

From: [Kanela Kamahalohanuilai](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Submitting testimony: Agenda Item C-1 of the DLNR list
Date: Thursday, December 12, 2024 8:19:46 PM

Good morning, Chairperson and Members of the Board.

My name is Kanela Kamahalohanuilai. I pledge my allegiance to the US for more than 30 years since grade school. I am a Kanaka o Iwi. I am a survivor of homelessness in Hawaii.

I stand here today to speak for those who are unable to voice their research, concerns, and feelings.

I am here today to express my strong opposition to Agenda Item C-1, which requests the delegation of authority to the Chairperson to negotiate, approve, execute, amend, extend, and terminate memoranda of understanding (MOU), memoranda of agreement (MOA), right-of-entry agreements, and liability lease agreements between the Department of Land and Natural Resources (DLNR) and other entities to manage and monitor natural resources in cooperation with the Division of Forestry and Wildlife. Consistent with the Department 343 exemption list.

I oppose this agenda item for several critical reasons, particularly due to concerns regarding transparency, due process, and potential violations of public trust and constitutional rights. Specifically, I want to address the actions taken by Chairperson Dawn Chang on August 26, 2024, when she signed and approved an Environmental Assessment (EA) exemption for the AIO Foundation concerning land identified as TMK 4-1-008:008, which is known today as Hui Mahi Ai Aina. This location triggers an Environmental Assessment according to the regulations for AIO foundation and Hui Mahi Ai Aina.

The decision to approve a EA exemption on August 26, 2024 was made without the proper transparency or consultation with the community, relevant agencies, or the public. There was no meaningful discussion or outreach about this exemption decision, which raises serious concerns about the violation of the 14th Amendment rights related to due process and the potential violation of Hawaii's Sunshine Law.

Moreover, the decision to approve the EA exemption was not made publicly available for adequate review. It was not posted for public access in a timely manner; in fact, the information about the exemption and the land itself was only made available(()) on the Environmental Notice as of September 8, 2024—well after the decision was made on August 26. This delay in posting the information denied the public an opportunity to engage or provide feedback on this critical decision before it was finalized. Additionally, the DLNR meeting scheduled for September 11, 2024, was canceled, and the minutes from that August meeting were not approved until September 27, 2024, leaving further gaps in transparency and accountability.

Furthermore, at the October 11, 2024 DLNR meeting, it became apparent that the right-of-entry application for TMK 4-1-008:008 continue to proceed although everyone on the board and in this room heard witness the lack of community engagement. Also, the reason for no community engagement was due to the land's location in a flood zone, failure to comply with state and local regulations, and violations of the original 2017 contract. These issues

underscore the lack of thorough review and oversight in the decision-making process, and the failure to adhere to basic legal requirements.

The combination of these actions—lack of transparency, failure to comply with regulations, and disregard for public input—raises profound concerns about the integrity of the decision-making process. It calls into question the commitment of the DLNR to ensure that decisions are made in the public interest, with proper review and community involvement.

For all these reasons, I stand in firm opposition to Agenda Item C-1. If the Board chooses to proceed with this item, I am hereby claiming to verbally contested case to Agenda Item C-1 during this board meeting time.

I would request that this item get denied until past violations and concerns are addressed and audit.

Thank you for your time, space and consideration.
I am available for questions.

Sincerely,
Kanela K.