

STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
University of Hawai'i at Hilo
Hale 'Ōlelo
113 Nowelo St.
Hilo, HI 96720

Minutes of the Office of Hawaiian Affairs Board of Trustees
Hawai'i Island Community Meeting
Wednesday, September 19, 2018
6:00 pm

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE DAN AHUNA
TRUSTEE LEINA'ALA AHU ISA
TRUSTEE W. KELI'I AKINA
TRUSTEE CARMEN HULU LINDSEY
TRUSTEE ROBERT LINDSEY
TRUSTEE JOHN WAIHE'E IV

ROBERT G. KLEIN, BOARD COUNSEL

EXCUSED:

TRUSTEE ROWENA AKANA
TRUSTEE PETER APO

ADMINISTRATION STAFF:

KAMANA'OPONO CRABBE, CEO
JOCELYN DOANE, PP
JASON LEES, DPM
KAWENA CARVALHO-MATTOS, DPM
MISTI PALI-ORIOLO, OUTF
KAMUELA BANNISTER, OUTF
KAMAILE PULUOLE-MITCHELL, OUTF
MONICA MORRIS, PP
KALENA BLAKEMORE, LA
CANDACE WHARTON, STUDENT HELPER

BOT STAFF:

CAROL HOOMANAWANUI
CRAYN AKINA
LŌPAKA BAPTISTE
LADY GARRETT
KAMA HOPKINS
DAYNA PA
KAUIKEAOLANI WAILEHUA
CLAUDINE CALPITO
KAY WATANABE
MARIA CALDERON
LEHUA ITOKAZU

GUESTS:

KEPA
LUNAKANAWAI HAUANIO
JOJO TANIMOTO
LOKELANI BRANDT
LANI ENGENIO
JENO ENOCENCIO
KEIKI KEKIPI
KALANIAKEA WILSON
LILI'UOKALANI ROSS
MAXINE KAHAULILIO
BOB ERNST

I. CALL TO ORDER

Chair Colette Machado calls the Hawaii Island Community Meeting to order at 6:04 pm. Roll call is taken; Trustees Ahuna, Ahu Isa, Akina, Carmen Hulu Lindsey, Trustee Robert Lindsey, Waihe'e and Machado are present; constituting a quorum of seven (7) trustees. Excuse memos were received from Trustee Rowena Akana and Trustee Peter Apo.

II. INTRODUCTIONS

Chair Colette Machado begins the meeting by sharing that there are four community groups who are on the agenda. She asks the Trustees to introduce themselves and their staff.

Each Trustee introduces themselves and their staff that are present and greet the beneficiaries that are present at the meeting.

Kamana‘opono Crabbe introduces himself and the staff that has traveled from Oahu. He thanks everyone that has come out to the meeting tonight. He announces some of the rules of the facility.

Chair Colette Machado turns the microphone to Trustee Robert Lindsey who will facilitate the meeting for the evening.

III. COMMUNITY PRESENTATIONS

Trustee Robert Lindsey informs those present that he will begin with community presentations. He clarifies that there were originally had five organizations that asked to be put on the agenda but there will only be four. He calls on Brandee Menino representing HOPE Services Hilo.

A. HOPE Services Hilo - Brandee Menino, CEO

Ms. Brandee Menino, CEO greets the Trustees and shares their work in Puna. She shares with the Trustees and those present a short video regarding the Kilauea eruption and the Sacred Hearts Shelter and the efforts of all the volunteers.

She hopes that the video provides an example of what our Hawaiian community can do in terms of disasters. She clarifies that their normal work is tackling homelessness. She shares the steps they took for the Sacred Hearts Shelter. She provides background on starting the project, different partnerships that they accessed and trying to accommodate the needs of the community and their love of the Puna Area.

(Please see attached PowerPoint presentation)

Trustee Robert Lindsey thanks Brandee and calls Louis Hao to the mic.

B. Hui Mālama Ola Nā ‘Ōiwi - Louis Hao, Executive Director

Mr. Louis Hao greets and introduces himself to the Trustees and those present. He presents his PowerPoint presentation for Hui Mālama Ola Nā ‘Ōiwi.

(please see attached PowerPoint presentation)

He shares with the Trustees background on their Hawai‘i Island Health Care System. He states that funding came from both Senate appropriations as well as OHA. He shares the different types of programs that are provided to the communities that they serve on Hawai‘i Island.

Trustee Robert Lindsey clarifies that Health is an OHA strategic priority.

Trustee Keli'i Akina asks if the services are free?

Mr. Hao clarifies that yes they are.

Trustee Keli'i Akina inquiries if payments are accepted?

Mr. Hao states that they have not taken payments before.

Trustee Robert Linsdsey thanks Mr. Hao. He calls on Ekekela the Executive Director of 'Āha Pūnana Leo and Ke Kula 'O Nāwahīokalani'ōpu'u Public Charter School.

C. 'Āha Pūnana Leo and Ke Kula 'O Nāwahīokalani'ōpu'u Public Charter Schools, Ekekela Aiona, Executive Director

Ms. Ekekela Aiona Gives a brief background on 'Aha Pūnana Leo. It was formed by a grassroots organization of educators in 1983. They were seeking to address the dismal state of the Hawaiian Language. She shares that currently there are 12 schools state wide. She also shares the work of of ke Kula 'O Nāwahīokalani'ōpu'u Public Charter Schools.

She shares that the school population consists of 96% Native Hawaiian, they have a 100% graduation rate and 85% enroll in college. Senior, junior and sophomores participate in dual enrollment where some acquire 36+ college credits upon graduation. She also shares that along with Hawaiian student in grades 1-6 learn Japanese, Grades 3-7 learn Chinese and Grades 2-4 learn Latin.

Lastly she shares with Trustees some of the damage that the school suffered due to the recent Hurricane that caused flooding. She also thanks OHA for their initial support to gain a permanent campus and for the continued support.

(Please see attached PowerPoint presentation)

Trustee Robert Linsdsey thanks Ekekela and calls on Susie Osborne from Kua O Ka Lā.

Ms. Jojo Tanimoto states that she comes from the other side of the island, Waimea. The Nāwahī School as well as the Punana Leo in Waimea has grown so much that they need more room. She states that there is problem with finding a high school, currently the school only goes to 8th Grade. She asks for OHA to help expand Nāwahī and Punana Leo because where are they going to go to speak Hawaiian.

D. Kua O Ka Lā New Century Public Charter School, Susie Osborne, Co-Founder & Po'okula

Ms. Susie Osborne introduces herself and thanks the Trustees for coming tonight. She gives a brief update on the current situation the school is facing from the lava flow. She shares how they needed to find a site for this coming school year. They were able to secure the Boys and Girls Club for the middle and High School Students and Nani Mau for the elementary students. They faced many

challenges getting Nani Mau ready but with many donations, organizations that volunteered and all the community involvement the school opened only two days late.

She shares that they still need to find permanent site for their school. They need to secure the site, gain permits and funding. She thanks OHA for their continued support of Hawaiian Focused Charter Schools and asks for OHA to continue to support legislation. She voices the concerns of many Hawaiian Focused Charter Schools with the inequity in facility, budget per pupil and that there is no disaster relief funding for Charter Schools or very little support being provided.

(Please see attached PowerPoint presentation)

Mr. Keikiloa Kekipi introduces himself. He states that he is a lifelong learner. He shares with the Trustees his experience with the Lava flow and everything that has happened in his community. He asks the Trustees to help the community and the school. He shares his experience with Kua O Ka Lā. He states that the most important thing is to honor, respect and love each other.

Trustee Leina‘ala Ahu Isa asked if she went to the Board of Education.

Ms. Osborne States that she did go to the Board of Education and the Commission.

Trustee Leina‘ala Ahu Isa asks if OHA helped in the legislation?

Ms. Osborne clarifies that OHA always helps with legislation.

Kamana‘opono Crabbe shares that administration will be coming before the board with the legislative package and some will address the need for parity for the Native Hawaiian Public Charter Schools.

Jocelyn Doane states that this year's package will focus on the facilities working group and get them to put forward some suggestions and provide criteria.

Monica Morris thanks both Ekekelā and Susie. She gives an update on the Native Hawaiian Education Council Legislative Summit that occurred today. She clarifies that even though bills are not in OHA's package, OHA has helped draft legislation as part of a coordinated advocacy. She states that she will be helping to draft bills that will be used as a coordinated effort to address meals, transportation and facilities for the Charter Schools.

Trustee Robert Linsdsey thanks Susie, Monica, Kamana‘o, Ekekelā. We will move on with our agenda. He turns the time over to KP.

E. Lili‘uokalani Trust , David Hipp, Kīpuka Lili‘uonamoku Systems Manager

(Group did not present)

IV. STATUS OF OHA ACTIVITIES

A. Ka Pouhana/CEO's 15-Minutes Update on Ho‘oulu Lāhui Aloha and OHA Activities

Kamana‘opono Crabbe shares a couple of announcements. He states that the Aha Hui Community Grants program deadline is September 21st. The awards are from a couple hundred dollars to \$10,000 and more information can be found online at www.oha.org. The community funding grants that administration will be going before the board for approval. He clarifies that affordable housing, education, health and economic self sufficiency are focuses. He states that this is for large amount of funding and the announcement will be coming out in a month or so. The third announcement is that the Board of Trustees will have a Kūlia Initiative Grants. He explains it is really for grassroots community organizations. He also updates everyone regarding the funding that OHA has provided for those impacted from the flooding on Kauai and also the funding for those who were impacted from the lava flow. OHA has been working with the City and Counties, the State and having various discussions within the communities.

Trustee Robert Lindsey thanks KP and moves on to Community Concerns.

V. COMMUNITY CONCERNS

Trustee Robert Lindsey asks that everyone to keep their testimony to five minutes so that everyone will be accommodated tonight.

Kepa thanks the Trustees for coming tonight. He asks the Trustees to respond to what he will be presenting tonight. BTC – Beneficiary Trust Council Moku o Keawe are the 50% who are on the waitlist. Hale o Kūlia was put up there for data collection and that is in response to the homeless crisis that has plagued the native Hawaiians. He asks for support as Native Hawaiians, he wants a meeting with OHA so that OHA can support their issues. They have a resolution that they need to move forward and they have a resolution that they want support from OHA. He states that DHHL is going for geothermal on Mauna Kea. He states that these are the kinds of information the Kanaka Rangers are collecting.

Trustee Robert Lindsey calls on Lunakanawai.

Lunakanawai Hauanio thanks Trustees for their time and shares a handout Hawai'i Community Emergency Response Team. He shares that while he was involved with this program it gave participants the insight to what first responder experience and best practices of search and rescue. He is trying to get the curriculum put in to the schools. He states that they are going to have an online course certification. He asks for OHA's support to look at it and is asking to get it in all the schools. He states that this program has been available for 20 years and he has been involved in it.

(Please see attached handout from Lunakanawai Hauanio)

Trustee Robert Lindsey calls on Jojo Tanimoto.

Jojo Tanimoto introduces herself and states that she lives in Kawaihae. She is concerned because the Pohakuloa Programmatic Agreement has already passed comment period. She inquires to OHA being a signatory. She asks the Trustees to consider making amendments to the programmatic agreement. She asks for help for Kawaihae and South Kohala. She shares the history of Kawaihae Harbor and how it got funding and the blasting that took place in the harbor.

Trustee Robert Lindsey asks Jojo to more information to get in contact with her.

Ms. Tanimoto agrees and thanks the Trustees.

Trustee Robert Lindsey calls on Lokelani Brandt.

Lokelani Brandt greets the Trustees and thanks them for coming to Hilo. She states that she was asked to prepare a cultural impact report for OCCC expansion project about relocating the prison. She has been in the process of consulting with the people in the community. She asks about the OHA 2010 study, which validated that Native Hawaiian, are sorely represented in our criminal justice system. She inquires where Native Hawaiians inmates represented in OHA's strategic priorities. She urges OHA to give a voice to our native Hawaiians who are in prison. OHA needs to better support those that are in prison.

Kamana'opono Crabbe shares that 4 years ago approved for a Judicial Task Force. He states that there have been a number of meetings with the Chair of the task force. A report will be submitted before Legislation begins in 2019 and comments will go to the recommendations.

Jocelyn Doane states that her staff has been sitting on two task forces that relate to the pretrial process and the incarceration task force.

Mr. Pati Shook asks if anyone experienced in the prison system.

Kamana'opono Crabbe responds that he has worked 10 with pa'ahau.

Mr. Shook states that he has 39 ½ years as a correctional officer. He was injured on the job and can no longer work. He states that Hawaiians are incarcerated for a reason and that is money. He states that he wrote programs out there, that put them to work, got them out in the community and brought them back out. He states that if you don't have that experience look to people who can actually contribute and help and don't make things up or don't understand. He states that he is willing to give \$100 a month for our people, and asks how many other will do it. This is so they can have prison reform, education all of these things that take money. He asks that at the end of this meeting we should move forward and there should be solutions already.

Trustee Robert Lindsey calls on Lani Engenio.

Lani Engenio introduces herself and gives a little background on herself. She has a biology, health, education and preschools backgrounds. She has worked with the Native Americans when they were having reparations. She started a preschool in Kohala. She believes in kids getting an early start. She states that the most important things are parents because children will follow them they are a big influence on the little children. She shares an experience she had with Peter boy and his father. She states that we are Hawaiians we need to teach the parents to raise their children.

Trustee Robert Lindsey calls on Jenö.

Jeno Enocencio introduces himself and he teaches kids about agriculture and aqua sciences. He states that they leased from Kamehameha land for the last 18 years and teaching kids how to survive in the islands. They have developed projects that range from water usage; building structures, maintain roadways and such. To make the land a viable place for the youth and teaching them to survive. Kamehameha Schools evicted them from the land and they are currently going through the courts. He states that they asked Native Hawaiian Legal Corp. He asks OHA to take a copy to Corp Counsel and have them review and say what OHA can do. He states that he writes everything. He asks to also give Native Hawaiian Legal Corp a copy.

Trustee Robert Lindsey states that Kamana'o or staff will get back to you. He calls on Kalaniakea Wilson.

Kalaniakea Wilson introduces himself. He asks what is just? He talks of cultural and political genocide. He states that he would rather wait on the land; he doesn't want to wait on a list. He asks if they knew about a letter from the United Nations letter. He states that when the lava came it took Uncle Keiki's house. Uncle Keiki gave his life to the school and he lost everything. Right now DHHL is tearing his home. He states that we cannot allow the Department of Hawaiian Home Lands to tear down homes of Hawaiians who have been waiting and who have lost everything in the lava. He also demands for a forensic audit of DHHL immediately for not fulfilling the constitutional obligation embedded in the Hawaii State Constitution as a condition to continue to operation because we need all the Hawaiians on the land.

Trustee Robert Lindsey calls on Lili'u Ross and Auntie Maxine.

Ms. Lili'uokalani Ross introduces herself. She voices concern about the water and the storage of water for Pu'u Kapu Pastoral. She states that a lot of money has been wasted. She states that water flows into these tanks that are about a 100 years old now they are decayed. She states that the Department tell those on that are on that water system to shut their mouth when they bathe. She states that there are toxins flying from the top of the mountain all the way down to the sea and undetonated ordinances.

Trustee Robert Lindsey calls on Maxine Kahaulilio

Ms. Maxine Kahaulilio states that they have met with Senator Kai Kahele asks for the land to be given back to the people. She states that she lives in Waimea. She states that they have 7 water tanks. In 2013, Department of Hawaiian Homes built 7 tank in Pu'u Kapu area. She shares that through the construction of those tanks the contaminated dirt got into the grass that the cows and horses were eating. She lost a horse because of that. She did testify at Hawaiian Home Lands and they did nothing. 7 Tanks were built, 5 for the fire, 2 for drinking and the others are non-potable. She confirms what Lili'u said that at a meeting they were told not to open their mouth when they bathe because they water is only good for the animals. She states that you need to go up to Pu'u Kapu and see what is happening to our people. She voices many problems that she has had with the Department of Hawaiian Home Lands with lost applications and not everyone getting awarded. She asks if OHA can check, the families at Pu'u Kapu are paying \$128 a month for non-drinking water. She states that the military gets all the water and not the homestead.

(Please see attached information regarding both Lili'uokalani and Maxine's concerns; it was received on October 1, 2018)

Trustee Robert Lindsey announces that Aunty Maxine will be 80 years young on Friday. He calls Bob Ernst as the last community speaker.

Bob Ernst greets the Trustees. He voices his concern about the tour helicopters. They create a lot of problems. They have asked the elected officials for help but no one was willing to help.

Trustee Robert Lindsey thanks everyone for coming and turns it back to the Chair.

Trustee Carmen Hulu Lindsey asks what part of the island they are impacting.

Mr. Ernst states that the entire island is impacted.

Jocelyn Doane shares that Senator Kahele did introduce a reso and the DOT is adopting a working group. It is something that the Hilo Senator is aware of and is working on.

Mr. Ernst states that Kai helped in the beginning but he didn't follow through.

VI. ANNOUNCEMENTS/FYI

None

IX. ADJOURNMENT

Chair Colette Machado thanks everyone for attending and all the families.

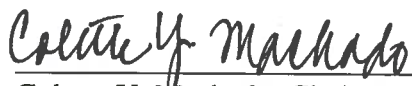
The meeting was adjourned at 9:17 pm.

Respectfully submitted,



Dayna Pa, Board Secretary

As approved by the Board of Trustees on October 11, 2018.



Colette Y. Machado, Chairperson
Board of Trustees

Attachment:

1. Trustee Rowena Akana – Excuse Memo
2. Trustee Peter Apo – Excuse Memo
3. PowerPoint Presentation from HOPE Services Hilo

4. PowerPoint presentation from Hui Mālama Ola Nā 'Ōiwi
5. PowerPoint Presentation from 'Aha Pūnana Leo and Ke Kula 'O Nāwahīokalani'ōpu'u Charter Public Charter Schools
6. PowerPoint Presentation from Kua O Ka Lā New Century Public Charter School
7. Handout from Luanakanawai Hauanio – Hawai'i Community Emergency Response Team, Inc.
8. Information provided by Lili'uokalani Ross, Maxine Kahaulilio, Mahana Gomes and Dianna Kalamau regarding follow up action items for Pu'u Kapu Pastoral Steering Committee for Pu'u Kapu Hybrid Water System.



OFFICE OF HAWAIIAN AFFAIRS MEMORANDUM

Mea ho'omana 'o a ke Ke'ena Kuleana Hawai'i

To: Chairperson Colette Y. Machado
Board of Trustees

Cc: Trustee Robert K. Lindsey, Jr.

From: Trustee Rowena Akana

Date: September 18, 2018

Re: Excused Absence for September 19th Community Meeting

I am unable to attend tomorrow evening's Community Meeting in Hilo, but my Aide, Kay Watanabe will be present on my behalf.

Mahalo nui loa.



INTEROFFICE MEMORANDUM

TO: Trustee Colette Machado, BOT Chair
Trustee Dan Ahuna, BOT Vice-Chair

FROM: Trustee Peter Apo

DATE: September 4, 2018

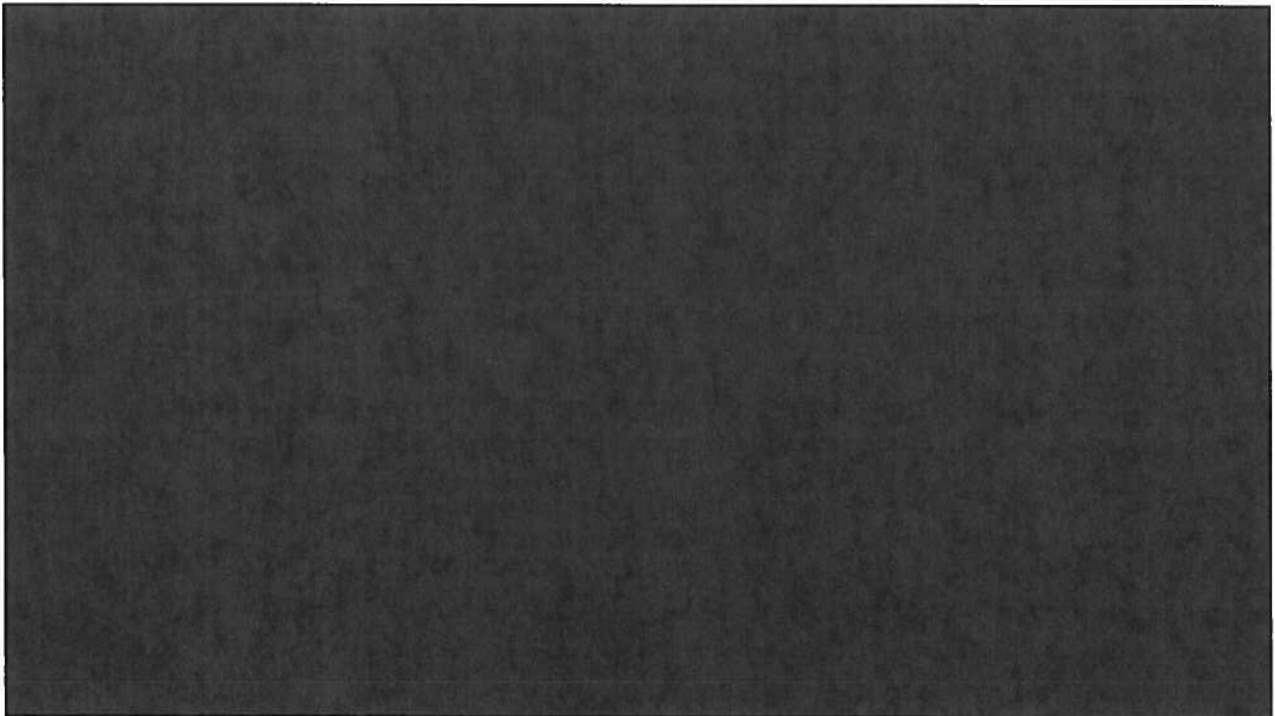
RE: BOT Community Meeting Absence on September 19, 2018

I am unable to attend the BOT Community Meeting on Wednesday, September 19, 2018 to be held on Hawai'i Island at 6 p.m. Please excuse my absence and extend my apologies to the members of the Board.

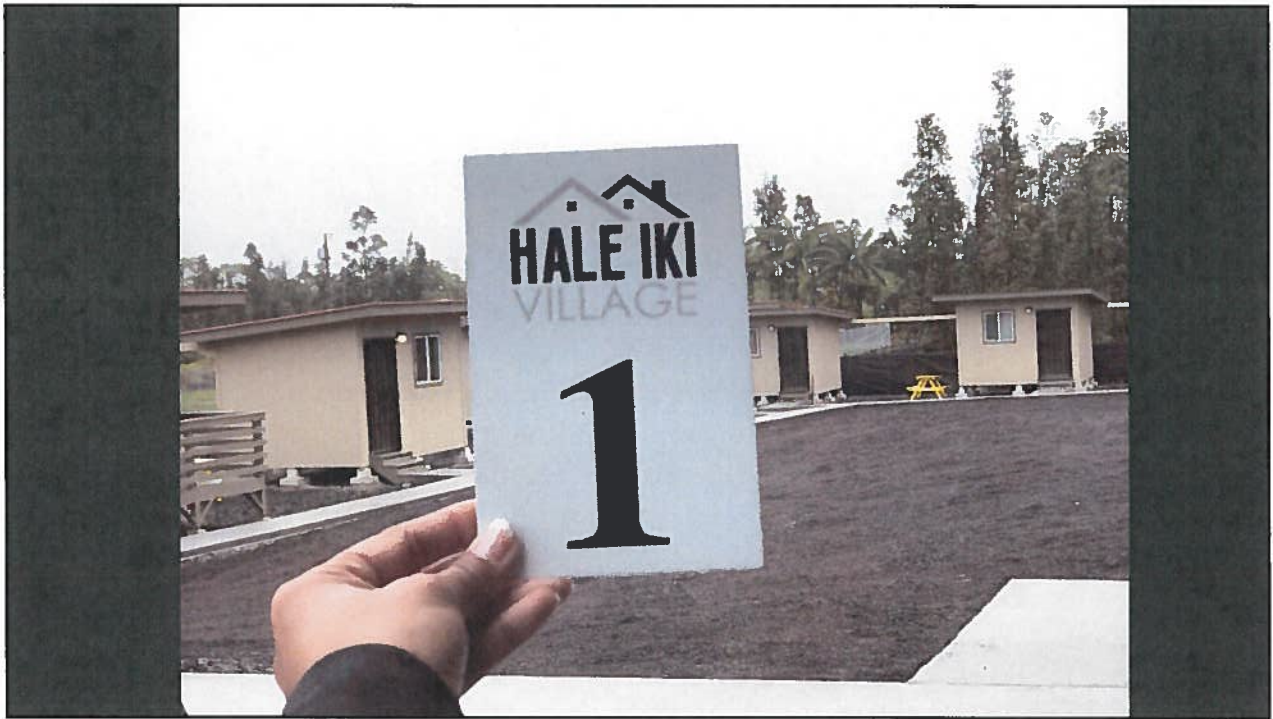
If you have any questions, please call my office at 594-1879.

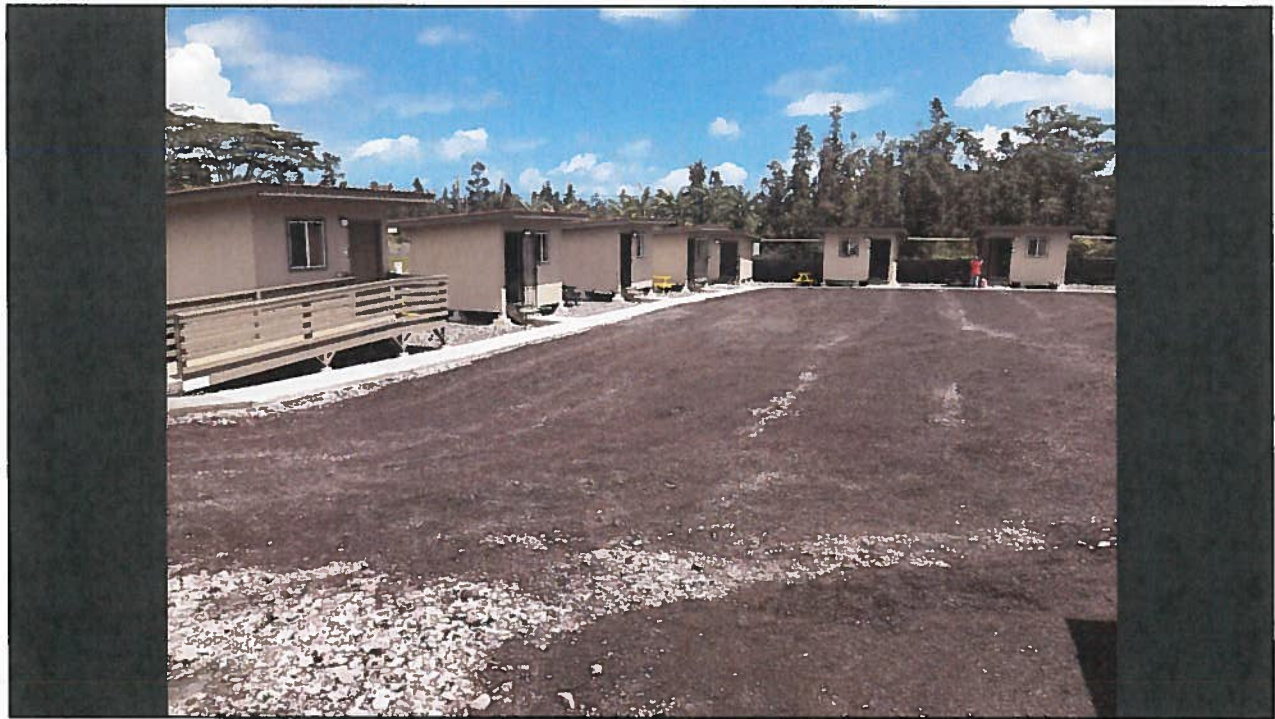
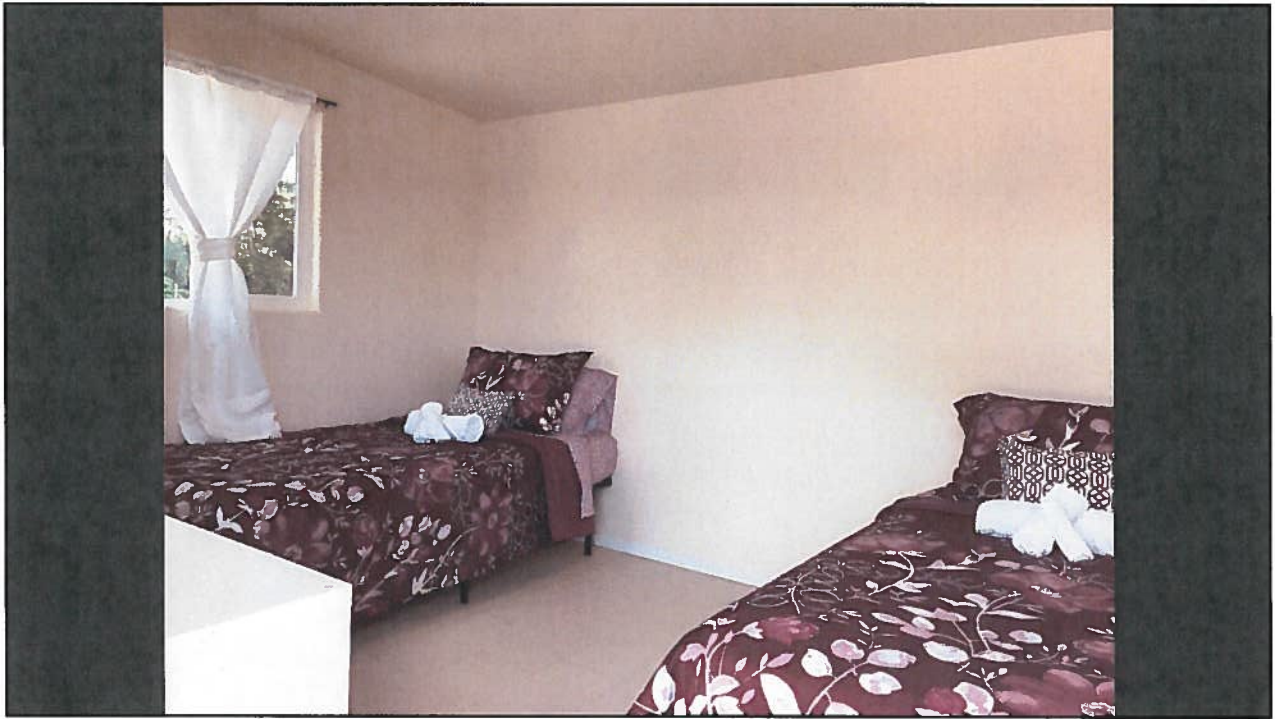
Mahalo.

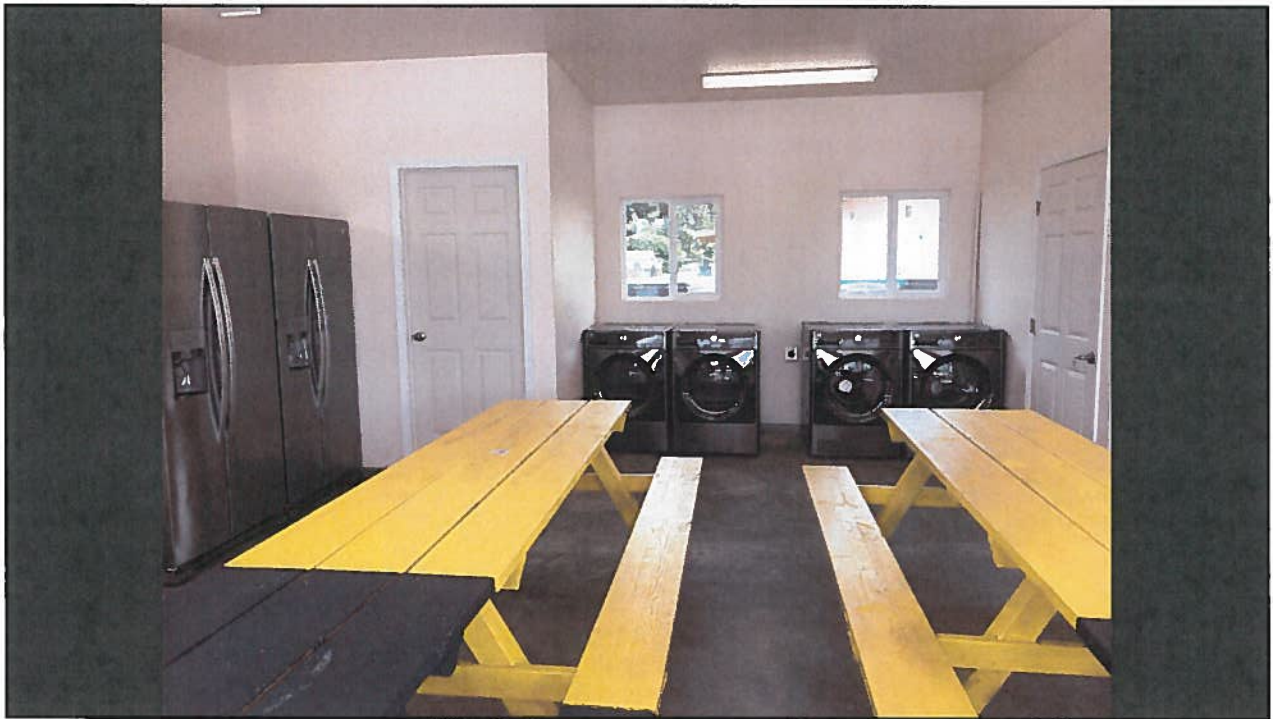
Sacred Heart Shelter & Hale Iki micro units

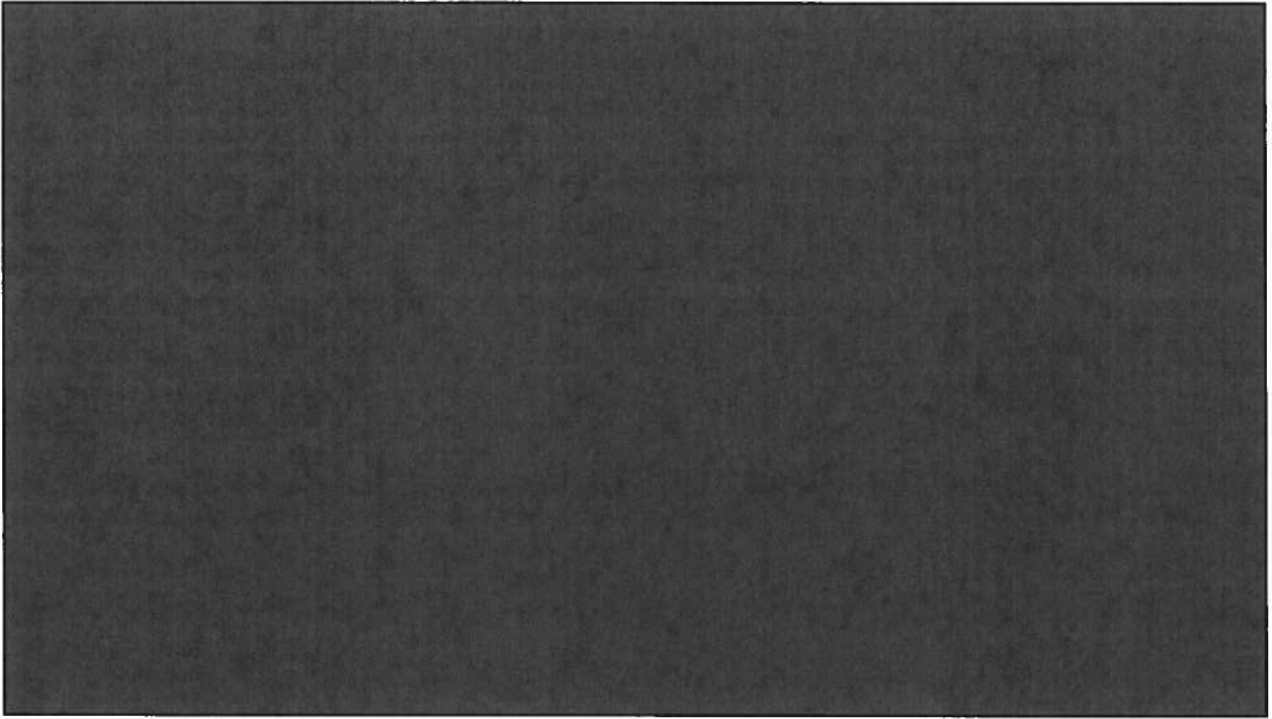












Hui Mālama Ola Nā 'Ōiwi

Hawai'i Island Health Care System



1

Serving Hawai'i Island 27 Years

Established May 1991



2

Native Hawaiian Health Care Improvement Act

- Research in the 1980s across the State of Hawai'i to identify health issues and needs
- Found that Hawai'i had high rates of diabetes and hypertension, among other health concerns
- Led to the Native Hawaiian Health Care Act of 1988
 - Later renewed in 1992 as the Native Hawaiian Health Care Improvement Act
- Establishment of Native Hawaiian Health Care Systems across the state



3

Native Hawaiian Health Care Systems



4

Health Education and Medical Services



Hui Mālama Ola Nā 'Ōiwi

5

Health Education Classes

- Diabetes Management
- Nutrition
- Hypertension
- Healthy at Any Size

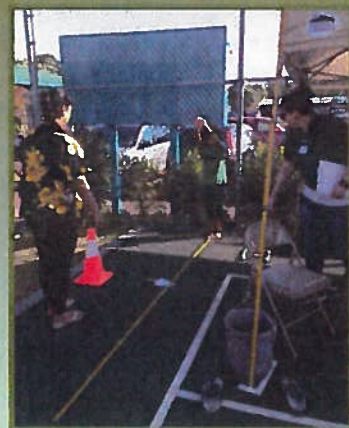


6

Community Health Education

Health education presentations in schools, businesses, and community groups

Health education & screenings at community events



Support Groups

Cancer Support Group

Diabetes Support Group



Exercise & Fitness

Basic Stretch & Strengthening

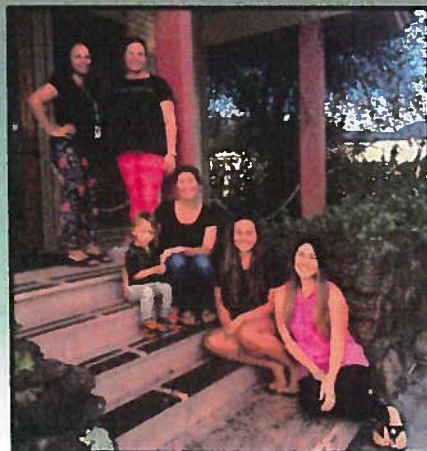
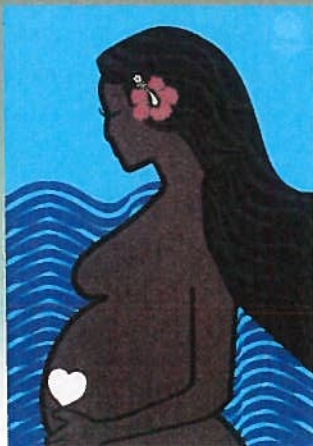


Yoga
Zumba



9

Healthy Hāpai Prenatal Program



10

Traditional Health Program

Ancient Native Hawaiian Healing Practices

Lā'au Lapa'au • Ho'oponopono • Lomilomi Ha Ha • Lā'au Kahea

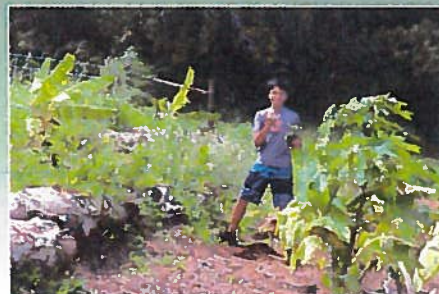
One-on-one Consultations

La'au Lapa'au Workshops and Classes



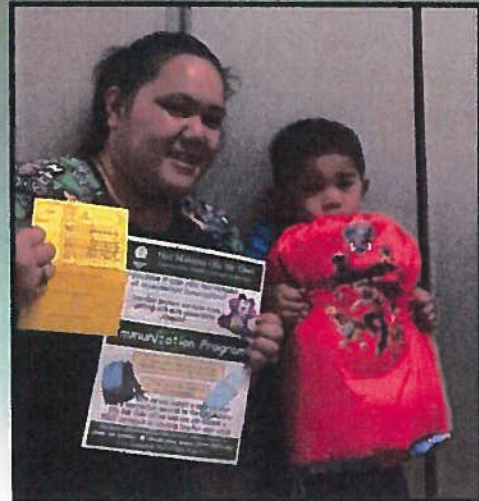
11

Grow Your Own Lā'au



12

Immunization Program



13

Kōkua Hali Specialty Transportation Program



14



Mālama Nā Keiki Festival

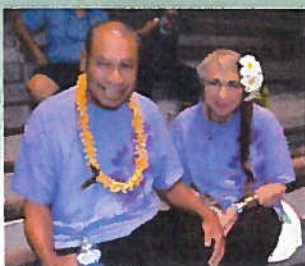
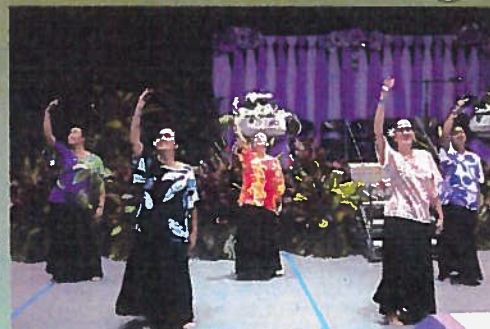
prenatal, keiki, and family health



15

Ladies' Night Out

Women's health and well-being



16

Medical Services

Ikaika Moreno, MSN, FNP-C
Family Practitioner

Donna Dennerlein, LCSW
Licensed Clinical Social Worker

Dr. Stacy Haumea, DBH, RDN, CDE
Nutritionist & Diabetes Educator



17

Sustainability

- **Most funding is federal through Health Resources & Services Administration**
- **Annual requirement to meet federal match, \$1 for every \$5 federal**
- **Native Hawaiian Health Care Improvement Act is up for reauthorization in 2019**
- **Currently in year 1 of 3-year term ending 2021**



18

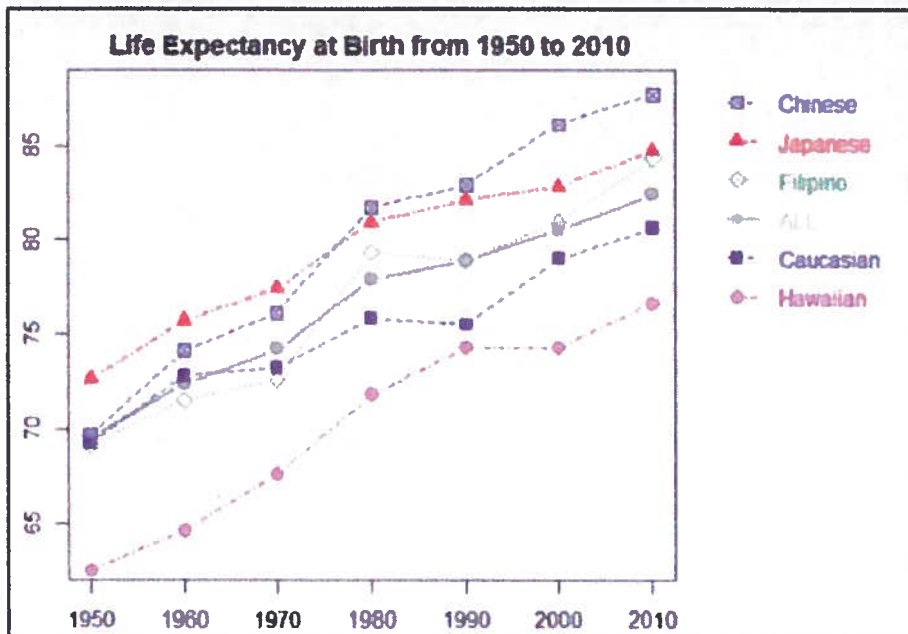


Figure1. Life Expectancy at Birth for Major Race/Ethnicities in Hawai'i from 1950 to 2010

Source: Life Expectancies in Hawai'i: A Multi-ethnic Analysis of 2010 Life Tables

Yanyan Wu PhD; Kathryn Braun DrPH; Alvin T. Onaka PhD; Brian Y. Horiuchi MPH; Caryn J. Tottori MA; Lynne Wilkens DrPH

While life expectancy in the State of Hawai'i shows a steady increase, a recent study of 60-years of data for five ethnic groups (Caucasian, Chinese, Filipino, Japanese, and Native Hawaiian) shows that there remains a 10-year longevity gap between the shortest-lived and the longest-lived groups, Native Hawaiians and Chinese, respectively. The lower life expectancy of Native Hawaiians, as compared to other ethnic groups, can be contributed to a variety of Social Determinants of Health.



19

Health Indicators, Native Hawaiian Health Care Improvement Act Focal Areas

Health Indicator	County of Hawai'i Native Hawaiian or Other Pacific Islander	County of Hawai'i All	State of Hawai'i All
Diabetes, 18+ years of age	14.7%	11.5%	10.5%
High Blood Pressure, 18 + years of age	37.3%	31.6%	32.0%
Mothers who received Late or No Prenatal Care	28.5%	30.0%	14.1%
7-vaccine Series coverage among children 19-35 mo.**	59%	-	75.1%
Teens with a healthy body weight	65.1%	69.7%	71.6%
Adults with a healthy body weight	15.9%	35.6%	39.1%
Adults who are obese	49.4%	26.9%	23.8%

Data from Hawai'i Department of Health Pregnancy Risk Assessment Monitoring System, U.S. Census, American Community Survey, and Behavioral Risk Factor Surveillance System via Hawai'i Health Matters;

**Native Hawaiian statewide, National Immunization Survey-Child (NIS-Child), 2016.

In the County of Hawai'i, the result of the determinants of health on the Native Hawaiian population is most evident in the percentage of Adults who are obese at 49.4% which is double the state average.



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Health Indicators, Screening & Death Rates

Health Indicator	County of Hawai'i Native Hawaiian or Other Pacific Islander	County of Hawai'i All	State of Hawai'i All
Mammogram History among Women Aged 40+	85.0%	75.0%	76.6%
Mammogram History: Ages 50-74	92.5%	77.4%	83.7%
Breast Cancer Incidence Rate per 100,000 females	128.1	127.5	136.0
Breast Cancer Death Rate per 100,000 females	57.1	20.1	18.7
Colon Cancer Screenings	62.1%	68.1%	71.3%
Colon Cancer Death Rate per 100,000	38.1	12.5	10.6
Prostate Cancer Incidence Rate per 100,000 males	51.9	54.8	90.1
Prostate Cancer Death Rate per 100,000 males	29.8	14.4	15.4
Lung and Bronchus Cancer Incidence Rate per 100,000*	42.5	43.9	46.4
Lung Cancer Death Rate per 100,000	95.8	30.1	31.3
Diabetes Death Rate per 100,000	69.0	14.8	14.4
Congestive Heart Failure Death Rate per 100,000	44.4	13.7	14.4
Coronary Heart Disease Death Rate per 100,000	269.8	76.9	66.1
Stroke Death Rate per 100,000	113.0	43.7	37.4
Suicide Death Rate per 100,000 (15+ years of age)	59.0	20.4	12.9
Cancer Death Rate per 100,000	405.0	140.1	131.4
All-Cause Mortality Rate per 100,000	1,873.7	645.2	571.3

Behavioral Risk Factor Surveillance System (2016), Hawaii State Department of Health, Vital Statistics (2013-2015), and National Cancer Institute (2010-2014) via Hawai'i Health Matters

*National Cancer Institute grouping of Asian/Pacific Islander which includes Native Hawaiians



21

Screening and Death Rates

Please refer to table on slide 21.

The County of Hawai'i Native Hawaiian overall cancer mortality rate is three times greater than the State.

Coronary Heart Disease Death rate is four times as great.

Suicide Death rate and Diabetes Death rate are almost five times the rate of the State.

What does this indicate?

These high death rates are evidence that there is a delay in County of Hawai'i Native Hawaiians receiving either an initial diagnosis or in seeking treatment. Or, the County of Hawai'i Native Hawaiians are not receiving adequate or appropriate care. Perhaps, the high death rate is due to all four factors.

These statistics are a call to action — these medical disparities must be rectified.



22

Physician Shortage

Health Indicators, Medical Professionals, 2018

Health Indicator	County of Hawai'i Number of Positions	County of Hawai'i Ratio of Population to Provider	State of Hawai'i Ratio of Population to Provider	United States Ratio of Population to Provider
Primary Care Physicians	144	1364:1	1,150:1	1,320:1
Dentists	128	1550:1	1,170:1	1,480:1
Mental health providers	562	353:1	440:1	470:1

2018 County Health Rankings National Data County Health Rankings, Robert Wood Johnson Foundation and the University of Wisconsin Population Health Institute.

According to the 2018 County Health Rankings there are **144 Primary Care Physicians**, **128 Dentists**, and **562 Mental Health providers** in the County of Hawai'i. An analysis of 2016 data shows State of Hawai'i has a current physician shortage of **707 Full-time Equivalent (FTE)** with a physician retirement rate of **50 per year**. This study also estimates the County of Hawai'i physician shortage as **187 positions**.



23

OHA Haumea Report

OHA Haumea report identifies chapters of focus for wāhine health.

1. **Mental and Emotional Well-Being**
2. **Physical Health**
3. **Motherhood**
4. **Intimate Partner Violence and Incarceration**
5. **Economic Well-Being**
6. **Leadership and Civic Engagement**



OHA releases report on the health of Native Hawaiian women



24

Ho‘iho‘i

*Replenishment,
Restoration,
and Reformation*



25



“I hear a lot of people in the community thanking us. They don’t see us as just helping them be healthy, but they see us as more supportive and the end result is that they become healthy. The name itself: hui (a body of people) mālama (care for) ola nā ‘ōiwi (to help to care for and keep our people a healthy people). That is what we aim to do each day.”

-Auntie Edna Baldado



26



Mahalo nui loa.

☎ (808) 969-9220 • HMONO.org

 /HMONO.org

 hui_malama_

‘Aha Pūnana Leo a me Ke Kula ‘o Nāwahīokalani‘ōpu‘u

He Mau Papahana Kaiā‘ōlelo Hawai‘i



E Ola Ka ‘Ōlelo Hawai‘i

- ‘Aha Pūnana Leo
 - In 1983, a grassroots organization was formed by a group of educators seeking to address the dismal state of the Hawaiian language;
 - During this period, less than 50 keiki under the age 18, who spoke Hawaiian fluently, were identified;
 - The ‘Aha Pūnana Leo is a non-profit, family based educational organization dedicated to the revitalization of the Hawaiian language;



E Ola Ka 'Ōlelo Hawai'i



'Aha Pūnana Leo

- 12 Kula Kamali'i sites statewide
- 2 Hi'ipēpē
- Niuolahiki
- Critical role in growing the population of highly proficient Hawaiian speakers to 5,000, under the age of 18, who are also proficient in English.



No 'Ane'i Ko Kākou Ola

- Nāwahīokalani'ōpu'u
 - Designed for families, teachers and staff who have chosen to speak Hawaiian as the first and main language of the home, and also those who are in the process of establishing Hawaiian as the dominant language of the home.
- In 1995, the Office of Hawaiian Affairs provided a grant to the 'Aha Pūnana Leo to purchase a permanent site to house Nāwahīokalani'ōpu'u.



- Pūnana Leo o Hilo
 - Kula Kamali'i: 41 keiki
 - Hi'ipēpē: 16 (9 months – 3 years old)
 - Limahana: 16
- Nāwahīokalani'ōpu'u
 - K-12: 436
 - Limahana: 80
 - Two Satellite Sites



Total Population at Nāwahīokalani'ōpu'u Campus: 589

Ka Papahana Kaia'ōlelo Hawai'i

- 96% Native Hawaiian
- 100% graduation rate
- 85% college enrollment
- 97% Native Hawaiian staff
- Senior, junior and sophomore dual enrollment, 36+ college credits upon high school graduation
- Honor roll; valedictorian, athletic scholarships
- Japanese language Gr. 1 – 6
- Chinese language Gr. 3 – 7
- Latin language Gr. 2 – 4



Ke Kahe o ka Pele

Nāwahīokalani 'ōpu'u:

- Air Quality
 - Large Room Air Purifier
 - Face Respirator
 - Organic Vapor Cartridge
 - Fans for classrooms
 - Masks & Safety Glasses
- Total: \$4,364

Pūnana Leo o Hilo:

- Air Conditioner for main classroom
 - \$24,000

Makani Pāhili 'o Lane

- Hale 'Ōhi'a
 - Flooding to the entire ground floor
 - Loss of Equipment: \$11,111.33
 - Cleanup continues

- Hale Pūhala
 - Classroom Flooding: Temporary redirect downspouts and install drainage system. \$1,861.49



Step One in Recovery Complete The Miracle at Nani Mau Gardens

- With gratitude from Kua O Ka La NCPCS for all the community support we have received so that we can move forward with ease and aloha on behalf of our keiki, the next generation! Our values and mission/vision stabilize and guide us. Our community supports us- mahalo!



Pu`ala`a - Devastating community loss...
600 acres. Ancient Hawaiian fishing village, low
land rainforest, anchilline ponds, true place based
learning laboratory!



Student produced murals of our place and
our guiding values...



One of our large greenhouses



Lava finger coming from behind



Heartbreaking...



Prayerful...



It was no easy feat to find a place for 120 elementary haumana, and at least 8 adequate size rooms. Nani Mau Gardens...Project inspection..What are we dealing with here?



Yes, termite infested.. The Rotary Club jumped in, raised \$60,000.00 and gathered a large labor force.



Replacing entire wall!



Yikes.. And all the windows..



Can we really do this in 10 days before school starts? (including weekends)



Wow.. Getting there...



Now we are talking... a little paint...



Moving an entire wall to make enough classrooms



Principal Kapoula Thompson power washing the roof



Sidewalks and all...



Getting the fresh gravel down... getting close



Replacing gutters



Staff and students jump in



Gratitude to all...school opened only 2 days late



Settling in...Happy K students with Ikaika Marzo!



Community donations keep rolling in - mahalo for the hydro flasks...



Grade 3 here .. Mahalo to EVERYONE including but not limited to: County of Hawai`i, Kamehameha Schools, OHA, Boys and Girls Club, Liko Lehua Café, Café Pesto, Pacific Quest, etc



Especially to Rotary Ron.. MAHALO!
So, we have successfully mitigated first phase of recovery, now the big work begins to find a permanent home..and all that is entailed with that



We need HELP!

- We have the Boys and Girls Club for this year ONLY... housing middle and high school
- We need to locate a site, secure the site, permits, funding etc. We have a drafted plan and are ready..

Charter Systems

- Mahalo to OHA for your continued funding to the HFCS.
- Please continue to support legislation for facilities, transportation, meals
- No disaster relief funding in Charter budget
- Very little state support through this disaster
- Absolute system failure




**Disasters
Happen**

NATIONAL PREPAREDNESS MONTH 2018

PREPARE NOW

LEARN HOW

HAWAII COMMUNITY EMERGENCY RESPONSE TEAM, INC
Lunakanawai Hauanio, SCETL
P O Box 2202
Kamuela, HI 96743
(808) 990-7232
Hawaii_CERT@Yahoo.com
www.Hawaii-CERT.com

Wednesday, 19th September 2018



**BOARD OF TRUSTEES
AND
CHIEF EXECUTIVE OFFICER**

Kamuela
Wailua Plaza CDE
399 Hualani St #20
Hilo, HI 96720
[\(808\) 933-3106](tel:(808)933-3106)

HOOMANALOA

(Individual Empowerment through remedies of Hawaiiana)

Hawaii Community Emergency Response Team, Inc (HI-CERT), is an association of multi-cultural experienced and expertise of Readiness, Response & Recovery. Our focus is to identify, collaborate and support Hawaii's island resources utilized during crisis, like man-made/natural disasters.

On the 9th of this month we emailed each of our Trustees and our Chief Executive Officer the attached communication seeking letter of support between HI-CERT and Pohakuloa Training Area (PTA) under its new leadership, LTC Loreto V Borce, Jr., (JR).

By supporting this collaborative effort, our outcome touches on the following OHA Goals:

AINA-CULTURE-ECONOMIC-EDUCATION-HEALTH

AINA – CERT training is virtual and hands on. Participants get to observe People's interaction with regards to responding to emergencies, and the difficulties first responders encounter when called upon to rescue lives and in some cases save properties. It is at this point participants gain a different perspective with regards to readiness. Those being CERT certified trained begin to understand Rescuer's views and with more knowledge shared between People who don't know the culture can maneuver around recognize sacred sites significant to Hawaiians and Native Hawaiians.

CULTURE – Likewise in the Aina category, the culture becomes more visual when community planning for new or expansion of existing developments are up for public viewing, more communities are able to recognize sites and details that affect Hawaii's Culture and her values. Our culture has played a more Hawaiiana effect and affect on the State. The example is when the culture was met with law enforcement on top Mauna O Wakea, and the kamalii placed leis upon each officer that had come to remove and even arrest Mauna Protectors.

ECONOMIC SELF-SUFFICIENCY – Many skills are developed in these trainings. Archeologist, Anthropology, Astrology, Biologist, Engineering, Scientist, Mathematician, Geologist, Chemist, Planner, Adjuster, Parks Ranger, Recreation Director, EMT, Fire Fighter, Police, Conservation Enforcement, Boat Captain, Marine Patrol, Pilot, Air Rescue, Heavy Equipment Operator, Nurse, Doctor, in other words, the many hands that come and participate in Readiness Rescue & Recovery work, like CERT, reveals a diverse professions and businesses, its exposures raises our economic options to Hawaiians and Native Hawaiians.

EDUCATION – These trainings gives the trainee an opportunity to become a trainer. Perpetual learning that connects our pass with the future technology in a way that aids in inspiring our youths with more options for their future choices.

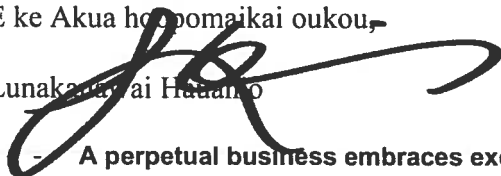
GOVERNANCE – The immense magnitude of relief that comes pouring into disasters, now, requires a governing structure for its accountability. Having the right governance system ensures longevity in readiness for future generation.

HEALTH – Reduce Anxiety

For these reasons, and many more, we seek your positive support, by letter, and future needs our initiative for readiness Hawaiians and Native Hawaiian communities.

E ke Akua ho'opomaikai oukou,

Lunakama'i Hahaione



A perpetual business embraces excellence. Excellence is true freedom.

Alena Kamakakama Kaiiokekoa (Ho'ona 2007)

9/24/18

Office of Hawaiian Affairs
Attn: Collette Machado, Chairwoman
560 N. Nimitz Hwy, Suite 200
Honolulu, HI 96817
808-594-1835

OFFICE OF
HAWAIIAN AFFAIRS
STATE OF HAWAII
RECEIVED-BOT

2018 OCT -1 A 10:17

Re: Follow up action items for Puu Kapu Pastoral Steering Committee for Puu Kapu Hybrid Water System

As a result of no change in response from the Department of Hawaiian Home Lands (DHHL) after receiving our letter and all Exhibits (included here with), their response being is that the Puu Kapu Hybrid System will not ever be a Potable System, combined with the Department of Health Safe Drinking Water Branch (DOH SDWB) response received, stating that the Puu Kapu system is not considered a PWS nor shall it be regulated as such (included here with), the following are items and areas of concern that have been discussed and expressed at community discussions:

- Hire Independent Consultant or solicit qualified volunteers/partners to Conduct fire flow testing and capacity of the Puu Kapu Hybrid Water System in an effort to support current Community Firewise Initiatives
 - There are no records (since the startup of the water system back in 2014) of the current capacity of the 4 fire tanks, what order the tanks would be pulled from in the event of a fire, how long to re-fill each tank in the event of a fire, overall system capacity during a fire event
 - Establish a Community Water Use and Communication Plan during a fire event: Notification Process, protocol and guidelines for possible Moratorium, create communication process with Fire Dept and local authorities
- Install our own sampling and monitoring stations in order to collect routine Bacti and Chlorine Residual samples
- Hire or solicit qualified volunteers/partners to collect such samples on our behalf
- Solicit an approved Lab to submit samples to for processing and results
- Provide community educational materials on cross-connection and proper backflow prevention as well as sample results
- Hire legal counsel (if necessary) to communicate with the DHHL regarding proposed community improvements as listed above
- Hire Independent Consultant to investigate current system components to confirm if materials within system meet drinking water standards, i.e. type of HDPE pipe used, tank materials, valves

The above list of items can be done by our community with or without the requirements of regulation, to ensure adequate fire protection and safe water for our community (even if deemed non-potable), but they require adequate funding. As a Community we continue to look at funding sources and potential partners that could assist us with our process and progression.

Mahele,


Lili'uokalani Ross


Mahana Gomes


Mary Maxine Lani Soares Andrade Kahaulilua


Dianna Alohalani Kalamau

1 Safe Drinking Water Branch
2 Environmental Management Division
3 Hawaii State Department of Health
4 Compliance and Enforcement
5 Attn: Ann Zane, Section Supervisor
6 919 Ala Moana Blvd.,
7 Room 308
8 Honolulu, HI 96814-4920
9

March, 7 2017

SDWB DOH Tracking No.: 7505 5704 0192 7066 0948 61
EPA Region IX Tracking No.: 9505 5104 0192 7066 0948 78

10
11
12
13 Re: Pu'u Kapu Hybrid Water System
14

15 Dear Ms. Zane,
16

17 We the Pu'u Kapu Pastoral Steering Council (PPSC) comprised of concerned residential,
18 pastoral and agricultural lease holders are exercising our right to contact you directly regarding an
19 existing water system based on the Safe Drinking Water Act of 1974 and the Federal Safe
20 Drinking Water Standards. The system is called the **Pu'u Kapu Hybrid Water System, Waimea**
21 **South Kohala Hawaii**, and encompasses **Tax Map Keys (3) 6-4-01:32-38, 41-45,51,53,and 54,**
22 with a project **identification: IFB-09-HHL-008.**
23

24 This system was brought to the attention of the Department of Health by the Department of
25 Hawaiian Home Lands (DHHL) through emailed correspondence beginning: February 23, 2010
26 with the latest correspondence dated: December 30, 2014. The correspondence was regarding
27 whether or not the system would be regulated as a public water system. The last correspondence
28 between the two departments ended with the understanding that the water system need not be
29 regulated because end-users would be charged on a non-volumetric bases. (Attached Exhibit A)
30

31 We the PPCS lack the confidence and trust in the DHHL in fulfilling their duty created by the
32 1920 Act by Prince Jonah Kuhio Kalaniana'ole, of protecting our public health and wellbeing. As
33 beneficiaries of this TRUST we have the authority to dictate to the Department of Hawaiian
34 Home Lands our needs. In this case our needs have fallen on deaf ears and we are seeking your
35 expertise to correct this situation and find that our needs require more then what has been
36 provided.
37

38 We are writing to direct your focus on our immediate concerns regarding the current use of this
39 system and its potential impacts on our community's health and safety. As a result we would like
40 from you the following:

- 41 1. Make our concern your **FIRST PRIORITY**;
- 42 2. Acknowledge our need for this system to be regulated as a Public Water System
- 43 3. Take immediate action to conduct a system site visit;
- 44 4. Investigate, review and report your physical findings of this non-potable system as it
- 45 relates to HAR Title: 11 Chapter 20 Rules Relating to Public Water Systems.
- 46 5. A correspondence addressed to the PPSC, address aforementioned, from you, Ann
- 47 Zane, and agency's commitment to this end.
- 48

1 **MAP: (Attached Exhibit B)**

2 The following is a description of our community for which this water system serves:

3 *The 1986 accelerated Pu'u Kapu Pastoral Project awarded its first land leases in 1991.

4 *The land leases were awarded in increments of 10, 15 and 20 acre parcels. The project
5 currently host approximately 20 homes/residences+/- with a full potential built out of 184
6 residences/connections. Pastoral leases are designated for residential and livestock use.

7 *The current water system is the only system within this area. This area is adjacent to
8 Agricultural Leases where both Potable and Agriculture Water Systems are provided.
9

10 **September 27, 2010: (Attached Exhibit C)**

11 **Letter: "Department of Hawaiian Home Lands Pu'u Kapu Pastoral Sudivision Water System**
12 **Construction. Requesting for Improvement Process and Assignment of Tax Map Keys"**

13 *Page 1, Paragraph 2, 4th line beginning with "...the project is expected to take*
14 *about 1 year to complete. Each lot will have their own individual water meters*
15 *when the construction is finished. The system is intended to deliver potable water*
16 *however, the system will not conform to County Design Standards, therefore, the*
17 *system cannot be considered a Potable System."*
18

19 **January 22, 2013: (Attached Exhibit D)**

20 **Letter: "Pu'u Kapu Hybrid Water System Non-Potable vs. Potable Water" Three Years Later:**

21 *Page 1, Paragraph 1: "The DHHL requests your feedback on Operating the*
22 *recently constructed Pu'u Kapu Hybrid Water System using Non-Potable or*
23 *Potable Water".*

24 *Page 1, Paragraph 4: "Potable Water requires chlorination, extra testing and*
25 *operational requirements and possibly extra costs to the homeowners compared*
26 *to non-potable water. Because of these extra requirements potable water may also*
27 *take more time to place into operation compared to non-potable water. Non-*
28 *potable water should not be used for human consumption," (drinking, bathing,*
29 *cooking) "as it could cause possible health and safety concerns."*

30 *Page 1, Paragraph 5: Included with the letter was a survey and self-addressed*
31 *stamped envelope. The survey was based on each lessees vote to have potable vs.*
32 *non-potable water.*

33 *Page 1, Paragraph 6: The letter also spoke to a "Internal Elevation Agreement"*
34 *that would have to be signed in the future (included herewith, dated February 11*
35 *2013). This agreement was provided later and not at the same time as the*
36 *January 22, 2013 letter and survey.*
37
38

39 **January 22, 2013: (Attached Exhibit E);**

40 **Survey**

41 At the time of meter purchases, Puu Kapu lessees are also required to purchase a
42 backflow assembly (Specifically and Reduced pressure Principle Backflow Assembly).
43 These fees equaled and still equate for those not yet connected to the system, roughly, a
44 cost of \$789.00. In September of 2014 the system was deemed non-potable by the
45 DHHL. Water meters were and are being issued to Pu'ukapu Pastoral Lessees who apply,
46 qualified and paid the fees for the meter. We are including a copy of a lessees signed
47 application, and another lessees water bill.
48
49

1 **February 11, 2013: (Attached Exhibit F)**

2 **Letter: "Department Of Hawaiian Home Lands Pu'u Kapu Hybrid Water System"**

3 This letter is a document form called the Internal Elevation Agreement that is provided at the time
4 a meter and backflow are issued. Please review the requirements and expectations the DHHL
5 placed on us, the individual Lessees, as well as the declaration that the water is not safe for
6 Human Consumption.

7 *You must be aware at this point in the letter, that many lessees are afraid to come forth
8 with these documents or copies of their water bill, in fear of the consequences that they
9 may face from DHHL. Many of us have become dependent on this water system, potable
10 or not. To lose it would be detrimental.

11
12 *We the Pu'u Kapu Pastoral Steering Council are empowered to make this Pu'u Kapu
13 Water System right for our communities health and wellbeing, for our keiki (children),
14 our kupuna (elders), and our Makua (parents). It is our responsibility and our right.
15

16 We do not believe DHHL recognizes the hazards of hauling water from DHHL extension office,
17 in Waimea, to various Pastoral sites: passing DHHL residential village and DHHL Agriculture
18 lots both having county potable water and agriculture lots with ag/non-potable water. Pastoral
19 Lessees must haul potable water for their own human consumption, and also use the same water
20 for their livestock, if not willing to connect to the current Pu'u Kapu Hybrid Water System.
21 Though this is a huge inconvenience and not very practical, many of us have become dependent
22 on this option as well. To lose it without a properly regulated water system within our
23 Community would also be detrimental.
24

25 We are directing this letter to you, Ann Zane, Section Supervisor of the Safe Drinking Water
26 Branch, Environmental Management Division, Hawaii State Department of Health Compliance
27 and Enforcement, agency, under HAR title 11 chapter 20 and the Federal Drinking Water
28 Regulations to enforce these laws to hold the Department of Hawaiian Home Lands accountable
29 and protect our Community's health and well being.
30

31 As you can gather, from the facts in this letter, our reasons are concerning the Department of
32 Hawaiian Home Lands inability to manage and maintain our Community's health and wellbeing
33 with regard to our Hybrid Pu'u Kapu water System. Our Community has gone far too long
34 without water and long enough without properly maintained and regulated drinking water.
35 Pu'ukapu Pastoral Steering Council will appreciate a response from you, by March 21, 2017, with
36 your commitment to this end. Pu'ukapu Pastoral Steering Council is available for site visits and
37 meetings.
38

39 Our mailing address is PPSC P.O. Box 437142, Kamuela, HI 96743 .
40
41

42 Thank you in advance for your time taken to review our letter.
43
44

45 Signed,
46
47
48
49



Lili'uokalani Ross



Mary Maxine Lani Soares Andrade Kahaulilio



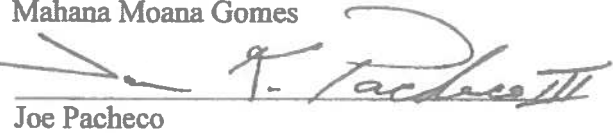
Roberta Lehuani Banks



Mahana Moana Gomes



Dianna Alohalani Kalamau



Joe Pacheco

Cc: EPA Region 9, Anna Yen

REQUEST TO ACCESS A GOVERNMENT RECORD

EXHIBIT A 23 pages

DATE: 5/23/16
TO: Michael Miyahara
FROM: Mahana Gomes
Name or Alias
208-731-6045 cell or 808-747-4356 work cell
Contact Information
PO Box 437142 Kamuela HI 96743
email: Mahana@hawaii-rwa.org

Although you are not required to provide any personal information, you should provide enough information to allow the agency to contact you about this request. The processing of this request may be stopped if the agency is unable to contact you. Therefore, please provide any information that will allow the agency to contact you (name or alias, telephone or fax number, mailing address, e-mail address, etc.).

I WOULD LIKE THE FOLLOWING GOVERNMENT RECORD:

Describe the government record as specifically as possible so that it can be located. Try to provide a record name, subject matter, date, location, purpose, or names of persons to whom the record refers, or other information that could help the agency identify the record. A complete and accurate description of the government record you request will prevent delays in locating the record. Attach a second page if needed.

PuuKapu Hybrid water system located on the island of Hawaii.
Correspondance between the Dept. of Hawaiian Home Lands &
the DOH SDMB regarding the construction approval process &
inspection process / approval by the DOH SDMB (if any) as a
potable or non-potable system.
I WOULD LIKE: (please check one or more of the options below)

- ☐ To inspect the government record.
- ☒ A copy of the government record: (Please check one of the options below.) See the back of this page for information about fees that you may be required to pay for agency services to process your record request. Note: Copying and transmission charges may also apply to certain options.

- ☐ Pick up at agency (date and time): _____
- ☒ Mail or
- ☐ Fax (toll free and only if available)
- ☒ Other, if available (please specify): email Mahana@hawaii-rwa.org

- ☐ If the agency maintains the records in a form other than paper, please advise in which format you would prefer to have the record.

☒ Electronic ☐ Audio ☐ Other (please specify): _____

- ☐ Check this box if you are attaching a request for waiver of fees in the public interest (see waiver information on back).

SEE BACK FOR IMPORTANT INFORMATION

FEEES FOR PROCESSING RECORD REQUESTS

You may be charged fees for the services that the agency must perform when processing your record request, including fees for making photocopies and other lawful fees. **The first \$30 of fees charged for searching for a record, reviewing, and segregating will not be charged to you. Any amount over \$30 will be charged to you.** Fees are as follows:

Search for a Record	\$2.50 for 15 minutes
Review and Segregation of a Record	\$5.00 for 15 minutes

WAIVER OF FEES IN THE PUBLIC INTEREST

Up to \$60 of fees for searching for, segregating and reviewing records may be waived when the waiver would serve the public interest as described in section 2-71-32, Hawaii Administrative Rules. If you wish to apply for a waiver of fees in the public interest, you must attach to this request a statement of facts, including your identity as the requester, to show how the waiver of fees would serve the public interest. The criteria for this waiver, found at section 2-71-32, Hawaii Administrative Rules, are:

- (1) The requested record pertains to the operations or activities of an agency;
- (2) The record is not readily available in the public domain; and
- (3) The requester has the primary intention and the actual ability to widely disseminate information from the government record to the public at large.

AGENCY RESPONSE TO YOUR REQUEST FOR ACCESS

The agency to which you addressed your request must respond within a set time period. The agency will normally respond to you within 10 business days from the date it receives your request; however, in ***extenuating circumstances*** the agency must respond within 20 business days from the date of your request. If you have questions about the response time, you may contact the agency's UIPA contact person. If you are not satisfied with the agency's response, you may call the Office of Information Practices at 808-586-1400.

REQUESTER'S RESPONSIBILITIES

You have certain responsibilities under §2-71-16, Hawaii Administrative Rules. You may obtain a copy of these rules from the Lieutenant Governor's Office or from the Office of Information Practices. These responsibilities include making arrangements to inspect and copy records, providing further clarification or description of the requested record as instructed by the agency's notice, and making a prepayment of fees, if assessed.

From: Miyahira, Michael M
To: ["Salvador M. Quitariano"](#)
Cc: Jeffrey.Y.Fujimoto@hawaii.gov; kck@akinaka.com; ["Joni C. Tanimoto"](#)
Subject: RE: Puukapu Hybrid Water System
Date: Tuesday, December 30, 2014 10:24:00 AM

Aloha Sal,

The Puukapu Hybrid Water System is not a regulated public water system under the jurisdiction of the Safe Drinking Water Branch (SDWB). Therefore, a sanitary survey is not required.

There is no such designation as a "registered" water system under the SDWB or any other branch of the Department of Health.

Michael Miyahira, P.E.
Engineering Section Supervisor
Safe Drinking Water Branch
Hawaii Department of Health
Ph: 808-586-4258
Fax: 808-586-4351

From: Salvador M. Quitariano [<mailto:smq@akinaka.com>]
Sent: Tuesday, December 30, 2014 9:59 AM
To: Miyahira, Michael M
Cc: Jeffrey.Y.Fujimoto@hawaii.gov; kck@akinaka.com; 'Joni C. Tanimoto'
Subject: FW: Puukapu Hybrid Water System

Mike-

As per telecom, this email message is forwarded to you for your response to Jeffrey Fujimoto at DHHL. If there are any questions, please do not hesitate to contact us.

Thank you and Wishing you A Happy & Prosperous New Year

Sal

Confidential & Privileged Email Communication

Salvador M. Quitariano, Sr. V.P.
Akinaka & Associates, Ltd.
3375 Koapaka Street, Suite B-206
Honolulu, Hawaii 96819
Ph. No.: 836-1900 ext 658
FAX No.: 836-8852

From: Jeffrey.Y.Fujimoto@hawaii.gov [<mailto:Jeffrey.Y.Fujimoto@hawaii.gov>]
Sent: Monday, December 29, 2014 3:08 PM
To: smq@akinaka.com

Cc: kck@akinaka.com

Subject: Fw: Puukapu Hybrid Water System

Hi Sal,

Just want to double check. For the Puukapu Hybrid Water System, please confirm that the system is not "registered" with DOH and a sanitation survey is not required. I noted that the system is not "regulated" by the DOH Safe Drinking Water Branch, but I wanted to be sure the system is not "registered" with DOH and that a sanitation survey is not required.

Thanks,

Jeffrey Y. Fujimoto
Department of Hawaiian Home Lands
Land Development Division
91-5420 Kapolei Parkway, Room 124 I
Kapolei, Hawaii 96707
Phone: 808-620-9274, Fax: 808-620-9299
E-mail: jeffrey.y.fujimoto@hawaii.gov

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E-mail: jeffrey.y.fujimoto@hawaii.gov

----- Forwarded by Jeffrey Y Fujimoto/DHHL/StateHiUS on 12/29/2014 03 01 PM -----

From: Kaleo L. Manuel/DHHL/StateHiUS
To: Lance Fukumoto <lfukumoto@fukunagaengineers.com>
Cc: Jeffrey Y Fujimoto/DHHL/StateHiUS@StateHiUS, jgannon@rcac.org
Date: 12/29/2014 02:47 PM
Subject: Re: Puukapu Hybrid Water System

Sorry. Forgot to copy Jeff and Joy.

M. Kaleo Manuel
Acting Planning Program Manager
Department of Hawaiian Home Lands
P.O. Box 1879, Honolulu, Hawaii 96805
fax: (808) 620-9559
direct: (808) 620-9485

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From: Kaleo L. Manuel/DHHL/StateHiUS
To: Lance Fukumoto <lfukumoto@fukunagaengineers.com>
Date: 12/29/2014 02:47 PM
Subject: Re: Puukapu Hybrid Water System

Aloha Lance,

The Hybrid Water System is a non-potable water system. I'm copying Jeffrey Fujimoto, our LDD engineer, and Joy Gannon with RCAC who's provided Technical Assistance to the Department of this system. They may be able to more thoroughly answer your questions.

Mahalo nui,

M. Kaleo Manuel
Acting Planning Program Manager
Department of Hawaiian Home Lands
P.O. Box 1879, Honolulu, Hawaii 96805
fax: (808) 620-9559
direct: (808) 620-9485

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From: Lance Fukumoto <lfukumoto@fukunagaengineers.com>
To: "Kaleo L. Manuel@hawaii.gov" <Kaleo.L.Manuel@hawaii.gov>
Date: 12/29/2014 10:30 AM
Subject: Puukapu Hybrid Water System

Kaleo,

Could you let me know what is the status of the Puukapu Hybrid Water System? Has it been registered with DOH, and if so, was a sanitary survey completed?

Thanks,

-

Lance Fukumoto, P.E.

Fukunaga & Associates, Inc.
1357 Kapiolani Blvd., Suite 1530

Honolulu, HI 96814

Tel: (808) 944-1821

Fax: (808) 946-9339

From: Miyahira, Michael M
To: [Nikaido, Jennifer](#); [Zane, Ann T](#)
Cc: [Seto, Joanna L](#)
Subject: FW: Puukapu Hybrid Water System Meeting
Date: Friday, September 27, 2013 2:18:00 PM

fyi

From: Jeffrey.Y.Fujimoto@hawaii.gov [mailto:Jeffrey.Y.Fujimoto@hawaii.gov]
Sent: Friday, September 27, 2013 2:15 PM
To: Miyahira, Michael M
Cc: kck@akinaka.com; smq@akinaka.com; JGannon@rcac.org; Sandra.S.Pfund@hawaii.gov; Jim.W.DuPont@hawaii.gov
Subject: Puukapu Hybrid Water System Meeting

Hi Michael,

As per our telephone discussion, I'll work with our design engineer Akinaka & Associates, Ltd., Joy Gannon and our DHHL Land Development Administrator Sandra Pfund to develop detailed options to charge water users on a non-volumetric basis. We will try to provide as much detailed information on each of these options. I can then e-mail you the draft options in preparation for our DOH-DHHL meeting.

Thank you for your help!

Jeffrey Y. Fujimoto
Department of Hawaiian Home Lands
Land Development Division
91-5420 Kapolei Parkway, Room 124 I
Kapolei, Hawaii 96707
Phone: 808-620-9274, Fax: 808-620-9299
E-mail: jeffrey.y.fujimoto@hawaii.gov

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E-mail: jeffrey.y.fujimoto@hawaii.gov

From: "Miyahira, Michael M" <michael.miyahira@doh.hawaii.gov>
To: <Jeffrey.Y.Fujimoto@hawaii.gov>
Date: 09/27/2013 01:52 PM
Subject: test

Michael Miyahira, P.E.

Engineering Section Supervisor
Safe Drinking Water Branch
Hawaii Department of Health
Ph: 808-586-4258
Fax: 808-586-4351

From: Joy Gannon
To: Nikaido, Jennifer
Cc: Zane, Ann T; Miyahira, Michael M
Subject: Re: Pu'ukapu Water System Discussion
Date: Thursday, March 28, 2013 8:29:47 AM

Thank you all so much for taking a look at this again. I really appreciate it.

Joy Gannon
Phone: 808.345.1246
Sent from my iPhone

On Mar 28, 2013, at 8:27 AM, "Nikaido, Jennifer" <jennifer.nikaido@doh.hawaii.gov> wrote:

Thanks, Ann.

Joy-There's your answer.

-Jen

-----Original Message-----

From: Zane, Ann T
Sent: Wed 3/27/2013 1:51 PM
To: Nikaido, Jennifer; Joy Gannon
Cc: Miyahira, Michael M
Subject: RE: Pu'ukapu Water System Discussion

Hi Jen:

Yes, it is my opinion that if water is charged on a volumetric basis, it is selling the water and the system should be regulated. You can tell people to not drink the water, and you can tell people to only drink bottled water, but how would they enforce that?

Thanks,
Ann

-----Original Message-----

From: Nikaido, Jennifer
Sent: Wednesday, March 27, 2013 1:19 PM
To: Joy Gannon; Zane, Ann T
Cc: Miyahira, Michael M
Subject: RE: Pu'ukapu Water System Discussion

Ann-

Puukapu would be connected by a master meter and backflow preventer to the Hawaii DWS South Kohala water system. They will not have their own source. SDWB met with DHHL and their consultant, Akinaka & Associates, a year or two ago and they provided us a letter stating that they would not charge based on volume and we concluded that they would not be a regulated PWS...with the caveat that if their situation changed, they were to notify us and it may change their regulatory status. It appears that they are having trouble with setting up rates for this water system on a non-volumetric basis and are looking at alternatives, like inserting bylaws that the water will be used for only non-potable uses. Is it your opinion that if water is charged on a volumetric basis, regardless of

use (i.e. drinking water vs. non-potable), that they would be regulated by our office?

Thanks,
Jen

-----Original Message-----

From: Joy Gannon [<mailto:JGannon@rcac.org>]
Sent: Fri 3/22/2013 11:55 AM
To: Zane, Ann T; Nikaido, Jennifer
Cc: Miyahira, Michael M
Subject: RE: Pu'ukapu Water System Discussion

Aloha Ann,

This is a separate project from the circuit rider program and DHHL asked me to explore this since in my opinion they really don't have any good options.

Pu'ukapu is located just outside the town of Waimea (Kamuela) on the Big Island. The subdivision infrastructure consists of dirt roads and high speed internet accessibility and they recently put in what they are calling a "hybrid water system." Due to the costs of construction, the water system was not built to county water standards and they were advised by DOH that they could not charge on volumetric rates otherwise they would be considered a regulated PWS. The Pu'ukapu water system will or is (I'm not sure if its connected at this time) separated by the County of Hawaii's public water system by a cross connection control device. They then have three storage tanks of varying sizes and small diameter distribution lines going to all 188 pastoral lots in the subdivision. There are homes out there, but I would have a difficult time guessing how many there are - well over a dozen right now. They recently held some community meetings in the area to discuss the water system and to say it's a controversial issue is an understatement. I was actually on the agenda and was co-presenting on water system operations on Tuesday in front of the Hawaiian Homelands Commission and everything I was going to talk about was on the Hoolehua system, but the transition slide to me mentioned Pu'ukapu and I got about 3 minutes into the discussion of their water systems in general before the AG recommended going into Executive Session and I suspect it was because of Pu'ukapu and an attorney being in the audience. I could be misinterpreting this since I had to leave the room, but that's my guess.

DHHL asked me to explore if there were any options where they could charge volumetric rates.

-----Original Message-----

From: Zane, Ann T [<mailto:ann.zane@doh.hawaii.gov>]
Sent: Friday, March 22, 2013 11:27 AM
To: Nikaido, Jennifer; Joy Gannon
Cc: Miyahira, Michael M
Subject: RE: Pu'ukapu Water System Discussion

Hi Jen & Joy:

Do they have their own source? If they have their own source, they are a regulated PWS whether they charge or not. If they do not have their own source, but they charge, they are a PWS. I don't think signed agreements are good enough. Maybe I'm missing some details.

Thanks,
Ann

-----Original Message-----

From: Nikaido, Jennifer
Sent: Friday, March 22, 2013 11:15 AM

To: Joy Gannon
Cc: Miyahira, Michael M; Zane, Ann T
Subject: RE: Pu'ukapu Water System Discussion

To be consistent with other developments, we'd need a letter in writing from DHHL stating that the water will not be used for consumptive purposes (i.e. drinking water) and a sample copy of the signed agreement. As usual, if anything changes, they are to inform us and may be subject to regulation based on those changes.

I am still a little hesitant with the volumetric rates, and am forwarding this to Ann Zane for her interpretation. Ann, would this be an acceptable solution (see below e-mails for description)?
Thanks,

-Jen

PS Yes, checking e-mails from home. A toddler and newborn only offer limited brain stimulation

-----Original Message-----

From: Joy Gannon [<mailto:JGannon@rcac.org>]
Sent: Wed 3/20/2013 2:50 PM
To: Nikaido, Jennifer
Cc: Miyahira, Michael M
Subject: Re: Pu'ukapu Water System Discussion

So if the customers signed agreements that they would not use the water for consumptive purposes then it may not be a regulated PWS if they charged volumetric rates?

Thanks Jen! Checking emails from home? Hope all is well.

Joy Gannon
Phone: 808.345.1246
Sent from my iPhone

On Mar 20, 2013, at 2:44 PM, "Nikaido, Jennifer"
jennifer.nikaido@doh.hawaii.gov <mailto:jennifer.nikaido@doh.hawaii.gov> wrote:

Joy-

Mike is on Maui through tomorrow on a sanitary survey. We do not use the terms "potable" or "non-potable", but rather the term "drinking water". EPA defines drinking water as used for consumptive purposes, i.e. drinking, bathing, brushing teeth, food preparation, washing hands, etc. If DHHL plans on using the water for any of these purposes, then per our previous conversations, they should not be charging on a volumetric basis unless they want to be regulated by us...and based on everything we've seen to date, they would not be approved to operate the system based on technical capacity (i.e. the water system does not meet County DWS Water System Standards).

Mike may want to add more info when he returns.

-Jen

-----Original Message-----

From: Joy Gannon [<mailto:JGannon@rcac.org>]
Sent: Wed 3/20/2013 2:01 PM
To: Nikaido, Jennifer; Miyahira, Michael M

Subject: Pu'ukapu Water System Discussion

Hi Mike,

This is a separate project than the circuit rider program and I know Jennifer has communicated on this system with DHHL several times.

Something is failing to connect so I thought I'd try a different format - see attached. The first comment back was - "If we go non-potable (SDWA does not apply) can we charge volumetric?"

While I'm not an attorney and won't give legal advice I wanted to double (triple?) check my understanding. Going back to there being no federal or state definition of "potable" and the SDWB only declares a water system a "regulated PWS" which must "meet all State and Federal drinking water standards" and the only thing that is preventing them from meeting coverage by Title 11 Chapter 20 is the fact that they are not charging for water. So my interpretation is that no, they cannot unless they want to go back and meet all standards. Is that your interpretation?

The one thing that is tickling the back of my mind of my mind but may not have done properly is one of the Counties DWS supplying water to customers and making them sign an agreement that it can only be used for irrigation purposes and advising them that if they were ever caught using for non-irrigation purposes that they'd disconnect them.

I think I'm on track with my original understanding, but since the AG's office got involved, I want to double check.

Joy

Joy Gannon
Phone: 808.345.1246
Sent from my iPhone

Begin forwarded message:

From: "Joy Gannon"

<JGannon@rcac.org> <<mailto:JGannon@rcac.org>> <<mailto:JGannon@rcac.org>>>

To:

"Jeffrey.Y.Fujimoto@hawaii.gov<<mailto:Jeffrey.Y.Fujimoto@hawaii.gov>><<mailto:Jeffrey.Y.Fujimoto@hawaii.gov>>>"

<Jeffrey.Y.Fujimoto@hawaii.gov> <<mailto:Jeffrey.Y.Fujimoto@hawaii.gov>> <<mailto:Jeffrey.Y.Fujimoto@hawaii.gov>>>

Cc: "

<Sandra.S.Pfund@hawaii.gov> <<mailto:Sandra.S.Pfund@hawaii.gov>> <<mailto:Sandra.S.Pfund@hawaii.gov>>>"

<Sandra.S.Pfund@hawaii.gov> <<mailto:Sandra.S.Pfund@hawaii.gov>> <<mailto:Sandra.S.Pfund@hawaii.gov>>>,"

<Kaleo.L.Manuel@hawaii.gov> <<mailto:Kaleo.L.Manuel@hawaii.gov>> <<mailto:Kaleo.L.Manuel@hawaii.gov>>>"

<Kaleo.L.Manuel@hawaii.gov> <<mailto:Kaleo.L.Manuel@hawaii.gov>> <<mailto:Kaleo.L.Manuel@hawaii.gov>>>

From: Miyahira, Michael M
To: "Sheldon T. Yamasato"
Cc: Jeffrey.Y.Fujimoto@hawaii.gov; Diane.K.Taira@hawaii.gov; Sandra.S.Pfund@hawaii.gov; Loida.G.Chun@hawaii.gov; kck@akinaka.com; smq@akinaka.com; JGannon@rcac.org; Jim.W.DuPont@hawaii.gov
Bcc: Nikaldo.Jennifer@hawaii.gov; McGeehan-Takue.Theresa@hawaii.gov; JGannon@rcac.org
Subject: RE: Puukapu Hybird W.S.
Date: Monday, May 07, 2012 9:49:00 AM

My answers to SDWB-jurisdiction related questions below.

From: Sheldon T. Yamasato [<mailto:sty@akinaka.com>]
Sent: Monday, May 07, 2012 8:32 AM
To: Miyahira, Michael M
Cc: Jeffrey.Y.Fujimoto@hawaii.gov; Diane.K.Taira@hawaii.gov; Sandra.S.Pfund@hawaii.gov; Loida.G.Chun@hawaii.gov; kck@akinaka.com; smq@akinaka.com; JGannon@rcac.org; Jim.W.DuPont@hawaii.gov
Subject: RE: Puukapu Hybird W.S.
Importance: High

Mike:

Please read the [questions/concerns](#) of Eric Okazaki's e-mail below and provide DOH's clarification where required. Thanks for your assistance on this matter.

Sheldon

From: Jeffrey.Y.Fujimoto@hawaii.gov [<mailto:Jeffrey.Y.Fujimoto@hawaii.gov>]
Sent: Friday, May 04, 2012 4:11 PM
To: kck@akinaka.com; sty@akinaka.com; smq@akinaka.com; JGannon@rcac.org; Jim.W.DuPont@hawaii.gov
Cc: Diane.K.Taira@hawaii.gov; Sandra.S.Pfund@hawaii.gov; Loida.G.Chun@hawaii.gov
Subject: Fw: Puukapu Hybird W.S.

To All:

Based on the number of questions and concerns on the Puukapu Pastoral Lots Water System Operation and Maintenance Services IFB No. IFB-12-HHL-003, are you available to meet in the afternoon of May 11, 2012 (say at around 2:00 p.m.), to go over the concerns? Please see the two e-mails below with questions from Pural. We picked this date and time because Jim Du Pont will be here in Kapolei. I'm also inviting our DHHL Dep-AG. (Diane: Would you know if a Dep-AG can attend this meeting? We want to make sure we address any legal concerns.) If needed, we can set up a teleconference.

I will be posting an addendum to postpone bid opening from May 9, 2012 to May 23, 2012, to give us time to address these concerns. We are also trying to set up a teleconference with State Department of Health just to be sure they are acceptable with the proposed services.

Please let me know if you are available for the May 11, 2012, (possibly 2:00 p.m.) meeting.

Thank you,

Jeffrey Y. Fujimoto
Department of Hawaiian Home Lands
Land Development Division

Subject: Pu'ukapu Water System
Hi Jeff,

Before I continued on with this, I wanted to check with you to see if this format is acceptable or if you'd like it some other way. I thought it might be easier and quicker to understand in this format than in a memo or report, but I can write it however you'd like. Please advise.

Thanks
Joy

91-5420 Kapolei Parkway, Room 124 I
Kapolei, Hawaii 96707
Phone: 808-620-9274, Fax: 808-620-9299
E-mail: jeffrey.y.fujimoto@hawaii.gov

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E-mail: jeffrey.y.fujimoto@hawaii.gov

----- Forwarded by Jeffrey Y Fujimoto/DHHL/StateHiUS on 05/04/2012 01:59 PM -----

From: "Eric Okazaki" <enc.okazaki@puralwater.com>
To: <Jeffrey.Y.Fujimoto@hawaii.gov>
Date: 05/01/2012 03:33 PM
Subject: Puukapu Hybrid W.S

Jeffrey,

These are the questions we have for you and the engineering contractor to answer before we can bid on this project.

Please call me at anytime on (808)870 1647. Thanks

Eric Okazaki
VP Operations

Pural Water Specialty Co., Inc.
1955 Vineyard Street
Wailuku, HI 96793

From: "Eric Okazaki" <enc.okazaki@puralwater.com>
To: <Jeffrey.Y.Fujimoto@hawaii.gov>
Date: 05/02/2012 09:54 AM
Subject: RE: Notice of DHHL Posting: IFB-12-HHL-003, Addendum No 2

Jeffrey,

Got some questions from the questions and answers posed in Addendum 2:

1.0(a) What type of water system is Puukapu if not a Consecutive Water System? Is it a public water system? See next question Based on responses provided last week by DHHL, Puukapu does not currently

qualify as a regulated PWS. The SDWB will not be assuming jurisdiction at this time.

10(b) – Puukapu Water System exceeds the 15-25 service connection regulation. This is a regulation that cannot be circumvented by anyone. With this being the case, who is the responsible party or person for not complying?

SDWB's understanding is that DHHL will not be charging individual lots for water based on individual volumetric use. Therefore, the SDWB does not consider the Puukapu subdivision as a regulated PWS even if it exceeds the 15 svc conn/25 svc customers thresholds.

10(c) – Will Puukapu become a regulated PWS under DOH in the future? If not, is DHHL the responsible party for non-compliance? Can the Contractor submit any design-build drawing and submittals to DOH for referencing?

10(g) – DHHL is requiring a Grade I DSO, what will the requirement be if a chloramine system and a pH system needs to be installed after the chlorination system is installed and operational? What ramifications will the installation of a chlorination system have on the present chloramines system balance? Has any studies been done on what may occur? Who will be the responsible party or person? The SDWB does not plan to assume jurisdiction, thus there is no certified operator requirement by us. The requirement for a Grade I DSO is DHHL's requirement and responsibility.

10(h) – Designed and operated as a potable water system does not make it a potable water system. That declaration has to come from the DOH. Who is declaring Puukapu as a potable water system? To be more technically correct, we do not approve a "potable" water system nor do we determine "potability" of a systems water or water source. There is no Federal or State definition of the word "potable". The SDWB declares water systems a "regulated PWS" which must "meet all State and Federal drinking water standards".

10(p) – Who is responsible for backflow assemblies being installed, tested, repaired when needed? Who is making the assessment of whether a backflow assembly can be installed on a low pressure lateral?

10(q) – Who is responsible for collecting if bills are not paid? Why is the Contractor responsible for collecting water billings?

Will the Contractor be held harmless if and when DOH decides to step in and regulate the water system?

The other questions submitted yesterday have not all been answered, though some have been on Addendum 2. When can we expect answers to the questions?

Will the bid opening date be moved up to accommodate for pertinent questions needing to be answered prior to submitting a bid?

Any questions, please contact me at 870-1647. Thanks.

Eric Okazaki

From: Jeffrey.Y.Fujimoto@hawaii.gov [mailto:Jeffrey.Y.Fujimoto@hawaii.gov]

Sent: Tuesday, May 01, 2012 3:50 PM

To: duke@sandwichisles.net; jarkahua@aol.com; alakaiconsult@yahoo.com; harold.hart@puralwater.com; travis.gomes@puralwater.com; eric.okazaki@puralwater.com;

From: Miyahira, Michael M
To: "Jeffrey.Y.Fujimoto@hawaii.gov"; Joy Gannon
Cc: [Nikaido, Jennifer](mailto:Nikaido.Jennifer@hawaii.gov); [Seto, Joanna L](mailto:Seto.Joanna.L@hawaii.gov); Sandra.S.Pfund@hawaii.gov; Jim.W.DuPont@hawaii.gov
Subject: RE: Puukapu
Date: Friday, May 04, 2012 2:14:00 PM

Understood. Our determination in our March 17, 2010 letter to Akinaka & Associates stands.

Thanks you for the clarification.

Michael Miyahira, P.E.
Engineering Section Supervisor
Safe Drinking Water Branch
Hawaii Department of Health
Ph: 808-586-4258
Fax: 808-586-4351

From: Jeffrey.Y.Fujimoto@hawaii.gov [mailto:Jeffrey.Y.Fujimoto@hawaii.gov]
Sent: Friday, May 04, 2012 2:11 PM
To: Joy Gannon
Cc: [Nikaido, Jennifer](mailto:Nikaido.Jennifer@hawaii.gov); [Seto, Joanna L](mailto:Seto.Joanna.L@hawaii.gov); [Miyahira, Michael M](mailto:Miyahira.Michael.M@hawaii.gov); Sandra.S.Pfund@hawaii.gov; Jim.W.DuPont@hawaii.gov
Subject: RE: Puukapu

Hi Joy,

Your understanding is correct that DHHL is not planning to base the billing off the metered (volumetric) usage. DHHL is looking at developing possibly some type of flat rate billing process.

Jeffrey Y. Fujimoto
Department of Hawaiian Home Lands
Land Development Division
91-5420 Kapolei Parkway, Room 124 I
Kapolei, Hawaii 96707
Phone: 808-620-9274, Fax: 808-620-9299
E-mail: jeffrey.y.fujimoto@hawaii.gov

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E-mail: jeffrey.y.fujimoto@hawaii.gov

From Joy Gannon <JGannon@rcac.org>
To "Miyahira, Michael M" <michael.miyahira@doh.hawaii.gov>
Cc "Nikaido, Jennifer" <jennifer.nikaido@doh.hawaii.gov>, "Seto, Joanna L" <joanna.seto@doh.hawaii.gov>.

h281dad@aol.com

Cc: info@bidservicedaily.com; norma@gcahawaii.org; Jim.W.DuPont@hawaii.gov; mac.mccoy@us.rlb.com; kck@akinaka.com; sty@akinaka.com; smq@akinaka.com; JGannon@rcac.org; Alapaki.Nahale-a@hawaii.gov; Michelle.K.Kauhane@hawaii.gov; Crystal.L.Kua@hawaii.gov; Blaine.C.Fergerstrom@hawaii.gov; Sandra.S.Pfund@hawaii.gov; Darrell.H.Ing@hawaii.gov

Subject: Notice of DHHL Posting: IFB-12-HHL-003, Addendum No. 2

To All

For your information and appropriate attention.

Addendum 2 to IFB-12-HHL-003 Puukapu Pastoral Lots Water System Operation and Maintenance Services has been posted to the DHHL website, Procurement page:

<http://www.hawaiianhomelands.org/procurement/2012-2/ifb-12-hhl-003/>

Addendum No. 2 includes minutes from the Mandatory Pre-Bid Conference, held on April 23, 2012, 10:00 a.m., at the Department of Hawaiian Home Lands West Hawaii District Office.

Jeffrey Y. Fujimoto
Department of Hawaiian Home Lands
Land Development Division
91-5420 Kapolei Parkway, Room 124 I
Kapolei, Hawaii 96707
Phone: 808-620-9274, Fax: 808-620-9299
E-mail: jeffrey.y.fujimoto@hawaii.gov

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E-mail: jeffrey.y.fujimoto@hawaii.gov

"Jeffrey Y Fujimoto@hawaii.gov" <Jeffrey.Y.Fujimoto@hawaii.gov>

Date: 05/03/2012 02:27 PM
Subject: RE: Puukapu

Hi Mike,

My understanding is that they are metering, but that the purpose of the meters is to track for unaccounted for water and keep usage in check since they only have a certain allocation for each lot (not nearly enough given the parcel size). My understanding is that they are not basing the billing off the metered usage and would be taking the monthly charges from the county and doing some type of flat rate billing. I just met with DHHL yesterday and we discussed it again, so I don't think that's changed. I'm copying Jeff with DHHL on this email, but I think I have the correct understanding.

From: Miyahira, Michael M [<mailto:michael.miyahira@doh.hawaii.gov>]
Sent: Thursday, May 03, 2012 2:22 PM
To: Joy Gannon
Cc: Nikaido, Jennifer; Seto, Joanna L
Subject: RE: Puukapu

Aloha Joy,

As you know, the SDWB has been quite clear in letter and email correspondence over the last few years about the line that defines our jurisdiction over this subdivision. Our understanding was that DHHL would replace the volumetric water billing of individual lots with a catch-all maintenance fee or assessment to avoid being regulated by us as a public water system. From what I've been made aware of, the DHHL has apparently changed its mind and now plans to bill individual customers based on volume used. This makes them a regulated PWS under us, and therefore Pural's concerns and questions are valid and merit a clear response from DHHL.

My concern at this point is the fact that the water system infrastructure is apparently already constructed and in use without approvals from any potential jurisdictional agencies like the Hawaii County Department of Water Supply (if licensed over a *la* Makuu Offsite system) or, in the new PWS scenario, the SDWB. Given the DHHL's early admission that meeting County water system design standards was cost prohibitive, I am not confident that this system could pass our technical capacity analysis. I envision financial capacity being a problem too. Under HAR 11-20-30(d), a new PWS under our jurisdiction cannot be constructed in the first place or operated legally without TMF.

Michael Miyahira, P.E.
Engineering Section Supervisor
Safe Drinking Water Branch
Hawaii Department of Health
Ph: 808-586-4258
Fax: 808-586-4351

From: Joy Gannon [<mailto:JGannon@rcac.org>]

Sent: Thursday, May 03, 2012 11:38 AM
To: Nikaido, Jennifer; Miyahira, Michael M; Watanabe, Craig K.
Cc: Jeffrey.Y.Fujimoto@hawaii.gov
Subject: Puukapu

Hi Jennifer,

Jeffrey Fujimoto with DHHL is bidding out the operation of the Puukapu water system. Sandra Pfund is talking to the AG's office to dot some i's and cross some t's and make sure they are in a good position since the Homesteaders have sued the department in the past. Eric with Pural is very concerned about putting a bid in on the project. Based on the questions that they submitted, they are concerned about it becoming a regulated system and/or getting into trouble for operating it. Eric said he had been speaking with Craig about it.

DHHL staff are planning on delaying the bid opening so that they can make sure that all the ducks are in a row and that they have answered all the questions adequately. Jeff was wondering if it might be possible to schedule a conference call with you all to go over some of the responses to Eric's questions and make sure that DHHL has the correct understanding moving forward?

Joy Gannon
808.345.1246

From: [Sheldon T. Yamasato](#)
To: [Miyahira, Michael M](#); [Royden.I.Ishii@hawaii.gov](#)
Cc: ["RKI"](#); ["RYA"](#); ["SMQ"](#)
Subject: RE: Puukapu Hybrid System plans
Date: Wednesday, March 03, 2010 7:18:27 AM

Mike/Royden:

Let's meet on March 9, 2010 at 10:00 am at DOH. Thanks.

Sheldon

From: Miyahira, Michael M [mailto:michael.miyahira@doh.hawaii.gov]
Sent: Tuesday, March 02, 2010 2:41 PM
To: Royden.I.Ishii@hawaii.gov; Sheldon T. Yamasato
Cc: RKI; RYA; SMQ
Subject: RE: Puukapu Hybrid System plans

I'm free.

Mike

From: Royden.I.Ishii@hawaii.gov [mailto:Royden.I.Ishii@hawaii.gov]
Sent: Tuesday, March 02, 2010 2:23 PM
To: Sheldon T. Yamasato
Cc: Miyahira, Michael M; RKI; RYA; SMQ
Subject: RE: Puukapu Hybrid System plans

Next week Tuesday, March 9, is open (all day). Please advise on time and place.

Thanks,
Royden

"Sheldon T. Yamasato" <sty@akinaka.com>

03/02/2010 01:13 PM

To: "Miyahira, Michael M" <michael.miyahira@doh.hawaii.gov>
cc: "SMQ" <smq@akinaka.com>, "RKI" <rki@akinaka.com>, "Royden Ishii" <royden.ishii@hawaii.gov>, "RYA" <rya@akinaka.com>
Subject: RE: Puukapu Hybrid System plans

Mike:

Thanks for your input. I'm including the DHHL project manager (via this e-mail) for his reply on the matter.

This project is unique and I don't think will be used as a model for other DHHL projects. The fact of the matter is that the a system conforming to the County DWS standards is cost prohibitive as determined by a prior study. Also, I think you're correct about DHHL's anticipation of being a regulated public water system. Appreciate your help to navigate DHHL though this as their lessees have long awaited this project's completion.

Royden:

Please let me know when you or other DHHL representative(s) can meet by **"Reply to All"** for expediency. Thanks

Sheldon

From: Miyahira, Michael M [mailto:michael.miyahira@doh.hawaii.gov]
Sent: Tuesday, March 02, 2010 1:01 PM
To: Sheldon T. Yamasato
Cc: Yamada, Stuart H; Zane, Ann T; Nikaido, Jennifer
Subject: RE: Puukapu Hybrid System plans

Aloha Sheldon,

This subdivision would qualify as a new regulated public water system. It would fall under the *community water system* (CWS) category and be considered *consecutive* to the existing DWS South Kohala (PWS #130) system. The system will have to go through our capacity process.

Please pass this on to your client and let them know that we are available if they would like to discuss this determination before proceeding further on this project. If this was the model that they intended to use for future projects, I don't think they had anticipated operating it as a regulated public water system.

Mike

From: Sheldon T. Yamasato [mailto:sty@akinaka.com]
Sent: Monday, March 01, 2010 7:06 AM
To: Miyahira, Michael M
Cc: Zane, Ann T; RKI; SMQ; Royden Ishii
Subject: RE: Puukapu Hybrid System plans

Mike:

DHHL's reply to your inquiry is as follows.

The department was instructed by the Hawaiian Homes Commission to offer and charge lessees the existing County water rates as set by the respective Water System. I would assume that the same would be applied to the hybrid system unless there's another recommendation to apply different fees other than the County rate.

All lessees will have their own meters and be expected to pay for their consumption. There may also be a stand-by fee assessed similar to the Department of Water Supply of Hawaii County.

The department is leaning towards putting the operations and maintenance of the hybrid system out to bid for an operator to do all work including reading meters and possibly billing. The only water system presently in West Hawaii is at Kawaihae. That system is secondary to the supplier, Kohala Ranch Water Company. DHHL pays KRWC rates for water but only charges lessees county rates including stand-by fees.

Pural Water Specialties, Inc. has the contract to operate and maintain this system. The O&M contract was recently put out to bid and the results of the bids have not been announced. This contract expires this coming Sunday, 2/28/10.

Please let me know if you need any further information. Thank you for your assistance on this project.

Sheldon

From: Miyahira, Michael M [mailto:michael.miyahira@doh.hawaii.gov]

Sent: Tuesday, February 23, 2010 8:24 AM

To: Sheldon T. Yamasato

Cc: Zane, Ann T

Subject: Puukapu Hybrid System plans

Aloha Sheldon,

We'll need the following clarifications from DHHL on the subject project's operations:

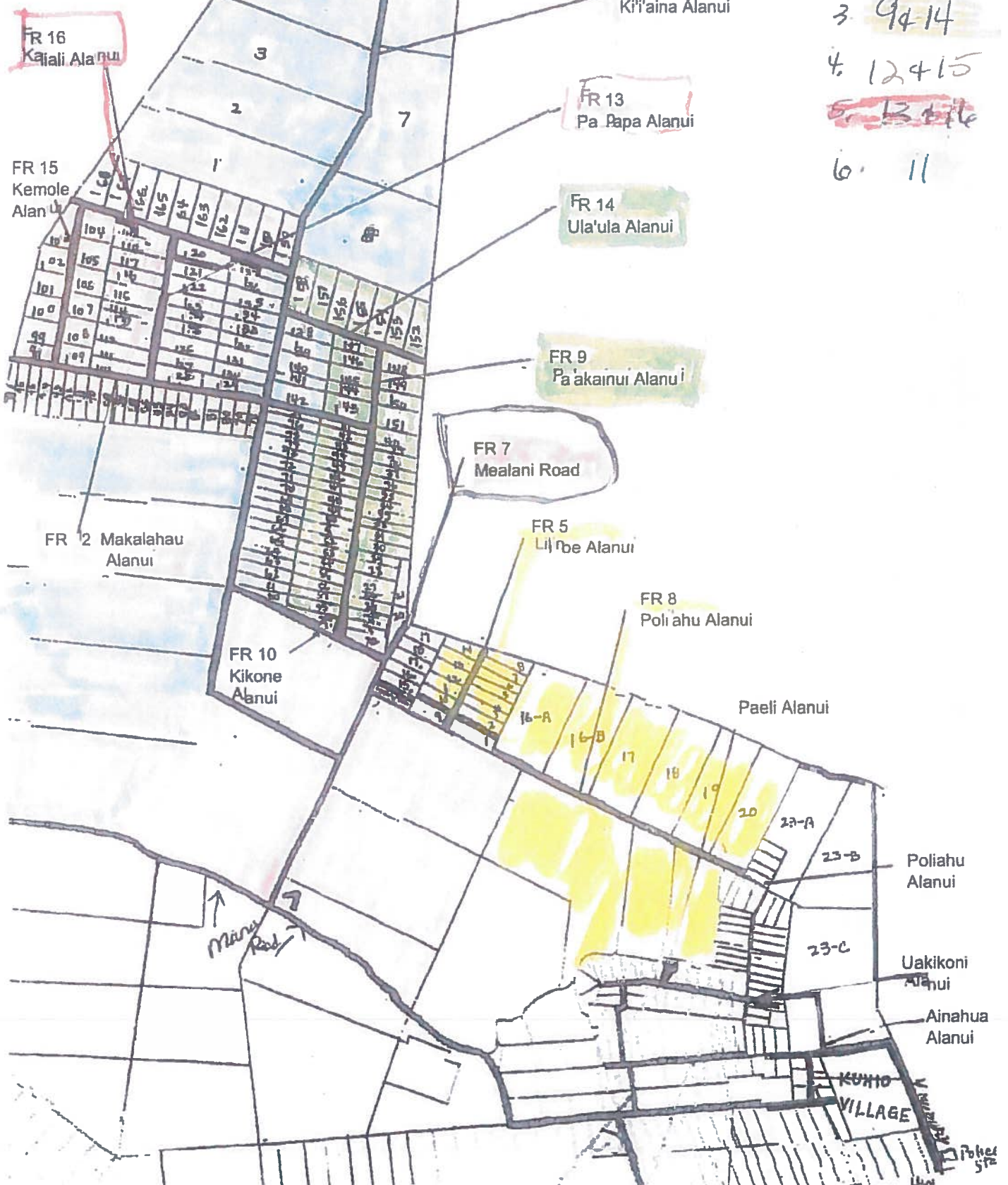
- Assuming the subdivision will be sub-metered, will individual service meter owners be charged for water usage?
- If they are being charged, on what basis will they be billed? Gallons used? Flat rate? Rolled into a maintenance fee?
- Will DHHL be setting the rates, doing the billing and collecting the fees?

Mike

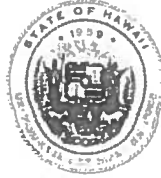
⑥ Fire Route Road
Type of Color C

DEPARTMENT OF HAWAIIAN
HOME LANDS
PUUKAPU PASTORAL LOTS

MAUNA KEA



1. 8+5
2. 7+10
3. 9+14
4. 12+15
5. ~~13+16~~
6. 11



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 125
KAMUELA HAWAII 96743

September 27, 2010

Dear Lessee:

SUBJECT: DEPARTMENT OF HAWAIIAN HOME LANDS PU'UKAPU PASTORAL SUBDIVISION -
WATER SYSTEM CONSTRUCTION, REQUEST FOR IMPROVEMENT PROCESS AND ASSIGNMENT OF
TAX MAP NUMBERS

Aloha. The department is writing to advise you that permits for the Pu'ukapu Pastoral Hybrid Water System have been approved by the county. The department has issued a Notice to Proceed (NTP) to the contractor for October 4, 2010. The project is expected to take about a year to complete. Each lot will have their own individual water meter when the construction is finished. The system is intended to deliver potable water however, the system will not conform to County design standards so cannot be considered a potable system.

Construction Related Information

The contractor for the Hybrid Water System is Isemoto Contracting Company, Ltd. (ICC). The department's project manager will be Rider Levett Bucknall (RLB). The contractor met with a representative from the Pu'ukapu Pastoral Water Group (PPWG) and other individual water system users to identify and locate their water lines prior to ICC beginning potholing. This took place on Monday, September 20, 2010.

ICC plans to place two (2) information boards at the security gates on Poliahu Alanui and Mana Road. The boards will contain scheduling and construction related information for homesteaders. The schedule will be updated every 3-4 weeks or as needed. A copy of the initial schedule for September-October is enclosed for your review.

Both ICC and the department are asking for your assistance and cooperation during the construction period. Safety is the number one priority for everyone involved. There will be ICC staff and equipment on the roads from 0700-1530 hrs. each working day. ICC will post signs identifying their work areas and alternate routes or detours for homesteaders to use during the day. This may mean periodic road closures with Mana Road being the alternate route. **Please adhere to the 25 mph speed limit for everyone's safety and construction related signs..**

Any inquiries, questions or concerns before and during construction should be directed to the West Hawaii District Office in Waimea and not to ICC or RLB. The telephone number is 887-6053.

Request for Improvement Process

Improvements to homesteads require prior approval by the department as stated in your pastoral lease. Examples of improvements include fencelines and

Pu'ukapu Pastoral Subdivision Hybrid Water System

Page 2

structures (containers, tool shed, storage shed, warehouse, barn, dwelling, etc.). If they are 6-feet in height or more a building permit is required.

The process begins with the submittal of plans/blueprints/drawings along with a Request for Improvement (RFI) form from DHHL identifying the type of improvement(s) to be made. Once the department approves the RFI and plans, a letter will be written asking you to apply for a building permit (if necessary) with the county. When the permit is issued and the county stamps your plans bring these items to the district office. Copies will be made for your files and a second letter written granting you permission to begun construction.

For those of you who have already built on your lot without department approval, submittal of plans and building permits the process will be more involved. You have two options. The first is to remove the unpermitted structure. The second will require hiring an architect or engineer to assist with plans.

As-builts, those structures without building permits, will require an architect or engineer licensed in the State of Hawaii. This individual will have to prepare drawings of the structure(s). They will then have to apply for building, electrical and plumbing permits. The architect or engineer is responsible for all inspections up to the final. The county will do the final inspection. Permit fees will be doubled for all permits.

The structure needs to comply with the 2010 building code. A decision will have to be made whether the time, cost and effort to bring the existing building up to code is worth it to you. If not, the building will have to be removed from your homestead. There is no grandfather clause to allow existing structures to be waived from the RFI process.

Water Service

The water system construction is expected to be completed in about one year from the notice to proceed date. Individual water meters, one for each lease, along with water service, will become available to each lot after completion of construction. The department and the Hawaiian Homes Commission will need to establish rules and procedures for the new water system including the application process for meters and service along with water useage related fees. In addition, the department will advertise for Request for Proposals (RFP) for a vendor to operate the water system to include repairs, maintenance and billing.

Anticipating that water service will be available to each individual lot the department is encouraging people to work with the West Hawaii District Office to address any existing lease violations. Should these issues not be corrected by the time the hybrid water system is finished water service may be affected until your lease is in compliance. The terms of your lease have been in effect since you signed the lease document. Those lease conditions still remain as guidelines for lessees to follow.

Pu'ukapu Hybrid Water System

Page 3

Tax Map Numbers (TMK)

The county has revised the plat maps for the Pu'ukapu Pastoral Lot Subdivision. The Planning Department has issued individual tax map numbers for each lot. You'll need the tax number for your homestead should you decide to build or if you've already built without a building permit. The Building Division and Planning Department will have your lot of record and TMK on file. **You can contact the district office for your respective TMK.**

Lease Commencement Dates

Lease commencement dates will be amended for all Pu'ukapu leases from the original commencement date of 1991. The department will determine the new commencement date at some time in the future. The first seven (7) years of your homestead lease is exempted from real property taxes. After that time you will be taxed on the assessed value of improvements, which doesn't include the land. The minimum tax at this time is \$100.00 per year.

Please contact the West Hawaii District Office in Waimea if you have any questions. The telephone number is 808-887-6053.

Sincerely,



James W. DuPont, Supervisor
West Hawaii District Office

Enclosure

Cc: Lessee File (WHDO/ODO)

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN DESIGNATE
HAWAIIAN HOMES COMMISSION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P O BOX 1879
HONOLULU, HAWAII 96805

January 22, 2013

MAHANA M GOMES
PO BOX 437142
KAMUELA, HI 96743

Aloha,

Subject: Puukapu Hybrid Water System
Non-Potable versus Potable Water

The Department of Hawaiian Home Lands (DHHL) requests your feedback on operating the recently constructed Puukapu Hybrid Water System using Non-Potable or Potable Water.

DHHL received a number of inquiries from Puukapu homeowners requesting water for cattle and irrigation purposes, and recommending the system be operated using non-potable water.

DHHL received its water allocation from the Department of Water Supply based on potable water for residential use of no more than 600 gallons per day, per lot.

Potable water requires chlorination, extra testing and operational requirements, and possibly extra costs to the homeowners compared to non-potable water. Because of these extra requirements, potable water may also take more time to place into operation compared to non-potable water. Non-potable water should not be used for human consumption, as it could cause possible health and safety concerns.

Enclosed is a survey and a self addressed stamped envelope. Please indicate on the survey your preference on using non-potable or potable water. Please mail back the survey postmarked by **February 8, 2013**.

DHHL would also like to notify you that the Puukapu Hybrid Water System may not have adequate water pressure or volume to serve the entire Puukapu Pastoral Subdivision. DHHL will require each lessee to sign an "Internal Elevation Agreement" to acknowledge that there may not be adequate water pressure to service the entire lot depending on the lot elevations.

DHHL is inviting you to our Community Information Meeting to discuss the outcome of this survey, discuss in more detail the Internal Elevation Agreement, and further coordinate the water system operations with you. The meeting will be held on **Thursday, February 21, 2013, 5:30 p.m. to 7:00 p.m.**, at the DHHL West Hawaii District Office, 64-756 Mamalahoa Highway, in Kamuela. Please indicate on the Survey if you will be attending the meeting.

If you have any questions, please contact Jeffrey Fujimoto of our Land Development Division at (808) 620-9274.

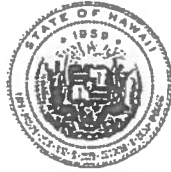
Mahalo,



Sandra S. Pfund, Administrator
Land Development Division

Enclosure

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN DESIGNATE
HAWAIIAN HOMES COMMISSION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
P O BOX 1879
HONOLULU, HAWAII 96805

January 22, 2013

Name of Lessee: _____ Lot #: _____
Signature: _____
Address: _____ Phone #: _____

Subject: Puukapu Hybrid Water System

1. Non-Potable Versus Potable Water.

Please check option you prefer:

_____ Operating the Puukapu Hybrid Water System using Non-Potable Water

_____ Operating the Puukapu Hybrid Water System using Potable Water

2. Do you currently have a residence on your lot? Yes _____ No _____

3. If you currently do not have a residence on your lot, do you intend to build a residence on your lot in the next five (5) years?

Yes _____ No _____

4. Community Information Meeting

Thursday, February 21, 2013, 5:30 p.m. to 7:00 p.m.
Department of Hawaiian Home Lands
West Hawaii District Office
64-756 Mamalahoa Highway
Kamuela, HI 96743

Attending: Yes _____ No _____

Please return this response in the enclosed, stamped envelope by February 8, 2013. Mahalo.

DEPARTMENT OF HAWAIIAN HOME LANDS

PU'UKAPU HYBRID WATER SYSTEM

APPLICATION FOR WATER METER AND BACKFLOW PREVENTER

COPY

10-20-15
C#639

LESSEE'S NAME: Charles G. Hanohano; Trisha C. N. Hanohano Kishida;
BILLING ADDRESS: P.O. Box 672 Heidi A.K. Hanohano Kishida;
Honolulu, HI 96727 Amber M.H. Hanohano Christensen

CURRENT PHONE NUMBER(S): _____

LEASE#: 8043 LOT#: 68

TMK: 6-4-035:068

PLUMBING CONTRACTOR: _____

GENERAL CONTRACTOR: _____

BUILDING PERMIT#: _____

INSTALLATION COST: _____

MAKE CHECK PAYABLE TO: DEPARTMENT OF HAWAIIAN HOME LANDS

MAIL OR DELIVER TO: DEPARTMENT OF HAWAIIAN HOME LANDS
PO BOX 125
KAMUELA, HI 96743

PHONE: 887-6053

THE UNDERSIGNED ACKNOWLEDGES THAT THE WATER IS NON-POTABLE AND UNSAFE FOR HUMAN CONSUMPTION. DRINKING OR OTHERWISE INGESTING THE WATER CAN LEAD TO SERIOUS ILLNESS AND DEATH.

LESSEE'S SIGNATURE: (Trisha) Kishida DATE: Sept. 21, 15

DHHL APPROVAL: _____

The undersigned applicant hereby applies to the Department of Hawaiian Home Lands for water service at the above location. Pending approval, and in consideration of commencement of such service, the undersigned agrees to pay all charges incurred upon such location for such service and to abide by all rules, regulations, ordinances, codes, provisions, and policies prescribed by the Department of Hawaiian Home Lands, relating to water rates. The undersigned understands that they will be billed by the Department of Hawaiian Home Lands for water service.

***PLEASE BE AWARE THAT YOU WILL BE ACCESSED THE MONTHLY SERVICE CHARGE WHETHER OR NOT YOU USE WATER.

JK
INITIAL

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
INFORMATION CHANGE NOTIFICATION FORM
HHL Form 00001 (rev 6/2008)

Please print in black point pen

PLEASE CHECK WHERE APPROPRIATE.

Lease No.(s): _____

Please make changes to my:

Homestead Area: _____

☐ Mailing address
Date effective: _____

☐ *Name (must produce
necessary documents)
Date effective: _____

☐ **Social Security No.
Date effective: _____

*Submit Marriage Certificate, Name Change Decree or Divorce Decree

**Submit Photocopy of ID

My current homestead status with DHHL is: ☐ Applicant ☐ Lessee ☐ Applicant & Lessee

OLD INFORMATION

The following information must be completed.

Social Security No.: _____ Day Phone No.: (808) 775-0283

Name: Hanohano Charles G.
Last Name First Name MI

Mailing Address: P.O. Box 672 Honolulu HI 96727
P.O. Box / Street Apt. No. City State Zip code

NEW INFORMATION

Please fill out only information that needs to be changed.

Social Security No.: _____

Please select daytime contact number:

☐ Home: 808 247 2099 ☐ Bus.: 808 682 3386 ☒ Cell: 808 285 8426

Name: Kishida Trisha NH
Last Name First Name MI

Mailing Address: 45-453 Hoene Pl. Kaneohe HI 96744
P.O. Box / Street Apt. No. City State Zip code

Applicant/Lessee signs: (Trisha) Kishida April 26, 15
Signature Date

Staff acknowledges: _____
Signature Date

Remarks: _____

Oahu: call for Department's Delivery Address or Mail Original Form to:

DHHL, Homestead Services Division, P. O. Box 1879, Honolulu, HI 96805

Application Branch: 620-9220

Oahu Distr. Office: 620-9250

Neighboring Islands: call for Department's Delivery Address or Mail Original Form to:

DHHL, East Hawaii District Office, 160 Baker Ave., Hilo, HI 96720

974-4250

DHHL, Kauai District Office, 3060 Eiwa St., Rm. 203, Lihue, HI 96766-1886

274-3131

DHHL, Maui District Office, 655 Kaunualii St., Suite 1, Wailuku, HI 96793

780-5120

DHHL, Molokai District Office, P.O. Box 2009, Kaunakakai, HI 96748

580-6104

DHHL, West Hawaii District Office, P.O. Box 125, Kamuela, HI 96743

887-6053

LEASE ADDENDUM
INTERNAL ELEVATION AGREEMENT

Puukapu Pastoral Lots Subdivision
Non-Potable Water, Low Water Pressure and Limited Water Supply

Lessor State of Hawaii, by its Department of Hawaiian Home Lands ("Lessor" and/or "DHHL") has developed that certain water system known as the Puukapu Hybrid Water System to service lots in the Puukapu Pastoral Lots Subdivision. In consideration of and as a condition to Lessee's use of the System, Lessee agrees as follows:

1. Low Water Pressure/ Non-Potable Water. Lessee acknowledges that the water pressure from the Puukapu Hybrid Water System may not be adequate to serve the entire subdivision. Lessee understands and agrees that real property that is the subject of this agreement may be situated at such an elevation that it cannot be assured of a dependable supply of water from Lessor, or of adequate water service from Lessor's Puukapu Hybrid Water System. Lots at higher elevations may be more affected by low water pressure, below the County of Hawaii 40 psi water pressure standard. Lessee is advised not to build their residence above the 3,500-foot elevation. Lessee agrees to accept the available water pressure from the Puukapu Hybrid Water System.

Lessee accepts such water service and such water pressure as Lessor is able to provide from its Puukapu Hybrid Water System. If Lessee requires more pressure, they will be responsible for installing facilities (booster pumps, etc.) required to meet their needs, however, the Puukapu Subdivision currently does not have the electrical power available to support additional facilities. Lessor shall have no obligation to provide additional power or to develop additional facilities, or to provide potable water to Lessee.

Lessee further acknowledges that the water is non-potable and is not suitable for human consumption.

2. Limited Water Volume. Lessee acknowledges the Puukapu Hybrid Water System will provide a limited volume of water to each lot. Maximum daily water usage to each lot is 600 gallons per day (GPD). Lessee agrees not to exceed the maximum volume of 600 GPD, or any other maximum volume as may be determined by Lessor.
3. Water and Meter Payments. Lessee acknowledges that rates charged for water usage will be established by the Hawaiian Homes Commission. Lessee will be required to pay for water usage rates on a monthly basis. Lessee further acknowledges that Lessee will be required to pay for an individual meter to their lot.
4. Water Meter and Signage. Lessor will issue the individual water meters and signage to Lessees. Lessees will be required to sign a separate agreement for the individual water meter and signage at the time of issuance. Signage will indicate that water is non-potable and is not suitable for human consumption.
5. Elevation Agreement between the Department of Water Supply of the County of Hawaii (DWS) and DHHL. Lessee acknowledges and agrees to be bound by the

stipulations and provisions contained in the attached Elevation Agreement between DWS and DHHL, effective on April 10, 2012.

6. Release and Indemnity. Lessee releases and holds Lessor, DWS, their respective officers, agents and employees harmless from and free of all claims and liabilities resulting from, caused by, or arising out of any harm or damages connected with the non-potability, inadequate water service, pressure, or delivery flow rate or volume to and/or from the Puukapu Hybrid Water System, Lessee's use of the system, or any maintenance, repair, or other work that may be performed on the system by Lessor or its contractors.
7. Other Conditions. Nothing contained herein shall limit or impair Lessor's authority to transfer, dedicate, license, or dispose of the Puukapu Hybrid Water System, or to make any other decisions whatsoever regarding the system's operation, maintenance, or repair. Lessee further agrees to abide by any other terms and conditions as may be established by Lessor pertaining to the use of the system, including usage fees and other charges.

Acknowledged and Agreed:

* Trisha Hishida
Signature

* Trisha Hishida
Print Name

* Sept. 29, 15
Date

Lessee

**DEPARTMENT OF HAWAIIAN HOME LANDS
PU'UKAPU HYBRID WATER SYSTEM**

1. Lessee understands that the Pu'ukapu Hybrid Water system is a NON-POTABLE system for livestock use only. Water is not safe for human consumption. Drinking or otherwise consuming the water can lead to serious illness and/or death.
2. Lessee shall clearly label all lines, fixtures, and containers regularly transmitting or storing the water with the following warning: "WARNING: WATER NOT FIT FOR HUMAN CONSUMPTION. DO NOT DRINK. SERIOUS ILLNESS OR DEATH MAY RESULT."
3. Lessee shall not transmit the water to any fixtures inside or attached to any dwelling, including but not limited to hose bibs, faucets, showers, and water closets.
4. Lessee agrees to complete a Pu'ukapu Hybrid Water System Meter and Backflow Preventer Application. Only valid lessees of record are eligible applicants.
5. Lessee agrees to complete the Pu'ukapu Hybrid Water System Elevation Agreement as a condition of service.
6. Lessee agrees to pay the installation costs related to the water meter (\$115.00) and backflow preventer (\$674.00) as a condition of service.
7. For those who require a payment plan to comply with #3 the department will accept the following incremental payment option:

First incremental payment equal to 30% down (\$236.70) with six (6) additional monthly payments of \$92.05.

LESSEE UNDERSTANDS THAT IF THE PAYMENT OPTION IS SELECTED AND PAYMENT IS MISSED THAT THE TOTAL AMOUNT REMAINING IS DUE TO CONTINUE SERVICE.

8. Lessee agrees to pay a flat rate of \$122.41 per month. Upon installation the first month's usage or the first month's usage plus additional days to the first (1st) day of the following month shall be at no charge. The lessee is hereby notified that the Hawaiian Homes Commission approved the interim water rates for a period of one year beginning May 19, 2014. After the one year anniversary DHHL will report to the commission on its findings to determine if the flat rate should be continued at its present amount, increased or decreased.
9. The first full month after the grace period will be assessed at \$122.41. Lessee is responsible for payment on or before the first (1st) day of the next month. The department will not send out invoices and it's the lessee's responsibility to make payment on their own.
10. Late payment is any payment made after the first (1st) day of the following month unless the first day is a holiday or weekend.
11. Service may be terminated if payment of monthly bill is more than sixty (60) days in arrears. Service will be started after payment in full is received. The lessee will be responsible for a deposit equal to the amount in arrears as a condition of service.
12. Lessee understands that the monthly allotment of water is 800 gallons per day (gpd) on average. If average daily usage is in excess of 600 gpd for more than two (2) consecutive months customer will be notified in writing. Should excessive usage continue for a third (3rd) consecutive month service will be terminated. Service will be reinstated only after lessee agrees to pay the flat rate monthly fee for the period in excess.

**DEPARTMENT OF HAWAIIAN HOME LANDS
PU'UKAPU HYBRID WATER SYSTEM**

13. DHHL and their operator are responsible for the maintenance and repair of both the ~~water meter and backflow preventer~~. Service responsibility ends at the backflow preventer. Lessee is responsible for their own transmission lines.
14. Lessee agrees to notify DHHL and/or operator in the event that a leak is found on the lessee's property. DHHL will make an adjustment to the water bill after three billing cycles. Adjustments will be made only once every two years.
15. Should lessee damage or destroy the water meter and/or backflow preventer the lessee is responsible for the replacement costs.
16. Should lessee be found illegally tapping into water system they will forfeit their water service and be subject to prosecution.
17. Lessee and their assigns agree to abide by all conditions of their Homestead Lease, Administrative Rules and applicable County, State and federal laws pertaining to their homestead including Lease Addendums.
18. Service will not be provided to homesteads in violation of any of the terms listed in 16 above.



Department of Hawaiian Home Lands - West Hawaii District Office

P.O. Box 125
Kamuela, HI 96743
Phone: (808) 887-6053
Fax: (808) 887-6056

Office Hours
7:45 a.m. to 4:30 p.m.
Monday thru Friday

Payment Hours
8:00 a.m. to 4:00 p.m.
Monday thru Friday

Send payment to:

State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 125
Kamuela, HI 96743

Please make checks payable to:

Department of Hawaiian Home Lands

Account Number	Bill Date	Amount Due	Amount Paid
[REDACTED]	8/3/2016	\$1,027.46	

[REDACTED]
Kamuela, HI 96743

DHHL COPY

Please detach and return this copy with your payment. Thank You.

CUSTOMER COPY

Please retain this copy for your records.

Account Number		Name and Premise			Billing Period	
[REDACTED]		[REDACTED]			7/1/2016 to 8/3/2016	
Trans Date	Description	Meter#	Previous Reading	Current Reading	Usage	Amount
	Previous Balance					\$1,028.05
7/8/2016	PAYMENT					(\$123.00)
8/3/2016	Flat Rate Monthly Charge	45727245	242070	266550	24480	\$122.41
	Current Bill					\$122.41
	Amount Due Upon Receipt					\$1,027.46

Past Due			
30 days:	\$122.41	60 days:	\$122.41
		90+ days:	\$660.23

Messages

Department of Hawaiian Home Lands - West Hawaii District Office

(808) 887-6053

LEASE ADDENDUM
INTERNAL ELEVATION AGREEMENT

Puukapu Pastoral Lots Subdivision
Low Water Pressure and Limited Water Supply

Lessor State of Hawaii, by its Department of Hawaiian Home Lands ("Lessor" and/or "DHHL") has developed that certain water system known as the Puukapu Hybrid Water System to service lots in the Puukapu Pastoral Lots Subdivision. In consideration of and as a condition to Lessee's use of the System, Lessee agrees as follows:

1. Low Water Pressure/ Non-Potable Water. Lessee acknowledges that the water pressure from the Puukapu Hybrid Water System may not be adequate to serve the entire subdivision. Lessee further acknowledges that the water may be non-potable. Lots at higher elevations may be more affected by low water pressure, below the County of Hawaii 40 psi water pressure standard. Lessee is advised not to build their residence above the 3,500-foot elevation. Lessee agrees to accept the available water pressure from the Puukapu Hybrid Water System.

If Lessee requires more pressure, they will be responsible for installing facilities (booster pumps, etc.) required to meet their needs, however, the Puukapu Subdivision currently does not have the electrical power available to support additional facilities. Lessor shall have no obligation to provide additional power or to develop additional facilities, or to provide potable water to Lessee.
2. Limited Water Volume. Lessee acknowledges the Puukapu Hybrid Water System will provide a limited volume of water to each lot. Maximum daily water usage to each lot is 600 gallons per day (GPD). Lessee agrees not to exceed the maximum volume of 600 GPD, or any other maximum volume as may be determined by Lessor.
3. Water and Meter Payments. Lessee acknowledges that rates charged for water usage will be established by the Hawaiian Homes Commission. Lessee will be required to pay for water usage rates on a monthly basis. Lessee further acknowledges that Lessee will be required to pay for an individual meter to their lot.
4. Elevation Agreement between the Department of Water Supply of the County of Hawaii (DWS) and DHHL. Lessee acknowledges and agrees to be bound by the stipulations and provisions contained in the attached Elevation Agreement between DWS and DHHL, effective on April 10, 2012.
5. Release and Indemnity. Lessee releases and holds Lessor, DWS, their respective officers, agents and employees harmless from and free of all claims and liabilities resulting from, caused by, or arising out of any harm or damages connected with the potability, inadequate water service, pressure, or delivery flow rate or volume to and/or from the Puukapu Hybrid Water System, Lessee's use of the system, or any maintenance, repair, or other work that may be performed on the system by Lessor or its contractors.

6. Other Conditions. Nothing contained herein shall limit or impair Lessor's authority to transfer, dedicate, license, or dispose of the Puukapu Hybrid Water System, or to make any other decisions whatsoever regarding the system's operation, maintenance, or repair. Lessee further agrees to abide by any other terms and conditions as may be established by Lessor pertaining to the use of the system, including usage fees and other charges.

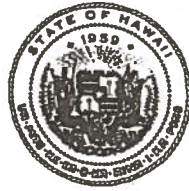
Acknowledged and Agreed:

Signature

Print Name

Date

Lessee



Copy

**STATE OF HAWAII
DEPARTMENT OF HEALTH
SAFE DRINKING WATER BRANCH**
919 ALA MOANA BLVD., ROOM 308
HONOLULU, HI 96814-4920

In reply, please refer to:
File: SDWB
Pu'u Kapu Hybrid01.docx

March 17, 2017

Pu'u Kapu Pastoral Steering Council
P.O. Box 437142
Kamuela, Hawaii 96743

Dear Pu'u Kapu Pastoral Steering Council:

SUBJECT: PU'U KAPU HYBRID WATER SYSTEM

Thank you for your correspondence of March 7, 2017, requesting the Department of Health's (DOH's) determination on whether the Pu'u Kapu Hybrid water system should be a regulated public water system. The DOH Safe Drinking Water Branch (SDWB) has determined that the Pu'u Kapu Hybrid water system should not be regulated as a public water system, according to the definition of a regulated public water system as specified in Hawaii Administrative Rules.

Hawaii Administrative Rules, Title 11, Chapter 20, "Rules Relating to Public Water Systems," Section 11-20-2, state that a public water system is "a system which provides water for human consumption, through pipes or other constructed conveyances if the system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least sixty days out of the year."

Section 11-20-1 further states that Chapter 20 "applies to each public water system, unless the public water system meets all of the following conditions:

- 1) It consists only of a distribution and storage facilities (and does not have any collection and treatment facilities);
- 2) It obtains all its water from, but is not owned or operated by a public water system to which such rules apply;
- 3) It does not sell water to any person; and
- 4) It is not a carrier which conveys passengers in interstate commerce."

The Pu'u Kapu Hybrid water system:

- 1) Consists only of a distribution system,
- 2) Obtains all of its water from, but is not owned or operated by a public water system (the Hawaii Department of Water Supply, South Kohala water system),

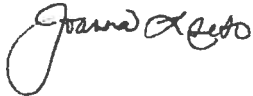
Pu'u Kapu Pastoral Steering Council
March 17, 2017
Page 2

- 3) Does not sell water to any person, but rather charges a flat rate to each lot, and
- 4) Is not a carrier which convey passengers in interstate commerce.

All of the conditions 1) through 4) are met, therefore the SDWB has determined that the Pu'u Kapu Hybrid water system should not be a regulated public water system.

If you have any questions concerning this determination, please call me at 808-586-4258.

Sincerely,



JOANNA L. SETO, P.E., CHIEF
Safe Drinking Water Branch

AZ:cb

c: Ms. Anna Yen, EPA Region 9
[via yen.anna@epa.gov only]