

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



2006 MAY 16 PM 1 28

MICAH A. KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION

PLANNING DEPARTMENT
COUNTY OF HAWAII

BEN HENDERSON
DEPUTY TO THE CHAIRMAN

KAULANA H. PARK
EXECUTIVE ASSISTANT

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879

HONOLULU, HAWAII 96805

May 13, 2006

The Honorable Christopher J. Yuen, Director
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720-3043

Dear Mr. Yuen:

Subject: Honokaia Pastoral Lots Subdivision
Tax Map Keys: (3) 4-6-11: 03, 11, 12, & 13
Honokaia & Nienie, Hamakua, Island of Hawaii

The Department of Hawaiian Home Lands (DHHL), as applicant, is developing the above subject subdivision on Hawaiian Home Lands for 27 pastoral lots and 3 access road and utility lots.

This letter is to amend our letter of May 1, 2006 regarding the subject project. In that letter, we noted that the project is situated on lands zoned A-40, Agricultural, (County of Hawaii), and Agricultural (State Land Use Classification). Furthermore, we determined that several of the proposed lots were appropriate for a number of agricultural zonings other than A-40. Unfortunately, the lot numbers mentioned in the previous letter did not correspond to the lot numbers referenced in the map submitted to your office. The corrected lot numbers and corresponding zoning determinations follow.

DHHL has determined that A-10, Agricultural; 10-acre lots zoning standards are appropriate for proposed Lots 14, 15, 16, and 19 of the subject subdivision. DHHL has also determined that A-20, Agricultural; 20-acre lots zoning standards are appropriate for proposed Lots 11, 12, 13, 17, 18, 23, 24, and 27 in the development of this project.

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Furthermore, DHHL has determined that the proposed Lots 8, 9, 10, 20, 22, 25, 26, 28, 29, and 30 are appropriate to remain as currently zoned: A-40 but has determined that A-100, Agricultural, 100-acre lots zoning standards are appropriate for Lots 2, 3, and 21 of the proposed subdivision.

Finally, DHHL has determined that A-200, Agricultural; 200-acre lots zoning standards are appropriate for proposed Lots 1, 4, 5, 6, and 7.

Please accept our apologies for any confusion our earlier letter may have caused.

In any event, DHHL has directed our engineer to design the project in conformance to the County Standards for the aforementioned zonings and any Variances to the Hawaii County Code as may apply to this project upon approval of a Variance Application submitted under separate cover.

As mentioned in our letter of May 1, 2006, DHHL must provide these pastoral lots by February 2007 to comply with a February 7, 2005 settlement agreement in the Third Circuit Court (Aged Hawaiians vs. Hawaiian Homes Commission, et. al; and the Department of Hawaiian Home Lands).

DHHL is pressing forward to meet this February 2007 deadline and would appreciate any assistance the Planning Department could offer in expediting Final Subdivision Approval.

Should you have any questions, please call William Makanui of our Land Development Division at 587-6449.

Aloha and mahalo,



Micah A. Kane, Chairman
Hawaiian Homes Commission

c: Oceanit, Inc.
DHHL, Planning Office
Office of the Attorney General, HHL Unit

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HONOLULU, HAWAII 96805

May 1, 2006

The Honorable Christopher J. Yuen, Director
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720-3043

Dear Mr. Yuen:

Subject: Honokaia Pastoral Lots Subdivision
Tax Map Keys: (3) 4-6-11: 03, 11, 12, & 13
Honokaia & Nienie, Hamakua, Island of Hawaii

The Department of Hawaiian Home Lands (DHHL), as applicant, is developing the above subject subdivision on Hawaiian Home Lands for 27 pastoral lots and 3 access road and utility lots. The project is situated on lands zoned A-40, Agricultural, (County of Hawaii), and Agricultural (State Land Use Classification).

However, under provisions of the Hawaiian Homes Commission Act, 1920, as amended (HHCA), DHHL is not subject to the Land Use Ordinance, Subdivision Code and Zoning Code. Therefore, DHHL has determined that A-10, Agricultural; 10-acre lots zoning standards are appropriate for proposed Lots 4R, 6R, 8R and 14R in the development of this project. DHHL has also determined that A-20, Agricultural; 20-acre lots zoning standards are appropriate for proposed Lots 3A, 10A, 1R, 2R, 7R, 9R, 10R and 12R in the development of this project.

Furthermore, DHHL has determined that the proposed Lots 2H-A, 4A, 8A, 3R, 5R, 11R and 15R are appropriate to remain as currently zoned: A-40 but has determined that A-100, Agricultural, 100-acre lots zoning standards are appropriate for proposed Lots 9HA, 12A and 13R in the development of this project.

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By: _____

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Finally, DHHL has determined that A-200, Agricultural; 200-acre lots zoning standards are appropriate for proposed Lots 1HA, 5A, 6A, 7A and 11A.

Consequently, DHHL has directed our engineer to design the project in conformance to the County Standards for the aforementioned zonings and any Variances to the Hawaii County Code as may apply to this project upon approval of a Variance Application being submitted under separate cover.

You may be aware that DHHL is implementing the subject subdivision to comply with a February 7, 2005 settlement agreement in the Third Circuit Court (Aged Hawaiians vs. Hawaiian Homes Commission, et. al; and the Department of Hawaiian Home Lands). The result of the settlement is that DHHL is to provide lots in Honokaia for homesteading and pastoral uses by February 2007.

Since time is of the essence for DHHL to comply with this settlement agreement, any assistance you and your staff can offer in expediting Final Subdivision Approval on this project would be greatly appreciated.

Should you have any questions, please call William Makanui of our Land Development Division at 587-6449.

Aloha and mahalo,


Micah A. Kane, Chairman
Hawaiian Homes Commission

c: Oceanit, Inc.
DHHL, Planning Office
Office of the Attorney General, HHL Unit