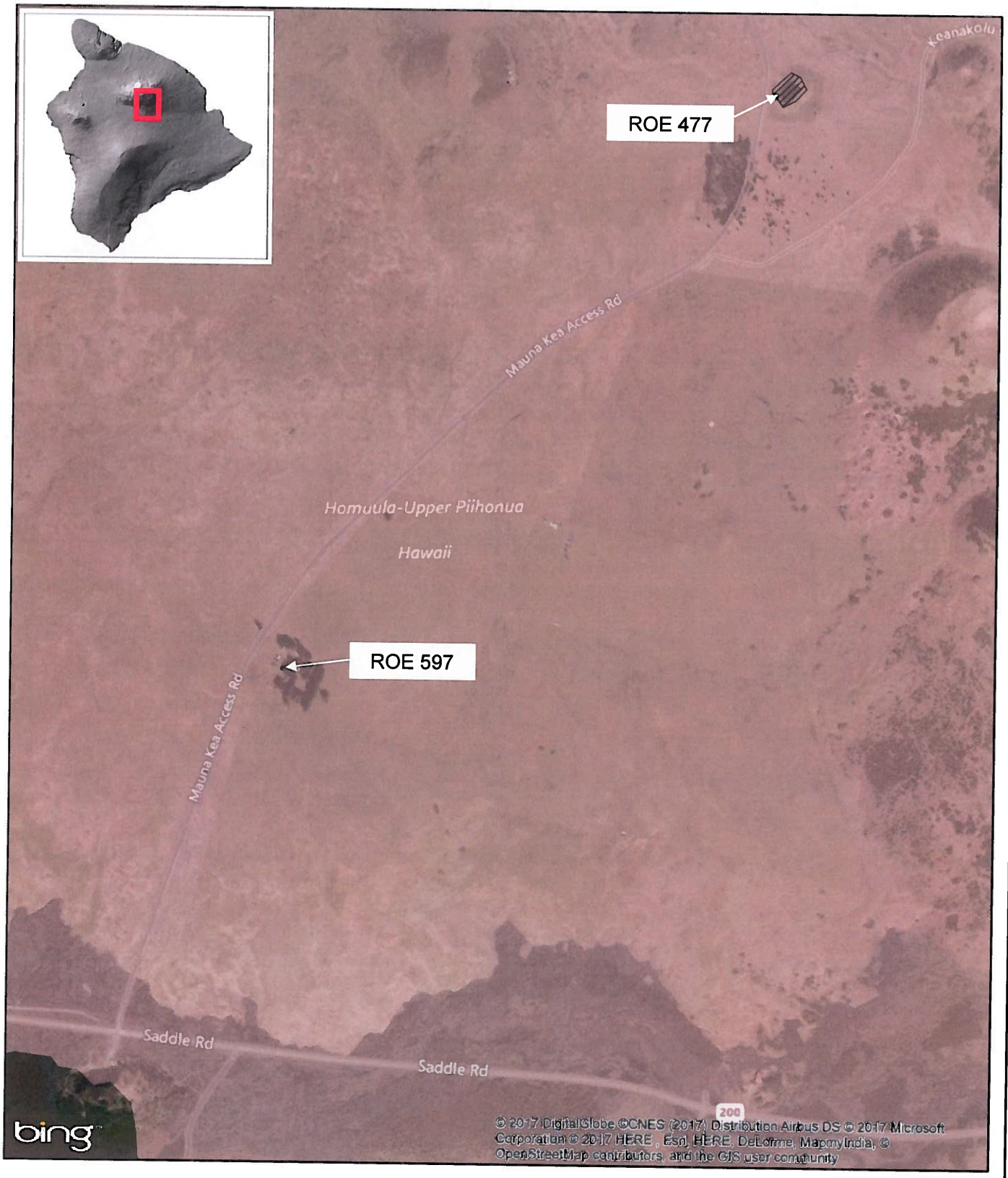
DHHL Honomu
Right-of-Entry Permits (ROE)

0 1 2 Miles

DEPARTMENT OF HAWAIIAN HOME LANDS

EXHIBIT "A"

ITEM NO. F-1



Non-Homestead ROE

DHHL Land

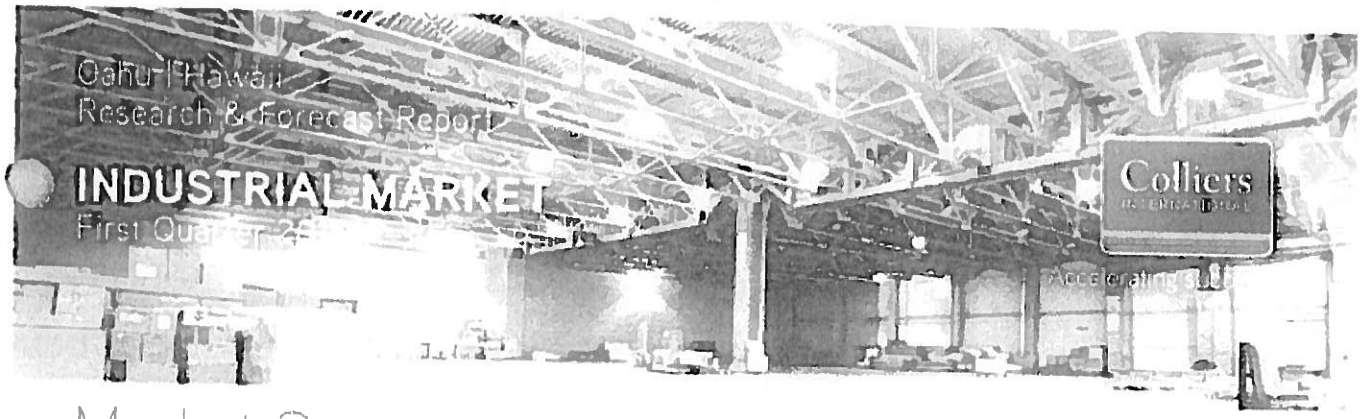
DHHL Humuula
Right-of-Entry Permits (ROE)

0 0.25 0.5 Miles

DEPARTMENT OF HAWAIIAN HOME LANDS

EXHIBIT "A"

ITEM NO. F-1



Market Summary

Mike Hamasu Director of Research | Hawaii

- Falling to its lowest level in recorded history, Oahu's industrial vacancy rate registered a miniscule 1.53% at the end of the first quarter 2017.
- Roughly 36,000 square feet of new occupancy was squeezed out of this extremely tight market.
- The number of available warehouse listings has shrunk to levels not experienced since the last economic boom which occurred between 2004 and 2007.
- Industrial sales revenue, which combines wholesale, contracting, production and manufacturing sales activity, generated a decline of 5.9% over the past year.
- Construction permit volume, which is a good indicator of future contracting sales, recorded a 12.3% decline in activity between year-end 2015 and 2016.
- Industrial rents posted a decline from $1.21 per square foot per month recorded at year-end 2016 to $1.19 psf/mo, currently.
- There are rumblings that the industrial market might be peaking, the sizeable amount of pent up demand for warehouse space should keep rental rate elevated for the near term. Vacancy rates are likely to remain below 2% for the foreseeable future.

Market Indicators

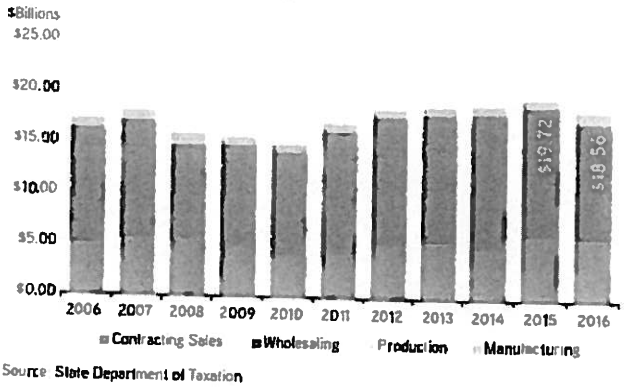
Relative to prior quarter	4Q2016 vs. 1Q2017
ABSORPTION	↑
VACANCY RATE	↓
RENTAL RATES	↑
CONSTRUCTION	↑

Summary Statistics

1Q 2017 Industrial Market

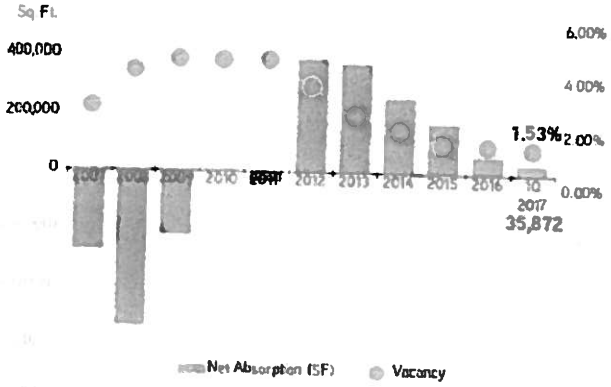
1Q 2017 Net Absorption	35,872 SF
Vacancy Rate	1.53%
Direct Weighted Average Asking Rent	$1.19 PSF/Mo.
Average Operating Expense	$0.36 PSF/Mo.

Industrial Sales (November YTD)



Source: State Department of Taxation

Oahu Industrial Net Absorption vs. Vacancy Rate



Oahu Industrial Direct Wtd. Avg. Asking NNN Rents

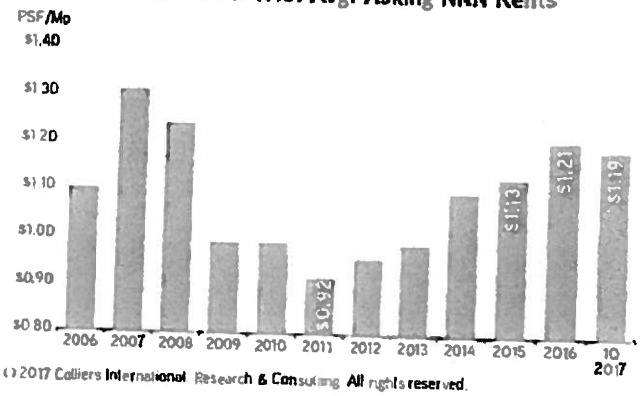


EXHIBIT "B"
ITEM NO. F-1

1ST QUARTER 2017 Oahu Industrial Market Statistics

INDUSTRIAL MARKET - BY SUBMARKET AREA

	NO. OF BUILDINGS	BUILDING AREA (SF)	TENURE*	AVAILABLE SPACE (SF)	1Q2017 NET ABSORPTION (SF)	YTD NET ABSORPTION (SF)	VACANCY RATE	DIRECT WTD AVG NET ASKING RENT (PSF/MO)**	AVG NET OP EXP (PSF/MO)
HONOLULU									
Iwilei	97	2,355,935	Fee Simple	87,172	0	0	3.70%	$1.36	$0.46
Kalihi	700	9,450,600	Fee Simple	196,380	8,603	8,603	2.08%	$1.11	$0.40
Sand Island	73	569,853	Leasehold	5,500	0	0	0.97%	$1.36	$0.30
Mapunapuna	107	4,214,301	Leasehold	11,174	[illegible]	[illegible]	0.27%	$1.22	$0.35
Airport	125	4,641,933	Fee Simple	22,500	13,300	13,300	0.48%	$0.85	$0.28
Total Honolulu	**1,102**	**21,232,622**		**322,726**	**18,883**	**18,883**	**1.52%**	**$1.17**	**$0.40**
CENTRAL OAHU									
Bougainville	20	806,460	Leasehold	0	20,257	20,257	0.00%	$1.25	$0.38
Halawa	84	2,634,833	Leasehold	47,331	[illegible]	[illegible]	1.80%	$1.25	$0.25
Pearl City/Aiea	32	1,660,582	Fee Simple	11,700	7,000	7,000	0.70%	$1.27	$0.48
Pearl City Industrial Park***	45	762,292	Fee Simple	12,109	[illegible]	[illegible]	1.59%	$1.23	$0.37
Gentry Business Park	67	1,778,754	Fee Simple	12,345	[illegible]	[illegible]	0.69%	$1.21	$0.49
Mililani	36	432,280	Fee Simple	0	0	0	0.00%	$1.30	$0.47
Waipahu	128	2,718,190	Fee Simple	14,930	2,070	2,070	0.55%	$1.17	$0.36
Total Central Oahu	**412**	**10,793,396**		**98,415**	**14,039**	**14,039**	**0.91%**	**$1.08**	**$0.29**
WEST OAHU									
Campbell Industrial Park	121	4,960,296	Fee Simple	54,709	[illegible]	[illegible]	1.10%	$1.07	$0.22
Kapolei Business Park	51	1,431,910	Fee Simple	76,823	0	0	5.37%	$1.26	$0.35
Malakole Industrial Park	3	197,000	Fee Simple	0	0	0	0.00%	$1.07	$0.22
Kenoi Industrial Park	12	90,680	Fee Simple	0	0	0	0.00%	$1.07	$0.22
Kalaeloa Industrial	5	47,137	Fee Simple	0	0	0	0.00%	$1.07	$0.22
Total Kapolei	**192**	**6,727,023**		**131,532**	**0**	**0**	**0.00%**	**$1.07**	**$0.22**
WINDWARD OAHU									
Kapaa Industrial ****	59	619,704	Fee Simple	46,000	8,800	8,800	7.42%	$1.80	$0.31
Kaneohe	41	602,851	Fee Simple	12,790	[illegible]	[illegible]	2.12%	$0.56	$0.66
Total Windward	**100**	**1,222,555**		**58,790**	**7,950**	**7,950**	**4.81%**	**$1.53**	**$0.39**
OAHU TOTALS	**1,806**	**39,975,596**		**611,463**	**35,872**	**35,872**	**1.53%**	**$1.19**	**$0.36**

*Leasehold tenure associated with industrial parks with 75% or more of land under ground lease

** Weighted average rents are calculated on I-1 and I-2 zoned properties. IMX zoned properties, which can be used for retail have been excluded from the rent calculation

*** Pearl City Industrial Park is a submarket associated with Pearl City/Aiea trade area

**** Only gross rents are quoted.

TERMS AND DEFINITIONS

INVENTORY - Industrial buildings greater than 2,500 square feet located on the Island of Oahu, inclusive of owner user, and single tenant buildings

TOTAL SQUARE FEET - All rentable industrial space exclusive of common areas, yard space and fire escapes.

VACANT SPACE - Industrial space that is not occupied by a tenant. This includes sublease space that is unoccupied.

VACANCY RATE - The ratio of vacant industrial space divided by the total industrial inventory square footage

NET ABSORPTION - The net change in occupied space over a period of time. Year-to-date net absorption is the difference in occupied space between the end of the previous year and the current quarter

DIRECT WEIGHTED AVERAGE ASKING RENT (NNN) - The sum of aggregate landlord asking rents divided by the total available space within a specific geography

AVERAGE OPERATING NET EXPENSE - The average rate of tenant expenses such as building utilities, management fees, building maintenance, real property taxes and insurance within a specific geography

NNN RENTS - Rents inclusive of building operating expenses.

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STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16 & 17, 2017

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Peter Kahana Albinio, Acting Land Management Division Administrator

SUBJECT:

F-2 Approval to Issuance of Right of Entry Permit to State of Hawaii, Department of Transportation (DOT), Hawaii Island, TMK No. (3)9-5-019:016

F-4 Issuance of License to County of Hawaii, Department of Parks & Recreation, for use, operation and maintenance purposes of Hawaiian home lands as a park facility, Keaukaha, Hawaii Island, TMK No. (3)2-1-023:120

F-5 Issuance of a Non-Exclusive License Easement to the County of Hawaii for Roadway Access, Maintenance, and Utility Purposes ("License Easement"), Puukapu Pasture Lots, Hawaii Island, TMK No. (3)-6-4-004:057 (por.), Lot 16-D

F-6 Approval of settlement in Arbitration of Lease Rent for General Lease No. 136 Between Department of Hawaiian Home Lands and Hamakua Macadamia Nut Co., DPR #16-0566-A.

THE SUBMITTALS WILL BE DISTRIBUTED UNDER SEPARATE COVER or AT THE TABLE

ITEM NO. F-2, F-4 to F-6

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

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

From: Joseph "Kualii" Camara, Property Development Agent
Land Management Division

Subject: Approval to Issue Right of Entry Permit to State Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW), Hawaii Island, Access to mauka boundary of TMK(s): 3-8-001 :009, :002, :007 for fence inspection. Access to the Makai boundary road of TMK: 3-26-018 :002, for fence inspection and access to remote parts of Hilo and Mauna Kea Forest Reserves for Natural Resource Management.

APPLICANT:

Hawaii Island DOFAW "PERMITEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit, covering the subject area as identified and described below for Hawaii Island DOFAW personnel to do regular fence inspection and maintenance and to do resource management in Hilo and Mauna Kea Forest Reserves.

Approval and issuance of this Right of Entry Permit (ROE) shall be subject to the following conditions:

1. Authorize the issuance of a Right-of-Entry permit to Hawaii Island DOFAW covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

    A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;

    B. Access to DHHL lands shall be limited to the access/road way immediately adjacent to the DOFAW/DHHL property boundaries, or immediately adjacent to the Palila Critical Habitat Fence (PCHF)

    C. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interests of the Hawaiian Home Lands Trust;

2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment. Actions equivalent to the project

proposed were considered and addressed in the 2012 Environmental Assessment for the Aina Mauna Legacy Program which was approved by the Hawaiian Homestead Commission and accepted by the Office of Environmental Quality Control with a finding of no significant impact.

LOCATION:

Access to Hawaiian Home Lands situated in Humuula and Upper Piihonua, Island of Hawaii, identified as mauka boundary of Tax Map Keys: (3)3-8-001:009; :002; :007 and makai boundary of Tax Map Key: (3)3-26-018:002 (See Exhibit "A"). Note this ROE is for access only and does not convey lease or property rights for this parcel or any portion thereof.

DISCUSSION:

Dept. of Land and Natural Resources (DLNR) Hawaii Island Division of Forestry and Wildlife (DOFAW) as a Mauna Kea Watershed Alliance (MKWA) partner requests permission access from the Dept. of Hawaiian Home Lands (DHHL) primarily for the inspection and maintenance of fence infrastructure on DHHL/DOFAW boundaries. DHHL lands have had significantly more agricultural activity than DLNR lands and thus have better developed access roads along property boundaries. Most areas of DLNR's Hilo and Mauna Kea Forest Reserves do not have road access.
DOFAW also requests access through DHHL lands to remote areas of the Hilo and Mauna Kea Forest Reserves to do accomplish general resource management objectives efficiently.
DHHL and DOFAW will partner to manage property boundaries to control the spread of invasive plant species such as gorse, pathogens and diseases such as Rapid Ohia Death (ROD) and feral ungulates.
In return DOFAW has agreed to allow DHHL access through TMK (3)3-26-018:013 for access to the lower sections of TMK (3)3-26-018:002 which will greatly assist DHHL in managing these areas

- DOFAW has spent significant time, effort and resources to construct high quality fences along DLNR DHHL boundaries. This infrastructure must be routinely inspected, maintained and periodically repaired to function properly. DLNR will inspect, maintain and repair boundary fences with no cost to DHHL. Access to DHHL lands will greatly improve efficiency in this effort.
- Access through DHHL lands will enable DLNR to manage remote areas of Hilo Forest Reserve effectively and efficiently. Efforts on DLNR lands to monitor and control invasive species, monitor for the spread of Rapid Ohia Death, and to control feral ungulates benefits DHHL by having these threats removed from neighboring lands. As Mauna Kea Watershed Alliance partners, we should work cooperatively to address common challenges
- Currently, access to DHHL lands by DOFAW is obtained by Limited Right of Entry (LROE). This disposition has many limitations that do not allow for immediate and efficient response to resource management issues that arise.
- As Mauna Kea Watershed Alliance partners, Hawaii Island DOFAW and DHHL should work cooperatively whenever feasible to address common challenges, and support regional resource management and protection.

Benefits to Hawaiian Homes Land Trust

Access by DOFAW to DHHL lands benefits DHHL by:

- Having experienced resource managers periodically on site in remote areas who can alert DHHL staff to concerns or issues that may have gone un-noticed. There is currently 1 DHHL staff member for an area over 56,000 acres
- Without normal use and maintenance remote pasture roads become undrivable and can easily become lost in overgrown grass. DOFAW has the heavy equipment necessary to maintain and

repair roads as necessary, feasible and allowed by DHHL. Currently all road maintenance done by DHHL is by contract and at considerable cost.

- DOFAW has invested over 2 million dollars into constructing high quality fence along Aina Mauna boundaries at no cost to DHHL. This ROE will allow for necessary inspection, maintenance and repairs at no cost to DHHL.
- Partnering to control invasive plants, pathogens and ungulates along property boundaries will provide DHHL with the manpower necessary to manage and control the spread of these invasive species.
- As Mauna Kea Watershed Alliance partners, DHHL and DOFAW both benefit from the improvement of neighboring lands. Greater cooperation and understanding between partners will allow for informed planning and coordination of resource management efforts.

In return for access to DHHL lands, DOFAW will grant DHHL access through TMK (3)3-26-0018:013 to the Southeast Corner of TMK (3)3-26-018:002. Without DOFAW access this area is only accessible by all-terrain vehicle (atv) and helicopter. Access to this remote area will make it feasible for DHHL to accomplish many things including:

- Transport live cattle from lower portions of TMK (3)3-26-018:002
- Have access to install fencing to exclude cattle and stop the spread of Gorse and ROD to sensitive areas
- Have access for koa reforestation efforts.
- Have access for potential koa salvage operations
- Accomplish resource management objectives efficiently as they arise.

PLANNING AREA:

Humuula, Piihonua Mauka, Aina Mauna Lands

LAND USE DESIGNATION:

DHHL TMKs (3)3-8-001:002, :009 (Humuula) and (3)3-26-018:002 (Upper Piihonua) are zoned agricultural. DHHL TMK (3)3-8-001:007 (Humuula) is zoned agricultural and conservation.

Under the Aina Mauna Legacy Program The planned land use for the mauka boundary access area is native mamane forest restoration. The planned land use for the makai boundary access area is native koa and ohia forest restoration.

CURRENT STATUS:

DHHL, former pasture lease TMKs (3)3-8-001:002,:007,:009, (3)3-26-018:002

CHARACTRER OF USE:

Former cattle lease. Planned future use under the Aina Mauna Legacy Program is native Hawaiian forest restoration.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

2012 Aina Mauna Legacy Plan Environmental Assessment:

On January 23, 2012, the Final Environmental Assessment for the Aina Mauna Legacy Program was unanimously approved by the Hawaiian Homestead Commission and filed on February 8, 2012 with the State of Hawaii Office of Environmental Quality Control with a Finding of no Significant Impact. Actions equivalent to the proposed action and their impacts have been considered in the EA on pages 49 - 50.

"Use and Maintenance of Existing Facilities and Fences
For all alternatives, efforts will be made to use existing infrastructure wherever and whenever possible (fencing, ranch roads, stock ponds, etc.) Periodic maintenance and upgrading of buildings, fences and facilities will be necessary regardless of the alternative selected for safety and accessibility and to support management and visitor needs. Periodic maintenance and upgrading of fences is necessary to manage and/or exclude ungulates from management units. The use of a helicopter may be required in remote areas to deliver fencing and other materials."

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. The action as proposed has been determined to have minimal or no significant impact on the environment.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

Aina Mauna Legacy Program (2009)
The recommended disposition is consistent with the following Aina Mauna Legacy Plan goals and objectives:

Land and Resource Management

Goals:

- Restoration and enhancement of DHHL trust resources
  - Secure access to Upper Piihonua to do resource management including
    - Ungulate fencing
    - Cattle removal
    - Koa restoration
- Address reforestation and restoration of the ecosystem
  - Secure free maintenance of fence infrastructure to protect native forest cover and native species habitat
  - Secure access to Upper Piihonua to begin native forest restoration efforts
- Conserve natural and cultural resources and endangered species
  - Prevent movement of feral ungulates into sensitive native ecosystems including Palila Critical Habitat and summit areas where Mauna Kea silver swords once grew.
  - Prevent movement of feral cattle between Hilo Forest Reserve and Aina Mauna Lands
  - Allow access for watershed partners to improve neighboring native forest habitat by:
    - Removing invasive species
    - Removing feral ungulates
    - Monitoring for diseases and other threats
    - Supporting research and outreach

- Identify and secure partners to sustain activities

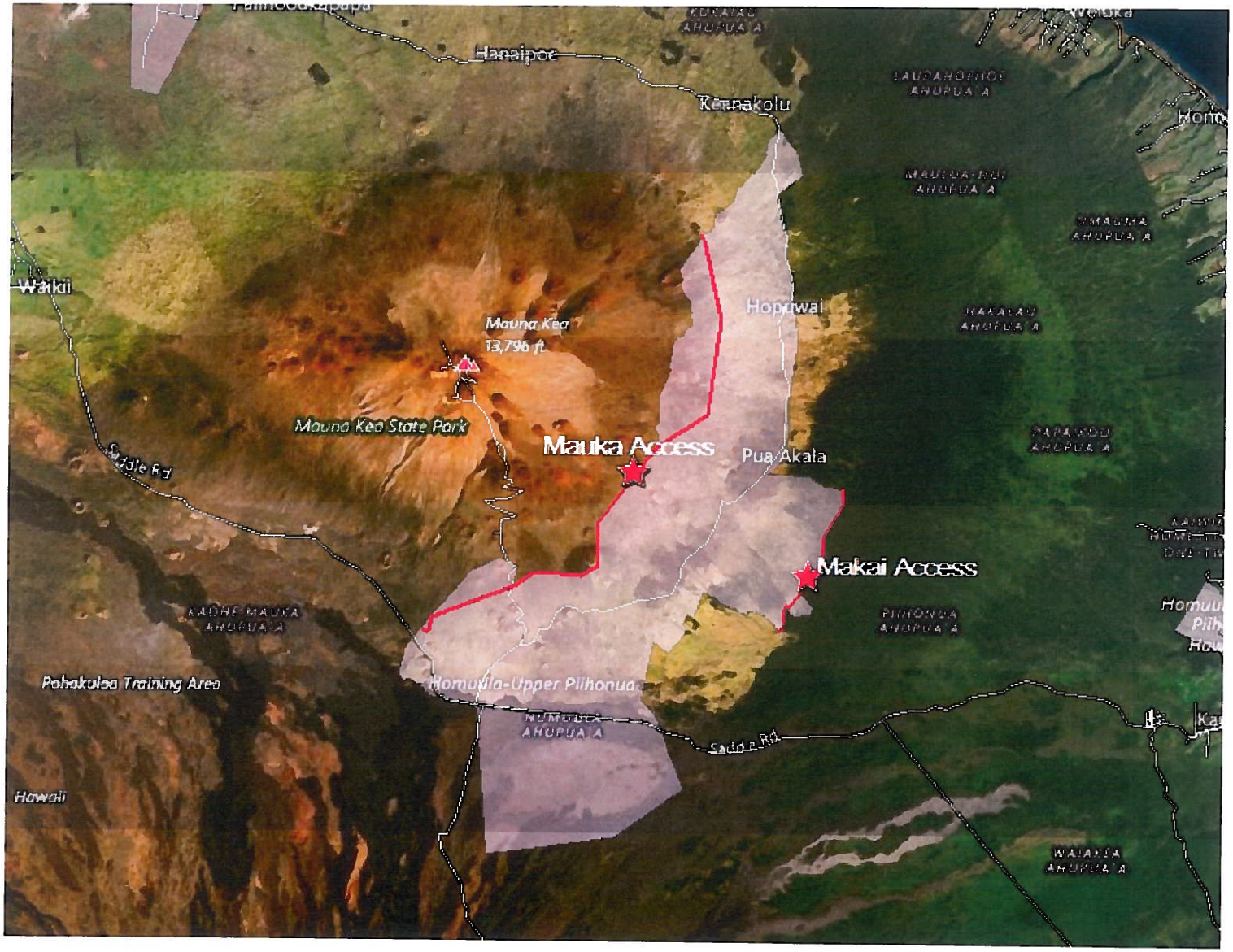
- Utilize partnerships for repair and maintenance of fencing infrastructure to manage animal and forest resources of the Aina Mauna lands as well as the larger landscape of Mauna Kea.
- Secure access through Watershed Partner lands to facilitate Aina Mauna Legacy Program objectives

Actions:

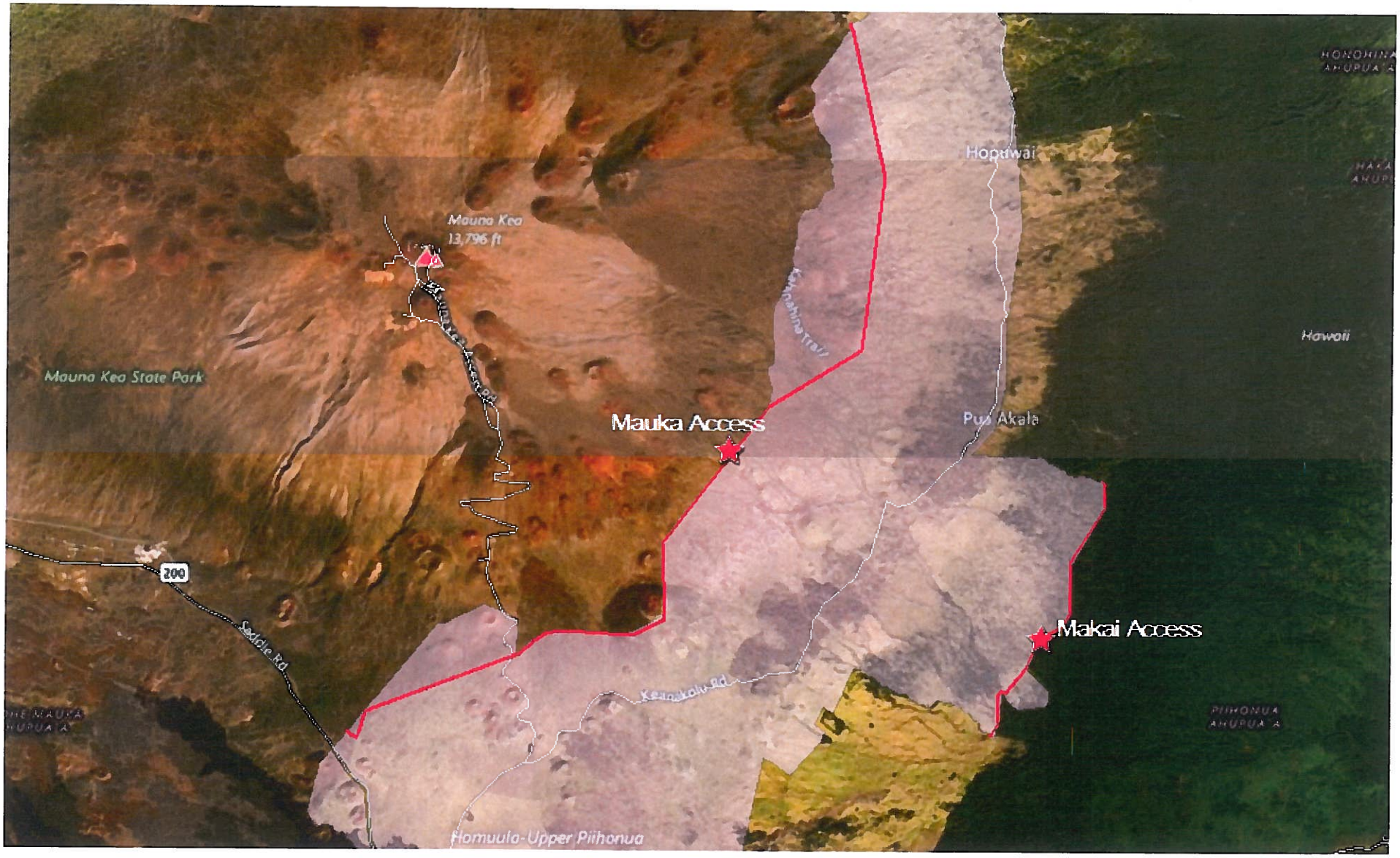
- Initiate un-managed ungulate control over entire property
  - The fences maintained are a valuable tool in managing and controlling feral ungulate movement
  - Access to lower portions of TMK (3)3-26-018:002 will allow cattle to be removed live and for manageable units to be built to protect valuable forest from ungulate damage.
- Initiate a set aside for portions of the property for restoration and enhancement purposes.
  - Access to Upper Piihonua will allow DHHL to protect and manage the remaining ohia forests of the Aina Mauna Lands.

RECOMMENDATION:

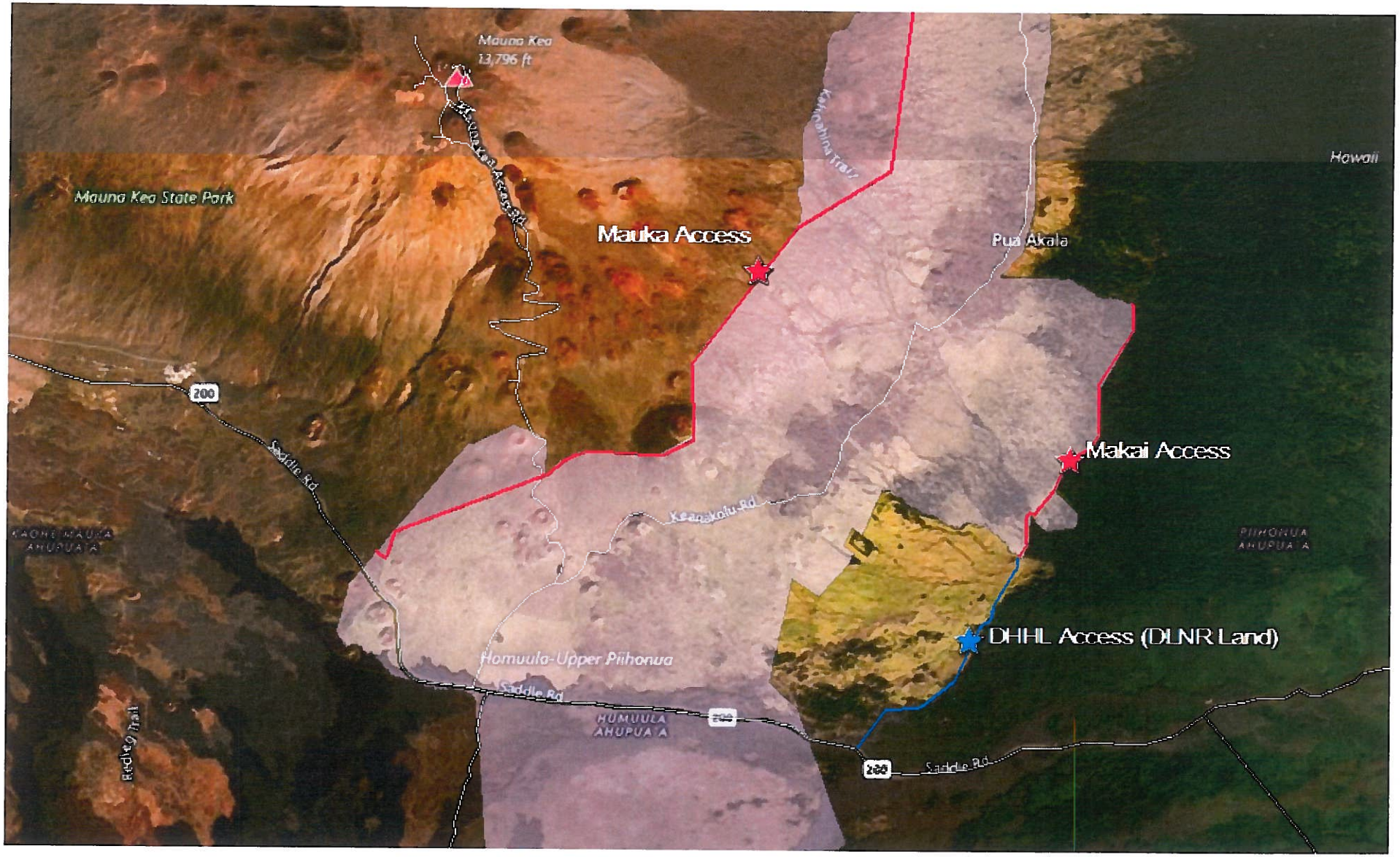
Land Management Division respectfully requests approval of the motion as stated.


Hanaipoe
Kennakolu
Waikii
Mauna Kea
13,796 ft.
Mauna Kea State Park
Saddle Rd
Mauka Access
Hopuwai
Pua Akala
Makai Access
Pohakuloa Training Area
Homuula-Upper Piihonua
Saddle Rd
Hawaii

ITEM NO. F-3


Mauna Kea
13,796 ft
Mauna Kea State Park
Mauka Access
Makai Access
Hopuwai
Puu Akala
Hawaii
200
Saddle Rd
Keanakolu Rd
Kahahina Trail
Hamuula-Upper Piihonua

ITEM NO. F-3


Mauna Kea
13,796 ft
Mauna Kea State Park
Mauka Access
Pua Akala
Hawaii
Makai Access
DHHL Access (DLNR Land)
Saddle Rd
Keaaiakalu Rd
Homuula-Upper Piihonua
HUMUULA AHUPUA'A
PIIHONUA AHUPUA'A
KAOHE MAUKA AHUPUA'A
Bridle Trail
200

ITEM NO. F-3

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
October 16 & 17, 2017
Hilo, Hawai'i

G-ITEMS

PLANNING PROGRAM DIVISION

STATE OF HAWAI'I

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

Thru: Kahana Albinio, Acting Administrator Land Management Division
Kaleo Manuel, Acting Planning Program Manager

From: Kuali'i Camara, Humu'ula/Pi'ihonua Land Manager
Andrew H. Choy, Planner

Subject: Confirmation of 'Āina Mauna Legacy Program Plan Implementation Advisory Council

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission confirm the recommended members of the 'Āina Mauna Legacy Program Plan Implementation Advisory Council which will consist of two groups:

(1) A Policy Group to consist of two representatives from each Hawai'i Island Homestead Association and four beneficiaries currently on the Hawai'i Island waiting list and;

(2) Natural and Cultural Resource Management Group to consist of technical experts and specialists.

Names of the members for each group are stated below:

Policy Group Members:

Association	Member 1	Member 2
Honokoa (Kailapa) Community Association	Diane Kanealii	OPEN
Ka'ū Hawaiian Home Lands Association	Janice Javar	Jeffrey Kekoa
Kaumana Hawaiian Homes Association	Skylark Rosetti	Kaohu Seto
Kawaihae Puaka'ilima Community Association	OPEN	OPEN
Keaukaha Community Association	Patrick Kahawaiolaa	Mapuana Waipa
Keaukaha-Pana'ewa Farmers' Association	Maile Lu'uwai	Elizabeth Masaoka
Maku'u Farmers' Association	OPEN	OPEN
Pana'ewa Hawaiian Home Lands Association	William Brown	Hercules Freitas
Pi'ihonua Hawaiian Homestead Association	Ron Kodani	Maile Miyasato
Villages of La'i'Ōpua Association	Craig Kahui	OPEN
Waimea Hawaiian Homestead Association	OPEN	OPEN
Hawai'i Island Waitlist	Sharon Vannatta	--
Hawai'i Island Waitlist	Joseph Kaolulo	--
Hawai'i Island Waitlist	Leonard Tanaka	--
Hawai'i Island Waitlist	Korey Medeiros	--

Natural and Cultural Resource Management Group Members:

1. Kekuhi Kealiikanakaole Ohaililani
2. Kealoha Kinney
3. Kala Lindsey AhSing
4. Christian Giardina
5. Luana Busby Neff
6. Clarence "KU" Ching
8. Nicholas Agorastos

DISCUSSION

The purpose of the ʻĀina Mauna Legacy Program Plan (the "Plan"), as adopted by the Hawaiian Homes Commission ("HHC") in 2009, is to restore and preserve the trust resources that exist in the region that include, but are not limited to, the Native Hawaiian Koa forest, sensitive environmental resources, and other cultural and historic resources.

The Humuʻula/Piʻihonua area is composed of approximately 56,200-acres of Hawaiian Home Lands (HHL), located on the northeast slopes of Mauna Kea. See Maps Exhibit A. The Humuʻula/Piʻihonua lands make up one-quarter of DHHL's approximate 200,000 acre state-wide land inventory. The lands of Humuʻula and Piʻihonua represent one of the most important native forest areas remaining in the HHL trust. These lands provide a glimpse into the natural environment and native forests which are disappearing throughout the state. The area serves as valuable habitat to many native and endemic species. The area's proximity to Mauna Kea also makes it a valuable cultural resource.

At its June 2017 meeting, the HHC approved the amendment of the composition of the ʻĀina Mauna Legacy Program Plan Implementation Advisory Council (Exhibit B). The Advisory Council now consists of two groups, (1) a Policy Group consisting of two representatives from each Hawaiʻi Island homestead association and four waitlist beneficiaries on the DHHL Hawaiʻi Island waitlist and (2) a Natural and Cultural Resource Management Group consisting of technical experts and specialists with experience in those subject matters. DHHL sent a formal invite letter (Exhibit C) to Hawaiʻi Island Homestead Associations on July 29, 2017 notifying them about the opportunity to select two representatives from their association to participate on the Policy Group.

Three Hawaiʻi Island homestead associations did not respond to the July 29, 2017 DHHL invite letter to participate on the Advisory Council. While these three associations did not indicate that they want to participate on the Advisory Council

at this time, it is the intent of DHHL for this Advisory Council to increase beneficiary participation in the implementation of the ʻĀina Mauna Legacy Program Plan. As such, staff has indicated that the seats for the representatives of these three associations remain "open" for now and be filled by these associations at a time when they choose to participate. These associations will always have a seat on the Advisory Council.

The four Hawaiʻi Island waitlist beneficiaries were invited to participate on the Advisory Council because these individuals had previously expressed strong interest in the management of DHHL Humuʻula/Piʻihonua and/or participating on the Advisory Council.

Individuals selected to participate on the Natural and Cultural Resource Management Group were identified based on three criteria below:

1. Have a deep commitment and connection to the lands, forests and watersheds of Mauna Kea;

2. Have an understanding of Hawaiian Culture and understand and respect the perspectives of Native Hawaiian beneficiaries; and

3. Have specialized expertise in resource management that will contribute to the implementation of the ʻĀina Mauna Legacy Program.

A very brief biographical description of the individuals serving as a part of the Natural and Cultural Resource management Group is shown in Exhibit D.

Subject to HHC confirmation of the Advisory Council members at this October HHC meeting, staff anticipates that the first Advisory Council meeting will be held in November/December 2017.

RECOMMENDATION

Staff respectfully requests that the Hawaiian Homes Commission approve the recommended action as stated.

ʻĀina Mauna Legacy Program

ID	Label	Acres
H1	First Homesteads	1,000
T1	Gorse Control/Timber	4,652
T2	Gorse Control/Timber	6,261
P1	Pasture	1,974
P2	Pasture	1,940
H2	Interim Pasture	946
C1	Humuula Sheep Station	520
R1	Kanakaleonui Bird Corridor	712
R2	Wailuku River Corridor	1,602
R3	Native Forest - Koa/Ohia	4,305
R4	Native Forest - Ohia	11,156
M1	Native Forest - Mamane	9,505
M2	Native Forest - Mamane	450
K1	Sustainable Koa Forestry	4,700
K2	Sustainable Koa Forestry	678
K3	Sustainable Koa Forestry	674
K4	Sustainable Koa Forestry	1,712
K5	Sustainable Koa Forestry	2,574

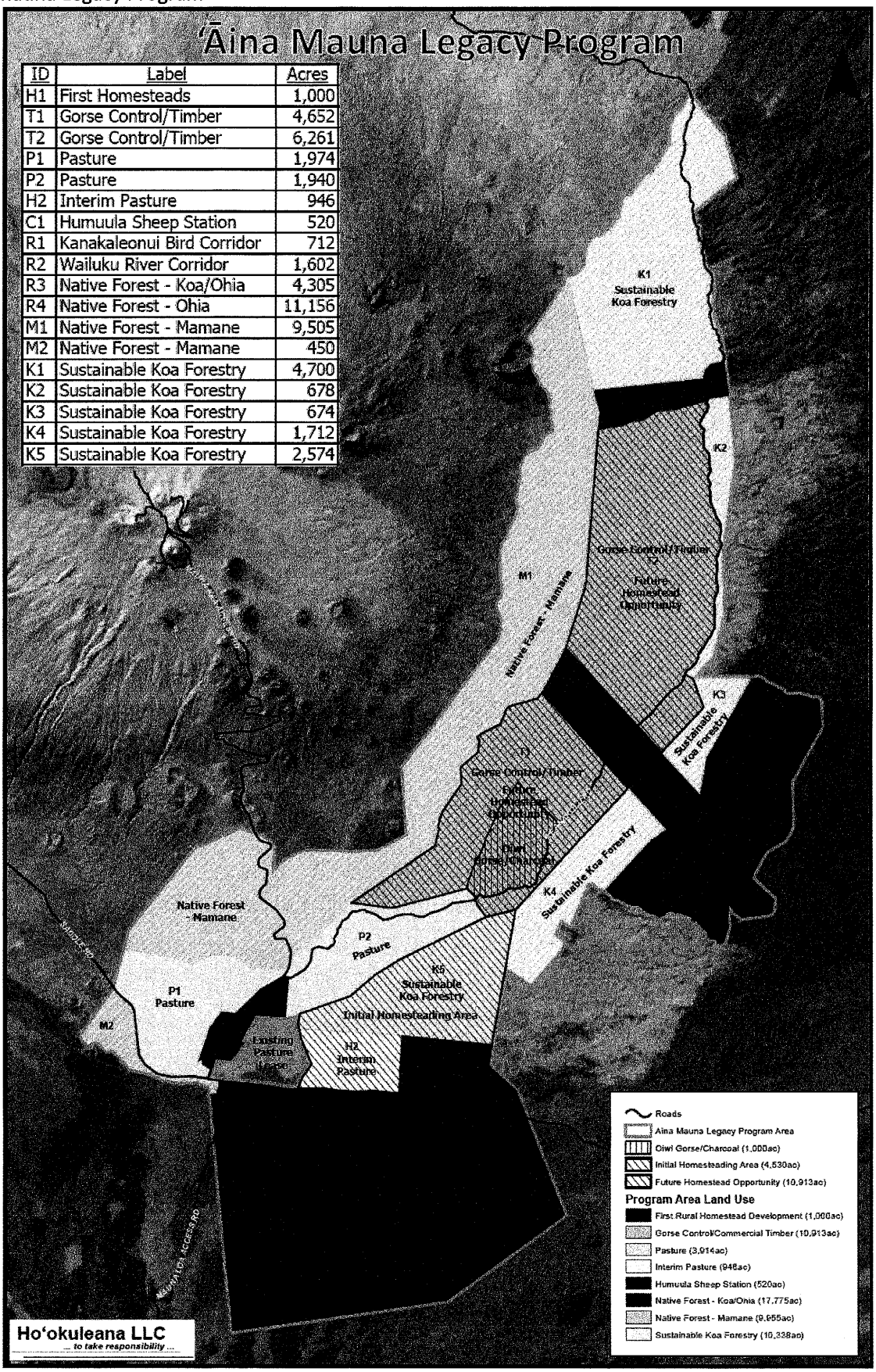
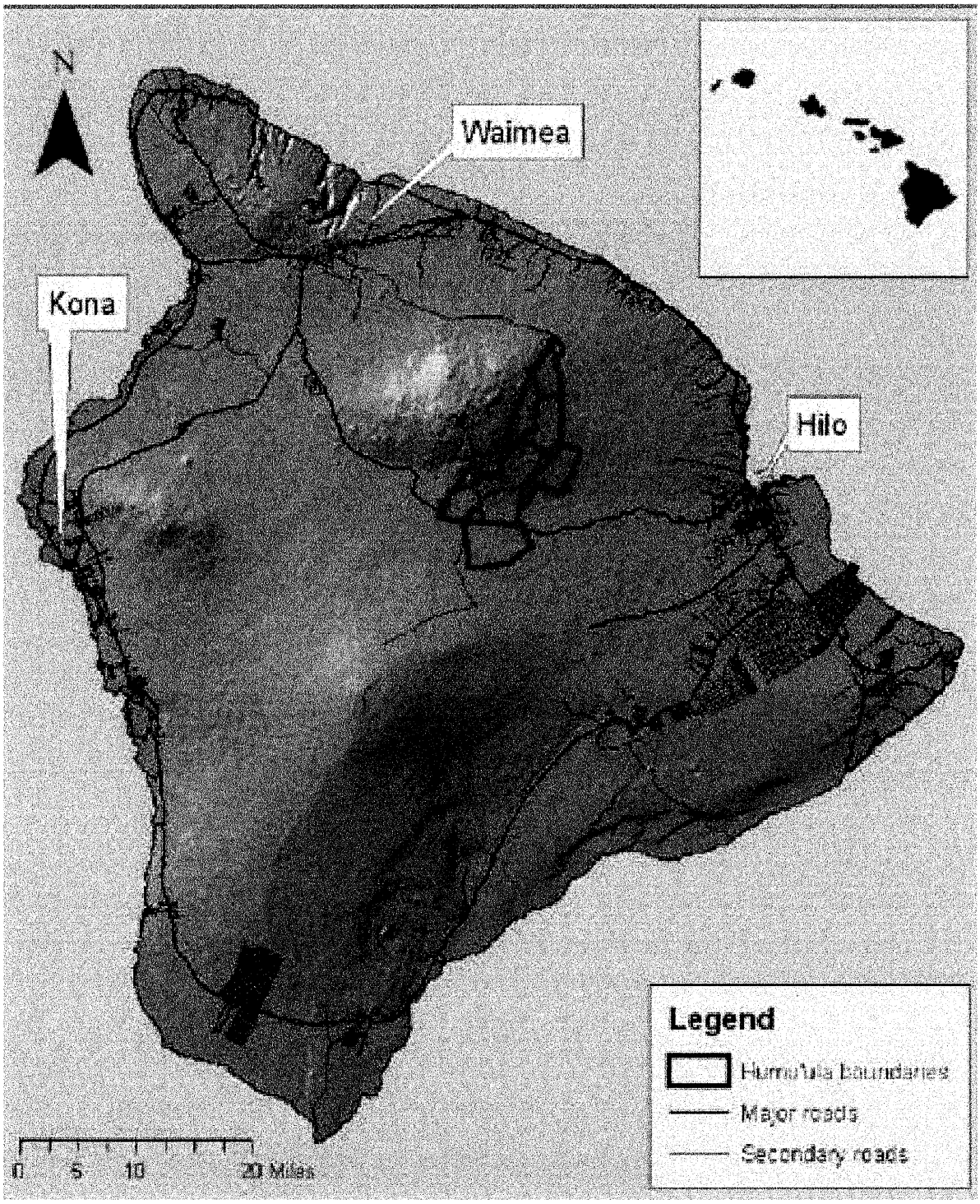


EXHIBIT 'A'



Island of Hawai`i - `Āina Mauna Legacy Program Area

EXHIBIT 'A'

STATE OF HAWAI`I

DEPARTMENT OF HAWAIIAN HOME LANDS

June 19-20, 2017

To: Chairman and Members, Hawaiian Homes Commission

Thru: Kaleo Manuel, Acting Planning Program Manager

From: Andrew H. Choy, Planner
Sharde Freitas, Planner

Subject: Amend Portion of 'Āina Mauna Legacy Program Plan - Composition of Implementation Advisory Council

RECOMMENDED MOTION/ACTION

That the HHC approve amendment of the 2009 'Āina Mauna Legacy Program Plan related to the composition of the Implementation Advisory Council on plan page 28 as specified below:

> The Implementation Advisory Council should consist of two groups. The first group should be a "Policy Group" and consist of two (2) representatives from Hawai'i Island Homestead Associations and four (4) waitlist beneficiaries on the Hawai'i Island Waitlist. The second group should consist of technical experts and specialists that would also advise DHHL and the HHC on natural and cultural resource best management practices.

DISCUSSION

The purpose of the 'Āina Mauna Legacy Program Plan (the "Plan"), as adopted by the Hawaiian Homes Commission ("HHC") in 2009, is to restore and preserve the trust resources that exist in the region that include, but are not limited to, the Native

EXHIBIT "B"

Hawaiian Koa forest, sensitive environmental resources, and other cultural and historic resources.

The Humu'ula/Pi'ihonua area is composed of approximately 56,200-acres of Hawaiian Home Lands (HHL), located on the northeast slopes of Mauna Kea. See Map Exhibit A. The Humu'ula/Pi'ihonua lands are the largest contiguous parcel under the jurisdiction of the HHC. The lands of Humu'ula and Pi'ihonua represents one of the most important native forest areas remaining in the HHL trust. These lands provide a glimpse into the natural environment and native forests which are disappearing throughout the state. The area serves as valuable habitat to many native and endemic species. The area's proximity to Mauna Kea also makes it a valuable cultural resource.

Description of Amended Advisory Council

Upon the adoption of the Plan, it was intended that this Plan be a living document and be updated periodically to respond to relevant community concerns and changing circumstances. The Plan calls for the establishment of an Advisory Council. In light of growing interest from DHHL beneficiaries in being involved in the implementation of the Plan and on-going management activities, DHHL staff suggests that the 'Āina Mauna Advisory Council be established and to amend the current composition of the Advisory Council from what is currently articulated in the Plan. DHHL's goal is to encourage and increase beneficiary participation in the implementation of the plan. Therefore, the suggested composition of the Implementation Advisory Council was developed with this intention.

The purpose of the Advisory Council is "to provide advice and recommendations to the Hawaiian Homes Commission and the Department of Hawaiian Home Lands regarding the implementation of the 'Āina Mauna Legacy Program." The Plan originally called for a 13-member Advisory Council consisting of the following (see p.28 of the Plan Exhibit B):

- 3 DHHL beneficiaries (lessees, licensees, or permit holders from Hawaii Island)

- 3 Native Hawaiians w/experience or knowledge regarding native Hawaiian subsistence, cultural, religious or other activities
- 1 beneficiary currently on applicant wait list
- 2 representatives from science community, experience with forest management, native flora and fauna, and/or any other specific scientific discipline
- 2 representatives from environmental and/or conservation organizations
- 1 representative from eco-tourism industry
- 1 representative from community with experience in education and outreach
- 3 facilitator/commission members:
    - Facilitator will serve as convener and chair of the Advisory Council
    - East Hawai'i Commissioner
    - West Hawai'i Commissioner

Staff is recommending that the composition of the Advisory Council be amended to be comprised of two groups. As previously articulated, the first group would be a "Policy Group" and consist of two representatives from Hawai'i Island Homestead Associations and waitlist beneficiaries on the Hawai'i Island Waitlist. On behalf of each homestead association, the time invested and commitment to the Advisory Council as volunteer liaisons is a non-duplicative resource to the implementation of the Plan. The Department will benefit from each homestead association's consistent and close relationships to those doing the work on-the-ground in Humu'ula/Pi'ihonua. The frequency in which the Advisory Council meets is still to be determined and may vary over time.

The second group would consist of technical experts and specialists in Natural and Cultural Resource Management that would also advise the Department and HHC. It is intended that the first Policy Group advise DHHL and the HHC on higher level goals and policies while the group of technical experts and specialists would advise on best management practices to implement the higher-level goals and policies. See Exhibit C.

DHHL Director, Deputy, and staff met with Hawai'i Island homestead association representatives to get their feedback on

the proposed amendment to the Implementation Advisory Council on May 16-17, 2017 in Hilo and Waimea respectively. A handful of associations expressed strong concern about involving "all" Hawai'i Island associations on the Implementation Advisory Council for various reasons. A concern was expressed that not all associations have similar value sets and perspectives with regards to resource management on the mountain and that each association has varying degrees of knowledge and experience with these lands. There was also concern in the "fairness" of how resources that derive from the activities that may take place on these lands would be distributed amongst all associations.

While some association representatives expressed hesitancy with including every Hawai'i Island association on the Implementation Advisory Council, several other associations noted that in the past, DHHL has not had the best track-record in communicating the policies and implementation actions related to the 'Āina Mauna Legacy Program Plan to Hawai'i Island associations. Other association representatives viewed the proposed revision to the composition of the Implementation Advisory Council as a way to address previous short-comings in communication between DHHL and Hawai'i Island associations regarding 'Āina Mauna. Other association representatives welcomed the opportunity for all associations to participate on the Implementation Advisory Council and were generally supportive of the concept of amending the composition of the Implementation Advisory Council from its current form as described in the 2009 'Āina Mauna Legacy Program Plan to the proposed composition as previously articulated in this submittal.

RECOMMENDATION

Staff respectfully requests that the Hawaiian Homes Commission approve the recommended action as stated.

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII

JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

July 26, 2017

Aloha Hawai'i Island Association Leader:

As you may recall, on May 16-17, 2017, DHHL staff met with Hawai'i Island Association leaders in Hilo and Waimea to introduce the proposal to amend the composition of the 'Āina Mauna Implementation Advisory Council to include two groups:

1. A "Policy Group" that will include two representatives from each Hawaii Island community association and four beneficiary applicants from the Hawai'i Island waitlist;
2. A "Natural and Cultural Resource Management Group" that consists of experienced natural and cultural resource persons to advise on best management practices.

As a follow-up to that meeting, we would like to formally invite your association to participate on the 'Āina Mauna Implementation Advisory Council **Policy Group**. In your RSVP, please indicate the names of the two individuals that will be representing your association. Please select two individuals from your association who would be able to consistently attend Advisory Council meetings. Currently, DHHL anticipates that the Policy Group will be meeting quarterly and that meetings will typically be held on a Saturday.

We anticipate holding the first Implementation Advisory Council meeting sometime in November 2017. Prior to that, DHHL will be requesting Hawaiian Homes Commission confirmation of all individuals that will be participating on the 'Āina Mauna Implementation Advisory Council at the October 2017 Hawaiian Homes Commission meeting in Hilo. Please email your association's RSVP to participate on the 'Āina Mauna Implementation Advisory Council to Andrew Choy at andrew.h.choy@hawaii.gov. We will need your association to RSVP its participation in the Policy Group by **Friday September 15, 2017**. Should you have any questions, please feel free to contact him as well.

Me ke aloha,

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

EXHIBIT "C"

Aina Mauna Natural/Cultural Resource Experts

The following individuals have accepted the kuleana of serving on the Natural/Cultural Resource Experts group of the Aina Mauna Advisory Council.

1. Kekuhi KealiiKanakaole Ohaililani – Beneficiary, Panaewa
    a. Kumu Hula and Native Hawaiian practitioner.
    b. Worked with Mike Robinson on Ka Mauli Hou, envisioning research, cultural use and and connection to the Aina Mauna Lands
    c. Kumu of Halau Ohia, currently teaching resource managers to acknowledge and strengthen familial relationships with the landscape that we live and work in.

2. Kealoha Kinney – Beneficiary Panaewa
    a. Works for Forest Service, PHD Ecology and evolutionary biology
    b. Specializing in ecology,
        i. Fire ecology in Hawaii
        ii. Grazing animal ecology
    c. Worked with Mike Robinson to understand ecology and carrying capacity of sheep in Humuula

3. Kala Lindsey AhSing – Beneficiary Descendant Kailapa/Waimea
    a. Project coordinator for the Mauna Kea Forest Restoration Project
        i. Adjacent Land Manager/Partner to Aina Mauna Lands
        ii. Program focus on Mamane forest restoration
        iii. Understanding of resource management specific to Mauna Kea
    b. Familial ties to Waimea and Mauna Kea, and professional as well as personal commitment to the health and well being of Mauna Kea.
    c. Halau Ohia haumana

4. Nicholas Agorastos
    a. Hawaii Island Natural Area Reserve Program Manager, DLNR-DOFAW
        i. Coordinates the management of over 90,000 acres of the most pristine remaining native ecosystems in Hawaii.
        ii. Working knowledge of Ecology, Geology, Botany, Meteorology, Forestry and all disciplines necessary for effective resource management
        iii. Expert in adaptive resource management with a reputation for being effective and efficient
    b. Worked on the Aina Mauna Lands under Parker Ranch
    c. Paniolo family ties to Maui, Mauna Kea and Kohala
5. Christian Giardina
    a. PHD in Biology, Works for Forest Service and very active in the conservation and research communities
    b. Worked with Mike Robinson to develop Ka Mauli Hou for Aina Mauna Lands
    c. Involved in research to understand and manage Rapid Ohia Death

EXHIBIT "D"

d. Understands conservation and research funding sources and experienced in grant writing
e. Respects and understands Hawaiian perspectives and culture (Halau Ohia haumana)

6. Luana Busby Neff – Native Hawaiian
    a. Cultural Practioner on Mauna Kea, Wahine Apapalani
    b. Founding member of Ka Ulu Paepae o Mauna Akea, to reconnect kanaka and aina through the ecological restoration of Mauna Kea.
    c. Cultural Consultant for Protect Kahoolawe Ohana
    d. Entrepreneur, Business Owner

7. Clarence "KU" Ching – Native Hawaiian
    a. Expert on Mauna Kea wahi pana, has walked most of the mountain
    b. Historical knowledge of Mauna Kea
    c. Former OHA trustee
    d. Juris Doctor Law degree
    e. Outspoken advocate for the protection of natural and cultural resources on Mauna Kea, from the summit to Pohakuloa

Below are three criteria used when considering potential Council members. All above members poses these attributes with differing areas of expertise.

1. Have a deep commitment and connection to the lands, forests and watersheds of Mauna Kea;
2. Have an understanding of Hawaiian Culture and respect perspectives of Native Hawaiian beneficiaries; and
3. Have specialized expertise in resource management that will contribute to the implementation of the Aina Mauna Legacy Program

EXHIBIT "D"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16 & 17, 2017

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Kaleo Manuel, Acting Planning Manager

SUBJECT:

G-2 Acceptance of Beneficiary Consultation Report for Hawaiian Electric Light Company's Request for Water Lease from Wailuku River and Authorize the Chairman to Formally Request a Water Reservation from the Commission on Water Resource Management for Hawaiian Home Lands in Lower Pi‘ihonua, Hawai‘i

G-3 For Information Only - Actions to Secure the Control and Use of Water for Hawaiian Homes Lands in Wai‘öhinu, Kamä‘oa, and Pu‘u‘eo, Ka‘ü

G-5 East Hawai‘i Water Issues and Projects

THE SUBMITTALs WILL BE DISTRIBUTED UNDER SEPARATE COVER or AT THE TABLE

ITEM NO. G-2, G-3,G-5

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

From: M. Kaleo Manuel, Acting Planning Program Manager

Subject: Acceptance of Beneficiary Consultation Report for Hawaiian Electric Light Company's Request for Water Lease from Wailuku River and Authorize the Chairman to Formally Request a Water Reservation from the Commission on Water Resource Management for Hawaiian Home Lands in Lower Pi'ihonua, Hawai'i

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC):

1. Accept this Beneficiary Consultation Report as the official record of beneficiary issues, questions, concerns, and comments regarding the Hawaiian Electric Light Company's (HELCO) request for a new sixty-five year lease of water from Wailuku River to continue operation of two (2) hydroelectric plants and DHHL's proposed water reservation; and

2. Authorize the Chairman to formally request a water reservation from the Commission on Water Resource Management for Hawaiian Home Lands in lower Pi'ihonua, Hawai'i

3. Take other actions as necessary to effectuate these requests

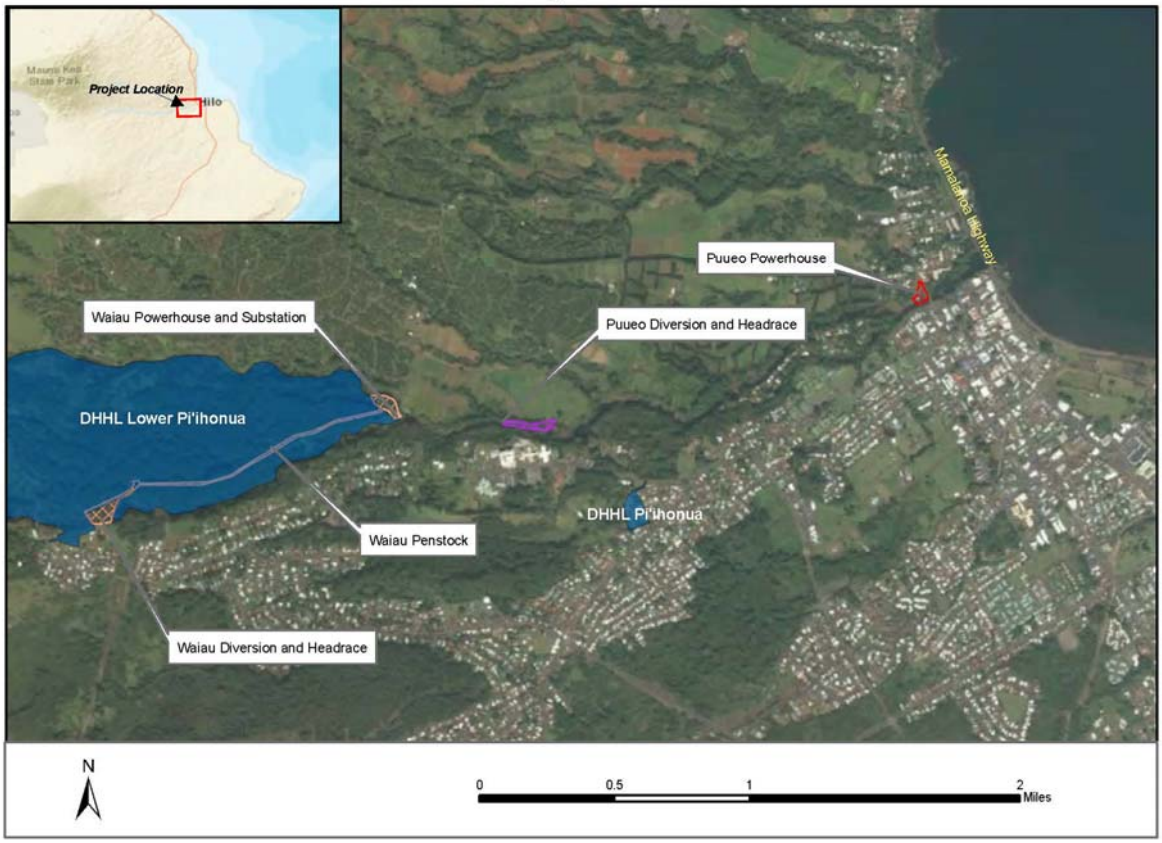
DISCUSSION

HELCO's Hydro & State Water Leasing Process

HELCO currently owns and operates the Waiau (1.1 MW) and Pu'u'eo (3.25 MW) hydroelectric plants on the Wailuku River. Two registered diversions convey surface waters to a ditch system which has a total declared use of 9.6 million gallons a day (mgd) HELCO currently diverts water based on a month-to-month revocable permit issued by the Board of Land and Natural Resources (BLNR). Act 126, 2016 Hawai'i Session Laws, also

known as the "Water Rights Holdover Bill" allows for these permits to continue until a water lease is issued.

Wailuku River Hydroelectric Facilities



Source: SSFM Map

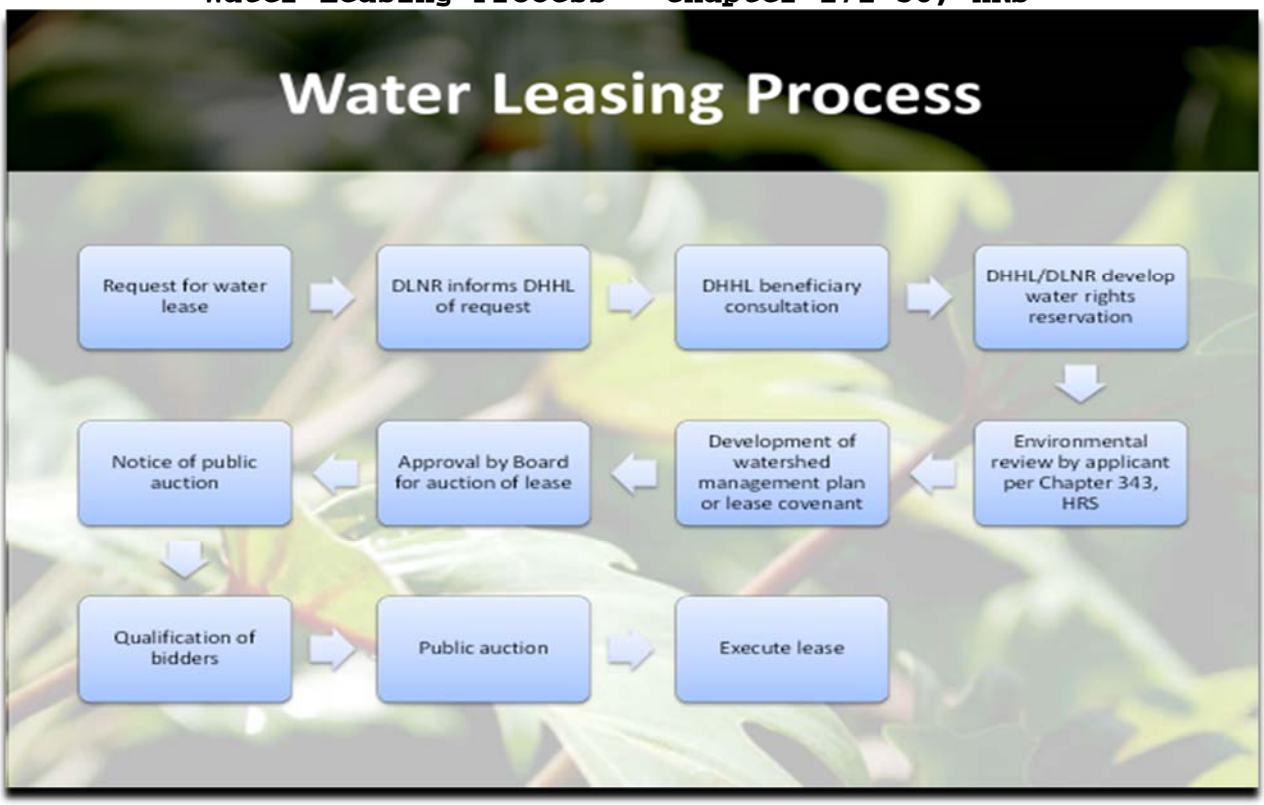
HELCO applied to the BLNR to seek a new 65 year water lease under the requirements of Chapter 171-58, Hawaii Revised Statutes. As part of that water leasing process, Chapter 171-58(g) states:

> *"The department of land and natural resources shall notify the department of Hawaiian home lands of its intent to execute any new lease, or to renew any existing lease of water rights. After consultation with affected beneficiaries, these departments shall jointly develop a reservation of water rights sufficient to support current and future homestead needs. Any lease of water rights or renewal shall be subject to the rights of the department of Hawaiian home lands as provided by section 221 of the Hawaiian Homes Commission Act."*

DLNR and HELCO both consulted with DHHL on how to best to consult with beneficiaries in order to meet this statutory

mandate, as well as to discuss the overall project and water leasing process (see image below).

Water Leasing Process - Chapter 171-58, HRS



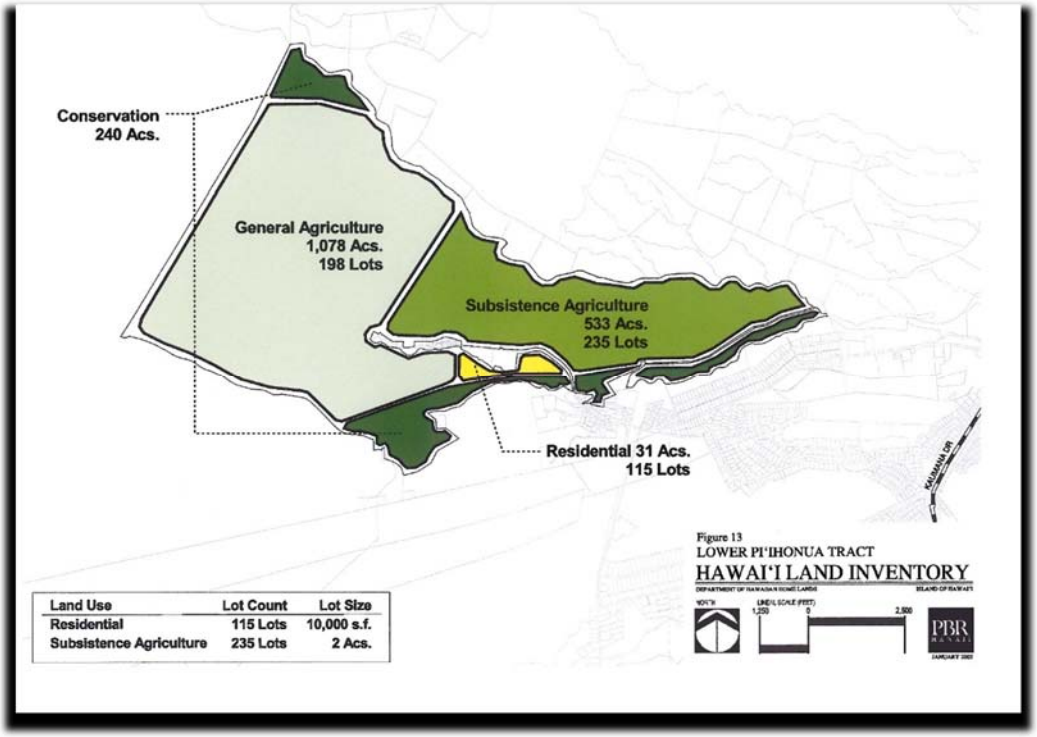
Source: Beneficiary Consultation DLNR Presentation

<u>DHHL Land Use Plans for Lower Pi‘ihonua</u>

DHHL’s Hawai‘i Island Plan (HIP) dated May 2002 identified the lower Pi‘ihonua tract (total tract size 1,882 acres) in South Hilo as a priority area for residential and subsistence agricultural homesteads. The table and map below identifies the proposed number of lots and land use designations for this tract.

Land Use Designation	**Acres**	**Potential Lots**	**Approximate Lot Size**
Residential	31	115	10,000 sq.ft.
Subsistence Agriculture	533	235	2 acres
General Agriculture	1,078	198	5 acres
Conservation	240	n/a	n/a

Hawai‘i Island Plan Land Use Designation Map for Lower Pi‘ihonua



Source: HIP Figure 13

In 2017, the Hawaiian Homes Commission adopted the Kaūmana-Pi‘ihonua Regional Plan that identified “Agricultural Sustainability - Community Pasture” as a priority project in this region. The project anticipated creating a community pasture to bring food to the table as well as bring additional income to the household budget.

DHHL Water Demands for Lower Pi‘ihonua

Based on the HIP, Kaūmana-Pi‘ihonua Regional Plan 2017, and the State Water Projects Plan 2017, the long-term potable water demand for lower Pi‘ihonua is estimated at 0.14 mgd and long-term non-potable demand is 1.5946 mgd. Therefore, the potential DHHL water reservation for lower Pi‘ihonua lands for potable and non-potable water needs total 1,740,000 gpd.

BENEFICIARY CONSULTATION

In order to meet the mandate of Chapter 171-58(g), it was determined that a joint beneficiary consultation meeting with presentations by HELCO, DLNR, and DHHL would be required in order to submit a report of findings to the Hawaiian Homes Commission to ensure that beneficiary concerns are properly documented, compiled and reported.

Notification

On July 31, 2017 DHHL mailed an invitation letter and map (see Exhibit A) to 938 Hilo lessees, including all residential and agricultural lessees, and 1,142 Hawai‘i Island Wait List applicants who currently reside in the Hilo zip code (96720 and 96721) area for a total of 2,080 invitation letters.

Beneficiaries were invited to attend a consultation meeting on August 15, 2017, from 6:00 p.m. – 8:00 p.m. at Hilo High School Cafeteria (560 Waianuenue Avenue, Hilo, HI 96720). Dinner was provided by HELCO and SSFM. This meeting was held in Hilo to share information on the HELCO Wailuku River Hydroelectric Plant projects and to get mana‘o related to DHHL’s water needs for lands at lower Pi‘ihonua in order to make a water reservation as part of the process identified above.

Beneficiary Consultation Meeting

Thirty-one people registered at the sign-in desk, but the actual attendance was estimated at approximately 40. A total of 12 individuals self-identified as beneficiaries. Three DHHL staff and consultants were in attendance.

The meeting presentation started with HELCO who shared a short video on their Wailuku River Projects that identified the project purpose and details. DLNR then shared an overview of the water leasing process (Chapter 171-58, HRS). Lastly, DHHL provided the planning and land use context of the lower Pi‘ihonua lands by reviewing the Hawai‘i Island Plan and the Kaūmana-Pi‘ihonua Regional Plan. Based on those land use plans, DHHL reviewed the estimated water demands for this area and a potential water reservation amount that is proposed to be requested from the CWRM

At the close of the presentation, the following questions were used to facilitate discussion and solicit feedback from beneficiaries:

(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?

Meeting Notes, including questions and comments raised during the meeting, agenda, handouts, and a copy of the presentation are presented in Exhibit A.

The deadline to submit comments was September 15, 2017.

Consultation Findings & Analysis

The table below summarizes information DHHL received from all sources, including:

- Questions and Comments made during the Consultation meeting
- Email comments received before the deadline for comments (Exhibit B)

DHHL's potable and non-potable water demands for its lands at lower Pi‘ihonua can be met by a variety of water sources that may include but not be limited to ambient rainfall, surface water from Wailuku River and other area tributaries, and ground water. These sources should account for redundancy and potential climate change (i.e. utilize both rainfall and surface water for non-potable demands, not just one or the other).

Distribution and use of these water sources can be provided in various ways that include but are not limited to water catchment systems, reservoirs, river/stream/tributary diversions, treated or grey water reuse, the existing Department of Water Supply Hilo Water System, or new well development. The water reservation request may want to identify quantity, source, and where applicable, the mechanism to distribute water to DHHL lower Pi'ihonua lands.

Based on the approved plans and land uses by the Hawaiian Homes Commission, the water demands of 140,000 gpd of potable and 1.6 mgd of non-potable water is an adequate and foreseeable amount of water for future needs in DHHL's lower Pi‘ihonua lands. There currently is no mechanism to base water demands and reservations on the number of applicants on the waitlist. If the community pasture project is implemented, stock water can be accommodated based on the agricultural water demand estimate. In addition, because agricultural water demand is higher than residential water demand, the estimated 1.74 mgd water demand is a conservative amount.

Lower Pi‘ihonua is a "test site" for exercising DHHL rights to water. The State has never implemented Chapter 171-58(g) since its promulgation, so DHHL is working closely with both DLNR and HELCO in this water lease process to ensure that DHHL's rights to water are protected and that revenues generated from the water lease are meeting constitutional mandates. Similar processes with other permit to lease conversions will be forthcoming in the years to come, so aggressively asserting DHHL's rights to water is essential and a requirement per the HHC's Water Policy Plan 2014.

Topic	Comments/Questions	Response/Recommendation
Water Sources & Redundancy	Mauna Kea Aquifer connects to Pi‘ihonua	DHHL’s reservation request should look at various and redundant water sources to meet water demands
	Need potable water for sanitation to wash crops – rain catchment should not be only source	
	Take into account climate change and grey water reuse	
Water Reservation Calculation	We may need more water in the future, we haven’t developed our lands fully and we may have more homes and water needs to serve the thousands on the waitlist	DHHL’s reservation request should look at a range of water demands based on increased land use or by meeting the needs of those on the waitlist; analyze an amount of water based on unserved beneficiary needs vs. land uses
	Ask/demand for all the water	
Water Lease Process	No transparency, too fast	DHHL will work with DLNR to improve process and develop criteria that protects DHHL’s rights to water
	What if there is more than one bidder? How will you determine who’s the best?	
	Concerned with 65 year lease term	
HELCO Project	How much water is HELCO leasing from Wailuku River and how will that be monitored?	DHHL will actively participate in the water leasing process and aggressively assert its rights to water by: 1) Participate in Chapter 343 EA/EIS process to ensure water quality and 1) Advocating for fair market water lease rent so 30% revenues can be provided to DHHL 2) Ensure conditions regarding water quantity use and limits be incorporated as water lease conditions
	How much energy will be produced and how many customers will be serviced?	
	How much revenue will HELCO make from this project?	
	Will there be an impact to water quality?	

RECOMMENDED ACTION

DHHL staff respectfully requests approval as recommended.

LIST OF EXHIBITS

EXHIBIT A: Meeting Notes and Handouts

EXHIBIT B: Emails

Beneficiary Consultation for HELCO Hydro Project and DHHL Wailuku Water Reservation
Hilo High School Cafeteria
6:00 p.m. – 8:00 p.m.

Meeting Notes

Attendance: 31 individuals signed in

Handouts: Agenda, Regional Map, PowerPoint, Green Comment Sheet

I. Pule & Introductions
   a. Meeting was opened with a Pule
   b. Kaleo Manuel, Acting Planning Program Manager introduced State Agency Staff and consultants (DHHL, Department of Land and Natural Resources (DLNR), Commission on Water Resource Management (CWRM))
   c. Jay Ignacio, President of Hawaiian Electric Light Company (HELCO) introduced HELCO staff and consultant staff from SSFM and their legal counsel

II. Purpose of Meeting
   a. Share information on the HELCO Wailuku River Projects
   b. Consult with DHHL Beneficiaries on DHHL's water needs for lands at lower Pi'ihonua in order to make a water reservation as part of the State's Water Leasing Process

III. Presentations
   a. HELCO shared a short video clip of their Wailuku River Projects that identified project purpose and details
   b. DLNR shared an overview of the water leasing process (Chapter 171-58, HRS)
   c. DHHL provided the planning and land use context of the lower Pi'ihonua lands by reviewing the Hawai'i Island Plan and the Kaūmana-Pi'ihonua Regional Plan. Based on those land use plans, DHHL reviewed the anticipated water demands for this area and a potential water reservation amount that is proposed to be requested from the CWRM.

IV. Discussion
   a. Three questions were posed to help facilitate conversation and to get feedback from those in attendance:
      i. Should DHHL's water reservation include both potable and non-potable water needs for Lower Pi'ihonua? Why?
      ii. Where should this water come from to meet those water needs? Wailuku River? Aquifer? Rainfall?
      iii. Are there any water needs that DHHL did not account for? What are they?
   b. Questions and Comments
      1. 1993 – 16,000 acres returned to DHHL; should utilize lands to get Hawaiians off the list; you need potable water to wash vegetables/crops to protect against

(i.e. Rat lung worm disease); can't get away with just rain catchment; Honomū Village – water system upgraded but no system on DHHL lands – we need potable water there

2. Rain and ground water use – hope you are taking into account climate change
3. Average rainfall – dependent – shouldn't be only source; need multiple/redundant sources (Chong St. River dry 4 months out of the year)
4. Water reservation – only based on Wailuku River? May have multiple sources of water – we are looking at Wailuku because of HELCO's project – proximity to DHHL lands as well
5. DHHL has lands at Humu'ula – towards top of Mauna Kea – same tributaries – are there other sources of water and does this reservation apply to these areas?
6. Is HELCO going to lease entire flow of river or portion?
7. The water lease doesn't specify amount – it is limited by diversion capacity
8. HELCO may take more than 100 years? There is a specific amount they that they need; they know what they need – diversion doesn't change
9. We may need more water in future, we haven't developed our lands fully
10. State Water Projects Plan water demands – amount is what DHHL determined? Yes, based on water system standards and DHHL's plans and land use designations
11. As density increases – DHHL and a reservation needs to be flexible – include more residential and upper Pi'ihonua water needs/demands
12. Grey water use for agriculture/irrigation (include in reservation request)
13. This is a premature plan – how have beneficiaries been benefiting – work to get numbers right; concerned with 65 year lease and use over the period of time; take time to think about this – how are we serving the 30,000 on the waitlist?
14. Too quick – need to reevaluate needs. Important water needs/rights; not seeing any benefits; mineral/water rights reserved for beneficiaries; recommendation: reserve based on unserved beneficiaries versus land use designations
15. 350 KW (current facility energy generation) but has a capacity of 1000 KW; will increase to 1500 KW capacity with improvements proposed by HELCO; How many customers does the current facility service? With new improvements, HELCO will be saving on fossil fuel costs, so how many customers will be serviced?
16. Need to understand potential of lower Pi'ihonua based on wait list
17. How much more energy and revenue will be produced by the new equipment/improvements?
18. What is the current arrangement between DHHL and HELCO? Will the proposed reservation have an impact on their plans?
19. Reserve the water! Till it doesn't impact HELCO; don't just ask for what we need, request all of it
20. Where does the 65 years term come from? Can it be shortened?
21. Need commitments in writing
22. Written conditions into lease in case DHHL increases reservation of water
23. Limit of amount allowed to be diverted
24. Limit water use by HELCO based on not changing the diversion, size, location – Public auction, once set, can't change the term

25. Many definitions of water – upper side of Waianuenue – 1 MGD water tank on DHHL lands – 1st priority – tie reservation to existing reservoir
26. Issues in Maku‘u/Ka‘ū – no water there but all lands around DHHL get water – all DHHL needs to do is “demand” water
27. Water – no transparency – month to month lease – there are needs for beneficiaries
28. Just discussion with beneficiaries; with the new equipment, how will it affect water quality?
29. 20 years is too short to plan for water – 50-100 years is necessary
30. If there are “other bidders” for the lease – do we need to come back again to engage beneficiaries
31. BLNR – 171-58 – public auction – How do you determine what the best bidder is?
32. The lease should be reduced from 65 years to 5 or 10 years renewable. It may be to the benefit of all parties involved.

V. Closing & Next Steps

a. Kaleo Manuel closed the meeting and reviewed next steps
    i. Comment Deadline: September 15, 2017
    ii. Beneficiary Consultation Report and Recommendations – Hawaiian Homes Commission Meeting - October 16 & 17, 2017 – Hilo, Hawai‘i
    iii. DHHL to submit reservation request to CWRM
    iv. CWRM to act on reservation request
    v. DLNR & HELCO continue with water leasing process

Department of Hawaiian Home Lands

BENEFICAIRY CONSULTATION

Hawaiian Electric Light Company's Request for Water Lease
From Wailuku River & DHHL's Water Reservation

August 15, 2017 (Tuesday)
Hilo High School Cafeteria
(556 Waianuenue Ave, Hilo, Hawai'i 96720)
6:00 p.m. to 8:00 p.m.

AGENDA

I. **Pule & Introductions** *(5 minutes)*

II. **Purpose of Meeting** *(5 minutes)*

III. **Presentations** *(45 minutes)*
   a. HELCO – Wailuku River Hydro Projects
   b. DLNR – Water Leasing Process
   c. DHHL – Water needs for lower Pi'ihonua

IV. **Break** *(5 minutes)*

V. **Discussion** *(45 minutes)*

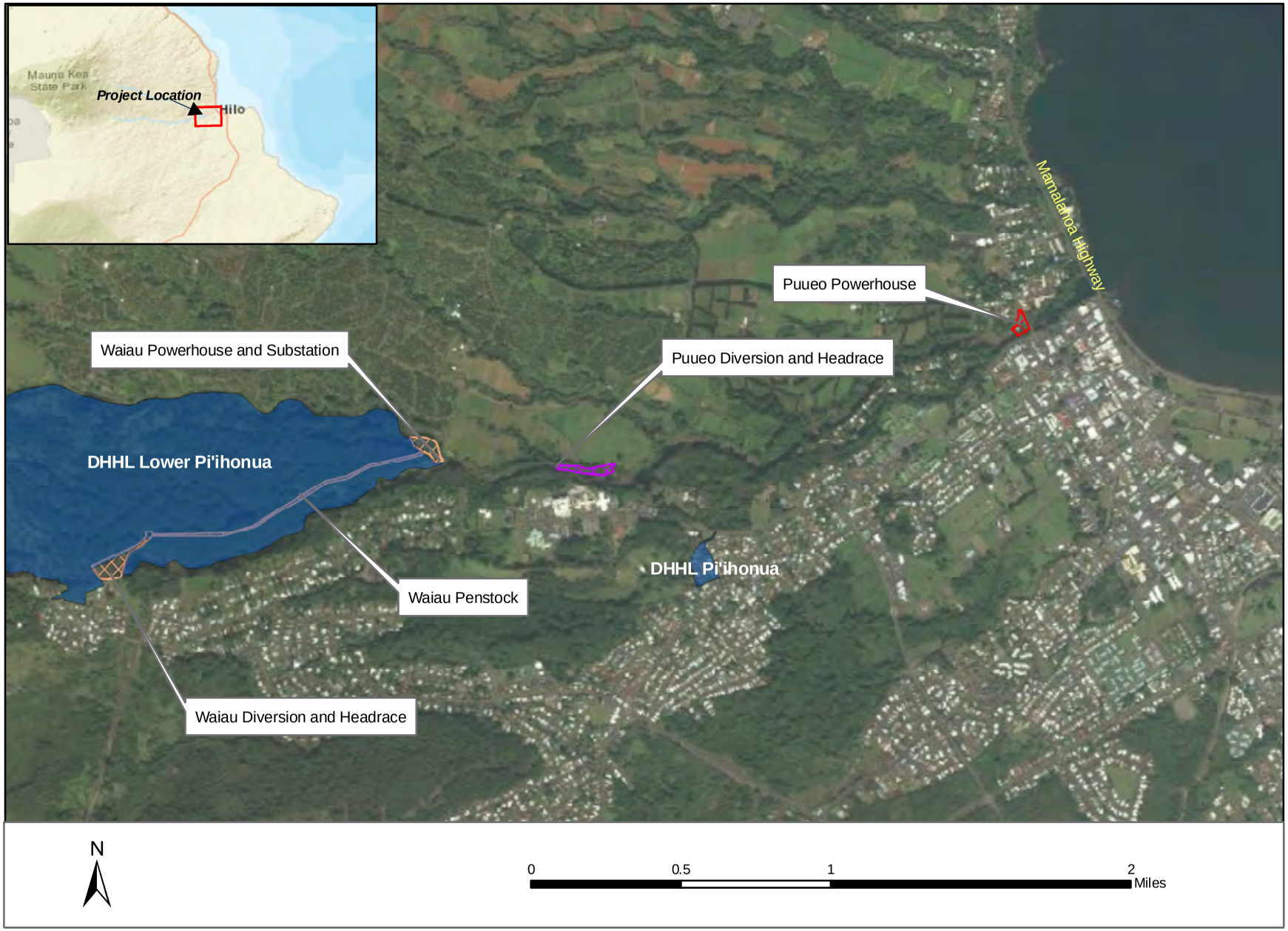
VI. **Closing & Next Steps** *(5 minutes)*

****Comment Deadline – September 15, 2017****

Please submit comments to dhhl.planning@hawaii.gov or by mail to:
P.O. Box 1879, Honolulu, HI 96805.

For more information, visit our website at:
http://dhhl.hawaii.gov/po/beneficiary-consultation/

Wailuku River Hydroelectric Facilities



ITEM G-2 EXHIBIT A

Department of Hawaiian Home Lands

Beneficiary Consultation

HELCO Water Lease from Wailuku River
&
DHHL Water Reservation

August 15, 2017

Presentation Outline

- Pule & Introductions
- Purpose of Meeting
- Presentations
  - HELCO – Wailuku River Hydro Projects
  - DLNR – Water Leasing Process
  - DHHL – Water needs for lower Pi‘ihonua
- Discussion
- Closing & Next Steps

Purpose of Meeting

- Share Information on the HELCO Wailuku River Hydro Projects
- Consult with DHHL beneficiaries on DHHL's water needs for lands at lower Pi'ihonua in order to make a water reservation as part of the State's Water Leasing Process

HELCO PRESENTATION

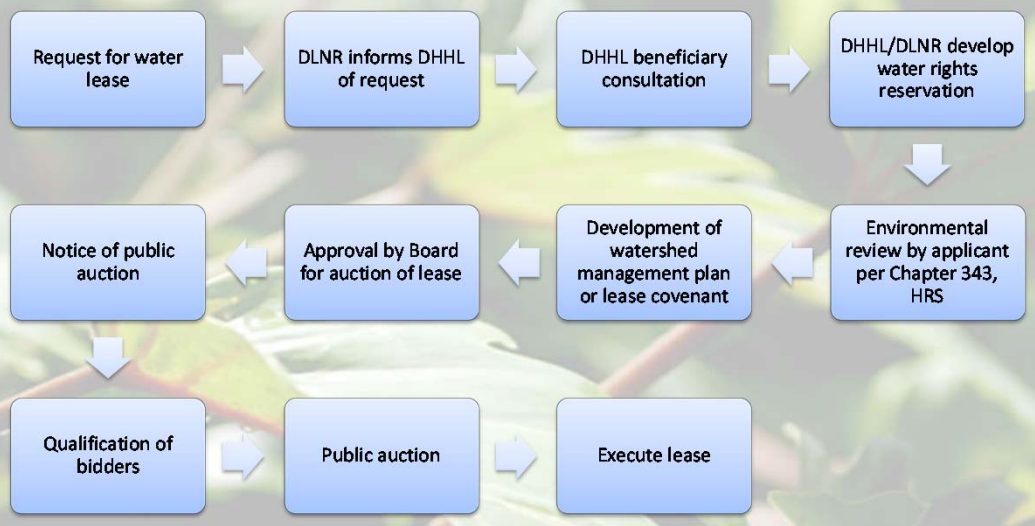
Project Details and Timelines

DLNR PRESENTATION

Overview of the Water Leasing Process

Chapter 171-58, HRS

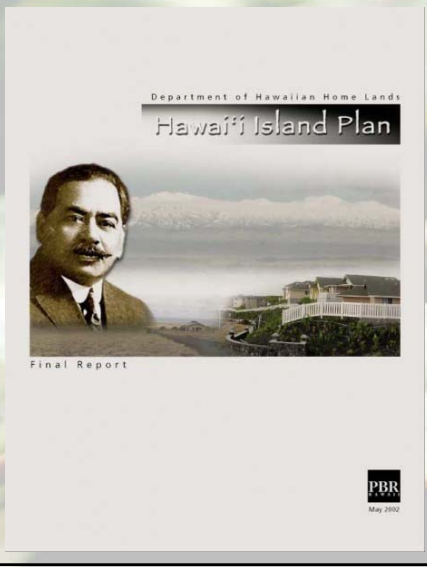
Water Leasing Process



DHHL Presentation Overview

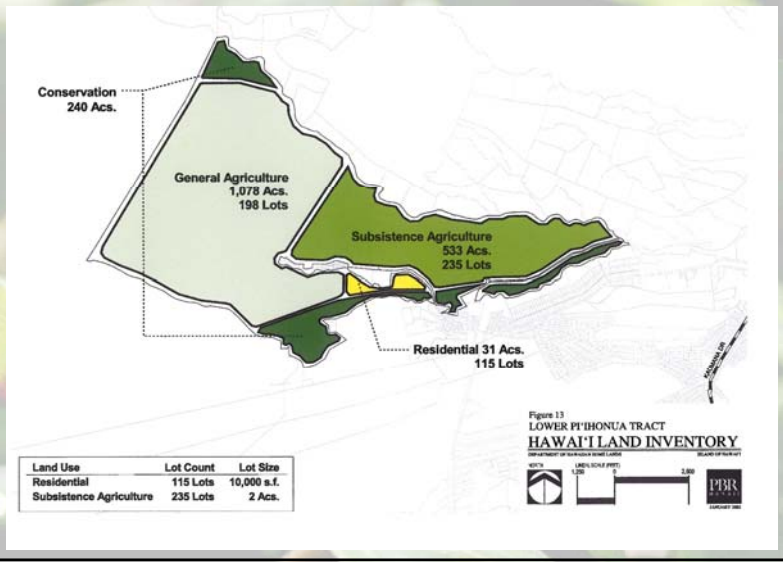
- Hawai‘i Island Plan
- Kaūmana-Pi‘ihonua Regional Plan
- State Water Projects Plan – Water demands
- Proposed DHHL Water Reservation

Hawai‘i Island Plan (2002)

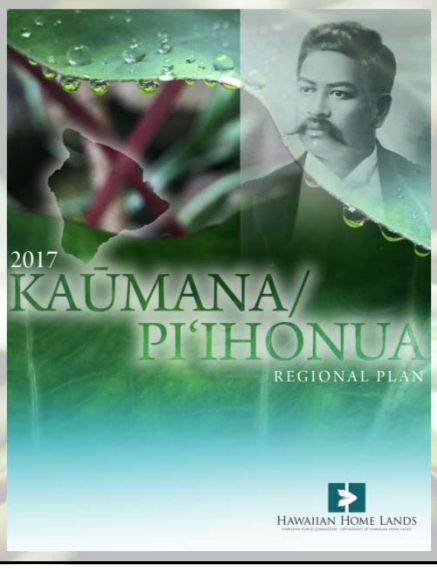


- Identifies land use designations for all DHHL lands on Hawai‘i Island – 116,963 acres
- Lower Pi‘ihonua - priority area for residential and subsistence agriculture homesteads

Lower Pi‘ihonua

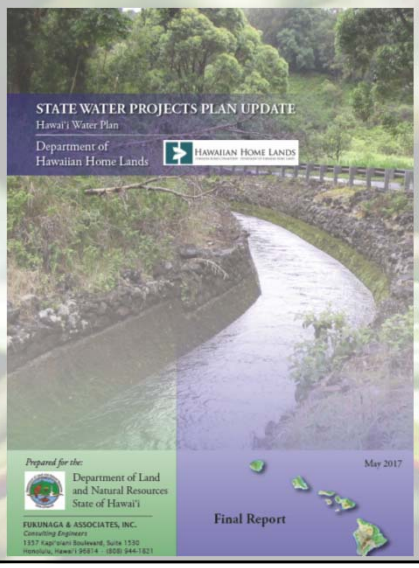


Kaūmana – Pi‘ihonua Regional Plan



- Newest Regional Plan approved in May 2017
- Includes existing Kaūmana and Pi‘ihonua residential homesteads
- Priority Project: Agricultural Sustainability – Community Pasture

State Water Projects Plan

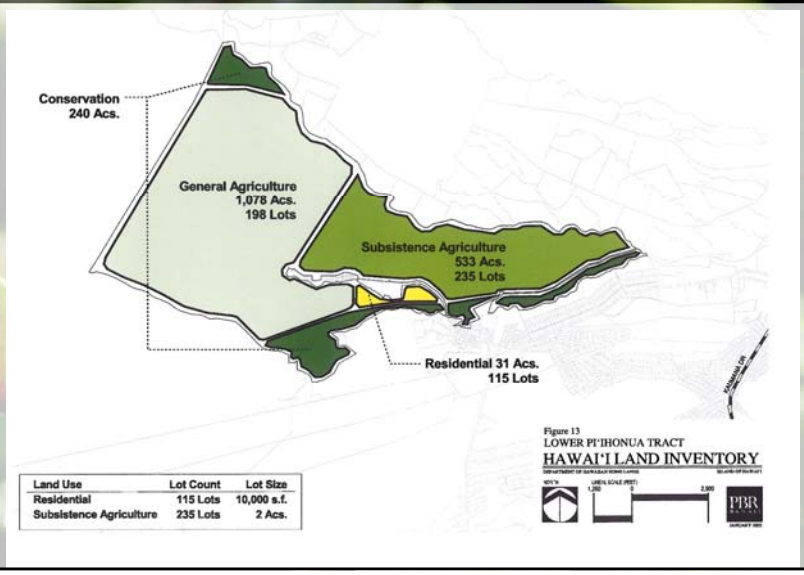


- Approved by Commission on Water Resource Management – May 2017
- Identifies DHHL water needs over next 20 years
- Calculates Potable and Non-Potable Water Demands based off of DHHL Plans

State Water Projects Plan

- Lower Pi‘ihonua Water Demands
  - Potable = 140,000 gallons/per day
  - Non-Potable = 1.6 million gallons/per day
- Projected in the Long-Term – 2031 and onward
- Potable water demand proposed to be serviced by County Department of Water Supply System
- Non-Potable water demand (Subsistence Ag and General Agriculture) proposed to be serviced by ambient rainfall (160-200 inches/year)

Proposed DHHL Water Reservation



Land Use	Lot Count	Lot Size
Residential	115 Lots	10,000 s.f.
Subsistence Agriculture	235 Lots	2 Acs.

Potential DHHL Water Reservation

- Lower Pi‘ihonua Potable & Non-Potable Water Needs

Potable
140,000 gpd

+

Non-Potable
1,600,000 gpd

=

DHHL
Lower Pi‘ihonua
Water Needs
1,740,000 gpd

Discussion Questions

- Should DHHL's water reservation include both potable and non-potable water needs for Lower Pi'ihonua? Why?
- Where should this water come from to meet those water needs? Wailuku River? Aquifer? Rainfall?
- Are there any water needs that DHHL did not account for? What are they?

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

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.

Discussion Questions

- Should DHHL's water reservation include both potable and non-potable water needs for Lower Pi‘ihonua? Why?
- Where should this water come from to meet those water needs? Wailuku River? Aquifer? Rainfall?
- Are there any water needs that DHHL did not account for? What are they?

Closing & Next Steps

- Comment Deadline: **September 15, 2017**
- Beneficiary Consultation Report & Recommendations -
  Hawaiian Homes Commission Meeting: October 16-17,2017 (Hilo, Hawai‘i)
- DHHL to Submit Water Reservation Request to Commission on Water Resource Management (CWRM)
- CWRM act on DHHL Water Reservation
- DLNR and HELCO continue with Water Lease Process

Contacts

- DHHL Planning: dhhl.planning@hawaii.gov
- Kaleo Manuel, Acting Planning Program Manager (DHHL)

  kaleo.l.manuel@hawaii.gov
- Halealoha Ayau, Water Resource Management Specialist (DHHL)

  e.halealoha.ayau@hawaii.gov

Manuel, Kaleo L

From: DHHL.Planning
Sent: Monday, August 07, 2017 4:46 PM
To: 'Ah Lun Yung'
Subject: RE: Your ltr July 31,2017, HELCO's request for new lease

Aloha mai kaua,

Aia na pane no kou ninau ma lalo iho.

Ina he mau ninau kau, e leka uila mai.

E ʻike ana au ia ʻoe ma Hilo i keia pule aʻe.

Ola i ka wai,

M. Kaleo Manuel
Acting Planning Program Manager
Planning Office
P: (808) 620-9481
F: (808) 620-9559

Department of Hawaiian Home Lands
Mailing: P.O. Box 1879, Honolulu, HI 96805
Address: 91-5420 Kapolei Parkway, Kapolei, HI 96707

From: Ah Lun Yung
Sent: Thursday, August 03, 2017 3:39 PM
To: DHHL.Planning <dhhl.planning@hawaii.gov>
Subject: Fwd: Your ltr July 31,2017, HELCO's request for new lease

Aloha mai e Kaleo,
Kala mai, ua hewa kaʻu hoʻuna ʻana.
e hana hou no
naʻu
na ah lun

ITEM G-2 EXHIBIT B

---------- Forwarded message ----------
From: **Ah Lun Yung**
Date: Thu, Aug 3, 2017 at 3:30 PM
Subject: Your ltr July 31,2017, HELCO‘s request for new lease
To: dhhl.lanning@hawaii.gov

Aloha mai kāua e Kaleo,
Regarding the letter sent out advising of the August 15th Meeting at Hilo High School. In your letter it states the law requiring DLNR and DHHL to develop a "reservation" of water as part of the leasing process. It goes further to state "in this case DHHL"
For now a couple of questions:

1. The area in **blue** on the attached map. Is it a lake? What information do we have on this place.

   No. The blue on the map is an outline of DHHL's land holdings (Lower Pi'ihonua and Pi'ihonua) in the area and shows the proximity of the hydro project in relation to DHHL's lands.

   In terms of information, you can view the DHHL Hawai‘i Island Plan for more information about these parcels and DHHL's plans for them.

   http://dhhl.hawaii.gov/po/island-plans/

2. The term "reservation of water"
   1. Is this a "reservoir"
   2. Is there one there at the moment:
      1. how large is it
      2. does it meet all of the specifications.
      3. or will there be a need to add in anyway or means to this.
   3. If one needs to be built:
      1. How large will it need to be to meet the requirement.
      2. Will a EPA be part of this process.

   No to all of the above. Per the State Water Code (see website for actual statute - http://files.hawaii.gov/dlnr/cwrm/regulations/Code174C.pdf), DHHL has the ability to seek a reservation, or an allocation, of water for its foreseeable needs from the Commission on Water Resource Management (CWRM) from various sources like rivers, streams, and aquifers.

   Because HELCO is requesting to utilize water from Wailuku River for their Hydroelectric project, and DHHL clearly has lands that are near that project and that could use water from Wailuku River, CWRM and the Department of Land and Natural Resources has an obligation under Chapter 171-58(g) HRS to reserve, or set aside, water for DHHL's needs. That's what we will be discussing at the meeting next week.

3. The section "in this case by the DHHL":
   1. Does it mean, the reservation of water is to be built and maintained by DHHL for the current and foreseeable development and use by HELCO?

   DHHL is not building a physical reservoir. We will requesting a reservation of water from CWRM for our water needs at Pi'ihonua.

I will probably have more questions but if I can satisfy these first it will be of great help for me to move ahead.

Great questions and I look forward to continuing the conversation next week.

na‘u me ka mana‘o ha‘aha‘a
na ah lun

Benedict Ah Lun Yung

ITEM G-2 EXHIBIT B

Manuel, Kaleo L

From: DHHL.Planning
Sent: Friday, August 11, 2017 2:07 PM
To: 'Cory Harden'
Subject: RE: Kaleo Manuel

Aloha Cory,

Mahalo for the email. HELCO has been utilizing water from Wailuku River on its existing hydro projects on a month to month revocable permit and is now seeking a longer term lease to water. HELCO will be at the meeting to share more information about the project itself.

Per the State Water Code (see website for actual statute - http://files.hawaii.gov/dlnr/cwrm/regulations/Code174C.pdf), DHHL has the ability to seek a reservation, or an allocation, of water for its foreseeable needs from the Commission on Water Resource Management (CWRM) from various sources like rivers, streams, and aquifers.

Because HELCO is requesting to utilize water from Wailuku River for their Hydroelectric project, and DHHL clearly has lands that are near that project and that could use water from Wailuku River, CWRM and the Department of Land and Natural Resources has an obligation under Chapter 171-58(g) HRS to reserve, or set aside, water for DHHL's needs. That's what we will be discussing at the meeting next week.

For more information, you can also visit our website at:

http://dhhl.hawaii.gov/po/beneficiary-consultation/helco-wailuku-river-water-lease-and-dhhl-water-reservation/

See you next week.

Ola i ka wai,

M. Kaleo Manuel
Acting Planning Program Manager
Planning Office
P: (808) 620-9481
F: (808) 620-9559

Department of Hawaiian Home Lands
Mailing: P.O. Box 1879, Honolulu, HI 96805
Address: 91-5420 Kapolei Parkway, Kapolei, HI 96707

From: Cory Harden
Sent: Wednesday, August 09, 2017 10:30 PM
To: DHHL.Planning <dhhl.planning@hawaii.gov>
Subject: Kaleo Manuel

Hello Kaleo Manuel,
Would you please tell me how to find background information (current lease, proposed lease, etc.) on the water reservation proposal to be discussed Aug. 15 at Hilo High?
thank you, Cory Harden, Hilo

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

From: M. Kaleo Manuel, Acting Planning Program Manager

Subject: Authorize the Chairman to Take Actions to Secure the Control and Use of Water in Wai'ōhinu, Kamā'oa, and Pu'u'eo, Ka'ū, Hawai'i

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) authorizes the Chairman to:

1. Formally request use, free of all charge, government-owned water in Wai'ōhinu, Kamā'oa, and Pu'u'eo, Ka'ū, Hawai'i (HHCA §221(c) and §221(d));

2. Formally request a Water Reservation from the Commission on Water Resource Management (CWRM) to adequately reserve water for current and foreseeable development and use of Hawaiian home lands in Wai'ōhinu, Kamā'oa, and Pu'u'eo, Ka'ū, Hawai'i (State Water Code §174C-101(a));

3. If applicable, formally request a Water License from the Board of Land and Natural Resources (BLNR) for control of water and facilities in Wai'ōhinu, Kamā'oa, and Pu'u'eo, Ka'ū, Hawai'i (HHCA §221(c) and §221(d)); and

4. Take other actions as necessary to effectuate these requests.

DISCUSSION

Hawai'i Island Plan

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 Hawai‘i Island Plan (HIP) was adopted by the HHC in 2002. The HIP delineated five planning regions on Hawai‘i Island: North, East, South, West, and Central. DHHL’s lands in the South region (Ka‘ū) are made up of four (4) areas: Wailau, Wai‘ōhinu, Discovery Harbor, and Kamā‘oa-Pu‘u‘eo (South Point). The table below summarize the land use designations and existing and planned lot development for Ka‘ū.

Table 1 – Ka‘ū Land Use Designations

Land Use Designation	Area	Acres	Existing Lots	Planned Lots	Lot Size
Residential	Wailau	63		110	20,000 sf.
	Discovery Harbor	13	2	38	10,000-20,000 sf.
Subsistence Agriculture	Wai‘ōhinu	262			
	Pu‘u‘eo	179	12	38	2 -3 acres
Pastoral	Kamā‘oa	7,163	25		25 acres
General Agriculture	Kamā‘oa	3,234			
Commercial	Kamā‘oa	5			
Special District	Wailau	2			
	Kamā‘oa	706			
TOTAL		11,627	39	186	

**Acreage differs from HIP and is based on GIS analysis*

There are currently at total of 39 lessees in Ka‘ū (25 pastoral, 12 agricultural, and 2 residential).

The major constraint to the implementation of homesteading opportunities in Ka‘ū is the lack of potable and non-potable water. Another challenge, as in our other rural communities, is beneficiaries’ ability to qualify for mortgages and finance home construction.

Ka‘ū Regional Plan

The Ka‘ū 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) Support Development of Affordable Homestead Alternatives in Kaʻū.

(2) Create a Kaʻū Homestead Community Association.

(3) Obtain Additional Water for Homestead Lots in Kamāʻoa, Puʻuʻeo, and Waiʻōhinu

(4) Protect and Preserve Cultural and Natural Resources in Kamāʻoa.

(5) Agricultural Homestead Leases at Waiʻōhinu and Pursue Partnership with DLNR for Hawaiian Homesteading

South Point Resources Management Plan

This plan was adopted by the HHC in October 2016 and was the direct result of implementing the priority project of the Kaʻū Regional Plan, "Protect and Preserve Cultural and Natural Resources in Kamāʻoa."

The four management goals for this area include Natural and Cultural Resource Management, Native Hawaiian Culture, Knowledge, and Traditional Practices, Health and Safety, and Economic Self-Sufficiency.

There are six priority projects that were identified:

(1) Restore and protect important cultural sites and natural resources within the DHHL's property
(2) Manage vehicular access at South Point
(3) Provide sanitary amenities and signage at South Point
(4) Institute a parking fee for South Point
(5) Plan, design, and construct a service road and a pedestrian path to Mahana Bay
(6) Provide training and technical assistance to local people to become legal business entities on DHHL lands

For the purposes of this submittal, assertion of DHHL's water rights will be focused on the Waiʻōhinu and Kamāʻoa-Puʻuʻeo areas.

Further Specified Land Uses

The land use designations utilized by the HHC are broad categories that can encompass multiple kinds of uses, as is

appropriate for a statewide land use classification scheme. The designations allow for the fundamental trust purposes of developing homesteads while taking into account the characteristics of these lands (e.g. high slopes, no infrastructure, cultural resources). The list and map below describes in greater detail the specific uses identified for each designation in this particular area.

1. PASTORAL - KAMĀʻOA (7,163 ACRES)

   There are 25 existing pastoral lots, each 25 acres in size that were awarded during "acceleration." The additional acreage is leased out on month to month right of entry permits for pastoral land uses which also provide fire protection to the region. Until water is made available to the existing lessees, future pastoral homesteading in the region is limited. Per the HIP, the carrying capacity for these lands is 12 acres per head of cattle.

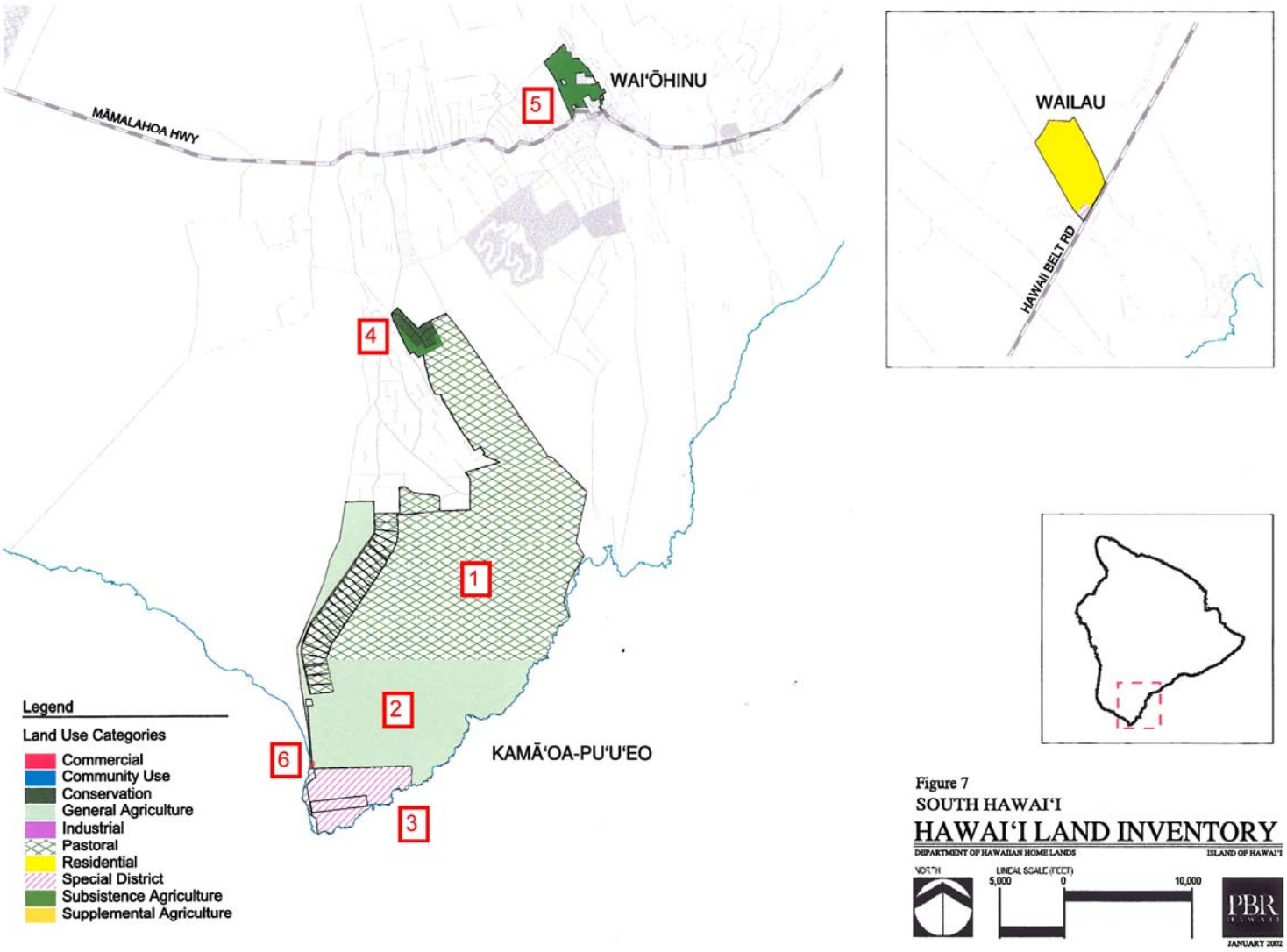
2. GENERAL AGRICULTURE - KAMĀʻOA (3,234 ACRES)

   In the HIP, lands with this designation are to be used for commercial level agriculture. Currently, these lands are also leased out on month-to-month right of entry permits for pastoral land uses that also provide fire protection to the region. In the future, these lands, like the pastoral lands above, could be utilized for homesteading, community pasture, or other beneficiary agricultural uses.

3. SPECIAL DISTRICT - KAMĀʻOA (706 ACRES)

   As mentioned earlier, the South Point Resources Management Plan was developed because of the unique and special resources in this region, which encompasses the 706 acres that are designated as Special District in the HIP. The plan envisions "a self-sustaining, healthy and safe community where the ʻāina - inclusive of the people and resources within it- and native Hawaiian culture and values thrive." An Environmental Assessment is being developed to implement this plan. The priority projects, which may have limited water demands, are mentioned above, and may include native plant erosion control, restroom facilities, parking, a service road, and a pedestrian path.

Map of Further Land Uses



Source: HIP Figure 7

4. <u>SUBSISTENCE AGRICULTURE - PU'U'EO (179 ACRES)</u>

A total of 50 lots (2-3 acres each) were plotted during "acceleration" but only 12 agricultural leases currently exist within this subsistence agriculture land use designation. Road access, water availability, and the lack of soil are all issues that have limited lessees from utilizing their lots for subsistence. Future use of the remaining unencumbered lands could include new subsistence agricultural homesteads.

5. SUBSISTENCE AGRICULTURE - WAIʻŌHINU (262 ACRES)

This parcel was acquired from the State as part of the Act 14 settlement in 1994. This parcel is leased out on a month-to-month right of entry permit for pastoral purposes. These lands receive between 40-50 inches of rain annually, and per the Kaʻū Regional Plan priority project, are a preferred location for future subsistence agricultural lots.

6. COMMERCIAL - KAMĀʻOA (5 ACRES)

South Point is a world-wide attraction for its beautiful coastline, clear waters, and green sand, and is a popular recreation and fishing location for locals as well. Because of this five (5) acres along South Point Road, outside of the Special District Area were identified for future commercial uses. It is anticipated that this could serve as a location for an education/interpretation center, restrooms, and appropriate commercial uses.

Water Assessment and Demand

Ground-water hydrologic units were established by the CWRM to provide a consistent basis for managing ground water resources. In general, these units allow for optimized spreading of island-wide pumpage on an aquifer-system-area scale and identify the amount of water that can be safely withdrawn from that area. DHHL's Waiʻōhinu, Kamāʻoa, and Pu and Puʻuʻeo land holdings overlay two (2) hydrologic units: Kalae (31 MGD Sustainable Yield) and Nāʻālehu (118 MGD Sustainable Yield). Neither of these hydrologic units have been designated a water management area.

Currently, Pāhala, Nāʻālehu, and Waiʻōhinu towns are serviced by the DWS system. Most households living outside of these towns need to either collect their own water through catchment systems or haul it to their residences.

DHHL dug a test well along South Point road near the existing agricultural homestead lots as a way to service the agricultural and pastoral lessees, but the water was too brackish for potable use. Currently, none of the DHHL agricultural homestead lots have water service. The 25 pastoral lots have four (4) water meters (that they acquired

on their own from DWS) that come from an old asbestos line which runs from Wai‘ōhinu down to the site of the previous military barracks along South Point road. While there is a water main connecting DHHL’s lands to the DWS system, per DWS it is too small and old to accommodate additional connections without affecting service to existing water users.

There are no perennial streams or freshwater lakes in Ka‘ū because the volcanic rock is highly permeable. However, there are numerous coastal seeps and mauka springs. In Kalae, water in these seeps is brackish as a result of sea water moving inland through cracks and crevices formed during relatively recent volcanic activity.

In the mauka lands of Ka‘ū, there are plantation era irrigation systems that previously serviced former sugar can lands from Pāhala to Wai‘ōhinu. These systems are proposed to be transferred via executive order from the BLNR to the Agribusiness Development Corporation (ADC) for management, maintenance, and use. The Ka‘ū Agriculture Water Cooperative District (KAWCD) has surveyed the existing systems, is organizing existing and future users into regional co-ops, and working with ADC on future management schemes, generally modeled after the ADC’s transfer of management of lands in Waimea Kaua'i.

Of these irrigation systems, the Mountain House tunnel and Hā‘ao Spring are the two (2) water sources that have the best potential to service DHHL’s landholdings in Wai‘ōhinu, Kamā‘oa, and Pu‘u‘eo. These water sources are treated and added into the DWS system discussed above. Per correspondence with CWRM staff, DWS registered use of these sources and noted the following:

Water Source	Capacity (MGD)	Average Daily Draw
New Mountain House Tunnel	6.45	0.3
Hāʻao Spring	1.82	0.3

Issues and Opportunities

With all of this known, since 2011, the Department has been assessing various ways to provide water to its lands in Kaʻū, more specifically, to the existing 25 pastoral and 12 agriculture lessees along South Point Road, in addition to intermediate and long term use of water.

Various system improvements and alternatives on the existing County controlled Water System, which runs adjacent to and thru DHHL's Waiʻōhinu, Kamāʻoa, and Puʻuʻeo lands, were identified. DHHL sent a letter to DWS in March 2017 with these recommended improvements that include new storage tanks and improvements to transmission (See Exhibit A – Maps of Recommended Improvements). DHHL has yet to receive a formal reply, but in conversations with DWS, they are requiring new well source development above and beyond the proposed improvements. Based on an assessment by DHHL's consultant G70 (to be finalized shortly) there is ample source in the system to service DHHL's existing lessee's water needs. In addition, approximately 100,000 gpd is dumped into a dry well adjacent to the DWS South Point tank located at the top of South Point road and Māmalahoa Highway.

DHHL is also engaged in protecting surface water resources, which originate on State owned lands and flow through the Mountain House Water Tunnel System to Hāʻao Springs. Again, the water system is currently utilized by the County Department of Water Supply as part of its overall water system in Kaʻū, but BLNR is in discussion about transferring management and use of the system to the ADC. DHHL is in communication with the DLNR to ensure that before any decision is made, the rights and water needs of DHHL and its beneficiaries are reserved and protected. To date, DWS or DLNR have not produced records indicating clear ownership of the system.

In addition to DWS's use of these water sources, approximately four to five ranchers, who lease DLNR lands for pastoral purposes, also use "excess" water from this Mountain House Water Tunnel System by pulling water off from this system before it connects with Hāʻao Springs. Use of

this water was granted by BLNR under month-to-month revocable permits and receive minimal annual rent. Because of HB2501, also known as the "Water Holdover Permit," these revocable permits must be "converted" into water leases/licenses. DHHL is intimately engaged with DLNR staff in this process and already consulted with one of the RP tenants.

These water resources, Mountain House Tunnel and Hāʻao Springs are identified as ground water resources per CWRM, but are managed like surface water resources by DWS and ranchers, and is being considered to go before BLNR to be disposed of as a water lease/license. This ambiguity is opportunity to clarify who has jurisdiction and when that jurisdiction applies to spring and tunnel resources.

A schematic of this DWS water system is attached as Exhibit B.

Legal Authorities

There are a number of established legal authorities that empower the HHC to direct its chairman to secure water in the manner that is recommended.

The State of Hawaiʻi has the obligation as a fiduciary to fulfill the enumerated purposes of the Hawaiian Homes Commission Act (HHCA) of 1920, including of "Providing adequate amounts of water and supporting infrastructure, so that homestead lands will always be usable and accessible" HHCA §101(b)(4).

The Admission Act of 1959 §4 adopts the HHCA as a provision of the Constitution of the State of Hawaii. The Admission Act §5(b) and §5(f) reaffirms the obligation of the State of Hawaii to manage the lands and fulfill the purposes of the HHCA, as part of a compact with the United States accepted as a condition for admission into the Union.

The Hawaii State Constitution Article XII Sections 1 through 4 further define the State of Hawaii's responsibilities to carry out and fulfill the purposes of the HHCA.

Specifically related to the claims of the Department to water, HHCA §221(c)(1) states that:

> "In order adequately to supply livestock, the aquaculture operations, the agriculture operations, or the domestic needs of individuals

> upon any tract, the department is authorized (1) to use, free of all charge, government-owned water not covered by any water license or covered by a water license issued after the passage of this Act but containing a reservation of such water for the benefit of the public…"

The phrase "government-owned water" reflects the legal understanding of water that existed when Hawaii was a territory and the HHCA was written. At that time, Hawaii courts, influenced by the sugar planters who dominated economic and political life, opined that water could be privately owned and sold like land, and that any water not being diverted for agriculture and left in a stream was "surplus." That view was contradictory to traditional and customary understandings and Kingdom law, which held that water was held in a trust by the native Government and was to be managed for the benefit of the people. Legal decisions since the 1970's and the Water Code have returned the legal understanding of water to its traditional legal and cultural roots. Consistent with the larger changes of legal understandings and rulings, the clear intent of section 221 includes the concept that the DHHL should have a priority claim to water above any private users.

HHCA §221(e) highlights that the department has the ability to use, contract for, or acquire water transmission systems for its use:

> "All rights conferred on the department by this section to use, contract for, or acquire the use of water shall be deemed to include the right to use, contract for, or acquire the use of any ditch or pipeline constructed for the distribution and control of such water and necessary to such use by the department."

To help effectuate the purpose of the HHCA by reserving water for DHHL, the State Water Code §174C-101(a) requires that:

> "Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home

lands as set forth in section 221 of the Hawaiian Homes Commission Act."

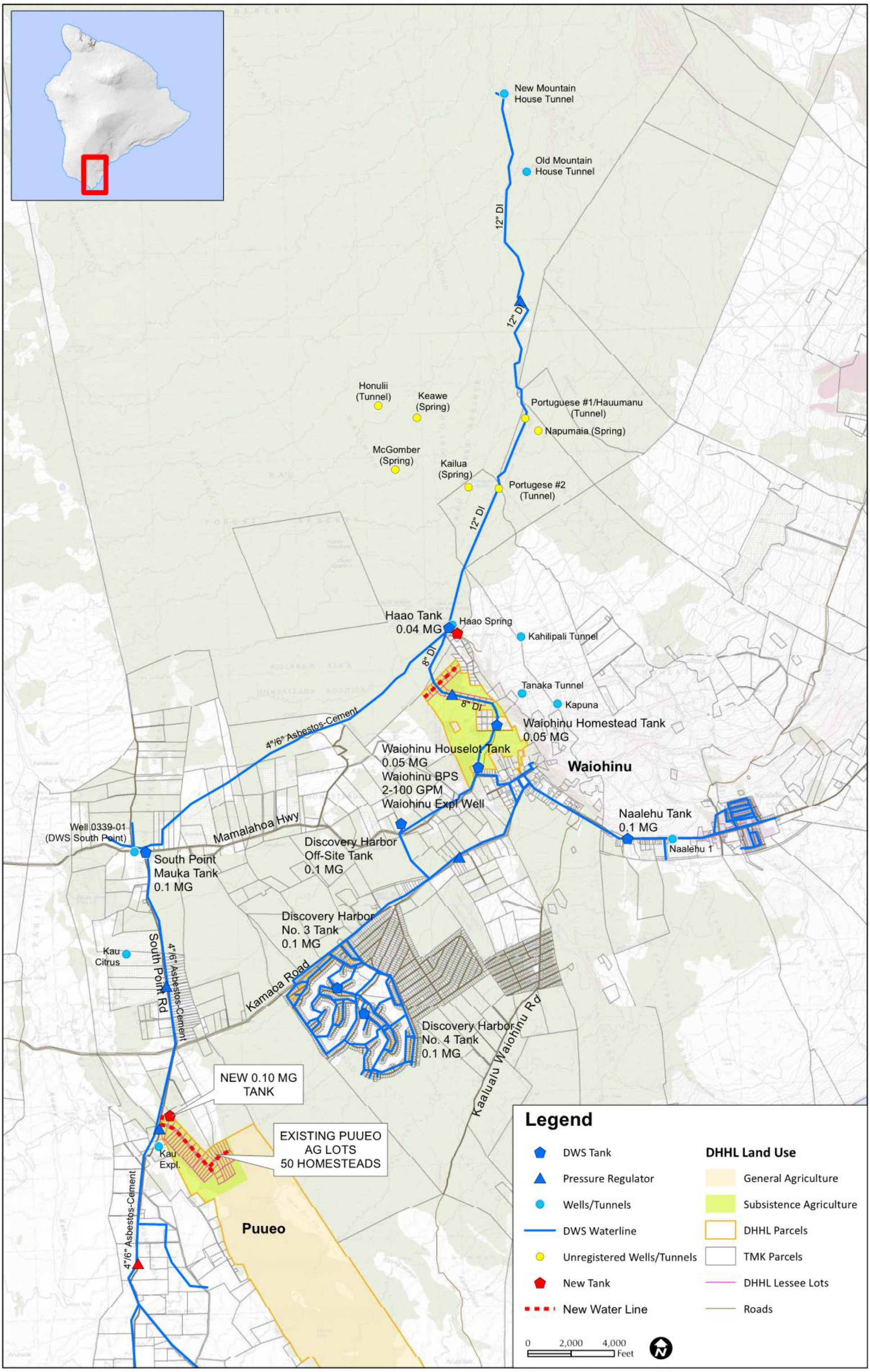
RECOMMENDATION

Staff respectfully requests that the Hawaiian Homes Commission approve the recommended motion/action based on the following considerations:

1. To secure adequate reserves of water for current and foreseeable planned development and use of Hawaiian home lands in Waiʻōhinu, Kamāʻoa, and Puʻuʻeo, Kaʻū, Hawaiʻi as set forth in section 221 of the Hawaiian Homes Commission Act;

2. To ensure that DHHL and the State of Hawaiʻi will provide adequate amounts of water and supporting infrastructure, in partnership with others, so that homestead lands will be usable and accessible; and

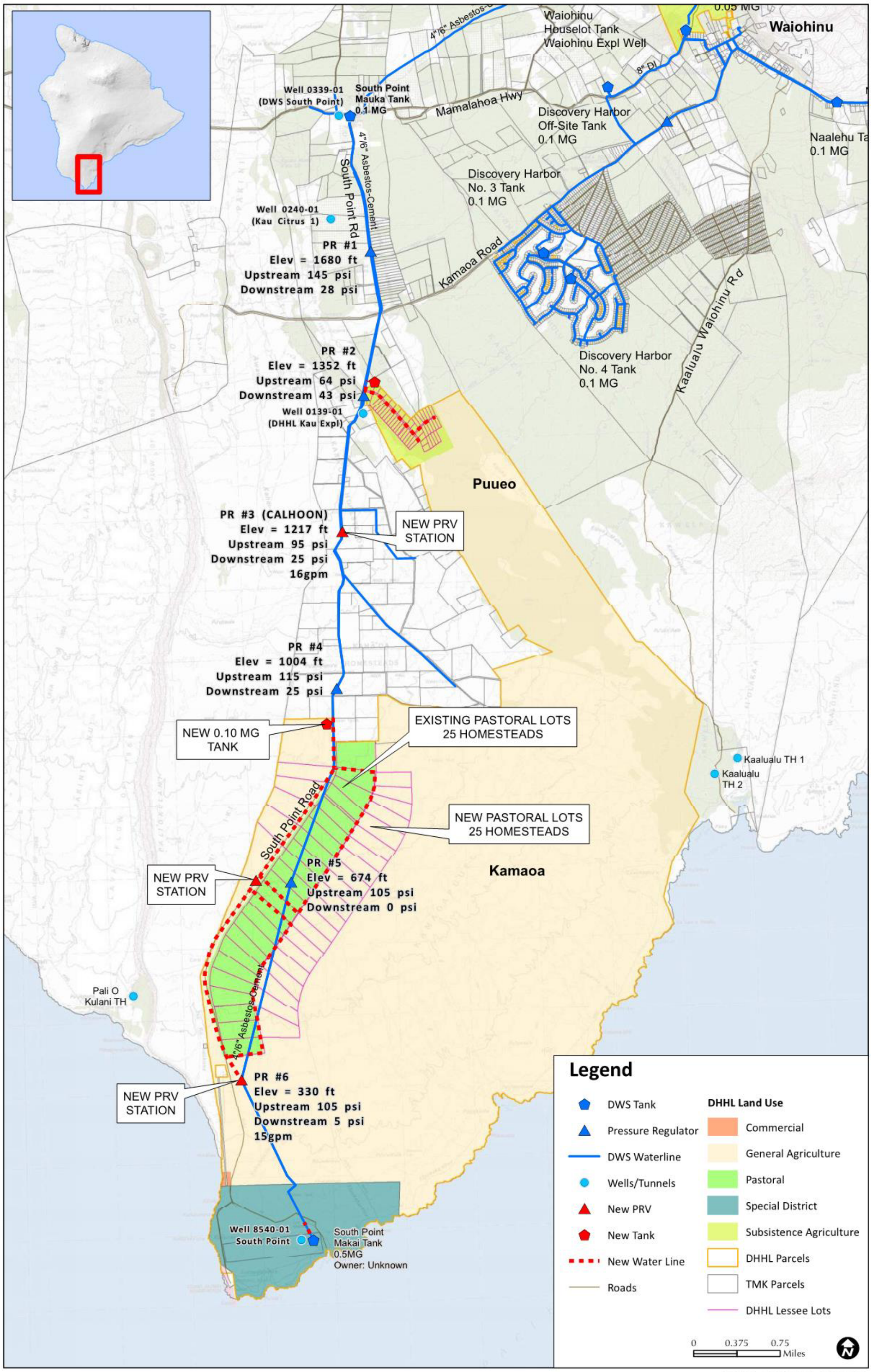
3. To initiate the process to ensure that water is available for planned purposes of the HHCA at Waiʻōhinu, Kamāʻoa, and Puʻuʻeo, Kaʻū, Hawaiʻi, as articulated in the HHC-approved Hawaiʻi Island Plan and Kaʻū Regional Plan.



Kau Water Assessment Study
Figure 2 of 3

DWS Waiohinu-Naalehu System
Puueo Improvements

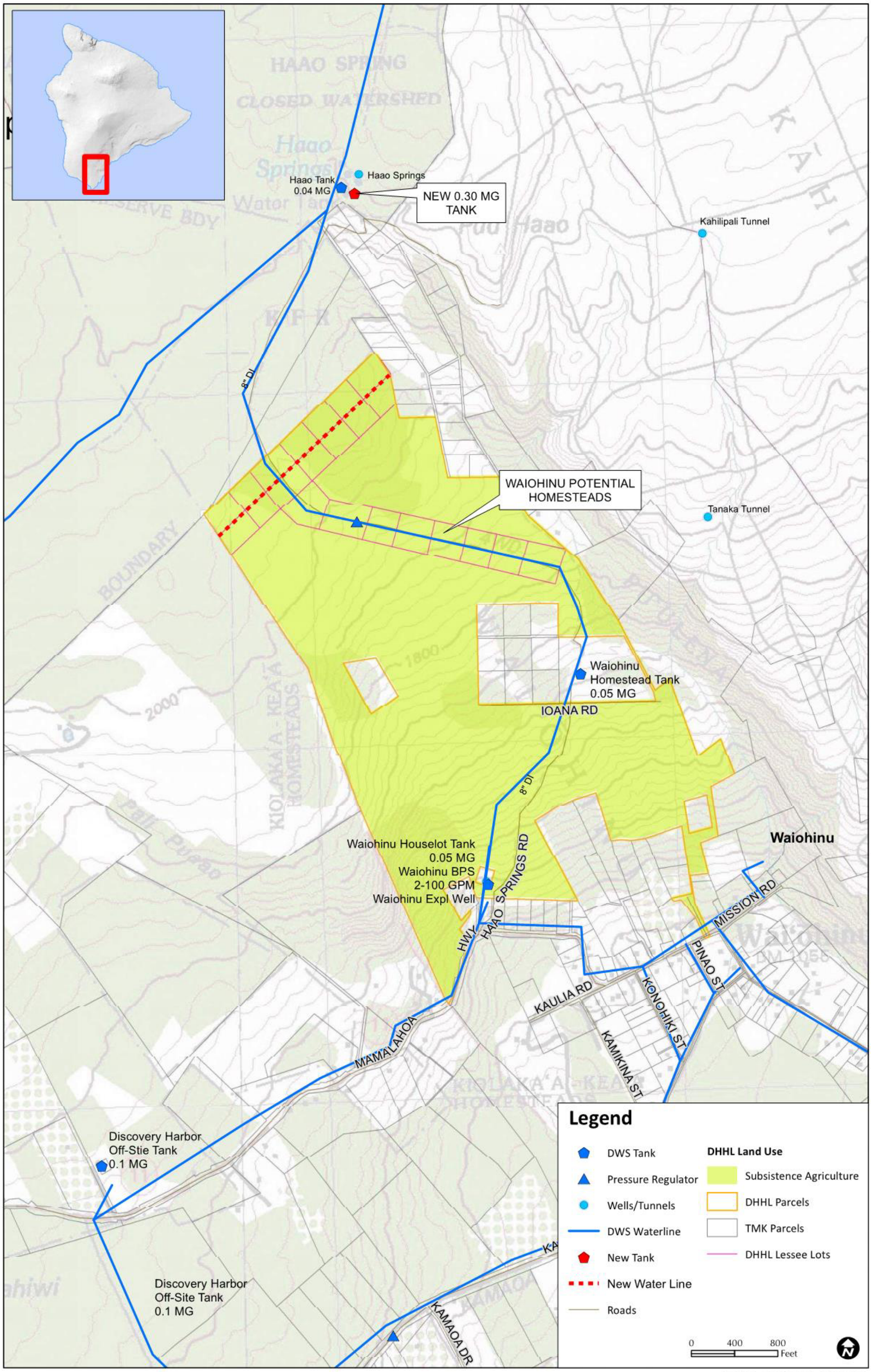
GROUP 70 INTERNATIONAL



Kau Water Assessment Study
Figure 1 of 3

DWS Waiohinu-Naalehu System
Kamaoa Improvements

GROUP 70 INTERNATIONAL



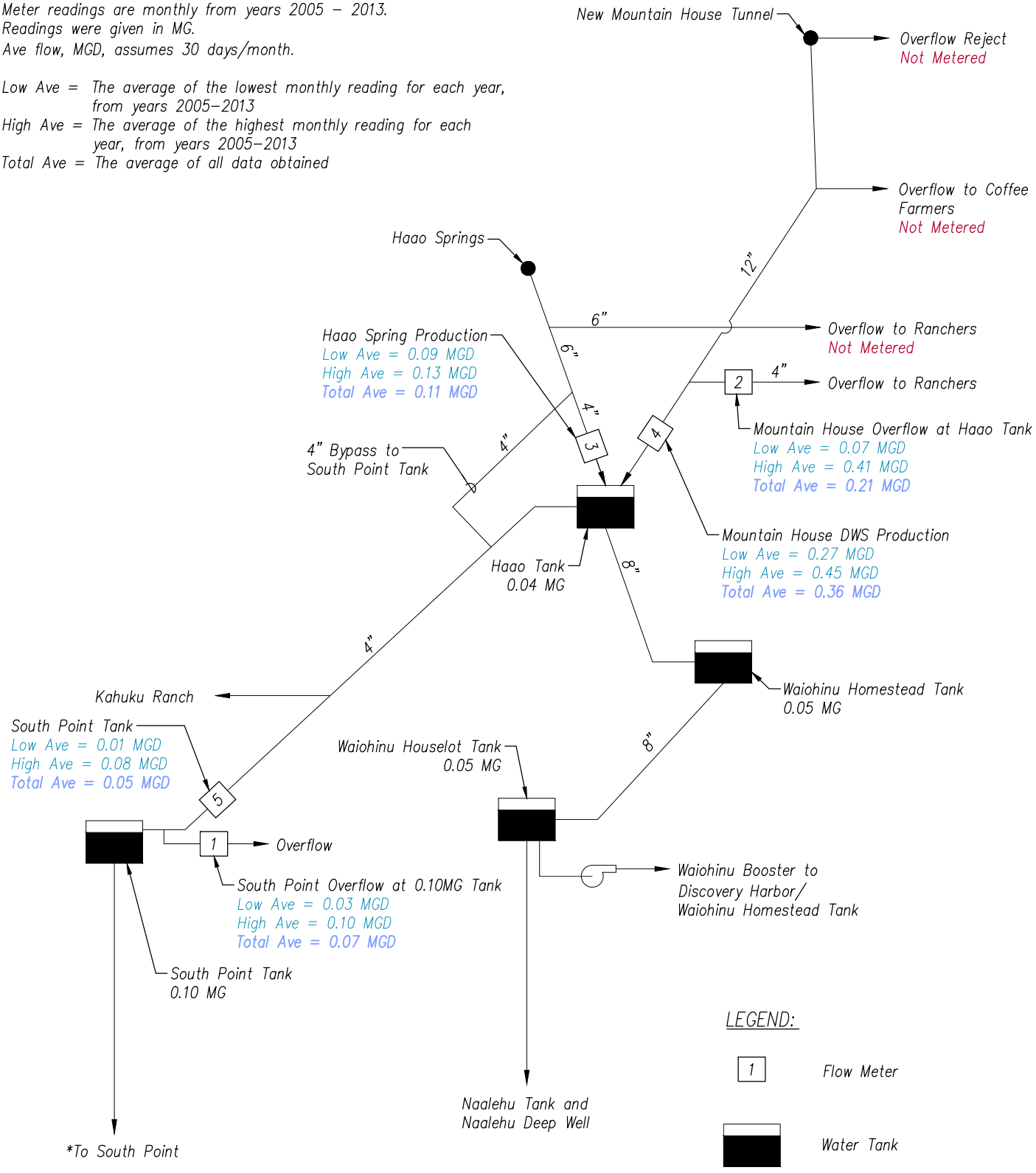
Kau Water Assessment Study
Figure 3 of 3

DWS Waiohinu-Naalehu System
Waiohinu Improvements

GROUP 70 INTERNATIONAL

Note:
Meter readings are monthly from years 2005 – 2013.
Readings were given in MG.
Ave flow, MGD, assumes 30 days/month.

Low Ave = The average of the lowest monthly reading for each year, from years 2005–2013
High Ave = The average of the highest monthly reading for each year, from years 2005–2013
Total Ave = The average of all data obtained



* Flow through the South Point line remains continuous to prevent water line from rupturing. Excess water flows through an overflow connection and discharges to a drywell at the lower tank (RM TOWILL, 2000).

CAD DRAWING: KAU SYSTEM DATE: 10/14/14 SCALE: NTS PROJECT #: 213018-01	KAU WATER SYSTEM WAIOHINU/SOUTH POINT FLOW SUMMARY	GROUP 70 INTERNATIONAL 925 bethel street, fifth floor honolulu, hi 96813-4398 808.523.5866 www.group70int.com	FIGURE 1

ITEM G-3 EXHIBIT B

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

Thru: M. Kaleo Manuel, Acting Planning Program Manager

From: Andrew H. Choy, Planner

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 October 2017, 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

ITEM NO. G-4

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 the second quarter of calendar year 2018. 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 by early fall of 2018. 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	Not Started.

Table 4: PANAEWA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Project Kamoleao	PHHLCA	In-Progress. PHHLCA received $150k in state GIA funds for planning and design work. DHHL providing technical assistance for Kamoleao master plan and EA for the entire 12-acre site. Master plan recently adopted by PHHLCA general membership. EA expected to be completed in mid-2018.
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	Not started.
Hawaii Island Plan Update for East Hawaii	DHHL	Not Started.

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 (check with Kaleo) and received IRS 501c3 status.
Obtain Additional Water for Homestead Lots in Kamaoa, Puueo, and Waiohinu	DHHL	In-Progress. DHHL has worked with a contractor to determine viable water supply alternatives. DHHL and County DWS have yet to agree upon a mutually acceptable water supply alternative.
Protect and Preserve Cultural Sites and Natural Resources in Kamaoa	DHHL/Kau	In-Progress. South Point Resources Management Plan was adopted October 2016. Plan identifies immediate projects and services that will need funding in next biennium. See: http://dhhl.hawaii.gov/po/special-area-plans/south-point/
Agriculture Homestead Leases at Waiohinu	DHHL	In-Progress. DHHL has met with DLNR on possibly acquiring a DLNR parcel in Waiohinu. However, since May 2017, DLNR is only willing to transfer the parcel to DHHL via executive order.

Table 6: KAUMANA-PIIHONUA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Kaumana-Piihonua Community Center	Kaumana & Piihonua Associations and DHHL	Not Started.
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 (Kaumana Only)	Kaumana Association	Not Started.

Recommendation

For information only. No action required.

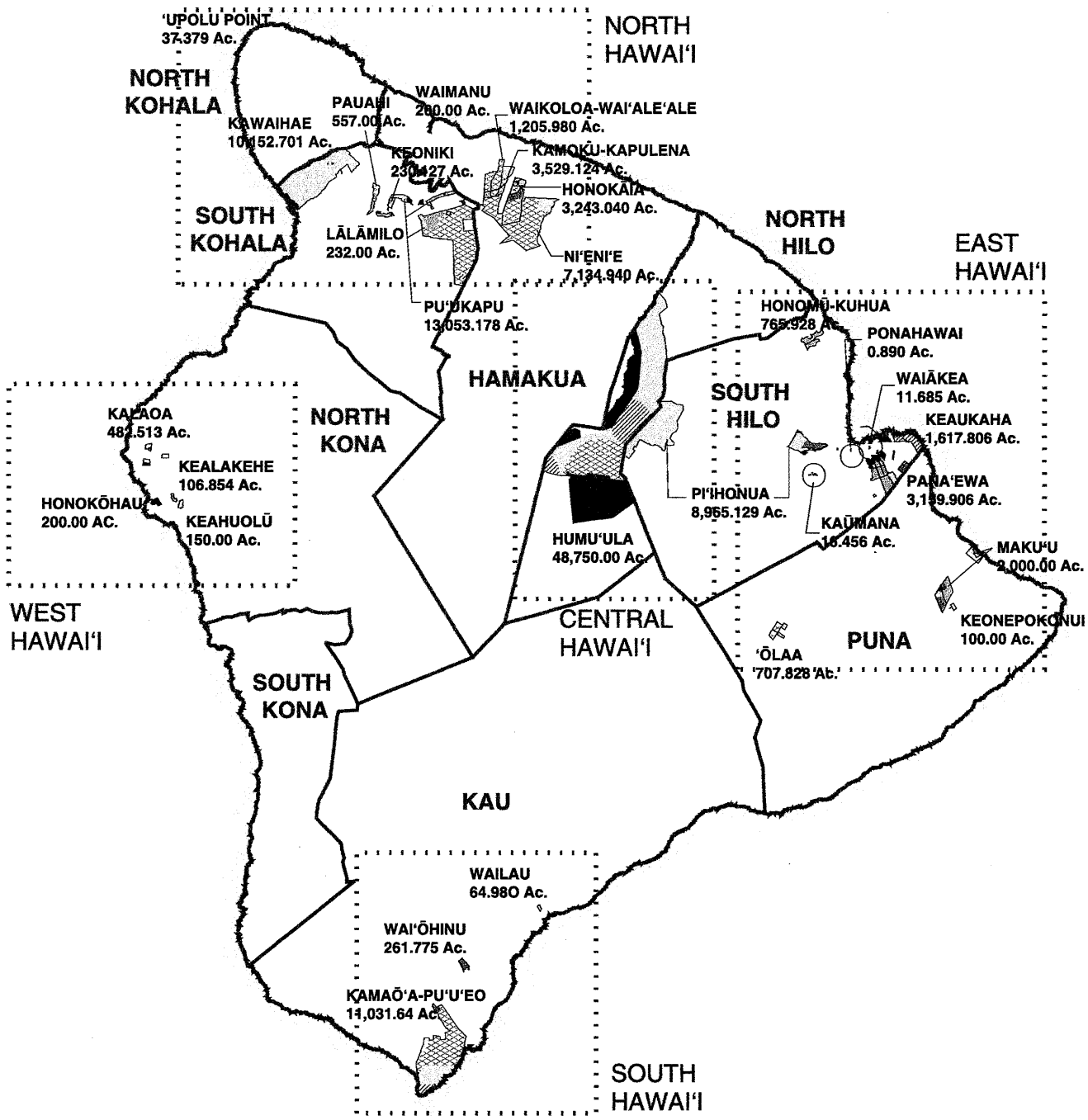


Figure 1
Locational Map
HAWAI'I LAND INVENTORY
DEPARTMENT OF HAWAIIAN HOME LANDS
ISLAND OF HAWAI'I

NORTH

NEAR SCALE (FEET)
40,000 0 80,000

PBR HAWAII

MAY 2002

EXHIBIT 'A'

STATE OF HAWAI'I

DEPARTMENT OF HAWAIIAN HOME LANDS

OCTOBER 16-17, 2017

To: Chairperson and Members, Hawaiian Homes Commission

Thru: M. Kaleo Manuel, Acting Planning Program Manager

From: E. Halealoha Ayau, Water Resource Management Specialist
E Halealoha Ayau

Subject: For Information Only – Update on East and South Hawai'i Water Issues and Projects

I. RECOMMENDED MOTION/ ACTION

None; for information only.

II. DISCUSSION

This submittal to the Hawaiian Homes Commission ("HHC") provides an overview update of water issues and projects of significance 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 include water resources management and development issues. The following DHHL's planning regions and other tracts on Hawai'i island are discussed: (1) Honomū-Kuhua; (2) Pana'ewa-Keaukaha; (3) Lower Pi'ihonua; (4) Maku'u-Keonepoko; (5) 'Ōla'a; and (6) Ka'ū.

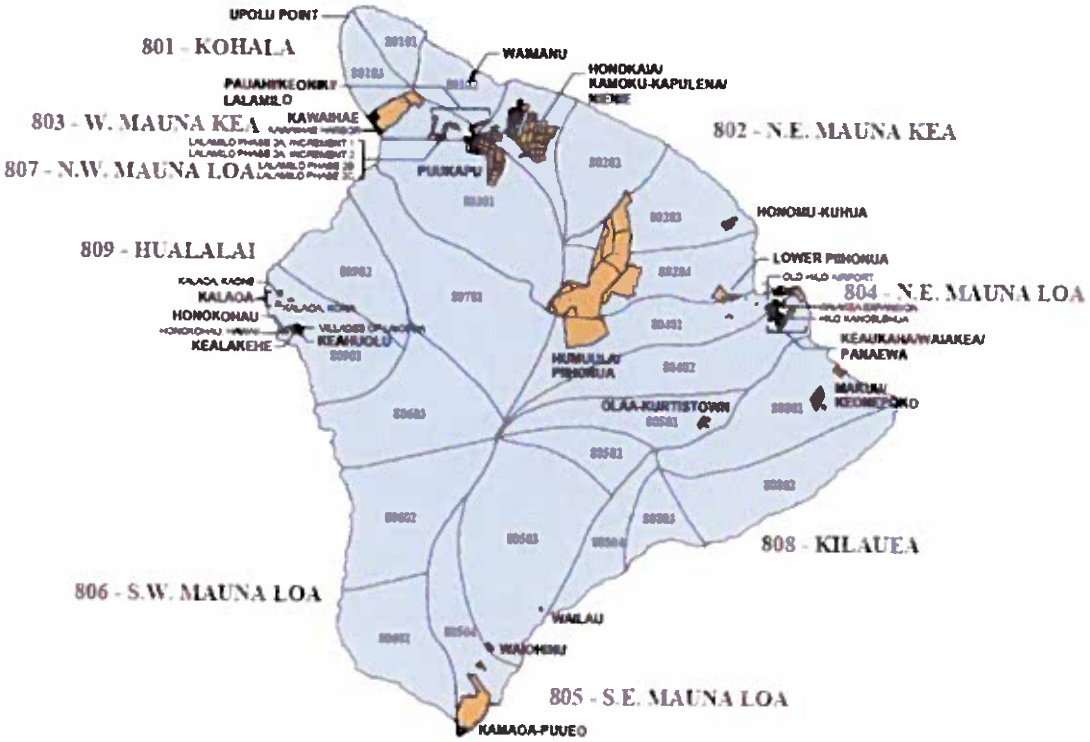


Fig. 1. Existing DHHL Tracts on Hawai'i island in relation to groundwater aquifers

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. 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. Draft DHHL Update to the State Water Projects Plan (2015) ("SWPP") at 4-32.[1] 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

[1] The SWPP calculated medium estimations for "long-term" demands out to the year 2031 for all DHHL tracts.

Agriculture Homestead (446 acres), Community Use (40 acres), Commercial (235 acres), and industrial (365 acres). The Pana'ewa commercial and industrial lots generate the most trust revenue from general leases of all DHHL regions.

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.

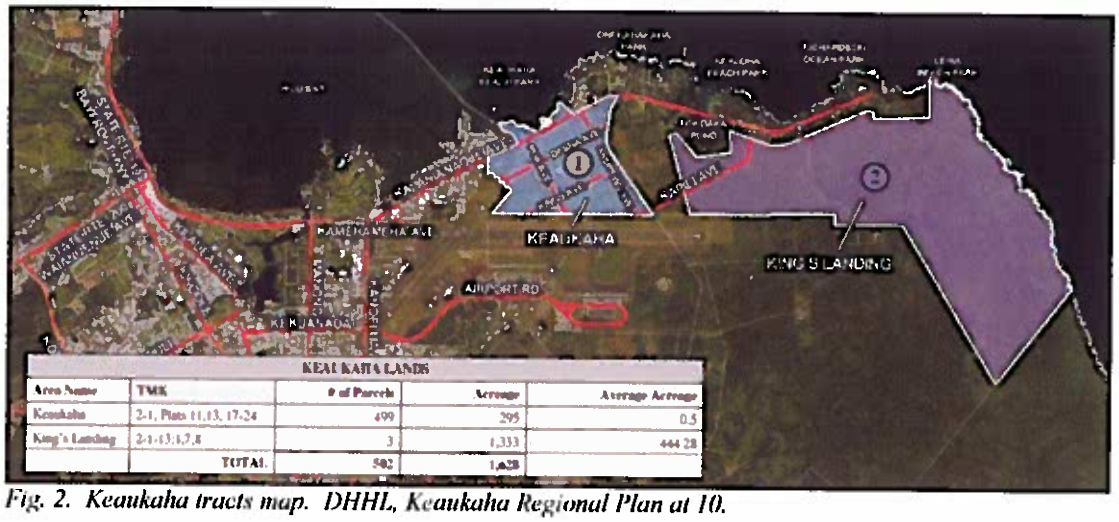


Fig. 2. Keaukaha tracts map. DHHL, Keaukaha Regional Plan at 10.

Both the Pana'ewa and Keaukaha tracts are serviced by the HDWS Hilo system. DHHL, Keaukaha Regional Plan, at 17. Long-term potable water demand for the Pana'ewa-Keaukaha area is 1.688 mgd. Long-term non-potable water demands are 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.

Fig. 3. Pana'ewa potable water infrastructure, Pana'ewa Regional Plan, at 18 (Mar. 24, 2009).

Fig. 4. *Keaukaha potable water infrastructure*, Keaukaha Regional Plan, at 18 (Dec. 2010).

3) Lower Pi'ihonua tract water issues and developments.

DHHL's Lower Pi'ihonua tract is 1,882 acres located in South Hilo on the lower slopes of Mauna Kea. Long-term potable water demand is 0.14 mgd and long-term non-potable demand is 1.5946 mgd. SWPP at 4-32. Land use designations consist of Residential and Subsistence Agriculture, the potable needs of which will be supplied by HDWS Hilo Water System and non-potable needs met through ambient annual rainfall. The Lower Pi'ihonua tract is adjacent to Ho'okele gulch, the Waiau gulch, and the Wailuku River. HIP at 18. Hawai'i Electric Light Company (HELCO) owns and operates the Waiau 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 plans 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. Thirty-percent of proceeds from state-issued water licenses are deposited into the NHRF fund. Discussions with HELCO expanded to fully consider methods for determining appropriate water license payment amounts. DHHL advocated for a "costs-avoided" method, in which the charge for the license would be a function of the amount HELCO saves by using hydroelectric sources instead of another source. DHHL is monitoring this process closely to ensure that BLNR seeks fair compensation for use of water in the licensing process.

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 two hydroelectric plants at lower Pi'ihonua. Under 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:

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 State Water Projects Plan 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 water needs of 1,740,000 gpd. The 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 comment deadline was September 15, 2017. The Beneficiary Consultation Report & Recommendations for DHHL's water reservation (Item G-2) is presented separately for HHC approval.

4) Maku'u-Keonepoko Planning Region water needs and issues.

The Maku'u planning region consists in 2,000 acres split into a 1,500 acre mauka and a 500 acre makai section. The makai parcel is recommended for non-priority general agricultural use. The mauka Maku'u tract has been developed into agricultural homestead lots. Current potable needs of 0.056 mgd in the mauka Maku'u tract are expected to increase to 0.660 mgd by 2031. Non-potable water demand is expected to grow to 3.383 mgd in that time as well. 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 a 523 foot elevation. For lots further mauka and at higher elevation, new water system improvements have been proposed. Maku'u Regional Plan at 18 (Dec. 2010). The proposed water system will include an exploratory well and production well, and a 1.0 million gallon (mg) reservoir.

Delays in water improvements construction is partly attributed to certain land ownership questions. Pursuant to Executive Order No. 4143, DLNR had set aside over 3.7 acres of lands necessary for Maku'u water system improvements to the Water Board of the County of Hawai'i (WBCOH).[2] In 2006, HDWS agreed to cancel E.O. 4143 so that DHHL could continue with its infrastructural improvements for their proposed Maku'u development. In 2009, BLNR approved the cancellation of E.O. 4143 with support from DHHL.[3]

USDA and DHHL tried 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 location, so any future use of the well is still pending.

5) <u>'Ōla'a tract water needs</u>.

DHHL's 'Ōla'a tract is a 708-acre parcel recommended for homestead pastoral use located in the district of Puna. HIP at 21. Potable demands for domestic uses are 0.0252 mgd. Non-potable demands are 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) <u>Ka'ū Planning Region water issues and needs</u>.

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[2] 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) *available at*: http://www.hawaiidws.org/2%20water%20board/2ba%20agendas/12-16-08~Agenda%20-%20js.pdf.

[3] 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, Hawaii, TMK: (3) 1-5-008:001 por." (April 24, 2009) *available at*: http://files.hawaii.gov/dlnr/meeting/minutes/090424-minutes.pdf. Darrell Yagodich from DHHL said that the well will provide water to their existing subdivision in Puna and the planned 800 homestead unit. Plus, it will add to the County's existing system. *Id.* at 3. Item D-1 was unanimously approved.

The Ka'ū planning region consists in Kamā'oa Pu'u'eo, Wailau, Wai'ōhinu, and Discovery Harbor tracts located in South Hawai'i. *See* DHHL, Ka'ū Regional Plan (May 2012).

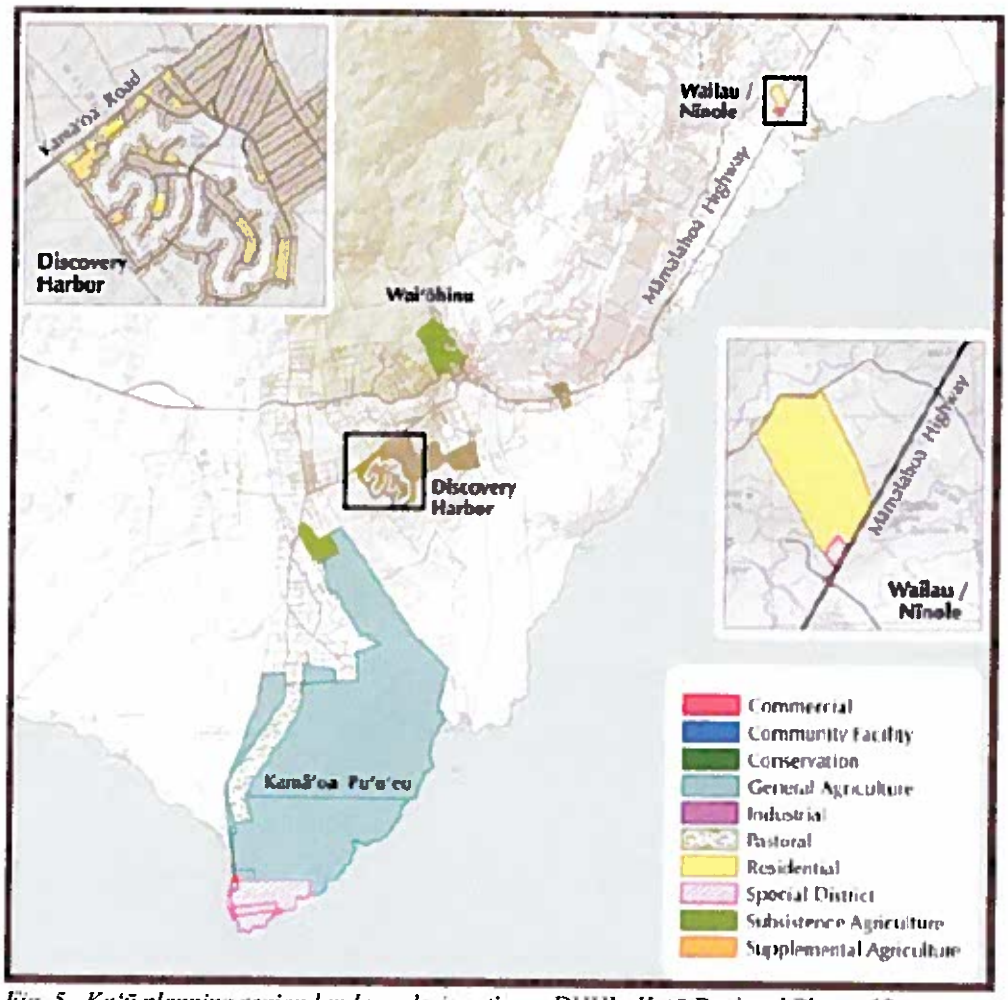

Fig. 5. Ka'ū planning region land use designations. DHHL, Ka'ū Regional Plan at 12.

a. Wailau water needs.

Wailau is a 65-acre Residential and Special District use priority tract located above Mämalahoa 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.

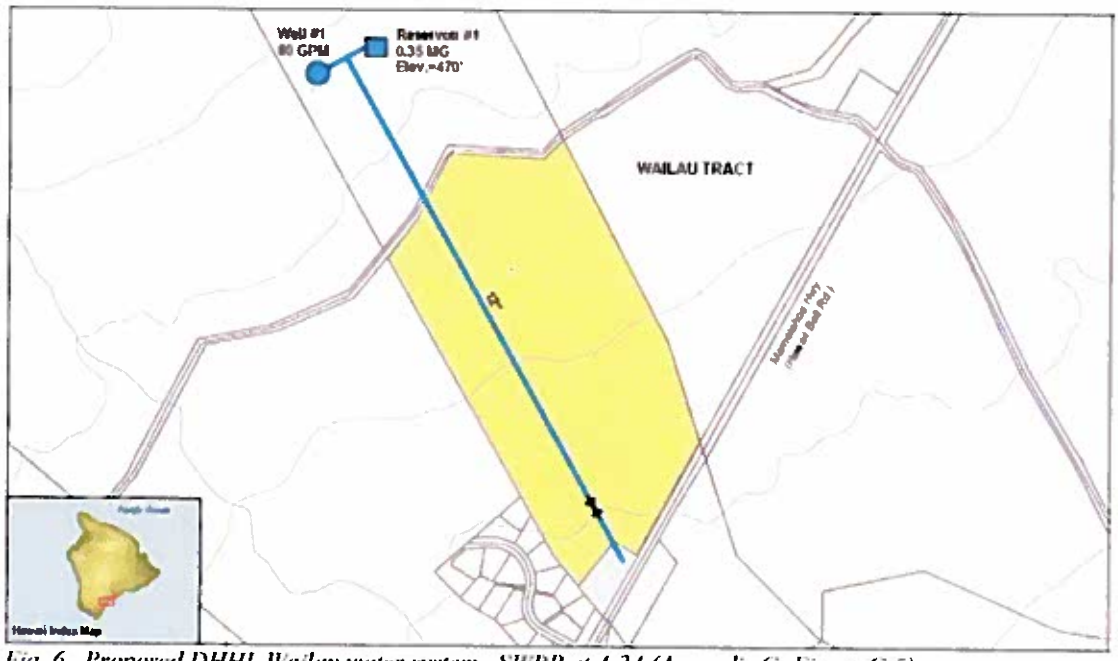

Fig. 6. Proposed DHHL Wailau water system. SWPP at 4-34 (Appendix G, Figure G.5).

b. Wai'ōhinu and Discovery Harbor water systems.

Wai'ōhinu is a 262 acre tract recommended for homestead subsistence agricultural uses. Discovery Harbor consists of 40 scattered lots (approximately 13 acres) within a planned residential community. Ka'ū Regional Plan at 12. Long term potable water needs for Wai'ōhinu are 0.0304 mgd. Long term non-potable water needs for Wai'ōhinu 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. 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. Long term potable water needs for Kamā'oa Pu'u'eo are 0.1046 mgd, and long term non-potable needs are 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

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. There are only four (4) meters that service a portion of the 25 existing pastoral lots in Kamā'oa Pu'u'eo.

DHHL is working with its contractor 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 a U.S. 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 an exact location or capacity. SWPP at 4-34.

G70's water assessment study also referred to a 4"/ 6" transite transmission line down South Point Road installed by the Army to feed the South Point Barracks Tank, which HDWS since took over management for. Ka'ū Water Assessment at 13. Amongst G70's recommendations were to supply the 25 Kamā'oa pastoral lots, which have a total potable and non-potable demand of 45,000 gpd, with water from the HDWS line that otherwise daily overflows 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. *Id.* 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.

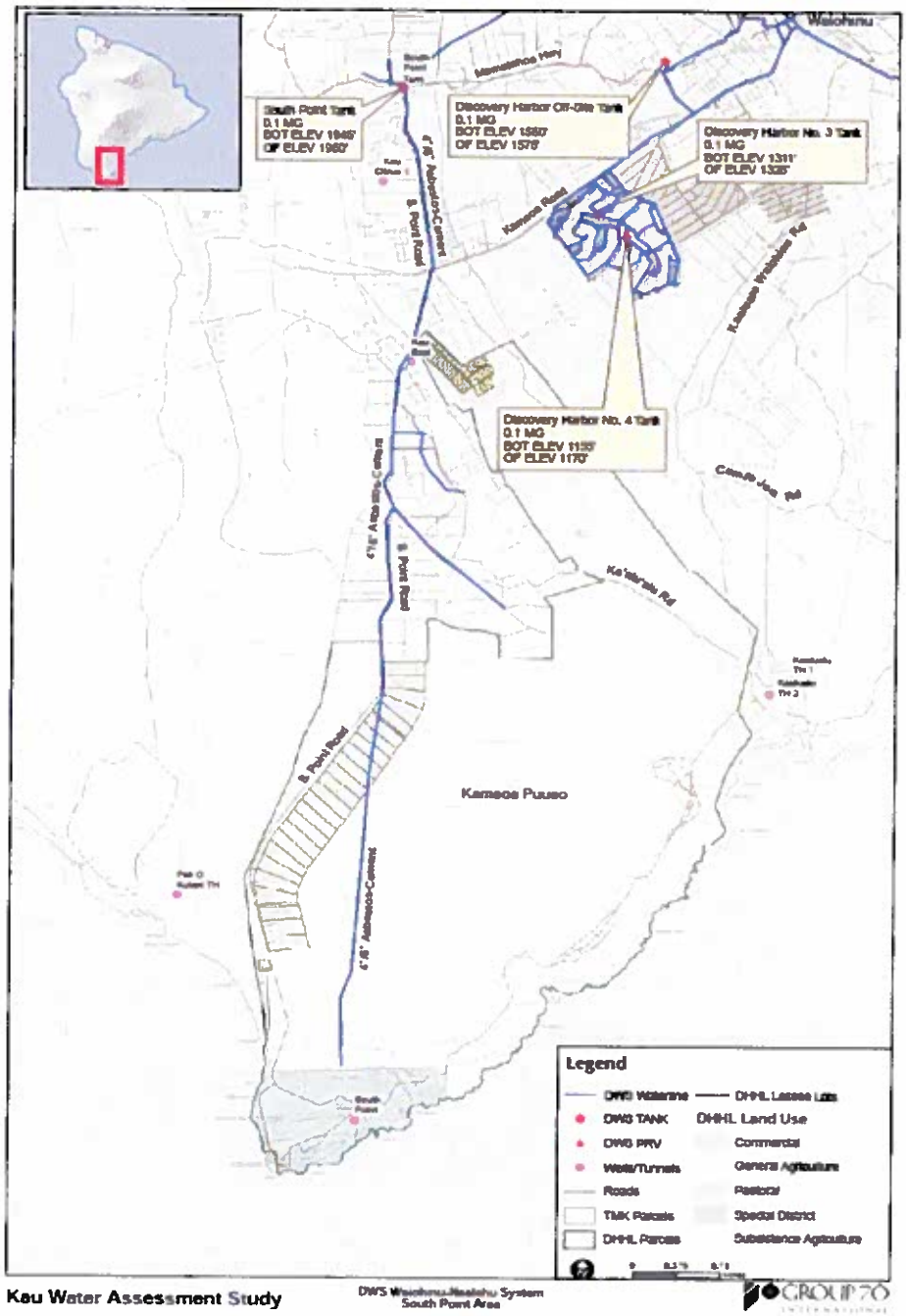

Fig. 7. G70 Ka'ū Water Assessment Study diagram (2013).

d. Proposed transfer of Ka'ū irrigation systems to ADC.

By letter dated June 1, 2016, DHHL wrote to DLNR to object 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 also to ADC.[4] DHHL stated it may be required to call for a contested case against the propose 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.

Most recently, month to month water users of the New Mountain House and Ha'ao System are requesting conversions to long term water licenses, similar to the on 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.

III. Hot Topics

Kawaihae Public Water System. Updates in FY 2017 include the ongoing year long delay in improvements to the two water tanks following the damage to both tanks as a result of the 2005 earthquake. These outstanding improvements by contractor Isemoto Contracting Company included painting both tanks, installing a safety harness and metal security guard to the access ladder for each tank and installing a new hypocholorinator to the lower tank to boost the chlorine injected by Kohala Ranch only where it is detected that the residual level is low. These delayed improvements led DHHL to request extensions to the date for the Safe Drinking Water Branch of the Department of Health to conduct the mandatory Sanitary Survey which is a comprehensive inspection of the water system to determine its compliance with Federal and State regulatory requirements to operate a public water system. Continued delays of the Sanitary Survey would be a violation of EPA rules and subject DHHL to fines.

In addition, although it occurred in September 2017, there was a significant event involving the original source of water for the Kawaihae Water System. On September 14, 2017, Kohala Ranch Water Company (KRWC) lost operability of both of its water wells (Well 1 and Well 2). KRWC is a privately-owned water utility regulated by the Hawai'i Public Utilities Commission (PUC) that provides potable water service to a number of developments in North

[4] *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).

Kohala, including Kohala Ranch, Kohala Estates, Kohala by the Sea, Kohala Waterfront and Kohala Kai in addition to DHHL. KRWC worked diligently to get a well back in service and until that was accomplished, arranged to haul water on a 24-hour basis to address immediate household water needs of its approximately 400 customers. KRWC updated its customers on the situation as the 11-day service disruption continued. Mandatory water conservation measures were undertaken. This unfortunate episode ended up costing DHHL $36,513 for 6,152 gallons of water from Hawai'i County Department of Water Supply delivered by truck over 11 days to fill its two storage tanks. Additional costs involved trucking the water to the DHHL tanks and overtime. Concerns were raised by Kailapa Community Association as to their requirement to comply with water conservation measures that would impact the wellbeing of plants and irrigation needs.

IV. 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 case). The Ka'ū planning region is also an important site due to disputes with DLNR over proposed transfers of leases and administrative authority to ADC.

V. RECOMMENDED MOTION/ACTION:

None; for informational only.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

Thru: M. Kaleo Manuel, Acting Planning Program Manager

From: Andrew H. Choy, Planner

Subject: Project Kamoleao Master Plan & Environmental Assessment Update; Hilo, Hawaii (TMK 3-2-2-047:075)

Recommended Action

For information only. No action required.

Background

In September 2009 with the approval of the Native Hawaiian Development Program Plan 2009-2011, DHHL launched the Kulia I Ka Nuu program (Kulia), a multi-faceted capacity building program geared toward homestead associations. Kulia included a community economic development component that was intended to provide each DHHL region with a community economic development opportunity. The Kulia program ended in January 2012.

At the time of Kulia's termination, a handful of community associations were continuing to pursue conceptualization and planning of a community economic development project within their region anticipating the continuation of the Kulia program and the financial resources it provided. Without a community economic development program in place, however, DHHL did not have a mechanism to provide these community associations the assistance necessary to move forward.

As such, to address this need, in September 2013, the HHC authorized the Chairman to undertake a pilot project with the Waimea Hawaiian Homestead Association (WHHA) to assist the association with the planning and HRS Chapter

ITEM NO. G-6

343 environmental assessment (EA) for its community economic development project (Exhibit A). WHHA was not one of the associations that received a Kulia grant. Based off of the evaluation of the Kulia program and lessons learned (Exhibit B), the approach of the pilot project differed from the Kulia program.

The Kulia program provided a direct grant to homestead associations for the completion of a master plan and EA. In the Kulia model with the direct grant to the homestead association, the association was responsible for overall project management that included tasks such as: developing a scope of work, hiring consultants, managing the consultant's time, and reviewing consultant deliverables. Because many associations that received Kulia grants were comprised of part-time volunteers with varying degrees of planning, project management, and development experience, this approach did not always bring about the success that either DHHL or the associations that participated in the Kulia program had envisioned.

With the Waimea Nui Pilot Project, the proposed approach also involved DHHL providing financial assistance to the homestead association. However, in lieu of providing a direct grant to the association for master planning and an environmental assessment, DHHL staff directly contracted and managed a consultant to work closely with WHHA to complete a master plan and EA for the WHHA project. DHHL worked very closely with WHHA to ensure that the master plan that was produced was a WHHA plan that captured the input of the community. Subsequently the master plan and EA were completed for WHHA in 2015 (Exhibit C).

It is with this approach from the Waimea Nui Pilot Project, that DHHL is also assisting the Panaewa Hawaiian Home Lands Association (PHHLCA) with its Project Kamoleao. DHHL contracted a consultant to work closely with PHHLCA. The following discussion gives a brief summary of the history of the Kamoleao parcel and also a summary of the progress of work completed to date since DHHL initiated this master plan and EA with PHHLCA in May 2017.

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." Exhibit D is an excerpt from the 2016 Panaewa Regional Plan Update and summarizes the history of the Kamoleao parcel. 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. The last HHC action taken on the Kamoleao parcel was in September 2015, as the HHC approved the issuance of a benefit license to PHHLCA and the Panaewa Community Alliance (PCA) as co-licensee for the parcel (Exhibit G). PCA is the financial sponsor (for purposes of the Waiakea MOA w/DHHL dated July 19, 2013 on $30k annually) for all exclusive programs with PHHLCA.

However, none of the previous efforts resulted in the development of an HRS Chapter 343 environmental assessment (EA) for the entire 12.77-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.

2017 Master Plan Process To-Date

As previously mentioned, the Project Kamoleao planning process began in May 2017. Major milestones in the process are articulated below:

- **June**. A survey of PHHLCA/PCA members was conducted to identify potential uses and development of the Project Kamoleao site. This was the second survey of its members that PHHLCA/PCA conducted regarding Kamoleao. The first survey was conducted by PHHLCA/PCA in August 2015.
- **June**. In addition to the survey, a design workshop was held by PHHLCA/PCA and the planning consultants for PHHLCA members to identify major concepts, themes, and programmatic land uses for the Kamoleao site.
- **July**. Based on the results of the June design workshop, two alternative concept plans were

developed. These two alternative concepts were presented at an "Open House" event on July 30 at the Kamoleao site. Participants provided feedback and input on the two alternatives (Exhibit E).

- **August.** Based on the results of the open house, the planning consultant developed a preferred alternative plan that incorporated feedback received at the "Open House" event.
- **September.** PHHLCA held its regular general membership meeting on September 19. The preferred alternative was presented at the general membership meeting and unanimously accepted by association members in attendance.

The Preferred Master Plan Components

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 (Phase 1A)

A graphic illustration of the preferred master plan including acreage amounts for each of the above components is included in Exhibit F as well as a brief description of each of the components' concepts.

Preliminary Lease & Cost Assumptions

Table 1 below illustrates preliminary net operating income and cost assumptions related to the master plan, in future dollars. The preliminary business plan is for PHHLCA/PCA to fundraise the initial capital costs, but the estimated net income generated by commercial retail and light industrial uses in Phase 1B and Phase 2 will be used to offset potential operating shortfalls related to the community services provided in the Community Center and Certified Kitchen facilities, as well as maintenance of the Puuhonua and open spaces in Phase 1A.

Table 1: Preliminary Lease and Cost Assumptions (2017 Dollars)

	Phase 1A (Core)			Phase 1B (Commercial uses)		Phase 2	Phase 3+
	Community Center	Certified Kitchen	Puuhonua Open Space	Ohuohu Street Shops	Light Industrial	Health & Wellness Complex	Future Community and/or Commercial
Developer / Manager	PHHLCA/ PCA	PHHLCA/ PCA	PHHLCA/ PCA	Third-Party	Third-Party	Third-Party or PHHLCA/ PCA	TBD
Gross Building Area (sf)	11,000	2,200	0	9,600	27,950	22,650	TBD
Est. Site Acres	2.8		3.5	0.6	1.4	2.2	2.0
Potential Year of Opening	2022		2023	2022	2023	2025	TBD
Net Operating Income/Year	-$460k to 2032		-$230k to 2032	$210k to 2032	$520k to 2032	$480k to 2032	TBD
ROM PHHLCA/PCA Development Costs (future $)	$6.4M		$0.3M	$0	$0	$0.1M	TBD

The projected operating income to PHHLCA/PCA would derive from ground rents collected from third party developers in Phase 1B and 2. In order to realize such income, it is assumed that PHHLCA/PCA will need to have the ability to sub-lease portions of the 12.77-acre parcel to interested third-party developers who would implement Phase 1B and Phase 2. Currently, PHHLCA/PCA has a 30-year license agreement from DHHL. However, PHHLCA/PCA will eventually need a general lease agreement from DHHL in order for Project Kamoleao to become an economically self-sufficient project over time.

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.

- October 2017: Finalize master plan report
- Q2 2018: Draft EA & Final EA
- 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.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

September 23, 2013

To: Chairman and Members, Hawaiian homes Commission

From: Darrell Yagodich, Planning Program Manager

Subject: Community Economic Development Pilot Project, Waimea Nui, Hawaii

Recommended Action

That the Hawaiian Homes Commission authorizes the Chairman to undertake the following pilot project:

(1) Conduct due diligence, planning, feasibility, environmental assessment and subdivision application in collaboration with the Waimea Hawaiian Homestead Association (WHHA) covering a portion of a 161-acre property identified as TMK No. (3)6-4-38:11 in Waimea Nui, Hawaii for a community economic development project; and

(2) Provide a report to the HHC with findings and recommendations.

Discussion

DHHL CAPACITY-BUILDING PROGRAM

In September 2009 with the approval of the Native Hawaiian Development Program Plan 2009-2011, DHHL launched the Kulia I Ka Nu'u program (Kulia), a multi-faceted capacity building program geared toward homestead associations. Kulia included a community economic development component that was intended to provide each DHHL region with a community economic development opportunity. Kulia ended in January 2012 when the Hawaiian Homes Commission voted to discontinue the program. DHHL is currently evaluating the Kulia program to identify successes, lessons learned, and areas for improvement. At the time of Kulia's termination, a handful of community associations were continuing to

EXHIBIT "A"

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pursue conceptualization and planning of a community economic development project within their region anticipating the continuation of the Kulia program and the financial resources it provided. Without a community economic development program in place, however, DHHL has not had a mechanism to provide these community associations the assistance necessary to move forward.

As DHHL looks at how best to proceed forward with community economic development, taking one test project as a pilot to see how collaboration can best work is being recommended. The experience of this pilot along with a review of the Kulia evaluation as it relates to community economic development can help to inform a better program as DHHL considers how best to proceed with supporting community economic development within the homestead communities moving forward.

PROPOSED PILOT APPROACH

While there are several other community-based projects that are conceptual and in the planning stage, the Waimea Nui Region Community Development Initiative (the Initiative) was selected as a pilot for the following reasons:

- The WHHA is native Hawaiian owned and controlled,
- The Initiative has been identified as a priority project in the Waimea Nui Regional Plan January 2012, the Waimea Hawaiian Homestead Community Complex; thus it is consistent with existing DHHL plans,
- The project has received strong support by beneficiaries as evidenced by both DHHL regional planning process (three meetings September through October 2012)and outreach conducted by the WHHA that included a survey of over 300 of its members and multiple community membership meetings,
- The WHHA did not receive a Community Economic Development Grant of $250,000 through the Kulia Program
- The Initiative has garnered outside support from other agencies and entities that include U.S. Department of Agriculture, U.S. Veteran Affairs, state Department of Agriculture, and state Department of Labor,
- The Initiative has received significant financial commitments from outside groups that include DOA CIP,

USDA grants, and private financing partnership with Alaska Growth Capital,

- The Initiative has the potential to generate revenue to be self-supporting and has the potential to increase the WHHA's future economic self-sufficiency.

DHHL proposes that it work with the WHHA on a pilot project to complete the necessary pre-development planning, feasibility, and environmental studies for the first set of projects envisioned by WHHA within the Initiative. Through the pilot project, DHHL would contract and manage a consultant and work closely with WHHA. Upon completion, WHHA would be poised to solicit funding from private and public sources to complete the design and construct the first set of projects offering WHHA the opportunity to operate and maintain an envisioned community economic development project that is self-sustaining and supports economic development within the region.

WAIMEA NUI, HAWAII

Current Status

The Initiative is comprised of several elements to address the cultural, economic and social needs of the Waimea area, especially the Waimea Hawaiian Homesteads. The numerous facilities that make up the Initiative came from the expressed desires of the homestead community, and are aimed at creating the fundamental infrastructure needed to build a vibrant, self-sufficient community grounded in traditional Hawaiian values. The priority projects of the Initiative that WHHA and DHHL will be focusing in the near-term include: the agricultural complex project, cemetery, and golf facility.

To date, the agricultural complex project of the Initiative is the furthest along in terms of being implemented. The agriculture complex component has garnered support from key agencies as well as secured firm funding commitments. WHHA has secured support from different agencies and organizations including the U.S. Department of Agriculture (USDA), U.S. Department of Veterans Affairs (VA), State Department of Agriculture (DOA), and the Governor's Office. Additionally, WHHA has secured funding commitments from the USDA, VA, and state DOA to cover development costs. WHHA has also reached preliminary agreements with Alaska Growth

Capital, a private investor, to finance the project. By securing outside funding sources for the agricultural complex project, the viability and likelihood of project completion is greatly enhanced.

Proposed Scope of Work

The proposed scope of work will incorporate the previous pre-development work that WHHA has conducted to date into the preparation of the following: (1) a conceptual master plan of the entire 161 acre site, (2) a development plan for the identified priority projects in the conceptual master plan, (3) an environmental assessment report, (4) County of Hawaii subdivision application and approval, and (5) community meetings and consultation.

The proposed scope of work is estimated to cost between $150,000-$200,000 and take between six to nine months to complete. The funding for this project will come from the Planning Office's FY '14 Budget.

Recommendation

That the Hawaiian Homes Commission approve the recommended action.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 27 - 28, 2014

To: Chairman and Members, Hawaiian Homes Commission

Through: Kaleo Manuel, Acting Planning Program Manager

From: Gigi Cairel, Grants Specialist

Subject: Native Hawaiian Development Program Plan (NHDPP): Kūlia i ka Nu'u - Strive for Excellence (For Information Only)

SUMMARY

This submittal provides a summary of the accomplishments, lessons learned, and recommendations for next steps resulting from the Kūlia i ka Nu'u - Strive for Excellence program (Kūlia). The Kūlia program was authorized by the Hawaiian Homes Commission as part of the 2009 - 2011 Native Hawaiian Development Program Plan (NHDPP). The Kūlia program was intended to be a comprehensive and graduated approach to community development. The program purposes were to build homestead organizational capacity to successfully plan and implement beneficiary community-driven projects based on homestead community visions and long-term plans.

Kūlia program components:

- Certification process to establish association eligibility
- Community development grant funds
- Land awards/dispositions
- Training and technical assistance
- Statewide conferences
- Leveraged resources and partnerships

Accomplishments:

- 17 land awards amounting to 229 acres were awarded to 13 beneficiary organizations (See Exhibit A)

EXHIBIT "B"

- 40 community development grants awarded, including 5 Community Economic Development grants amounting to $2,322,250
- 8 new homestead associations established
- 25 organizational assessments completed
- 40 training workshops conducted statewide
- 2 Ford Institute Leadership training programs completed in Waimānalo and Hilo and 42 individuals graduated
- Registration and travel scholarships secured for 24 homestead leaders to participate in 3 Neighborworks Community Leadership Institutes in Milwaukee WI, Louisville KY, and Kansas City MO
- 4 statewide leaders conference events

Recommendations

- Strengthen support infrastructure within DHHL such as staffing (2.5 FTEs), internal database, systems and procedures
- Customize assistance to project type; community context; and organizational life cycle
- Provide comprehensive and coordinated services
- Include assistance that is peer connected
- Continue organizational assessments and training
- Leverage resources for DHHL and for beneficiary organizations
- For new associations, provide consistent technical assistance in their initial years of operations
- DHHL grants program - pull back on providing grant funding over the next year. Instead, assess outstanding grants and focus training and support on those associations
- Community Economic Development (CED)
  - Agriculture development and farming training
  - Funding and technical support for a range of CED efforts (real estate and non-real estate-based)
  - Strengthen capacity around feasibility analysis, business planning and operational planning
- Land awards/dispositions
  - Build off of each other's strengths - DHHL & community
  - Prior to land awards/dispositions, DHHL to perform due diligence regarding Association capacity, experience, qualifications, broad community support
  - DHHL consider creating "Resource Teams" to undertake development on behalf of associations with its support and input

EXHIBIT "B"

Background

Pursuant to Hawai'i Administrative Rules Title 10 Chapter 6.1, the Department of Hawaiian Home Lands (DHHL) prepares a Native Hawaiian Development Program Plan (NHDPP) every two years for review and approval by the Hawaiian Homes Commission (HHC). The current NHDPP was approved by the HHC in January 2012 for the time period of January 1, 2012 to June 30, 2014. During this time, DHHL implemented portions of the NHDPP in these areas:

Individual development

- Educational scholarships
- Homeownership assistance
- Agricultural lessee technical assistance)

Community development

- Community liaisons assigned to each homestead association
- Leadership conference

In July 2014, the HHC approved a two-year extension in order for DHHL to fully implement all other components of the NHDPP. The current NHDPP for FY 2014-16 is the seventh biennium NHDPP.

Prior to the NHDPP, DHHL was implementing programs for individual and community development including the following:

For Individual Development

- Educational scholarships
- Business start up assistance

For Community Development

- Community grants
- Training and technical assistance

In 1998, DHHL initiated the rule-making process and adopted a comprehensive approach to individual and community development programs, resulting in the creation of the NHDPP.

The purpose of the NHDPP is to improve the general welfare and conditions of native Hawaiians through educational, economic, political, social, cultural and other programs. The NHDPP is important because it enables DHHL to provide programs and services covering Individual Development and Community

EXHIBIT "B"

Development for all beneficiaries served by the Hawaiian Home Lands Trust.

In 2009, DHHL launched a new community development program called "Kūlia i ka Nu'u - Strive for Excellence" (Kūlia program). Between 2009 - 2013, the Kūlia program provided a comprehensive range of programs and services to beneficiary organizations including grant funds, land awards/dispositions, technical assistance, and training in community economic development (CED) and nonprofit organizational development (e.g. board training, strategic planning, budgeting, starting a new association, etc.). Key components of the Kūlia program included the following:

- Certification of homestead associations
- Statewide conferences
- Land awards/dispositions
- Grants for Outreach, Project Implementation, Regional Plan Priority Projects, and Community Economic Development
- Land awards/dispositions
    - 1 parcel for community uses per DHHL Region
    - 1 parcel for CED uses per DHHL Region
- Training and technical assistance
- Support for new homestead associations with DCCRs
- Leveraging resources

In 2013, DHHL hired a third party vendor to evaluate the Kūlia program, particularly focusing on community economic development and land awards/dispositions. Below is a summary of the major findings and recommendations from the evaluation.

The Context

- Over 60 beneficiary organizations
- Beneficiary organization purposes
    - 86% of associations include cultural preservation and self-determination in their mission and vision statements
    - 81% identify the well-being of beneficiaries, especially that of kūpuna and children/youth, as core to their work. "Well-being" includes economic, educational, social and mental/physical well-being
    - 12 associations are homeowners associations and, thus, have a Declaration of Convenants, Conditions and Restrictions (DCCR) that they are charged with managing and enforcing pursuant to Hawai'i Revised Statues 421J
- Types of Beneficiary Organizations [given the diversity in organizational purposes, there is diversity in how beneficiary organizations are structured]

EXHIBIT "B"

- Grassroots homestead lessee-based community associations (including, residential, agricultural, pastoral lessees)
- Project or Issue-Oriented (includes community development corporations, organizations focused on the applicant wait list)
- DCCR association (ie, homeowner associations charged to manage and enforce a DCCR)

- Based on the stages of organizational development
  - 56% are in the start up stage, some being in the early start up stage
  - 28% are in the growth stage
  - 5% in the mature stage
  - 11% in the renewal/turnaround stage

Major findings

- Major areas of capacity building needs are Governance, Management, Resource and Systems, and Outreach
- Training and technical assistance opportunities were well-received, cost effective, and most impactful for capacity building and organizational development
- Conference events were particularly important to bring leaders together to network, expand social capital, provide access to technical assistance
- Real estate-based CED projects require a high degree of technical expertise. Such expertise may be purchased, however, most start-up and volunteer-run organizations do not have the funding, background nor experience to determine what assistance is needed; negotiate terms with consultants and direct and monitor them; coordinate work among multiple consultants; and how to analyze findings and implications from consultant plans and studies
- Both DHHL and grantees have leveraged some resources, but there is a heavy demand for additional resources (funds, expertise, partnerships)
- Certification process was not a consistent indicator of organization ability to properly manage resources (funds & land)

Recommendations

- Strengthen support infrastructure within DHHL - invest in 2.5 FTEs with appropriate knowledge and experience; database to track DHHL investment in each association (land, grants, conference scholarships); cross-divisional internal team for leveraging resources

- Customize assistance to the type of work and project; community context and environment; and organizational life cycle
- Provide comprehensive and coordinated services
- Include assistance that is peer connected
- Continue organizational assessments and training, particularly during times of leadership changes and starting a CED venture and particularly in the areas of organizational development; CED & business ventures; community engagement & organizing; and leadership development
- Leverage resources for DHHL and for beneficiary organizations
- For new associations, ongoing technical assistance in the first 2 - 3 years is critical. Given limited resources, consider, instead, to provide tools, templates and samples for a start up association
- DHHL grants program - pull back on providing grant funding over the next year. Instead, assess outstanding grants and focus training and support on those associations
- Community Economic Development (CED)
    - Agriculture development and farming training
    - Funding and technical support for a range of CED efforts (real estate and non-real estate)
    - More custom one-on-one support
    - Provide more timely and appropriate support from DHHL staff
    - Strengthen capacity around feasibility analysis, business planning and operational planning
- Land awards/dispositions
    - Build off of each other's strengths, such as DHHL technical expertise in master planning, land development, environmental assessments, etc.; and community expertise in organizing the community, building community support, leveraging funding, bringing together partners
    - DHHL take lead development role in partnership with association and negotiate terms with developer, after community has agreed to criteria for the community benefits package
    - Prior to land awards/dispositions, DHHL to perform due diligence regarding
        - Association capacity
        - Eligibility qualifications
        - Evidence of community buy-in and broad community support
        - Experience

EXHIBIT "B"

- o DHHL consider creating "Resource Teams" to undertake development on behalf of associations with its support and input. DHHL serves as the project manager and finalizes the project or any agreements with the developer after the association reviews and discusses the opportunity with DHHL
- o Based on a proposal submitted by the association in response to a transparent land award process that includes guidelines, applicant & project criteria

Note:

By offering free land, DHHL has been emphasizing real estate-based CED projects, which require a high degree of technical competence in the following areas:

- Planning & design, engineering, construction management, property management, supervising/coordinating consultants
- Tenant identification & leasing
- Project-based planning, financial analysis, community benefit analysis
- Grant and contribution based fundraising, capital campaigns, loan/equity financing
- Legal & accounting
- Board development & member strategic community planning

Moving forward and given limited resources, DHHL will implement the following:

- Agriculture peer-to-peer pilot grant program
- Leadership development training using the curriculum from the Ford Institute Leadership Program
- Train-the-trainer
- Technical assistance and training support for DCCR homestead associations in their start up phase and those out of compliance with the State of Hawaii Department of Commerce and Consumer Affairs
- Technical assistance for current DHHL grantees and for beneficiary organizations with outstanding grants, deliverables, and reports
- Training in nonprofit topics - starting a new nonprofit, maintaining nonprofit compliance, board training, strategic planning, nonprofit budgeting & financial management, grant writing

EXHIBIT "B"

- Training in community economic development - CED options, CED venture start up, feasibility analysis, business planning, operational planning, project action planning

EXHIBIT "B"

Breakdown of Land Awards/Dispositions

Organization	Purpose	Land Award/ Disposition
HAWAI'I		
Kailapa Community Association	Community	LI 751 14.333 Acres
Keaukaha-Pana'ewa Farmers Association	Farmers Market	RP 473 1.000 Acre
La'i 'Ōpua 2020	Community	GL 286 26.000 Acres
La'i 'Ōpua 2020	Community	GL 289 26.000 Acres
Maku'u Farmers Association	Community	LI 649 9.034 Acres
Pana'ewa Hawaiian Home Lands Community Association	Community	LI 365 12.000 Acres
MAUI		
Waiohuli Hawaiian Homesteaders Association Inc.	Community	LI 695 17.000 Acres
MOLOKA'I		
Ahupua'a o Moloka'i	Lanikeha Community Center	LI 709 3.493 Acres
Kalama'ula Homesteaders Association	Kiowea Park	LI 754 5.15 Acres
O'AHU		
Kapolei Community Development Corporation	Community	GL 288 0.520 Acres
Kapolei Community Development Corporation	Commercial	GL 290 4.992 Acres
Nānākuli Hawaiian Homestead Community Association	Community & Commercial	GL 281 9.848 Acres
Papakōlea Community Development Corporation	Community Center	LI 559 0.874 Acre
Papakōlea Community Development Corporation	Community	ROE 14.533 Acres
Waimānalo Hawaiian Homes Association	Community	GL 292 3.638 Acres
Waimānalo Hawaiian Homes Association	Community/Business Park	RP 438 20.000 Acres

GL - General Lease
LI - License
ROE - Right of Entry
RP - Revocable Permit

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EXHIBIT A

EXHIBIT "B"

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 18-19, 2015

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 (FONSI) for Final Environmental Assessment (FEA) Waimea Nui Regional Community Development TMK No. (3) 6-4-038:011 (por.) Waimea Nui, Hawaii Island

Recommended Action

That the Hawaiian Homes Commission declare a FONSI based on the FEA for the Waimea Nui Regional Community Development Initiative.

Discussion

BACKGROUND

At its September 2013 meeting, the Hawaiian Homes Commission authorized the Chairman to undertake a pilot project in which DHHL works with the Waimea Hawaiian Homestead Association (WHHA) to complete the necessary pre-development planning, feasibility, and environmental studies for the first set of projects envisioned by WHHA within the Waimea Nui Community Development Initiative (Exhibit A). Through the pilot project, DHHL has contracted and managed a consultant to work closely with WHHA to complete planning studies, feasibility studies, and an environmental assessment in accordance with Hawaii Revised Statutes (HRS) Chapter 343 for the project area. Upon completion, WHHA would be poised to solicit funding from private and public sources to complete the design and construct the first set of projects, offering WHHA the opportunity to operate and maintain an envisioned community economic development project that is self-sustaining and supports economic development within the region.

EXHIBIT "C"

ITEM NO. G-2

The Waimea Nui Regional Community Development Initiative consists of the following priority projects:

Priority Project	Acres
Homestead Cemetery/Chapel	10
Equestrian Center	14.7
Community Agriculture Complex	42.2
Golf-Facility	32.2

DRAFT ENVIRONMENTAL ASSESSMENT

In February 2015, DHHL staff and the Waimea Hawaiian Homestead Association presented the public review draft environmental assessment (DEA) conducted for this project to the Hawaiian Homes Commission (Exhibit B). The DEA assessed the potential environmental impact to the surrounding environment of the Waimea Nui Regional Community Development Initiative. In summary the DEA found that these proposed uses will have no to minimal impact on the surrounding environment.

The DEA also addressed the proposed project uses for consistency with existing plans and applicable land use policies. For the most part, the priority projects are consistent with the existing plans and applicable land use policies in the region. However, the DHHL Hawaii Island Plan Land Use Designation for the project area will need to be amended from General Agriculture to Community Use in order for the project to be completely consistent (see HHC May 2015 Agenda Item G-1).

Based upon the analysis completed in the DEA, staff anticipated a finding of no significant impact (AFONSI) for the priority projects of the Waimea Nui Regional Community Development Initiative. 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 February 8, 2015 to March 10, 2015. 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 (Exhibit C). The FEA includes a ramsayer format that indicates which sections of the original DEA were modified.

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 highlighted in the following table. A complete record of comments received and responses to those comments are included in appendix A of Exhibit C.

EXHIBIT "C"

Agency	Comment (Summary)	Response to Comment
Dept. of Agriculture (DOA)	Recommend that the total water demand incorporate DOA's 3,400 gallons per acre per day (GPAD) estimate.	FEA incorporates DOA recommendation to utilize the 3,400 GPAD estimate to project water use.
DOA	Explain what the impact of the new water demand based on the 3,400 GPAD estimate will have on the existing Waimea Irrigation System (WIS).	The project will incorporate storage into the system design with the intent of drawing water from the WIS during evening hours when irrigation systems of other users are not in use. This will ensure adequate water pressure in the WIS. DOA will be the lead agency overseeing the design phase of the water system and DOA will have oversight to ensure that the water system will be designed to not adversely affect the WIS.
Dept. of Transportation Airports Division	Ensure that the proposed project does not attract wildlife to the project area. Additional wildlife, especially birds, will pose a hazard to airplanes that utilize the Waimea-Kohala Airport.	The project will avoid creating above-ground standing water that will attract wildlife. The project will provide adequate drainage so that storm water will not pond. The project will incorporate an underground closed water treatment system.
State Historic Preservation Division (SHPD)	Additional information is needed regarding the background history of this parcel, results of subsurface testing, and identification of the two historic properties prior to acceptance of the Archaeological Inventory Survey (AIS) pursuant to HAR 13-284-5.	Additional information requested by SHPD has been provided and a new updated AIS is included in the FEA. The AIS will be listed as Appendix C (Revised) in the FEA with an April 2015 date. Upon submittal of the new information that was requested, the AIS was accepted by SHPD.

EXHIBIT "C"

County Department of Public Works (DPW)	The additional traffic created by the proposed projects is not insignificant and may warrant traffic mitigation improvements by the developer including intersection improvements, traffic signals, and other traffic calming measures.	WNR-CDI programs will be coordinated in such a manner that will avoid AM and PM peak hours. In addition, the WNR-CDI will be servicing primarily homestead residents in the near vicinity. As such, impacts to the main Mamalahoa Highway is expected to be minimal. In order to assist DPW with its Mamalahoa Highway improvement project, DHHL is considering cost sharing the widening of Kahilu Road with DPW so that the Kahilu Road can be used as a suitable bypass during the County's Mamalahoa highway improvement project. We hope that collaborative efforts such as the above situation between DHHL and DPW to improve regional traffic will be taken into consideration and be credited as a meaningful improvement by the developer to improve existing regional traffic conditions. Additional consultation with DPW about traffic mitigation measures including possible opportunities to collaborate on traffic improvements will occur.

As stated previously, staff anticipated a finding of no significant impact based on the findings of the DEA. The comments in the above table were the most substantive comments that were received during the public comment period. Appropriate mitigation measures and solutions were identified to address these comments. The mitigation measures and solutions were incorporated into the FEA.

Comments from other agencies either concurred with the findings of the DEA or suggested other policy standards that the project should consider during its development. These policy standards were incorporated into the FEA. As a result, the comments received during the public-comment period and the incorporation of those comments in the FEA will cause the WNR-CDI to have an even more reduced impact on the surrounding environment.

Based on the 13 criteria for determining significance of potential effect a project may have on the environment as outlined in Hawaii Revised Statutes Chapter 343 and Section 11-200-12 State Administrative Rules (discussed in greater detail in Chapter Six of Exhibit C) staff concludes that the WNR-CDI will not have a significant impact on the project area or surrounding environment.

Recommended Motion/Action

Staff respectfully requests that the HHC approve the recommended motion as stated.

6 Priority Projects

Beneficiaries from Pana'ewa that attended the Regional Planning meetings discussed regional issues and opportunities with DHHL. The topics discussed, while varied, focused around the values discussed in Chapter 2 (Vision and Values) including: Culture, Community Facilities, Services, and Amenities, Agriculture, Youth, Housing Development and Settlement on Hawaiian Home Lands, The Economy, and Infrastructure.

The numerous issues and opportunities identified by beneficiaries were consolidated into a list of potential projects. Meeting participants categorized the potential project list into a priority matrix that assessed level of difficulty and level of impact. Based on this group exercise, priority projects were identified as those projects with high impact despite the level of difficulty. These projects also achieve Pana'ewa's vision of creating "a connected community that promotes collective health and wealth, succession of generational knowledge and practices, and access to resources and services through community and agriculture activities."

Appendix C includes all of the potential projects and identifies those elevated to priority projects by community consensus. The details of the four priority projects described on the following pages were evaluated and expanded upon by DHHL, their consulting team and key stakeholders.

6.1 Kamoleao

Past Actions

The concept and efforts by the community to develop Kamoleao have evolved since 1986:

- **1986:** DHHL commissioned a master plan for Pana'ewa that identified 32.3 acres as the "Kamoleao Block" for community use.
- **1993:** DHHL subdivided a 7.326 portion for a parking lot needed by the Prince Kuhio Mall shopping center, resulting in a net of 24.987 acres.
- **1994:** As a community benefit, a developer sponsored the preparation of a master plan for the 24.987-acre Kamoleao site (Kimura International, March 1994) (see Figure 16). The master plan identified 3 acres for a Hawaiian Community Center, 3 acres for a cultural preservation area, and the balance of 18.987 acres to preserve the rainforest. The community center included a multi-purpose assembly hall (10,000 s.f. to accommodate a capacity of 1,425 people), one-stop Hawaiian

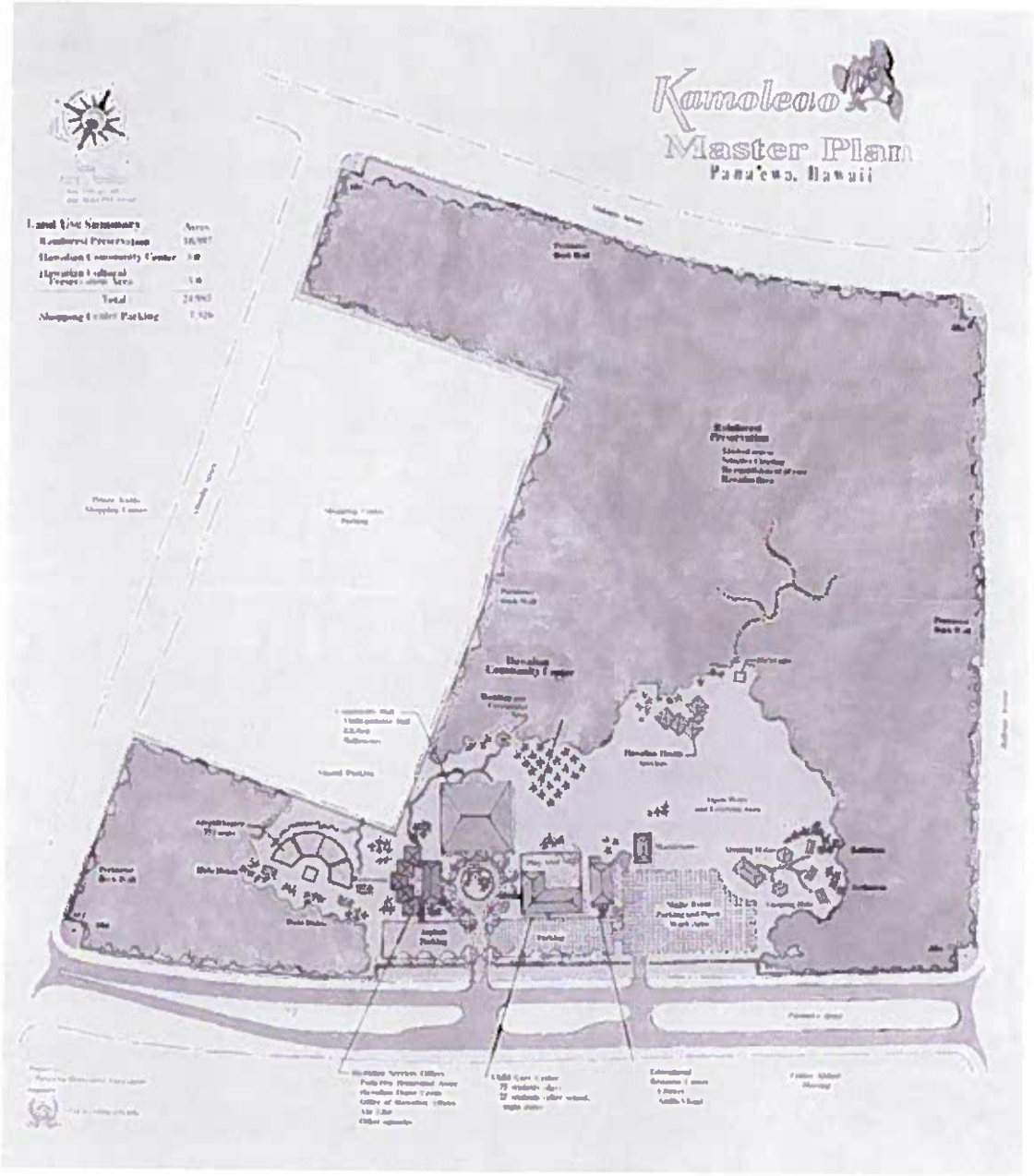
EXHIBIT "D"

services office complex (3,200 s.f.), childcare center (3,300 s.f.), educational resource center (2,000 s.f.), and amphitheater (750 seats). The Hawaiian Cultural Preservation Area included a sleeping hale and meeting halau, agricultural fields to teach traditional farming methods, green houses to grow traditional Hawaiian plants to restore the rainforest, Hawaiian health services, and sacred Hookupu place. The construction cost estimate for Phase 1 (see Figure 16), consisting of the 10,000 s.f. multi-purpose hall, was $1.5 million (Charles Aina Planning & Design Consultants, 1995).

- **1995:** HHC granted a 30-year license to PHHLCA and Haola, Inc. ("Haola"), a 501(c)(3) nonprofit, for 12.77 acres (License No. 365) to develop the community-envisioned master plan. DHHL created Haola for the purpose of receiving and disbursing community benefit funds negotiated with general lessees. Haola has since been dissolved.
- **2004:** DHHL officially subdivided the 24.987 parcel to create the 12.774 acre parcel for Kamoleao (Subdivision No. 7856, TMK 3-2-2-047:075).
- **2005:** Haola Inc. prepared an illustrative master plan for the 12.774-acre site shown in the 2009 Pana'ewa Regional Plan (see Figure 17). The site plan was essentially the same uses/services presented in the 1994 Plan except that it shifted away from rainforest restoration to focus on health care services, educational assistance, social opportunities for youth, and a market place for the Pana'ewa farmers.
- **January 2010:** A Final Environmental Assessment (Final EA) for Kamoleao was completed by Pana'ewa Hawaiian Home Lands Community Association and accepted by the Hawaiian Homes Commission for a 1.5 acre portion of the 12.77 acre parcel. The project described in the FEA defined and focused on Phase 1. Phase 1 consisted of an 1,800 s.f. building containing a commercial kitchen, classroom, and support facilities (e.g., parking, septic system) on about 0.5-acre, with the balance of approximately 1-acre in Phase 1 proposed for community gardens (see Figure 18). The FEA did not provide any plans for Phase 2.
- **May 2015:** Pana'ewa Community Alliance received $150,000 Grant-in-Aid (GIA) from the State Legislature for planning and design work.
- **September 2015:** HHC approved issuance of a new 30-year license to Pana'ewa Hawaiian Home Lands Community Association (PHHLCA) and Pana'ewa Community Alliance (PCA) to develop Kamoleao for purposes of a community center and other related uses (License No. 788).
- **October 2015:** Pana'ewa Community Alliance conducted a survey of community members to reassess the needs of the community with regards to the development of Kamoleao. Based on a response rate of 27% of 301 survey forms mailed, the respondents ranked a health clinic as most important and favored the continuation of the multi-purpose room and incubator kitchen.
- **March-April 2016:** DHHL convened meetings on Pana'ewa Regional Plan Update. During these meetings, beneficiaries identified potential activities and uses that could be implemented on the Kamoleao site.

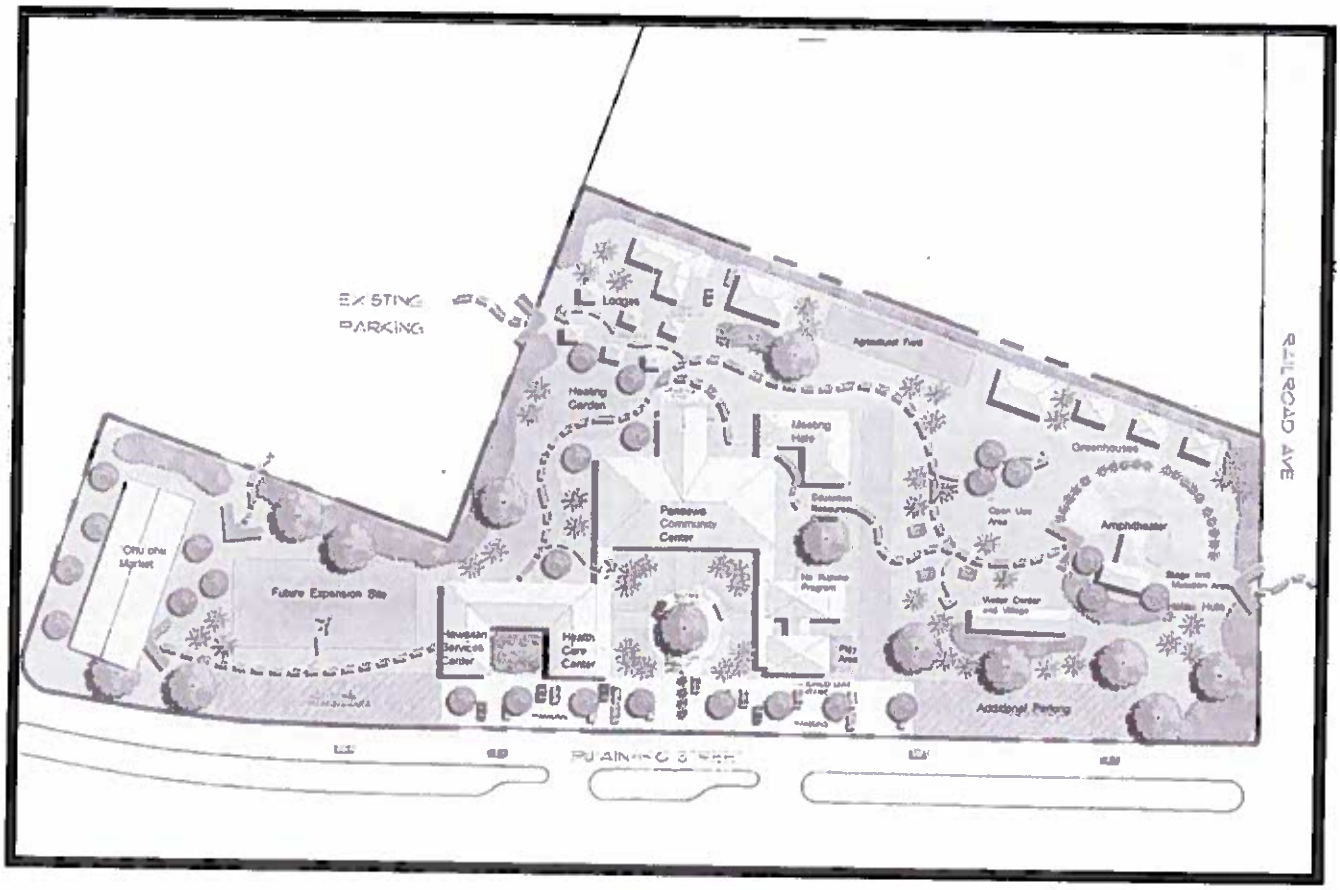
EXHIBIT "D"

Figure 16: 1994 Kamoleao Master Plan



Source: Kimura International

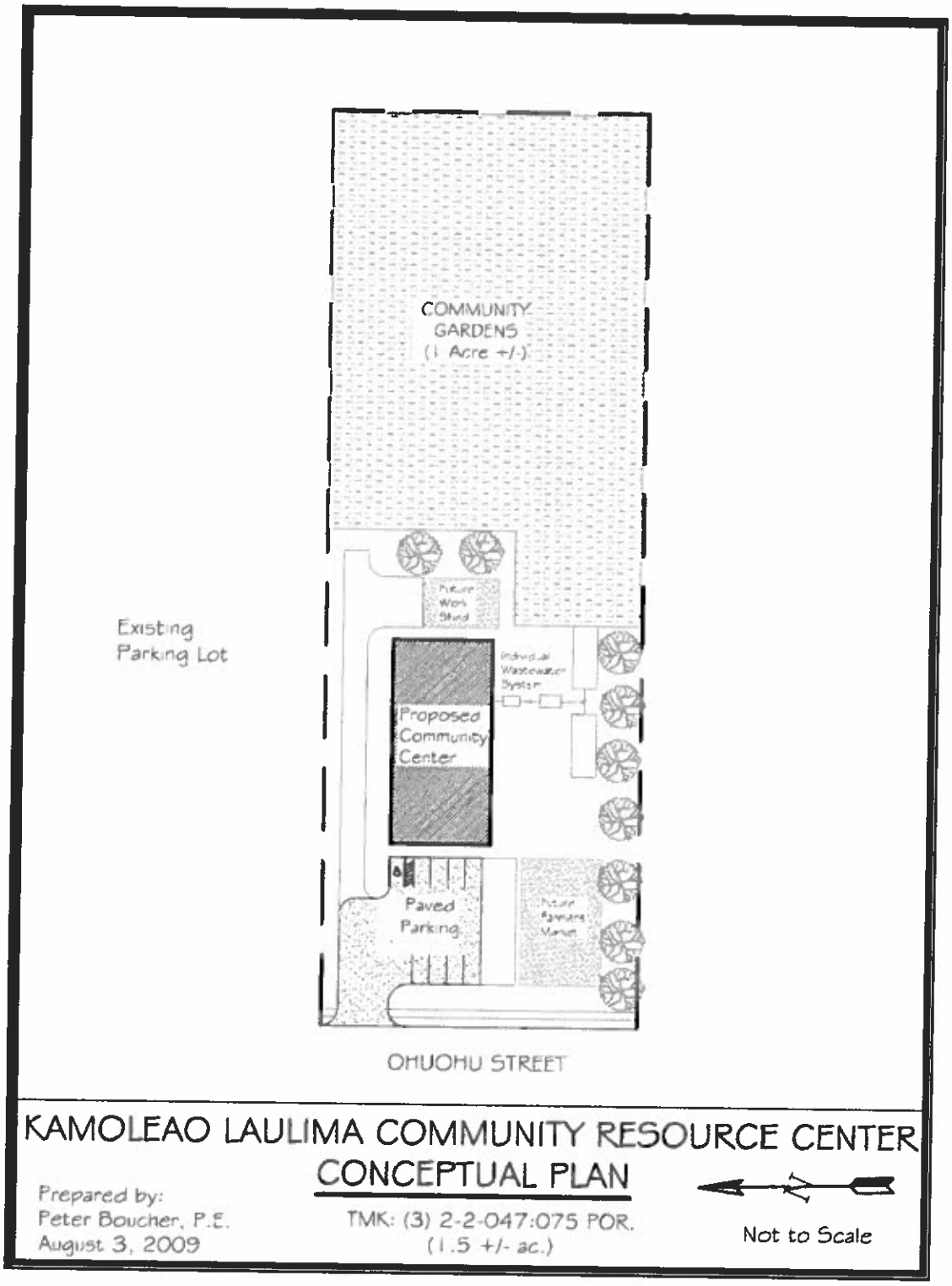
Figure 17: 2005 Kamokeao Master Plan



Source: PBR Hawaii & Associates, Inc.

EXHIBIT "D"

Figure 18: 2010 Kamoleao Final EA Site Plan 1.5 acres



Source: Geometrician Associates LLC

EXHIBIT "D"

Community Input

Beneficiaries identified the following types of activities they would like to see in Pana'ewa:

- Open/Natural space at Kamoleao
- Health education and outreach for prevention
- Multi-purpose center as proposed in EA (Add innovation renewable energy component for findings)
- Multi-purpose facility and kitchen with multi-media
- Sewer connection to Kamoleao
- One-stop Hawaiian agencies
- Health center /medical clinic (partner with hui malama)

Many of these uses could be incorporated into the Kamoleao project depending upon beneficiary preferences and physical characteristics of the Kamoleao site.

Objectives

Kamoleao means the young shoots of the taro plant (mole) nurtured by the bright sun (ao), symbolizing "growing from the foundation of the elders." True to its name, Kamoleao is rooted in a rich history of mana'o and discussion (see "Past Actions" below), which created several iterations of a Master Plan. The project objectives have changed over time. Based on recent community meetings, the current objectives are as follows:

- **Health & Wellness.** Improve health and wellness by conveniently locating services that provide education, evaluation, affordable medical services, and incorporation of traditional Hawaiian holistic practices;
- **Economic Self-Sufficiency.** Provide a venue for employment training and hiring notices to implement the general lease conditions of the commercial general lessees, and for business development training;
- **Access to Native Hawaiian Opportunities.** Provide convenient access to the range of services available to Native Hawaiians by providing a one-stop consolidation of these various agencies in one location;
- **Technology Capability.** Provide a technologically equipped meeting area to enable remote learning, video-conferencing, and engaging presentations;
- **Refuge.** Incorporate into the landscaping a quiet rainforest retreat restored with plants native to the area that would be part of the holistic physical, emotional, and mental health and wellness practices.

EXHIBIT "D"

Implementation Action Steps

The action steps to accomplish the above objectives include:

1) **Finalize Phase 1 Programming.** PHHLCA and PCA will need to determine whether or not to implement the Phase I development program described in the January 2010 FEA (floor plan for an approximately 1,800 s.f. building consistent with the Final EA). PHHLCA and PCA have two options:

   a) **OPTION 1.** If PHHLCA and PCA choose to implement the development described in the January 2010 FEA, then a new EA will not be needed. PHHLCA and PCA can allocate a larger portion of the $150,000 GIA towards design and engineering work of the project described in the January 2010 FEA. OR

   b) **OPTION 2.** If PHHLCA and PCA instead choose to change the characteristics of the development described in the January 2010 FEA, then a new master plan and EA will need to be developed. The new master plan and EA should be done for the entire 12.77 acre parcel for both Phase I and Phase II. Some of the more popular proposed uses articulated in regional plan outreach meetings and October 2015 PCA survey results include a health center and/or a one-stop center for Native Hawaiian service agencies. During the master planning and EA process PHHLCA should obtain commitments and space requirements from those service providers. For other anticipated uses (e.g., workforce training), PHHLCA should identify partners and/or specific programs to confirm their space and design requirements.

   Based on DHHL's meeting with the PHHLCA executive board on June 7, 2016, PHHLCA's preference at this time is to proceed with Option 2 and complete a new master plan and EA for the entire site. The estimated cost of a new master plan and EA is between $80,000 and $100,000.

   Whichever option is selected and pursued, Phase 1 of the plan should be simple and attainable to ensure the project is developed within the next few years.

2) **Develop a Financial Plan.** Regardless of which option is chosen above, PHHLCA and PCA should develop a financial plan for design, construction, and operations of its planned facilities. The Hawai'i Small Business Development Center at the UH Hilo is available to provide technical advisory services [need to confirm]. A portion of its $150,000 GIA could be utilized to develop a financial plan. If Option 2 is chosen, the financial plan should be included in the scope of a master plan.

3) **Phase 2 Master Plan** (Only if OPTION 1 is chosen). PHHLCA should use a portion of its GIA funding ($150,000) to develop a conceptual master plan for Phase 2 uses to ensure compatibility and

EXHIBIT "D"

optimization between Phases 1 and 2. Potential ideas for Phase 2 uses that have been mentioned in recent community meetings are listed above.

4) **Sewer Line Extension.** The amount of wastewater that is generated by the Kamoleao project is unknown until definitive proposed uses of the site are clearly identified in a master plan for Phase I and II. Based on estimated wastewater generation requirements that are identified in the Master Plan for Phases 1 and 2, the connection to the county sewer system may or may not be required. If the amount of wastewater generation is low, wastewater from Kamoleao could be handled by an individual waste water system (IWS). On the other hand, if the amount of estimated wastewater is high, then connection to a county sewer system would be required. If hook-up to the county sewer system is required, the preferred sewer line extension (see attached map) is along Ohuohu Street to connect to the existing sewer line on Makaala in order to have the sewer lateral closest to the Phase 1 portion of the site. The cost of an IWS could be between $30,000 to $60,000 depending upon the size of the system and the existing conditions of the site . The cost to hook up to the county sewer line could be as much as $380,000 or more.

5) **HHC Approval.** HHC approval of a new EA is required if PHHLCA and PCA decide to develop a new master plan and EA. Additionally, PHHLCA and PCA have inquired about amending their existing license agreement to a general lease. Any amendment to the terms of the existing license agreement would also require HHC approval. Prior to requesting a general lease from DHHL, PHHLCA and PCA need to complete a new master plan, EA, and Financial Plan. These reports would help to identify why PHHLCA and PCA's proposed plans cannot be accommodated under the existing license agreement to justify a general lease.

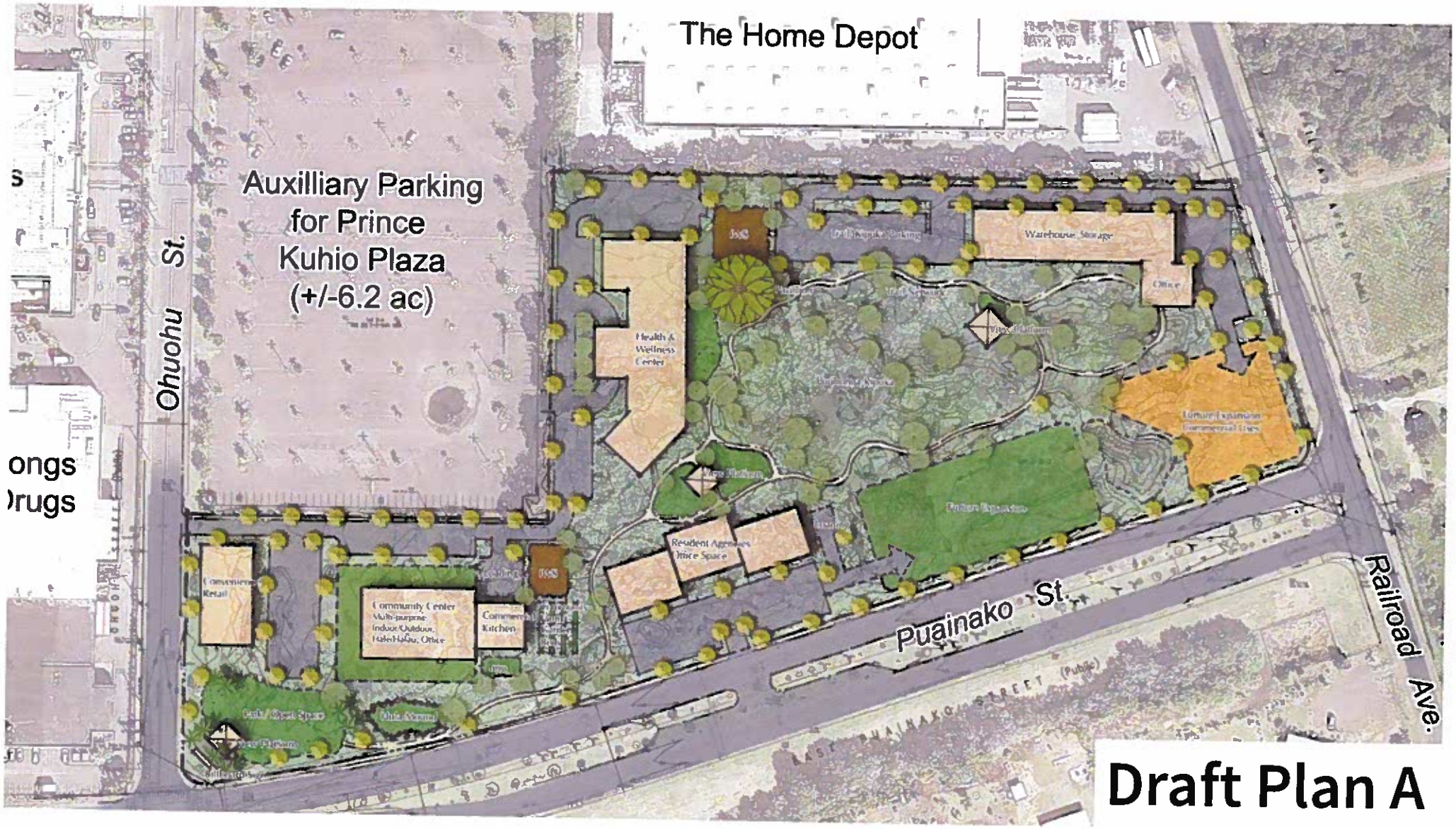
6) **Annual Review.** PHHLCA should submit an annual report to HHC to assess its accomplishments and challenges. The spirit of this report is to encourage open communication on the successes and challenges faced by PHHLCA so the HHC and DHHL is fully apprised of PHHLCA efforts and in order to encourage Departmental assistance as needed.

6.2 Pana'ewa Park & Family Center Management

Past Actions

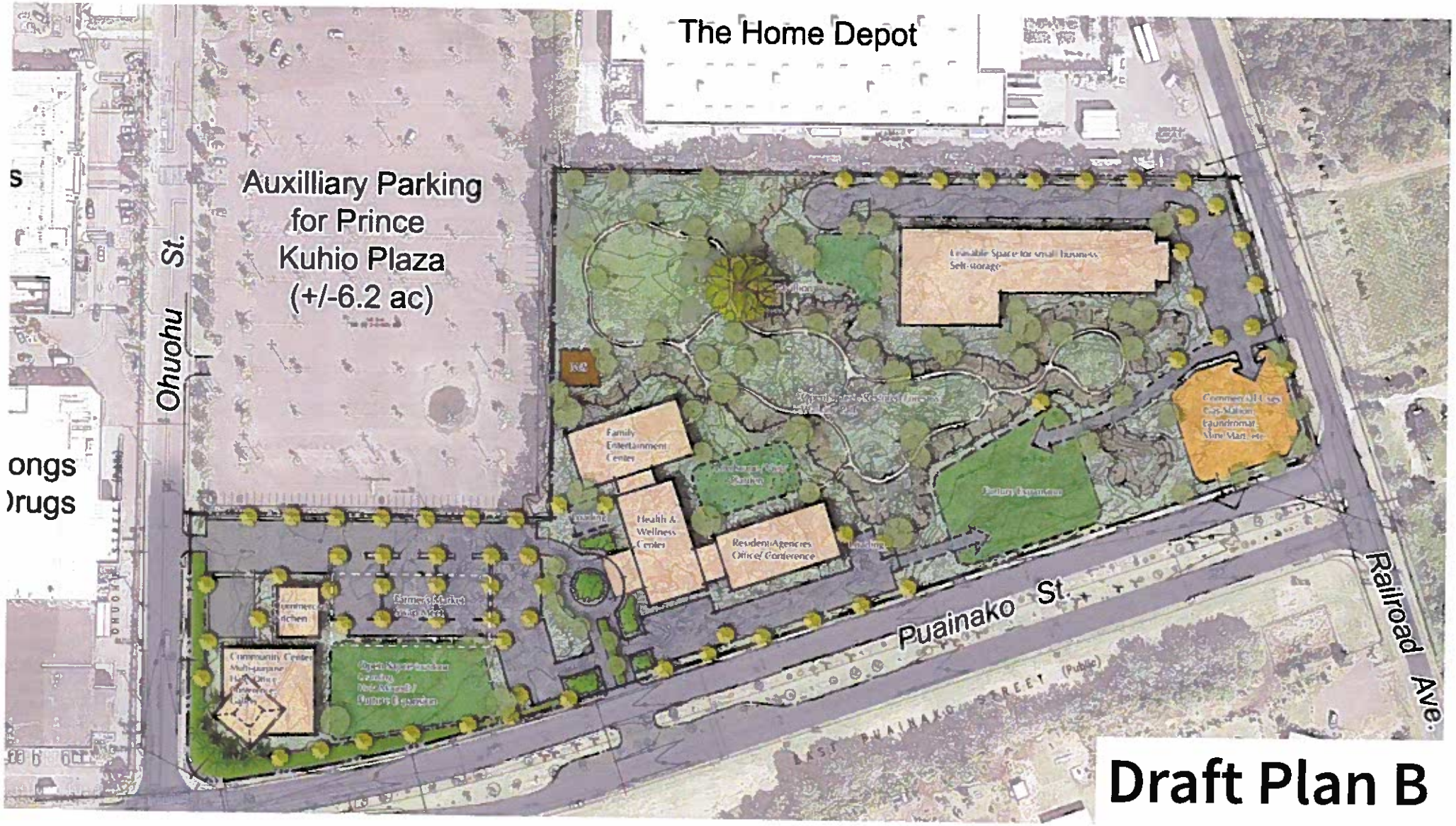
- **1975.** HHC approved a 20-year license agreement with the County Department of Parks and Recreation to manage and operate a park on a 6.641 acre parcel of Hawaiian Home Lands.
- **1978.** County opens the Pana'ewa Park.
- **1983.** In a project spearheaded by PHHLCA, park playground equipment was installed.

EXHIBIT "D"



Draft Plan A

EXHIBIT "E"

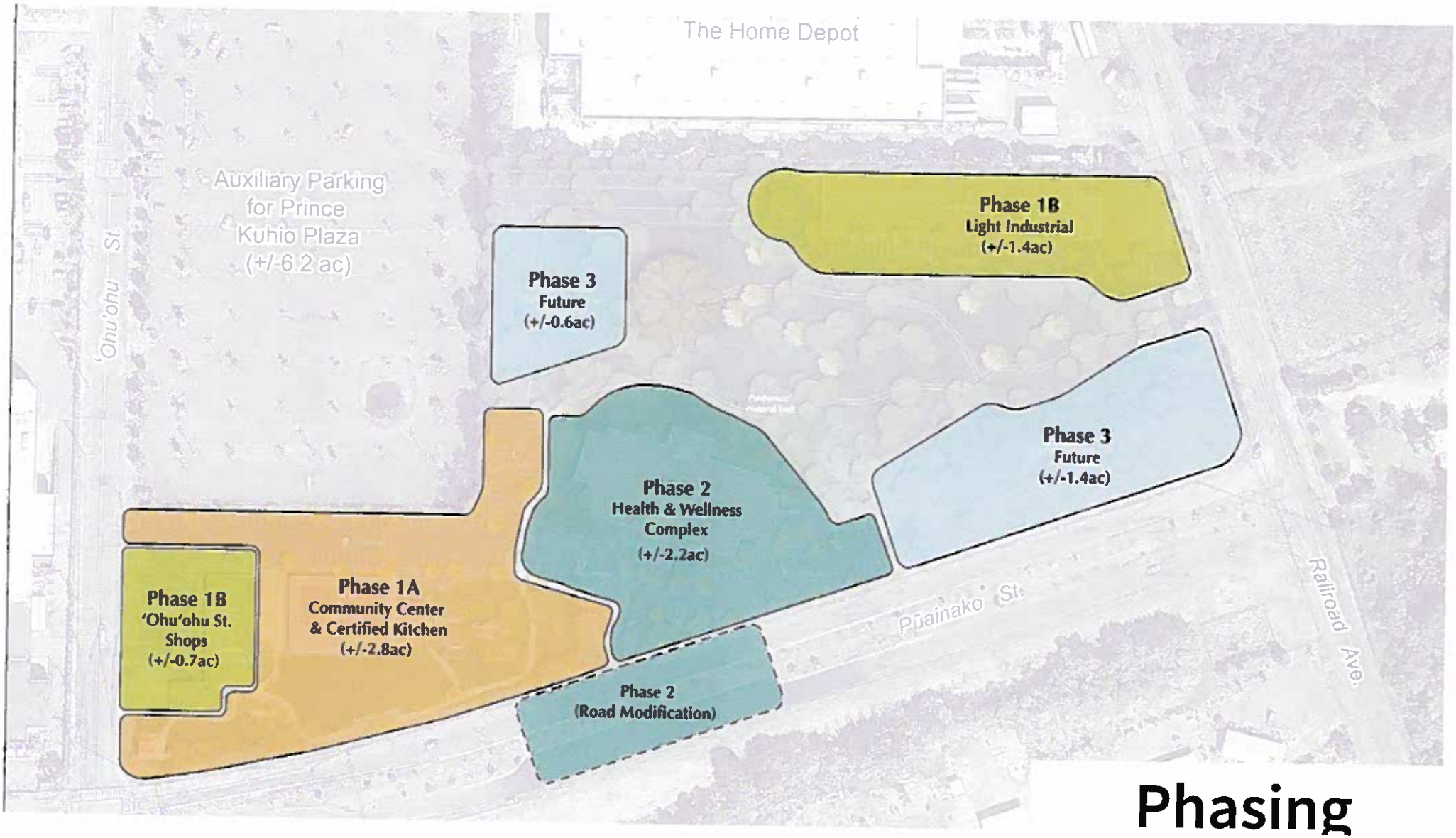


Draft Plan B

EXHIBIT "E"

Preferred

EXHIBIT "F"



Phasing

EXHIBIT "F"

DEVELOPMENT CONCEPT						
	Phase 1A (Core)		Phase 1B (Commercial uses)		Phase 2	Phase 3+
	Community Center	Certified Kitchen	'Ohu'ohu Street Shops	Light Industrial	Health & Wellness Complex	Future Community and/or Commercial
Concept	Center for community meetings, classes and special events; Possible initial venue for health & wellness programs	Certified kitchen for community use, plus 6 incubator spaces of c. 100 SF each	Five+ retail bays, outdoor café seating; Possible initial venue for health & wellness programs	Self-storage and/or warehouses alongside Home Depot back lot; visual separation from rest of Project Kamoleao and puuhonua	Iconic building with wellness and Hawaiian focus: traditional healing; medical, rehab, counseling, other professional services; link to puuhonua	Two sites for future additional community amenities or commercial; Commercial could include family entertainment, F&B, fitness club, wedding venue, more incubator kitchens
Positive indications	Community identity and amenity; Key Phase 1 goal; Near-term venue for wellness services	Community service - may support enterprise and training; Income potential - Reported strong demand for incubator spaces in Hilo area; Excellent location for commercial use	Community member interest; Activates street and area, creates visibility; Near-term venue for wellness services	Income-producing activities in less visible area; Reported interest by community members	Key community need and priority; Can incorporate mission-serving as well as income-producing tenants	Ample space for further community and/or commercial uses that may be identified as future needs and conditions become evident
Potential development & operating concerns	Indirect street access Manage interface with Ohuohu Street Shops	Define commercial niche vs. area facilities; FF&E, development and utility costs are significant; Water needs may make incubator facilities prohibitive	Area competition; Attracting qualified developer for relatively small project; Manage interface with Community Center	Developers may prefer larger, fee simple site; Competitive environment Market needs review based on use proposed by subdeveloper	Identify qualified developer/operator; Targeted tenants may require below-market land costs; Puainako Street improvements	Dependent on community and income needs

EXHIBIT "F"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 21-22, 2015

To: Chairman and Members, Hawaiian Homes Commission

From: Kahana Albinio, Acting Administrator
Land Management Division

Subject: Issuance of License to Panaewa Hawaiian Home Lands Community Association and Panaewa Community Alliance as Co-Licensees, Panaewa, Island of Hawaii

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) approve the issuance of a benefit license to the PANAEWA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION ("PHHLCA"), a Hawaii domestic non-profit corporation, hereinafter referred to as "PHHLCA" and PANAEWA COMMUNITY ALLIANCE ("PCA"), a Hawaii domestic non-profit corporation, hereinafter referred to as "Co-Licensees" for the right and privilege to enter and use that certain Hawaiian home lands parcel identified as TMK No. (3)2-2-047:075, further identified as Lot 3-B-2, containing an area of 12.774 acres for purposes of developing, managing, using, maintaining and protecting such premises as a community center.

Approval and issuance of this benefit license shall be subject to the following basic terms and conditions:

1. LICENSEE shall develop the subject parcel as a community center, incorporating development of the Kamoleao Laulima Community Resource Center with other community related services and for no other purpose whatsoever.

2. The license will be issued for a term of thirty (30) years, to commence effectively upon the date that the license is fully executed by the LICENSOR and LICENSEE.

3. Fee for the licensed area shall be established at a nominal rate of $20.00 per month for the initial five years of the term. Fees for the remaining term shall be subject to LICENSOR'S review of LICENSEE'S site development progress which shall be reviewed at five-year intervals from the date that the license is fully executed. However, for the trust, LICENSOR reserves the right to make appropriate adjustments to the fee that is deemed necessary.

4. LICENSEE shall at its own expense, as part of the development comply with Chapter 343 of the Hawaii Revised Statutes, as amended

Item No. F-3

EXHIBIT G

which requires assessing the impacts of its development will have on the surrounding community prior to construction activities.

5. LICENSEE agrees to accept the parcel "as is". LICENSEE shall pay for all infrastructure costs associated with its planned development, including utilities, connections and services. LICENSEE shall be responsible for mitigating any impacts, such as dust, noise, etc. that this project may have on anyone in the neighboring vicinity.

6. LICENSEE may apply for available DHHL grants but issuance of the license agreement confers no preference in such funding. The lack of DHHL financial support shall not be used as a reason for not completing project.

7. LICENSEE shall not undertake any construction whatsoever on the licensed premises until LICENSOR has reviewed and approved the plans in writing (which approval shall not be unreasonably withheld or delayed);

8. LICENSEE'S work shall conform to federal, state and county (government agencies) standards. LICENSEE shall obtain all applicable governmental permits and all construction shall comply with Federal, State, or County laws, regulations, codes, and ordinances prior to the commencement of any work on the property that requires such permits and approvals.

9. LICENSEE shall procure and provide proof of and keep in full force a general liability insurance policy of no less than $2,000,000.00, including fire coverage on the premises and name the Department of Hawaiian Home Lands (DHHL) as additional insured on the policy;

10. LICENSEE will exercise due care and diligence to prevent injury to persons and damages to or destruction of property belonging to DHHL;

11. LICENSEE shall keep and maintain the Premises and any and all equipment and personal properties of LICENSEE upon the Premises in a strictly clean, neat, orderly and sanitary condition, free of waste, rubbish and debris and shall provide for the safe and sanitary handling and disposal of all trash, garbage and other refuse resulting from its activities on the Premises;

12. **NO RESIDENTIAL USE SHALL BE PERMITTED**, including temporary, overnight occupancy of the premises;

13. The license shall **NOT** be assignable to a third party. LICENSOR reserves the right to set additional conditions such as but not limited to the following: a) Changes in Articles and Bylaws; b) Change in Board Composition; C) Change in corporate status; d) Submit DCCA & HCE compliance certificate; and e) Change in relationship between PHHLCA and PCA, as part of any consideration to grant its consent for the LICENSEE to use the property for any other purpose.

Item No. F-3

EXHIBIT G

14. The processing and documentation fee ($275.00) shall be waived.

15. LICENSEE shall comply with all applicable governmental laws, rules, regulations, and procedures relating to the operation and activities under this LICENSE; and

16. The license document will contain the standard terms and conditions of similar licenses issued by DHHL and shall be subject to other terms and conditions deemed prudent and necessary by the Chairman of the Hawaiian Homes Commission and/or the Hawaiian Homes Commission and shall further be subject to review and approval by the Office of the Department of the Attorney General, State of Hawaii.

DISCUSSION

The following is a chronology of the significant events to date:

9/24/2013 HHC grants **PRELIMINARY** approval (See Exhibit "A") for issuance of a new 30-year license solely to PHHLCA for its continued development of the Kamoleao Master Plan and sufficient comfort to expend resources and pursue financial commitments. Basic terms and conditions of the license would duplicate similarly to its previous LIC No. 365.

11/23/13 HHC grants **APPROVAL** for LMD to issue a benefit license to PHHLCA (See Exhibit "B") for purposes of developing, managing, using, maintaining and protecting such premises as a community center.

5/5/2014 License No. 788 drafted and transmitted to PHHLCA for review and execution. PHHLCA returns license unexecuted and expresses its desire to include PCA as co-licensee to the license.

1/6/2015 Fully executed Board Resolution 110-15, PCA Working Agreement with PHHLCA, dated 1/6/2015 (See Exhibit "C") references that PCA is the Financial Sponsor (for purposes of the MOA w/ DHHL dated July 19, 2013 on $30k annually) for all exclusive programs with PHHLCA.

8/14/2015 DCCA record and filing of PCA's Articles of Amendment adopted on July 24, 2015 and signed by William H. Brown, President of PHHLCA. (See Exhibit "D")

As of late, it is LMD's intent to proceed in re-drafting the license document as described and recommended above. DHHL intends to work closely with PHHLCA and PCA in its desire and purpose to bring the Kamoleao Laulima Community Resource Center and other community related services to fruition.

Item No. F-3
EXHIBIT G

Further, PHHLCA and PCA records reflect that the purpose and intent of the respective entities provide for the advancement and betterment of native Hawaiian beneficiaries and Hawaiian community at large.

AUTHOURITY

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

§ 10-4-21 of the DHHL Administrative Rules requires the applicant to pay for all costs incurred by the department for the processing of a license application, including a non-refundable processing fee of $200.00. It also allows for a rental to be charged should the use benefit other than the department or native Hawaiians.

§ 10-4-22 of the DHHL Administrative Rules authorizes the issuance of licenses for public purposes, as easements in perpetuity or shorter term, subject to the easement being reverted to the department upon termination or abandonment.

RECOMMENDATION

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

Item No. F-3
EXHIBIT G

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 16-17, 2017

To: Chairman and Members, Hawaiian Homes Commission

Thru: M. Kaleo Manuel, Acting Planning Program Manager

From: Andrew H. Choy, Planner AC

Subject: Kawaihae Fence Project by Honokoa (Kailapa) Community Association and the Kohala Mountain Watershed Partnership, Kawaihae, Hawaii (TMK 3-6-1-001:003)

Recommended Action

For information only. No action required.

Discussion

The Kohala Watershed Partnership (KWP) was formed by Memorandum of Understanding in 2003 with the nine land-owning parties in the Kohala Mountain Watershed area encompassing a total area of more than 65,000 acres. DHHL was one of the nine land owners and DHHL currently participates as one of three members on the partnerships executive committee. DHHL's Kawaihae tract is within the Kohala Mountain Watershed area and consists about 10,000 acres. The mission of KWP is to address threats to Kohala Mountain watershed health while preserving its biological, cultural, and economic resources.

In January/February 2017, KWP received a grant from the Dorrance Family Foundation for the construction and installation of an ungulate-proof fence-line around the immediate Honokoa (Kailapa) Homestead area to reduce the number of feral goats that enter the homestead community and install sedimentation check dams in certain locations to reduce the amount of run-off entering near shore waters. (See map Exhibit A -- Phase I). At its March 2017 meeting, the HHC authorized the issuance of a Right-of-Entry (ROE) Permit to KWP for these purposes (Exhibit B).

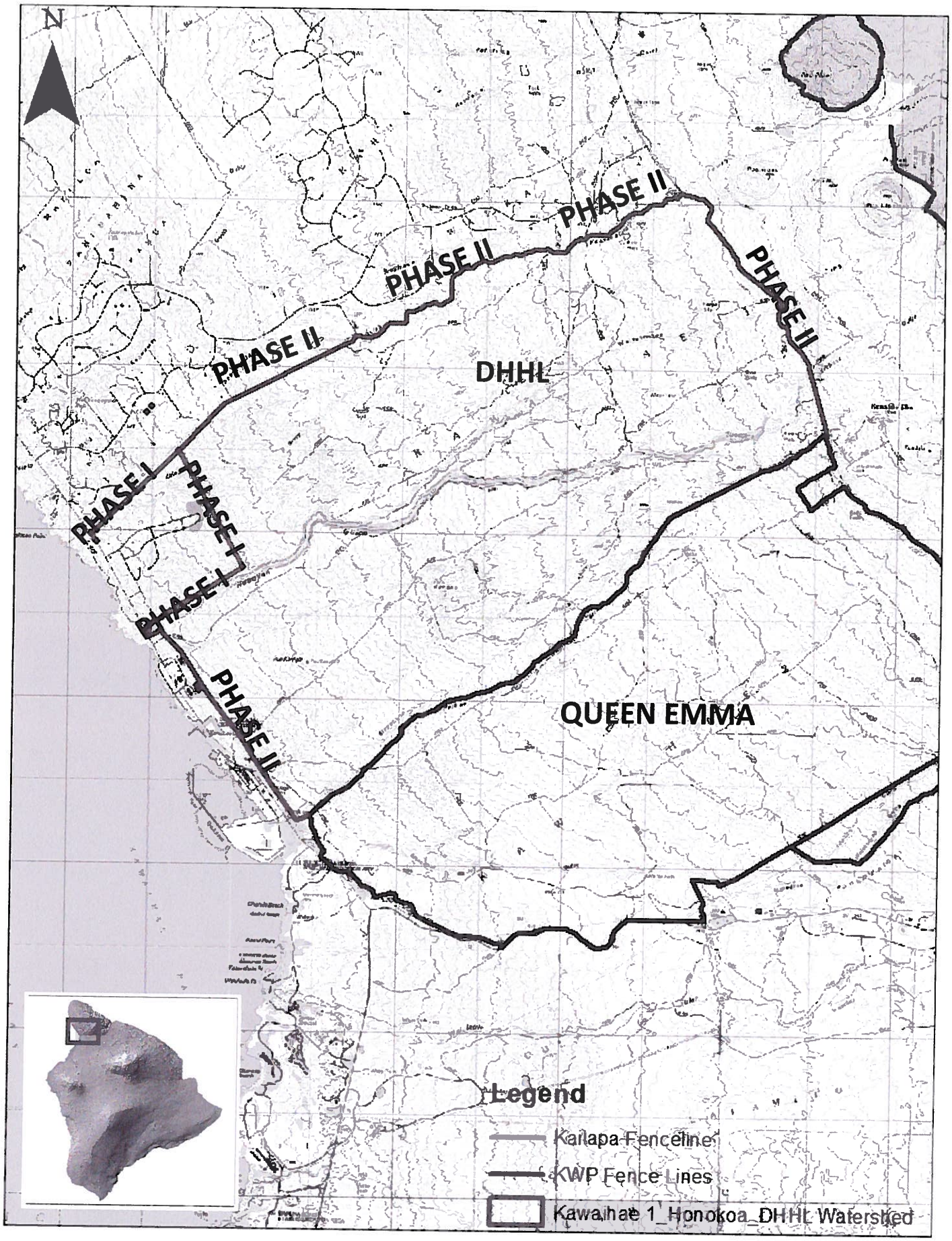
Subsequently, the KWP has received an additional federal grant from the National Oceanic Atmospheric Administration (NOAA) for similar activities but would be inclusive of a larger area of the entire DHHL property makai of Kohala Mountain Road (See map Exhibit A - Phase II). The project would consist of fence line approximately nine miles in length around DHHL Kawaihae lands and encompass an approximate area of 7,800 acres.

KWP also completed a similar type of fencing project on Queen Emma lands that neighbor DHHL Kawaihae lands. Since the completion of the Queen Emma fence, the goat population has migrated to DHHL Kawaihae lands as DHHL lands are currently unfenced. This fence project would reduce the number of feral goats from entering onto DHHL lands.

With the NOAA grant The KWP will also continue to provide training and technical assistance to the homestead community on (1) building and operating ungulate traps, (2) conducting goat drives to trap goats, (3) working with mobile slaughter units to process trapped goats, (4) accessing markets for live goats, (5) utilizing goats to mitigate fire risk along the perimeter fence through targeted grazing, (6) revegetating the land with native plants, and (7) creating water catchment and irrigation systems to support revegetation.

Recommendation

For information only. No action required.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Legend
Kailapa Fenceline
KWP Fence Lines
Kawaihae 1_Honokoa_DHHL Watershed

EXHIBIT 'A'

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
October 16 & 17, 2017
Hilo, Hawai'i

H-ITEMS

ADMINISTRATIVE SERVICES DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2017

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Rodney K. M. Lau, Administrative Services Officer

SUBJECT: Amendment to DHHL Supplemental Budget Requests for Fiscal Year 2018-2019 (Sufficient Sums Budget)

RECOMMENDED MOTION/ACTION

That the Commission approve Amendment No. 1 to DHHL's Supplemental Budget Requests for Fiscal Year 2019 (Sufficient Sums Budget).

DISCUSSION

On September 19, 2017, the Hawaiian Homes Commission (HHC) approved DHHL's Fiscal Year 2019 Supplemental Budget Requests (Item no. H-4) for the Department of Hawaiian Home Lands that is currently in the review process with the Department of Budget and Finance (DB&F). The DB&F will make a review and recommendation to the Governor for decision-making.

Amendment no. 1 proposes a trade-off between adding a new project titled "Molokai Exploratory Well" ($1,000,000) and a reduction ($1,000,000) of a project approved in Item no. H-4 in September 2017 titled, "Voice of America", Nanakuli, Oahu.

The two (2) projects are included as DHHL's Article XII, Section I, Purpose 1 (Lot Development) "sufficient sums" request to the Legislature.

The substitution of the projects is a trade-off and does not increase the total amount in the Purpose 1, Lot Development, "sufficient sums" budget request. DHHL will be asking for the Purpose 1, Lot Development financing as a lump-sum request titled "Lump Sum Lot Development, HHL, Statewide."

Included for your information is a recap of the "Purpose 1: Lot Development" request as approved by the Commission on

September 19, 2017 (Item no. H-4) (EXHIBIT I) and the proposed amendment to "Purpose 1: Lot Development" request (EXHIBIT II).

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

Department of Hawaiian Home Lands
Purpose 1: Lot Development
FY 2019 Supplumental Budget Request

ISLAND	AREA or SUBDIVISION	PROJECT COMPONENTS	PHASE	FY 2019
Hawaii	Laiopua Village 4	Hema (103 Lots)	Design & Construction	14,300,000
Oahu	East Kapolei II, Incr. IIC	Roadways & Utilities for 130 Resid. Lots.	Construction	15,000,000
Oahu	Nanakuli	Voice of America, Ph I Infrastructure	Design & Construction	10,000,000
Oahu	Waimanalo	Agricultural Lots	Design & Construction	6,000,000
Molokai	Molokai	Hoolehua Water System Improvements	Design & Construction	22,400,000
Maui	Villages of Leialii	Leialii Parkway & Highway Improvements	Design & Construction	4,000,000
Maui	Honokowai	Honokowai Master Plan	Planning & Environmental	1,000,000
Maui	Honokowai	Water System Improvements	Design & Construction	8,000,000
Hawaii	Kona	North Kona Exploratory Well	Planning & Design	7,000,000
Hawaii	Kawaihae	Production, Storage & Transmission	Planning & Design	750,000
Hawaii	Puukapu	Puukapu Pastoral Lots Electrical Facilities	Design & Construction	2,100,000
Molokai	Hoolehua	Kanakaloloa Cemetery Improvements	Construction	1,500,000
Hawaii	Lalamilo	Lalamilo Septic System Improvements	Design & Construction	500,000
Hawaii	Hilo	Hilo Community College Model Home	Construction	225,000
Hawaii	Puukapu	Puukapu Roadway Improvements	Design & Construction	2,000,000
Maui	Villages of Leialii Ph1B	Subdivision Design (175 Lots)	Design & Construction	2,000,000
Lanai	Lanai Residence Lots	Phase 2 Off-site Development	Design	2,000,000
Maui	Keokea-Waiohuli Development	Phase 2 Site Improvements (76 Lots)	Design & Construction	17,000,000
Kauai	Piilani Mai Ke Kai III	Drainage & Subdivision Improvements (40 Lots)	Design & Construction	4,000,000
Maui	Keokea Farm Lots	Subdivision Improvements to Drainage System	Design & Construction	1,000,000
Statewide	Statewide	Statewide Lot Rehabilitation	Design & Construction	2,000,000
Hawaii	Laiopua	Utility and Infrastructure Changes	Housing (Infrastructure)	1,000,000
Hawaii	Lalamilo Phase 2	Lalamilo Phase 2A	Design & Construction	2,000,000
Kauai	Anahola Farm Lots	New Reservoir & Backup Well	Design & Construction	6,000,000
Kauai	Moloaa	Moloaa Farm Lots	Planning & Design	1,000,000
Hawaii	Honokaia	Honokaia Water System	Construction	1,300,000
Kauai	Wailua Residential Lots	Infrastructure	Planning, Design	2,000,000
Molokai	Kalamaula & Kapaakea	Aquaculture Development Plan	Planning & Environmental	250,000
Molokai	Kalamaula	Water & Drainage System Improvements	Design	1,000,000
Molokai	Hoolehua	Pasture Lot Development (30 Lots)	Design & Construction	1,000,000
Molokai	Kalamaula	Kalamaula Farm Lots Site Improvements (40 Lots)	Design & Construction	1,000,000
Oahu	East Kapolei	Transit Oriented Development	Plans, Design, Construction	2,000,000
Oahu	Anahola Farm Lots	Survey, Environmental Studies and Planning	Planning	250,000
Maui	Keokea-Waiohuli Development	Phase 3 Site Improvements (77 Lots)	Design	1,000,000
Hawaii	Ka'u	Ka'u Farm and Ranch Lots Subdivision Site Improvements	Design	2,000,000
Hawaii	Lalamilo	Lalamilo Phase 1 Kawaihae Road Improvement	Design & Construction	550,000
Hawaii	Hawaii Island	UXO Mitigation and Construction Support	Plan, Design, Construct	1,500,000
Kauai	Anahola	Fire Station	Plan, Design	500,000
			Grand Total	**$147,125,000**
Means of Financing = General Obligation Bonds				

Attachment B
ITEM H-4
AMENDED

EXHIBIT I

Department of Hawaiian Home Lands
Purpose 1: Lot Development
FY 2019 Supplemental Budget Request

PROPOSED

ISLAND	AREA or SUBDIVISION	PROJECT COMPONENTS	PHASE	FY 2019
Hawaii	Laiopua Village 4	Hema (103 Lots)	Design & Construction	14,300,000
Oahu	East Kapolei II, Incr. IIC	Roadways & Utilities for 130 Resid. Lots.	Construction	15,000,000
Oahu	**Nanakuli**	**Voice of America, Ph I Infrastructure**	**Design & Construction**	**9,000,000**
Oahu	Waimanalo	Agricultural Lots	Design & Construction	6,000,000
Molokai	Molokai	Hoolehua Water System Improvements	Design & Construction	22,400,000
Maui	Villages of Leialii	Leialii Parkway & Highway Improvements	Design & Construction	4,000,000
Maui	Honokowai	Honokowai Master Plan	Planning & Environmental	1,000,000
Maui	Honokowai	Water System Improvements	Design & Construction	8,000,000
Hawaii	Kona	North Kona Exploratory Well	Planning & Design	7,000,000
Hawaii	Kawaihae	Production, Storage & Transmission	Planning & Design	750,000
Hawaii	Puukapu	Puukapu Pastoral Lots Electrical Facilities	Design & Construction	2,100,000
Molokai	Hoolehua	Kanakaloloa Cemetery Improvements	Construction	1,500,000
Hawaii	Lalamilo	Lalamilo Septic System Improvements	Design & Construction	500,000
Hawaii	Hilo	Hilo Community College Model Home	Construction	225,000
Hawaii	Puukapu	Puukapu Roadway Improvements	Design & Construction	2,000,000
Maui	Villages of Leialii Ph1B	Subdivision Design (175 Lots)	Design & Construction	2,000,000
Lanai	Lanai Residence Lots	Phase 2 Off-site Development	Design	2,000,000
Maui	Keokea-Waiohuli Development	Phase 2 Site Improvements (76 Lots)	Design & Construction	17,000,000
Kauai	Piilani Mai Ke Kai III	Drainage & Subdivision Improvements (40 Lots)	Design & Construction	4,000,000
Maui	Keokea Farm Lots	Subdivision Improvements to Drainage System	Design & Construction	1,000,000
Statewide	Statewide	Statewide Lot Rehabilitation	Design & Construction	2,000,000
Hawaii	Laiopua	Utility and Infrastructure Changes	Housing (Infrastructure)	1,000,000
Hawaii	Lalamilo Phase 2	Lalamilo Phase 2A	Design & Construction	2,000,000
Kauai	Anahola Farm Lots	New Reservoir & Backup Well	Design & Construction	6,000,000
Kauai	Moloaa	Moloaa Farm Lots	Planning & Design	1,000,000
Hawaii	Honokaia	Honokaia Water System	Construction	1,300,000
Kauai	Wailua Residential Lots	Infrastructure	Planning, Design	2,000,000
Molokai	Kalamaula & Kapaakea	Aquaculture Development Plan	Planning & Environmental	250,000
Molokai	Kalamaula	Water & Drainage System Improvements	Design	1,000,000
Molokai	Hoolehua	Pasture Lot Development (30 Lots)	Design & Construction	1,000,000
Molokai	Kalamaula	Kalamaula Farm Lots Site Improvements (40 Lots)	Design & Construction	1,000,000
Oahu	East Kapolei	Transit Oriented Development	Plans, Design, Construction	2,000,000
Oahu	Lualualei Reservoir Site	Survey, Environmental Studies and Planning	Planning	250,000
Maui	Keokea-Waiohuli Development	Phase 3 Site Improvements (77 Lots)	Design	1,000,000
Hawaii	Ka'u	Ka'u Farm and Ranch Lots Subdivision Site Improvements	Design	2,000,000
Hawaii	Lalamilo	Lalamilo Phase 1 Kawaihae Road Improvement	Design & Construction	550,000
Hawaii	Hawaii Island	UXO Mitigation and Construction Support	Plan, Design, Construct	1,500,000
Kauai	Anahola	Fire Station	Plan, Design	500,000
Molokai	**Hoolehua**	**Exploratory Well**	**Planning & Design**	**1,000,000**
			Grand Total	**$147,125,000**
Means of Financing = General Obligation Bonds				

EXHIBIT II

Attachment B

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
October 16 & 17, 2017
Hilo, Hawai'i

J-ITEMS
GENERAL AGENDA

EXHIBIT ____

Burrows-Nuuanu, Leatrice W

Subject: Jerry Schweitzer

To:
HHC Secretary

First Name: Linda or Jerry
Last Name: Schweitzer

Phone:
808 8957980

Email:
lauhalala@aol.com

Subject:
To Commission Secretary

Message:
I have been trying to make contact with the commissioner Regarding a problem at Makuu farm lots. I would also like to be Added to list to address commission at meeting in Hilo on October 16.
Mahalo,
Jerry Schweitzer

Akismet Spam Check: passed
Sent from (ip address): 166.170.14.107
(mobile-166-170-014-107.mycingular.net)
Date/Time: September 18, 2017 12:14 pm
Coming from (referer): http://dhhl.hawaii.gov/hhc/ Using (user agent): Mozilla/5.0 (iPhone; CPU iPhone OS 10_3_3 like Mac OS X) AppleWebKit/603.3.8 (KHTML, like Gecko) Version/10.0
Mobile/14G60 Safari/602.1

EXHIBIT ____

EXHIBIT ____

Burrows-Nuuanu, Leatrice W

Subject: FW: J-Agenda / October HHC Hilo Meeting Follow-Up

From: Maile Lu'uwai <mluuwai@hawaii.rr.com>
Subject: J-Agenda / October HHC Hilo Meeting
Date: August 22, 2017 at 8:32:48 PM HST
To: leatrice.w.burrows-nuuanu@hawaii.gov

Aloha Leatrice,

I would like to get on the J-Agenda for the October HHC Meeting that will be held in Hilo.

I plan to present a summary of the attached KPFA Strategic Plan via a PowerPoint presentation.

Please email me a confirmation and the deadline to submit the PowerPoint presentation.

Mahalo,

Maile Lu'uwai
President
Keaukaha Pana'ewa Farmers Association
808.280.0083

EXHIBIT ____

Burrows-Nuuanu, Leatrice W

Subject: FW: Address the commission

Aloha Leatrice, this is Unco Pat Kahawaiolaa from KCA and needed to inform you that I'm requesting an opportunity to address the Commission when there're in Hilo in October for Commission meeting if possible. Aloha

Keaukaha Smiles
'Owau me ka ha'aha'a
Patrick L. Kahawaiolaa
Sent from my iPhone

EXHIBIT ____

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 22, 2017

Jobi Masagatani
Department of Hawaiian Home Lands OCH
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Aloha Kāua,

On behalf of the Maku'u Farmers Association we would like Laua'e Kekahuna; Treasurer/Secretary of MFA to address the Commission and deliver our concerns that we have here within our subdivision. Our topics specifically focuses on all 177 lots within MFA, a growing number of problems that raises safety concerns to our Lessees and the demand for a solid communication protocol of action when it comes to DHHL and the local Police Officers.

Me ke aloha,

Paula K. Kekahuna

Paula Kekahuna
President of Maku'u Farmers Association

EXHIBIT ____

EXHIBIT ____

September 22, 2017

Jobi Masagatani
Department of Hawaiian Home Lands OCH
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Aloha Kāua,

I Emily Nae'ole would like to address the Commission in Hilo to discuss my plans for my "Pilot Plan project" with the "UN-AWARDED" lots in the Maku'u Farmers Association Subdivision.

mahalo Nui,

Emily Nae'ole

EXHIBIT ____

Burrows-Nuuanu, Leatrice W

Subject: FW: Request to Address the Commission

On behalf Laiopua 2020 and Villages of Laiopua Association, I would like to respectfully address the HHL Commission on Oct. 16th & 17th.
I will provide the Commission an agenda next week, however below are some of our concerns and updates of our community projects.:

Laiopua 2020:

- Laiopua Community Center update
- Holualoa Water Source Development Project/ Commission Workshop
- PV Project
- ADU on Neighbor Islands
- WHCHC Negotiations

Villages of Laiopua

- DCCR Violations/ Contested Case Hearing requests
- DCCR Admin Rules
- Kona Office Initiative
- County Homeless Shelter

Mahalo Nui
Craig "Bo" Kahui
Executive Director
Laiopua 2020
808-327-1221