

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
Kekaha Neighborhood Center
8130 Elepaio Road
Kekaha, HI 96752**

**Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, May 11, 2017
9:00 am**

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE LEINA‘ALA AHU ISA
TRUSTEE DAN AHUNA
TRUSTEE ROWENA AKANA
TRUSTEE W. KELI‘I AKINA
TRUSTEE PETER APO
TRUSTEE CARMEN HULU LINDSEY
TRUSTEE ROBERT LINDSEY
TRUSTEE JOHN WAIHE‘E IV

LISA CATALDO, BOARD COUNSEL
PAUL ALSTON, COUNSEL

ADMINISTRATION STAFF:

KAMANA‘OPONO CRABBE, CEO
ALBERT TIBERI, CC
KAWIKA RILEY CHIEF
NANCY KING, TAP
JOCELYN DOANE, PP
ALICE SILBANUZ, DPM

BOT STAFF:

LADY GARRETT
PAUL HARLEMANN
CAROL HOOMANAWANUI
DAYNA PA
LOPAKA BAPTISTE
CLAUDINE CALPITO
NATHAN TAKEUCHI
ANI PANG
LEHUA ITOKAZU
KAMA HOPKINS
MELISSA WENNIHAN
KALIKO SANTOS
NOALANI NAKASONE

GUESTS:

LEIANA ROBINSON
TIMOTHY REIS
DEBBIE JACKSON
HAROLD VIDINHA
RUPERT ROWE
PUNOHU KEKAUALUA III

I. CALL TO ORDER

Chair Colette Machado Calls the Board of Trustees meeting to order at 9:07 am. Roll call is taken; Trustees, Ahuna, Akana, Akina, Apo, Carmen Hulu Lindsey, Robert Lindsey, Waihe‘e and Machado are present; constituting a quorum of eight (8) trustees. Ahu Isa is expected to arrive shortly.

II. APPROVAL OF MINUTES

A. April 27, 2017

Trustee Dan Ahuna moves to approve the Board of Trustees meeting minutes for April 27, 2017.

Trustee Peter Apo Seconds the motion.

Chair Colette Machado Asks if there is any discussion, hearing none she calls for the roll call vote.

Trustee Dan Ahuna moves to approve the Board of Trustees meeting minutes for April 27, 2017. Trustee Peter Apo Seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA					Not present at time of vote	
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO		x	X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passed with eight (8) YES votes, and one (1) excused.						

III. COMMUNITY CONCERNS

Chair Colette Machado Calls on Leiana Robinson.

Ms. Leiana Robinson Addresses the board in Hawaiian. (Kama Hopkins interprets for the Board and the community present.)

Kama Hopkins Basically Trustees, I believe some of you have been paying attention to Facebook, there has been a non-Hawaiian person hired to play the part of Mr. Kanahale in the movie. So Leiana folks have come today to inquire where are the Hawaiians in this, they are portraying someone from Ni'ihau by someone who doesn't look like anyone from Ni'ihau.

Kamana'opono Crabbe Responds to Ms. Robinson's concern in Hawaiian. (Kama Hopkins interprets for the board and the community present.)

Kama Hopkins Trustees and Leiana, OHA has been approached by Donne Dawson to see if OHA can prepare some kind of letter in response to the folks in California responsible for this movie. Like how we did a couple years ago with that Hula Girl app that came out and it had nothing to do with Hula.

Trustee Peter Apo This is a very serious problem. In my private office my neighbor has a national company that provides all the support services for film companies and still photography. They have some of the biggest magazines in the world that use their services. He tells me that over the years these companies don't want to use cultural advisors. They don't want to know if they are doing something wrong or not because then they have to go on record or either not do what they want to do with respect. This is a really good issue for OHA to begin looking at because someone needs to provide guidance. For the last 90 years we have been characterized to the entire world through marketing and advertising and the video industry, mischaracterized, misunderstood as to who we are as a people. If not OHA, I don't know who else has either the resources or the access or the capacity to weigh in on this, which I think, is a huge problem. It is a political problem, there needs to be some discipline brought to the industry and at least being able to vet these projects as they characterize our people. I would propose to have some kind of discussion over this and how we can dialogue with the film office and how we might get involved in bringing some discipline and oversight. (Kama provides translation in Hawaiian)

9:15 am Trustee Ahu Isa arrives

Chair Colette Machado Before we close this discussion I wanted to let Kamana‘o know that I am willing to put this on the BOT agenda for further discussion or maybe a resolution to take an official position. (Kama provides translation in Hawaiian)

Trustee Keli‘i Akina I really want to add that I hope that we can have a full discussion and I want to encourage administration not to draft a resolution without first allowing a full discussion. For example we should consider if we want to be seen as protesting this industry and things that benefit the economy of Hawai‘i. And perhaps consider the extent, which we can compete. I was very proud of OHA last night when I saw the Kalani‘ōpu‘u film regarding the return of the cape and helmet. I thought when we can do works of excellence, when we can win the market, when we can change the conversation we will show the world what nā mea Hawai‘i is all about with authenticity and pride. I am reflecting of our recent discourse of our resolution of the items taken to Paris for auction. While I totally agree with preserving the value of having these artifacts here in Hawai‘i, we need to be sure that we have a full discussion to avoid any unintended consequences. We want to be able to win the argument to preserve the Hawaiian culture and do it in a way that doesn’t make us look like protestors. (Kama provides translation in Hawaiian)

Kamana‘opono Crabbe Addresses Leiana in Hawaiian. (Kama interprets for the board and the community present)

Kama Hopkins Did these people even come to Ni‘ihau, come ask you folks, talk to you folks about this? Obviously there is still family that knows about this story. That was not done. This is number one we should encourage. Number two understanding completely what Trustee Akina shared, also remembering it is our job as the board and as OHA to ensure we protect and look out for our people. Especially in the way that things are portrayed and fully understanding those nuances that Trustee has shared.

IV. UNFINISHED BUSINESS

A. CEO’s 15-Minutes Update on Ho‘oulu Lāhui Aloha and OHA Activities

Chair Colette Machado Calls on Kamana‘opono Crabbe .

Kamana‘opono Crabbe Mahalo, I’d like to call on Nancy King our grants specialist who I have asked to share about our community grants award process as well as our ‘Ahahui grants. We have had submissions throughout the state of Hawai‘i and she’ll update us of the status of the awards and process.

Nancy King Aloha, just to give everyone an update, so starting with our community grants for our two-year grant program for programmatic services, that application deadline was in December. We’ve completed our reviews and are now preparing recommendations to bring to the Trustees who will be the decision makers for those grants. Then the other funding opportunity is our ‘Ahahui grants, which are for community events, that application deadline, was in April. That is moving forward in the review stage and hopefully in a month we will have recommendations and those awards for those events will take place between July and December of this year.

Chair Colette Machado I would like to have Jocelyn come and give us an update on the Legislative measures.

Jocelyn Doane My name is Jocelyn Doane I am the public policy manager and one of the main responsibilities of our team is to track State and County legislation. We just finished our legislative session this past Thursday. There a lot of really exciting and even some scary measures that were going through the session this year. For OHA our number one priority was to ensure that our community grants were supplemented with general funds, which I thought we did a decent job of doing particularly as it relates to securing and maintaining our education,

our legal services and our social services funding. That is how right now NHLC receives its funding from OHA and how our Charter schools receive some of its funding from OHA and that is how our social services contract is awarded. As well as trying to get assistance from the State to supplement our personnel funding. The entire State is going through personnel increases.

There are a lot of really exciting bills that went through session. We were disappointed to see that some of the Charter School funding measures did not make it out of session this year. We will be back next year. I think you heard of DHHL's bill that would reduce the blood quantum for the successors for leases. So that bill passed and it needs to go to conference to get approval. That would only reduce the blood quantum for families with existing leases and want to pass the lease down to their children or grandchildren who do not meet the current blood quantum requirements. We had some good environmental bills that went through this session. We were successful in making sure that bills that would allow for land use that were inconsistent with the interest of our beneficiaries did not pass.

As a part of our package, we introduced a bill relating to Charter Schools as well as trying to provide education to the community on konohiki rights. OHA has been a strong supporter of more community-based management the konohiki measure would be a reminder of the history of konohiki fishing practices and how some of those practices can continue to be incorporated into management practices today to ensure that we have more plentiful resources. I think that would be something that some of you in here would support because it was consistent with items you have supported in previous years. Unfortunately that resolution did not pass. So we will be back next year.

Kamana'opono Crabbe As Jocelyn had shared one of our bills was on the biennium budget. We go through a lengthy process with the legislature, we did make an ask of a certain amount to supplement OHA's budget. We did not get the totality of what we were requesting from the legislature in terms of general funds. So what does that mean for the Office of Hawaiian Affairs, we have to now recalculate our budget funding for the next two years. The funds that we were requesting were to supplement our grants program for Health and other matters. We are currently in the process where now we are going to the RM committee with further budget adjustment. Our goal is to increase funding for our grants program so more funding goes out to the community. We want to balance that with our personnel. We are looking at alignment of our personnel and where we need to make certain decisions on how to better improve our efficiencies in certain programs. We hope to have a final budget for the Board in early June for their review and comment and feedback.

Lastly, I shared this last night at the community meeting; OHA was contacted by Bernard Carvalho, regarding not just the Mark Zuckerberg situation but with all kuleana lands. We have also had concerns throughout the State regarding further protection or support for native Hawaiian families who have kuleana lands and OHA's assistance. Some of those concerns include families who cannot pay the tax of kuleana lands and private developers are moving the actual land plot, which is actually illegal. The other concern is some kind of process whether it is OHA or some other entity that could protect kuleana lands until the families can resolve the issues then the lands could be returned back to the ohana. OHA is in the process of working out a memorandum of agreement with the city and County of Kauai because we have some research on kuleana lands. We don't have 100% of all the research in the State of Hawai'i. We are willing to share that with the County under the condition that it can help preserve the 'āina and the kuleana for the native Hawaiian families. They cannot use this information for any kind of County Planning decisions, or for any development. We hope to finalize it soon and also work not only with the County, but also the Kauai County and the Hawaiian families who are in jeopardy of losing their kuleana land.

Trustee Rowena Akana Where are we with the GIS mapping and does the GIS mapping that we have done show any of the kuleana parcels that we have already identified for this island.

Kamana'opono Crabbe I will have to get back to you Trustee Akana because right now the actual research for this particular MOA does not come from the other research that we have been doing, but a lot of it has come out of the genealogy research that Lucy has been doing and we are sharing that information. If you are referring to

another research project, we will be sending a memo to the board very soon regarding our update of that project with the GIS work.

Trustee Rowena Akana Did we hire someone else to continue the GIS mapping? I know that we've lost some of our staff regarding the GIS mapping. I'm aware we first started on Oahu, it was a pilot project, then we took it to the Big Island and then Kauai and then Maui was the last. So each one was considered a pilot project and it was all done by genealogy. The GIS system was supposed to help us identify more of those lands. I am very interested in our GIS mapping and how it can help us in identifying more of these lands.

Kamana'opono Crabbe First, we have not hired any other consultant or vendor to complete the GIS ceded lands inventory. I believe it's still going through the procurement process. I believe the work that you are talking about relating to the kuleana lands work in the past was not related to the GIS project. The kuleana lands you are talking about was related to work that was part of the genealogy project. To my knowledge that research is not included in the GIS work project it's specifically related to the kingdom lands that were stolen from the Hawaiian Kingdom and are now called ceded lands. That is where the status is now.

Trustee Rowena Akana Nobody is more expert on kuleana land than I am because I started that kuleana land deal in the Council on Oahu and carried it to each island. What he is talking about is the allodial titles that were given during the mahele and so on by Kamehameha. But our GIS mapping was supposed to help because it is a continuation of what we got from the counties on each island. And genealogy is one way to identify kuleana lands that you may have in your family. It identifies you as the owner or the descendent of the original owner. But more than that with GIS mapping you can see by overlaying what is there before, what came afterward and one by one on the layering you see what's on top of it and that's why the GIS is very, very important because the kuleana lands were broken up into parcels and pieces. These overlays are what covers those parcels and when you look at the GIS you will be able to see what was underneath and that's why our GIS system is very, very important to continue and you must hire someone right away.

Jocelyn Doane Our GIS project is made up of many, many different components. To me the most exciting aspects of the project, which I think, is almost complete, we have GIS all the mahele records. Traditionally you would need to go to Oahu to the archives and do the research on their complicated system. What OHA has done is provide this information on its Kīpuka Database so you no longer have to do that. It brings the data from Honolulu into our rural communities as long as you have internet. All you have to do is go onto the website click on Hawai'i, click on Kekaha and then you click on your ahaupua'a and you'll start seeing all of these kuleana lands. When you click on a particular kuleana you will have access to native testimony and the royal patents. So it's super exciting and valuable particularly for our rural communities and I think that aspect of the project is almost complete and absolutely a valuable resource. I wanted to make sure that the community knew that it was available.

Trustee Leina'ala Ahu Isa I wanted to ask about Papahānaumokuākea, President Trump signed an executive order to rescind. The fisherman came to us last year to not approve expansion and that it would affect their fishing. Do we have anybody in OHA watching this on the federal level?

Kamana'opono Crabbe Yes. The Governor called a last minute meeting Monday morning with respect to this consideration and to determine if the State should take any another type of legal or administrative action. He brought together the different agencies and was interested the positions of Suzanne Case from DLNR as well as OHA's position. Our Chief Advocate Kawika Riley and Keola Lindsey are currently not just reviewing President Trump executive order but we are crafting a letter and points to reaffirm OHA's position in terms of support for the continued preservation of Papahānaumokuākea Marine Monument. The Governor is also standing by his original position of support for Papahānaumokuākea as well as the Department of Land and Natural Resources. At this time the Governor's legal team believes that at this time it is not necessary to take any legal action such as what the Attorney General did with the President's travel ban. The Governor believes that if we can continue our advocacy through letters directly to the Department of Interior and other federal agencies to reaffirm OHA's position for the protection for the monument.

The issue with the fishing in the monument, Kawika Riley and Keola has been engaged with a number of native Hawaiian constituents in the community. We have expressed that as native Hawaiians we have certain rights within the monument however commercial fishing for native Hawaiians is not on the table. However, if they want to bring that concern they have to do that before the management board.

Trustee Leina‘ala Ahu Isa Thank you for that update.

Trustee Peter Apo Hawai‘i’s fishing industry is really involved and in communication with the office of the president. I remain with my two concerns, one subsistence fishing for Hawaiian provision that requires the Hawaiian to eat the fish before they come home, I’m not sure what subsistence that means. Secondly, it blows my mind that any foreign national can get in the boat, travel hassle free through the entire Northwestern Hawaiian Islands but a citizen of this Country cannot do it but especially no one from Hawai‘i can do it without a permit. What does it mean for Hawaiians to be able to access traditionally the Northwest Hawaiian Island and the notion of subsistence fishing?

Kawika Riley The previous language controlling the monument talked about sustenance, which is the requirement that you can take, but you need to consume within the monument. One of the things we advocated when language was established to expand the monument was move from sustenance to subsistence and also to make sure that there was clear language and protection for native Hawaiian rights. A majority of the things that we advocated for were the protection of native Hawaiian rights this was incorporated and we are now working through the monument management plan to effectuate those things.

Trustee Leina‘ala Ahu Isa There is a boy names Jason from Waianae, he told me his great grandfather was given the fishing rights in the Papahānaumokuākea area. He had rights to fish in that area, they can’t take it away.

Trustee Keli‘i Akina My office had received input from beneficiaries from both sides of the issues on Papahānaumokuākea. We need to look at both sides carefully.

Chair Colette Machado We will be looking into this, there will be an appropriate time we will have discussion on this matter.

V. NEW BUSINESS

A. Committee on Beneficiary Advocacy and Empowerment

1. 114th Congress Legislative Positioning – Matrix1. April 26, 2017

Chair Colette Machado Calls on Trustee Robert Lindsey

Trustee Robert Lindsey moves to approve Administration’s recommendations on NEW BILLS (OHA 1-2) on the 114th Congress Legislative Positioning Matrix dated April 26, 2017.

OHA NO.	BILL NO.	MEASURE TITLE	DESCRIPTION	STATUS	REFERRAL
OHA 1	S. 254 H.R. 1169	ESTHER MARTINEZ NATIVE AMERICAN LANGUAGES PRESERVATION	Amends the Native American Programs Act of 1974 to reauthorize the program through Fiscal Year (FY) 2022, and also increases the length of grants from three to five years. Decreases the number of required Native students	S 4/8/2017: Following the bill's 2/8/2017 favorable vote out of committee, Chairman Hoeven reported the bill without an amendment and was placed on the Senate Legislative Calendar.	S Indian Affairs H Education and Workforce

		ACT	in Native American language nests and Native American language survival schools.	H 2/16/2017: Bill introduced	
OHA 2	H.R. 1369	INDIAN HEALTHCARE IMPROVEMENT ACT OF 2017	Repeats current Indian Healthcare Improvement Act language as passed under the Patient Protection and Affordable Care Act with the intention of preserving IHCIA, including the reauthorization of the Native Hawaiian Health Care Act, should a repeal of PPACA occur.	H 3/6/2017: Bill introduced and later referred to committees	Natural Resources (Indian, Insular, and Alaska Native Affairs); Energy and Commerce (Health); Ways and Means; Budget

Trustee Dan Ahuna Seconds the motion.

Chair Colette Machado Asks if there are any questions, hearing none she calls for the roll call vote.

Trustee Robert Lindsey moves to approve Administration’s recommendations on NEW BILLS (OHA 1-2) on the 114th Congress Legislative Positioning Matrix dated April 26, 2017.						
Trustee Dan Ahuna Seconds the motion.						
TRUSTEE	1	2	‘AE (YES)	A’OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA			X			
TRUSTEE DAN AHUNA		X	X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY	X		X			
TRUSTEE JOHN WAIHE‘E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [x] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed with nine (9) YES votes.						

9:50 am Trustee Akina leaves the meeting

VI. EXECUTIVE SESSION

Trustee Peter Apo motions to move into Executive Session Pursuant to HRS§92-5(a)(4).

Trustee Dan Ahuna Seconds the motion.

Chair Colette Machado Calls for the vote.

Trustee Peter Apo motions to move into Executive Session Pursuant to HRS§92-5(a)(4). Trustee Dan Ahuna Seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA		x	X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA					Not present at time of vote	
TRUSTEE PETER APO	x		X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passed unanimously with eight (8) YES votes, and one (1) excused.						

9:51am Trustee Rowena Akana Leaves the meeting

The Board dissolved into Executive Session at 9:51 am.

- A. Consultation with Attorney Paul Alston, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding *Akana v. Machado et. al. Civil No. ICC13-1-002485. Pursuant to HRS § 92-5(a)(4).***

The Board reconvenes into Open Session at 10:33 am

VII. COMMUNITY CONCERNS

Chair Colette Machado calls on Timothy Reis.

Mr. Timothy Reis Aloha, I just wanted to share some mana'o. I had to relearn what it is to be a Hawaiian. It has been a pretty amazing journey as regards to our history here and what our rights are. I am an aspiring adze maker that is what I am focusing on right now. I have recently completed a workshop with a local charter school on how to make a poi pounder for the students. It is an incredibly important tool. Culturally and spiritually we have lost the understanding of how it was made. There are very few people out there who are teaching it.

In that process I have identified certain things that are learned like being this type of practitioner and I think it's actually imbedded in all of the cultural practices. Preparation, making leis you need to gather the flowers before you can make this lei. Perseverance, the poi pounder, dealing with unexpected situations because of the medium. Looking at things from all angles before making it. What I am finding is that this practitioner in particular is a strategist, consultant, is a problem solver and I believe his craft was reserved for the elite class. There is tremendous benefit to this practitioner that is not found in society today. I have spoken to several educators who have talked about implementing these cultural practices outside of the western curriculum. If we do this the generations to come out of the education system will be problem solvers and have strategic thinking processes that I think is beneficial going forward.

I want to talk about a lot of things that I have seen in my perspective and experience. Being exposed to truth is stressful and confusing. I see OHA as a funding source for a lot of these programs. I would like to see therapy made available on all the islands and available to all of our lāhui to deal with this convergence of the history that we have been taught and the truth. It is a rough road and anger is a result of this. That anger without direction, people can riot and bring some serious consequences to the people of Hawai'i. One thing that I have learned is

that it is about the common good, it is in our constitution. As you understand the truth you start to understand that is what it's really about. Along with therapy you have to deal with the allegations of genocide the most heinous crimes. I would like to see OHA fund competent legal representation, to educate and understand to combat the legal system. I think OHA should take a step to getting ahead of these issues. I would recommend you appoint an overseer who resides on the island and they act as a mediator to DHHL, Kamehameha those organizations.

I'm not competent to file 501(c) 3 to access your funds. But I am entitled to them because of my koko and through my genealogy. I think that konohiki could help me and prevent legal challenges by working with people in the community that are doing good things for our lāhui. There are a lot of people doing a lot of good, real grass roots effort. I would like to see OHA dump a million dollars in each island and create a communal equipment base and also fund certified kitchens where farmers can convert their produce into products. These are some of the things you can give to our lāhui.

Chair Colette Machado Our next speaker is Debbie Jackson.

Ms. Debbie Jackson Thank you so much for coming. A few years ago I finally responded to a call from my kupuna. Mālama aloha on our kuleana that has been in our family. My husband and I paid off all our credit cards, quit our jobs and jumped in and started cutting pili grass. Since then we have some lo'i in there, we learned a lot. Not only with the lo'i kalo but everything physically and spiritually. I've run into a problem we are along the river and in my research is 100% every drop of water goes into a canal through the mountain into the Waipā reservoir. The water that comes by our kuleana is from springs, run off and water that has been diverted from other places. So whose kuleana is it to ask for restoration? Is it the people? Is it the agencies? Who represents the public trust rights?

(Conversation indiscernible) Who makes sure that native rights do not get strangled by the dams? They are all over the island. Why is does the community have to clear the sediment caused by years of water theft? Diverters should be fixing that not the kids.

Chair Colette Machado That is correct. Last night we had students who presented their project of the restoration of the Waimea River.

Chair Colette Machado Calls on Harold Vidinha

Mr. Harold Vidinha I apologize I just found out about this meeting. My name is Harold Vidinha and I am the president of the Kekaha Hawaiian Homestead Association. While everyone talks about the living and what we need. I am here to ask for the dead. We need land, when you are done you go and look at the Kekaha Hawaiian Cemetery. People are being buried, they don't event hit six feet and they are hitting water. The cemetery is full, they are putting bodies anyway they can. In just the past week we had two Hawaiians pass away ,they are going in there and they are trying to figure out how they are going to get in there over the fence to dig another hole. What I am looking for is getting with the County and as we go through this everyone shows the money and I want to come back to OHA to see if you would participate in purchasing the land that we find. So we can put our dead and our dying, they don't have a place. Hanapepe is another one, they call it a Hawaiian Cemetery but it a County cemetery. Because it was not regulated, families when theu lose one they'll go in and peg it off for the future. It needs to be controlled, yes you want your ohana to be together but in the cemetery you can't. It needs to be like the military style where it is organized. They are now trying to bury bodies on each other because of the over fill. I thought of the funding and I always go to meetings when I can and I hear what we want to do for our young, what we want to establish but no one is talking about the dying and the dead. So as I proceed with this I am going to go to the County first. I just want OHA to be aware that at some point they will always ask about funding and I want OHA to consider this so when it does comes before you, you can consider it.

I want to also talk about quiet title. My uncle Moses Keawe was an original when OHA was formed. He has a secretary that made it gospel for her to look in the Garden Isle every day to see what quiet titles were published. As you know quiet title goes in the paper and after a certain amount of time whoever inquires gets it. But there is a law that it is OHA's responsibility to take that land and keep it for future ohana that once they realize this is my land it's there for them. There is a law that governs this quiet title. A perfect example is Zuckerberg and if no one spoke up it would have been his today. It is OHA's responsibility to take the land and keep it for future family.

Chair Colette Machado I had a question relating to Hawaiian Home Lands and their lands in Kekaha. Is there land mauka that is suitable in their inventory?

Mr. Vidinha Not right now. Hawaiian Homes got basically waste lands. When you look up mauka from the bottom of the pali there is no water, no possibility for infrastructure. We have to look for a large enough place that will cover 50 years.

Chair Colette Machado Let me recommend that your association form a committee and look at land that may be appropriate. Then from there we should be able to start working with you. If you don't organize yourself appropriately we may not be able to do it timely. We can also work with other organizations and Hawaiian homes and look at options.

Mr. Vidinha I am going to move forward and see the Mayor. Basically in Kekaha there is no land it is all sandy and there is the water table. I want to say to the public my organization is small and I represent people who came from Ni'ihau and they are quiet people and they wouldn't speak in places like this even though they have things to say. You see every time when they lose one they wonder where they are going to bury them. Anyone who is willing to be on this committee I would appreciate your involvement. I really want to do this quickly.

Chair Colette Machado Thank you Mr. Vidinha. The next speaker is Rupert Rowe.

Mr. Rupert Rowe Aloha Kakahiaka, my presence today was to get some feedback from the community. You folks should improve your audio and video of your board meetings in Honolulu. You should have a camera facing the speaker and not facing the speaker's back. I was surprised that the school that came to visit me at the heiau from Waianae, they talked about the audio so I just wanted to bring that to your attention.

The second thing I wanted to talk to you about is a development that is taking place in Kapa'a. I believe there are 200 graves that will be dug up and placed on the side. In 2007 SHPD had an internal problem starting with Melanie Chinen down to Pua Aiu down to the archeologist on Kaua'i down to the planning department and the Deputy approved all of this but they still didn't have a burial plan. They did away with it for 10 years. Now they bringing it back and they are saying that the permits were all in place. But the planning director now was never there. The planning commission was never there, but everyone believes the process was there but it was not there. I wanted to bring it to your attention because this development will take place in very short while and we are not going to let this happen.

Trustee Dan Ahuna The place that he is talking about is Coconut Plantation.

Mr. Rowe I think they are building a place to put all the iwi inside, but my concern is what do we consider a graveyard. I believe that they who rest, their civil rights are being violated. My last comment is applying for a grant from OHA. I applied for a grant, but I did not qualify for a grant. What pisses me off, they ran back to me asked me to write a letter to them on how I felt on not getting the grant. I was very disappointed I had to wait two years. I went out and applied for grants, my first grant was for \$800,000. The heiau is what is today. That is all I have to say.

Kamana'opono Crabbe Rupert I wanted to let you know that paperwork has been filed to improve our audio speakers and the microphones we just have to wait for that to go through procurement.

Trustee Dan Ahuna Also wanted to remind the grants program that we have applied for grants and have failed and we have to wait two years.

Chair Colette Machado Our next speaker is Punohu Kekaulua.

Mr. Punohu Kekaulua Aloha, I just came to observe the meeting and get an idea of what is happening. From my understanding the kuleana lands and all that you are asking about and putting more homes and stuff it is a very good idea but what about those parcels that have kuleana on them are they going to be removed and placed somewhere else. I get one really important question to ask I know you all know this, ua mau ke ea o ka 'āina i ka pono, what does this mean? Can i get a clear definition of this? I know you speak hawaiian can someone tell me what this means?

Trustee Carmen Hulu Lindsey The life of the land is perpetuated in righteousness.

Mr Kekaulua 'A'ole.

Chair Colette Machado In truth.

Mr. Kekaulua 'A'ole.

Trustee Peter Apo The life of the land is perpetuated in sovergnty.

Mr. Kekaulua Ua mau ke ea o ka 'āina, the life of the sovergn land is perpetuated in righteousness. Who is the sovergn? Who are the sovergns? You guys know who the sovergns are?

(converstation indiscernible)

Mr. Kekaulua Yes, so how come we not starting where we suppose to be starting. It is very concerning what are we wasting all this money. Why don't we start from the start where we suppose to start from, not work it backwards. This is the things that I've seen in this particular meeting. There are others stuff I can talk about but I wanted to speak on this that is why I wanted to speak at the ending. I can bring up these concerns to the board. This is very importatnt because you need to understand what we been taught. A lot of it has been manipulation and lies. You have to bring out the truth there is no sense in us in lying some more and waiting. You need to bring out the truth today, we all know it. But there is no sense in me saying it. We all know who we are. Are we native hawaiian? Of course not because our nation still exists. What are we doing right now? In my eyes this is a waste of time we need to move forward to who we truely are.

Trustee Peter Apo I think you bring up a really fundamental, perhaps a teaching issue. I think that the reality from my own personal perspective. The enemy is within we are a divided people. We have a133 years of transgenerational trauma, different people depending on where they grew up in hawaii have a different perspective as to waht sovergnty is and as to whether they are even interested in self determination. I will point out that status quo makes a lot of money for a lot of hawaiians who don't want change. The issue you raise is something that we try to deal with but it it's extermely complicated. When we lost the priesthood after the battle of Kuamoo, just speaking to the issue of how do you validate cultural claims. You can't there is no priesthood. We make up stuff now days. The traditional ways of validation of what is cultural has disappeared. So people get really confused, for me it's painful, I'm an old guy the hawaii that I remembered and the Hawaiians that I remembered back in my mother and father's day and my tūtū are very, very different. There was a lot more unification back then a lot more of sharing of common goals and common injustices and most of it was based on common sense. Now we get tied up with the internet the barage and tons of information everyday. Especialy in the millennial generation its so confusing. Its a huge challenge I think funalmentally that is where we have to start. We have to worry what we are doing to ourselves.

Chair Colette Machado Asks if there are any questions or a response to Punohu.

Kamana'opono Crabbe Just a comment the point you made regarding some of the of the understanding of kuleana lands. The MOA we are discussing with the county of Kauai is attempting to do that. The litigation is that OHA doesn't have every single document but what we are trying to do is assist the County and this is what we know so far. The next step is that if other families have their own kuleana to add to this map because I agree with you if we keep going one by one I think it is OHA's responsibility to address the big problem. How are we going to protect kuleana lands for native Hawaiian families and pass it on through the generations?

(converstation indiscernible)

Chair Colette Machado Calls on Mr. Vidinha.

Mr. Vidinha Can you clarify what is crown lands and the next questions is ceded lands? What I understand is that there are 13,000 acres of crown lands here on the west side.

Jocelyn Doane So when the Kingdom decided to privatized lands in the 1840s the Chiefs and the Kings choose their ahupua'a and subsequent to that the people were allowed to claim lands in the ahupua'a. The lands that ended with the crown are the lands that we refer to crown lands. So after the overthrow the republic, which existed for 5 years, bought and sold lands. They took control of the crown lands and the government lands and this is what we sort of refer to as ceded lands today. During the territorial years lands were being bought and sold. So what was left the United States transferred to a trust for the people of Hawai'i. A portion of what we refer to as ceded lands have a trust status. 90% of the lands that the State asserts that are public lands are considered ceded lands. And ceded lands are the lands of the kingdom and the crown. So the Kingdom of Hawai'i had government lands and the King had crown lands, which went to the Queen eventually. Crown lands are ceded lands. Crown lands are a portion of ceded lands, it is not all of the ceded lands. Ceded lands were government lands, it is the Kingdom's government lands. Again there were transfers during the 5 years when we were a republic. OHA's position has always been that the State cannot dispose of ceded lands and OHA's position has always been that our people continue to have legal claims to those lands. Whether our people are going to choose to assert those claims is a controversial discussions.

(conversation indiscernible)

Mr. Kekaulua As a Hawaiian National will OHA help me if I want to assert my rights? I want to know an answer to this. This lands belong to our people, are you there to support me as a Hawaiian National or are you there to support a native Hawaiian.

Trustee Peter Apo That is a really difficult question. When you go to a hotel and claim this my my land would that be an example of you asserting your rights?

Mr. Kekaulua For my family we are already doing that now that is why I am asking OHA if you are willing to step us for us.

Trustee Peter Apo I think for me if there is a framework of law that provides a window of opportunity for us to take it to Native Hawaiian Legal Corporation or some other legal maneuvering then we can help you. If you are aksing if we would stand with you and you break the law I think the answer is no.

Mr. Kekaulua So who does that law pertain to?

Trustee Peter Apo The whole land question is the admissions act which takes the ceded lands and transfers it from the Federal Government, the State of Hawai'i and the admissions act transfers title it to the State of Hawai'i as a trust responsibility. The trusst has purposes and one of them is the betterment of Hawaiians this does not included Department of Hawaiian Home Lands. That is how the state has decided to assert is authority

in creating a quality of life for all the people of Hawaii through those five purposes with the revenues from those lands.

Jocely Doane The Coco Palm issue is not a ceded lands issue. They are lands that were privatized it is a different issue. OHA is a State Agency it was created by the constitution of Hawai'i. Our authority comes from the existence of the State. Our Trustees are a Trustee of a trust that was created by the State of Hawai'i. I respect you that you don't believe in an existence of the State. I just need to put this in context because you are asking them something that is outside the bounds of their authority.

Mr. Kekaulua That's why I go back to the ua mau ke ea o ka 'āina i ka pono thing cause if that is the State model State is not even existence. They are telling us right there that the sovereign is not a thing to this land. If I am a Hawaiian National that means my laws are being, not the national law that is a totally different issue. If I assert my rights will I get the backing from your guys. I need my kanaka people to stand with me.

Trustee Carmen Hulu Lindsey Mahalo for your thoughts I know how you feel. We are a State agency and we do have only certain authorities. However there are some issues that we had a choice and a good example is Mauna Kea, I choose to protect the mountain. My colleagues may not, but I respect them. Certain things you ask us to support, it may be illegal for us to support you but there are some things that we have a choice.

Trustee Dan Ahuna I am full support of our beneficiaries all the way.

Mr. Kekaulua How am I as a national able to approach and get money to get support for our grassroots issues. How can we do that as a Hawaiian National?

(conversation indiscernible)

Chair Colette Machado I don't think you are going to get your question answered if you are not incorporated and that is against the grain that you represent. We can only give you personal contributions to establish a bail fund for you if there is an arrest but as far as extracting any money from the Office of Hawaiian Affairs we are unable to provide that mechanism. Unless some private source will give us money to provide that kind of kokua for the grassroots.

Mr. Kekaulua So what you are saying is that OHA cannot help any Hawaiian nationals.

11:39 am Trustee Carmen Hulu Lindsey and Waihee leaves the meeting

Chair Colette Machado If you are not incorporated we cannot help you under the procurement process under the State. So the answer is yes, that is correct. Your assessment is correct. Our hands are tied and we've got duct tape on our mouth.

Mr. Kekaulua I am just trying to get that answered. Mahalo.

VIII. ANNOUNCEMENTS

NONE

IX. ADJOURNMENT

Trustee Dan Ahuna Moves to adjourn the meeting

Trustee Peter Apo Seconds the motion.

Chair Colette Machado Calls for the vote.

Trustee Dan Ahuna moves to adjourn the meeting. Trustee Peter Apo Seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	X		X			
TRUSTEE ROWENA AKANA					Not present at time of vote	
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO		X	X			
TRUSTEE CARMEN HULU LINDSEY					Not present at time of vote	
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E					Not present at time of vote	
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			3
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passed unanimously with six (6) YES votes, and three (3) excused.						

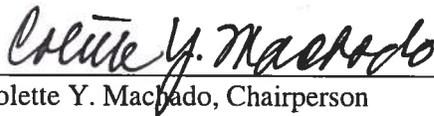
The meeting was adjourned at 11:40 am.

Respectfully submitted,



Dayna Pa. Board Secretary

As approved by the Board of Trustees on June8, 2017.



Colette Y. Machado, Chairperson
Board of Trustees