

## BOARD OF TRUSTEES

Carmen. Hulu Lindsey, *Chairperson*Leina'ala Ahu Isa, *Vice Chairperson*

Dan Ahuna, Trustee Kaua'i &amp; Ni'ihau

Kalei Akaka, Trustee O'ahu

Keli'i Akina, Trustee At-Large

Luana Alapa, Trustee Moloka'i &amp; Lāna'i

Brendon Kalei'āina Lee, Trustee At-Large

Keola Lindsey, Trustee Hawai'i Island

John Waihe'e IV, Trustee At-Large



**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE BOARD OF TRUSTEES****DATE:** Thursday, September 23, 2021**TIME:** 10:00 am**PLACE:** 560 N. Nimitz Hwy., Suite 200, Honolulu HI 96817

Virtual Meeting

Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) OR

Listen by phone: (213) 338-8477, Webinar ID: 828 5222 3876

**Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Proclamation Related to the COVID-19 Response, dated August 5, 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 will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen by phone: (213) 338-8477, Webinar ID: 828 5222 3876**

**AGENDA-AS AMENDED****I. Call to Order****II. Approval of Minutes**

A. August 5, 2021

B. August 12, 2021

**III. Public Testimony** on Items Listed on the Agenda\* (Please see page 1 & 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)**IV. Community Concerns and Celebrations\***(Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)**V. New Business****VI. Executive Session†**

A. Action Item BOT #21-12: Board Resolution Related to Acquisition Financing for 500 N. Nimitz Highway and 501 Sumner Street. Consultation with Board Counsel Robert G. Klein and Everett Ohta, OHA Assistant Senior Legal Counsel re: questions and issues pertaining to the boards powers, duties, privileges, immunities, and liabilities, pursuant to HRS 92-5(a)(4); Deliberations on the authority of persons designated by the board to conduct negotiations on the acquisition of public property, pursuant to HRS 92-5(a)(3).

B. Approval of Executive Session Minutes

1. August 5, 2021

2. September 16, 2021

**VII. Announcements****VIII. Adjournment**

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

Meeting Materials will be available to the public on Monday, September 20, 2021 and posted to OHA's website at:

[www.oha.org/bot](http://www.oha.org/bot) 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.

## BOARD OF TRUSTEES

Carmen. Hulu Lindsey, *Chairperson*Leina'ala Ahu Isa, *Vice Chairperson*

Dan Ahuna, Trustee Kaua'i &amp; Ni'ihau

Kalei Akaka, Trustee O'ahu

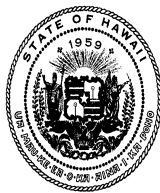
Keli'i Akina, Trustee At-Large

Luana Alapa, Trustee Moloka'i &amp; Lāna'i

Brendon Kalei'āina Lee, Trustee At-Large

Keola Lindsey, Trustee Hawai'i Island

John Waihe'e IV, Trustee At-Large



## STATE OF HAWAII

### OFFICE OF HAWAIIAN AFFAIRS

‡ 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. Community Concerns and Celebrations is not 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](mailto: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: [https://us06web.zoom.us/webinar/register/WN\\_RbGkWDV0S\\_ypNDMaQVGv7w](https://us06web.zoom.us/webinar/register/WN_RbGkWDV0S_ypNDMaQVGv7w)

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;
- (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, unless you are also signed up for oral testimony during Community Concerns and Celebrations. 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: <https://www.oha.org/how-to-submit-testimony-for-oha-bot-meetings/>

Trustee Carmen Hulu Lindsey  
Chairperson, Board of Trustees

9/17/2021

Date

**Office of Hawaiian Affairs  
Meeting of the Board of Trustees  
September 23, 2021  
10:00 A.M.**

**II. Approval of Minutes**

**A. August 5, 2021**

**B. August 12, 2021**

# DRAFT

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

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twenty First Supplementary Proclamation dated June 7, 2021 that suspend 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 will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen by phone: (213) 338-8477

**Minutes of the Office of Hawaiian Affairs**  
**Board of Trustees**  
**MINUTES**  
**August 05, 2021**

ATTENDANCE:

Chairperson Carmen Hulu Lindsey  
Trustee Lei Ahu Isa  
Trustee Kaleihikina Akaka  
Trustee Keli'i Akina  
Trustee Luana Alapa  
Trustee Brendon Kalei'āina Lee  
Trustee Keola Lindsey  
Trustee John Waihe'e, IV

BOT STAFF:

Colin Kippen  
Amber Kalua  
Kanani Iaea  
Lehua Itokazu

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana / CEO  
Casey Brown, Ka Pou Nui / COO  
Raina Gushiken, CC  
Everett Ohta, CC  
Ramona Hink, CFO  
Kalani Fronda, Land Director  
Ryan H. Lee, Interim Investment Manager  
Kevin Chak, IT Support  
Erin Nakama, IT Support  
Robert Klein, Board Counsel

GUEST:

Sam Chung

## **Call to Order**

**Chair Hulu Lindsey** Calls the Board of Trustees Meeting to order for Thursday, August 5, 2021, at 10:01 a.m. Chair Hulu Lindsey calls for a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA‘ALA	AHU ISA	X	
TRUSTEE	DAN	AHUNA		EXCUSED
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI‘I	AKINA	X	
TRUSTEE	LUANA	ALAPA		Joins Mtg at 10:13 am
TRUSTEE	BRENDON KALEI‘ĀINA	LEE	X	
TRUSTEE	KEOLA	LINDSEY	X	
TRUSTEE	JOHN	WAIHE‘E		Joins Mtg at 10:02 am
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			6	

At the Call to Order, **six ( 6 )** Trustees are PRESENT, thereby constituting a quorum.

**Chair Hulu Lindsey** Thank you. Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Twenty First Supplementary Proclamation dated June 7, 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 will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA’s website at [www.oha.org/livestream](http://www.oha.org/livestream) Some quick announcements-please mute your mics when you are not speaking. We are recording today’s meeting for the sole purpose of producing written minutes, which will become the official record of this meeting.

Joining the Trustees today is Colin Kippen-COS, Lehua Itokazu-Board Secretary, and my Aides-Kanani Iaea and Amber Kalua. We also have our CEO-Sylvia Hussey. Sylvia, please announce who is joining us from your staff.

**Sylvia Hussey, CEO** Good morning Chair and good morning Trustees, we have COO-Casey Brown, CFO-Ramona Hink, Land Director-Kalani Fronda, Senior Legal Counsel-Raina Gushiken, Legal Counsel-Everett Ohta, Chief Advocate-Sterling Wong, Ryan Lee-Interim Invest. Mngr., and our IT staff. Thank you.

**Chair Hulu Lindsey** We have no one signed up for public testimony or community concerns so we will move into new business. Committee on Resource Management, I will call on Trustee Waihe‘e.

## **New Business**

### **1. Committee on Resource Management**

**A. Action Item RM #21-10: Amendments to the Native Hawaiian Trust Fund Investment Policy Statement and the Debt Management Policy Implementation Procedures (1st reading)**

**Trustee Waihee Your Committee on Resource Management, having met on August 3, 2021, and after full and free discussion, recommends approval of the following Public Session action to the Board of Trustees:**

**A. Approve the policy changes to the Native Hawaiian Trust Fund (NHTF) Investment Policy Statement (IPS): updating the first page for the policy action; separating management of Hawaii Direct Investments (HDI) from Financial Assets Investments; and updating the HDI Policy to reflect OHA's real estate strategy and investment guidelines at Attachment A; and**

**B. Review and update the Debt Management Policy (DMP) Implementation procedures: noting the removal of the reference to HRS Chapter 37D, which does not apply to OHA's governance structure; and clarifying Public Land Trust expenditures to equal to 5% of the NHTF average market value, plus Ceded Land Revenues in the Debt Service Limitation calculation at Attachment D.**

**Trustee Akina Seconds the motion.**

**Chairperson Hulu Lindsey** Is there any discussion? Please note this is the 1st reading of this action. Hearing no discussion, roll call vote.

Trustee Waihee moves						
<p><b>A. Approve the policy changes to the Native Hawaiian Trust Fund (NHTF) Investment Policy Statement (IPS): updating the first page for the policy action; separating management of Hawaii Direct Investments (HDI) from Financial Assets Investments; and updating the HDI Policy to reflect OHA's real estate strategy and investment guidelines at Attachment A; and</b></p> <p><b>B. Review and update the Debt Management Policy (DMP) Implementation procedures: noting the removal of the reference to HRS Chapter 37D, which does not apply to OHA's governance structure; and clarifying Public Land Trust expenditures to equal to 5% of the NHTF average market value, plus Ceded Land Revenues in the Debt Service Limitation calculation at Attachment D.</b></p>						
Trustee Akina Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						EXCUSED
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA		X	X			
TRUSTEE LUANA ALAPA						Not present
TRUSTEE BRENDON LEE			X			
TRUSTEE KEOLA LINDSEY			X			
TRUSTEE JOHN WAIHE‘E	X		X			
CHAIRPERSON HULU LINDSEY			X			

<b>TOTAL VOTE COUNT</b>			<b>7</b>			<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ <b>X</b> ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with a seven ( 7 ) YES votes and one (1) EXCUSED vote.</b>						

### **Executive Session**

#### **Executive Session‡**

**1. Action Item RM #21-11: Approve Financing of Potential Commercial Property Acquisition Consultation with Board Counsel Robert G. Klein, and Everett Ohta, OHA Assistant Senior Legal Counsel, re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to updates by Administration and financing options and approval regarding potential acquisition of commercial properties, pursuant to HRS§92-5(a)(3) and HRS §92-5(a)(4)**

**Chairperson Hulu Lindsey** Can I get a motion to recuse ourselves into executive session pursuant to HRS§92-5

**Trustee Ahu Isa** Moves to recuse into Executive Session.

**Trustee Akaka** Seconds the motion.

**The Board recuses into Executive Session at 10:06 a.m.**

Motion to recuse into executive session pursuant to HRS Section 92-5						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>	X		X			
TRUSTEE DAN <b>AHUNA</b>						<b>Excused</b>
TRUSTEE KALEI <b>AKAKA</b>		X	X			
TRUSTEE KELI'I <b>AKINA</b>			X			
TRUSTEE LUANA <b>ALAPA</b>						<b>Not present</b>
TRUSTEE BRENDON <b>LEE</b>			X			
TRUSTEE KEOLA <b>LINDSEY</b>			X			
TRUSTEE JOHN <b>WAIHE'E</b>			X			
CHAIRPERSON HULU <b>LINDSEY</b>			X			
<b>TOTAL VOTE COUNT</b>			<b>7</b>			<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ <b>X</b> ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) YES votes and one (1) EXCUSED vote.</b>						

**The Board returns to open session at 10:14 a.m**

## Announcements

**Chair Hulu Lindsey** Our next meeting will be on Maui for our community and BOT meeting and we are looking forward to seeing all of you. Thank you to all of you who are planning to come. I want you all to feel comfortable. The meeting we are having our meeting is very large. We will have room to social distance.

## Adjournment

**Trustee Akaka** Moves to adjourn the meeting.

**Trustee Waihe'e** Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA						Excused
KALEIHIKINA	AKAKA	X		X			
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
KEOLA	LINDSEY			X			
JOHN	WAIHE'E		X	X			
CHAIR CARMEN HULU	LINDSEY			X			
TOTAL VOTE COUNT				8			

**Chairperson Carmen Hulu Lindsey** adjourns the Board of Trustees meeting at 10:20 a.m.

Respectfully submitted,

\_\_\_\_\_  
Lehua Itokazu  
Board Secretary

As approved by the Board of Trustees on \_\_\_\_2021.

\_\_\_\_\_  
Carmen Hulu Lindsey  
Chairperson, Board of Trustees



**Attachments:**

1. Excuse Memo – Trustee Dan Ahuna

DRAFT



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OFFICE OF HAWAIIAN AFFAIRS  
**Office of Trustee Dan Ahuna**  
Interoffice Memorandum

Date: August 4, 2021

To: Trustee Hulu Lindsey, Chair  
Board of Trustees (BOT)

Trustee Lei Ahu Isa, Vice-Chair  
Board of Trustees (BOT)

From: Trustee Dan Ahuna *Dan Ahuna*

Subject: **BOT Meeting Absence – Aug. 5, 2021**

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I am unable to attend the BOT meeting scheduled for August 5, 2021. Please extend my excused absence and my sincere apologies to the members of the board.

Mahalo.

Draft

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

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**Minutes of the Office of Hawaiian Affairs**  
**Board of Trustees**  
**MAUI ISLAND COMMUNITY MEETING**  
**MINUTES**  
**Thursday, August 12, 2021**  
**9:30 am**

**ATTENDANCE:**

Chairperson Carmen Hulu Lindsey  
Trustee Leina'ala Ahu Isa  
Trustee Dan Ahuna  
Trustee Kaleihikina Akaka  
Trustee Keli'i Akina  
Trustee Luana Alapa  
Trustee Brendon Kalei'aina Lee  
Trustee Keola Lindsey (zoom)  
Trustee John Waihe'e, IV

**BOT STAFF:**

Colin Kippen, COS  
Amber Kalua, Trustee Aide  
Kanani Iaea, Trustee Aide  
Lehua Itokazu, Board Secretary

**ADMINISTRATION STAFF:**

Sylvia Hussey, Ka Pouhana / CEO  
Casey Brown, COO  
Ramona Hink, CFO  
Raina Gushiken, CC  
Everett Ohta, CC  
Kevin Chak, IT Support  
Erin Nakama, IT Support  
Robert Klein, Board Counsel

**GUEST:**

Mike Hodson  
Mililani Trask

## **Call to Order**

**Chair Hulu Lindsey** Calls the Board of Trustees Maui Island Meeting to order for Thursday, August 12, 2021 at 9:30 a.m. Chair Hulu Lindsey calls for a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA‘ALA	AHU ISA	X	
TRUSTEE	DAN	AHUNA		Excused
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI‘I	AKINA		Joins at 9:32 am
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRENDON KALEI‘ĀINA	LEE	X	
TRUSTEE	KEOLA	LINDSEY		Joins at 9:35 am
TRUSTEE	JOHN	WAIHE‘E	X	
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			6	

At the Call to Order, **six ( 6 )** Trustees are PRESENT, thereby constituting a quorum.

**Chair Hulu Lindsey** Aloha kākou everyone and welcome to our Board of Trustees Maui Island meeting. As a reminder for everyone here on Zoom - Please mute your mics when you are not speaking. Trustees, please enable your cameras if you are able to do so. We are recording today’s meeting for the sole purpose of producing written minutes, which will become the official record of this meeting.

Due to the threat of COVID-19, Governor Ige issued the Emergency Proclamation Related to the COVID-19 Response, dated August 5, 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 will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA’s website at [www.oha.org/livestream](http://www.oha.org/livestream)

At this time I would like to introduce our CEO-Sylvia Hussey, Chief of Staff-Colin Kippen, Board Secretary-Lehua Itokazu, and Aides-Kanani Iaea and Amber Kalua. Ka Pouhana could you please introduce our staff that is present at this meeting.

**Sylvia Hussey, CEO** Thank you Chair, we have with us our COO-Casey Brown, CFO-Ramona Hink, Senior Legal counsel-Raina Gushiken, and our Assistant Legal Counsel-Everett Ohta along with our IT support staff.

**Chair Hulu Lindsey** Before we move on to approval of minutes, I would like to inform the Trustees that I am taking new business out of order and I am moving item V.3. to be first and V.1. to be last.

**Trustee Lee** Madam Chair, in accordance with HRS 12-7.D, I would like to move to amend the agenda.

**Chair Hulu Lindsey** What is the amendment?

**Trustee Lee** I would like to amend the agenda pursuant to our Bylaws, Article 8. L., that waive the action item BOT #21-09 from the RM committee directly to the Board. I am just amending the agenda so that its on the agenda that we are going to do that.

**Chair Hulu Lindsey** Okay.

**Trustee K. Lindsey** I will second that Madame Chair.

**Chair Hulu Lindsey** I believe we need a 2/3 vote. Roll call vote.

In accordance with HRS 12-7.D. and pursuant to OHA Bylaws article 8 to waive Action Item BOT #21-09 from the RM Committee directly to the Board.						
	1	2	‘AE (YES)	‘A‘OLE E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			<b>X</b>			
TRUSTEE DAN <b>AHUNA</b>						<b>EXCUSED</b>
TRUSTEE KALEI <b>AKAKA</b>			<b>X</b>			
TRUSTEE KELI‘I <b>AKINA</b>			<b>X</b>			
TRUSTEE LUANA <b>ALAPA</b>			<b>X</b>			
TRUSTEE BRENDON <b>LEE</b>	X		<b>X</b>			
TRUSTEE KEOLA <b>LINDSEY</b>		X	<b>X</b>			
TRUSTEE JOHN <b>WAIHE‘E</b>			<b>X</b>			
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ <b>X</b> ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with a eight ( 8 ) YES votes and one (1) EXCUSED vote.</b>						

### Approval of Minutes

**Trustee Akaka** Moves to approve the June 24, 2021 and June 30, 2021 minutes.

**Trustee Akina** Seconds the motion.

<b>Minutes: June 24, 2021 and June 30, 2021</b>						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			X			
TRUSTEE DAN <b>AHUNA</b>						<b>X</b>
TRUSTEE KALEI <b>AKAKA</b>	X		X			
TRUSTEE KELI‘I <b>AKINA</b>		X	X			
TRUSTEE LUANA <b>ALAPA</b>			X			

TRUSTEE BRENDON	LEE			X			
TRUSTEE KEOLA	LINDSEY			X			
TRUSTEE JOHN	WAIHE'E			X			
CHAIRPERSON HULU	LINDSEY			X			
TOTAL VOTE COUNT				8			
<b>MOTION:</b> <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED  <b>Motion passes with eight ( 8 ) YES votes and one ( 1 ) EXCUSED vote.</b>							

**Chair Hulu Lindsey** We are now on Public Testimony – I will review our Public Testimony Guidelines. Public Testimony should be limited to matters listed on the meeting agenda and will occur during the Public Testimony portion of the agenda.

Once the public testimony section on the agenda has concluded, oral testimony online will no longer be accepted. Your name will be called and your microphone will be unmuted when it is your turn to testify. If you are not audible, you will be muted and the next testifier will be called.

Your name will be called again before the conclusion of the public testimony section. State your name, organization if applicable, agenda items you are testifying on, and your position on each of the agenda items.

If you begin to address other issues not on the meeting agenda, I will call you Out of Order and direct you to limit your testimony to items listed on the agenda. Oral testimony online will be limited to 5 minutes. A timer will be on the screen to count down the time. Your mic will automatically be muted once you have completed your oral testimony or if your allotted time for testimony expires. You will be asked to disconnect from the meeting, unless you are also signed up for oral testimony during Community Concerns. 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 livestream. Also, any late testimony will be distributed after the BOT meeting. I will now call on staff to call on the list of testifiers.

**Mike Hodson** Aloha Chair and Trustees, I represent Waimea Hawaiian Homestead Association (WHHA) 51C3 nonprofit, and also Waimea nui, a homestead beneficiary association. I want to give a fire damage report on the item BOT#21-09. The extent of damage: 32 beneficiaries have completed our fire damage assessment report as of 8/11/2021; the estimated damage has exceeded over \$2M so far. The news clarification in the report three homes, not two, were burnt to the ground. The weather report or Waimea predicted wind with gusts up to 45 miles per hour, we on the ground knew it was far more than 50. There was not hundreds of firefighters there, it was hundreds of homesteaders and family members fighting the fire. Beneficiaries outnumbered the fire department 20-1 even until today. WHHA immediately set up a shelter for our people and kept it open while feeding and providing drinks to our people for over a week. The shelter was closed this past Tuesday. The Hawaiian community came to our aid and I want to thank them all for their support. Beneficiary meetings - our first gathering took place on 8/5/21 with over forty families being represented to start the process of assessment in assessing the damages. WHHA created a reporting form for each family affected by the fire. This process is ongoing. A second meeting on 8/10/21, government officials requested to be present to address our people. DHHL Chairman Aila addressed the homestead victims of this fire and informed that DHHL has no funding to help any of them. County Mayor Mitch Roth also informed them that the county also has no funding available to them. Fire Chief Todd informed that they are

understaffed and poorly equipped or had the capacity to fight this fire. Government programs such as FEMA exist to reimburse the government for their expenditures and rarely make monies to the public with the exception of low interest loans. State Dept. of Agriculture has no programs to assist our ranchers especially financially. And our last resort is to get assistance from the USDA's FSA conservation program that could be used to help but only under the condition that the fire was from natural causes. Let me make this clear, this is the extent of government aide to our people. It's nice to think that you are kicking in, OHA to help fill the gaps but make no mistake there is no aid coming to the beneficiaries, absolutely none. I'll report with the investigating findings tonight with a ZOOM conference call with FSA officials from Washington DC and with Rep. Kahele. My task is to convince the office that the conditions we have faced was a natural disaster, in spite of the initial cause of the fire. If I am successful, FSA and NRCS will start emergency aid; and planning to start the rehabilitation process of these ranches, which is much needed funding for these families. This is the cost share program that requires upfront cost to be paid by each participant with reimbursement upon completion. Short term loans would be needed to complete this process. Areas of damage:

- 1) Existing waterlines to residence and pasture lands.
- 2) Fencing, ranching, equipment, and supplies
- 3) Restoration of properties with firebreaks
- 4) Structural damage; and
- 5) Smoke contamination and clean up

Going over the first one: Water - We have secured \$20K from Hawaii Community Foundation, we thank Micah Kāne and Michelle Kauhane and Diane Chadwick for the immediate response to our request for assistance. Ongoing reimbursements to our lessees is being administered by our non-profit, WHHA, and its well on its way for the repairs. In detailed account of the expenditures with a variety to Hawaii Community Foundation. If repairs exceed \$20K, additional funds will be made available. Fencing, ranching, equipment, and supplies make up the bulk of the damage. For ex: a 200-acre ranch lot - exterior fencing will cost over \$100K to replace; there are nine of them. A fifteen-acre ranch lot, about \$30K, and there are at least fifteen of them. A 10-acre lot, about \$20K, and there are at least ten of them. This is only the exterior fencing. Bulldozing - Twenty-seven bulldozers ravished the lands created firebreaks throughout the homestead and plowing through fencing. This firebreak saved many of our properties from complete devastation. The aftermath is that these ranches have three to five berms crossing through their land making it nearly impossible to manage any ranching activities in the future. The Native Hawaiian contractor, Rift Hirem Rivera, the loveliest people, donated the use of his bulldozers and other equipment. As native Hawaiian operators from our community, to protect us from the fires for five days without compensation. The cost to restore these properties to allow normal activity to resume is extraordinary. My request to Mr. Rivera to perform such services at a cost of \$50K, which will barely cover the cost of expense if that, but it will once again, provide this needed emergency service to our people. Our structural damage - Three homes were completely destroyed; a single family, three bedrooms; a single family, two bedroom and a studio; many storage sheds, water tanks, containers, ranching equipment were lost. A realistic estimate has not been acquired in the assessment process and the funding sources have not yet been identified to assist these families. Smoke damage and clean-up is the last of our priorities, but it is not the least as it's a necessity in order to get our families back. Conditions are extreme; and lessees do all they can to get back to normal. The area is now a dust bowl and these conditions will get worse if the rains don't come back. In closing, WHHA has the capacity to administer the funding and accounting process and request the funds to be directed to the non-profit 501c3 organization. WHHA is doing the work on the ground thereby removing an additional layer of outside government interventions in helping our people. Thank you.

**Trustee Lee** Aloha Mike, I'm glad to hear you're all safe. With the Governors proclamation of declaring it a disaster, Mayor Roth's comment about no funding to help you guys, has that now been reversed?

**Mike Hodson** They need the money for all their expenses. With the bulldozers, they're in excess of about a million dollars already in expenses just for the bulldozing; that's twenty-seven bulldozers they called out.

**Trustee Lee** Even with Governor's emergency declaration, the Mayor is still saying they're not going to help or provide funding to help you guys?

**Mike Hodson** So he brought in the civil defense deputy who basically said to us to go on the County website and civil defense website and fill out the damage report. So, we've forwarded that to all our lessees to fill out that report, but they were talking mostly about low interest loans.

**Trustee Lee** Okay, thanks Mike.

## Status of OHA Activities

**Chair Hulu Lindsey** I will call on our Ka Pouhana to give an OHA update report and activities.

**Sylvias Hussey, CEO**

We will start with the Education Pathways:

24.2% of Maui DOE students are Native Hawaiian (4,743/19,567). Maui currently does not have any Hawaiian-Focused Charter School campuses on island.

Although there are no Hawaiian-Focused Charter Schools on Maui, there is a very vibrant Kaiapuni. Native Hawaiian system. There are seven school sights: Pā'ia, Makawao, Pukalani, Lahaina (3), and one in Hāna.

On Health Outcomes, the vaccine and the COVID information are reported by County as a whole vs. just one island.

As of July, about 184,676 vaccinations. 62% of Maui County received at least one dose and 54% receiving two doses. Of those vaccinated with at least one dose, Native Hawaiians are 20% of that compared to 29% of overall vaccinations for the Maui County.

Home Ownership, the rates are reported by total population. There are approximately 48,000 total households on the island, of which 59% own their own units, 41% are rent, and the balance is unclassified. There are a little over 9,155 Native Hawaiians listed on the DHHL Maui Island Waitlist for residential, agriculture, and pastoral lot.

Income Data reported by County only, Maui County Native Hawaiian household income is approximately \$61K or 92% of the County wide median is about 66%. Last night at the community meetings, the Trustees heard from several grantees that were awarded grants recently. In Maui, there are 43 active Native Hawaiian Revolving Loan Fund or Consumer Micro Loans on the island, and that amounts to approximately \$655K.

High level, current issues on Maui are tax relief for 'āina kūpuna lands. There are three proposals from DHHL at the Maui County Council; and the East Maui revocable permits continue to be top of mind. Last but not least, Maui County complex does have a new Superintendent, Dr. Rebecca Winkie, who was recently in our Ka Wai Ola paper. These are the highlights Trustees.

### Island Community Report: Maui

#### Executive Summary

##### Current Native Hawaiian Conditions In Maui

###### Educational Pathways Data

- 24.2% of Maui DOE students are Native Hawaiian (4,743/19,567). Maui currently does not have any Hawaiian-Focused Charter School campuses on island.

###### Health Outcomes Data

- Vaccine data are reported by county only. As of July 23, 2020, 184,676 vaccines are administered, with 62% of Maui County residents receiving at least one (1) dose (182,200) and 54% receiving two (2) doses (180,912). 20% of those vaccinated (1) dose are 11 and over Native Hawaiian or Pacific Islander, compared to 29% of the total Maui County resident population.

###### Quality Housing Data

- Homeownership rate data are reported by total population only. There are 48,000 total households on the island of which 59% own their housing units, 41% are rent, and 0% are unclassified.

###### Economic Stability Data

- 9,155 Native Hawaiians are listed on the DHHL Maui Island Wait List for Residential, Agriculture, and Pastoral lots.

###### Current Issues In Maui

- Home income data are reported by county only. In Maui County, Native Hawaiian median household income is \$60,945 or 92% of the statewide median income (\$66,496).

###### Other Maui County Issues

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Chair Hulu Lindsey Moving onto new business number V.

**New Business**

**V. 3. Action Item RM #21-10: Amendments to the Native Hawaiian Trust Fund Investment Policy Statement and the Debt Management Policy Implementation Procedures (2nd reading)**

Trustee Waihe'e Your Committee on Resource Management, having met on August 3, 2021, and after full and free discussion, recommends approval of the following Public Session action to the Board of Trustees:

**Action**

**A. Approve the policy changes to the Native Hawaiian Trust Fund (NHTF) Investment Policy Statement (IPS): updating the first page for the policy action; separating management of Hawaii Direct Investments (HDI) from Financial Assets Investments; and updating the HDI Policy to reflect OHA's real estate strategy and investment guidelines at Attachment A; and**

**8. Review and update the Debt Management Policy (DMP) Implementation procedures: noting the removal of the reference to HRS Chapter 37D, which does not apply to OHA's governance structure; and clarifying Public Land Trust expenditures to equal to 5% of the NHTF average market value, plus Ceded Land Revenues in the Debt Service Limitation calculation at Attachment D.**

Trustee Akaka Seconds the motion.

Trustee Waihe'e

**Action**

**A. Approve the policy changes to the Native Hawaiian Trust Fund (NHTF) Investment Policy Statement (IPS): updating the first page for the policy action; separating management of Hawaii Direct Investments (HDI) from Financial Assets Investments; and updating the HDI Policy to reflect OHA's real estate strategy and investment guidelines at Attachment A; and**

**B. Review and update the Debt Management Policy (DMP) Implementation procedures: noting the removal of the reference to HRS Chapter 37D, which does not apply to OHA's governance structure; and clarifying Public Land Trust expenditures to equal to 5% of the NHTF average market value, plus Ceded Land Revenues in the Debt Service Limitation calculation at Attachment D.**

Trustee Akaka Seconds the motion.

	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						X
TRUSTEE KALEI AKAKA		X	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE			X			
TRUSTEE KEOLA LINDSEY			X			

TRUSTEE JOHN	WAIHE'E	X		X			
CHAIRPERSON HULU	LINDSEY			X			
TOTAL VOTE COUNT				8			
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED  <b>Motion passes with eight ( 8 ) YES votes and one ( 1 ) EXCUSED vote.</b>							

**Chair Hulu Lindsey** Our next item is V.2. and i will call on Trustee Keola Lindsey.

**V.2. Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires**

**Trustee K. Lindsey** I move to approve agenda item V.2. Action Item BOT #21-09 Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawai'i Island Fires.

**Trustee Lee** Point of order, we amended the agenda. We have to waive this action before we move it to the Board level. It wasn't moved yet, so Trustee Keola Lindsey can make the waiver.

**Chair Hulu Lindsey** I am going to reach out to Trustee Waihe'e for the waiver and then Trustee Lindsey for the motion.

**Trustee Lee** Okay.

**Trustee Waihee Madame Chair** I'd like to move to waive from consideration by the Committee on Resource Management agenda item V.2. Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires

**Trustee Akaka** Seconds the motion.

<b>Trustee Waihe'e motions to:</b>  <b>moves to waive from consideration by the Committee on resource Management agenda item V.2. Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires</b>  <b>Trustee Akaka Seconds the motion.</b>							
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED	
TRUSTEE LEI	AHU ISA		X				
TRUSTEE DAN	AHUNA						X
TRUSTEE KALEI	AKAKA	X	X				

TRUSTEE KELI'I	AKINA			X			
TRUSTEE LUANA	ALAPA			X			
TRUSTEE BRENDON	LEE			X			
TRUSTEE KEOLA	LINDSEY			X			
TRUSTEE JOHN	WAIHE'E	X		X			
CHAIRPERSON HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>			
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED							
<b>Motion passes with eight ( 8 ) YES votes and one ( 1 ) EXCUSED vote.</b>							

**Chair Hulu Lindsey** Okay, Trustee Keola Lindsey will you read the motion again.

**Trustee K. Lindsey** I move to approve agenda item V.2. Action Item BOT #21-09 Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawai'i Island Fires.

**Trustee Akaka** Seconds the motion.

**Chair Hulu Lindsey** Any discussion?

**Trustee K. Lindsey** We heard the testimony from Mike and we heard some of the numbers that are coming back from the initial assessments. Some of these numbers are overwhelming, I think everyone knows OHA can't carry all of the weight for this recovery effort. I'm a little disturbed that the association is hearing from other entities that there is no help available, that's hard me to wrap my mind around. I hope as this moves forward we can administratively support those other efforts for money from other sources coming in. We heard the other numbers that Mike folks are reporting and that looks like just initial raw assessments; and I'm sure as time goes on, we're going to out more. I appreciate the work of Administration; and Madame Chair, your support to get this action item before us today. I know there have been other disasters and other communities affected. In reading through the action item, in the budget this year, we have a specific amount allocated for emergencies. From that amount, the \$50K has been pulled out. We hope there is not going to be more disasters that will affect people so we cannot drain that fund and award everything Ku'ukapu. Can administration talk about how we landed at that dollar amount. If we could do more that would be better but I know we can not do everything.

**Sylvia Hussey, CEO** In assessing and making initial assessments for this first round, we wanted to be consistent. The two bifurcate, the two purposes was important to be consistent. So impact priority one, getting dollars to those who were impacted by the disaster; and then impact area two, was to assess what additional support was needed for families. To your point Trustee Lindsey, it was trying to formulate without having on the ground, so the total budget that Trustees approved was \$132K, this was initial estimate as well. The Trustees are within their decision making in terms of, if more is to be allocated to that, including if its more than the \$132K which means it needs to come from another line item that is currently in the budget, that is up to the Trustees. If the entire \$132K is committed to this disaster, heaven forbid that another one happens. If another one were to occur and we needed to fund that, then we would need to go to a reallocation

or go to some other fiscal sustainability mechanism, so we are working within just that as a starter, and the Trustees. If you want that number, not to be \$50K but to be \$100K, \$50K each purpose, then that's up to the Trustees.

**Chair Hulu Lindsey** Ka Pouhana, Trustee Lindsey was asking how we came to the \$50K.

**Sylvia Hussey, CEO** Just some basic initial estimates, and to the point of the impact, right, it was the reports from the media that just said two, then Mike's assessment said no, actually, there's three, so it's also based on just those kinds of preliminary reports, and then the consistency. So, it is just based on what preliminary we understood. On the priority two, we did make estimates, but again, the on the ground estimates of 27 bulldozers and excavators that were there, working round and the number and extensiveness of the berms, we just made an initial estimate, but clearly the underground estimate is much, much more. So again, that would justify re-looking at what the \$50K estimate was initially made.

**Trustee K. Lindsey** Can I bring up one more point? The action item, sorry, I forget the terminology but the action item terminology kind of creates two categories, right? There's the out of the \$50K we have before us, there's \$20K for direct payment for folks affected, and that makes sense to me. It's consistent of how we've approached other disasters that have affected our community. Then the second thing, is that the \$30K amount? One thing I noticed is that \$30K amount is a direct pay to beneficiaries who have been affected. Maybe I'm wrong on that and maybe someone is going to clarify, and if I'm wrong, I'll apologize. I guess where I'm trying to go with that is whatever amount, I wish it could be more. I am okay with that first \$20K amount is an initial amount that makes sense to me and it being a direct pay, it's consistent with how we've done things. That second among the \$30K, you know, maybe we'll get into discussion on increasing that. I guess my concern is the way I read the action item is that it doesn't allow for it to be awarded to a qualified organization. That might be a better approach because, if it's to pay for a bulldozer, the way I read it is each family would have to individually pay for that bulldozer operator and I'm not a bulldozer operator, but it might be hard for that company or that operator to deal with everyone individually, as opposed to, hey, I'll be out here for this long to fix everything and this is my price for mobilizing and being there.

**Sylvia Hussey, CEO** So the estimates were written, I'm thinking how it might be implemented as quickly as possible. Again, because of the numbers and because of the construct, and saving for all of the aid to be able to be used for aid versus administration. That's why the recommendation is for OHA to actually do that. The second part of the priority was meant to be either or, it was meant to pay the operators to be done. So, somebody has the bulldozer and it comes with the operator, and they pay. If it's a direct payment to that, then it could have been just a reimbursement to the rental company. Then the rental company, provides the bulldozers and our dollars go for the rental and as many beneficiaries that the rental period can serve could be a benefit as well. The third aspect of the action item also allowed for allocation between. If the \$20K wasn't all going to be needed, then that could be shifted to the \$30K priority or the second priority. And so, the action item intentionally asked for that authority, knowing that if something on the ground should change, that the flexibility would be there to move that between the two priorities. Either way, directing it to a nonprofit, you know, for on the ground, has also been a model and was the model for the Kaulaula fires on Maui. Those dollars were sent to Habitat for Humanity and they distributed the dollars in accordance with you know, the parameters directly to the families.

**Trustee K. Lindsey** Thank you for that clarification, I just wanted to make sure that, that option was available for that second bid. I mean, no disrespect for the Waimea Homestead Association, they obviously would be a possible candidate. I know we can't guarantee anything during the meeting today, but the main point is, is that we would have the option to award to a qualified organization.

**Sylvia Hussey, CEO Correct,** the Trustees also have the option to award specifically to a recipient to be able to distribute as well. So, the recommendation from Administration is just because we estimated some of that was not as much, at most 25 families. So just handle that in house and get it out there and, utilize our on the ground community folks. But clearly, Mike and the team has already gathered some of those base information to be able to distribute so the how of the distribution is also up to the trustees in awarding specifically to a recipient to be able to carry out. The question then would be at that point, what's the administrative fee? In the Kaulaula, the nonprofit received a 10% fee because the intensity was very clear what the parameters were. It was clear who to get and handle it as a processor, so the administrative fee was modest at 10% because there was paperwork, you know, to do.

**Chair Hulu Lindsey** Trustee Lindsey, are you okay with this?

**Trustee K. Lindsey** Yes, I think all my questions have been answered.

**Chair Hulu Lindsey** Further discussions after the action item is approved for, you know, more assessments?

**Trustee K. Lindsey** Sure, if no other Trustees have questions, I was gonna try to figure out how to amend my own motion and increase the amount we're awarding and see what happens. You know, I want to try because, again, I don't think it's based on my thought, I think we heard directly from folks on the frontline, and we're not going to be able to close the whole gap. But I think we've heard some information from folks, just increasing the total amount a little bit. I want to try and make a motion and see what happens.

**Trustee Akaka** My question is to Trustee Keola Lindsey and our Ka Pouhana in what could be a reasonable amount to go to?

**Trustee K. Lindsey** Again, I know we're not going to completely close the gap and do everything. I don't think it's OHA's job to do everything out there. I think we should be helping as much as we can. I don't know if this is premature, but what I was going to propose was increasing the amount to \$70K; and keep the *in audible*. I think we've discussed for the \$50K amount, there's multiple options to award that out. I just wanted to make sure there was the option for direct pay or award to a qualified organization. I think it's reasonable for us today. Is it going to do everything? No, but it's a start.

**Trustee Akaka** Mahalo.

**Trustee Lee** To Trustee Keola Lindsey's point, I would be okay with such an amendment. I already assumed that this was going to be the case, but I'm happy to hear Ka Pouhana codifying the fact that this was just round one of assistance funding, right that knowing that we don't have one, accurate information, and two, that the assessment process is not completed, OHA didn't want to wait until that was done because our people need help now. So yes, it's a small bandaid, but it was an opportunity for OHA to step in immediately and provide funding to our beneficiaries so they can start the rebuilding process immediately knowing that in the near future once all the assessments are completed, OHA has every intention of increasing the funding for the health for our beneficiaries because we'll have a more accurate picture of the need of our people. But if Trustee Keola Lindsay wants to update by another \$20K with an amendment, I'm not going to be against that. But I am happy that Ka Pouhana codified the fact that this is only around one, we are going to come back with more funding for our beneficiaries once the final assessments are done. So, I'll leave that at that

Madam Chair, but I do have another question for administration after we're done with this and it is related to this. Thank you, Madam Chair.

**Chair Hulu Lindsey** Trustee Lindsey, Do you want to make the amendment?

**Trustee K. Lindsey** I may need some help. The last comment I want to make is there's a question about the administration fees that organizations might take out and I know that exists. I mean, I can't speak for the many organizations that might get this but you know, I do know that there's a lot of folks working very hard out there, out of a lot for their people. I'm confident that if we go the organization route, that whatever the organization gets, it will be carefully considering, you know what they need to take out of money that will be going directly to help our people. So, I don't think we can call anyone back to answer questions on how much they're going to take. I'm not saying that wasn't a good question *in audible* This could be straight to our people.

**Chair Hulu Lindsey** So your amendment is to approve up to \$70K in emergency relief funds to address the impacts of Hawaii island Fires.

**Trustee K. Lindsey** Yes, as long as we don't have to specify the \$50K, has the option to go into an organization because, I didn't pull up the action item, but I had thought that was pretty specific. So if that general motion will get us there.

**Trustee Lee** I believe Trustee Akina had a question so, I will yield to him first but I am prepared with language to assist Trustee Keola Lindsey for his amendment.

**Trustee Akina** Thank you, since we are going to make and put it on the floor, I'll wait until discussion to ask my questions.

**Chair Hulu Lindsey** Okay, Trustee Lee, if you can help with the motion.

**Trustee Lee** Madame Chair, I move that we amend the action item to increase the funding to \$70,000 and to further amend the proposed actions and leaving item A. to remain at \$20k and B. upto and change \$30K to \$50K.

**Trustee K. Lindsey** Seconds the motion.

**Chair Hulu Lindsey** Discussion?

**Trustee Akina** Thank you, I have a question for Ka Pouhana. Obviously, we're trying to act in a timely manner because we have lives at stake, and we care greatly for these beneficiaries who are in need. At the same time, we want to proceed in an orderly fashion as we can, so my question for CEO is would the increase from \$50K to up to \$70K be in line with the preliminary thinking of where you're going so far? I know you mentioned that you will be coming back with another proposal but taking this measure today, would that be inline with your preliminary thinking?

**Sylvia Hussey, CEO** Yes, in addition with the increase in the amount then what administration would then suggest is that it be awarded to a qualified, 501C grantee, and a modest amount of \$10,000. I know in times like this, our communities are all hands on deck and, you know, they'll say things like, no need the money, but honestly, there is work involved documentation and to get that out and to award it to a entity on the

ground, qualified, you know, within our granting parameters, right, that goes to a qualified entity that has a good track record, has experience that makes sense to us as well to also authorize that award specifically to the homestead Association as well. And so that would be our amended recommendation given these additional parameters. And then of course hearing from the on the ground assessment that was provided by the beneficiary community as well.

**Trustee Akina Mahalo.**

**Trustee Akaka** My recommendations perhaps to Ka Pouhana then, with the next awarding money, we can determine how much should be distributed to the entity that's managing it. Can provide a presentation or at least have one or two residence of that area give testimony on what's happening at that point in time so we can support each other on determining the proper amounts. Mahalo.

**Sylvia Hussey, CEO** Trustee Akaka, are you suggesting that we approve the \$70,000, issue the initial \$50,000 to the community entity, get more information, and then release, you know, the additional \$20,000 to the right bucket or, if there's an emerging priority. Right now, we have a priority one and two bucket, but there may be an emerging priority three, I heard five, you know, sort of buckets of priority, from waterlines to restoration to structures. We've only covered two of the five priorities that the beneficiary has reported. Is that what you were thinking as a mechanism?

**Trustee Akaka** Well, my thinking is that if this is just the first round of monies that we're going to be distributing then we can prepare for the next round

**Sylvia Hussey, CEO** Okay, beyond the initial round of the \$70,000. Yes, sure, that would be very normal to get their report on the ground report.

**Chair Hulu Lindsey** Any more questions? I think the homestead association knows that OHA cannot carry the entire burden of what's been reported this morning, but we're happy to do our share. There's no question that there's a need, but there was a need in Kaua'i and a need in Puna, and we couldn't cough up that kind of money that was necessary to restore all the homes of our beneficiaries. So, although we feel and really feel hard for our beneficiaries, please know we don't have that kind of money to be able to rebuild homes and help everybody. Hopefully, the bulldozers can be rented to accommodate all the other properties that were bermed to prevent the fires from burning down the homes. So, I'm hoping that that's a big help that can help them immediately with the monies that can come out from this action item.

**Trustee Ahu Isa** I think we learned a lot when we had to face Kaua'i's emergency. Remember, the people came out and said oh, I went to some nonprofit and they never really came down to them. Then the nonprofit came and they said they had to check, do they have Hawaiian on their birth certificates? There's a whole process they had to go through to get the money. And so, we learned a lot from that. So in regard to Trustee Lindsay's concern about the nonprofits who gets it and gets it down to the beneficiaries. I think Ka Pouhana, your administration is aware of what happened on Kaua'i, even that overhead fee and all those fees that they charge the administration fees. Mahalo Chair.

**Chair Hulu Lindsey** Okay, if there are no more questions, we will take a vote on the action item amended.

<b>Trustee Lee</b>						
move that we amend the action item to increase the funding to \$70,000 and to further amend the proposed action and leaving item A. to remain at \$20k and to increase time B. to \$50k.						
<b>Trustee K. Lindsey Seconds the motion</b>						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						X
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE	X		X			
TRUSTEE KEOLA LINDSEY		X	X			
TRUSTEE JOHN WAIHE‘E			X			
CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with eight ( 8 ) YES votes and one ( 1 ) EXCUSED vote.</b>						

**Trustee Lee** Before we move on to approve the action item can I ask my other question? This question is directed to Ka Pouhana. If we can have advocacy and/or compliance follow up with the county and Mayor Roth, the Governor declared a disaster, how is it that the Mayor is saying there is no funding? I do not believe that's true. Once the governor declares a disaster that is supposed to open up a floodgate of funding, that's the purpose of the declaration of an emergency, so can advocacy and our compliance follow up as to why Mayor Roth is saying that they're not going to help our beneficiaries? I don't believe that's right or true. Once the Governor declared a disaster, there should be funding available for beneficiaries and for him to be sure there isn't, is unacceptable.

**Sylvia Hussey, CEO** We agree, part of the analysis was not there. It triggered the disaster and there's an assessment form, it wasn't working when we're doing the action item, but yes, we will; that is not our understanding. Thank you.

**Chair Hulu Lindsey** Thank you Trustee Lee.

Main Motion as Amended						
	1	2	‘AE (YES)	‘A‘OLE E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			



TRUSTEE DAN	AHUNA						<b>Excused</b>
TRUSTEE KALEI	AKAKA		X	X			
TRUSTEE KELI'I	AKINA			X			
TRUSTEE LUANA	ALAPA			X			
TRUSTEE BRENDON	LEE			X			
TRUSTEE KEOLA	LINDSEY	X		X			
TRUSTEE JOHN	WAIHE'E			X			
CHAIRPERSON HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>			
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED							
<b>Motion passes with eight ( X ) YES votes and one ( 1 ) EXCUSED vote.</b>							

**V.1. Action Item BOT #21-08: A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai'i, and to Indigenous Rights Movements Worldwide**

**Chair Hulu Lindsey** A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai'i, and to Indigenous Rights Movements Worldwide. I will at this time call on our Chief of Staff to read the resolution.

Colin Kippen, COS reads the following:

**A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS HONORING THE CONTRIBUTIONS OF DR. HAUNANI-KAY TRASK TO THE NATIVE HAWAIIAN COMMUNITY, THE STATE OF HAWAI'I, AND TO INDIGENOUS AND ABORIGINAL RIGHTS MOVEMENTS WORLDWIDE**

**WHEREAS**, Dr. Haunani-Kay (Haunaniokawēkiuohaleakalā) Trask was born on October 3, 1949 in San Francisco to Bernard Trask and the former Haunani Cooper, a descendant of Maui's famous chief, Pi'ilani, who established his line in the 16th century; and

**WHEREAS**, Dr. Trask was raised in Ko'olaupoko, O'ahu, graduating from Kamehameha Schools in 1967; and

**WHEREAS**, Dr. Trask attended Drake University in Iowa, the University of Chicago, and finally the University of Wisconsin-Madison where she earned a bachelor's degree in 1972; a master's degree in 1975; a Ph.D. in political science in 1981; and was awarded a Ford Foundation Fellowship; and

**WHEREAS**, as a college student, Dr. Trask was actively involved in anti-war and feminist movements, and the Black Panther movement, protesting racism, imperialism and militarism, and, upon returning home to Hawai'i, immediately became involved with the Protect Kaho'olawe 'Ohana (PKO); and

**WHEREAS**, Dr. Trask was part of the PKO team that negotiated with the U.S. Navy for legal access to Kaho'olawe, and a major contributor to the effort to have the island of Kaho'olawe listed on the National Register for Historical Places (designated the Kaho'olawe Archaeological District) in March 1981; and

**WHEREAS**, after earning her Ph.D., Dr. Trask was hired as a professor in the American Studies department at UH Mānoa in 1981, and throughout her career at UH Mānoa she championed and led an effort against pervasive institutional racism and sexism that threatened her bid, and the legitimate bids of other Native Hawaiian professors, for tenure; and

**WHEREAS**, Dr. Trask was a prolific writer whose published works included numerous essays; two scholarly books, *Eros and Power: The Promise of Feminist Theory*, (her doctoral dissertation) published by the University of Pennsylvania Press in 1986, and *From a Native Daughter: Colonialism and Sovereignty in Hawai‘i*, published by the University of Hawai‘i Press in 1993; two books of poetry, *Light in the Crevice Never Seen* in 1994, and *Night is a Sharkskin Drum* in 2002; and a CD, *We Are Not Happy Natives*, also published in 2002; and

**WHEREAS**, Dr. Trask’s critiques of Jocelyn Linnekin’s article, *Defining Traditions: Variation on the Hawaiian Identity*, and Roger Keesing’s article, *Creating the Past: Custom and Identity in the Contemporary Pacific*, sparked a series of debates that became famous in the fields of anthropology and Pacific Island studies, resulting in greater inclusion of Indigenous and aboriginal scholars; and

**WHEREAS**, Dr. Trask is credited with establishing UH Mānoa’s Hawaiian Studies Program which grew from just a handful of students into a formal and formidable academic program that was granted permanent status after much debate by the Board of Regents in 1985; and

**WHEREAS**, Dr. Trask then became the first full-time faculty member of the new Hawaiian Studies Program, in which capacity she was granted tenure and was a driving force behind the building of the university’s Gladys Brandt Kamakūokalani Center for Hawaiian Studies, becoming its founding director in 1989; and

**WHEREAS**, in 1986 Dr. Trask began producing and hosting “First Friday,” a PBS monthly public-access television program that highlighted controversial Hawaiian issues that ran for over 30 years; and

**WHEREAS**, Dr. Trask, along with her sister, Mililani B. Trask, was one of the founding members of Ka Lāhui Hawai‘i in 1987, and to this day Ka Lāhui Hawai‘i remains an influential Native Hawaiian-led initiative for sovereignty and self-determination; and

**WHEREAS**, in January 1992, Dr. Trask was named “Islander of the Year” by Honolulu Magazine; and

**WHEREAS**, Dr. Trask collaborated with Nā Maka o Ka ‘Āina and others to produce the award-winning 1993 documentary, *Act of War: The Overthrow of the Hawaiian Nation*; and

**WHEREAS**, in 2011, Hawai‘i inuiākea School of Hawaiian Knowledge presented Dr. Trask with the *I Ulu I Ke Kumu* award, recognizing her as a leading educator in Hawai‘i; and

**WHEREAS**, in 2017, *Hawai‘i Magazine* recognized Dr. Trask as one of the most influential women in Hawaiian history; and

**WHEREAS**, in 2019, the American Studies Association named Dr. Trask the winner of the Angela Y. Davis Lifetime Achievement Award; and

**WHEREAS**, in 2020, *USA Today* recognized Dr. Trask as one of 10 “Women of the Century” (1920-2020) from the State of Hawai‘i; and

**WHEREAS**, Dr. Trask received one of academia's highest honors when she was elected to the American Academy of Arts and Sciences in 2021, one of America's oldest and most prestigious honorary societies; and

**WHEREAS**, for almost 40 years, Dr. Trask was actively involved in community organizing to protect Hawaiian lands and communities from theft, eviction, desecration and gentrification and spoke boldly and fearlessly for Hawaiian sovereignty and Indigenous rights, as well as internationally with her involvement in the Nuclear Free and Independent Pacific movement, and her representation of Native Hawaiians at the United Nations; and

**WHEREAS**, following her death on July 3, 2021, the Department of Philosophy at UH Mānoa issued a formal, public apology to Dr. Trask, and to all Kānaka ʻŌiwi faculty and students, for the unfounded and regrettable attacks she suffered from the department's faculty during her tenure; now, therefore,

**NOW, THEREFORE, BE IT RESOLVED**, that the OHA Board of Trustees expresses its recognition of Dr. Haunani-Kay Trask's leadership in the establishment of the modern Native Hawaiian sovereignty movement, and that her example of courage and resistance inspired generations of young Hawaiians to become educated and speak out against injustice, many of whom are now leaders and educators in their own right, and that her influence extended internationally; and

**BE IT FURTHER RESOLVED**, that the OHA Board of Trustees expresses its recognition that Dr. Trask stood alone many times amidst criticism from her own people, but even this did not dissuade her from working tirelessly on behalf of the greater good for Kānaka Maoli everywhere. She remained a true warrior, relentless and unforgiving in her desire and drive to secure social, political and economic justice;

**BE IT FURTHER RESOLVED**, that the OHA Board of Trustees expresses its appreciation for Dr. Trask's extraordinary efforts to educate our lāhui and to teach her haumāna to think critically, to resist oppression and the status quo, to be courageous against seemingly insurmountable odds, and to use what they learned to be forces of change in and for Hawai'i;

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be transmitted to her beloved sister Mililani B. Trask and her ʻohana; and

**adopted**, this 12th day of August 2021, island of Maui, State of Hawai'i, by the Board of Trustees of the Office of Hawaiian Affairs.

**Chair Hulu Lindsey** Thank you Colin.

**Trustee Waihe'e** Madam Chair, I'd like to move that we adopt this resolution.

**Trustee Akaka** Seconds the motion.

**Trustee Ahu Isa** I want speak to it because she's a really good friend of mine. I remember her coming to the legislature when I was a State Representative. She'd come to my office and tell me, sister, you got to change your name. You don't want Isa on there, you want Ahu because Ahu is strong. Ahu is that the sacrificial altar and this is what we're trying to do for the lāhui and you represent that. I was really touched by her passing, because I haven't talked to her for so many years. But we're about the same age and so that's why I was closer to

her but I am also close to Mililani but I was very close to Haunani and so mahalo for the resolution Chair. Grateful. Thank you.

**Trustee Akaka** I just want to extend my aloha to the Trask ‘ohana and to Auntie Mili. We send our love to you. Mahalo for all of your work for our people and for your sister’s work for our people. Mahalo nui.

**Trustee Akina** It is an honor to vote aye on this resolution for Hanani Trask and I extend to the entire Trask ohana and my dear friend Mililani my deepest condolences and much aloha. It is a privilege to know your ‘ohana.

**Chair Hulu Lindsey** My deepest condolences goes up to Mililani and her family. For all that they’ve done for our lāhui; we can see the progress of the next generation under their leadership and it's encouraging to know that they had that kind of leadership, and they know what they need to do for our lāhui, so my deepest condolences for my friend, Mililani’s loss. I know how close the sisters were. They've done so much for our lāhui. So, aloha nui.

**Trustee Alapa** My sincerest condolences to Mililani and her ‘ohana in the passing of your beloved sister, Haunani. I know she has left a profound impact on our Hawaiian people and she's touched many hearts for her passion and believing in what is right and just for Hawaiian people; and that many others today will carry on her legacy. I hope in this lifetime that we're able to see many changes happen for Hawaiian people and I thank you Mililani, for continuing that and to help bring resolve to our Hawaiian people for all that is due to them. A big mahalo to her and to your ‘ohana for all that you've done for people. God bless. Thank you,

<b>Trustee Waihee moves</b>						
<b>To adopt the resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr.Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai‘i, and to Indigenous Rights Movements Worldwide</b>						
<b>Trustee Akaka Seconds the motion</b>						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			X			
TRUSTEE DAN <b>AHUNA</b>						X
TRUSTEE KALEI <b>AKAKA</b>		X	X			
TRUSTEE KELI‘I <b>AKINA</b>			X			
TRUSTEE LUANA <b>ALAPA</b>			X			
TRUSTEE BRENDON <b>LEE</b>			X			
TRUSTEE KEOLA <b>LINDSEY</b>			X			
TRUSTEE JOHN <b>WAIHE‘E</b>	X		X			
CHAIRPERSON HULU <b>LINDSEY</b>			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with eight ( 8 ) YES votes and one ( 1 ) EXCUSED vote.</b>						

## **Community Concerns**

**Chair Hulu Lindsey** Under community concerns read the apology from the philosophy department from UH Mānoa that they've offered to the family of Doctor Haunani K. Trask.

Colin Kippen, COS Thank you Chair. This is a public apology, there is also a Hawaiian version that has been written by Scott Kaua Neumann.

The Department of Philosophy at Mānoa is saddened by the news of the passing of Dr. Haunani-Kay Trask, Professor Emerita and co-founder of the Hawaiʻinuiākea School of Hawaiian Knowledge. The Department recognizes her trail-blazing scholarship and visionary leadership and apologizes sincerely for the attacks she suffered from philosophers at Mānoa in the past. Professor Trask's work has been crucial in foregrounding the systemic injustices that have plagued the practice of our discipline. We should have listened to her when she tried to teach us that these injustices had their roots in the history and power dynamics of colonial oppression both within the University of Hawaiʻi and outside of it. That is a history the Department of Philosophy is prepared to study and confront. Also, it understands the need to bring down barriers preventing indigenous research from receiving academic recognition. We acknowledge that our apology is long overdue and regret we did not convey it to Professor Trask in person while there was time. We are aware that our shortcomings have also affected the wider community of Kānaka ʻōiwi faculty and students. This apology is therefore also addressed to them. Today, the Department of Philosophy is eager to pursue philosophy self-critically and explore the rich and complex sources of Hawaiian Knowledge in our classrooms and research in comparative philosophy. We are also committed to seeking partnerships with the School of Hawaiian Knowledge and supporting native Hawaiian projects aiming at articulating Hawaiian values and ways of inquiry as philosophy. Finally, we are not forgetting that the University of Hawaiʻi at Mānoa was erected on Hawaiian land. We acknowledge the need to respect our host culture.

The Department of Philosophy at Mānoa

Dr. Tamara Albertini (Chair),

Dr. Arindam Chakrabarti, Dr. Chung-ying Cheng,

Dr. Vrinda Dalmiya, Dr. Jonathan Fine,

Dr. Masato Ishida, Dr. Thomas Jackson,

Dr. Steve Odin, Dr. Franklin Perkins,

Dr. Sean Smith, Dr. Joseph Tanke, Dr. George Tsai

Affiliate Faculty and Lecturers Dr. Sharon Rowe West Oahu Dr. Lisa Rosenlee

**Chair Hulu Lindsey** We have Haunani's sister Mililani online, we would like to hear from her.

**Mililani Trask** I just wanted to thank you folks and the whole OHA team for honoring my sister. And in doing so, honoring her legacy and our family. I wanted to thank Pua and our Ka Wai Ola 'ohana for that beautiful article in the newspaper. I've sent it out to all the Trasks and the Hai'a's from Kaneohe, O'ahu, and all the way to Hāna, and many other places on the continent. You honor my sister and her legacy, and also our family. I wanted to thank OHA for taking this most significant apology from the University of Hawaii Philosophy Department, one of the oldest and most well-established departments there for finally coming forward and acknowledging a history of racism, racism that was perpetrated, not just against one Hawaiian educator, but against many others. The resolution and apology is remarkable from OHA and the Department of Philosophy because it not only recognizes wrongs that were done to her in the past, but rather also lays a strong foundation for our work to uplift our people. And in that respect OHA, myself, my sister and many other advocates have

something in common. I wanted to tell you that the apology that you put in the record will ensure historically, that there will always be a reliable government record to set the historical truth forward for my sister. We were so uplifted when we heard what you folks were doing. And then I gotta tell you, I was little bit disappointed. When I heard that President Lassner and the university regents, some of them were very upset with what the anthropology department had done. When it was proposed by the Anthro. Department, to the President and the board, that they adopt that similar resolution, such as OHA was doing, there was no comment. There was no response off the record, they were told, don't try to put it on the agenda. I say this because the best way to honor my sister and all of our kūpuna who have passed is to accept what they have left us as a legacy and to make a commitment to move it forward. That's what happened at Ka'anapali this past week. All the paddlers that will fly the flags will paddle the wa'a we'll honor our sister on the Big Island, something else has happened very similar. One of the things my sister believed in, as the OHA Trustee and master plan reflects the protection of the wahi pana and the protection of the iwi kūpuna. Right now on the Big Island at Kumukahi, the community group has come together to do exactly that. For many months, they've tried to work with the University. They're getting the same response that OHA is getting on the apology resolution. No response from President last night. The community contacted me a few months ago asking for help, my community on the Big Island. I told them, I'll help, you need a nonprofit. But what is your plan? The University's controlled this land for more than 40 years.

The iwi's are being dug up the moepu ransacked, and things being sold on the internet, poi pounders and other things. I told him, this is a big job. What is the plan? We set up a zoom? And I was so surprised when I talked with them. Their plan is in two letters that were sent to them, sent for them by the OHA Trustees. Thank you OHA trustees for doing this. In 2020 you and Ka Pouhana, Sylvia sent the letter to Lassner. Same time to mālama, the iwi kūpuna time to take care of the wahi pana, no response. 2021 they had a second letter. I looked at it. I said I see what your plan is, your plan is the same as the Office of Hawaiian Affairs. So, we've just decided that we're going to go ahead, we've been working for months with Bob Matsuda DLNR, they're online for iwi protection of the shoreline trails and access. Unfortunately, we get the same responses. OHA, and the Department of Philosophy, no response. So we're going to go ahead, we're dedicating our effort to protect Kumukahi to my sister's legacy and we're going to be following up OHA. It is so ironic but yet it is so appropriate that when we undertake this project on the Big Island, it will be pursuant to the letters that the Office of Hawaiian Affairs sent out. I'll send this message to each one of the trustees and also to Ka Pouhana, thank you so much for the effort that you undertake on behalf of our people. Thank you for putting the iwi kupuna in the master plan, and thank you OHA for honoring my sister's legacy and for showing us in black and white that you are committed. I have to just tell you in the end, that you know, I know the burden on your shoulders. It was on mine for a few years. And for many years in my life, I thought I would come back to sit with you in this circle and continue the work. Well, my age caught up with me and other things as well. Now I am no longer a Trustee but I welcome the effort. When I read your two letters, I said Ah ha! Now an opportunity to work again with the Office of Hawaiian Affairs. We will take care of business. Mahalo to all of you who expressed your mana'o earlier in honor of my sister. Some of you I have worked with for many years, some I have not really had much of a chance, but in the time, we have, we will make good use of it and we will protect our iwi's, mahalo nui loa OHA trustees and staff. You need anything, just kāhea and for you Lei Ahu Isa, you know the thing is that some things we cannot do, and Haunani would see those things and just stormed into the office and say look, drop your last name. Keep the Ahu and drop the ISA. If you had done that, you wouldn't have changed anything. It's like me trying to say I'm not a Trask and pretending I can change my name, but sometimes creator and akua shows us the better way. Looking forward to working with you trustees to protect our iwi's. Mahalo, aloha, and akua bless every one of you.

**Chair Hulu Lindsey** Thank you Mililani.

## **Community Concerns and Celebrations**

**Blossom Feiteira** Aloha Madam Chair and OHA Trustees, mahalo for the opportunity to be here for you this morning. You know, I just wanted to bring the trustees attention to the comprehensive Maui County affordable housing plan that I had a privilege of working with Hawaiian Community Assets to develop. Now, we have a total of 16 community meetings across the county. Two things that I wanted to bring forward to the trustees to consider is first of all, in the eight communities that we met with every single one made, the Hawaiian homelands development or homestead development projects our priority. That one is a county to pay attention to. The other thing that came out in our conversations is the sole desire of those Hawaiians that were less than 50%, who are not eligible for Hawaiian homelands to be able to work on developing a plan where any project that involves ceded lands would retain homes specifically for those Hawaiians that do not meet the eligibility requirements for Hawaiian homelands. I bring it to the attention of the trustees; it's been a long standing issue and part of the housing conversation for the last 20 years. With the economy being the way it was before COVID, the voices started to get louder. During COVID and particularly in the seven months that we took to gather community mana'o, that topic in the conversation was very prevalent from every community. Clearly, there is a belief that because ceded lands are defined in the law to benefit Hawaiians, yet they see no benefit to those that are less than 50% in terms of housing. So, Madam Chair, I would bring to you a consideration for the trustees and for the Office of Hawaiian Affairs as an agency, to begin to explore in more detail, any opportunities that OHA may have to be able to serve the housing needs of those Hawaiians that are less than 50%. If there is any need for data, income information, a census information or population size, I will be more than happy to kōkua in getting that information for you to take a deeper dive. But at the end of the day, I think our people are looking for ways to get the assistance that they definitely need to address their current housing crisis situation for Native Hawaiians. Mahalo.

**Chair Hulu Lindsey** Thank you Blossom. Yes, we will count on you for data.

## **Announcements**

**Chair Hulu Lindsey** Next Thursday, August 19th we have a Board of Trustee's meeting

## **Adjournment**

**Chair Hulu Lindsey** I would like to ask for a motion to adjourn.

**Trustee Ahu Isa** Moves to adjourn.

**Trustee Akaka** Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA	X		X			
DAN	AHUNA						Excused
KALEIHIKINA	AKAKA		X	X			
KELI'I	AKINA			X			

LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
KEOLA	LINDSEY			X			
JOHN	WAIHE'E			X			
CHAIR CARMEN HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>			<b>1</b>

**Chairperson Carmen Hulu Lindsey** adjourns the Board of Trustees meeting at 10:58 a.m.

Respectfully submitted,

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Lehua Itokazu  
Board Secretary

As approved by the Board of Trustees on September 23, 2021.

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Carmen Hulu Lindsey  
Chairperson, Board of Trustees

**Attachments:**

1. Executive Summary Island Report-Maui
2. Action Item BOT #21-08 and attachments
3. Action Item BOT #21-09





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OFFICE OF HAWAIIAN AFFAIRS  
**Office of Trustee Dan Ahuna**  
Interoffice Memorandum

Date: August 12, 2021

To: Trustee Hulu Lindsey, Chair  
Board of Trustees (BOT)

Trustee Lei Ahu Isa, Vice-Chair  
Board of Trustees (BOT)

From: Trustee Dan Ahuna *Dan Ahuna*

Subject: **BOT Meeting Absence – Aug. 12, 2021**

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I am unable to attend the BOT meeting scheduled for August 12, 2021. Please extend my excused absence and my sincere apologies to the members of the board.

Mahalo.

# Island Community Report: Maui

## Executive Summary



### Current Native Hawaiian Conditions in Maui



#### Educational Pathways Data

- 24.2% of Maui DOE students are Native Hawaiian (4,743/19,567). Maui currently does not have any Hawaiian Focused Charter School campuses on island.



#### Health Outcomes Data

- Vaccine data are reported by county only. As of July 23, 2021: 184,676 vaccines are administered, with 62% of Maui County residents receiving at least one (1) dose (102,200) and 54% receiving two (2) doses (88,992). 20% of those vaccinated (at least one (1) dose) are Native Hawaiian or Pacific Islander, compared to 29% of the total Maui County resident population.



#### Quality Housing Data

- Homeownership rate data are reported by total population only. There are 48,494 total households on the island of which 59% own their housing units, 41% rented, and 0.9% unclassified.
- 9,155 Native Hawaiians are listed on the DHHL Maui Island Wait List for Residential, Agricultural, and Pastoral lots.



#### Economic Stability Data

- Income data are reported by county only. In Maui County, Native Hawaiian median household income is \$60,945 or 92% of the countywide median income (\$66,476).

### Current Issues in Maui

**New Maui Complex Area Superintendent:** Dr. Rebecca Winkie fills Complex Area Superintendent (CAS) position for the Hāna-Lahainaluna-Lānaʻi-Molokaʻi Complex. (See Full Report, page 8)

**East Maui Revocable Permits Ruled Invalid:** First Circuit Judge Crabtree ruled that the Board of Land and Natural Resources (BLNR) violated the Sierra Club's due process rights when it denied Sierra Club's request for a contested case hearing over BLNR's issuance of four water revocable permits to Alexander & Baldwin (A&B) for the diversion of streams in East Maui. OHA's Advocacy Paia has long opposed the continual reissuance of these month-to-month revocable permits which have enabled A&B to continue diverting stream water from East Maui with little accountability or oversight for impacts to diverted streams and the communities and public trust purposes that they benefit. (See Full Report, page 13)

**ʻĀina Kūpuna Tax Relief:** OHA continues to work with council member Keani Rawlins-Fernandez on the development of a tax relief proposal for Native Hawaiians who have retained their 'ohana lands for generations (referred to as 'āina kūpuna), but whose ability to do so may be threatened by massive increases in property taxes from land speculation and development in surrounding areas. (See Full Report, page 22)

**DHHL Proposals in the Maui County Council:** Relating to the Department of Hawaiian Home Lands (DHHL), three measure of note have been introduced and referred to committee in the Maui County Council: 1) a bill to require DHHL representation on the county board of water supply, to ensure that DHHL's rights and interests are adequately considered; 2) a bill to exempt DHHL from the "Show me the water" ordinance; and 3) a resolution to support the "undivided interest awards policy" of DHHL and to encourage timely county action to facilitate the development of homestead lots. These bills and resolution have yet to be heard in committee. (See Full Report, page 23)

### Current Grantees Serving Maui

Boys & Girls Clubs of Maui, Inc. • Maui Family Support Services, Inc. • Maui Nui Botanical Gardens • Hana Arts • Ma Ka Hana Ka 'Ike • Malama Na Makua a Keiki, Inc. • Ke Ao Hali'i • The Hawaiian Church of Hawaii Nei • Hawaiian Islands Land Trust • Ke Ao Hali'i • Maui Economic Opportunity, Inc. • Pā'ūpena Community Development, Inc. • KUPU • (Statewide: Moanalua Culture Project • Bishop Museum • Papahāna Aloha 'Āina Hawai'i • Hawai'i Community Foundation • Ho'oulu Lahui • Moanalua Gardens Foundation • Hawaiian Community Assets • Council for Native Hawaiian Advancement • Hawai'i Community Lending)

### Maui Lending

43 active Native Hawaiian Revolving Loan Fund/ Consumer Micro Loan Program loans; \$654,588 total dollar amount



**ACTION ITEM**  
**Board of Trustees**  
**August 12, 2021**

**BOT #21-08**

**Action Item Issue:**     **A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai'i, and to Indigenous Rights Movements Worldwide**

**Prepared by:**

*L. Puanani Fernandez-Akamine*

**Aug 5, 2021**

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**Puanani Fernandez-Akamine, 'Aho Alaka'i Ho'oponopono 'Ike  
Publications Editor**

**Date**

**Reviewed by:**

*Alice M. Silbanuz*

**Aug 6, 2021**

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**Alice Silbanuz, Ka Pou Kihi Paia Lono Kūikawā,  
Interim Community Engagement Director**

**Date**

**Reviewed by:**

*Casey B. Brown*

**Aug 6, 2021**

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**Casey B. Brown, Ka Pou Nui  
Chief Operating Officer**

**Date**

**Reviewed by:**

*Sylvia M. Hussey*

**Aug 6, 2021**

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

**Date**

**Reviewed by:**

*Carmen Hulu Lindsey*

**Aug 6, 2021**

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**Trustee Carmen Hulu Lindsey  
Ke Kauhuhu o ke Kaupoku, Chairperson, Board of Trustees**

**Date**

**Action Item BOT #21-08: A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai‘i, and to Indigenous Rights Movements Worldwide**

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**I. Proposed Action**

The OHA Board of Trustees approve “A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS HONORING THE CONTRIBUTIONS OF DR. HAUNANI-KAY TRASK TO THE NATIVE HAWAIIAN COMMUNITY, THE STATE OF HAWAI‘I, AND TO INDIGENOUS AND ABORIGINAL RIGHTS MOVEMENTS WORLDWIDE”, Attachment A

**II. Issue**

Should the OHA Board of Trustees approve the attached honorary resolution.

**III. Discussion**

Dr. Haunani-Kay (Haunaniokawēkiuohaleakalā) Trask was born on October 3, 1949 in San Francisco to Bernard Trask and the former Haunani Cooper, a descendant of Maui’s famous chief, Pi‘ilani, who established his line in the 16th century.

As a college student, Dr. Trask was actively involved in anti-war and feminist movements, and the Black Panther movement, protesting racism, imperialism and militarism, and, upon returning home to Hawai‘i, immediately became involved with the Protect Kaho‘olawe ‘Ohana (PKO).

Dr. Trask was part of the PKO team that negotiated with the U.S. Navy for legal access to Kaho‘olawe, and a major contributor to the effort to have the island of Kaho‘olawe listed on the National Register for Historical Places (designated the Kaho‘olawe Archaeological District) in March 1981.

Dr. Trask, along with her sister, Mililani B. Trask, was one of the founding members of Ka Lāhui Hawai‘i in 1987, and to this day Ka Lāhui Hawai‘i remains an influential Native Hawaiian-led initiative for sovereignty and self-determination

Following her death on July 3, 2021, the Department of Philosophy at UH Mānoa issued a formal, public apology on social media, to Dr. Trask, and to all Kānaka ‘Ōiwi faculty and students, for the unfounded and regrettable attacks she suffered from the department’s faculty during her tenure (Attachment B).

**IV. Recommended Action**

Approve “A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS HONORING THE CONTRIBUTIONS OF DR. HAUNANI-KAY TRASK TO THE NATIVE HAWAIIAN COMMUNITY, THE STATE OF HAWAI‘I, AND TO INDIGENOUS AND ABORIGINAL RIGHTS MOVEMENTS WORLDWIDE”, Attachment A

**Action Item BOT #21-08: A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai'i, and to Indigenous Rights Movements Worldwide**

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**V. Alternative Actions**

- A.** To not approve Administration's recommended honorary resolution; or
- B.** To approve an amended version of Administration's recommended honorary resolution

**VI. Funding**

No funding is required.

**VII. Timeframe**

Immediate action is recommended.

**VIII. Attachment**

- A.** A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS HONORING THE CONTRIBUTIONS OF DR. HAUNANI-KAY TRASK TO THE NATIVE HAWAIIAN COMMUNITY, THE STATE OF HAWAI'I, AND TO INDIGENOUS AND ABORIGINAL RIGHTS MOVEMENTS WORLDWIDE
- B.** A Public Apology from the Department of Philosophy at Mānoa

**A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS HONORING THE CONTRIBUTIONS OF DR. HAUNANI-KAY TRASK TO THE NATIVE HAWAIIAN COMMUNITY, THE STATE OF HAWAI'I, AND TO INDIGENOUS AND ABORIGINAL RIGHTS MOVEMENTS WORLDWIDE**

**WHEREAS**, Dr. Haunani-Kay (Haunaniokawēkiuohaleakalā) Trask was born on October 3, 1949 in San Francisco to Bernard Trask and the former Haunani Cooper, a descendant of Maui's famous chief, Pi'ilani, who established his line in the 16th century; and

**WHEREAS**, Dr. Trask was raised in Ko'olaupoko, O'ahu, graduating from Kamehameha Schools in 1967; and

**WHEREAS**, Dr. Trask attended Drake University in Iowa, the University of Chicago, and finally the University of Wisconsin-Madison where she earned a bachelor's degree in 1972; a master's degree in 1975; a Ph.D. in political science in 1981; and was awarded a Ford Foundation Fellowship; and

**WHEREAS**, as a college student, Dr. Trask was actively involved in anti-war and feminist movements, and the Black Panther movement, protesting racism, imperialism and militarism, and, upon returning home to Hawai'i, immediately became involved with the Protect Kaho'olawe 'Ohana (PKO); and

**WHEREAS**, Dr. Trask was part of the PKO team that negotiated with the U.S. Navy for legal access to Kaho'olawe, and a major contributor to the effort to have the island of Kaho'olawe listed on the National Register for Historical Places (designated the Kaho'olawe Archaeological District) in March 1981; and

**WHEREAS**, after earning her Ph.D., Dr. Trask was hired as a professor in the American Studies department at UH Mānoa in 1981, and throughout her career at UH Mānoa she championed and led an effort against pervasive institutional racism and sexism that threatened her bid, and the legitimate bids of other Native Hawaiian professors, for tenure; and

**WHEREAS**, Dr. Trask was a prolific writer whose published works included numerous essays; two scholarly books, *Eros and Power: The Promise of Feminist Theory*, (her doctoral dissertation) published by the University of Pennsylvania Press in 1986, and *From a Native Daughter: Colonialism and Sovereignty in Hawai'i*, published by the University of Hawai'i Press in 1993; two books of poetry, *Light in the Crevice Never Seen* in 1994, and *Night is a Sharkskin Drum* in 2002; and a CD, *We Are Not Happy Natives*, also published in 2002; and

**WHEREAS**, Dr. Trask's critiques of Jocelyn Linnekin's article, *Defining Traditions: Variation on the Hawaiian Identity*, and Roger Keesing's article, *Creating the Past: Custom and Identity in the Contemporary Pacific*, sparked a series of debates that became famous in the fields of

**Action Item BOT #21-08: A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai'i, and to Indigenous Rights Movements Worldwide** **ATTACHMENT A**

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anthropology and Pacific Island studies, resulting in greater inclusion of Indigenous and aboriginal scholars; and

**WHEREAS**, Dr. Trask is credited with establishing UH Mānoa's Hawaiian Studies Program which grew from just a handful of students into a formal and formidable academic program that was granted permanent status after much debate by the Board of Regents in 1985; and

**WHEREAS**, Dr. Trask then became the first full-time faculty member of the new Hawaiian Studies Program, in which capacity she was granted tenure and was a driving force behind the building of the university's Gladys Brandt Kamakakūokalani Center for Hawaiian Studies, becoming its founding director in 1989; and

**WHEREAS**, in 1986 Dr. Trask began producing and hosting "First Friday," a PBS monthly public-access television program that highlighted controversial Hawaiian issues that ran for over 30 years; and

**WHEREAS**, Dr. Trask, along with her sister, Mililani B. Trask, was one of the founding members of Ka Lāhui Hawai'i in 1987, and to this day Ka Lāhui Hawai'i remains an influential Native Hawaiian-led initiative for sovereignty and self-determination; and

**WHEREAS**, in January 1992, Dr. Trask was named "Islander of the Year" by Honolulu Magazine; and

**WHEREAS**, Dr. Trask collaborated with Nā Maka o Ka 'Āina and others to produce the award-winning 1993 documentary, *Act of War: The Overthrow of the Hawaiian Nation*; and

**WHEREAS**, in 2011, Hawai'inuiākea School of Hawaiian Knowledge presented Dr. Trask with the *I Ulu I Ke Kumu* award, recognizing her as a leading educator in Hawai'i; and

**WHEREAS**, in 2017, *Hawai'i Magazine* recognized Dr. Trask as one of the most influential women in Hawaiian history; and

**WHEREAS**, in 2019, the American Studies Association named Dr. Trask the winner of the Angela Y. Davis Lifetime Achievement Award; and

**WHEREAS**, in 2020, *USA Today* recognized Dr. Trask as one of 10 "Women of the Century" (1920-2020) from the State of Hawai'i; and

**WHEREAS**, Dr. Trask received one of academia's highest honors when she was elected to the American Academy of Arts and Sciences in 2021, one of America's oldest and most prestigious honorary societies; and

**Action Item BOT #21-08: A Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Haunani-Kay Trask to the Native Hawaiian Community, the State of Hawai'i, and to Indigenous Rights Movements Worldwide** **ATTACHMENT A**

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**WHEREAS**, for almost 40 years, Dr. Trask was actively involved in community organizing to protect Hawaiian lands and communities from theft, eviction, desecration and gentrification and spoke boldly and fearlessly for Hawaiian sovereignty and Indigenous rights, as well as internationally with her involvement in the Nuclear Free and Independent Pacific movement, and her representation of Native Hawaiians at the United Nations; and

**WHEREAS**, following her death on July 3, 2021, the Department of Philosophy at UH Mānoa issued a formal, public apology to Dr. Trask, and to all Kānaka 'Ōiwi faculty and students, for the unfounded and regrettable attacks she suffered from the department's faculty during her tenure; now, therefore,

**BE IT RESOLVED**, that the OHA Board of Trustees expresses its recognition of Dr. Haunani-Kay Trask's leadership in the establishment of the modern Native Hawaiian sovereignty movement, and that her example of courage and resistance inspired generations of young Hawaiians to become educated and speak out against injustice, many of whom are now leaders and educators in their own right, and that her influence extended internationally; and

**BE IT FURTHER RESOLVED**, that the OHA Board of Trustees expresses its recognition that Dr. Trask stood alone many times amidst criticism from her own people, but even this did not dissuade her from working tirelessly on behalf of the greater good for Kānaka Maoli everywhere. She remained a true warrior, relentless and unforgiving in her desire and drive to secure social, political and economic justice; and

**BE IT FURTHER RESOLVED**, that the OHA Board of Trustees expresses its appreciation for Dr. Trask's extraordinary efforts to educate our lāhui and to teach her haumāna to think critically, to resist oppression and the status quo, to be courageous against seemingly insurmountable odds, and to use what they learned to be forces of change in and for Hawai'i; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be transmitted to her beloved sister Mililani B. Trask and her 'ohana; and

**ADOPTED**, this 12th day of August 2021, island of Maui, State of Hawai'i, by the Board of Trustees of the Office of Hawaiian Affairs.





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## THE DEPARTMENT OF PHILOSOPHY AT MĀNOA

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Mon, Aug 2, 2021 at 3:05 PM

# THE DEPARTMENT OF PHILOSOPHY AT MĀNOA

**Link:**

<https://hawaii.edu/phil/>

## Public Apology

(Hawaiian translation below)

The Department of Philosophy at Mānoa is saddened by the news of the passing of Dr. Haunani-Kay Trask, Professor Emerita and co-founder of the Hawaiʻinuiākea School of Hawaiian Knowledge. The Department recognizes her trail-blazing scholarship and visionary leadership and apologizes sincerely for the attacks she suffered from philosophers at Mānoa in the past.

Professor Trask's work has been crucial in foregrounding the systemic injustices that have plagued the practice of our discipline. We should have listened to her when she tried to teach us that these injustices had their roots in the history and power dynamics of colonial oppression both within the University of Hawaiʻi and outside of it. That is a history the Department of Philosophy is prepared to study and confront. Also, it understands the need to bring down barriers preventing indigenous research from receiving academic recognition.

We acknowledge that our apology is long

overdue and regret we did not convey it to Professor Trask in person while there was time. We are aware that our shortcomings have also affected the wider community of Kānaka 'ōiwi faculty and students. This apology is therefore also addressed to them. Today, the Department of Philosophy is eager to pursue philosophy self-critically and explore the rich and complex sources of Hawaiian Knowledge in our classrooms and research in comparative philosophy. We are also committed to seeking partnerships with the School of Hawaiian Knowledge and supporting native Hawaiian projects aiming at articulating Hawaiian values and ways of inquiry as philosophy. Finally, we are not forgetting that the University of Hawai'i at Mānoa was erected on Hawaiian land. We acknowledge the need to respect our host culture.

The Department of Philosophy at Mānoa  
 Dr. Tamara Albertini (Chair),  
 Dr. Arindam Chakrabarti, Dr. Chung-ying Cheng,  
 Dr. Vrinda Dalmiya, Dr. Jonathan Fine,  
 Dr. Masato Ishida, Dr. Thomas Jackson,  
 Dr. Steve Odin, Dr. Franklin Perkins,  
 Dr. Sean Smith, Dr. Joseph Tanke,  
 Dr. George Tsai  
 Affiliate Faculty and Lecturers  
 Dr. Sharon Rowe  
 West Oahu  
 Dr. Lisa Rosenlee

## He Mihi i Mua o Nā

## Kānaka a Pau

Lu'ulu'u kaumaha ka Māhele  
 Kālaimana'o o Ke Kulanui o Hawai'i ma  
 Mānoa i ka hele ho'i 'ole 'ana mai o Ke  
 Kauka Haunani Kay-Trask, Polopeka  
 Welo, kekahi mea ho'okahua ho'i nāna i  
 ho'okumu iā Hawai'inuiākea, Ke Kula  
 'Ike Hawai'i. Ua 'ike 'ia a ua mahalo 'ia  
 ho'i i kāna waele mua 'ana i ke ala 'imi  
 na'auao ma ke kulanui me kāna alaka'i  
 'ana ma loko o ia māhele, a ke mihi  
 minamina nei me ka 'oia'i'o a me ka  
 'eha'eha no ka 'imi hana 'ia ona e nā  
 kumu kālaimana'o ma Mānoa i kona wā e  
 noho polopeka ana ma Ke Kulanui o  
 Hawai'i ma Mānoa.  
 Ua hu'e 'ia a maka ka hana ho'okae pono  
 'ole a ka māhele kālaimana'o e ua  
 Polopeka Trask nei ma o kāna hana

ko'iko'i. 'O ka pololei a me ka pono, he lohe mai nō kā ka māhele kālaimana'o i ke a'o āna no ia mau hana ho'okae i hele a laha i loko o ka mo'olelo o kona lāhui Hawai'i pono'i a me ka ho'omāhuahua 'ia o ia mau hana ho'okae ho'okolonaio ma loko a ma waho ho'i o ke Kulanui o Hawai'i. 'O ia aku nei ke 'ano o ka hana a ka Māhele Kālaimana'o e ho'oponopono ai. Eia hou, ua 'ike 'ia iho ho'i ke kuleana e wāwahi i nā ālaina o ka 'imi na'auao 'ana ma ke 'ano e kūpono ai no ka po'e 'ōiwi a e mahalo 'ia nō ho'i e ke Kulanui. Ua hala loa akula ka manawa i pono ai kēia mihi 'ana me ka minamina 'ana 'a'ole i waiho 'ia nei mihi i mua pono ona nāna ho'okahi wale nō e huikala mai i kona wā e noho honua ana. Ua 'ike nō ho'i mākou i ka ho'ohemahema 'ia e mākou nā kumu 'ōiwi kanaka a pēlā pū ho'i nā haumāna 'ōiwi kanaka. Iā lākou ho'i kēia mihi. E huikala mai.

I kēia au na'e e holo nei, ke ho'oikaika nei a ke ho'oulu nei mākou, ka Māhele Kālaimana'o, i ke kālaimana'o ma ka hikaloi 'ana iho me ka 'imi 'ana aku i loko o ka lehu a me ka mano o nā kumu 'ike Hawai'i, a pēlā ho'i ke kālailai ho'okūkū a me ka ho'ohālikelike ma loko o kā mākou a'o 'ana a me kā mākou noi'i 'ana. E ho'opa'a ana nō ho'i mākou i ke ku'ikahi me ka ho'olōkahi aku me Hawai'inuiākea—Ke Kula 'Ike Hawai'i—ma nā hana e ulu ai ka Hawai'i ma ke kālaimana'o. 'A'ole nō ho'i mākou e ho'opoina i ke kūkulu 'ia o ke Kulanui o Hawai'i ma Mānoa ma luna o ka 'āina o nā Hawai'i no lākou nō ke kuleana. Ke 'ike maopopo iho nei mākou i ko mākou kuleana e hō'ihi'ihi a e ho'oponopono me nā Hawai'i.


Ka Māhele Kālaimana'o ma Mānoa Dr. Tamara Albertini (Chair),  
 Dr. Arindam Chakrabarti, Dr. Chung-ying Cheng,  
 Dr. Vrinda Dalmiya, Dr. Jonathan Fine,  
 Dr. Masato Ishida, Dr. Thomas Jackson,  
 Dr. Steve Odin, Dr. Franklin Perkins,  
 Dr. Sean Smith, Dr. Joseph Tanke,  
 Dr. George Tsai  
 Ke Kulanui o Hawai'i ma 'Ewa Dr. Lisa Rosenlee  
 Unuhi 'ia e Scott Kaua Neumann



**ACTION ITEM**  
**Board of Trustees**  
**August 12, 2021**


**BOT #21-09**


**Action Item:** **Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires**


Co-Prepared by:  Aug 9, 2021

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**Maile Lu'uwai** **Date**  
**Pou Kāko'o Kaiāulu, Grants Manager**

<b>Reviewed by:</b>	 <b>Ramona G. Hinck</b> <b>Ka Pou Kihi Kanaloa Wai, Chief Financial Officer</b>	<b>Aug 9, 2021</b> <hr/> <b>Date</b>
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Reviewed by:  Aug 9, 2021  
Casey K. Brown  
Ka Pou Nui, Chief Operating Officer Date

Co-Prepared & Reviewed by:  Aug 9, 2021

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

Reviewed by: Carmen Hulu Lindsey Aug 9, 2021  
Trustee Carmen Hulu Lindsey Date  
Ke Kauhuhu o ke Kaupoku  
Chairperson, Board of Trustee

## Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires

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### I. Proposed Actions

Approve the distribution of up to \$50,000 in FY22 emergency relief funds and related beneficiary support activities to address the impacts of the Hawai'i Island fires, from Program 3800, Object Code 565XX<sup>1</sup> – Grants-In-Aid, Disaster Aid in the following manner:

- A. Up to \$20,000 for distribution to families impacted by the Hawai'i Island fires - \$2,000 per impacted family, if a structure was lost; otherwise, \$1,000 per impacted family (Impact Purpose #1);
- B. Up to \$30,000 to service an estimated 15 families for heavy equipment rental and/or operator(s) to address the impacts of the Hawai'i Island fires (Impact Purpose #2);a
- C. Approve the use of OHA personnel, offices and other resources (e.g., computers) to:
  - 1. Collect needed information from beneficiaries and transmit to the Native Hawaiian Revolving Loan Fund (NHRLF) staff for further processing and consideration; and
  - 2. Navigate to, assist beneficiaries with completion of forms and transmission to the County of Hawaii<sup>2</sup> for disaster impact reporting; and
- D. Approve the reallocation between Impact Purpose #1 and Impact Purpose #2, up to \$50,000 in total, if such a need is subsequently identified by Administration, and reported to the Trustees.

### II. Issue

Whether or not, the Board of Trustees (BOT) should approve up to \$50,000 in FY22 emergency relief funds and related personnel, office and technology supports to address the impacts to beneficiaries of the Hawai'i Island fires.

### III. Overview, Impact Assessments, Context and Considerations

- A. **Overview.** On July 30, 2021, Hawaii county saw two wildfires break out in the morning hours. First reported at approximately 7 a.m., a wildland fire broke out in Ka'u near Punalu'u Beach. As of 1 p.m., dispatched Hawaii Fire Department crews and a volunteer crew contained between 80 and 90%. A second fire was reported at 10:45 a.m. in South Kohala on Mana road near Parker Ranch land.<sup>3</sup> By Wednesday, August 4, 2021 Firefighters Wednesday spent a sixth day working to extinguish a 40,000-plus-acre wildland fire in South

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<sup>1</sup> Ibid.

<sup>2</sup> <https://bigislandnow.com/2021/08/05/ige-declares-state-of-emergency-due-to-big-island-brushfire/>, retrieved 8/8/2021, "The emergency declaration allows the governor to activate the Major Disaster Fund and spend state funds as appropriated to protect the health, safety and welfare of residents and visitors in the County of Hawai'i. The declaration supports the state's efforts to provide quick and efficient relief to those affected by the brushfire. The disaster emergency relief period is effective immediately and continues through Oct. 1, 2021."

<sup>3</sup> <https://www.westhawaiiitoday.com/2021/07/30/hawaii-news/two-fires-break-out-in-hawaii-county/>, retrieved 8/8/2021.

## Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires

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Kohala. State, county, federal and private assets continued to douse flareups and hotspots within the fire's burn area spanning from above Mana Road to Pu'ukapu, Waiki'i Ranch and above Waikoloa Village. As of Wednesday (August 4, 2021) afternoon the fire was listed at 95% contained with most of the remaining activity located along Highway 190 and on the southern flank of the fire on Maunakea, said Hawaii Fire Department Chief Kazuo Todd.

Meanwhile Wednesday (August 4, 2021), Gov. David Ige signed an emergency declaration for the county to respond to the wildfire. The emergency declaration allows the governor to activate the Major Disaster Fund and spend state funds as appropriated to protect the health, safety and welfare of residents and visitors in the County of Hawaii. The disaster emergency relief period is effective through Oct. 1. Hundreds of firefighters worked the blaze after it broke out around 11 a.m. Friday in ranch land off Mana Road. Initial reports indicate the fire may have been sparked during a pipe repair, however, the cause is still under investigation. Despite firefighters' efforts battling the flames amid high winds with gusts topping 40 mph, two homes were destroyed in the Department of Hawaiian Homelands (DHHL) Pu'ukapu Subdivision in Waimea overnight Saturday into Sunday.<sup>4</sup>

- B. **Impact Assessment Activities.** As the news reports and information about the impacts of the fires started to be shared on Friday, July 30, 2021, multiple points of contact and assessments were activated and continued throughout the weekend and subsequent week. For example, site visits were made; DHHL leadership contacted; information from "on the ground" community contacts gathered and shared; digital, print, social and other media sources monitored; and an internal review of previous OHA responses to disasters was completed.
- C. **Context and Considerations.** The following data points, in no order of priority, were considered in formulating Administration's recommended and proposed actions:
1. **Beneficiary Communities.** Impacted, evacuated, community areas vary in concentration of beneficiaries: Pu'ukapu Hawaiian Homestead, Kamuela area residents in general, Waiki'i Ranch and Waikoloa Village communities;
  2. **Department of Hawaiian Home Lands Leadership.** Administration reached out and have been in contact with the DHHL Chair's office noting the Governor's emergency proclamation (see below), immediate needs of homestead families being addressed, including rental assistance, state agencies gathering damage assessment information, anticipated federal agencies stepping to support, including the State Department of Agriculture for fence, water tanks and waterline considerations. OHA's relief would be complementary vs. competitive or duplicative.
  3. **On the Ground Assessments.** On the ground assessments in the Pu'ukapu area included: loss of fence lines and needing to replace house roofs; 5 foot berms<sup>5</sup> that were bulldozed and criss cross across homesteaders properties, requiring heavy equipment; two home reported destroyed; communities evacuated and shelters established at Kūhio Hall (DHHL Waimea), Waimea District Park and Old Kona Airport; local communities provided food,

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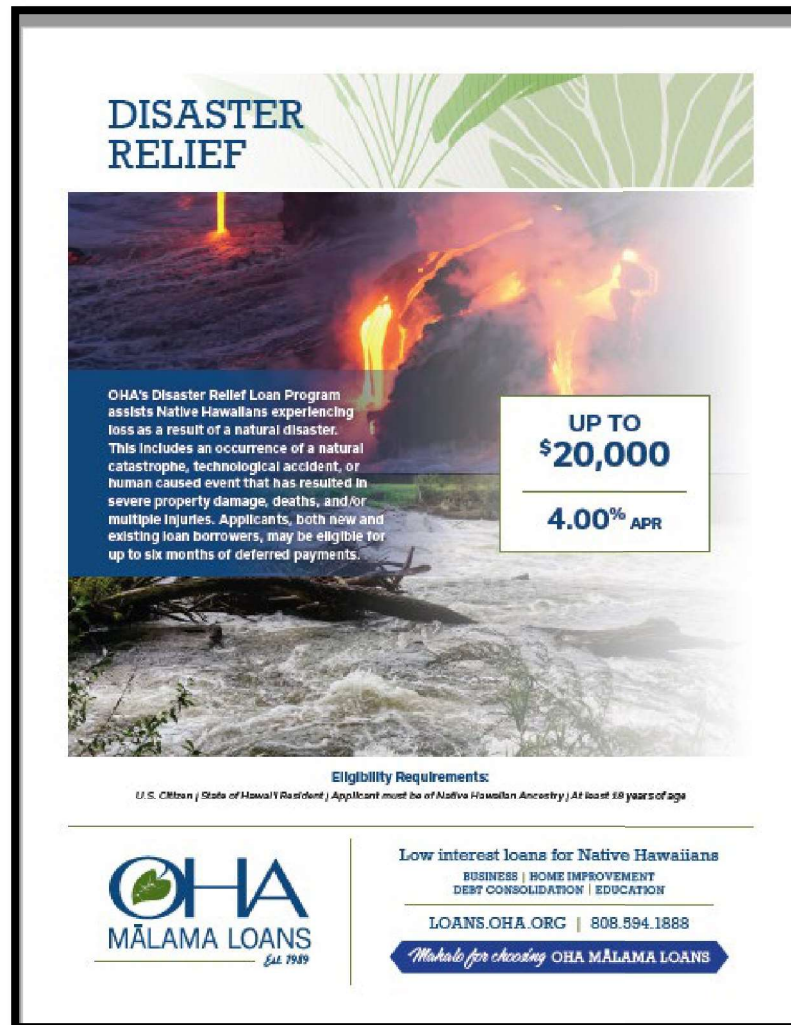
<sup>4</sup> <https://www.westhawaii.com/2021/08/04/hawaii-news/south-kohala-wildland-fire-95-contained/>, retrieved 8/8/2021

<sup>5</sup> **1:** a narrow shelf, path, or ledge typically at the top or bottom of a slope; *also* : a mound or wall of earth or sanda landscaped *berm*; **2:** the shoulder of a road, <https://www.merriam-webster.com/dictionary/berm>, retrieved 8/8/2021

## Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires

water, clothes, household items for families and communities impacted as well as first responders and other emergency personnel; Red Cross community organization activated as well;

4. **Cause of the Fire.** Beneficiary communities seeking understanding and accountability of the cause/source of the fire;
5. **Native Hawaiian Revolving Loan Fund.** Refer to Attachment A regarding the opportunity for impacted beneficiaries to access Malama Disaster Relief Loans, up to \$20,000, 4%, interest and eligible for up to first 6 months of payments deferred.



**DISASTER RELIEF**

OHA's Disaster Relief Loan Program assists Native Hawaiians experiencing loss as a result of a natural disaster. This includes an occurrence of a natural catastrophe, technological accident, or human caused event that has resulted in severe property damage, deaths, and/or multiple injuries. Applicants, both new and existing loan borrowers, may be eligible for up to six months of deferred payments.

**UP TO \$20,000**  
**4.00% APR**

**Eligibility Requirements:**  
U.S. Citizen (State of Hawaii Resident) | Applicant must be of Native Hawaiian Ancestry | At least 18 years of age

**OHA MĀLAMA LOANS**  
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6. **Governor Emergency Proclamation.** Emergency declaration made by Governor David Ige on 8/4/2021; the governor said the emergency declaration will allow much-needed resources to flow to Hawaii County. The disaster emergency relief period will continue through October. The county has set up an online portal to report damages as a result of the fire. [Click here for the form.](#)<sup>6</sup> The emergency declaration allows the governor to activate the Major Disaster Fund and spend state funds as appropriated to protect the health,

<sup>6</sup> Online form access issues encountered and will need to be resolved before assisting beneficiaries.



## Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires

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safety and welfare of residents and visitors in the County of Hawai'i. The declaration supports the state's efforts to provide quick and efficient relief of suffering, damage, and losses caused by wildfires. The disaster emergency relief period is effective immediately and continues through Oct. 1.

*§127A-16 Major disaster fund<sup>7</sup>. (a) The administrator shall submit requests to the legislature to appropriate from the general revenues of the State sufficient moneys as may be necessary for expenditure by or under the direction of the governor for immediate relief in response to an emergency or disaster in any part of the State; provided that:*

*(1) The governor has issued a proclamation of a state of emergency;*

*(2) The governor may not expend in excess of \$10,000,000 for immediate relief as a result of any single emergency or disaster; and*

*(3) In addition to the funds in paragraph (2), an additional \$5,000,000 may be made available solely for the purpose of matching federal disaster relief funds when these funds become available to the State following a presidential disaster declaration.*

*In expending the moneys, the governor may allot any portion thereof to any agency, office, or employee of the State or a county for the most efficient relief for the population. Notwithstanding this subsection, the only exception to paragraphs (1), (2), and (3) is that the administrator may use up to \$250,000 per year to support the emergency management reserve corps.*

*(b) No later than sixty days after any allotment by the governor or the expenditure of any fund moneys, the administrator shall report to the legislature on the purpose of the allotment or expenditure.*

*(c) Except as provided in subsection (d), federal reimbursement moneys for disaster relief shall be deemed to be trust moneys and may be deposited into a trust account with and under the control of the Hawaii emergency management agency. These moneys and any interest earned thereon shall be used for the purpose identified in subsection (a) and shall not lapse to the general fund.*

*(d) In cases in which the department of education expends the funds appropriated to the department for purposes deemed to be reimbursable by federal reimbursement moneys for disaster relief, the federal reimbursement moneys shall not lapse to the general fund and shall be credited directly to the department of education without regard to whether the original appropriation has lapsed. Such funds shall carry over in accordance with section 37-41.5(c)*

*(e) Any unspent funding under \$2,500,000 shall be rolled over to the next fiscal year to support future emergencies and disasters. [L 2014, c 111, pt of §2; am L 2015, c 129, §2; am L 2017, c 139, §2; am L 2019, c 78, §4]*

7. **Prior OHA Disaster Aid/Responses.** For context re: Kaua'ula, Maui Fires in 2018: The wildfires, record rainfall and widespread flooding was a result of the impacts of Lane, a Category 5 hurricane reported on August 21, 2018. In the Maui Kaua'ula action item, staff recommended and the BOT approved a relief amount consistent with recent OHA emergency relief efforts (i.e., Kauai and Puna): \$2,000 (for families that lost a structure—

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<sup>7</sup> [https://www.capitol.hawaii.gov/hrscurrent/vol03\\_ch0121-0200d/HRS0127A/HRS\\_0127A-0016.htm](https://www.capitol.hawaii.gov/hrscurrent/vol03_ch0121-0200d/HRS0127A/HRS_0127A-0016.htm), retrieved 8/8/2021



## Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires

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house, shed) x 11 families = \$22,000 + \$1,000 x 9 families = \$9,000 for a total of \$31,000; plus 10% admin fee of \$3,100 (for the distributing non-profit organization) for a total of \$34,100—say \$35,000. Among the awarding priorities were the following key points: 1) All families should be assisted (whether they lost a structure, agriculture, or belongings), a total of 20 families; Families requested a tiered system where families who lost structures receive more than families who lost belongings or agriculture; and OHA should have one point of contact in the community. The immediate disaster methodology used in 2018 for the Kauai floods, Puna lava impacts and Kaua‘ula, Maui fires— is recommended for consistency.

### IV. Aid Distribution Implementation Recommendation

#### A. **Rationale.** It is the intent of Administration to:

1. Effect the distribution of disaster aid, emergency relief funds to beneficiaries as quickly as programmatically and financially as possible;
2. Allocate as much of the approved amount up to \$50,000 to beneficiaries (vs. administrative costs);
3. Manage a projected awarding population of 25 families; and
4. Implement beneficiary, community based processes that will inform future Beneficiary Services functions, processes and activities;

by distributing these emergency relief funds in house.

#### B. **Impact Priority #1 (up to \$20,000 total).** Administration recommends OHA administers this disaster, emergency relief fund priority “in house” to beneficiaries so it could be done quickly—since it is projected to serve 10 to 20 impacted families; deploy processes to gather the information quickly and process centrally within OHA, subject to gathering W-9<sup>8</sup> information, 1099<sup>9</sup> to be generated by OHA to beneficiary. Up to \$20,000 for distribution to families impacted by the Hawai‘i Island fires - \$2,000 per impacted family, if a structure was lost; otherwise, \$1,000 per impacted family (Impact Purpose #1);

#### C. **Impact Priority #2 (up to \$30,000 total).** Administration recommends OHA administers this disaster, emergency relief fund priority “in house” to beneficiaries so it could be done quickly—since it is projected to serve up to 15 impacted families; deploy processes to gather the information quickly and process centrally within OHA, subject to expense reimbursement or pay vendor or operator (e.g., equipment reimbursement, directly to operator, issue 1099 for consistency, labor). Up to \$30,000 to service an estimated 15 families for heavy equipment rental and/or operator(s) to address the impacts of the Hawai‘i Island fires (Impact Purpose #2) - \$2,000 per family maximum, expense reimbursement.

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<sup>8</sup> Use Form W-9 to provide your correct Taxpayer Identification Number (TIN) to the person who is required to file an information return with the IRS to report, for example: Income paid to you, <https://www.irs.gov/pub/irs-pdf/fw9.pdf>, retrieved 8/8/2021

<sup>9</sup> A 1099 form is a record that an entity or person other than your employer gave or paid you money. The payer fills out the 1099 form and sends copies to recipient and the IRS.

**Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires**

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The following images are examples of excavators and other heavy equipment used in clearing property and other purposes with operator costs ranging from \$125/hour to \$200/hour; access to equipment available via rental plus transit costs of the equipment from the rental 'base yard' to the site/location.



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**Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires**

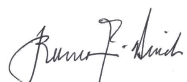
**IV. Certification of Funding Availability**

On June 30, 2021, via Action Item RM #21-08A: OHA Biennium Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23), the Board approved a core grants budget that included \$132,579 for Grants in Aid – Disaster Aid—refer to image below, Table 7: Core Grants Budget – by Expenditure Type.

Table 7: Core Grants Budget - by Expenditure Type						
GRANTS	ACTUAL FY20	PROJECTED FY21	PRELIMINARY		FY22/FY23 2-Year Total	%
56510-GRANTS IN AID PROGRAM & PROVISIO GRANTS	1,726,338	1,044,253	830,000	830,000	1,660,000	5%
56530-GRANTS IN AID - COMMUNITY GRANTS	3,681,670	6,482,356	7,300,000	7,300,000	14,600,000	48%
56540-GRANTS IN AID LEVEL II GRANTS	4,500,000	6,777,983	6,500,000	6,500,000	13,000,000	43%
56560-GRANTS IN AID - SPONSORSHIPS	90,381	140,000	410,921	410,921	821,842	3%
565XX-GRANTS IN AID – DISASTER AID			132,579	132,579	265,158	1%
Subtotal - Grants:	\$9,998,390	\$14,444,592	\$15,173,500	\$15,173,500	\$30,347,000	100%
58700-INVESTMENT (CAPITALIZATION) - WIND DOWN ACTIVITIES FOR LLCs	125,138					
<b>Total - Grants</b>	<b>\$10,123,528</b>	<b>\$14,444,592</b>	<b>\$15,173,500</b>	<b>\$15,173,500</b>	<b>\$30,347,000</b>	

\* After Budget Realignment #3 pending Board approval as of 6/2/2021

The \$50,000 in funds proposed in this Action Item is currently available from OHA's FY 22 core Operating Budget, Program 3800-Grants, Object Code 565XX<sup>10</sup> – Grants-In-Aid, Disaster Aid



Aug 9, 2021

Ramona G. Hinck  
Ka Pou Kihi Kanaloa Wai, Chief Financial Officer

<sup>10</sup> Financial Services will assign the final object code number post Board action and prior to beneficiary funds distribution.

## **Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires**

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### **V. Recommended Actions**

Approve the distribution of up to \$50,000 in FY22 emergency relief funds and related beneficiary support activities to address the impacts of the Hawai'i Island fires, from Program 3800, Object Code 565XX<sup>11</sup> – Grants-In-Aid, Disaster Aid in the following manner:

- A. Up to \$20,000 for distribution to families impacted by the Hawai'i Island fires - \$2,000 per impacted family, if a structure was lost; otherwise, \$1,000 per impacted family (Impact Purpose #1);
- B. Up to \$30,000 to service an estimated 15 families for heavy equipment rental and/or operator(s) to address the impacts of the Hawai'i Island fires (Impact Purpose #2);
- C. Approve the use of OHA personnel, offices and other resources (e.g., computers) to:
  - 1. Collect needed information from beneficiaries and transmit to the Native Hawaiian Revolving Loan Fund (NHRLF) staff for further processing and consideration; and
  - 2. Navigate to, assist beneficiaries with completion of forms and transmission to the County of Hawaii<sup>12</sup> for disaster impact reporting; and
- D. Approve the reallocation between Impact Purpose #1 and Impact Purpose #2, up to \$50,000 in total, if such a need is subsequently identified by Administration, and reported to the Trustees.

### **VI. Alternatives**

- A. Take no action to address the impacts to beneficiaries of Hawaii Island fires.
- B. Approve different dollar amounts for Impact Priority #1 and/or Impact Priority #2.
- C. Approve new or different Impact Priority categories (other than Impact Priorities 1 and/or 2 identified above) and related aid amounts.

### **VII. Time Frame**

This action shall be effective immediately upon approval by the BOT.

### **VIII. References**

The following action items and news posts are provided for context and reference:

- A. **Action Item RM #18-06:** Authorize Administration to utilize \$500,000 for Emergency Disaster Relief on Kaua'i and Hawai'i islands, July 26, 2018

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<sup>11</sup> Ibid.

<sup>12</sup> <https://bigislandnow.com/2021/08/05/ige-declares-state-of-emergency-due-to-big-island-brushfire/>, retrieved 8/8/2021, "The emergency declaration allows the governor to activate the Major Disaster Fund and spend state funds as appropriated to protect the health, safety and welfare of residents and visitors in the County of Hawai'i. The declaration supports the state's efforts to provide quick and efficient relief to those affected by the brushfire. The disaster emergency relief period is effective immediately and continues through Oct. 1, 2021."

**Action Item BOT #21-09: Approval of the Distribution of up to \$50,000 in Emergency Relief Funds to Address the Impacts of Hawaii Island Fires**

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- B. **Action Item RM #19-06:** Approval of \$35,000 for Emergency Disaster Relief for Kaua‘ula Maui, May 1, 2019

Note: Action Item RM #19-06 did not address how the emergency relief funds would be distributed (e.g., directly, in house, via non-profit organization), therefore, Action Item RM #19-11 was subsequently brought forward with the necessary distribution details.

- C. **Action Item RM #19-11:** Approval of the Habitat for Humanity Maui Organization to Distribute the Previously Approved \$35,000 of Emergency Disaster Relief for Kaua‘ula Maui, August 21, 2019

Note: Action Item RM #19-11 brought forward to specify and approve Habitat for Humanity Maui to distribute the non-solicited disaster relief/aid amount to the detailed families.

- D. **Announcement re: DHHL Pu‘ukapu Non-Potable Water System**

<https://www.kitv.com/story/43712405/department-of-hawaiian-homelands-to-begin-water-tank-construction-on-the-big-island> (PU'UKAPU, Hawai'i Island) – The Department of Hawaiian Home Lands (DHHL), is scheduled to begin water tank construction and maintenance on its Pu'ukapu Non-Potable Water System in Pu'ukapu, Hawai'i Island beginning on April 21, 2021.

**IX. Attachment**

- A. Native Hawaiian Revolving Loan Fund, Malama Loan, Disaster Relief Loan Program Flyer



# DISASTER RELIEF

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**UP TO  
\$20,000**

**4.00% APR**

## Eligibility Requirements:

*U.S. Citizen | State of Hawai'i Resident | Applicant must be of Native Hawaiian Ancestry | At least 18 years of age*



**Low interest loans for Native Hawaiians**

**BUSINESS | HOME IMPROVEMENT  
DEBT CONSOLIDATION | EDUCATION**

**LOANS.OHA.ORG | 808.594.1888**

*Mahalo for choosing* **OHA MĀLAMA LOANS**

**Office of Hawaiian Affairs  
Meeting of the Board of Trustees  
September 12, 2021  
10:00 A.M.**

**VI. Executive Session‡**

**A. Action Item BOT #21-12: Board Resolution Related to Acquisition Financing for 500 N. Nimitz Highway and 501 Sumner Street. Consultation with Board Counsel Robert G. Klein and Everett Ohta, OHA Assistant Senior Legal Counsel re: questions and issues pertaining to the boards powers, duties, privileges, immunities, and liabilities, pursuant to HRS 92-5(a)(4); Deliberations on the authority of persons designated by the board to conduct negotiations on the acquisition of public property, pursuant to HRS 92-5(a)(3).**

**B. Approval of Executive Session Minutes**

- 1. August 5, 2021**
- 2. September 16, 2021**