

From: [Kupuna Moopuna](#)
To: [LPCtestimony](#)
Subject: Leeward Planning Commission - Nov 21, 2024 General Plan Testimony - STRONG OPPOSITION
Date: Wednesday, November 20, 2024 6:39:49 AM
Attachments: [PO-24-032 DHHL Comments HI County 2045 General Plan \(part 1\) - signed.pdf](#)
[PO-24-032 DHHL Comments HI County 2045 General Plan \(part 2\) - signed.pdf](#)
[PO-24-032 DHHL Comments HI County 2045 General Plan \(part 3\) - signed \(1\).pdf](#)

Kūpuna for the Mo‘opuna

committed to the well-being of Hawai‘i for the next generations to come

kupuna4moopuna@gmail.com

DATE: Thursday, November 21, 2024

TIME: 9:30 a.m.

LOCATION: West Hawai‘i Civic Center, Council Chambers, Kailua-Kona, HI

SUBJECT: County of Hawai‘i General Plan 2045, Final Recommended Draft -
STRONG OPPOSITION

Aloha to the Hawai‘i County Leeward Planning Commission,

We, Kūpuna for the Mo‘opuna, a hui of Hawaiian Homes Commission Act (HHCA) kūpuna beneficiary farmers from Pana‘ewa, Hawai‘i, testify in **STRONG OPPOSITION to the County of Hawai‘i General Plan 2045 (GP), Final Recommended Draft and ask that the Leeward Planning Commission NOT RECOMMEND APPROVAL of the proposed amendments, in part.**

We ask the Leeward Planning Commission to **require the following changes to the GP 2045 Draft** consistent with the purpose of the General Plan pursuant to Section 3-15 of the Hawaii County Charter to “... promote the general welfare, health, and prosperity of its people.”

1.The General Plan 2045 Draft must include a South Hilo Community Development Plan. The General Plan 2045 Draft fails to include all seven of Hawai‘i County’s Community Development Plans (CDP). The GP 2045 Draft includes only six CDPs, all but one CDP, intentionally leaving out the South Hilo CDP. This reeks of discriminatory gobbledegook from the county’s planning department, who, when responding to public questions of why no Hilo CDP in the GP, sidestep the CDP issue and conveniently cite the Department of Hawaiian Home Lands (DHHL) documents *yet refuse to include the same DHHL documents in the actual General Plan 2045 Draft:*

County of Hawaii

Final Draft General Plan 2045 Public Comments

Pg. 44 of 569

<https://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=139815>

Land Use

Q: Why was a Hilo CDP not done, when Hilo has the most population?

A: Given the process of adopting the General Plan, it may be considered that Hilo would better benefit from an urban development plan rather than a regional plan, although this is still to be determined. The latest Hilo CDP is dated 1975. Further, the greater Hilo area has several other planning documents and tools that other towns and regions do not have and that help to guide development in and around Hilo. These include but are not limited to: the City of Hilo Zone Map (HCC 25-8-33), Downtown Hilo Multimodal Master Plan, Banyan Drive Redevelopment Authority Plan, EnVision Downtown Hilo, Hilo Bayfront Trails Master Plan, DHHL Master Plans for each of its areas (like Panaewa and Keaukaha), University of Hawaii in Hilo Master Plan, State Airport Master Plan, etc.

These “other planning documents” are “urban developments plans” that do not include the voices of the residential communities of South Hilo. The citizens of South Hilo are NOT represented in the GP 2045, of particular concern to the South Hilo homestead communities of Keaukaha and Pana‘ewa - already suffering from disproportionate environmental injustices - targeted for aggressive development in the GP 2045 Draft.

We have been demanding an updated Hilo CDP 1975 / South Hilo CDP for years and insist that the GP 2045 include the Hilo CDP 1975 to ensure this outdated CDP is part of the GP 2045 Phase 1 2024-2029 actions for “updating our Community Development Plans and other relevant plans.” (GP 2045 Draft pg. 221)

2. The General Plan 2045 Draft must include Department of Hawaiian Home Land/ Commission Chair Kali Watson’s comments and documents. These comments and documents were submitted to the County Planning Department’s Chairman Zendo Kern in February 2024. We brought these same concerns, comments, and documents to the attention of several county administrations, county planning departments, and sitting county councilwoman D3 over the course of many years while the GP 2040 - now 2045 - was being amended. At every level, our voices were dismissed. Now, with this same flagrant dismissiveness towards our Hawaiian Homes Commission Act authority, the county refused to include comments and documents in the GP 2045 Draft that promote the well-being of HHCA beneficiaries.

Here are two examples of the HHCA Chair’s comments / documents (Attachments 1-3) that the county refused to include:

- The MOU between the County and DHHL was created almost a quarter century ago and while DHHL knows that current County Planning Department staff are aware of the MOU and the unique status of the Hawaiian Homes Commission’s land use authority over DHHL lands, DHHL wants to further ensure that future County staff future elected officials, and

future members of the public continue to have an institutional memory of the relationship between DHHL and the County. Incorporating a reference to this document in the 2045 County General Plan Update will better guarantee that this institutional memory is perpetuated in future generations. The 2002 MOU is enclosed for your convenience and reference.

-

- Likewise, DHHL requests that its 2022 DHHL General Plan Update be referenced and / or included in the 2045 County General Plan Update either as an appendices or other appropriate section of the County General Plan [emphasis added]. The 2022 DHHL General Plan Update identifies land use designations that the HHC may apply to Hawaiian Home Lands. The DHHL General Plan should be a reference to the County.

While the county verbally acknowledges the HHCA's authority over DHHL lands, the county refused to commit this to writing in the GP 2045 Draft, which will be to the detriment of HHCA beneficiaries forced to expend time, energy, and resources to ensure and protect the well-being of the people and the 'āina. A recent example of this is the continued attempt by the County and State to build a connector road from Puna to Hilo via Railroad Avenue, right through the heart of our Pana'ewa community, even though the Pana'ewa Regional Plan and the DHHL General Plan 2022 confirm that no such connector road(s) shall be built. This continued aggression forced homesteaders to take action in civil protest. While the government backed off – for now - **the General Plan 2045 Draft still includes collector/connector roads from Puna to Hilo via Railroad Avenue that must be removed.**

Again, we ask that the Leeward Planning Commission require the above changes to the GP 2045 Draft so this overarching long-range planning policy document for land use for several decades truly be consistent with the well-being of the next generations to come.

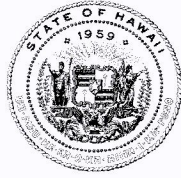
Mahalo,
Kūpuna for the Mo'opuna
Pana'ewa, Hawai'i

Attachments (3):

- (1) DHHL Comments on the County of Hawaii 2045 General Plan - February 28, 2024 (4 pages)
- (2) Memorandum of Agreement Between the County of Hawai'i and the Department of Hawaiian Home Lands - December 27, 2002 (5 pages)
- (3) DHHL Comments on Draft County of Hawaii General Plan Update - October 31, 2019 & August 30, 2017 (11pages)

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii'i*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii'i*



KALI WATSON
CHAIRMAN, HHC
Ka Luna Ho'okele

KATIE L. DUCATT
DEPUTY TO THE CHAIRMAN
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawai'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

Ref: PO-24-032

February 28, 2024

The Honorable Zendo Kern, Director
County of Hawaii Planning Department
Aupuni Center, 101 Pauahi Street, Suite 3
Hilo, HI 96720

Aloha Director Kern:

RE: DHHL Comments on the County of Hawaii 2045 General Plan

Mahalo for the opportunity to provide comments on the County of Hawaii's General Plan Update. The Department of Hawaiian Home Lands (DHHL) offers the following comments:

1. Recognition and coordination of the Hawaiian Homes Commission (HHC) land use authority with the County's land use authority is memorialized in the 2002 Memorandum of Understanding (MOU) between DHHL and the County. DHHL requests that the County includes this document as either as an appendices to the County General Plan or in separate section of the plan, where appropriate, to ensure that there is a reference for current and future County staff, elected officials, and members of the public about the relationship between DHHL and the County. The MOU between the County and DHHL was created almost a quarter century ago and while DHHL knows that current County Planning Department staff are aware of the MOU and the unique status of the Hawaiian Homes Commission's land use authority over DHHL lands, DHHL wants to further ensure that future County staff future elected officials, and future members of the public continue to have an institutional memory of the relationship between DHHL and the County. Incorporating a reference to this document in the 2045 County General Plan Update will better guarantee that this institutional memory is perpetuated in future generations. The 2002 MOU is enclosed for your convenience and reference.

2. Likewise, DHHL requests that its 2022 DHHL General Plan Update be referenced and / or included in the 2045 County General Plan Update either as an appendices or other appropriate section of the County General Plan. The 2022 DHHL General Plan Update identifies land use designations that the HHC may apply to Hawaiian Home Lands. The DHHL General Plan should be a reference to the County. A copy can be found here: <https://dhhl.hawaii.gov/po/general-plan/>

3. The 2045 County General Plan Update should have specific policies that articulate that DHHL Plans (DHHL General Plan, DHHL Hawaii Island Plan, DHHL Regional Plans) will be the authority on land use that will guide County policy regarding land uses and projects surrounding DHHL lands. DHHL beneficiaries have expressed strong concern with County policies or actions that may encourage land uses that are detrimental to homestead communities.

For example, the recently introduced County Council Bill 107 related to an alternate route study for the proposed Puna Bypass Road did not appear to consider DHHL testimony and the testimonies of its beneficiaries to exclude routes from the study that traverse over lands under the jurisdiction of DHHL.

Furthermore, there continues to be harmful uses near DHHL homestead lands, particularly in Hilo, that pose a health and safety issue to our Hilo homestead communities. The County General Plan should emphasize that the County should adopt policies to phase these uses out over time. DHHL does note and appreciates that the County Land Use Pattern Allocation Guide (LUPAG) recommends agriculture-related designations for lands bordering the Panaewa homestead community to the east. DHHL would like the County to strongly consider non-industrial uses in its LUPAG for lands that border DHHL's King's Landing Tract. Those lands are currently being considered for future homesteading and DHHL is currently going through a planning process to settle these lands.

4. DHHL strongly encourages the County to begin its process to develop a County Community Development Plan (CDP) for the South Hilo District. The South Hilo District includes these DHHL homestead communities: Keaukaha, Panaewa, Kaumana, Piipihonua, King's Landing, and the future Honomu Homestead community.

Per the draft 2045 County General Plan Update (page 204), CDPs “translate broad General Plan statements to specific actions, as they apply to specific geographical areas. ***They serve to provide a forum for community input*** to reflect the character of each community.” Further this section of the County General Plan states the purpose of a CDP is threefold:

- Translate the General Plan’s broad statements and community development guidelines to actions specific to the planning area to address regional issues and opportunities.
- Improve and advance communities and community resilience through the acknowledgement and development of community capacity.
- ***Provide a process for citizens to engage in civic dialogue and contribute to the identification of community priorities.***

Beneficiaries have expressed to DHHL that the absence of a South Hilo CDP marginalizes these homestead communities from having a say in land use decisions and government services that impact these homestead communities. Further, without a South Hilo CDP, beneficiaries would like to know how the County intends to incorporate the voices of these homestead communities into County plans, programs, and services for their district. The County 2045 General Plan should address this disparity for the South Hilo district in the implementation section of the General Plan.

5. The County should not be articulating proposed roads through Hawaiian Home Lands in its General Plan without first consulting with DHHL and its beneficiaries. There are several proposed roadway routes depicted on the County’s online webmaps on its Konveio website. While DHHL understands that data depicted on these maps are “draft,” DHHL would like to emphasize that final County General Plan recommendations should not depict proposed new roadways through DHHL land without first consulting with DHHL and its beneficiaries.

6. DHHL appreciates County planners taking the time to meet with DHHL planners over the years as part of the County General Plan update. It appears that most of the LUPAG designations of DHHL lands depicted on the Konveio site are consistent with DHHL land use designations in DHHL’s Hawaii Island Plan. We would like to note that DHHL will be updating its Hawaii Island plan 2024 thru 2025 and will be consulting with its beneficiaries over that time through the update process.

Director Kern
February 28, 2024
Page 4

Should there be any substantive changes to DHHL's land use designations, DHHL will communicate these changes to the County.

7. DHHL is attaching previous DHHL comments on the County General Plan Update that DHHL previously submitted to the County over the years for your reference and consideration.

Mahalo again for providing an opportunity to review and comment on the County of Hawaii 2045 General Plan Update.

Sincerely,

A handwritten signature in black ink that reads "Kali Watson". The signature is fluid and cursive, with the first name "Kali" being more prominent than the last name "Watson".

Kali Watson, Chairman
Hawaiian Homes Commission

cc: Michael Kaleikini, East Hawaii Commissioner (via email)
Makai Freitas, West Hawaii Commissioner (via email)

Enclosures: 2002 MOU between County of Hawaii and DHHL
Prior DHHL comments on County of Hawaii General Plan Update

**Memorandum of Agreement Between the County of Hawaii
and the Department of Hawaiian Home Lands**

I. Purpose

The purpose of this Memorandum of Agreement (MOA) is to clarify the respective roles, responsibilities, and obligations of the County of Hawaii (County) and the Department of Hawaiian Home Lands (DHHL) relating to land use planning, infrastructure maintenance, enforcement of laws, and collection of taxes and other fees on Hawaiian home lands.

II. Guiding Principles

The following general principles have guided the development of this MOA:

- A. The Hawaiian Homes Commission is responsible for determining land use on Hawaiian home lands. The County may not use its land use and zoning powers to prevent the Hawaiian Homes Commission from controlling the use of Hawaiian home lands.
- B. The County and DHHL share common goals in planning for the use of Hawaiian home lands: both support the orderly development of those lands for the benefit of native Hawaiians and both are committed to the integration of planning by DHHL and Hawaii County.
- C. The County should manage and maintain all infrastructure built to County standards
- D. The County is authorized to enforce criminal laws and applicable County ordinances and regulations on Hawaiian home lands.
- E. Hawaiian homestead lessees are residents of the County of Hawaii and should be treated in a manner consistent with all other residents of the County.
- F. Hawaiian homestead lessees should pay all taxes and fees required by law.
- G. The County and DHHL acknowledge that there are areas where agreement will not be reached, and agree to continue to work together toward a mutually acceptable resolution of such issues.

III. Relating to Planning and Land Use

- A. DHHL will implement its Planning System which includes plans with DHHL land use designations such as the Hawaii Island Plan, various Development and Subdivision Plans, and Homestead Community Plans. In the formulation, updating, and amendment of these plans, DHHL will consult with the relevant County departments, and shall give due consideration and weight to their

comments, and to the Hawaii County General Plan, and other officially adopted plans such as Community Development Plans. All land uses on DHHL property will be placed according to the applicable DHHL plans.

- B. The County will consult with DHHL over the appropriate designations of DHHL property in the Hawaii County General Plan LUPAG maps, and shall give due weight and consideration to the comments of DHHL, and to officially adopted DHHL plans.
- C. Based on its plans and DHHL land use designations, DHHL will determine the appropriate County zoning districts that shall apply to the property in question. DHHL will communicate these zoning districts to the County.
- D. All normal land use controls will be applied by Hawaii County to DHHL property according to the zoning district selected by DHHL. Except as specifically provided in the Agreement, DHHL will follow all normal land use procedures, regulations, and standards applicable to the zoning district.
- E. All land use permit applications on Hawaiian home lands must be accompanied by written consent from DHHL before the County can begin processing those applications.
- F. The standards of the various zoning districts selected will apply to DHHL property. DHHL and its lessees will go through normal County administrative variance procedures if they seek exemptions from standards.
- G. For uses allowed in the various zoning districts that require special permits or use permits, DHHL and its lessees will go through the applicable County permit procedures. At some time in the future, DHHL may implement its own use permit procedure for Hawaiian home lands. If DHHL grants use permits, it will be responsible for enforcing violations of those permits. The County will be notified when DHHL has formulated its use permit system.
- H. The County will advise DHHL of all violations by its lessees. The County will enforce land use codes and regulations on Hawaiian home lands in the same manner as with other landowners. DHHL will cooperate with the County in enforcing the terms of its leases requiring conformity to applicable laws and regulations, if requested by the County. Ongoing violations and failure to comply will be referred to DHHL after the County has exhausted all remedies short of pursuing legal action to address the violation. DHHL may institute lease enforcement proceedings in advance of, or in lieu of, County enforcement actions.

IV. Relating to Public Facilities and Infrastructure Serving Hawaiian Home Lands

- A. In the development of future projects, DHHL will construct public facilities in accordance with County standards. Where departures from County standards are desired, DHHL will pursue exemptions and other administrative variances from the appropriate County department, in accordance with procedures established for all property owners. Should DHHL choose not to construct infrastructure in accordance with County standards, the County may view such improvements as private facilities for repair and maintenance purposes.
- B. The County will accept operation, repair, and maintenance of all future DHHL infrastructure constructed according to County standards.
- C. Existing infrastructure shall be subject to County inspection prior to being accepted by the County for operation, repair, and maintenance. The County may require DHHL to repair any damage such as leaks, holes, sags, or deterioration affecting the operation of the existing infrastructure, identified as a result of the inspection.
- D. In the case of existing infrastructure that is not constructed to County standards, the County and DHHL will work to establish minimum standards for residential, agricultural, and pastoral subdivisions. Existing projects will be evaluated based on these new standards. The County may require DHHL to upgrade the infrastructure to the minimum standard prior to being accepted by the County for operations, repair, and maintenance.
- E. The County will maintain infrastructure according to its own standards, resources and schedules. Any decisions as to upgrades or rehabilitation will be at the County's discretion.
- F. Should DHHL elect to convert its land to a more intensive land use, DHHL will be responsible for upgrading the onsite infrastructure to accommodate the new use, and will consult with the County regarding the need to upgrade offsite infrastructure. DHHL and the County shall negotiate the extent to which DHHL will be responsible for any such offsite improvements requested by the County. DHHL shall be responsible for project-related offsite improvements to the extent that these would be required of other developers with similar projects. If offsite improvements benefit other property, DHHL and the County shall cooperate so that DHHL bears only its fair share of these improvement costs.
- G. The County will treat DHHL lessees in the same manner as other property owners with respect to conformity with laws, ordinances, and regulations. The County will advise DHHL of violations, and will refer cases of ongoing violation to DHHL after the County has exhausted all remedies short of pursuing legal action

to address the violation. DHHL reserves the right to institute lease enforcement proceedings in advance of, or in lieu of, County enforcement actions.

V. Relating to the Enforcement of Criminal Violations on Hawaiian Home Lands

- A. The County is authorized to and will enforce violations of criminal law on Hawaiian home lands.
- B. County law enforcement agencies and DHHL will work to establish procedures regarding sharing information and providing testimony relating to arrests made on Hawaiian home lands needed for contested case hearings and other administrative and/or judicial proceedings.

VI. Relating to Real Property Taxes

- A. Homestead lessees on Hawaiian home lands are responsible for the payment of real property taxes in accordance with the Hawaiian Homes Commission Act, 1920, as amended, and applicable County ordinances.
- B. The County agrees to waive the penalty and interest on all delinquent real property taxes owed by Hawaiian homestead lessees as of December 31, 2001. Such waiver will apply to payments made by February 20, 2002, or to payments advanced by DHHL pursuant to paragraph C.
- C. For those homestead lessees with real property tax balances, excluding penalty and interest, of more than \$500, if payment is not made by February 20, 2002, DHHL will advance full payment of all real property taxes, excluding penalty and interest, to bring those bills current, within 60 days of receipt of an updated real property tax listing. This date may be extended by mutual agreement of the parties.
- D. It is understood that the County's waiver of interest and penalty charges on delinquent real property taxes owed by homestead lessees as of December 31, 2001, and DHHL's advance of full payment of real property taxes, excluding interest and penalty, in accordance with paragraph C, is a one-time only offer.
- E. In order to alleviate or reduce further delinquencies, the County will notify DHHL on an annual basis of any delinquent property owners.
- F. The parties will continue to meet on an annual basis to evaluate the extent of delinquencies by Hawaiian homestead lessees on the Island of Hawaii and take action, if necessary, to keep delinquencies from recurring.

- G. The County and DHHL shall work to establish a customer trust fund by July 1, 2004 to collect real property tax payments as part of the mortgage/loan payments in order to make smaller, regular payments.

VII. Areas for Further Collaboration

The parties agree to work further on the following issues:

- A. The creation of new County zoning districts for farming and pastoral activities.
- B. The development of infrastructure standards for rural land uses such as agricultural and pastoral activities.
- C. The establishment of procedures for sharing evidence, information, and testimony involving criminal violations on Hawaiian home lands.
- D. The implementation of actions to prevent and/or address future real property tax delinquencies by Hawaiian homestead lessees.

VIII. Termination

To achieve the objectives of this MOA, either party may, by mutual agreement in writing, further clarify or waive any term or condition of this agreement, provided such action does not violate any statutes, ordinances, or binding rules or regulations. DHHL and the County reserve the right to terminate this MOA upon one hundred eighty (180) days notice in writing to the other party.

In agreement thereof, the parties have entered into this Memorandum of Agreement on this 27th day of December, 2002.

COUNTY OF HAWAII

DEPARTMENT OF HAWAIIAN HOME
LANDS

By Harry Kim
Harry Kim, Mayor

By Raynard C. Soon
Raynard C. Soon, Chairman
Hawaiian Homes Commission

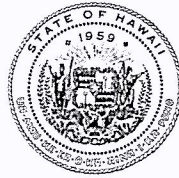
APPROVED AS TO FORM:

By [Signature]
Corporation Counsel

By [Signature]
Deputy Attorney General

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

October 31, 2019

The Honorable Michael Yee, Director
County of Hawaii Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720

Aloha Mr. Yee:

Subject: DHHL Comments on Draft County of Hawaii General Plan Update

DHHL stands by its comments submitted on August 30, 2017 to the County regarding the County's General Plan Update (Enclosed). We encourage the County to incorporate these comments into its final General Plan Update. Also, after reviewing the County's Draft Land Use Pattern Allocation Guide (LUPAG) maps, DHHL is generally supportive of the LUPAG as it applies to DHHL's lands as the LUPAG maps are generally consistent with DHHL's Hawaii Island Plan Land Use Designations.

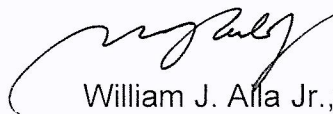
Additionally, DHHL would like to mahalo the County Planning Department for accommodating the request of our Panaewa Agriculture Homestead Lessees to hold a County General Plan outreach meeting in their community. Comments below are reflective of some of the main points that were expressed by DHHL beneficiaries at this October 22, 2019 County Planning Department meeting.

- DHHL is supportive of traffic calming measures on the streets that service Panaewa agriculture homestead lessees. As noted in our previous comments, speeding and traffic safety is a major issue for some of our Panaewa agriculture homestead lessees.
- DHHL is supportive of more complete street concepts, such as bike paths, along the main thoroughfares in the Panaewa Agriculture Homestead Community. Beneficiaries attending the October 22, 2019 expressed that amenities such as bike paths would positively impact their community.

- Panaewa Agriculture Homestead Lessees have expressed that they are **not** supportive of the proposed spaceport complex located near their community on neighboring land owner property as the proposed use could have potential negative impacts on their community. In general, across the island, DHHL encourages the County to utilize its land use authorities on neighboring property owners' lands to ensure that there is no harm caused to our homestead communities from neighboring uses and that neighboring uses are compatible with healthy native Hawaiian communities.

DHHL is open to working with the County to implement the ideas that were expressed at the October 22, 2019 County General Plan meeting. We look forward to working with the County to collaboratively create healthy native Hawaiian homestead communities across the island. Should you have any questions, please contact Andrew H. Choy, DHHL Acting Planning Program Manager, at andrew.h.choy@hawaii.gov or 808-620-9481.

Mahalo nui,



William J. Alfa Jr., Chairman
Hawaiian Homes Commission

ENCLOSURE

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOHIE 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

August 30, 2017

The Honorable Michael Yee, Director
County of Hawai'i Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96740

Aloha Mr. Yee:

Subject: DHHL Comments Regarding County of Hawai'i General Plan Update

The Department of Hawaiian Home Lands (DHHL) has been made aware of the County of Hawai'i's (COH) General Plan Update process and has participated in two workshops that the County conducted on August 24 and 26 of 2016 (see enclosure). DHHL has approximately 118,000 acres on Hawai'i Island. There are approximately 2,500 homestead lessees that reside in Hawai'i County and 14,500 waitlist applicants on DHHL's Hawai'i Island homestead waitlist. The General Plan should take into consideration the needs of these unique populations. During the August 2016 workshops, DHHL informed the County of DHHL's long-range development plans that are documented in its 2002 Hawai'i Island Plan and 2009 Hawai'i Island Update for West Hawai'i.

As a follow-up to those August 2016 County General Plan workshops, DHHL would like to remind the County of DHHL's existing plans on Hawai'i Island via this letter. DHHL currently utilizes a planning system that consists of 3-tiers. Tier 1 includes the DHHL General Plan which consists of statewide goals and policies. Tier-2 plans include subject-matter specific program plans as well as *Island Plans* specific to each island on which DHHL has land holdings. Tier-3 plans include *regional plans* and special area plans that pertain to specific regions and locations within each island. The comments that follow are based upon the plans in the DHHL Planning System that have been adopted by the Hawaiian Homes Commission and that pertain specifically to Hawai'i Island. These plans can also be found on the DHHL website at:

<http://dhhl.hawaii.gov/po/>

2002 DHHL Hawai'i Island Plan and 2009 Island Plan Update for West Hawai'i

Island Plans articulate DHHL's land use designations (LUD) for its lands on each island and are analogous to the COH's General Plan Land Use Pattern Allocation Guide (LUPAG) designations. Island Plans also articulate DHHL's priority areas for future homestead development. Please incorporate DHHL's Hawai'i Island Land Use Designations into the COH's General Plan LUPAG. Future County services and infrastructure should be directed to locations where DHHL has identified in its Hawai'i Island Plan for current and future land uses that include: residential homestead, agricultural homestead, pastoral homestead, commercial, industrial, and community-use. A breakdown of acreage of DHHL lands on Hawai'i Island by DHHL LUD is presented below.

Land Use Designation	Acres	Percent of Total Acres
Residential Homestead	4,421	3.7
Subsistence Agriculture Homestead	2,486	2.0
Supplemental Agriculture Homestead	4,132	3.4
Pastoral Homestead	40,514	34.2
Community Use	1,105	0.9
General Agriculture	37,236	31.4
Commercial	913	0.7
Industrial	36	0.003
Conservation	18,485	15.6
Special District	8,423	7.1
TOTAL	118,489	100

Additionally, DHHL would like to advocate that the County General Plan LUPAG direct future development that is **not** compatible with the purposes of the Hawaiian Homes Commission Act to be located well away from DHHL lands. For the County Planning Department's convenience hard copies of the *2002 DHHL Hawai'i Island Plan* and *2009 DHHL Hawai'i Island Plan Update for West Hawai'i* have been enclosed with this letter. DHHL's GIS shapefile depicting DHHL's Hawai'i Island Plan LUD is also enclosed with this letter on CD.

DHHL Regional Plans on Hawai'i Island

DHHL has eight regional plans on the island of Hawai'i. DHHL regional plans identify issues and opportunities raised by beneficiaries in each region and related priority projects. Hawai'i Island Regional Plans can be found here:

<http://dhhl.hawaii.gov/po/regional-plans/hawaii-regional-plans/>

The following discussion below is a brief summary of each DHHL Regional Plan on Hawai'i Island in alphabetic order. The summary below identifies issues, opportunities, and priority projects in which collaboration with the County of Hawai'i is crucial to the project's implementation.

Ka'ū Regional Plan

A priority need of DHHL and its beneficiaries in Ka'ū is potable water service to existing and future planned homestead lots. The County General Plan should direct additional water resources to DHHL lands in Ka'ū. Initial conversations with DWS staff and DHHL have not led to any conclusive solution to addressing DHHL's water needs in Ka'ū. Additionally, as DHHL moves to implement its South Point Resources Management Plan, DHHL will need to partner more with County Police to enforce against illegal and unpermitted activities on DHHL lands in South Point.

Kaumana-Pi'ihonua Regional Plan

In this region, the DHHL Hawai'i Island Plan anticipates the future development of approximately of 115 residential homesteads and 235 subsistence agriculture homesteads in Lower Pi'ihonua. The County General Plan LUPAG should reflect these future plans. Two of the priority projects identified by beneficiaries in this regional plan include the development of a community center at a to-be-determined location and the establishment of a community pasture on DHHL lands in Lower Pi'ihonua. Both of these priority projects may require County permits, services, and/or infrastructure to be successfully implemented.

Kawaihae Regional Plan

The County of Hawai'i General Plan should reflect current and future water demands in the Kawaihae region by directing additional water development to the area. Per the regional plan, DHHL currently has two residential communities in the region totaling 221 homes. Added water service is identified as a priority need in the Kawaihae Regional Plan for current as well as future residential homesteading. There are 2,000 acres designated for future homestead development. That development is on hold until future water infrastructure is developed. It is also important to mention that the County of Hawai'i's South Kohala Community Development Plan (CDP) specifically recommends that the County provide additional water service to the

Kawaihae area including DHHL's Kailapa homestead area. This County CDP recommendation should also be reflected in the County General Plan.

Kealakehe - La'i 'Ōpua Regional Plan

In the DHHL Hawai'i Island Plan West Hawai'i Update, DHHL anticipates up to approximately 2,900 additional residential homesteads in the Villages of La'i 'Ōpua. In Kalaoa, DHHL anticipates 130 acres of future residential development and 385 acres of future commercial development. La'i 'Ōpua 2020 also anticipates the development of various community facilities on 25 acres and a mix of commercial and light industrial uses on another 25 acres. DHHL's and La'i 'Ōpua 2020's plans should also be reflected in the General Plan Update. North Kona Water Source Development was identified as a priority project in this Regional Plan. As such, the County General Plan should recommend additional County resources for water infrastructure storage and development in the North Kona district. DHHL, La'i 'Ōpua 2020, and the County DWS, are currently examining potential source development options in North Kona.

Keaukaha Regional Plan

There were several issues identified in the Keaukaha Regional Plan in which collaboration with the County is important. These issues include continuing to work with COH Civil Defense on emergency evacuation preparedness and working with the County to mitigate health risks posed by the proximity of the County wastewater treatment plant. The County General Plan should clearly articulate that intensification of existing industrial uses should not be allowed in this region and when possible, industrial uses should be relocated away from the Keaukaha community. The General Plan LUGAP should be amended to include open space buffers between industrial uses and Keaukaha residential lots.

Maku'u Regional Plan

One of the issues raised in the Maku'u Regional Plan by DHHL beneficiaries was that the Maku'u homestead community was not recognized in the County's Puna Community Development Plan. Maku'u lessees would like the County to integrate their community with County Planning documents. The General Plan Update provides another opportunity for the county to recognize and integrate the Maku'u homestead community in the County's plans. One of the priority projects identified in the Maku'u Regional Plan is the Maku'u Farmers' Association Community Center. The implementation of this project will require County permitting.

Pana'ewa Regional Plan

During the development of the 2016 Pana'ewa Regional Plan Update, beneficiaries strongly advocated that Railroad Avenue not be used as a mid-level connector road. Figure 15 in

the 2016 Panaewa Regional Plan Update recommends an alternative route to connect the mid-level to the more appropriate state highway. This figure is enclosed with this letter for your reference. DHHL would like the County to delete any reference regarding utilization of Railroad Avenue as a mid-level connector road from its General Plan.

Pana'ewa farm lot lessees who reside at the Puna end of Railroad Avenue have experienced issues such as illegal racing, drug activity, and vandalism of private property. Several solutions that are identified in the regional plan and that would require County collaboration to resolve these issues include stepped-up police patrols of the area, installation of an access gate to limit non-residents from entering the area, and/or, installation of speed-control devices such as speed-humps along Railroad Avenue.

Additionally industrial type land uses should not be located in close proximity to existing Pana'ewa homestead lots as they would cause detrimental affects to homestead lessees and their families. The General Plan LUPAG should be amended to prevent this type of land use from occurring near Pana'ewa homestead areas.

Waimea Nui Regional Plan

In this region, the DHHL Hawai'i Island Plan anticipates the future development of approximately 400 residential homesteads on 214 acres in its Lālāmilo residential homestead subdivision and an additional 550 residential homesteads, 160 subsistence agriculture homesteads, and 50 pastoral homesteads in the Honokaia tract. This should be reflected in the County General Plan LUPAG. Regional Plan priority projects that will require collaboration with the County to implement include the 161-acre Waimea Nui Regional Community Development Initiative and the priority project that calls for a re-examination of County building codes to look at options on how the code could be modified to allow for more affordable home development.

Additional County Outreach with DHHL Beneficiaries

DHHL comments on the County General Plan Update included in this correspondence may not be completely reflective of all beneficiary comments and concerns that should be incorporated into the County's General Plan update. As such, DHHL strongly encourages the Planning Department to consult directly with Hawai'i Island DHHL beneficiaries during the County's General Plan update. Direct County consultation with DHHL homestead communities and waitlist beneficiaries will provide these sometimes underrepresented populations an opportunity to provide feedback to the County General Plan and ultimately allow DHHL beneficiaries an opportunity to help guide the goals and policies of the County over the next decade and beyond. DHHL recommends that the County hold a *minimum of at least* two special outreach meetings (one in West Hawai'i and one in East Hawai'i) for DHHL beneficiaries.

DHHL would be happy to collaborate and provide assistance to the County to schedule these meetings with DHHL beneficiaries.

By actively including DHHL and its beneficiaries in the COH's General Plan update process, DHHL hopes to better coordinate and collaborate with the COH in providing a better future quality of life for its current and future Hawai'i Island Homestead communities. Should you or your staff have any questions regarding existing DHHL plans on Hawai'i Island, please contact Andrew H. Choy at andrew.h.choy@Hawaii.gov.

Me ke aloha,

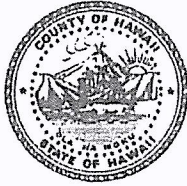


Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

Enclosures: July 21, 2016 County of Hawaii Letter
DHHL 2002 Hawai'i Island Plan
DHHL 2009 Hawai'i Island Plan Update for West Hawai'i
DHHL GIS shapefile of Hawai'i Island Plan Land Use Designations (CD)
DHHL 2016 Pana'ewa Regional Plan Update Figure 15

C: Commissioner David Ka'apu (via email)
Commissioner Wallace Ishibashi (via email)
DHHL West Hawai'i District Office (via email)
DHHL East Hawai'i District Office (via email)
Kailapa Community Association (via email)
Ka'u Hawaiian Home Lands Association (via email)
Kaunala Community Association (via email)
Kawaihae Pua Ka'Ilima Community Association (via email)
Keaukaha Community Association (via email)
Keaukaha-Pana'ewa Farmers' Association (via email)
Maku'u Farmers' Association (via email)
Pana'ewa Hawaiian Home Lands Association (via email)
Pi'ihonua Hawaiian Homestead Community Association (via email)
Villages of La'i 'Ōpua Association (via email)
Waimea Hawaiian Homesteaders' Association (via email)

William P. Kenoi
Mayor



Duane Kanuha
Director

Joaquin Gamiao-Kunkel
Deputy Director

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July 21, 2016

AN INVITATION TO PARTICIPATE

Aloha,

As you may know, the General Plan is the County's policy for long-range comprehensive physical development within Hawai'i County. Consequently, a Comprehensive Review of the General Plan was initiated last year and is on track to have recommendations available in 2017.

As part of the comprehensive review process, one of the principal tools being used is "scenario planning" utilizing geographic information system (GIS) computer models. This allows us to analyze, map, and compare existing conditions and trends through the 2040 planning horizon, including alternative scenarios. Because the models are built on a robust geodatabase, we are able to consider the trade-offs among alternatives across a wide range of measures related to conservation, hazards, infrastructure, settlement patterns, and costs. It's like SimCity on steroids, and nearly as much fun.

We need your help to assess these alternative scenarios and their trade-offs and to guide decision-making about our County's future. In addition to the public input forums outlined below, **you are personally invited to Technical Workshops** that will help inform the future land use and infrastructure policies in the County of Hawai'i General Plan. Please **RSVP by Friday, August 5, 2016** to attend either the Hilo session or the Kona session.

Technical Workshops: These technical workshops are by invitation only and are geared toward people like you, who have a working knowledge of planning and/or infrastructure, including members of CDP Action Committees, the Planning Commissions, and County Council as well as agency representatives and planners. We are carefully designing the workshops to avoid any real, potential, or perceived violations of the Sunshine Law.

Participants will be able to make adjustments to "trend" development patterns and see the impacts on conservation, hazard risk, infrastructure and development, household, and government costs. Two workshops are being offered:

**Wednesday, August 24, 8:30am-12:30pm, Aupuni Center Conference Room, Hilo or
Friday, August 26, 8:30am-12:30pm, West Hawai'i Civic Center-Community
Meeting Hale, Kona**

Please sign up for the workshop in the geographic area where you have the greatest interest or expertise. The workshop in Hilo will be geared toward eastern Ka'u (Wai'ōhinu and

points east), Puna, Hilo, and the Hāmākua coast. The workshop in Kona will be geared toward West Hawai'i, including Kohala, Kona, and west Ka'ū (Ocean View & Discovery Harbour areas).

Participation in one of the Technical Workshops will be more productive if you are first able to attend one of the Public Input Forums as noted below. If you represent an agency, we encourage you and your most senior managers and staff to attend. We are happy to provide suggestions about which staff would have the most to contribute and benefit.

Seating is limited for the Technical Workshops and we need to pre-plan small group exercises, so **please RSVP no later than Friday, August 5, 2016**, indicating who is attending which session. Your response can be provided to Jackie Araujo at Jaclyn.Araujo@hawaiiicounty.gov or (808) 961-8132.

In addition to the workshops outlined above, there are other opportunities for your participation in the comprehensive review process:

Public Input Forums: These sessions are open to the public and serve as an excellent introduction to scenario planning and the scenarios we have been analyzing. The purpose is to get community feedback on alternative scenarios for future patterns of growth and development. Two identical public forums will be held, so plan to attend the one most convenient for you:

Tuesday, August 23, at 6:00pm, County Council Chambers, Hilo
Thursday, August 25, at 6:00pm, County Council Chambers, Kona

You may also participate remotely from the following locations:

Waimea Community Center on August 23 & 25
Pāhoa Neighborhood Facility on August 23 & 25
Nā'ālehu Community Center on August 23 & 25
Kona Council Chambers on August 23
Hilo Council Chambers on August 25

Professional Meetings: The periods between 2:00pm and 4:00pm on August 24 in Hilo and August 26 in Kona are reserved for informal meetings with staff and consultants regarding specific areas or questions. These meetings are an opportunity to use the scenario planning models to explore ideas in greater detail or depth than may otherwise be possible during the other sessions.

All of the above sessions mark the beginning of comprehensive consideration of the General Plan. Afterwards, we will continue to refine the models and related recommendations, with additional guidance from you and the general public.

For more information about the General Plan and the Comprehensive Review, please visit our website at: www.cohplanningdept.com/generalplan.

Mahalo, and we look forward to seeing you soon.

