



**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE PUBLIC LAND TRUST (PLT) WORKING GROUP**

**DATE:** Thursday, February 1, 2024

**TIME:** 1:30pm

**PLACE:** Virtual Meeting

**560 N. Nimitz Hwy, Ste. 200**

**Honolulu, HI 96817**

Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) Or

Listen by phone: (213) 338-8477, Webinar ID: 895 2884 5062

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened to by phone using the call-in information above. A physical meeting location, open to members of the public who would like to provide oral testimony or view the virtual meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817.**

**AGENDA**

- I. Call to Order**
- II. Meeting Summaries**
  - 1. January 4, 2024**
  - 2. January 11, 2024**
- III. Further discussions and comments regarding the State Land Information Management System (SLIMS), the Public Land Trust Information System (PLTIS), the Department of Land and Natural Resources (DLNR) Reports to the Legislature pursuant to Act 178, Session Laws of Hawai'i 2006, and the Report to the Office of Hawaiian Affairs on the Accuracy and Completeness of a report by the Department of Land and Natural Resources to the Hawaii State Legislature on Public Land Trust Receipts for Fiscal Year ended June 30, 2016, by N&K CPAs, Inc. (2018).**
- IV. DLNR clarification of extent of use of 50% rule and extent of inclusion of submerged lands in PLTIS.**
- V. Discussion regarding DLNR request for funding to upgrade PLTIS.**
- VI. Review Act 304 (Session Laws Hawai'i 1990) and court decisions and history of payments of pro rata share of Airport Revenues to OHA.**
- VII. Discussion regarding next steps after review of responses to PLTWG letter to state agencies regarding the reporting made and supporting documentation available to**



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**finalize:**

(1) an accurate and complete inventory of ceded lands and Public Land Trust lands, including submerged lands; and

(2) an accurate and complete accounting of the income and proceeds from the ceded lands and the Public Land Trust lands, including submerged lands, under their jurisdiction.

**VIII. Discussion regarding request to the counties and federal government for information relating to the inventory and identification of ceded lands and Public Land Trust lands, including submerged lands, under their jurisdiction, and accounting of the income and proceeds derived therefrom.**

**IX. Review legislation submitted to seek appropriations to hire qualified professionals to determine accuracy and completeness of:**

(1) current state agencies reporting of income and proceeds from the public land trust; and

(2) current inventory of the public land trust as reported in the PLTIS.

**X. Discussion: Next PLT Working Group meeting**

**XI. Adjournment**

If you require an auxiliary aid/service or other accommodation due to a disability, please contact Everett Ohta at telephone number (808) 594-1988 or by email [everetto@oha.org](mailto:everetto@oha.org) as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

Meeting materials will be available to the public at least 48 hours prior to the meeting at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. Meeting materials, meeting summaries, and meeting recordings are available at OHA's website at: <https://www.oha.org/PLT-working-group/>

In the event that the livestream or the audiovisual connection is interrupted and cannot be restored, the meeting may continue as an audio-only meeting through the phone and Webinar ID listed at the beginning of this agenda.

**Public Testimony must be limited to matters listed on the meeting agenda.** Hawai'i Revised Statutes, Chapter 92, Public Agency Meetings and Records, prohibits Working Group members from discussing or taking action on matters not listed on the meeting agenda.

Testimony can be provided to the PLT Working Group either as: (1) **written testimony emailed** at least 24 hours prior to the scheduled meeting, (2) **written testimony mailed** and received at least two business days prior to the scheduled meeting, or (3) live, oral testimony online or at the physical meeting location during the virtual meeting.

- (1) Persons wishing to provide **written testimony** on items listed on the agenda should submit testimony via **email** to [pltworworkinggroup@oha.org](mailto:pltworworkinggroup@oha.org) at least **24 hours prior** to the scheduled meeting or via **postal mail** to Office of Hawaiian Affairs, Attn: PLT Working Group Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817 **to be received at least two business days prior** to the scheduled meeting. Any testimony received after these deadlines will be late



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testimony and will be distributed to the Working Group members after the scheduled meeting.

- (2) Persons wishing to provide ***oral testimony online*** during the virtual meeting must first register at:  
[https://us06web.zoom.us/webinar/register/WN\\_5cET4xQPSUK9uYQuIwN58Q](https://us06web.zoom.us/webinar/register/WN_5cET4xQPSUK9uYQuIwN58Q)

You need to register if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting, along with further instructions on how to provide oral testimony during the virtual meeting. The registration page will closed once the Public Testimony agenda items have concluded.

To provide oral testimony online, you will need:

- (1) a computer or mobile device to connect to the virtual meeting;
- (2) internet access; and
- (3) a microphone to provide oral testimony.

Oral testimony online or at a physical meeting location will be limited to five (5) minutes.

Oral testimony by telephone/landline **will not** be accepted at this time.

Once your oral testimony is completed, you will be asked to disconnect from the meeting. If you do not sign off on your own, support staff will remove you from the Zoom meeting. You can continue to view the remainder of the meeting on the livestream or by telephone, as provided at the beginning of this agenda.

# Meeting of the Public Land Trust Working Group

February 1, 2024

1:30 P.M.

## **II. Meeting Summaries**

**1. January 4, 2024**

**2. January 11, 2024**



**DRAFT**

**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(VIRTUAL MEETING - VIA ZOOM WEBINAR)**

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone using the call-in information above. A physical meeting location, open to members of the public who would like to provide oral testimony or view the virtual meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817.**

**Minutes of the Public Land Trust (PLT) Working Group  
MEETING SUMMARY  
January 4, 2024**

**ATTENDANCE:**

Sherry Broder  
Dawn Chang, DLNR  
Carmen Hulu Lindsey, OHA  
Luis Salaveria, Dept. of Budget and Finance

**ADMINISTRATIVE SUPPORT:**

Stacy Ferreira, OHA CEO  
Amber Kalua, OHA  
Arlene Aguinaldo, OHA

The video recording of this PLT Working Group meeting can be viewed at:

[https://youtu.be/y\\_lrUpheIxM?si=Hw0mKTkZDp2EK1xP](https://youtu.be/y_lrUpheIxM?si=Hw0mKTkZDp2EK1xP)

## **I. Call to Order**

The Public Land Trust Working Group (PLTWG) meeting was called to order on Thursday, January 4, 2024, at 10:10am. This was a virtual meeting that could be viewed and observed via livestream at [www.oha.org/livestream](http://www.oha.org/livestream). The members present at the time the meeting was called to order were Sherry Broder, Dawn Chang, Hulu Lindsey, and Luis Salaveria. Ryan Kanaka'ole was absent from this meeting.

## **II. Approval of Meeting Summaries**

### **1. November 20, 2023**

No one signed up to provide testimony on this item. Discussion began at 10:10am. At 10:11am, the motion to approve the meeting summary for November 20, 2023 was moved by Luis Salaveria, seconded by Dawn Chang, and approved by Sherry Broder, Dawn Chang, Hulu Lindsey, and Luis Salaveria. Ryan Kanaka'ole is excused.

## **III. Further discussions and comments regarding the State Land Information Management System (SLIMS), the Public Land Trust Information System (PLTIS), the Department of Land and Natural Resources (DLNR) Reports to the Legislature pursuant to Act 178, Session Laws of Hawai'i 2006, and the Report to the Office of Hawaiian Affairs on the Accuracy and Completeness of a report by the Department of Land and Natural Resources to the Hawaii State Legislature on Public Land Trust Receipts for Fiscal Year ended June 30, 2016, by N&K CPAs, Inc. (2018).**

No one signed up to provide testimony on this item. Discussion began at 10:12am.

## **IV. Action Item PLT 23-01: Review, discussion, and comments to draft letter to state agencies regarding the reporting made and supporting documentation available to finalize:**

- (1) an accurate and complete inventory of ceded lands and Public Land Trust lands, including submerged lands; and**
- (2) an accurate and complete accounting of the income and proceeds from the ceded lands and the Public Land Trust lands, including submerged lands, under their jurisdiction.**

No one signed up to provide testimony on this item. Discussion began at 10:45am. A sample of the letter mailed out was distributed during the meeting and is attached to this summary, Attachment 1.

## **V. Discussion regarding request to the counties and federal government for information relating to the inventory and identification of ceded lands and Public Land Trust lands, including submerged lands, under their jurisdiction, and accounting of the income and proceeds derived therefrom.**

No one signed up to provide testimony on this item. Discussion started 11:11am; however, this item has been deferred to the next meeting.

## **VI. Review and finalize draft legislation to seek appropriations to hire qualified professionals to determine accuracy and completeness of:**

- (1) current state agencies reporting of income and proceeds from the public land trust; and**
- (2) current inventory of the public land trust as reported in the PLTIS.**

No one signed up to provide testimony on this item. This item came up for discussion at 10:40am. Sherry distributed a draft bill, Attachment 2, during the meeting.

## **VII. Discussion: Next PLT Working Group meeting**

No one signed up to provide testimony on this item. Discussion began at 11:04am. The next PLTWG meeting is scheduled for Thursday, January 11, 2024, at 4:00pm.

## **VIII. Adjournment**

At 11:13am, Luis Salaveria moved to adjourn this meeting, Sherry Broder seconded, and the motion was by approved by Sherry Broder, Dawn Chang, Hulu Lindsey, and Luis Salaveria. Ryan Kanaka'ole is excused. This meeting was adjourned at 11:13am.

PHONE (808) 594-1888  
 WORKING GROUP MEMBERS  
 Sherry P. Broder, Esq.  
 Dawn N.S. Chang, Dept. of Land and Natural Resources  
 Ryan K.P. Kanaka'ole, Dept. of the Attorney General  
 Carmen Hulu Lindsey, Office of Hawaiian Affairs  
 Luis P. Salaveria, Dept. of Budget and Finance  
 Mililani Trask, Office of Hawaiian Affairs



FAX (808) 594-1868

**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
**ACT 226 (SLH 2022) PUBLIC LAND TRUST WORKING GROUP**

December 22, 2023

Sharon Hurd  
 Hawai'i Department of Agriculture  
 1428 South King Street  
 Honolulu, HI 96814

Aloha Chair Hurd,

## **I. Introduction**

The Public Land Trust Working Group was established by Act 226 (SLH 2022). Our specific statutory responsibilities are to:

- (1) Account for all ceded lands in the public land trust inventory;
- (2) Account for all income and proceeds from the public land trust; and
- (3) Subsequently determine the twenty per cent pro rata share of income and proceeds from the public land trust due annually to the office of Hawaiian affairs for the betterment of the conditions of Native Hawaiians.

At this time in the process, we are asking all state agencies that hold title to, maintain management control or otherwise use ceded lands, to provide information, data, documents and maps to ensure that they have completely and accurately identified and reported to the Department of Land and Natural Resources ("DLNR") the following: (1) all ceded land parcels for the purpose of an inventory and (2) all income and proceeds collected or received from the public land trust.

## **II. Legal Foundation**

In 1978, the people of Hawai'i ratified constitutional amendments relating to the rights, claims, culture and language of Native Hawaiians proposed by the Constitutional Convention, including but not limited to article XII, sections 4, 5, and 6, of the Hawai'i State Constitution, which established the Office of Hawaiian Affairs ("OHA") and clarified its right to a pro rata share of the income and proceeds of the ceded lands.

Article XII, section 4 provides that the ceded lands "shall be held by the State as a public trust for native Hawaiians and the general public."

Article XII, Section 6 provides that “[t]he board of trustees of the Office of Hawaiian Affairs shall exercise power as provided by law: to manage and administer the proceeds from the sale or other disposition of the lands, natural resources, minerals and income derived from whatever sources for native Hawaiians and Hawaiians, including all income and proceeds from that pro rata portion of the trust referred to in section 4 of this article for native Hawaiians.”

Article XVI, section 7, of the Hawai‘i State Constitution requires the State to enact legislation to comply with its trust obligations. “Any trust provisions which the Congress shall impose, upon the admission of this State, in respect of the lands patented to the State by the United States or the proceeds and income therefrom, shall be complied with by appropriate legislation” This section also protects the pro rata share due to OHA, among other things. “Such legislation shall not diminish or limit the benefits of native Hawaiians under Section 4 of Article XII.”

Act 273, Session Laws of Hawai‘i 1980, enacted section 10-13.5, Hawaii Revised Statutes (“HRS”), to implement OHA’s constitutionally mandated pro rata share provided “Twenty per cent of all funds derived from the public land trust, described in section 10-3, shall be expended by the office, as defined in section 10-2, for the purposes of this chapter.”

### **III. Accounting**

Act 178, Session Laws of Hawai‘i 2006, requires all state agencies that use or manage public land trust lands to provide an accounting of all receipts from lands described in section 5(f) of the Admission Act for the prior fiscal year.

Section 5 of Act 178 requires that:

Not later than January 1 of each year, the department of land and natural resources, with the cooperation of the department of budget and finance and any other state department or agency that uses or manages public lands, shall provide an accounting of all receipts from lands described in section 5(f) of the Admission Act for the prior fiscal year. With respect to each receipt, the department of land and natural resources shall identify:

- (1) The total gross amount;
- (2) The amount transferred to the office of Hawaiian affairs;
- (3) The amount retained by the State;
- (4) The account or fund in which the amount specified in paragraph (3) was transferred or deposited;
- (5) The parcel of land subject to section 5(f) of the Admission Act that generated the receipt, whether by tax map key number, department of land and natural resources inventory number, or other recognizable description; and
- (6) The state department or agency that received the total gross amount identified in paragraph (1).

The accounting shall also indicate whether any parcel of land described in section 5(f) of the Admission Act was sold or exchanged in the prior fiscal year and, if so, the amount of consideration that the State received for the respective parcels.

Please describe any and all reviews or audits to determine if the income and proceeds or receipts reported to DLNR contain any inaccuracies.

If there are any omissions from the income and proceeds reported to DLNR for inclusion in its Accountings of All Receipts from Lands Described in Section 5 (f) of the Admission Act for Fiscal Year 2021 and Fiscal Year 2022, please provide all information required by Act 178, including but not limited to the source and amount of each omitted amount.

If the Report to the Office of Hawaiian Affairs on the Accuracy and Completeness of a report by the Department of Land and Natural Resources to the Hawai'i State Legislature on Public Land Trust Receipts for Fiscal Year ended June 30, 2016, by N&K CPAs, Inc. (2018) identified any gaps in reporting for this agency, please describe the steps taken to include the income and proceeds or receipts reported as a gap.

#### **IV. Inventory**

Act 54, Session Laws of Hawai'i 2011, Section 2 (b) describes the goals of the PLTIS. "The purpose of this Act is to facilitate the establishment of a comprehensive information system to inventory and maintain information about the lands of the public land trust described in section 5(f) of the Admission Act and article XII, section 4 of the Hawaii State Constitution."

Act 54, Section 1 is clear that the PLTIS is to be a "complete and accurate inventory of all lands." "The information system shall consist of a complete and accurate inventory of all lands in the public land trust to which state agencies hold title or over which they maintain management control." Section 2 (b).

Act 54, Section 2 (g) requires "All state and county agencies shall assist the department in facilitating the establishment of the public land trust information system and shall comply with any and all requests the department of land and natural resources may make for any information and services pertinent to the completion of the information system."

Act 54, Section 2 (c) requires the DLNR to consult with the state and county agencies to develop this comprehensive and complete and accurate inventory.

At minimum, the department of land and natural resources shall determine whether the following information relating to each parcel of land in the operating inventory would be useful:

- (1) The parcel's location by metes and bounds, tax map key number, or both;
- (2) The parcel's size rounded to the nearest acre;
- (3) The date the parcel was acquired;
- (4) If conveyed out of the public land trust, the date the parcel was conveyed;

- (5) Whether the parcel was acquired by the State pursuant to section 5(b) or 5(e) of the Admission Act or Public Law 88-233, or in exchange for a parcel of land acquired by the State pursuant to those laws;
- (6) Whether the parcel is a subdivided portion of a larger parcel acquired by the State pursuant to section 5(b) or 5(e) of the Admission Act or Public Law 88-233, or in exchange for a parcel of land acquired by the State pursuant to those laws;
- (7) Whether, the parcel or any portion of the parcel is ceded land, and the extent to which the parcel consists of ceded land;
- (8) The name of the state or county agency holding title to the parcel;
- (9) Whether the parcel has been set aside and the name of the state or county agency to which the parcel has been set aside;
- (10) The parcel's current state land use, state land classifications pursuant to section 172-10, HRS, and county zoning designations;
- (11) A description of all natural resources, including minerals and water, found on or appurtenant to the parcel;
- (12) A description of every easement, covenant, regulatory condition, or other benefit or servitude to which the parcel is entitled or subject; and
- (13) A description of all leases, uses, or other disposition to which the parcel has been put.

Please describe the information from the list of 13 above that were included in this agency information and data provided to DLNR to create and maintain the PLTIS.

Please describe any and all steps that are taken by this agency to verify your data and to determine if there are any inaccuracies in the PLTIS.

Please identify any current inaccuracies discovered in this agency information provided or otherwise available to the DLNR or now present in the PLTIS and include: (A) A description of how the inaccuracy will be corrected; and (B) Copies of all documents related to the correction of those inaccuracies.

Please describe any and all principles or guidelines utilized by this agency in its reporting. For instance, if a parcel is part ceded lands and part non-ceded lands, how does the agency determine whether it will be included as ceded lands.

Please confirm that all conservation district lands or preservation zoned lands which this agency holds title or over which it maintains management control were included in the reporting.

Please confirm that all Public Law 88-233 transferred since August 21, 1959 from the federal government to the state and to this agency was reported to DLNR and is included in the PLTIS.

## **V. Submerged lands**

Submerged lands are included in the Public Land Trust. The Hawai'i State Constitution, Article XV, Section 1, describes the boundaries of the State of Hawai'i and provides a basis for an identification of submerged lands that should be included in the ceded lands inventory.

[t]he State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial and archipelagic waters, included in the Territory of Hawaii on the date of enactment of the Admission Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters; but this State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island) or Kingman Reef, together with their appurtenant reefs and territorial waters.” See also Admission Act, sections 2 and 5(a).

Please identify and describe any submerged lands within the jurisdiction or use of this agency and provide the information and data required by Act 54.

## **VI. Conclusion**

This communication is without waiver of any and all rights, remedies, claims, or defenses of our any party. Nothing herein or responses hereto shall be construed to constitute an admission or waiver for any purposes.


Please respond to the Public Land Trust Working Group within 45 days to:

State of Hawai'i - Office of Hawaiian Affairs  
Public Land Trust (PLT) Working Group  
c/o Chair Hulu Lindsey  
560 N. Nimitz Hwy, Suite 200  
Honolulu, HI 96817

Or via email at [pltworkinggroup@oha.org](mailto:pltworkinggroup@oha.org).

Thank you for your prompt attention to this matter.

Sincerely,



Carmen "Hulu" Lindsey  
Signing on behalf of the Public Land Trust Working Group



\_\_\_\_.B. NO. \_\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO THE PUBLIC LAND TRUST WORKING GROUP

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. In Act 226 (Session Laws Hawai`i 2022) (Act  
2       226), legislature found the following:

3       {I}t must set right and fulfill its trust responsibilities  
4       to native Hawaiians, consistent with governmental action across  
5       America to address injustices against Indigenous Peoples. It is  
6       incumbent upon the legislature to enact legislation that upholds  
7       its trust responsibilities and duty of care to native Hawaiians  
8       to:

9       (1) Account for all ceded lands in the public lands trust  
10      inventory;

11      (2) Account for all income and proceeds derived from the  
12      public land trust; and

13      (3) Transfer the full twenty per cent pro rata share of  
14      income and proceeds from the public land trust annually to the  
15      office of Hawaiian affairs (OHA) for the betterment of the  
16      conditions of native Hawaiians.

17      The genesis and source of the State's public land trust  
18      responsibility to native Hawaiians are the historical events

\_\_\_\_\_.B. NO.\_\_\_\_\_

1 that led to the illegal overthrow of the Kingdom of Hawaii; the  
2 transfer of approximately 1,800,000 acres of crown, government,  
3 and public lands to the United States under the 1898 Joint  
4 Resolution of Annexation without the consent of and without  
5 compensation to the native Hawaiian people or their sovereign  
6 government; the admission of Hawaii as a state of the Union in  
7 1959, with the explicit trust responsibility and requirement in  
8 section 5(f) of the 1959 Admission Act that one of the five  
9 purposes of the public land trust is that the income and  
10 proceeds from the public land trust are to be used "for the  
11 betterment of the conditions of native Hawaiians"; and the 1978  
12 Constitutional Convention's recognition that native Hawaiians  
13 are one of the beneficiaries of the public land trust and the  
14 creation of OHA to manage and administer the specific allocation  
15 of "all income and proceeds from that pro rata portion of the  
16 [public land] trust . . . for native Hawaiians" (Article XII,  
17 section 6, of the Hawaii State Constitution). The United States  
18 and the courts have consistently affirmed the trust nature of  
19 the government and crown lands, including large tracts of ceded  
20 lands used for military or other purposes under federal control.

21 In 1959, as a condition of its admission into the Union,  
22 the State of Hawaii agreed to hold certain lands granted to the

\_\_\_\_\_.B. NO.\_\_\_\_\_

1 State by the United States in a public trust for five purposes  
2 delineated in section 5(f) of the Admission Act, which provides  
3 in relevant part: The lands granted to the State of Hawaii by  
4 subsection (b) of this section and public lands retained by the  
5 United States under subsections (c) and (d) and later conveyed  
6 to the State under subsection (e), together with the proceeds  
7 from the sale or other disposition of any such lands and the  
8 income therefrom, shall be held by said State as a public trust  
9 [(1)] for the support of the public schools and other public  
10 educational institutions, [(2)] for the betterment of the  
11 conditions of native Hawaiians, as defined in the Hawaiian Homes  
12 Commission Act, 1920, as amended, [(3)] for the development of  
13 farm and home ownership on as widespread a basis as possible  
14 [(4)] for the making of public improvements, and [(5)] for the  
15 provision of lands for public use. Such lands, proceeds, and  
16 income shall be managed and disposed of for one or more of the  
17 foregoing purposes in such manner as the constitution and laws  
18 of said State provide, and their use for any other object shall  
19 constitute a breach of trust for which suit may be brought by  
20 the United States. (Emphasis added.)

21 In 1978, the people of Hawaii affirmed the State's trust  
22 obligation to native Hawaiians by ratifying constitutional

\_\_\_\_.B. NO.\_\_\_\_

1 amendments from the Constitutional Convention, including article  
2 XII, sections 4, 5, and 6, of the Hawaii State Constitution,  
3 which established OHA and charged it with managing income and  
4 proceeds from the public land trust for the benefit of native  
5 Hawaiians. Article XVI, section 7, of the Hawaii State  
6 Constitution required the State to enact legislation to comply  
7 with its trust obligations.

8 Thus, in 1979, legislation, codified as chapter 10, Hawaii  
9 Revised Statutes, set forth the purposes of OHA and described  
10 the duties of its trustees. In September 1981, an initial land  
11 inventory by the department of land and natural resources listed  
12 approximately 1,271,652 acres, falling woefully short of its  
13 duty to provide a complete inventory of the public land trust  
14 lands. Additionally, the state land information management  
15 system does not include all lands held by all state entities.  
16 Act 273, Session Laws of Hawaii 1980, enacted section 10-13.5,  
17 Hawaii Revised Statutes, to implement OHA's pro rata share and  
18 required that OHA receive "[t]wenty per cent of all funds  
19 derived from the public land trust[.]" This legislative  
20 directive addressing the constitutional mandate has led to a  
21 series of lawsuits and legislative enactments concerning OHA's  
22 constitutional pro rata share of the public land trust. The

\_\_\_\_.B. NO.\_\_\_\_

1 State and OHA have labored to resolve the political question of  
2 the statutory pro rata share of income and proceeds derived from  
3 the public land trust, and payment to OHA.

4 Act 178, Session Laws of Hawaii 2006, affirmed the State's  
5 trust obligation to native Hawaiians by requiring that the  
6 department of land and natural resources provide an annual  
7 accounting of revenue-generating public trust lands and the  
8 amounts derived from those lands to the legislature. The measure  
9 also set a fixed amount of \$15,100,000 from the pro rata share  
10 of the public land trust income and proceeds due to OHA for the  
11 betterment of the conditions of native Hawaiians until further  
12 action is taken by the legislature for this purpose.

13 Act 15, Session Laws of Hawaii 2012, (Act 15) was enacted  
14 to address past-due amounts, which accumulated during the period  
15 between November 7, 1978, up to and including June 30, 2012, of  
16 income and proceeds from the public land trust owed to OHA by  
17 implementing an agreement between the State and OHA for the  
18 State to convey certain lands in Kakaako, Oahu, to OHA valued at  
19 approximately \$200,000,000. Act 15 did not, however, address the  
20 State's constitutional obligations relating to OHA's twenty per  
21 cent pro rata share of the income and proceeds from the public  
22 land trust generated after June 30, 2012. Notably, a 2015-2016

.B. NO.          

1 financial review initiated by OHA found that the minimum amount  
2 of total gross receipts from sources that OHA has historically  
3 claimed was approximately \$394,322,163 in the fiscal year 2015-  
4 2016. Twenty per cent of this gross amount is approximately  
5 \$78,900,000. The legislature finds that to uphold its  
6 constitutional trust obligation and duty to native Hawaiians, it  
7 must enact another legislative measure in light of the  
8 information, data, and facts provided to the legislature by  
9 state agencies since the enactment of Act 178, Session Laws of  
10 Hawaii 2006, more than a decade ago.

11 Act 54 (Session Laws Hawai'i 2011) mandates the  
12 establishment of a comprehensive information system to inventory  
13 and maintain information about the lands of the public land  
14 trust as described in section 5(f) of the admission act and  
15 article xii, section 4 of the Hawai'i state constitution. The  
16 department of land and natural resources worked with a  
17 consultant to develop a public land trust information system  
18 (PLTIS) to satisfy the requirements of Act 54. the PLTIS will be  
19 a GIS-based system and aims for a complete inventory of all  
20 state-owned and county-owned lands, as well as a complete  
21 inventory of encumbrances issued by state and county agencies  
22 over these lands. in order to meet these goals, each state and

\_\_\_\_.B. NO.\_\_\_\_

1 county agency must submit comprehensive lists of their land and  
2 encumbrance inventories.

3 SECTION 2. The Public Land Trust Working Group was created  
4 in Act 226 and was assigned specific statutory responsibilities  
5 as follows:

6 (1) Account for all ceded lands in the public land trust  
7 inventory;

8 (2) Account for all income and proceeds from the public  
9 land trust; and

10 (3) Subsequently determine the twenty per cent pro rata  
11 share of income and proceeds from the public land trust due  
12 annually to the office of Hawaiian affairs for the betterment of  
13 the conditions of Native Hawaiians.

14 In December 2023, the PLTWG requested in writing to all  
15 state agencies with ceded lands that they hold title to, over  
16 which they maintain management control or otherwise use ceded  
17 lands, to provide information, data, documents and maps to  
18 ensure that they have completely and accurately identified and  
19 reported to the Department of Land and Natural Resources  
20 ("DLNR") the following: (1) all ceded land parcels for the  
21 purpose of an inventory and (2) all income and proceeds  
22 collected or received from the public land trust.

## .B. NO.

1       The PLTWG found that the last financial review by an  
2 outside independent CPA firm of the pro rata share was the 2015-  
3 2016 financial review initiated by At that time, OHA found that  
4 the minimum amount of total gross receipts from sources that OHA  
5 has historically claimed was approximately \$394,322,163 in the  
6 fiscal year 2015-2016. Twenty per cent of this gross amount is  
7 approximately \$78,900,000. The PLTWG found that there has been  
8 no new financial review since the 2015-2016. The 2016 financial  
9 review cost \$145,404.

10       The PLTWG found that current annual reporting by state  
11 agencies to DLNR is self-reporting. DLNR does not audit nor  
12 review for accuracy. This annual reporting is for the purpose of  
13 the preparation of the DLNR Annual Report Accounting of all  
14 receipts from Lands Described in Section 5(F) of The Admission  
15 Act. This annual accounting is submitted by Fiscal Year.

16       The PLTWG found that work began on the process to procure a  
17 consultant for the PLTIS after the enactment of Act 54 and that  
18 the development of the PLTIS began in 2012 and the PLTIS was  
19 launched in October 2018. Act 54 appropriated up to \$360,000  
20 from a land conservation fund for the work by an outside  
21 independent consultant. The final amount for creation of the  
22 PLTIS and training was \$340,382.



## .B. NO.

1           The implementation of the PLTIS informed all State and  
2 County agencies that hold title to land that they must submit  
3 their entire land inventory, regardless of the public land trust  
4 status, whether or not there are any encumbrances on the land,  
5 and whether or not revenue is being generated on the land. The  
6 goal here was to have all State-owned and County-owned land  
7 represented in the PLTIS. All State and County agencies must  
8 submit encumbrances that they have issued over State-owned and  
9 County-owned land, regardless if they hold title to that land or  
10 not. This includes all encumbrances including, but not limited  
11 to, leases, permits, right-of-entries, and easements. All  
12 encumbrances must be submitted, regardless if they generate  
13 revenue or not. The goal here was to have all encumbrances  
14 issued over State-owned and County-owned land represented in the  
15 PLTIS.

16           As with the reporting to DLNR on PLT revenues, the PLTIS is  
17 also based on self-reporting by state agencies and the counties.  
18 There are some disclaimers about the information. DLNR has  
19 encouraged all state departments and counties to regularly  
20 update data in the system. Updates are also based on self-  
21 reporting. Independent third party professionals are needed to  
22 evaluate this practice.

\_\_\_\_\_.B. NO.\_\_\_\_\_

1

2 PLTWG has been informed that State agencies use a "rule of  
3 thumb" to determine whether a parcel is ceded or not when it is  
4 both. When the parcel is more than 50% ceded, it is categorized  
5 as ceded. The PLTWG is not able to determine whether this  
6 disadvantages the calculation of OHA's pro rata share or not.  
7 Independent third party professionals are needed to evaluate  
8 this practice.

9 PLTWG found that there are many parcels without TMKs in the  
10 PLTIS and therefore may not be included in the system. This is  
11 particularly the case for the submerged lands which are  
12 generally PLT lands. Independent third party professionals are  
13 needed to evaluate how to include such parcels so that the PLTIS  
14 contains the complete and accurate inventory.

15 PLTWG found that the lands under federal jurisdiction are  
16 not included in the PLTIS and that the counties do not report  
17 any of the revenue from the PLT to the DLNR for its yearly  
18 Annual Report to the Legislature, Accounting Of all Receipts  
19 from Lands Described in Section 5(F) of the Admission Act.

20 To the knowledge of the PLTWG, there has been no third  
21 party independent audit, review or evaluation of the  
22 completeness and accuracy of the PLTIS or the current reporting

\_\_\_\_\_.B. NO.\_\_\_\_\_

1 by agencies to DLNR for the purpose of the preparation of the  
2 DLNR Annual Report to the Legislature, Accounting Of all  
3 Receipts from Lands Described in Section 5(F) of the Admission  
4 Act nor has there been any analysis or comparison of the data in  
5 the PLTIS with the data in the DLNR Annual Report.

6 The PLTWG has determined after exhaustive research that it  
7 needs the services of a third party independent consultant(s)  
8 with the necessary financial, accounting, land inventory  
9 expertise to complete its assignment in Act 226.

10 Based on the amounts expended for the 2016 Financial Review  
11 and the creation and launch of the PLTIS which was \$495,786, the  
12 PLTWG has estimated that approximately \$500,000 is needed for  
13 the retention of third party independent professionals.

14 SECTION 3. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$500,000 or so much  
16 thereof as may be necessary for fiscal year 2024-2025 and the  
17 same sum or so much thereof as may be necessary for fiscal year  
18 2025-2026 to carry out the purposes of this Act, including the  
19 hiring of necessary staff, purchasing of equipment, and  
20 professional services which are unique and thus shall be exempt  
21 from the procurement process of Hawai'i Revised Statutes,  
22 Chapter 103D.

\_\_\_\_.B. NO.\_\_\_\_

1           The sums appropriated shall be managed and expended by the  
2 office of Hawaiian affairs for the purposes of this Act.

3           SECTION 4. This Act shall take effect upon its approval.

4

5                                   INTRODUCED BY: \_\_\_\_\_

6

\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

**Description:**

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

# DRAFT

**STATE OF HAWAII**  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(VIRTUAL MEETING - VIA ZOOM WEBINAR)

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone using the call-in information above. A physical meeting location, open to members of the public who would like to provide oral testimony or view the virtual meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817.**

**Minutes of the Public Land Trust (PLT) Working Group  
MEETING SUMMARY  
January 11, 2024**

**ATTENDANCE:**

Sherry Broder  
Dawn Chang, DLNR  
Ryan Kanaka'ole, Attorney General's Office  
Carmen Hulu Lindsey, OHA  
Luis Salaveria, Dept. of Budget and Finance

**ADMINISTRATIVE SUPPORT:**

Stacy Ferreira, OHA CEO  
Amber Kalua, OHA  
Kevin Chak, OHA  
Everett Ohta, OHA

The video recording of this PLT Working Group meeting can be viewed at:  
[https://youtu.be/3pgAGSuRTy0?si=Q\\_T91zZk27XfHlcU](https://youtu.be/3pgAGSuRTy0?si=Q_T91zZk27XfHlcU)

## **I. Call to Order**

The Public Land Trust Working Group (PLTWG) meeting was called to order on Thursday, January 11, 2024, at 4:05pm. This was a virtual meeting that could be viewed and observed via livestream at [www.oha.org/livestream](http://www.oha.org/livestream). The members present at the time the meeting was called to order were Sherry Broder, Hulu Lindsey, Ryan Kanaka‘ole and Luis Salaveria. Dawn Chang joined the meeting at 4:06pm.

## **II. Further discussions and comments regarding the State Land Information Management System (SLIMS), the Public Land Trust Information System (PLTIS), the Department of Land and Natural Resources (DLNR) Reports to the Legislature pursuant to Act 178, Session Laws of Hawai‘i 2006, and the Report to the Office of Hawaiian Affairs on the Accuracy and Completeness of a report by the Department of Land and Natural Resources to the Hawaii State Legislature on Public Land Trust Receipts for Fiscal Year ended June 30, 2016, by N&K CPAs, Inc. (2018).**

No one signed up to provide testimony on this item. Item was deferred to the next meeting at 4:43pm.

## **III. Action Item PLT 23-01: Review, discussion, and comments to draft letter to state agencies regarding the reporting made and supporting documentation available to finalize:** **(1) an accurate and complete inventory of ceded lands and Public Land Trust lands, including submerged lands; and** **(2) an accurate and complete accounting of the income and proceeds from the ceded lands and the Public Land Trust lands, including submerged lands, under their jurisdiction.**

No one signed up to provide testimony on this item. Item was deferred to the next meeting at 4:43pm.

## **IV. Discussion regarding request to the counties and federal government for information relating to the inventory and identification of ceded lands and Public Land Trust lands, including submerged lands, under their jurisdiction, and accounting of the income and proceeds derived therefrom.**

No one signed up to provide testimony on this item. Item was deferred to the next meeting at 4:43pm.

## **V. Review and finalize draft legislation to seek appropriations to hire qualified professionals to determine accuracy and completeness of:** **(1) current state agencies reporting of income and proceeds from the public land trust; and** **(2) current inventory of the public land trust as reported in the PLTIS.**

No one signed up to provide testimony on this item. Discussion at 4:07pm. At 4:36pm, Sherry moved *that the PLTWG seek introduction and support, and the PLWG support the current bill based on the current situation that they all find themselves in, and they accept all of Ryan’s changes including the following revisions:*

- Page 12, Line 14, “Section 4” should be renumbered as “Section 5”
- Page 11, change “The PLTWG has determined after exhaustive research” to “The PLTWG has determined after research”
- Replace the “The PLTWG found” to “The PLTWG has been informed” throughout the bill

The motion was seconded by Luis Salaveria, and approved by Sherry Broder, Dawn Chang, Ryan Kanaka‘ole, Hulu Lindsey, and Luis Salaveria at 4:42pm.

## **VI. Discussion: Next PLT Working Group meeting**

No one signed up to provide testimony on this item. Discussion began at 4:43pm. The next PLTWG meeting is scheduled for Thursday, February 1, 2024, at 1:30pm.

## **VII. Adjournment**

At 4:52 pm, Luis Salaveria moved to adjourn this meeting, Sherry Broder seconded, and the motion was by approved by Sherry Broder, Dawn Chang, Ryan Kanaka'ole, Hulu Lindsey, and Luis Salaveria. This meeting was adjourned at 4:52pm.



# Meeting of the Public Land Trust Working Group

February 1, 2024

1:30 P.M.

**III. Further discussions and comments regarding the State Land Information Management System (SLIMS), the Public Land Trust Information System (PLTIS), the Department of Land and Natural Resources (DLNR) Reports to the Legislature pursuant to Act 178, Session Laws of Hawai`i 2006, and the Report to the Office of Hawaiian Affairs on the Accuracy and Completeness of a report by the Department of Land and Natural Resources to the Hawaii State Legislature on Public Land Trust Receipts for Fiscal Year ended June 30, 2016, by N&K CPAs, Inc. (2018).**

## About the Public Land Trust Information System

### 1.0 Background

Senate Bill 2, SD2, HD1, CD1 was signed into law as Act 54 (SLH, 2011), which mandates the establishment of a comprehensive information system to inventory and maintain information about the lands of the Public Land Trust as described in section 5(f) of the Admission Act and article XII, section 4 of the Hawaii State Constitution. The Department of Land and Natural Resources (DLNR) was tasked with coordinating all efforts to establish such a system, including data collection from all State and County agencies, as well as the development of the system itself.

### 2.0 Purpose

The purpose of the PLTIS is to serve as an inventory of State owned and County owned lands, the disposition of those lands, and to allow for the further study of the Trust Land Status of those lands. While the PLTIS contains data and functionality which may be helpful to agencies in their day-to-day operations, the PLTIS was not intended to streamline agencies' operations. Thus, the PLTIS may lack certain features that might benefit agencies' operational needs simply because those features were outside the original scope and purpose of the project. Likewise, despite the fact that the PLTIS contains encumbrance rent information, the PLTIS was not intended to be an accounting system and should not be treated as such.

### 3.0 About the Data

The PLTIS is the State of Hawaii's first web-based inventory of State-owned lands, County-owned lands, and encumbrances issued over these lands. It is a collection of data from approximately forty (40) disparate State, County, and third-party sources, where source systems range from application databases, to spreadsheets, to paper-based files. The PLTIS also includes a GIS interface which allows many agencies to visualize their data geographically for the very first time. The consolidation of statewide parcel and encumbrance data into a single database coupled with the ability to visualize this data geographically within the PLTIS, has revealed a number of intra- and inter-agency data discrepancies that would otherwise have gone unnoticed. Although these discrepancies may be more evident when visualizing data within the PLTIS, it is important to note that these discrepancies exist in the reporting agencies' source systems, and must be resolved in those systems first. Any questions regarding the data or the accuracy of the data within the PLTIS should be directed to the reporting agencies. It is the responsibility of the reporting agencies to research and resolve these discrepancies in their respective source systems, after which the the discrepancies will be corrected in the PLTIS via subsequent data imports. The following sections outline some of the known issues.

#### 3.1 Mapping PLTIS Data

The GIS functionality within the PLTIS is based on the various county parcel layers, each of which uniquely identifies parcels using a 9-digit tax map key (TMK). These TMKs are issued by the counties' real property tax offices based on their operational needs.

For the most part, parcel ownership can be identified based on the 9-digit TMK. However, there are a few exceptions, such as the situation where multiple agencies may own portions land within a single TMK. Although the PLTIS has the ability to identify the multiple owner agencies, it does not geographically display the exact portions of land within the TMK that each agency owns. **Users must consult with the owner agencies directly if they need to know exactly what area is owned by each agency.** Likewise, there are situations where an encumbrance may be issued over a portion of a parcel of land. Although the PLTIS will show that the encumbrance covers a parcel, it will not geographically display the exact area over (or under) which the encumbrance was issued. Users must consult with the agency that issued the encumbrance if they want to identify the exact portion of land over which the encumbrance was issued.

Parcels and their TMKs may change over time as parcels are conveyed, subdivided, consolidated, and/or leased. As mentioned above, these TMKs are issued based on the counties' real property tax offices' needs. There are situations where a tax office may issue a new TMK for a parcel and the reporting agencies may not immediately be aware of the change. In these cases, the new TMK may be represented on the parcel layer, while the reporting agencies may still be referring to, and reporting, the old TMK. In these cases, since the old TMK is not referenced on the parcel layer, it cannot be mapped geographically. Once the reporting agencies are made aware of the changes and update their records, their data will then be mapped within the PLTIS.

**There are lands that have not been assigned TMKs. Roads, beaches, and submerged lands are good examples.** Although the PLTIS is primarily TMK-based, it has been built with functionality to allow reporting agencies to geographically represent parcels that do not have TMKs. An example of this is the ability to represent land that does not have a TMK such that it is anchored in relation (seaward of, adjacent to, etc.) to a parcel with a TMK. **DLNR uses this feature to represent beaches that are "seaward of" existing parcels.** Another feature is the ability to associate land using GPS coordinates. **DLNR uses GPS coordinates to identify the various off-shore mooring points.** While the functionality exists within the PLTIS to represent lands that do not have TMKs, it is the responsibility of the various reporting agencies to choose a methodology that would best represent their land geographically, and leverage it when submitting their data.

Although TMKs exist and are useful to the counties' operational needs, they may not be useful to other agencies. An example of this is the Airports Division of the Department of Transportation (DOTA). DOTA tracks all leases, including the various ticket counters by an internal location identifier consisting of airport, land, building, level, and space components, not by the TMK. **Due to the large number of leases in the various airports, it was determined that the best course of action would be to map all leases to the largest parcel of each airport.**

**A parcel being tied geographically to another parcel using the "relation to" functionality (aka rel-to parcel) will have its information accessible by clicking on the anchor parcel. However, because the ownership information of the rel-to parcel will differ from the anchor parcel, the PLTIS renders parcel ownership and Trust Land Status based on the anchor parcel only.**

Regardless of whether or not data can be mapped geographically, it can always be retrieved via the PLTIS' non-geographic query facilities, such as the basic search.

Map layers are also created and managed by multiple sources, and there may be discrepancies between these layers and how they align. These discrepancies are universal and are not specific to the PLTIS.

Geographic coordinates displayed at the bottom of the map are listed in Longitude, Latitude order (e.g. - 157.596598 = Longitude, 19.616134 = Latitude).

### 3.2 Reporting Agencies and Data Elements

DLNR requested that each agency that can hold title to land submit their parcel inventory based on DLNR's pre-defined parcel template specifications. DLNR also requested that each agency that issues encumbrances over State or County owned lands (regardless of the agency that holds title the land) submit their encumbrance inventory based on DLNR's pre-defined encumbrance template specifications. These templates included all data elements that were desirable for inclusion to the PLTIS. However, many agencies did not track all of the desirable information as it may not have been relevant for their operational purposes, and many agencies had to start from scratch as they did not have an electronic inventory of parcels and/or encumbrances. Therefore, DLNR established three priority levels for the data elements within each of the templates to help agencies focus on the most important fields to be included in the PLTIS.

As mentioned above, many agencies did not have an electronic inventory of parcels and/or encumbrances and therefore started from scratch by researching and manually entering data into an Excel spreadsheet. Regardless, all agencies successfully submitted their data for this initial inventory. It was a great first step, and the data submissions will become more thorough in upcoming years as agencies now have a baseline from which to start from, and may see the value of keeping this data up-to-date in this online GIS system.

### 3.3 Reporting Agencies, Fee Owner Agencies and Managing Agencies

Agencies that can hold title to land were asked to submit a parcel inventory for inclusion into the PLTIS. Agencies that issues encumbrances over State or County owned lands (regardless of the agency that holds title to the land) were asked to submit an encumbrance inventory into the PLTIS. In either case, the agency submitting the data is known as the Reporting Agency. If an agency holds title to land, they are referred to as the Fee Owner. As an example, DLNR, as the executive arm of the Board of Land and Natural Resources (BLNR), will be the Fee Owner agency for all land in the Public Land Trust. However, the agency submitting DLNR parcel data is DLNR's Land Division. Thus, the Land Division will be referred to as the Reporting Agency within the PLTIS, and will report DLNR as the Fee Owner within their parcel inventory.

It is important to note that DLNR processes Executive Orders (EOs) to other agencies while title of the underlying land remains with the BLNR. In these cases, DLNR is still identified as the fee owner. However, through the EO, DLNR transfers management jurisdiction and responsibilities to other government agencies. Such agencies are referred to as Managing Agencies. It is important to note that even if DLNR owns the land, the Managing Agency should be contacted for any issues with regard to the land. This is specifically mentioned here in the event this system is used by other agencies to determine which agency should be contacted for land management issues.

Various State agencies, pursuant to respective provisions in the statutes, are empowered to own fee title of real property. However, ownership records obtained from the county tax offices may not indicate the specific State agency that holds title to the property, and in most cases simply lists "State of Hawaii" as the fee owner.

There are many cases where two agencies have reported that they are the fee owner of a parcel. There are a few legitimate scenarios in which multiple agencies may indeed hold title to separate portions of a single parcel. However, in most cases, this is a discrepancy between agencies. Agencies should work to resolve these discrepancies going forward.

With so many sources of data, one of the goals of the PLTIS was to easily identify the agency (or third-party source) that provided the data. Thus, it should be relatively clear as to the agency that reported each data element within the PLTIS. Users with questions about the data or any discrepancies within the data, should contact the reporting agency or agencies directly. These agencies should then research and resolve the issues within their own source systems, after which the PLTIS will be corrected via subsequent updates.

### 3.4 Encumbrances

All State and County agencies were requested to submit any/all encumbrances that have been issued over State and County land, regardless if the agency owns the land, and regardless if the encumbrances generate revenue or not. Encumbrances include leases, permits, right-of-entries and easements.

Encumbrances may cover an entire parcel, a portion of a parcel, or multiple parcels. The encumbrance data reported, including the acreage and rent, apply to the encumbrance itself, not to the parcel(s) over which the encumbrance covers. There is no way that the PLTIS can accurately allocate acreage or rent to the underlying parcels, as there are too many factors to consider. Users with questions pertaining to the allocation of an encumbrance's acreage and/or rent are applied to the parcel(s) over which it covers, should consult with the agency that reported the encumbrance.

Encumbrances reported by agencies are those that are issued by the agency. This would include encumbrances issued to other agencies or to private entities. Subleases by State or County agencies are included in the PLTIS, but subleases by private entities are not.

Executive Orders (EOs) are also reported as encumbrances within the PLTIS. Although the land under which the original EO may be added to, withdrawn from or amended over the years, these individual transactions are not provided to the PLTIS. Instead, DLNR's Land Division references the original EO number and a current snapshot of the EO (i.e. current acreage, etc.) after any additions, withdrawals and amendments. Users are advised to contact the Land Division or the Managing Agency of such EO for further detail if necessary.

### 3.6 The PLTIS and Act 178

Although data from Act 178 reports will be available from within the PLTIS, the figures reported within the encumbrances will not necessarily match that of the Act 178 reports. One of the reasons is that the Act 178 reports are based on receipts, while the PLTIS encumbrance data is typically based on a base annual rent, regardless if or when money is actually received. In addition Act 178 is based on fiscal years, while the amounts reported in the PLTIS are based on the established rent at the time the files

were generated. Generally speaking, the PLTIS looks at current and future data and potential revenue, while act 178 captures past fiscal activity including actual amounts received.

While the actual spreadsheets for Act 178 will eventually be posted to the PLTIS, the spreadsheets will not be parsed and stored at the parcel level. The main reason for this is the fact that Act 178 data submissions are not submitted in a standard/parseable format.

### 3.7 Data Sharing

The PLTIS is a collection of data from approximately forty (40) State, County, and third-party sources. The accuracy of the data within the PLTIS depends on the accuracy of the reporting agencies' source systems, as well as the accuracy and completeness of the data imported into the PLTIS. It is not recommended to share PLTIS data with entities outside of your own organization without performing your own due diligence, including checking with the reporting agencies. Please refer to our Terms of Use for more information.

All accounts created within the PLTIS shall be in a one to one correspondence with a State, County, or Legislative employee. At no time shall a user share his or her password with another individual. Note that all actions performed in the PLTIS are logged against the user performing the actions.

Meeting of the Public Land Trust Working  
Group

February 1, 2024

1:30 P.M.

**IV. DLNR clarification of extent of use  
of 50% rule and extent of inclusion  
of submerged lands in PLTIS.**

Meeting of the Public Land Trust Working  
Group

February 1, 2024

1:30 P.M.

**V. Discussion regarding DLNR request  
for funding to upgrade PLTIS.**



## About the Public Land Trust Information System

### 1.0 Background

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### 3.2 Reporting Agencies and Data Elements

DLNR requested that each agency that can hold title to land submit their parcel inventory based on DLNR's pre-defined parcel template specifications. DLNR also requested that each agency that issues encumbrances over State or County owned lands (regardless of the agency that holds title the land) submit their encumbrance inventory based on DLNR's pre-defined encumbrance template specifications. These templates included all data elements that were desirable for inclusion to the PLTIS. However, many agencies did not track all of the desirable information as it may not have been relevant for their operational purposes, and many agencies had to start from scratch as they did not have an electronic inventory of parcels and/or encumbrances. Therefore, DLNR established three priority levels for the data elements within each of the templates to help agencies focus on the most important fields to be included in the PLTIS.

As mentioned above, many agencies did not have an electronic inventory of parcels and/or encumbrances and therefore started from scratch by researching and manually entering data into an Excel spreadsheet. Regardless, all agencies successfully submitted their data for this initial inventory. It was a great first step, and the data submissions will become more thorough in upcoming years as agencies now have a baseline from which to start from, and may see the value of keeping this data up-to-date in this online GIS system.

### 3.3 Reporting Agencies, Fee Owner Agencies and Managing Agencies

Agencies that can hold title to land were asked to submit a parcel inventory for inclusion into the PLTIS. Agencies that issues encumbrances over State or County owned lands (regardless of the agency that holds title to the land) were asked to submit an encumbrance inventory into the PLTIS. In either case, the agency submitting the data is known as the Reporting Agency. If an agency holds title to land, they are referred to as the Fee Owner. As an example, DLNR, as the executive arm of the Board of Land and Natural Resources (BLNR), will be the Fee Owner agency for all land in the Public Land Trust. However, the agency submitting DLNR parcel data is DLNR's Land Division. Thus, the Land Division will be referred to as the Reporting Agency within the PLTIS, and will report DLNR as the Fee Owner within their parcel inventory.

It is important to note that DLNR processes Executive Orders (EOs) to other agencies while title of the underlying land remains with the BLNR. In these cases, DLNR is still identified as the fee owner. However, through the EO, DLNR transfers management jurisdiction and responsibilities to other government agencies. Such agencies are referred to as Managing Agencies. It is important to note that even if DLNR owns the land, the Managing Agency should be contacted for any issues with regard to the land. This is specifically mentioned here in the event this system is used by other agencies to determine which agency should be contacted for land management issues.

Various State agencies, pursuant to respective provisions in the statutes, are empowered to own fee title of real property. However, ownership records obtained from the county tax offices may not indicate the specific State agency that holds title to the property, and in most cases simply lists "State of Hawaii" as the fee owner.

There are many cases where two agencies have reported that they are the fee owner of a parcel. There are a few legitimate scenarios in which multiple agencies may indeed hold title to separate portions of a single parcel. However, in most cases, this is a discrepancy between agencies. Agencies should work to resolve these discrepancies going forward.

With so many sources of data, one of the goals of the PLTIS was to easily identify the agency (or third-party source) that provided the data. Thus, it should be relatively clear as to the agency that reported each data element within the PLTIS. Users with questions about the data or any discrepancies within the data, should contact the reporting agency or agencies directly. These agencies should then research and resolve the issues within their own source systems, after which the PLTIS will be corrected via subsequent updates.

### 3.4 Encumbrances

All State and County agencies were requested to submit any/all encumbrances that have been issued over State and County land, regardless if the agency owns the land, and regardless if the encumbrances generate revenue or not. Encumbrances include leases, permits, right-of-entries and easements.

Encumbrances may cover an entire parcel, a portion of a parcel, or multiple parcels. The encumbrance data reported, including the acreage and rent, apply to the encumbrance itself, not to the parcel(s) over which the encumbrance covers. There is no way that the PLTIS can accurately allocate acreage or rent to the underlying parcels, as there are too many factors to consider. Users with questions pertaining to the allocation of an encumbrance's acreage and/or rent are applied to the parcel(s) over which it covers, should consult with the agency that reported the encumbrance.

Encumbrances reported by agencies are those that are issued by the agency. This would include encumbrances issued to other agencies or to private entities. Subleases by State or County agencies are included in the PLTIS, but subleases by private entities are not.

Executive Orders (EOs) are also reported as encumbrances within the PLTIS. Although the land under which the original EO may be added to, withdrawn from or amended over the years, these individual transactions are not provided to the PLTIS. Instead, DLNR's Land Division references the original EO number and a current snapshot of the EO (i.e. current acreage, etc.) after any additions, withdrawals and amendments. Users are advised to contact the Land Division or the Managing Agency of such EO for further detail if necessary.

### 3.6 The PLTIS and Act 178

Although data from Act 178 reports will be available from within the PLTIS, the figures reported within the encumbrances will not necessarily match that of the Act 178 reports. One of the reasons is that the Act 178 reports are based on receipts, while the PLTIS encumbrance data is typically based on a base annual rent, regardless if or when money is actually received. In addition Act 178 is based on fiscal years, while the amounts reported in the PLTIS are based on the established rent at the time the files

were generated. Generally speaking, the PLTIS looks at current and future data and potential revenue, while act 178 captures past fiscal activity including actual amounts received.

While the actual spreadsheets for Act 178 will eventually be posted to the PLTIS, the spreadsheets will not be parsed and stored at the parcel level. The main reason for this is the fact that Act 178 data submissions are not submitted in a standard/parseable format.

### 3.7 Data Sharing

The PLTIS is a collection of data from approximately forty (40) State, County, and third-party sources. The accuracy of the data within the PLTIS depends on the accuracy of the reporting agencies' source systems, as well as the accuracy and completeness of the data imported into the PLTIS. It is not recommended to share PLTIS data with entities outside of your own organization without performing your own due diligence, including checking with the reporting agencies. Please refer to our Terms of Use for more information.

All accounts created within the PLTIS shall be in a one to one correspondence with a State, County, or Legislative employee. At no time shall a user share his or her password with another individual. Note that all actions performed in the PLTIS are logged against the user performing the actions.

Meeting of the Public Land Trust Working  
Group

February 1, 2024

1:30 P.M.

**VI. Review Act 304 (Session Laws  
Hawai`i 1990) and court decisions  
and history of payments of pro rata  
share of Airport Revenues to OHA.**

## ACT 304

H.B. NO. 2896

A Bill for an Act Relating to the Office of Hawaiian Affairs.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Act 273, Session Laws of Hawaii 1980, amended chapter 10, Hawaii Revised Statutes, to authorize the office of Hawaiian affairs to expend twenty per cent of all funds derived from the public land trust, as described in section 10-3, for the betterment of the conditions of native Hawaiians. In the Trustees of the Office of Hawaiian Affairs v. Yamasaki, 69 Hawaii 154, 737 P.2d 446 (1987), certiorari denied, 108 S.Ct. 234, 484 U.S. 898, 98 L.Ed.2d 192 (1987), the Hawaii supreme court ruled that section 10-3 did not support the claim of the office of Hawaiian affairs to twenty per cent of a settlement reached by the State in its litigation with Molokai Ranch and that legislative clarification of section 10-13.5, Hawaii Revised Statutes, was necessary to resolve facial statutory inconsistencies and to establish the funding of the office of Hawaiian affairs under chapter 10 because of a lack of judicially discoverable or manageable standards adequate to permit a judicial determination thereof. The legislature further finds that as a consequence thereof the office of Hawaiian affairs has been provided only a portion of the funds contemplated upon enactment of section 10-13.5 in 1980. Chapter 10 provides that the beneficiary of the public trust entrusted upon the office of Hawaiian affairs means native Hawaiians and Hawaiians. This Act addresses only the native Hawaiian beneficiary. Discussions are still occurring regarding the provision of benefits to the Hawaiian beneficiary under the public trust entrusted upon the office of Hawaiian affairs. The legislature finds that there is no evidence to support payment of any past due revenues to Hawaiians as beneficiaries under the public land trust entrusted upon the office of Hawaiian affairs.

The purposes of this Act are to:

- (1) Clarify the lands comprising the public land trust under chapter 10, Hawaii Revised Statutes;

- (2) Clarify the revenues derived from the public land trust which shall be considered to establish the amount of funding to the office of Hawaiian affairs for the purpose of the betterment of the conditions of native Hawaiians; and
- (3) Provide for a process to determine the actual amounts payable to the office under the clarified standards enacted and for the formulation of a plan for payment of that sum consistent with the restrictions and limitations under the existing federal and state laws and regulations, and bond and contractual obligations.

This Act is not intended to replace or affect the claims of native Hawaiians and Hawaiians with regard to reparations from the federal government.

**SECTION 2.** In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriation contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1990-1991 to be exceeded by \$7,700,000, or 0.30 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriation made in this Act is necessary to serve the public interest and to meet the need provided for by this Act.

**SECTION 3.** Section 10-2, Hawaii Revised Statutes, is amended to read as follows:

**“[§10-2] Definitions.** In this chapter, if not inconsistent with the context:

“Administrator” means the administrator of the office of Hawaiian affairs[;].

“Beneficiary of the public trust entrusted upon the office” means native Hawaiians and Hawaiians[;].

“Board” means the board of trustees[;].

“Hawaiian” means any descendant of the aboriginal peoples inhabiting the Hawaiian Islands which exercised sovereignty and subsisted in the Hawaiian Islands in 1778, and which peoples thereafter have continued to reside in Hawaii[;].

“Native Hawaiian” means any descendant of not less than one-half part of the races inhabiting the Hawaiian Islands previous to 1778, as defined by the Hawaiian Homes Commission Act, 1920, as amended; provided that the term identically refers to the descendants of such blood quantum of such aboriginal peoples which exercised sovereignty and subsisted in the Hawaiian Islands in 1778 and which peoples thereafter continued to reside in Hawaii[;].

“Office” means the office of Hawaiian affairs.

“Public land trust” means those lands:

- (1) Which were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation, approved July 7, 1898 (30 Stat. 750), or acquired in exchange for lands so ceded, and which were conveyed to the State of Hawaii by virtue of section 5(b) of the Act of March 18, 1959 (73 Stat. 4, the Admission Act), (excluding therefrom lands and all proceeds and income from the sale, lease, or disposition of lands defined as “available lands” by section 203 of the Hawaiian Homes Commission Act, 1920, as amended);
- (2) Retained by the United States under sections 5(c) and 5(d) of the Act of March 18, 1959, and later conveyed to the State under section 5(e) of the Act of March 18, 1959; and



- (3) Which were ceded to and retained by the United States under section 5(c) and 5(d) of the Act of March 18, 1959 and later conveyed to the State pursuant to the Act of December 23, 1963 (P.L. 88-233, 77 Stat. 472).

“Revenue” means all proceeds, fees, charges, rents, or other income, or any portion thereof, derived from any sale, lease, license, permit, or other similar proprietary disposition, permitted use, or activity, that is situated upon and results from the actual use of lands comprising the public land trust, and including any penalties or levies exacted as a result of a violation of the terms of any proprietary disposition, but excluding any income, proceeds, fees, charges, or other moneys derived through the exercise of sovereign functions and powers including:

- (1) Taxes;
- (2) Regulatory or licensing fees;
- (3) Fines, penalties, or levies;
- (4) Registration fees;
- (5) Moneys received by any public educational institution, including the University of Hawaii, and the community college system, from its educational programs and ancillary services, such as tuition, registration fees, meals, books, grants, or scholarships;
- (6) Interagency and intra-agency administrative fees or assessments;
- (7) Moneys derived from or provided in support of penal institutions and programs;
- (8) Grants, carry-overs, and pass-throughs;
- (9) Federal moneys, including federal-aid, grants, subsidies, and contracts;
- (10) Moneys collected from the sale or dissemination of government publications; and
- (11) Department of defense proceeds on state-improved lands.”

SECTION 4. Section 10-3, Hawaii Revised Statutes, is amended to read as follows:

**“[§10-3] Purpose of the office.** The purposes of the office of Hawaiian affairs include:

- (1) The betterment of conditions of native Hawaiians[. A pro rata portion of all funds derived from the public land trust shall be funded in an amount to be determined by the legislature for this purpose, and shall be held and used solely as a public trust for the betterment of the conditions of native Hawaiians. For the purpose of this chapter, the public land trust shall be all proceeds and income from the sale, lease, or other disposition of lands ceded to the United States by the Republic of Hawaii under the joint resolution of annexation, approved July 7, 1898 (30 Stat. 750), or acquired in exchange for lands so ceded, and conveyed to the State of Hawaii by virtue of section 5(b) of the Act of March 18, 1959 (73 Stat. 4, the Admissions Act), (excluding therefrom lands and all proceeds and income from the sale, lease, or disposition of lands defined as “available lands” by section 203 of the Hawaiian Homes Commission Act, 1920, as amended), and all proceeds and income from the sale, lease, or other disposition of lands retained by the United States under sections 5(c) and 5(d) of the Act of March 18, 1959, later conveyed to the State under section 5(e)];
- (2) The betterment of conditions of Hawaiians;

- (3) Serving as the principal public agency in this State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians; except that the Hawaiian Homes Commission Act, 1920, as amended, shall be administered by the Hawaiian homes commission;
- (4) Assessing the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conducting advocacy efforts for native Hawaiians and Hawaiians;
- (5) Applying for, receiving, and disbursing, grants and donations from all sources for native Hawaiian and Hawaiian programs and services; and
- (6) Serving as a receptacle for reparations.”

SECTION 5. Section 10-5, Hawaii Revised Statutes, is amended to read as follows:

“**[§10-5] Board of trustees; powers and duties.** The board shall have the power in accordance with law to:

- (1) Manage, invest, and administer the proceeds from the sale or other disposition of lands, natural resources, minerals, and income derived from whatever sources for native Hawaiians and Hawaiians, including all [income and proceeds from] moneys received by the office equivalent to that pro rata portion of the [trust] revenue derived from the public land trust referred to in section [10-3, of this chapter;] 10-2;
- (2) Exercise control over real and personal property set aside to the office by the State of Hawaii, the United States of America, or any private sources, and transferred to the office for native Hawaiians and Hawaiians;
- (3) Collect, receive, deposit, withdraw, and invest money and property on behalf of the office;
- (4) Formulate policy relating to the affairs of native Hawaiians and Hawaiians, provided that such policy shall not diminish or limit the benefits of native Hawaiians under Article XII, section 4, of the state Constitution;
- (5) Otherwise act as a trustee as provided by law;
- (6) Delegate to the administrator, its officers and employees such powers and duties as may be proper for the performance of the powers and duties vested in the board;
- (7) Provide grants to public or private agencies for pilot projects, demonstrations, or both, where [such] those projects or demonstrations fulfill criteria established by the board;
- (8) Make available technical and financial assistance and advisory services to any agency or private organization for native Hawaiian and Hawaiian programs, and for other functions pertinent to the purposes of the office of Hawaiian affairs. Financial assistance may be rendered through contractual arrangements as may be agreed upon by the board and any such agency or organization; and
- (9) Adopt and use a common seal by which all official acts shall be authenticated.”

SECTION 6. Section 10-13, Hawaii Revised Statutes, is amended to read as follows:

**"§10-13 Appropriations; accounts; reports. (a)** Moneys appropriated by the legislature for the office shall be payable by the director of finance, upon vouchers approved by the board, or by any officer elected or appointed by the board and authorized by the board to approve [such] the vouchers on behalf of the board. All moneys received by or on behalf of the board shall be deposited with the director of finance and kept separate from moneys in the state treasury; except that any moneys received from the federal government or from private contributions shall be deposited and accounted for in accordance with conditions established by the agencies or persons from whom the moneys are received; and except that with the concurrence of the director of finance, moneys received from the federal government for research, training, and other related purposes of a transitory nature, and moneys in trust or revolving funds administered by the office, shall be deposited in depositories other than the state treasury and shall be reported on to the state comptroller under section 40-81, and rules prescribed thereunder.

**(b)** Income derived from the sale of goods or services and [income from lands and property as described in section 10-3,] all moneys received by the office equivalent to that pro rata portion of the revenue derived from the public land trust described in section 10-2, shall be credited to special or other funds; provided that upon the recommendation of the office, the comptroller shall establish such other separate accounts or special funds for other designated revenues as may be directed by the board or its authorized representative."

SECTION 7. Section 10-13.5, Hawaii Revised Statutes, is amended to read as follows:

**"[§10-13.5 Use of public land trust proceeds.]** Twenty per cent of all [funds] revenue derived from the public land trust[, described in section 10-3,] shall be expended by the office[, as defined in section 10-2,] for the [purposes of this chapter.] betterment of the conditions of native Hawaiians."

SECTION 8. The department of budget and finance and the office of Hawaiian affairs shall determine the actual amount equivalent to twenty per cent of the revenue under sections 10-2 and 10-13.5 which is payable to the office, less any moneys appropriated and received under section 10 of this Act, or received by the office from the department of land and natural resources, or any other agency, pursuant to sections 10-2 and 10-13.5 during the period of June 16, 1980 through June 30, 1991. Interest on such actual amount, at the rate of six per cent a year, compounded annually, from June 16, 1980 to June 17, 1982, and at the rate of ten per cent a year, compounded annually, from June 18, 1982, shall be added to such actual amount until paid.

Upon request of the office of Hawaiian affairs, all data relating to lands which comprise the public land trust and to the revenue derived therefrom, including the methodology for determining this revenue and the office of Hawaiian affairs' pro rata portion thereof, shall be subject to review by the office and an independent auditor selected by the office. The department of budget and finance shall respond to and, if appropriate, take action to resolve any concerns raised by the independent auditor.

The department of budget and finance shall submit to the legislature, not later than twenty days before the convening of the regular session of 1991, a proposed plan for the payment of such actual amount, including interest and for funding pursuant to sections 10-2 and 10-13.5, after June 30, 1991, and shall submit for introduction appropriate legislation to implement the plan.

The plan and implementing legislation submitted by the department of budget and finance shall reflect the conveyance of any public land to the office by the department of land and natural resources proposed, in partial or full satisfaction of the actual amounts due the office, pursuant to section 9 of this Act.

SECTION 9. The department of land and natural resources, the office of state planning, and the office of Hawaiian affairs shall identify parcels of public land which may be conveyed to the office of Hawaiian affairs, in trust for the betterment of conditions of native Hawaiians, in full or partial satisfaction of the actual amounts determined by the department of budget and finance and the office of Hawaiian affairs to be payable to the office, including interest through June 30, 1991, pursuant to section 8 of this Act.

SECTION 10. The office of state planning, in cooperation with affected agencies, shall: (1) review existing policies, practices, and procedures for the utilization and disposition of lands which comprise the public land trust and for the determination of the consideration for these utilizations or dispositions; (2) evaluate the effect of existing policies, practices, and procedures on the revenue otherwise due to the office of Hawaiian affairs under chapter 10, Hawaii Revised Statutes; and (3) develop and assist in the implementation of appropriately revised policies, practices, and procedures and to ensure that the office of Hawaiian affairs receives its revenue entitlement promptly. The office of state planning shall prepare and submit a report on its findings and recommendations, including recommendations for appropriate legislation, to the legislature not later than twenty days before the convening of the regular session of 1991.

SECTION 11. There is appropriated out of the general revenues of the State of Hawaii the sum of \$7,200,000, or so much thereof as may be necessary for fiscal year 1990-1991, to provide funds pursuant to sections 10-2 and 10-13.5. This appropriation shall be in addition to those moneys paid to the office by the department of land and natural resources pursuant to sections 10-2 and 10-13.5. The sum appropriated shall be expended by the office of Hawaiian affairs for the betterment of the conditions of native Hawaiians. The director of finance is authorized to deduct, from those special funds which derive revenue from lands identified in section 10-2, amounts which shall be transferred to the general fund of the State and become general realizations of the State for the purpose of reimbursing the general fund appropriation made for the fiscal year 1990-91. These transfers shall be made; provided that the director of finance determines that the expenditure of moneys from any such special fund is not contrary to any federal or state laws, or regulations, and is not contrary to any bond covenants, contractual commitments, grant agreements, or other limitations.

SECTION 12. There is appropriated out of the general revenues of the State of Hawaii the sum of \$500,000, or so much thereof as may be necessary for fiscal year 1990-1991, to obtain land surveys, conduct public informational meetings, pay for transportation costs, and to otherwise carry out the purposes of this Act. The sum appropriated shall be expended by the office of state planning.

SECTION 13. Should the expenses for surveys and appraisals required under this Act exceed the general fund appropriation made under this section, the director of finance, with the approval of the governor, is authorized to utilize

savings as determined to be available from programs within the office of state planning.

SECTION 14. The office of Hawaiian affairs shall submit an annual report to the governor and the legislature not less than thirty days before the convening of each regular session. The report shall describe the use of the public land trust proceeds for the betterment of the conditions of the native Hawaiians and provide detailed information, including, but not limited to, the following:

- (1) Statements of statewide objectives and program objectives;
- (2) Program plans that describe the programs that implement the statewide objectives and program objectives;
- (3) Program performance reports that assess the effectiveness in attaining the objectives;
- (4) Program costs; and
- (5) Long-range financial plans.

SECTION 15. Nothing contained in this Act shall impair or be deemed to impair the rights and privileges of the holders of indebtedness outstanding as of the effective date of this Act and payable from moneys in any special fund, including the airport revenue fund, harbor special fund, or the second separate harbor special fund. If and to the extent the application of moneys in any special fund, as heretofore provided by any certificate securing any revenue bonds, including airport and harbor revenue bonds, is construed to be inconsistent with the provisions of this Act, such moneys shall continue to be applied in accordance with such certificate so long as any airport revenue bonds, including airport and harbor revenue bonds, secured thereby remain outstanding.

SECTION 16. The provisions of this Act shall be enforced to the extent they are not held to conflict with any federal or state law, rules, or regulations. The provisions of this Act are not severable and if any provision of the Act, or the application thereof to any person or circumstance is held to conflict with any federal or state law, rules, or regulations, this Act, in its entirety, shall be invalid and sections 10-2, 10-3, 10-5, 10-13 and 10-13.5, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day before the approval of this Act.

SECTION 17. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 18. This Act shall take effect upon its approval; provided that the provisions of sections 3, 4, 5, 6, and 7 of this Act shall be applied retroactively to June 16, 1980, and that sections 11 and 12 shall take effect on July 1, 1990.

(Approved July 3, 1990.)

**Note**

1. So in original.

# Meeting of the Public Land Trust Working Group

February 1, 2024

1:30 P.M.

**VII. Discussion regarding next steps after review of responses to PLTWG letter to state agencies regarding the reporting made and supporting documentation available to finalize:**

- (1) an accurate and complete inventory of ceded lands and Public Land Trust lands, including submerged lands; and**
- (2) an accurate and complete accounting of the income and proceeds from the ceded lands and the Public Land Trust lands, including submerged lands, under their jurisdiction.**

DEPARTMENT	DIRECTOR	ATTACHED AGENCY	EXECUTIVE DIRECTOR
Accounting and General Services	Keith Regan, Comptroller	Access Hawai'i Committee	Douglas Murdock, Chair
		Building Code Council	Howard Wlig, Chair
		Campaign Spending Commission	Kristin Izumi-Nitao, Executive Director
		Hawai'i State Foundation on Culture and the Arts	Karen Ewald, Executive Director
		Hawai'i Enhanced 911 Board	Royce Murakami, Executive Director
		Information Privacy & Security Council	Douglas Murdock, Chair
		Office of Information Practices	Cheryl Park, Director
		Procurement Policy Board	Lisa Maruyama, Chair
		State Procurement Office	Bonnie Kahaku, Acting Chief Procurement Administrator
Agriculture	Sharon Hurd, Chairperson	NONE	
Attorney General	Anne Lopez, Attorney General	Commission to Promote Uniform Legislation	Jill Nagamine, Executive Secretary
		Gun Violence and Violent Crimes Commission	Phillip Higdon, Hawaii Crminal Justice Data Center Administrator
		Hawaii Correctional System Oversight Commission	Christin Johnson, Oversight Coordinator
		Law Enforcement Standards Board	Todd Raybuck, Chief of Police, Kaua'i
Budget and Finance	Luis Salaveria, Director	Employees' Retirement System	Thomas Williams, Executive Director
		Hawai'i Employer-Union Benefits Trust Fund	Derek Mizuno, Administrator
		Office of the Public Defender	James Tabe, Public Defender
Business, Economic Development & Tourism	James Kunane Tokioka, Director	Agribusiness Development Corporation	Wendy Gady, Executive Director
		Stadium Authority	Ryan Andrews, Stadium Manager
		Hawai'i Community Development Authority	Craig Nakamoto, Executive Director
		Hawai'i Green Infrastructure Authority	Gwen Yamamoto Lau, Executive Director
		Hawai'i Housing Finance & Development Corporation	Dean Minakami, Executive Director
		Hawai'i Tourism Authority	Daniel Nahoopii, Interim President & CEO
		Hawai'i Technology Development Corporation	Wayne Inouye, Acting Executive Director
		Natural Energy Laboratory of Hawai'i Authority	Gregory Barbour, Executive Director
		Small Business Regulatory Review Board	Dori Palcovich, Administrator
Commerce & Consumer Affairs	Nadine Ando, Director	Public Utilities Commission	Leodoloff "Leo" Asuncion, Chair Jodi Endo Chal, Executive Director
Defense	Major General Kenneth Hara, Adjutant General	Office of Veterans Services	Bruce Oliveira, Interim Director
Education	Keith Hayashi, Superintendent	Hawai'i Teacher Standards Board	Felicia Villalobos, Executive Director
		Hawai'i Child Nutrition Programs	Sharlene Wong, Administrator
		Executive Office on Early Learning	Yuuko Arikawa-Cross, Director
		School Facilities Authority	Chad "Keone" Farias, Executive Director
Hawaiian Home Lands	Kali Watson, Chairperson	Hawai'i Homes Commission	
Health	Kenneth Fink, M.D., Director	Hawai'i Health Systems Corporation	Edward Chu, President and CEO
		Executive Office on Aging	Caroline Cadirao, Director
		Disability and Communications Access Board	Kirby Shaw, Executive Director
		Hawai State Council on Developmental Disabilities	Daintry Bartoldus, Executive Administrator
		Office of Language Access	Aphirak Bamrungruan, Executive Director
Human Resources Development	Brenna Hashimoto, Director	NONE	
Human Services	Cathy Betts, Director	Commission on Fatherhood	James Esmond, Chair
		Hawai'i Interagency Council on Homelessness	John Mizuno, Coordinator (new to position eff 1/2 - no email set up yet)
		Hawai'i Public Housing Authority	Hakim Ouansafi, Executive Director
		Hawai'i State Commission on the Status of Women	Vacant
Labor and Industrial Relations	Jade Butay, Director	Hawai'i Labor Relations Board	Marcus Oshiro, Chair
		Hawai'i Civil Rights Commission	Marcus Kawatachi, Executive Director
		Labor and Industrial Relations Appeals Board	Damien Elefante, Chairperson
		Hawai'i Retirement Savings Board	Luis Salaveria and Jade Butay, Co-Chairs
		Office of Community Services	Jovanie Dela Cruz, Executive Director
		State Fire Council	Kazuo Todd, Chair
		Workforce Development Council	Ken Loui, Chairperson
		Hoisting Machine Operators Advisory Board	John Mihlbauer, Jr., Chair
Land and Natural Resources	Dawn Chang, Chairperson	Aha Moku Advisory Committee	Leimana DaMate, Executive Director
		Kaho'olawe Island Reserve Commission	Michael Nahoopii, Executive Director
		Mauna Kea Stewardship and Oversight Authority	John Komeiji, Interim Chair
Law Enforcement	Jordan Lowe, Director	NONE	
Public Safety	Tommy Johnson, Director	Correctional Industries Advisory Committee	Tommy Johnson, Director
		Corrections Population Management Commission	Tommy Johnson, Director
		Crime Victim Compensation Commission	Pamela Ferguson-Brey, Executive Director
		Hawai'i Paroling Authority	Edmund Hyun, Chairman
Taxation	Gary Suganuma, Director	Board of Review	Glenn Sakuda, Chair
		Council on Revenue	Kurt Kawafuchi, Chair
		Tax Review Commission	None; Commission convenes every five years and new members and a chair will be appointed in early 2025 when the Commission convenes next.
Transportation	Edwin Sniffen, Director	O'ahu Metropolitan Planning Organization	Mark Garrity, Executive Director
University of Hawai'i	David Lassner, President	The Research Corporation of the University of Hawaii	Leonard Gouveia, Jr., Executive Director

\*Those who responded are highlighted in yellow

DEPARTMENT	DIRECTOR	ATTACHED AGENCY	Mr/Ms/Chair	FIRST NAME	LAST NAME	MAILING ADDRESS	City	State	Zip Code	Responded?
Labor and Industrial Relations	Jade Butay, Director	Hawai'i Labor Relations Board	Chair	Marcus	Oshiro	830 Punchbowl Street, Room 434	Honolulu	HI	96813	
		Hawai'i Civil Rights Commission	Mr.	Marcus	Kawilani	830 Punchbowl Street, Room 411	Honolulu	HI	96813	
		Labor and Industrial Relations Appeals Board	Chairperson	Damien	Elefante	830 Punchbowl Street, Room 404	Honolulu	HI	96813	Letter received from Jade Butay stating the Dept. Of Labor & Industrial Relations and its agencies.
		Hawai'i Retirement Savings Board	Co-Chair	Luis	Salaveria	830 Punchbowl Street, Room 321	Honolulu	HI	96813	Hawai'i Civil Rights Commission, Hawai'i Labor Relations Board, Labor and Industrial Relations Appeals
		Hawai'i Retirement Savings Board	Co-Chair	Jade	Butay	830 Punchbowl Street, Room 321	Honolulu	HI	96813	Hawai'i Office of Community Services and State Fire Courts (with the land applicable to the requests
		Office of Community Services	Mr.	Ajamie	Dele Cruz	830 Punchbowl Street, Room 420	Honolulu	HI	96813	made in Act 236 of 2022. The DLIR working with the Dept. of Budget and Finance and DLIR which
		State Fire Council	Chair	Kazuo	Todd	636 South Street, Honolulu Fire Department	Honolulu	HI	96813	determined no pro-rata share of the P.T. is owned by the DLIR.
Dept of Accounting and General Services		Workforce Development Council	Chair	Ken	Loui	830 Punchbowl Street, Room 420	Honolulu	HI	96813	
		Hoisting Machine Operators Advisory Board	Chair	Ishe	Hahinibauer, Jr.	830 Punchbowl Street, Room 114	Honolulu	HI	96813	
		State Procurement Office		Bonnie	Kahakui	1151 Punchbowl Street, Room 230A	Honolulu	HI	96813	Letter received from Bonnie stating the State Procurement Office, Surplus Property Office, and
Dept of Business, Economic Development, and Tourism		Hawai'i Green Infrastructure Authority	Ms.	Gwen	Yamamoto Lau	250 S. Hotel Street, 5th Floor	Honolulu	HI	96813	Procurement Policy Board are all situated on State property, not ceded land
Dept of Accounting and General Services		Building Code Council	Chair	Howard	Wieg	P.O. Box 119	Honolulu	HI	96813	Email received from Gwen stating that they do not hold title to, maintain management control or
Dept of Commerce and Consumer Affairs		Public Utilities Commission	Ms.	Jodi	Endo Chai	465 South King Street, Kekuanao'a Building #103	Honolulu	HI	96813	otherwise use ceded lands.
Dept of Taxation		Council on Revenue	Chair	Kurt	Kawafuchi	830 Punchbowl Street, Rm. 221	Honolulu	HI	96813	Letter received from Howard stating the State Building Code Council is solely concerned w/ building
Dept of Taxation		O'ahu Metropolitan Planning Organization	Mr.	Mark	Garrity	707 Richards Street S-200	Honolulu	HI	96813-4623	codes and its agencies do not apply to the buildings described in the letter.
Dept of Accounting and General Services		Hawai'i Enhanced 911 Board	Mr.	Royce	Murakami	1151 Punchbowl Street, Room 411A	Honolulu	HI	96813	Letter received from Jodi stating that the Public Utilities Commission (PUC) does not hold any title, nor
Dept of Education		Hawai'i Child Nutrition Programs	Ms.	Sharlene	Wong	450 Iwilei Road, Suite 270	Honolulu	HI	96817	do they maintain management control over any conversation district lands or preservation zoned lands
Dept of Accounting and General Services		Campaign Spending Commission	Ms.	Kristin	Izumi-Nitao	235 South Beretania Street, Room 300	Honolulu	HI	96813	including submerged lands as described in our letter.
Dept of the Attorney General		Commission to Promote Uniform Legislation	Ms.	Jill	Nagamine	425 Queen Street	Honolulu	HI	96813	Letter received from Seth Colby, on behalf of the Council on Revenue, stating that they do not have
Dept of Accounting and General Services		Office of Information Practices	Ms.	Cheryl	Park	250 South Hotel Street, Room 107	Honolulu	HI	96813	any land of any kind and none that is described in our letter.
Dept of Commerce and Consumer Affairs			Ms.	Nadine	Ando	335 Merchant Street, Room 310	Honolulu	HI	96813	Letter received from Mark stating that they do not hold title to, maintain management control over, or
Dept of Education		Executive Office on Early Learning	Ms.	Yuuko	Arikawa-Cross	2759 South King Street	Honolulu	HI	96826	otherwise use ceded lands. They have no information, data, documents, or maps to provide.
Dept of Human Resources Development	Brenna Hashimoto					235 S. Beretania Street, Room 1400	Honolulu	HI	96813	Email received from Royce stating he is submitting a negative response to our letter. A pdf copy of our
										letter was attached to his email.
										Email received from Sharlene Moreno, on behalf of Sharlene, stating their office does not own any
										property.
										Email received from Terence Lau, on behalf of the Campaign Spending Commission, stating that they
										do not believe they hold title to any parcel of land/submerged land/ceded land.
										Email received from Jill stating that they hold no ceded lands and nothing to report in response to our
										letter.
										Received letter from Cheryl stating that the OIP does not own, manage or directly lease any real
										property, and they do not know if their office located at 250 S. Hotel St. - Ste 107, Honolulu, HI is on
										ceded lands. They are administratively attached to DAGS which would be further able to address our
										questions.
										Email received from Michael Wun stating that the DCCA does not have ceded land parcels nor incomes or
										proceeds collected or revenue from the P.T.
										Letter received from Yuuko Arikawa-Cross stating that the EDEL does not hold title to, maintain
										management for, or control ceded lands. EDEL Public Prekindergarten classrooms operate on EDEL
										campuses and they defer to HDOE and the School Facilities Authority (SFA) for any agreement,
										information requested in the memo.
										Received letter from Brenna stating that DHRO office are located at 235 S. Beretania St. on five floors of
										the Innopass A Kamehameha Bldg, TMK 111-2-1-017-009. To the best of their knowledge, they have
										nothing further to report, and specifics regarding sections II, IV, and V of our request are as follows:
										Section III - The building's land trust status is "required after 8/9/9." All receipts that DHRO accepts are
										primarily appropriations from the State Legislature, federal awards, and cost reimbursements from
										other entities. They also collect an immaterial amount of receipts into DHRO's Special Fund for
										entrepreneurial efforts not associated with the lands of the building, including benefit and workers'
										compensation administration and training. They do not collect receipts from the lands of the building.
										Further, their understanding is that DAGS Automotive Division, as building tenant, registers and reports
										any rents such as parking. Section IV - They have reviewed the P.T.S and are not aware of any required
										changes to the information reported by DLNR, Section V - They do not operate on submerged lands.
DBEDT		Stadium Authority	Mr.	Ryan	Andrews	99-500 Salt Lake Blvd.	Honolulu	HI	96818	Received email from Ryan stating that he enclosed a letter the Stadium Authority receive in July 2018
Dept of Taxation	Gary Suganuma					830 Punchbowl Street	Honolulu	HI	96813	from the State Architect with definitive information from DLNR on identification of P.T. ceded land
Dept of Taxation		Board of Review	Chair	Glenn	Sakuda	830 Punchbowl Street, Rm. 221	Honolulu	HI	96813	being a small sliver of land located in the northwest corner of the Aloha Stadium property. This small
Dept of Budget and Finance	Luis Salaveria					250 S. Hotel Street, Room 305	Honolulu	HI	96813	area is primarily land embankment and a non-revenue generating area for the Stadium Authority.
Dept of Agriculture	Sharon Hurd					1428 South King Street	Honolulu	HI	96814	Received letter from Gary stating that they do not hold title to maintain management control or
										otherwise use ceded lands, and they do not submit any report to DLNR for the purpose of inventory
										and any income and proceeds collected or received from the P.T.
										Letter received from Glenn stating that they have no management control over any lands and defers to
										DLIR with respect to this inquiry.
										Received letter from Luis stating that they do not hold title, maintain management control, or
										otherwise use ceded lands and therefore submits a negative response as it pertains to this inquiry.
										Received letter from Sharon with a report entitled implementation of Section 5, Act 178, SLH 2006
										report as of June 30, 2023, that was submitted to DLNR AND DAGS. (Attachment 3)



JOSH GREEN, M.D.  
Governor

SYLVIA LUKE  
Lt. Governor



State of Hawai'i  
DEPARTMENT OF AGRICULTURE  
KA 'ŌIHA NA MAHI'AI  
1428 South King Street  
Honolulu, Hawai'i 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

SHARON HURD  
Chairperson, Board of Agriculture

DEXTER KISHIDA  
Deputy to the Chairperson

January 18, 2024

Ms. Carmen "Hulu" Lindsey  
Public Land Trust Working Group  
State of Hawaii  
Office of Hawaiian Affairs  
50 N. Nimitz Hwy., #200  
Honolulu, HI 96817

Dear Ms. Lindsey:

This is in reply to your letter dated December 22, 2023, regarding the Public Land Trust Working Group (Act 226 (SLH 2022)).

For your information, enclosed is the report entitled Implementation of Section 5, Act 178, SLH 2006 report as of June 30, 2023, that was submitted to DLNR and DAGS.

Should you have any questions, please contact Linda Murai, Property Manager, at [Linda.H.Murai@hawaii.gov](mailto:Linda.H.Murai@hawaii.gov) or call 808-973-9473.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Hurd".

Sharon Hurd, Chairperson  
Board of Agriculture

Enclosure

c. Sherry P. Broder, Esq.  
Public Land Trust Working Group



Title of Report: Implementation of Section 5, Act 178, SLH 2006

Agency: Agriculture

Report as of: 30-Jun-23

Contact Person Name: Linda Murai

Contact Person Email: Linda.H.Murai@hawaii.gov

Contact Person Phone: 973-9473

Type	Tax Map Key	Other ID	Trust Land Status	Fund	Year	Appropriation	Document No.	Name	Amount Not Transferred to OHA	Amount Transferred to OHA	Gross Receipt	Comment
<b>AGRICULTURAL PARK</b>												
Lease	(1) 8-5-034:001	5(b)		S-317	FY2023	S-317	S-1001	Hawaii Golden Farm LLC	\$ 3,198.40	\$ 799.60	\$ 3,998.00	
Lease	(1) 8-5-034:002	5(b)		S-317	FY2023	S-317	S-10020	Hawaii Golden Farm, LLC	\$ 1,675.20	\$ 418.80	\$ 2,094.00	
Lease	(1) 8-5-034:003	5(b)		S-317	FY2023	S-317	S-1003	SGVG Corp.	\$ 3,234.40	\$ 808.60	\$ 4,043.00	
Lease	(1) 8-5-034:004	5(b)		S-317	FY2023	S-317	S-1004	Bernardino Cagauan, Jr.	\$ 2,388.00	\$ 597.00	\$ 2,985.00	
Lease	(1) 8-5-034:005	5(b)		S-317	FY2023	S-317	S-1005	Wen Guang Wu and Jin Qun Liu	\$ 728.96	\$ 182.24	\$ 911.20	
Lease	(1) 8-5-034:006	5(b)		S-317	FY2023	S-317	S-1006	James Kam	\$ 12,760.46	\$ 3,190.12	\$ 15,950.58	
Lease	(1) 8-5-034:007	5(b)		S-317	FY2023	S-317	S-1007	Hydroponics Alternatives LLC	\$ 19,228.00	\$ 4,807.00	\$ 24,035.00	
Lease	(1) 8-5-034:008	5(b)		S-317	FY2023	S-317	S-1008	Creighton & Elton Mow	\$ 6,240.00	\$ 1,560.00	\$ 7,800.00	
Lease	(1) 8-5-034:010	5(b)		S-317	FY2023	S-317	S-1010	Burke Dunlap	\$ 2,912.00	\$ 728.00	\$ 3,640.00	
Lease	(1) 8-5-034:011	5(b)		S-317	FY2023	S-317	S-1011	Burke & Chantel Tien Dunlap	\$ 2,304.00	\$ 576.00	\$ 2,880.00	
Lease	(1) 8-5-034:013	5(b)		S-317	FY2023	S-317	S-10130	Hawaii Golden Farm, LLC	\$ 2,108.80	\$ 527.20	\$ 2,636.00	
Lease	(1) 8-5-034:014	5(b)		S-317	FY2023	S-317	S-1014	Cary Takenaka	\$ 7,360.00	\$ 1,840.00	\$ 9,200.00	
Lease	(1) 8-5-034:015	5(b)		S-317	FY2023	S-317	S-1015	Shermiah Iaea III	\$ 2,406.40	\$ 601.60	\$ 3,008.00	
Lease	(1) 8-5-034:016	5(b)		S-317	FY2023	S-317	S-10160	Hawaii Golden Farm, LLC	\$ 3,203.20	\$ 800.80	\$ 4,004.00	
Lease	(1) 8-5-034:017	5(b)		S-317	FY2023	S-317	S-10170	Hawaii Golden Farm, LLC	\$ 1,955.20	\$ 488.80	\$ 2,444.00	
Lease	(1) 9-4-002:080	5(b)		S-317	FY2023	S-317	S-2000	Waialele Farms, Inc. (Larry Jeffs), RP-26	\$ 1,193.00	\$ 298.25	\$ 1,491.25	
Lease	(3) 1-5-116:002	5(b)		S-317	FY2023	S-317	S-4416	Joseph Dalrymple	\$ 1,400.00	\$ 350.00	\$ 1,750.00	
Lease	(3) 1-5-116:004	5(b)		S-317	FY2023	S-317	S-4418	Aloha Blooms Inc.	\$ 1,400.00	\$ 350.00	\$ 1,750.00	
Lease	(3) 1-5-116:006	5(b)		S-317	FY2023	S-317	S-4420	Thomas Lee	\$ 1,400.00	\$ 350.00	\$ 1,750.00	
Lease	(3) 1-5-116:008	5(b)		S-317	FY2023	S-317	S-4422	Elvira Sadorra	\$ 2,927.29	\$ 731.82	\$ 3,659.11	
Lease	(3) 1-5-116:009	5(b)		S-317	FY2023	S-317	S-4423	Melecio and Arceli Alvarado	\$ 1,400.00	\$ 350.00	\$ 1,750.00	
Lease	(3) 1-5-116:010	5(b)		S-317	FY2023	S-317	S-4424	Ken and Karen Delimont	\$ 1,400.00	\$ 350.00	\$ 1,750.00	
Lease	(3) 1-5-116:011	5(b)		S-317	FY2023	S-317	S-4426	John Garcia Jr.	\$ 160.00	\$ 40.00	\$ 200.00	
Lease	(3) 1-5-116:014	5(b)		S-317	FY2023	S-317	S-4428	Shane Castillo, Jr.	\$ 2,800.00	\$ 700.00	\$ 3,500.00	
Lease	(3) 1-5-116:016	5(b)		S-317	FY2023	S-317	S-4430	Delfin Ventura	\$ 2,144.80	\$ 536.20	\$ 2,681.00	
Lease	(3) 1-5-116:021	5(b)		S-317	FY2023	S-317	S-4624	Gerry Barao, Sr.	\$ 722.03	\$ 180.50	\$ 902.53	
Lease	(3) 1-5-116:022	5(b)		S-317	FY2023	S-317	S-4625	Kahakai Nursery Inc. (Terada)	\$ 1,352.00	\$ 338.00	\$ 1,690.00	
Lease	(3) 1-5-116:023	5(b)		S-317	FY2023	S-317	S-4626	Pacific Floral Exchange	\$ 1,352.00	\$ 338.00	\$ 1,690.00	
Lease	(3) 1-5-116:024	5(b)		S-317	FY2023	S-317	S-4627	Scott Salfen	\$ 1,352.00	\$ 338.00	\$ 1,690.00	
Lease	(3) 1-5-116:027	5(b)		S-317	FY2023	S-317	S-4628	Pasion, Sibucan & Fiesta	\$ 5,040.00	\$ 1,260.00	\$ 6,300.00	
Lease	(3) 1-5-116:025	5(b)		S-317	FY2023	S-317	S-4630	Pacific Farms Inc. (Grayson) - Sublessee	\$ 1,984.00	\$ 496.00	\$ 2,480.00	
Lease	(3) 7-3-049:002	5(b)		S-317	FY2023	S-317	S-4681	Resort Management Group	\$ 2,312.00	\$ 578.00	\$ 2,890.00	
Lease	(3) 7-3-049:003	5(b)		S-317	FY2023	S-317	S-4682	Resort Management Group	\$ 2,648.00	\$ 662.00	\$ 3,310.00	
Lease	(3) 7-3-049:005	5(b)		S-317	FY2023	S-317	S-4684	Joseph Roderick	\$ 1,432.00	\$ 358.00	\$ 1,790.00	
Lease	(3) 7-3-049:007	5(b)		S-317	FY2023	S-317	S-4686	Kelly Greenwell (Orchard Marine Corp)	\$ 3,088.00	\$ 772.00	\$ 3,860.00	
Lease	(3) 7-3-049:008	5(b)		S-317	FY2023	S-317	S-4687	James Smith	\$ 2,392.00	\$ 598.00	\$ 2,990.00	
Lease	(3) 7-3-049:009	5(b)		S-317	FY2023	S-317	S-4688	Resort Management Group	\$ 3,616.00	\$ 904.00	\$ 4,520.00	
Lease	(3) 7-3-049:010	5(b)		S-317	FY2023	S-317	S-4689	Nookie Castillo	\$ 2,512.00	\$ 628.00	\$ 3,140.00	
Lease	(3) 7-3-049:011	5(b)		S-317	FY2023	S-317	S-4690	Thomas & Fatima Martin	\$ 1,196.00	\$ 299.00	\$ 1,495.00	
Lease	(3) 7-3-049:012	5(b)		S-317	FY2023	S-317	S-4691	Howard Clark	\$ 3,980.00	\$ 995.00	\$ 4,975.00	
Lease	(3) 2-2-056:027	5(b)		S-317	FY2023	S-317	S-4748	David Shiigi Trust	\$ 3,280.00	\$ 820.00	\$ 4,100.00	
Lease	(3) 2-2-056:028	5(b)		S-317	FY2023	S-317	S-4749	Clarence Kim	\$ 3,296.00	\$ 824.00	\$ 4,120.00	
Lease	(3) 2-2-056:029	5(b)		S-317	FY2023	S-317	S-4750	James Kim	\$ 1,644.00	\$ 411.00	\$ 2,055.00	
Lease	(3) 2-2-056:030	5(b)		S-317	FY2023	S-317	S-4751	Tadashi's Nursery Inc.	\$ 3,296.00	\$ 824.00	\$ 4,120.00	
Lease	(3) 2-2-056:032	5(b)		S-317	FY2023	S-317	S-4753	Keith Kuroiwa	\$ 3,296.00	\$ 824.00	\$ 4,120.00	
Lease	(3) 2-2-056:034	5(b)		S-317	FY2023	S-317	S-4755	George Nishimura	\$ 1,644.00	\$ 411.00	\$ 2,055.00	
Lease	(3) 2-2-056:035	5(b)		S-317	FY2023	S-317	S-4756	Charles & Shirley Kanoa	\$ 3,272.00	\$ 818.00	\$ 4,090.00	
Lease	(3) 2-2-056:036	5(b)		S-317	FY2023	S-317	S-4757	Raymond Savella	\$ 3,280.00	\$ 820.00	\$ 4,100.00	
Lease	(3) 2-2-056:037	5(b)		S-317	FY2023	S-317	S-4758	M. Nakamura Nursery	\$ 4,430.04	\$ 1,107.51	\$ 5,537.55	
Lease	(3) 2-2-056:038	5(b)		S-317	FY2023	S-317	S-4759	M. Nakamura Nursery	\$ 4,422.04	\$ 1,105.51	\$ 5,527.55	
Lease	(3) 2-2-056:039	5(b)		S-317	FY2023	S-317	S-4760	Raymond Tanouye, Mountain Meadows	\$ 2,144.00	\$ 536.00	\$ 2,680.00	

Lease	(3) 2-2-056:041	5(b)	S-317 FY2023	S-317	S-4762	Scot Aiona	\$	4,456.00	\$	1,114.00	\$	5,570.00
Lease	(3) 2-2-056:042	5(b)	S-317 FY2023	S-317	S-4763	Ono Nut Farms	\$	4,400.00	\$	1,100.00	\$	5,500.00
Lease	(3) 2-2-056:043	5(b)	S-317 FY2023	S-317	S-4764	Panaewa Foliage (Kurt Fujioka)	\$	1,636.00	\$	409.00	\$	2,045.00
Lease	(3) 2-2-056:044	5(b)	S-317 FY2023	S-317	S-4765	Panaewa Foliage (Kurt Fujioka)	\$	1,644.00	\$	411.00	\$	2,055.00
Lease	(3) 2-2-056:045	5(b)	S-317 FY2023	S-317	S-4766	Emil Yadao	\$	3,280.00	\$	820.00	\$	4,100.00
Lease	(3) 2-2-056:046	5(b)	S-317 FY2023	S-317	S-4767	Frederick & India Schor	\$	3,768.00	\$	942.00	\$	4,710.00
Lease	(3) 2-2-056:047	5(b)	S-317 FY2023	S-317	S-4768	Stephen Matsuura	\$	4,260.00	\$	1,065.00	\$	5,325.00
Lease	(3) 2-2-056:048	5(b)	S-317 FY2023	S-317	S-4769	David Sakai	\$	2,670.00	\$	667.50	\$	3,337.50
Lease	(3) 2-2-056:049	5(b)	S-317 FY2023	S-317	S-4770	Toshiyuki & Sandra Ota	\$	2,664.00	\$	666.00	\$	3,330.00
Lease	(3) 2-2-056:050	5(b)	S-317 FY2023	S-317	S-4771	Calvin & Doreen Nogami	\$	2,856.00	\$	714.00	\$	3,570.00
Lease	(3) 2-2-056:051	5(b)	S-317 FY2023	S-317	S-4772	Kawasaki Nursery Inc	\$	2,840.00	\$	710.00	\$	3,550.00
Lease	(3) 2-2-056:052	5(b)	S-317 FY2023	S-317	S-4773	Hawaiian Sunshine Nursery, Inc.	\$	3,732.00	\$	933.00	\$	4,665.00
Lease	(3) 2-2-056:053	5(b)	S-317 FY2023	S-317	S-4774	Waialani Growers (Peter Matsuura)	\$	1,620.00	\$	405.00	\$	2,025.00
Lease	(3) 2-2-056:054	5(b)	S-317 FY2023	S-317	S-4775	Henry & Loraine Terada	\$	3,768.00	\$	942.00	\$	4,710.00
Lease	(3) 2-2-056:031	5(b)	S-317 FY2023	S-317	S-4777	Emil Yadao	\$	2,000.00	\$	500.00	\$	2,500.00
Lease	(3) 2-2-056:055	5(b)	S-317 FY2023	S-317	S-4779	William & Henrietta Hanson	\$	984.00	\$	246.00	\$	1,230.00
Lease	(3) 1-5-116:028	5(b)	S-317 FY2023	S-317	S-4791	Delfin and Crisanta Ventura	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:029	5(b)	S-317 FY2023	S-317	S-4792	Michael & Leilani Au	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:030	5(b)	S-317 FY2023	S-317	S-4793	Young Soo and Arlene Kim	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:032	5(b)	S-317 FY2023	S-317	S-4795	Eberli Tropical Flowers Inc.	\$	332.00	\$	83.00	\$	415.00
Lease	(3) 1-5-116:033	5(b)	S-317 FY2023	S-317	S-4796	Kenneth and Karen Delimont	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:035	5(b)	S-317 FY2023	S-317	S-4798	Michael Martin	\$	709.60	\$	177.40	\$	887.00
Lease	(3) 1-5-116:036	5(b)	S-317 FY2023	S-317	S-4799	Neil Anderson	\$	1,027.01	\$	256.75	\$	1,283.76
Lease	(3) 1-5-116:046	5(b)	S-317 FY2023	S-317	S-4800	Neal Okimoto	\$	608.00	\$	152.00	\$	760.00
Lease	(3) 1-5-116:037	5(b)	S-317 FY2023	S-317	S-4801	Joshua McClung	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:038	5(b)	S-317 FY2023	S-317	S-4802	Robert Fujitake	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:039	5(b)	S-317 FY2023	S-317	S-4803	Robert D'Anna & James Downing	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:040	5(b)	S-317 FY2023	S-317	S-4804	Dennis Kapuras	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:041	5(b)	S-317 FY2023	S-317	S-4805	Wade Okamoto	\$	1,800.00	\$	450.00	\$	2,250.00
Lease	(3) 1-5-116:043	5(b)	S-317 FY2023	S-317	S-4807	David Stone	\$	711.04	\$	177.76	\$	888.80
Lease	(3) 1-5-116:044	5(b)	S-317 FY2023	S-317	S-4808	Hawaii Clean Seed LLC (Dan Kelly)	\$	1,094.40	\$	273.60	\$	1,368.00
Lease	(3) 1-5-116:047	5(b)	S-317 FY2023	S-317	S-4810	Neal Okimoto	\$	688.00	\$	172.00	\$	860.00
Lease	(3) 1-5-116:048	5(b)	S-317 FY2023	S-317	S-4811	Leonard Paresa	\$	728.00	\$	182.00	\$	910.00
Lease	(3) 1-5-116:053	5(b)	S-317 FY2023	S-317	S-4816	Daniel & Martha Carter (Marsdan Tropicals)	\$	776.00	\$	194.00	\$	970.00
Lease	(3) 1-5-116:054	5(b)	S-317 FY2023	S-317	S-4817	Christopher Lichty	\$	1,212.00	\$	303.00	\$	1,515.00
Lease	(3) 1-5-116:056	5(b)	S-317 FY2023	S-317	S-4819	Michael & Patricia Sauer	\$	768.00	\$	192.00	\$	960.00
Lease	(3) 1-5-116:057	5(b)	S-317 FY2023	S-317	S-4820	Jose Atalig & Cecillia Cardines	\$	672.00	\$	168.00	\$	840.00
Lease	(3) 1-5-116:058	5(b)	S-317 FY2023	S-317	S-4821	Wajira Wansa	\$	672.00	\$	168.00	\$	840.00
Lease	(3) 1-5-116:059	5(b)	S-317 FY2023	S-317	S-4822	Susan Philips	\$	664.00	\$	166.00	\$	830.00
Lease	(3) 1-5-116:060	5(b)	S-317 FY2023	S-317	S-4823	Jed Ramos	\$	744.00	\$	186.00	\$	930.00
Lease	(3) 1-5-116:005	5(b)	S-317 FY2023	S-317	S-4824	Kenneth Kudo	\$	1,149.68	\$	287.42	\$	1,437.10
Lease	(3) 1-5-116:042	5(b)	S-317 FY2023	S-317	S-4825	Donato Sarahan	\$	1,394.40	\$	348.60	\$	1,743.00
Lease	(3) 1-5-116:026	5(b)	S-317 FY2023	S-317	S-4826	Panaewa Foliage Inc. (Kurt Fujioka)	\$	1,702.40	\$	425.60	\$	2,128.00
Lease	(3) 1-5-116:045	5(b)	S-317 FY2023	S-317	S-4827	Patricia Leimomi Greene	\$	500.00	\$	125.00	\$	625.00
Lease	(3) 1-5-116:034	5(b)	S-317 FY2023	S-317	S-4829	William & Henrietta Hanson	\$	280.00	\$	70.00	\$	350.00
Lease	(3) 1-5-116:051	5(b)	S-317 FY2023	S-317	S-4830	George Poppas	\$	1,440.00	\$	360.00	\$	1,800.00
Lease	(3) 7-3-049:017	5(b)	S-317 FY2023	S-317	S-4834	Resort Management Group	\$	2,448.00	\$	612.00	\$	3,060.00
Lease	(3) 7-3-049:018	5(b)	S-317 FY2023	S-317	S-4835	Nursery Solutions, Inc.	\$	3,513.48	\$	878.37	\$	4,391.85
Lease	(3) 7-3-049:019	5(b)	S-317 FY2023	S-317	S-4836	Jossanna Ma	\$	3,312.00	\$	828.00	\$	4,140.00
Lease	(3) 7-3-049:020	5(b)	S-317 FY2023	S-317	S-4837	Curtis Nakaoka	\$	1,764.00	\$	441.00	\$	2,205.00
Lease	(3) 7-3-049:021	5(b)	S-317 FY2023	S-317	S-4838	Puna Certified Nursery	\$	4,872.00	\$	1,218.00	\$	6,090.00
Lease	(3) 7-3-049:022	5(b)	S-317 FY2023	S-317	S-4839	Puna Certified Nursery (Malcolm Saxby)	\$	2,532.00	\$	633.00	\$	3,165.00
Lease	(3) 7-3-049:023	5(b)	S-317 FY2023	S-317	S-4840	Kato, Inc.	\$	3,320.00	\$	830.00	\$	4,150.00
Lease	(3) 7-3-049:024	5(b)	S-317 FY2023	S-317	S-4841	Alvin Sato	\$	3,327.96	\$	831.99	\$	4,159.95
Lease	(3) 7-3-049:025	5(b)	S-317 FY2023	S-317	S-4842	Craig Chambers	\$	3,320.00	\$	830.00	\$	4,150.00
Lease	(3) 7-3-049:026	5(b)	S-317 FY2023	S-317	S-4843	Daniel Green	\$	3,320.00	\$	830.00	\$	4,150.00
Lease	(3) 7-3-049:028	5(b)	S-317 FY2023	S-317	S-4845	Orchid Farm, Inc.	\$	5,200.00	\$	1,300.00	\$	6,500.00
Lease	(3) 7-3-049:029	5(b)	S-317 FY2023	S-317	S-4846	Orchid Farm, Inc.	\$	2,540.00	\$	635.00	\$	3,175.00
Lease	(3) 7-3-049:031	5(b)	S-317 FY2023	S-317	S-4848	Denis Louis O'leary	\$	2,540.00	\$	635.00	\$	3,175.00
Lease	(3) 7-3-049:032	5(b)	S-317 FY2023	S-317	S-4849	Greg Boyer Hawaiian Landscapes Inc	\$	3,319.80	\$	829.95	\$	4,149.75
Lease	(3) 7-3-049:033	5(b)	S-317 FY2023	S-317	S-4850	Green Thumb, Inc. (James Furuyama)	\$	3,312.00	\$	828.00	\$	4,140.00

Lease	(3) 7-3-049:034	5(b)	S-317 FY2023	S-317	S-4851	Patricia Leimomi Greene	\$	3,312.00	\$	828.00	\$	4,140.00
Lease	(3) 7-3-049:035	5(b)	S-317 FY2023	S-317	S-4852	Puna Certified Nursery Inc.	\$	2,628.00	\$	657.00	\$	3,285.00
Lease	(3) 7-3-049:015	5(b)	S-317 FY2023	S-317	S-4853	Hawaii Lawn & Landscaping (Caz DiMarco	\$	2,936.00	\$	734.00	\$	3,670.00
Lease	(3) 7-3-049:016	5(b)	S-317 FY2023	S-317	S-4854	Kelly Greenwell (Orchard Marine Corp)	\$	1,544.00	\$	386.00	\$	1,930.00
Lease	(3) 7-3-049:001	5(b)	S-317 FY2023	S-317	S-4856	Peter Fithian (Orchid Farm Inc.)	\$	2,904.00	\$	726.00	\$	3,630.00
Lease	(3) 7-3-049:006	5(b)	S-317 FY2023	S-317	S-4857	Dean Maruyama (Turf Hawaii)	\$	2,272.00	\$	568.00	\$	2,840.00
Lease	(3) 7-3-049:014	5(b)	S-317 FY2023	S-317	S-4858	George Broderson & Adam Broderson	\$	2,304.00	\$	576.00	\$	2,880.00
Lease	(3) 7-3-049:027	5(b)	S-317 FY2023	S-317	S-4860	Daniel Green	\$	6,000.00	\$	1,500.00	\$	7,500.00
Lease	(1) 4-1-035:001	5(b)	S-317 FY2023	S-317	S-4922	Orathai Vixayvong and Seng Vixayvong	\$	10,926.40	\$	2,731.60	\$	13,658.00
Lease	(1) 4-1-035:002	5(b)	S-317 FY2023	S-317	S-4923	Frankie's Nursery, LLC	\$	11,742.40	\$	2,935.60	\$	14,678.00
Lease	(1) 4-1-035:003	5(b)	S-317 FY2023	S-317	S-4924	Kenneth L & Lisa L Vinzant	\$	4,170.40	\$	1,042.60	\$	5,213.00
Lease	(1) 4-1-035:004	5(b)	S-317 FY2023	S-317	S-4925	Mahiku Farm LLC	\$	11,316.00	\$	2,829.00	\$	14,145.00
Lease	(1) 4-1-035:005	5(b)	S-317 FY2023	S-317	S-4926	The 2004 Uehara Family Revocable Living	\$	10,211.10	\$	2,552.78	\$	12,763.88
Lease	(1) 4-1-035:006	5(b)	S-317 FY2023	S-317	S-4927	Sumitra Viyanan Barton	\$	11,380.00	\$	2,845.00	\$	14,225.00
Lease	(1) 4-1-035:008	5(b)	S-317 FY2023	S-317	S-4929	Scott & Lynda Campesino Chun	\$	8,574.40	\$	2,143.60	\$	10,718.00
Lease	(1) 4-1-035:009	5(b)	S-317 FY2023	S-317	S-4930	Stephen K. Morse & DonMarie Chung	\$	11,640.00	\$	2,910.00	\$	14,550.00
Lease	(1) 4-1-035:011	5(b)	S-317 FY2023	S-317	S-4932	Koba's Nursery, Inc.	\$	8,172.00	\$	2,043.00	\$	10,215.00
Lease	(1) 4-1-035:012	5(b)	S-317 FY2023	S-317	S-4933	Ahiki Acres, LLC	\$	10,308.00	\$	2,577.00	\$	12,885.00
Lease	(1) 4-1-035:013	5(b)	S-317 FY2023	S-317	S-4934	CC Repair & Maintenance Service, Inc.	\$	7,616.59	\$	1,904.15	\$	9,520.74
Lease	(1) 4-1-035:010	5(b)	S-317 FY2023	S-317	S-4936	Glads Landscaping & Tree Trimming, Inc.	\$	11,617.15	\$	2,904.29	\$	14,521.44
Lease	(2) 5-2-004:016	5(b)	S-317 FY2023	S-317	S-9002	Hikiola Cooperative	\$	576.00	\$	144.00	\$	720.00
Lease	(2) 5-2-004:119	5(b)	S-317 FY2023	S-317	S-9003	Akea Farms, Inc.	\$	448.00	\$	112.00	\$	560.00
Lease	(2) 5-2-001:012	5(b)	S-317 FY2023	S-317	S-9004	L&R Farm Ent. LLC	\$	772.00	\$	193.00	\$	965.00
Lease	(2) 5-2-001:013	5(b)	S-317 FY2023	S-317	S-9005	Grant Schule, Kumu Farms	\$	762.96	\$	190.74	\$	953.70
Lease	(2) 5-2-001:014	5(b)	S-317 FY2023	S-317	S-9006	L&R Farm Ent. LLC	\$	748.00	\$	187.00	\$	935.00
Lease	(2) 5-2-001:015	5(b)	S-317 FY2023	S-317	S-9007	L&R Farm Ent. LLC	\$	1,408.00	\$	352.00	\$	1,760.00
Lease	(2) 5-2-001:018	5(b)	S-317 FY2023	S-317	S-9010	Hawaii Tropical Plants, Limited Partnership	\$	789.71	\$	197.43	\$	987.14
Lease	(2) 5-2-001:019	5(b)	S-317 FY2023	S-317	S-9011	Hawaii Tropical Plants, Limited Partnership	\$	836.37	\$	209.09	\$	1,045.46
Lease	(2) 5-2-001:021	5(b)	S-317 FY2023	S-317	S-9013	Kumu Farms LLC	\$	1,114.01	\$	278.50	\$	1,392.51
Lease	(2) 5-2-001:022	5(b)	S-317 FY2023	S-317	S-9014	Thomas DeCourcy	\$	1,728.00	\$	432.00	\$	2,160.00
Lease	(2) 5-2-001:023	5(b)	S-317 FY2023	S-317	S-9015	Friendly Isle Growing Service Corporation	\$	672.00	\$	168.00	\$	840.00
Lease	(2) 5-2-001:024	5(b)	S-317 FY2023	S-317	S-9016	Molokai Ag Park, Inc.	\$	1,024.00	\$	256.00	\$	1,280.00
Lease	(2) 5-2-001:025	5(b)	S-317 FY2023	S-317	S-9017	Naiwa Farm & Nursery	\$	2,644.67	\$	661.17	\$	3,305.84
Lease	(2) 5-2-001:026	5(b)	S-317 FY2023	S-317	S-9018	Grant Schule	\$	673.20	\$	168.30	\$	841.50
Lease	(2) 5-2-001:027	5(b)	S-317 FY2023	S-317	S-9019	Duane Cranney	\$	908.00	\$	227.00	\$	1,135.00
Lease	(2) 5-2-001:028	5(b)	S-317 FY2023	S-317	S-9020	Friendly Isle Growing Service Corporation	\$	1,264.00	\$	316.00	\$	1,580.00
Lease	(2) 5-2-004:123	5(b)	S-317 FY2023	S-317	S-9021	Molokai Livestock Coop.	\$	829.60	\$	207.40	\$	1,037.00
<b>Sub-Total Agricultural Park</b>							<b>\$</b>	<b>435,886.96</b>	<b>\$</b>	<b>108,971.73</b>	<b>\$</b>	<b>544,858.69</b>

#### NON-AGRICULTURAL PARK

Revocable Permit	(3) 4-6-002:001	5(b)	S-305 FY2023	S-305	N-2001	Stephen DeLuz	\$	1,184.06	\$	296.02	\$	1,480.08
Revocable Permit	(4) 4-1-009:005	5(b)	S-305 FY2023	S-305	N-2102	Michael Fernandes	\$	158.70	\$	39.68	\$	198.38
Revocable Permit	(4) 4-1-009:006	5(b)	S-305 FY2023	S-305	N-2102	Michael Fernandes						
Lease	(1) 4-1-010:040	5(b)	S-305 FY2023	S-305	N-2500	Wailupe Farms LLC	\$	15,849.60	\$	3,962.40	\$	19,812.00
Lease	(3) 6-6-005:028	5(b)	S-305 FY2023	S-305	N-3002	Kamuela Vacuum Cooling Site	\$	2,033.88	\$	508.47	\$	2,542.35
Lease	(1) 4-1-010:005	5(b)	S-305 FY2023	S-305	N-3100	Abigail K. Kawananakoa	\$	12,264.96	\$	3,066.24	\$	15,331.20
Lease	(1) 4-1-010:044	5(b)	S-305 FY2023	S-305	N-3101	Windward Plants Incorporated	\$	1,600.00	\$	400.00	\$	2,000.00
Lease	(1) 4-1-025:022	5(b)	S-305 FY2023	S-305	N-3102	Hugh Baptiste	\$	4,000.00	\$	1,000.00	\$	5,000.00
Lease	(1) 4-1-025:023	5(b)	S-305 FY2023	S-305	N-3102	Hugh Baptiste						
Lease	(1) 4-1-010:039	5(b)	S-305 FY2023	S-305	N-3103	Yogarden LLC	\$	5,940.00	\$	1,485.00	\$	7,425.00
Lease	(1) 4-1-010:038	5(b)	S-305 FY2023	S-305	N-3104	Gabriel & Shellee Machado, Trustees	\$	6,692.00	\$	1,673.00	\$	8,365.00
Lease	(1) 4-1-027:026	5(b)	S-305 FY2023	S-305	N-3105	Fantastic Gardens	\$	7,368.00	\$	1,842.00	\$	9,210.00
Lease	(1) 4-1-026:015	5(b)	S-305 FY2023	S-305	N-3106	Joseph N.A. Ryan, Jr. & Tamara A. Ryan	\$	2,766.00	\$	691.50	\$	3,457.50
Lease	(1) 4-1-027:002	5(b)	S-305 FY2023	S-305	N-3107	Michael Buck	\$	8,160.00	\$	2,040.00	\$	10,200.00
Lease	(1) 9-4-012:002	5(b)	S-305 FY2023	S-305	N-3108	Waikale Farms, Inc. (Larry Jeffs)	\$	216,698.98	\$	54,174.74	\$	270,873.72
Lease	(1) 4-1-018:048	5(b)	S-305 FY2023	S-305	N-3109	Milton Coleman, Jr.	\$	23,680.00	\$	5,920.00	\$	29,600.00
Lease	(1) 4-1-010:042	5(b)	S-305 FY2023	S-305	N-3110	Ultimate Innovations, Inc.	\$	4,000.00	\$	1,000.00	\$	5,000.00



Lease	(1) 4-1-026:017	5(b)	S-305 FY2023	S-305	N-3111	Puonpun Sananikone	\$	5,929.74	\$	1,482.44	\$	7,412.18
Lease	(1) 4-1-027:028	5(b)	S-305 FY2023	S-305	N-3112	A & K Nursery	\$	5,920.00	\$	1,480.00	\$	7,400.00
Lease	(4) 4-4-004:043	5(b)	S-305 FY2023	S-305	N-3113	Kapaa Poi Factory	\$	11,520.00	\$	2,880.00	\$	14,400.00
Lease	(3) 4-4-011:033	5(b)	S-305 FY2023	S-305	N-3114	Julia Shumann-Shinsky	\$	2,856.00	\$	714.00	\$	3,570.00
Lease	(3) 9-5-015:003	5(b)	S-305 FY2023	S-305	N-3115	Kuahwi Contractors, Inc.	\$	8,160.00	\$	2,040.00	\$	10,200.00
Lease	(1) 4-1-024:023	5(b)	S-305 FY2023	S-305	N-3116	Aloha Aina Landscaping, LLC	\$	8,000.00	\$	2,000.00	\$	10,000.00
Lease	(1) 4-1-027:010	5(b)	S-305 FY2023	S-305	N-3117	41-672 Corp.	\$	7,218.31	\$	1,804.58	\$	9,022.89
Lease	(1) 4-1-010:006	5(b)	S-305 FY2023	S-305	N-3118	Roberta A.N. Rita	\$	5,852.00	\$	1,463.00	\$	7,315.00
Lease	(1) 4-1-010:041	5(b)	S-305 FY2023	S-305	N-3119	Michael Patrick Fairall	\$	4,320.00	\$	1,080.00	\$	5,400.00
Lease	(1) 4-1-027:025	5(b)	S-305 FY2023	S-305	N-3120	Stephen and Marlene Ikene	\$	5,298.67	\$	1,324.67	\$	6,623.34
Lease	(1) 4-1-024:062	5(b)	S-305 FY2023	S-305	N-3121	Hawaiian Sunshine Nursery, Inc.	\$	7,994.40	\$	1,998.60	\$	9,993.00
Lease	(1) 4-1-024:063	5(b)	S-305 FY2023	S-305	N-3121	Hawaiian Sunshine Nursery, Inc.						
Lease	(1) 4-1-026:018	5(b)	S-305 FY2023	S-305	N-3122	Patrick & Nancy Maloney	\$	10,655.18	\$	2,663.80	\$	13,318.98
Lease	(1) 4-1-027:008	5(b)	S-305 FY2023	S-305	N-3123	Sharon's Plants Ltd.	\$	6,748.00	\$	1,687.00	\$	8,435.00
Lease	(1) 4-1-027:007	5(b)	S-305 FY2023	S-305	N-3124	Sharon's Plants Ltd.	\$	5,236.00	\$	1,309.00	\$	6,545.00
Lease	(1) 4-1-027:006	5(b)	S-305 FY2023	S-305	N-3125	Sharon's Plants Ltd.	\$	5,488.00	\$	1,372.00	\$	6,860.00
Lease	(1) 4-1-024:054	5(b)	S-305 FY2023	S-305	N-3126	Char Hung Sut Fish Farms, Inc.	\$	7,532.00	\$	1,883.00	\$	9,415.00
Lease	(1) 4-1-027:012	5(b)	S-305 FY2023	S-305	N-3127	Kalikimaka Farms, LLC	\$	7,238.40	\$	1,809.60	\$	9,048.00
Lease	(4) 4-4-004:005	5(b)	S-305 FY2023	S-305	N-3128	William J. Sanchez	\$	1,108.00	\$	277.00	\$	1,385.00
Lease	(1) 4-1-010:043	5(b)	S-305 FY2023	S-305	N-3129	Hui Ku Maoli Ola	\$	4,400.00	\$	1,100.00	\$	5,500.00
Lease	(3) 4-6-002:007	5(b)	S-305 FY2023	S-305	N-3130	Jill Mattos dba RJ Ranch	\$	541.60	\$	135.40	\$	677.00
Revocable Permit	(3) 4-7-004:009	5(b)	S-305 FY2023	S-305	N-3131	George M. Olival	\$	2,880.00	\$	720.00	\$	3,600.00
Lease	(1) 4-1-010:046	5(b)	S-305 FY2023	S-305	N-3132	Joshua Stamm	\$	13,584.00	\$	3,396.00	\$	16,980.00
Lease	(2) 1-3-004:006	5(b)	S-305 FY2023	S-305	N-3133	Mahealani Farms, Inc.	\$	3,910.50	\$	977.63	\$	4,888.13
Lease	(2) 1-3-004:020	5(b)	S-305 FY2023	S-305	N-3133	Mahealani Farms, Inc.						
Lease	(2) 1-1-005:017	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young	\$	2,100.00	\$	525.00	\$	2,625.00
Lease	(2) 1-1-005:025	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(2) 1-1-005:034	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(2) 1-1-005:036	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(2) 1-1-005:041	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(2) 1-1-005:045	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(2) 1-1-005:054	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(2) 1-1-005:070	5(b)	S-305 FY2023	S-305	N-3134	Joseph H. Young						
Lease	(1) 4-1-010:007	5(b)	S-305 FY2023	S-305	N-3135	Ernest & Donna Carlborn (fka gl4296)	\$	8,900.76	\$	2,225.19	\$	11,125.95
Lease	(1) 4-1-010:034	5(b)	S-305 FY2023	S-305	N-3136	David & Michelle Campbell (fka gl3756)	\$	6,107.25	\$	1,526.81	\$	7,634.06
Lease	(1) 4-1-027:004	5(b)	S-305 FY2023	S-305	N-3137	Atirom Gardens LLC	\$	4,209.83	\$	1,052.46	\$	5,262.29
Lease	(1) 9-1-031:001	5(b)	S-305 FY2023	S-305	N-3138	Hawaii Land & Livestock, LLC	\$	7,320.00	\$	1,830.00	\$	9,150.00
Lease	(2) 5-2-001:009	5(b)	S-305 FY2023	S-305	N-3139	Akea Farms, Inc.	\$	14,780.00	\$	3,695.00	\$	18,475.00
Lease	(1) 8-5-001:033	5(b)	S-305 FY2023	S-305	N-3140	David A. Souza & Carol J. Souza	\$	532.00	\$	133.00	\$	665.00
Lease	(4) 4-6-005:009	5(b)	S-305 FY2023	S-305	N-3141	Ronald & Shane Matsumura	\$	10,125.02	\$	2,531.26	\$	12,656.28
Lease	(3) 5-8-002:002	5(b)	S-305 FY2023	S-305	N-3142	Ponoholo Ranch Ltd.	\$	1,030.00	\$	257.50	\$	1,287.50
Lease	(4) 1-9-002:001	5(b)	S-305 FY2023	S-305	N-3145	Dean H. & Nicol U. Nonaka	\$	1,400.80	\$	350.20	\$	1,751.00
Lease	(4) 1-9-002:020	5(b)	S-305 FY2023	S-305	N-3146	Dean H. & Nicol U. Nonaka	\$	603.20	\$	150.80	\$	754.00
Lease	(1) 4-1-018:049	5(b)	S-305 FY2023	S-305	N-3147	Dale H. & Carla T. Hardinger	\$	3,706.43	\$	926.61	\$	4,633.04
Lease	(1) 4-1-027:027	5(b)	S-305 FY2023	S-305	N-3148	Kevin J. Mulkern and Susan S. Mulkern	\$	6,629.05	\$	1,657.26	\$	8,286.31
Lease	(1) 4-1-027:020	5(b)	S-305 FY2023	S-305	N-3149	Hala Toa Mui Farms LLC	\$	37,200.00	\$	9,300.00	\$	46,500.00
Lease	(1) 4-1-027:024	5(b)	S-305 FY2023	S-305	N-3149	Hala Toa Mui Farms LLC						
Lease	(3) 5-5-007:005	5(b)	S-305 FY2023	S-305	N-3150	Kohala Dairy, LLC	\$	497.60	\$	124.40	\$	622.00
Lease	(3) 1-2-006:019	5(b)	S-305 FY2023	S-305	N-3153	Alan Martins	\$	625.60	\$	156.40	\$	782.00
Lease	(3) 2-4-049:017	5(b)	S-305 FY2023	S-305	N-3154	Puna Certified Nursery, Inc.	\$	2,589.56	\$	647.39	\$	3,236.95
Lease	(1) 4-1-027:023	5(b)	S-305 FY2023	S-305	N-3155	Tree Concepts Hawaii LLC	\$	6,016.80	\$	1,504.20	\$	7,521.00
Lease	(1) 4-1-010:031	5(b)	S-305 FY2023	S-305	N-3753	SGVG Corp.	\$	3,280.00	\$	820.00	\$	4,100.00

Lease	(1) 4-1-010:008	5(b)	S-305 FY2023	S-305	N-3764	Scotland C. Willson	\$	4,209.20	\$	1,052.30	\$	5,261.50
Lease	(1) 4-1-027:029	5(b)	S-305 FY2023	S-305	N-3766	Contemporary Landscaping, LLC	\$	10,200.00	\$	2,550.00	\$	12,750.00
Lease	(1) 4-1-027:019	5(b)	S-305 FY2023	S-305	N-3771	Contemporary Landscaping	\$	12,852.00	\$	3,213.00	\$	16,065.00
Lease	(1) 4-1-026:019	5(b)	S-305 FY2023	S-305	N-3780	Campbell Cavasso, Trustee	\$	9,630.40	\$	2,407.60	\$	12,038.00
Lease	(1) 4-1-027:014	5(b)	S-305 FY2023	S-305	N-4008	Sustainable Ideation, LLC	\$	13,470.00	\$	3,367.50	\$	16,837.50
Lease	(3) 2-4-049:031	5(b)	S-305 FY2023	S-305	N-4205	Kohala Plants Inc.	\$	14,700.00	\$	3,675.00	\$	18,375.00
Lease	(3) 2-4-049:011	5(b)	S-305 FY2023	S-305	N-4225	Mitsuo & Yaeko Kitagawa	\$	3,928.00	\$	982.00	\$	4,910.00
Lease	(3) 2-4-049:017	5(b)	S-305 FY2023	S-305	N-4364	Puna Certified Nursery, Inc.	\$	3,952.00	\$	988.00	\$	4,940.00
Lease	(4) 1-9-001:011	5(b)	S-305 FY2023	S-305	N-4392	Lois N. Hashimoto, Clyde T. Hashimoto, Ly	\$	1,986.40	\$	496.60	\$	2,483.00
Lease	(4) 4-4-004:044	5(b)	S-305 FY2023	S-305	N-4393	Christopher Barry Singleton	\$	7,504.59	\$	1,876.15	\$	9,380.74
Lease	(3) 2-4-049:026	5(b)	S-305 FY2023	S-305	N-4445	Green Point Nursery, Inc.	\$	8,448.00	\$	2,112.00	\$	10,560.00
Lease	(3) 2-4-049:027	5(b)	S-305 FY2023	S-305	N-4445	Green Point Nursery, Inc.						
Lease	(3) 2-4-049:028	5(b)	S-305 FY2023	S-305	N-4445	Green Point Nursery, Inc.						
Lease	(3) 2-4-049:002	5(b)	S-305 FY2023	S-305	N-4446	Eunice Nursery, Inc.	\$	3,200.00	\$	800.00	\$	4,000.00
Lease	(3) 2-4-049:007	5(b)	S-305 FY2023	S-305	N-4447	Donald J. & Carolyn Hunter	\$	4,672.00	\$	1,168.00	\$	5,840.00
Lease	(3) 2-4-049:010	5(b)	S-305 FY2023	S-305	N-4455	Palms, Inc.	\$	3,200.00	\$	800.00	\$	4,000.00
Lease	(3) 2-4-049:012	5(b)	S-305 FY2023	S-305	N-4456	Jules & Soontaree Gervais, Jr.	\$	2,168.00	\$	542.00	\$	2,710.00
Lease	(3) 6-6-005:021	5(b)	S-305 FY2023	S-305	N-4548	Alexander Penovarov, Jr.	\$	9,600.00	\$	2,400.00	\$	12,000.00
Lease	(3) 6-6-005:026	5(b)	S-305 FY2023	S-305	N-4549	Hirako Farms, Inc.	\$	11,820.00	\$	2,955.00	\$	14,775.00
Lease	(3) 2-4-049:032	5(b)	S-305 FY2023	S-305	N-4632	Panaewa Diversified Agricultural Products,	\$	8,120.00	\$	2,030.00	\$	10,150.00
Lease	(3) 2-4-049:020	5(b)	S-305 FY2023	S-305	N-4634	Donald & Carolyn Hunter	\$	3,584.00	\$	896.00	\$	4,480.00
Lease	(3) 2-4-049:022	5(b)	S-305 FY2023	S-305	N-4636	Green Point Nurseries, Inc.	\$	3,584.00	\$	896.00	\$	4,480.00
Lease	(3) 2-4-049:009	5(b)	S-305 FY2023	S-305	N-4638	Big Island Plant & Foliage Inc	\$	3,504.00	\$	876.00	\$	4,380.00
Lease	(3) 2-4-049:023	5(b)	S-305 FY2023	S-305	N-4640	Sunny O. Stewart (Paw'u deceased)	\$	4,752.00	\$	1,188.00	\$	5,940.00
Lease	(3) 1-8-006:103	5(b)	S-305 FY2023	S-305	N-4642	Maluhia Farms, LLC	\$	3,556.19	\$	889.05	\$	4,445.24
Lease	(3) 8-8-004:010	5(b)	S-305 FY2023	S-305	N-4790	Lester Gebin	\$	2,560.00	\$	640.00	\$	3,200.00
Lease	(1) 8-5-005:009	5(b)	S-305 FY2023	S-305	N-4877	Glory Herb Hawaii, LLC	\$	9,204.10	\$	2,301.02	\$	11,505.12
Lease	(4) 1-9-001:003	5(b)	S-305 FY2023	S-305	N-4938	Dean H. & Nicol U. Nonaka	\$	990.40	\$	247.60	\$	1,238.00
Lease	(1) 4-2-010:004	5(b)	S-305 FY2023	S-305	N-4970	Hawaii Agricultural Research Center (HAR)	\$	10,000.00	\$	2,500.00	\$	12,500.00
Lease	(4) 1-9-001:014	5(b)	S-305 FY2023	S-305	N-5113	Dean H. & Nicol U. Nonaka	\$	3,840.00	\$	960.00	\$	4,800.00
Lease	(1) 4-1-027:018	5(b)	S-305 FY2023	S-305	N-5168	Akamai Landscape & Maintenance Svc Inc	\$	9,798.40	\$	2,449.60	\$	12,248.00
Lease	(1) 4-1-018:040	5(b)	S-305 FY2023	S-305	N-5214	Green Thumb, Inc.	\$	4,782.43	\$	1,195.61	\$	5,978.04
Lease	(1) 4-1-010:030	5(b)	S-305 FY2023	S-305	N-5312	Johnny Castillo and Pauline B. Castillo	\$	8,292.00	\$	2,073.00	\$	10,365.00
Lease	(4) 4-5-015:008	5(b)	S-305 FY2023	S-305	N-5322	Wilbert A. & Melody A. Pigao	\$	1,480.00	\$	370.00	\$	1,850.00
Lease	(1) 4-1-018:047	5(b)	S-305 FY2023	S-305	N-5328	Green Thumb, Inc.	\$	3,156.00	\$	789.00	\$	3,945.00
Lease	(1) 4-1-008:076	5(b)	S-305 FY2023	S-305	N-5353	Jeffrey John Berg, Trustee and Angela Mai	\$	4,320.00	\$	1,080.00	\$	5,400.00
Lease	(1) 4-1-025:057	5(b)	S-305 FY2023	S-305	N-5354	Byron Fujieki	\$	1,401.60	\$	350.40	\$	1,752.00
Lease	(3) 5-5-003:012	5(b)	S-305 FY2023	S-305	N-5356	Alvin H. Kawamoto	\$	862.00	\$	215.50	\$	1,077.50
Lease	(1) 4-1-025:055	5(b)	S-305 FY2023	S-305	N-5378	Julian & Joseph DeCoite	\$	5,244.80	\$	1,311.20	\$	6,556.00
Lease	(1) 4-1-009:266	5(b)	S-305 FY2023	S-305	N-5380	Thomas Aki	\$	1,696.00	\$	424.00	\$	2,120.00
Lease	(4) 1-9-012:028	5(b)	S-305 FY2023	S-305	N-5397	Corrine Murata & Wanda Corr	\$	1,680.00	\$	420.00	\$	2,100.00
Lease	(4) 4-4-002:031	5(b)	S-305 FY2023	S-305	N-5480	Lelan & Barbara Nishek dba Kauai Nursery	\$	1,877.60	\$	469.40	\$	2,347.00
Lease	(1) 4-1-018:052	5(b)	S-305 FY2023	S-305	N-5493	Scot M & Karen M Mitamura	\$	16,000.00	\$	4,000.00	\$	20,000.00
Lease	(1) 4-1-010:081	5(b)	S-305 FY2023	S-305	N-5496	Progressive Landscaping, Inc.	\$	5,934.40	\$	1,483.60	\$	7,418.00
Lease	(1) 4-1-010:104	5(b)	S-305 FY2023	S-305	N-5498	Gary E Johnson	\$	3,948.00	\$	987.00	\$	4,935.00
Lease	(1) 4-1-008:045	5(b)	S-305 FY2023	S-305	N-5499	Clayton K.T. Ng	\$	224.00	\$	56.00	\$	280.00
Lease	(1) 4-1-010:029	5(b)	S-305 FY2023	S-305	N-5501	Naki Farms LLC	\$	4,188.00	\$	1,047.00	\$	5,235.00
Lease	(3) 2-1-016:001	5(b)	S-305 FY2023	S-305	N-5510	Seaside, Inc.	\$	2,022.40	\$	505.60	\$	2,528.00
Lease	(1) 4-1-027:001	5(b)	S-305 FY2023	S-305	N-5515	Leandra Gollob	\$	3,612.00	\$	903.00	\$	4,515.00
Lease	(1) 4-1-027:030	5(b)	S-305 FY2023	S-305	N-5516	Frankie's Nursery, LLC	\$	7,614.40	\$	1,903.60	\$	9,518.00
Lease	(1) 4-1-010:088	5(b)	S-305 FY2023	S-305	N-5530	David Larsen	\$	1,482.00	\$	370.50	\$	1,852.50
Lease	(3) 1-2-006:005	5(b)	S-305 FY2023	S-305	N-5535	Edward A.K. & Lucia R. Lee	\$	3,440.00	\$	860.00	\$	4,300.00

Lease	(3) 1-2-006:077	5(b)	S-305 FY2023	S-305	N-5535	Edward A.K. & Lucia R. Lee						
Lease	(3) 2-2-056:020	5(b)	S-305 FY2023	S-305	N-5538	SL Kuwahara Partners, LLC	\$	2,000.00	\$	500.00	\$	2,500.00
Lease	(3) 5-5-004:051	5(b)	S-305 FY2023	S-305	N-5539	William T.S. Wong	\$	356.00	\$	89.00	\$	445.00
Lease	(3) 5-5-004:052	5(b)	S-305 FY2023	S-305	N-5539	William T.S. Wong						
Lease	(3) 4-4-001:001	5(b)	S-305 FY2023	S-305	N-5549	Hamakua-North Hilo Agr. Coop.	\$	3,040.00	\$	760.00	\$	3,800.00
Lease	(3) 4-6-004:001	5(b)	S-305 FY2023	S-305	N-5550	Triple D Ranch, Inc.	\$	6,288.00	\$	1,572.00	\$	7,860.00
Lease	(3) 4-6-004:002	5(b)	S-305 FY2023	S-305	N-5550	Triple D Ranch, Inc.						
Lease	(3) 4-6-004:003	5(b)	S-305 FY2023	S-305	N-5550	Triple D Ranch, Inc.						
Lease	(3) 4-6-004:005	5(b)	S-305 FY2023	S-305	N-5550	Triple D Ranch, Inc.						
Lease	(3) 4-6-004:006	5(b)	S-305 FY2023	S-305	N-5550	Triple D Ranch, Inc.						
Lease	(3) 4-6-003:001	5(b)	S-305 FY2023	S-305	N-5551	Hamakua-North Hilo Agr. Coop.	\$	27,800.00	\$	6,950.00	\$	34,750.00
Lease	(3) 4-6-003:002	5(b)	S-305 FY2023	S-305	N-5551	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-6-003:020	5(b)	S-305 FY2023	S-305	N-5551	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-3-003:002	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.	\$	16,496.00	\$	4,124.00	\$	20,620.00
Lease	(3) 4-3-003:003	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-3-003:004	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-3-003:005	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-3-003:006	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-3-003:007	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-3-003:002	5(b)	S-305 FY2023	S-305	N-5553	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-6-001:007	5(b)	S-305 FY2023	S-305	N-5554	Hamakua-North Hilo Agr. Coop.	\$	9,440.00	\$	2,360.00	\$	11,800.00
Lease	(3) 4-6-001:008	5(b)	S-305 FY2023	S-305	N-5554	Hamakua-North Hilo Agr. Coop.						
Lease	(3) 4-6-001:018	5(b)	S-305 FY2023	S-305	N-5554	Hamakua-North Hilo Agr. Coop.						
Lease	(4) 4-6-008:001	5(b)	S-305 FY2023	S-305	N-5563	Stephen Sico	\$	5,200.00	\$	1,300.00	\$	6,500.00
Lease	(3) 5-5-003:018	5(b)	S-305 FY2023	S-305	N-5573	Island Harvest, Inc.	\$	5,304.00	\$	1,326.00	\$	6,630.00
Lease	(1) 4-1-027:009	5(b)	S-305 FY2023	S-305	N-5577	State of California	\$	10,712.00	\$	2,678.00	\$	13,390.00
Lease	(4) 4-3-004:001	5(b)	S-305 FY2023	S-305	N-5583	William J. Sanchez	\$	1,392.00	\$	348.00	\$	1,740.00
Lease	(4) 4-3-004:014	5(b)	S-305 FY2023	S-305	N-5583	William J. Sanchez						
Lease	(4) 4-3-004:017	5(b)	S-305 FY2023	S-305	N-5583	William J. Sanchez						
Lease	(3) 3-9-001:001	5(b)	S-305 FY2023	S-305	N-5586	Hawaii Secure Foods, LLC	\$	69,174.00	\$	17,293.50	\$	86,467.50
Lease	(3) 3-9-001:001	5(b)	S-305 FY2023	S-305	N-5586	Hawaii Secure Foods, LLC						
Lease	(3) 3-9-001:002	5(b)	S-305 FY2023	S-305	N-5586	Hawaii Secure Foods, LLC						
Lease	(3) 3-9-002:007	5(b)	S-305 FY2023	S-305	N-5586	Hawaii Secure Foods, LLC						
Lease	(3) 3-9-002:008	5(b)	S-305 FY2023	S-305	N-5586	Hawaii Secure Foods, LLC						
Lease	(3) 4-1-001:006	5(b)	S-305 FY2023	S-305	N-5586	Hawaii Secure Foods, LLC						
Lease	(3) 4-1-005:001	5(b)	S-305 FY2023	S-305	N-5592	Nalo Farms, Inc.	\$	6,000.00	\$	1,500.00	\$	7,500.00
Lease	(3) 5-9-001:004	5(b)	S-305 FY2023	S-305	N-5599	Ponoholo Ranch Ltd.	\$	18,248.00	\$	4,562.00	\$	22,810.00
Lease	(3) 5-9-003:002	5(b)	S-305 FY2023	S-305	N-5599	Ponoholo Ranch Ltd.						
Lease	(3) 5-9-003:004	5(b)	S-305 FY2023	S-305	N-5599	Ponoholo Ranch Ltd.						
Lease	(3) 5-9-004:001	5(b)	S-305 FY2023	S-305	N-5599	Ponoholo Ranch Ltd.						
Lease	(3) 5-9-004:008	5(b)	S-305 FY2023	S-305	N-5599	Ponoholo Ranch Ltd.						
Lease	(2) 2-3-003:006	5(b)	S-305 FY2023	S-305	N-5614	Bryan Otani	\$	6,438.40	\$	1,609.60	\$	8,048.00
Lease	(3) 2-4-049:021	5(b)	S-305 FY2023	S-305	N-5615	Panaewa Foliage	\$	2,240.00	\$	560.00	\$	2,800.00
Lease	(1) 4-1-013:032	5(b)	S-305 FY2023	S-305	N-5620	Heine & Gladys Aruda	\$	16,392.00	\$	4,098.00	\$	20,490.00
Lease	(1) 4-1-018:051	5(b)	S-305 FY2023	S-305	N-5643	Keiki O Ka Aina Farms, Inc.	\$	5,328.00	\$	1,332.00	\$	6,660.00
Lease	(3) 5-9-002:006	5(b)	S-305 FY2023	S-305	N-5655	Ponoholo Ranch Ltd.	\$	1,304.00	\$	326.00	\$	1,630.00
Lease	(1) 4-1-010:037	5(b)	S-305 FY2023	S-305	N-5657	Ed K. Miyashita	\$	8,000.00	\$	2,000.00	\$	10,000.00
Lease	(1) 4-1-027:011	5(b)	S-305 FY2023	S-305	N-5658	Akamai Landscape & Maintenance Svc Inc	\$	11,862.40	\$	2,965.60	\$	14,828.00
Lease	(4) 4-1-002:012	5(b)	S-305 FY2023	S-305	N-5659	William J. Sanchez	\$	130.11	\$	32.53	\$	162.64
Lease	(4) 4-1-002:018	5(b)	S-305 FY2023	S-305	N-5659	William J. Sanchez						
Lease	(4) 4-4-004:004	5(b)	S-305 FY2023	S-305	N-5660	William J. Sanchez	\$	500.16	\$	125.04	\$	625.20
Lease	(4) 4-4-004:051	5(b)	S-305 FY2023	S-305	N-5660	William J. Sanchez						

Lease	(1) 4-1-010:048	5(b)	S-305 FY2023	S-305	N-5707	All Tree Services, Inc.	\$	12,120.00	\$	3,030.00	\$	15,150.00
Lease	(1) 4-1-027:016	5(b)	S-305 FY2023	S-305	N-5708	Landscape Hawaii Inc.	\$	32,720.00	\$	8,180.00	\$	40,900.00
Lease	(1) 4-1-010:026	5(b)	S-305 FY2023	S-305	N-5713	Burke Dunlap	\$	7,014.40	\$	1,753.60	\$	8,768.00
Lease	(3) 3-1-004:002	5(b)	S-305 FY2023	S-305	N-5811	Andy Trang	\$	4,400.00	\$	1,100.00	\$	5,500.00
Lease	(4) 4-6-005:011	5(b)	S-305 FY2023	S-305	N-5824	Andy B. & Mary G. Alfiler, and LBD Coffee,	\$	1,324.22	\$	331.06	\$	1,655.28
Lease	(3) 2-4-049:029	5(b)	S-305 FY2023	S-305	N-5905	Green Point Nurseries, Inc.	\$	1,384.00	\$	346.00	\$	1,730.00
Revocable Permit	(2) 1-1-003:028	5(b)	S-305 FY2023	S-305	N-5932	Isaac Kanoa, Jr.	\$	124.80	\$	31.20	\$	156.00
Lease	(3) 5-5-003:004	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.	\$	40,632.07	\$	10,158.02	\$	50,790.09
Lease	(3) 5-5-003:004	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Lease	(3) 5-5-003:005	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Lease	(3) 5-5-003:006	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Lease	(3) 5-5-005:001	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Lease	(3) 5-5-006:002	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Lease	(3) 5-5-006:003	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Lease	(3) 5-5-006:004	5(b)	S-305 FY2023	S-305	N-6024	Boteilho Hawaii Enterprises, Inc.						
Revocable Permit	(3) 5-5-006:015	5(b)	S-305 FY2023	S-305	N-6814	Ronald P. Weidenback dba Hawaii Fish Cc	\$	664.00	\$	166.00	\$	830.00
Revocable Permit	(1) 6-9-001:003	5(b)	S-305 FY2023	S-305	N-6814	Ronald P. Weidenback dba Hawaii Fish Company						
Revocable Permit	(1) 6-9-001:036	5(b)	S-305 FY2023	S-305	N-6814	Ronald P. Weidenback dba Hawaii Fish Company						
Revocable Permit	(4) 1-9-003:006	5(b)	S-305 FY2023	S-305	N-7045	Shoichi Nagamine	\$	2,086.00	\$	521.50	\$	2,607.50
Revocable Permit	(4) 1-9-002:019	5(b)	S-305 FY2023	S-305	N-7317	Helen B.H. Chu	\$	486.43	\$	121.61	\$	608.04
Revocable Permit	(4) 1-9-012:011	5(b)	S-305 FY2023	S-305	N-7321	Scott J. & Shari T. Nonaka	\$	530.90	\$	132.73	\$	663.63
Revocable Permit	(1) 4-1-018:049	5(b)	S-305 FY2023	S-305	N-7713	Dale H. & Carla T. Hardinger	\$	40.70	\$	10.18	\$	50.88
Revocable Permit	(3) 5-5-007:011	5(b)	S-305 FY2023	S-305	N-7732	George Freitas Dairy, Inc.	\$	604.80	\$	151.20	\$	756.00
Revocable Permit	(4) 4-1-001:007	5(b)	S-305 FY2023	S-305	N-7738	Mary Thronas Trust	\$	298.93	\$	74.72	\$	373.65
Revocable Permit	(4) 4-1-001:012	5(b)	S-305 FY2023	S-305	N-7771	Thomas T. & Dennis T. Takatsuki	\$	486.44	\$	121.60	\$	608.04
Revocable Permit	(3) 3-1-004:001	5(b)	S-305 FY2023	S-305	N-7775	Norman Medeiros, Sr.	\$	796.80	\$	199.20	\$	996.00
Revocable Permit	(4) 1-9-003:010	5(b)	S-305 FY2023	S-305	N-7794	Francis P. & Laura Mission	\$	1,020.00	\$	255.00	\$	1,275.00
Revocable Permit	(3) 4-9-011:002	5(b)	S-305 FY2023	S-305	N-7839	Ainslie A.N. Loo, Anita A.N. Loo & Nicole K	\$	1,258.40	\$	314.60	\$	1,573.00
Revocable Permit	(1) 4-1-008:071	5(b)	S-305 FY2023	S-305	N-7889	Kazuto Yamada	\$	1,336.51	\$	334.13	\$	1,670.64
Revocable Permit	(1) 4-1-008:072	5(b)	S-305 FY2023	S-305	N-7889	Kazuto Yamada						
<b>Sub-Total Non-Ag Park (DOA Receipts)</b>							<b>\$</b>	<b>1,187,706.71</b>	<b>\$</b>	<b>296,926.65</b>	<b>\$</b>	<b>1,484,633.36</b>
<b>GRAND TOTAL AGRICULTURAL PARK AND NON-AGRICULTURAL PARKS</b>							<b>\$</b>	<b>1,623,593.67</b>	<b>\$</b>	<b>405,898.38</b>	<b>\$</b>	<b>2,029,492.05</b>



# Meeting of the Public Land Trust Working Group

February 1, 2024

1:30 P.M.

**VIII. Discussion regarding request to the counties and federal government for information relating to the inventory and identification of ceded lands and Public Land Trust lands, including submerged lands, under their jurisdiction, and accounting of the income and proceeds derived therefrom.**

# Meeting of the Public Land Trust Working Group

February 1, 2024

1:30 P.M.

- IX. Review legislation submitted to seek appropriations to hire qualified professionals to determine accuracy and completeness of:**
- (1) current state agencies reporting of income and proceeds from the public land trust; and**
  - (2) current inventory of the public land trust as reported in the PLTIS.**

JAN 24 2024

# A BILL FOR AN ACT

RELATING TO PUBLIC LAND.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. The legislature finds that in Act 226, Session Laws of Hawaii 2022, (Act 226), it found the following:

"[I]t must set right and fulfill its trust responsibilities to native Hawaiians, consistent with governmental action across America to address injustices against Indigenous Peoples. It is incumbent upon the legislature to enact legislation that upholds its trust responsibilities and duty of care to native Hawaiians to:

(1) Account for all ceded lands in the public lands trust inventory;

(2) Account for all income and proceeds derived from the public land trust; and

(3) Transfer the full twenty per cent pro rata share of income and proceeds from the public land trust annually to the office of Hawaiian affairs (OHA) for the betterment of the conditions of native Hawaiians.



1           The genesis and source of the State's public land  
2       trust responsibility to native Hawaiians are the historical  
3       events that led to the illegal overthrow of the Kingdom of  
4       Hawaii; the transfer of approximately 1,800,000 acres of  
5       crown, government, and public lands to the United States  
6       under the 1898 Joint Resolution of Annexation without the  
7       consent of and without compensation to the native Hawaiian  
8       people or their sovereign government; the admission of  
9       Hawaii as a state of the Union in 1959, with the explicit  
10      trust responsibility and requirement in section 5(f) of the  
11      1959 Admission Act that one of the five purposes of the  
12      public land trust is that the income and proceeds from the  
13      public land trust are to be used 'for the betterment of the  
14      conditions of native Hawaiians'; and the 1978  
15      Constitutional Convention's recognition that native  
16      Hawaiians are one of the beneficiaries of the public land  
17      trust and the creation of OHA to manage and administer the  
18      specific allocation of 'all income and proceeds from that  
19      pro rata portion of the [public land] trust . . . for  
20      native Hawaiians' (Article XII, section 6, of the Hawaii  
21      State Constitution). The United States and the courts have



1 consistently affirmed the trust nature of the government  
2 and crown lands, including large tracts of ceded lands used  
3 for military or other purposes under federal control.

4 In 1959, as a condition of its admission into the  
5 Union, the State of Hawaii agreed to hold certain lands  
6 granted to the State by the United States in a public trust  
7 for five purposes delineated in section 5(f) of the  
8 Admission Act, which provides in relevant part:

9 The lands granted to the State of Hawaii by  
10 subsection (b) of this section and public lands  
11 retained by the United States under subsections (c)  
12 and (d) and later conveyed to the State under  
13 subsection (e), together with the proceeds from the  
14 sale or other disposition of any such lands and the  
15 income therefrom, shall be held by said State as a  
16 public trust [(1)] for the support of the public  
17 schools and other public educational institutions,  
18 [(2)] *for the betterment of the conditions of native*  
19 *Hawaiians, as defined in the Hawaiian Homes Commission*  
20 *Act, 1920, as amended, [(3)] for the development of*  
21 *farm and home ownership on as widespread a basis as*



1           possible [(4)] for the making of public improvements,  
2           and [(5)] for the provision of lands for public use.  
3           Such lands, proceeds, and income shall be managed and  
4           disposed of for one or more of the foregoing purposes  
5           in such manner as the constitution and laws of said  
6           State may provide, and their use for any other object  
7           shall constitute a breach of trust for which suit may  
8           be brought by the United States.

9           *(Emphasis added.)*

10           In 1978, the people of Hawaii affirmed the State's  
11           trust obligation to native Hawaiians by ratifying  
12           constitutional amendments from the Constitutional  
13           Convention, including article XII, sections 4, 5, and 6, of  
14           the Hawaii State Constitution, which established OHA and  
15           charged it with managing income and proceeds from the  
16           public land trust for the benefit of native Hawaiians.  
17           Article XVI, section 7, of the Hawaii State Constitution  
18           required the State to enact legislation to comply with its  
19           trust obligations. Thus, in 1979, legislation, codified as  
20           chapter 10, Hawaii Revised Statutes, set forth the purposes  
21           of OHA and described the duties of its trustees.



1           In September 1981, an initial land inventory by the  
2           department of land and natural resources listed  
3           approximately 1,271,652 acres, falling woefully short of  
4           its duty to provide a complete inventory of the public land  
5           trust lands. Additionally, the state land information  
6           management system does not include all lands held by all  
7           state entities.

8           Act 273, Session Laws of Hawaii 1980, enacted section  
9           10-13.5, Hawaii Revised Statutes, to implement OHA's pro  
10          rata share and required that OHA receive '[t]wenty per cent  
11          of all funds derived from the public land trust[.]' This  
12          legislative directive addressing the constitutional mandate  
13          has led to a series of lawsuits and legislative enactments  
14          concerning OHA's constitutional pro rata share of the  
15          public land trust. The State and OHA have labored to  
16          resolve the political question of the statutory pro rata  
17          share of income and proceeds derived from the public land  
18          trust, and payment to OHA.

19          Act 178, Session Laws of Hawaii 2006, affirmed the  
20          State's trust obligation to native Hawaiians by requiring  
21          that the department of land and natural resources provide





1 an annual accounting of revenue-generating public trust  
2 lands and the amounts derived from those lands to the  
3 legislature. The measure also set a fixed amount of  
4 \$15,100,000 from the pro rata share of the public land  
5 trust income and proceeds due to OHA for the betterment of  
6 the conditions of native Hawaiians until further action is  
7 taken by the legislature for this purpose.

8 Act 15, Session Laws of Hawaii 2012, (Act 15) was  
9 enacted to address past-due amounts, which accumulated  
10 during the period between November 7, 1978, up to and  
11 including June 30, 2012, of income and proceeds from the  
12 public land trust owed to OHA by implementing an agreement  
13 between the State and OHA for the State to convey certain  
14 lands in Kakaako, Oahu, to OHA valued at approximately  
15 \$200,000,000. Act 15 did not, however, address the State's  
16 constitutional obligations relating to OHA's twenty per  
17 cent pro rata share of the income and proceeds from the  
18 public land trust generated after June 30, 2012. Notably,  
19 a 2015-2016 financial review initiated by OHA found that  
20 the minimum amount of total gross receipts from sources  
21 that OHA has historically claimed was approximately





1       \$394,322,163 in the fiscal year 2015-2016. Twenty per cent  
2       of this gross amount is approximately \$78,900,000.

3           The legislature finds that to uphold its  
4       constitutional trust obligation and duty to native  
5       Hawaiians, it must enact another legislative measure in  
6       light of the information, data, and facts provided to the  
7       legislature by state agencies since the enactment of  
8       Act 178, Session Laws of Hawaii 2006, more than a decade  
9       ago."

10       The legislature recognizes that Act 54, Session Laws of  
11       Hawaii 2011, (Act 54) mandates the establishment of a  
12       comprehensive information system to inventory and maintain  
13       information about the lands of the public land trust as  
14       described in section 5(f) of the Admission Act and article XII,  
15       section 4 of the state constitution. The department of land and  
16       natural resources worked with a consultant to develop a public  
17       land trust information system (information system) to satisfy  
18       the requirements of Act 54. The information system is a GIS-  
19       based system that aims to be a complete inventory of all state-  
20       owned and county-owned lands, as well as a complete inventory of  
21       encumbrances issued by state and county agencies over these



1 lands. To meet these goals, each state and county agency must  
2 submit comprehensive lists of their land and encumbrance  
3 inventories.

4 The legislature further recognizes that the public land  
5 trust working group (working group) was established pursuant to  
6 Act 226 to account for all ceded lands in the public land trust  
7 inventory; account for all income and proceeds from the public  
8 land trust; and subsequently determine the twenty per cent pro  
9 rata share of income and proceeds from the public land trust due  
10 annually to the office of Hawaiian affairs for the betterment of  
11 the conditions of Native Hawaiians.

12 In December 2023, the working group requested in writing to  
13 all state agencies that hold title to, maintain management  
14 control of, or otherwise use ceded lands, to provide  
15 information, data, documents, and maps to ensure that the agency  
16 completely and accurately identified and reported to the  
17 department of land and natural resources all ceded land parcels  
18 for the purpose of an inventory and all income and proceeds  
19 collected or received from the public land trust.

20 The last financial review by an outside independent  
21 accounting firm of the pro rata share of income and proceeds



1 from the public land trust due annually to the office of  
2 Hawaiian affairs was the fiscal year 2015-2016 financial review  
3 initiated by the office of Hawaiian affairs. At that time, the  
4 financial review identified total gross receipts from  
5 historically claimed public land trust revenue sources in the  
6 minimum amount of approximately \$394,322,163 in the fiscal year  
7 2015-2016. Twenty per cent of this gross amount is  
8 approximately \$78,900,000. The working group found that there  
9 has not been a new financial review since fiscal year 2015-2016.  
10 The fiscal year 2015-2016 financial review cost \$145,404.

11 Current annual reporting by state agencies to the  
12 department of land and natural resources is self-reported and is  
13 not audited nor reviewed for accuracy by the department of land  
14 and natural resources. This annual reporting is for the purpose  
15 of the preparation of the annual accounting of all receipts from  
16 lands described in section 5(f) of the Admission Act, pursuant  
17 to Act 178, Session Laws of Hawaii 2006 (Act 178 report).

18 The work began on the process to procure a consultant for  
19 the information system after the enactment of Act 54; the  
20 development of the information system began in 2012; and the  
21 information system was launched in October 2018. Act 54



1 appropriated up to \$360,000 from a land conservation fund for  
2 the work performed by an outside independent consultant. The  
3 final amount for creation of the information system and training  
4 was \$340,382.

5 The implementation of the information system informed all  
6 state and county agencies that hold title to land that they must  
7 submit their entire land inventory, regardless of the public  
8 land trust status, whether there are any encumbrances on the  
9 land, and whether revenue is being generated on the land. The  
10 goal is to have all state-owned and county-owned land  
11 represented in the information system. All state and county  
12 agencies must submit encumbrances that they have issued over  
13 State-owned and county-owned land, regardless if they hold title  
14 to that land. This includes all encumbrances, including but not  
15 limited to leases, permits, right-of-entries, and easements,  
16 regardless of whether they generate revenue, issued over state-  
17 owned and county-owned land represented in the information  
18 system.

19 As to the reporting of public land trust revenues to the  
20 department of land and natural resources, the information system  
21 relies on self-reporting by state and counties agencies. The



1 department of land and natural resources has encouraged all  
2 state departments and counties to regularly update data in the  
3 system, but independent third-party professionals are needed to  
4 evaluate this practice.

5 State agencies use a "rule of thumb" to determine whether a  
6 parcel is ceded. When the parcel is more than fifty per cent  
7 ceded land, it is categorized as ceded. The working group  
8 cannot determine whether this disadvantages the calculation of  
9 the office of Hawaiian affairs' pro rata share, therefore  
10 independent third-party professionals are needed to evaluate  
11 this practice.

12 There are many parcels without tax map key numbers in the  
13 information system, including submerged lands, which are  
14 generally considered public trust lands. Independent third-  
15 party professionals are needed to evaluate how to include  
16 parcels without tax map key numbers in the information system so  
17 that the information system contains a complete and accurate  
18 inventory.

19 Lands under federal jurisdiction are not included in the  
20 information system and the counties do not report any of the





1 revenue from the public land trust to the department of land and  
2 natural resources for its annual Act 178 report.

3 To the knowledge of the working group, there has been no  
4 third-party independent audit, review, or evaluation of the  
5 completeness and accuracy of the information system; current  
6 reporting by agencies for the purpose of the preparing the  
7 annual Act 178 report; nor any analysis or comparison of the  
8 data in the information system with the data in the Act 178  
9 report.

10 The working group has determined that the services of a  
11 third-party independent consultant with the necessary financial,  
12 accounting, and land inventory expertise is appropriate to  
13 address the concerns that have been raised regarding the  
14 completeness and accuracy of the information system, so that the  
15 working group can complete its objectives under Act 226.

16 Based on the amounts expended for the office of Hawaiian  
17 affairs' 2016 financial review and the creation and launch of  
18 the information system, which was \$495,786, the working group  
19 has estimated that approximately \$500,000 is needed for the  
20 retention of third-party independent professionals.



1       Accordingly, the purpose of this Act is to appropriate  
2 funds to the office of Hawaiian affairs for the retention of  
3 third party professionals with the necessary financial,  
4 accounting, and land inventory expertise to evaluate and address  
5 the completeness and accuracy of the public land trust  
6 information system, so that the public land trust working group  
7 can complete its objectives pursuant to Act 226, Session Laws of  
8 2022.

9       SECTION 2. In accordance with section 9 of article VII of  
10 the Hawaii State Constitution and sections 37-91 and 37-93,  
11 Hawaii Revised Statutes, the legislature has determined that the  
12 appropriations contained in Act 164, Regular Session of 2023,  
13 and this Act will cause the state general fund expenditure  
14 ceiling for fiscal year 2024-2025 to be exceeded by  
15 \$            or            per cent. This current declaration takes  
16 into account general fund appropriations authorized for fiscal  
17 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
18 only. The reasons for exceeding the general fund expenditure  
19 ceiling are that:

- 20       (1) The appropriation made in this Act is necessary to  
21       serve the public interest; and



(2) The appropriation made in this Act meets the needs  
addressed by this Act.

SECTION 3. There is appropriated out of the general  
revenues of the State of Hawaii the sum of \$500,000 or so much  
thereof as may be necessary for fiscal year 2024-2025 for the  
retention of third-party independent professionals with the  
necessary financial, accounting, and land inventory expertise to  
evaluate and address the completeness and accuracy of the public  
land trust information system, so that the public land trust  
working group can complete its objectives pursuant to Act 226,  
Session Laws of 2022, including the hiring of necessary staff  
and purchase of equipment and professional services. Purchases  
made with funds appropriated by this Act shall be exempt from  
chapter 103D, Hawaii Revised Statutes.

The sum appropriated shall be expended by the office of  
Hawaiian affairs for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2024.

INTRODUCED BY: \_\_\_\_\_





# S.B. NO. 3336

**Report Title:**

OHA; Public Land Trust Information System; Public Land Trust Working Group; Expenditure Ceiling; Appropriation

**Description:**

Appropriates funds to the Office of Hawaiian Affairs for the retention of third party professionals with the necessary financial, accounting, and land inventory expertise to evaluate and address the completeness and accuracy of the public land trust information system, so that the Public Land Trust Working Group can complete its objectives pursuant to Act 226, Session Laws of 2022. Declares that the general fund expenditure ceiling is exceeded.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

