

STATE OF HAWAI‘I
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 Seventeenth Supplementary Proclamation dated December 16, 2020 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 or listen by phone: (213) 338-8477, [Webinar ID](#)

Minutes of the Office of Hawaiian Affairs
Board of Trustees
MINUTES
February 25, 2021

ATTENDANCE:

Chairperson Carmen Hulu Lindsey
Vice-Chairperson Leina‘ala Ahu Isa
Trustee Dan Ahuna
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, Pou Nui / COO
Ramona Hink, CFO
Sterling Wong, Chief Advocate
Raina Gushiken, CC
Everett Ohta, CC
Kurt Klein, Counsel
Kevin Chak, IT Support
Erin Nakama, IT Support
Guest:
Germaine Meyers
Rowena Contrades – Pangan
Kamealoha Smith

Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Meeting to order for Wednesday, February 25, 2021 to order at 10:00 a.m. Chair Hulu calls for a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA 'ALA	AHU ISA	x	
TRUSTEE	DAN	AHUNA		Joins at 10:04 a.m.
TRUSTEE	KALEI	AKAKA	x	
TRUSTEE	KELI'I	AKINA	x	
TRUSTEE	LUANA	ALAPA	x	
TRUSTEE	BRENDON KALEI'ĀINA	LEE	x	
TRUSTEE	KEOLA	LINDSEY	x	
TRUSTEE	JOHN	WAIHE'E	x	
CHAIRPERSON	CARMEN HULU	LINDSEY	x	
			8	

At the Call to Order, **Eight (8)** Trustees are **PRESENT**, thereby constituting a quorum.

Chairperson Hulu Lindsey Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Eighteenth Supplementary Proclamation dated February 12, 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

Before we begin, I would like to note that items:

1. IV.A. 1 and 2 were received under the 72 hour deadline.

Also, there is no business to discuss in executive session so we will not be going into executive session. Please allow me to go over some quick announcements. Please mute your mics when you are not speaking. Trustees and our CEO, please enable your cameras if you are able to do so. All other OHA staff please enable your camera and mic when addressing the board. If you get disconnected, we will pause the meeting for one minute and wait for you to log back on. After one minute we will proceed with the meeting. If you need to leave the meeting, please inform the Chair by announcing that you are leaving the meeting.

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 Kurt Klein our Board Counsel and Sylvia Hussey our CEO. I would also like to introduce my staff, Colin Kippen, Lehua Itokazu, Kanani Iaea, and Amber Kalua.

I would like to call upon our Ka Pouhana Sylvia to announce the administrative staff that is present.

Sylvia Hussey, CEO Thank you Chair and good morning Trustees. Today we have Casey Brown-Chief Operating Officer, Ramona Hink-Chief Financial Officer, Raina Gushiken-Senior Legal Counsel, Everett Ohta-Assistant Legal Counsel, Chief Advocate-Sterling Wong and our IT team-Kevin and Dan for support.

Chairperson Hulu Lindsey Thank you. I will move on to approval of minutes. Can I get a motion to accept the minutes for January 28, 2021?

Approval of Minutes

Trustee Akaka I so move.

Trustee Waihee Seconds the motion.

Chairperson Hulu Lindsey Roll call

Minutes: January 14, 2021						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						
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			
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with Eight (8) YES votes and one (0) EXCUSED vote.						

Public Testimony

Chairperson Hulu Lindsey I would like to move on to Public testimony on the agenda, do we have anyone signed up?

Board Secretary Yes, our first speaker is Germaine Meyers.

Germaine Meyers Aloha Chair Hulu, Vice-Chair Ahu Isa, Board members, and Lahui.

My name is Germaine Meyers. I'm an OHA beneficiary for beneficiary advocacy and empowerment. I'm also a Nanakuli Hawaiian Homestead Lessee.

Today I provide my data, views, and arguments regarding agenda item III.B. 2021 OHA Legislative Positioning – Matrix 2.

Specifically, I support SB 1334 re Kakaako Makai, SB 321 relating to the increasing of payment amount for the OHA pro rata share of the public land trust, and SB 977 for DLNR to work with OHA to provide accurate and inclusive reporting. And for the same reasons expressed by OHA, I oppose SB 1317 relating to public land trust funds to DHHL.

Trustees, I support SB 1334 because I feel OHA needs to bring forth the \$200 million settlement of debt given to us by Governor Abercrombie. I will email to you Civil Beat article dated April 12, 2012 titled:

“OHA-Kakaako Deal A Victory for Abercrombie.”

I share verbatim a paragraph from the article: “Quoting U.S. Senator Daniel Akaka, who sat in the front row of the bill-signing ceremony Wednesday at Washington Place, Abercrombie said, *“It’s important to do things right...In Hawaiian we call it pono.”*

I will also email to you an article published 9 years ago in 2012 as well, but in the Star Advertiser: The Star Advertiser spoke of how the settlement does not involve any money, but instead conveys about 25 acres of adjacent parcels of land in Kakaako valued at about \$200 million to OHA. The state and OHA agree that a \$200 million settlement represents a reasonable compromise of the disputed claims for the prior 34 years. I asked myself is this the truth? Did we receive a \$200 million settlement? I support SB1334 and the development of Kaka‘ako Makai so that OHA will make this a reality. Trustees, the Friends of Kewalos submitted testimony in strong opposition to SB1334. What I saw in their testimony is a pilau message saying ‘KAPU, Hawaiians keep out. This is our home, our hale. Stay out of my front yard!’ I saw this message when I read their testimony, that I read for you now in verbatim:

We are not against all development. We understand the people need housing, but ask yourselves “Is this the right place?” We need to preserve for the People what little oceanfront land we have left, not only in Kakaako Makai, but the entire State. We support “smart development” that puts emphasis on People first over profit.

Trustees, that’s interesting and convenient for them to say, NOW. Now that they have their housing in their high rises, and their developers who surely put profit over people because many of us can’t afford those housing in their high rises. Trustees, hell yeah “THIS IS THE RIGHT PLACE!” This is our place. Our \$200 million settlement place. Are they shame of Native Hawaiians?

Hawaiians are ocean people. Hōkūlei‘a ocean people. I ask myself, as native Hawaiians, do we have easy access to beaches in Kailua, in Hawaii Kai, in Waikiki, in Haleiwa, in Waialua, in lands occupied by Military basis such as Pearl Harbor, Kaneohe Marine Base, Hickam, Barber’s Point, Ford Island, Iroquois in Ewa Beach? Hawaiians are ocean people. Hōkūlei‘a ocean people. We belong in Kaka‘ako Makai.

Trustees, on Oahu, OHA has land in the North Shore (Waimea Valley), in Wahiawa (Kūkaniloko), in Honolulu (Nā Lama Kukui) and near Waikiki (Kaka‘ako Makai). Hawaiians need OHA to maintain its presence on all of these lands.

Is this the right place? Yes, Hawaiians belong everywhere on the lands of Hawaii nei. We belong. Ke Akua Pu. God Bless You and God bless us all.

Chairperson Hulu Lindsey Do we have anyone else signed up?

Board Secretary We have two more people but they are not on the call presently.

Trustee Ahu Isa Chair, I would Like Germaine Meyer’s testimony inserted as my own when the minutes are done. I agree with it and I would like it a part of my mana’o.

Kurt Klein Good morning Chair, Public testimony is a time for the public to testify. Typically we do not have a discussion back and forth. In discussion, under agenda items, if Trustree Ahu Isa would like to submit her thoughts for consideration, she can do that under the New Business portion if it pertains to a discussion item.

New Business

Chairperson Hulu Lindsey At this time I would like to move on to item IV. A. 1 and 2. I would like to call upon Trustee Akaka on the referral from the BAE Committee for February 17 and 24, 2021.

- A. Committee on Beneficiary Advocacy and Empowerment**
 - 1. 2021 OHA Legislative Positioning – Matrix 2**, February 17, 2021**
 - 2. 2021 OHA Legislative Positioning – Matrix 2**†, February 24, 2021**

Trustee Akaka Madam Chair, your Committee on Beneficiary Advocacy and Empowerment, having met on February 17, 2021 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:

To approve Administration’s recommendations on:

NEW BILLS (Items 1-65) and BILL POSITIONS FOR RECONSIDERATION (Items 66 - 70), on the OHA Legislative Positioning Matrix dated February 17, 2021, as amended.

Trustee K. Lindsey Seconds the motion.

Trustee Akaka moves to approve Administration’s recommendations on:							
NEW BILLS (Items 1-65) and BILL POSITIONS FOR RECONSIDERATION (Items 66 - 70), on the OHA Legislative Positioning Matrix dated February 17, 2021, as amended.							
Trustee K. Lindsey seconds the motion.							
		1	2	‘AE (YES)	‘A‘OL E (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	X			

TRUSTEE JOHN	WAIHE'E			X		
CHAIRPERSON HULU	LINDSEY			X		
TOTAL VOTE COUNT				9		
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with nine (9) YES votes and zero (0) EXCUSED vote.						

Trustee Akaka Your Committee on Beneficiary Advocacy and Empowerment, having met on February 24, 2021 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:

To approve Administration's recommendations on:

NEW BILLS (Items 1-28) and BILL POSITIONS FOR RECONSIDERATION (Items 29-31), along with the following revisions:

ADD Measures

- HCR41, as COMMENT
- HR33, as COMMENT

CHANGE Measures:

- Item 609, SB1244, from SUPPORT to COMMENT on the OHA Legislative

Trustee K. Lindsey Seconds the motion.

Chairperson Hulu Lindsey Any discussion?

Trustee Ahu Isa Request that Germaine Meyer's testimony be submitted as her own. (please see the testimony in attachments) *The final approved minutes will reflect this request.*

Trustee Akaka moves To approve Administration's recommendations on: NEW BILLS: NEW BILLS (Items 1-28) and BILL POSITIONS FOR RECONSIDERATION (Items 29-31), along with the following revisions:						
ADD Measures						
• HCR41, as COMMENT						
• HR33, as COMMENT						
CHANGE Measures:						
• Item 609, SB1244, from SUPPORT to COMMENT on the OHA Legislative						
Trustee Waihee seconds the motion.						
	1	2	'AE (YES)	'A'OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI			X			
TRUSTEE DAN			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		
CHAIRPERSON HULU	LINDSEY		X	X		
TOTAL VOTE COUNT				9		
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with Nine (9) YES votes and one (1) no vote.						

Chairperson Hulu Lindsey As a reminder there is no decision making on item IV. A. 3. So we will skip this item on the agenda. I will call on Trustee Akaka regarding the referral from the BAE Committee for February 10, 2021.

Trustee Akaka Mahalo, Madam Chair. Your committee on Beneficiary Advocacy and Empowerment having met on February 10, 2021. And after a full and free discussion, recommends approval of the following motion to the Board of Trustees.

To approve Administration's recommendations on:

NEW BILLS (Items 1-26, 28-108,110-199, and 201-300) and BILL POSITIONS FOR RECONSIDERATION (Items – 301-305), along with the following revisions:

ADD items

- **HB344, as OPPOSE**

CHANGE items:

- **27, HB497, from MONITOR to OPPOSE;**
- **109, HB1105, from MONITOR to SUPPORT;**
- **200, SB567, from MONITOR to OPPOSE;**

on the OHA Legislative Positioning Matrix dated February 10, 2021, as amended

Trustee Keola Lindsey Seconds the motion.

Trustee Akaka moves to approve Administration's recommendations on:
NEW BILLS (Items 1-26, 28-108,110-199, and 201-300) and BILL POSITIONS FOR RECONSIDERATION (Items – 301-305), along with the following revisions:

ADD items

- **HB344, as OPPOSE**

CHANGE items:

- **27, HB497, from MONITOR to OPPOSE;**
- **109, HB1105, from MONITOR to SUPPORT;**
- **200, SB567, from MONITOR to OPPOSE;**

on the OHA Legislative Positioning Matrix dated February 10, 2021, as amended

Trustee Waihee seconds the motion.						
	1	2	'AE (YES)	'A'OL E (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	X			
TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with nine (9) YES votes.						

Chairperson Hulu Lindsey Thank you. I would now like to call on Trustee John Waihee for the referral from the Committee of the Resource Management held on February 16, 2021.

Trustee Waihee Thank you madam Chair. Your Committee on Resource Management, having met on February 16, 2021 and after full and free discussion, recommends approval of the following action to the Board of Trustees:

To approve the following non-OHA employees as volunteer, uncompensated Managers for Hi'ilei Aloha LLC, effective April 1, 2021, with the noted staggered terms of service:

- A. Roberts "Bob" Leinau for a service period of three (3) years;**
- B. Greg C. Pietsch for a service period of two (2) years; and**
- C. Leilani Kūpahu-Marino Kaho'āno for a service period of one (1) year**

Trustee Ahu Isa Seconds the motion.

Chairperson Hulu Lindsey Any discussion? Roll Call.

Trustee Waihee moves to approve Administration's recommendation to:
To approve the following non-OHA employees as volunteer, uncompensated Managers for Hi'ilei Aloha LLC, effective April 1, 2021, with the noted staggered terms of service:

- A. Roberts "Bob" Leinau for a service period of three (3) years;**
- B. Greg C. Pietsch for a service period of two (2) years; and**

C. Leilani Kūpahu-Marino Kaho‘āno for a service period of one (1) year						
Trustee Ahu Isa Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA		X	X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			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			
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with Eight (8) YES votes, two () no votes, and two (1) abstain						

Chairperson Hulu Lindsey Moving on to item V.

Community Concerns and Celebrations

Chairperson Hulu Lindsey Do we have anyone signed up?

Board Secretary Yes, we have Germaine Meyers

Germaine Meyers Aloha Chair Hulu, Vice-Chair Ahu Isa, Board members, and Lāhui. My name is Germaine Meyers. I’m an OHA beneficiary for beneficiary advocacy and empowerment. I’m also a Nanakuli Hawaiian Homestead Lessee. Trustees a sincere mahalo to you for sharing with me your time to hear my community concerns. My concerns are focused on POLITICAL WILL.

Earlier I shared with you the Senate Bills I support and I oppose. Within each of these bills, the public and government agencies are allowed to testify in support of and in opposition. When I read all of the testimonies, it gives me an impression. An impression of the political will of people. But most especially, the political will of the Governor, the person who appoints the heads of departments. And the political will of the Legislators, based on their support or opposition of each bill. I now share with you the political will expressed in some testimonies, from head of government agencies, leaders appointed by the Governor. The Chairman of the Department of Land and Natural Resources, DLNR, stated in testimony regarding SB 1317 the following:

“The DLNR opposes paying DHHL or OHA any additional funds from ceded lands above the fixed annual payment of \$15.1 million currently paid to OHA, ...regardless of which agency actually

receives the funds.”

Department of Agriculture wants the pro rata amount to be deleted because any increase would place an undue hardship on their program. The Department of Budget and Finance interpret the bill would in effect double the required transfers from ceded land revenue to 40 percent—20 percent to OHA and 20 percent to DHHL. They complain that it would only leave them with 60 percent revenue for operations of the affected programs. Now, I would like to share with you the testimony by the Attorney General regarding SB 1317. At first, I felt it validated OHA when it stated this on page 2 of 6:

Section 5(f) of the Admissions Act, however, does require these lands, and the income and proceeds from these lands, to be used only for one of five purposes. Which it numerated, and states 2) the betterment of the conditions of native Hawaiians. Notably, article XII, section 6 of the Hawaii Constitution designates OHA as the receiving agency for ALL of the pro rata portion (emphasis on all) of receipts that go toward the betterment of the conditions of native Hawaiians.

However, there is no analogous provision in the Hawaii Constitution that provides DHHL with any portion of the receipts collected from the lands of the public land trust....

Madam Chair, and Trustees, to my dismay and disappointment, in the end, the AG’s statements on page 3 of 6 confirms that the political will of the Legislators and Governor super cedes everything. The AG states the following:

In fact, both the Hawaii Constitution and section 5(f) of the Admission Act are silent on how receipts from the public land trust must or should be apportioned to support any of the five trust purposes.

Trustees if this is true, there is no guarantee OHA will continue to receive pro rata receipts from the public land trust. Income OHA currently relies on.

For this reason, I humbly ask OHA to make responsible decisions regarding OHA’s budget. To also seriously develop Kakaako Makai and Na Lama Kukui so that OHA can generate and rely on it’s own income sources. OHA’s mandate is not the same as DHHL. DHHL’s primary mandated is to give land leases. Land leases for residential, agricultural, pastoral, aquaculture, rental, commercial, and industrial. Land leases. OHA’s mandate are for the betterment of the conditions of native Hawaiians. Health conditions, economic conditions, education conditions, housing conditions. Look at the political will of our past and current leaders. Native Hawaiians have 40 years of experiences with OHA and 100 years of experiences with DHHL’s Hawaiian Homes Commission Act to inform us of the Political Will of the Governors, the Legislators, and the People of the State of Hawaii.

Ke Akua Pu. God Bless You and God Bless Us All.

Chairperson Hulu Lindsey Thank you Germaine.

Board Secretary Next speaker is Rowena Contrades – Pangan.

Rowena Contrades – Pangan Aloha, I am Rowena Contrades – Pangan from the island of Kauai. My whole heart and soul of these native Hawaiian people that are houseless here on the Kauai. My whole heart goes out to these homeless people. We have been trying diligently to get funding to feed our Native Hawaiian people. They did not want to be part of this because at our last meeting they felt like they were mistreated as Native Hawaiians. I went all the way to Kekaha. I live in Kapa’a, I left my house at 8:00 in the morning to grab each and every one of them and took them to Salt pond. There was no one from the Office of Hawaiian Affairs to come and help us with the technology. So, we gathered our own people, did our own community outreach,

and then we were not allowed to speak because we didn't register. How are these people going to register when there is no help from OHA:

- 1) To get them to register
- 2) They are houseless – how are they suppose to get there? We had to bring our whole function to allow them to testify. They were there willing but we were not allowed to testify.

Today, when I asked them they said “no”. They do not want to be apart of it. They're thinking I am being investigated by the FBI. I don't even know what's going on and it doesn't matter. We are here for Native Hawaiian people. We need housing, food, and we need them to get help. They need to get simple medical help. I just a small grant. I am still trying to get a little more money to try and feed these people. I am asking OHA to consider helping Ho'omana, so that we can help the Native Hawaiian people. They're houseless, sick, and in need of help. We have many that are mentally ill at these sites and there is no help for them. I am reaching out to OHA to please kōkua and help our Native Hawaiians. Thank you.

Chairperson Hulu Lindsey Thank you Rowena. Our next speaker is Kamealoha.

Kamealoha Smith Aloha, this Kamealoha Smith, Kaua'i island beneficiary. Mahalo for giving me the opportunity to share manao at today's Board meeting. I work with Rowena, Ho'omana, and few other homeless adocate non profits to develop a plan to deal with homeless issues. Our non profit did recieve some funding to address some of the food insecurity issues. We look forward to develop more funding opportunities for Ho'omana and other non profits. I also wanted to thank Trustee Hulu Lindsey, Vice-Chair Lei Ahu Isa, and the leadership at OHA for providing beneficiaries and safe enviornement to provide testimony. I wanted to let you know I have written to the State Legislative body to both the State Reprisentatives and our Senators in the Hawaiian Affairs Committee. I extended an invitation to the legislatures and to our County Council to attend todays Board meeting as well. My main goal was to give them an opportunity to understand the issues of our Hawaiian community. I think there are leaders on Hawaiian Affairs Committee, both at the House and Senate Committee. Both are important because they make decisions that will impact the Native Hawaiian community.

The other issue is sustainability. I know OHA was interested a while back on creating a puwalu on the island of Kaua'i. I know part of that was to address sustainability, that's a good idea. OHA also has a tendency to be Oahu centric – that has come up in a public discussion. While I support the idea of a puwalu, I think it's important for OHA to work to empower the people on the neighbor islands to lead on those efforts of sustainability. Many of us on the neighbor islands are connected to the work we do on geneology and lineage. What ever kuleana we have has been passed down through ohana. It would be better if OHA provided the support and resources that work rather than come to the neighbor islands and take over. I don't think anyone intends to do that but it happens sometimes. It is my belief that if we want to raise capable leaders on the neighbor islands and we want better outcomes and engagement it is better if we can work to empower our local leaders. I also wanted to say item B. Committee on Resource Management – what was the purpose of that resolution was. It would be nice if you folks did some type of education activity to explain to beneficiaries about this agenda item. What that agenda item is meant to address and how that agenda item impacts OHA operations especially the budget solution? What is the benefit to OHA? And will improve with OHA as a result of this action item being passed? That is all I have to say. Mahalo for giving me an opportunity to speak today. Thank you everyone. Mālama pono and a hui hou.

Chairperson Hulu Lindsey Mahalo Kamealoha. Our next speaker is Thomas Shirai.

Thomas Shirai Hello, Congratulations to those who got elected. I see this as a good group that can move forward with our Hawaiian issues. I am trying to get a hold of whoever lobbies at legislature and puts

together the package. I tried for three weeks to get a hold of that person. I left a message, email, and my telephone number. No one got back to me. I wanted to have one bill if possible to be added to your legislative package for this session. It is a very sentimental and special bill for me. It has to do with SB1368, this has to do with Kawaihapai airfield open for civil aviation instead of DOT's position on shutting civilian operations and terminating their lease with the Army in 2024. Why do I feel strongly? I've done a lot of good things for that airfield including iwi kupuna disturbance. It was covered extensively by KHON2 until reinterment. The legislative body of that bill, SB1368 only addresses the business community and the tenants. The only reason why they're there is WWII, the army got Kawaihapai to make an airfield. At the end they were supposed to give it back but instead they gave it to the territory of Hawaii, who then gave it to the State of Hawai'i and it became public recreational land. They are complaining they have over one year to get off the airfield. My Grandpa's family, one of the original land owners – going back to the mahele and the original deeds, they had less than one month to get off the airfield. They had to start life all over, they didn't have time to apply for Hawaiian homestead, hawaiian housing, foodstamp, or any governmental assistance. They needed something right then and there. Some made it and some did not, my grandparents made it. I live in that same house since that time period, to this very day with my wife. It is very much a Hawaiian place after you hemo all the military history and the civilian recreational activities. Get plenty Hawaiian stuff and a lot of it was done because of my family, they were the informants for Bishop Museum and its documented in sites of Oahu. I am asking that it doesn't matter if you support or you oppose what's going on or you support or oppose the Army. There was only non-Hawaiian testimony being presented, over 300 at the City Council. I would like to see more Hawaiian people voice their opinion and to give balance. I want OHA to look at this bill and offer comments. Bad things have happened here in the past like eviction of Hawaiians. The second, is a burial site. This was my grandpa's family iwi kupuna. We told them not to disturb this area and they did, in 2005. Despite they had seven years prior notice. We spent time with SHPD sharing with them our family, our relationship, cultural sites, burial sites, and where not to disturb. 2005, the DOT allowed illegal sand mining and that is when they disturbed my ancestors. I went through the process 6E and NAGPRA for two years and it was very draining. It was with the help of Kai Markel and KHON2 that we reburied them at Kawaihapai. If you have no position, please add it on to your list of tracking of legislative bills, and comment. I'm also trying to get ahold of Ka Wai Ola and no one has called me back. I think this is a good informative subject to put in the newspaper. Also, I am not a cultural descendant, I am a recognized lenial decendent by SHPD and NAGPRA. Thank you.

Chairperson Hulu Lindsey Thank you so much. We will definitely follow up. Does Kai Markell have your information; phone number and email? We will have our BAE committee follow up on this bill. Thank you again for your comments.

Sylvia Hussey, CEO We will have Mr. Shirai connect with Chief Advocate, Sterling Wong as well as Public Policy manager, and of course Kai to continue that conversation.

Announcements

Chairperson Hulu Lindsey okay, our next Board meeting will be on March 11th at 10:00 a.m.

Adjournment

Trustee Ahuna moves to adjourn the meeting.


Trustee Akaka seconds the motion.

Chairperson Lindsey calls for a **ROLL CALL VOTE**.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA 'ALA	AHU ISA			X			
DAN	AHUNA	X		X			
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			
TOTAL VOTE COUNT				9		0	0

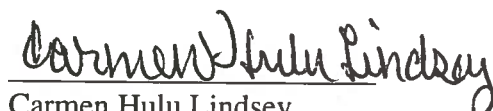
Chairperson Carmen Hulu Lindsey adjourns the Board of Trustees meeting at 10:48 a.m.

Respectfully submitted,



 Lehua Itokazu
 Board Secretary

As approved by the Board of Trustees on March 25, 2021.



 Carmen Hulu Lindsey
 Chairperson, Board of Trustees

Attachments:
 Testimony – Germaine Meyers

Community Concerns of Germaine Meyers, BOT meeting February 25, 2021

Aloha Chair Hulu, Vice-Chair Ahu Isa, Board members, and Lahui.

My name is Germaine Meyers. I'm an OHA beneficiary for beneficiary advocacy and empowerment. I'm also a Nanakuli Hawaiian Homestead Lessee.

Trustees a sincere mahalo to you for sharing with me your time to hear my community concerns.

My concerns are focused on POLITICAL WILL.

Earlier I shared with you the Senate Bills I support and I oppose. Within each of these bills, the public and government agencies are allowed to testify in support of and in opposition.

When I read all of the testimonies, it gives me an impression. An impression of the political will of people. But most especially, the political will of the Governor, the person who appoints the heads of departments. And the political will of the Legislators, based on their support or opposition of each bill.

I now share with you the political will expressed in some testimonies, from head of government agencies, leaders appointed by the Governor.

The Chairman of the Department of Land and Natural Resources, DLNR, stated in testimony regarding SB 1317 the following:

"The DLNR opposes paying DHHL or OHA any additional funds from ceded lands above the fixed annual payment of \$15.1 million currently paid to OHA, ...regardless of which agency actually receives the funds.

Department of Agriculture wants the pro rata amount to be deleted because any increase would place an undue hardship on their program.

The Department of Budget and Finance interpret the bill would in effect double the required transfers from ceded land revenue to 40 percent—20 percent to OHA and 20 percent to DHHL. They complain that it would only leave them with 60 percent revenue for operations of the affected programs.

Now I would like to share with you the testimony by the Attorney General regarding SB 1317.

At first I felt it validated OHA when it stated this on page 2 of 6:

Section 5(f) of the Admissions Act, however, does require these lands, and the income and proceeds from these lands, to be used only for one of five purposes. Which it numerated, and states 2) the betterment of the conditions of native Hawaiians.

Notably, article XII, section 6 of the Hawaii Constitution designates OHA as the receiving agency for **ALL** of the pro rata portion (emphasis on all) of receipts that go toward the betterment of the conditions of native Hawaiians.

However, there is no analogous provision in the Hawaii Constitution that provides DHHL with any portion of the receipts collected from the lands of the public land trust....

Public Testimony of Germaine Meyers, BOT meeting February 25, 2021

Aloha Chair Hulu, Vice-Chair Ahu Isa, Board members, and Lahui.

My name is Germaine Meyers. I'm an OHA beneficiary for beneficiary advocacy and empowerment. I'm also a Nanakuli Hawaiian Homestead Lessee.

Today I provide my data, views, and arguments regarding agenda item 3.B. 2021 OHA Legislative Positioning – Matrix 2.

Specifically, I support SB 1334 re Kakaako Makai, SB 321 relating to the increasing of payment amount for the OHA pro rata share of the public land trust, and SB 977 for DLNR to work with OHA to provide accurate and inclusive reporting.

And for the same reasons expressed by OHA, I oppose SB 1317 relating to public land trust funds **to DHHL**.

Trustees I support SB 1334 because I feel OHA needs to bring forth the \$200 million settlement of debt given to us by Governor Abercrombie. I will email to you Civil Beat article dated April 12, 2012 titled **“OHA-Kakaako Deal A Victory for Abercrombie.”**

I share verbatim a paragraph from the article:

“Quoting U.S. Senator Daniel Akaka, who sat in the front row of the bill-signing ceremony Wednesday at Washington Place, Abercrombie said, “It’s important to do things right...In Hawaiian we call it **pono**.”

I will also email to you an article published 9 years ago in 2012 as well, but in the Star Advertiser:

The Star Advertiser spoke of how the settlement does not involve any money, but instead conveys about 25 acres of adjacent parcels of land in Kakaako valued at about \$200 million to OHA. The state and OHA agree that a \$200 million settlement represents a reasonable compromise of the disputed claims for the prior 34 years.

I asked myself is this the truth? Did we receive a \$200 million settlement? I support SB 1334 and the development of Kakaako Makai so that OHA will make this a reality.

Trustees, the **Friends of Kewalos** submitted testimony in **strong opposition** to SB 1334. What I saw in their testimony is a pilau message saying ‘KAPU, Hawaiians keep out. This is our home, our hale. Stay out of my front yard!’

I saw this message when I read their testimony, that I read for you now in verbatim:

We are not against all development. We understand the people need housing, but ask yourselves **“Is this the right place?”** We need to preserve for the People what little oceanfront land we have left, not only in Kakaako Makai, but the entire State. We support “smart development” that puts emphasis on People first over profit.

Trustees, that’s interesting and convenient for them to say, NOW. Now that they have their housing in their high rises, and their developers who surely put profit over people because many of us can’t afford those housing in their high rises.