

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

December 6, 2023 10:00 a.m.

ATTENDANCE:

Chairperson Kaleihikina Akaka
Trustee Keli'i Akina
Trustee Luana Alapa
Trustee Luana Alapa
Trustee Brickwood Galuteria
Trustee C. Hulu Lindsey
Trustee Keoni Souza
Trustee Mililani Trask
Trustee John Waihe'e, IV

EXCUSED:

Trustee Dan Ahuna

BAE STAFF:

Nathan Takeuchi
Mark Watanabe

ADMINISTRATION STAFF:

Ferreira, Stacy / CEO
Brown, Casey / COO
Hinck, Ramona / CFO
Ozawa, Nietzsche / Interim Senior Counsel
Ohta, Everett / Interim General Counsel
Ke'öpū, Reelitz / Advocacy Division Director
Zuri, Aki / Public Policy Manager
Aikue Kalima / Loan Manager RMFA - NHLRF Program
Aguinaldo, Arlene / IT

I. CALL TO ORDER

Chair Akaka calls the Committee on Beneficiary Advocacy and Empowerment meeting for Wednesday, December 6, 2023 to order at **10:06 a.m.**

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

MEMBERS			AT CALL TO ORDER (10:06 a.m.)	TIME ARRIVED
CHAIR	KALEIHIKINA	AKAKA	PRESENT	
Trustee	DAN	AHUNA	EXCUSED	
Trustee	KELI'I	AKINA	PRESENT	
Trustee	LUANA	ALAPA	PRESENT	
Trustee	BRICKWOOD	GALUTERIA	PRESENT	
Trustee	CARMEN HULU	LINDSEY	PRESENT	
Trustee	KEONI	SOUZA	EXCUSED	10:10 a.m.
Trustee	MILILANI	TRASK	PRESENT	
Trustee	JOHN	WAIHE'E, IV	PRESENT	

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

II. New Business

- A. **Action Item BAE #23-03:** Approval of the First Term of Sherwin Kaleo Perez as the Kaua'i Island Representative for the Native Hawaiian Revolving Loan Fund (NHRLF), Board of Directors (BOD)

The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

NO TESTIFIERS ON THIS ITEM

Chair Akaka yields the floor to Ka Pouhana Ferriera

COO Brown: Ka Pouhana, I recommend we kick it to Mona first.

Chair Akaka: Mahalo

CFO Hinck: Good morning, Chair. Good morning, Trustees. I'm going to pass that over to Aikue Kalima who will speak about the first item on the docket.

Aikue Kalima: Aloha Trustees, just some background information on this action item, former NHRLF Board President Mike Tressler finished his second and final term serving on the board on September 30th. The NHRLF would like to mahalo Mike Tressler for his six years of service to the NHRLF program and to the lāhui. We are recommending Sherwin Kaleo Perez as his replacement as the Kaua'i board representative. The NHRLF feels that Kaleo will bring the same experience and expertise in finance and management to the board and in addition to that, he also is a Vice President of Gather Federal Credit Union who is the NHRLF programs biggest competitor on the island of Kaua'i. So this will allow the NHRLF program to establish a working relationship with Gather Federal Credit Union as well, which would be a win win for both OHA and the NHRLF program. At this time I'd be happy to answer any questions from the Trustees to assist with making your decision.

Chair Akaka: Mahalo, members any questions or comments?

Board Chair Hulu Lindsey: Madam Chair, I move that we **Approve the First Term of Sherwin Kaleo Perez as the Kaua'i Island Representative for the Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors (BOD).**

Trustee Souza: Second

							10:12 a.m.
Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY	1		X			
KEONI	SOUZA		2	X			
MILILANI	TRASK			X			
JOHN	WAIHE'E, IV			X			
<i>CHAIR</i> KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				8	0	0	1

MOTION: [] UNANIMOUS [] PASSED [] DEFERRED [] FAILED

B. Action Item BAE #23-02: Approval of the 2024 OHA Legislative Bill Package

ONE TESTIFIER ON THIS ITEM

Makalani Kupau: Aloha Chair Akaka, members of the Board, mahalo for having me today. My name is Makalani Kupau. I'm a Native Hawaiian beneficiary, the Executive Director of a Native Hawaiian serving nonprofit who is an OHA grant award recipient and I'm mother of two children with IDD. I'm here to express my strong support for the IDD resolution proposed by your public policy team in this legislative package. On a personal level, I have two keiki with IDD and many 'ohana both keiki and adults living with IDD. It is such a difficult, challenging and sometimes beautiful thing to live with. My children are wonderful, but they have so many challenges that aren't being met or addressed, especially at a cultural level. I see it everywhere in healthcare, in education, in public services. So I feel that this resolution is a good start to getting us to be more at the forefront of what needs to happen for these children and other individuals with IDD

As the Executive Director of a Native Hawaiian serving nonprofit with a major focus area in IDD, I am keenly aware that IDD is a significant gap area where Native Hawaiians are overrepresented, under diagnosed and underserved, severely underserved. I cannot tell you how appreciative I am that OHA's Public Policy Manager, Zuri Aki and the Public Policy Team has taken an interest in IDD, especially at a cultural level. The time and efforts that Zuri and his team have invested in consideration of this very important and sensitive gap area means so much to me personally and at a community serving level. Mahalo nui to the Board for supporting Zuri and his team and putting forward this critical IDD resolution to the Legislature in the coming session. I look forward to providing public testimony on this when it comes out, mahalo again.

Chair Akaka: Mahalo nui, Makalani.

Chair Akaka yields the floor to Ka Pouhana Ferreira

Ka Pouhana Ferreira: Mahalo, Chair. So at this time I will ask Casey Brown to share and tee up our OHA Legislative Package.

COO Brown: Mahalo, Ka Pouhana. Good morning Trustees. So we're going to go through the package at a very high level. Your materials begin on page 9 for this topic. I'm also going to invite Keopu and Zuri, our Director of Advocacy and our Public Policy Manager. We're here to ask for the approval of the package. We came to the BAE about a month ago on November 8 to present the proposed measures and to get your folks feedback. The feedback was really good and it helped us to inform the drafting of the measures. So that's what we did, we took your feedback. Zuri and the team drafted these measures. We put it out for your folks to review. Nothing has changed materially in the direction of these measures. Nothing's changed in the overall thrust of the package. The team, the Public Policy team simply drafted the measures, so we're here to get any more additional feedback now that you've had the measures in front of you and answer any questions. I'd like to throw it back to you folks if you have any particular area you want to question or, you know, terminology use or anything, and I can also ask Zuri to give a quick highlight as needed.

Chair Akaka: Mahalo and Zuri, if you can also, I believe you'll probably be doing this. First of all if we can start off with the legislative calendar and info briefing dates, mahalo.

Public Policy Manager Aki: Aloha Chair Akaka, Chair Lindsey, members of the Board. Zuri Aki here, Public Policy Manager and I'm joined by my Public Policy Advocates. In terms of the calendar, the official calendar has not released yet, but we can anticipate the start of the ledge opening day the third Wednesday of January. That's when they'll open.

In terms of the timeline of events, we don't have that solid yet, but we'll certainly apprise you of that information when it does come out. If I may and please feel free to stop me at any time, I'll give you a quick overview of the proposed package. We have four measures being proposed here. The theme is to empower the lāhui to stop Native Hawaiian erasure, out migration and to stop Native Hawaiian identity erasure. And so the strategy, the overall strategy is these are seed bills. They're the idea is we seed them now, we water them and then we grow into all different kinds of things in the future, right. So we're looking ahead far into the future for many, many different ideas that are branched off of these and this is where we'll start.

So OHA-1, this is going to be the heaviest lift of this package and this requests that OHA has a seat on the Board of Agriculture, the Board of Agriculture currently right now has ten seats. So this ask would put us at an odd number, right, more ideal for boards. The other agencies represented on this board are the BLNR, Board of Land and Natural Resources, the Chair, the Department of Business Economic Development and Tourism, it's Director, and we also have the University of Hawai'i CTAHR. So we're asking for the Office of Hawaiian Affairs to have a seat on this. We have many, many intersecting interests in agriculture, right and this is an opportunity for us to have a seat at the table and to speak in terms of one of the largest economic sectors here in these islands. This is a way for us to be able to elevate and uplift our rural communities and our Native Hawaiian traditional customary food producer practitioners. There's also an economic component and a component attached directly to OHA's interest and that's in Public Land Trust lands, income and proceeds. So in 2003, just to go really quick, 20 years ago, Act 90 was passed, which transferred all these agricultural lands held by DLNR to DOA and they've only started implementing that now. We've been watching measures at the BLNR and these are lands and swaths of tens of thousands of acres being transferred in one fell swoop. There's traditional customary practitioner issues attached to these kinds of things. There's also income and revenue issues attached to it. When it comes to the disposition and sale of crown and government lands, we can track it in a certain way at DLNR, but it becomes a lot more difficult at DOA, right. They even have disposition at the director level without board hearing, no public testimony, things like that. So we want a better seat at this table to be able to control that discussion.

Another major facet of this before I move on and should be said is there's a submerged lands component to this. So DLNR has an MOA with DOA regarding the aquaculture industry and the leases of submerged lands, we're not in these conversations concerning the lease, tracking them, tracking OHA's pro rata portion, things like that. So this is also another angle for our CBSFA's to get into the aquaculture industry and we want to be

able to be at that table and to have these discussions. So that forms the impetus for this particular ask here.

OHA-2, the rest of these proposals are going to be resolutions. Again, ideas, seed ideas that we put in place right now, just going to the second-half of the biennium we know we don't have much time, right. So we want ideas that we can shepherd in, we can put all of our guns behind essentially and make sure that they get put in place and implemented. These are high rates of success kind of proposals so we're hoping for that. OHA-2, request the Office of Hawaiian Affairs to identify the scope of Native Hawaiian cultural appropriateness for the purpose of addressing Native Hawaiian disparities. As you can imagine this is kind of like a catch all in terms of consolidating what it actually means to be responsive to Native Hawaiian identity, Native Hawaiian culture, Native Hawaiian aspirations, that's everything wrapped up in here. We can talk about what it means to be culturally appropriate in education, in economic development, housing, everything you can think of, healthcare right. It puts the conversation and the narrative kind of in OHA's hands where it really should be. We should be able to reach out to our communities and to generate these kinds of ideas and concepts and be able to report back at the Legislature. We can do these things on our own, but we also want the Legislature supporting this and them to acknowledge its importance and be able to tell us that this is something that they can get behind. So far it seems to be largely accepted and appreciated.

OHA-3, this is going to be urging the state's commitment to providing culturally appropriate resources, services and programs for Native Hawaiian individuals and families experiencing intellectual and developmental disabilities. Native Hawaiians are largely overrepresented within the IDD community and the ID community just generally, it doesn't receive the attention that it probably should and when we get into all the nuances of the problems, the hurdles, the challenges that families and individuals face, we start identifying things like when it comes to IDD, no one's really, really thinking about the fact that individuals who have IDD have the need to express themselves, have the need to engage in their cultural practices. These are super gap areas and these are areas that OHA can actually take a leadership role in and in identifying and it again wraps back into our OHA-2, right, the cultural appropriateness and to be able to control the narrative of these conversations while addressing the needs of disadvantaged communities.

Ka Pouhana Ferreira: Chair, before Zuri moves on. Zuri, can you also share with the Board because it does have an ask of different state departments, the conversations that you've had in terms of getting support from these agencies.

Public Policy Manager Aki: Yes, thank you, Ka Pouhana. It's kind of a broad ask right. As we can imagine the lives of those with IDD, it affects us as anyone else would. So there are health issues, there's educational issues, there's even employment issues associated. You know, across the board right, this is so broad. We didn't want to focus specifically on this is a health issue so let's talk to the Department of Health, let's talk to DHS, right. We wanted to keep it broad and we wanted to open this up for more discussions with community members, with beneficiaries, with stakeholders, with serving organizations, things like that. This is basically a conversation piece and this is where we're gonna start that conversation basically.

Okay, if I may move on to the last proposal OHA-4. This requests the Office of Hawaiian Affairs to report on strategies for Native Hawaiian rural resiliency. So our Native Hawaiian rural communities are facing disparities at a greater rate than everyone else. They're facing erasure at a much faster rate. They lack economic opportunities, health opportunities, many who come from these kinds of communities see it as their mission is to escape these places, right. They're seen as almost traps, but they love their homeland. They love their 'āina, they want to return and we're finding that the younger workforce, the younger people are moving out for economic opportunities elsewhere and they're leaving kūpuna behind, they're leaving parents behind, they're leaving more vulnerability behind and in their place we have almost a transplant population coming in under the face of gentrification and things like that, they're rapidly being pushed out. But we also see this as an opportunity to uplift, empower, elevate our rural communities that they can be a force unto themselves, right. This is everybody else looking into these communities and seeing economic development potential and we're seeing it as our community should be the ones to decide for themselves how they want to want to build

themselves up and we're willing to support. So that's where this strategy comes in and it plays in to a whole lot of agricultural interest, agricultural economy interests, and we even can branch off from this in being able to determine even things like appropriate housing for Native Hawaiians. What does that look like? What does it look like in rural communities? So these are the things that we're kind of using as seed ideas to expand and grow into something further in legislative sessions to come, mahalo nui.

Chair Akaka: Members, any other questions or comments? Okay, I see Trustee Akina and then Trustee Galuteria.

Trustee Akina: Thank you, Madam Chair. This is perhaps for Zuri or for Ka Pouhana or for yourself. We certainly had an ambitious package last legislative session and I understand, of course, that we want to shoot for targets that we can actually hit and win and that would be a good thing terms of moment. But I was wondering what the thinking is about limiting our package to this really small amount of proposed legislation and would really appreciate just hearing what the thinking is and what the strategy is behind that because there are many other issues including aspects of our development on Kaka'ako Makai as well as other issues that have had in the past been important for us to go forward with and so I just would appreciate knowing what our strategy is.

COO Brown: Mahalo, Trustee Akina, in the past few years we actually had very focused packages. So I just want to make sure the context is correct, very focused. This package actually has more measures as well as coordinated advocacy than we've had in the last couple of sessions. It was very focused and it was very hot , high on the radar issues like PLT, like Hakuone and so those took a lot of focus from the teams. We do expect this session for our prior years Hakuone Bill which has the funds in it to repair the bulkhead, it has funds in it for Kūkaniloko lands for an EIS study. We do expect that bill to be reintroduced as part of their normal process and so that's something we will track on and monitor and as it gains steam we are prepared to support that as well. So that is the current planned outlook for the public policy work that we expect.

Trustee Akina: Well I recognize that not every matter appears as a formal legislative bill. What is our position on going forward with our legislative intent and goals with regard to Public Lands Trust and with Hakuone, especially aspects that we looked at very carefully last term.

COO Brown: Well, I'll take first stab, but I'd also like to invite others, especially Trustees who are involved in some of the discussions with Hakuone. Well, last year everything in terms of Hakuone, it was anchored around residential and so given that some of the same hurdles exist, there's some taking stock that needs to happen that has already happened. And there is potential, you know, relooking at strategies which we may want to take. So in terms of the Administration team was informed, you know, was working with Trustees who are involved, heavily involved in the Hakuone topics and discussions and where we're at is to support the Hakuone Bill that's going to get reintroduced that I just mentioned, the structural repairs as something that we would focus on. And then I believe Trustees took up topics to discuss Hakuone to look at our of right plans. So our of right plans there is, you know, commercial uses and so the focus has switched there while we form our strategies in the future for Hakuone.

Chair Akaka: Yes, and also regarding too, the Public Land Trust, the working group was assembled to continue that conversation and our Board Chair Hulu Lindsey and our Board Vice Chair Trustee Trask sit on that and those meetings still continue.

Trustee Akina: Thank you.

Chair Akaka recognizes Ka Pouhana Ferreira

Ka Pouhana Ferreira: Mahalo, Chair. Trustee Akina, I just wanted to speak more at a general level for Mana i Maui Ola and knowing I've just come on board with the agency, part of my work has already been looking at

the current strategic plan and the indicator work that has occurred. We are setting targets and baselines and our next step is to create more focused targets and tactical plans. When those tactical plans are created, I'll have a much better sense as I look at the different focus areas, what our policy agenda will be, because those have to be aligned and so I'm happy to give Trustees an update as we move through that implementation process.

Trustee Akina: That sounds very good Ka Pouhana, thank you.

Chair Akaka: Mahalo and our Board Vice Chair Trask, did you have a comment regarding the question that was asked?

Trustee Trask: You know, I have some questions on these bills. When I looked at for instance, the addition of the seat to the Department of Agriculture. We're adding three seats here which I think is good. But I don't understand the language of the bill at page 3. We're trying to correct the problem with Act 90. We're saying that it placed an extra burden on the interests of OHA by narrowing the focus of income generating activities with regard to the pro rata share. Now right now we have a working group that is looking at that. But I don't really understand the language here. When we look at what this measure is doing, we're increasing the number by three on the Board of Agriculture. But we aren't changing anything in the law that requires the Board of Agriculture as a collective group to recognize Hawaiian food systems, to support the propagation of culturally appropriate foods. We're going to put one person on a board that will have 13 and I agree with the purpose and the scope, but do we see that we're not altering the breadth of the work of the Department of Agriculture. We will have one representative there, but it's one out of 13 and what we're missing is culturally appropriate foods and food systems that should be coming through the management of the Department of Agriculture. I know that this is a preliminary proposal but I feel that the language that's on page 4. It should have been inserted so that we're clear that this is for culturally appropriate foods and food systems and it will also then impact the land awards I would think. I don't see how this is going to be, how are they going to do this? If three people come forward for a piece of land with the one planting Native Hawaiian diet have a preference? How does it work?

The second thing I wanted to ask is we're looking at some changes in the following legislation but I don't see the budget ramification. Has that been undertaken, the budget ramification for this?

Ka Pouhana Ferreira: I think the one that has the major financial or any kind of financial impact would be the disabilities resolution because it does require for additional funding to be provided to Hawaiian families and my understanding is that Zuri is working with the Department of Human Services to get that budget implication.

Trustee Trask: Is the intention that when that comes in, the Trustees will have to go back and expand the budget? When I look at the other measures as well, we're going to have budget impact. What we're saying in one of the resolutions is we want the Legislature to pass to us the rural resiliency obligation for culturally appropriate housing. We don't have a housing division, neither do we have a housing policy. We're trying to move it forward now for the rural kūpuna housing project but we're not there yet.

Ka Pouhana Ferreira: Thank you, Trustee. The intent of these resolutions are for OHA to provide reports to help inform definitions or frameworks. There should be no obligation of the OHA to provide any budgetary resources going forward. Zuri, did you want to add anything to that?

Public Policy Manager Aki: Yes, Ka Pouhana and Mahalo, Chair. Mahalo for these questions, Vice Chair. Let me take it in part and to clarify some things that I heard for the Board itself. The OHA-1 proposal, if you if you turn to page 5, the underline, that would be the amendment to the statute, the existing statute, Chapter 2616 itself. So we're only recommending the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, if you look at the bottom of that, which is already written in or they're designated representatives who shall serve as ex officio. So that's already written in. So it's basically the Chairperson or their designee, right. So

we're only proposing to add one more seat and that's the Office of Hawaiian Affairs. As far as I know, and as far as I have been aware, none of these proposals have any appropriation requests and no corollary budget. I mean maybe down the line as these issues grow, they will turn into measures that we can propose that maybe we will ask the Legislature to make appropriations or find different ways to fund them, but immediately in this proposed package there is none of that. I want to recognize what Vice Chair was saying and we can add language involving what culturally appropriate food sources that benefit health, we can include that all in the preamble to this. So if this Board determines that there should be a language that should be inserted, we could definitely do that, and it definitely resonates and I agree with it.

Trustee Trask: I'm directing and requesting that the Board look at not page 5, but page 4. Second paragraph, accordingly the Office of Hawaiian Affairs would provide crucial oversight concerning the impact, involvement, aspirations of Native Hawaiians in the food system and agricultural economy of the state. Recognizing the paramount benefit of culturally appropriate foods and better Hawaiian health and well-being. So OHA in this bill will pick that up. We don't have a division in the office for this. It's like the housing, there is a financial ramification. This measure that we're looking at now is a bill for an act. It's not a resolution, folks. So when we say here it doesn't have any fiscal ramification to the Legislature, that's right. But our number page 4, it says accordingly, OHA will provide crucial oversight, impact, involvement, aspirations of Native Hawaiians and food systems. I don't know a single division we have that's looking at this or the agricultural economy of the state. But I also wanted to point out. That we ourselves then knowing that there's no fiscal appropriation will have to provide the financing for it. So are we going to revisit our budget before the session goes in because this bill will be introduced mid January.

Ka Pouhana Ferreira: Chair, if I may respond to Vice Chair's questions. So basically what we're looking at here, Vice Chair, is that this oversight is more through the ex officio seat that we would have on the board versus us administratively doing this work through OHA.

Trustee Trask: You know, I'm asking you to look at the language on page 4. Accordingly, the Office of Hawaiian Affairs would provide crucial oversight concerning the impact, involvement, aspirations of Native Hawaiians in the food system. Where is that in my current budget? Which division of the office is doing this?

Ka Pouhana Ferreira: Yeah, you're right and so to clarify we'll insert language that will be very clear that it's through the seat as an ex officio versus administratively through the Office of Hawaiian Affairs. We can make that clarification because your point is well taken.

Trustee Trask: And when are we going to see this Stacy, after you folks introduce it?

Ka Pouhana Ferreira: No, Vice Chair.

Trustee Trask: You know, this thing has a critical impact on our fiscal budget here.

Ka Pouhana Ferreira: Mahalo and this is the important discourse that we need and the multiple pair of eyes and 'ike. So mahalo, we can make that clarification in pretty quick order.

Trustee Trask: I'd like to see the outcome before the staff proceeds with it, because this is a bill, it's not a resolution.

Ka Pouhana Ferreira: Hiki nō, we have that noted.

Chair Akaka recognizes Trustee Galuteria

Trustee Galuteria: Mahalo, I understand Trustee Trask's concern. As we move forward, these bills and correct me if I'm wrong, Zuri, but they're quite cerebral in nature and they're meant to begin discussions, right.

Because my question was gonna have to do with a funding ask as well and the value added attached to each and every one of these bills. But I'm fine with it. I'm glad we discussed it. I would want to know how are the bills going to be introduced? Do we take them through the subject matter Chairs, does the Senate President introduce them, does the Speaker introduce? How are we gonna be proceeding specifically with the bills and with who?

Chair Akaka: Okay, so it has been offered to us to kōkua us with the introduction of some bills. Ka Pouhana, would you like to elaborate on that?

Ka Pouhana Ferreira: Yes, so we've met with two Senators thus far. So there's a list of Representatives and Senators that we will be doing meet and greets and sharing the advocacy package with. Senator Keohokalole has expressed his interest in wanting to introduce specifically OHA-2, which is identifying the scope of Native Hawaiian cultural appropriateness. I think it would be appropriate to have subject matter chairs to introduce for us. You know, if we did have something fiscally related, we may would have, you know, considered the Finance and WAM Chair as well. But at this point, if we do have a Native Hawaiian Legislator who is interested in being a champion for us we certainly would welcome that. And again, Senator Keohokalole has put forth that he would introduce number 2 and Senator Fevella said he would introduce all of them. So I think that as we share out our advocacy package, I don't foresee us having any real pushback. In fact, I think we're going to see lots of support and probably more offers to introduce, so I think we're going to have an opportunity to kind of pick and choose who we think is most appropriate to introduce.

Trustee Galuteria: I see, okay and we can introduce it on both sides?

Ka Pouhana Ferreira: That would be great. Yes, that always increases the chances, yes.

Trustee Galuteria: Okay, thank you for that.

Chair Akaka recognizes Trustee Akina

Trustee Akina: Thank you, Madam Chair. Last year as we approached the Legislature with our package, we engaged commercial lobbying and I have two questions about that. One, have those contracts run their course and are they complete? And secondly, are we thinking of doing the same this year?

COO Brown: Mahalo, Trustee Akina. The contracts have run their course for what was done in prior sessions. For anything new to start, Trustee Akina, it would require more funding, which would require approval by you folks, so I do expect a proposal to be coming and so you folks will be hearing that and you'll see what the proposal entails.

Trustee Akina: Thank you

Chair Akaka recognizes Board Chair Hulu Lindsey

Board Chair Hulu Lindsey: I was just wondering how does the last year bill come back on this year's agenda? Like the bulkhead and the revetment bill for Hakuone. Does it automatically come back? Does somebody have to introduce it back in? Because I kind of feel like it automatically comes back, but I don't know how it comes back.

Ka Pouhana Ferreira: It does and it will pick up with the committee that it was left off at.

Board Chair Hulu Lindsey: And do we know what committee that was?

Ka Pouhana Ferreira: Zuri, do you have that off hand?

Public Policy Manager Aki: I do, Ka Pouhana. Mahalo for the question, Chair Lindsey. We're talking about SB1235, it made crossover. What happened was it got stifled, it got referred to WAL, JHA, FIN. So in the House right, triple referral, but it didn't actually get heard in any of the House Committees. So essentially it would have to pick up in the House where it left off this 2024 Legislative Session. So we might want to have conversations with Speaker Saiki and the various different Committee Chairs.

Board Chair Hulu Lindsey: Thank you

Chair Akaka recognizes Trustee Trask

Trustee Trask: Yes, I'm looking at the attachment number four that relates to Native Hawaiian rural resiliency. The Office of Hawaiian Affairs does not, does not have a policy in place that defines or prioritizes what this bill is setting as a rural resiliency priority. And this bill does not come from the office, but rather from the State Legislature. I tried to find the definition of rural resiliency anywhere, I can't find it. If you have one, I'd like to see it, but again, when I look at this page number five folks. Be it resolved, OHA is requested to report on strategies for Native Hawaiian rural resiliency, which should include strategies for culturally appropriate housing, culturally appropriate health care. We do not have any such a policy or resiliency on the books. If we're going to adopt one, we should do it before so that it's OHA's definition of resiliency. This is a legislative measure. OHA is the agency in charge, but I don't really know what we're talking about because we don't have any program for rural resiliency, it's not in our policies, but we are committing to innovative, culturally appropriate housing. Is that gonna include the housing that we have a kūpuna pig established for? Is there a Trustee that can tell me what culturally appropriate housing models are? Because we don't have a housing division in OHA anymore. Culturally appropriate healthcare solutions, we don't have a health division in OHA, so who's doing this work and what is the budget ramification?

Chair Akaka recognizes COO Brown

COO Brown: Trustee Trask, that's a really good point and I think the spirit of this resolution resonates but the execution of how OHA writes the report will need to be worded in a way that gives us the right amount of time, gives us the right amount of players and I want to invite Z to see if Z had some thoughts to add about how the report would come about.

Public Policy Manager Aki: Mahalo, Chair and Vice Chair for the question. Just to give a little extra insight into this, on its face it's vague enough, right, that should this thing pass and should it be certified and passed on. It kind of allows us to control the conversation, to control the scope of the reporting itself, right. To determine what that report actually looks like. So there's no parameters that are constraining the scope of which we have to dive into that particular subject matter that's highlighted here. This also again, it begins the conversation. As you highlighted there's really no concept what is culturally appropriate housing and what are those needs associated with the housing. This allows us to kind of have that conversation and to be able to shape it in a way. It allows us to reach out to our communities and have them contribute to the development and the conceptualization of what it means and then we can report back to the Legislature and say, hey this is what our Native Hawaiian communities, all the different ones out there, what they want. Rural resiliency, it doesn't have a definition, right. So this also allows us to define the scope of what it actually means to be resilient and to have rural resiliency in itself. Public Policy has been reaching out. We've created internal working groups and we've actually been visiting. We have to travel to remote and rural communities to have these discussions and this rural resiliency resolution kind of manifested as a result of speaking with many Native Hawaiian communities in rural areas. Especially on Hawai'i Island and it forms basically the foundational structure upon which we will start elevating and amplifying their voices and kind of targeting their needs in a broader scope, mahalo.

Trustee Trask: Trustees, I just am not buying it. I'd like a straight answer here, page number five, the Office of Hawaiian Affairs is requested to report on strategies for Native Hawaiian rural resiliency, which must include,

which should include innovative, culturally appropriate housing and culturally appropriate healthcare. We do not have policies on this and I would like to know what we're going to do on it and also the budget ramification. Who in my office is going to develop the strategy for rural resiliency for cultural appropriate housing models? Who is going to do it and who can tell me now the budget impact, because I know one thing for sure, Trustees, we already did the budget and these items are not included, but we're going to the Legislature asking them to tell us to report on these things. I'm not scared of doing my job, but somebody tell me in my office who does the Hawaiian rural resiliency strategy? When will I see the Board adopting the strategy? And what will be the budget ramification? Because we're still carrying a huge battle for Hakuone. A huge battle and we also know that we still don't have a ceded land inventory for the trust, our first trust obligation. Are we appropriating any funding for that? I mean, this is the whole legislative packet. We're gonna pick up the bills we didn't move last year which have budget ramifications of hundreds of millions when you look at Kaka'ako. You know, I was hoping that when we looked at the legislative strategy, we could talk about how we're gonna move our bills for Hakuone in the session. We didn't get it out last session, did not. So we have to pick those bills up and move it. They're not included in the package. You know, I don't know why we're seeing this. We don't have a definition of rural resiliency. We don't have an overarching policy. We don't have a staff to do culturally appropriate housing. We're supposed to be in a dialogue with DHHL and others on becoming a partner with kūpuna housing. Yeah, is that innovative culturally appropriate housing? When I brought it to the Board a few weeks ago, I was told looks good, but we don't have the \$1,000,000. When I look at these bills, these bills will cost big money, not 1,000,000. We couldn't come up with 1,000,000 out of 30 for this. I don't know how we're going to develop innovative, culturally appropriate housing without a housing division and a budget. But also Casey, I would like to know the strategy from the team for moving our Hakuone legislation. We have bills in the hopper. Yeah, critical bills. It's not in the package, when can we see it, Casey? We're a few weeks away from opening the session. When can we see the strategy for moving our bills for Hakuone?

COO Brown: Got you, Trustee. So I'll quickly, let me take the first question. So the spirit of this reso, the intent of this reso is to bring the players together and put OHA in the driver's seat. So while we don't have policies that you pointed out around appropriate healthcare and housing, affordable housing. The idea is to bring the people together to form those together, but to put OHA in the driver's seat. So we work with community, our team here works with the community and brings the essence back to the Board, and then we shape that proposal with the community for your Board approval. And so we will be setting this together, so this is really to get the ball rolling. So maybe I think to your point too Trustee, we can write this to be even more clear in trying to capture what we're trying to achieve here and we're happy to bounce this off of you because you point out some really good areas that need improvement.

Ka Pouhana Ferreira: Casey, before we move on for that because I want to make sure we answer Trustee Trask's other question about is it going to, the resources that's going to take to do this work that we're proposing. So because there will be no additional resources, it will be incumbent upon the team, as Zuri has explained and going out to communities. That's going to be current cost that we are going to have to bear with the team, right. So that's going to just have to be part of their their workload, no additional resources are going to be requested by the advocacy team to do this policy development for future Board discussion.

Trustee Trask: I disagree with it, you're asking us to put together a rural housing resiliency program for culturally appropriate housing models. We need funding for it. You know, when I look at this, it looks like a lobbying package for the Executive Team to take to the Legislature is what it looks like, but we are not getting any funding. Who in my office is prepared to do this? Is this your Executive Team who's doing it? Can I have the names of the staffers who are gonna do this work, who?

COO Brown: Trustee Trask, I think in terms of the budget, we also don't know the scope, right. We can't form a budget unless you know the scope of the work and we're going to need the work to begin, we're going to need these partners at the table, the community partners at the table with us to determine how deep a scope this needs to go, right and so that step has to happen. We have to start somewhere and then we can build the scope together. Once we have the scope, then the budget can be formed. So I think this probably just needs

more clarity to ensure that it doesn't pin OHA to shoring up additional resources. It doesn't pin OHA to coming up with immediate policy right away, it probably needs the clarity to demonstrate more that this is about getting it going. This is just about getting it going and being in the driver's seat, right.

Ka Pouhana Ferreira: So Casey, you're saying I just want to make sure that we're all on the same page. So this convening, the facilitating of this report, all of the conversations that need to happen to help inform this report is going to be based off of current resources with the Policy Advocacy Team.

COO Brown: Correct, we wouldn't wanna go too far down the path on our own just OHA by itself without connecting with community and spending our resources without being formed by the key partners. We want them involved while we can drive. Let them help us form this scope, then we know how much we're talking about and we also shouldn't be the ones footing the bill every time. We need to ask others to help us foot this bill like the state.

Trustee Trask: You know, that's the very point I'm making, Casey. That's the very point I'm making. You're creating work for the office but you're not getting me a legislative budget for it and you know darn well it's not in the current budget. How are we going to do this? This is a bill to the Legislature. They will pass it and when they do they're going to say OHA you get us that report next year. On strategies for rural resiliency, culturally appropriate housing, healthcare. I don't have the divisions in my office to do it and I don't have the budget and I don't know why we need the Legislature to tell us to do it. We're the lead state agency folks. Why don't we do it ourselves? Why do we go to the Legislature? And if we're going there where's the fiscal allocation? Because I can't find it in my budget and this is the case for other measures in this package. We have a huge fight we're expecting on Hakuone. We didn't get any briefing on that from the legislative team today. We're looking at aspirational measures we're not even set up in our office to handle and we don't have a budget for it.

Chair Akaka: I'd also like to ask that when these visits are happening in the rural communities that the Trustees are made aware and there be the opportunity to participate as well so that we can be a part of that conversation.

Chair Akaka recognizes Ka Pouhana Ferreira

Ka Pouhana Ferreira: Zuri, I just want because I was not here when the budget was formulated for your particular program. Can you please provide Trustee Trask with the details of how this particular work was going to be supported through your budget request?

Public Policy Manager Aki: Mahalo, Ka Pouhana. So we have all of this pre planned in our programmatic budget for the 2024-2025 fiscal year previously approved already. We anticipated these kinds of campaigns on these specific issues. We anticipated the costs associated with determining these kinds of reports, reaching out to communities. We factor this all into our budget. All the services that we may need associated with it. We can't say this captures everything, but we definitely anticipated and we have this currently in our budget. So we're not thinking that there's going to be any extra asks, at least immediately right now.

Trustee Trask: Documents, I would like to see it before we go to the session. The money in the budget, folks, we're a state agency and it is appropriated according to the vote of the Board taken at the time the funds are appropriated and I know very well that no funds are in the current budget for innovative culturally appropriate housing models. Neither is there any for culturally appropriate health care. It's not in our policy. it's not. I would like to know from admin when we will have the legislative briefing for Hakuone.

COO Brown: Madam Chair, I can answer the Hakuone. Whatever Hakuone push that comes out this session is there is a proposal coming that will encompass that. So that proposal is being scheduled for later in December, Trustee Trask, and that proposal will encompass all of the push required for anything related to Hakuone.

Trustee Trask: When can I expect it? Later in December, session will open in mid January.

COO Brown: The outside team that's going to be making the proposal has their presentation ready and so it's just a matter of getting it on our OHA agenda.

Trustee Trask: Casey, is it coming in a bill form or resolution? What do we expecting here?

COO Brown: No, it's not a measure, it's not a measure, Trustee. Sorry if I was confusing, it's a proposal that's going to support the reintroduction of that Hakuone Bill that has to pick up where it left off last session. Anything beyond that ventures into our asks of residential and that's not where admin is told we should be heading. Based on what we heard in prior discussions with the Board that the commercial mixed-use, the of right plans are front and center.

Chair Akaka recognizes Trustee Souza

Trustee Souza: Mahalo, Madam Chair. First of all, Zuri and your team, thank you very much for all the hard work you've been putting in and Keopu, nice to have you on board. Casey, I want to go back to something you mentioned earlier, our lobbying contract has ended. Who are we looking at to represent us besides ourselves because I believe the Trustees are the biggest advocates, I can be the biggest advocates and lobbies for these bills that we're representing, we're putting in, right, especially Hakuone. So what is the process of securing our new lobbyists? When is the budget coming to us? I think you talked about December, sometime in late December. So how does the process work because the contract has ended, propose new lobbyists, RFP, how does that happen? Thank you.

COO Brown: Mahalo, Trustee. So Kuilei is going to come back to the Board to present a proposal. They were the entity that procured the lobbyists last session and so they're going to present a proposal. That proposal will include all of the objectives that will include what they intend, how the members of their team they intend to form and the budget.

Trustee Souza: And was our budget for this session to procure new lobbyists for this upcoming 2024 session?

COO Brown: No, not for this package we're presenting. We have our own teams in place to do our own push for our own OHA package.

Trustee Souza: So where did Kuilei get the budget to present our lobbyists?

COO Brown: They do not have the funding, they will be coming.

Trustee Souza: Okay, so they're really just recommending our new lobbyist?

COO Brown: Yeah, they do not have the funding. In their proposal, they will be presenting a budget and that budget would need to be approved if the Board so chooses.

Trustee Souza: So basically you're saying that there's an opportunity for other lobbyists to approach OHA and say hey, I want to represent you this year or OHA to go outside and seek other lobbyists who can be effective in representing us this year, is that what you are saying?

COO Brown: Yes

Trustee Souza: Thank you, Casey, appreciate it.

Chair Akaka recognizes Trustee Waihe'e

Trustee Waihe'e: Thank you, Madam Chair. Casey is the proposal, is it based on our administrative recommendation?

COO Brown: No, this proposal is something that a contractor, the vendor is proposing to the Board, right and being that it's going to be Kuilei, they're definitely informed having worked with us in the past. So they have, you know, a certain benefit of seeing what was done, knowing the context. So their proposal is their proposal. Admin does not influence a potential contract. So they they have to make their own pitch.

Trustee Waihe'e: Is admin going to do an evaluation or due diligence on the proposal or is it just a pitch that we have to decide in the meeting itself?

COO Brown: Yes, so we certainly can do that. Trustees, we're moving, I mean there's a lot of things moving. So we're trying to move a lot of things in parallel. So if the Board listens to the proposal and wants to approve it, they certainly can. If if they do not want to approve it right away, if they request that they want further information or an evaluation from admin. The admin is here to perform whatever you folks direct.

Chair Akaka recognizes Trustee Souza

Trustee Souza: Thank you, Madam Chair. I agree time is of the essence at this point being that session will start in a few weeks. Are there other proposals coming in? How are we going out to seek those proposals? What can we do to make sure we're very effective this time around at the Capitol besides all of the Trustees getting involved and advocating and lobbying and pushing as much as we can within our bounds? I'm very concerned because I want to be a part of the winning team this session for sure. That doesn't mean going in there and asking for everything that we, you know, kind of understand that we may not get. You know and a lot of these referring back to the bills or resolutions whatever we want to call it. Going back to that, I think this is a great start and it's going to gain us traction which is super important. So a little premature I guess once we start getting traction, then I think the talks of the budget and stuff like that can be brought out. But like I said before, I want to be a part of a winning team and I want to make sure whoever represents us this session is very, very good in getting us what we need within a reason and to gain traction in order to develop. Because we've been coming with this attitude that it's all or nothing and, you know, certain Trustees that worked at the ledge before, even referring to our Ka Pouhana Stacy, she understands that, you know, I mean it's a give and take, it's a two way street. So sometimes we don't, the conversation doesn't get back to us and we don't get to talk about it as a Board and we all have back end conversations because that's what we need to do right in order to kind of feel them out, eh how is this going to go? That's the reality of things and so I just want to make sure whoever represents us and there is an opportunity for us to get the best of the best to represent us. And so I just want to know even though time is of the essence, what is the process and how long will that take and yes, I agree with Trustee Waihe'e, admin needs to vet whoever that is and not just take it for granted, like okay, we're going to do the same thing over and over, you know business as usual. So I just want to be clear on that and that's where I'm coming from. Thank you, mahalo for your time.

Chair Akaka: Members, any other questions or comments? Trustee Trask.

Trustee Trask: I need to know when are we going to be getting the legislative strategy for the bills we have in the hopper. What is the date today? December 6, session will open in January. We have bills in the hopper and we haven't received any input from the staff yet and we have changes going on in some of the committees, House and Senate both. And I'd like to get some feedback on that. I know that leadership is organizing. I haven't heard of too many significant changes in leadership, but there's going to be some and we need to get on it. You know, I'd like to see the presentation from the team on the bills we have in the hopper from last year.

Chair Akaka recognizes Advocacy Division Director Reelitz

Advocacy Division Director Reelitz: Thank you, Trustee Trask. We will make sure that we get that information together for you, recognizing that there are some of the bills that are going to be reintroduced. As has already been mentioned, they'll sort of start where they left off. So they've made crossover. So we do have a little bit of time, but I absolutely understand that time is of the essence and so we will be sure to gather the information on the bills that are still viable for this next session that can pick up where they left off during the session so that we do make sure that we have a strategy in place to move them forward when they do pick up again.

Trustee Trask: Keopu, I would like to get some input from you following this meeting on how the Trustees will participate in the Legislature this year. It's not my intention to allow staff to do it for my island and I work with members of the House and Senate there and others will come in to assist us in our lobbying, including Senator Malama and others. So I'm requesting that so we can get some clarification here and I'd like a response from you by the end of the day today, I'm on the 2nd floor because I'm going to have to arrange for flying back here, you know there isn't any process for you to ever come to our island. So the only way these meetings can be held is if we do it by Zoom or fly in, but we don't really have a budget for it. You know, but you are advocacy now, the Director of it, thank you.

Chair Akaka recognizes Board Chair Hulu Lindsey

Board Chair Hulu Lindsey: I'd just like to share with the Trustees that we're looking at meetings on December 20 and 21st to address some of the things we're discussing now. 20th would be the RM and possibly the BAE and the 21st would be the BOT. So I just wanted to give you folks a heads up that you know and I'm sure it can be done virtually. It is going to be close to Christmas, but we're trying to get this done before the end of the year, so we've looked at the calendar about the questions that we have and I think the 20th and 21st would be the closest time.

Chair Akaka recognizes Trustee Akina

Trustee Akina: I'll keep it brief. Madam Chair, I think that several of us have expressed concern about how late we are in preparation for the upcoming Legislative Session with respect to our ongoing Hakuone efforts and I just want to express along with my colleagues, how important it is for us to get up to speed on that and while the focus of today's meeting was specifically on legislation that we will be introducing, our package is more than just that and our package most definitely has to keep the momentum going for us to win on our initiatives in Hakuone and the Public Lands Trust. Thank you, Madam Chair. We'll appreciate all of the push you can give to that, mahalo.

Chair Akaka recognizes Board Chair Hulu Lindsey

Board Chair Hulu Lindsey: I'd just like to reiterate that in our previous discussions in the last two months, I think we decided that we would not consider a residential this year in the Legislature, but we would definitely consider commercial and in order to move forward with commercial we gotta get that Hakuone revetment and bulkhead fixed. So I think that bill is topmost and we have been informed that that bill from last year will move on to this year. So that would be our focus this year is to get that bill passed and we all need to, you know, work towards that Us as Trustees, our Administration, whatever it'll take to get that passed.

Chair Akaka: Members, any other questions or comments? Seeing none, I'll entertain the reading of motion one.

Trustee Waihe'e: Madam Chair, I'd like to move to **Approve the measures included in OHA's 2024 Legislative Package, as provided in Attachments A-D.**

Board Chair Hulu Lindsey: Second

Chair Akaka: It's been moved and seconded and before we carry on to do this vote, I just also want everybody to take a moment to read motion two so you can vote with confidence in motion one. Nathan, may I please have a **roll call vote**.

Trustee Trask: I'm voting no and I want the record to reflect that no editing has been presented to this Board to approve for any measure, whether legislative, resolution or in the testimony of this Board. I would like to see the edited language. I vote no.

Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY		2	X			
KEONI	SOUZA			X			
MILILANI	TRASK				X		
JOHN	WAIHE'E, IV	1		X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				7	1	0	1

MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED

Chair Akaka: Motion two, I'll entertain.

Trustee Waihe'e: Madam Chair, I'd also like to move to **Approve editing of measures, as needed, to make appropriate technical, ministerial, non-substantive edits for style, clarity, consistency, and accuracy for final submission to the 2024 Legislative Session.**

Board Chair Hulu Lindsey: Second

Chair Akaka: It's been moved and seconded. Any other questions or comments members? Seeing none, may I please have a **roll call vote**, Nathan.

Trustee Trask: No, for reasons previously stated.

							11:25 a.m.
Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY		2	X			
KEONI	SOUZA			X			
MILILANI	TRASK				X		
JOHN	WAIHE`E, IV	1		X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				7	1	0	1

MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED

III. ANNOUNCEMENTS

Board Chair Hulu Lindsey: Board Meeting tomorrow morning 10:00 a.m. in the Boardroom.

Chair Akaka: And we also have our RM Meeting coming up as well, 1:30 p.m. today.

Board Chair Hulu Lindsey: Trustees and staff, just reminding you that we do have Board luncheon after the Board Meeting tomorrow.

IV. ADJOURNMENT

Chair Akaka: Can I get a motion to adjourn?

Board Chair Hulu Lindsey: So moved

Trustee Alapa: Second

Chair Akaka: It's been moved and seconded. Can I please have a **roll call vote** to adjourn, Nathan.

							11:26 a.m.
Trustee		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						EXCUSED
KELI'I	AKINA			X			
LUANA	ALAPA		2	X			
BRICKWOOD	GALUTERIA			X			

CARMEN HULU	LINDSEY	1		X			
KEONI	SOUZA			X			
MILILANI	TRASK			X			
JOHN	WAIHE`E, IV			X			
CHAIR KALEIHIKINA	AKAKA			X			
TOTAL VOTE COUNT				8	0	0	1

MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED

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

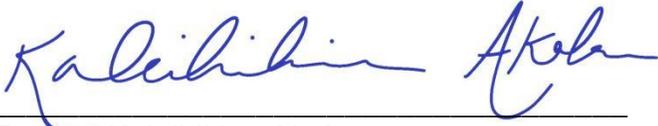
Chair Akaka adjourns the BAE meeting at **11:27 a.m.**

Respectfully submitted,



Mark Watanabe Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment (BAE) on 10/30/24.



Trustee Kaleihikina Akaka
Chair
Committee on Beneficiary Advocacy and Empowerment