

Brickwood Galuteria - Chairperson
Kaleihikina Akaka - Vice Chair

MEMBERS
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Luana Alapa
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OFFICE OF HAWAIIAN AFFAIRS
KE'ENA KULEANA HAWAII
BENEFICIARY ADVOCACY AND EMPOWERMENT COMMITTEE
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

MEETING OF THE COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, October 7, 2026

TIME: 9:00 A.M.

PLACE: Remote Meeting by Interactive Conference Technology

Viewable at <https://www.oha.org/livestream> OR
Listen by phone: (213) 338-8477 Webinar ID: 925 5534 4714

This meeting can be viewed via livestream on OHA's website at www.oha.org/livestream or listened to by phone using the call-in information above. Additionally, this meeting can be viewed live on 'Ōlelo Community Media <http://olelo.org>. A physical meeting location, open to members of the public who would like to provide oral testimony or view the meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817.

AGENDA

I. Call to Order

II. Approval of Minutes:

A. June 24, 2026

III. New Business

A. **Update by the Malu Project Ad Hoc Committee and Administration** – Status Update and Discussion regarding the Malu Project, including implementation, current activities, coordination, and next steps.

B. **BAE #26-07: Request to Approve Ocean Policy Position and Action Regarding Deep Sea Mining**

IV. Executive Session§

A. Approval of Executive Session Minutes:

1. April 15, 2026
2. April 29, 2026
3. June 24, 2026

B. **Update on Papahānaumokuākea Marine National Monument and Sanctuary.** The BAE Committee anticipates convening in an executive meeting pursuant to HRS § 92-5(a)(4) to consult with its legal counsel regarding the Board's powers, duties, privileges, immunities, and liabilities on potential litigation related to defense of resource protections in Papahānaumokuākea Marine National Monument and Sanctuary.

V. Community Concerns and Celebrations

VI. Announcements

VII. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Keola Fong at (808) 626-5484 or by email at keolaf@oha.org as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

In the event that the livestream public broadcast is interrupted and cannot be restored, the meeting may continue as audio-only through the phone number and Webinar ID provided at the beginning of this agenda. Meeting recordings will be made available on OHA's website

<https://www.oha.org/about/leadership/board-of-trustees/> as soon as practicable after the meeting.

Public Testimony will be called for each agenda item and must be limited to matters listed on the meeting agenda.

Community Concerns and Celebrations is not limited to matters listed on the meeting agenda. Hawai'i Revised Statutes, Chapter 92, prohibits Board members from discussing or acting on matters not listed on the meeting agenda.

* The board packet will be available for the public to inspect at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817, no later than three full business days before the meeting. The board packet will also be made available on OHA's website, <https://www.oha.org/bae>, as soon as practicable thereafter.

§ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5

Testimony can be provided to the Board of Trustees either as: (1) *written testimony* or (2) live, oral testimony online, by telephone, or at the physical meeting location during the remote meeting.

- (1) Persons wishing to provide *written testimony* on items listed on the agenda should submit testimony via email to botmeetings@oha.org or via postal mail to Office of Hawaiian Affairs, Attn: Board of Trustees Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. Testimony is requested to be received at least twenty-four hours prior to the scheduled meeting to allow board members with sufficient time to review the testimony before the meeting. *Please note that all written testimony will be posted on OHA's meeting website. Please omit or redact any personal information (e.g., name, email address, phone number, home address, or materials) that you do not want to be disclosed publicly online.*

- (2) Persons wishing to provide *oral testimony online* during the remote meeting, please click on the link: <https://zoom.us/j/92555344714>

To provide oral testimony online, you will need:

- (1) a computer or mobile device to connect to the remote meeting, internet access, and
- (2) a microphone to provide oral testimony.

Persons wishing to provide oral testimony by telephone during the remote meeting may dial the phone number listed at the beginning of this agenda and enter the corresponding Webinar ID. Telephone participants will be able to provide oral testimony during the meeting.

Persons wishing to provide oral testimony at the physical meeting location can sign up the day of the meeting at the physical meeting location.

If you willfully disrupt the meeting, support staff will remove you from the Zoom meeting. You can continue to view the remainder of the meeting on the livestream or by telephone, as provided at the beginning of this agenda.

Oral testimony online, by telephone or at a physical meeting location will be limited to five (5) minutes.



Trustee Brickwood Galuteria, Chair
Committee on Beneficiary Advocacy and Empowerment

Date: 10/1/26



Beneficiary Advocacy & Empowerment Committee

II. Approval of Minutes

A. June 24, 2026

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT (BAE)

June 24, 2026
9 a.m.

(via Interactive Conference Technology)

To view this meeting's recording, please click on the link below:

<https://www.youtube.com/watch?v=KK0O4nDM1YM>

MINUTES

TRUSTEES PRESENT

Brickwood Galuteria, Chair
Dan Ahuna
Kaleihikina Akaka, Vice Chair
Keli'i Akina
Luana Alapa
Kaiali'i Kahele
Carmen Hulu Lindsey
Keoni Souza (arrived 10:12 a.m.)
John Waihe'e, IV

BAE COMMITTEE STAFF

Lei-Ann Stender Durant
Mark Watanabe
Momi Ka'aihue
Nathan Takeuchi

GENERAL COUNSEL

Everett Ohta

BOT STAFF

Carina Lee
Kanani Iaea
Pōhai Ryan
Pōhailani Kealoha
Remy Keli'ihō'omalū
Richelle Kim

ADMINISTRATION

Summer Sylva, Interim Administrator/COO
K. Sean Kekina, COO
Bill Brennan
Kevin Chock
Kyle Saucier
Leinā'ala Ley
Rozelle Agog
Ryan Lee

BOARD COUNSEL

Kapono Kiakona

I. CALL TO ORDER

Chair Galuteria called the June 24, 2026 meeting of the Committee on Beneficiary Advocacy and Empowerment to order at 10:05 a.m.

Chair Galuteria thanked the Committee and staff for attending today's meeting and acknowledged his trustee aide, Lei-Ann Stender Durant, serving as the Committee Recording Secretary and his temporary secretary, Momi Ka'aihue, serving as the Committee Technology and Information Specialist.

Chair Galuteria called for the roll call to confirm attendance:

Roll Call

Eight trustees were present constituting a quorum.

Present: *Trustees Ahuna, Akaka, Akina, Alapa, Kahele, Lindsey, Waihe'e IV, Chair Galuteria*

Not Present at time of roll call: *Trustee Souza*

(Time Stamp: :39/1:20:53)

Chair Galuteria called **Chief Operating Officer, K.Sean Kekina**, to introduce administrative staff that attended the meeting.

(Time Stamp: 1:25/1:20:53)

II. APPROVAL OF MINUTES

A. February 4, 2026

B. February 11, 2026

C. February 18, 2026

***Note: Item II. C. February 18, 2026 minutes deferred**

(Time Stamp: 2:09/1:20:53)

Public Testimony

None

MOTION (Chair Galuteria): **Approve the minutes of February 4, 2026 and February 11, 2026.**

(Time Stamp: 2:49/1:20:53)

Discussion

There being no discussion, **Chair Galuteria** called for the vote.

Roll Call

Motion carried by unanimous vote (9 – 0)

(Time Stamp: 3:06/1:20:53)

III. EXECUTIVE SESSION

A. Update on Papahānaumokuākea Marine National Monument and Sanctuary and Recent Federal Action Concerning Commercial Fishing Access. The BAE Committee anticipates convening in an executive meeting pursuant to HRS § 92-5(a)(4) to receive updated information and consult with its legal counsel regarding the Board of Trustees' powers, duties, privileges, immunities, and liabilities with respect to OHA's legal options and potential litigation related to the defense of resource protections in Papahānaumokuākea Marine National Monument and Sanctuary.

B. Approval of Executive Session Minutes

a. September 17, 2025

(Time Stamp: 3:46/1:20:53)

Public Testimony

None

MOTION (Chair Galuteria): **Recuse this committee into Executive Session pursuant to HRS § 92-5(a)(4) to receive updated information and consult with its legal counsel regarding the Board of Trustees' powers, duties, privileges, immunities, and liabilities with respect to OHA's legal options and potential litigation related to the defense of resource protections in Papahānaumokuākea Marine National Monument and Sanctuary.**
(Time Stamp: 4:39/1:20:53)

Discussion

There being no discussion, **Chair Galuteria** called for the vote.

Roll Call

Motion carried by unanimous vote (9 – 0)

(Time Stamp: 5:28/1:20:53)

****The Committee moved into Executive Session.***

(Time Stamp: 9:18/1:20:53)

****The Committee moved back into Public Session.***

(Time Stamp: 1:11:27/1:20:53)

Chair Galuteria shared, for the benefit of those joining the Trustees in person and online, that the Board met with their legal counsel and the State Attorney General to discuss the Trustees' powers, duties, privileges, immunities, and liabilities with respect to OHA's legal options and potential litigation related to the defense of resource protections in Papahānaumokuākea Marine National Monument and Sanctuary. The **Chair** further shared that the Board reaffirmed its support and willingness to proceed with all necessary actions.

(Time Stamp: 1:11:32/1:20:53)

For the record, the minutes of September 17, 2026 BAE Executive Session were approved by unanimous vote.

IV. COMMUNITY CONCERNS AND CELEBRATIONS

1. Beneficiary advocate and Hawaiian Homes lessee, **Germaine Meyers**, raised concerns regarding transparency and accountability in trust governance. She referenced statements made by the Board Vice Chair [Keoni Souza] during the May 28, 2026 Board of Trustees meeting concerning the Ferreira litigation, legal counsel, Sunshine Law matters, minority trustees, and the Interim CEO.

Ms. Meyers stated that a written request for clarification was submitted on May 28, 2026 and distributed to all trustees seeking the factual and legal basis for several statements made during the public meeting. The request also sought clarification regarding comments related to the Interim CEO [Summer Sylva] and whether trustees were implicated in litigation claims.

She reported that, as of June 24, 2026, no response had been received from the Vice Chair or Board Chair [Kai Kahele]. Ms. Meyers requested that this be entered into the public record.

She emphasized the importance of transparency, accountability, and responsive communication with beneficiaries, particularly regarding governance, litigation, and trustee conduct. Ms. Meyers requested that the Vice Chair respond to the May 28 request for clarification or explain why a response is not warranted.

Ms. Meyers concluded by stating that beneficiaries deserve transparency, accountability, and respectful dialogue from those entrusted with governing the institution and thanked the Board for their time.

(Time Stamp: 1:12:57/1:20:53)

2. Testifier Shelby Pikachu Billionaire, reported experiencing difficulties accessing a prior meeting due to Zoom link issues and expressed appreciation that the issue had been resolved, allowing testimony to be provided.

He commented on the proposed KIKU television station acquisition, stating concerns and observations regarding the financial valuation of the transaction, including EBITDA and potential revenue opportunities. Mr. Billionaire suggested that expanded digital and online media platforms could provide additional long-term revenue and educational benefits for the Hawaiian community.

The testifier also expressed support for efforts to protect fishery resources and raised concerns about the impacts of international commercial fishing activities on ocean resources. He emphasized the importance of resource protection and responsible management of marine ecosystems.

Mr. Billionaire thanked OHA's IT staff for resolving access issues and concluded by thanking the Committee for the opportunity to testify.
(Time Stamp: 1:17:15/1:20:53)

IV. ANNOUNCEMENTS

None

V. ADJOURNMENT

MOTION (Trustee Lindsey); **SECOND** (Trustee Souza): **Adjourn the June 24, 2026 meeting of the Committee on Beneficiary Advocacy and Empowerment.**
(Time Stamp: 1:19:43/1:20:53)

Roll Call

Motion carried by unanimous vote (9 – 0).
(Time Stamp: 1:20:11/1:20:53)

Chair Galuteria adjourned the meeting at 11:21 a.m.

Respectfully submitted,

Lei-Ann Stender Durant, Trustee Aide
Committee Recording Secretary

Brickwood Galuteria, Trustee At-Large
Committee Chair

Date Approved:



Beneficiary Advocacy & Empowerment Committee

III. New Business

- A. Update by the Malu Project Ad Hoc Committee and Administration** – Status Update and Discussion regarding the Malu Project, including implementation, current activities, coordination, and next steps.
- B. BAE #26-07: Request to Approve Ocean Policy Position and Action Regarding Deep Sea Mining**



**OFFICE OF HAWAIIAN
AFFAIRS**

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

October 07, 2026

BAE #26-07

Action Item Issue: Request to Approve Ocean Policy Position and Action on Deep Sea Mining

Co-Prepared by:		Oct 1, 2026
	‘Alohi Nakachi & Leinā‘ala L. Ley Ocean Policy Lead & Ka Pou Kihi Kū (Chief Advocate)	Date
Reviewed by:		Sep 30, 2026
	K. Sean Kekina Ka Pou Nui (Chief Operating Officer)	Date
Reviewed by:		Sep 30, 2026
	Everett Ohta Ka Paepae Puka (General Counsel)	Date
Reviewed by:		Oct 1, 2026
	Summer Lee Haunani Sylva Ka Pouhana Kūikawā (Interim Chief Executive Officer)	Date
Reviewed by:		Sep 30, 2026
	Brickwood Galuteria (Chairperson, Committee on Beneficiary Advocacy and Empowerment)	Date

Action Item BAE #26-07: Request to Approve Ocean Policy Position and Action on Deep Sea Mining

I. PROPOSED ACTION:

That the Committee on Beneficiary Empowerment and Advocacy (BAE) recommend the Board of Trustees (BOT) oppose Deep Sea Mining activities in international waters around Hawai‘i and authorize advocacy staff to submit comments and testimony where appropriate at state and federal levels and, where appropriate, on international deep-sea mining decisions such as at the assembly of the International Seabed Authority (ISA).

Motion 1: RELATING TO DEEP SEA MINING

Move to oppose Deep Sea Mining in Pacific international waters around Hawai‘i and authorize advocacy staff to submit comments and testimony where appropriate at state and federal levels and at the International Seabed Authority (ISA) to voice opposition to damaging activities.

II. ISSUE

Whether or not the Committee on Beneficiary Empowerment and Advocacy (BAE) should recommend the Board of Trustees approve Advocacy’s request to oppose (testify and comment on) Deep Sea Mining efforts in Pacific international waters around Hawai‘i.

III. BACKGROUND & DISCUSSION

A. Background on Deep Sea Mining and Concerns

Deep sea mining overview

Deep seabed ocean floors are abundant in mineral resources including polymetallic nodules, massive sulfides, and cobalt rich crusts that contain rare elements and metals including manganese, iron, nickel, cobalt, copper, zinc, lead, silver, platinum, and gold.¹ Deep sea mining is framed as a multi-billion dollar agency to harvest the rare minerals available, however despite the suggested economic gain, deep-sea mining is indicated to be a risky and unprofitable investment.² Deep seabed mining is a complex engineering endeavor that takes significant resources and technology to conduct. The minerals sought in deep-sea mining efforts are not a necessity and their

¹ [International Seabed Authority- Polymetallic Nodules, Polymetallic Sulphides, and Cobalt-rich Ferromanganese Crusts.](#)

² Agler et al. *The false promise of deep-sea mining*. Ocean sustainability. 2025. [https://www.nature.com/articles/s44183-025-00127-4.pdf.](https://www.nature.com/articles/s44183-025-00127-4.pdf)

Action Item BAE #26-07: Request to Approve Ocean Policy Position and Action on Deep Sea Mining

extraction will provide guaranteed environmental impacts the severity of which is method dependent.³

Methods for deep sea mining largely involve pipeline lift systems with underwater collection including a deep sea-mining vehicle, essentially a large underwater tractor with ore excavation, crushing, and/or gathering equipment.⁴ These efforts to excavate and gather mineral materials will result in the driving over the seabed and removing the surface level of the sea floor. The sea floor is an environment that has not been fully explored. However, in the Clarion-Clipperton Zone (CCZ)—located to the East of Hawai‘i and targeted for extractive activities—is a known habitat supporting biodiversity including over 50,000 species and 411 megafaunal morphotypes, numbers that are increasing with further studies.⁵

Negative effects of deep-sea mining

Not only will deep-sea mining result in habitat destruction of which a high number of fauna and flora inhabit and are dependent on, but the various methods of extraction result in an array of direct and indirect environmental impacts. Environmental impacts include noise pollution and plume creation from seabed mining and surface and midwater discharge which can increase temperature and turbidity, disrupt feeding, breathing and visual range for animals in the area, and release toxic substances from metals.⁶

In addition to immediate impacts to the surrounding environment, the plumes and suspended sediments including pollutants and toxic metals, will be transported to neighboring regions that can alter the physiochemical conditions of the seafloor and water column.⁷ These plumes and waste generated at various levels in the water column are anticipated to directly disrupt the planktonic community composing the base of food webs and will have proliferating negative impacts throughout the food web.⁸ These food web disruptions will have negative impacts on transient pelagic species including global fisheries as well as to impacts to threatened and endangered species such as sharks, rays,

³ Ibid.; Yao et al. *Development of deep-sea mining and its environmental impacts: a review*. Marine Pollution. May 25, 2025. <https://www.frontiersin.org/journals/marine-science/articles/10.3389/fmars.2025.1598584/full>.

⁴ Yao *supra* note 3.

⁵ Glover et al. *The environmental impacts of deep-sea mining*. Current Biology, 36. May 04, 2026. [https://www.cell.com/current-biology/fulltext/S0960-9822\(26\)00303-9](https://www.cell.com/current-biology/fulltext/S0960-9822(26)00303-9).

⁶ Ibid; Yao *supra* note 3.

⁷ Ibid.

⁸ Dowd et al. *Deep-sea mining discharge can disrupt midwater food webs*. Nature Communications, 16. November 6, 2025. <https://www.nature.com/articles/s41467-025-65411-w>.

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turtles, and marine mammals.⁹ Many of these animals have cultural significance in addition to important ecological functions.

The impacts from deep-sea mining will not be concentrated or localized, these will be widespread and global impacts. Water movement and the connectivity of marine species is driven by ocean currents, wind patterns and weather systems. There are many factors that can be at play, but with the Coriolis effect and North Pacific gyre in the Pacific Ocean, storms and water typically flow east to west. Increased storms and storm intensity will also have a contributing impact on the flow of water and distribution of impacts from deep-seabed exploration and extraction activities. Storm patterns of hurricanes in the Pacific often see storms forming and going through the CCZ often following a path towards Hawai'i. Hawai'i is one of the closest land masses to the CCZ and thus deep-seabed exploration and extraction in this region could have significant negative environmental impacts to Hawai'i.

The growing interest in deep sea mining exploration and commercial extraction has raised concerns from Native Hawaiian leaders and other leaders of Native Pacific nations. Uncle Solomon Pili Kaho'ohalahala (Uncle Sol) has become known as the face of Indigenous leadership fighting against deep sea mining. He has been advocating internationally at the ISA for recognition of Indigenous Peoples relationship with the ocean and raising concern about the harms that deep sea mining poses ecologically and culturally.¹⁰ In Honolulu in 2023, Uncle Sol along with other Native Hawaiian leaders including OHA trustee Dan Ahuna stood together to prevent a deep-sea mining vessel from docking in Honolulu.¹¹

In 2024, Governor Josh Green signed the Hawai'i Seabed Mining Prevention Act (SB 2575) prohibiting mining and extraction in state waters (the coastline to three nautical miles).¹² SB 2575 garnered widespread support at the legislature, including from OHA. While there may be local consensus against deep sea mining in Hawai'i, deep sea mining occurs in international waters and regulations are on a national and international scale.

⁹ Yao *supra* note 3; Judah et al. *Deep-sea mining risks for sharks, rays, and chimaeras*. Current Biology. November 03, 2025. [https://www.cell.com/current-biology/fulltext/S0960-9822\(25\)01189-3](https://www.cell.com/current-biology/fulltext/S0960-9822(25)01189-3).

¹⁰ Anita Hofschneider. *Digging for minerals in the Pacific's graveyard: The \$20 trillion fight over who controls the seabed*. Grist. March 26, 2025. <https://grist.org/energy/deep-sea-mining-minerals-pacific-peoples/>.

¹¹ Puanani Fernandez-Akamine. *Ōiwi leaders firmly rebuke deep sea mining*. Ka Wai Ola. January 2, 2024. <https://kawaiola.news/aina/%ca%bbiwi-leaders-firmly-rebuke-deep-sea-mining/>.

¹² [SB2575_HD1_.PDF](#).

B. Regulatory Background

Federal and International Deep Sea regulations

The ISA is the United Nations body that oversees international deep-seabed related activities.¹³ The ISA has 32 exploration contracts for deep sea exploration, twenty-two of which are in the international waters surrounding Hawai‘i: 17 in the Clarion-Clipperton Zone (CCZ) and 6 in the Western Pacific Ocean.¹⁴ The United States (US) is not a voting nation of the ISA because the US has not ratified the United Nations Convention on the Law of the Sea (UNCLOS) that governs the ISA.¹⁵ Although the US is not a voting member, Uncle Sol and the Maui Nui Makai network are recognized by the ISA as Indigenous representatives to voice concerns of impacts including disruptions to ancestral and genealogical relationships from sea-bed mining.¹⁶

Despite efforts by Hawai‘i and other states to prevent deep sea mining efforts by the US, Executive Order 14285 was signed on April 24, 2025, establishing policies to advance US deep-seabed mineral exploration and extraction.¹⁷

U.S. deep sea mining application process

The National Oceanic and Atmospheric Administration (“NOAA”) is the agency authorized under the Deep Seabed Hard Mineral Resources Act (DSHMRA) to issue US companies licenses for deep seabed mining exploration activities outside of U.S. waters.¹⁸ Under the statutory process, NOAA must first determine if the application is in compliance with the information requirements of the DSHMRA. If the application does meet the information threshold of the DSHMRA and its implementing regulations, the application can move forward. The application then goes through a review process including a 60-day public comment period noticed in the Federal Register. Feedback from public comments should inform NOAA’s decision whether or not to certify the application. If certified, NOAA would then require environmental review under the National Environmental Protection Act (NEPA). This would include

¹³ [ISA - International Seabed Authority](#).

¹⁴ [Exploration Contracts - International Seabed Authority](#).

¹⁵ Congressional Research Service. *Implementing Agreements Under the United Nations Convention on the Law of the Sea (UNCLOS)*. In Focus. January 20, 2026, https://www.congress.gov/crs_external_products/IF/PDF/IF12578/IF12578.8.pdf.

¹⁶ Anita Hofschneider. *Digging for minerals in the Pacific’s graveyard: The \$20 trillion fight over who controls the seabed*. Grist. March 26, 2025, <https://grist.org/energy/deep-sea-mining-minerals-pacific-peoples/>.

¹⁷ [EO 14285](#).

¹⁸ NOAA, [Deep Seabed Hard Minerals Mining](#), August 19, 2026.

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additional opportunities for public comment. Once environmental review concludes and environmental impact statement (EIS) is approved, NOAA can then issue an exploration license to the approved applicant.

To obtain a deep-sea mining recovery (commercial) permit, an applicant has two options. First is a two-step sequential process where an applicant secures an exploration license and then applies for a commercial recovery permit following the conclusion of exploratory (information gathering) activities. There is a new consolidated application process where an applicant can apply for and obtain an exploration and commercial recovery permit at the same time but must still undergo the public comments process as explained above.¹⁹

C. Current Applications Open for Public Comment

NOAA has 6 open applications for exploration licenses under consideration, one of which is a joint exploration and recovery permit currently in the federal register to hold its first public hearing in October.²⁰ Exploration licensed activities can include the testing of integrated mining systems which simulate commercial recovery.

The Metals Company (TMC) has three applications under consideration, one of which has been certified and is moving into the environmental review process. This application is proposing to cover a surface area of 121,830.2 square kilometers within the CCZ.²¹ This application proposes to use a dynamic positioning system as well as remote operating vehicles (ROV) and autonomous underwater vehicles (AUV). In this application TMC is proposing data collection for seafloor mapping, resource and reserves, and environmental baselines. These methods will include hull-based multibeam mapping, core sampling, AUV bathymetric mapping and photographic surveying, ROV penetrometer testing of seafloor, deploying oceanographic moorings, deploying standalone pumps, sediment traps, baited camera landers and baited traps, and acoustic testing. This information will be used for a recovery permit application to define where mining operations will be conducted.

The second TMC application has been the subject of two public hearings but has not been certified yet. This application proposes to cover a surface area

¹⁹ National Oceanic and Atmospheric Administration. *NOAA Accelerates Permitting Timeline for Deep Seabed Mining Applications*. 21 Jan. 2026, <https://www.noaa.gov/news-release/noaa-accelerates-permitting-timeline-for-deep-seabed-mining-applications>.

²⁰ Ibid.

²¹ TMC USA Application USA B, <https://www.regulations.gov/document/NOAA-NOS-2025-1330-0002>.

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of 65,186.7 square kilometers within the CCZ.²² In this area, TMC conducted test mining during 2019-2022. This included the vessel the Hidden Gem that was the vessel that Hawaiian leaders protested landing in Honolulu in 2023. The test mining operation by the hidden gem included collecting 4,500 wet tonnes and retaining onboard about 3,000 tonnes of nodules. This application proposes minimal exploration work in one subsection of the area and instead will analyze the environmental and biological samples previously collected. In this application, TMC is proposing data collection for seafloor mapping, resource and reserves, and environmental baselines. Methods for data collection in the other two subsection areas will include the same methods as in the application above. This information will be used for a commercial recovery application and defining where mining operations will be conducted.

The third TMC application is in the public comment period and will hold its first public hearing on October 13, 2026, and will close the comment period on October 19, 2026. This application is a consolidated application for an exploration and recovery permit for the same area listed above in the TMC second proposed permit area (65,186.7 square kilometers) in the CCZ.²³ This application includes the exploration methods and tools listed above as well as commercial recovery and extraction plans. Methods for extraction include AUVs or nodule collector vehicles used for benthic scraping and blanketing with mechanical systems include rakes, buckets, wheel, and suction collection methods as well as hydrological systems of a vertical transport system to lift the nodules from the seabed to the surface and onto the vessel. Once on the vessel the nodule will enter a dewatering system that removes slurry from the nodule. The slurry goes through a particle separation device that sends the “return water” back into the ocean.

IV. TIMEFRAME

NOAA has received an application for a deep-sea mining exploration license and commercial recovery permit in the Clarion-Clipperton Zone that is currently in the Federal register with a public hearing on Oct 13, 2026, and comments are due by Oct. 19, 2026. NOAA has currently certified a deep-sea mining exploration application for the CCZ and that applicant is drafting an EIS to as part of the process to get approved for exploration activities. NOAA anticipates holding the second hearings of 4 applications by the end of this year, 3 of which will be in the CCZ. Therefore, staff recommends immediate action.

²² TMC USA application USA-A, <https://www.regulations.gov/document/NOAA-NOS-2025-0702-0002>.

²³ TMC USA application USA A-A, <https://www.regulations.gov/document/NOAA-NOS-2026-1751-0002>.

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V. RECOMMENDATION

Move immediately to approve OHA's position to oppose deep sea mining and take action on Deep Sea Mining to ensure we can comment and submit testimony on Deep Sea Mining efforts and processes in Pacific international waters around Hawai'i including on the consolidated exploration and commercial recovery permit in the Clarion Clipperton Zone that is currently in the Federal Register with a public hearing on Oct 13, 2026, and public comments period closing on Oct. 19, 2026.

VI. ALTERNATIVES

- A. Amend the proposed position.
- B. Take no action.
- C. Defer decision making until a later date.



Beneficiary Advocacy & Empowerment Committee

IV. Executive Session§:

A. Approval of Executive Session Minutes:

1. April 15, 2026
2. April 29, 2026
3. June 24, 2026

B. Update on Papahānaumokuākea Marine National Monument and Sanctuary. The BAE Committee anticipates convening in an executive meeting pursuant to HRS § 92-5(a)(4) to consult with its legal counsel regarding the Board's powers, duties, privileges, immunities, and liabilities on potential litigation related to defense of resource protections in Papahānaumokuākea Marine National Monument and Sanctuary

V. Community Concerns and Celebrations

VI. Announcements

VII. Adjournment

There is no material for these items at this time.