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Director of Council Services
Traci N. T. Fujita, Esq.

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

May 26, 2021

Mr. Sananda K. Baz, Managing Director
Department of Management
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Baz:

**SUBJECT: WATER AND SEWER CREDITS TO THE
DEPARTMENT OF HAWAIIAN HOME LANDS FOR
HOMESTEAD AND AGRICULTURAL LOTS IN
LAHAINA (AH-21)**

At its March 5, 2021 meeting, the Council adopted Resolution 21-31 urging the Administration to renew and extend water and sewer credits to the Department of Hawaiian Home Lands ("DHHL") for homestead and agricultural lots in Lahaina, including the Villages of Leiali'i. A copy of Resolution 21-31 is attached.

May I please request your response to the following:

1. What actions have been taken or are planned by the Administration and relevant County departments to establish, renew, or extend wastewater and water allocation agreements.
2. Please provide a projected timeline for any ongoing or planned actions, and also indicate any obstacles that may cause delay.
3. What other actions, if any, is the Administration taking to expedite or provide water, sewer, or other necessary infrastructure for residential housing on homestead and agricultural lots? For example, Resolution 21-31 references "establishing a perpetual

Mr. Sananda K. Baz

May 26, 2021

Page 2

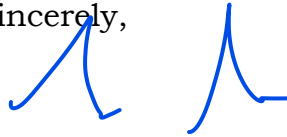
license for the exchange of a water allocation from the Mahinahina Water Treatment Facility on DHHL lands in Honokowai.”

4. What other actions, if any, is the Administration taking to address the housing needs and rights of applicants on the DHHL waiting list?

May I further request your response by **June 7, 2021**. To ensure efficient processing, please transmit your response to ah.committee@mauicounty.us and include the relevant Committee number in the subject line of your response.

Should you have any questions, please contact me or Committee staff (Alison Stewart at ext. 7661, or Rayna Yap at ext. 8007).

Sincerely,



GABE JOHNSON, Chair
Affordable Housing Committee

ah:ltr:021amd01:ans

Attachment

cc: Mayor Michael P. Victorino

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
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COUNTY COUNCIL
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200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 25, 2021

Director of Council Services
Traci N. T. Fujita, Esq.

RECEIVED

2021 FEB 25 AM 11:52

OFFICE OF THE
COUNTY CLERK

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

Dear Chair Lee:

SUBJECT: **URGING THE ADMINISTRATION TO RENEW AND
EXTEND WATER AND SEWER CREDITS TO THE
DEPARTMENT OF HAWAIIAN HOME LANDS FOR
HOMESTEAD AND AGRICULTURAL LOTS IN
LAHAINA** (PAF 21-044)

May I request the attached proposed resolution, entitled "URGING THE ADMINISTRATION TO RENEW AND EXTEND WATER AND SEWER CREDITS TO THE DEPARTMENT OF HAWAIIAN HOME LANDS FOR HOMESTEAD AND AGRICULTURAL LOTS IN LAHAINA, MAUI, HAWAII," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink that reads "Tamara A. M. Paltin". The signature is written in a cursive, flowing style.

TAMARA PALTIN
Councilmember

paf:wal:21-044b

Enclosure

COUNTY COMMUNICATION NO. 21-138

Resolution

No. _____

URGING THE ADMINISTRATION TO RENEW
AND EXTEND WATER AND SEWER CREDITS
TO THE DEPARTMENT OF HAWAIIAN HOME
LANDS FOR HOMESTEAD AND AGRICULTURAL
LOTS IN LAHAINA, MAUI, HAWAII

WHEREAS, Prince Jonah Kūhiō Kalanianaʻole was elected in 1902 as the Territory of Hawaiʻi's delegate in the United States Congress, where he served until his death in 1922; and

WHEREAS, on November 13, 1914, Prince Kūhiō devised the original plan to rehabilitate Hawaiians upon the ceded Crown and Hawaiian Kingdom lands, according to an article, Exhibit "A," by University of Hawaiʻi Professor Davianna Pomaikaʻi McGregor; and

WHEREAS, in April 1920, Prince Kūhiō introduced House Resolution 13500, the Hawaiian Rehabilitation Bill, as a response to the desolation of the Hawaiian population, loss of land, and need for Hawaiians to be able to grow traditional crops such as kalo; and

WHEREAS, the Hawaiian Rehabilitation Bill laid the foundation for the Hawaiian Homes Commission Act of 1921, a government-sponsored homesteading program to return native Hawaiians with 50 percent or more blood quantum to approximately 200,000 acres of ceded Crown and Hawaiian Kingdom lands, held in a land trust to support self-sufficiency and self-determination; and

WHEREAS, the Hawaiian Homes Commission Act also established the Hawaiian Homes Commission, whose primary responsibility was to oversee management of that land trust; and

WHEREAS, an Act to Provide for the Admission of the State of Hawaiʻi into the Union of 1959, commonly known as the Admission Act, states, "As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the Constitution of said State"; and

Resolution No. _____

WHEREAS, the Department of Hawaiian Homelands ("DHHL") administers 99-year residential, agricultural, and pastoral leases to native Hawaiians; and

WHEREAS, as of June 30, 2020, the DHHL has awarded 9,933 leases since 1921; and

WHEREAS, as of June 30, 2020, the DHHL applicant waiting list shows 28,730 statewide applications, including 4,724 agricultural applications, 634 pastoral applications, and 3,854 residential applications for Maui Island; and

WHEREAS, on June 30, 2020, *Hawaii News Now* reported the Hawai'i Supreme Court ruled the State must pay its beneficiaries for the lengthy waitlist and described how one applicant died while on the list after 58 years, as seen in Exhibit "B"; and

WHEREAS, while access to water resources for DHHL projects in West Maui has been an obstacle in developing housing or agricultural opportunities, this can be a year of change, in moving the County and DHHL forward in these areas; and

WHEREAS, the Countywide Policy Plan, approved by Ordinance 3732 (2010), includes the following policy: "Support the Department of Hawaiian Home Lands' development of homestead lands"; and

WHEREAS, on April 23, 2008, a wastewater allocation agreement between the DHHL and the County's Department of Environmental Management, Exhibit "C," established water and sewer credits at the Lahaina Wastewater Treatment Facility for the Villages of Leiali'i, Phases 1A and 1B; and

WHEREAS, the agreement has expired and is in need of renewal; and

WHEREAS, the Department of Water Supply is in the process of establishing a perpetual license for the exchange of a water allocation from the Mahinahina Water Treatment Facility on DHHL lands in Honokowai; and

Resolution No. _____

WHEREAS, the Countywide Policy Plan includes an objective to “Improve water systems to assure access to sustainable, clean, reliable, and affordable sources of water,” with supporting policies to:

- “Explore and promote alternative water-source-development methods”;
- “Seek reliable long-term sources of water to serve developments”; and

WHEREAS, the Countywide Policy Plan includes another policy to “Support ordinances, programs, and policies that keep agricultural land and water available and affordable to farmers” and a way to accomplish this could be through providing public incentive and encouraging private initiative”; and

WHEREAS, on March 4, 2020, Governor David Y. Ige issued a proclamation declaring a state of emergency to support ongoing State and county responses to COVID-19; and

WHEREAS, by correspondence dated November 23, 2020, Exhibit “D,” Councilmember Tamara Paltin sought the DHHL’s cooperation with Maui Oceanview, LLP, developer of Pulelehua—a 304-acre master-planned green residential and retail community development—in connecting to sewer and R-1 recycled water; and

WHEREAS, on December 2, 2020, DHHL Commission Chairman William J. Aila, Jr. responded to Councilmember Paltin, indicating a partnership with Pulelehua would be mutually beneficial and DHHL would work closely with the Pulelehua team on a timely basis to coordinate development schedules and engineering requirements; and

WHEREAS, a *Maui Now* article dated December 8, 2020, Exhibit “E,” reported, “An online survey administered in June 2020 by the Native Hawaiian COVID-19 Research Hui showed that Hawai‘i business owners and community members envision a post-COVID-19 local economy that prioritizes diversified industries promoting sustainability and support residents’ basic needs”; and

WHEREAS, the same article stated “the reports paint a ‘clear desire for change’” and “Hawai‘i residents indicate that economic future should

Resolution No. _____

focus on sustainable and diversified industries such as agriculture, aquaculture, forestry, and fishing and clean, renewable-based energy”; and

WHEREAS, 2021 is a momentous year for the DHHL, as it marks the 100th anniversary of the Hawaiian Homes Commission Act; and

WHEREAS, on January 8, 2021, in a *Honolulu Civil Beat* essay, “It’s Time to Acknowledge Native Hawaiians’ Special Right to Housing,” Exhibit “F,” Professor Williamson Chang and Abby Seitz wrote, “This centennial landmark calls us to explore the original goals of the Hawaiian Homes Commission Act,” and “it’s the kuleana of all Hawaii residents to transform the 100-year-old piece of legislation into a 21st century land and housing program”;

WHEREAS, while housing and agriculture opportunities have been curtailed globally by the novel coronavirus pandemic, the Council seeks to acknowledge and illustrate the efforts needed to advance collaboration, particularly for DHHL applicants seeking housing and agricultural opportunities in West Maui; and

WHEREAS, additional DHHL homes in West Maui will help more native Hawaiians attain housing in perpetuity; and

WHEREAS, DHHL agricultural leases can also increase food security and provide native Hawaiians the opportunity to be self-sufficient and self-determined in the West Maui community; and

WHEREAS, the Council finds that supporting housing opportunities for native Hawaiian, DHHL applicants furthers the principles embodied within the Hawaiian Homes Act; and

WHEREAS, the Council further finds there is an urgent need to revitalize the local economy by capitalizing on collaboration between the State, the County, and private entities to provide water sources for housing and agriculture; and


WHEREAS, in addition, the Council finds the renewal and extension of water and sewer credits to the Department of Hawaiian Home Lands for Homestead and Agricultural Lots in Lahaina, Maui, Hawaii, would further numerous worthy public-policy goals;

Resolution No. _____

WHEREAS, the 'ōlelo no'ēau, "Pupukahi i Holomua" translates to "unite to move forward" is appropriate and timely; now, therefore,

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

1. That it urges the Administration to renew and extend water and sewer credits to the Department of Hawaiian Home Lands for homestead and agricultural lots in Lahaina, Maui, Hawaii; and
2. 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 Awo, 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 Hirono, United States Senator; the Honorable Kaiali'i Kahele, United States Representative; Stephanie Ohigashi, Field Representative for the Honorable Kaiali'i Kahele; United States Representative; the Honorable Ed Case, United States Representative; the Honorable Ron Kouchi, President, Hawai'i State Senate; the Honorable Rosalyn H. Baker, Senator, Hawai'i State Senate; the Honorable Angus L.K. McKelvey, Representative, Hawai'i State House of Representatives; the Honorable Scott Saiki, Speaker, Hawai'i State House of Representatives; Eric Nakagawa, Director of Environmental Management, County of Maui; Scott Teruya, Director of Finance, County of Maui; Jeffrey T. Pearson, Director of Water Supply, County of Maui; the Honorable Michael P. Victorino, Mayor, County of Maui; and the Honorable David Y. Ige, Governor, State of Hawai'i.



Biography Hawai'i: Five Lives

A Series of Public Remembrances



PRINCE JONAH KŪHIŌ KALANIANA'OLE

HAWAIIAN ALI'I & CONGRESSIONAL DELEGATE

by Davianna Pōmaika'i McGregor

Let us begin by pondering what it meant to be a Hawaiian Prince of 20th Century Hawai'i.

Prince Jonah Kūhiō Kalaniana'ole was genealogical heir to the mana (spiritual power) of deified high chiefs, the human embodiment of ancestral Hawaiian gods of the universe. At the dawn of the 20th Century, Prince Kūhiō faced the urgency and despair of his people on the brink of extinction.

From 1900 to 1920 the number of pure Hawaiians had declined from 29,799 to 23,700. The life expectancy of Hawaiians was only 30.2 years in 1910, and had increased to only 35 years by 1920. In 1925, the infant mortality rate was 136 per 1,000 live births, compared to only 39 per 1,000 for Caucasians.

These years also witnessed the growing urban ghettoization of Hawaiians, disenfranchised from their lands. The number of Hawaiians living in Honolulu increased to 17,500 in 1920, where they faced increasing competition from the 13,400 Chinese and 24,500 Japanese who lived in the city.¹ They lived in crowded tenement rooms, sharing a common kitchen, bath, and toilet facilities where viruses and diseases spread rapidly. In 1911 cholera claimed Hawaiian lives, and by 1918 tuberculosis spread throughout Honolulu.

Prince Kūhiō described the problems of poor Hawaiian families in the Honolulu tenements as follows:

We find that the people who live in the tenement houses in this city are nearly all Hawaiians. . . . These Hawaiian families living in the tenements are poor, they do not own an inch of land in their own country.²

Assuming the highest elected position in Hawai'i, as Delegate of his people in the U.S. House of Representatives from 1902 through 1922, the Prince rallied his contemporary Hawaiian leaders around a plan for the "rehabilitation" of the Hawaiian people.³

On November 13, 1914, the Prince invited two hundred Hawaiians to a meeting at his Waikiki residence. They agreed to form the 'Aha Hui Pu'uhonua O Na Hawai'i, an organization which devised the original plan to rehabilitate Hawaiians upon the ceded Crown and Hawaiian Kingdom lands under the Hawaiian Homes Commission Act.⁴

In December 1918, Prince Jonah Kūhiō and the 'Aha Hui Pu'uhonua organized a meeting of forty Hawaiian leaders at Honolulu's Young Hotel to form yet another organization to work for the Hawaiian rehabilitation plan.⁵ Together, the 'Aha Hui Pu'uhonua O Na Hawai'i and the Hawaiian Civic Clubs combined forces for the passage of the Hawaiian Homes Commission Act.

What did the Prince have in mind? A letter which he circulated to U.S. Senators in 1920 described the intent and purpose of this Act:

The Hawaiian Race is fast becoming a minority element among the races of the Territory. The mortality rate among the Hawaiians is exceedingly high as compared to the other races and if conditions exist as they do today the Race will become extinct in a very short period of time.

After extensive investigation and survey on the part of various organizations organized for the purpose of rehabilitating the race, it was found that the only method in which to rehabilitate the race was to place them back upon the soil. The Hawaiians were a seafaring and agricultural people. Their entire life was spent in the outdoors. But with the coming of civilization conditions were changed, the Hawaiians on account of their lack of business experience, and otherwise, were forced into the crowded tenements of the cities and towns and were subjected to all the evils of modern civilization. Disease and the change in their living conditions weakened their vitality to such an extent that today they are susceptible to all diseases and their resistance being very low the death rate is high. Under the provisions of this bill, by placing the Hawaiians upon the soil, away from the cities and towns, it is certain that they will again retain their former vitality and in the course of years the race will increase, and become a majority element in the land of their birth.⁶

On July 9, 1921, the Hawaiian Homes Commission Act passed both houses of Congress and was signed into law.

On January 7, 1922, six months after he had succeeded in having the Hawaiian Homes Commission Act passed, Prince Jonah Kūhiō Kalaniana'ole passed away.

Let us close by reflecting upon the loss of the Prince of Hawai'i. The leaders who were Kūhiō's contemporaries in the 'Aha Hui Pu'uhonua O Na Hawai'i and Hawaiian Civic Clubs concentrated their efforts on implementing the Hawaiian Homes Program. Kūhiō and these leaders were born under the Hawaiian monarchy, had risked their lives to restore the monarchy in 1895, and had served time, at hard labor, in the Provisional Government's and Republic's prisons. They continued to maintain an adversarial and competitive relationship to the haole elite.

The next generation of Hawaiian leaders who assumed political office in the 1930s were trained in private and public schools under the American school system and were assimilated to accept Western values. The death of Prince Kūhiō left a vacuum in the leadership of the Hawaiian politicians. His passing marked the beginning of a new period of cooperation and collaboration between the part-Hawaiians and the haole elite which was finally disrupted by rise of the Hawaiian nationalist movement in the 1970s.

NOTES

1. U.S. Bureau of the Census. "Table 2. Composition and Characteristics of Population and Unemployment." *15th Census of the United States: 1930, Population Second Series, Hawaii*. Washington, D.C.: Government Printing Office, 1931. 48.
2. *Pacific Commercial Advertiser* Sept. 24, 1920.
3. Hawaiians constituted the majority of voters for the delegateship, and continued to return Prince Kūhiō to Washington to represent Hawai'i from 1902 through 1922.
4. *Pacific Commercial Advertiser* Nov. 13, 1914
5. *Pacific Commercial Advertiser*
6. Hawai'i State Archives. Delegate Kalaniana'ole File.



CORONAVIRUS PANDEMIC / 37 NEW CASES REPORTED TUESDAY / 26,531 TOTAL CASES / 418 TOTAL DEATHS



NEWS

Hawaii Supreme Court rules in favor of Hawaiian homelands beneficiaries

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Hawaii Supreme Court rules in favor of Hawaiian homelands beneficiaries

By **Chelsea Davis** | June 30, 2020 at 9:21 PM HST - Updated June 30 at 10:16 PM

HONOLULU, Hawaii (HawaiiNewsNow) - After more than two decades, there's a new ruling over the lengthy Department of Hawaiian Homelands wait list.

It could mean the state pays tens of millions of dollars to beneficiaries.

The Hawaii Supreme Court said the state must pay its beneficiaries for delays.

Exhibit "B"

Some applied nearly 60 years ago and many have passed away still waiting – like Raynette Ah Chong’s father.

“I’m actually representing my father. My father passed in 2001. So, I became his representative,” said Ah Chong.

Ah Chong’s father, Joseph L. Ching Sr., put his name on the wait list in 1962.

He died in 2001 still waiting for a home.

“Let’s finish this thing. Let’s end it already. It’s 20 plus years already. How many more people gatta die?” Ah Chong said.

In a unanimous opinion, the Hawaii Supreme Court ruled the state must pay damages to more than 2,700 who spent decades on that wait list.

The lawsuit was filed in 1991.

“It’s a tragedy that it’s been drawn out this way. But the state has decided to take a scorched-earth approach to it and instead of doing what the Supreme Court today recognized was the just thing to do and finding a way to adequately compensate people for the delays from this mismanagement of the trust, they’ve just fought it tooth and nail until now,” attorney Carl Varady said.

The court agreed the Department of Hawaiian Home Lands failed to manage and preserve trust property and maintain adequate records.

Varady said it’s hard to calculate an exact cost because that damages will be measured using Fair Market Rental Value for each claimant.

But that the state should expect to pay tens of millions of dollars.

“We have 200,000 plus acres in the trust that can’t seem to be developed in any kind of way that adequately addresses the needs of the beneficiaries or fulfills the state’s solemn promise to rehabilitate Hawaiian through homesteading,” said Varady.

Delays have dragged on, and 400 of the 2,700 beneficiaries involved in this dispute have died.

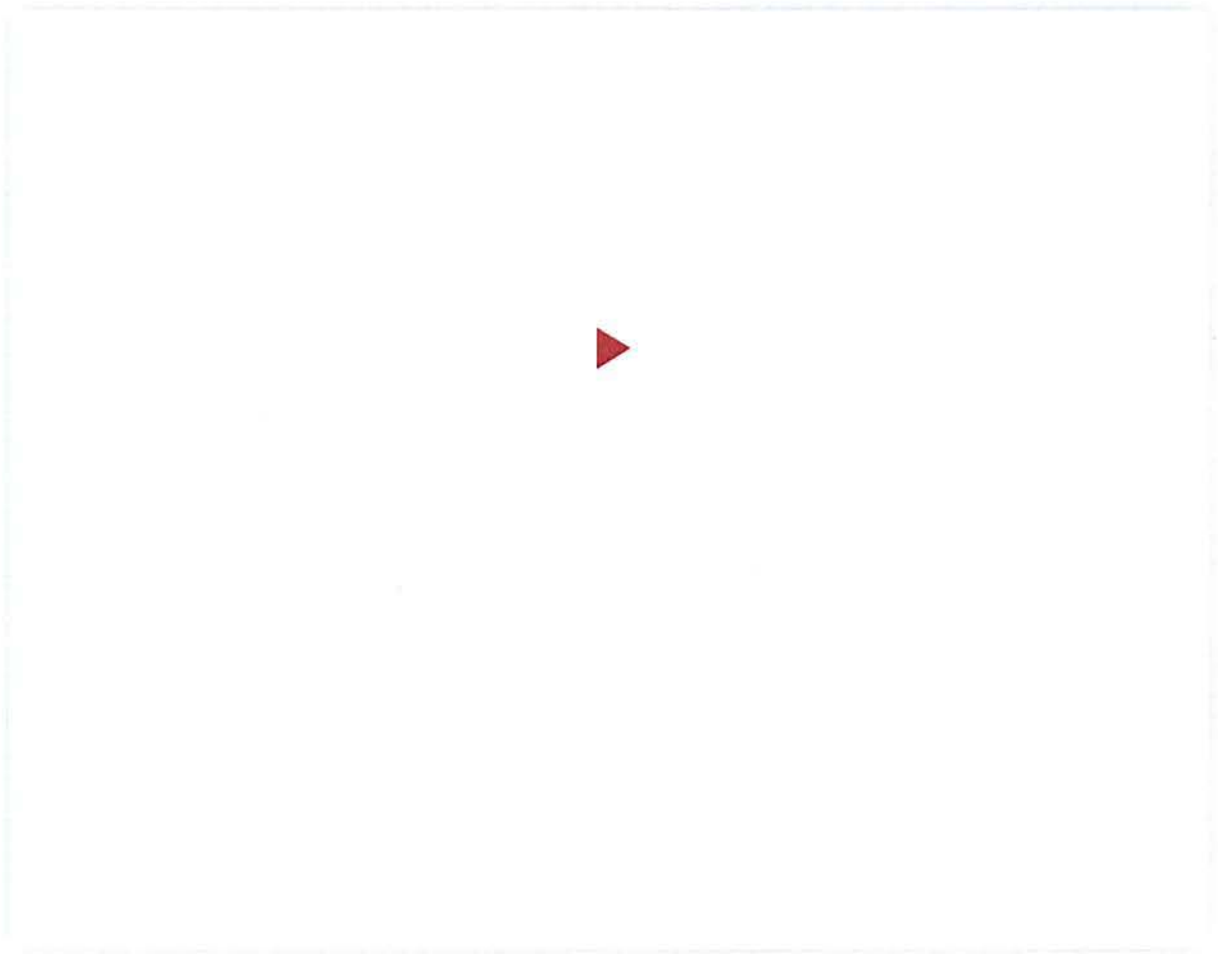
But their families can still be compensated.

Ah Chong is fighting so her children don't have to fight for her.

"I'm standing here for my deceased father. I've already been grooming my daughter and my sons to stand here for me," she said.

The state said it's reviewing the decision and had no comment

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|

WASTEWATER ALLOCATION AGREEMENT

THIS AGREEMENT made this 23rd day of April,
2008, by and between the DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
COUNTY OF MAUI, whose principal place of business and post office
address is 2200 Main Street, Suite 175, Wailuku, Maui, Hawaii,
96793, hereinafter called "County", and DEPARTMENT OF HAWAIIAN HOME
LANDS, STATE OF HAWAII, whose principal place of business is 1099
Alakea Street, Suite 2000, Honolulu, Hawaii 96813, and whose post
office address is P.O. Box 1879, Honolulu, Hawaii 96805,
hereinafter called "DHHL",

W I T N E S S E T H :

WHEREAS, the DHHL plans to develop 357 new dwelling units
within a master planned community project at Lahaina, Maui, Hawaii,
known as "Villages of Leiali'i, Village 1A and 1B", Tax Map Key
Nos. (2) 4-5-036:001 through 105, and (2) 4-5-021:020, as further
described in Exhibit "1" attached hereto and made a part hereof
("Project"); and

WHEREAS, the existing wastewater treatment capacity at the
Lahaina Wastewater Treatment Facility ("Facility") is approximately
6.0 million gallons per day (mgd).

NOW, THEREFORE, in consideration of the recitals hereinabove set forth and the mutual covenants hereinafter contained, the parties hereby agree as follows:

1. The DHHL will be granted a reserved allocation at the Facility in the amount of 125,000 gallons per day.

2. In the event the DHHL does not utilize all of the wastewater capacity reserved at the Facility pursuant to this Agreement by December 31, 2016, the County may utilize any remaining DHHL reserved wastewater capacity.

3. In the event that wastewater assessment fees are made a requirement in the Lahaina service area prior to the issuance of building permits for the Project, then DHHL shall pay the assessment fee as required by ordinance.

4. When reclaimed water is made available to the Project, all common-owned landscape areas (traffic medians, parks, etc.) within Village 1B shall be required to connect to the reclaimed water system at the expense of the DHHL, utilize the reclaimed water, and pay any applicable reclaimed water fees.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date and year first above written.


COUNTY OF MAUI

By 
CHARMAINE TAVARES
Its: Mayor

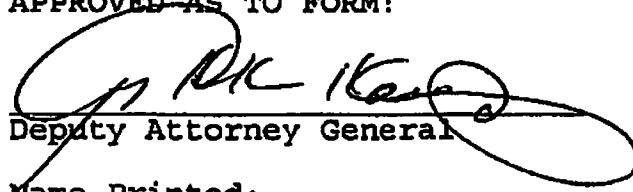
STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

By 
MICAHA A. KANE
Its: Chairman

APPROVAL RECOMMENDED:


CHERYL K. OKUMA, ESQ.
Director of Environmental Management

APPROVED AS TO FORM:


Deputy Attorney General
Name Printed: _____

APPROVED AS TO FORM
AND LEGALITY:


DAVID A. GALAZIN
Deputy Corporation Counsel
County of Maui
S:\ALL\DAG\EM\WWW\Leial\WWW Allocation Agmnt.doc

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 23rd day of April, 2008, before me personally appeared CHARMAINE TAVARES, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the County of Maui, a political subdivision of the State of Hawaii, and that the seal affixed to the foregoing instrument is the lawful seal of the said County of Maui, and that the said instrument was signed and sealed on behalf of said County of Maui pursuant to Section 7-5.11 and Section 9-18 of the Charter of the County of Maui; and the said CHARMAINE TAVARES acknowledged the said instrument to be the free act and deed of said County of Maui.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Keli P. Nahooikaka
Notary Public, State of Hawaii
Print Name: Keli P. Nahooikaka
My commission expires: 4/30/2010

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 6th day of March, 2008, before me personally appeared Micah Kane, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Kehaulani Quatero
Notary Public, State of Hawaii
Print Name: KEHAULANI QUATERO
My Commission Expires: June 12, 20
My commission expires: _____

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

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Director of Council Services
Traci N. T. Fujita, Esq.

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

November 23, 2020

William J. Aila, Jr.
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, HI 96707

Aloha e Chair Aila:

**SUBJECT: PULELEHUA DEVELOPER'S OFFER TO ASSIST
WITH CONNECTION TO SEWER AND R-1 WATER
SYSTEM**

As a Councilmember for West Maui residents, I would like to advocate for collaborative efforts in moving the Honokowai project forward. For years, discussions regarding water sources for this and the Leiali'i project have been examined and seem to be a primary obstacle in completion.

In 2018, DHHL reported it would start the master planning process for lands in Honokowai. During that year, a consultation with beneficiaries to discuss water availability and usage resulted in a report to the Hawaiian Homes Commission that concluded there is sufficient water for development in Honokowai, as well as for a build-out of Leiali'i I-B.

Separately, the 2018 Annual Report also described "DHHL's first subsistence agricultural lot subdivision in Honomu, Hawai'i. This new award type provides applicants on the agricultural waiting lists with a large rural lot intended primarily for a family's subsistence. Residency is permitted although not required." Moreover, the 2020 Beneficiary Consultation report stated that Honokowai may accommodate an array of single-family, multi-family, ½-acre community subsistence, or individual one acre lots. Essentially, subsistence agricultural lots could help to alleviate any COVID-related houselessness and food security issues for waitlisters.

Pulelehua, an adjacent 304-acre master-planned green residential and retail community development for the local workforce also faces similar water

November 23, 2020
Page 2

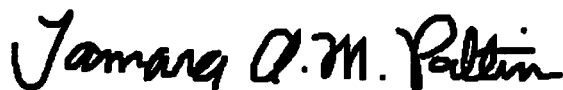
concerns. I have recently conferred with Mr. Paul Cheng, developer and President of Maui Oceanview, LLP, about this matter and he is willing to assist in the connection to R-1 water lines and he needs to know where those lines will be or are located. It is his understanding that the Department of Environmental Management prefers a connection from the back of the property, which would require a 15-foot easement from either the Department of Hawaiian Homelands (DHHL) or the Department of Land and Natural Resources (DLNR). See Exhibit 1 for his communication efforts with the DHHL.

It seems plausible that a connection to the sewer and R-1 system with the County would afford residents and businesses of Pulelehua, as well as DHHL beneficiaries, the ability to begin establishment of housing and/or agricultural activities on their respective parcels.

At this time, I respectfully request favorable consideration of his offer to assist in connecting to the sewer and R-1 system, as the sewer and R-1 are in the same ditch. Furthermore, it is mutually beneficial for all parties involved. Both Paul and I are eager to actively work toward meeting the housing and subsistence needs of West Maui residents. We understand that these types of matters take time and we hope to establish partnerships with the DHHL and DLNR, so we can continue to resolve this matter as soon as possible.

Should you have any questions, please call my office at (808) 270-5504 with any questions.

‘O wau iho no,



TAMARA PALTIN
Councilmember

cc: Stewart Matsunaga – DHHL Acting Administrator, Land Development Division
Julie-Ann Cachola – DHHL, Senior Planner
Jobie Masagatani – Hawaiian Homes Commission Chairman
Randy Awo – Hawaiian Homes Commissioner
Blossom Feiteira – Association of Hawaiians for Homestead Lands
Daniel Ornellas – Department of Land & Natural Resources, Maui District Land Agent
Gil Keith-Agaran – Attorney for Maui Oceanview, LLP
Eric Nakagawa – Department of Environmental Management, Director

Local Business Owners and Community Envision a Diversified and Sustainable Post-COVID-19 Economy

December 8, 2020, 6:42 AM HST



A A A

An online survey administered in June 2020 by the Native Hawaiian COVID-19 Research Hui showed that Hawai'i business owners and community members envision a post-COVID-19 local economy that prioritizes diversified industries promoting sustainability and support residents' basic needs.

These findings and others are reported in two complementary issue briefs, entitled "[A Better Kind of Normal: Native Hawaiian and Non-Hawaiian Priorities for Hawai'i's Post-COVID-19 Economy](#)" and "[Resilient Present, Self-Sufficient Future: An Examination of COVID-19 Impacts on Native Hawaiian Businesses and Preferences for Hawai'i's Future Economy](#)."

The reports are a collaboration between the Office of Hawaiian Affairs, Kamehameha Schools, and Lili'uokalani Trust and in partnership with the Hawai'i Leadership Forum, Kupu, and the Native Hawaiian Chambers of Commerce. Over 2,000 residents, business owners and nonprofit executives in Hawai'i responded to the survey.

"These reports provide insight into the interests of Hawai'i's residents and businesses for a post-COVID-19 economy. Put simply, there is agreement that our local economy must change and be more self-sufficient moving forward," said OHA Chief Executive Officer Sylvia Hussey.

"These reports are critical because they provide timely data and information intended to help guide policymakers, businesses, foundations, and nonprofits working together to expand sustainable sectors."

"The findings from these reports provide insight into the desires of Hawai'i residents and the business community. It is a resounding vote for a future that is more economically self-sufficient and sustainable. This affirms the work that we have started doing, together with partners, to strengthen the agriculture and local food system in Hawai'i, in order to become more food and economically resilient," said Brandon Ledward, Principal Strategist, Strategy & Transformation Group, Kamehameha Schools.

Kupu CEO John Leong agreed, adding:

ARTICLE CONTINUES BELOW AD



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"As we look towards building a stronger and healthier Hawai'i, this report provides a wonderful vision of what local entrepreneurs and communities see as the direction of our state. It underlines the importance of a regenerative, values-based economy where we lift each other upwards. We all must take a gut check and use this moment in time to re-envision how we diversify our economy through new industries and reimagine our existing economic pillars to make them healthier and more values driven, while also being sustainable and able to breathe life into our islands."

According to the briefs, the reports paint a "clear desire for change." Hawai'i residents indicate that economic future should focus on sustainable and diversified industries such as agriculture, aquaculture, forestry, and fishing and clean, renewable-based energy. Moreover, respondents say they want the post-pandemic economy to move away from the work force sectors in transportation, and oil and petroleum-based energy as well as the state's major economic pillars of the past, such as land development for commercial use, government, military and tourism.

Additionally, Hawai'i residents responding to the survey indicate that they want an economy that focuses on their basic needs: livable wages; local food production and agriculture; and housing and healthcare that are affordable, available, and accessible were identified as key components of a strong, sustainable future economy.

The report also highlights county-specific COVID-19 impacts and future economic priorities. For example, 83% of businesses in Maui County report a negative impact, compared to between 63% and 78% of businesses in the other three counties. Maui County respondents also ranked mainstream tourism as their 10th future economic priority, compared to 16th place by Honolulu County and 18th place by Hawai'i and Kaua'i Counties.

The reports also indicate that Native Hawaiians and non-Hawaiians have different views of our islands' economy.

Education was found to be a higher priority among Native Hawaiians for themselves and their families than non-Hawaiians. This may be in part due to Native Hawaiians being less satisfied with education before COVID-19 and experiencing more negative effects during COVID-19 than non-Hawaiian residents.

Additionally, Native Hawaiian businesses continue to experience negative effects as a result of COVID-19; however these disruptions continue to be less severe for Native Hawaiian-owned businesses than for non-Hawaiian-owned businesses. This may be due in part to Native Hawaiian businesses being less reliant on tourism as a revenue source, the report says, a finding consistent with results from a [first business impact survey](#).

Native Hawaiian-owned businesses were also found to be less likely to request assistance from the Paycheck Protection Program than non-Hawaiian owned businesses (21% versus 31% respectively). However, both Native Hawaiian and non-Hawaiian owned businesses that requested assistance were equally likely to report receiving support from this program.

"This report clearly demonstrates that Hawai'i residents and business owners recognize the needs for a radical shift in Hawai'i economy," said OHA CEO Hussey. "Unlike our pre-COVID economy, Native Hawaiian and non-Hawaiian community members want a new post-COVID economy that focuses on supporting the needs of local 'ohana and prioritizes the health of our 'āina."

Nālei Akina of Lili'uokalani Trust said: "the survey findings point to a pathway out of the cycle of poverty in which too many Native Hawaiian families are mired."

These reports are the third and fourth publications co-produced by the Native Hawaiian COVID-19 Research Hui. The goal of the collaboration is to gather and provide data that explore the ways Native Hawaiians have been impacted by the pandemic and the systemic conditions that place our communities at greater risk and inform pathways for moving forward to create a new normal.

The data for these reports are from the hui's [ongoing survey](#) to assess local perceptions of what Hawai'i's economy should look like after the pandemic.

Community Voice

It's Time to Acknowledge Native Hawaiians' Special Right To Housing

The affordable housing crisis is an existential threat to the Hawaiian culture.

By Williamson Chang, Abbey Seitz

January 8, 2021 · 6 min read



In 1920, Prince Jonah Kūhīō Kalanianaʻōle delivered an impassioned speech to the U.S. Congress, in which he proclaimed: "The Hawaiian race is passing ... and if conditions continue to exist as they do today, this splendid race of people, my people, will pass from the face of the Earth."

opinion!

In response, later that summer Congress passed the Hawaiian Homes Commission Act, which set aside 200,000 acres of land across the Islands for homesteading by Native Hawaiians.

Exhibit "F"

2021 marks exactly one century since the creation of the Hawaiian Homes Program. Since 1960, when Congress handed the program over to the State of Hawaii, the success or failure of Hawaiian Homes has been of our own making — not the making of the federal government.

That's why it's the kuleana of all Hawaii residents to transform the 100-year-old piece of legislation into a 21st century land and housing program.

This centennial landmark calls us to explore the original goals of the Hawaiian Homes Commission Act, how Native Hawaiians are faring today and the future of legal reparations for Native Hawaiians.

Before delving into the Hawaiian Homes Program, we must first acknowledge that the housing crisis impacts Native Hawaiians differently than any other group of people that calls Hawaii home.

Cheryl J. Judd/Chris Bond

Tents pitched along the edge of Waimanalo Bay Beach Park testify to the large number of homeless people in Waimanalo, a community with a large Native Hawaiian population.

The Disparate Impact Of Affordable Housing On Native Hawaiians

Hawaii's lack of affordable housing is well known. Nearly every week, local news outlets publish worsening statistics, reporting on the rising costs of housing and the growing number of people who are unable to make rent and mortgage payments, especially in the current pandemic.

While housing and homelessness have long been the fascination of news outlets, the top priority of many local politicians and the focus of countless studies and planning efforts, there is an important part of this housing story that has largely been ignored.

Native Hawaiians, the majority of whom are not beneficiaries of the Department of Hawaiian Home Lands, suffer a disproportionate burden of the state's housing crisis.

According to the [2020 Oahu Point-in-Time Count](#), over half of all homeless individuals identified as Native Hawaiian or Pacific Islander, although this group only represents roughly 20% of the state's total population.

[Partners in Care](#), a local coalition dedicated to ending homelessness, estimates that Native Hawaiians and other Pacific Islanders are **overrepresented by 210%** in Oahu's homeless

population.

Of all the local news outlets that reported on the 2020 Point-in-Time Count, only **Civil Beat** mentioned this staggering trend.

What's behind this alarming and unjust statistic? Housing prices are the number-one driver of where Native Hawaiians can afford to live in their homeland and the level of resources they have access to.

Recent studies have proven that a person's zipcode is one of the greatest contributors of their social and economic mobility, impacting both educational attainment and career performance.

These negative effects can be seen on the **Opportunity Atlas** — a mapping tool that uses census data to show average outcomes children have as adults, based on where they grew up.

The Opportunity Atlas presents a sobering image of our divided islands. Based on this data, children who grew up in the late 1970s and early 1980s in Waianae and Waimanalo — the two communities with the highest Native Hawaiian populations on Oahu — now have average household incomes of \$35,000 to \$37,000.

In contrast, children who grew up in communities in East Honolulu and Central Oahu now have average household incomes of \$57,000 to \$70,000. Because of these stark economic disparities, it is unsurprising that Waianae and Waimanalo also suffer from higher rates of poverty, incarceration and homelessness.

This image from the Opportunity Atlas documents disparities in average household incomes on Oahu. The communities with the lowest average household incomes — Waianae and Waimanalo — have the highest Native Hawaiian populations.

Just as Blacks, Hispanics and other minorities have been redlined from wealthy communities on the continental United States, Native Hawaiians have been excluded from social and economic opportunities in their own homeland.

To cope with these issues, locals of all backgrounds have left the Islands in search of higher wages and lower costs of living. Hawaii is one of the few U.S. states that has witnessed a decreasing population in recent years. From 2013 to 2017, an estimated 62,000 people moved away.

According to Dr. Philip Garboden, a housing professor at the University of Hawaii at Manoa, we're losing population, specifically because of the high cost of living.

While Garboden pointed out that population loss could potentially have some environmental benefits, he also explained that, "When folks leave a place ... (they) do so in a way that undermines the sustainability and economic vitality of that place."

Emigration is further complicated by the island's historic decline of Native Hawaiians. According to some studies, by 1840 the number of Native Hawaiians had already declined by 84%. While the last few decades have seen a slight increase in the Native Hawaiian population, today, nearly half of all Native Hawaiians live outside of Hawaii.

Hawaii Cannot Be Hawaii Without Hawaiians

The affordable housing crisis is an existential threat to the Hawaiian culture as well as the spirit of aloha that makes our islands unique.

Others residents of Hawaii have homelands elsewhere. For example, the Chinese in Hawaii need not fear the loss of their language, traditional values or national foods.

Their language, ethos and cuisine will always be maintained as long as China remains a sovereign nation. This is also the case for Filipinos, Germans, Japanese, Portuguese, Koreans and other groups who have secure and sovereign homelands.

For Native Hawaiians, this is not the case. They had their security and sovereignty forcibly taken in 1893. There is no comfort of knowing that Hawaiian culture will persevere. Hawaiians are losing their identity, their lands and their people every day.

Hawaii is the first and last stop for the preservation of the Hawaiian way of life, a truly valued culture. For Hawaiians are the initial source of the connection to aina and aloha.

The affordable housing crisis is not only a threat to the very existence of Native Hawaiians — it is also a threat to the existence of Hawaii as we know it.

What does this mean? At the bare minimum, we must acknowledge that the housing crisis is different for Native Hawaiians than any other group of people in Hawaii.

We must be bold in proclaiming that for Native Hawaiians, accessing affordable housing in Hawaii is the difference between the life and death of their culture and way of life.

We must proclaim this in all forms, including journalistic reports, political agendas and housing reforms. This is the first step of many to ensuring the first people of Hawaii can continue to call Hawaii home.

If you are interested in learning more, we invite you to watch our short film "[Rooted to Our Land](#)." The film includes interviews with scholars, housing experts and community activists.

Community Voices aims to encourage broad discussion on many topics of community interest. It's kind of a cross between Letters to the Editor and op-eds. This is your space to talk about important issues or interesting people who are making a difference in our world. Column lengths should be no more than 800 words and we need a photo of the author and a bio. We welcome video commentary and other multimedia formats. Send to news@civilbeat.org. The opinions and information expressed in Community Voices are solely those of the authors and not Civil Beat.

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By John Pritchett · January 10, 2021 · 1 min read

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