

**State of Hawai'i
Office of Hawaiian Affairs
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting
Thursday, April 23, 2015, 12:30 pm**

I. CALL TO ORDER

The meeting of the Office of Hawaiian Affairs Board of Trustees was called to order by Chair Robert K. Lindsey, Jr. at 12:31 pm. Those present were as follows:

Attendance

Trustee Robert K. Lindsey, Jr., Chair	Trustee Carmen Hulu Lindsey (departed at 3:03 pm)
Trustee Dan Ahuna, Vice Chair	Trustee John Waihe'e IV (arrived 12:35 pm)
Trustee Rowena Akana	
Trustee Peter Apo (departed at 4:24 pm)	

Excused

Trustee Lei Ahu Isa	Trustee Colette Machado
Trustee S. Haunani Apoliona	

Staff Present

Dr. Kamana'opono Crabbe, CEO	Kawika Riley
Robert G. Klein, Esq., Board Counsel	Kawika Burgess
Harold Nedd, Chief of Staff	Ryan Gonzalez
Capsun M. Poe, Board Secretary	Jocelyn Doane
Jeremy Kama Hopkins	Pilialoha Wong
Kauikeaolani Wailehua	Garett Kamemoto
Claudine Calpito	Auli'i George
Davis Price	James Hall
Momilani Lazo	Jerry Norris
Derek Kauanoa	John Matsuzaki
Kehau Abad	Kamoa Quitevis

Others Present

Kealii Makekahu	Kaho'okahi Kanuha
Samuel Kapoi	Lanakila Mangauil
Walter Ritte	Shannon Crivello
Kaleikoa Kaeo	Geoffrey Mathews
Routh Bolomet	Don Aweau
Andre Perez	Richard Wainscoat
Vernon Kim	Candace Fujikana
Wallace Ishibashi	Sandee Pa
Gunther Hasinger	Jessi DeVera
Richard Ha	Kalamaokaaina Niheu
Mike Kaleikini	Hinaleimoana Wong-Kalu
Ekini Lindsey	Kehaulani Kauanui
Dexter Kaiama	Kaylene Sheldon
Kamahana Kealoha	Pilipo Souza

Kauwe Nahoe
Manu Kaiama

Kimmer Bighorse
Lelemia Irvine

Chair Lindsey announced he would be deferring Item II. C. C. Native Hawaiian Roll Commission Update and Item IV. A. 1) LAP/ARM #15-02: Approval of Partial Funding for the Acquisition of 47 acres of the Kuamo'o Battlefield and Burial Grounds by the Trust for Public Lands.

Motion

At 12:33 pm, Trustee Ahuna moved, seconded by Trustee Apo, to waive the 72-hour materials distribution policy for Item IV.B.1) OHA Legislative Positioning – Matrix 1 of April 22, 2015. Motion passed via voice vote.

II. OLD BUSINESS

Chair's Updates of Board Activities

There were no Chair's Updates.

CEO's Updates of Ho'oulu Lāhui and OHA Activities

Dr. Crabbe asked Mr. Kawika Riley and Dr. Kuhio Asam to provide updates about Na'i Aupuni.

Trustee Hulu Lindsey noted she is concerned that the Trustees approved a process presented by Dr. Crabbe that the ali'i organizations would be in this position, and not individuals. She brings it up because she has had complaints about none of them being from the neighbor islands. She believes it is a major change and it bothers her. She asked how that came about.

Dr. Crabbe confirmed that Trustee Hulu Lindsey's understanding is correct. He reported that after several months of Na'i Aupuni going through the process, they faced legal issues. Dr. Asam reported that Na'i Aupuni is excited to work with OHA to create a path for self-determination for Hawaiians and appreciate OHA's funding. They are respectful of those who want to travel on this path as well as those who do not, and want to keep it open to as many Hawaiians as possible, so that the path is determined by the collective will of the Hawaiian people. Na'i Aupuni will seek out an independent organization to assist with the vote, contract with a third-party vendor to monitor the elections, and contract another vendor to oversee the elections. Na'i Aupuni will have oversight of the election, but not in the outcome.

Trustee Hulu Lindsey asked what made Na'i Aupuni think it was OK to switch from ali'i groups to individuals. Dr. Asam _ Trustee Hulu Lindsey asked if Na'i Aupuni consulted with OHA Administration. Dr. Asam replied that he did report to Administration. He also clarified that the Kana'iolowalu list is one that would not be excluded; Na'i Aupuni is looking for as many options to verify that people are Hawaiian and that they can participate in the process.

Trustee Apo stated that Kanaiolowalu is state property, is not OHA's, and will sunset when it transmits the list to the Governor. At this point, Kanaiolowalu is a non-player and through Nai Aupuni's processes. Dr. Asam called Kanaiolowalu a "list of Hawaiians" and that when it is certified, it will be eligible for consideration by Nai Aupuni. Mr. Riley reported that Kanaiolowalu has committed to release the list to Nai Aupuni if requested. Nai Aupuni in turn has committed to not exclude Kanaiolowalu from their list.

Trustee Hulu Lindsey noted that she is in support of those on Kana'iolowalu, but wants to ensure those who choose not to participate there will have a chance to be included.

Mauna Kea CMP

Dr. Crabbe called on Kawika Riley, Sterling Wong, and Jocelyn Doane to discuss their analysis of the Mauna Kea Comprehensive Management Plan. Ms. Doane clarified that their analysis is based on information from the Office of Mauna Kea Management.

Trustee Akana asked if something else is going to occur, if it would be a new lease. Ms. Doane reported that currently in the process, there is an extension of the master lease under consideration.

Vice Chair Ahuna asked how long the decommissioning would take and how many jobs it would create. Mr. Wong replied that none of the telescopes have a decommissioning plan in place. Vice Chair Ahuna asked if the EIS is available on the master plan. Ms. Doane responded that they just issued an EIS Preparation Notice, so that will likely provide opportunities for input. The master lease expires in 2033 and a lease extension was requested in 2013, but that process is halted until an EIS is complete.

Trustee Akana believes that the University of Hawai'i must make sure they do not do more to destroy Mauna Kea.

Ms. Doane reported three options for the Board to consider regarding the Thirty Meter Telescope siting on Mauna Kea:

1. In consideration of various factors, the OHA Board of Trustees reaffirms its support of the selection of Maunakea, Hawaii as the site for the proposed Thirty Meter Telescope Project.
2. In consideration of various factors, the OHA board of Trustees rescinds its support of the selection of Maunakea, Hawaii as the site for the proposed Thirty Meter Telescope Project.
3. In consideration of various factors, the OHA Board of Trustees opposes the selection of Maunakea, Hawaii as the site for the proposed Thirty Meter Telescope Project.

Chair Lindsey noted that the Board will meet on May 7 to consider OHA's position on Mauna Kea.

Trustee Ahuna noted this issue is dividing our people. He feels it is critical that the Board act immediately.

Trustee Apo stated that should the Board vote to reject the TMT in a short time frame, they will be doing so without a lot of useful information that would provide OHA an opportunity to advocate. He believes OHA needs to stay at the table as long as possible, instead of letting all the other people make all the decisions. To leave the table would be a very big mistake and in the next week we will be absent from a lot of critical information to make an informed, thoughtful decision.

Vice Chair Ahuna shared a story about Hokulea, which is voyaging. The past is behind, but the future is ahead of us, and we have to use signs and symptoms to make course changes.

Trustee Apo acknowledged everyone who opposes the TMT, which has given OHA the opportunity to get a seat at the table to renegotiate the entire public land trust. It is difficult to deny passion, but he does not believe that would be in the best interest of the Hawaiian people. It is an opportunity to restructure the plan for Mauna Kea; it is about more than just a telescope, but about the entire public land trust, an opportunity he does not think would come again.

Trustee Akana noted it is a very emotional issue for everyone. She believes people have had to be silent for many years and have had no opportunity to do anything about it. When public hearings are held, our voices are often heard. With the TMT, our people have found something to rally around. She believes it is OHA's job to be an advocate and rescinding our vote would be a sign that we support our people, but that does not mean OHA can stop it.

Vice Chair Ahuna noted we always talk about the future and how we will provide for our keiki, but it is also important to talk about the now. He believes now is the time to stand with the people; they are here now.

Chair Lindsey asked that Dr. Crabbe and Administration will totally immerse themselves in the issue to have a balanced and complete report so that the Trustees can make an informed decision.

Native Hawaiian Roll Commission Update

This item was deferred.

Hui O Maui Update re independent nation-building ideas, plans, and activities

Ms. Clare Apana reported that she visited Mauna Kea recently. She asked that at next week's meeting, all sides of the nation-building movement be allowed to present. She submitted a small budget to continue to do the work of continuing the Ku'e Petition and noted that all of the costs she has incurred have not been funded by anyone.

Chair Lindsey asked if the information in her binder of names can be used by OHA. Ms. Apana responded that it is possible, pending agreements. Dr. Crabbe responded that it is a good suggestion, but additional discussion would be necessary with Na'i Aupuni. Chair Lindsey asked Dr. Crabbe and Ms. Apana to work together.

Ms. Apana also played a 10 minute video about a recent march sponsored by Hui O Maui.

III. COMMUNITY CONCERNS

Chair Lindsey asked testifiers to limit their comments to five minutes.

Mr. Keali'i Makekai expressed he would like to see more input with OHA's Kaka'ako Makai. He noted that Kaka'ako Makai is a landfill, so we want to try to be most productive with the land. Every time the Land and Property Committee meets about it, it is referred to as "prime real estate" but he thinks the truth is that it is rubbish. At the last ARM Committee meeting, he saw a lot of what the old OHA looked like when he saw what happened and was appalled. That is why OHA was a laughing stock and he hopes that never happens again. Finally, he shared that he is being asked how people can get involved with what OHA is doing.

Mr. Samuel Kapoi addressed the Board about the TMT. He thanked the Board for moving it up to April 30. He summarized his thoughts by saying, "Aole TMT."

Mr. Walter Ritte addressed the Board about the Consortium idea. He said after a lot of pain and time, then a pause, there really is no Consortium. He stated that the ali'i trusts cannot even organize themselves to run Na'i Aupuni, yet they are going to organize the Hawaiian nation. He is totally against the idea. He thinks to build a nation, we need a solid foundation, and asked the Trustees not to get into a binding contract with Na'i Aupuni.

Trustee Akana asked if the idea of going to individuals was a legal matter. Dr. Crabbe responded that the original intent was to get ali'i trusts and societies. They had several meetings, but over time, they did not receive commitments from all the organizations, and were left with only a few organizations being willing to participate.

Mr. Kaleikoa Kaeo addressed the Board about the TMT. The land itself is us and we are this place. He requested that future meetings allow testimony from people off O'ahu. He stated, "No treaty, no annexation, no TMT." He noted that he supports Mauna Kea, this 'aina, our lahui, and the people's right

to define themselves, to determine their future, to tell their story, and to have a place in the world. He believes that those that dehumanize us feel a sense of supremacy. He noted that aloha 'aina is a love of this place and of our fellow man. He is saddened and hurt by scientists who do not see Hawaiians as true people. Mauna Kea is an example of the conflict. He believes scientists see Hawaiians as pure selfish research.

Ms. Routh Bolomet addressed the Board about the Ku'e Petition. She supports OHA funding of continuing the Ku'e Petition. She believes Kana'iowalu cannot be used because it is setup by an entity that calls itself the State of Hawaii. She believes the occupation that continues today enslaves our people and that Native Hawaiian Americans are a creation of the US Congress. She also asserted that the United States and State of Hawaii have no authority to build a telescope on Mauna Kea. She supports giving \$5 million to get 550,000 Hawaiians to sign up, which has a lower per person cost than Kana'iowalu.

Mr. Andre Perez stated that Hawaiians have been coming for years to OHA and will keep coming. He noted that there is still a problem with Kana'iowalu and we should look into what the implications that holds for our people. He added that state legislation is not self-determination. He stated that a "roll" has a legal meaning, but has been told by Kana'iowalu commissioner that it is not a "real roll" when the US Department of Interior stated they only deal with rolls. He is also concerned about giving \$2.8 million to four people who call themselves Na'i Aupuni. He is also worried that OHA is taking out a line of credit to fund that effort. He reminded the Trustees that everything they need to protect Mauna Kea is in the OHA Strategic Plan. He asked Trustee Apo to rise up and follow the people. He stated that kanaka have been on Mauna Kea for a month with absolutely no monetary support from OHA.

Trustee Akana stated that OHA as an organization did not support those on Mauna Kea, but some as individual Trustees did.

Mr. Vernon Kim felt that this is just the beginning. He shared a story about when he turned 21 on Mauna Kea. When he saw protestors there, he saw his own father. Personally, he cannot see himself looking up at Mauna Kea and seeing something big blocking the view. That is something he sees when he goes to Waianae and does not want to see on Mauna Kea.

Mr. Wallace Ishibashi addressed the Board about the TMT. He thinks the TMT is being confused with the overthrow, illegal occupation. He shared that he knows of children who are being harassed in school because their parents work on Mauna Kea. He pointed out that TMT is not related to the settlement of Hawaiian sovereignty, which he believes should be settled in State, Federal, and international courts.

Dr. Gunther Hasinger, Director of the Institute for Astronomy, addressed the Board about TMT. He noted that Hawaii is one of the best places to observe the heavens and that the international community is grateful to Hawaiians for use of Mauna Kea. He added that several astronomical objects have received Hawaiian names because they were discovered here. There is also about \$90 million generated as part of the astronomy economy. Education is also a big part of the promise of the TMT. He also noted that the fees paid by the telescopes help pay for maintenance, which allows access by cultural practitioners on Mauna Kea. He encouraged the Trustees to remain steadfast in their support of TMT on Mauna Kea.

Trustee Akana asked who benefits from the astronomy economy. Dr. Hasinger responded it is the local community.

Mr. Richard Ha addressed the Board about the TMT, which he supports. He noted that the head of TMT visited the island 15 times to have discussions with local people. He believes that astronomy and TMT will help diversify the economy and that TMT has set a high bar of how to act, but they are caught in the crosshairs.

Mr. Mike Kaleikini addressed the Board about TMT. He noted that he sees Mauna Kea every day and he is also in support of the TMT. He supports it because of the discovery and educational aspect. He knows that culture and science has worked together in the past and sees the 'Imiloa Astronomy Center as a present-day example of that. He hopes the Board can hold community meetings at or near Mauna Kea.

Ms. Ekini Lindsey addressed the Board about TMT. She shared a story about her kupuna who escorted Queen Emma to Mauna Kea, where she swam across Lake Waiau.

Mr. Dexter Kaiama stated he believes that aloha also means telling people when they are wrong. Regarding Kanaiolowalu and the Kerry Letter, he asserts it is a violation of international law to pursue Kanaiolowalu. He asked Nai Aupuni to understand their obligations going forward. He also believes OHA staff has been irresponsible to have let things get this far with Na'i Aupuni by failing to address the information given them. Regarding TMT, he presented a legal letter stating that because there is no treaty and no annexation, the State of Hawaii cannot legally enter into an agreement.

Mr. Kamahana Kealoha, of the Sacred Mauna Kea Hui, addressed the Board about TMT. He shared information about the expenditures the group has made, which he believes is OHA's responsibility to fund. He added that the protectors on Mauna Kea are giving up a lot to be there. He reported that Sacred Mauna Kea has made connections with hundreds of media organizations.

Mr. Kauwe Nahoe addressed the Board entirely in the Hawaiian language.

Ms. Manu Kaiama addressed the Board about TMT. She noted she is in a difficult position because her brother is one of the strongest supporters of TMT, but she believes he is wrong. She noted that since the first telescope went up, there has been opposition. She says every time a telescope goes up, the excuse given is always that Hawaii is a world class place to do astronomy.

Mr. Kahookahi Kanuha addressed the Board about TMT. He shared that he has been on Mauna Kea for a month, but came down just to testify. He questioned what the benefit is to a regular person who does not work on Mauna Kea, to which he says the response has been, "curiosity." He added that they are not anti-science, but our ancestors did not teach us to desecrate the land, which is what he is against. He believes that this is the continuation of an assault on Hawaiian language and culture. Regarding Kanaiolowalu, he says those efforts to unify the Hawaiian people took years and millions of dollars, but that the unification right now over Mauna Kea cost OHA nothing. He does not come to OHA to ask for money, he comes to ask for support.

Mr. Lanakila Mangauil addressed the Board about TMT. He believes that what the generation before called progress, he considers suicide. He does not consider himself anti-science, but wants more respectful and practical science. He also clarified that he is not against TMT, but just the location of where they want to build TMT. He also noted that there will be a more powerful telescope being put into orbit, which would avoid destroying the environment or upsetting native people.

Mr. Shannon Crivello pointed out that he is an educated Hawaiian who is utilizing technology. He believes it is a desecration to have the TMT, which he believes is illegal because it desecrates a public monument. He asserted that OHA is a public agency and is responsible for approving the wellbeing of Native Hawaiians. He believes that it contradicts the OHA Mission Statement to support the TMT.

Quorum Lost

At 4:25 pm, the Board lost quorum. However, the Board continued to take testimony from the public.

Mr. Geoffrey Mathews addressed the Board about TMT. He shared he is an astronomer, which leads him to support education and discovery. He believes it is an amazing opportunity to see other worlds not by

visiting them, but by studying the light they emit, through telescopes. He also believes astronomy encourages people to pursue science as well as STEM fields. He noted that Mauna Kea was a part of many important scientific discoveries, which progresses our understanding of life in the universe, and that TMT can continue that.

Mr. Don Aweau addressed the Board about TMT. He believes the aina in contention should be protected in perpetuity. He does not believe we should quantify the value of our aina. He asked the Board to reevaluate its position on the TMT. He believes scientific discoveries should not come at the cost of our people, culture, or history, because if we are forgotten, we will have to be rediscovered.

Dr. Richard Wainscoat addressed the Board about TMT. As an astronomer, he wanted to bring things home. He monitors objects that impact the Earth and worries that if we are going to find it, we have to look for it with the best telescope possible.

Trustee Akana asked what the difference between this telescope and the one being built in Chile. Dr. Wainscoat responded that both telescopes are needed to get the best views.

Ms. Candace Fujikane addressed the Board about TMT. She urged the Board to oppose the TMT and support the group that has been on Mauna Kea for the past 29 days. She noted that while supporters laud the accomplishments of scientists, but she is most proud of kanaka oiwi science and the work to restore aina momona. She noted that on January 3, 2013, OHA passed a resolution that urges the Board of Land and Natural Resources to be respectful of Hawaiian rights and traditions. She questions how an 8-story structure can have no negative or adverse impact. She believes that TMT is arguing that a threshold impact has been crossed, so TMT would only marginally add to that, which she believes threatens every wahi pana in Hawaii.

Ms. Sandee Pa applauded the young people for coming out and making their voices heard. She has aloha for all, but asks for respect, which she believes they have not had for a long time.

Ms. Jessi DeVera addressed the Board about TMT. She asked that we should all be protectors and stand together.

Dr. Kalamaokaaina Niheu addressed the Board about Mauna Kea. She reported that Ahahui O Na Kauka has done tours to Mauna Kea, but that as scientists, they know that Mauna Kea must be protected as a place of healing. She stated her desire to move forward and that this struggle reminds her of Kaho'olawe.

Ms. Hinaleimoana Wong-Kalu addressed the Board about TMT. She believes that all the points have been articulated. She wanted the Trustees to know that she has great respect for all the Trustees because this topic impacts all of us. She noted that two of the leaders are products of the Hawaiian charter schools. She acknowledged and thanked Trustees Akana and Ahu Isa for visiting Mauna Kea. She also observed that with no money, they have managed to mobilize the entire lahui.

Dr. Kehaulani Kauanui addressed the Board about TMT. She sees this issue connected with our sovereignty as a lahui. She has been a public opponent of Federal recognition because she knows our claims exceed US law. She cannot parse the issue of Mauna Kea and TMT from sovereignty. This issue reminds her of the Naue case on Kauai.

Ms. Kaylene Sheldon addressed the Board about TMT, native rights, telescopes, and spirituality. She reported that the Keck telescope clearly states that viewing time is not available to members of the general public. She is against building the TMT anywhere on the planet, not just in Hawaii. She added that for all the talk of STEM, those programs do not financially support Hawaiian language. She added

that if Hawaiians had control over lands like Mauna Kea, our people would not have to be there to occupy it; she stressed that all nations must start with a land base.

Mr. Pilipo Souza addressed the Board about TMT. He thanked the Trustees for their aloha and patience. He believes the Trustees are in a canoe and where they take it, that is where the Hawaiian nation will go and that the current direction is not good or pono, but the Board has an opportunity to be the next Eddie Aikau.

Ms. Kimmer Bighorse reported that her chief sends his aloha after meeting with Ms. Mililani Trask in Switzerland. Because there are already 13 telescopes on Mauna Kea, she believes people could learn astronomy on Hokulea and sailing to navigate by the stars.

Mr. Lelemia Irvine addressed the Board about TMT. He noted that our ancestors used no instruments to study astronomy. Through intergenerational traditions, that knowledge was passed down. He asked that the Trustees consider the well-being and safety of those who do not feel comfortable to oppose the TMT out of fear of punishment. He discussed the theme of white privilege in science.

IV. NEW BUSINESS

IV. A. Joint Committees on Land and Property and Asset and Resource Management

This item was deferred.

IV. B. Committee on Beneficiary Advocacy and Empowerment

There was no quorum to consider this item.

V. BENEFICIARY COMMENTS

There were no Beneficiary Comments.

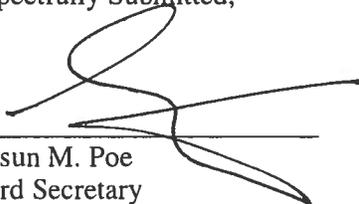
VI. ANNOUNCEMENTS

Chair Lindsey announced the next Board of Trustees meeting will be on Thursday, April 30, 2015. The Board will have a special meeting on Mauna Kea on Thursday, May 7, 2015. The next meeting after that will be on Thursday, May 14, 2015 on Kaua'i.

VII. ADJOURNMENT

The meeting concluded at 5:45 pm.

Respectfully Submitted,



Capsun M. Poe
Board Secretary

As approved by the Board of Trustees on May 14, 2015:



Trustee Robert K. Lindsey, Jr.
Chair, Board of Trustees