

# OHA opposes housing plan on Lahaina

■ The group says that the state has no right to sell the ceded lands

BY GARY T. KUBOTA

Maui correspondent

S-B 11/5/94

WAILUKU — Office of Hawaiian Affairs trustees are suing to stop a 4,800-unit housing project in Lahaina on lands partially designated to benefit native Hawaiians.

OHA Chairman Clayton Hee said trustees yesterday refused a \$5.57 million check from the state Housing Finance and Development Corp. as payment for native Hawaiians' share of the land.

The housing agency yesterday received title to 544 acres from the state Department of Land and Natural Resources. It has already spent more than \$23 million to develop roads, sewer and water systems on the land.

The Villages of Leali'i project includes a golf course and commercial sites. Sixty percent of the housing units are to be "affordable" and the land will be sold to some home buyers.

Joseph Conant, the agency's executive director, said the project is continuing as scheduled and developer C. Brewer Homes is expected to finish building some homes in the 103-unit first phase by spring 1995.



**Clayton Hee:**

"It's an effort by the HFDC to shove this Lahaina project down the throats of native Hawaiians, and it's wrong."

The 544 acres, mauka of the Lahaina Civic Center, belonged to the Hawaiian royal family before the 1893 overthrow. The federal government ceded the crown lands to Hawaii when the islands became a state in 1959.

In statehood documents, native Hawaiians were to be among those benefiting from the ceded lands.

Hee said the lawsuit alleges the state has no right to sell the ceded lands because they are to be held in trust.

Trustees also charge the housing agency with failing to comply with an appraisal procedure set by the 1992 Legislature.

Hee said the housing agency took more than the required 90 days to appraise and convey the land. Hee said the agency should never have spent the money to build the roads, sewers and water system before it had ownership of the land.

"It's an effort by the HFDC to shove this Lahaina project down the throats of native Hawaiians, and it's wrong," Hee said.

Conant said a state attorney general's opinion states the agency complied with the appraisal procedures. He said two appraisers agreed on the value of the land on Aug. 10. The 544 acres was appraised at \$27.8 million.