

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 22, 2023

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:23OD-050

OAHU

Issuance of Direct Lease to Hawaii Foodbank, Inc. for Administrative Office and Warehouse for Receiving and Distributing of Food Products Purposes; Waikele, Ewa, Oahu, TMK (1) 9-4-166:001, 002, 003, 024, 025, and 026.

APPLICANT:

Hawaii Foodbank, Inc. ("HFI"), a Hawaii non-profit corporation and 501(c)(3) organization. Copy of IRS Determination Letter is attached as **Exhibits A.**¹

LEGAL REFERENCE:

Sections 171-6 and 43.1, Hawaii Revised Statutes, as amended.

LOCATION:

Government lands situated at Waikele, Ewa, Oahu, TMK (1) 9-4-166:001, 002, 003, 024, 025, and 026, as shown on the maps attached as **Exhibits B1 and B2.**

AREA:

(1) 9-4-166:001	24,974 square feet
(1) 9-4-166:002	16,480 square feet
(1) 9-4-166:003	21,935 square feet
(1) 9-4-166:024	17,057 square feet
(1) 9-4-166:025	16,679 square feet
(1) 9-4-166:026	16,000 square feet
Total:	113,125 square feet, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: I-1 Light Industrial

¹ Determination letter dated July 22, 2015 was provided by Hawaii Foodbank, Inc. Staff also verified the non-profit status on the IRS website. <https://apps.irs.gov/app/eos>

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Warehouse and distribution center for receiving, inspecting, storing and distributing food and other resources, as well as administrative and program offices and other purposes related to Hawaii Foodbank Inc.'s mission purposes.

LEASE TERM:

Sixty-five (65) years.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

ANNUAL RENTAL:

\$480 per year, pursuant to the Board policy adopted on May 13, 2005, under agenda item D-19 on minimum rent for new disposition.

METHOD OF PAYMENT:

Due annually.

RENTAL REOPENINGS:

The annual rental shall be reopened and redetermined every 10 years during the term of the lease, further based on the Board's prevailing Minimum Rent Policy for eleemosynary organizations.

PERFORMANCE BOND:

Twice the annual rental amount.

PROPERTY CHARACTERISTICS:²

Utilities - Available

Slope – Generally level

Elevation – approximately between 70 and 90 feet above sea level

Soil Conditions – The soil conditions observed at the subject appear to be typical of the region and adequate to support development.

Legal access to property – Staff has verified that there is legal access to the property off of Manager’s Drive.

Subdivision – Staff has verified that the subject properties are legally subdivided lots.

Encumbrances – The lots are subject to corresponding easements, including flowage, ditch, landscape buffer, waterline, pedestrian easements as noted on File Plan 2317.

CHAPTER 343 ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the subject subdivision was published in the Environmental Notice on June 8, 1994 with a finding of no significant impact (FONSI).

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u> X </u>	NO <u> </u>
Registered business name confirmed:	YES <u> X </u>	NO <u> </u>
Good standing confirmed:	YES <u> X </u>	NO <u> </u>

APPLICANT REQUIREMENTS:

None. Map and legal description are available.

REMARKS:

In 2004, the State consummated two land exchanges resulting in the acquisition of the subject six (6) parcels located in Mill Town Center Business and Industrial Park in Waikele. The public purpose of these exchanges was the acquisition of income-producing properties that the Department could lease out to generate revenues for the public land trust. However, past auction attempts on November 30, 2006 and March 18, 2010 were unsuccessful because no bidders applied to participate in the auctions, which were therefore not held. The previous auctions required the prospective bidder to bid the subject lots in a bundle of three (3) contiguous lots, which could present challenges for some small businesses. Of the 33 lots of the subject industrial subdivision, 26 are owned by individual owners in fee and are improved, while the subject six (6) lots owned by the State and one additional unimproved lot is owned by Building Industry Association of Hawaii.

Around 2016, there was a prospective applicant interested in the subject lots, but the

² Some information came from appraisal report conducted on the subject parcels.

company eventually decided to acquire the fee simple property in the same subdivision.

HFI, the current lessee of General Lease No. 5258, operates its food receiving and distribution center and the administrative office in Mapunapuna. There was a rental reopening scheduled to take effect on November 1, 2022.³ At its meeting of July 8, 2022, under agenda item D-4, staff recommended an amendment of the lease to remove the rental reopening provision and fix the annual rent at \$12,000 with annual adjustment for inflation tied to the consumer price index for the remainder of the term. The Board amended staff's recommendation and decided to fix the annual rent at \$480 in addition to using the prevailing minimum rent policy for eleemosynary organization as the basis of rental reopening for the remaining term.

During subsequent discussions with HFI, Land Division ("LD") realized the need for relocating the existing facility to a strategic favorable location due to the flooding occurring more and more frequently in Mapunapuna. HFI is the State's leading hunger-relief organization in collecting, inspecting, purchasing and distributing 17.4 million pounds of food, including nearly 5 million pounds of fresh produce, however, the existing facility in Mapunapuna is its only facility on Oahu. Therefore, it is prudent to plan for an alternative site that will promote the continuity of HFI's operations in the event of a natural disaster.

LD sought to generate revenue from the subject lands to help fund other programs under the public land trust. However, the market dictated the outcome of the planned auctions and resulted in no successful bidders. Further, LD notes that a leasehold tenure is the best that the State can offer, which likely is a hurdle for many businesses considering a serious financial commitment to the property. On the other hand, there is great need for HFI's services and the Board expressed enormous support for HFI's operations by reducing the annual rent substantially to \$480 for the existing facility effective November 2022. As part of the development of LD's strategic and master development plan, LD retained the services of a real estate consultant to review LD's inventory and identify properties with greater potential for income generation. The consultant retained by LD concluded that the subject lots were the top ranked income potential properties for Oahu. Notwithstanding the consultant's findings, LD believes that HFI serves a significant public purpose in the community and therefore brings the request to the Board for consideration. Having considered the above-mentioned issues, LD is willing to recommend the issuance of a direct lease to HFI under the subject request. A copy of the questionnaire completed by HFI is attached as **Exhibit C** which describes its plans, programs, activities, and other pertinent information.

Currently, LD is paying about \$2,700 per month for the maintenance fees for all six (6) subject lots charged by the subdivision. HFI shall be responsible to pay all such fees from the commencement of the requested lease.

Department of Planning and Permitting advised via its letter dated August 10, 2023 (**Exhibit D**) about the requirements for Conditional Use Permit for joint development

³ The annual rent was appraised at \$86,870.

agreements, in addition to the Ordinance 96-69 approved in 1996 during the process of changing the zoning from R-5 Residential District and I-2 Intensive Industrial District to I-1 Limited Industrial District Development. HFI is aware of the above-mentioned comment as it continues its project.

Department of Facility Maintenance has no comments/objections to the request. The Department of Parks and Recreation, Board of Water Supply, and the Office of Hawaiian Affairs have not responded to a request for comments before the deadline.

Discussions with HFI on utilization of the existing facility upon relocation to the subject lots are still ongoing. LD will make sure the existing facility will be maintained by HFI until the current lease [GL5258] expires or is earlier terminated. In addition, pursuant to an amendment of the lease, HFI is responsible to pay for the cost of procuring a consultant to determine the condition of the improvements in Mapunapuna if HFI surrenders the current lease. HFI has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

There are no more pertinent issues or concerns. Staff recommends the Board issue a direct lease to the HFI according to the terms and conditions described above.

RECOMMENDATION: That the Board authorize the issuance of a direct lease to Hawaii Foodbank, Inc. covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. The standard terms and conditions of the most current non-profit lease document form, as may be amended from time to time;
- B. Review and approval by the Department of the Attorney General; and
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

Barry Cheung

Barry Cheung
District Land Agent


APPROVED FOR SUBMITTAL:



Dawn Chang, Chairperson

fcm

RT

 **IRS** Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248167147
July 22, 2015 LTR 4168C 0
99-0220699 000000 00
00020777
BODC: TE

HAWAII FOODBANK
2611 KILILHAU ST A
HONOLULU HI 96819



40964

Employer Identification Number: 99-0220699
Person to Contact: Ms Wittwer
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your July 13, 2015, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in April 1986.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

rec'd 7/23/15

EXHIBIT A

0248167147
July 22, 2015 LTR 4168C 0
99-0220699 000000 00
00020778

HAWAII FOODBANK
2611 KILIAHU ST A
HONOLULU HI 96819

If you have any questions, please call us at the telephone number
shown in the heading of this letter.

Sincerely yours,

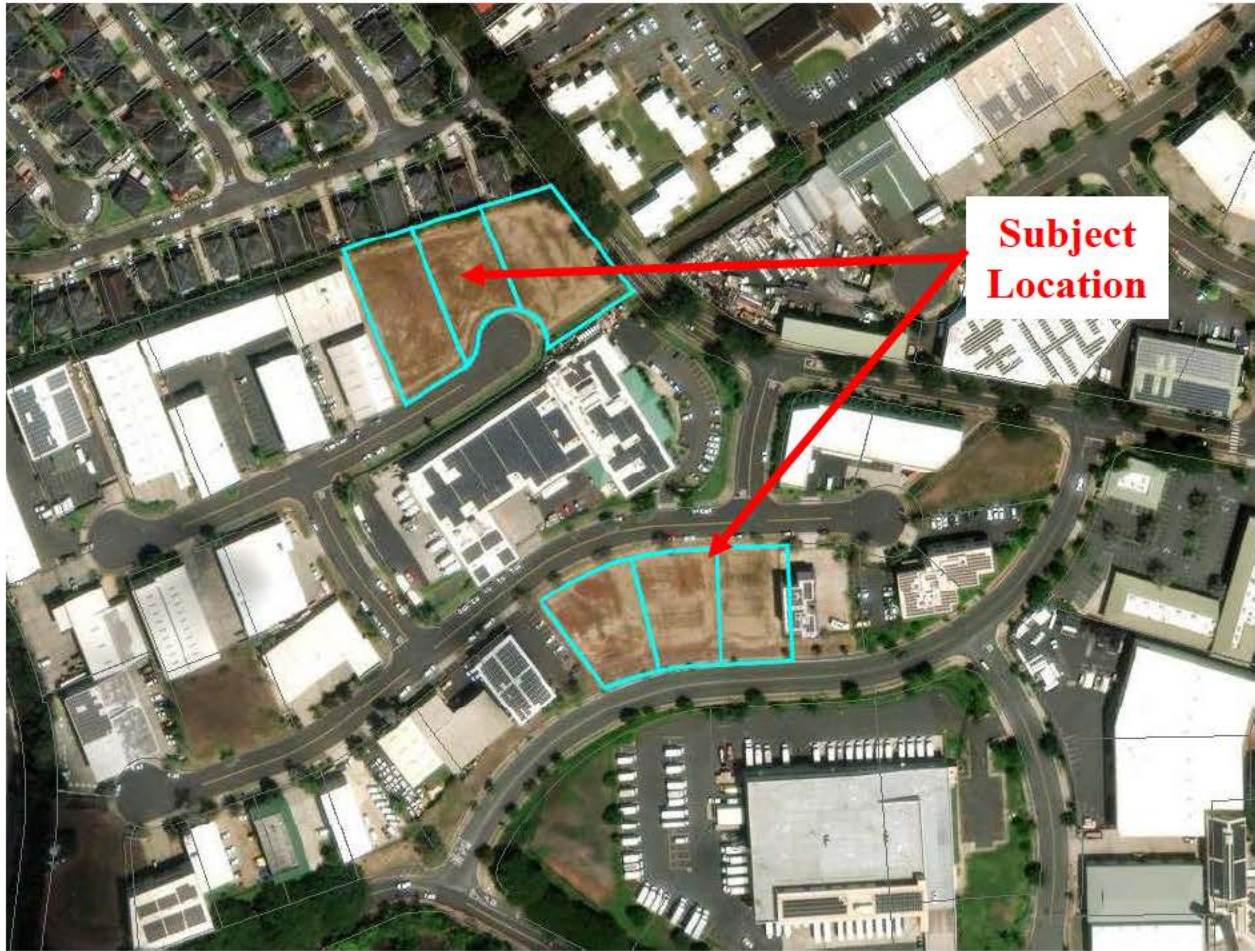


Doris Kenwright, Operation Mgr.
Accounts Management Operations 1



TMK (1) 9-4-166:001, 002, 003, 024, 025, 026

EXHIBIT B1



TMK (1) 9-4-166:001, 002, 003, 024, 025, 026

EXHIBIT B2

APPLICATION AND QUALIFICATION QUESTIONNAIRE
(Non-Profit)

Write answers in the spaces provided. Attach additional sheets as necessary, clearly indicating the applicable section number.

Part I: General Information

1. Applicant's legal name: Hawaii Foodbank Inc.
2. Applicant's full mailing address:
2611 Kiihau Street Honolulu, HI 96819
3. Name of contact person: Amy Miller Marvin, President/CEO
Contact person Phone No.: [REDACTED] Fax No.: (808) 836-2272
4. Applicant is interested in the following parcel:
Tax Map Key No.: (1) 9-4-166: 001, 002, 003, 024, 025 and 026 Location: Waipahu, HI
If Applicant is current lessee: General Lease No.: _____
5. When was Applicant incorporated? December 3, 1982
6. Attach the following:
 - A. Articles of Incorporation
 - B. Bylaws
 - C. List of the non-profit agency's Board of Directors
 - D. IRS 501(c)(3) or (c)(1) status determination
 - E. Tax clearances from State of Hawaii and respective county Real Property Tax Office.
 - F. Audited financial statements for the last three years. If not audited, explain why.
If Applicant is a new start-up, attach projected capital and operating budgets.
 - G. Any program material which describes eligibility requirements or other requirements to receive services

Part II: Qualification

7. Is Applicant registered to do business in Hawaii: Yes No
8. Has Applicant received tax exempt status from the Internal Revenue Service? Yes No
9. Is Applicant licensed or accredited in accordance with federal, State or county statutes, rules, ordinances, to conduct the proposed activities? Yes No
List all such licenses and accreditations required: _____
10. Is Applicant in default or otherwise not in good standing with any State department (e.g. POS agency, DCCA, DLNR, etc.)? Yes No
If yes, explain: _____

11. Has Applicant had a State of Hawaii lease, permit, license, easement or sale in fee cancelled within the last five years? If yes, list: Yes/No

<u>Doc. No.</u>	<u>Type of Agreement</u>	<u>Term of Agreement</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Does Applicant have any policies which discriminate against anyone on the basis of race, creed, color, national origin, sex or physical handicap? Yes/No

If yes, explain:

13. Has Applicant received funding from a federal, State, or county government agency, the Aloha United Way, and/or a major private foundation within the last three years? Please list all such contracts below: Yes/No

<u>Agency</u>	<u>Contract Term</u>	<u>Contract Amount</u>
<u>Please see attached.</u>	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

14. If Applicant has not received funding from a federal, State or county government agency, the Aloha United Way and/or a major private foundation during the past three years, describe Applicant's qualifications to effectively perform the proposed services, including but not limited to, grants or subsidies received from non-major, private funders and/or staff or Board members who possess significant experience in Applicant's service field.

Not applicable

Part III: Program Activities and Persons to be Served

15. What activities will be conducted on the premises to be leased?

Warehouse and distribution center for receiving, inspecting, storing and distributing food and other resources, as well as administrative and program offices and other purposes related to Hawai'i Foodbank's mission to nourish our 'ohana while working to end hunger in Hawai'i.

16. What are the specific objectives of these activities?
For 40 years, Hawai'i Foodbank has provided emergency food assistance for island residents in need through direct service programs and partnerships and during natural disasters. Hawai'i Foodbank is the State's leading hunger-relief organization collecting, inspecting, purchasing and distributing 17.4 million pounds of food, including nearly 5 million pounds of fresh produce, on Oah'u and Kaua'i last year. Today, Hawai'i Foodbank and its network of 200 nonprofit agency partners help the approximately 1 in 6 people in Hawai'i who are at risk of hunger. In addition to providing food for its agency partners for distribution through food pantries, soup kitchens and other feeding programs, Hawai'i Foodbank operates several direct service programs, such as Food 4 Keiki providing critical nutritious food through school pantries and summer feeding programs, and 'Ohana Produce Plus which provides millions of pounds of fresh produce, dry goods and other perishable and non-perishable food in under-served communities on O'ahu and Kaua'i. Two other programs, provided in partnership with the USDA and Office of Community Services, are the Senior Farmers' Market Nutrition Program and Community Supplemental Food Program, also known as the senior food box program, which provides resources and food for low income kūpuna.
-
17. Describe the community need for and the public benefit derived from these activities.
Hunger and food insecurity forces individuals and families to make hard choices about whether to buy food or medicine, fill the car with gas, pay their rent and mortgage, buy insurance, and other impossible decisions faced by low-income and ALICE households. An alarming rise in food costs in Hawai'i and across the nation due to inflation and supply chain issues is an additional challenge. The Consumer Price Index for the Honolulu areas shows that food prices have increased 25% over the past three years. These rising costs impact individual consumers as well as food assistance programs. Furthermore, electricity bills have risen 34% in July 2022 compared to the prior year. Hawai'i Foodbank and its network of charitable food partners ensure that households have the food needed so that other critical expenses can get paid and families can to learn, work and thrive. Our direct services programs and charitable agency partner network distribute food and other resources directly to those in need through food pantries, homeless and domestic abuse shelters, residential programs, soup kitchens and more. We also provide

emergency assistance to those affected by natural disasters and other emergencies.

18. Describe the targeted population for these activities by: 1) age group, 2) gender, 3) ethnic background, 4) income level, 5) geographic location of residence, 6) special needs/disability, and 7) other applicable characteristic(s).

Food insecurity impacts our neighbors, our friends, our family, our keiki, our kūpuna and many more. Hawaii Foodbank distributes food to individuals and families who are low-income, working poor, disabled, veterans or active duty military, homeless, ALICE families, victims of substance or domestic abuse, unemployed, etc. The food we distribute is going into every community on O'ahu and Kaua'i. While some households may just need supplemental food assistance to get them to the next paycheck or through the month, others may need a daily or regular flow of food.

19. Describe all eligibility requirements of clients to participate in the activities, e.g. age, income level, ethnic background, income level, disability, etc.

Hawaii Foodbank, like other Feeding America food banks across the nation, consider the seeking out of food assistance to be the declaration of need and provides food to those individuals, families and households. There are some specific food programs, such as the USDA programs, that have income, age and eligibility requirements, and only eligible people may participate in those programs. Still, most of Hawaii Foodbank's food is distributed with no restrictions.

20. Do you require membership to participate in these activities?
If yes, list the requirements of becoming and remaining a member:

Yes No

21. How many unduplicated persons will engage in the activities annually?

<u>Activity</u>	<u>Persons Per Year</u>
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While Hawaii Foodbank is working on a Service Insights program that will result in a CRM that will be able to track our work on the household level, current data collection enables us to report that we serve about 120,000 individuals on a monthly basis.

22. Is State funding made available for the activities to be conducted on the leased premises?

Yes No

If yes, by which State agency: _____

Purchase of service contracts through DLIR/OCS and DHS provides contracted program funds through a competitive RFP process.

23. List all activities to be conducted on the leased premises which require payment of excise taxes, e.g. subleasing, sale of products or services. Include an estimate of annual gross revenues from each activity.

Special events and merchandise sales, such as the Great Chefs fundraising event, t-shirt sales and RMS reclamation income. Estimated annualized \$200,000.

Development of the Land

24. Describe the proposed site development plan for the property, indicating the location and size of buildings, parking areas, landscaped areas and related uses. Attach sketch of plan if available.

Construct a 50,000 to 60,000 square foot warehouse to collect, store and distribute perishable and non-perishable products, and for other purposes related to our mission and purpose.

25. What improvements to the land do you intend to make and at what cost?

Construct a 50,000 to 60,000 square foot warehouse with offices and parking area at an estimated cost of \$20 to \$25 million.

26. How will the improvements be funded?

Fundraising capital campaign.

27. Describe all environmental, land use and other permitting requirements which must be met to develop the land as proposed.

Given the planned uses for our facility, the environmental requirements we would have will be those related to establishing a baseline status of the property at the time of our lease execution. We intend to conduct a standard Phase 1 environmental study as is typical in due diligence. Assuming there are no pre-existing environmental conditions that require mitigation, we do not feel it is necessary to pursue any discretionary environmental permits or approvals. We believe that our planned uses fall within the guidelines of the current zoning for the property and; therefore, do not anticipate needing to take any actions related to modifying or obtaining any variances from the current land use or zoning designation. With regards to permitting, we expect to pursue all necessary building permits pursuant to county and state requirements.

28. Will you be subleasing any portion of the property? If yes, describe the sublease uses:

No. We shall not rent or sublet the whole or any portion of the premises without prior written approval of the Board.

Part V: Notarized Certification

I/We hereby certify that the statements and information contained in this Application and Questionnaire, including all attachments, are true and accurate to the best of my/our knowledge and understand that if any statements are shown to be false or misrepresented, I/we may be disqualified from receiving a lease or my/our lease may be canceled.

Hawaii Foodbank, Inc. _____
Applicant Name _____ Applicant Name _____
By: Amy Miller Marvin By: _____
Its: President/CEO Its: _____
Date: 5/24/23

Subscribed and sworn to before me this
24th day of MAY, 2023

[Signature]

Laura Kay Rand

Notary Public

County of: HONOLULU

State of: HAWAII

My commission expires: 9/18/2024



2020 - 2023 FUNDING FROM GOVERNMENT, ALOHA UNITED WAY, AND MAJOR PRIVATE FOUNDATIONS					
Hawaii Foodbank, Inc.					
FUNDING / CONTRACT DESCRIPTION	CONTRACT TERM	AGENCY	GOVERNMENT ENTITY (U.S./State/Hawaii/ Honolulu/ Kauai/ Maui County)	CONTRACT AMOUNT	
1 Senior Farmers Market Nutrition Program (Oahu)	CY2020	Dept of Labor	State	\$	277,361.00
2 Senior Farmers Market Nutrition Program (Kauai)	CY2020	Dept of Labor	State	\$	14,922.00
3 Senior Farmers Market Nutrition Program (Oahu)	CY2021	Dept of Labor	State	\$	299,548.00
4 Senior Farmers Market Nutrition Program (Kauai)	CY2021	Dept of Labor	State	\$	14,800.00
5 Senior Farmers Market Nutrition Program (Oahu)	CY2022	Dept of Labor	State	\$	351,593.00
6 Senior Farmers Market Nutrition Program (Kauai)	CY2022	Dept of Labor	State	\$	19,120.00
7 Senior Farmers Market Nutrition Program (Oahu)	CY2023	Dept of Labor	State	\$	337,369.66
8 Senior Farmers Market Nutrition Program (Kauai)	CY2023	Dept of Labor	State	\$	15,950.00
9 Temporary Emergency Food Assistance Program (Oahu)	FFY2020	Dept of Labor	State	\$	187,111.00
10 Temporary Emergency Food Assistance Program (Kauai)	FFY2020	Dept of Labor	State	\$	82,902.00
11 Temporary Emergency Food Assistance Program (Oahu)	FFY2021	Dept of Labor	State	\$	263,944.00
12 Temporary Emergency Food Assistance Program (Kauai)	FFY2021	Dept of Labor	State	\$	21,510.00
13 Temporary Emergency Food Assistance Program (Oahu) (possible add'l funding)	FFY2022	Dept of Labor	State	\$	109,199.00
14 Temporary Emergency Food Assistance Program (Kauai) (possible add'l funding)	FFY2022	Dept of Labor	State	\$	8,884.00
15 Temporary Emergency Food Assistance Program (Oahu)	FFY2023	Dept of Labor	State	\$	181,640.35
16 Temporary Emergency Food Assistance Program (Kauai)	FFY2023	Dept of Labor	State	\$	17,149.32
17 Oahu Food Purchase CT-DCS-2000034	FY2020	DCS	C&C of Honolulu	\$	125,000.00
18 Oahu Food Purchase CT-DCS-2100032	FY2021	DCS	C&C of Honolulu	\$	125,000.00
19 Oahu Food Purchase CT-DCS-2000023	FY2022	DCS	C&C of Honolulu	\$	200,000.00
20 State Emergency Food Assistance Program	FY2023	Dept of Labor	State	\$	1,326,600.00

FUNDING / CONTRACT DESCRIPTION	CONTRACT TERM	AGENCY	GOVERNMENT ENTITY (U.S./State/Hawaii/ Honolulu/ Kauai/ Maui County)	CONTRACT AMOUNT
21 State of Hawaii Grant in Aid	FY2023	Dept of Labor	State	\$ 200,000.00
22 Commodity Supplemental Food Program (Oahu)	FFY2020	Dept of Labor	State	\$ 134,388.00
23 Commodity Supplemental Food Program (Kauai)	FFY2020	Dept of Labor	State	\$ 16,952.00
24 Commodity Supplemental Food Program (Oahu)	FFY2021	Dept of Labor	State	\$ 142,347.00
25 Commodity Supplemental Food Program (Kauai)	FFY2021	Dept of Labor	State	\$ 17,964.00
26 Commodity Supplemental Food Program (Oahu)	FFY2022	Dept of Labor	State	\$ 135,969.00
27 Commodity Supplemental Food Program (Kauai)	FFY2022	Dept of Labor	State	\$ 17,159.00
28 Commodity Supplemental Food Program (Oahu)	FFY2023	Dept of Labor	State	\$ 162,280.00
29 Commodity Supplemental Food Program (Kauai)	FFY2023	Dept of Labor	State	\$ 18,515.00
30 Temporary Assistance to Needy Families	CY2020	Dept of Human Services	State	\$ 375,000.00
31 Temporary Assistance to Needy Families	CY2021	Dept of Human Services	State	\$ 375,000.00
32 Temporary Assistance to Needy Families	CY2022	Dept of Human Services	State	\$ 375,000.00
33 Temporary Assistance to Needy Families	CY2023	Dept of Human Services	State	\$ 450,000.00
34 SNAP Outreach	FFY2023	Dept of Human Services	State	\$ 369,417.85
35		U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	
EFSP Phase 37 (Kauai)	July 2020 - May 2021			\$ 7,020.00
36		U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	
EFSP Phase 37 (Oahu)	July 2020 - May 2021			\$ 33,300.00
37		U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	
EFSP Phase CARES (Kauai)	July 2020- Oct 2021			\$ 23,770.00
38		U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	
EFSP Phase CARES (Oahu)	July 2020- Oct 2021			\$ 77,700.00

FUNDING / CONTRACT DESCRIPTION	CONTRACT TERM	AGENCY	GOVERNMENT ENTITY (U.S./State/Hawaii/ Honolulu/ Kauai/ Maui County)	CONTRACT AMOUNT
39 EFSP Phase 38 (Kauai)	July 2020- Oct 2021	U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	\$ 28,979.00
40 EFSP Phase 38 (Oahu)	July 2020- Oct 2021	U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	\$ 129,971.00
41 EFSP Phase 39 plus ARPA (Kauai)	Jul 2022 - Dec 2023	U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	\$ 79,972.00
42 EFSP Phase 39 plus ARPA (Oahu)	Jul 2022 - Dec 2023	U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	\$ 642,922.00
41 EFSP Phase 40 (Kauai)	Mar 2023 - Oct 2023	U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	\$ 9,400.00
EFSP Phase 40 (Oahu)	Mar 2023 - Oct 2023	U.S. Dept of Homeland Security Federal Emergency Management Agency (DHS/FEMA)	Federal	\$ 55,661.00
43 Building a More Resilient Hawaii DCS-2100241.v2	Nov 2020 – Jan 2021	Dept of Community Service	C&C of Honolulu	\$ 200,000.00
44 City & County of Honolulu, 20-HCF-106259	Aug 2020 – Nov 2020	In partnership w/ Hawaii Community Fdn	C&C of Honolulu	\$ 15,832.00
45 Food Distribution for Families in Need due to COVID-19 Oahu, 20HCF-103901	July 2020 – Dec 2020	In partnership w/ Hawaii Community Fdn	C&C of Honolulu	\$ 2,950,000.00
46 Food Distribution for Families in Need due to COVID-19 Kauai, 20HCF-103901	July 2020 – Dec 2020	In partnership w/ Hawaii Community Fdn	C&C of Honolulu	\$ 200,000.00

FUNDING / CONTRACT DESCRIPTION	CONTRACT TERM	AGENCY	GOVERNMENT ENTITY (U.S./State/Hawaii/ Honolulu/ Kauai/ Maui County)	CONTRACT AMOUNT
47 Rise Resiliently Kauai	Sept 2020 – Dec 2020		County of Kauai	\$ 225,000.00
48 Kupuna Kare 4 Farmers Fare Phase II	June 2020 – Sept 2020		County of Kauai	\$ 150,000.00
49 Kupuna Kare 4 Farmers Fare	Mar 2020 – May 2020		County of Kauai	\$ 106,700.00
50 Kauai County Food Distribution Program	May 2020 – June 2020		County of Kauai	\$ 50,000.00
51 City & County of Honolulu, for Mass Distributions	Apr 2020 – July 2020	Dept of Community Service	C&C of Honolulu	\$ 1,225,000.00
52 Aloha United Way	2020 - 2023			\$ 50,000.00
52 Kauai United Way	2020 - 2023			\$ 62,575.70
52 William G. Irwin Charity Foundation	2020 - 2023			\$ 580,000.00
52 Harry and Jeanette Weinberg Foundation	2020 - 2023			\$ 105,889.61
52 Stupski Foundation	2020 - 2023			\$ 365,000.00

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
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DAWN TAKEUCHI APUNA
DIRECTOR
PCO

JIRO A. SUMADA
DEPUTY DIRECTOR
HOPEPOO

August 10, 2023

2023/ELOG-1323(LP)

SENT VIA EMAIL
Mr. Barry Cheung
barry.w.cheung@hawaii.gov

Dear Mr. Cheung:

SUBJECT: Hawaii Foodbank, Inc. Lease
94-460, 94-452, and 94-446 Maikoiko Street and
94-457, 94-465, and 94-473 Akoki Street – Waikēle
Tax Map Keys (TMKs) 9-4-166: 001, 002, 003, 024, 025, and 026

This is in response to your letter, received July 13, 2023, requesting comments on a direct lease for the Hawaii Foodbank, Inc for an administrative office and warehouse for receiving and distributing food products on State land. The subject site is in the I-1 Limited Industrial District. For the purposes of the Land Use Ordinance, the use is defined as warehousing which is permitted in the I-1 Limited Industrial District.

Ordinance 96-69 was approved on November 27, 1996, to change the zoning of the site from R-5 Residential District and I-2 Intensive Industrial District to I-1 Limited Industrial District. Development on the properties is subject to compliance with the Unilateral Agreement (UA). Please refer to Ordinance 96-69 to determine whether any improvements will be subject to conditions of the UA. Additionally, it appears that multiple parcels will be developed jointly and may be treated as one zoning lot. A Conditional Use Permit for joint development would be required. Only adjacent subdivision lots can be jointly developed, therefore two joint development agreements (JDA) are required (one JDA for TMKs 9-4-166: 001, 002, and 003 and one JDA for TMKs 9-4-166: 024, 025, and 026). Lastly, the Project is subject to Chapter 343, Hawaii Revised Statutes because it uses State land.

Thank you for the opportunity to comment on this proposal. Should you have any questions, please contact Lena Phomsouvanh, of our Zoning Regulations and Permits Branch, at (808) 768-8052 or via email at lena.phomsouvanh@honolulu.gov.

Very truly yours,

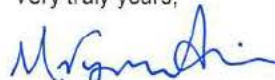

FOF Dawn Takeuchi Apuna
Director

EXHIBIT D