

# THE GENTRY COMPANIES



May 26, 2026

Mr. Sterling Higa  
Chairman  
Hawai'i Community Development Authority  
547 Queen Street  
Honolulu, Hawai'i 96813

**Re: May 27, 2026 Hawai'i Community Development Authority  
Kalaeloa Board Agenda Item No. II.2. (Re: Authorizing Executive Director  
To Deny Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa's Petition for a  
Contested Case Hearing (Docket No. TBD) filed on March 31, 2026 with the  
Hawaii Community Development Authority)**

Dear Chair Higa:

Gentry Kalaeloa, LLC ("Gentry") submits this testimony in support of Agenda Item No. II.2. on the Hawai'i Community Development Authority Kalaeloa Board's May 27, 2026 meeting agenda, in which the HCDA Kalaeloa Board will consider whether to authorize the HCDA Executive Director to deny the Request for Contested Case Hearing and Petition to Stay Board Action submitted by Hui Kuleana o Ko Hawaii Pae Aina ma Kalaeloa dated March 31, 2026 (the "Petition").

As discussed in detail below, Gentry's request on reserved housing pricing for Increment 4 of the Ka'ulu project (the "Ka'ulu RH Pricing Request") arises from entitlements previously granted for this work-force housing project through two prior contested case hearings before the HCDA Kalaeloa Board under the *current* Kalaeloa Master Plan; therefore, the Petition (which refers to the *proposed amended* Kalaeloa Master Plan) does not factually apply to Gentry's request. Even assuming the Petition could be construed to apply to Gentry's request, a contested case hearing is not required under these circumstances pursuant to any administrative rule, statute, or constitutional due process.

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### I. The allegations in the Petition do not apply to the Ka'ulu RH Pricing Request.

While the caption of the Petition refers to the HCDA Kalaeloa Board's April 1, 2026 agenda item III-2 relating to the consideration of the Ka'ulu RH Pricing Request, there are no allegations in the Petition that raise any specific issues regarding the request.

Instead, the Petition generally opposes the *proposed* amended Kalaeloa Master Plan dated June, 2025, and seeks a contested case hearing on the *proposed* plan and "*its associated developments, including incremental housing components.*" See Petition at 2 (emphasis added). Indeed, in the Petition's "Factual Statement," the Petitioners allege that:

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.

See Petition at 5.

Similarly, Petitioners describe the "Issues for Contested Case Hearing" as: "Whether the *proposed* Master Plan unlawfully interferes with or extinguishes those interests, rights, and titles." See Petition at 7 (emphasis added).

The HCDA Kalaeloa Board, however, approved the Ka'ulu by Gentry project in 2022 pursuant to the *current* Kalaeloa Master Plan, which was adopted by the Board in 2006. See Findings of Fact, Conclusions of Law, and Decision and Order (KAL 21-005) (February 2, 2022) (the "Ka'ulu D&O") at Findings of Fact ("FOF") No. 27 (noting that HCDA approved its Kalaeloa Master Plan in 2006), and FOF No. 82 (finding that the "applicable district plan is the Kalaeloa Master Plan, approved by HCDA in 2006" and that the Ka'ulu project "advances and complies with the goals, policies, and objectives of the applicable district plan in several major ways").

The HCDA Kalaeloa Board subsequently approved various amendments to the Ka'ulu D&O on January 7, 2026 to permit the use of pre-existing reserved housing credits from the Wakea Gardens project, and the Board approved the amendments pursuant to the *current* Kalaeloa Master Plan. See Findings of Fact, Conclusions of Law, and Decision and Order (KAL 25-010) (January 7, 2026) ("Amended Ka'ulu D&O") at Conclusion of Law ("COL") No. 6 (concluding that HCDA "finds and concludes that the requested amendments in the Alternate Proposal are consistent with the [2006] Kalaeloa Master Plan . . .").

Accordingly, there is no dispute that HCDA approved the Ka'ulu by Gentry project pursuant to the *current* Kalaeloa Master Plan (and not the *proposed* Kalaeloa Master Plan). In accordance with the

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entitlements previously granted by HCDA, substantial portions of the Ka'ulu project have been completed, and construction is ongoing on additional increments of this work-force housing development, which is planned to ultimately provide a total of 390 moderately-priced homes for local families in Kalaeloa.

The Ka'ulu RH Pricing Request arises from these Ka'ulu entitlements, and is therefore part and parcel of the entitlements that were previously granted pursuant to the *current* Kalaeloa Master Plan (and not the *proposed* amended Kalaeloa Master Plan referenced in the Petition). Therefore, the Petition does not factually apply to the Ka'ulu RH Pricing Request (the approval of which is necessary to proceed with reserved housing unit sales at Ka'ulu), and the request for a contested case hearing on the request should be denied.

**II. Even assuming the Petition could be construed to apply to the Ka'ulu RH Pricing Request, Petitioners are not entitled to a contested case hearing on the request under these circumstances.**

Even assuming, for the sake of argument, that the allegations in the Petition could be construed to apply to the Ka'ulu RH Pricing Request, the request for a contested case hearing should still be denied.

There is nothing in the HCDA Administrative Rules (or HCDA's governing statute, Hawai'i Revised Statutes Chapter 206E) that requires a contested case hearing under these circumstances, which is a request for the approval of the reserved housing unit pricing for a phase of a project that was *previously* approved and entitled pursuant to *two* prior contested case hearings. The approval for the reserved housing pricing is incidental to Gentry's prior proposal to develop lands under the HCDA's control pursuant to HRS § 206E-5.6(g), and the reserved housing pricing request is not in and of itself a "proposal to develop lands under HCDA's control," because HCDA previously considered and approved that proposal.

Finally, to the extent that Petitioner may claim that a contested case hearing on the Ka'ulu RH Pricing Request may be "required by law" pursuant to due process or art. XII, § 7 of the Hawai'i Constitution, the request should also be denied.

As noted, HCDA engaged in *two* prior contested case hearings relating to the Ka'ulu project pursuant to applicable law. Both contested case hearings involved the approval of the development, as well as matters incidental to that approval, including the contemplated submission of reserved housing unit pricing and approvals. HCDA provided all required public notices for those hearings, including notice of the right of others to petition to intervene and/or testify in those proceedings. Therefore, Petitioners had the full benefit of the panoply of procedural process that was – and is -- due with respect to the Ka'ulu project and the related reserved housing unit pricing request, and no further procedural process is now due to Petitioners through a *third* contested case hearing relating to the Ka'ulu project under these circumstances.

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Finally, HCDA engaged in a *Ka Pa'akai* analysis for the Ka'ulu project during both contested case hearings for the project. *See, e.g.* Ka'ulu D&O at FOF Nos. 73-79, 120-123; COL Nos. 5-8; and Condition Nos. 9-11; and Amended Ka'ulu D&O at COL Nos. 7-9. Therefore, HCDA satisfied its constitutional duty pursuant to *Ka Pa'akai* for the Ka'ulu project. Moreover, because the Ka'ulu RH Pricing Request relates to the pricing for units that are *already* entitled, the request does not increase or affect development intensity or occupancy within Kalaeloa, and does not adversely affect or impair the reasonable exercise of customarily and traditionally exercised native Hawaiian rights within Kalaeloa.

Thank you for the opportunity to submit this testimony. For the foregoing reasons (and all other reasons that Gentry may raise in response to the Petition, which Gentry expressly reserves), Gentry respectfully requests that the HCDA Kalaeloa Board approve the grant of authority to the HCDA Executive Director to deny the Petition for a contested case hearing.<sup>1</sup> The timely consideration of the Ka'ulu RH Pricing Request is essential for Gentry to continue its efforts to provide quality reserved housing homes in Kalaeloa for local families.

Sincerely,

GENTRY KALAELOA, LLC



Quentin Machida  
President and CEO

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<sup>1</sup> To the extent the Petition also seeks a contested case hearing on HCDA's consideration of the proposed amended Kalaeloa Community Development District Master Plan currently before the Board, Gentry incorporates by reference the points and authorities raised in the record in *In the Matter of Tara Rojas vs. Hawai'i Community Development Authority, et al.*, CCH-2025-001, and Gentry reserves all rights and arguments with respect to that matter and HCDA's consideration of the proposed amended master plan.

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**Subject:** [EXTERNAL] FORMAL OBJECTION TO DENIAL OF AGENDA ITEM II, 2. ; MAY 27, 2026 SPECIAL HEARING  
**Date:** Tuesday, May 26, 2026 7:25:10 PM  
**Attachments:** [CCH TBD HuiKuleanaoKHPA ma Kalaeloa 5272026 .docx](#)

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Aloha ia katou,

Please see the enclosed Formal Objection of record against the "Authority's" proposed denial without grounds or notified and informed basis as to Agenda Item II, 2. Special Hearing dated May 27, 2026.

The attached two page file is in WORD format, and is hereby certified to be true and correct to the best of my knowledge under penalty of law.

As per this communique, the Authority et al is legally and personally on notice with all thereto appertaining without waiver whatsoever.

Mahalo,

Mahealani Kaleohano,  
Interested party, stakeholder and vested heir  
[mahe.koa@gmail.com](mailto:mahe.koa@gmail.com)