STATE OF HAWAI'I DEPARTMENT OF HAWAIIAN HOME LANDS HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Grand Naniloa Resort – Sandalwood Room, 93 Banyan Drive, Hilo, HI 96720, and Zoom Meeting ID: 609 754 2925 Monday, September 18, 2023, at 9:30 a.m. to be continued, if necessary, on Tuesday, September 19, 2023, at 9:30 a.m. *Livestream available at www.dhhl.hawaii.gov/live*

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Wednesday, September 13, 2023.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. August 21 & 22, 2023 Regular Meeting
- D. Public Testimony on Agendized Items see information below

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

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Streamline Refinance of Loans (see exhibit)
- D-5 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-6 Approval to Certify Applications of Qualified Applicants for the Month of August 2023 (see exhibit)
- D-7 Commission Designation of Successors to Application Rights Public Notice 2022 (see exhibit)
- D-8 Approval of Assignment of 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

B. REGULAR AGENDA

Office of the Chairman

- C-1 Adoption of Recommendation of the Permitted Interaction Group, Appointed Pursuant to HRS 92-2.5 and HRS 10-2-16(b)(1), to Study and Recommend Strategies Related to Fairness in Lease Transfers
- C-2 Approval of 2024 Legislative Proposals

Homestead Services Division

D-11 Approval to Postpone Direct Loan Payments for those Maui Lessees who have been Impacted by the Lahaina Wildfires.

Land Management Division

- F-1 Approval to Annual Renewal of Right of Entry Permits, East, Central, and South Hawaii Island (see exhibit)
- F-2 Authorization to enter into Memorandum of Agreement with the U.S. Department of Defense to receive Federal grant funding for Aina Mauna Legacy Program Implementation, Mamane Reforestation Humu'ula, Hawaii Island
- F-3 Authorization to enter into Memorandum of Agreement with U.S. Department of Agriculture to receive Federal grant funding for Aina Mauna Legacy Program Implementation, Sustainable Koa Forestry, Humu'ula, Hawaii Island
- F-4 Approval to Issue Right-of-Entry Permit to U.S. Army Corps of Engineers, Kawaihae, Hawai'i Island, TMK Nos. (3) 6-1-001:003; (3) 6-1-002, 003, 004, 006: various; (3) 6-2-001:012; (3) 6-2-006:003; (3) 6-6-001, 004, 007, 012: various
- F-5 Authorization to Enter Into a Sale of Lease at Public Auction for Industrial Purposes for the Kaei Hana II Industrial Subdivision, Kawaihae, Hawai'i Island, TMK No. (3) 6-1-006:013
- F-6 Approval to establish a Preliminary Condominium Property Regime (CPR) and Amend General Lease No. 294, to Kalaeloa Home Lands Solar, LLC Kalaeloa, Oahu Island, TMK No. (1) 9-1-013:029
- F-7 Approval to Issuance of Revocable Permit to Kani Inc., Oahu Island, TMK No. (1) 9-1-013:024 (por.)
- F-8 Approval to Issuance of Revocable Permit to Ke Kula Nui O Waimanalo, Oahu Island, TMK No. (1) 4-1-019:032
- F-9 Authorization to Enter Into a Sale of Lease at Public Auction for Industrial Purposes for the Shafter Flats Industrial Development, Moanalua, Honolulu, O'ahu Island, TMK Nos. (1) 1-1-064:018; (1) 1-1-064:019; (1) 1-1-063:020; (1) 1-1-064:021; (1) 1-1-064:022; (1) 1-1-064:034; (1) 1-1-064:035; (1) 1-1-064:033; (1) 1-1-064:032; (1) 1-1-064:031
- F-10 Approval to Issue Right-of-Entry Permit to EC Trucking LLC, Kalaeloa, Oahu Island, TMK No. (1) 9-1-013:024 (por.)

Administrative Services Office

- H-1 FY25 Budget Request
- H-2 Transfer of Hawaiian Home Receipts Fund Money at the End of the 1st Quarter, Fiscal Year 2024
- H-3 Ratification of Emergency Purchase

III. EXECUTIVE SESSION

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

1. Discussion on Yokoyama v. Hawaiian Homes Comm'n, et al., Civ. No. 1CCV-23-000942

IV. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

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

Land Development Division

- E-1 For Information Only East Hawaii Projects Update
- E-2 For Information Only Request for Qualifications Procurement Process
- E-3 For Information Only Implementation Progress Report for Act 279, Session Laws of Hawaii 2022, as of August 31, 2023

Planning Office

- G-1 For Information Only Status Update on Plan Implementation in the East Hawai'i Region
- G-2 For Information Only East Hawai'i Water Issues and Projects Update
- G-3 For Information Only Update on Kings Landing Kuleana Settlement Plan and Environmental Assessment Process
- G-4 For Information Only Lessons Learned from Kulia I Ka Nu'u Program and Other Homestead Community Development Pilot Programs

V. ANNOUNCEMENTS AND RECESS

- 1. Video of the Hawaiian Homes Commission Limited Meeting of Sunday, September 17, 2023, will be posted on the Department of Hawaiian Home Lands' website no later than September 18, 2023.
- 2. DHHL Community Meeting September 18- Keaukaha Elementary School Cafeteria, 240 Desha Avenue, Hilo, Hawaii, 96720

STATE OF HAWAI'I DEPARTMENT OF HAWAIIAN HOME LANDS HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Grand Naniloa Resort - Sandalwood Room, 93 Banyan Drive, Hilo, HI 96720,

and Zoom Meeting ID: 609 754 2925 Tuesday, September 19, 2023, at 9:30 a.m.

Livestream available at <u>www.dhhl.hawaii.gov/live</u>

I. ORDER OF BUSINESS

- A. Roll Call
- B. Public Testimony on Agendized Items see information below

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

II. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Skippy Ioane, Ainaaloha Ioane, Gracie Flores, Herman Costa, Nawai Laimana, Lehua Angay, John Waipa – MAHA (Mālama ka 'Āina, Hana ka 'Āina) Updates
- J-2 Kauilani Almeida -Pana'ewa Hawaiian Home Lands Community Association
- J-3 Pat Kahawaiolaa Keaukaha Community Association
- J-4 Ron Kodani- Affordable Housing -Pi'ihonua Hawaiian Homestead Community Association
- J-5 Leila Kealoha, Lauae Kekahuna Maku'u Hawaiian Homesteads
- J-6 Jessie Wallace Relocations
- J-7 Blossom Feiteira Various Maui Concerns
- J-8 Kekoa Enomoto Paupena Community Development Corporation
- J-9 Rae Nam Anahola License Extension KKOA
- J-10 Harold Vidinha ROE Alialoa Road, Kekaha, Hawaii
- J-11 Kahaunani Mahoe-Theone Foreclosure and Lease Cancellation Prevention
- J-12 Lexy Gorgonio, Chelsea Enos, Troy Hanohano Kanaka Anti Displacement Fund

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next HHC Meeting –October 16 & 17, 2023, Courtyard by Marriott Kahului Airport, Haleakalā Ballroom.
- B. Next DHHL Community Meeting October 16, 2023, Maui Waena Intermediate School, 795 Onehee Avenue, Kahului, Hawaii 96732
- C. Adjournment

Kali Watson, Chairman Hawaiian Homes Commission

COMMISSION MEMBERS

Randy K. Awo, Maui Zachary Z. Helm, Moloka'i Michael L. Kaleikini, East Hawai'i Walt Kaneakua, O'ahu Pauline N. Namu'o, Oʻahu Dennis L. Neves, Kaua'i Makai Freitas, West Hawai'i Sanoe Marfil, Oʻahu

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 620-9512, or michael.l.lowe@hawaii.gov, as soon as possible, preferably by September 15, 2023. If a response is received after then, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

Public Testimony on Agendized Items can be provided either as: (1) in person at the meeting location, by filling out a form at the reception table, (2) written testimony mailed to *Commission Testimony*, *P.O. Box 1879, Honolulu, HI, 96815*, or emailed to *DHHL.icro@hawaii.gov* by September 15, 2023, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, video camera and microphone to participate. Testimony may be limited to a maximum of three (3) minutes per person.

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

ITEM D-2 EXHIBIT

APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
ABILEY, Margie H.	4778	Waiakea, Hawaii
ARMITAGE, Henry K.	4506	Nanakuli, Oahu
CHANG, Louis T.	1649	Nanakuli, Oahu
HANOHANO, Donna Rae P.	8125	Waiakea, Hawaii
JOHNSON, Gina May K. K.	12590	Kanehili, Oahu
KIM, KRISTINE I. H.	9512	Waiehu 2, Maui
KUPIHEA, Kaira A.	8840	Anahola, Kauai
NAPEAHI, Terri L.	6247	Panaewa, Hawaii
NIHEI, George T., Jr.	3522	Kewalo, Oahu
POLIKAPU-MEDEIROS, Frances L.C.M.M	. 2565	Keaukaha, Hawaii
RICHARDSON-ORTIZ, Robbie I.	3120	Waimanalo, Oahu
SALINAS, Roger L.	10026	Kawaihae, Hawaii
SILVA, Eulyn N.	3229	Waimanalo, Oahu

ITEM D-3 EXHIBIT

RATIFICATION OF LOAN APPROVALS

LESSEE

HIGA, Sueo

KAMA, Karen K.

LEASE NO. 11087 10025 AREA Anahola, Kauai

Kawaihae, Hawaii

ITEM D-4 EXHIBIT

APPROVAL OF STREAMLINE REFINANCE OF LOANS

LESSEE	LEASE NO.	AREA
MAKASOBE, Henry E.	9983	Nanakuli, Oahu

ITEM D-5 EXHIBIT

APPROVAL OF HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT

AHUNA, Jona Marie K.P. BRITTAIN, Margaret K. COSTA, Herman Jr. KAHALEWAI, Solomon J., Jr. KAPULE, Nathan L. KAUI, Shelly L. KEAWE, Chanda A. KEAWEAMAHI, Wendell L. LOO, Adele L. MALAGA, Edrianna P.C. MALAGA, Edrianna P.C. MARCELLINO, Peter H.K. OTA, Rowena L.K. Kauai IW Res Maui IW Res Hawaii I.W. Agr Oahu IW Res Molokai IW Res Kauai I.W. Agr Maui IW Res Hawaii IW Res Oahu IW Res Hawaii I.W. Agr Oahu IW Res Hawaii I.W. Agr

AREA

PAVAO, Lydia N. PAVAO, Lydia N. PELEKAI-WAI, Kulea K. SOARES-YAP, Celeste L. SOARES-YAP, Celeste L. SORIANO, Caridad E. WONG, Wallis K. WOODARD, Daryle Jean K. Oahu IW Res Hawaii I.W. Agr Oahu I.W. Agr Oahu IW Res Hawaii I.W. Agr Maui IW Res Maui I.W. Agr Oahu IW Res

* IW = Islandwide

ITEM D-6 EXHIBIT

QUALIFIED HOMESTEAD APPLICANTS FOR APPROVAL

APPLICANT

AREA

APPLICANT	AREA
AMBROSE, Sybil K.	Oahu IW Res
ANDERSON, Robin K.	Hawaii I.W. Agr
ANDERSON, Robin K.	Hawaii IW Res
BANNISTER, James K.	Oahu IW Res
BORGES-APAO, Elijah N.	Hawaii I.W. Agr
BORGES-APAO, Elijah N.	Hawaii IW Res
CHANG, Joshua K.	Hawaii IW Res
DAVIS, Roberta M.	Hawaii IW Pas
EDWARDS, Colleen L.	Oahu I.W. Agr
EDWARDS, Colleen L.	Oahu IW Res
ELLIS, Travis A.	Oahu IW Res
GARNETT, Shevon K.	Hawaii I.W. Agr
KAHAKAI, Casey	Hawaii I.W. Agr
KAHAKAI, Casey	Hawaii IW Res
KAHOOKELE, Jarrett K., Jr.	Oahu IW Res
KAHOOKELE, Jarrett K., Jr.	Hawaii I.W. Agr
KAHUI, David Shane A.	Oahu I.W. Agr
KAHUI, David Shane A.	Oahu IW Res
KALA-WISLEY, Shannon K.	Oahu IW Res
KALEIOPU, Timothy J.	Hawaii I.W. Agr
KALEIOPU, Timothy J.	Hawaii IW Res
KAPELE, Kanai M.	Oahu IW Res
KAUPU, Shannon Macleroy K.	Hawaii I.W. Agr
KAUPU, Shannon Macleroy K.	Hawaii IW Res
KEAHI-LEARY, Margaret K.	Molokai IW Res
KUHAULUA, Abe E.	Kauai IW Res
LAIMANA, Dayne K.K.	Oahu I.W. Agr
LAIMANA, Dayne K.K.	Oahu IW Res
LAIMANA, Thomas K.K.	Oahu I.W. Agr
LAIMANA, Thomas K.K.	Oahu IW Res
LAU, Iris K.	Hawaii I.W. Agr

LAU, Iris K. LEALAO, Chelcey M. LOPEZ, Clarence T., Jr. MAIAVA, Seau K.K. MAIAVA, Seau K.K. MAIAVA, See A. MAIAVA, See A. MAIAVA, Warner S. MAIAVA, Warner S. MOIHA, Justin K. MOIHA, Justin K. MOSES, Cid D. MURRAY, Pamela K. MURRAY, Pamela K. NAPUELUA-AH YEE, Kanai K. NAPUELUA-AH YEE, Kanai K. NAPUELUA-AH YEE, Keaka K. NAPUELUA-AH YEE, Keaka K. NAPUELUA-AH YEE, Kiliohu K. NAPUELUA-AH YEE, Kiliohu K. PALIMOO, Rose L.M. PALIMOO, Rose L.M. PARKER, Duke A.H. POKINI, Raven K. ROSE, Jesticity K. ROSE, Jesticity K. SNIFFEN, Rose L. SPENCER, Joel N.K. TEJEDA-FIGUEROA, Esmeralda M. VENTURA, William K.

Hawaii IW Res Oahu IW Res Oahu IW Res Oahu I.W. Agr Oahu IW Res Oahu I.W. Agr Oahu IW Res Oahu I.W. Agr Oahu IW Res Maui I.W. Agr Maui IW Res Oahu I.W. Agr Oahu I.W. Agr Oahu IW Res Oahu IW Res Maui I.W. Agr Oahu IW Res Molokai I.W. Agr Oahu IW Res Molokai I.W. Agr Oahu I.W. Agr Oahu IW Res Oahu IW Res Maui I.W. Agr Oahu IW Res Hawaii I.W. Agr Maui IW Res Oahu IW Res Maui IW Res Hawaii IW Res

* IW = Islandwide

ITEM D-7 EXHIBIT

COMMISSION DESIGNATION OF SUCCESSORS - PUBLIC NOTICE 2022

APPLICANT

BRITTAIN, Margaret K. COSTA, Herman Jr. DELA CRUZ, Vanessa L.K. KAPULE, Nathan L. KAUI, Shelly L. KEAWE, Chanda A. MALAGA, Edrianna P.C. MALAGA, Edrianna P.C. OTA, Rowena L.K.

AREA

Waimanalo Area / Oahu IW Res Hawaii I.W. Agr Oahu IW Res Kawaihae Area/ Hawaii IW Res Kauai I.W. Agr Waimanalo Area / Oahu IW Res Oahu IW Res Hawaii I.W. Agr Hawaii I.W. Agr PAVAO, Lydia N. PAVAO, Lydia N. PELEKAI-WAI, Kulea K. PELEKAI-WAI, Kulea K. PUKAHI, Sandra A.K. PUKAHI, Sandra A.K. SOARES-YAP, Celeste SOARES-YAP, Celeste SORIANO, Caridad E. WONG, Wallis K. Oahu IW Res Hawaii I.W. Agr Maui I.W. Agr Maui IW Res Maui IW Res Oahu IW Res Kauai I.W. Agr Maui IW Res Oahu IW Res Oahu I.W. Agr *IW = Islandwide

ITEM D-8 EXHIBIT APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
ALVARADO, Bernadette E.	8884	Hanapepe, Kauai
WERNER, Keala K.	8884	Hanapepe, Kauai
LEWIS, Amber K.	8865	Hanapepe, Kauai
CURA, Tinamarie K. K.	11585	Kanehili, Oahu
PASCUA, Lucy K.	11585	Kanehili, Oahu
DAIMARU, Oswin W. P. T.	4780	Waiakea, Hawaii
JEREMIAH, Bradley E.	4249	Keaukaha, Hawaii
KAUIHANA, Keohokui A.	8691	Anahola, Kauai
KAUWE, Norman L.	2274	Waimanalo, Oahu
KOMETANI, James K.	12127	Kaupea, Oahu
LALAWAI, Hannah K.	6709	Waianae, Oahu
NAKAMURA, Kalena Chasity K.	3157	Waimanalo, Oahu
PALAKIKO, Georgian P. K. C.	378	Nanakuli, Oahu
PALENAPA, Relda S.	2864	Waimanalo, Oahu
WILSON, Norman S. K., Jr.	1704	Waimanalo, Oahu
EVANS, Annabelle K. Y.	13008	Anahola, Kauai

ITEM D-9 EXHIBIT APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
CLUNEY, Lydia K.	2355	Hoolehua, Molokai
KAHALEWAI, Rhonda K.	121	Hoolehua, Molokai
KAHALEWAI, Solomon K.	121	Hoolehua, Molokai
KAPUNI, Noelani A.	3082	Keaukaha, Hawaii
KAUWE, Norman L.	2274	Waimanalo, Oahu
GOMES, Corina N. K.	3880	Kalamaula, Molokai
GOMES, Andrew M. K.	3880	Kalamaula, Molokai
KEAHI, Precious L. K.	3880	Kalamaula, Molokai
LISHMAN, Tracy M.	119	Hoolehua, Molokai
NAKAMURA, Kalena Chasity K.	3157	Waimanalo, Oahu
NAEOLE, Francis K.	110	Hoolehua, Molokai
SASADA, David F.	131	Hoolehua, Molokai

SASADA, Ronald M.	131	Hoolehua, Molokai
SASADA, Leif A.	131	Hoolehua, Molokai
WILSON, Lymey K.	1704	Waimanalo, Oahu

ITEM D-10 EXHIBIT

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

LESSEE	LEASE NO.	AREA
AMINA, Ada A.	3772	Nanakuli, Oahu
CARPENTER, Catherine R.	5501	Lualualei, Oahu
HASSARD, Erika	12752	Maluohai, Oahu
HUSSEY, Nathan M., III	11488	Lealii, Maui
KEOPUHIWA, Alisa-Lei K.	6794	Keaukaha, Hawaii
MAHOE, Cramer L. H.	1408-A	Keaukaha, Hawaii
MAHOE, Loushell L.	4460	Waianae, Oahu
PARK, Michael K.	12542	Lalamilo, Hawaii
PAULINE, Marsha L.	4796	Waiakea, Hawaii
RUFINO, Sherri-Ann L.	11939	Kaupea, Oahu
SACAY, Anna M.	9299	Kaniohale, Hawaii
SHELDON, Douglas K., Sr.	12748	Maluohai, Oahu
SINCLAIR, Ethel P.	8648	Waianae, Oahu
SOLOMON, Mark K.	8174	Waimanalo, Oahu
SOUZA, Leona L.	11284	Kumuhau, Oahu
YOUNG, Charlotte P.	4489	Nanakuli, Oahu

ITEM F-1 EXHIBIT

ANNUAL RENEWAL OF RIGHT OF ENTRY PERMITS, EAST, CENTRAL AND SOUTH HAWAII ISLAND

NO.	ACRE	USE	PERMITTEE	LOCATION	TMK	Date Started
465	280.00	Pastoral	Gilbert Medeiros, Jr.	Kamaoa- Puueo	(3) 9-3-001:002(P)	2/9/1998
473	2250.00	Pastoral	Dean Kaniho	Kamaoa- Puueo	(3) 9-3-001:002(P)	7/15/2004
477	2.00	Agricultural	Guy Kaniho	Humu'ula	(3) 3-8-001:007(P)	2/26/2007
478	300.00	Pastoral	April Awana-Mattos	Honomu	(3) 2-8-011:011 (p)	2/1/2010
481	2.21	Landscape	Ginger Patch Center	Waiakea	(3) 2-2-060:001	8/2/2010
482	1.00	Community	Keaukaha Panaewa Farmers Association	Panaewa	(3) 2-1-025:091 (p)	2/1/2011
610	5000.00	Pastoral	Native Hawaiian General Services	Kamaoa- Puueo	(3) 9-3-001:002(P)	6/1/2004
467	326.76	Pastoral	Parnel Hanoa	Waiohinu	(3) 9-5-019:016 & 9-5- 005:002	1/26/2000
692	0.620	Commercial	Connect Point Church	Waiakea	(3) 2-2-060:049	11/18/2019
716	300.00	Caretaker	Malama Ka'Aina Hana Ka'Aina, Inc.	Keaukaha	(3) 2-1-013:001 (p)	10/1/2022

* Denotes Beneficiary