

**STATE OF HAWAI‘I
OFFICE OF HAWAIIAN AFFAIRS
Lili‘uokalai Trust
Col. David M. Peters Bldg. [Annex], Lili‘u Room
1790 Wili Pā Loop
Wailuku, Maui, HI 96793**

**Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, May 10, 2018
9:00 am**

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE LEINA‘ALA AHU ISA
TRUSTEE DAN AHUNA
TRUSTEE ROWENA AKANA
TRUSTEE W. KELI‘I AKINA
TRUSTEE PETER APO
TRUSTEE CARMEN HULU LINDSEY
TRUSTEE JOHN WAIHE‘E IV

ROBERT K. KLEIN, ESQ. BOARD COUNSEL

BOT STAFF:

CAROL HO‘OMANAWANUI
LADY GARRETT
PAUL HARLEMANN
MAX MUKAI
CRAYN AKINA
LEHUA ITOKAZU
DAYNA PA
LŌPAKA BAPTISTE
NATHAN TAKEUCHI

EXCUSED:

TRUSTEE ROBERT LINDSEY

ADMINISTRATION STAFF:

KAMANA‘OPONO CRABBE, CEO
ALICE SILBANUZ, DPM
MEHANA HIND, CE
JASON LEES, DPM
ZACK SMITH, RES
THELMA SHIMOKA, COO
ROY NEWTON, COO
KŪHIŌ LEWIS, OTR

GUESTS:

CLIFF ALAKAI
KYLE NAKANELUA
KOA HEWAHEWA
SKYE KAMAUNU
KE‘EAUMOKU KAPU
KANILOA KAMAUNU

I. CALL TO ORDER

Chair Colette Machado Calls the Board of Trustees meeting to order at 9:08 am. Roll call is taken; Trustees Ahu Isa, Ahuna, Akana, Akina, Apo, Trustee Carmen Hulu Lindsey and Machado are present; constituting a quorum of seven (7) trustees. An excuse memo was received from Trustee Robert Lindsey. Trustee John Waihe‘e IV is expected to arrive shortly.

II. PUBLIC TESTIMONY

Chair Colette Machado – We will start with Public Testimony today and I’d like to call on Cliff Alaka‘i to the microphone.

Mr. Cliff Alaka‘i – My name is Cliff Alaka‘i I live on Maui, originally born on Oahu, my family is from Kauai from the West side from Lawai down to Waimea and Kekaha. I wanted to come today, I read the OHA paper regularly and I wanted to publicly say Mahalo to the Chair for all the work you do in guiding OHA. Cause I read this thing and it seems like everyone is paddling, some people are paddling in different directions.

It's very difficult for what you do. I wanted to say mahalo. I don't know if anyone tells you that, thank you for the good work and I really appreciate what you do.

I wanted to also say mahalo to Kamana'o. I've known him for a few years, I've watched him, what he writes and what he does and have seen his actions. I am very proud of him on what he has accomplished and what he is doing. I think my opinion is that he is doing the right things for OHA and I hope the Trustees continue to support him because I know he is doing good for the people. If you talk to most of the Hawaiians on the street, the average joe they are going to say that he is a good person and he really means well for OHA. He tries everything he can to do the best he can for OHA. I don't know if people tell him or tell you mahalo. But thank you very much please share my comments with him. I do appreciate all the hard work he does, I know it's hard to run an organization like this because you have different people from different areas, different directions. But Trustees please paddle in all the same direction because you guys going all over the place and going in all different directions. You guys need to work together and think about what you guys write, and write things for the positive versus the negative. Mahalo, Thank you very much.

Chair Colette Machado – Mr. Kyle Nakanelua please come to the microphone.

Mr. Kyle Nakanelua – Thank you all for taking the time to come to this beautiful island of Maui. If you folks were permit I will dispense with cultural curtesy to save everyone time. Several months ago I emailed all of you and just point blankly asked all of you to find it within yourselves, to look within yourself and to forgive the CEO for whatever transgressions that you folks may have found he committed to you and the organization. That was because of the audit that was going on. After that audit, I was able to review a letter from Chairman Machado that said let's set the record straight. And within that there was the call that said there was no legal transgressions committed by Kamana'opono Crabbe. I appreciate that.

He is still in the position that he is in and you folks did have the meeting that you had. Obviously it pointed to me that there was some forgiveness that has occurred. After that more dust was kicked up and several of you other Trustees have been taking hits and whatever cause that upheaval to arise I am asking all of those people to look within yourselves as well and to forgive transgressions so that this Board, this aha and all of its staff can move forward and continue to do the work that is really in the best interest of our people. When I say our people I am not trying to be exclusive, and I am not trying to be racist. What I am trying to be is very, very clear to the general populace of Hawaii. Office of Hawaiian Affairs was created for Hawaiian people not to be dispersed amongst the General population of Hawaii. And bringing to the point to that this is done because of restitution that was owed to us as a people being descendants from our ancestors of whom the transgressions were committed against. So this is a result of us and ours.

Some of us know this but some of us don't. Let us remember we as a people, Hawaiians, if take care of ourselves, if we are cared for then everybody else is going to be taken care of. The problem was that everybody else taking care of everybody else and we catching all the bangs from this. Look I no see any other organization out there take as many hits as OHA and its always OHA's problem and its always because we no can get along. Yet the Democrats no can get along, the Republicans are all jumping ship at a National level. So let quell all of that rubbish. Again please let's forgive each other, lets forgive ourselves, let's all move forward and do good work for our people. Mahalo again. (Mr. Nakanelua submitted written testimony that has been attached.)

Chair Colette Machado – Thank you Kyle. Are there any more testifiers signed up? If not, then we will move on to item III. I will call on Kawika Riley to give administrations update.

9:14 am Trustee John Waihe'e IV arrives.

III. UNFINISHED BUSINESS

A. CEO's 15-Minutes Update on Ho'oulu Lāhui Aloha and OHA Activities

Kawika Riley – Aloha mai kakou. I am the Chief Advocate for the Office of Hawaiian Affairs. I am sitting in for our CEO Kamana'opono Crabbe who will be joining us momentarily. I'd like to introduce the staff that we have here. For community engagement we have our director Mehana, our Community Outreach manager Kūhiō, and also just a few others some of whom are in the room and some are outside helping with the beneficiaries. I want to mention Alice, Jason, Roy and Thelma who is from our office here on Maui and then we are also joined from our research department located here on Maui, Zach. That is the staff we have here today. Our CEO has just joined us so that this point I will differ to him. Thank you.

Kamana'opono Crabbe – Aloha mai kakou. I don't have a Siri application on my cell phone, this is the first time I have been here. The first thing I wanted to share is that last week the Office of Hawaiian Affairs launched our first Haumea Native Hawaiian Health Wahine well-being Report. It's the first compilation of comprehensive data on specifically on native Hawaiian women. Not just on physical health but emotional well-being, economic status, job workforce and so forth. Its two books and very comprehensive. In it there is recommendation on policy and program. What is really significant of this report is that we really look at the foundation of culture in influencing how we look at health and well-being among wahine. If you are working within women in the health field, women incarcerated, opio incarcerated, we highly recommend that you look at it. It is on our website for free and you can download it. We are very excited, we also worked with national people on the continent in terms of distributing this in our Hawaiian communities in the West Coast and Washington DC.

The second is several weeks ago the island of Kauai as well as Oahu were affected by the floods. We received data from community surveys specifically to native Hawaiian families who have been affected on the north end of Kauai. So far the data looks like 450 people but we are still gathering data. Because of that there was discussion at the Board to look at the Office of Hawaiian Affairs dispersing substantial funding. We are currently working that out with Trustee Dan Ahuna from Kauai to disperse not only funding from Office of Hawaiian Affairs but also deploying other resources. We have a specific statewide grant for emergency funding. We are also looking at deploying long term needs in terms of Native Hawaiian revolving loan fund for those who are in emergency need to get back on their feet. As of last week as well Kilauea, tutu Pele on Hawaii island has been active. There are approximately 35 homes that have been affected or either damaged or destroyed as a result of the lava. Our community outreach, Kūhiō Lewis and Mehana Hind, our staff in Hilo have been very active collecting information as well in terms of native Hawaiian families who have been affected. We are ready, right now we are waiting for that feedback to come in in terms of how much relief we can aid in their recover as well.

Other than that our legislative session has recently closed. Maybe later we can get an update from our Chief Advocate. OHA introduced several bills for our public land trust. It was met with a warm reception but over time it did not get as much support as we wanted. Just so everyone knows we did research for the past 6 years in terms of the State obligations to native Hawaiians through the Office of Hawaiian Affairs specific agreements 20% of the Public Land Trust revenue is due to the native Hawaiian community. We feel we have a very good legal bases and moral and social justice in terms of the State's obligation to Native Hawaiians. We will continue to advocate for that because we feel it's due to our Native Hawaiian people and la hui. We look to recover again for next year and if necessary the year beyond to really get what is equally due for our native Hawaiian people.

(conversation indiscernible)

Kamana'opono Crabbe – Trustee Leina'ala Ahu Isa is suggesting that since we are live streaming maybe the audience or people from Hawaii island may be listening in, I probably say if you are from Hawaii island and are listening we have received from a number of people who have contacted the Office of Hawaiian Affairs,

we are ready, we strongly encourage you to contact Trustee Robert Lindsey's office. He can be reached at his phone or contact the community outreach office.

Trustee Peter Apo – Thank you Kaman'o. I also want to extend that invitation to the people on Oahu because Oahu got hit too. Please contact my office. Thank you.

Chair Colette Machado – Thank you Trustee, this is the time we will take for Trustees to introduce themselves and their staff. I will begin on my left with Trustee Dan Ahuna from Kauai.

Trustee Dan Ahuna – Aloha mai Kakou. My name is Dan Ahuna. I am the Trustee for Kauai and Niihau. Today I am all alone by myself I have no staff. I am very happy to be here.

Trustee Leina'ala Ahu Isa – I am Leina'ala Ahu Isa I have been a Trustee now for 3 ½ years it has been an interesting experience. Because before that I didn't look at OHA that much. I am Chinese Portuguese; I know the Chinese side but I am learning about my Hawaiian side. My Trustee Aide Lady Garrett, goes with me everywhere. I really love Maui and I am happy to be here as well.

Trustee John Waihe'e IV – Aloha mai kakou I am John Waihe'e IV, Trustee At Large. First of all, I want to thank our lovely Trustee from Maui Hulu Lindsey for hosting us this past couple days and every here on Maui. My aide is parking the car; his name is Crayn Akina. Again Thank you.

Chair Colette Machado – Aloha Kakahiaka, I am Colette Machado from the island of Molokai I am elected as the Trustee that serves Molokai and Lanai. We have always enjoyed ourselves when we visit Maui. Hulu has this enormous heart, she not only organized site visits, you know Hawaiian style you have to feed your opu. Last night we had terrific stew. We always come and with the hospitality of the Thelma and Roy and the community we always feel welcome and full of aloha. I wanted to make a quick comment. Times are tough for OHA with the audit review on the organization, for us to put our heads together to work towards the emergency relief for the flood victims as well as the evacuation of Puna, we have always done due diligence and we have always done the right thing to provide for our people. This is no different. We are really scrubbing down to provide, not just \$100 thousand but we are looking seriously at providing a half a million for that purpose of emergency relief. We ask that as we deliberate on this matter we are always looking to partner with a nonprofit and to provide long term service not just for the immediate time. We thank you for coming and I want you to be assured that when it comes to help in this type of crisis you can depend on your elected Trustees to do the best that we can. We do due diligence and make sure that these things work out for all of them and not just to OHA and go directly into the pockets of our people. I wanted to make that very clear so that you know that in spite of our personal kinds of choices and at times it might feel we are at odds with one another, when it comes down to koku and have aloha you can always count on us on making the right choice. I have staff here, my Chief of Staff Carol Ho'omanawanui, Lōpaka Baptiste who is my aide and the BOT Secretary which is Dayna she is a Naeole married to a Pa. She is born and raised on the Hoolehua Homestead, I am very proud of them to be part of my team.

Trustee Rowena Akana – I want to say thank you, mahalo to Hulu Lindsey for hosting us and her stew is out of this world. So if you haven't tasted it you are missing out. Every time we come to Maui, we say if you are not going to cook your stew, we not coming. I'm the long time Trustee and have been here many times and love the people of Maui and especially the people of Lahaina where they have a lot of problems with Leialii especially. When the lease is expired from Maui Land and Pine, Hawaiian Homes was given 30% and OHA 20% of the lands, and we turned over our 20% to Hawaiian homes so that they could have 50% and build houses at Leialii. We are still getting questions about that and hopefully someday we can partner with Hawaiian homes and actually get some land from there and actually build our own houses. My staff Nathan Takeuchi who has been with me forever and puts up with me. I wanted to echo what Trustee Machado said. That while we may have our differences on the board there is one thing that we all support and that is our people. With the audit we were dinged quite a bit. One of the areas that we were hit on was this what we call

our reserve fund. We use that reserve fund for various things. I was dinged because when I was the budget Chair I authorized using that fund to help Linalool home for the kupuna and somehow the auditors did not think that was appropriate. But I said to them, they are our beneficiary and our kupuna so whether you think it's appropriate or not we are going to continue doing that.

What the Chair was talking about is that we've had discussions on the board about how to change our policy so that we can take care of these emergencies without the auditor criticizing on what we do with our money how we spend it. We are working on a special policy that will take care of these kinds of emergencies. That's every important, somehow the State doesn't understand that we are an agency that whose beneficiaries are the recipients of the money and what we do with that money should not be the concern of the auditor or anybody in the State for that matter. We have our difference and we fight with them over that. But I want to say thank you very much for your hospitality and I always enjoy being here on Maui. Mahalo again to Hulu Lindsey for your wonderful food. Keep making that stew.

Trustee Keli'i Akina – Aloha mai Kakou and everyone. Mahalo for taking time out of your very busy schedules to come today and for caring for the native Hawaiian people. I say thanks to Chair Machado and Trustee Carmen Hulu Lindsey. I am Keli'i Akina At Large Trustee and it is a tremendous privilege for me to stand here and sit on this board with these wonderful Trustees and CEO Crabbe and staff here. I want you to know this although I am committed to doing everything I can to help build our organization in a sense like a doctor give a diagnosis of what is wrong it can be painful. But I am committed to the cure and I know that everyone here on the staff and the Trustees of the OHA love the native Hawaiian people and we work together for the betterment of our conditions. Mahalo to all of you and please meet my Budget Analysis who is Paul Harleman. Please give him a hand he works hard to improve OHA. Thank you.

Trustee Peter Apo – Aloha mai kakou. First of all, I want to introduce my aide Ani Pang. If you will indulge me some family genealogy. My connection to Maui, I am a Makekau on my Tutu Mina side who is a kahuna lapaau out of Lahaina. My grandfather who is originally the family was Ng. He and his brother immigrated from China, he was the first cook at Lahaina Luna schools, we are related to the Ontai, Saffarys, Akee and I am really proud of that heritage. We moved to Oahu on December 6, 1941. And the next morning my father said I think we made a mistake. I just wanted to share the history. I am product of Maui and its always great to be here. Mahalo.

Trustee Carmen Hulu Lindsey – Aloha mai Kakou. I would like to introduce my two aides. We have my senior aide who is Lehua Itokazu who has been with me for the last 6 years. And we have a young man, Max Mukai who has been with me for a little over a year. He is a graduate of Pepperdine University. I just want to say how fortunate I feel to be representing people from the best island of Hawaii. I feel so comfortable as I walk through our community wherever I am I almost know everyone. I sit here and look at all of our faces and I know all of you. I can just tell you that when I sit at the table I am thinking of you. What are your voices, what do you want me to represent you? I do so with you in mind. I have no other agenda. I am very proud to represent a group of people, people that live on this island that are such wonderful people. You see how the Trustees have expressed their love for coming here and it's because our people are so great. Our people are great all over the State of Hawaii. But I think Maui is special. Thank you for having the board here and Mahalo nui for all you input. We listen to you very carefully. Sometimes we can't do everything that you want us to do but we certainly try. Mahalo Nui.

IV. NEW BUSINESS

- A. Committee on Beneficiary Advocacy and Empowerment**
 - 1. 2018 OHA Legislative Positioning – Matrix 1, May 2, 2018**

Chair Colette Machado – We are not on item IV. A. 1. we have a referral from the Beneficiary Advocacy and Empowerment Committee on the legislative positioning I'd like to call on BAE Vice Chair Ahuna.

Trustee Dan Ahuna moves to approve Administration's recommendations on a BILL POSITION FOR RECONSIDERATION (Item 1) on the OHA Legislative Positioning Matrix dated 5/2/2018.

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION
			New Bills	
1	SB2237	RELATING TO PUBLIC SCHOOLS.	Requires the City and County of Honolulu to transfer to the Department of Education all property upon which a public elementary or intermediate school is situated. Gives the Department of Education power to acquire and hold title to real, personal, or mixed property for use for public educational purposes. Requires legislative approval prior to the sale or gift of lands to which the Department of Education holds title. Appropriates funds. (CD1)	OPPOSE > COMMENT

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – Any discussion hearing none roll call please.

Trustee Dan Ahuna moves to approve Administration's recommendations on a BILL POSITION FOR RECONSIDERATION (Item 1) on the OHA Legislative Positioning Matrix dated 5/2/2018.							
Trustee John Waihe'e IV seconds the motion.							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA	AHU ISA			X			
TRUSTEE DAN	AHUNA	x		X			
TRUSTEE ROWENA	AKANA			X			
TRUSTEE KELI'I	AKINA			X			
TRUSTEE PETER	APO						
TRUSTEE CARMEN HULU LINDSEY				X			
TRUSTEE ROBERT	LINDSEY			X			Excused
TRUSTEE JOHN	WAIHE'E		x				
TRUSTEE COLETTE	MACHADO			X			
TOTAL VOTE COUNT				8			
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED							
Motion passed with eight (8) yes votes and one (1) excused.							

V. EXECUTIVE SESSION

Chair Colette Machado – We are now on V. which we will recuse ourselves into executive session.

Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS § 92-2.5(b)(1)(B) and § 92-5(a)(2), and (a)(4).

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – It has been moved and seconded any disuccssion? Hearing none, roll call vote please.

Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS § 92-2.5(b)(1)(B) and § 92-5(a)(2), and (a)(4)						
Trustee John Waihe'e IV seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY						Excused
TRUSTEE JOHN WAIHE'E		x	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passed with eight (8) yes votes and one (1) excused.						

The Board resolved into Executive Session at 9:38 am.

- A. Presentation by OHA's Permitted Interaction Group of its findings and recommendation, without discussion, re: Contract Number 3147 pursuant to HRS § 92-2.5(b)(1)(B) and § 92-5(a)(2), and (a)(4).**

The Board reconvenes into Open Session at 9:59 am.

VI. COMMUNITY CONCERNS

Chair Colette Machado – We are now on community concerns. Our first speaker is Koa Hewahewa.

Mr. Koa Hewahewa – Aloha mai kakou. I am putting on my other hat today, I am representing my family's small business Kanu Ka 'Ike. I don't only farm with Hālau Ke'alaokamaile but I also have my own personal farm and I just want to share some of the struggles that I deal with as a start up business and small business owner. We cannot even understand the terminologies. I was going ot pull up the website today on how to apply for a loan, small business. The kind of terminology, when I try to speak and share what we are doing whether we are farming or any type of education that I teach I try to make it where even the kids can understand. So maybe I hoping that Office of Hawaiian Affairs can somehow change the structure as to how we can understand the terminology. What is loans, what is interest what is all that stuff. When we look at the website, you guys assume that we know those things. We need to put out more education on how to apply for these types of things. I talking about small business loans and even trying to get a house. It is pretty frustrating. The age bracket that I am in, most of us live with our parents with the whole family. So there is a big disconnect between our land and our water, not just farming but even having a place to raise our family. We cannot be getting stuck in to little housing and stuff we need to be on the aina.

I'd like to talk a little bit about the farming aspects. There is a big disconnect between the farmer and his land. How can we get the farmers on the land. We cannot just foster the stewards of the land, we got to foster the stewards his family and the community that it takes to build the village. I running around and doing this on my own time because I have the leisure to do it but I need my whole foundation to come with me, my whole family to be part of the farm. Its hard you know. We all know what the avverage person makes especially in my age bracket. There is no way we can own a house and own a small business. It is not easy. So creating more workshops to hlep us understand and providing land for not just the stewards but, I like what Keeaumoku was saying last night. Helping us put those affidavit together, understand what is the land commission award, what is the end results.

We have a lot of kuleana land for the Hewahewas in my family. But for understand the terminology and the educational part on how to put our geneology together and all those kinds of things. It is almost impossible to find the time to do those things, to work full time, to have time with your family and on top of that do the research to find out all these types of things. People they have the research and opportunity to go to college and learn these types of things. What about the people who don't have the resources, time or the money, or the family support to do these types of things? I am very grateful I do have a solid foundation, very grateful that I have family support, wahine support, kid support to help me and learn all these types of things. I never really go to school to know all the things but I had the support to help me so that I can learn all these things. We need to make more education available to understand these types of things. There is a big connect between the farmer with his land and water. I got to drive to two different farms, I live in Waikapu, I drive up to piiholo. I do that every day and after that I drive to my other farm. How can I teach generational knowledge if I don't have access to resources? I do these things because I think it is important for my kids to know. I teach my kids things that they cannot learn in any school. I need those resources and I need support and you are the Office of Hawaiian Affairs how can you support small farmers, small business.

I went through a headache to learn who the DCCA is, the small business resource center, the Department of Taxation, the IRS. How the heck we supposed to know all these things? Can we provide education so that we can make the steps easier? With my family business I am trying to hope that I can plant knowledge. Hopefully through our free social media I can share standard operating procedures like how to start our own business. How to get ahead, if we keep doing the same old things we not going to be able to be better and to provide and sustain our family. So I hoping you guys can hear my voice as a small business owner and as a farmer. Mahalo.

Trustee Leina'ala Ahu Isa – We have a lady named Mona Bernardino and she give classes, she teaches on loan and small business. She is really good and she can take you through the steps, she has these classes. Ka Pouhana can explain to you how it can help you.

Mr. Hewahewa – Educating on the terminology how to understand what all that means. You need to have two years of existing business and a PNL, you got to have a business plan. What is a business plan? I try to look at templates but there is no body to help. I glad I went through the nightmare to figure out the steps because the next person I am going to teach is not going to go through that.

Chair Colette Machado – Thank you for bringing that to our attention. It is cumbersome, now if you have a good credit score you need to go through what they call financial literacy. All of these things will help you get ready. Business plan development they do have templates but it has to suit what you do because there is no template for what you are doing. It's a very special kind of situation and bringing to our attention can only allow us to try to fit you in. Thank you Koa.

Mr. Hewahewa – We are still participating in the State 4% interest, is there a way we can change that stuff around that interest and loans, can we change how that works? Do we have the power to change that in that system? Mahalo.

Trustee Carmen Hulu Lindsey – Legislature can change it.

Chair Colette Machado – Our next speaker is Skye Kamaunu.

Mr. Skye Kamaunu – Aloha my name is a Skye Kamaunu. I am here representing my family and my kids. I am a home teacher, I home school my children. The reason for that is because there is a disconnect, the disconnect is cultural. The prejudices that the children face because of the inequalities in the education system. My views as a parent that teaches kids is that the availability of the curriculum for cultural practice and cultural education is scarce. The education that I get I go out, myself and ask people of the public that do practice regularly. I ask my Makua and the kupuna and I try to feel my way through a lot of this. I do a lot of research and a lot of reading. I've done a lot of visiting places trying to receive some other type of instrumentation to further my knowledge and it keeps bringing me back to the lack of educational system for cultural practice.

The fact that we feel that we have to send out kids to school is already a bad thing. Because the learning starts at home, the kid is a product of you. So if you are not living up to what you are teaching your child to do you can't expect them to do the same. With that being said we also are a separate identity from everybody else within this island. Yet I feel we are being incorporated with everyone else. Starting with the Rice v. Waihee that was our downfall. We lost a right as native Hawaiians to choose who gets to sit here. That is a fault because you cannot really truly call yourself the Office of Hawaiian Affairs. Because you include everybody and we are now the minority.

I am here as a public entity, as myself wondering how do we step away from incorporating everybody else's rights with our rights. How do we keep that separation? How do we show the difference between equal rights and invested rights? Basically what I am getting at is that from what I learned last night is that there is a disconnect. There is people who want to be here who want to be present who want to have a say. But feel because we are incorporated with everybody else that, that what they have to say is not important anymore. That is where we lack with the community involvement. I hope there is some kind of solution we can come and figure the solution to give our people to really control their island. We lacking our identity, we lacking, there is no excitement for the young kids to be Hawaiian anymore. Why, because we don't practice it. We need those venue, we need help from people like you to create legislation to create some kind of movement to where we can be a product of that movement in educating our kids on culture of who they really are.

Trustee Leina'ala Ahu Isa – You are talking about cultural curriculum I wanted you to be aware in this last legislative session there was a bill to regulate home school.

Mr. Kamaunu – I already told the school that I separate myself from the public school system. (conversation indiscernible)

Trustee Leina'ala Ahu Isa – There is curriculum for culture classes.

Mr. Kamunu – There is curriculum but who is to say that curriculum is correct.

Chair Colette Machado – I would like to recognize the Chancellor of Maui College Lui Hokoano. Please stand. Our next speaker is Kaniloa Kamaunu.

Mr. Kaniloa Kamaunu – Aloha mai kakou Kaniloa Kamaunu. My concern as I put down was of course, we've been fighting for almost 13 years now. The concern with the disappearance of the sand dunes. The terminology that is used, they focus on the point of economics. So they focus on sand mining. We try to change the terminology. We are not concerned of the sand mining. We are concerned of the effects of the sand mining. There is a difference. For them it is an economic advantage to have this resource on their property.

But it is also disadvantage because what it contains which is our iwi kupuna. The injustice is done to use the terminology sand mining. It distracts from the real issue that myself and my constituents have been fighting for years which is the iwi. You can check every project they have done coming from Waihee, Waiehu, Paukalo down toward the town going up to Kihei. All these areas there is not an incident where they did not find iwi kupuna. The reason for the flaw is the mechanism to fortify that the land does not have any significant archaeological findings.

Are we supposed to sit here and allow them to continue what they are doing? We need more because even with the moratorium they are still giving permits. The County gave a permit which takes months sometimes, they gave it in hours. This was for one of the people we were in a lawsuit with. The problem is how we are addressed. E kala mai for those who have incorporated in their lives the terminology of native Hawaiian. I am an advocate against it. I not putting down anyone's belief. There is a concern with the use of such terminology it gives the advantage to the foreigners who govern us as Trustees the opportunity to make or take advantage of us in saying that we are considered native Hawaiians and under that act that we are considered United States Citizens. With that being said because the United States has the power of attorney over its people. They can make judgement for their people without their input. I protest the misuse or the creation of an entity that does not exist which is the native Hawaiian.

Chair Colette Machado – Our next speaker is Ke'eumoku Kapu from Lahaina.

Mr. Ke'eumoku Kapu – Aloha mai kakou Trustees. Mahalo again for this opportunity to share my manao on a couple of specific items. I wanted to start off with Kaniloa was saying in my opening did anyone ever read the mahele. I say this many times because in the Mahele there are keys for us kanaka to tap into the resources of our Kupuna that was put in that book. I encourage this body to look into it. In fact, get in contact with Donovan Paresa maybe he can do this body one presentation on what the Mahele was basically all about.

My kuleana here today is under CEO for the Aha Moku of Maui Inc. and from the last legislative session I heard that DLNR is trying to levy this body of the Aha Moku Advisory Council under OHA. And if that is the case, in long discussion with Suzanne Case as well as the operational procedures under Aha Moku there is two venues. One was the Department of Land and Natural Resources which basically get some turbulence going on in there with the Executive Director Leimana DeMante, we want her out. She is not doing her duties for the Department of Land and Natural Resources. I don't know where she is in that point. But my last discussion we had with one of our representatives that went to the legislation is that they trying to levy this under the Office of Hawaiian Affairs. If that is the case if you guys haven't heard anything about it? We are still under DLNR.

(Various Trustees state that they haven't heard of this.)

What I should ask for is support from the Office of Hawaiian Affairs to send a letter to the Governor because our islands don't have moku representatives because he yanked all the names. So we don't have that vehicle to take the moku representative's concerns from the island mokus to that respected body of the representative that represents us. The advisory committee representative to the department. Because we don't have that individual there is no way for us to send correspondence on pending projects, shoreline projects like that sand restoration they are doing in Kaanapali. But the good thing is the moku of Kaanapali filed a class action suit against the private owners of the Kaanapali Shores hotel and what I am hearing it is victorious but still we need the correspondence from the moku representative or the island mokus to the AMAC representative that we send up to DLNR. I am hoping with OHA's assistance you guys can send a letter to the Governor or Suzanne Case to expedite the process so we can collect the names of representatives that can serve on that body. That is one of the major concerns of why I am here. Where is that.

Second is before I came I noticed that everyone was in executive session. That is not my business to meddle in that is your kuleana but I am here to also speak on behalf of the CEO Kamana'o, Ka Pouhana. Because not just because of the long term relationship but, das the only braddah that has been doing anything in there that

is positive for our people. The repatriation of things that he needed to do to go out there he did it expeditiously because you know why? Because that's our makamae across the ocean that needs to be here. Not just Kalaniopuu's cape and mahiole, I think that went blossom OHA to lift them up to look at other possible remedies for our people. To bring the people together. As well as the repatriation when they went to Germany, to bring the iwi kupuna back. How many more stuff out there we have to go and retrieve and who is the right person to do it. Who is the one qualified and can get the actual practitioners to come to the table and assist in bringing our makamae home that is out there in the international arena a lot of them we don't even know that they still have them. I highly support him and I will always support him because I know his vision and his oath and his oath based upon making sure that, if our makamae is out there then let's do it together. If other things that lay about upon our land that is troubling to me, it is his responsibility to point out the resources. He can get those resources and he get plenty resources. I support him 100% and I hope you Trustees do support him also. He has a lot to offer, don't be blindsided just because some people never get what they wanted because of his recommendations. That is all petty kind stuff you guys dealing with stop being crybabies just deal with it he is a good CEO. I support him 100%.

Last thing I wanted to say, e kala mai ia u Trustee Akina for my actions last night in calling certain issues to the point. But I guess I got to leave it to the staff or whoever is involved in doing the right thing to make sure that like what Skye Kamaunu mentioned about we being displaced we being overcome by other organizations. This body needs to make a clear determination that we not getting ourselves involved into outside corporations that is going to ruin our identity and character as kanaka. He said it straight up that is how we lose. That is your responsibility to make sure that we don't fall into those cracks. I not going lay off of the issue pertaining to who is these individuals out there and why are they trying to affiliate themselves to us. I also received information from some of my research team on the ethics committee's recommendations based upon his involvement as a Trustee as well as his involvement with the Grassroots Institute and his invite to the CATO Institute back in 2017. I clearly say that is a conflict of interests. My kuleana here on Maui is to make sure that, I get one nickname, they call me Puff the Magic Dragon, so the beacon is up the light is shining do the right thing okay. Mahalo kakou.

Trustee Peter Apo – Would you support Aha moku going under OHA?

Mr. Kapu – Yeah I would support it. Because we already working with the Department of Land and Natural Resources already but I want to make sure that if it is going to this direction that the follow up going to the Department of Land and Natural Resources, especially the Governor's office is going to be tenfold. Because how we been dealing with the issues by sending our correspondence and complaints on the issues that arise on different islands, it didn't get to where it needed to go. That is why, what we say the problem is the executive director that needs to go. She is a product of the State if you know where I am coming from. Sure I would support it that the body comes under this body, the AMAC comes under this body but to make sure that the issues go to the forefront tenfold and not be stuck.

Trustee Peter Apo – I am glad to hear that. I have always been a big supporter of the Aha Moku system because I believe that its initiative to bring back community based natural resource management that is culturally, geographically specific because that is the way that Hawaiians managed things. There was no one size fits all. It is a problem among Hawaiians. The fact that you have this system and I know you folks have some pilikia within you I think the concept is absolutely worthy of pursuing as a matter of major public policy on behalf of native Hawaiians. You know the conservation ethic was not about keep everybody off the land it was about how you use the land. It really flies in the face of traditional way that the Western management of conservation. I think it is a really important initiative. It not only would benefit Hawaiians it would benefit everybody in Hawaii to have common sense management of the resources that are within their district. Thank you.

Mr. Kapu – It has already been positive for Maui to let the general community know that this is not a brown bill. It was based on traditional resource management on how those tools were passed from one generation to

the next. Those would be the advisors at the table. So right now Aha Moku o Maui and the island council of Maui is working diligently inside the County to change a lot of ordinances and rules that apply to those certain conditions under resource management. For instance, the sand mining moratorium. I was called into office by Tim Bailey and sat down with the aide to go over those recommendations on what needs to be implemented in the moratorium. One of the strongest thing that we implemented in there is to maintain, no matter what project goes for a permit for extraction of sand or stone they got to go to the moku representative so the moku representative can go to the kupuna of that area. So Maui is kind of lit up right now, on a County level and working with the staff from DAR, Department of Land and Natural Resources, even boating it's good for us to have a straight dialogue to the Departments that working here. But when everything gets sent to Oahu, do they even care? So we feel that its beneficial for us to work with the island agencies, the County agencies because we are getting someplace. But then if the issue is really broad where it's going to impact a canvas regulation from Maui to all over the State of Hawaii those issues need to be sent to the forefront and we don't have the voice for it. Mahalo, mahalo for always supporting the outcome of Aha Moku and we still believe it's a positive venture for us to involve more people in the community. Mahalo.

Trustee Carmen Hulu Lindsey – You know my support on the board for Aha Moku was because of the example here on Maui of our Aha Moku under your leadership. I really believe what you folks are doing is very outstanding. I see similar work on Molokai. But with all of the Aha Moku going to Honolulu being represented in one, the purpose of that was to advise these Boards and Commission as to our traditional rights and our resources but that is not happening on the State level. The reason it is not happening is because this particular Aha Moku commission is an advisory commission they don't have any power. The Board and Commissions don't have to listen to them. And that's why what you are doing on our island is way more effective if they are leaning to you to get advice up in our County building. I think that we can make this Aha Moku commission ballsy, to use the word by advocating in the legislature that this commission have some authority otherwise to me it's for nothing. Then look all the ho'o pāpā because of the differences of opinions.

Mr. Kapu – The Governor needs to select the representative of the Advisory Committee he hasn't done that yet. I don't know where the bill is at this time. If OHA could assist as to where it is? We still function as an Aha Moku Island Advisory Council. 12 representatives throughout Maui and all of them are working diligently within their moku on all the different concerns. But when we get to the point of clarity that is where are problem is. When we got involved in this in the beginning it was about site specific locations had different problems that the State always made canvas regulations that made things worse for us.

Kamana'opono Crabbe – Can you clarify the AMAC?

Mr. Kapu – Yeah the Aha Moku Advisory Committee, how this thing came down from legislation was there is to be a representative that is selected through Gubernatorial Nomination so Kyle Nakanelua who is present today was that Moku representative that was selected to be the Aha Moku Advisory Committee under DLNR. His job is the mailman, he takes the concerns from the island Moku Councils, we send a letter through Kyle signed by the moku representative and it's a complaint application, we don't talk about the issue we talk about the issue and the solution. We give the recommendation to Kyle, Kyle send it up to Suzanne Case through Leimana. So everything goes through Leimana don't get where it needs to go.

Kamana'opono Crabbe – But does the committee as a whole, as a pae'āina for each island, do they vote and then inform that vote to Leimana then DLNR.

Mr. Kapu - The island councils of the moku, you have Lahaina moku, Kaanapali moku, Wailuku, all those different moku their kuleana is amongst themselves. But we have island caucus meetings and bring all the 12 moku representatives together and we talk about the bigger issues that are coming through legislation. Kind of similar to what you guys do and what your staff normally does. It gives the maka'āinana an opportunity to have a bottom to top management system by working with the agencies on the top.

Kamana‘opono Crabbe – Second is I would kakoo what Trustee Lindsey has shared, as an advisory council to DLNR which was supposed to kind of help inform DLNR on traditional customary practices including ‘āina, kai, moana stewardship so I think that is an opportunity. I am looking to our Chief Advocate because we can see, we are not going to promise, but we are going to look at it in terms of more enforcement of authority and powers. The reason I say that is DLNR their budget in terms of personnel Statewide has been shrinking so they have a capacity issue to do proper stewardship and management. So if that is lacking what is the solution Statewide.

Mr. Kapu – This last legislative session they had a line item of \$310,000 for the AMAC. From the day they started in 2007 we haven’t gotten a dime. The ED of the Aha Moku Advisory Committee got money but that was only to pay for her pension but not help out the island council which is was supposed, the budget that came out from Legislation was supposed to help assist the island moku representative by getting the issues to the forefront. That never happened, so someone got paid and nothing was done.

Kamana‘opono Crabbe – I didn’t announce this morning but I did last night, at the end of June Office of Hawaiian Affairs, Kamehameha Schools and DLNR are the co-host of the ‘āina summit. It is focused on Native Hawaiian Communities and addressing major challenges regarding ‘āina, kai and so forth. I will assure that this is brought to the table as one of the major areas. Bob Matsuda who is the Deputy which also helps to inform Aha Moku is part of that decision making. So I think it’s vital to put that on the table for discussion.

Mr. Kapu – Mahalo, I already received this part and I am really interested in having a discussion.

Trustee Rowena Akana – I also want to say this Aha Moku commission is very important. While they don’t have the teeth and power that they should have that is our responsibility to try and make that happen. But the bigger issue of Aha Moku is not only to protect cultural sites and know about those cultural sites but more than that when you talk about nationhood and the development of different areas where people come in to build. Like on Oahu we experience a lot of that in Makaha and that side, the Aha Moku plays a big role because the people of the community knows what is there and they have a say as to what goes into their community. They can identify the cultural sites and if you looking at sovereignty down the road where we claim a nation the Aha Moku will play a huge role in that capacity because they more than anybody, we from Oahu cannot tell you from Maui what is significant on your island as compared to us. That is why the Aha Moku becomes a much bigger part of the whole and we should not just be looking at the cultural sites but when it comes to development and people want to develop in those areas the Aha Moku comes in and they can play a huge role. So our task is to see if we can try to make the commission something that has some teeth in it and a role that makes sense and does something.

Mr. Kapu – I can forward a portfolio of the work that we have done. I incorporated Aha Moku o Maui Inc, the reason why I did that I was advised by my attorney because this thing can go kind of willy and the State would not back it. I incorporated it and was able to get money so I could buy 12 water quality testers, 12 GPS monitors and initiate those testers and monitors to all the different moku so they do site specific location and recordation of everything that is within their moku. The water quality is important, from the development side what is going into the ocean. I don’t think there is an agency that is doing that on Maui. So the moku we set ourselves up and try to target certain areas like if there is development. For me I am sitting on 5 section 106 consultations. I am at every one of these meetings with the moku representative, my kuleana is to advise and record to make sure we get a portfolio of every moku and the work they have done so far. I would like to forward that report. Mahalo for your support.

Chair Colette Machado – I think we agree there are a lot of issues that are unresolved that DLNR under the Aha Moku Council. I also believe that the Executive Director may have extended far more than her kuleana in many areas. On Molokai specific, there were recommendations on her behalf rather than consulting with the community and there was a disagreement on the individuals need. I know with Kamalu Poepoe stepping down Malia Akutagawa is the Chairperson now and she is beginning to reorganize and rework with all of the

council's island wide. We are dealing with LZ Landing in Wailau, Pelekunu in conservation areas. This is just one of the aspects of the role and the voice that the Aha Moku council can have. There is unpermitted issues where helicopters are landing in Wailau on an individual's land as and LZ landing so those thing area attempting to be raised which is not appropriate. There are other areas I think they are looking at the Moomomi community bases management area that have been over 20 years. I applaud you for continuing on staying the course along with those who haven't moved to far from the purpose it was originally intended. If it had been for OHA's commitment for the first two years they would not have an Aha Moku Council. I do know that they have stepped way below our expectations and I think we can begin a letter campaign to talk about our dismay with the outcome. They are doing things in conservation zone areas without consultation in the community. When you see these LZ Commercial Helicopters landing in a pristine valley on an individual's private property conducting these commercial tours you get so upset because it's an open door who is going to come after them. Thank you so much and we have great staff at our level in policy.

Mr. Kapu – I just want to mention that this whole hospice of the Aha Moku came from Molokai's vision through a prophecy from Pakui, the kahuna from Pakui said the Chiefs are no longer here to govern and the people should rise like a great wave on top of the land, that is where we get the bottom to top management. Maui is still in the utmost belief that Pakui risen the tide for all of us and Molokai.

Chair Colette Machado – Asks if there is anyone else wanting to speak. The Chair would like to entertain a motion to adjourn.

VII. Announcements

None

VI. ADJOURNMENT

Trustee Dan Ahuna Moves to adjourn the meeting

Trustee John Waihe'e IV Seconds the motion.

Chair Colette Machado – Is there any opposition for the adjournment, hearing none the meeting is adjourned.

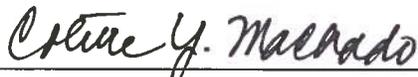
The meeting was adjourned at 10:55 am.

Respectfully submitted,



Dayna Pa, Board Secretary

As approved by the Board of Trustees on June 7, 2018.



Colette Y. Machado, Chairperson
Board of Trustees

Attachment:

1. Excuse memo from Trustee Robert Lindsey
2. Testimony from Kyle Nakanelua



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
HONOLULU, HAWAII 96817

May 9, 2018

TO: Trustee Colette Machado
Chair, Board of Trustees

Trustee Dan Ahuna, IV
Vice – Chair, Board of Trustees

Members of the Board of Trustees

FROM: Trustee Robert K. Lindsey, Jr.

SUBJECT: Excused Absence from BOT meeting on May 10, 2018

OFFICE OF
HAWAIIAN AFFAIRS
BOARD OF TRUSTEES
2018 MAY -3 A 9:45

Aloha e Chair Machado:

I am unable to attend tomorrow's Board of Trustees meeting.

Please extend my excused absence and sincere apologies to the board members.

With sincere aloha,


Trustee Robert K. Lindsey, Jr.
Hawai'i Island, Board of Trustees

May 8, 2018

Letter to Trustee Hulu Lindsey
Annual Office of Hawaiian Affairs Meeting
Maui Island.

Pehea oe Trustee Hulu Lindsey a ia oukou Trustees of the Office of Hawaiian Affairs, a ia oe Ka Pou Hana Kamana'opono Crabbe, OHA Staff, a Na Iwi o Pi'ilani. Pehea oukou, Aloha mai ia kakou/Let there be affection between all of us.

Ia Oukou the Trustees of all of our Office of Hawaiian Affairs, I call to mind that I reached out to all of you through email and petitioned that you find it within yourselves to forgive our Pou Hana Kamana'opono for any transgressions that you feel that he has committed against you. You all held a meeting and did not remove him from his position. Mahalo

I read a letter from Chairman Trustee Collet Machado that said, Let the records be set straight. The Ethics Commission investigation found no transgressions committed by our Pou Hana and in all of its recommendation made none that indicated that the Pou Hana should be removed from his position.

So here, at this gathering, with heaven and earth present as witness, I petition the Pou Hana to forgive the transgressions of the Trustees that have worked against you and sought to remove you. And I Petition the Trustees, to once again forgive the Pouhana as well as each other, for all past transgressions and kindly, sincerely, and diligently work together for the sake of all of us Kanaka Hawaii. Yes, Us who descend from the First People of this Land. No one else. This is Our Trust, given to us by God, ratified by the people of this state through vote, as restitution for the willful and wrongful acts and atrocities, committed against our ancestors which stole away from all of those beneficiaries that came after them, they, who suffered financial, economic, spiritual, physical loss, acts of genocide committed by a greedy few, perpetuated by a dishonorable many, that continues to conduct themselves disgracefully to this very day.

For all of our sakes and all of our benefits, Find the strength within, forgive each other and work together. I am asking you all to Unite. Unite yourselves and we will all be united. Or not, show us all who does not want to unite in the best interest of all concerned and we all pray let all be revealed and dealt with accordingly. Amen.

Kyle Nakanelua