

**STATE OF HAWAI'I  
OFFICE OF HAWAIIAN AFFAIRS  
Waimea Theatre  
9691 Kaunuali'i Highway  
Waimea, HI 96796**

**Minutes of the Office of Hawaiian Affairs Board of Trustees Kaua'i Community Meeting  
Wednesday, May 10, 2017  
6:30 pm**

**ATTENDANCE:**

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

**ADMINISTRATION STAFF:**

KAMANA'OPONO CRABBE, CEO  
JOCELYN DOANE, PP  
NOALANI NAKASONE, CO  
KALIKO SANTOS, CO

**BOT STAFF:**

CAROL HOOMANAWANUI  
LADY GARRETT  
LOPAKA BAPTISTE  
DAVIS PRICE  
DAYNA PA  
ANI PANG  
PAUL HARLEMANN  
CLAUDINE CALPITO  
LEHUA ITOKAZU  
KAMA HOPKINS  
MELISSA WENNIHAN

**GUESTS:**

RUPERT ROWE  
MALIA NOBREGA-OLIVERA  
JOHN AANA  
RANDY REGO  
WILMA HOLI  
HOPE KALLAI  
TIME KALLAI  
LEIANA ROBINSON

**I. CALL TO ORDER**

**Chair Colette Machado** Calls the Board of Trustees meeting to order at 6:30pm. Roll call is taken; Trustees Ahu Isa, Ahuna, Akana, Akina, Apo, Carmen Hulu Lindsey, Robert Lindsey, Waihe'e and Machado are present; constituting a quorum of nine (9) trustees.

**II. INTRODUCTIONS**

**Chair Colette Machado** Thanks Alan Murakami for all his work and welcomes him tonight. She also thanks Hau'oli and Chipper Wichman for their hard work with getting the IUCN conference here to Hawai'i. She asks all Trustees and Administration to please introduce themselves as well as staff present here at the meeting.

All Trustees introduces themselves and their staff. She then turns the mic over to Trustee Dan Ahuna to conduct the meeting this evening.

**III. COMMUNITY PRESENTATIONS**

**Trustee Dan Ahuna** calls on Waimea High School/Kumano.

#### **A. Waimea High School/Kumano I Ke Ala – Mauka2Makai Project**

**Ms. Berna Souza** Introduces herself, she is a teacher at Waimea High School and shares of their project of the health and life of their river. The students through their research found that the State of Hawai‘i and the Agribusiness Development Corporation were misusing and wasting water that was diverted from their river. 18 million gallons were diverted from the river daily through irrigation ditches that were in place a hundred years ago.

Because of the water diversion there are silt islands that have appeared on the Waimea river. These silt islands continue to grow because of the lack of the water. Because of the vegetation that grows on these islands these silt islands remain. The students along with their teachers did some research on how to remove these silt islands. They have faced challenges with removing these islands with permitting, and dredging issues.

The students then organized a community event to start the removal of these silt island. There were about 400 volunteers that came out to help and they removed 15,000 buckets totaling about 450,000 pounds of silt. They now plan to raise awareness and restore the water to the river so that the river can survive. For more information on their project visit [whsmauka2makai](#) and also on [instagram](#).

**Trustee Dan Ahuna** Asks who, if she knew, who was responsible for the cleaning of the river.

**Ms. Souza** Stated that at this time they do not know. They were told at the meeting that ownership varied depending on the area. They have been getting mixed messages depending on the agency they inquire with.

**Trustee Carmen Hulu Lindsey** States that they had a similar experience in Maui with the ‘Īao Stream. She mentions that the Core of Engineers provided the requirement as far as permitting but the County went in and cleaned it up.

**Ms. Souza** Thanks the Trustee for the time to share their story.

**Trustee Dan Ahuna** Calls David Henkin from Earth Justice.

#### **B. Earth Justice/Pō‘ai Wai Ola – Waimea River Restoration**

**Mr. David Henkin** Greets the Trustees, he is staff attorney with Earth Justice which is a public interest environmental law firm. They have been trying to address the historic diversion of the Waimea River. Earth Justice filed a petition and complaint in front of the State Water Commission in July 2013. The petition was to revise the intake and inflow standards to up the levels in the rivers. Because of these diversions the health of the river suffered and when the plantation shut down in 2001 there was no reason to continue the 100 year old diversions.

The water commission in April 2017 entered a historic agreement between a number of interested parties. The agreement concludes a year-long mediation involving Pō‘ai Wai Ola, the state run Agribusiness Development Corporation and the Kekaha Agricultural Association, the Department of Hawaiian Homelands and the Kaua‘i Island Utility Cooperative. Under the agreement, tens of millions of gallons of water each day will be restored to the Waimea River and its headwaters, and no diversion will ever be a total diversion. Another guiding principle that will not only benefit Waimea but may also set precedence. Any diversion must be justified and any water taken cannot be more than a healthy stream will allow.

Much of the water that was diverted was used for Hydropower. In three years the powerplant will be phased out and the inefficiencies of the plant needs to be addressed. There is hope that this agreement will not only set core principles but serve as a model to resolve water diversion.

**Trustee Carmen Hulu Lindsey** States that it saddens her to see the young people working by hand doing what they needed to do, why didn't someone on Kaua'i assist them?

**Mr. Henkin** Responds that there is no reason that, that had to happen. There is a massive problem with the sedimentation. They are the residents of Kaua'i they should go back and hopefully OHA can stop the County and State from pointing fingers.

**Mr. Kaina Makua** Explains why machinery was not used on the Waimea river clean up. It was a challenge to the kids and the community to remove the silt islands by hand. The event was to strengthen the westside community. They provided them an opportunity to work together instead of waiting around for action by others. The water needs to be returned and the people need to be the ones to do the work.

**Trustee Carmen Hulu Lindsey** Asks what is the timeline of the principles?

**Mr. Henkin** Explains that there are a lot of deadlines with this agreement. The agreement was ratified by the Water Commission on April the 18th that started a 45 day clock for KAA and ADC to submit plans to modify the diversions on the main stem of the Kekaha ditch. The diversions need to facilitate native stream animals and to minimize the entrainment of larval forms into the ditch. For Kōke'e the timetable is a little bit longer because Kaua'i Island Utility wants to do pump hydro for the area to assist with putting hawaiians on the lands with DHHL. KIUC has 135 days to get in agreements with DHHL.

**Trustee Dan Ahuna** Calls on Pūlama Nōmilu.

### **C. Pūlama Nōmilu – Loko I'a Restoration Project**

**Ms. Makana Palama** States that Nōmilu is an area of Kaua'i after Port Allen. She shares that her family has been caring for the loko i'a in this area for four generations. Their nonprofit is set up to safeguard the property and hopefully protect it regarding its ownership and the site could be utilized by the community in perpetuity.

**Trustee Dan Ahuna** What is the concern about the fishpond being around?

**Ms. Palama** States that there is a 1% chance that maybe a developer might change the fishpond. She wants to let the community know that there is a fishpond there. Currently her family owns the fishpond but her concerns are that there might be changes that could happen with all the family that are owners of the parcel.

**Trustee Carmen Hulu Lindsey** Asks what is being farmed in the area above.

**Ms. Palama** States that it is Kaua'i coffee.

**Trustee Peter Apo** States that in the City of Kapolei, when Campbell decided to do development they reserved an area called Lanikuhonua. In moving forward with the family you might want to decide if that is something your family wants to do, to put in a stipulation that the area be preserved.

**Ms. Palama** Hopes that with the establishment of the nonprofit in place that it would promote the ongoing stewardship for the benefit of the community.

**Trustee Dan Ahuna** Asks what can OHA do?

**Ms. Palama** States that she is writing grants and is in discussion with A&B to create an opportunity to have more traffic in the area such as school groups and the community. Access needs to be granted through A&B.

**Trustee Dan Ahuna** Calls Micro-Enterprise Assistance Program.

#### **D. Micro-Enterprise Assistance Program**

**Ms. Liberta Albao** Presents how the Micro-Enterprise Assistance Program started. (please see attached handouts given)

This is a pilot project that hopefully could be used across the state that could help individuals through the process of setting up the business from the bottom.

**Trustee Dan Ahuna** States that he was been meeting with Robin Danner and her goal is to touch as many Hawaiians as possible.

#### **IV. STATUS OF OHA ACTIVITIES**

##### **A. Ka Pouhana/CEO's 15-Minutes Update on Ho'oulu Lāhui Aloha and OHA Activities**

**Trustee Dan Ahuna** Asks Kamana'opono Crabbe if he could give a brief update on OHA activities.

**Kamana'opono Crabbe** States that OHA is going through their Biennium Budget before the Board of Trustees. Community input was received throughout the state and with the workshop with the Board of Trustees they will be making adjustments. Priorities of increasing the grant funding are being looked at. The goal is to provide a tighter budget and getting more funding out into the community.

He asks Nancy King to give an update on OHA's Community grants.

**Ms. Nancy King** States that the Community grants program which is a two year funding program had a deadline of December. The reviews have been made and the recommendations will go before the board and the organizations that get approved should be notified by the end of the month. The Ahahui grants recently had a deadline and is currently in the review process. The recommendations should be made to the CEO shortly.

**Kamana'opono Crabbe** Updates the Board that they are working with Bernard Carvalho to look at kuleana lands and assist them with knowing where these kuleana lands are. OHA is planning to share with them for the purpose of protecting the lands for the families what information OHA has on the various kuleana lands on Kaua'i. The MOA should be completed within the next couple of months.

#### **V. COMMUNITY CONCERNS**

**Trustee Dan Ahuna** Calls on Malia Nobrega-Olivera.

**Ms. Malia Nobrega-Olivera** Greets the Board. She is a representative of Hui Hana Pa'akai o Hanapepe. She is here tonight because salt gathering is a cultural practice that is being heavily impacted by climate change. For the last four years her family has not been able to harvest pa'akai. Harvesting pa'akai is heavily dictacted by the weather. Discussion with the County on their proposals for a new waste water system have been taking place. A proposal for a new E1 system that will be put in that will connect the waste water to the mainline. We had concerns about the 2-inch mainline that would go past the salt making area, there will be a risk of having this mainline being put on the makai side of the salt making area.

**Trustee Dan Ahuna** Calls John A'ana.

**Mr. John Aana** States that he was been a taro farmer in Waimea for the last 40 years and was a part owner of Makaweli Poi. He asks what is the latest status of the audits.

**Trustee Keli'i Akina** States that he is not sure if Makaweli will come under the audit itself. The audit project is on schedule and hopefully on May 25th the RFQ will be approved and that means the administration will

procure the proper auditor to come in. He states that the audit should be done by 2018 and they will report back to beneficiaries at this time.

**Mr. Aana** States that Makaweli needs to be put on the audit. There was a lot of money that was spent there but a lot of it was not spent on the mission.

**Trustee Keli'i Akina** States that he will take it to the committee and if he would like to send in a written request he can do so.

**Kamana'opono Crabbe** States that Makaweli Poi was a part of Hi'ipoi. But Hi'ipoi is no longer a subsidiary.

**Chair Colette Machado** Asks that this discussion not continue as it is not the right venue to have discussions about this matter.

**Trustee Dan Ahuna** Calls on Randy Rego.

**Mr. Randy Naukana Rego** States that the County enforcement of kuleana lands has been lacking. He asks for relief on property tax as the fees keep increasing. Asks for help to hold on to their lands and be able to use it. Asks if OHA could continue support of Native Hawaiian Legal Corp and maybe expand so that NHLC will be able to help more individuals with their kuleana land issues. He recommends that OHA should have a loan fund to help families buy their lands, if they default then OHA gets the lands and they stay in Hawaiian hands. The more land we can keep in Hawaiian hands the better.

**Trustee Dan Ahuna** Calls on Wilma Holli.

**Ms. Wilma Holli** Introduces herself, she is a resident of Hanapepe. She is currently involved in the Mauna Kea case. She states that a non kanaka informed her that the Corporation that represents TMT gave OHA a bribe with two commas on it.

**Trustee Dan Ahuna** States that he is the chair of the adhoc committee and he has never heard of it and has never accepted a bribe.

**Ms. Holli** States that this is circulating the Big Island.

**Kamana'opono Crabbe** Asks if she could clarify who shared the information.

**Ms. Holli** States that it was a non kanaka that moves with the influential people on the big island. He shared it with her as she is involved in the contested case. She states that TMT gave OHA Trustees a bribe with two commas in it. She wanted this information to be put on the table.

**Trustee Dan Ahuna** Calls on Hope Kallai.

**Ms. Hope Kallai** Shares her concerns of the Wailua River and the 100% diversion of the water. She inquires of the contested case that OHA entered into in 2010. There was a cultural assessment that was suppose to be delivered to OHA.

**Davis Price** Clarifies that he met with Everett Ohta from Corp Counsel who has been involved in this matter. The CIS is pending and the person that was tasked to do it has not presented the work and there may be strategic reasons as to why it is happening. They have a MOA with the KIUC to ensure the CIS is completed. This matter is still being monitored and there is no update.

**Jocelyn Doane** States they will follow up on this matter. OHA is aware of the legal actions but nothing has happened for OHA to follow through with legal action.

**Ms. Kallai** She asks that there be no more 100% diversions of the mauka to makai rivers. She also has concerns that kuleana lands are moved for development on Kaua'i. She wasn't sure if this was common practice on the other islands.

**Trustee Dan Ahuna** Calls on Tim Kallai.

**Mr. Tim Kallai** States that water is important without water there is no life. He thanks OHA for participating in the Wailua case. He asks for OHA to work on enforcement and accountability from the other State agencies regarding the kuleana issues that the beneficiaries are facing. He states that the policies do not match the laws and hopes that more can be done to help them do the right thing.

**Trustee Dan Ahuna** Calls on Leiana Robinson.

**Leiana Robinson** (statement was given in Hawaii and is interpreted by Hinaleimoana Wong-Kalu) Greets the Trustees and thanks them for being on Kauai. She asks is there any potential on addressing the kuleana konohiki as it pertains to people who are actively part of the konohiki establishment.

**Trustee Dan Ahuna** asks Kamana'opono Crabbe to talk about the konohiki.

**Kamana'opono Crabbe** (responds in Hawaiian translation was not provided)

**Leiana Robinson** (responds in Hawaiian and Hinaleimoana Wong-Kalu interprets for the Board and community) It has been for the past 14 years that Ni'ihau has adorned itself in the cloak of being autonomous but at the same time as being part of the larger Hawaiian community and sometime the delineation lies and how far that can extend and perhaps even more so how the support and the assistance of the Office of Hawaiian Affairs can be most prudently exercised. There is no request at this time but this was an opportunity for Leiana to come before you and also a moment for you to have this interaction. So Ni'ihau exists in this state where there is this protection zone so now there is discourse because of this.

**Kama Hopkins** States that two years ago Leiana came to ask for help and that is one of the roots of the question.

**Hinaleimoana Wong-Kalu** States that there is some hukihuki because of that designation. And she indicated that it lies here at this table.

**Trustee Rowena Akana** Asks if Leiana is asking to help those on Ni'ihau? What is the request at this time?

**Kamana'opono Crabbe** States that she is asking where is the protection for our people. Mr. Rego is talking about the island enforcement but who protects our people in these matters of the land issues. On Ni'ihau they have an intact system throughout the island they no longer have that kind of a structure where ali'i and konohiki preside over the land base and then manages the natural resources. So City and County and State law are very different in terms of the rights of our people. So the dilemma we have is not only enforcement but the inability to govern ourselves of the land and water resources. But who will take on that burden on protecting our people for the water and for the land. It is no longer our ali'i or konohiki, but perhaps the Trustees of the Office of Hawaiian Affairs will need to consider that kuleana of protection.

**Trustee Rowena Akana** States that right now statutorily it is our kuleana. It is something that OHA needs to look at.

**Trustee Dan Ahuna** Calls Rupert Rowe.

**Mr. Rupert Rowe** States that the answer to all these kuleana issues is that all the immigrants living in Hawai'i didn't have title, and the Admission Act made the immigrants the manager of our lands. It is our responsibility. He wants to see freedom for his people.

**VI. ANNOUNCEMENTS/FYI**

**Trustee Dan Ahuna** mentions that there a Board Meeting tomorrow and also clarifies that there were no bribes regarding Mauna Kea.

**IX. ADJOURNMENT**

**Trustee Carmen Hulu Lindsey Moves to adjourn the meeting**

**Trustee John Waihee Seconds the motion.**

The meeting was adjourned at 9:28 pm.

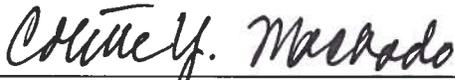
Respectfully submitted,



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Dayna Pa, Board Secretary

As approved by the Board of Trustees on June 8, 2017.



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Colette Y. Machado, Chairperson  
Board of Trustees

Attachment:

1. Micro Enterprise Assistance Program Handout

# Micro Enterprise Assistance Program 2016-2017



**HCDC**  
Homestead • Community  
Development • Corporation



Sovereign Councils  
of the  
  
Hawaiian Homelands  
Assembly



**HAWAIIAN  
COMMUNITY  
ASSETS**





**About the Micro Enterprise Assistance Program (MEAP)**

MEAP began at a board meeting of the Anahola Hawaiian Homestead Association (AHHA) in 2015, a talk-story about various solutions to improving the quality of life for families on Kauai.

The discussion led to a proposal in 2016 by the Homestead Community Development Corporation & Housing Authority (HCDC), to the County of Kauai, CDBG program.

The result.....an innovative program focused on micro-enterprise, to grow tiny businesses of 1-5 persons, to increase family household income through a First-Time Continuum of:

1. 18 weeks of Business Training +
2. Access to Capital from CNHA Loan Fund for Start-Up or Expansion +
3. Affordable Retail Space at the Anahola Marketplace owned by the homestead association

**About the MEAP Participants**

# of Participants:	18 of 22 Complete MEAP	82% Completion Rate
Where From:	Kekaha to Kilauea	
Median Income:	15 of 18 At or Below Low/Mod	83% of Participants
Average Income:	\$28,126 Annually	\$18,974 Annually for Low/Mod
Average Age:	44 Years Old (range 26-64)	
Housing:	6 of 18 Own – 33%	12 of 18 Rent/Family – 67%
Head of Household:	83% Primary Provider	60% Female Head of Household
Business Goal:	61% New Start Up	39% Expansion of Existing
Business Plans:	Kauai Jungle Jems ~ Anahola Surf Company ~ ATown Produce ~ Skate Shop ~ Landscaping ~ Fix It Shop ~ Smoothie Bar ~ Coconut Oils ~ T-Shirts ~ Others!	

**About the MEAP Nonprofit**

The Homestead Community Development Corporation & Housing Authority is a statewide 501c3 nonprofit governed by Hawaiian Home Land leaders to effectuate jobs and affordable housing on the trust lands of the Hawaiian Homes Commission Act of 1921. Projects include a campground, enterprise center, 22 affordable homes, a certified kitchen, youth center, and an open air marketplace.

**HCDC/HA Board of Commissioners & MEAP Project Team**

- |  |   |
|--|---|
| <i>Mike Hodson, Chairman, Hawaii Island</i>  | <i>Scott Mahoney, Kupuna Council, Hawaii Island</i> |
| <i>Iwalani McBrayer, Vice Chairman, Oahu</i>   | <i>Luella Lemn, Kupuna Council, Kauai</i>           |
| <i>Liberta Albao, Commissioner, Kauai</i>  | <i>Kammy Purdy, Kupuna Council, Molokai</i>         |
| <i>Kamaka Avelino, Commissioner, Molokai</i>   | <i>Rod Paahana, Kupuna Council, Maui</i>            |
| <i>Kaulana Mossman, Commissioner, Maui</i>   |   |
| <i>Robin Danner, Executive Director &amp; Windy Kirifi, Anahola Marktplace Manager</i> |   |

**Mahalo KIUC, County of Kauai & HUD! – A Public Private Collaboration Serving Kauai!**