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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

July 15, 2021

Director of Council Services
Traci N. T. Fujita, Esq.
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Deputy Director of Council Services
David M. Raatz, Jr., Esq.
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OFFICE OF THE
COUNTY CLERK

The Honorable Alice L. Lee
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair Lee:

**SUBJECT: SUPPORTING THE UNDIVIDED INTEREST AWARDS
POLICY OF THE DEPARTMENT OF HAWAIIAN HOME
LANDS' HOMESTEADING PROGRAM (PAF 21-182)**

May I request the attached proposed resolution, entitled "SUPPORTING THE UNDIVIDED INTEREST AWARDS POLICY OF THE DEPARTMENT OF HAWAIIAN HOME LANDS' HOMESTEADING PROGRAM," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink that reads "Tamara A. M. Paltin".

TAMARA PALTIN
Councilmember

paf:wal:21-182b

Enclosure

COUNTY COMMUNICATION NO. 21-363

Resolution

No. _____

SUPPORTING THE UNDIVIDED INTEREST AWARDS POLICY OF THE DEPARTMENT OF HAWAIIAN HOME LANDS' HOMESTEADING PROGRAM

WHEREAS, the Hawaiian Homes Commission Act of 1920, enacted in 1921, set aside approximately 200,000 acres of Hawaiian home lands in trust for a homesteading program of residential, agricultural, and pastoral lands; and

WHEREAS, those lands are administered through the Department of Hawaiian Home Lands for the benefit of Native Hawaiians, persons with 50 percent Hawaiian blood quantum; and

WHEREAS, this year marks the 100th year celebration of the Act; and

WHEREAS, as of December 31, 2020, the DHHL applicant waiting list showed 28,792 statewide applications; and

WHEREAS, as of December 31, 2020, the DHHL applicant waiting list showed 3,860 residential, 4,727 agricultural, and 635 pastoral applications for a total: 9,222 for the Island of Maui; and

WHEREAS, the average age of a beneficiary on a DHHL waitlist is reportedly 57 years old, and many beneficiaries on the waitlist died before receiving homestead parcels; and

WHEREAS, the Undivided Interest Awards policy of the DHHL homesteading program allows beneficiaries to receive a paper lease to an unspecified lot, with a guarantee that their successor beneficiaries of less than 50 percent Hawaiian blood quantum will eventually receive a homestead parcel; and

WHEREAS, according to a news story by *Hawaii Business Magazine*, dated September 4, 2019, Undivided Interest Awards provide “beneficiaries time to prepare for homeownership while their homes are built”; and

Resolution No. _____

WHEREAS, according to this same story, about “28,500 adults who are at least 50 percent Native Hawaiian are waiting for residential, farming, or ranching homesteads from DHHL,” and this “backlog exacerbates Hawai‘i’s overall housing shortage and contributes to a homeless crisis that disproportionately affects Native Hawaiians”; and

WHEREAS, Maui has an estimated 28,000 acres of Hawaiian home lands available for future residential, agricultural, and pastoral homesteading, which has the potential to mitigate Maui’s affordable-housing crisis; and

WHEREAS, DHHL is allowing beneficiaries on Maui waitlists with an undivided interest the right of first refusal to all available future Maui homestead lots; and

WHEREAS, on June 7, 2021, during the Council’s Affordable Housing Committee meeting, DHHL officials announced plans to award 250 one- or two-acre agricultural lots in Honokowai within the next few years; and

WHEREAS, during the same meeting, a number of DHHL waitlist beneficiaries testified of ‘ohana members on the waitlist who have since died; and

WHEREAS, while the Hawaiian Homes Commission Act permits DHHL to develop Hawaiian home lands without regard to County requirements, the DHHL has followed the practice of conforming to County standards to provide access, water, wastewater disposal, storm drains, and utilities within the lands being subdivided for homesteads; and

WHEREAS, the DHHL will inform its lessees of any substandard infrastructure improvements by providing full disclosure in the lease document and will require all homestead lessees to obtain building permits for any structures or improvements to be placed or erected within the homestead subdivision; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it expresses its support and urges the Mayor’s support of the Undivided Interest Awards policy of the Department of Hawaiian Home Lands’ homesteading program;

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2. That it requests the Department of Public Works to expedite the review of construction plans submitted by homestead lessees and issue the necessary building permits if the plans meet applicable County Code requirements;
3. That it requests the Department of Environmental Management to expedite the connection and provision of plans submitted by DHHL for water sources for homestead lots;
4. That it requests the Department of Water Supply to expedite the review of plans to accelerate the awarding of homestead lots to Native Hawaiians; and
5. That certified copies of this Resolution be transmitted to William J. Ailā, Jr., Chairman, Hawaiian Home Lands Commission, Department of Hawaiian Home Lands, State of Hawai'i; Randy K. Awo, Member, Hawaiian Home Lands Commission, Department of Hawaiian Home Lands, State of Hawai'i; Zachary Z. Helm, Member, Hawaiian Home Lands Commission, Department of Hawaiian Home Lands, State of Hawai'i; Robin Puanani Danner, Chair, Sovereign Council of Hawaiian Homestead Associations; Kammy Purdy, Vice-Chair, Sovereign Council of Hawaiian Homestead Associations; the Honorable Brian E. Schatz, United States Senator; the Honorable Mazie K. Hirono, United States Senator; the Honorable Ed Case, United States Representative; the Honorable Kaiali'i Kahele, United States Representative; Stephanie Ohigashi, Field Representative for the Honorable Kaiali'i Kahele; United States Representative; the Honorable David Y. Ige, Governor, State of Hawai'i; the Honorable Ron Kouchi, President, Hawai'i State Senate; the Honorable Scott Saiki, Speaker, Hawai'i State House of Representatives; the Honorable Michael P. Victorino, Mayor, County of Maui; Rowena Dagdag-Andaya, Director of Public Works, County of Maui; Eric Nakagawa, Director of Environmental Management, County of Maui; Jeffrey T. Pearson, Director of Water Supply, County of Maui; and Scott Teruya, Director of Finance, County of Maui.