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Subject: Public Testimony Website Submission {Project Name:15}
Date: Tuesday, March 31, 2026 10:50:26 PM

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Project Name

Kaulu Pricing - Agenda April 1, 2026

Do you support or oppose?

Oppose

Comment

Aloha,
I oppose the Kaulu Housing Pricing item on Agenda for April 1, 2026, said item is an integral part of the proposed Kalaeloa Master Plan/ Strategic Plan dated June 2025 and as such is wholly opposed by myself and many hui kuleana. We believe that the proposed Master Plan/Strategic Plan be stayed to address kuleana owners, stakeholders and culturally interested kanaka maoli and native Hawaiians that will be negatively affected by the entire planning process.

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- [CCH_2026-Kalaeloa_Hui_Kuleana_.pdf](#)

Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa

Alakai contact here:

Petitioners

BEFORE THE HAWAI‘I COMMUNITY DEVELOPMENT AUTHORITY BOARD
OF THE STATE OF HAWAI‘I

In re: petition of:

HUI KULEANA O KO HAWAII PAE
AINA MA KALAELOA

REQUEST FOR CONTESTED CASE
HEARING AND PETITION TO STAY
BOARD ACTION; CERTIFICATE OF
SERVICE

Item III -2 related Agenda Item April 1, 2026:
Reserved Housing Unit Pricing for Kaula by
Gentry, Increment 4 (Application No. KAL
25-010)

**REQUEST FOR CONTESTED CASE HEARING AND PETITION TO STAY BOARD
ACTION; CERTIFICATE OF SERVICE.**

Comes now without waiver of jurisdiction, the Hui of Ko Hawaii Pae Aina ma Kalaeloa an unincorporated collective of kuleana shareholders, stakeholders and the real parties in interests to the kuleana vestments in the Ahupuaa of Honouliuli and Puuloa, of which Kalaeloa is an integral portion of, and of Waiahole and Waikane where substantial impact may occur, pursuant to Hawaii Revised Statutes 91, Hawaii Administrative Rules Chapter 15-219, Subchapter 3, and HAR §§ 15-219-45, 15-219-46, 15-219-47 submits the following:

I PETITIONERS

This Petition is brought by the Hui of Kuleana Owners of Shared Royal Patent Interests, Rights, and Titles (“Petitioners”), consisting of lineal and vested hooilina a kanaka koe nae e pili ana me na Konohiki with beneficiaries who have documented and equitable interests in natural resources within and/or directly affected by the Kalaeloa region and Waiahole/Waikane where proposed kuleana water rights could be affected.

Primary Contact:

Hiwahiwa Kaheaku Rodenhurst, Alaka'i

2414 C Notley St. Honolulu HI 96819

Petitioners include individuals whose rights derive from original court orders, Royal Patent Grants, kuleana interests, genealogical inheritance, and continued cultural and traditional practices tied to the subject lands and waters.

II. REQUEST FOR CONTESTED CASE HEARING

Petitioners hereby formally request that the Hawai'i Community Development Authority ("HCDA") grant a contested case hearing on the proposed Kalaeloa Master Plan and its associated developments, including incremental housing components.

This request is made prior to final agency action, and before any vote or approval by the Authority, pursuant to Hawai'i Revised Statutes Chapter 91 and Hawai'i Administrative Rules Chapter 15-219.

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III FACTUAL STATEMENT

The HCDA proposed Kalaeloa Master Plan and Related Development Actions, Including Incremental Housing and Associated Land Use Decisions substantially affect the kuleana holders and shareowners in and around Kalaeloa, a contiguous portion of the ahupuaa of Honouliuli and Puuloa, and in and around Waiahole and Waikane ahupuaa. The proposed Kalaeloa Master Plan establishes a framework for land use, development intensity, and occupancy within the Kalaeloa district, including the expansion of incremental housing and associated infrastructure.

Petitioners assert that:

1. The lands and waters within Kalaeloa are subject to layered historical and legal interests, including Royal Patent Grants and kuleana-based claims that have not been extinguished or legally conveyed.
2. Petitioners maintain ongoing cultural, traditional, and natural resource cultivation of food and water for consumption, ecological balance, kinolau of Akua, economic cooperatives and private kuleana tied to these lands, including access, responsibility, hereditary and customary vestments and usage.
3. The proposed Master Plan and its incremental housing developments will result in:
 1. Physical displacement and exclusion of Petitioners from lands to which they hold vested rights;
 2. Interference with traditional and customary Kanaka Maoli and Native Hawaiian practices;
 3. Conversion and encumbrance of lands without due recognition of existing equitable and hereditary interests;
 4. Irreparable harm to cultural, historical, and land-based relationships.

The cumulative effect of these actions constitutes a direct and adverse impact on Petitioners' legally protected rights and interests.

IV. LEGAL BASIS FOR CONTESTED CASE

This Petition is brought pursuant to:

1. HRS Chapter 91, governing contested case hearings where legal rights, duties, or privileges are determined;
2. HAR § 15-219-45, establishing when a contested case hearing is required;
3. HAR § 15-219-46, authorizing initiation by petition;
4. HAR § 15-219-47, governing required contents.

Petitioners assert that the proposed action constitutes an agency determination affecting specific rights, including:

1. Property interests, rights and titles arising from LCA, Royal Patent and kuleana title;
2. Constitutionally protected traditional and customary rights, not limited thereto;
3. Equitable and beneficial land interests vestments recognized under the kumukanawai and mookanawai (1839 -1892) derivative in Hawai'i law.

Under established precedent, including *Pele Defense Fund v. Puna Geothermal Venture* and *Public Access Shoreline Hawai'i v. Hawai'i County Planning Commission*, due process requires a contested case hearing where such rights are implicated not thereto limited.

V. STANDING AND INTEREST

Petitioners have a direct, substantial, material and particularized interest in the outcome of this matter, distinct from the general public.

Petitioners' interests include and are not limited to:

1. Vested ownership and beneficial interests derived from Royal Patent and kuleana tenure systems;
2. Genealogical and hereditary connections to the lands of Kalaeloa;
3. Ongoing exercise of traditional and customary practices;

4. Cultural, subsistence, and stewardship responsibilities tied to the ‘āina.

The proposed Master Plan will directly impair these interests through land use determinations, exclusionary development, and regulatory encumbrances.

VI. TIMELINESS OF PETITION

Petitioners did not participate in the earlier public hearings or may have and were not aware of its full impact to the ahupuaa of Honouliuli, Puuloa, Waiahole and Waikane.

Upon becoming aware of the full scope and direct impact of the proposed Master Plan on their protected rights, Petitioners now submit this request at the earliest practicable opportunity and prior to final agency action.

This Petition is therefore timely under HAR § 15-219-46 and applicable law.

VII. ISSUES FOR CONTESTED CASE HEARING

The contested case hearing should address, at minimum:

1. The nature and extent of Petitioners' Royal Patent, kuleana, and equitable land interests;
2. Whether the proposed Master Plan unlawfully interferes with or extinguishes those interests, rights and titles;
3. The adequacy of protections for traditional and customary kanaka maoli lifestyles and Native Hawaiian practices;
4. Whether due process requires adjudication of these rights prior to approval;
5. The cumulative impacts of incremental housing development on Petitioners' rights and access;
6. Compliance with all applicable constitutional, statutory, and administrative protections.

VIII. RELIEF SOUGHT

Petitioners respectfully request that HCDA:

1. Grant this Petition for Contested Case Hearing;
2. Stay any approval or implementation of the Kalaeloa Master Plan and related developments pending the outcome of the contested case to correct any wrong presumptions in title and to avoid title insurance or state guarantee forfeiture.
3. Recognize Petitioners as parties with full standing;
4. Assign a hearings officer and conduct proceedings in accordance with HRS Chapter 91 and HAR Chapter 15-219;
5. Grant such other relief as is just and proper to protect Petitioners' rights, titles and interests impacted by the proposed Master Plan.

IX. JOINDER AND INTERVENTION

Petitioners request that additional affected individuals and entities with similar interests be permitted to join this proceeding as co-petitioners or intervenors pursuant to HAR § 15-219-49.

X. CONCLUSION

Based on the facts, rules and grounds given that necessitate this Petition, the proposed Kalaeloa Master Plan and its associated developments directly affect the vested rights, cultural practices, in lands and waters in possession the interests of Petitioners.

Due process of law requires that these rights be fully heard and adjudicated before any final agency action is taken.

Petitioners respectfully request that this Petition be granted in the pursuit of justice.

DATED: Honolulu, Hawai'i March 31, 2026

/S/HIWAHIWA KAHEAKU RODENHURST

Hiwahiwa Kaheaku Rodenhurst, Alaka'i
Alakai for the Hui of Kuleana Owners

Na mea kuleana :

Onepookela Rodenhurst	Solomona E. K. Kane
Hiwahiwa Kaheaku Rodenhurst	Elijah Kane
Mahealani Kaleohano	Cade Self
Char Kahumoku	Kaiulani Piper
Keoni Keohulua	Moleka Hicks
Awapuhi Kalauli	Keline Kahau
Inoka Ferreira	Tara Rojas

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Petition was submitted to the Hawai‘i Community Development Authority via email and/or certified mail on this date.

Hawai‘i Community Development Authority,

547 Queen St., Honolulu, HI 96813

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Hui Kuleana o Ko Hawaii Pae Aina (KHPA) ma Kalaeloa

Mailing: 2414 C Notley Honolulu HI 96795

Contact: Hiwahiwa Kaheaku Rodenhurst, Alaka‘i

Dated Honolulu, Ko Hawaii Pae Aina March 31, 2026

/S/HIWAHIWA KAHEAKU RODENHURST

Alakai o ka hui kuleana o Ko Hawaii Aina ma Kalaeloa

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Project Name
Kalaeloa Master Plan
Do you support or oppose?
Oppose