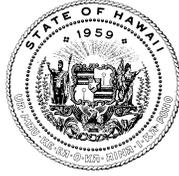


JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawai'i*

SYLVIA J. LUKE
LT. GOVERNOR
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'o Hawai'i*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

KATIE L. LAMBERT
DEPUTY TO THE CHAIR
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawai'i

P. O. BOX 1879
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TESTIMONY OF KALI WATSON, CHAIR
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEES ON
HEALTH & HUMAN SERVICES AND
WATER, LAND, CULTURE & THE ARTS AND
HAWAIIAN AFFAIRS
ON FEBRUARY 12, 2026 AT 1:00PM IN CR 224

SB 2799, RELATING TO THE KALAUPAPA SETTLEMENT

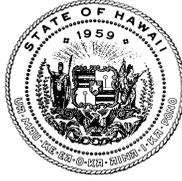
February 12, 2026

Aloha Chairs San Buenaventura, Lee, and Richards, Vice Chairs McKelvey, Inouye, and Lamosao, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) **supports** this bill which requires the Department of Health, in consultation with the Department of Land and Natural Resources and DHHL, to submit a report on the plan for the transfer of powers and duties of Kalaupapa Settlement prior to the Regular Session of 2027.

DHHL appreciates the intent of this bill and remains supportive of the collaborative efforts necessary to plan and prepare for the transition of powers and duties of the Kalaupapa Settlement among all stakeholders. The parcel identified by tax map key: 6-1-01:01 located in Kalaupapa is part of the Hawaiian Home Lands land inventory. By adding a section to Chapter 326, Hawaii Revised Statutes, this bill will require the noted stakeholders to discuss pre- and post-transfer roles and responsibilities, as well as budget proposals within a feasible timeline.

Thank you for your consideration of our testimony.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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**Testimony COMMENTING on SB2799
RELATING TO THE KALAUPAPA SETTLEMENT**

SENATOR SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

SENATOR LEE, CHAIR
SENATE COMMITTEE ON WATER, LAND, CULTURE & THE ARTS

SENATOR RICHARDS, CHAIR
SENATE COMMITTEE ON HAWAIIAN AFFAIRS

Hearing Date: February 12, 2026 @ 1:00 pm

Room Number: 224

1 **Fiscal Implications:** None

2 **Department Position:** The Department offers comments.

3 **Department Testimony:** The Communicable Disease and Public Health Nursing Division
4 provides the following testimony on behalf of the Department of Health.

5 As a place of great cultural significance, the future of Kalaupapa is extremely important, and the
6 Department understands the desire for a clear understanding of what will happen at Kalaupapa
7 following the passing of the last patient.

8 However, the Department feels the requirement of an added report on the subject is
9 unnecessary and duplicative. The department respectfully disagrees with the assertion that the
10 1991 strategic plan for transition at Kalaupapa has not been revised. In addition, the
11 Department has worked closely with the Department of Hawaiian Home Lands and the
12 Department of Natural Resources and the agencies understand their roles and responsibilities
13 currently and going forward.

1 A transition plan update created by all three agencies in conjunction with the National Park
2 Service was provided to the legislature in 2024, and DOH's specific transfer plan was provided
3 to the legislature in 2025. Both of the documents are attached and specify the following
4 planned actions to occur after there are no longer patients at Kalaupapa:

- 5 1. DOH will begin a 2-year phased process of extraction from Kalaupapa according to the
6 enclosed DOH Kalaupapa Transfer plan. DOH will continue environmental remediation
7 activities beyond the two-year mark, until complete.
- 8 2. DHHL will continue its lease with the National Park Service until the lease expires in
9 2041 or new terms are negotiated in consult with DHHL beneficiaries. Currently, the
10 terms of the lease leave responsibility of management of DHHL lands at Kalaupapa with
11 the National Park Service.
- 12 3. DLNR will continue its cooperative agreement with the National Park Service for the
13 management of its lands in Kalawao County until the cooperative agreement expires in
14 2029 or new terms are negotiated

15 The Department believes that the information specified for reporting in this bill has already
16 been provided since 2024 and can continue to be provided directly. DOH appreciates the
17 Senate's support of SB1432 last session and looks forward to working with the House on
18 SB1432 this year. We believe approval of a jurisdictional plan, as proposed in SB1432, is
19 important so there is time for the newly responsible jurisdiction to prepare.

20 **Offered Amendments:** None

21 Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'ŌKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
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August 30, 2023

Senator Donovan M. Dela Cruz
Chair, Committee on Ways and Means
Hawaii State Capitol
415 South Beretania Street, Room 208
Honolulu, Hawaii 96813

RE: Senate Committee on Ways and Means Maui Site Visit

Dear Senator Dela Cruz:

The Departments of Health, Land and Natural Resources, and Hawaiian Home Lands received your request for information related to Kalaupapa dated August 11, 2023. The enclosed information provides a coordinated response from all three agencies.

Please don't hesitate to contact us with any additional questions.

Sincerely,

Kenneth Fink

Kenneth Fink, MD, MGA, MPH
Director of Health

A stylized signature of Dawn N. S. Chang, consisting of a large, bold letter 'D' followed by a horizontal line.

Dawn N. S. Chang
Chairperson, Board of Land and Natural Resources

A cursive signature of Kali Watson.

Kali Watson
Chairman, Hawaiian Homes Commission

c: Debbie Kim Morikawa, DOH Deputy Director. Health Resources Administration
Laura H.E. Kaakua, DLNR Deputy Director
Katie L. Ducatt, DHHL Deputy to the Chair
Diana Felton, MD, DOH Communicable Disease and Public Health Nursing Division
Baron Chan, DOH Hansen's Disease Branch
Scott Fuji, Ways and Means Committee

KALAUPAPA TRANSITION UPDATE

AUGUST 2023

A collaborative summary by DOH, DHHL and DLNR

1. Overview

Kalawao County is the fifth county within the State of Hawaii, under the jurisdiction and control of the Department of Health per HRS 326. HRS 326 directs the DOH to “. . . establish and maintain facilities and services as are necessary for the care and treatment of persons with Hansen's Disease . . .” Kalawao County is comprised of DHHL land, upon which the Kalaupapa Settlement is located, and DLNR land.

- The U.S. National Park Service (NPS) has a general lease agreement with DHHL (lease term 1991-2041)
- NPS has a cooperative agreement with DLNR (agreement established in 1989 outlining the division of efforts to protect and preserve critical historic and natural resources on DLNR lands within Kalaupapa National Historical Park)
- NPS had a cooperative agreement with DOT that was established in 1987 outlining the division of responsibilities related to the Kalaupapa Airport; however, it is currently expired and a new agreement is in the process of being reviewed for approval by the U.S. Department of the Interior.

Since 1980, when Kalaupapa became a National Historical Park per an act of Congress (US PL 96-565), the National Park Service (NPS) has been a key partner with DOH in providing a well-maintained community that ensures the present patient-residents of Kalaupapa may live out their lives peacefully and comfortably. As the patient-residents age, and their population decreases over time, facilities and infrastructure repair and maintenance have transferred over to NPS. In recent years, NPS has taken on the larger capital and infrastructure projects such as the pier and harbor repair, the conversion of the large capacity cesspools to septic tanks, and the renovation and repair of the larger structures in Kalaupapa such as Paschoal Hall. These major projects cost upwards of tens of millions of dollars. NPS's next major facility project is the modernization of the electrical power grid, and the construction of an above ground fuel farm, both in Kalaupapa.

In anticipation of the passing of the last Hansen's Disease patient, and at the request of the 1989 Legislature, the DOH contracted with Pacific Basin Development Council to develop a transition plan, "A Strategic Plan for Transition at Kalaupapa Settlement", also referred to as the "Pink Book". The document was organized into five (5) sections (see sections below) and to this day has served as a detailed framework for transition efforts.

A Strategic Plan for Transition at Kalaupapa Settlement

- I. Introduction
- II. Assessment by Functional Areas

- III. Summary of Issues, Needs & Options
- IV. Endnotes and References
- V. Appendices

From 1990-2015 the DOH and National Park Service (NPS) met regularly to manage and transition operations as appropriate under the strategic framework of this document. In 2015 the “**Inter-Agency Transition Working Group**” was formed consisting of the following agencies:

- Department of Health (DOH)
- National Park Service (NPS)
- Department of Hawaiian Homelands (DHHL)
- Department of Land and Natural Resources (DLNR)
- Department of Transportation (DOT)
- Maui County
- U.S. Department of the Interior, Office of Native Hawaiian Relations

This group has been convening regularly, with periodic participation of executive level staff. Historically, the **Inter-Agency Transition Working Group** focused on the general operation of the settlement.

Under the new administration, all involved state departments are collaborating to provide leadership and direction for the next phase of Kalaupapa’s existence. At this year’s 2-day Annual Inter-Agency Meeting, convened in the beginning of August, Deputy Directors from DOH, DHHL, and DLNR were all present. DOT while absent from this year’s meeting has expressed willingness to be involved at the appropriate time (there are currently no urgent issues requiring DOT’s input). Maui County leadership has also been a regular participant but was not able to attend this year due to the Maui County wildfires.

With the current patient population at eight (8), ranging in age from 82 through 99, it is recognized that DOH’s statutory responsibility to provide care for Kalaupapa patients will soon be ending. All agencies recognize the urgency and need for a specific transition plan. The next steps will involve community engagement and higher-level direction regarding the vision for Kalaupapa’s future.

In the interim, all agencies are working collaboratively to address the tasks at hand.

2. What is the Transition?

The “transition” involves multiple agencies and multiple transitions. The trigger for the transitions to begin is when the last Kalaupapa patient passes.

An overly simplistic explanation is that when the last patient expires, DOH's statutory mandate to provide patient care ends, and DOH then terminates its cooperative agreement with NPS. The following are the subsequent changes that will occur.

- When the patient care role at Kalaupapa ends, DOH intends to request a repeal or sunset of HRS 326. It is anticipated that approximately 2 years will be required to close down existing care operations (physical relocation of and reassignment of employees to other positions) and general operations (disposition of DOH property and preparation of structures for transfer to DHHL).
- With the passing of the last Kalaupapa registry patient, all structures and facilities will revert to DHHL, per the Attorney General's July 30, 2010 opinion regarding the transfer of property.
- DOH transfers all operations to NPS.
- A new mutual aid agreement for police, fire and emergency response will need to be established between Maui County and NPS and/or the agency that assumes jurisdiction over Kalawao County.

NPS' relationships with other agencies will be governed by their corresponding lease or cooperative agreements which determine the administrative/operational responsibilities of Kalawao County.

The final transition decisions will be determined by who will take over jurisdiction of Kalawao County and how the Kalaupapa State Historic Park will continue to operate without DOH involvement or control. These higher-level decisions will require community engagement, executive direction, and interagency dialogue and collaboration.

3. Involved Agencies & Relationships

A. Hawaii Department of Health (DOH)

- HRS 326-1 authorizes DOH to "...establish and maintain facilities and services as are necessary for the care and treatment of persons with Hansen's Disease and persons who were institutionalized for segregation by order of the Department of Health because of Hansen's Disease."
- Per HRS 326-34, Kalawao County is "under the jurisdiction and control of the department of health and ... governed by the laws, and rules relating to the department and the care and treatment of persons affected with Hansen's Disease..."
- DOH has a Cooperative Agreement with National Park Service which has been in place since 1984

B. Hawaii Department of Hawaiian Home Lands (DHHL)

- DHHL is the fee owner of one land parcel in Kalawao County (1,475 acres)

- Most of Kalaupapa’s structures are located on the DHHL land parcel (“Kalaupapa Settlement”)
- DHHL manages its lands in Kalaupapa through a partnership with NPS via a general lease with NPS (lease term 1991-2041)

C. U.S. National Park Service (NPS)

- NPS has managed Kalaupapa National Historical Park (US PL 96-565) since 1980 with the primary purpose of preservation and interpretation of the Kalaupapa settlement for the education and inspiration of present and future generations; to provide a well-maintained community in which the Kalaupapa patient-residents are guaranteed that they may remain at Kalaupapa as long as they wish; to protect the current lifestyle of these patients and their individual privacy; to research, preserve, and maintain the present character of the community; to research, preserve, and maintain important historic structures, traditional Hawaiian sites, cultural values, and natural features: and to provide for limited visitation by the general public.
- NPS’s current lease agreement with DHHL runs through 2041 to manage DHHL lands in Kalaupapa
- The U.S. government is the fee owner of a small parcel of land that includes the lighthouse in Kalawao County
- NPS has Cooperative Agreements with DOH, DLNR and DOT

D. Hawaii Department of Land & Natural Resources (DLNR)

- DLNR is the fee owner of multiple land parcels in Kalawao County outside of the settlement including the Eastern 2/3 of the peninsula, the Airport, and significant forest and native ecosystems
- Division of Forestry and Wildlife (DOFAW): Active land steward of the 1,330-acre Puu Alii Natural Area Reserve, the Makanalua and Kalawao sections of Molokai Forest Reserve, and Waikolu Valley. DOFAW activities: ungulate fence installation and maintenance, invasive species control, rare plant and animal surveys and monitoring, Waikolu stream habitat management, public hunting unit access and management in the Molokai Forest Reserve, wildfire response
- Land Division: owner of the unencumbered lands that comprise the Eastern 2/3 of the peninsula, and parcels at the Western boundary of Kalaupapa NHP. The proposed site for the Kalaupapa Memorial is on Land Division property. NPS manages Land Division’s properties for DLNR.
- State Historic Preservation Division (SHPD): Regulates proposals for historic site and building work.
- Division of Aquatic Resources (DAR) and Division of Conservation Enforcement (DOCARE): Provides guidance to NPS on marine resource protection. If access is opened or the population at Kalaupapa changes, both Divisions may need additional

staff and funding for natural and cultural resource management and enforcement at Kalaupapa

- DLNR has a Cooperative Agreement with NPS that expires in 2029

E. Maui County

- Maui County currently has a Mutual Aid Agreement with DOH (fire, police, emergency response)

F. Hawaii Department of Transportation (DOT)

- DOT administers and manages the Kalaupapa Airport
- DOT is a partner in facilitating emergency rescue and medical evacuation
- DLNR Land Division is the fee owner of the airport land tract
- DOT is currently developing a new Cooperative Agreement with NPS

G. US Department of the Interior, Office of Native Hawaiian Relations

- Any proposed future land transfers would require DOI review and approval
- Approval by the Secretary of the Interior is required for the Kalaupapa Memorial siting, design and inscriptions

4. Current Projects & Activities

A. DOH

Capital Improvement Projects FY23-24

Dept Org Code	Amount Funded	Description of CIP Project	Justification
HTH100	\$7,200,000	Required Closure of the Kalaupapa Construction & Demolition Landfill	Final construction required to complete approved closure plan for the Construction & Demolition (C & D) landfill.
HTH100	\$945,000	Re-roofing (Care Home & Warehouse) and other improvements	Variety of building repairs & improvements - priorities: re-roofing of Care Home and storage warehouse
HTH100	\$580,000	Assessment and Plan for Removal of Underground Storage Tanks (USTs) at the Kalaupapa Gas Station	Develop a plan for required removal of three USTs located at the Kalaupapa Gas Station that store gasoline (Additional CIP request will be necessary to

			implement removal plan prior to July 2028)
HTH100	\$540,000	Lead/Asbestos assessment and abatement for Settlement structures	Project will assess Settlement structures for presence of Lead/Asbestos (Planning) and perform necessary Abatement (Construction).

FY24-25 Potential Capital Improvement Projects

Dept Org Code	Amount Funded	Description of CIP Project	Justification
HTH100	\$2,300,000.00	Kalaupapa MSW Landfill Artificial Cover	Natural cover has not fully covered the MSW landfill due to pigs, deer, and rainfall. Artificial cover, similar to what will be used on the C&D Landfill closure is being requested.
HTH100	\$150,000.00	Assessment of Kalaupapa Care Home Wastewater System	Existing system is unable to handle the current volume, and often backs up. Includes cost estimate for repair/replacement.
HTH100	\$350,000.00	Assessment of old Kalaupapa dump/landfill	Items from the old dump are falling into the ocean as the shoreline erodes. Assess the best way to address the issue and develop a cost estimate if remediation or containment is recommended.
HTH100	\$350,000.00	Assessment of approximately 30-50 Kalaupapa Buildings managed by DOH	Assessment of buildings' structural integrity, electrical, and plumbing systems actively used by DOH, and to determine cost to renovate and repair.
HTH100	\$350,000.00	Assessment of Cesspools	Locate and assess all cesspools that are required to convert to septic tank by 2050. Cost estimates for conversions.

Revisions to existing statutes

DOH intends to request a revision, sunset, or repeal of HRS 326 when the patient care role at Kalaupapa ends or to work with the Legislature to enact a law that would

become effective upon the passing of the last patient. The table below contains a preliminary list of other Hawaii Revised Statutes that **may require revision when HRS 326 is amended/repealed in any way** (these statutes either directly or indirectly reference Kalaupapa, Kalaupapa Settlement or Kalawao County).

HRS Number	Citation and Link	Description
HRS 4	HRS §4-1 (2) (F)	Districts, generally. (For election, taxation, city, county, and all other purposes, the State shall be divided into the following districts; (2) The islands of Maui, Molokai, Lanai, and Kahoolawe and the counties of Maui and Kalawao shall be divided into seven districts as follows: (E)€ All that portion of the island of Molokai known as Kalaupapa, Kalawao, and Waikolu forming the county of Kalawao, to be styled the Kalawao district
HRS 6E	HRS §6E-43.5	Island burial councils; creation; appointment; composition; duties. ((a) There are established within the department five island burial councils, one each for Hawai`i, Maui/Lāna`i, Moloka`i, O`ahu, and Kaula`i/Ni`ihau, to implement section 6E-43... (3) The Moloka`i council shall include the following geographic regions: West Moloka`i, Central Moloka`i, East Moloka`i, and Kalawao)
HRS 11	HRS §11-61	"Political party" defined. (.....maintains a general organization throughout the State, including a regularly constituted central committee and county committees in each county other than Kalawao)
HRS 15	HRS§15-4	Request for absentee ballot. (Conducting an absentee ballot-only election for small population areas - < 180,000)
HRS 23	HRS§23-81 (c)(7)	Review for 2028 and every tenth year thereafter. (Review of exemptions or exclusions under the general excise tax shall be reviewed in 2028 and every tenth year thereafter — applies to HRS 237-23 (a) (9) Persons affected with Hansen’s disease and kokuas with respect to business within the county of Kalawao
HRS 26	HRS§26-13	Department of health. (The appointed members shall include at least one resident of each of the major counties including the county of Kalawao.)
HRS 101	HRS §101-1	Definitions. (In this part, except where the context otherwise requires: "County" means a county (except the county of Kalawao) and any agency of a county, including the board of water supply thereof, duly authorized to exercise the power of eminent domain...)
HRS 103F	HRS§103F-202 (a)	Community council. There is established a community council on purchase of health and human services... There shall be a member from each county, except the county of Kalawao
HRS 127A	HRS §127A-2	Definitions. (When used in this chapter, unless the context otherwise requires: "County" means the city and county of Honolulu, and the counties of Hawaii, Kauai, and Maui; provided that the county of Maui shall include the county of Kalawao for the purposes of this chapter.)

HRS 128A	HRS §128A-2	Definitions. ("County" means any of the political subdivisions of the State, including the counties of Hawaii, Maui, and Kauai and the city and county of Honolulu, but does not include the county of Kalawao.)
HRS 128E	HRS §128E-4	Establishment of emergency planning districts. (Each county is designated as an emergency planning district for the purposes of this chapter; provided that the department shall be responsible for Kalawao county ("Department" is defined as "department of health" in HRS §128E-1)
HRS 231	HRS §231-2	Taxation districts. (For the purpose of taxation, the State is divided into the following four districts: (1) The city and county of Honolulu, to be called the first district; (2) The counties of Maui and Kalawao, to be called the second district ; (3) The county of Hawaii, to be called the third district; and (4) The county of Kauai, to be called the fourth district.
HRS 237	HRS§237-23 (a) (9)	Exemptions, persons exempt, applications for exemption. (This chapter shall not apply to the following persons: ... (9) Persons affected with Hansen's disease and kokuas, with respect to business within the county of Kalawao)
HRS 243	HRS §243-4 (d)	License taxes. (No tax shall be collected in respect to any liquid fuel, including diesel oil and liquefied petroleum gas, shown to the satisfaction of the department to have been sold for use in and actually delivered to, or sold in, the county of Kalawao)
HRS 281	HRS §281-1	Definitions. ("County" means the county in respect of which each commission has jurisdiction under this chapter; provided that in the county of Kalawao liquor may be sold only by such persons and only under such conditions as may be permitted or prescribed from time to time by the department of health.)
HRS 329	HRS §329D-2	Medical cannabis dispensaries; authorized; licensure. ((d) no dispensary license shall be issued for the county of Kalawao)
HRS 445	HRS §445-13	License inspectors. (The deputy sheriff of Kalawao , any police officer, or any authorized representative of the county director of finance duly authorized by a chief of police shall be ex officio license inspectors of the counties for which they are appointed or authorized, and as such, they shall from time to time report to the county director of finance the names of all persons within the county who are liable for the payment of license fees.
HRS 804	HRS §804-5	By whom allowed. (.....and in cases, except under section 712-1207, where the punishment for the offense charged may not exceed two years" imprisonment with or without fine, the sheriff, the sheriff's deputy, the chief of police or any person named by the chief of police, or the sheriff of Kalawao , regardless of the circuit within which the alleged offense was committed, may admit the accused person to bail.)

Monument

The involved agencies have been working with Ka Ohana O Kalaupapa to advance the progress of the long-planned Kalaupapa Memorial. In 2023, five million dollars in state funding was secured for this project. Please see the attached letter from stakeholders to Ka Ohana outlining the next steps for the monument and the funds.

Ongoing Maintenance & Management of the Settlement & Transition Needs

Staffing: As DOH transitions out of Kalaupapa, positions will be transferred to other programs, with the employees placed in other positions or laid off per the civil service negotiated union process known as a reduction in force (RIF).

Below is a table of DOH positions currently appropriated for Kalaupapa and the anticipated time when the employees will be transferred, placed in other positions, or laid off. Efforts will be made to transition the employee to positions within Kalaupapa with NPS or other state agencies if feasible.

Section	Positions	Positions	Time Post Last Patient	Salaries per Year
Care Home	Supervisor, Nurses (7), Paramedical Assistant, Homemakers (3), Office Assistant	13	9 Months	\$1,638,360
Food Services	Supervisor, Cooks (2), Kitchen Helpers (3)	6	9 Months	\$343,692
Housekeeping	Supervisor, Janitors (2)	3	9 Months	\$156,216
Construction & Maintenance	Carpenters (2), Electrician, Painter	5	1 Year	\$270,384
Administration	OA IV, OA III	2	1 Year	\$79,680
Housekeeping	Janitor (1)	1	2 Years	\$50,640
Construction & Maintenance	Supervisor, Carpenter, Auto Mechanic, General Laborer, Building Maintenance Worker	5	2 Years	\$326,868
Administration	Institution Operations Manager, Business Services Supervisor, OA IV	3	2 Years	\$204,204

B. DHHL

DHHL is reviewing their building inventory list to determine which structures they may want to retain upon DOH's exit to help prioritize which structures DOH will need to maintain for the transfer.

DHHL is currently focused on community engagement and are in the process of identifying stakeholders and designing appropriate outreach methods to engage their community stakeholders.

C. DLNR

The current twenty (20) year Cooperative Agreement (CA) entered into in 2009 between DLNR and NPS expires in 2029. The CA broadly describes the agreements between the DLNR and NPS. The area under the CA includes unencumbered state lands which is managed by NPS. The lands that are set aside for forest reserve and the Pu'u Ali'i Natural Area Reserve are managed by DOFAW that installs and maintain animal control fencing for feral ungulates and manages and controls the Molokai Public Hunting Areas.

DLNR and NPS are meeting to discuss the future of the CA, including redefined roles and responsibilities of management of state lands, coordinating of the hunting and trail access, continued management of the feral ungulates and invasive species.

In addition, DLNR and NPS are coordinating with Ka Ohana o Kalaupapa to support their efforts to plan, design, construct, and maintain a Kalaupapa Memorial. Ka Ohana received a \$5M appropriation from the Legislature (FY 22) for the Memorial. The funds have been appropriated to DOH to be released to Ka Ohana for the Memorial contingent upon several conditions. DLNR, NPS, and Ka Ohana are meeting to address those conditions.

Natural and Cultural Resources Stewardship including evaluating the feasibility and budgetary needs for the following potential projects and services:

- DOFAW axis deer control if NPS has limited capacity to control invasive species.
- DLNR DOFAW Firefighting crew, and the need for a revised fire safety and response plan.
- DOFAW - Determination of who will manage the trail to Kalaupapa, and what is the appropriate amount of access.
- DAR – issues related to management of nearshore waters for fishing and protection of marine resources.
- DOCARE- feasibility of enforcement, currently DOCARE has no capacity within Kalaupapa. Further discussions with NPS, MPD, and DOCARE on appropriate enforcement in Kalaupapa to address potential increased accessed for hiking, hunting, and fishing.

5. Long Range Planning

The transition process is complex, requiring coordination between various government entities that have some responsibility for Kalaupapa. It will also require extensive

community engagement to ensure the plans and actions reflect the wishes of Kalaupapa patient descendants, DHHL beneficiaries, and the greater Moloka'i community.

The following are two key issues which require such discussion:

A. Future use of Kalaupapa Settlement by DHHL

Discussions between NPS and DHHL about NPS' management of DHHL lands have touched on how to identify and design appropriate outreach methods to engage community stakeholders; access to Kalaupapa for Native Hawaiian traditional and customary practices (i.e., fishing, hunting, and salt gathering), and facilitating native Hawaiian preference/first right of refusal for employment and commercial services contracts. Further discussions as to the future use of Kalaupapa will determine the number of residents, visitors, and business activities in Kalaupapa, which will help guide DOH, NPS and DLNR with their operational, capital, and personnel planning and future budget requests.

B. Governance of Kalawao County

Further research needs to occur to determine what the steps are to transfer jurisdiction from DOH to another entity once DOH exits Kalaupapa (HRS 326-34 -- County of Kalawao; governance). And a decision needs to be made as to who will assume jurisdiction over Kalawao County upon DOH's departure. The following were contemplated scenarios:

- Jurisdiction over Kalawao County could be assigned to a willing State agency (e.g., DHHL or DLNR)
- Jurisdiction over Kalawao County could be assigned to a willing County government (e.g., Maui County)
- Jurisdiction may not need to be assigned to any government entity (e.g., remaining government entities -- NPS, DLNR, DHHL, DOT -- would coordinate and enforce existing laws within the county boundaries)

6. Closing Summary

The associated state agencies are committed to working together to ensure a smooth transition that preserves the cultural legacy and natural resources of Kalaupapa. The **Inter-Agency Transition Working Group** will continue to address the ongoing operational needs and short-term transition issues until the vision for Kalaupapa's future is determined.

Enclosures:

Act by Congress to Establish Kalaupapa National Historic Park (1980)

A Strategic Plan for the Transition at Kalaupapa -- "Pink Book" (1990)

NPS-DHHL General Lease (1991)

NPS-DOT Memorandum of Agreement (2007)

NPS-DLNR Cooperative Agreement (2009)

NPS Kalaupapa National Historic Park General Management Plan (2021)

NPS-DOH Cooperative Agreement (2021)

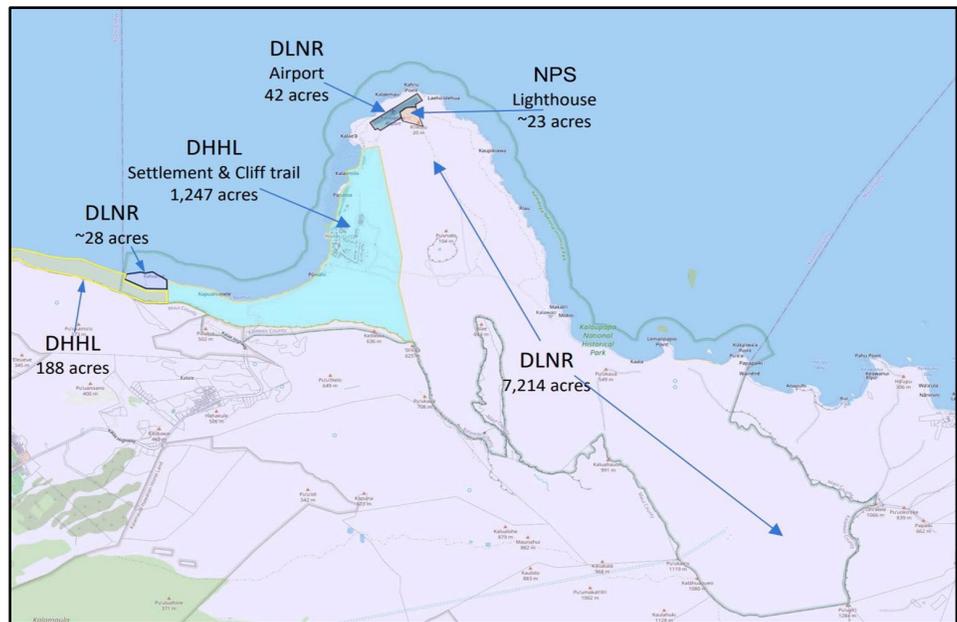
Letter of Intent to Award funds to Ka Ohana (2023)



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378

Kalaupapa Transfer Plan
November 2024

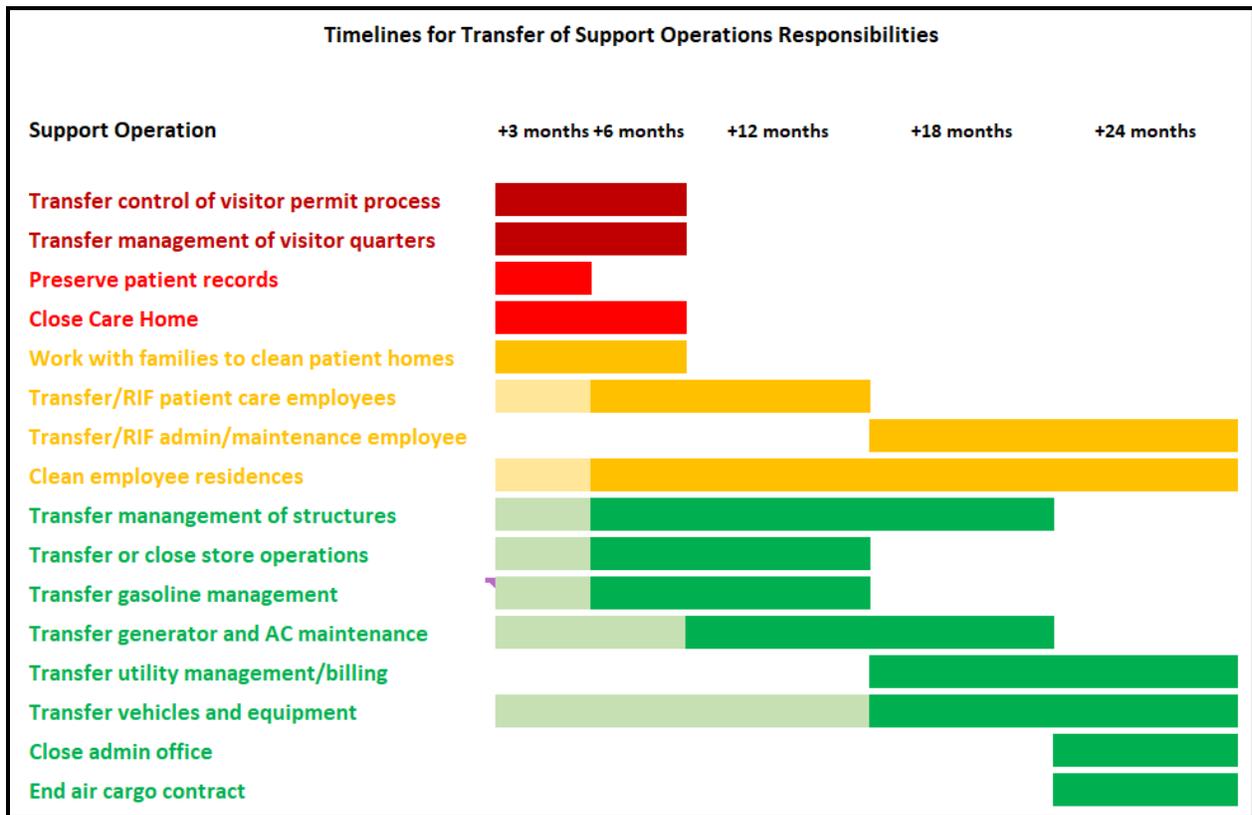
Kalaupapa National Historical Park (outlined in green in map below) was created by the U.S. Congress in 1980 and is managed by the National Park Service (NPS). “[Kalaupapa National Historical Park](#) honors the mo'olelo (story) of the isolated Hansen's disease (leprosy) community by preserving and interpreting its site and values. The historical park also tells the story of the rich Hawaiian culture and traditions at Kalaupapa that go back at least 900 years.” NPS has a [cooperative agreement](#) with the State of Hawaii Department of Land and Natural Resources (DLNR) for conservation and land management purposes that expires in 2029, and it has a [lease](#) with the State of Hawaii Department of Hawaiian Home Lands (DHHL), upon which the Kalaupapa settlement is located, to utilize its land to advance the purpose of the Kalaupapa National Historic Park that expires in 2041.



Prior to the creation of the Kalaupapa National Historical Park, Kalawao County was established and placed under the control and jurisdiction of the State of Hawaii Department of Health (DOH) as described in [Hawaii Revised Statutes §326](#). DOH has a mission to provide care for patients who had Hansen's Disease and administers operations to support the care of patients there such as utilities, maintenance, and supplies. These general support operations also support the NPS mission at Kalaupapa National Historical Park. DOH has operated under a [cooperative agreement with NPS](#) since 1984, and the two parties have been collaborating to gradually transfer responsibility of support operations from DOH to NPS.

When DOH's patient care mission at Kalaupapa National Historical Park concludes, it will begin the final transfer of its responsibilities in Kalaupapa to NPS based on the estimated timeline below. This timeline

represents the key activities that DOH anticipates embarking on when the Department’s patient care role at Kalaupapa ends but is not intended as an exhaustive list. Additions and changes are expected.



*Support operations are grouped by category.
 **Lighter colors indicate the timeline of planning and preliminary efforts for that operation with bright colors indicating estimated official start of that activity.

DOH will maintain responsibility for environmental remediation until completion. The timing is dependent on the availability of funding. The currently identified projects are:

- Applying synthetic cover to closed municipal solid waste (MSW) landfill
- Closing the construction and demolition (C&D) landfill
- Reroofing the care home building and the storage warehouse
- Coordinating with NPS and DHHL on abandoned vehicle removal
- Cesspools closure
- Hazardous material identification and abatement

The cooperative agreement between NPS and DLNR as well as the lease between NPS and DHHL will continue beyond DOH’s role in managing Kalaupapa Settlement/Kalawao County, and NPS will continue to manage the Park for the foreseeable future under the guidance outlined in its [General Management Plan \(2021\)](#). Should a landowner seek to change the use of its land in the National Historical Park, this would be negotiated between the landowner and NPS.

DOH will continue to work closely with all stakeholders to ensure a smooth transfer of its responsibilities at Kalaupapa and will frequently review and update this plan as conditions change.



February 11, 2025

Senator Joy A. San Buenaventura, Chairwoman, Health and Human Services Committee,
Senator Chris Lee, Chairman, Committee of Water, Land, Culture and the Arts Committee,
and
Senator Herbert M. "Tim" Richards III, Chairman, Committee on Hawaiian Affairs

SB2799 -- Relating to the Kalaupapa Settlement

Thursday, February 12, 2025, 1:30 p.m. Conference Room 224

I write to provide comments about S2799, regarding the future of Kalaupapa

Aloha Chairs San Buenaventura, Lee, Richards – and members of the Committees:

Thank you for hearing SB2799 and giving us the opportunity to learn more about plans for the future of Kalaupapa. Mahalo to Senator Lynn DeCoite for introducing this bill.

This is the third straight year that bills are being heard regarding the future of Kalaupapa, yet it seems that little is still known – and that decisions are still being made solely by government officials in Honolulu without public input, including those who have a great deal of knowledge about Kalaupapa that would be most helpful to planning a better future.

My name is Valerie Monson, Executive Director of Ka 'Ohana O Kalaupapa, a nonprofit organization that formed in 2003 behind the leadership of residents of Kalaupapa who wanted to bring together family members, descendants and friends of the community to make sure their history would be remembered and that their voices would continue to guide the future even after they had passed.

I have submitted many testimonies to the Legislature, asking that Ka 'Ohana O Kalaupapa and residents of upper Molokai be included in developing the future of Kalaupapa. At least some of the state and federal workers at Kalaupapa also feel left out of these discussions.

A Kalaupapa transition team of government officials has been meeting for many years, yet we hear such conflicting statements about where they're at in the process -- some of these

statements are from officials who are members of this team and who have a different idea of what has been accomplished.

There are times when we are told that the transition team is still in the early stages of planning the future but we also hear that the decision has already been made: that the National Park Service will have full jurisdiction at Kalaupapa, that the United States Federal Government will have complete control of one of Hawaii's most sacred places.

Recently we've also heard that Maui County will assume jurisdiction of Kalaupapa.

What is true? We just don't know. We hope the report being required by this bill, SB2799, will provide some insights.

A bill introduced to the Legislature last year stated that Kalawao County -- which now comprises the entire Kalaupapa peninsula -- will cease to exist and -- I quote -- "**shall** be and form a portion of Maui County." (emphasis added).

What does Maui County think about this? I attended a Maui County Council Committee meeting about this bill a year ago -- and there were unanswered questions about possible costs and duties the County could be asked to take on.

Just two weeks ago, there was a Maui County Council Committee meeting in Kaunakakai where nearly all the Molokai residents who testified supported Kalawao County and upper Molokai forming Molokai County. There was little or no support of Maui County taking over Kalawao County.

In Public Law 96-565 which established Kalaupapa National Historical Park in 1980, Section 109 reads: "At such time when there is no longer a resident patient community at Kalaupapa, the Secretary **shall reevaluate the policies governing the management, administration, and public use of the park** in order to identify any changes deemed to be appropriate." (emphasis added).

How does that Federal language fit with the State bills?

The bill introduced to the Legislature last year also proposed creating a "Kalaupapa State Historical Area," which is subject to the State's 6-E process that includes special restrictions. According to the bill, the purpose of this historical area is "to educate the public, to commemorate the lives of the residents with Hansen's disease and the lives of the people who served them, and to recognize the county of Kalawao and its role in the history of Hawaii."

Ka 'Ohana O Kalaupapa has been doing all of the above in historical preservation and education for more than 22 years without a special designation.

We appreciate your three committees hearing testimony on the future of Kalaupapa, a community that is very dear to many of us -- and a community that will continue to exist even

after there are no longer any living residents who were isolated under the old laws. These nearly 8,000 men, women and children who were sent to Kalaupapa between 1866 and 1969 will continue to live on in the hearts and minds of many of us – they will continue to guide us in different ways.

Mahalo nui loa,

A handwritten signature in black ink that reads "Valerie Monson". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Valerie Monson, Executive Director
Ka 'Ohana O Kalaupapa

SB-2799

Submitted on: 2/10/2026 9:43:35 PM

Testimony for HHS on 2/12/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry Support

2799 SB RELATING TO THE KALAUPAPA SETTLEMENT.

STATUS OF LAND "HISTORICAL PRESERVATION PROTECTION!"

SB-2799

Submitted on: 2/11/2026 1:02:49 AM

Testimony for HHS on 2/12/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M. Leilani DeMello	Individual	Support	Written Testimony Only

Comments:

Aloha,

I KĀKO‘O this bill.

Mahalo,

M. Leilani DeMello

‘Ōla‘a, Puna, Hawai‘i

SB-2799

Submitted on: 2/11/2026 8:25:26 AM

Testimony for HHS on 2/12/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keomailani Hanapi Hirata	Individual	Support	Written Testimony Only

Comments:

Aloha 'aina kakou, my name is Keomailani Hanapi Hirata, I am a Kupa'aina from the island of Molokai where I can trace my genealogy to time immemorial and I submit testimony in SUPPORT of SB2799.

This is a bill about collaboration, foresight, and shared responsibility. By requiring this collaborative report, it gives all stakeholders a foundation to continue to make informative decisions together and ensures that when the time comes for transition, we do so with our eyes open, our knowledge full, and our relationships intact.

Mahalo for allowing me to humbly testify in support,

Keomailani Hanapi Hirata



LATE

February 11, 2026

Re: **Support SB2799 w/ amendments**

Dear Chair, Vice Chair, and Members of the Committee,

I write in strong support of SB2799, Relating to the Kalaupapa Settlement, with a respectful request for a friendly amendment to explicitly include the Hawaiian Homes Commission, Hawaiian Homes Commission Act (HHCA) beneficiaries of Moloka'i, and homestead associations in the consultation, planning, and reporting process required under the bill.

Kalaupapa is not only historically significant — it is 'āina with deep cultural, genealogical, and spiritual ties to Native Hawaiians. As the State prepares for the eventual transfer of powers and duties of the Kalaupapa Settlement, it is essential that HHCA beneficiaries are meaningfully engaged in discussions affecting stewardship, land use, governance structure, and long-term management.

The Hawaiian Homes Commission Act of 1920 (42 Stat. 108, as amended) establishes a federally recognized trust responsibility to Native Hawaiian beneficiaries. Sections 204, 205, and 207 of the HHCA affirm that lands are to be administered for the benefit of Native Hawaiians and impose fiduciary obligations on the State as trustee. Any transition plan involving lands of such importance must recognize and uphold that trust duty.

Further, federal regulations under 43 CFR — governing Native Hawaiian programs and the administration of federal trust responsibilities — reinforce the obligation of government entities to ensure consultation and protection of Native Hawaiian trust interests when actions may affect trust resources and beneficiaries.

Explicit inclusion of HHCA beneficiaries within SB2799 would:

- Affirm the State's fiduciary responsibilities under the HHCA;
- Align transition planning with established federal trust principles;
- Ensure culturally appropriate stewardship and informed decision-making;
- Promote transparency, equity, and meaningful consultation; and
- Provide long-term stability rooted in Native Hawaiian values and perspectives.

As authority over Kalaupapa evolves, beneficiaries must not be consulted after decisions are shaped, but engaged early and directly in defining the framework of governance and stewardship. Meaningful inclusion strengthens both the integrity of the process and public confidence in the outcome.

For these reasons, **I respectfully urge the Committee to pass SB2799** with an amendment that clearly requires consultation with and inclusion of the Hawaiian Homes Commission, HHCA beneficiaries, and Moloka'i homestead associations in the transition planning and reporting process.

I stand on my written testimony. Mahalo for the opportunity to provide oral testimony.

Sincerely,
Sybil Lopez
SCHHA Moloka'i Mokupuni

LATE

SB-2799

Submitted on: 2/12/2026 3:42:38 AM

Testimony for HHS on 2/12/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Young	Testifying for CARES	Support	Remotely Via Zoom

Comments:

Support.

LATE

SB-2799

Submitted on: 2/11/2026 6:41:00 PM

Testimony for HHS on 2/12/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Remotely Via Zoom

Comments:

Support for this measure. Listening to the voices of homesteader's on Molokai is important.

LATE

TO: Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair
Committee on Health and Human Concerns

Senator Chris Lee, Chair, Chair
Senator Lorraine R. Inouye, Vice Chair
Committee on Water, Land and the Arts

Senator Herbert M. Richards, Chair
Senator Rachele Lamosao, Vice Chair
Committee on Hawaiian Affairs

FROM: DeGraty Vanderbilt, testifying in support of bill with amendments

DATE: February 12, 2026

SUBJECT: TESTIMONY ON SB2799 – Relating to transition plan for the future of Kalaupapa after there is no longer a patient resident community there.

Aloha Chairs San Buenaventura, Lee and Richards, Vice Chairs McKelvey, Inouye and Lamosao and members of the Committees on Health and Human Service; Water, Land and the Arts; and Hawaiian Affairs

My name is DeGray Vanderbilt. I am testifying today as an individual. I am a founding member of Ka 'Ohana O Kalaupapa, an organization conceived and fostered by patients residents of Kalaupapa and consisting of patient residents at Kalaupapa and their family members and friends. I also formally served as Chair of the Molokai Planning Commission.

SB2799 provides a means to create some accountability and certainty about Kalaupapa's future. To date there has been nothing but uncertainties. SB2799 requires the department of health (DOH) in consultation with the department of land and natural resources (DLNR) and department of hawaiian home lands (DHHL) to submit a report on the plan for the transfer of powers and duties of Kalaupapa Settlement, which is currently a National Historical Park. Both DLNR and DHHL have their lands managed by the National Park Service (NPS) .

NPS is authorized to operate at Kalaupapa via federal statute —Public Law 96-565, as is Ka 'Ohana O Kalaupapa via Public Law 111-11, which has no sunset date.

It should be noted that Section 109 of Public Law 96-565 establishing Kalaupapa as a National Park includes the following text:

“ Section 109: At such time when there is no longer a resident patient community at Kalaupapa, **the Secretary of the Interior shall reevaluate policies governing the management, administration, and public use of the park** in order to identify any changes deemed to be appropriate.

An NPS Foundation statement from 2017 includes the following excerpt:

“Transition Management Plan. The National Park Service **does not have direction or agreements for ensuring that the intent of the enabling legislation and the general management plan is met during the transition period,** which will occur in the foreseeable future.

The park does not have a plan to ensure that the transition between the two agencies occurs without significant impacts on resources and gaps in park operations. A transition management plan would also help to enhance the visitor experience if a smooth transition can be achieved.

Scope — A transition management plan would be developed **in partnership** with state agencies **and organizations,** including the Department of Health, Department of Hawaiian Home Lands, Department of Land and Natural Resources, Department of Transportation, and **the Office of Hawaiian Affairs,** to provide a smooth transition.

The plan would define responsibilities of the agencies **and other partners during the transition,** include timelines, and address maintenance and other costs related to facilities and utilities, housing, emergency operations, and law enforcement.

Since that time, there has been no transition planning that has included any stakeholders except NPS, DOH, DHHL and DLNR. The Office of Hawaiian Affairs, despite repeated requests to be included in transition discussions, but has been ignored. The same is true of the “organization” Ka ‘Ohana O Kalaupapa, which NPS has named a “preservation professionals” (eight historic preservation awards from Historic Hawaii Foundation) and is an organization, like NPS, that is authorized to operate at Kalaupapa by federal statute.

Ka 'Ohana O Kalaupapa was conceived and formed by patients of Kalaupapa because they wanted an organization in place made up of patient residents, their extended ohana and long time friends of the Kalaupapa community so as their numbers grew smaller their voices would continue to be heard and the legacy for the future of Kalaupapa that they dreamed of would be realized and sustained in perpetuity. Ka 'Ohana was formally organized as a 501 c 3 non-profit in 2003.

As such, I respectfully ask today for you to consider the following amendments to SB2799 (shown in red type) as a tribute the patient residents of Kalaupapa for the sacrifices the made and hardships they endure for the benefit of the greater State of Hawaii community:

PROPOSED AMENDMENTS (red type)

SECTION 1. The legislature finds that a plan for the transfer of powers and duties regarding the Kalaupapa Settlement is urgently needed in preparation for the passing of the few resident patients remaining there. Under existing law, the county of Kalawao is under the jurisdiction of the department of health, however, other state agencies, such as the department of land and natural resources and the department of Hawaiian home lands, have land ownership interest **and/or statutory interest to operate** within Kalawao county.

Accordingly, the purpose of this Act is to require the department of health, in consultation with the department of land and natural resources, department of Hawaiian home lands, **and Ka 'Ohana O Kalaupapa** to submit a report on the plan for the transfer of powers and duties of Kalaupapa Settlement.

"§326- Transition Planning. (a) The department of health, in consultation with department of land and natural resources and the department of Hawaiian home lands, **and Ka 'Ohana O Kalaupapa, all authorized to operate at Kalaupapa by federal or state statute,** shall submit to the legislature no later than twenty days prior to the convening of the Regular Session of 2027 a report on the plan for the permanent transfer of the powers and duties relating to the Kalaupapa Settlement to the department of land and natural resources and the department of Hawaiian home lands, which shall include:

(1) Specification of the department of health's, department of land and natural resources', ~~and~~ the department of Hawaiian home lands', **and Ka 'Ohana O Kalaupapa** interests in and responsibility over Kalawao county or the Kalaupapa Settlement;

(2) Details on the plans and necessary procedures for the permanent transfer of powers and duties;

(3) The pre- and post-transfer roles and responsibilities of the department of health, department of land and natural resources, ~~and~~ the department of Hawaiian home lands, ~~and~~ Ka 'Ohana O Kalaupapa regarding the transfer of Kalaupapa Settlement, including remediation, maintenance, or other activities;

Mahalo for your consider

Respectfully submitted

DeGray Vanderbilt

808-283-8171

degray.vanderbilt@gmail.com

LATE

February 11, 2026

RE: Support for SB2799

Dear Chair, Vice Chair, and Members of the following committees:

Committee on Health and Human Services
Committee on Water, Land, Culture and the Arts
Committee on Hawaiian Affairs

MATTHIAS
Aloha ASANO I am from KAPAAKEA Homestead on Moloka'i. I am writing in **support of SB2799, Relating to the Kalaupapa Settlement**, with a requested amendment to clearly include the Hawaiian Homes Commission, HHCA beneficiaries, and Moloka'i homestead associations in the consultation, planning, and reporting process.

Kalaupapa is not just a historic place — it is 'āina with deep Native Hawaiian ties. Any transition involving governance, stewardship, or land use must recognize the State's trust responsibility under the Hawaiian Homes Commission Act (HHCA). HHCA beneficiaries have a kuleana to these lands and must have a seat at the table.

SB2799 provides time for planning and transparency. By adding beneficiaries and homestead leadership into the process, the State ensures decisions are culturally grounded, responsible, and rooted in those with ancestral and trust connections.

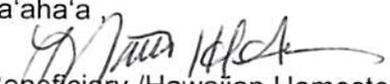
As authority over Kalaupapa evolves, beneficiaries should not be brought in after decisions are already shaped. We must be engaged early and directly in helping define the framework for future governance and stewardship. Meaningful inclusion with our current Moloka'i Hawaiian Homes Commissioner can strengthen both the integrity of the process and community confidence in the intended outcomes.

For these reasons, I respectfully urge the Committee to pass SB2799 with an amendment requiring consultation with and inclusion of the Hawaiian Homes Commission, its Moloka'i homestead associations as well as HHCA beneficiaries.

I stand on my written testimony. Mahalo for the opportunity to provide testimony.

Me ka ha'aha'a,

[Name]


HHCA Beneficiary /Hawaiian Homestead Leader