Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large Trustee Luana Alapa, Moloka'i / Lāna'i Trustee Carmen Hulu Lindsey, Maui Trustee Brendon Kalei'āina Lee, At-Large Trustee John Waihe'e IV, At-Large



STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, December 8, 2021

TIME: 1:30 p.m.

PLACE: Virtual Meeting Viewable at <u>www.oha.org/livestream</u> OR Listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

Due to the threat of COVID-19, Governor Ige issued the Emergency Proclamation Related to COVID-19, dated November 29, 2021 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at <u>www.oha.org/livestream</u> or listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

AGENDA

I. Call to Order

II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)

III. Approval of Minutes

A. November 17, 2021

- IV. New Business
 - A. Presentation: Native Hawaiian Veterans, Reyn Kaupiko, Native Hawaiian, VA Advisory Committee on Tribal and Indian Affairs
 - B. Presentation: Hawaii Military Land Use Master Plan: Key Assessments & Processes, including Native Hawaiian Consultation, Coordination, Engagement or Conference with the Federal Government
 - C. Action Item BAE #21-06: 2022 OHA Legislative Bill Package
- V. Executive Session‡
 - A. Consultation with Board Counsel Robert G. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust and associated legislation, pursuant to HRS§92-5(a)(4)
- VI. Announcements
- VII. Adjournment



STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number (808) 594-1772 or by email at: <u>rainag@oha.org</u> no later than three (3) business days prior to the date of the meeting.

Meeting materials will be available to the public on Friday, December 3, 2021 and posted to OHA's website at: www.oha.org/bae

In the event that the livestream public broadcast is interrupted and cannot be restored, the meeting may continue as audio-only through the phone and Webinar ID provided at the beginning of this agenda.

- [†]Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.
- ‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.
- * Public Testimony on Items Listed on the Agenda must be limited to matters listed on the meeting agenda.

Hawai'i Revised Statutes, Chapter 92, Public Agency Meetings and Records, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

Testimony can be provided to the OHA Board of Trustees either as: (1) written testimony emailed at least 24 hours prior to the scheduled meeting, or (2) live, oral testimony online during the virtual meeting.

(1) Persons wishing to provide written testimony on items listed on the agenda should submit testimony via email to BOTmeetings@oha.org at least 24 hours prior to the scheduled meeting. Any testimony received after this deadline will be late testimony and will be distributed to the Board members after the scheduled meeting. Due to COVID- 19, please do not fax, mail, or hand-deliver written testimony

(2) Persons wishing to provide oral testimony online during the virtual meeting must first register at: <u>https://us06web.zoom.us/webinar/register/WN_QkEVzVx5S2iz-xp4Yw30Hg</u>

You need to register if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting, along with further instructions on how to provide oral testimony during the virtual meeting. The registration page will close during the Public Testimony or Community Concerns agenda item. Oral testimony by telephone/landline will not be accepted at this time.

To provide oral testimony online, you will need:

(1) a computer or mobile device to connect to the virtual meeting;



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(2) internet access; and

(3) a microphone to provide oral testimony.

Oral testimony online will be limited to five (5) minutes. Once your oral testimony is completed, you will be asked to disconnect from the meeting. If you do not sign off on your own, 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.

Please visit OHA's website for more detailed information on how to submit Public Testimony OR Community Concerns at: <u>https://www.oha.org/how-to-submit-testimony-for-oha-bot-meetings/</u>

alihik Akal

12/2/2021

Trustee Kaleihikina Akaka, Chair Committee on Beneficiary Advocacy and Empowerment

Date

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large Trustee Luana Alapa, Moloka'i / Lāna'i Trustee Carmen Hulu Lindsey, Maui Trustee Brendon Kalei'āina Lee, At-Large Trustee John Waihe'e IV, At-Large



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- VII. Adjournment

DRAFT For Approval on 12/08/21

STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS 560 N. NIMITZ HIGHWAY, SUITE 200 (VIRTUAL MEETING - VIA ZOOM WEBINAR)

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT MINUTES

November 17, 2021 1:30 p.m.

ATTENDANCE:

Chairperson Kaleihikina Akaka Trustee Leina'ala Ahu Isa Trustee Dan Ahuna Trustee Keli'i Akina Trustee Brendon Kalei'āina Lee Trustee C. Hulu Lindsey Trustee Keola Lindsey Trustee John Waihe'e, IV

<u>EXCUSED:</u> Trustee Luana Alapa <u>BAE STAFF:</u> Brandon Mitsuda Mark Watanabe

ADMINISTRATION STAFF: Hussey, Sylvia, Ka Pouhana / CEO Brown, Casey / COO Hinck, Ramona / CFO Kamali`i, Na'u / Chief Advocate Fisher, Leimomi / Interim Public Policy Manager Ki, Nina / Public Policy Advocate Gushiken, Raina, Senior Legal Counsel Ohta, Everett, Assistant Legal Counsel Chak, Kevin, IT Nakama, Erin, IT

I. CALL TO ORDER

Chair **Akaka** calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, October 13, 2021 to order at **1:30 p.m.**

Chair **Akaka** notes for the record that PRESENT are:

		AT CALL TO		
	MEMBERS	ORDER	TIME ARRIVED	
		(1:30 p.m.)		
CHAIR	KALEIHIKINA	AKAKA	PRESENT	
VICE-CHAIR	KEOLA	LINDSEY	PRESENT	
TRUSTEE	LEINA'ALA	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	LUANA	ALAPA	EXCUSED	
TRUSTEE	BRENDON KALEI'ĀINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	EXCUSED	1:34 p.m.
TRUSTEE	JOHN	WAIHE'E, IV	PRESENT	

At the Call to Order, **SEVEN**(7) Trustees are PRESENT, thereby constituting a quorum.

II. PUBLIC TESTIMONY on Items Listed on the Agenda*

None

III. APPROVAL OF MINUTES

A. October 13, 2021

Chair Akaka: We will move on now to approve the minutes for October 13th, 2021. However, before we go ahead with that, I do see that we have some changes here to the minutes, CEO was not in attendance and our COO was in her stead.

Ka Pouhana Hussey: CEO for the period of time. Thank you, Chair.

Chair Akaka: Mahalo, are there any other edits to the minutes? Seeing none, can we please have a motion to approve the minutes as amended.

Board Chair Hulu Lindsey: Chair, I move that we approve those minutes as amended.

Chair Akaka: Mahalo Board Chair, is there a second?

Trustee Akina: Chair, I second.

Chair Akaka: It's been seconded by Trustee Akina. Can I please have a roll call Brandon.

							1:35 p.m.
				'AE	A'OLE	KANALUA	
TRUSTEE		1	2	(YES)	(NO)	(ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			Х			
DAN	AHUNA			Х			
KELI'I	AKINA		2	Х			
LUANA	ALAPA						EXCUSED
BRENDON	LEE			Х			
KALEI'ĀINA	LEE			^			
CARMEN HULU	LINDSEY	1		X			
VICE CHAIR KEOLA	LINDSEY			X			
JOHN	WAIHE`E, IV			Х			
CHAIR KALEIHIKINA	AKAKA			Х			
TOTAL VOTE COUNT				8	0	0	4
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED							

IV. NEW BUSINESS

A. Presentation: Native Hawaiian Veterans, Reyn Kaupiko, Native Hawaiian, VA Advisory Committee on Tribal and Indian Affairs

Chair Akaka: It's my understanding that Reyn Kaupiko is unable to make it today. Is that correct Ka Pouhana?

Ka Pouhana Hussey: Correct Chair, thank you. He notified us he had a veteran responsibility today and we will work to reschedule him to the next BAE meeting and schedule and work with him and he extends his apologies.

Chair Akaka: Mahalo, thank you so much.

B. Workshop: 2022 Legislative Package, Final Review

Chair Akaka yields the floor to COO Casey Brown.

COO Brown: Mahalo Chair, aloha mai Trustees. So this is the only topic on the board today and I just want to remind you folks we sent the read aheads basically which is the presentation deck and a one pager summary. We sent it yesterday, hopefully you had a chance to look it over. Those are the two documents that Leimomi is going to be going over with you folks today. We also got the initial proposal in the last BAE workshop that Wayne had led and so this is coming back today to narrow down the measures that they want to propose. So again reminder no action today other than your folks feedback. We plan to request your approval at the December 1st BAE and then ratify that at the Board the next day.

So before I hand it to Leimomi, like this is the time I wanted to introduce our brand new Chief Advocate and Director of Advocacy, Na'u Kamali`i. So there's Na'u, we're excited to have her, she's excited as well, but I'll let her say a couple words.

Chief Advocate Kamali'i: Thank you very much. Na'unanikina'u Kamali'i ko'u inoa, aloha e Board Chair Lindsey, Chair Akaka, fellow Trustees, Sylvia Hussey, Casey Brown, the Executive Team, and more importantly the Advocacy Team that I'll have the privilege to be working very closely with and also the members of our community who are in attendance or streaming. I just want to say I'm humbled by the opportunity to serve the lāhui in this capacity and OHA as the Director of Policy and Chief Advocate. I have done many things during my career and it has brought me to this place. I am looking forward to working with all of you, all the Trustees and our community and OHA staff, and hopefully to be developing recommendations for resolve of the many concerns that are addressing the needs and concerns of our people on all islands so with that short mana'o and sharing, thank you for the opportunity and invitation to attend this first meeting of mine on my second day in preparation for the very important upcoming 2022 Legislative Session.

COO Brown: Mahalo, Na'u, her calendar is filling up fast folks, so if you need to get on there, you better get on there quick.

Board Chair Hulu Lindsey: Casey, I'd like to welcome Na'u in behalf of all the Trustees and we're happy to have her on board and we look forward to a lot of work in the legislature.

Chief Advocate Kamali'i: Well right, if I could just share one thing in my tour of the offices I asked to go to the board room and just say a quick aloha to my mom who is on wall. You know, if she were here would be just a really good thing. I'm seeing her work so hard and one of her favorite things to do was to serve on the Board of Trustees of OHA, as well as the Chair of the Native Hawaiian Study Commission. But her life's work was in service of our people. Thank you very much, Chair Lindsey for that welcome and in humor the work that we do I hope there are a lot of good times and lot of good mea'ai to serve and eat as our Hawaiian people do with the work that we do so thank you very much for that welcome.

Chair Akaka: Mahalo, Na'u, we're so excited to have you join us and we really appreciate your wealth of knowledge and your experience, and if you could just spend a short time in sharing with the Board here and those that are live streaming some of your experience.

Chief Advocate Kamali'i: Well, I like to take pride that I've been a canoe paddler and paddled the Moloka'i Channel for several years. But really my experience began as in the 'Ohana and that kuleana does not change as my genealogy it is about service in this way in government relations etc. I've worked as a manager at Queens Health Systems developing health plans there and also on a task force for OHA at that time, also serving as policy director for Papa Ola Lōkahi. All during which that time I've been a licensed attorney and learned along the way private practice in different firms and which has brought me to my own law firm so that I can help our Hawaiian people on an individual basis. But all through that development of policy, working with tribes, working with indigenous peoples at the United Nations. Maori and the way in which they handle research. I look forward to meeting each and everyone of you, listening to your concerns, trying to see what we can do to pull the team together to address those needs and concerns. And the community by the way has already found my email day one. So I will have some guidance from our Executive Team on how to manage that so that we can do the work OHA is charged to do in the best interests of the lāhui, so thank you.

Chair Akaka: Mahalo nui, we feel very fortunate to have you join us. Alright mahalo, COO can you please continue.

COO Brown: Sure, we're gonna go right into the workshop, so I'm going to hand this right off to Leimomi and Nina is here supporting as well with the slide deck. Leimomi it's all yours.

Interim Public Policy Manager Fisher: Mahalo, Casey, mahalo, Nina for running the slides for me. Aloha mai kākou, for those who do not yet know me, I'm Olan Leimomi Fisher and I'm currently serving as our Interim Public Policy Manager here at OHA, and today I'm just going to go over our final OHA Legislative Package and other coordinated advocacy efforts for this upcoming 2022 session. Just as a reminder, this is just a workshop to get BAE up to speed on our current legislative efforts so no action is required on this today.



So just to start us off, here's a basic timeline of our past and upcoming legislative schedule and deadlines. So as you can see from this past July through September, we conducted our internal and external outreach to various individuals and groups outside of OHA, and at the same time we were also conducting outreach internally with our OHA staff, presenting on our package from this past year and some of the important measures that we dealt with. And after our outreach process, we had over 100 different ideas to then go through and determine what was worth pursuing for this upcoming session.

So then on October 13th, our former manager Wayne presented to you folks on the strongest concepts that we were considering for our final package. He presented to you all five concepts for our package and two potential coordinated advocacy areas. Today here we are highlighted November 17th and now I'm presenting to you all the final measures that we decided to pursue. Two of the original concepts that Wayne presented to you and one original concept we decided to move into coordinated advocacy and we also have another exciting coordinated advocacy effort with three to four potential potential measures that just arose recently, so I'll be going into those a little later.

So as you can see, after today on December 1st will be the day that we call for your approval for our final package and then December 2nd we'll be asking for your approval from our entire BOT. December 30th is when we'll have to submit our final package measures to the Legislature. January 10th is our deadline for OHA Annual Report and January 19th it'll be the start, the opening of the Legislative Session.

Grading Criteria	Restoring Ancestral Connections
 OHA Best Lead Financial Impact Likelihood of Passing Solvability 	 Goal: To allow descendants of adopted individuals to access thei adoption records to verify Native Hawaiian ancestry. Issues: Hawai'i law (Act 80, Reg. Sess. 2016 (HB2082), now HRS Section 578-15(b)(4)) allows only adopted individuals or their adoptive parents to
Scope of Impact	access their adoption records to obtain ethnic background or necessary medical information.
Community Support	Descendants of adopted individuals cannot access their parents/etc. adoption records to verify their ethnicity & health records
More Coordinated Advocacy	 Legislation:
Heavy Defense on Bad Bills	Amend HRS Section 578-15(b)(4) to allow for descendants of adopted

So with this slide, just wanted to give you all a little bit of background, I know Wayne went over this but just as a reminder, just more context for our package and coordinated advocacy efforts this next session and these are some of the grading criteria that we use when vetting all of the 100 plus ideas that came our way during our outreach. First is OHA the best lead, you know, could another group or another Legislator or someone else be more effective in leading the effort. Financial impact is always really important. We usually try to avoid things with too much of a financial impact just because it tends to come back at OHA to try to finance certain things. Of course likelihood of passing given the political climate, given the current leadership at the Legislature is always really important. Solvability, whatever we're proposing, will the bill or the resolution actually help to solve the issue that we're looking to solve or could it possibly be something else not legislative, that would be a better fit to actually make a difference. Scope of the impact is really important. Will it be benefiting just a very small amount of people or will it have like a bigger impact like broadly across communities and across ka pae 'aina? And then community support, what like do we envision there to be a lot of community support for whatever effort it is or maybe a lot of pushback. Those are some of the criteria that we have to go through that informs you know what we actually do decide to pursue. And just with more coordinated advocacy, we found that this year some of the ideas that came our way would actually have a better chance at passing and gaining momentum if they were introduced or spearheaded by other groups more focused in those areas. But with also

having our strong support behind the scenes. So when we say coordinated advocacy, it's basically like us doing all the same effort that we would for our package measures but just like I said, not being the spearhead or like the face of those efforts first day and just as an example, last year I took the lead on a coordinated on some coordinated advocacy measures for 'Aha Pūnana Leo regarding their participation in the state's Early Learning Board and amazingly thanks to both our OHA efforts and 'Aha Pūnana Leo and other supporters, one of those measures actually did pass. Just going on, another thing that is very important for you all to just keep in mind and understand is that we've been warned especially this upcoming year by Legislators and other insiders that this upcoming session will most likely involve a very heavy defense on our part to oppose and stop what we lovingly refer to as bad bills from passing. Sometimes they're even resolutions, but some examples of these bad measures from the past include those trying to push for 99 year leases on our Public Land Trust and potential ceded lands and other measures looking to threaten our Public Land Trust revenues. So along with blocking these bad bills, our team also goes through all the measures that come about that are introduced each session which is a tremendous effort and we either support, comment or oppose these measures. I know you all probably know all this, but just as a reminder, you know framing what I'm about to present to you all a little better. So I'm just going right into it.

The first measure that we found was very strong in many respects, and that we're really excited and hopeful will pass on this upcoming session and have really long lasting impacts for our Native Hawaiian beneficiaries. We're titling it OHA-1 and it's regarding, or our other title I guess is restoring ancestral connections and this idea actually came about internally from our very own Hawaiian Registry Program Specialist, David Greer. He's obviously an expert in these ancestral genealogical data and documentation. He came to us basically with this issue that he saw that could play out to be actually very negative for our beneficiaries and others, and so basically the goal of this measure is to allow descendants of adoptees to also access their adoption records of their parents, grandparents, etc. in order to verify their Native Hawaiian ancestry, but also health records and other relevant, you know, ethnic backgrounds and things like that. David Greer came to us with the idea saying that a recent act that had passed in 2016 Act 80, which is a very beneficial and positive thing that actually opened up these records in the first place to be more readily available to adopted individuals. It ended up leaving out descendants of these adopted individuals, so the descendants, the children, the grandchildren are unable to access these records from their parents or grandparents, and even with a lot of foresight, saw that this could be a big potential problem for people trying to prove their Hawaiian ancestry for benefits from OHA, Kamehameha Schools, various other programs and just overall a big hindrance for people trying to get their necessary medical information. So therefore, it's a simple fix that we see, it's just adding basically descendants along with the individual themselves and their adoptive parents and birth parents to also access these records. Another great thing to mention with this bill is that we already have the support from the Department of Health for the efforts. So that's a really strong ally, and yeah, it's kind of straightforward. We felt like it's gonna have a huge impact, so that's why we were just like yup, there you go so.

Chair Akaka recognizes Trustee Ahu Isa

Trustee Ahu Isa: I was talking to the IT guys, Leimomi and they talked about developing an app, it's called I am Kanaka. You're familiar with that?

Interim Public Policy Manager Fisher: No I'm not.

Trustee Ahu Isa: This is where they're inputting all the names and saying 'cause they are Hawaiian and when they apply for a loan, we don't have to go down the Board of Health or go look COVID that's really bad. You know, sometimes they're closed you can't get the information, but I remember a long time ago when I saw Teona Wailehua, Kaui's mom when I signed up for the registry. We still have all that data? Kau inoa that data, are familiar with that?

Interim Public Policy Manager Fisher: Yes, I believe that we do.

Trustee Ahu Isa: At that time we also had adopted children who had parents and they wanted to go Kamehameha, but they had to trace that line and they couldn't because they didn't have the birth certificate. In the old days you didn't have a birth certificate. Your mom and dad was left on somebody's doorstep and then they found the baby and then Hawaiian people they adopted hānai and here now we have the grandchildren trying to get into Kamehameha. So there was a process that they had back then, so I don't know if this bill goes back and looks at that or did you folks do that kind of a research? Did you look at how Kamehameha got those students in? Did the Board of Health have some other administrative rule HAR? I'm just asking, I don't know.

Chair Akaka recognizes Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey: May I attempt to address Trustee Ahu Isa's question?

Chair Akaka: Yes

Ka Pouhana Hussey: Trustee Ahu Isa, on the first question regarding I am Kanaka, that application exists for OHA as a translation of our old databases that used to hold the data that we were collecting on ancestry. With Lisa Victor's help they transitioned that from an unstable platform to a new custom developed platform using I am Kanaka. David our Hawaiian Ancestry Specialist, we're preparing an article for December to expand on the changes that will be made with the registry program to be able to have enhancements where the identification card is no longer, there's no expiration on ancestry verification. It's all in one location and then can be accessed by services which is an important feature when we are preparing to administer emergency financial assistance ourselves. We're going to need to ensure that we have the verifications and validations. Because Kamehameha Schools Ho'oulu Hawaiian data center, as well as the DHHL ancestry verifications processes are there, we accept their verification as well. So we have this network of verification resources to be able to expand. So the bill of having access to those records by adopted descendants will be helpful so that they can go ahead and trace ancestry, and so the article will be forthcoming in December's Ka Wai Ola and will help to make it easier and then also to tighten the ancestry verification processes in our community.

Trustee Ahu Isa: Mahalo for that, I just asked because I didn't hear about it until I talked to the IT guys and also Lisa. Still interested in that I am Kanaka. That's really good because I don't know what happened to my ID card that I signed onto long time ago because she's not here anymore, I miss her. I was very close to Teona, Kaui's mom. We're like way back classmates. So yeah, I'm glad we're doing that, we don't have to keep looking for our ID card, mahalo.

Ka Pouhana Hussey: The I am Kanaka is also teed up to be the beneficiary management. You know, managing beneficiaries to be able to provide services, so it's an important piece to be able to service our beneficiaries. So thank you for asking that question.

Chair Akaka: Mahalo, Leimomi, if you can please continue.

OHA-2

Building Back Pono: Addressing socioeconomic disparities in the post-COVID-19 era

- Goal: to ensure that future developments do not exacerbate socioeconomic divides in Hawai'i as we build back smarter beyond the pandemic
- Issue:
- Environmental review process considers impacts to social welfare, economic welfare, and cultural practices – but neglecting real impacts on socioeconomic disparities results in community distrust and pushback
- Current process does not include a specific analysis of whether an action will exacerbate existing socioeconomic disparities in vulnerable communities
- Impacts on vulnerable communities may be overlooked by decisionmakers as we build back from COVID-19
- Legislation: Amend HRS § 343 to explicitly require environmental review processes to consider the <u>socioeconomic disparities</u>, as well as economic, social, and cultural impacts, of certain proposed actions
 - Will help identify & mitigate/prevent further environmental injustices (see Waimānao Gulch; PVT solid waste landfill relocation proposal; Kahuku windmills)

Coordinated Advocacy

Kāko'o Pa'ahao: Performance audit of the Department of Public Safety's Reentry Program and Coordination Office

- Goal: Ensure former Native Hawaiian paʿahao are best prepared to reenter society & reduce recidivism
- Legislation under consideration:
 - Resolution or Bill calling for a performance audit of the PSD's Comprehensive Offender Reentry Program and its Reentry Coordination Office

Notes:

- More effective as Coordinated Advocacy
- Effort led by either the Hawai'i State Oversight Commission or YWCA

Interim Public Policy Manager Fisher: Mahalo and mahalo for that question as well. Just moving on to our next package measure OHA-2. This is another measure that we felt the actual bill language, the statutory amendment was just more straightforward and would also have a very lasting impact if passed. So this measure will basically help to ensure that future developments in Hawai'i don't further exacerbate socioeconomic divides through the environmental review process, and especially as we try to build back post COVID. So basically just a little bit of a background, the current environmental group process under HRS343. It considers impacts to social welfare, economic welfare and cultural practices but we felt from our outreach that neglecting real impacts to the also the socioeconomic disparities of vulnerable communities has resulted in protests, community distrust and even you know creating a longer process for some of these developers that if they had just actually you know tried to work with these communities in the first place, could have tried to prevent or at the very least mitigate these environmental injustices. Kala mai, it should say Waimanalo Gulch, yeah that's an example, the PVT solid waste landfill relocation proposal, Kahuku windmills, those are just some examples. So the proposed bill would basically just add socioeconomic disparities into the environmental review process. We actually feel like I said it would help to mitigate at the least, but also prevents these kinds of injustices. Also another note that I didn't put on the slide is that we've also seen like another possible measure column that's likely to be introduced that would go hand in hand with this, with trying to get communities involved prior to development, breaking ground and even on the county side I know that there was recently a measure passed to get Neighborhood Boards involved prior to developments in certain areas. So yeah, we feel like the momentum is definitely here right now with this type of measure and we also hope to build off of our social determinants of health bill and connect it to that a little, as much as we can. Right now in this process we're basically just trying to finish our draft language, but then slowly start to reach out to more of these specific individuals or groups from these affected communities to get their support from as well.

So just moving on now to our coordinated advocacy measures. This next coordinated advocacy effort was originally proposed in our concepts workshop to be included as a part of our package, but we decided after speaking with experts in criminal justice that others that are more dedicated to these types of criminal justice efforts might actually be more effective in bringing this kind of measure about. So the issue basically is that you know reentry services have been inadequate, a recent study showed that 50% of individuals released from jail or prison still don't have their IDs or Social Security cards necessary to build their lives back up post heading out of these facilities. And you know, basically our Native Hawaiian pa'ahao are just set up to fail, and the goal of this coordinated advocacy effort would be to make sure that they are best prepared to enter society and reduce recidivism, reduce the likelihood that they will go back into these facilities. We have one of our dedicated staff, Mina, she's helping today with me, with these slides but she's our criminal justice person right now on our team and she's working with the Hawai'i State Oversight Commission to draft the language, and it's likely going to be, hopefully a bill, maybe a resolution calling a performance audit of the Department of Public Safety's Reentry Program, as well as the Reentry Coordination Office and right now she's looking at working

with these groups to see whether it'll be the Oversight Commission or possibly even the YWCA that leads this effort, and our next steps for this is to just continue to meet with these criminal justice advocates, and possibly meet with former pa'ahao, potentially get the State Auditor to buy into this effort and go from there.

Coordinated Advocacy

'Aha Kauleo – Kaiapuni Complex Area Superintendent (possibility)

Goal: to establish the Kaiapuni Complex Area Superintendent as enumerated through BOE Policy 105-8(3), regardless of geographical locations

Legislation under consideration:

- Amend HRS Section 302A-604, adding a Kaiapuni CAS
- SB2498 (Reg. Sess. 2020) introduced by Hawaiian Caucus drafted by OHA & 'Aha Kauleo
- BOE Policy 105-8(3) details establishment of Kaiapuni and mandatory goals, including establishment of Office of Hawaiian Education (OHE)
- Notes:
 - PP Staff presenting at next 'Aha Kauleo meeting 11/20
 - Option for BOT presentation by Kealii Kukahiko from OHE

Coordinated Advocacy

'Aha Kauleo – Native Hawaiian medium / immersion / Kaiapuni seat on the Board of Education

- Goal: to require at least one "at-large" member of the BOE to be a practitioner or scholar in Hawaiian studies and language
- Legislation under consideration:
- Amend HRS Section 302A-121(a)
- Exact language still being decided with 'Aha Kauleo input
- Notes:
 - Representative Patrick Branco's office is drafting & coordinating
 - Will likely pursue as starting point before pursuing CAS position again

So these next three coordinated advocacy ideas that I'll go over with you all, all are connected to the 'Aha Kauleo which is a consortium of different Native Hawaiian educators, specifically Kaiapuni and Hawaiian immersion educators and administrators. They came to us I think or we actually started coordinating with them just a little after Wayne had already presented, or we had already kind of formed up our concepts for you folks, so that's why it wasn't initially in the concepts workshop with you last month, but we felt that even so, it's such a strong voice that this 'Aha Kauleo has already, and they're very organized, so when they came to us we felt that it was important for us OHA to step in to help them to really build this alliance with them and their legislative efforts this upcoming session. So one of the ideas that they came to us with and this idea is still kind of in flux, there's a possibility that they might not want to pursue it. It actually has ties already with our former Public Policy Staff, Monica Morris. So in I believe 2019 before she retired, Monica helped the 'Aha Kauleo to draft a measure that was introduced in 2020, SB2498. And it was basically trying to establish a Kaiapuni Complex Area Superintendent. Just one superintendent, as opposed to currently all the different Kaiapuni have to answer to their different complex area superintendents that don't have the expertise or knowledge or experience in Kaiapuni or even Native Hawaiian immersion to really speak on behalf of them and help them. So that was like the initial call for this measure in 2020 and it's already drafted basically. So the biggest thing is just deciding if this is something they wanted to pursue because it was not successful obviously in 2020 and so that's kind of what they're grappling with. They are planning to meet this Saturday and our OHA staff will actually be there as well presenting to them to decide if this is something that they want to pursue again, and we also did want to bring up the option to for the Office of Hawaiian Education to present to you all, just to get a better understanding of the details behind the Kaiapuni Program and the different like mandatory goals that are already there.

So another coordinated advocacy idea through 'Aha Kauleo which this one is actually shaping up to be a really exciting and most likely I'd say to actually become an introduced measure. It would require at least one at large member on the Board of Education to be a native, we're still working through the language, but you know, a Native Hawaiian medium, immersion or Kaiapuni kumu or expert. It's also really exciting because we already have the support from Representative Patrick Bronco's Office, so they actually came to 'Aha Kauleo with this idea and they drafted the measure and they're trying to really get the support and mana'o from 'Aha Kauleo. Currently we're working with them and it's very likely that this is something that 'Aha Kauleo might decide to pursue instead of the complex area superintendent position.

Chair Akaka recognizes Trustee Ahu Isa

Trustee Ahu Isa: I was on the Board of Ed so I know what you're talking. CAS is Complex Area Superintendent, so that's creating another Complex Area Superintendent right now we have one for Maui, Kaua'i, Big Island and then they have assistance to that and they get high pay. So this is creating, the board is creating another position, a complex area only to deal with Hawaiian issue, the Hawaiian education issues, like the immersion schools?

Interim Public Policy Manager Fisher: Yes and the Kaiapuni ones specifically, still working through the kinks.

Trustee Ahu Isa: It's not already established? There isn't a CAS for that?

Interim Public Policy Manager Fisher: No, no there's not and an issue came up with because you know these different Kaiapuni are in different geographical locations right. But just to have one that supports them all regardless of where they're located.

Trustee Ahu Isa: Because before we had a budget for one person to handle all like the kupunas when they would go in and teach the children for each school. We had a hard time getting volunteers to do that, and then we looked at the money we gave them. We allocated like 90,000 and they only spent 50,000. So there was a whole bunch leftover. I guess they didn't have either the help or the support in that department, used to be one guy I forget his name. Yeah, if they're gonna put something like that they better have the budget to back it up because we're going to introduce something. I'm sure Representative Bronco knows. That's all I wanted to add to the conversation. I know Monica's work.

Chair Akaka: Mahalo, Trustee Ahu Isa.



Interim Public Policy Manager Fisher: So this is one of the other ideas, so that's what I kind of mentioned earlier that there's possibly three or four measures that can come out of this coordinated advocacy with 'Aha Kauleo. So the third one is another one that's really exciting that they're trying to really get organized behind. It would involve like setting up a pathway system, pathway support, funding to create more Kumu Kaiapuni, and this idea kind of came about looking at the Grow Our Own Initiative, which is basically a program that allocates funds to pay for the educational expenses of different kumu in our state, but the thing with that program and you know, we pulled the data from this actual Grow Our Own program that already was supported by Michelle Kidani, and it's already like in existence, it's in its second or third year I think and there was literally one 'Ōlelo Hawai'i participant and like three even in Hawaiian studies are interested in possibly pursuing Hawaiian studies. So the kumu, the 'Aha Kauleo is basically saying they have a severe shortage of

Kumu Kaiapuni and this Grow Our Own program is not necessarily even benefiting them specifically, so this measure would either create a whole separate program for Kumu Kaiapuni pathway or possibly maybe tap into the existing Grow Our Own funds and maybe even use special education as a model too. So we're still working with them and their meeting like I said this Saturday to really decide which kind of way they want to go with it. But we felt that this is a really important and exciting area, and especially since OHA you know educational pathways is in our strategic plan and we've invested so much money and time into our different Hawaiian medium education schools, that even with this strong funding implication, we can easily just say look we do invest all the time already so it's something that we just feel is worth it even with this funding implication. I guess I'll just say too that there is another possible idea with coordinated advocacy with 'Aha Kauleo regarding teacher pay differentials that we're still exploring so that's why I say like three or four possible measures that can come out of this coordination.

And so yeah, just in closing to just kind of remind everyone that this is the timeline that we're working with. We're really hoping that at the December 1st BAE we'll get your folks approval and then we can go from there, get the full BOT approval. Then it'll give us roughly a month to finish up our bill languages and prepare for the next 2022 Legislative Session. So that's all I have and mahalo nui kākou for your attention.

Chair Akaka: Mahalo, Leimomi. COO, do you have anymore that you want to share regarding the workshop?

COO Brown: No, that's the workshop we wanted to contain it to just that. Does any Trustee have anymore comments, questions about what you folks just heard?

Chair Akaka recognizes BAE Vice Chair Lindsey

Vice Chair Lindsey: Thank you, Madam Chair. The question I have is I know in the past our Public Policy team has worked really hard on white papers that accompany the bills in the legislative package, so are those gonna be ready by the BAE and BOT approval deadlines and are white papers going to be prepared for the coordinated advocacy efforts and the bills in the package?

Interim Public Policy Manager Fisher: Yes, you're correct. We do have white papers that we usually prepare only for our actual package measures though. We don't usually prepare them for the coordinated advocacy efforts. However, we could try to create some kind of like summary sheet or something too for the specific ones if you guys would like, and we're not operating on having these white papers prepared by the BAE, but I can try too. And it's because you know, Thanksgiving is next week. But I can try to if you guys had any specific questions I guess.

Vice Chair Lindsey: Madam Chair, if I may. I mean I'll defer to Admin and whatever the processes for the white papers, I was just curious. But I guess for me I understand where OHA-2 is going. I appreciate the hard work that went into that, but as someone that worked on you know, 343 reviews for a long time too, I guess what I would really want to see in the white paper is a clear connection to, you know the issue we're trying to address. You know, the specific projects that we're using as examples and how the lack of associating social economic disparity truly resulted in a failure in that process, and not saying that you guys haven't looked at that already, but I think that's going to be the key obviously like any bill as it moves forward, clearly articulating the problem with the solution here. But again, I know you folks are working hard on it and maybe I'm jumping the gun and you guys had that answer prepared for when we needed approval. Just a comment, thank you, Madam Chair and thank you folks for your hard work.

Chair Akaka recognizes COO Brown

COO Brown: Administration will work on having something for you folks. You may not get the full blown white paper, but we want to at least get you something so that it can support or aide your decision making. We would really want to talk about if you had questions and wanted to deliberate at the next meeting about any

reservations. So if you didn't have the right information by that time, we would want to put on the table what reservations you might have and maybe we could answer them in conversation. But we'll work to get you folks something.

Chair Akaka recognizes Trustee Akina

Trustee Akina: Thank you, Madam Chair I appreciate that and Leimomi, thank you very much for that presentation and welcome to your position as well. I just wanted to echo what Trustee Lindsey said. I think he raises a good point that we will be well served by further analysis of OHA-2. I like the spirit of it. I like the fact that it's trying to minimize the kind of conflict in the community that can prevent development from going forward, and it's trying to encourage bringing stakeholders to the table in advance. If I heard you, that's what I've heard is the spirit of that, and in line with what Trustee Lindsey was saying, I'm hoping that the medicine here is the right medicine for the cure that we're trying to bring about. I have two comments. The first is a process one that I would encourage you to look at and that is your calling for socioeconomic disparity analysis. I understand that the law already requires social impact analysis and economic impact analysis, so I would wonder why those two couldn't be wrapped around a socioeconomic disparity analysis already. If the current law can be pushed and forced to work in a way that would be good and give us the outcome that we want we wouldn't need another law.

The second issue that I would hope you'd look at is whether there would be an inadvertent consequence of adding another criteria to the developers who are in application. Right now when I visit Maui in particular, but also the Big Island and Kaua'i, I'm always talking to beneficiaries who say they can't get affordable housing or they can't get market level, market grade housing because it's too costly and in all of those cases we seem to have a bottleneck for the development of housing. It's hard to get permits passed, it's hard to move forward and I just would hope that we wouldn't be adding more criteria that could negatively impact the speed with which our beneficiaries could get into housing. So I just wanted to put that out there for some discussion things that as you analyze this a little further. I did want to say during my time, Leimomi, welcome to your position and Na'u, aloha to you, welina mai, so proud to have you on board with us as well. Thank you for the good work that I know you all will be doing.

Chair Akaka recognizes Board Chair Hulu Lindsey

Board Chair Hulu Lindsey: Thank you, Chair. I just want to add on that first OHA-1. I am a product of that bill. My grandparents adopted me. However, when I went to get my blood quantification to qualify for Hawaiian homes. I had to go to the court to get my records opened and yet my adoptive parents are my grandparents, adopted from my mom and dad. So I can see the problem with the children of today that are adopted if they don't have money to take it to court, it would probably prevent them from checking on either their medical, if they have an illness that is hereditary from their biological parents or blood quantum if they want to apply for Hawaiian homes. You know, that could all be a problem for them. So this bill is good in opening up, having your blood grandchildren, children, or whoever to be able to get into your records to justify their blood quantum or relationship. So I'm really, really in favor of that OHA-1.

I got a call from Governor Lingle that wanted to talk with me about the subject matter of OHA-2. So I'm looking forward to that meeting. Apparently she has a project around that kind of assistance that she wants. She said that 63% of the people in our prisons are Hawaiians and she's concentrating on a project to help that percentage, so I'm sure she wants to talk about a collaboration with OHA so we'll be having that meeting shortly. That's all I have to say, I like OHA-3 as well, so are we just presenting three bills that we're supporting? That's my question because we have, or two?

Interim Public Policy Manager Fisher: Yes, I guess two in our actual package and then the rest are coordinated advocacy, so we're very like heavily supporting them behind the scenes. But we felt that others as the lead would possibly be even more effective to get them passed. So that pa'ahao one we actually moved to

coordinated advocacy with the Hawai'i state or possibly the YWCA to actually do the introducing the Hawai'i State Oversight Commission.

Board Chair Hulu Lindsey: Okay, thank you.

Chair Akaka recognizes Trustee Ahu Isa

Trustee Ahu Isa: Hulu, what happened to our PLT bill? Sylvia, are we going to do anything with that? I think this is the perfect time to do it, and as one bill instead of going for like many different bills, just one bill. There's 140,000,000 sitting in BNF. We talk about social economic, I don't want to talk about the affordable housing and that I mean I respect Trustee Akina for saying that but now we gotta know this, that I have all these letters I save for the past eight years I've been on the Board and we still can't get the Governor to do that. Let alone have a Salary Commission. You know OHA is like a stepchild somewhere else and when I saw also that DHHL there asking for their their own private attorney when they got the Attorney General servicing them and here we pay Klein what 1,000,000 bucks to service us. Not saying that we want the Attorney General, but all of this stuff we don't even go to the leg. and fight for it, and I really think this next time with you on Board now you're perfect for this. They gotta understand that's why are people are in prison. These are all like supplemental bills we introducing when the core of it is we don't have money to take care of them. With COVID it brought that to the forefront. I'm sorry I'm speaking like a former Legislator and a Board of Ed member, but that's what I've been trying to do for the past eight years and we're up. Anyway I'm gonna stop, mahalo, Chair for letting me speak. I'm sorry I missed your last meeting, bye.

Chair Akaka recognizes Ka Pouhana Sylvia Hussey.

Ka Pouhana Hussey: Trustee Ahu Isa, thank you for raising an important question. The Neighborhood Board of Nanakuli right, passed that resolution and is encouraging other entities as well as the Association of Hawaiian Civic Clubs and other networks to support that. An advanced package of some considerations from a Senator was forwarded to the Trustees for consideration, and that package items are being analyzed and being brought back for consideration. So I think that is definitely something that will come forward after further analysis and strategies discussed and then bring that to the Trustees for decision and other actions.

Chair Akaka: Mahalo, Ka Pouhana and I think another thing for us is that we have the reapportionment coming up, so there will be a change in the Legislature no matter what, so we'll have to see what leadership looks like going forward, but most certainly PLT is always something for us to have focus on so thank you.

Ka Pouhana Hussey: Chair Akaka, could I ask, Na'u has a unique perspective on Chair Hulu's question or experience.

Chair Akaka: Yes mahalo, please go ahead.

Chief Advocate Kamali'i: In terms of the the advocacy on these issues, I would say all issues. There is Legislative fix, sometimes there's a court and it's not a fix, there's a court response as well as an administrative response. So although we're moving and we're speaking about legislation, I'll just submit that as a Chief Advocate, that we will be looking at how all of those things affect the issue and the resolution of the issue that is presented. So for example with the adoption, the legislation is proposing to open, but I am aware that the access to confidential records in the court setting is also loosening. There had been some discussion for example that paternity's which are typically confidential hearings, may be open hearings. It's possible if we explore this with a limited capacity for a very specific reason to address the Chief Justice and also the Senior Judge of the Family Court. If there might be an expedited process for court resolution of the access to adoption records by the Senior Judge of the Family Court when it specifically applies to beneficiaries. So that might be an approach as well, both of them at the same time. I do note that when the court does make a determination

that it's a court determination and sometimes the concern with legislation is that those who are maha'oi, those who have other reasons even though they put forth the intended reason, get access to ohana information and that's what it's intended to protect, but society has changed, so I would say to the Board of Trustees and to community listening that we'll take a look at different ways in which the same thing can be addressed. Even though the proposal to the Board at this point and for legislative session is legislation. Also, if I could address Trustee Lindsey with regard to white papers, you know white papers have a specific connotation in the way in which they're used. I think I'm going to simplify the answer to that is that what's important and I hear you Trustee Akina and Trustee Lindsey is what is important is that there is a basis for the action, that it's thought through, that we think through the potential consequences and so policy is not the decision maker on this, but one that can inform by virtue of what it presents in a public record, so any testimony is public record future. So to be mindful of that, that although it may not pass this year, it may pass years down the road, having set the reason for it, since some things as the Legislator Ahu Isa knows don't pass because of the merit of the bill. They may not pass because of the politic of the day. So just to put that out there, that policy is going to consider that and not abandon something as being a failure, but build the foundation for all to participate beyond just the Office of Hawaiian Affairs by educating through testimony or not necessarily white papers, but documents that propose, address issues to recommendation with basis and thoughtfulness. So that's what I would put forward to the Trustees and certainly I welcome your input on measures that aren't even spoken to that didn't pass that maybe need to be resurrected from the dead so to speak because this is the time. In any event I put that forward to the Trustees. Thank you very much for the opportunity to comment.

Chair Akaka: Mahalo, Na'u, so well said.

Chair Akaka recognizes Trustee Akina

Trustee Akina: Thank you, Madam Chair. I just wanted to correct myself on a pronunciation error that I made earlier. My screen got a bit blurry and I couldn't read the name tag of our Chief Advocate and I definitely want to pronounce her name well and welcome her on board. Aloha e Na'u, welina mai, so glad to have you in your position, wish you the best.

Chief Advocate Kamali'i: Thank you for that welcome Trustee, thank you.

Chair Akaka recognizes Board Chair Hulu Lindsey

Board Chair Hulu Lindsey: I just wanted to address our Vice Chair's concern, Trustee Ahu Isa. The top most important thing this year is our Public Land Trust and I believe administration is looking over how we should approach that in the session, and it's not determined yet what strategy we should use, so please be patient and our administration will be back to us.

Trustee Ahu Isa: I want to say that every seat is up for election this year. Every Senate seat and every House seat. So we bear that in mind.

Board Chair Hulu Lindsey: We're aware of that.

V. ANNOUNCEMENTS

Trustee Ahuna: Aloha everyone and aloha to our Chief Advocate Na'u. I just wanted to make a quick announcement, Mason Chuck just called me and said we got the fish pond, Alekoko fish pond, mahalo to OHA, it's in our hands, we got it, mahalo.

Chair Akaka: This is wonderful, mahalo for announcing that. Mahalo everyone for your work on this great news.

Trustee Ahuna: Mahalo everyone, good one, it's in our hands, thank you.

Board Chair Hulu Lindsey: Great news, Dan.

Trustee Ahuna: Great news, mahalo OHA.

Chair Akaka: Any other announcements members?

Trustee Ahu Isa: Sylvia, are we gonna have an awards luncheon for the people like every year, no?

Ka Pouhana Hussey: You mean service awards? Not this year.

Board Chair Hulu Lindsey: I have an announcement to make. We're going to have an investiture on January 7, 2022 for the four Trustees that were elected in 2020. So we have not gone through the details yet, but I want to give you a heads up and ask you to put it on your calendar. It's going to be at the Union Church where we've had it in the past. Alice confirmed that and the date so in all fairness to those four Trustees, they'll be able to get there lei hulu and we'll celebrate their induction. And that's for Dan, Vice Chair Keola Lindsey, Trustee Akina and Trustee Alapa. As you well know, all nine Trustees walk in with you so dumb we'll let you know more information as we do the details.

VI. ADJOURNMENT

Chair Akaka: I would entertain a motion to adjourn.

Trustee Ahuna: So moved

Board Chair Hulu Lindsey: Second

Chair Akaka: It's been moved by Trustee Ahuna and seconded by our Board Chair Hulu Lindsey. Can I please have a **roll call vote**.

							2:39 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA	1		X			
KELI'I	AKINA			X			
LUANA	ALAPA			X			EXCUSED
BRENDON KALEI′ĀINA	LEE			x			
CARMEN HULU	LINDSEY		2	X			
VICE CHAIR KEOLA	LINDSEY			X			

DRAFT For Approval on 12/08/21							
JOHN WAIHE`E, IV X							
CHAIR KALEIHIKINA	AKAKA		X				
ΤΟΤΑ		8	0	0	1		
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED							

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Chair Akaka: The meeting is now adjourned, mahalo members, all in attendance, and to all live streaming. A hui hou kākou, mālama pono.

Chair Akaka adjourns the BAE meeting at 2:40 p.m.

Respectfully submitted,

Brandon Mitsuda Trustee Aide Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on.

Trustee Kaleihikina Akaka Chair Committee on Beneficiary Advocacy and Empowerment Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large Trustee Luana Alapa, Moloka'i / Lāna'i Trustee Carmen Hulu Lindsey, Maui Trustee Brendon Kalei'āina Lee, At-Large Trustee John Waihe'e IV, At-Large



STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, December 8, 2021

TIME: 1:30 p.m.

PLACE: Virtual Meeting Viewable at <u>www.oha.org/livestream</u> OR Listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

Due to the threat of COVID-19, Governor Ige issued the Emergency Proclamation Related to COVID-19, dated November 29, 2021 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at <u>www.oha.org/livestream</u> or listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes

A. November 17, 2021

IV. New Business

A. Presentation: Native Hawaiian Veterans, Reyn Kaupiko, Native Hawaiian, VA Advisory Committee on Tribal and Indian Affairs

- B. Presentation: Hawaii Military Land Use Master Plan: Key Assessments & Processes, including Native Hawaiian Consultation, Coordination, Engagement or Conference with the Federal Government
- C. Action Item BAE #21-06: 2022 OHA Legislative Bill Package
- V. Executive Session‡
 - A. Consultation with Board Counsel Robert G. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust and associated legislation, pursuant to HRS§92-5(a)(4)
- VI. Announcements
- VII. Adjournment



A LITTLE ABOUT ME...

- 2003 Kamehameha
- 2008 United States Naval Academy
- Naval Surface Warfare Officer
- US Navy Veteran
- 2017 UH Manoa (MBA)
- 2020 University of San Francisco (MPL)



NATIVE HAWAHAN MILITARY VETERANS



REFERENCES

<u>Dept of Veterans Affairs</u>: Charter of the Advisory Committee on Tribal and Indian Affairs

<u>Federal Registrar</u> – 2021Mayo3 – Notice

 Dept of Veteran Affairs – Advisory Committee on Tribal and Indian Affairs; Establishment

<u>Federal Registrar</u> – 2021Mayo5 – Notice

• Dept of Veteran Affairs – Solicitation of Nomination

ADVISORY COMMITTEE ON TRIBAL AND INDIAN AFFAIRS

OBJECTIVE AND SCOPE:

'The Committee provides advice and guidance to the Secretary of the Veterans Administration <u>on all matter</u> <u>relating</u> to Indian Tribes, Tribal Organizations, <u>Native</u> <u>Hawaiian Organizations and Native American</u> <u>Veterans</u>.'

ADVISORY COMMITTEE ON TRIBAL AND INDIAN AFFAIRS

- May 2021 First Discussions of TAC mentioned
- April 23, 2021 Committee charter signed
- Oct 4, 2021 Notification of Appointment
- 2-year appointment with 2 terms maximum
- Semi-Annual meetings with the Sec VA

DESCRIPTION OF COMMITTEE DUTIES # 1 OF 10

<u>Identify</u> for the Department <u>evolving issues</u> <u>of relevance to</u>... <u>Native Hawaiian</u> <u>Organizations</u> and <u>Native American</u> <u>Veterans</u> relating to <u>programs</u> and <u>services</u> <u>of the Department</u>;

DESCRIPTION OF COMMITTEE DUTIES # 2 OF 10

<u>Propose clarifications, recommendations</u> <u>and solutions to</u> address <u>issues</u> raised at tribal, regional and national levels especially relation to any tribal consultation reports;

DESCRIPTION OF COMMITTEE DUTIES # 3 OF 10

<u>Provide a forum for... Native Hawaiian</u> <u>Organizations and the Department</u> to <u>discuss issues and proposals for changes to</u> Department <u>regulations, policies and</u> <u>procedures</u>;

DESCRIPTION OF COMMITTEE DUTIES # 4 OF 10

<u>Identify priorities and provide advice on</u> appropriate strategies for tribal consultation and urban Indian organizations conferring on issues at the tribal, regional and national levels;

DESCRIPTION OF COMMITTEE DUTIES # 5 OF 10

<u>Ensure</u> that pertinent issues are brought to <u>the attention</u> of... <u>Native Hawaiian</u> <u>Organizations in a timely manner</u> so that <u>feedback can be obtained</u>;

DESCRIPTION OF COMMITTEE DUTIES # 6 OF 10

<u>Encourage</u> the <u>Secretary</u> to <u>work</u> with other <u>Federal Agencies and Congress</u> so that <u>Native American Veterans are not</u> <u>denied the full benefit</u> of their status as both Native Americans and Veterans;

DESCRIPTION OF COMMITTEE DUTIES # 7 OF 10

<u>Highlight</u> the <u>contributions</u> of <u>Native</u> <u>American Veterans</u> in the Armed Forces;

DESCRIPTION OF COMMITTEE DUTIES # 8 OF 10

<u>Make recommendations on the</u> <u>consultation policy</u> of the Department on tribal matters;

DESCRIPTION OF COMMITTEE DUTIES # 9 OF 10

<u>Support a process</u> to develop an <u>urban</u> <u>Indian organization confer policy</u> to ensure the Secretary confers, to the maximum extent practicable with urban Indian organizations;

DESCRIPTION OF COMMITTEE DUTIES # 10 OF 10

With the <u>Secretary approval</u>, <u>conduct other</u> <u>duties recommended</u> by the Committee.

DESCRIPTION OF COMMITTEE DUTIES

At least once a year the Advisory Committee will submit to the Sec VA and associated Congressional committees' action for legislation for the upcoming year

DESCRIPTION OF COMMITTEE DUTIES

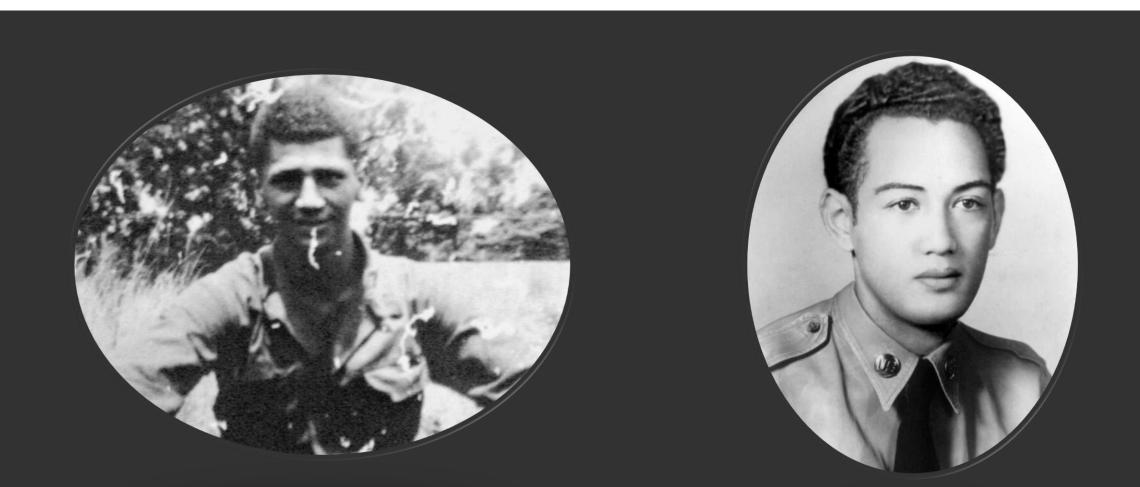
At least every two years the Advisory Committee will submit to the Sec VA and associated Congressional committees' a report describing the activities of the Committee of the previous two years

THE PLIGHT OF NATIVE HAWAIIAN MILITARY VETERANS

•Data

Benefit Awareness
Native Hawaiian VSO





Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large Trustee Luana Alapa, Moloka'i / Lāna'i Trustee Carmen Hulu Lindsey, Maui Trustee Brendon Kalei'āina Lee, At-Large Trustee John Waihe'e IV, At-Large



STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, December 8, 2021

TIME: 1:30 p.m.

PLACE: Virtual Meeting Viewable at <u>www.oha.org/livestream</u> OR Listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

Due to the threat of COVID-19, Governor Ige issued the Emergency Proclamation Related to COVID-19, dated November 29, 2021 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at <u>www.oha.org/livestream</u> or listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

AGENDA

I. Call to Order

II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)

III. Approval of Minutes

A. November 17, 2021

IV. New Business

A. Presentation: Native Hawaiian Veterans, Reyn Kaupiko, Native Hawaiian, VA Advisory Committee on Tribal and Indian Affairs

B. Presentation: Hawaii Military Land Use Master Plan: Key Assessments & Processes, including Native Hawaiian Consultation, Coordination, Engagement or Conference with the Federal Government

C. Action Item BAE #21-06: 2022 OHA Legislative Bill Package

V. Executive Session‡

- A. Consultation with Board Counsel Robert G. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust and associated legislation, pursuant to HRS§92-5(a)(4)
- VI. Announcements
- VII. Adjournment





US Indo-Pacific Command

Hawai'i Military Land Use Master Plan

(HMLUMP)

2021 Interim Update FINAL - APRIL 2021

Approved for public release. Send all questions, comments, and/or corrections to pacom.j0pac.duty.pao@navy.mil

The Hawaii Military Land Use Master Plan (HMLUMP) describes the current and future land use for the Department of Defense for the next 25 years. U.S. Indo-Pacific Command (USINDOPACOM) establishes principles and priorities to synchronize action relative to Hawaii land use.

The HMLUMP is a collaboratively developed document from all Department of Defense activities in Hawaii with support of service headquarters and the Office of the Secretary of Defense. The USINDOPACOM Joint Land Use Board (Hawaii) chaired by the Command Mobilization Assistant provides oversight of the document and implementation of its tenets.

USINDOPACOM takes the responsibility of land stewardship seriously. The Command and leaders throughout USINDOPACOM are personally committed to overseeing this precious resource. The importance of land use to the U.S. military does not abate our responsibility to the State and its people to preserve and protect these lands, now and in the future. USINDOPACOM is committed to ensuring respect for the land, people and culture of Hawaii; building strong and resilient communities; maximizing the joint use of holdings; and engaging with transparent actions and communication.

Hawaii plays a vital and enduring role in the defense of the nation and in ensuring a Free and Open Indo-Pacific. The facilities and training areas in Hawaii are invaluable to the Joint Force, Allies, Partners, and posture initiatives in the region. Successful execution of the USINDOPACOM's strategy to maintain a Free and Open Indo-Pacific is dependent on Hawaii and its support especially as we embark on an era of great power competition.

P. S. DAVIDSON Admiral, U.S. Navy

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Table of Contents

20)21 H	IMLUMP EXECUTIVE SUMMARY	1
A.	G	ENERAL INFORMATION	5
	1.	Historical Background	5
	2.	The 2021 HMLUMP Limitations	6
	3.	HMLUMP Aspects Requiring Additional Study	7
	4.	Expiring Leases and Easements	8
	5.	Data Summary	. 13
Β.	Μ	IILITARY PRESENCE	. 17
	1.	Overview	. 17
	2.	US Indo-Pacific Command (USINDOPACOM)	. 18
	3.	Army	. 18
	4.	Navy	.24
	5.	Air Force	. 32
	6.	Marine Corps	.36
	7.	Hawai'i Army National Guard	. 39
	8.	Hawaiʻi Air National Guard	.41
	9.	Coast Guard	. 43
C.	Μ	IILITARY LAND HOLDINGS	. 45
	1.	Summary of Changes and Priorities	. 45
	2.	Joint Priority Hawai'i Land Activities	.46

3.	Army Priorities: 2020-2045	51
4.	Navy Priorities: 2020-2045	57
5.	Marine Corps Priorities: 2020-2045	60
6.	Air Force Priorities 2020-2045	60
D. F	UNCTIONAL ANALYSES	63
Ove	erview	63
1.	Airfields	63
2.	Missile and Communications Support	67
3.	Strategic Ordnance Storage	71
4.	Bulk Fuel Storage	75
5.	Waterfront	77
6.	Training Areas	80
7.	Outdoor Recreation	85
8.	Family Housing	88
Apper	ndix A - Military Land Holdings Data	91
Арреі	ndix B – REPI Expenditures & Unspent Obligations in I	Hawai'i101

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2021 HMLUMP EXECUTIVE SUMMARY

Purpose

This document describes Department of Defense (DoD) Hawai'i current and future desired land use for the next 25 years. Intended primarily as a DoD internal synchronizing document with external stakeholder interest, the 2021 Hawai'i Military Land Use Master Plan (HMLUMP) provides an interim look at land use priorities and guiding principles. This document's perspective is at the joint level informed by service inputs and will require an update no later than 2025.

Background and Strategic Context

The last revision of a HMLUMP was in 2002 working largely off the conclusions of a 1995 exhaustive report on military land holdings and future use. Within the last 19 years, global contextual changes shaped military land usage and training requirements in Hawai'i. Persistent US engagement in the Middle East often necessitated INDOPACOM to be a force provider for CENTCOM. Broadly, Services balanced requirements and managed budgets efficiently to address competing global needs.

Meanwhile, North Korea has demonstrated belligerent behavior threatening Hawai'i and the West Coast with a greatly expanded missile program. More significantly, the United States has moved from a largely cooperative relationship with the People's Republic of China (PRC) to an openly stated Great Power Competition both regionally and globally. The rapid rise and trend of Chinese military capability, regional influence, and PRC disregard of international rules and norms threatens 75 years of relative peace in the Indo-Pacific.

In response to the rapidly de-stabilizing environment that threatens the rules based order which has ensured peace and prosperity to the entire community of the Indo-Pacific, USINDOPACOM has developed and employed a new strategy. The strategy promotes a Free and Open Indo-Pacific alongside a constellation of like-minded Allies and Partners, united by mutual security, interests, and values in order to deter adversary aggression, protect the Homeland, and be ready to fight and win in armed conflict. The strategy is supported by four critical focus areas. Hawai'i proves integral to all four in the following:

- 1. <u>Enhanced design and posture</u> DoD presence on Hawai'i provides strategic posture to respond and engage within the region.
- 2. <u>Increased Joint Lethality</u> Hawai'i supports the training sites needed to ensure readiness of the joint force providing the needed credible deterrence.
- 3. <u>Strengthen Allies and Partners</u> Hawai'i is host to a variety of venues and opportunities from the Asia



Pacific Center for Security Studies (APCSS), to the largest combined exercise Rim of the Pacific (RIMPAC) ensuring our alliances and partnerships continue to grow.

4. <u>Exercise Experimentation and Innovation</u> – Hawai'i's Pacific Missile Range Facility (PMRF) is vital to developing and testing the future of US advanced weaponry. Equally as critical is the Pōhakuloa Training Area (PTA) which provides the only Brigade size maneuver training area in the Pacific. PMRF and PTA are vital links to the emerging joint Pacific Multi-Doman Training and Experimentation Capability (PMTEC).

Undoubtedly, Hawai'i's strategic importance is magnified in this era of Great Power Competition. Hawai'i will continue to play a key role in the defense of our Nation and in pursuit of a Free and Open Indo-Pacific.

DoD Partnership in Hawai'i

Hawai'i's strategic location in the central Pacific is an ideal headquarters location for US Indo-Pacific Command and to military service component commands. O'ahu is home to the vast majority of USINDOPACOM's military personnel, units, and associated military families in the State of Hawai'i. Economically, the DoD in Hawai'i is the second largest income generator in the state. Military expenditures as of FY 2018 are \$7.2B and 7.7% of the total state of Hawai'i GDP.¹ A thriving partnership between the US military and the State of Hawai'i is mutually advantageous.

Past, Current, and Future Requirement

Over the last two decades, military land holdings in Hawai'i has remained mostly unchanged with an increase of acreage to 221,981 acres from 200,967 acres since 2002. The biggest changes in the recent era occurred in 1994 with the Navy turning over Kaho'olawe (28,800 acres) to the State and the Army adding the Ke'āmuku Maneuver Area (22,000 acres) in 2014. The Army expansion of Ke'āmuku at Pōhakuloa Training Area on the Island of Hawai'i was designed to incorporate a Stryker Brigade. However, the Stryker Brigade has since been re-stationed and the land was retained to address other training requirements.

The Navy and Army have initiated the repositioning of munitions storage from Lualualei to West Loch. The Marines have developed a new training area with existing Kāne'ohe Bay Marine property and Air Force property at Bellows Air Station.

Guiding Principles Relative to DoD Hawai'i Land Use

Hawai'i is strategically critical to the defense of the Nation and peace in the region. The DoD is wholeheartedly committed to being good stewards of Hawai'i today and in our future. As such, we move forward collectively guided by the following principles:

¹<u>http://oea.gov/dsbs-fy2018</u>



- 1. Respect for the Land, People, and Culture of Hawai'i
- 2. Commitment to Building Strong, Resilient Communities
- 3. Maximum Joint use of DoD holdings; optimizing existing training, operational, and administrative facilities
- 4. Synchronized communication from USINDOPACOM across all military components with State Government, State Agencies, County Governments, communities, and Federal Agencies on critical land and environmental topics

Joint Priority Hawai'i Land Activities

In view of DoD land requirements, the following is the Joint prioritized activity list:

- 1. Retaining lands from expiring 2029/2030 leases to enable training for Army / Marine Corps, PMRF training for the Navy, and Space Force operations at Ka'ena Point
- 2. Supporting Missile Defense Agency's requirements for Homeland Defense Radar Hawai'i
- 3. Support of the Pacific Multi-Domain Training and Experimentation Capability (PMTEC) joint training complex through PTA and PMRF
- 4. A long-term solution for Red Hill and Hawai'i-based fuel storage
- 5. A well-coordinated, inter-service move of munitions storage from Lualualei to West Loch
- 6. Identify facility and land requirements in Hawai'i related

to Marine Corps modernization efforts and international agreements² associated with Defense Policy Review Initiative (DPRI)

Conclusion

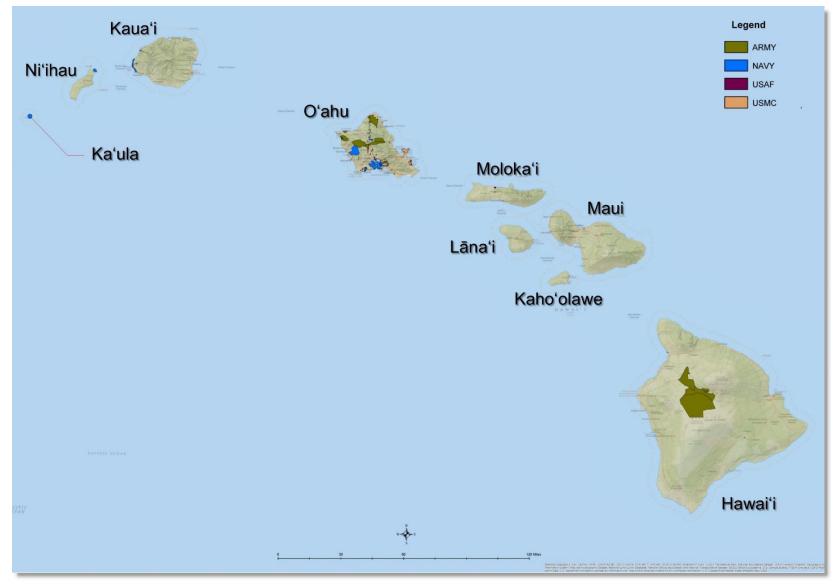
The current operating environment dictates a well-coordinated, synchronized Joint approach to land use in Hawai'i. The rate of change and complexity of the threat combined with the requirement to maintain a strong positive partnership among the State, Counties and People of Hawai'i drive this imperative. Working toward the Nation's defense from Hawai'i within the framework of guiding principles for land use will be critical for future success. Failing to adhere to these guiding principles has the strong potential to create long term and lasting damage to the DoD's relationship and trust with the State and People of Hawai'i, ultimately creating conditions where the Nation's defense is at risk.

"Looking forward to 2021, we must continue to seek innovative opportunities to establish new partnerships here in Hawai'i by leveraging our unique strengths and our common desire to improve our security and prosperity in the region."

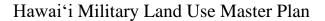
Admiral Davidson, January 2021 Remarks to the Hawai'i Military Affairs Council

² These agreements include the United States Government – Government of Japan Roadmap for Realignment Implementation, dated 1 May 2006 and the Joint Statement of the Security Consultative Committee, dated 27 April 2012.





MILITARY LAND HOLDINGS IN HAWAI'I





A. GENERAL INFORMATION

1. Historical Background

The US military has a historically significant relationship with Hawai'i. Hawai'i has been instrumental in the national defense primarily due to the strategic port of Pearl Harbor, various airfields, and training areas on O'ahu, Hawai'i, and Maui. With Hawai'i geographically in the middle of the Pacific, it has historically served as a bridge between the US west coast and Asia. The relationship officially began in 1826 when the US recognized the independence of the Kingdom of Hawai'i. US naval vessels used port facilities in Lahaina and Honolulu and established a coaling station in Honolulu in 1860.

On January 17, 1893, an assigned US Minister to the Kingdom of Hawaii conspired with a small group of residents and US citizens and actively involved US military forces to overthrow the Hawaiian monarchy to install a Provisional Government. The Provisional Government sought annexation of the Hawaiian Islands to the United States of America, a measure that did not pass in the US Senate. The Provisional Government declared itself the Republic of Hawai'i on July 4, 1894 and in January 1895 forced Queen Lili'uokalani to officially abdicate her throne.³

As a result of the Spanish-American War, the United States opted to unilaterally annex the Hawaiian Islands by enacting a

congressional joint resolution on July 7, 1898. The Spanish American war of 1898 had intensified the US desire to Annex Hawai'i in order to utilize the Hawaiian Islands as a military base to fight the Spanish in Guam and the Philippines.

In 1901, the US leased Pearl Harbor as a primary Pacific coaling station for the great white fleet that also included points in Sāmoa and other Micronesian waystations. Later, Hawai'i served as an iron fortress in the run up to World War I with the coastal defenses around O'ahu protecting Honolulu and Pearl Harbors starting in 1906. The defense network included Fort Weaver (Pu'uloa), Fort Kamehameha (Hickam), Fort Armstrong (Sand Island Military Reservation), Fort DeRussy (Kālia), and Fort Ruger (Lē'ahi or Diamond Head crater – a dormant volcano). In addition to coastal defense, the islands' interwar infrastructure included facilities for the new air platforms. Starting in 1919, fighter, bomber, and pursuit aircraft were stationed at Wheeler, Bellows, and Hickam Fields as seaplanes were positioned at Luke Field, Ford Island (Moku'ume'ume), and other auxiliary airfields throughout the Hawaiian Islands.

During World War II, civilian owned land was given into service for the war. Notably, Parker Ranch on Hawai'i Island served as a major amphibious landing and maneuver training area for the Marine Corps prior to major combat operations in the Pacific. Known as Camp Tarawa, Marines prepared for dislodging

³ United States Public Law 103-150:

www.govinfo.gov/content/pkg/STATUTE-107/pdf/STATUTE-107-Pg1510.pdf



Japanese forces in Saipan, Tinian, and Iwo Jima. Camp Tarawa is also connected to the origins of Pōhakuloa Training Area – originally a Marine artillery training area before transitioning to Army ownership. Other civilian to military land changes included 'Ewa Marine Corps Air Station was carved out of sugarcane fields, and Kīpapa Army Air Field in central O'ahu pineapple fields and have since returned to civilian use.

The US military landholdings in Hawai'i reached a high water mark during this World War II era and have steadily declined since.

The US Government Admissions Act required ceded lands be accounted for within five years of statehood date of 1959. Working up to the deadline in 1964, the State settled existing military leases to a non-extendable 65 year term expiring in 2029. In 1993, President Clinton signed United States Public Law 103-150, known as the Apology Resolution for the US role in the overthrow of the Hawaiian Kingdom.

During 1993-1995, USINDOPACOM commissioned an extensive Hawai'i Military Land Use Master Plan with Naval Facilities Engineering Systems Command (NAVFAC) Pacific. Contextually, the Cold War had just recently ended, services were going through major re-structuring, and military was in a period of Base Realignment and Closure (BRAC). In Hawai'i, the Navy had just returned Kaho'olawe Island in Maui County to the State of Hawai'i.

Drawing on inputs from the Services and Service Component commands along with the Coast Guard and the Hawai'i National Guard, the 1995 HMLUMP identified the DoD's land requirements in the State of Hawai'i. The analysis was based on foreseeable mission requirements and force structure levels and reviewed military land holdings for retention, excess, and if necessary, acquisition.

The 1995 HMLUMP was widely distributed to the service components, the Congressional delegation, the Governor, the four County Mayors, selected State and County land use agencies, Office of Hawaiian Affairs (OHA), the Chamber of Commerce, and the Hawai'i Public Libraries. The 1995 plan was updated in 2002 with an abbreviated report to capture major changes from the previous plan. Since 2002, the Marine Corps has commissioned various military land studies to investigate possibilities for Marine re-stationing due to the Defense Policy Review Initiative (DPRI) from a single service perspective. The Army's requirements have relied upon a 2003 Land Use Requirements Study (LURS).

2. The 2021 HMLUMP Limitations

Similar to the 2002 update, the 2021 HMLUMP evaluates the major land use changes and identifies the most significant military land use requirements in Hawai'i. Fiscal and manpower constraints prevent the extensive rigor of data collection, land use analyses, and breadth of service component and non-DoD coordination of the 1995 HMLUMP.

The 2021 HMLUMP provides a well needed snapshot of the most critical military land use priorities for a 25 year time horizon from a joint perspective. The 2021 interim update only briefly addresses Hawai'i Army National Guard, Hawai'i Air National Guard, and Coast Guard land holdings. Additionally, this report



identifies several areas requiring additional study and evaluation to include airspace and adjacent and compatible use controls; future stationing needs; and resiliency requirements. In order to adequately adhere to the previously stated guiding principles, these gap areas should be funded and thoroughly studied.

3. HMLUMP Aspects Requiring Additional Study

Land use and air space controls are increasingly relevant based on urbanization and increased aviation requirements. An indepth evaluation of the consequences of adjacent land use and conflicts in use is needed. The proper application of various partnering opportunities with government agencies to promote compatible civilian development in support of the long-term sustainability and operability of military installations will be critical.

For example, the Readiness and Environmental Protection Integration (REPI) Program, Sentinel Landscapes Partnerships, and the Office of Local Defense Community Cooperation's Military Installation Sustainability Program (including Compatible Use Studies, formerly known as JLUS) are potential mechanisms for attaining buffers, land use zoning changes, and participation of various impacted local stakeholders. The Military Services also implement REPI through their own Service-specific programs, including the Army Compatible Use Buffer (ACUB) Program and the Navy and Marine Corps Encroachment Partnering Program.

Current zoning laws, zoning classifications, and air space regulations do not provide a sufficient buffer to permit the full range of military activities from perimeter to perimeter. Across the joint force, land maneuver training, live-fire exercises, as well as aviation nap-of-the-earth flight training are negatively impacted by insufficient buffering. The construction and operation of activities around military land such as eco tours, ridgeline zip lines, and residential communities pose a risk to mission as it hinders and restricts the joint force from accessing and utilizing the land and its associated airspace to the fullest extent. Programs like REPI and JLUS can marginally reduce risk; however, the effective and efficient use of training lands is at risk due to insufficient buffers and requires additional attention and a long term plan of action. See Appendix B for information on completed REPI investments as well as unliquidated REPI obligations remaining through the end of FY 2020.

Also requiring further evaluation to this interim HMLUMP is broader understanding of future requirements and associated land use needs from all services and US Government agencies. For instance, the Army is considering the stationing of a Multi-Domain Task Force and two additional battalions on Hawai'i adding to the associated training land and use requirements, and the Marine Corps has pending decisions on DPRI re-stationing on Hawai'i, adding to existing training land and use requirements. The decisions could add thousands of Marines to current levels or reduce the number of Marines stationed in Hawai'i. Moreover, the Marine Corps modernization efforts may drive various unit changes and associated facility and training requirements.

Finally, of additional concern is the changing landscape and need for resiliency in two factors: energy security and environmental resiliency due to climate change impacts, including shoreline erosion, sea level rise and increased storm intensity and



frequency. Both topics have relevance to DoD Hawai'i land use and will increasingly influence future decisions.

4. Expiring Leases and Easements

Contextually important in this plan is the impending 2029/2030 lease expiration of major military holdings across the Army, Navy, and Air Force. The US Government Admissions Act required ceded lands be accounted for within five years of statehood (1959). As a result, all the 65-year military leases expire in August 2029 since the leases were all executed approximately a week before the deadline in 1964. The criticality of retaining of these vital expiring lease areas to include the Army's Pōhakuloa Training Area on Hawai'i Island, the Navy's Pacific Missile Range Facility on Kaua'i, and expiring leased land on the Air Force's Ka'ena Point on O'ahu cannot be overstated.

Congress similarly sees the critical need for the military to retain Hawai'i leased lands expiring in 2029. Per the 2021 National Defense Authorization Act, Congress directed DoD to provide a report on all DoD leases in Hawai'i and milestones associated with retaining critical land.

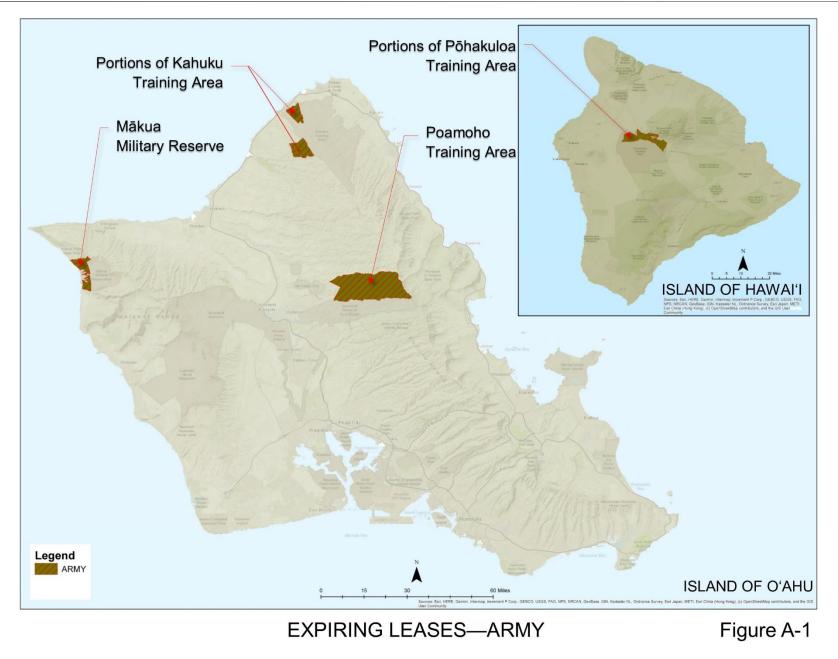


Service	Location	Island	Acres	Exp Year	Notes
	Pōhakuloa Training Area (PTA)	Hawaiʻi	22,971.0	2029	Saddleback Road Lease
Army*	Kahuku Training Area	Oʻahu	1,150.0	2029	Parcel Lease
(Figure A-1)	Kawailoa Training Area (Poamoho)	Oʻahu	4,390.0	2029	East Wahiawā Parcel Lease
	Mākua Military Reservation (MMR)	Oʻahu	782.0	2029	Wai'anae Parcel Lease
	PMRF	Kaua'i	391.65	2029	Main Base Leases
	PMRF	Kaua'i	7,445.41	2029/2030	Main Base Easements
	PMRF - Offshore	Kaua'i	7,680.0	2029	Ocean Right of Way Lease
Nour	Kamokala Ridge	Kaua'i	88.83	2029	Lease
Navy (Figure A-2)	East of PMRF Main Base	Kaua'i	0.29	2029	Water Well Lease
(ligure A-2)	Mākaha Ridge	Kaua'i	203.1	2030	Lease
	Mākaha Ridge	Kaua'i	42.21	2030	Easement
	Miloli'i Ridge	Kaua'i	0.015	2030	Lease
	PMRF Ni'ihau	Ni'ihau	1,167.0	2028	Test Vehicle Land Recovery Site Lease
	Ka'ena Point Satellite Tracking Station	Oʻahu	86.72	2029	Lease
	Ka'ena Point Satellite Tracking Station	Oʻahu	51.47	2029	Easement
Air Force	Kā'ala Air Force Station	Oʻahu	1.8	2028	Lease
(Figure A-3)	Koke'e Air Force Station	Kaua'i	8.45	2030	Lease
	Remote Maui Experimental Sites	Maui	6.17	2021/2023	Leases
	Maui Space Surveillance Site	Maui	5.0	2031	Lease
		Total	46,471.1	1	

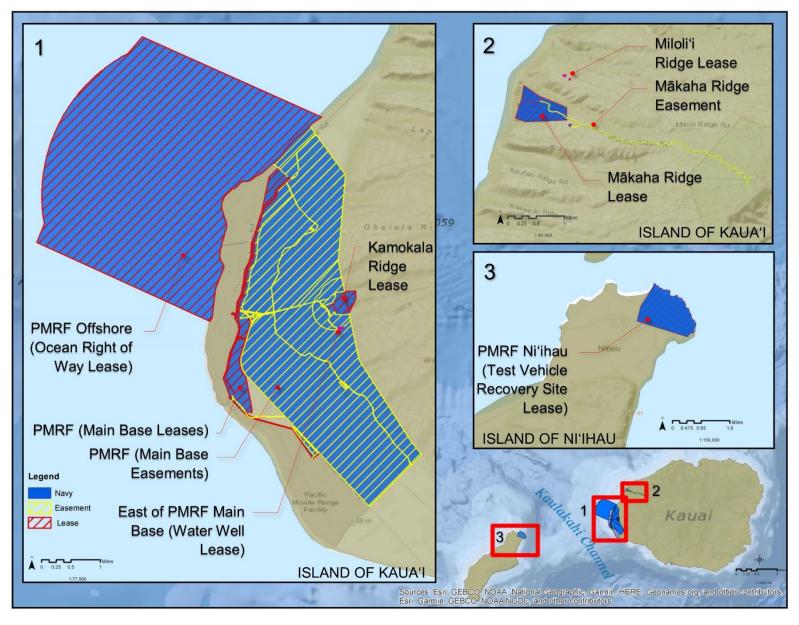
*Army expiring easements are not included in the table as they are small in scale, routine, and not associated to the 65-year lease.

Table 1 – Expiring Leases and Easements





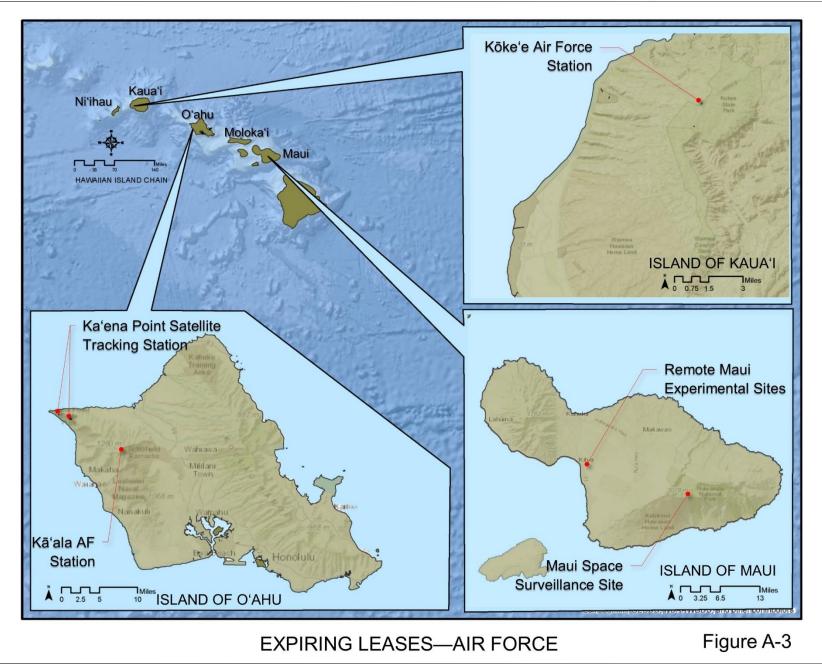




EXPIRING LEASES AND EASEMENTS — NAVY









5. Data Summary

Data assembled for the 2021 HMLUMP review illustrates that the amount of military landholdings and functional areas have increased. Additionally, what is changing is more Joint use of various services' land holdings. Service components reported a total of 221,981 acres of land owned, used or leased by the military. This reflects an overall increase of 21,014 acres from the 2002 figure of 200,967 acres. Of this total, 169,056 acres are reported as controlled by service components (fee and ceded) with an additional 52,925 acres of land used through licenses, permits, leases and easements.

Hawai'i Military Land Use Master Plan

Categorically, DoD land holdings fall into two broad categories: fee (owned) or leased. The term "ceded land" in the context of Hawaiian land use is defined as Kingdom of Hawai'i land that was not given or sold to a private citizen and that shows an unbroken chain of title traceable from the Kingdom through the Republic and Territorial periods up to and beyond admission of Hawai'i as a US State. Ceded lands legally differ from "fee" or "fee simple" holdings in regard to process if the land is deemed surplus. DoD ceded lands not required by other DoD agencies are granted to the State of Hawai'i.

SERVICE	FEE	CEDED	LEASED	OTHERS*	TOTAL
Army	36,744	102,969	29,349	5,482	174,544
Navy	16,793	7,446	9,546	7,830	41,615
Air Force	409	0	474	235	1,118
Marine Corps	2,968	1,727	0	9	4,704
TOTAL ACRES	56,914	112,142	39,369	13,556	221,981

*OTHERS includes easements, government/private agreements, and other interests in real property Source: Service Components updates in Mar 2021

Table 2 – Military Land Holdings in the State of Hawai'i

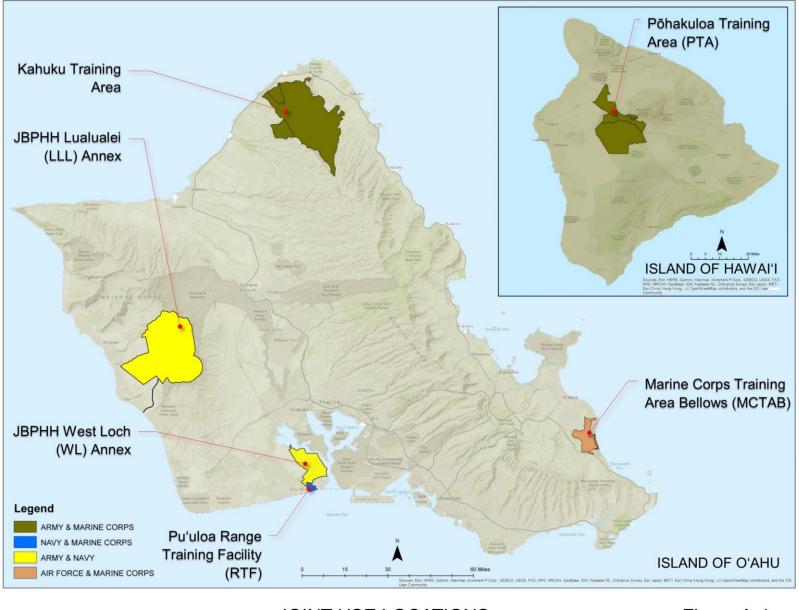


Military training in Hawai'i remains as the single largest DoD land requirement and the most important military activity, particularly with the Army and Marine Corps. More land is being used by larger combined services training and exercises. Because of this, additional land is required to allow various divergent but complementary units to function in the same simulated battlespace. The following are not designated as Joint training grounds, but are used by multiple services:

Joint Uses and agreements as of 2020 (Figure A-4)

- Pōhakuloa Training Area (PTA) and Kahuku Training Area between the Army and the Marine Corps
- Marine Corps Training Area Bellows (MCTAB) between the Air Force and the Marine Corps
- Pu'uloa ('Ewa Beach) addition to the MCBH Pu'uloa Range Training Facility (RTF) between the Navy and the Marine Corps
- Pearl Harbor Lualualei (LLL) munitions storage between the Army and the Navy
- Pearl Harbor West Loch (WL) munitions storage between the Army and the Navy





JOINT USE LOCATIONS

Figure A-4



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B. MILITARY PRESENCE

1. Overview

Hawai'i's strategic location in the central Pacific is an ideal headquarters site for the major commands of all military services and the unified command, USINDOPACOM. Military installations support land, sea, and air forces throughout the Indo-Pacific region. Regardless of changing defense levels, Hawai'i will continue to employ a multi-service concentration of military units, ranging from command and control elements to combat forces.

The State of Hawai'i's strategically important military features include:

- Hawai'i hosts the largest joint US military facilities in the Indo-Pacific theater
- The 3rd Fleet is host for PACFLT's Rim of the Pacific (RIMPAC) exercise every other year
- The Army in FY 20 began a series of annual Pacific Defender exercises which introduce large land force formations into the Pacific Region with training and support from Hawai'i
- Hawai'i is the Home Station Training hub for the HIARNG and Army Reserve forces assigned to the 9th Mission Support Command
- Hawai'i plays a vital role in sea and air lines of communication between the continental US, Asia, and other Pacific Rim and Indian Ocean countries
- Hawai'i commands and controls Freedom of Navigation

missions in the East and South China seas

- Hawai'i provides essential mid-Pacific refueling stops for US and allied aircraft and ships
- Hawai'i is the key staging area for the rapid deployment of Army and Marine Corps forces
- Hawai'i provides major ship repair facilities close to Asia and completely under US control
- Hawai'i is a major logistics center for all military forces in the Pacific theater
- Hawai'i is the home of the largest multi-service military under total US control in the Indo-Pacific
- Hawai'i provides critical Homeland Defense capabilities and enables key Defense Support to Civil Authorities (DSCA) during natural and other national emergencies
- Mild year-round temperatures, infrequent storms, and sheltering harbors protect military assets such as the Navy Fleet at Pearl Harbor

As of 2020, there are just over 142,000 military associated personnel in Hawai'i (see chart below). Nearly 45,000 uniformed military personnel and over 66,000 family members are assigned to duty in Hawai'i which is an increase in both categories from 2002 (roughly 43,000 uniformed, 54,000 family members in 2002). The military forces employ nearly 31,000 civilians in technical and administrative support jobs compared to nearly 21,000 in 2002.



Service	Military	Family Member	Civilian	Total
Army	18,279	30,520	11,732	60,531
Navy	13,600	23,200	15,500	52,300
Marine	8,477	6,023	1,556	16,056
Air Force	4,395	6,770	2,068	13,233
Total	44,751	66,513	30,856	142,120

2. US Indo-Pacific Command (USINDOPACOM)

USINDOPACOM commander, headquartered at MCBH Camp H. M. Smith, is the senior US military commander in the Pacific and Indian Ocean areas, exercising operational command over all assigned forces, regardless of military service. For this report the assigned forces include: US Marine Forces Pacific, US Pacific Fleet, US Army Pacific, US Pacific Air Forces, and Special Operations Command Pacific. In order to consolidate all DoD land usage, included are the Hawai'i National Guard and Coast Guard.

The USINDOPACOM geographical area of responsibility is the largest of the geographical combatant commands in the world, stretching from the west coast of the US mainland to just short of the east coast of Africa and from the Arctic to the Antarctic. This area covers approximately 50% of the earth's surface, encompasses more than 100 million square miles and includes 36 countries, 10 territories of other countries, 2 US territories, 1 US commonwealth, and the states of Alaska and Hawai'i.

USINDOPACOM ensures a Free and Open Indo-Pacific alongside a constellation of like-minded Allies and Partners, united by mutual security, interests, and values in order to deter adversary aggression, protect the Homeland, and be ready to fight and win in armed conflict.

USINDOPACOM is staffed by 650 Army, Navy, Air Force, and Marine Corps military personnel and 120 civilian employees.

3. <u>Army</u>

3.1 Overview

The Army of 2028 will be ready to deploy, fight, and win decisively against any adversary, anytime and anywhere, in a joint, multi-domain, high-intensity conflict, while simultaneously deterring others and maintaining its ability to conduct irregular warfare. The Army will do this through the employment of modern manned and unmanned ground combat vehicles, aircraft, sustainment systems, and weapons, coupled with robust combined arms formations and tactics based on a modern warfighting doctrine and centered on exceptional Leaders and Soldiers of unmatched lethality.

Major Army units/commands in Hawai'i include:



- United States Army Pacific: USARPAC is a theater Army headquarters and Army Service Component Command (ASCC). USARPAC is responsible to command, equip, station, and train all assigned and attached Army units in the Pacific, including Alaska, Hawai'i, Japan, and Korea. Other responsibilities include planning mobilization, joint and combined exercises, security assistance, and emergency evacuation of non-combatants, disaster relief, and assistance during civil disturbances.
- Installation Management Command IMCOM Division, Pacific
- United States Army Hawai'i (USARHAW) is the Senior Commander's staff for coordination, synchronization and execution of ADCON/Title 10 responsibilities for Hawai'ibased units by prioritizing, directing, and synchronizing installation-level resources to assist commanders to prepare their units for assigned missions. The USARHAW Senior Commander is also dual-hatted as the 25TH Infantry Division Commanding General. Units include:
 - 25TH Infantry Division: (25ID) is a quickly deployable division with advanced infantry and aviation units that require varied types of training terrain and air safety separation along with a measure of control of adjacent development to assure land use compatibility
 - o 8TH Theater Sustainment Command (TSC)
 - o 94TH Army Air & Missile Defense Command
 - o 18TH Medical Command
 - 196TH Infantry Brigade
 - o 311TH Signal Command

- o 402ND Army Field Support Brigade
- o 500TH Military Intelligence Brigade Theater
- o 9TH Mission Support Command
- **3.2 Army Installations and Land Holdings in Hawai'i** (Figure B-1)
- Central O'ahu
 - Schofield Barracks
 - East Range
 - South Range
 - Field Station Kunia (FSK)
 - Wheeler Army Airfield (WAAF) WAAF is also an Ammunition Storage Point (ASP) and part of the Ammunition Storage system for the Army in Hawai'i and the Pacific Theater. The Army's ASP system in Hawai'i is comprised of WAAF, Lualualei (Navy) and Pōhakuloa Training Area (PTA)
- North Oʻahu
 - Kahuku Training Area (owned and leased) is widely used for non-live-fire infantry tactical maneuvers.
 - Kawailoa Training Area (leased) is mostly used for helicopter training. The "touch-and-go" lease with Bishop Estates encompassed three points totaling 56 acres.
 - Dillingham Military Reservation supports ground non-live fire training and aviation training owned by the Army. At the time of this document writing, long term lease renewal negotiations to the State are ongoing with the Hawai'i State Department of Transportation (HDOT)
 - The training areas under Army stewardship are concurrently used by the Marine Corps, the Army Reserves,



and Hawai'i National Guard.

- Areas of the Wai'anae and Ko'olau Mountain ranges fall under the Restricted Air Space and Tactical Air Space, respectively. These areas are used for aviation, manned and unmanned craft, training by the Army as well as the Marines for nap of the earth flying at night and day. These areas are used in concert with O'ahu Training Ranges exercises. (Figure B-1a)
- West Oʻahu
 - Mākua Military Reservation is currently used for air assault training, ground training, and Unmanned Arial Systems (UAS) training. Resuming Live Fire Training (last conducted 2004) will require an environmental Record of Decision (ROD).
 - Mākua is used by units of the Army, Marine Corps, and Reserves.
 - Wai'anae Kai Military Reservation now known as Pililā'au Army Recreation Center (PARC), originally an Army amphibious training site, is now a joint use military overnight and outdoor recreation area with beachfront cottages.
 - USAG-HI includes troop/family housing and support facilities; training and firing ranges; operation, maintenance and ordnance facilities; airfield; and golf courses. Hawai'i Army National Guard aircraft are also based at Wheeler AAF.
 - Helemano Military Reservation (HMR), formerly a communications site, is a troop/family housing and related support area. The 307th Signal Battalion is located at HMR and has been evaluated as a potential location for Army MDTF or additional USMC units.
 - o Waikakalaua Ammunition Storage Area is currently

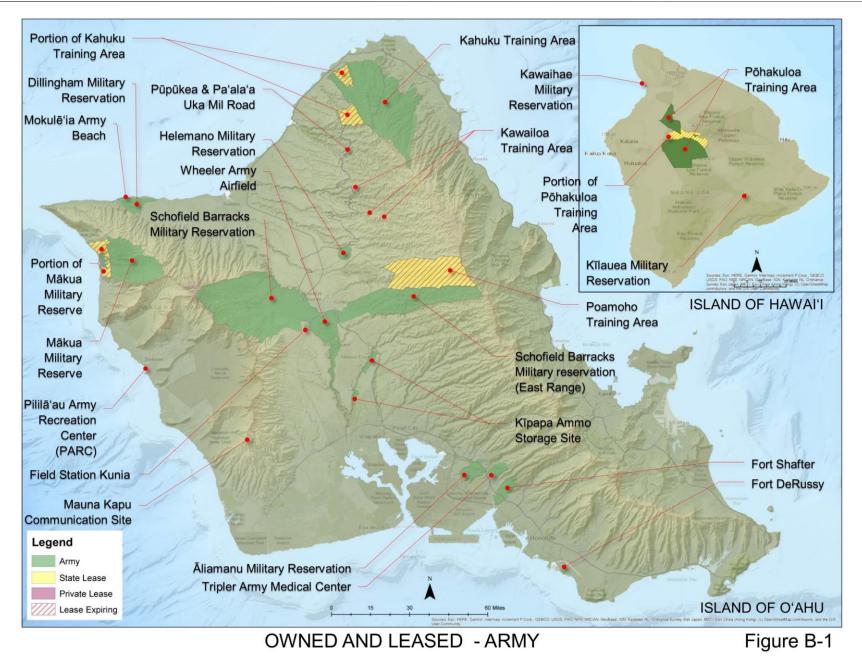
unused and contaminated with buried unexploded ordnance from a magazine explosion in the 1940s.

- Kīpapa Ammunition Storage Area is also predominately unused except for upper Kīpapa, which is used as an occasional training area. Future plans for this site are still under development.
- South O'ahu
 - Tripler Army Medical Center is the principal military health care facility in Hawai'i. It is also home to the Veteran's Administration hospital in Hawai'i and provides educational opportunities to the Medical School at the University of Hawai'i. Tripler Army Medical Center is the only OCONUS federal tertiary care hospital in the Pacific Basin. It supports 264,000 local active duty and retired military personnel, their families, and veteran beneficiaries. In addition, the referral population includes 171,000 military personnel, family members, veteran beneficiaries, residents of nine US affiliated jurisdictions (American Sāmoa, Guam, and the former Trust Territories), and forward-deployed forces in more than 40 countries throughout the Pacific.
 - Fort Shafter (Kahauiki) is home to the USARPAC headquarters, Installation Management Command (IMCOM) Pacific, the Corps of Engineers (Pacific Ocean Division) and the USACE Honolulu District. Facilities include family housing, bachelor quarters, logistics, support, recreation (including a nine-hole golf course), warehousing, and transportation. Shafter Flats is jointly used by the US Army Reserve Center, 9th Mission Support Command, and active Army elements.
 - Āliamanu Military Reservation is a multi-service family housing complex and formerly used ammunition tunnels.

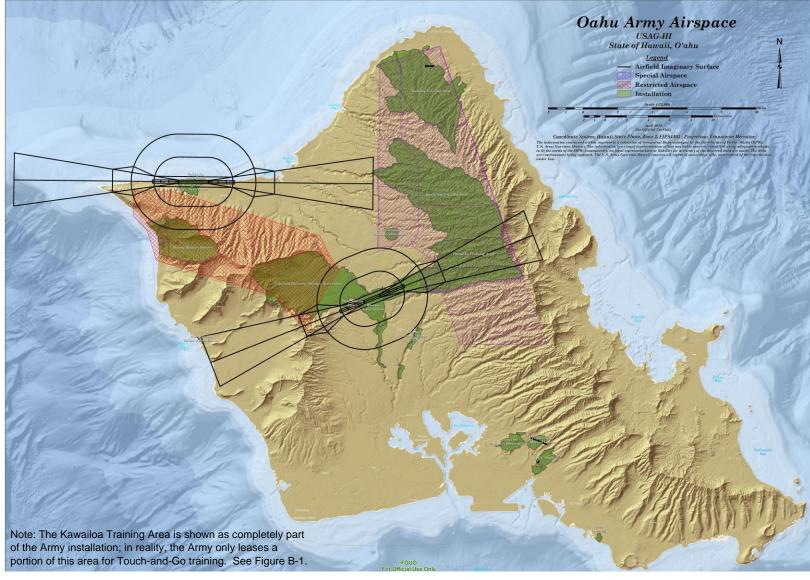


- Fort DeRussy is a former coastal defense battery and served as an Rest and Recovery facility during World War II, Korean and Vietnam wars, then redeveloped in the mid-1970s and now houses the Armed Forces Recreation Center and includes the Hale Koa Hotel, Asian Pacific Center, and US Army Museum.
- Hawaiʻi
 - Pōhakuloa Training Area (PTA) is the largest military training area in Hawai'i and includes a cantonment area, Bradshaw Army Airfield (BAAF), and tactical weapons training and live firing ranges.
 - Kawaihae Military Reservation is a landing ramp with mooring points and open storage area for logistics transport between O'ahu and PTA by Army heavy boats and the single point of munitions in and outflow for PTA.
 - Kīlauea Military Camp established in 1916; provides overnight and recreation facilities for all Armed Services personnel and DoD civilian employees









ARMY AIRSPACE - O'AHU

Figure B-1a



4. <u>Navy</u>

4.1 Overview

Major Navy units/commands in Hawai'i include Commander Pacific Fleet (COMPACFLT), Commander Submarine Force Pacific (COMSUBFORPAC), Commander Navy Region Hawai'i (COMNAVREG HI), and Commander Naval Surface Group Middle Pacific (COMNAVSURFGRU MIDPAC).

- COMPACFLT, headquartered at Makalapa Crater in Joint Base Pearl Harbor-Hickam (JBPHH), is the world's largest fleet command that covers 100 million square miles, including Antarctica to the Arctic Circle and from the west coast of North and South America to the Indian Ocean.
- COMSUBFORPAC, with headquarters at JBPHH, provides anti-submarine warfare, anti-surface ship warfare, precision land strike, mine warfare, intelligence, surveillance and early warning and special warfare capabilities to COMPACFLT and strategic deterrence capabilities to the US Strategic Command.
- COMNAVREG HI, with headquarters at JBPHH provides, maintains, and improves shore infrastructure, service support, and training to enable Fleet Operations of Naval Forces.
- COMNAVSURFGRU MIDPAC is responsible for the training, maintenance and readiness of the surface ships

homeported at JBPHH.

Other significant commands include:

- Pearl Harbor Naval Shipyard (PHNSY) and Intermediate Maintenance Facility (IMF) is a field activity of Naval Sea Systems Command and a one-stop regional maintenance center for the Navy's surface ships and submarines. It is the largest industrial employer in the state of Hawai'i, with a combined civilian and military workforce of approximately 6,500. It is the most comprehensive fleet repair and maintenance facility between the US West Coast and the Far East, strategically located in the heart of the Pacific, being about a week's steaming time closer to potential regional contingencies in East Asia. The Shipyard Infrastructure Optimization Program (SIOP) is a comprehensive approach to update and recapitalize required shipyard infrastructure components (dry docks, capital equipment, facilities) at PHNSY & IMF and is conceptually estimated at investing \$5 billion over the next 20 years.
- NAVSUP Fleet Logistics Center Pearl Harbor (FLC PH) provides supply and logistics support services to Fleet units and Naval shore activities in Hawai'i; serves as the single water terminal clearance authority for DoD logistics/transport management and ocean terminal services; maintains the largest bulk fuel storage facility in the Pacific area.
- Naval Special Warfare Command Group 3 (NSWG-3) is located on Ford Island and is the maritime component of US



Special Operations Command Pacific (SOCPAC).

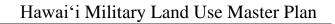
- Navy Munitions Command Pacific East Asia Division Detachment Pearl Harbor (NMC EAD DET PH) located at West Loch Annex at JBPHH, receives, stores, maintains and issues ordnance for US Joint Forces.
- Naval Facilities Engineering Systems Command Pacific (NAVFAC PAC) headquartered in the Makalapa Compound at JBPHH provides facilities and contingency engineering and acquisition expertise to PACFLT as the Fleet Engineer as well as to other Navy and Marine Corps commands in the Pacific region.
- Naval Facilities Engineering Systems Command Hawai'i (NAVFAC HI) headquartered at JBPHH provides facilities engineering, design and construction, utilities, transportation and acquisition services to all Navy and Marine Corps commands in Hawai'i.
- Naval Computer and Telecommunications Area Master Station, Pacific (NCTAMS PAC), located at Wahiawā Annex at JBPHH, operates and maintains a number of high frequency and satellite antennas that provide Command, Control, Communications, Computers, Combat Systems, Intelligence, Surveillance, and Reconnaissance (C5ISR), and satellite based global telephone service for various US and foreign commands in the USINDOPACOM and Central Command (CENTCOM) areas of operation.

 Navy Information Operations Command Hawai'i (NIOCH), located at Wahiawā Annex at JBPHH, conducts and provides support to information warfare, cyber, signals intelligence, information operations and electronic warfare missions for US military and intelligence forces in the INDOPACOM and CENTCOM areas of operation.

4.2 Navy Installations and Land Holdings in Hawai'i (Figure B-2a, B-2b, B-2c)

COMNAVREG HI is comprised of two installations, JBPHH on the island of O'ahu and the Pacific Missile Range Facility (PMRF) Barking Sands, on the island of Kaua'i.

- Joint Base Pearl Harbor-Hickam (JBPHH) JBPHH, created in 2010 as a result of 2005 Base Realignment and Closure (BRAC) action, combined former Naval Station Pearl Harbor and Hickam Air Force Base (AFB) into a single joint installation to support both Air Force and Navy missions, along with operational support to tenant commands, installation services, facilities support, quality of life programs, and Public/Private Venture (PPV) housing. The JBPHH main base area, focused in the vicinity of Pearl Harbor, is comprised of the following sub-areas:
 - Pearl Harbor The primary mission function of Pearl Harbor waterfront is to provide berthing for homeported and transient surface ships and submarines as well as maintenance and logistical support. The PHNSY & IMF provides the full range of shore-based maintenance, repair, and modification capabilities for surface ships and





submarines. Pearl Harbor also supports NIOCH and FLC PH.

- Hickam Airfield Supports the Pacific Air Forces' strategic air operations, aircrew training and evaluation, munitions loading and unloading, airdrop operations, aircraft maintenance, logistics, and movement of personnel and material. This location includes PPV housing.
- Ford Island Key mission functions of Ford Island include providing headquarters and administration support facilities for the Naval Undersea Warfare Center Keyport Detachment Pacific (NUWC DET PAC), Navy FACSFAC Detachment Pearl Harbor, NSWG-3, and the National Oceanic and Atmospheric Administration (NOAA) Pacific Regional Center, as well as facilities for Afloat Training Group Middle Pacific (ATG MIDPAC) and the US Coast Guard. This location includes PPV housing.
- 'Aiea Various locations around Pearl Harbor that support the COMPACFLT Boathouse, PPV housing at McGrew Point and MWR facilities.
- Waipi'o Peninsula Located within Pearl Harbor and supports two primary facilities, the Confined Disposal Facilities (CDF) for dredged material and the Magnetic Silencing Facility (MSF). The Naval Inactive Ship Maintenance Office (NISMO), manages water and shore areas for inactive ship maintenance at Waipi'o Peninsula. The northern portion of the Waipi'o Peninsula is leased by the City and County of Honolulu for use as a public soccer park.
- Pearl City Peninsula Mission functions include serving as headquarters for both Naval Information Warfare

Center (NIWC) Pacific and Seal Delivery Vehicle Team One (SDVT-1) Advanced Training Command Detachment. The peninsula is also developed with PPV housing, USMC warehousing, MWR facilities and other community support services. This area is under consideration for US Marine Corps use due to DPRI moves.

- Makalapa Makalapa mission functions include COMPACFLT Headquarters, NAVFAC PAC, USINDOPACOM Joint Intelligence Operations Center and Naval Expeditionary Combat Command Pacific. This location includes PPV housing.
- Ohana Nui and Special Area Honolulu The primary mission function of these areas is family support. These locations provide PPV housing, MWR facilities, community support services, including the Exchange, a commissary, schools, and a child development center.

JBPHH Outlying Areas

- Red Hill
 - Red Hill Fuel Annex The Red Hill Annex's primary mission function on the 256-acre property is logistics and supply infrastructure as a Petroleum, Oils, and Lubricants (POL) bulk-fuel storage facility critical to military operations in the Indo-Pacific. Since 2015, \$218M has been invested into infrastructure and maintenance programs with another \$470M programmed from FY21 to FY25. Long term, the Red Hill fuel tanks will be upgraded with secondary containment or relocated by 2045.



- West Oʻahu
 - West Loch Annex This Annex provides vital ordnance storage facilities within existing Explosive Safety Quantity Distance (ESQD) safety arcs on uninhabited, Navy-owned land, logistics, and maintenance mission support for NMC EAD DET PH. The West Loch Annex also has an Explosive Ordnance Disposal (EOD) demolition training range located in the southeastern corner of the Annex and borders the central outlet of the Harbor. West Loch Annex is the preferred location on O'ahu to store ordnance due to its proximity to the ammunition loading wharves, which significantly reduces ordnance transport along public roadways required when storing and retrieving munitions from Lualualei Annex. Therefore, every effort is made to maximize capacity within the West Loch Annex. The Navy has begun the phased construction of 24 modernized magazines and the Army is planning to construct 35 modernized magazines, all of which are located within the existing ESQD arc for the West Loch Annex ammunition wharves established in the 1930s.
 - Lualualei (LLL) Annex This Annex supports a primary mission of Command, Control, Communications, Computers, Combat Systems, Intelligence, Surveillance and Reconnaissance (C5ISR). It also supports ordnance storage and logistics operations. Steep topography of the surrounding mountains, which shares a property line with Schofield Barracks at the Wai'anae Mountains ridgeline, render almost a third of the land area as unusable for operational facilities.
 - Kalaeloa This land area is the location of the former NAS Barbers Point, disestablished in 1999 as a result of

Base Realignment and Closure (BRAC). The majority of the former air station lands have been transferred to the State of Hawai'i. Remaining Navy lands include mission and community support MWR facilities (golf course, beach cottages and two beach areas), a biosolids processing facility, and DLA disposition services activities. This area is under consideration for US Marine Corps use due to DPRI moves.

- Mount Kā'ala Transceivers Located atop Mount Kā'ala on State land leased to the Air Force, the Navy uses portions of this area to provide communications and tracking facilities to support the PMRF mission. The facility requires unobstructed lines of sight for electronic warfare coverage for the Navy water ranges offshore of O'ahu.
- Mauna Kapu (Maunakapu) The Navy and DOE use the 1.9-acre area for communications and radar tracking facilities needed to support the PMRF mission. The facility requires unobstructed lines of sight for electronic warfare coverage for Joint Base Pearl Harbor-Hickam (JBPHH) and the Navy water ranges offshore of O'ahu.
- Central Oʻahu
 - Wahiawā Annex Provides critical C5ISR mission support for Naval Computer and Telecommunications Area Master Station Pacific (NCTAMS PAC), Defense Information Systems Agency (DISA), National Security Agency (NSA), and the United States Coast Guard (USCG). This location includes PPV housing.
 - Camp Stover PPV housing located within the perimeter of Wheeler AAF.





- North Oʻahu
 - Opana Located on Navy owned land near the northern tip of O'ahu, this is a communications site in support of the warfighter and other US government missions.
- Pacific Missile Range Facility (PMRF), Barking Sands, Kaua'i

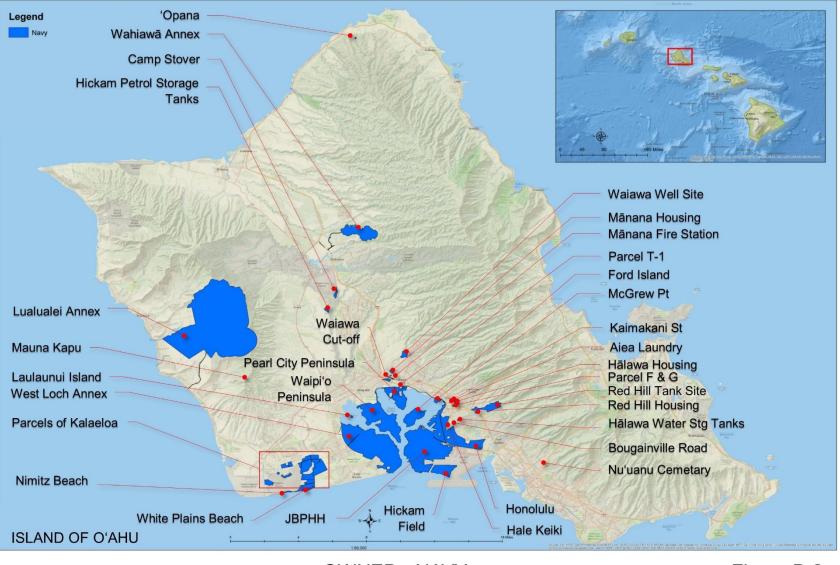
PMRF is the world's largest instrumented, multienvironment range, capable of simultaneously supporting surface, subsurface, air, and space operations. PMRF provides facility and training support for COMPACFLT activities, including a full spectrum of instrument range support for radar, underwater instrumentation, telemetry, electronic warfare, target remote command and control, communications, target launching facilities, data display, data processing, and target/weapons launching and recovery facilities. PMRF also provides support for tactics development as well as research, development, test, and evaluation (RDT&E) of air, space, surface, and subsurface RDT&E users include Sandia National systems. Laboratories, Missile Defense Agency (MDA), National Aeronautics and Space Administration (NASA), Naval Sea Systems Command (NAVSEA), Office of Naval Research (ONR), and others. PMRF Main Base provides base operations support, an airfield and associated air operations facilities. PMRF also is possible location for the MDA Homeland Defense Radar - Hawai'i.

- PMRF Outlying Areas
 - Port Allen Facilities provides operational space and berths for range and target boats, including Seaborne

Powered Target boats and Torpedo Weapons Retriever boats. The Navy is currently negotiating a lease extension to 2041 with the State for the Port Allen pier facilities. The Navy is currently negotiating a lease extension to 2026 with A&B Properties for the Port Allen open storage facility.

- Mākaha Ridge Tracking station situated on leased State of Hawai'i land that contains advanced tracking and surveillance radars, telemetry and recording equipment systems, target control, and electronic warfare and networked operations. The high elevation location is unique due to geography that allows unobstructed coverage of both the base and ocean range. State of Hawai'i leases expire December 2030.
- Kōke'e Park Supports tracking radar, telemetry, communications, and command and control systems. The sites are located about 12 miles (a 1-hour drive) from Barking Sands within State of Hawai'i owned Kōke'e State Park. The Air Force holds the lease for the Kōke'e Sites with the State of Hawai'i DLNR.
- Kamokala Ridge Leased State of Hawai'i land used for munitions storage in support of PMRF operations. State of Hawai'i leases expire August 2029.
- Ni'ihau Leased 1,174 total acres of Ni'ihau Ranch lands to support PMRF training ranges. The largest lease of 1,167-acres expires October 2028, and the Navy has negotiated a lease extension to 2045 for the remaining 7.4-acres.
- Ka'ula Island An uninhabited island owned by the US Government and under the jurisdiction of the Navy. The Navy uses approximately 10 acres at the southern tip of the island for training.

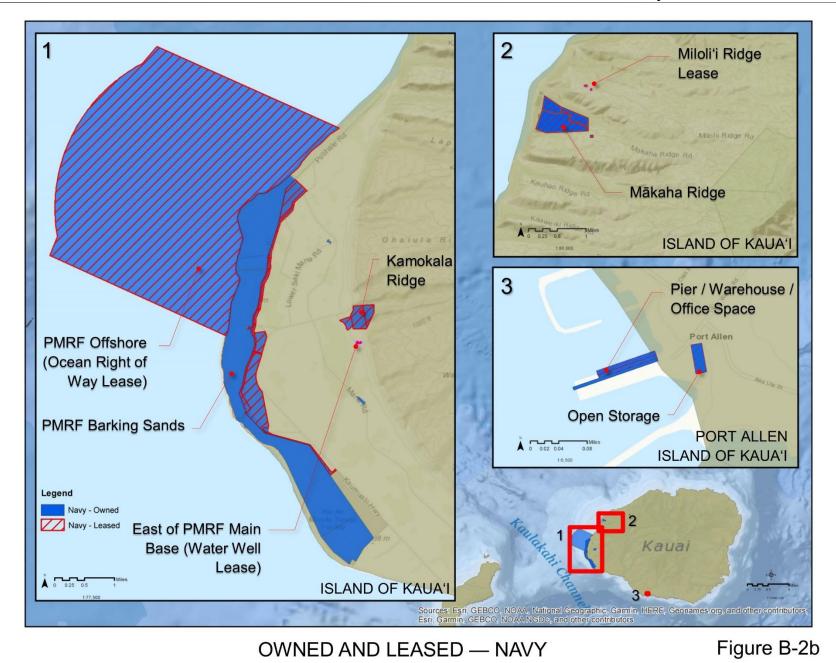




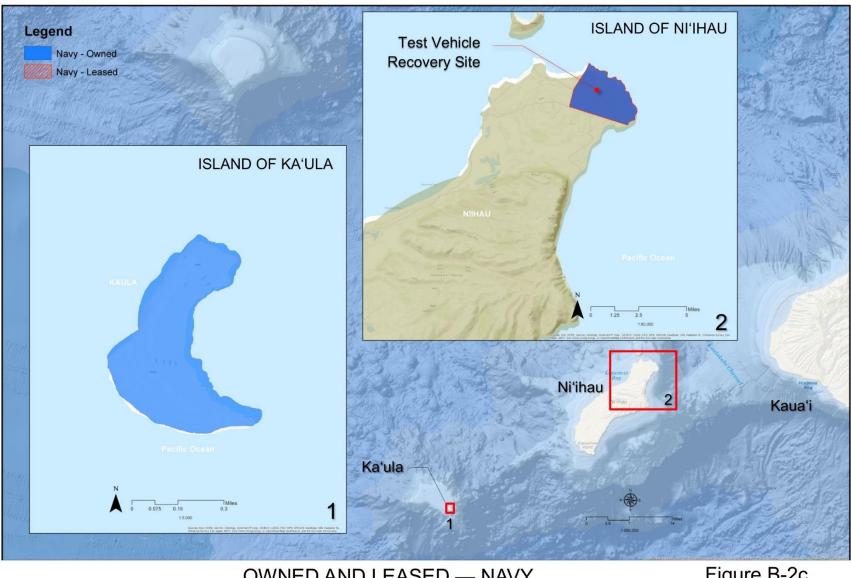
OWNED - NAVY

Figure B-2a

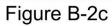








OWNED AND LEASED - NAVY





5.1 Overview

Major Air Force units/commands in Hawai'i include Pacific Air Forces (PACAF) and 15th Wing.

PACAF is responsible for aerospace operations from just off the west coast of the US to the Indian Ocean, and from near the Antarctic to the Arctic Ocean, Bering Sea, and most of the Aleutian Islands.

The mission of the 15th Wing is to partner with the Hawai'i Air National Guard to provide strategic and tactical airlift capability to PACAF and Air Mobility Command to support local and worldwide missions of combat support and humanitarian or disaster relief. The second mission of the 15th Wing is to enhance PACAF's power and reach by ensuring world-class en route support, maintaining operational ready forces, and providing superior customer service. The third mission of the wing is to provide airlift support to the commander, Pacific Air Forces and the commander, Pacific Command. Another mission of the wing is to conduct C-17 Globemaster III and F-22 Raptor Total Force Integration operations in cooperation with the Air National Guard.

The 298th Air Defense Group conducts the Pacific Air Defense Sector (PADS) mission in Hawai'i providing INDOPACOM the means to defend against airborne objects posing a threat to Hawai'i. The operational footprint includes the Mt Kā'ala Air Force Station on O'ahu, Mt Kōke'e Air Force Station Kaua'i, and Wheeler Army Airfield.

- Hawai'i Military Land Use Master Plan
- **5.2 Air Force Installations and Land Holdings in Hawai'i** (Figure B-3a, B-3b)
- South O'ahu

Hickam Air Force Base was combined with Pearl Harbor facilities in 2010 to create Joint Base Pearl Harbor Hickam (JBPHH). Its land stewardship rests with the Navy now. Air Force organic and tenants include the home of HQ PACAF and the 15th Wing, as well as the 199th Fighter Squadron (HI Air National Guard), and the 203rd Air Refueling Squadron (HI Air National Guard); primarily serves as a logistics and transshipment point for Air Mobility Command (AMC) operations; has maintenance, refueling facilities for all types of Air Force aircraft, and also has administrative, public works, maintenance, storage, bachelor housing, family housing, recreation (including two golf courses and beach areas), and various personnel and community support facilities.

• North O'ahu

Mount Kā'ala Air Force Station (AFS) is a joint-use radar site. The Kā'ala sensor site in combination with Mount Kōke'e Air Force Station has 24/7 personnel staffing to support the Pacific Air Defense Sector (PADS) mission. The PADS command and control personnel are a tenant unit at Wheeler Army Airfield. Support for Mount Kā'ala traces to the PACAF Regional Support Center (PRSC) located out of Joint Base Elmendorf-Richardson (JBER), Alaska.



• East O'ahu

Bellows Air Force Station (AFS) was primarily a military recreation area with beachfront cabins, campsites and facilities for the Hawai'i Army National Guard (HIARNG) NCO Academy. Since the transfer of 1,149 acres to MCBH, it is joint use as an amphibious assault training area known as the Marine Corps Training Area Bellows (MCTAB) with the majority of land control with the Marine Corps. The remaining assets retained by the Air Force are still primarily beachfront cabins and other associated support facilities are managed by Kadena Air Base. The HIARNG Academy moved to their new facility within the Marine Corps Training Area Bellows (MCTAB).

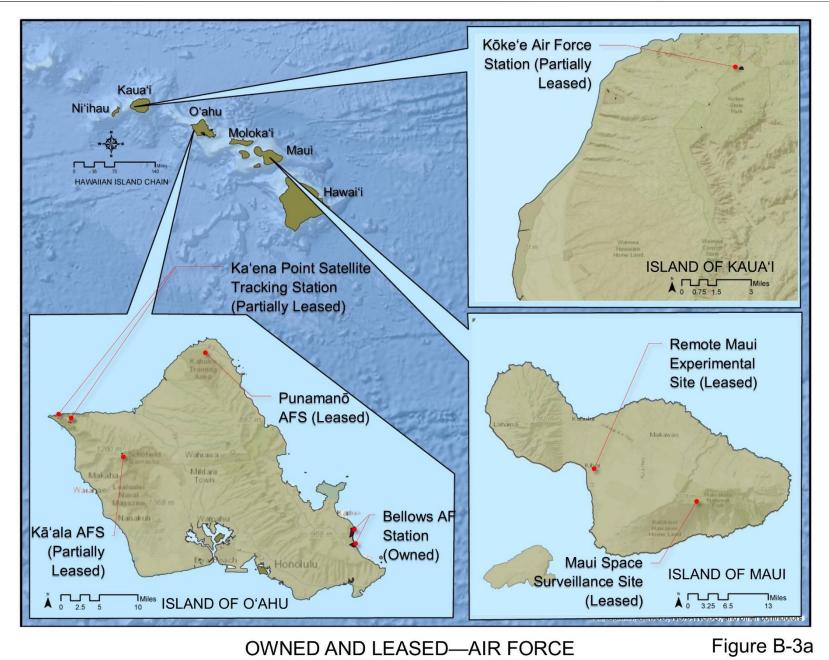
• West O'ahu

Kaen'a Point Satellite Tracking Station, located high on the west ridge of the Wai'anae Range, is a critical component of the nation's worldwide satellite control network known as the Air Force Satellite Control Facility (AFSCF), supporting several space programs of the highest national priority.

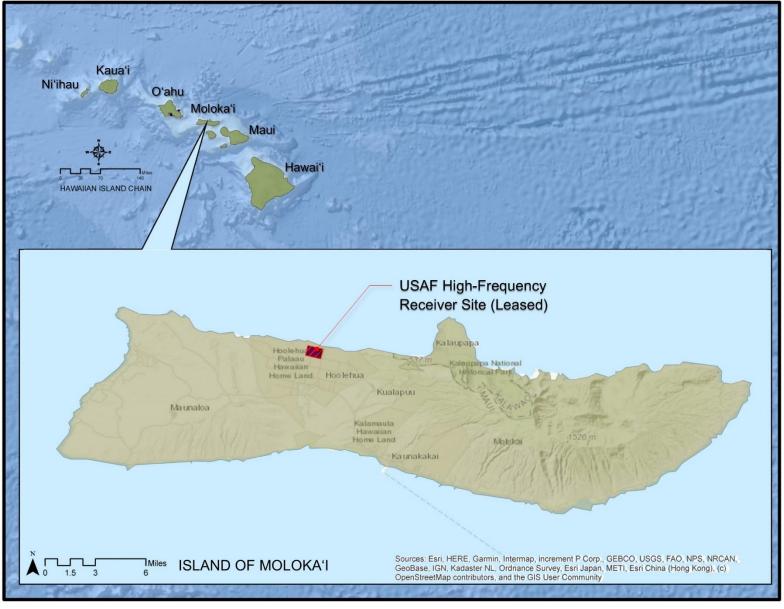
• Kauaʻi

Kōke'e Park / Air Force Station (AFS): supports tracking radar, telemetry, communications, and command and control systems. Kōke'e AFS operates in tandem with Mount Kā'ala AFS for the PADS Hawai'i mission and similarly receives support from the PRSC in JBER, AK. The Navy utilizes portions of Kōke'e Park to support PMRF operations.









LEASED—AIR FORCE

Figure B-3b



6. Marine Corps

6.1 Overview

Major Marine Corps units/commands in Hawai'i include Marine Corps Forces, Pacific (MARFORPAC)/Fleet Marine Forces, Pacific (FMFPAC), and Marine Corps Base Hawai'i (MCBH).

- MARFORPAC/FMFPAC's mission is to provide quick and effective combat response to any contingency as the nation's force-in-readiness and amphibious capability anywhere in the Pacific. Headquartered at MCBH Camp H.M. Smith, the Commander of MARFORPAC reports to the Commandant of the Marine Corps on matters of FMFPAC readiness, training, and administration, while reporting to USINDOPACOM on operational matters as a component Headquarters.
- MCBH is responsible to operate and maintain all Marine Corps installations in Hawai'i.

6.2 Marine Corps Installations and Land Holdings in Hawai'i (Figure B-4)

• Southwest O'ahu

MCBH Pu'uloa Range ('Ewa Beach area) Training Facility provides live-fire small arms range training capabilities, with bachelor housing and support facilities.

- South O'ahu
 - o MCBH Camp H.M. Smith provides administrative and

headquarters facilities for MARFORPAC/FMFPAC, as well as USINDOPACOM, Special Operations Command Pacific (SOCPAC), and Joint Interagency Task Force West (JIATF-W); also has bachelor and family housing facilities, a helipad, and nominal personnel and community support facilities.

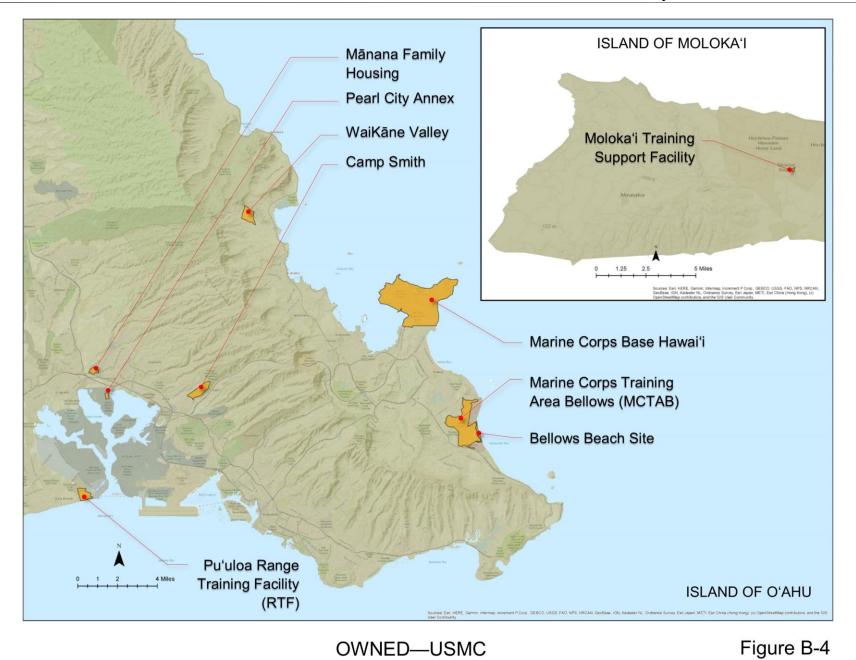
- East O'ahu
 - MCBH Kāne'ohe Bay is the primary installation for Marine Corps operational units in Hawai'i, including 3rd Marine Regiment, Marine Air Group 24, Combat Logistics Battalion 3, and 3d Radio Battalion; provides the full range of installation facilities, including administrative and operational facilities, maintenance facilities, public works and transportation facilities, small arms live-fire ranges, a fully-operating airfield, bachelor and family housing, recreational areas (including a golf course and beaches) and personnel and community support facilities; also supports Hawai'i-based Navy aviation units.
 - Marine Corps Training Area Bellows (MCTAB) is an extension of MCBH Kāne'ohe Bay, providing maneuver training areas with beachfront suitable for amphibious exercises, parachute, and helicopter training opportunities. Training operations at MCTAB consist of Amphibious Operations both surface and heliborne, Para operations, helicopter confined area landings (CALs), troop lifts, Helicopter Rope Suspension Techniques (HRST), reconnaissance, mounted and dismounted infantry maneuver, limited mechanized operations and limited live fire (RUTEX

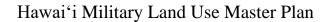


Sniper Shot and dynamic breaching).

- Moloka'i
 - MCBH still owns the Moloka'i Training Support Facility (12.1 acres) and is determining the requirement for acquiring additional land.







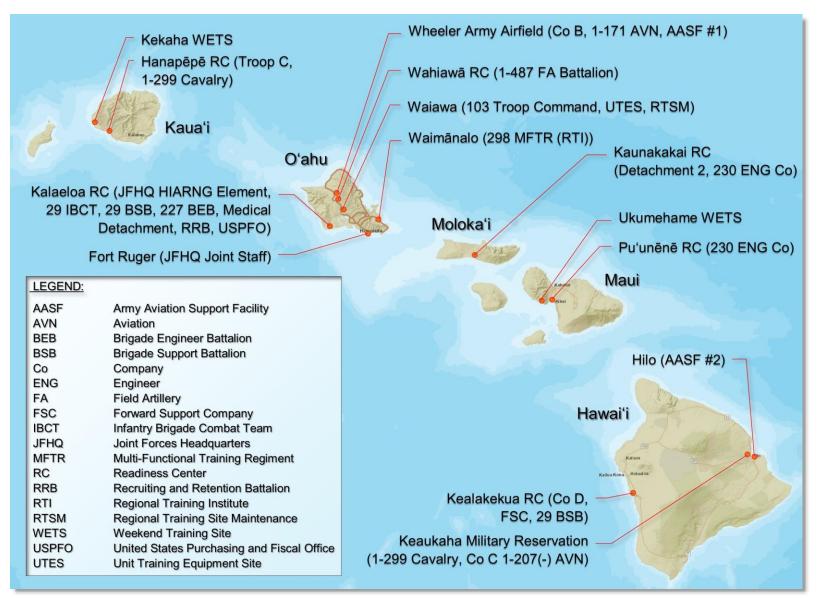


7. Hawai'i Army National Guard

The Hawai'i Army National Guard (HIARNG) is composed of a Headquarters, HIARNG, and three major commands: the 29th Infantry Brigade Combat Team, the 103rd Troop Command, and the 298th Regiment Multi-functional, Regional Training Institute. Hawai'i Army Guard units and installations are located in communities on the islands of Hawai'i, Maui, O'ahu, Moloka'i, and Kaua'i.

The HIARNG federal mission is to serve as an integral component of the Total Army by providing fully-manned, operationally-ready, and well-equipped units that can respond to any national contingency ranging from war and peacekeeping missions to nation-building operations. The state mission of the HIARNG is to provide a highly effective, professional, and organized force capable of supporting and assisting civilian authorities in response to natural disasters, human-caused crises, or the unique needs of the state and its communities. (Figure B-5)





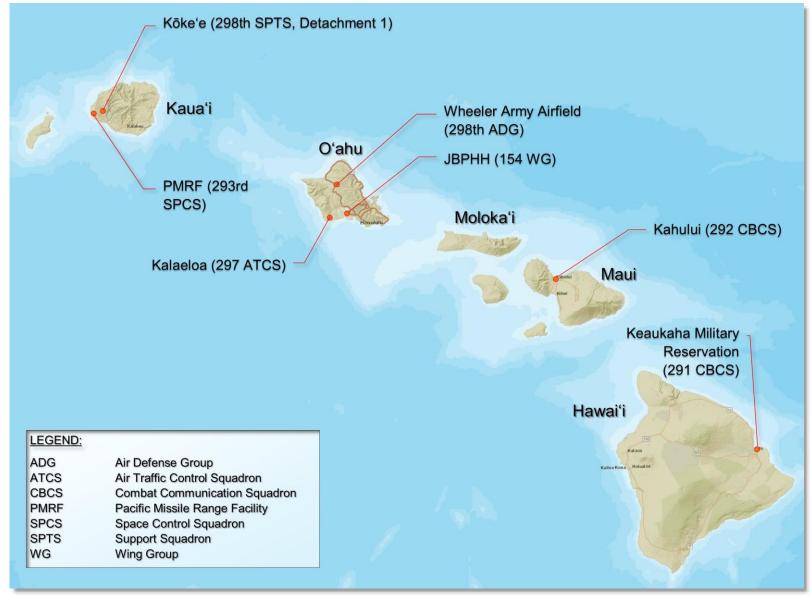
HAWAI'I ARMY NATIONAL GUARD OPERATING LOCATIONS Figure B-5



8. Hawai'i Air National Guard

The Hawai'i Air National Guard (HIANG) is comprised of the HIANG Headquarters, the 154th Wing, the 201st Air Operations Group, and the 298th Air Defense Group. The HIANG has two missions. In performing its state mission, the HIANG provides organized, trained units to protect Hawai'i's citizens and property, preserve peace, and ensure public safety in response to natural or human-caused disasters. Its federal mission is to provide operationally-ready combat units, combat support units and qualified personnel for active duty in the US Air Force in time of war, national emergency, or operational contingency. (Figure B-6)





HAWAI'I AIR NATIONAL GUARD OPERATING LOCATIONS Figure B-6

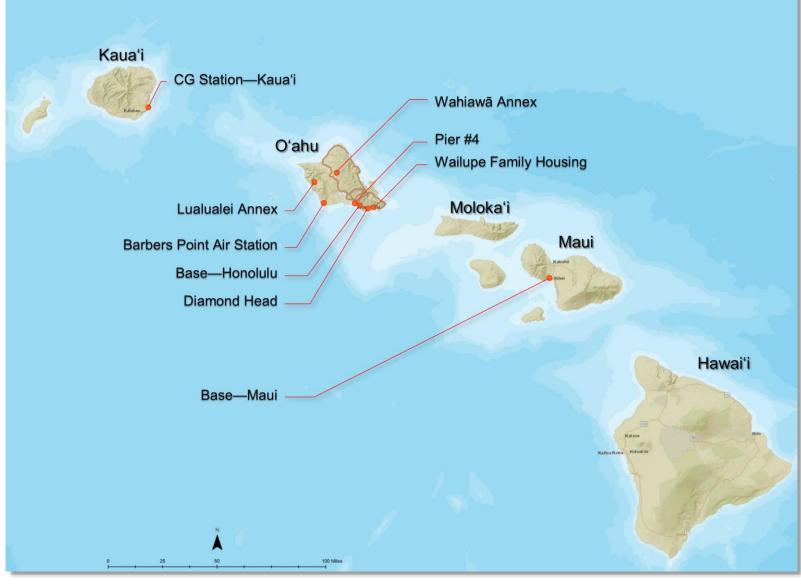


9. Coast Guard

The US Coast Guard's history in Hawai'i dates back to 1849 when Revenue Cutter Lawrence first sailed into Honolulu Harbor, escorted by Native Hawaiians in outrigger canoes. The current regional Fourteenth Coast Guard District was established in 1939 and is responsible for all CG operations in 14 million square miles of land and sea stretching from the eastern Hawaiian Islands to the Western and Southern Pacific Ocean and units stationed in three US Territories and in the Far East.

Coast Guard missions in the region include nearly all statutory CG missions including Ports, Waterways & Coastal Security, Drug Interdiction, Aids to Navigation, Search & Rescue, Living Marine Resources Protection, Marine Safety, Defense Readiness, Migrant Interdiction, Law Enforcement, and Marine Environmental Protection. Operated, supported and maintained by 1,200 active duty, reserves and civilian professionals, the Coast Guard operates a host of assets and ashore units in Hawai'i. Operational assets in Hawai'i include four C-130-J aircraft, four HH-65-E helicopters, two National Security Cutters (420' WMSLs), two Seagoing Buoy Tenders (225' WLBs), three 123' Fast Response Cutters (123' WPCs) and nine Response Boats. Operational units ashore in Hawai'i include Sector Honolulu, Maritime Safety Detachments on the islands of Maui, Kaua'i, and Hawai'i, Aids to Navigation Team Honolulu, Regional Dive Locker-Pacific, and Maritime Safety and Security Team Honolulu. (Figure B-7)





COAST GUARD

Figure B-7



C. MILITARY LAND HOLDINGS

1. <u>Summary of Changes and Priorities</u>

The eight major islands of Hawai'i plus Ka'ula Island consist of approximately 4,110,000 acres of land. Figure C-1 shows the major landowners by broad categories.

DoD controls 169,056 acres (4.1% of State total) including ceded land, and uses another 52,925 acres under various long-term leases, permits, or easements from other landowners, for a total use of 221,981 acres (5.4% of State total).

The distribution of DoD land holdings among the islands is shown on Figure C-2, with large acreage on O'ahu (68,451 acres) and the Island of Hawai'i (133,901 acres) in Figure C-3. Of the individual service components, Army uses the most land (174,544 acres, or 78.6% of military total), primarily to support training.

On O'ahu, where most civilian activity exists, DoD-controlled lands total about 57,162 acres (14.8% of O'ahu). The military also uses another 11,289 acres through various leases, easements, and permits from other landowners. A detailed list of DoD land holdings is contained in Appendix A.

Changes to military landholdings that occurred during the period 1999 to 2020 are shown on Figure C-4 and described below:

• Army purchased 8,214 acres of previously leased land at the Kahuku Training Area on February 26, 1999.

- Army released the final portion of Kapālama Military Reservation consisting of 12 acres on April 18, 2000.
- Army released the final portion of Fort Ruger Military Reservation (Cannon Club) consisting of eight acres on March 30, 2001.
- Army acquired two acres of former railroad right-of-way at Fort Shafter Flats.
- Army acquisitions since 2002 include South Range Training Area (SRTA) Schofield Barracks, Ke'āmuku and 1010 parcels at Pōhakuloa Training Area, Island of Hawai'i.
- Navy released 1,915.1 acres, from 2002-2019, on O'ahu to various entities including the City and County of Honolulu, State of Hawai'i Department of Transportation, Department of Hawaiian Home Lands and various private entities in relation to divestiture of former Naval Air Station Barbers Point, and various non-federal entities previously located on JBPHH.
- Air Force released 329.6 acres to the State or Hawai'i consisting of Runways 8L and RB, clear zones and adjacent properties in September 2000.
- In January 2000, the Marine Corps was recipient of 1,049.4 acres of land transferred from the Air Force at the former Bellows AFS for training purposes. The Air Force transferred another 24 acres to the Marine Corps in 2002. The Marine Corps disposed of 1.6 acres which went to the State of



Hawai'i in 2017.

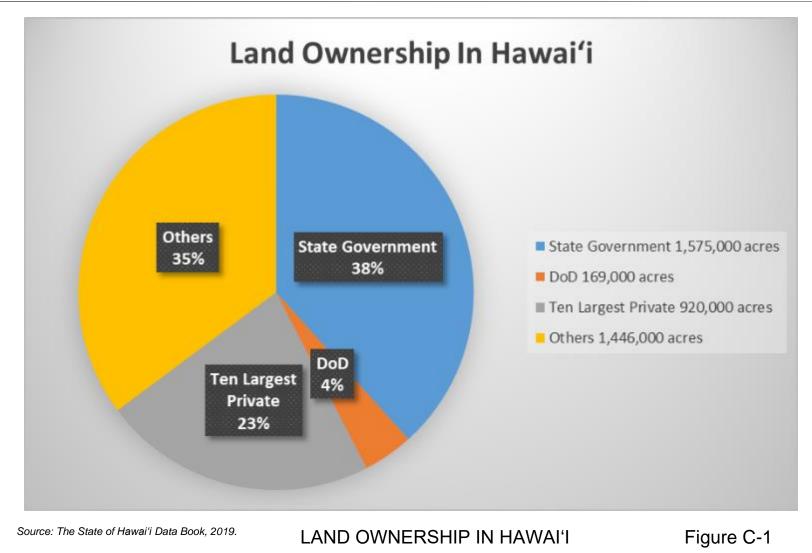
• The Navy transferred 25 acres of land at Pu'uloa to the Marine Corps in 2011 to add to the MCBH Pu'uloa Range Training Facility (RTF).

2. Joint Priority Hawai'i Land Activities

- 1. Retaining lands from expiring 2029/2030 leases to enable training for Army / Marine Corps, PMRF training for the Navy, and Space Force operations at Ka'ena Point
- 2. Supporting Missile Defense Agency's requirements for Homeland Defense Radar Hawai'i
- 3. Support of the Pacific Multi-Domain Training and Experimentation Capability (PMTEC) joint training complex through PTA and PMRF
- 4. A long-term solution for Red Hill and Hawai'i-based fuel storage
- 5. A well-coordinated, inter-service move of munitions storage from Lualualei to West Loch
- Identify facility and land requirements in Hawai'i related to Marine Corps modernization efforts and international agreements⁴ associated with Defense Policy Review Initiative (DPRI)

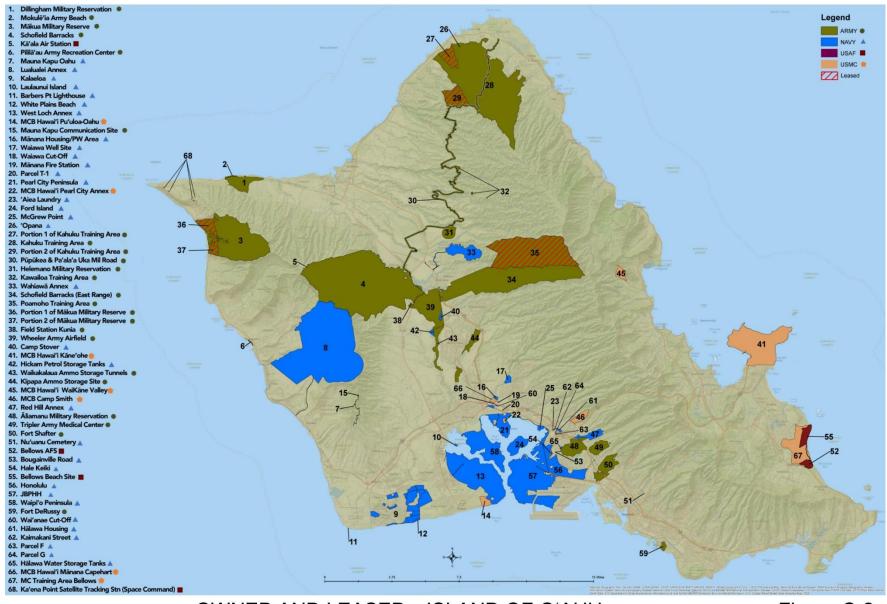
⁴ These agreements include the United States Government – Government of Japan Roadmap for Realignment Implementation, dated 1 May 2006 and the Joint Statement of the Security Consultative Committee, dated 27 April 2012.



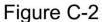




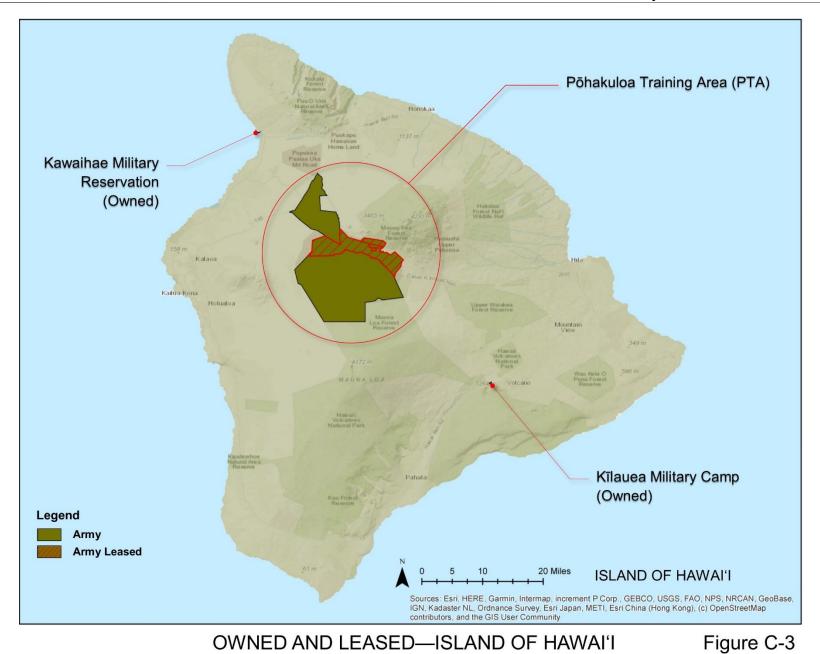
Hawai'i Military Land Use Master Plan



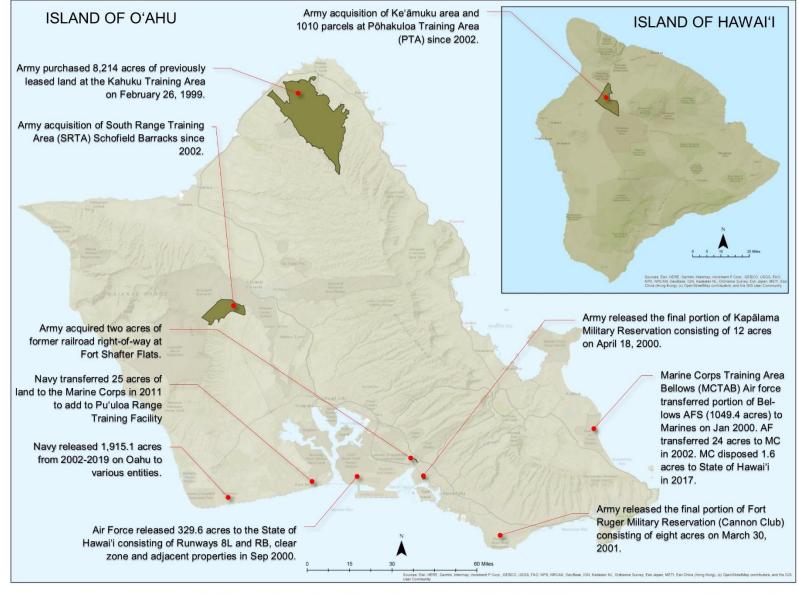
OWNED AND LEASED—ISLAND OF O'AHU











Military Landholding Changes 1999-2020

Figure C-4



3. <u>Army Priorities: 2020-2045</u>

- 1. Army Training Land Retention ATLR (multiple training leases expiring in 9 years)
- 2. West Loch for strategic ammunition and joint force in Hawai'i (MILCON slated for FY2025)
- 3. Surface danger zones at Schofield barracks (they are working with developer, needs to be coordinated across Army)
- 4. Tripler secondary access road Not mission critical but mission essential
- 5. Connecting South Range, Field Station Kunia and Schofield Barracks access
- 6. Parcel 7 and 9, planned community Army on O'ahu that will allow realignment of land use and facilities for operational efficiencies for training mission and quality of life

Army Previous Land Acquisitions

In 1999, the Army acquired 8,214 acres of land at the Kahuku Training Area (TA), which was previously leased. The Kahuku Training Area is widely used for infantry tactical maneuvers and helicopter training exercises and is utilized by units of the Army, Marine Corps, Reserves and the Hawai'i National Guard. In the 2003 timeframe, the Army acquired a 1,149.72 acre addition to Kahuku and 15 acres from Kamehameha Schools Bishop Estates (KSBE) lease at Poamoho near Hale'iwa adding to the lease a total of 11,504.15 acres. On the Island of Hawai'i, the Army acquired a 23,978-acre parcel of land known as "Ke'āmuku" and a 1,010-acre area known as "1010" adjacent to Pōhakuloa Training Area (PTA).

Army acquisitions since 2002 include South Range Training Area (SRTA) Schofield Barracks. The Kawailoa Training Area no longer exists as it did previously reducing acreage to just Poamoho (Figure B-1). Additionally, the Army has partnered to conserve 28,000 acres to prevent encroachment.

Future Army Land Requirements (Initial snapshot)

The Army anticipates stationing the following units on Schofield Barracks:

FY22 – Military Intelligence (MI) Battalion

FY23 – Multi-Domain Task Force (MDTF) Headquarters (HQ) and the Intelligence, Information Operations, Cyber and Electronic Warfare and Space (I2CEWS) Battalion (381 personnel)

The Army is considering two adjustments to the structure of the Infantry Brigade Combat Team (IBCT) which will directly affect the two IBCTs on Schofield Barracks by:

- Reducing the number of personnel and equipment
- o Adding a third Infantry Battalion

Additionally, the Army's Next Generation Squad Automatic Weapon to be fielded in the next 5 years will require significant range modifications because of its increased caliber and extended firing distances.

O'ahu: "Snap shot" accounting of Land shortfalls at this time

 Parcel 7 & 9 (Gift to the Army) – for planned community housing. Approximate 2,500 acres immediately adjoining South Range extending south





- Privately owned lands under Training Air spaces on O'ahu and Hawai'i Islands
- For a mission required secondary access road for TAMC. Approximately 3 acres. Acquire private property and to tie into local government road system.
- Buffers around all installations of Army, e.g. Dillingham (Airfield Safety zones), etc. Some of these locations will be covered under air space requirements. Other locations will require other measures to establish buffers.
- Private lands under existing training air spaces
- Schofield / FS Kunia Approximately 1000 acres (secondary access for FSK with SB and South Range for security purposes)

Hawai'i Island – PTA - "Snap shot" accounting of Land shortfalls at this time. Most of the following falls within the desired 2000 meter (2Km) buffer around and outside of the installation boundary.

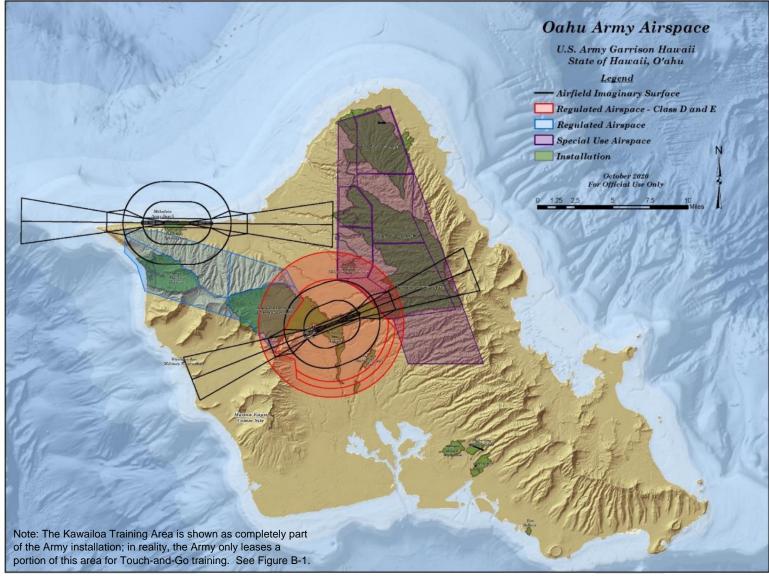
- Old Saddle Road acquisition presently not used by the state or county and bisects PTA
- Additional air space buffers around PTA (See Figure C-8).
- Security buffers for PTA outside installation boundary to the East – Daniel K. Inouye Highway west and south to PTA installation boundary.
- West of PTA approximately 1000 acres, location to be determined. Intent is for relocation of endangered species and its management for PTA, but not on PTA. Free up existing training lands for training. This is subject to further assessments.
- PTA approximate land shortfalls:
 - ACQUIRE (Security buffer) Approximately 413 Acres
 - AIR SPACE LANDS operational and training

Approximately 6,904 Acres

- Outside boundary required to control (See Figure C-8)
 - AIR SPACE Additional Requirement (R-3103) Approximately 25,927 Acres
 - 2 Kilometer Buffer around PTA Installation Approximately 66,718 Acres
- Encroachment Partnering Opportunities
 - Readiness and Environmental Protection Integration (REPI) Approximately 8,584 Acres

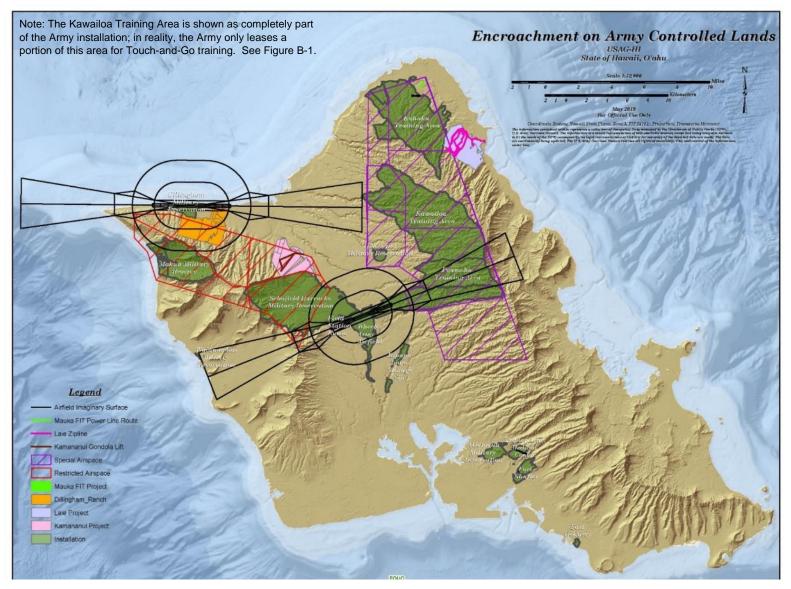
Land use controls are required via a variety of mechanisms, e.g. Land zoning, Readiness and Environmental Protection Integration (REPI), Joint Land Use Study (JLUS), partnerships with other government agencies, and other potential mechanisms for attaining the buffers. (Figure C-5, C-6, C-7)





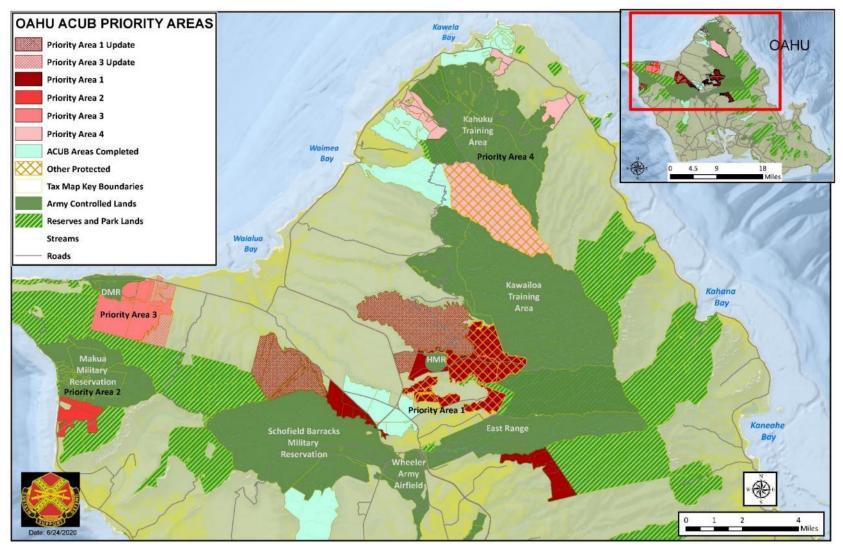
ARMY AIRSPACE CLASS D AND E - O'AHU





ENCROACHMENT ON ARMY CONTROLLED LANDS - O'AHU Figure C-6



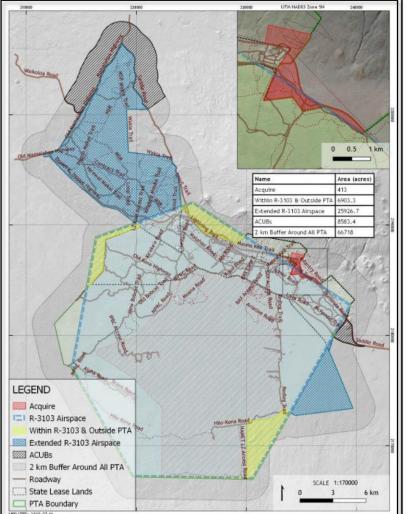


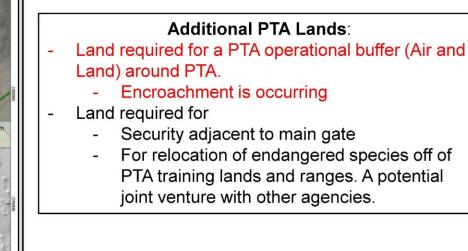
Note: The Kawailoa Training Area is shown as completely part of the Army installation; in reality, the Army only leases a portion of this area for Touch-and-Go training. See Figure B-1.

ACUB PRIORITY AREAS - O'AHU

Figure C-7







PTA – ADDITIONAL LANDS REQUIRED - ARMY

Figure C-8



4. Navy Priorities: 2020-2045

- 1. PMRF lease and easement renewals.
- 2. Upgrade existing Red Hill Bulk Fuel Facility and develop secondary containment capability for fuel storage.
- 3. Implement the Pearl Harbor Naval Shipyard Infrastructure Optimization Program (SIOP) by comprehensively addressing dry docks, capital equipment and facilities to modernize ship and submarine maintenance capability in support of Fleet readiness.
- 4. Establish and expand compatible land use buffers to protect capabilities, maintain security of Navy installations, and minimize impacts to surrounding communities.

Navy Encroachment Partnering- Actual/ Planned

To date, JBPHH established Restrictive Use Easements (RUEs) to protect a total of 1,933 acres adjacent to Wahiawā Annex from incompatible land use and development through Encroachment Partnering projects funded by REPI. (Figure C-9)

06 May 2020 - JBPHH completed an Encroachment Partnering project to protect 236 acres of land adjacent to Lualualei (LLL) Annex as a compatible land use buffer. (Figure C-10)

The Navy received \$2M in REPI (FY19) funds to protect an additional 218 acres of land adjacent to Wahiawā Annex as a compatible land use buffer. Planned execution in FY21.

Navy Acquisitions - Planned

The Navy and Army will require the acquisition of Iroquois Point Road, which is 17 acres total, and currently traverses through West Loch Annex but is owned by the State of Hawai'i. This acquisition will enable the construction of both Army and Navy future ordnance storage facilities and will be replaced by a perimeter bypass road.

The Navy will require 0.5 acre at Wahiawā Annex in support of the P-013 MILCON Communications/Crypto Facility Renovation.

The Navy will require 1 acre from the Army to support a new waterline alignment as part of RM19-0731 Hālawa Waterline Replacement project.

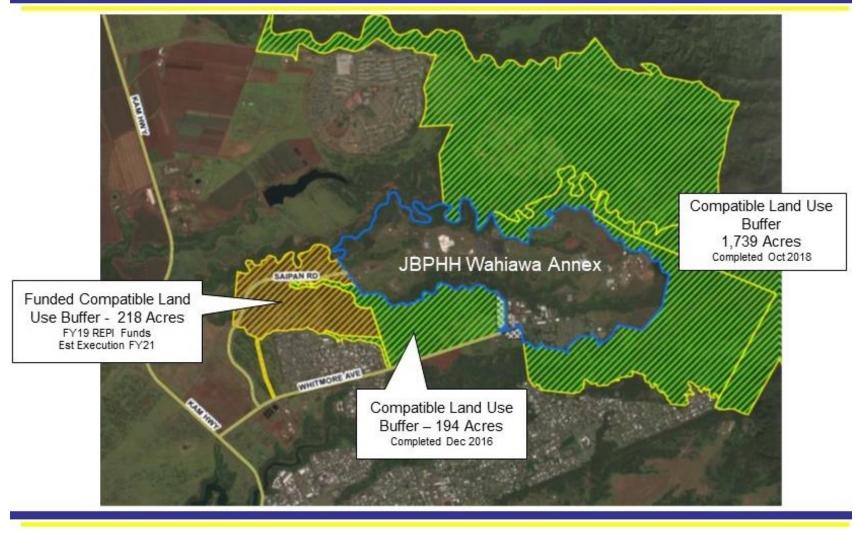
Navy Divestitures - Actual

Landholding reductions by the Navy were attributed primarily to the release of 2,100 acres of land at the former NAS Barbers Point, which was officially closed in July 1999 as a result of BRAC (FY93 Base Realignment and Closure action).

Navy Divestitures - Planned

The Navy is in various phases of divestitures at former NAS Barbers Point (958 acres) to private and public entities which will facilitate the redevelopment and growth of Leeward Oahu. Additional divestitures may be considered related to the construction of the H-1 Freeway (113 acres).



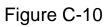


ENCROACHMENT BUFFER – WAHIAWĀ ANNEX, OʻAHU

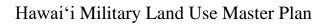
Figure C-9







ENCROACHMENT BUFFER - LUALUALEI ANNEX, O'AHU





5. Marine Corps Priorities: 2020-2045

- 1. Understanding facility and land requirements in Hawai'i due to:
 - a. service modernization efforts
 - b. international agreements associated with DPRI
- 2. Pōhakuloa Training Area (PTA) facilities

Marine Corps Acquisitions

In January 2000, the Marine Corps was recipient of 1,049 acres of land transferred from the Air Force at the former Bellows AFS for training purposes to form the basis of the Marine Corps Training Area Bellows (MCTAB). The Air Force transferred an additional 24 acres to the Marine Corps in 2002 and the Marine Corps disposed of 1.6 acres which went to the State of Hawai'i in 2017. In total present day, MCTAB is a 1,071.4 acre tract that offers a unique training area in close proximity to MCBH Kāne'ohe Bay with beach access and maneuver training areas for amphibious assault training and exercises.

In 2011, the Marine Corps acquired 25 acres from the Navy at Pu'uloa ('Ewa Beach – formerly 'Ewa MCAS) to add to the MCBH Pu'uloa Range Training Facility (RTF). Pu'uloa RTF provides live fire ranges for small arms marksmanship and sniper training, qualification, and requalification, and the billeting and community support facilities to sustain a company-sized unit for multi-day training courses and exercises.

Marine Corps Divestitures

The Marine Corps terminated a Hawaiian Homeland lease (HHL Moloka'i Training Area) in 1996 involving approximately 6,000 acres of training land on the island of Moloka'i. MCBH retains ownership of 12 acres at the Moloka'i Training Support Facility adjacent to Moloka'i airport and is determining the requirement for acquiring additional land to alleviate the current shortfall of maneuver space for training. Reviving this effort would provide Marines additional land on which to conduct Battalion-level training.

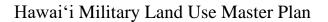
6. Air Force Priorities 2020-2045

- 1. Lease renewal for Ka'ena Point Satellite Tracking Station
- 2. Consolidated Maui High Performance Computing Center and Remote Maui Experiment Site

Air Force Acquisitions – none in the last 20 years.

Air Force Acquisitions - Planned

Air Force is in planning stages for submitting a MILCON in FY22-23 to construct a new sea-level detachment to consolidate disparate buildings and acquire 10 acres on the island of Maui for a consolidated research facility. (Figure C-11)





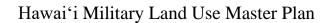
Air Force Divestitures - Actual

Landholding reductions by the Air Force include the previously mentioned transfer of land at the former Bellows AFS to the Marine Corps and the release of 330 acres at Hickam, consisting of Runways 8L and RB, clear zones and adjacent properties, to the State of Hawai'i. Hickam Field no longer has a runway, only taxiways and parking aprons.

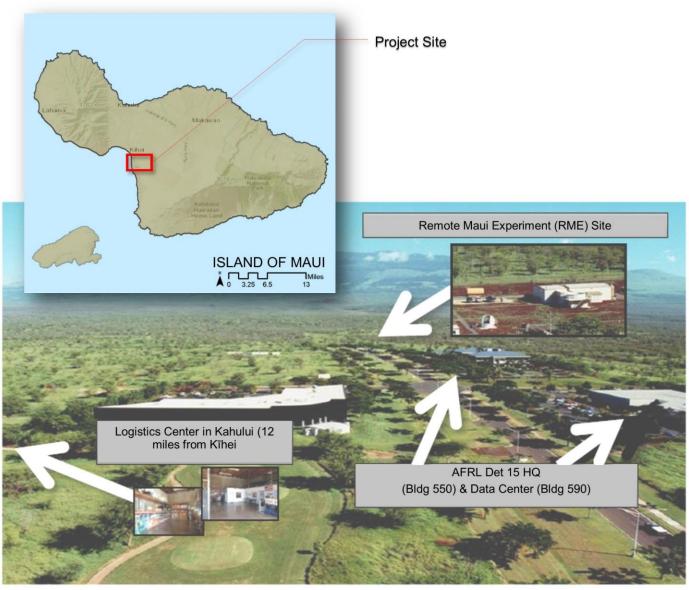
In 2006, the Air Force terminated a lease with the State of Hawai'i for approximately 19,250 SF for a former radar site at General Lyman Field, Hilo, Island of Hawai'i. Additionally, in 2018, the Air Force terminated a lease with Maui R&T Partners for approximately 4 acres of land used for a photovoltaic farm.

Air Force Divestitures - Planned

Release of 139 acres (Parcels 6 &7) of land remaining at the former Bellows AFS, pending clean up. The AF has not completed cleanup of these parcels and are still under AF control.







MILCON Project—Consolidate 4 Leased Sea-Level Sites into a Figure C-11 Research Facility—AIR FORCE



D. FUNCTIONAL ANALYSES

Overview

Previous HMLUMP structure included eight functional areas for analysis. The 2021 report follows a similar structure with the exception of Area 2 expanded from "Communications" to "Space, Missile and Communications Support". The eight areas are as follows:

(1) Airfields; (2) Missile, and Communications Support; (3) Ordnance Storage; (4) Bulk Fuel Storage; (5) Waterfront; (6) Training Areas; (7) Outdoor Recreation; and (8) Family Housing.

1. Airfields

(Figure D-1)

Airfields and helicopter landing areas are essential to support aviation training and assigned/transient aircraft for the Army, Navy, Marines, Air Force and Coast Guard in Hawai'i.

O'ahu

On O'ahu, the airfields at Dillingham, Wheeler and Kāne'ohe and the helicopter landing areas at Bellows and the Kahuku Training Area will be retained for military use. Barbers Point was turned over to the State of Hawai'i in 1999. Dillingham Airfield is a general aviation airport operated by the Hawai'i Department of Transportation under a 5-year lease from the US Army and currently in re-negotiation. The state leases 272 acres of the 650 acre Dillingham Military Reservation and operates the single 5,000-foot runway primarily for commercial glider and sky diving operations. A series of aviation mishaps threatened the civilian functional use to be terminated effective June 2021. Ultimately, future civilian use is to be determined by ongoing negotiations between the Army and the State.

Dillingham Airfield is a joint-use airfield with the Army and Marines having first priority for air-land operations and helicopter night-vision training. Although pre-decisional, it is likely to be re-designated as well as Civil Air Patrol. This is the only 9000 ft. runway for DOD on O'ahu. Assessment is required for future tactical landing zone use.

Wheeler Army Airfield (WAAF) is the home base for helicopters of the Army's 25th ID and Hawai'i Army National Guard.

The runway at Hickam Field was transferred to the State of Hawai'i in September 2000. Hickam Field no longer has a runway, only taxiways and parking aprons.

The Honolulu International Airport airfield supports civilian, Hawai'i Air National Guard (HIANG), and Department of Defense (DoD) aircraft, with DoD use comprising less than 10% of all air operations at this airfield.



NAS Barbers Point was officially closed in 1999 and the airfield is now operated by the State of Hawai'i under the name Kalaeloa Airport (John Rodgers Field). JRF provides a launch site for US Coast Guard Search and Rescue operations, a training base for general aviation, an emergency response platform, alternate landing site for airlines and the military, and extension of the capacity of Honolulu International Airport. Military aircraft occasionally use this airfield for aviation training. With the closure of NAS Barbers Point, COMPATRECONFORPAC relocated its Maritime Patrol and Reconnaissance operations to MCBH Kāne'ohe Bay until May of 2017. Since then, P3 Orion squadrons have shifted Home Ports to NAS Whidbey Island, WA and transitioned to the P8 Poseidon. Commander Patrol Reconnaissance Force Pacific Naval Support Detachment (COMPATRECONFORPAC NSD) operates a Home Land Defense Detachment consisting of P8 Poseidon Aircraft from MCBH.

MCBH Kāne'ohe Bay supports Marine Corps Helicopters, Navy Patrol and Reconnaissance fixed-wing aircraft, Navy Executive Transport Detachment (C-40 Aircraft supporting COMPACFLT travel) and Navy Helicopters based in Hawai'i. Several transient Marine, Navy and Air Force squadrons participate in exercises at MCBH each year.

Kaua'i

The airfield at PMRF on Kaua'i will be retained to support fixed and rotary wing aircraft for base and range operations as a training facility used by multiple military services. The PMRF mission has expanded in recent years from primarily a ship weapons training/testing "blue water" range, to include research, development, and testing for other DoD/Federal agency defense systems employing missiles/satellites.

At PMRF, a .25 acre portion of an aircraft safety zone extends off-installation onto vacant State land zoned for agricultural use. Noise contours extend off-installation mostly over beach and ocean areas with portions of the 65-70 DBL noise contour extending over land, across a parcel owned by the State and zoned as agricultural. Existing easements and leases over State of Hawai'i land (expires 2029) provides the Navy with needed land use controls that restricts future land use to agricultural uses, which is deemed generally compatible.

Hawai'i Island

The Bradshaw Army Airfield at the Pōhakuloa Training Area (PTA) on the Island of Hawai'i will be retained to support maneuver training. PTA is one of the largest training areas under DoD control in the Pacific, capable of handling live-fire, coordinated combined air/ground exercises with large infantry units (battalion level). Military airspace needs to be re-configured on the Big Island around the impact area at PTA. Additionally coordination is required among USINDOPACOM, USARPAC, FAA, Pacific Missile Range Facility and MARFORPAC to meet the NAVFAC P-80 Basic Facilities Requirements (BFR).

An Assault Air Strip (dirt runway) on PTA is needed to fulfill the mission for joint –multinational training that will support fixed wing crafts up to C-17s. BAAF currently is aligned with the PTA cantonment and violates safety operations. The cantonment lies within Accident Potential Zone (APZ) 1 and approximately 50 feet above the flight/departure slope. All take-offs and

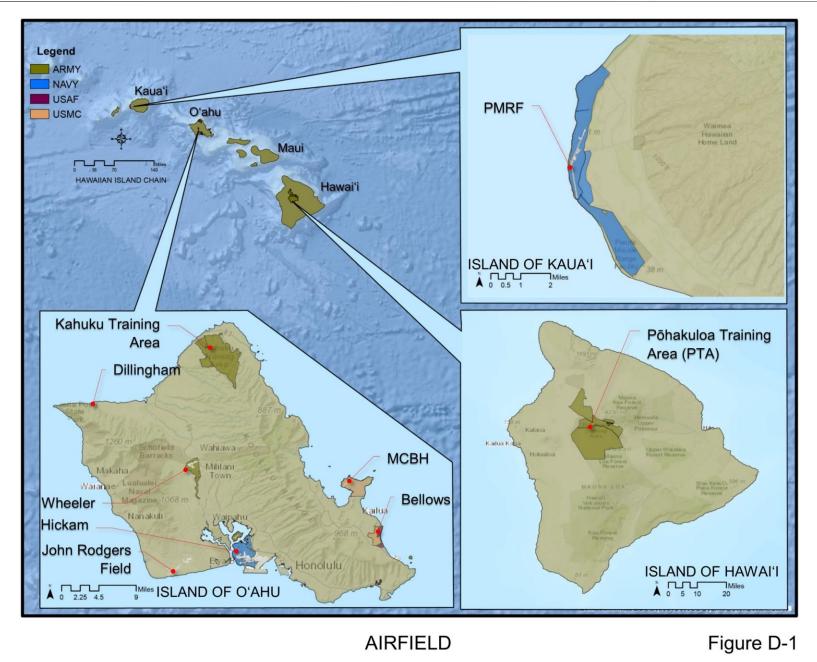


landings are restricted to and from the western end of the runway. Additionally, at that altitude the runway is not long enough to safely support fully loaded C—17 and C-130s. Lengthening the runway can only be achieved to the west. This will still violate the conflict with the cantonment to the east end and exacerbates the problem by intruding over a public highway to the west.

Conclusion

In summary, Hawai'i-based military airfields need to be retained and several modifications need to be done to meet DoD requirements for assigned units and transient aircraft.







2. <u>Missile and Communications Support</u>

Missile

(Figure D-2)

The Fiscal Year (FY) 2017 National Defense Authorization Act directed the Missile Defense Agency (MDA) to develop a plan to procure a discrimination radar, or equivalent sensor, for a location that will improve homeland missile defense for the defense of Hawai'i; that system is Homeland Defense Radar – Hawai'i (HDR-H).

The current ground-based interceptors (GBIs) in Alaska and California provide the capability necessary to defend the US homeland, including Hawai'i, against current threats. The HDR-H optimizes missile tracking and discrimination capability in the Pacific and increases the ability of the ground-based interceptors to defend Hawai'i. The HDR-H will provide enhanced sensor and discrimination coverage for the defense of Hawai'i from emerging threats.

HDR-H will provide persistent long-range midcourse discrimination, precision tracking and hit assessment to support the 2023 Homeland Defense Capability against long-range missile threats in the Pacific theater. The radar is a single-face, Solid State, Phased Array, S-Band Radar.

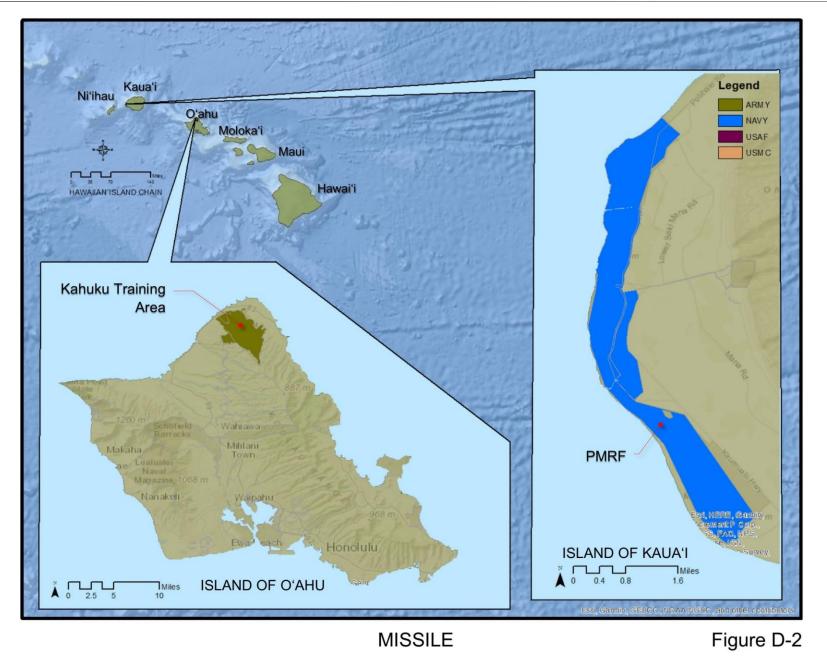
The FY 2021 NDAA includes a requirement for MDA to continue HDR-H radar development and siting efforts.

Therefore, the MDA is engaged in Advanced Planning studies and preparing an Environmental Impact Statement (EIS) for the siting and development of the HDR-H, should the Department of Defense and Congress authorize and fund the development.

Development of alternative sites for the radar began with the identification of 46 Department of Defense sites on O'ahu and Kaua'i for consideration. Sites were either eliminated from further consideration or carried forward for further analysis based on exclusionary and evaluative criteria. Of the alternative sites considered, two host installation sites are being carried forward for analysis- one on O'ahu (Kahuku Training Area Site 1) and one on Kaua'i (Pacific Missile Range Facility Site 4).

The alternatives under consideration in the EIS are now KTA 1, PMRF Site 4 and a No Action Alternative.







Communications

(Figure D-3)

Hawai'i provides strategic communications capabilities, including command & control and intelligence & surveillance, as well as research, weather, and general communications.

As with the 1995 HMLUMP, the focus of this review is on High Frequency (HF) systems because they typically require large amounts of land for antennas and operational requirements in the form of electromagnetic interference (EMI) and electromagnetic radiation (EMR) compatibility zones. Although satellite-based systems are emerging as an important, and sometimes primary, form of communications, the DoD relies on redundancy to ensure continued operational capabilities. The combination of satellite, microwave, and the present land-based systems is required to provide that redundancy, in the foreseeable future.

The westerly portion of JBPHH Lualualei Annex supports the NCTAMS PAC Radio Transmitter Facility (RTF) that provides critical Command, Control, Communications, Computers, Combat Systems, Intelligence, Surveillance, and Reconnaissance (C5ISR) mission support for NCTAMS PAC and the USCG. The RTF is the companion signal sending function of NCTAMS PAC located at the Wahiawā Annex. The Navy has recently purchased a 236-acre restrictive use easement on land just outside of Lualualei Annex through the Encroachment Partnering program and continues to look for future opportunities utilizing OSD Readiness and Environmental Protection Integration (REPI) Program funding. These restrictive use easements are critical for

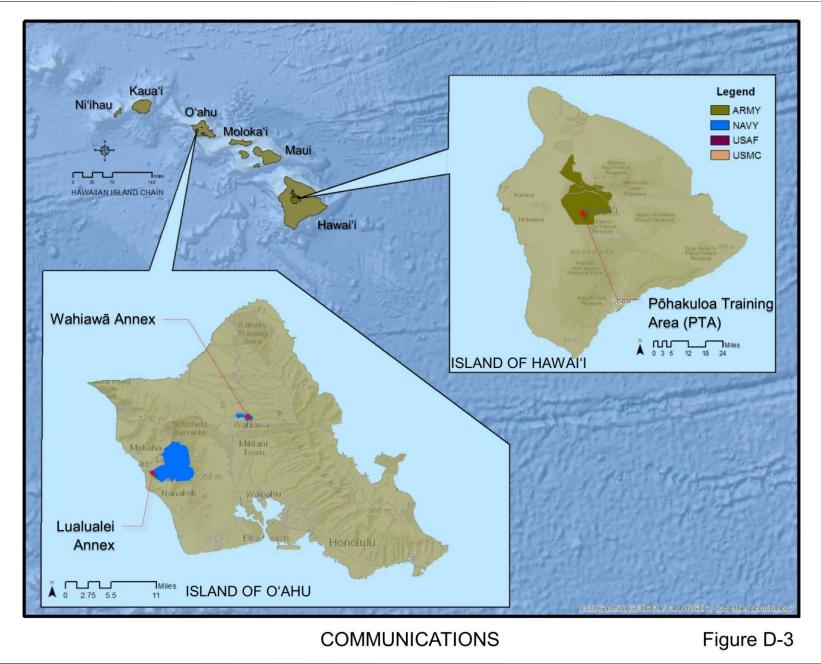
maintaining and expanding setbacks for sensitive communications missions.

At the JBPHH Wahiawā Annex, NCTAMS PAC operates and maintains a number of high frequency antennas, satellites, and other support facilities and equipment providing C5ISR communications services to fleet units, shore activities, and joint forces by supporting electromagnetic dissemination, transmission, or reception of voice, data, video, and integrated telecommunications. DISA facilities provide Enhanced Mobile Satellite Services (EMSS) and other software application to various DOD users. USCG has receivers on the annex property that provides communication station support for ships in the Pacific. The Navy recently purchased 1,934 acres of restrictive use easements on land outside of the Wahiawa Annex through the Encroachment Partnering program and continues to look for future opportunities, utilizing OSD REPI Program funding. These restrictive use easements are critical for maintaining and expanding setbacks for sensitive communications missions.

MCBH no longer, has or uses HF as a primary means of communication. In 1999 all Military Affiliate Radio System (MARS) equipment was removed. Most communications use a combination of satellite, microwave, and land-based systems.

To support the INDOPACOM PMTEC initiative, the Army requires a communication infrastructure to support 10 gigabyte transfer rate at PTA. At the 10 gigabyte rate, the Army could adequately support the needed Live, Virtual, Constructive – Integrated Architecture (LVCT-IA) capability for PMTEC described in the Training functional area.







(Figure D-4)

Hawai'i provides DoD strategic ordnance storage capability to support training, readiness, and contingency requirements in the Pacific. Other Pacific strategic ordnance storage locations are Guam, Okinawa, Japan, Korea, and Alaska.

The strategic ordnance storage mission requires waterfront berth facilities capable of handling up to 3.25 million pounds of net explosive weight (NEW) of Class 1, Division 1, ordnance and the capacity to store 34,000 short tons of ordnance (which is equivalent to over one-half million square feet of magazine floor space).

For the Army, storage of ammunition in Guam and Okinawa is stored on "Other than Army" (OTA) Installations (USAF/USN), and the Army's capacity is limited. Because of the Army's large need is unmet in Hawai'i, the Joint use of OTA facilities is an example of using existing capacity in a Joint environment to the fullest capacity.

West Loch Annex is the preferred location on O'ahu to store ordnance due to the proximity to the West Loch Annex ammunition wharves, significantly reducing ordnance transport along public roadways to store and retrieve munitions from Lualualei Annex. Therefore, every effort is made to maximize capacity within the West Loch Annex. The Navy has begun the construction of 24 modernized magazines and the Army is planning to construct 35 modernized magazines, all of which located within the existing ESQD arc for the West Loch Annex ammunition wharves established in the 1930's.

Oʻahu

Navy Munitions Command East Asia Division, Detachment Pearl Harbor (NMC EAD DET PH) receives stores, maintains, and issues ammunition and explosive ordnance and weapons for the Navy, Air Force, and Army at JBPHH West Loch and Lualualei Annexes.

The wharves at the West Loch Annex have ordnance-handling capacity that meets requirements, except for the lack of sufficient water depth to accommodate larger ordnance transport ships and crane loading restrictions on ordnance wharves W1, 2 and 3. Virtually all DoD ordnance enters/leaves Hawai'i via the West Loch wharves.

When complete, the capacity at West Loch Annex meets the Army's critical requirements associated with the Army's Defender Pacific series of exercises, force structure changes, and Homeland Defense requirements.

The Navy currently has five MILCON projects to address its shortage of magazine storage at West Loch Annex. The completion of those MILCONs will provide a total of 24 Box D magazines. Additionally, in order to provide all 24 magazines, a new fence-line, bypass road, patrol road and entry control point are required to secure the explosive arc perimeter. Although, this program will address current deficiencies, new emerging requirements will likely require additional magazines.



The Army is planning construction of eight Modular Storage Magazines (MSN) and 27 Type D magazines over nine phases at West Loch Annex. The completion of the Army MILCON would allow Army to completely move out from their locations at Lualualei Annex. However, Army is relying on the completion of the Navy's new fenceline and Entry Control Point (ECP) in order to be able to use their new magazines. Upon completion of the Army program (or as phases are completed), the facilities will be turned over to the Navy and maintenance and other logistics will be worked through separate agreements.

Currently, Lualualei Annex still houses magazines for both NMC EAD DET PH and the Army and completion of the MILCONs discussed above will reduce some of the requirements. However, depending on the timing of the projects and new requirements, those magazines may continue to be in use.

LLL is the Army's Main Storage Area (Wholesale level) with the Wheeler facility and PTA facilities as tactical/retail level facilities. LLL is the Army's primary facility for ammunition quick fly-away/RRF packages required by HQDA/JCS for installations designated as a Mobilization Force Generation Installation (MFGI). Hawai'i is also considered a vital first island chain logistics location for the Pacific.

LLL is also the "backdoor" to Schofield Barracks sharing the property line at the Wai'anae ridgeline. They provide a security buffer for both. The State of Hawai'i has an agreement in place that identifies Kolekole Road, the road connecting LLL and Schofield Barracks, as an Emergency Disaster exit for Wai'anae/west coast residents. Farrington Highway is the only road into and out of west coast O'ahu.

Kolekole Road's (KKR) integrity has been compromised due to a landslide with a temporary fix. Farrington Highway is the only major road to accommodate heavy traffic, e.g., ammunition, into and out of LLL. This may be a single point of failure to mission.

LLL ammunition stockpiles are in direct support of multiple operational plans. The Army by agreement with the Navy occupies 110 magazines at LLL, storing 8000+ STONs of Combat Load, operational stocks, and up to 2 years-worth of training ammunition. By 2021, all Navy munitions storage structures will be certified under new criteria causing severe capability impacts for the storage of high explosive munitions at LLL. Subsequently, the USN moved most of its ordnance storage operations to West Loch (WL) with new construction with new construction planned at West Loch to meet current ordnance storage requirements for Navy, Air Force and Marine Corps. Subsequently, because of the excessive environmental remediation, repair to standard, and maintenance required to continue operations at LLL, USARPAC directed the Army to colocate Army operations to WL and plan/execute MILCON in conjunction with Navy construction to save costs and maximize efficiencies.

USAG-HI contracted Parsons Study in Oct 2018 validated 35 magazines (27 Box D/8 MSMs). The Parson's study utilized the original analysis with updated data, and determined initially that 27 storage magazines were needed, but increased the quantity to



35 total; adding 8 larger magazines to accommodate large missile and rocket items (i.e. THAAD, Patriot, MLRS, ATACMs) with special handling (i.e. cannot stack more than one high) to meet theater requirements west of the international date line and for Homeland Defense. These new magazines are sufficient to store emerging weapon platforms (M-SHORAD, HIMARS, JSW) which include Stinger missiles, Navy Joint Strike Missile, and CD-ATACMS and Unitary MLRS.

Wheeler Army ASP (WASP). There are no plans to expand the operation at WASP due to Explosive Quantity Distance requirements for explosive safety. There is concern with encroachment however that as other construction projects are planned and executed; such projects may impact operations at WASP significantly. The Army now requires all new construction to be at 110% of IHBD with regards to explosive safety. Subsequently, other than WASP operations, there is no Army surveillance, or issue/return capability at LLL. Additionally, in line with this, the 402nd is instituting changes that LLL will transition to a wholesale (ASA) type role with WASP being the retail/operational end.

The Ammunition Supply Point at Marine Corps Base Hawai'i provides strategic Class V(A) and (W) ordnance to support training, readiness and contingency requirements. Although III MEF Forces Hawai'i and COMPATRECONFORPAC are the primary customers, explosive storage support is also provided to transient units, government agencies, and allied armed forces as well.

Hawai'i Island

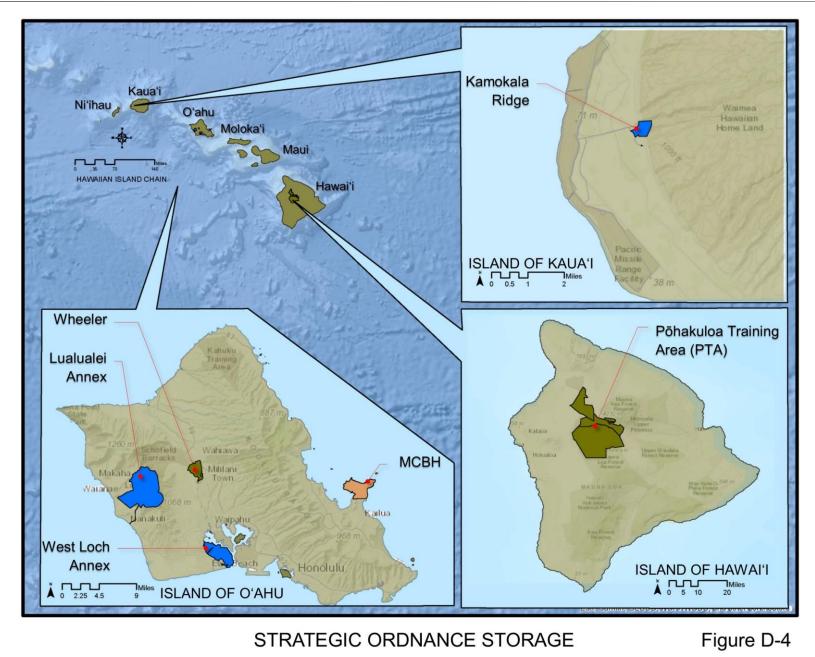
Pōhakuloa Training Area. In 2017, Army analysis identified a requirement for 6 more magazines at PTA to supplement the current magazines to accommodate increased training by active Army, and National Guard units, and to support increased joint OPTEMPO training. The construction project planning encountered a delay in 2018 when Army Regulation changes only allow new construction on Army owned, not leased lands. The USMC continues to joint plan with USAG-HI for an additional 6 magazines to support USMC training at PTA when regulatory requirements are met. Also, in 2018, DDESB approved temporary use of MILVANS for storage in limited capacity at PTA.

Kawaihae Harbor, HI, is required for DOD training/operations with PTA. This is the only harbor allowed to ship ammunitions to/from the Island of Hawai'i.

Kaua'i

PMRF provides munitions storage at Kamokala Ridge. The property contains two tunnel bunkers set into the ridge and aboveground magazines to provide secure ordnance storage with effective flexibility to separate incompatible explosives. 88.8-acre site is State of Hawai'i property secured by a lease that is set to expire in August 2029, unless successfully renewed by the Navy.







4. Bulk Fuel Storage

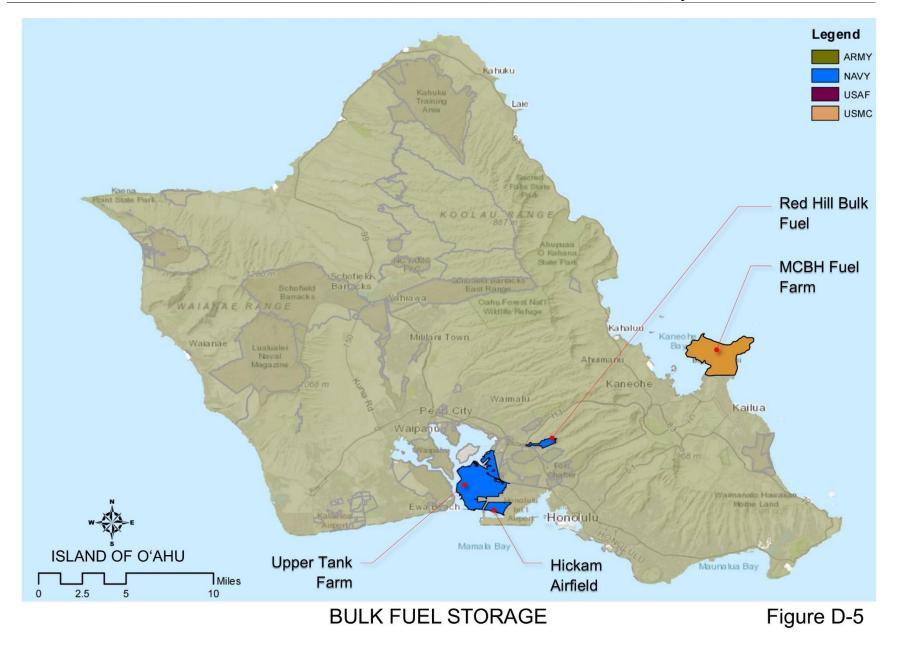
(Figure D-5)

Hawai'i provides strategic DoD bulk fuel storage for aircraft, ground vehicles, ships, and submarines in the Pacific.

The existing strategic bulk-fuel storage capacity in Hawai'i is provided via assets at Hickam Field, Red Hill, and Upper Tank Farm (Pearl Harbor).

Red Hill Bulk Fuel facility consists of 20 fuel tanks, each with the capacity of 12.5 million gallons for a total gross capacity of 250 million gallons, supporting DoD daily and strategic requirements, though normally only 14 to 15 tanks are filled at anyone one time. The tanks that are off-line are going through a deliberate maintenance program for upgrades and ensuring tank integrity. Since 2015, \$218M has been invested into infrastructure and maintenance programs with another \$470M programmed from FY21 to FY25. Long term, the Red Hill fuel tanks will be upgraded with secondary containment or relocated by 2045.

The Red Hill Bulk Fuel facility supplies fuel to aircraft and ships. Also, in the case of a natural disaster or terrorist attack, fuel can be supplied to Hawaiian Electric Company, Port of Honolulu, and the Daniel K. Inouye International Airport. The Red Hill Bulk Fuel facility is strategic in design with the ability to supply fuel to all key locations on O'ahu without electricity due to its gravity fed pipe line, it is a hardened facility from enemy physical or cyber-attacks, and also can be fully operated on-site or from a remote location. MCBH Fuel farm is a sub-element of Pearl Harbor's and stores 2.5 million gallons of the appropriate fuels. Aircraft fueling is provided via refueling "hotpits" located at MCBH Kāne'ohe Bay airfield and a fleet of refueling tanker trucks.





5. Waterfront

(Figure D-6)

Hawai'i provides waterfront access/facilities to support strategic DoD waterborne logistics, assigned and visiting ships/submarines, and troop transport.

Military-controlled waterfront areas include: Pearl Harbor, a key homeport and logistics hub in the Pacific; MCBH Kāne'ohe Bay pier on O'ahu; and Kawaihae Harbor on the Island of Hawai'i.

State ports used by the military include: Honolulu Harbor on Oʻahu; Kaunakakai Harbor on Moloka'i; Kawaihae and Hilo harbors on Hawaiʻi, and Port Allen and Nāwiliwili Harbor on Kauaʻi.

Additionally, the Navy leases warehouse and pier space at Port Allen and uses Nāwiliwili Harbor as needed during severe weather events.

Existing assets generally meet requirements. There is no compelling need to establish military-controlled ports on Kaua'i and the Island of Hawai'i to support installations/operations on those islands. Military use of civilian ports/berths with the State's cooperation and permit, have been without problems in the past.

Because of the importance of State ports/berths to the overall support of military installations, long-term agreements should be obtained from the State to ensure continued access/use to support military operations at Kawaihae Harbor (to support training at PTA).

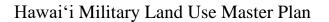
Oʻahu

JBPHH provides support for more than 70 shore commands, as well as berthing and maintenance services for surface ships and submarines homeported in Pearl Harbor and transient vessels. The Pearl Harbor Naval Shipyard (PHNSY) and Intermediate Maintenance Facility (IMF) provides a regional maintenance center and drydocks for ships and submarines. The only IMF for submarines in the Central Pacific is located at JBPHH, resulting in a large number of transient submarines. JBPHH waterfront infrastructure provides capability to support the Navy's current operations, but future operations require upgrades to sustain the Fleet's mission requirements and a high degree of readiness.

Support of waterfront operations consist of a variety of shore function tasks including maintaining piers, wharves, and small craft berthing; providing hotel services and waterfront security; managing harbor master operations, dredging, and magnetic silencing facilities. Other critical shore functions related to the waterfront operations include expeditionary activities (i.e. equipment laydown, cargo handling, boat storage, maintenance ships, and amphibious operations), intermediate/depot level maintenance (i.e. ship repair, maintenance and modifications, drydocks), ordnance and weapons operations, and warehousing.

Kaua'i

Port Allen is a commercial harbor managed by the State of





Hawai'i Department of Transportation (DoT), Harbors Division, and is the only deep-draft harbor in close proximity to PMRF Barking Sands. The Navy leases warehouse and pier space at Port Allen from the State of Hawai'i for waterfront operations and to berth military vessels. The Navy is in the process of extending the long-term lease agreement. Nāwiliwili Harbor is only utilized by PMRF boats as needed for safe harborage during severe weather events.

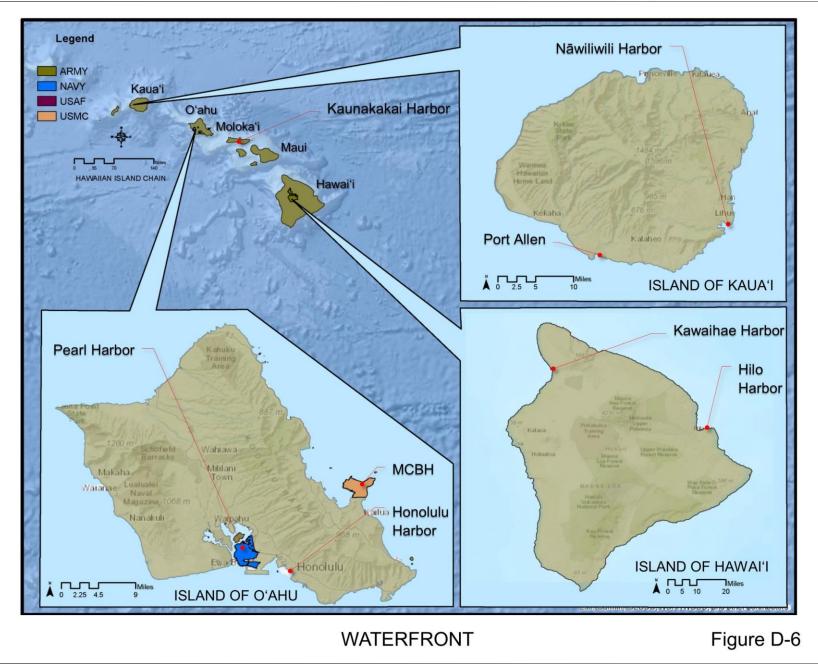
Hawai'i Island

The Army has a Logistics Support Vessel (LSV) unit at Pōhakuloa. The Navy recently obtained a long-term agreement with the State for use of Port Allen to support PMRF based in Hawai'i, primarily to support the US Army Hawai'i and III Marine Expeditionary Forces Hawai'i for training exercises at PTA. The Army's LSV's regularly use the MCBH pier to support both Marine and Army inter-island movement.

Conclusion

Current waterfront availability for the military is adequate; however, consideration needs to be given to wartime surge requirements for force flow volume through sea ports.







6. Training Areas

(Figure D-7, D-8)

The military requires training areas to develop war-fighting skills and techniques and to maintain a state of readiness to execute combat missions during an actual conflict. The availability of training lands in Hawai'i is essential to the DoD strategy of forward presence in the Pacific. The importance of training areas on US soil was underscored by the relatively quick loss of US bases and training areas in the Philippines in the early 1990's. Compounding the challenge, additional Army and Marine Corps units arriving in the next 10 years will increase the stress on the shortage of local training space.

In Hawai'i, training is the single largest DoD land requirement and the most important military activity. The Army's 25th ID and the Marine Air/Ground Task Force at Kāne'ohe are the major commands that require maneuver training in Hawai'i. Both commands have infantry, artillery, and helicopter units. Units up to battalion-size must obtain a minimum level of training proficiency near their home base. The DoD also accommodates the maneuver training area needs of the Hawai'i National Guard and Army Reserves.

The 1995 HMLUMP stated that the maneuver training requirement for assigned units was more than twice that provided by DoD-controlled and leased lands at that time. The overall requirements to assets comparison has not changed substantially since then. To compensate for the shortfall, the military used a variety of "work-arounds," such as using areas more often than desired/recommended, splitting

larger unit exercises into non-contiguous areas to fit available lands, concurrent training of smaller and larger units in an area suitable for a larger unit only, computer simulation virtual and constructive, interim use of private property and out-of-state training. Additional buffer lands, and air space considerations are required.

Pacific Multi-Domain Training and Experimentation Capability (PMTEC)

In FY22, USINDOPACOM will initiate the Pacific Multi-Domain Training and Experimentation Capability (PMTEC). This initiative networks the test and training ranges of California, Nevada, Alaska, Hawai'i, Kwajalein, and the Commonwealth of the Northern Mariana Islands (near future), and extends offers to Japan and Australia. This forms the largest coalition rage complex in the world with the most advanced capabilities for virtualization, simulation, virtual reality training, and operational rehearsal scenarios over long distances. PMTEC will evolve the current exercises into "OPERATIONS" specifically designed to enhance joint readiness, test emerging capabilities, and drive theaterappropriate requirements in a fully instrumented live-virtual training arena.

Key components to the viability of PMTEC are PTA and PMRF.

Pōhakuloa Training Area (PTA)

The Pōhakuloa Training Area (PTA) on the Island of Hawai'i is the largest and only DoD training area in Hawai'i that can



support battalion force-on-force exercises, combined infantry/artillery/air exercises, and live fire of all ground force weapons. The Army leases 23,971 acres in the center of the training area complex. The lease is due to expire in 2029. The loss of access to that portion of the PTA will have a devastating impact to collective training such as artillery live fire, live fire and maneuver, aerial delivered ordnance and combined arms. Marines must continue to have access to PTA to meet readiness requirements. PTA is a vital component of the PMTEC for Virtual, Live, and Constructive training.

O'ahu Training Areas

The Kahuku Training Area is another key land holding that supports infantry tactical maneuvers, and helicopter training exercises. Maneuver training areas on O'ahu are extremely congested. This is the largest maneuver area on O'ahu. It is encroached upon by wind farms, and the northern portion of the training area has been considered a potential site for the Missile Defense Agency's Homeland Defense Radar.

The Kawailoa Training Area provides for helicopter and tactical maneuvers in a tropical type environment. The current lease does not permit ground maneuver.

Dillingham Military Reservation provides for night vision goggle training, infantry maneuver consisting of field training for headquarters and service support units, fixed wing aviation and helicopter training exercises. Marine Aviation units use Dillingham airfield for night-vision confined area landings (CALS). Noise complaints are a frequent form of encroachment. Schofield Barracks provides for maneuver training and live-fire training, field training of up to company/troop/battery level training. This will include South Range as not only for training and facilities support but also to connect Schofield Barracks with Field Station Kunia (FSK)

As the anticipated shrinking of WASP occurs in concert with West Loch development, it will make available more useable lands to execute the Real Property Master Plan in support of the Combat Aviation Brigades complex. This will contribute to the domino effect of the realignment of the Schofield Barracks/Area North reconfiguration. This reconfiguration is intended to support more efficient use of lands in support of Mission operations but will also contribute positive impacts to the local community and the City and County of Honolulu.

East Range is suitable for training on selected infantry platoon and some constrained company missions.

Marine Corps Training Area – Bellows (MCTAB)

Air Force transferred 1,073 acres of land at the former Bellows AFS to the Marines for training purposes. This area, referred to as Marine Corps Training Area Bellows (MCTAB), offers a unique training area close to the Marine Corps garrison area at Kāne'ohe, with beach access and inland maneuver training areas for amphibious assault training/exercises. Bellows is absolutely essential for Marine Corps ground forces in Hawai'i. Due to its proximity to the surrounding community, potential encroachment is of concern. Noise complaints are common as well as



environmental restrictions (green sea turtle nesting on amphibious landing beaches).

In 2011 the Marine Corps acquired 25 acres from the Navy at Pu'uloa ('Ewa Beach) to add to the MCBH Pu'uloa Range Training Facility (RTF). Pu'uloa RTF provides live fire ranges for small arms marksmanship and sniper training, qualification, and requalification, and the billeting and community support facilities to sustain a company-sized unit for multi-day training courses and exercises.

Moloka'i

MCBH Moloka'i Training Support Facility (Marines) contains 12 acres of land adjacent to the Moloka'i Airport. The Marine Corps terminated a Department of Hawaiian Homelands (HHL) Moloka'i Training Areas (Marines) lease in 1996 (approx. 6,000 acres) and is assessing options to alleviate the current shortfall of maneuver space for Battalion-level training.

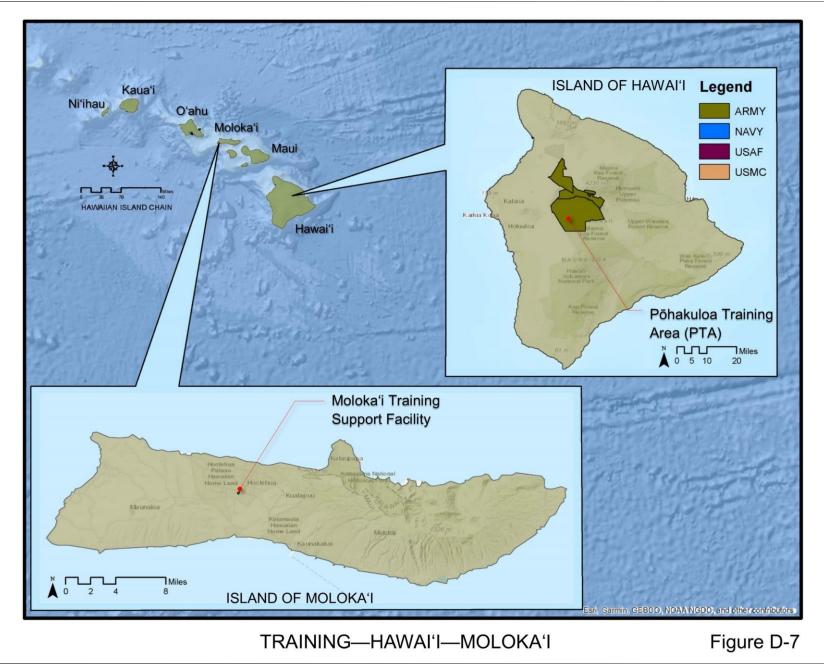
Kaua'i

The Pacific Missile Range Facility (PMRF) at Barking Sands on the island of Kaua'i is a multi-dimensional testing and training range that requires land assets as well as underwater test range area. Outlying areas at Mākaha Ridge and Kōke'e Park contain tracking, telemetry, recording and communication systems that are vital to range operations. These sites are located on State of Hawai'i land, covered by leases. The lease for use of Mākaha Ridge will expire in December 2030 and the Navy will work with the State to extend this agreement to meet the ongoing range requirements at PMRF. Additional outlying areas are on Ni[•]ihau Island, supporting PMRF training ranges. These Ni[•]ihau Island parcels are covered by two lease agreements with Ni[•]ihau Ranch with one lease expiring in October 2028 and the other recently extended to 2045. PMRF is a vital part of the PMTEC initiative.

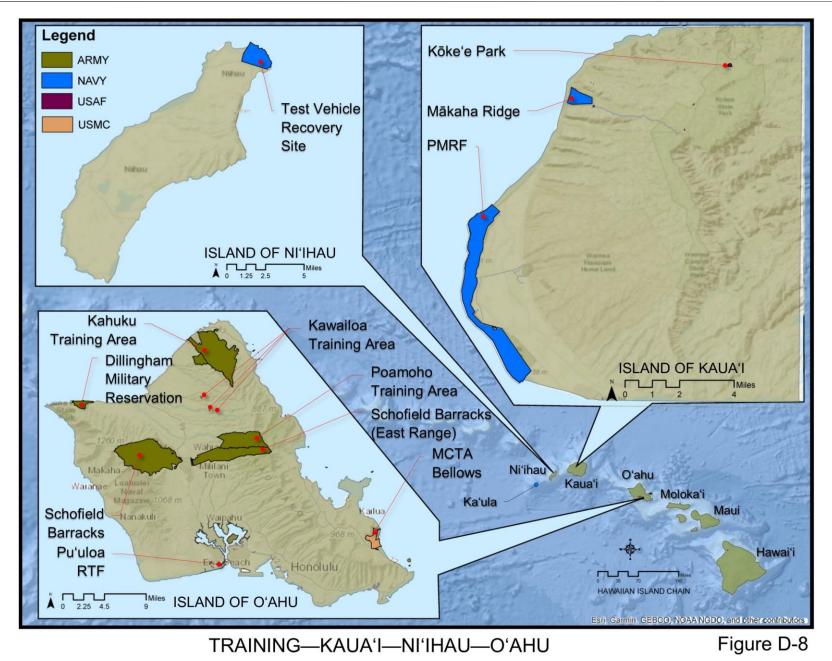
Conclusion

The significant shortfall in training lands in Hawai'i mandates that all training lands be retained, developed, and appropriately increased to meet the specific war-fighting needs of the tenant operational commands. Any loss of training lands will degrade military readiness, possibly resulting in the relocation of units to areas outside Hawai'i that have better access to training lands. Accordingly, new opportunities to increase training lands for joint military use (either via purchase or lease/permit) needs to be pursued.











7. <u>Outdoor Recreation</u>

(Figure D-9)

Outdoor recreation facilities provide quality of life for military personnel and their family members, and is one of the key factors in attracting, and more importantly, retaining personnel in the military.

Affordable facilities are a key consideration for military personnel who are typically paid less than their civilian counterparts. For junior enlisted personnel especially, the military recreation facilities represent an affordable resource to help deal with issues that arise due to frequent moves and deployments away from home and family members for extended periods. These offsetting benefits are especially important in an area such as Hawai'i where housing, food, and transportation costs are higher than the national average. Availability of military recreation facilities also lessens the already heavy civilian demand on similar civilian facilities.

In Hawai'i, each service operates facilities such as; ball fields, equestrian stables, marinas, picnic pavilions, general park settings, beaches/cabins and golf courses. These facilities are open to all service members, usually with first preference to members of the host installation, and civilians with military sponsor.

O'ahu

The Navy operates three golf courses on JBPHH; Navy Marine Golf Course (18 holes), Māmala Bay Golf Course [Hickam Field] (18 holes), and Kealoha Par 3 Golf Course [Hickam Field] (nine holes), as well as the Barbers Point Golf Course (18 holes) in Kalaeloa.

The Fort DeRussy Armed Forces Recreation Center (Hale Koa) and the Pililā'au Army Recreation Center are joint service facilities attracting many service members from outside the State of Hawai'i, positively contributing to the State's economy. The beach at Fort DeRussy, portions of White Plains and Nimitz beaches at the former NAS Barbers Point, and a portion of the beaches at MCTAB adjacent to Bellows are joint public use.

In Kalaeloa, there is a variety of outdoor recreational activities. The Barbers Point Riding Club is a non-federal entity operated riding stable. The riding club utilizes the historic WWII Revetments to house horse paddocks, which have been utilized by the stable for over 50 years. The license is in consideration for renewal. The Navy Getaways Barbers Point Beach Cottages include 24 cottages managed by MWR who also operates a beach equipment rental at White Plains. The Navy no longer maintains any additional outdoor recreation activities at Barbers Point.

Marine Corps Base Hawai'i at Kāne'ohe Bay has rental cabins, marina facilities for recreational use, and operates an 18-hole golf course.

Hawai'i Island

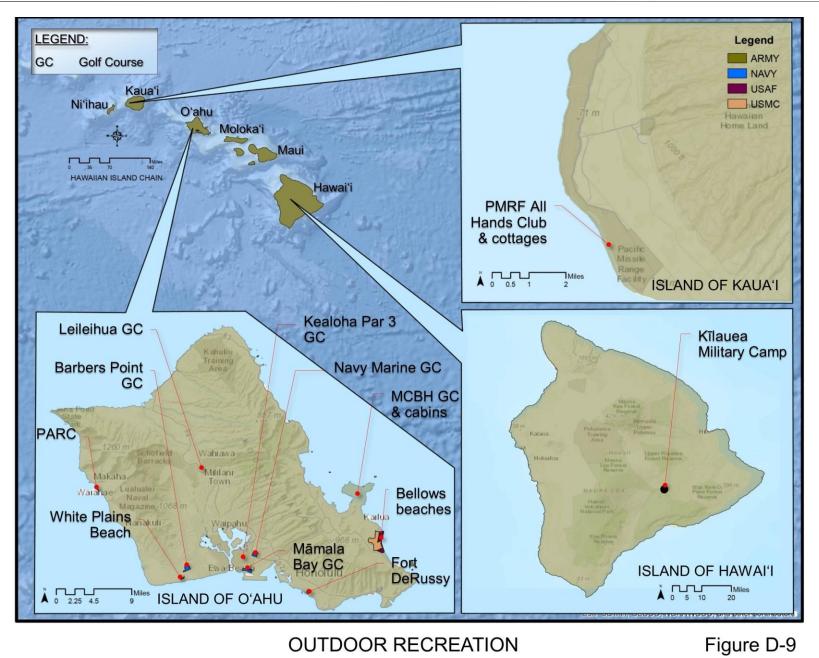
Kīlauea Military Camp on the Island of Hawai'i is a joint service facilities on Park Service land.



Kaua'i

Prior to September 11, 2001, the beaches at PMRF were open to the public for fishing or surfing. Beach access by the public is restricted to Kaua'i residents that have passed a limited background check and obtained a valid identification card. Access is also allowed for recreational cardholders to patronize the All Hands Club at PMRF. Additionally, PMRF offers 24 recreational beach cottages for use by all military personnel and their families.







8. Family Housing

(Figure D-10)

Adequate family housing is a basic need of military members and their family members. DoD policy is to rely on the private sector as the source of housing for military members and their families. While funding for revitalization and redevelopment of on-base housing is a DoD priority, there are no plans for 100% on-base housing, and there will continue to be reliance on private rentals.

- Housing on DoD-controlled lands results in benefits to both the military and civilian sectors.
- Reduces the total demand on the already tight civilian housing market and provides construction dollars to the City/State economy.
- Study ways to densify housing into mid-rise opportunities to gain more land coverage efficiency per acre.
- Optimizes military access to installation community support facilities (exchange, commissary, and recreation activities), and creates a sense of military community.
- Key DoD-owned family housing divestiture initiatives include:

The Navy privatized 4,529 government-housing units in two phases under the Military Housing Privatization Initiative. The first phase was conveyed in 2004 and the second phase in 2006. The privatization includes plans at an undetermined date to divest approximately 200 homes located at Camp Stover and 97 units located in Hālawa Heights during the 50-year lease agreement. There are 34 years remaining on the agreement between the Navy and the private partner. The Marine Corps objective of the family housing program is to ensure service members with accompanying family are afforded access to safe and adequate housing.

Family housing will be programmed for construction to meet requirements validated in current Housing Requirements Market Analysis (HRMA), when little or no community housing is available, or when community housing is available, but location, quality, or cost create a distinct hardship for military families. All reasonable precautions will be taken to preclude overbuilding and to avoid harmful economic impact on local housing markets.

With the DRPI bringing planned totals of 2,700 Marines and 1,900 Family members to O'ahu; look at close in housing opportunities such as the Navy owned Mānana Housing parcel and Pearl City Peninsula to create new integrated communities into the overall neighborhoods of southern O'ahu. The peninsula communities are the first choice with possibilities of creating residential neighborhoods; and LLL second, as sites are vacated. All new housing areas should use best community planning practices to integrate commercial, retail, community services, schools and work into the development.

The Army has privatized all of its Army Family Housing. This includes housing at Ft Shafter, Tripler Army Medical Center, Āliamanu Military Reservation (including housing that supports Navy and Marine Corps personnel), Schofield Barracks, Wheeler Army Airfield, and Helemano Military reservation.



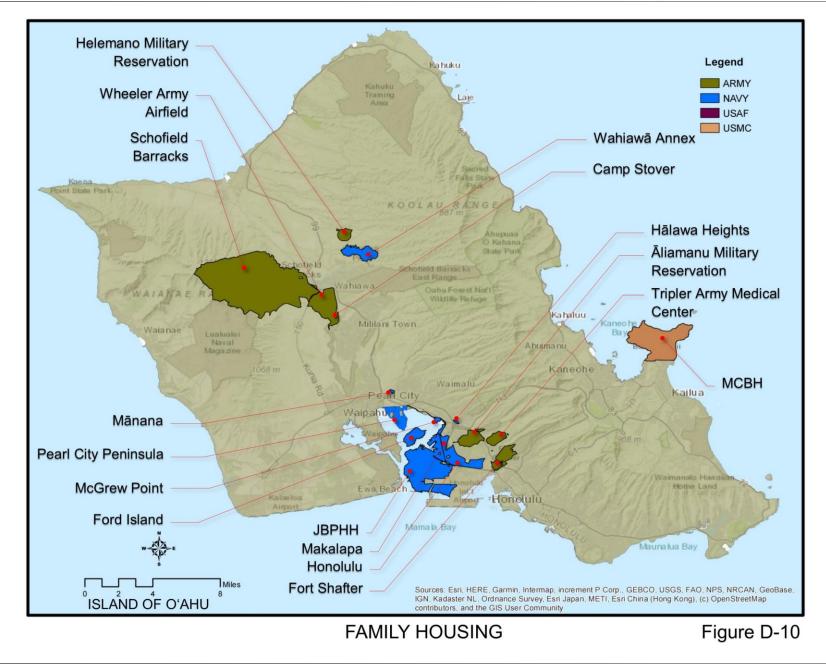
The gifting of parcels 7 & 9 is very important to develop a planned community for the Army's Soldiers and their families. This will allow the continued adjustment of the Area North that will allow better use of lands in support of Training Mission as it was intended, but also to provide the increased quality of life the soldiers need for their families. By doing so, this will also greatly help and adapt better with the local community by reducing traffic and strategically locating important infrastructure and facilities that will have a lasting positive impact to O'ahu. By reorganizing the Schofield Area with FSK, it will provide the additional security FSK needs.

The planned community will accommodate Regional Commissary, Regional Exchange, Schools, recreation support, churches, shopping/retail areas, great roads and parks with proper landscapes, education centers and possibly a Tripler Army Medical Center/Veterans Administration "Forward" to support the central, north, east and west portions of O'ahu including retirees.

The Army will be able to relocate a significant amount of housing out of Schofield Barracks to reset for a better Mission/Training "Campus". This will also allow relocating Helemano Housing to allow Training to use more or possibly all of the lands there that is also the gateway to Kahuku Training areas and possibly south to East Range.

Housing requirements and the actual number of units planned for divestiture/acquisition will be determined pending a triservice Housing Market Analysis. In summary, the net land "footprint" of family housing areas will be reducing in the foreseeable future; however, substantial areas of DoD-controlled land will still be retained to support on-base family housing needs.







Appendix A - Military Land Holdings Data



ISLAND	SERVICE	FEE	CEDED	LEASED	OTHERS*	TOTAL		
Oʻahu	Army	11,742	18,130	6,378	4,300	40,550		
	Navy	16,785	5,413	2	305	22,505		
	Air Force	409	0	91	204	704		
	Marine Corps	2,968	1,715	0	9	4,692		
	Oʻahu Total	31,904	25,258	6,471	4,818	68,451		
Hawaiʻi	Army	24,996	84,839	22,971	1,095	133,901		
nawan	Hawaiʻi Total	24,996	84,839	22,971	1,095	133,901		
	Army	0	0	0	72	72		
Kaua'i	Navy	8	1,925	8,369	7,525	17,827		
No da T	Air Force	0	0	8	12	20		
	Kauaʻi Total	8	1,925	8,377	7,609	17,919		
		r – – – – – – – – – – – – – – – – – – –						
	Army	6	0	0	5	11		
Maui	Air Force	0	0	11	19	30		
	Maui Total	6	0	11	24	41		
	Army	0	0	0	10	10		
Moloka'i	Air Force	0	0	364	0	364		
	Marine Corps	0	12	0	0	12		
	Moloka'i Total	0	12	364	10	386		
Ni'ihau	Navy	0	0	1,175	0	1,175		
	Ni'ihau Total	0	0	1,175	0	1,175		
Kaʻula	Navy	0	108	0	0	108		
	Kaʻula Total	0	108	0	0	108		
	-							
State of Hawaiʻi	Army	36,744	102,969	29,349	5,482	174,544		
	Navy	16,793	7,446	9,546	7,830	41,615		
	Air Force	409	0	474	235	1,118		
	Marine Corps	2,968	1,727	0	9	4,704		
	STATE TOTAL	56,914	112,142	39,369	13,556	221,981		

*OTHERS includes easements, government/private agreements, and other interests in real property Source: Service Components updates in Mar 2021





Island	Installation /Locations	FEE	CEDED	LEASED	OTHERS*	TOTAL
Oʻahu						
	Āliamanu Military Reservation	520	0	0	16	536
	Dillingham Military Reservation	550	78	0	43	671
	Field Station Kunia	0	34	0	89	123
	Fort DeRussy	70	1	0	2	73
	Fort Shafter	52	533	0	7	592
	Hale'iwa Small Boat Harbor	0	0	0	1	1
	Helemano Military Reservation	284	0	0	8	292
	Joint Trunking Cable System	1	0	0	201	202
	Kahuku Training Area	8,309	0	1,150	7	9,466
	Kahuku Basilan Drop Zone	0	0	0	584	584
	Kawailoa Training Area	0	0	56	6	62
	Kīpapa Ammo Storage Site	370	0	0	31	401
	Mokulē'ia Army Beach (Dillingham)	0	14	0	3	17
	Mākua Valley Military Reserve	170	3,236	782	2	4,190
	Mauna Kapu Communication Site	0	0	0	16	16
	Mount Kā'ala Air Force Station	0	5	0	2	7
	O'ahu Roads & Rails System (Ft Shafter)	0	0	0	160	160
	Pililā'au Army Rec Center (Wai'anae)	0	12	0	1	13
	Poamoho Training Area	0	0	4,390	0	4,390
	Pūpūkea & Pa'ala'a Uka Military Road	0	0	0	109	109
	(Drum Road)					
	Schofield Barracks Main Base	882	12,711	0	3,001	16,594
	Schofield Barracks East Range	0	0	0	0	0
	Tripler Army Medical Center	358	0	0	9	367
	Waikakalaua Ammo Storage Tunnels	176	137	0	1	314
	Wheeler Army Airfield	0	1,369	0	1	1,370
	Subtotal - Island of Oʻahu	11,742	18,130	6,378	4,300	40,550



Island	Installation /Locations	FEE	CEDED	LEASED	OTHERS*	TOTAL
Hawaiʻi						
	Pōhakuloa Training Area	24,988	84,815	22,971	1,007	133,781
	Kawaihae Military Reservation	3	24	0	8	35
	Kīlauea Military Reservation	1	0	0	71	72
	Army Reserve Center - Hilo	4	0	0	0	4
	Hilo Harbor Breakwater	0	0	0	8	8
	Honokāhau Harbor	0	0	0	1	1
	Subtotal - Island of Hawai'i	24,996	84,839	22,971	1,095	133,901
Kaua'i						
	Mā'ele Harbor Breakwater	0	0	0	1	1
	Port Allen Storage Breakwater	0	0	0	3	3
	Ts Kekaha Wets LTA (PMRF)	0	0	0	68	68
	Subtotal - Island of Kaua'i	0	0	0	72	72
Maui						
	Army Reserve Center - Wailuku	5	0	0	0	5
	Kahului Harbor Breakwater	1	0	0	5	6
	Subtotal - Island of Maui	6	0	0	5	11
Moloka'i						
	Kalaupapa Harbor Breakwater	0	0	0	10	10
	Subtotal - Island of Moloka'i	0	0	0	10	10
ARMY TOTAL		36,744	102,969	29,349	5,482	174,544

Army Land Holdings in the State of Hawai'i (acres) - continued

*OTHERS includes easements, government/private agreements, and other interests in real property Source: Service Components updates in Mar 2021





Island	Installation / Location	FEE	CEDED	LEASED	OTHERS*	TOTAL
Oʻahu						
	JBHH Main Base	2,985	149	0	5	3,139
	'Aiea	99	31	0	1	131
	'Aiea Laundry Site	3	0	0	0	3
	Bougainville Road Easement	1	0	0	1	2
	Kalaeloa BRAC (Pending)	613	0	0	1	614
	Camp Stover (HSG) - Wheeler AAF	0	35	0	0	35
	'Ewa	3,074	24	0	11	3,109
	'Ewa Drum Fill & Storage Site	24	0	0	0	24
	Ford Island	342	103	0	0	445
	Hālawa Housing Area	21	0	0	4	25
	Hālawa Water Storage Tanks	8	0	0	6	14
	Hale Keiki (School) [Salt Lake Area]	11	0	0	2	13
	Hickam Field	399	0	0	12	411
	Hickam Petrol Storage Annex	2	34	1	60	97
	Honolulu	971	0	0	4	975
	Kaimakani Street	0	1	0	7	8
	Kalaeloa (Former Barbers Point)	79	0	0	11	90
	Laulaunui Island (in West Loch)	6	0	0	0	6
	NAVMAG PH - Lualualei Annex	4,310	4,893	0	0	9,203
	Lot 13049 (Kalaeloa)	0	0	0	3	3
	Lot 13051-C (Kalaeloa)	0	0	0	50	50
	Lot 13052 (Kalaeloa)	49	0	0	0	49
	Lot 13053 (Kalaeloa)	34	0	0	0	34
	Lot 13056 (Kalaeloa)	70	0	0	0	70
	Lot 13058-A (Kalaeloa)	346	0	0	0	346

Navy Land Holdings in the State of Hawai'i (acres)



Island	Installation / Location	FEE	CEDED	LEASED	OTHERS*	TOTAL
	Lot 13061-D (Kalaeloa)	32	0	0	0	32
	Lot 13069-B (Kalaeloa)	74	0	0	0	74
	Mānana Fire Station	1	0	0	0	1
	Mānana Housing & PW Area	23	0	0	0	23
	Mauna Kapu Communications Site	0	0	1	1	2
	Mauna (Mount) Kāʻala Easement	0	0	0	64	64
	NCTAMS PAC - Wahiawā Annex	685	30	0	20	735
	Nimitz Beach (BPNAS)	21	0	0	0	21
	Nu'uanu Cemetary	1	0	0	0	1
	ʻOhana Nui	1	0	0	0	1
	'Opana Communications Facility	4	0	0	5	9
	Parcel F (H1/H201 Interchange)	5	0	0	1	6
	Parcel G (H1/H201 Interchange)	1	0	0	0	1
	Parcel T-1 (Pearl City)	1	0	0	5	6
	Pearl City Peninsula	628	93	0	3	724
	Red Hill	7	0	0	2	9
	Red Hill Tank Site	249	0	0	7	256
	Schofield Firing Range	0	0	0	4	4
	Waiawa Well Site	75	0	0	4	79
	Waiawa Cut-Off	2	0	0	0	2
	Wai'anae Cut-Off	3	0	0	0	3
	Waikele	0	0	0	9	9
	Waipahu	1,510	20	0	2	1,532
	White Plains Beach (BPNAS)	15	0	0	0	15
	Subtotal - Island of Oʻahu	16,785	5,413	2	305	22,505

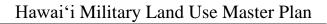
Navy Land Holdings in the State of Hawai'i (acres) - continued



Island	Installation / Location	FEE	CEDED	LEASED	OTHERS*	TOTAL
Kaua'i						
	PMRF, Barking Sands (Main Base)	0	1,925	8,072	7,288	17,285
	PMRF Kamokala Ridge	0	0	89	179	268
	PMRF Mākaha Ridge	0	0	203	42	245
	Port Allen	0	0	1	0	1
	Land Grant 8144	4	0	0	0	4
	Land Grant 8153	1	0	0	0	1
	Land Grant 8891	3	0	0	0	3
	NASA Kōke'e	0	0	0	16	16
	Water Well	0		1	0	1
	Miloli'i Site 1	0	0	1	0	1
	Miloli'i Site 2	0	0	1	0	1
	Miloli'i Site 3	0	0	1	0	1
	Subtotal - Island of Kaua'i	8	1,925	8,369	7,525	17,827
Niʻihau						
	Test Vehicle recovery site	0	0	1,167	0	1,167
	Radar Site	0	0	1	0	1
	Perch Site	0	0	5	0	5
	(10) EMSS Sites	0	0	2	0	2
	Subtotal - Island of Ni'ihau	0	0	1,175	0	1,175
Kaʻula						
	Kaʻula Island	0	108	0	0	108
	Subtotal - Island of Ka'ula	0	108	0	0	108
NAVY TOTAL		16,793	7,446	9,546	7,830	41,615

Navy Land Holdings in the State of Hawai'i (acres) - continued

*OTHERS includes easements, government/private agreements, and other interests in real property Source: Service Components updates in Mar 2021





Island	Installation / Location	FEE	CEDED	LEASED	OTHERS*	TOTAL
Oʻahu						
	Bellows Air Force Station - Site 1	409	0	0	77	486
	Ka'ena Point Satellite Tracking Station	0	0	87	66	153
	Kā'ala Air Force Station Site 1	0	0	2	0	2
	Kā'ala Air Force Station Site 1	0	0	0	1	1
	Mākua Sub Cable Site 1	0	0	0	2	2
	Punamanō Air Force Station	0	0	2	0	2
	Wai'anae Site 1	0	0	0	53	53
	Wheeler Admin Annex Site 1	0	0	0	5	5
	Subtotal - Island of Oʻahu	409	0	91	204	704
Kaua'i						
	Kōke'e Air Force Station	0	0	8	1	9
	PMRF Site 1 (Kekaha)	0	0	0	11	11
	Subtotal - Island of Kauaʻi	0	0	8	12	20
Maui						
	Maui Space Surveillance Site 1	0	0	5	3	8
	Remote Maui Experimental Site 1	0	0	3	1	4
	Maui High Performance Computing Center	0	0	3	15	18
	Subtotal - Island of Maui	0	0	11	19	30
Moloka'i						
	Moloka'i High Frequency Receiver	0	0	364	0	364
	Subtotal - Island of Moloka'i	0	0	364	0	364
AIR FORCE TOTAL		409	0	474	235	1,118

Air Force Land Holdings in the State of Hawai'i (acres)

*OTHERS includes easements, government/private agreements, and other interests in real property Source: Service Components updates in Mar 2021



Island	Installation /Location	FEE	CEDED	LEASED	OTHERS*	TOTAL
Oʻahu						
	MCBH Kāne'ohe Bay	2,293	669	0	4	2,966
	MCBH Camp H M Smith	221	0	0	2	223
	MCBH Pu'uloa Training Facility	162	0	0	0	162
	MCBH Bellows Beach Site	0	43	0	0	43
	MCTAB (Bellows)	28	1,001	0	0	1,029
	Mānana Housing Area	52	0	0	0	52
	Pearl City Annex	25	2	0	0	27
	WaiKāne Valley Training Area	187	0	0	3	190
	Subtotal - Island of Oʻahu	2,968	1,715	0	9	4,692
Molokaʻi						
	MCBH Moloka'i Training Support Fac	0	12	0	0	12
	Subtotal - Island of Moloka'i	0	12	0	0	12
MARINE CORPS TOTAL		2,968	1,727	0	9	4,704

Marine Corps Land Holdings in the State of Hawai'i (acres)

*OTHERS includes easements, government/private agreements, and other interests in real property

Source: Service Components updates in Mar 2021



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Appendix B – REPI Expenditures & Unspent Obligations in Hawai'i



Lead Service	Project Name	REPI Funds Expended through FY20	Service Funds Expended through FY20	DoD Funds Expended (REPI + Service) through FY20	Partner Contributions Expended through FY20	Total Funds Expended through FY20	REPI Obligations Remaining through FY20
Army	U.S. Army Garrison Hawai'i	\$10,359,460	\$10,278,340	\$20,637,800	\$88,158,364	\$108,796,164	\$350,000
Marine Corps	MCB Hawai'i	\$0	\$0	\$0	\$0	\$0	\$972,891
Navy	Joint Base Pearl Harbor-Hickam Wahiawā Annex	\$6,435,000	\$0	\$6,435,000	\$15,587,801	\$22,022,801	\$2,000,000
Navy	PMRF Barking Sands	\$1,000,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0
		\$17,794,460	\$10,278,340	\$28,072,800	\$103,746,165	\$131,818,965	\$3,322,891



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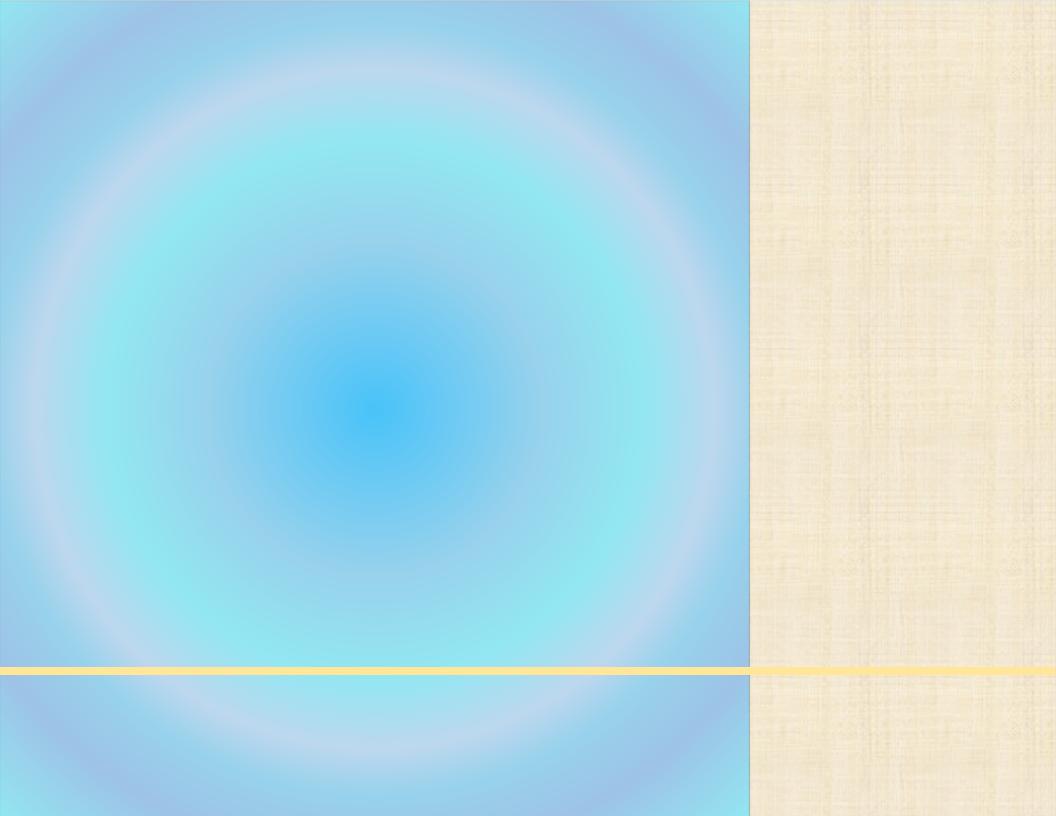
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Send all questions, comments, and/or corrections to pacom.j0pac.duty.pao@navy.mil



Trustee Leina'ala Ahu Isa, At-Large

Trustee Dan Ahuna, Kaua'i / Ni'ihau

Trustee Keli'i Akina, At-Large Trustee Luana Alapa, Moloka'i / Lāna'i Trustee Carmen Hulu Lindsey, Maui Trustee Brendon Kalei'āina Lee, At-Large Trustee John Waihe'e IV, At-Large



STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, December 8, 2021

TIME: 1:30 p.m.

PLACE: Virtual Meeting Viewable at <u>www.oha.org/livestream</u> OR Listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

Due to the threat of COVID-19, Governor Ige issued the Emergency Proclamation Related to COVID-19, dated November 29, 2021 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees and its Standing Committees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at <u>www.oha.org/livestream</u> or listen by phone: (213) 338-8477, Webinar ID: 816 4153 9429

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. Approval of Minutes
 - A. November 17, 2021

IV. New Business

- A. Presentation: Native Hawaiian Veterans, Reyn Kaupiko, Native Hawaiian, VA Advisory Committee on Tribal and Indian Affairs
- B. Presentation: Hawaii Military Land Use Master Plan: Key Assessments & Processes, including Native Hawaiian Consultation, Coordination, Engagement or Conference with the Federal Government

C. Action Item BAE #21-06: 2022 OHA Legislative Bill Package

- V. Executive Session‡
 - A. Consultation with Board Counsel Robert G. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust and associated legislation, pursuant to HRS§92-5(a)(4)
- VI. Announcements
- VII. Adjournment



ACTION ITEM

Committee on Beneficiary Advocacy and Empowerment December 8, 2021

BAE #21-06

Action Item Issue: 2022 OHA Legislative Package

martafor

Prepared by:

Na'unanikina'u Kamali'i Ka Pou Kihi Kū, Chief Advocate

Carey

Reviewed by:

Casey Brown Ka Pou Nui, Chief Operating Officer

Reviewed by:

Raina P.B. Gushiken Ka Paepae Puka, General Counsel

Reviewed by:

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Aprilo

Sylvia M. Hussey, Ed.D. Ka Pouhana, Chief Executive Officer

ov: Kalihihin Akoh

Reviewed by:

Kaleihikina Akaka Luna Hoʻomalu o ke Kōmike BAE Chair, Committee on Beneficiary Advocacy and Empowerment

Dec 3, 2021

Date

Dec 4, 2021

Date

Dec 4, 2021

Date

Dec 4, 2021

Date

Dec 4, 2021

Date

I. Proposed Actions

Action 1: OHA-1 Public Land Trust

Approve the drafting and submission of a Public Land Trust focused bill to the 2022 Legislature, that addresses the: 1) Current interim amount of \$15.1MM; 2) Existing amount of approximately \$29MM in the carry-forward trust holding account (as of Q1, 9/30/2021); 3) Projected accumulation (since 2012) of the difference between the interim PLT amount of \$15.1MM and the OHA's 20% pro-rata share of ceded land revenues; 4) Titling of the measure for strategic and clarifying reasons; and 5) Labeling of the measure as OHA-1 for tracking purposes.

Action 2: OHA-2 Building Back Pono

Approve the measure entitled *OHA-2 Building Back Pono: Addressing Socioeconomic Disparities in the Post-COVID Era,* to be included in the 2022 OHA Legislative Package as detailed in Attachment D with additional supports at Attachments C and E.

Action 3: Drafting and Editing

Approve drafting and editing measures, to: 1) Make, appropriate, technical, ministerial, non-substantive edits for style, clarity, consistency, and accuracy of the final measures; 2) Add preamble language in the measures for framing and editorial purposes; 3) Title the measures for strategic and clarifying reasons; 4) Label the measures for ease of tracking; and 5) Provide a final copy of the measures to the Trustees prior to submission.

Action 4: Coordinated Advocacy

Approve OHA's participation in the coordinated advocacy efforts as detailed in Attachment F.

II. Issues

Should the Board of Trustees ("BOT" or" Board"), approve, or not, the:

- A. Drafting and submission of a Public Land Trust (PLT) focused bill;
- B. Inclusion of *OHA-2 Building Back Pono: Addressing Socioeconomic Disparities in the Post-COVID Era,* in the 2022 OHA Legislative Package, as detailed in Attachment D with additional supports at Attachments C and E.;
- C. Drafting and editing parameters; or
- D. OHA's participation in the coordinated advocacy efforts as detailed in Attachment F.

II. Discussion

A. Legislative Package Development Activities. Image 1 below details Legislative package development activities, including timelines.



Image 1. – Legislative Package Development Activities

From July through October 2021, OHA's Public Policy staff collected more than 100 legislative proposals from staff, stakeholders, subject matter experts, and community leaders. These proposals were vetted, filtered, and developed into the legislative proposals discussed and considered in a concepts and package workshops, with the Committee on Beneficiary Advocacy and Empowerment, on October 13, 2021 and November 17, 2021, respectively. In addition, the need(s) for the measure(s) originate from the community, with several subject matter expert community members weighing in on the matter and preparing community support upon introduction, and throughout the 2022 session.

- **B.** Public Land Trust. As part of the legislative package development activities, the following documents inform legislative recommendations:
 - 1. **Resolution**. With OHA Public Policy's support, the Nanakuli-Maili Neighborhood Board No. 36, on September 21, 2021, approved a resolution, URGING THE LEGISLATURE TO TAKE CERTAIN ACTIONS REGARDING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF THE PUBLIC LAND TRUST FOR THE BETTERMENT OF THE CONDITIONS OF NATIVE HAWAIIANS (Refer to Attachment A); and

- 2. Presentation. The Board received a presentation entitled *Public Land Trust, History, Status and Pressing Issues* on October 7, 2021 (Refer to Attachment B).
- C. Socioeconomic Disparities in the Post-COVID-19 Era, Environmental Review Process. This measure seeks to ensure that future developments in Hawai'i do not further exacerbate socioeconomic divides through the environmental review process. It proposes to amend environmental review law to require an explicit analysis of whether an action will also have a significant affect on existing socioeconomic disparities within vulnerable communities, in addition to the currently required analyses on social welfare, economic welfare, and cultural practices. Ideally this measure will require proposed actions to identify and prevent (or at the very least, mitigate) further environmental injustices on susceptible communities across Hawai'i, and especially in areas where community concerns may be overlooked during efforts to build back after the negative impacts of the pandemic.

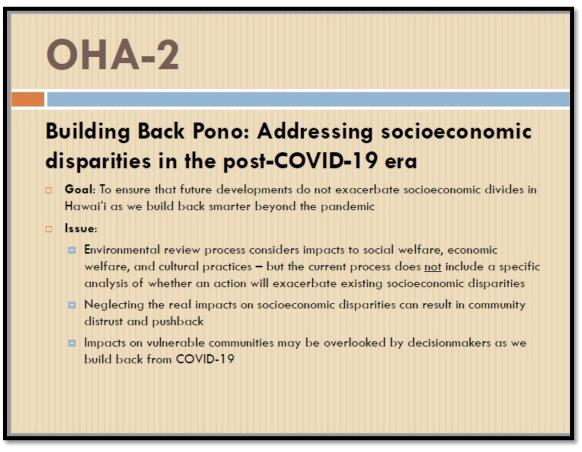


Image 2. – OHA – 2 Building Back Pono

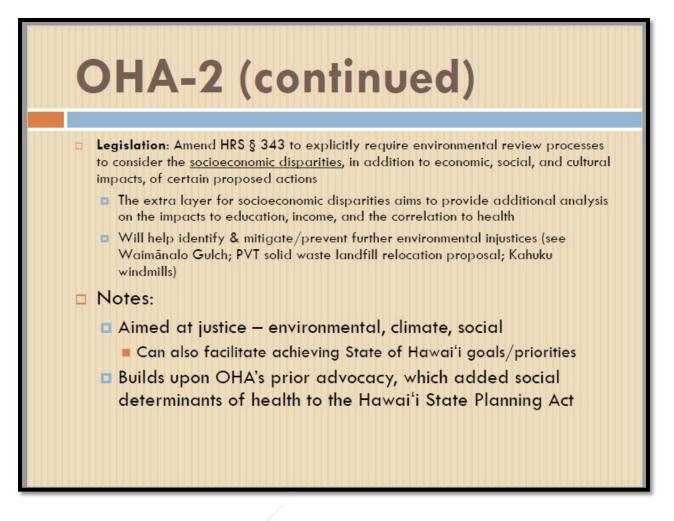


Image 3. - OHA - 2 Building Back Pono (Continued)

- **D.** Coordinated Advocacy. Also discussed in the workshops were the following three coordinated advocacy efforts with stakeholders, advocates and beneficiaries, that Administration proposes for the 2022 Legislative session:
 - 1. **Kāko'o Pa'ahao**; in collaboration with YWCA and criminal justice advocates; Goal: Ensure former Native Hawaiian pa'ahao are best prepared to reenter society & reduce recidivism;
 - 2. Kaiapuni seat on the Board of Education; 'Aha Kauleo¹ Native Hawaiian medium / immersion; Goal: to require at least one "at-large" member of the BOE to be a practitioner or scholar in Hawaiian studies and language; and

¹ The 'Aha Kauleo Kaiapuni Hawai'i is the statewide council for the Papahana Kaiapuni Hawai'i, inclusive of Department of Education and Public Charter Hawaiian Immersion Schools, which provides proactive leadership, direction, and advocacy for the development and growth of its Hawaiian medium schools. The council advises directly through the Office of Hawaiian Education of the Department of Education. https://sites.google.com/a/hawaii.edu/aha-kau-leo/by-laws-aha-kauleo, retrieved December 2, 2021.

3. Kumu Kaiapuni Pathways; 'Aha Kauleo; Goal: to equitably distribute and allocate resources to incentivize creation of and fund more kumu kaiapuni to combat kumu shortage.

Refer to Attachment F for further details re: Coordinated Advocacy.

IV. Recommended Actions

Action 1: OHA-1 Public Land Trust

Approve the drafting and submission of a Public Land Trust focused bill to the 2022 Legislature, that addresses the: 1) Current interim amount of \$15.1MM; 2) Existing amount of approximately \$29MM in the carry-forward trust holding account (as of Q1, 9/30/2021); 3) Projected accumulation (since 2012) of the difference between the interim PLT amount of \$15.1MM and the OHA's 20% pro-rata share of ceded land revenues; 4) Titling of the measure for strategic and clarifying reasons; and 5) Labeling of the measure as OHA-1 for tracking purposes.

Action 2: OHA-2 Building Back Pono

Approve the measure entitled *OHA-2 Building Back Pono: Addressing Socioeconomic Disparities in the Post-COVID Era,* to be included in the 2022 OHA Legislative Package as detailed in Attachment D with additional supports at Attachments C and E.

Action 3: Drafting and Editing

Approve drafting and editing measures, to: 1) Make, appropriate, technical, ministerial, non-substantive edits for style, clarity, consistency, and accuracy of the final measures; 2) Add preamble language in the measures for framing and editorial purposes; 3) Title the measures for strategic and clarifying reasons; 4) Label the measures for ease of tracking; and 5) Provide a final copy of the measures to the Trustees prior to submission.

Action 4: Coordinated Advocacy

Approve OHA's participation in the coordinated advocacy efforts as detailed in Attachment F.

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V. Alternative Actions

- A. Not approve a Public Land Trust (PLT) focused bill for the 2022 OHA Legislative Package;
- B. Not approve the inclusion of or modify *OHA-2 Building Back Pono: Addressing Socioeconomic Disparities in the Post-COVID Era*, for the 2022 OHA Legislative Package at Attachment D, including modifications of Attachments C and E;
- C. Not approve or provide drafting and editing parameters; or
- D. Not approve OHA's participation in or modify the coordinated advocacy efforts as detailed in Attachment F.

VI. Funding

No funding is required to approve the 2022 OHA Legislative Bill Package or the coordinated advocacy efforts.

VII. Timeframe

Immediate action is recommended upon Board approval to meet the December 30, 2021 legislative submission deadline.

VIII. Attachments

- A. Nanakuli-Maili Neighborhood Board No. 36, Public Land Trust Resolution + September 21, 2021 Minutes
- B. Board Meeting, Public Land Trust Presentation, October 10, 2021
- C. OHA-2 Summary Slides
- D. OHA-2 Building Back Pono Legislative Measure Draft
- E. OHA-2 Building Back Pono Information Sheet
- F. 2022 Coordinated Advocacy Details



NANAKULI/MAILI NEIGHBORHOOD BOARD NO. 36

c/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD SUITE 160 • HONOLULU, HAWAII, 96817 PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: http://www.honolulu.gov/nco

URGING THE LEGISLATURE TO TAKE CERTAIN ACTIONS REGARDING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF THE PUBLIC LAND TRUST FOR THE BETTERMENT OF THE CONDITIONS OF NATIVE HAWAIIANS

WHEREAS, in 1978, the Hawaii State Constitution was amended to include article XII, sections 5 and 6, which established the Office of Hawaiian Affairs (OHA) and its board of trustees; and

WHEREAS, Act 273, Session Laws of Hawaii 1980, enacted as section 10-13.5, Hawaii Revised Statutes, implements the OHA's pro rata share and provides that "[t]wenty per cent of all funds derived from the public land trust . . . shall be expended by the office . . . for the purposes of this chapter"; and

WHEREAS, this legislative directive has led to a series of lawsuits concerning OHA's constitutional pro rata share and the statutory allocation of twenty per cent of all funds that the legislature established to implement article XII, sections 4 and 6, of the State constitution; and

WHEREAS, in *Trustees of the Office of Hawaiian Affairs v. Yamasaki*, 737 P.2d 446 (1987), the Hawaii supreme court concluded that it was unable to determine the parameters of section 10-13.5, Hawaii Revised Statutes, because the issue of how the twenty per cent apportionment is formulated was a political question for the legislature to determine; and

WHEREAS, in response to *Yamasaki*, OHA and the governor's office entered into lengthy negotiations and submitted to the legislature an agreement to clarify the extent and scope of the twenty per cent portion; and

WHEREAS, based on this agreement, the legislature enacted Act 304, Session Laws of Hawaii 1990; and

WHEREAS, in a memorandum dated April 28, 1993, OHA and the State memorialized the results of their negotiations and noted that the office of state planning and OHA "recognize and agree that the amount specified does not include several matters regarding revenue which [the office of Hawaiian affairs] has asserted is due [the office of Hawaiian affairs] and which [the office of state planning] has not accepted and agreed to"; and

WHEREAS, another series of lawsuits led to the invalidation of Act 304, and Hawaii supreme court rulings reaffirming the state's constitutional obligation to ensure that native Hawaiians benefit from the public land trust, and finding that the legislature must enact legislation to uphold this obligation, and

WHEREAS, Act 178, Session Laws of Hawaii 2006, was subsequently enacted with a stated purpose of providing "interim measures to ensure that an adequate amount of income and

proceeds is made available to the office of Hawaiian affairs from the pro rata portion of the public land trust, for the betterment of the conditions of native Hawaiians"; and

WHEREAS, Act 178 carried out this purpose by requiring: "[Until] further action is taken by the legislature for this purpose, the income and proceeds from the pro rata portion of the public land trust under article XII, section 6, of the state constitution for expenditure by the office of Hawaiian affairs for the betterment of the conditions of native Hawaiians for each fiscal year beginning with fiscal year 2005-2006 shall be \$15,100,000"; and

WHEREAS, to address past-due amounts owed to OHA, the legislature enacted Act 15, Session Laws of Hawaii 2012, to implement an agreement between the State and OHA for the State to convey certain lands in Kakaako Makai on Oahu valued at approximately \$200,000,000 to allow the State to give effect to the right of native Hawaiians to benefit from the public land trust and to fulfill its constitutional obligations under article XII, sections 4 and 6 of the state constitution for the period between November 7, 1978, up to and including June 30, 2012, relating to the OHA's portion of the income and proceeds from the public land trust; and

WHEREAS, Act 15 did not address the State's constitutional obligations under article XII, sections 4 and 6 relating to OHA's pro rata share of the income and proceeds from the public land trust after June 30, 2012; and

WHEREAS, Act 178 remained in effect as a purely interim legislative measure setting OHA's annual income and proceeds from the public land trust for the betterment of the conditions of native Hawaiians at \$15,100,000 beginning in fiscal year 2005-2006, pending further legislative action on the subject; and

WHEREAS, the second purpose of Act 178 was the identification of "revenue-generating public trust lands and the amounts derived from those lands by requiring that the department of land and natural resources provide an annual accounting to the legislature"; and

WHEREAS, for fiscal years 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, and 2020-2021, the State reported to the legislature total gross public land trust revenues in the amounts of \$150,939,203, \$159,971,589, \$163,322,176, \$178,043,261, \$177,617,893, \$202,528,564, \$225,079,055, \$289,767,657, and \$229,631,870, respectively, or an average of \$197,433,474 over the ten fiscal years; and

WHEREAS, twenty per cent of the average reported gross revenue for fiscal years 2011-2012 through 2020-2021 is \$39,486,695; and

WHEREAS, the current overpayments to OHA for fiscal years 2011-2012 through 2020-2021 total approximately \$25,000,000; and

WHEREAS, it is in the best interests of OHA, the State, and all citizens of Hawaii to enact another interim legislative measure regarding OHA's constitutional pro rata share of the public land trust for the betterment of the conditions of native Hawaiians, in light of the information, data, and facts provided to the legislature by State agencies over the last ten fiscal years;

NOW THEREFORE BE IT RESOLVED that the Nanakuli-Maili Neighborhood Board No. 36 urges the legislature to enact legislation requiring that:

- All departments and agencies that collect receipts for the use, sale, lease, or other disposition of the public land trust shall each fiscal quarter transfer to OHA twenty per cent of each receipt derived from the use, sale, lease, or other disposition of the public land trust, provided that in no event shall the total amount of receipts transferred to OHA for any fiscal quarter be less than \$9,750,000; and
- 2) If at any time the department of finance, OHA, or any other state agency discovers that the total amount of receipts transferred to OHA for any fiscal quarter falls short of the required \$9,750,000, the director of finance or the director's designee shall ensure that within ten days of the discovery of the shortfall, an amount equal to the shortfall be transferred to OHA;

BE IT FURTHER RESOLVED that the Nanakuli-Maili Neighborhood Board No. 36 urges the legislature to also enact legislation requiring the department of budget and finance to provide to OHA the moneys in the carry-forward trust holding account established pursuant to executive order 06-06; and

BE IT FURTHER RESOLVED that the Nanakuli-Maili Neighborhood Board No. 36 urges the legislature to also enact legislation requiring a back due payment of \$239,000,000, less the amount transferred in the carry-forward trust holding account, representing the amount that should have been transferred to OHA as twenty per cent of public land trust revenues from July 1, 2012 to June 30, 2022;

BE IT FURTHER RESOLVED that the Nanakuli-Maili Neighborhood Board No. 36 urges the legislature to establish a public land trust revenues negotiating committee, consisting of the president of the senate or the president's designee, the speaker of the house of representatives or the house speaker's designee, the governor or the governor's designee, and the chairperson of the office of Hawaiian affairs or the chairperson's designee, to engage in periodic discussions with the purpose of addressing the matter of the amount of the income and proceeds from the public land trust that OHA shall receive annually under the State Constitution and other state law; and

BE IT FINALLY RESOLVED that copies of this resolution be distributed electronically to all State Legislators, as well as the Governor of the State of Hawaii, the Board of Trustees of the Office of Hawaiian Affairs, and the City and County member for the district represented by this Board.

Adopted by Nanakuli-Maili Neighborhood Board No. 36 at its regular meeting of September 21, 2021, by a vote of ----.

Patty Teruya, Chair

Oahu's Neighborhood system – Established 1973



NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36

NEIGHBORHOOD COMMISSION, 925 DILLINGHAM BOULEVARD SUITE 160, HONOLULU, HAWAII 96817 TEL: (808) 768-3710; FAX: (808) 768-3711; INTERNET: http://www.honolulu.gov/nco

REGULAR MEETING MINUTES NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36 TUESDAY, SEPTEMBER 21, 2021 Via ZOOM

<u>CALL TO ORDER</u>: Chair Teruya called the meeting to order at 7:00 P.M. **A quorum was established with seven (7) members present**. Note: This nine (9) member Board requires five (5) members to establish quorum and to take official board action.

Board Members Present: Cynthia Rezentes, Paul Aio, Germaine Meyers, Darius Kila, Patty Kahanamoku-Teruya, Paul Akana, and Samantha Watson, Roland Lee, and Diamond Garcia.

<u>Guests</u>: Corporal Pagan, Sergeant White (Honolulu Police Department); Chris Sugimoto (Board of Water Supply); Councilmember Andria Tupola; Roz Makaula (Congressman Kai Kahele Representative); Victor Flint (United States Navy Representative); Lieutenant Commander Carlos Wandembergh (United States Army Representative); Senator Shimabukuro; Representative Stacelynn Eli; Jimmy Hamada (Representative Cedric Gates Representative); Kuu Kauano (Civil Beat); Samantha DeCorte, Jasmine Torres, Carlos Penaloza, Craig Alvarado, Ida Kila, Jon Jo, Kainoa Kaumeheiwa-Rego, Katherine Kamada, Leslie McKeague, Sharlotte Poe, Cade Watanabe, Alika Laronal, Lauren Ballesteros-Watanabe, Luwella Leonardi, Shirley Gohier, Lyle Tenjoma, Shanztyn Nihipali, Allen Cardines (Resident); Partner Akiona (Neighborhood Commission Office). **Name was not included if not legible on the attendance sheet. Total Attendees: 45**

PULE: Pule administered by Member Meyers.

Member Garcia JOINED the meeting. Eight (8) members present.

CITY/STATE MONTHLY REPORTS:

Honolulu Police Department (HPD) – Sergeant White reported the following:

August 2021 Statistics (Total Cases/Nanakuli Cases): 42/11 – Motor Vehicle Thefts; 37/8 – Burglaries; 180/47 – Thefts; 52/8 – Unauthorized Entry to a Motor Vehicle; 9,589/2,000 – Calls for service.

Questions, comments, and concerns followed:

- Statistics: Member Rezentes asked for clarification regarding the August 2021 statistics.
- <u>Thanks:</u> Chair Teruya thanked HPD officers in their professional and quick response to protesters at the recent vaccination clinic held at Nanakuli Village/Waianae Comp Center on Saturday, September 4, 2021.

<u>Mayor Rick Blangiardi Representative</u> – Kim Hashiro: No report for this meeting. Hashiro did take commentary and questions from Board and community members.

Questions, comments, and concerns followed:

- <u>Lifeguard:</u> Member Kila inquired about the possibility of utilizing a Public/Private Partnership to ensure a lifeguard stand and personnel are installed at Kahe Point Beach Park.
- <u>Town Hall</u>: Member Akana asked if the Mayor will be holding a Town Hall meeting in the near future to discuss concerns in communities.

Board of Water Supply (BWS) - Chris Sugimoto:

<u>Response:</u> Sugimoto responded to a questions received during the August 2021 regular board meeting.

Main Break Report: 8" inch water main broke on Sunday, August 15, 2021.

Day without Water Event: Thursday, October 21, 2021, BWS along with other agencies urge Oahu water users to envision a day without water. A live water forum will be held that day at noon. For more information go to <u>www.boardofwatersupply.com/iaww</u>. Questions, comments, and concerns followed: <u>Comment:</u> Member Kila thanked BWS for their work in addressing the concern regarding the fire hydrant blockage on Kulaaupuni Street.

Councilmember Andria Tupola:

Kulaaupuni: Tupola shared improvements that are being implemented by Department of Facility Maintenance on Kulaaupuni Street.

<u>Money:</u> Tupola is working with Congressman Kahele to accrue more funding for Kolekole Pass to become a daily use roadway in the future.

<u>COVID</u>: Current statistics are on the down slope. Tupola thanked member Meyers for her interest in the numbers for the Waianae Coast of the COVDIT spread.

Hotline: 24/7 Hotline Resolution for DPR was filed. City and County of Honolulu Parks Committee will hear the resolution on Thursday, October 21, 2021, she encourages members to participate.

Discussion: Tupola will be meeting with Department of Parks and Recreation Deputy Director Pu'u to discuss necessary work at Zablan and Kalanianaole Beach Parks improvements.

<u>Town Halls</u>: Tupola will be holding multiple town hall meetings to discuss a multitude of community concerns and issues. Questions, comments, and concerns followed:

NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36 REGULAR MEETING MINUTES

- TUESDAY, SEPTEMBER, 21, 2021 PAGE 2 OF 4
- Thanks: Member Kila thanked Tupola's efforts in removing an animal carcass from the roadside and other community clean up actions.
- Inquiry: Member Meyers asked for clarification on information in Tupola's monthly newsletter regarding future dump sites. Also, she asked if Representative Ward's district was ever considered as a possible site for a landfill.
- <u>Website:</u> Member Rezentes commented on landfill information presented on the Department of Environmental Services website.
- Invite: Chair Teruya suggested Tupola invite a representative from the Department of Hawaiian Homelands to the town hall meeting regarding game rooms discussions due to the many illegal game rooms on DHHL lands.

RESIDENTS'/COMMUNITY CONCERNS:

<u>Graffiti:</u> Member Kila voiced a community concern regarding graffiti at Ulehawa Beach Park, and spoke to support the efforts of community vaccination sites, spoke on opposition on protesters disrupting a positive effort.

<u>Choice:</u> Member Meyers commented that people need to respect each other's personal choices regarding being vaccinated or not in our community.

<u>Sides:</u> Member Akana mentioned with any story being presented, both sides of the story should be presented. <u>Pillbox Trail:</u> A resident aired concern that with the shutdown of the Haiku Stairs trail, residents and tourists alike will now flock to the Maili Pillbox Trail on the Westside in lieu of the Haiku Stairs Trail.

CONGRESSIONAL REPRESENTATIVE/MILITARY MONTHLY REPORTS:

Congressman Kai Kahele – Roz Makaula reported the following:

Leaders: Congressman met with Native Hawaiian community leaders to urge unity in the fight against COVID-19. Defense: Advanced key provisions in the House Armed Services full committee markup of the National Defense Authorization Act.

<u>Vote:</u> Voted in favor of President Biden's Build Back Better Agenda.

HR 3755: Voted in favor of and co-sponsor of the Women's Health Protection Act.

Site Visits: Met with officials at Queen's Hospital to discuss vaccination outreach efforts. As well as a number of sites along the Windward Coast and Wahiawa to discuss key issues in the area.

Lease Agreement: State has extended the lease agreement for the United States Military usage of Dillingham Airfield to the year 2024.

<u>Response:</u> Makaula gave a response to member Garcia regarding a question from the August meeting on the Green New Deal. Questions, comments, and concerns followed:

* Invitation: Member Kila invited Congressman Kahele to the west side of Oahu to discuss issues within the community.

<u>United States Navy Representative</u> – Victor Flint reported the following:

• <u>Dock Repair</u>: Repairs are underway to a section of the Arizona Memorial.

- <u>Red Hill:</u> Investigation still underway regarding the Thursday, May 6, 2021, incident. Water quality reports indicate that the water is safe for consumption and usage.
- <u>Oysters:</u> Pearl Harbor restoration project showing good results and moving forward.
- Kolekole Pass: Road remains clear and passable for emergency use access.

<u>United States Army Representative</u> - Lieutenant Colonel Carlos Wandembergh reported the following:

- <u>Volunteer:</u> Army personnel will be able to assist with community COVID-19 Testing/Vaccination sites.
- <u>Hiring</u>: For federal employment opportunities go to <u>www.usajobs.gov</u>.
- <u>Training</u>: Military personnel will be conducting large scale training exercises at multiple training areas during the month of October. For concerns regarding this call the concern line at 808-656-3487.
- Questions, comments, and concerns followed:
 - Reports: Member Meyers thanked Wandembergh for the monthly reports that have been distributed to the Board and community volunteer work.
 - Appreciation: Member Akana showed appreciation for the activity/movement notices presented to the Board by the Army.

Member Garcia LEFT the meeting. Seven (7) members present. Member Lee JOINED the meeting. Eight (8) members present.

BOARD BUSINESS

<u>Approval of Tuesday, August 17, 2021, Regular Meeting Minutes:</u> Meyers MOVED, Kila SECONDED to approve the Tuesday, August 17, 2021, regular meeting minutes as presented.

Corrections:
Page 3:

• <u>Stakeholders:</u> Member Lee asked if a higher profile on the secondary access road because the Waianae Emergency Access Road is seemingly disappearing from discussion.

The minutes were ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Rezentes, Aio, Meyers, Lee, Kila, Teruya, Akana, Watson; Nay: None; Abstain: None).

<u>Approval of Tuesday, September 21, 2021, Regular Meeting Agenda:</u> Meyers MOVED, Rezentes SECONDED to approve the Tuesday, August 17, 2021, regular meeting minutes as amended.

NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36 REGULAR MEETING MINUTES

TUESDAY, SEPTEMBER, 21, 2021 PAGE 3 OF 4

Corrections:

<u>Page 1:</u>

- <u>Housing:</u> Member Rezentes stated the addition of, "Tanya Tehotu or designated representative from KWO. Page 2:
 - o <u>ELECTED OFFICIALS</u>: Chair Teruya stated the addition of all Board Committees to this section.
 - Education: Member Watson stated the correct spelling, "Johnnie-Mae L. Perry."

The agenda was ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Rezentes, Aio, Meyers, Lee, Kila, Teruya, Akana, Watson; Nay: None; Abstain: None).

Treasurer's Report - Darius Kila: Member Kila reported a remaining balance of \$507.47.

Board Member Attendance at Community Meetings/Public Hearings:

Waianae Neighborhood Board Meeting: Members Rezentes, Kila.

Board to approve Community members serving on the following Neighborhood Board Committees:

Housing Tanya Tehotu (or designated representative from KWO), Richard Medeiros

- <u>Hawaiian Affairs:</u> Jolyn Ballenti
- Education: Lani Alo-Chu, Shaena Hoohuli, Johnnie-Mae L. Perry

Rezentes MOVED, Rezentes SECONDED the names presented by these committees be accepted by the Board as community representatives for each committee.

The motion was ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Rezentes, Aio, Meyers, Lee, Kila, Teruya, Akana, Watson; Nay: None; Abstain: None).

NEW BUSINESS:

Office of Hawaiian Affairs (OHA) – Resolution in URGING THE LEGISLATURE TO TAKE CERTAIN ACTIONS REGARDING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF THE PUBLIC LANDTRUST FOR THE BETTERMENT OF THE CONDITIONS OF NATIVE HAWAIIANS – Resolution presentation by: Mr. Wayne Tanaka: Tanaka presented the Board and community members with the final language of the OHA Resolution. Discussion followed.

Meyers MOVED, Akana SECONDED the proposed resolution urging the Hawaii State Legislature to take certain actions regarding the Office of Hawaiian Affairs' (OHA) Pro Rata Share of the Public Land Trust (PLT) for the betterment of the conditions of Native Hawaiians. Discussion followed.

The motion was ADOPTED by UNANIMOUS roll call vote, 6-0-2 (Aye: Teruya, Kila, Akana, Meyers, Watson, Aio, Nay: None; Abstain: Lee, Rezentes).

Hawaii State Energy Office, to promote energy efficiency, renewable energy, and clean transportation to help achieve a resilient, clean energy, decarbonized economy – Mr. Scott Glenn: Glenn presented informational resources regarding renewable energy projects within the community to the Board and community members. Discussion followed.

Parks Committee Recommendations - Joe Akana, Committee Chair: Akana presented information to the Board and community members regarding proposed motions for the Board's consideration.

 <u>Motion One</u>: NMNB Parks and Recreation committee recommends the creation of an emergency Hotline and email for afterhours/weekends. Motion made by member Kila, seconded by member Watson.

Akana MOVED that the board support the proposed motion. The motion was ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Teruya, Kila, Akana, Meyers, Watson, Aio, Lee, Rezentes Nay: None; Abstain: None).

<u>Motion Two:</u> NMNB Parks and Recreation committee recommends the board send a letter to DPR supporting the
acquisition of a storage container for LG equipment for Kalanianaole BP. DPR to determine the size and location in area
other than in current campsites or parking spaces. Motion made by Chair Joe Akana, Seconded by member Kila.

Akana MOVED that the board support the proposed motion. The motion was ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Teruya, Kila, Akana, Meyers, Watson, Aio, Lee, Rezentes Nay: None; Abstain: None).

 <u>Motion Three:</u> NMNB Parks and Recreation committee recommends the board Support a Lifeguard stand at Kahe/Tracks BP and staff with Ocean Safety personnel; seek private sector and City Council collaboration and sustainment for funding through 2024. Motion made by member Kila, Seconded by member Watson. Motion carried.

Akana MOVED that the board support the proposed motion. The motion was ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Teruya, Kila, Akana, Meyers, Watson, Aio, Lee, Rezentes Nay: None; Abstain: None).

 <u>Motion Four:</u> NMNB Parks and Recreation committee recommends the board Support the allocation of CIP funds for parking lot improvements of unimproved parcel located near current Zablan parking lot. Motion made by member Kila, Seconded by member Watson.

NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36 REGULAR MEETING MINUTES

TUESDAY, SEPTEMBER, 21, 2021 PAGE 4 OF 4

Akana MOVED that the board support the proposed motion. The motion was ADOPTED by UNANIMOUS roll call vote, 8-0-0 (Aye: Teruya, Kila, Akana, Meyers, Watson, Aio, Lee, Rezentes Nay: None; Abstain: None).

ELECTED OFFICIALS

<u>Senator Maile Shimabukuro:</u> Patrice Tanna reported on items covered in the Senator's monthly newsletter. Questions, comments, and concerns followed:

- Insight: Member Meyers asked for insight on why Senator Shimabukuro addressed the Honolulu Police Commission regarding homelessness and not the City and County of Honolulu Department of Housing.
- <u>Request</u>: Member Meyers requested that Senator Shimabukuro support the four (4) motions presented by the Parks Committee and passed by the Board in any way possible.

<u>Representative Stacelynn Eli:</u> Representative Eli reported on items covered in her monthly newsletter. Questions, comments, and concerns followed:

- Support: Member Meyers asked if Eli could support the items within the Department of Hawaiian Homelands
- Legislative Package that are not oppressive but promote safety and wellness for native Hawaiians.
- <u>Help:</u> Member Aio voiced his volunteering for food distribution.

<u>Representative Cedric Gates</u> – Jimmy Hamada reported on items covered in the monthly newsletter. Questions, comments, and concerns followed:

ANNOUNCEMENTS:

Next Regular Board Meeting: Tuesday, September 21, 2021, at 7:00 p.m. via Zoom Platform.

<u>ADJOURNMENT</u>: The meeting adjourned at 9:58 P.M. Submitted by: Partner Akiona, Neighborhood Assistant Reviewed by: Dylan Whitsell, Community Relations Specialist Final Review: Patty Teruya, Board Chair

TTACHMENT B

PUBLIC LAND TRUST History, Status and Pressing Issues

BOARD OF TRUSTEES OFFICE OF HAWAIIAN AFFAIRS October 7, 2021



OUTLINE

1. Background:

F

- A. Kingdom Land Tenure and "Ceded" lands
- B. Public Land Trust (PLT)
- 2. PLT Review
 - A. Recent History
 - B. Current Annual PLT Amount Far Too Low
 - C. Proposed Resolution





WHAT ARE "CEDED" LANDS?

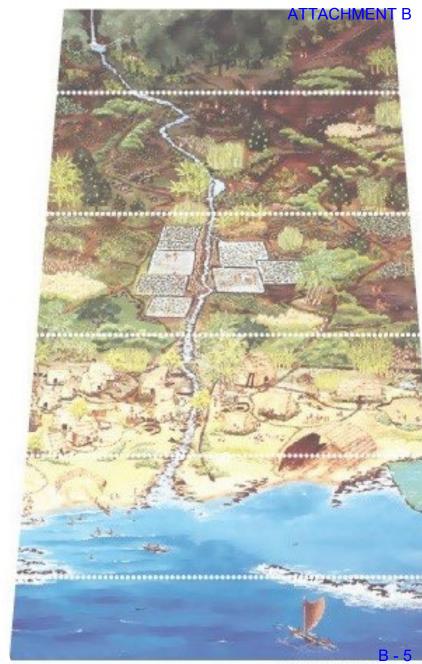


'Āina v. "Land"

- "The Kumulipo explains that Maoli descend from akua (ancestors or gods) and are physically related to all living things in the Hawaiian archipelago. As younger siblings, Native Hawaiians are bound to their extended family and have a kuleana (responsibility and privilege) to care for Hawai'i's natural and cultural resources. Given the familial relationship between Maoli and the native environment, elder siblings support younger ones by providing the resources necessary to sustain human and other life. In return, Kanaka Maoli care for their elder siblings by managing those resources as a **public trust** for present and future generations. This complex, reciprocal relationship was the foundation of traditional Kanaka Maoli society. . . . At bottom, there is an "inseparable spiritual-and genealogical-connection between Native Hawaiians and their land and environment . . . the land, or 'āina, is not a mere physical reality," it is integral to social, cultural, and spiritual life."
- -D. Kapua'ala Sproat, Wai through Kānāwai: Water for Hawai'i's Streams and Justice for Hawaiian Communities (Marquette Law Review, 2011)

Early Kingdom Land Tenure System

- Land viewed as a public trust, part of mauli ola NOT a commodity
- Ahupua'a system: Maka'āinana worked the land, chiefs administered land and resources
- Under Kamehameha I, land tenure system remained substantially the same



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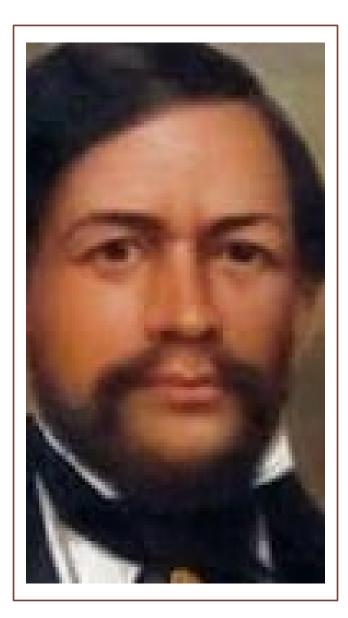
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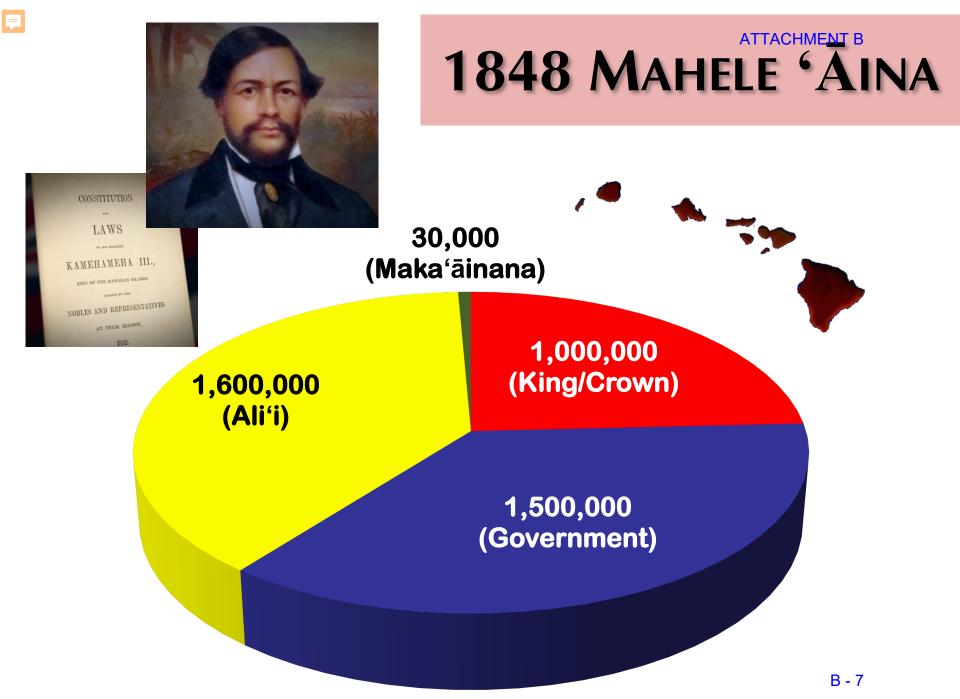
RAWTING COURTESY KAMEHAMEHA SCHOOLS

The Mahele

• 1840 constitution under Kamehameha III

- KAMEHAMEHA I, was the founder of the kingdom, and to him belonged all the land from one end of the Islands to the other, though it was not his own private property. It belonged to the chiefs and the people in common, of whom Kamehameha I, was the head, and had the management of the landed property.
- Increasing conflicts between Hawaiians and foreigners over land rights
- Kauikeaouli's goal secure land base, protect Native Hawaiian lands from foreigners through Western-recognized land tenure system (1/3 land to King, ali'i, and native tenants)

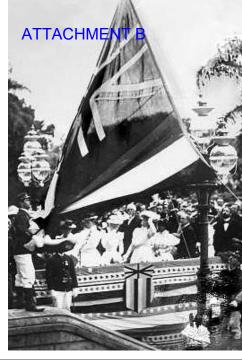


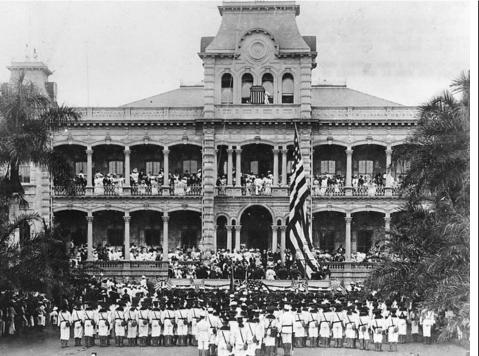












1893 The Hawaiian Kingdom is Overthrown

B - 8

ATTACHMENT B

Kingdom to the "Republic"

I am very sincerely yours

SANFORD B. DOLE

[Dole to Burgess]

Honolulu 31 March 1894

PROF. JOHN W. BURGESS

DEAR SIR: I wrote a few days ago asking you for an opinion on a certain point, and now I wish to trouble you still further if it is convenient for you to give your attention to our questions.

In drafting a new constitution the plan of an upper and lower house of the legislature will be adopted. Under the monarchy there were two classes of legislators who sat together and who were elected by voters having different qualifications. There are many natives and Portuguese who had had the vote hitherto, who are comparatively ignorant of the principles of government, and whose vote from its numerical strength as well as from the ignorance referred to will be a menace to good government.

It is proposed to make easy conditions for voting for members of the lower house, but to make difficult ones for the voting privilege for the upper house, such as educational and property qualifications, and to give the upper house the right with the lower to introduce money bills.

This plan will raise considerable opposition and will result probably in some permanent discontent, but those who insist on it say that it is the only plan by which the government can be kept out of the control of the irresponsible element, sincerely yours,

SANFORD B. DOLE

[At head of letter on page 1] Our election for the Constitutional Convention is May 2nd. and the Convention will probably follow in two or three weeks.

[Burgess to Dole]

Columbia College in the City of New York School of Political Science

April 13/94

HON SANFORD B. DOLE

My DEAR SIR: Your letter of March 31st is just received. If I understand your situation it is as follows: You have a population of nearly 100,000 persons, of whom about 5,000 are Teutons i.e. Americans, English, Germans and Scandinavians, about 9,000 are Portuguese [sic] about 30,000 are Chinese and Japanese, about 8,000 are native born of foreign parents, and the rest are natives.² You have, according to your late constitution, a law of suffrage, which allowed every male adult citizen having a certain slight educational qualification to vote for those members of your late legislative body called "Representatives", and which required of the voters for those members called "Nobles" an additional, property qualification of a substantial sort.

With this situation, I understand your problem to be the construction of a constitution which will place the government in the hands of the Teutons, and preserve it there, at least for the present. I think you can accomplish this with the existing material at your hand provided the Teutons are substantial [sic] united in purpose and will act harmoniously.

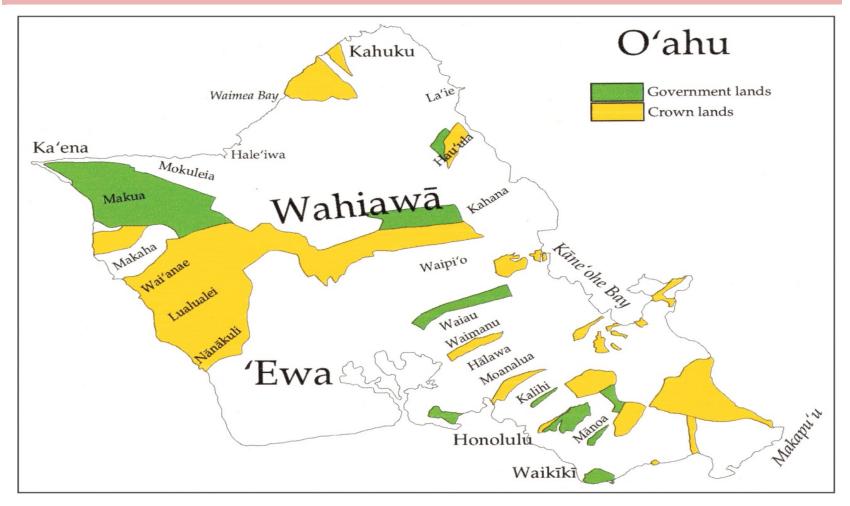
I would suggest that you establish a legislature of two houses, having the same number of members in each; that the voters for the members of the lower house should have the qualifications which your late constitution required of

¹ John W. Burgess, Political Science and Comparative Constitutional Law (Boston, 1890-91), II, 39. The passage quoted reads correctly: "It seems to me, however, that that form will be a republic. . ."

² The total population of Hawaii in 1890 was 89,990; "Teutons" numbered 4533, Portuguese 8602, Chinese and Japanese 27,661, naturalized foreigners 7495, Hawaiians and part-Hawaiians 40,622.

REPUBLIC OF HAWAI'I - LAND ACT OF 1895 COMBINED GOVERNMENT AND CROWN LANDS

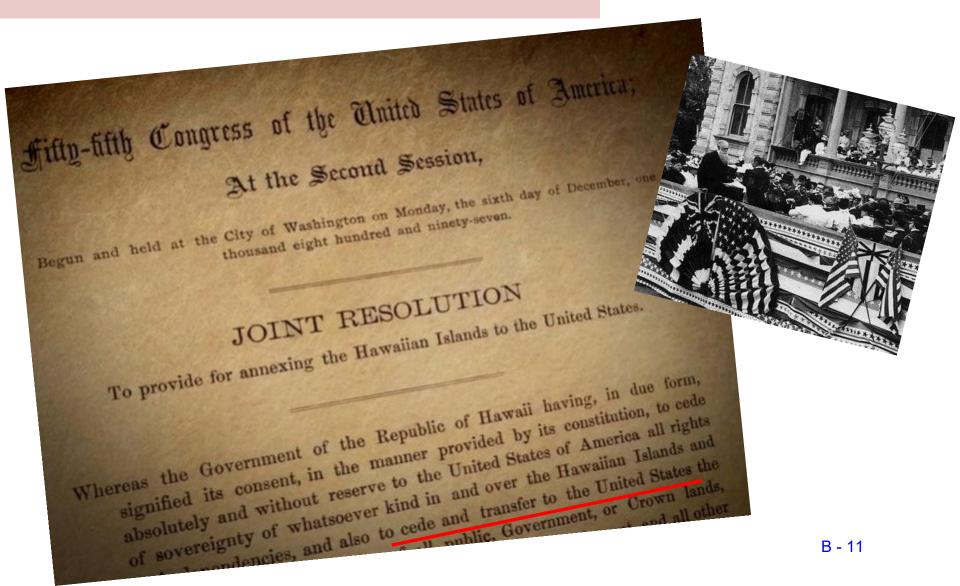
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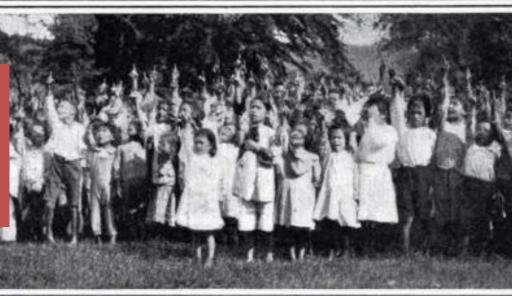


Van Dyke, Jon M., Who Owns the Crown Lands of Hawaii, University of Hawaii Press, 2008. Compiled from a map by C.J. Lyons, finished by Rich'd Covington, Hawaiian Government Survey, 1881. Cartography by Carlos Andrade, 1997.

ATTACHMENT B

1898: REPUBLIC OF HAWAI'I "CEDED" ~1.8 MILLION ACRES TO THE U.S.





e our heads and our hearts to God and our country! One country, one language, on HE SALUTE TO THE AMERICAN FLAG WHICH FLIES IN THE GROUNDS OF THE KAIUA PANESE PUPILS. THE DRILL IS CONSTANTLY HELD AS A MEANS OF INCULCATING PATRI-OF THE CHILDREN

The "Territory" of Hawai'i

ATTACHMENT B Loss of lands and governance and distribution of power after annexation:

- Continued alienation of "ceded" lands
- Affirmed taking of crown lands
- Dismantled Konohiki fishery system
- Expanded stream diversions, displacement
- Suppression of language, national and cultural identity, promotion of Americanization and "patriotism" in public schools
- Governor Dole and plantation oligarchy
 - Vetoed progressive legislation (healthcare, tax relief for the poor) passed by Native Hawaiiandominated legislature
 - Undermined vision and implementation of the HHCA
- Etc.
- Generational trauma and impacts continue to be seen today

ATTACHMENT B

Loss of lands and governance: Impacts to Mauli Ola

Consider how the resulting political system and its decisions such as how resources are distributed and how public policies might favor the interest of one group over another, can impact the **safety** (e.g., crime and environmental toxins) and availability of resources (e.g., walking trails and usable sidewalks) in a particular neighborhood, worksite, or public school system; how the safety and available resources of these environments can impact whether or not a person have access to fresh fruits and vegetables, safe and clean parks, and the best educational **opportunities**; how the availability and affordability of **healthy** food options and physical activity venues can affect whether or not a person is obese or develops diabetes; and how access to quality health care can prevent (or bring about), delay (versus early onset), or manage a person's health problems. Finally, consider how all these factors are not equally distributed or accessible across communities and ethnic groups and how the added burden of discrimination, economic deprivation, and cultural threats can adversely impact these factors. -- Joseph Keaweaimoku Kaholokula, Ph.D

"Ceded" lands": Native Hawaiian Claims

- Native Hawaiians maintain unrelinquished claims to the "ceded" lands corpus
- Theft and decades of control of lands and governance and by a white supremacist oligarchy has uniquely impacted the health, culture, and wellbeing of generations of Native Hawaiians
- <u>Justice</u> requires these unique impacts and harms and their underlying cause to be addressed
- NOTE: OHA policy is to OPPOSE the sale or alienation of "ceded" lands except for limited situations (remnants, priorapproved sales of certain house lots in former Housing and Community Development Corporation of Hawai'i affordable housing developments)
- <u>OHA v. HCDCH</u> lawsuit and HRS 171-64.7 settlement



WHAT IS THE PUBLIC LAND TRUST?

1900 ORGANIC ACT TERRITORY OF HAWAI'I (1900-1959)

- Imposed a trust on "ceded" lands, which were to be used "solely for the benefit of the inhabitants of the Hawaiian islands for educational and other public purposes"
- Territory controlled and managed "ceded" land, although generally did not hold title
- Notably, in some cases, title to "ceded" land did transfer to Territory (e.g., portions of Sand Island, some public schools)



Sand Island, O'ahu

Admission Act: "Ceded" lands -> Public Land Trust

§10-13.5 Use of public land trust proceeds. Twenty per cent of all funds derived from the public land trust, described in section 10-3, shall be expended by the office, as defined in section 10-2, for the purposes of this chapter, [L 1980, 273, §1; am L 1990, c 304, §\$7, 16]

- Certain "ceded" lands transferred to the state **upon or after** statehood (or acquired in exchange for such lands) subject to Public Land Trust (NOT HHCA lands, NOT lands retained by the federal gov't, NOT lands transferred to the Territory before statehood)
- Admission Act Sec. 5 Public Land Trust lands must be administered for 5 purposes:
 - Public schools/public education, betterment of the conditions of native Hawaiians, farm and home ownership, making of public improvements, lands for public use
- BUT: After "statehood," PLT revenues almost exclusively used for education

	benefits to lesses of Hawaiian home lands may be made in the constitu- tion, or in the manner required for state legislation, but the qualifications of lesses shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands," as defined by such Act, shall be used only in carrying out the provisions of such Act.
Public Trust	SECTION 4. The lands granted to the State of Hawaii by Section 5(b) of
	be heid by the State Article XVI, Sector 7, of the State State of the State Article XVI, Sector 7, of the State State of Constraints, sector and the State State State State of Constraints, sector and the State
Office Of Hawaiian Affairs; Establishment Of Board Of Trustees	SECTION 5. There is hereby established an Office of Hawaiian Af- fairs. The Office of Hawaiian Afrahishahd Holf ide of all the real and personal property now or hereafter set side or conveyed to it which shall be held in turst for native Hawaiians and Hawaiians. There shall be a boult of trustees for the Office of Hawaiian Affairs elected by qualified yours; who are Hawaiians, as provided by law. The board members shall be that that the following Islambar of the following Islambar of the Hawaiians. There shall be not less than nine members of the board of trustees; provided that each of the following Islamba have of a diator of chairperson from its members.

determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii. (f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under sub-section (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust is the **Detterment of the State** of the State and other public educational the **Detterment of the State** (the func-tion of any such lands and the income therefrom, shall be held by said State as a public trust is the **Detterment of the State** (the func-sion of the educational the **Detterment of the State** (the func-commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public under the provision for a public wide of the state of the provision of lands for public wide of the state of the sta land or property is no longer needed by the forme ownership on as whetepreat a basis is possible of ands for public up of public improvements, and for the provision of lands for public up such lands, proceeds, and income shall be managed and disposed for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for an ct shall constitute a breach of trust for w

1978 HAWAI'I CONSTITUTION, ARTICLE XII SECTIONS 5 & 6



Created the Office of Hawaiian Affairs to manage all income and proceeds from that pro rata portion of the public land trust for native Hawaiians*

ATTACHMENT B

OHA AND PLT



- In 1980, Legislature adopts HRS §10-13.5:
 - Twenty percent of all funds derived from the public land trust, described in section 10-3, shall be expended by this office, as defined in section 10-2, for the purposes of this chapter.





20 PERCENT OF WHAT?

- With no clear formula, OHA recieved about \$1.5 million annually in PLT revenues in the 1980s
- In **1984**, OHA sued to recieve 20% of all income and proceeds derived from the state from sales, leases or other dispositions of various 5(f) Trust Lands
 - In 1987, the Hawai'i Supreme Court concluded that it was unable to determine the parameters of HRS Section 10-13.5 because the issue of how the 20% apportionment is formulated was <u>a political question for the legislature to determine</u> 20 (Yamasaki)

ACT 304 NEGOTIATIONS

- OHA and Gov. Waihe'e entered into lengthy negotiations & submitted to the legislature an agreement to clarify the extent and scope of the 20 percent due to Native Hawaiians
- Act 304 enacted in 1990



Act 304 (1990)

Landmark legislation, establishes formula to determine Native Hawaiians' share of PLT revenues

- Establishes major historical agreements between the State and Native Hawaiians regarding PLT revenues:
 - **Proprietary** (20% is applied) **vs. Sovereign** (20% is not applied)
 - **Sovereign** = revenues which the state generates through exercise as a government through its <u>sovereign functions and powers</u> such as:
 - » Taxes
 - » Regulatory or licensing fees
 - » Fines, penalties, or levies
 - » Registration fees
 - **Proprietary** = revenues the state generates through its powers as a <u>landowner</u>:
 - » all proceeds, fees, charges, rents, or other income, or any portion thereof, derived from any sale, lease, license, permit, or other similar proprietary disposition, permitted use, or activity from PLT lands
 - Net vs. Gross

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- Because OHA does not determine how the state manages PLT lands, the Native Hawaiians' share is applied to gross revenues and <u>not</u> net revenues
- These <u>historical agreements</u> continue until today

ACT 304 PAYMENTS

- Act 304 included interest owed to Native Hawaiians for back-due payments
- In 1993, the state transferred \$130M to OHA for 1980-1991
- \$15M paid to OHA annually throughout 1990s



ATTACHMENT B



DISPUTED REVENUES

- In 1994, OHA sues over disputed revenues not agreed to in Act 304:
 - Waikiki Duty Free receipts connected to the Honolulu Airport
 - Hilo Hospital patient services receipts
 - Affordable housing project receipts
 - Interest
- In 1996, Judge Heely rules in OHA's favor

ACT 304 REPEALED

- In **1996**, Gov. Cayetano and airlines oppose Heely ruling
 - Airlines: ruling would result in "dire consequences for an economy so dependent on tourism."
- In 1997, Congress passes Forgiveness Act
 - Forgives state for \$28.2M in PLT transfers to OHA from airports
 - Prohibits further PLT transfers to OHA from airports
- In 2001, Hawai'i Supreme Court reverses Heely decision and repeals Act 304 because it conflicts with federal law re: airports
- Gov. Cayetano immediately stops all PLT transfers to OHA





In 2003, House leadership amends OHA's attempt (SB1151) to re-enact Act 304, by changing the formula to only allow the Native Hawaiians' share of PLT to apply to the raw, undeveloped value of PLT lands – the bill died

OHA ATTEMPTS TO RE-ENACT ACT 304



ATTACHMENT B

NEGOTIATIONS UNDER GOV. LINGLE

- In 2003, Gov. Lingle issues EO 03-03, reinstating undisputed PLT revenue transfers to OHA dating back to 2001, when Gov. Cayetano stopped transfers
- Amounted to about \$9M per year
- Begins negotiations for going-forward and back-due PLT revenues to OHA



gan in the suit. 96 H. 388, 31 P.3d

[§10-13.3] Interim revenue. Notwithstanding the definition of revenue contained in this chapter and the provisions of section 10-13.5, and notwithstanding any claimed invalidity of Act 304, Session Laws of Hawaii 1990, the income and proceeds from the pro rata portion of the public land trust under article XII, section 6 of the state constitution for expenditure by the office each of fiscal year 1997-1998 and fiscal year 1998-1999 shall be \$15,100,000. [L ACT 178 (2006)

Section 2: Established <u>interim</u> public land trust annual amount of \$15.1 million/year

Section 3: Requires agencies to collectively transfer at least \$3,775,000 in public land trust revenues to OHA each quarter

Section 4: Appropriated \$17,500,000 for underpayment between July 1, 2001 and June 30, 2005

Section 5: Required DLNR to account for <u>all</u> receipts from the use of land within the public land trust

Executive Order 06-06

- Implements Act 178
- Each agency must account for, transfer 20% of PLT revenues to OHA
- Excess of \$3,775,000 per quarter (\$15.1M per year) must be returned to a "Carry Forward Trust Holding Account" (CFTHA)
- Shortfalls to be paid out of CFTHA, DLNR

ACT 15 (2012)

- First bill introduced in 2008; finally enacted under Gov. Abercrombie
- Settlement addressed *past due* revenue, including disputed revenues from Act 304 in 1993
- OHA released its claim to PLT revenue 1978 through 2012
- OHA received 10 parcels in Kakaako Makai, valued at about \$200 million

ATTACHMENT B This Agreement contains the entire agreement between the Parties and supersedes all prior oral or written agreements, representations, negotiations and correspondence. The Parties have made no agreement or promise to do any act or thing not mentioned in this Agreement. 2.28.12 DATED at Honolulu, Hawaii, Office of Hawaiian Affair: State of Hawai'i APPROVED William Meheula David M Counsel, Board Trustees Attorney General Office of Hawaiian Affairs State of Hawaii B - 30

PLT Revenues and Mauli Ola: Grants

NOTE: PLT – derived revenues = **92% of OHA's annual \$40M Budget** (\$15.1M Annual PLT Share, NHTF, Kaka'ako

Makai Revenues)



\$11.8M in grants to promote healthy lifestyles, reduce chronic disease from 2010-2018

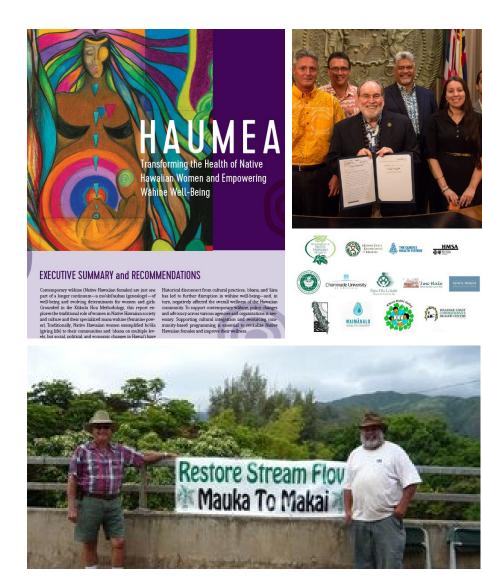
Also:

- \$32.3M for Ho'ona'auao
- \$47.3M for Ho'okahua Waiwai
- \$16.8M for 'Āina
- \$9.6M for Mo'omeheu
- \$4.4M for Ea

ATTACHMENT B

PLT Revenues and Mauli Ola: Other Investments

- Research
- Advocacy
- Litigation
- Partnerships



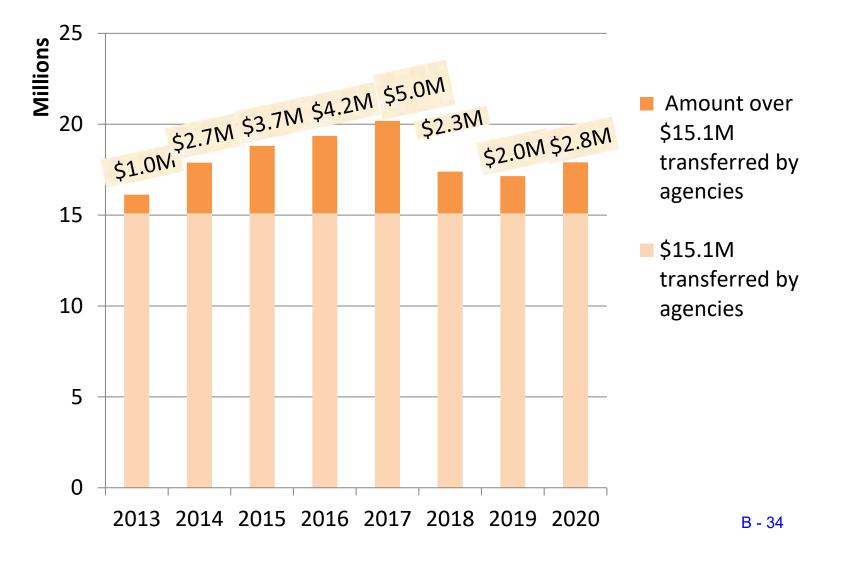


10 YEARS OF REVENUE DATA: THE ANNUAL PLT AMOUNT GIVEN TO OHA FOR THE BETTERMENT OF NATIVE HAWAIIANS IS FAR TOO LOW

OHA-RETURNED FUNDS TO TRUST HOLDING ACCOUNT FISCAL YEARS 2013 - 2020

ATTACHMENT B

Currently the CFTHA holds ~\$25,000,000



OHA'S REVIEW OF PLT RECEIPTS

PLT Revenue Sources with:	Total Revenue	20% of Revenue	Combined Share of Revenue
1. Historical Agreement between OHA and the State:	\$197,433,474	\$39,486,695	\$39,486,695
 A. Revenue sources that the State currently transfers to OHA, per Act 178 B. State accounting errors C. Inconsistent transfers (some/same agencies transfer similar revenue sources, some do not) 			
D. Past precedent (agency transferred from exact revenue sources in the past)			

"Ceded" Lands v. PLT

"Ceded" lands

- ALL lands taken by overthrow, "ceded" to U.S.
- Must be maintained until resolution of Native Hawaiian claims
- Potential land base for future Native Hawaiian governing entity
- NOTE: Theft of lands and governance is a major source of challenges facing Native Hawaiians today

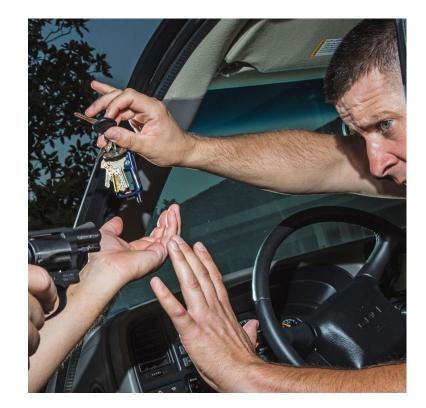
Public Land Trust

- Subset of "ceded" lands transferred to state and held in trust for five purposes
- Native Hawaiians, through OHA and its Board, entitled to 20% pro rata share of revenues
- Revenues used by OHA to address some, but not all of the impacts of the theft of lands and governance
- Native Hawaiians' pro rata share must be updated by legislature* (*has not been updated since 2006)

"Ceded" Land v. PLT

• "Ceded" lands = your car and belongings are stolen

- Public Land Trust = a promise to pay 20% of money made from renting car to tourists
 - If car is sold or rented for 99 years, you will never get car back
 - Car is being rented for cheap, not maintained properly
 - You actually are only getting 10% of the promised rental money



RESOLUTION: INCREASE PLT FUNDING FOR NATIVE HAWAIIANS

- 1. Recites history of PLT (1978-), up to and including Act 15 (Kaka'ako settlement)
- 2. Emphasizes legislature's responsibility to determine pro rata amount (*Yamasaki, OHA I and OHA II*), and the "temporary" nature of Act 178's \$15.1 determination
- 3. Recites data re: revenues from historically agreed-upon revenue streams (\$39.5M/year), CFTHA amount (\$25M)
- 4. Urges legislature to:
 - 1. Update PLT amount to \$40M/year (\$9.75M/quarter)
 - 2. Transfer CFTHA \$\$\$ (\$25M) to OHA
 - 3. Transfer back-due amount of \$239,000,000 for what OHA should have received since 2012, had the PLT amount been established as \$40M
 - 4. Establish a PLT negotiating committee to periodically revisit PLT amount (Senate President, House Speaker, Governor, OHA Chair)

ATTACHMENT B

MAHALO

OHA-2

Building Back Pono: Addressing socioeconomic disparities in the post-COVID-19 era

- Goal: To ensure that future developments do not exacerbate socioeconomic divides in Hawai'i as we build back smarter beyond the pandemic
- Issue:
 - Environmental review process considers impacts to social welfare, economic welfare, and cultural practices but the current process does <u>not</u> include a specific analysis of whether an action will exacerbate existing socioeconomic disparities
 - Neglecting the real impacts on socioeconomic disparities can result in community distrust and pushback
 - Impacts on vulnerable communities may be overlooked by decisionmakers as we build back from COVID-19

ATTACHMENT C

OHA-2 (continued)

- Legislation: Amend HRS § 343 to explicitly require environmental review processes to consider the <u>socioeconomic disparities</u>, in addition to economic, social, and cultural impacts, of certain proposed actions
 - The extra layer for socioeconomic disparities aims to provide additional analysis on the impacts to education, income, and the correlation to health
 - Will help identify & mitigate/prevent further environmental injustices (see Waimānalo Gulch; PVT solid waste landfill relocation proposal; Kahuku windmills)

Notes:

- Aimed at justice environmental, climate, social
 Can also facilitate achieving State of Hawai'i goals/priorities
 Builds upon OHA's prior advocacy, which added social
- determinants of health to the Hawai'i State Planning Act

THIRTY-FIRST LEGISLATURE, 2022 STATE OF HAWAI'I

.B. NO.

A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL REVIEW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

The legislature recognizes that vulnerable communities and 1 neighborhoods have been historically excluded, and systemically 2 underresourced, resulting in socioeconomic disparities across 3 Hawai'i. The COVID-19 pandemic has highlighted these preexisting 4 5 vulnerabilities and conditions. In furtherance of the Hawai'i State Planning Act, section 226, Hawai'i Revised Statutes, this 6 legislature recognizes the need to ensure for present and future 7 8 generations' physical, social, and economic equity and well-9 being. As we prepare for a post-COVID-19 era and in conjunction with federal legislation and investments, the legislature 10 11 further finds that the rebuilding of our community shall not exacerbate disenfranchised communities or neighborhoods. 12 Accordingly, the purpose of this Act is to ensure that 13 agency decisionmakers assess socioeconomic disparities of 14

15 proposed actions as part of the environmental review process.

OHA-2 BUILDING BACK PONO: ADDRESSING SOCIOECONOMIC DISPARITIES IN THE POST-COVID-19 ERA

ATTACHMENT D

.B. NO.

Page 2

SECTION 1. Chapter 343, Hawai'i Revised Statutes, is
 amended by adding a new section to part II to be appropriately
 designated and to read as follows:

4 "§343-2- Definitions.

'Significant effect' means the sum of effects on the 5 quality of the environment, including actions that irrevocably 6 commit a natural resource, curtail the range of beneficial uses 7 of the environment, are contrary to the State's environmental 8 policies or long-term environmental goals as established by law, 9 or adversely affect the economic welfare, social welfare, 10 socioeconomic disparities, or cultural practices of the 11 12 community and State." "Socioeconomic disparities" are the relationship between 13 race, socioeconomic status, and health. Socioeconomic status is 14 15 measured by income, educational achievement, and occupation. SECTION 2. New statutory material is underscored. 16 SECTION 3. This Act shall take effect upon its approval. 17

18

19

INTRODUCED BY:

By Request

ATTACHMENT E OHA-2 Building Back Pono: Addressing Socioeconomic Disparities in a Post-COVID-19 Era 2022 OHA Legislative Package BAE December 8, 2021



OHA-2 Building Back Pono: Addressing Socioeconomic Disparities in a Post-COVID-19 Era

Background and Context on the Problem/Issue:

Hawai'i's environmental review law establishes a system of environmental review which is designed to ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations. The environmental review process allows other stakeholders, agencies, Native Hawaiians, as well as the general public, to provide input on potential environmental impacts that may be otherwise overlooked.

While the scope of environmental review is appropriately broad – covering impacts on the economic welfare, social welfare, and cultural practices of "the community or the state" – environmental assessments and environmental impact statements developed through the environmental review process often do <u>not</u> include a specific analysis of whether a project or action will exacerbate existing socioeconomic disparities of vulnerable communities and neighborhoods. As a result, projects and actions may be approved without any consideration of whether they will have negative impacts on disenfranchised communities, or whether there may be ways to mitigate such impacts.

Vulnerable communities and neighborhoods that have been historically excluded, and systemically underresourced, result in socioeconomic disparities and are typically in areas with a high Native Hawaiian population. Past projects that have impacted vulnerable communities or widen socioeconomic divides include Keaukaha, Waimānalo Gulch and Kahuku windmill controversies.

Legislative action: To amend the Hawai'i Revised Statutes, Section 343-2 *Definitions*, by adding language in the definition of "significant effect" to include "socioeconomic disparities," which requires an added layer of analysis of the adverse effect of the action taken. The proposed definition of "socioeconomic disparities" is as follows:

"Socioeconomic disparities" are the relationship between race, socioeconomic status, and health. Socioeconomic status is measured by income, educational achievement, and occupation.¹

¹ This definition was drafted based upon an informal literature review based on resources available, and vetted with subject matter experts in the area of environmental review, and existing data sources to that provide additional information on "vulnerable" communities to support a socioeconomic disparities analysis.

This legislative action builds upon OHA's prior advocacy, OHA-12 Native Hawaiian Health Planning in 2014, and success with adding social determinants of health to the Hawai'i State Planning Act.

<u>Rationale</u>: Including socioeconomic disparities as part of the environmental review analysis, as it relates to a "significant effect," aims to encourage decisionmakers to consider the impacts to socioeconomic disparities. Simultaneously, this added analysis provides vulnerable communities with another basis to object to a proposed project or action in their neighborhood or community.

As we move forward in rebuilding our economy and mending our social fabric, it is critical that we ensure that our capital and other investments do not exacerbate the socioeconomic divides that have already been further widened by the COVID-19 pandemic. Accordingly, this measure would seek to specify that environmental review processes include a specific analysis of whether a proposed action or project will have a significant impact on existing socioeconomic disparities.

ATTACHMENT F

2022 LEGISLATURE COORDINATED ADVOCACY



BAE – Kēkēmapa 8, 2021

1. Coordinated Advocacy - Kākoʻo Paʻahao

In collaboration with YWCA and criminal justice advocates - Kākoʻo Paʻahao

Goal: Ensure former Native Hawaiian pa'ahao are best prepared to reenter society & reduce recidivism

Legislation under consideration:

- "Clean slate" measure
- Resolution or Bill calling for a performance audit of the PSD's Comprehensive Offender Reentry Program and its Reentry Coordination Office
- Notes:
 - OHA's 2021 Package measure on expungement

2. Coordinated Advocacy - Kaiapunited to a the Board of Education

'Aha Kauleo – Native Hawaiian medium / immersion / Kaiapuni seat on the Board of Education

Goal: to require at least one "at-large" member of the BOE to be a practitioner or scholar in Hawaiian studies and language

Legislation under consideration:

- Amend HRS Section 302A-121(a)
- Exact language still being decided with 'Aha Kauleo input
- Notes:
 - Representative Patrick Branco's office is drafting & coordinating

3. Coordinated Advocacy – Kumu Katapuni Pathways

'Aha Kauleo – Kumu Kaiapuni Pathways

Goal: to equitably distribute and allocate resources to incentivize creation of and fund more kumu kaiapuni to combat kumu shortage

Legislation under consideration:

- Grow Our Own (GOO) as model or to better prioritize existing funds to create more kumu kaiapuni (currently low numbers)
- Special Education as a model
- Notes:
 - Funding implication justification OHA has invested over \$30 million into Hawaiian medium education schools (2010-2018 Lāhui Impact Report)