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Committee on Beneficiary Advocacy and Empowerment  
Trustee Colette Y. Machado, *Chairperson*  
Trustee Boyd P. Mossman, *Vice-Chairperson*  
*Members*  
Trustee S. Haunani Apoliona  
Trustee Rowena Akana  
Trustee Donald B. Cataluna  
Trustee Walter M. Heen  
Trustee Robert K. Lindsey Jr.  
Trustee Oswald K. Stender  
Trustee John Waihe'e IV



LIEUTENANT GOVERNOR'S  
OFFICE

'09 JUN 25 10:03

**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

Office of Hawaiian Affairs  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT

DATE: Wednesday, July 1, 2009  
TIME: 10:00 am  
PLACE: OHA Board Room, 5th Floor at above address

AGENDA

- I. Call to Order
- II. Approval of Minutes
  - A. May 27, 2009 – BAE Committee Minutes
  - B. June 3, 2009 – BAE Committee Minutes
- III. Community Concerns
- IV. New Business
  - A. BAE 09-03 OHA Housing Plan and Strategy – Recommendation for Acceptance
  - B. BAE 09-04 OHA Housing Policy
  - C. Resolution in support of the Draft Environmental Impact Statement for the Thirty Meter Telescope Observatory Project.
- V. Beneficiary Concerns
- VI. Announcements
- VII. Adjournment

Persons wishing to provide testimony should submit 10 copies of their testimony 48 hours prior to the meeting to the Committee Chairperson's office at 711 Kapi'olani Blvd., Suite 1250. Testimony may be faxed on the neighbor islands through neighbor island OHA Offices. The committee will also accept oral testimony and will limit such discussion to five minutes per testimony. For further information, please call the Committee Staff at 594-1887.

*Colette Y. Machado*

Trustee Colette Y. Machado, Chair  
Committee on Beneficiary Advocacy and Empowerment

*6-24-09*  
Date

**OFFICE OF HAWAIIAN AFFAIRS  
COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT  
711 KAPIOLANI BLVD., 5<sup>TH</sup> FLOOR  
COMMITTEE MINUTES – Approved  
July 1, 2009**

**ATTENDANCE:**

TRUSTEE MACHADO, CHAIRPERSON  
TRUSTEE MOSSMAN  
TRUSTEE APOLIONA  
TRUSTEE HEEN  
TRUSTEE LINDSEY  
TRUSTEE STENDER

**EXCUSED:**

TRUSTEE AKANA  
TRUSTEE CATALUNA  
TRUSTEE WAIHEE IV

**ADMINISTRATION STAFF:**

CLYDE NAMUO, ADM  
KRISTY PEREZ-KAIWI, OBS  
BLAINE FERGERSTROM, PIO  
ERNEST KIMOTO, LS  
MONA BERNARDINO, ADM  
APOLEI BARGAMENTO, NRLC  
DEAN MARK, OBS  
JOHN ALAMODIN, HSHH  
JONATHAN SCHEUER, LM  
KAI MARKELL, NRLC  
KALE HANNAHS, NRLC  
LEATRICE KAUAHI, HSHH  
MARK GLICK, ECO  
NALANI TAKUSHI, HSHH  
STEPHANIE KON, HSHH  
STERLING WONG, NRLC  
KURT KLEIN, LS INTERN

**BOT STAFF:**

LEAH BURROWS-NUUANU  
DAYNA PA  
NATHAN TAKEUCHI  
WINONA GAISON  
MALIA SCHNEIDER  
BOBBI RAY  
CRAYN AKINA  
MELISSA BEIMES  
MARION SHIM  
KAMA HOPKINS

**GUESTS:**

None

**I. CALL TO ORDER**

**Chairperson Machado** calls the BAE Committee meeting to order at 10:05 am. I have received an excused absence from Trustee Akana, Trustee Waihee and Trustee Cataluna. Trustee Cataluna will also be joining us by Telephone. I will now do the roll call, we have Vice Chair Mossman, Trustee Apoliona, Trustee Akana, Trustee Lindsey, Trustee Stender, and I believe Trustee Heen and Trustee Waihee may be joining us momentarily. We will need 72 hour waiver for all the items under IV. A., B. and C.

**Trustee Apoliona – Move to 72 Hour waiver for IV. A., IV. B. and IV. C.**

**Trustee Mossman - Second.**

**With no dissenting votes the Chairperson Machado notes a unanimous consensus and the motion carried.**

**Chairperson Machado** – Before we proceed to II. I will be taking out of order under IV. New Business because we have neighbor island consideration for our people from the Big Island I will be taking item C. and moving it up and taking it first. And then following that would be our discussion on the BAE 09-03 OHA Housing Plan and Strategy and following that would be BAE 09-04 OHA Housing Policy.

## II. APPROVAL OF MINUTES

- A. May 27, 2009 – BAE Committee Minutes
- B. June 3, 2009 – BAE Committee Minutes

**Trustee Stender** moves to approve the BAE Committee minutes of May 27, 2009 and June 3, 2009.

**Trustee Mossman** seconds the motion.

With no dissenting votes the **Chairperson Machado** notes a unanimous consensus and the motion carried.

## III. COMMUNITY CONCERNS

**Chairperson Machado** – We would like to call Richard Ha followed by Michael Lee, following Michael is Koa Kaahanui Rice and then Sandra Dawson. This is not excluding your own presentation when we go into the discussion of the new business. This is if you had any kind of manao you would like to share that would be different from your presentation.

**Mr. Richard Ha** – Okay I would like to say just one thing. I volunteered to be on the Thirty Meter telescope committee 3 years ago and the motivation was if the Thirty Meter telescope was to come here it had to be done right and I personally would like to say that if it does come here I will still be engaged to make sure it is done right so it is not just because they come pau. Other than that, that is my personal commitment.

**Chairperson Machado** – Mr. Ha you are part of the presentation by the University with the TMT.

**Mr. Ha** – Yes.

**Mr. Michael Lee** – I am here on two different reasons one as a papa kilo hoku, people think we don't exist any more but we do. I wanted to clarify a couple points, I am in favor of the Thirty meter telescope and I am going to tell you why. Number one there are four deities to Maunakea that people cannot tell you so I am going to tell you. Poliahu is the major deity that is up there, also paliuli which is the star castor, paliula which is his wife the star pollux and they are holding hands together and right above their hands in the middle is lilinoe the younger sister of poliahu. Those are the four major gods that are dealing with that. Now their placement the names of the puu are named after them, right above the puu is this star that takes place. Puu poliahu has poliahu, it is 6 stars in a line together and it forms a nudibranch that her sea form is poliahu in the ocean. That is a different story and I am not going to go into that. Her lover is Castor puliuli, which is very important because his puu or mountain is puumahoe, there is mahoe hope and hope mua, he is mua he is the man he goes first. He is important because the portal to the after life opens up with him. It does it at Kaena point, it does it a Salt Lake, it does it at Nuuanu. That is why he is very important. Poliahu controls the offerings that were made to poliahu were dead children to bring them back to life. The two are in consequence with each other and lilinoe, and of course there is a puu lilinoe a younger sister of poliahu. In no way does this telescope bother the celestial heavens or their underlying heiau below. So get that right off that table, anyone who is not a papa

kilo hoku cannot address this subject. Any obstacles you have in the community you can send it to me and I will ask them if they new the 3,000 stars and the 265 constellations. And if they don't know it I am sorry you can't talk to this. Who were my teachers? Aunty Alice Holokai mother of the famous George Holokai the master hula chanter both of them were my teachers and my grandfather who passed on. The kumulipo chant to me and what the specifics are the whole thing that is another story. But let's move that right off the table if there is anybody in the community I ask any papa kilo hoku to come up and challenge what I said. So if anybody had any guilt feelings remove it from this table. What I am concerned about is the process that the caveat is our Hawaiian community from the Big Island to outside islands to be allowed to be part of the process that goes on there. It is a good thing, it is not a bad thing because it also highlights knowledge we have a lot of knowledge and I am working with Kai to transfer some of my information that was given to me to places that we have that need the knowledge are empty. Those three thousand stars need place to stay and those 260 constellations and the stories that go with them. So Kai and I are working on a properties rights transfer agreement so that we can do something to the Big Island as far as getting that knowledge out of my head and back into so that everyone can gain from it. So that is part of an ongoing process. So that is one thing. The second thing that I am here to report to you is for alii makua wahine o ewa we have gotten the bones of our royal alii and they reside here at OHA. We are in negotiation for a MOA with Haseko Ewa Inc. on their property on their site next to the ocean a burial crypt for her bones where she decided to be buried not where the State or anybody else wants to put her but where she in her death bequeathed to her family members put me here. Why? Because they come from Kahiki and the stars from Kahiki and they want to return to Kahiki from the shores from which they came. Not stuck in the mountain somewhere. So we have to listen to the intent of our na kupuna. We also putting in to assist with the burial plan and to have a crypt for future bones of her family relatives that may be dug up also and to be placed there as well and we are working with them in this memorandum of agreement to bring back the opae ula pond with the opae ula which have not been destroyed and the pond area has not been destroyed. And there are other minor caveats to this memorandum of agreement but it is in process and we are in negotiations. Number one for Papipi Road Kaloi gulch and now we are going to give the princess back her burial where she deserves to be buried.

**Trustee Heen** – Just precisely what princess are we talking about?

**Mr. Lee** – Well this is the problem, the archeologist have dated her bones, number one she was holding two niho palaoa in her hands they are huge we have the niho palaoa next door in Kai's office. That shows the sign of the alii, the alii was really of high rank because of the size of the niho palaoa, there were two alii that she was holding this for. We know she was a woman from 1795 to 1815, they have carbon dated the bones. We know it happened somewhere around the time of Kamehameha the great. The problem is we know there are significant alii that were there of significant rank, I tried to trace this down in the achieves we don't have a genealogy or a story that places her in that place nor she has numerous beads or artifacts that were buried with her. There is no name that is assigned or anything in her possession that would give us a clue to what chieffess she was. To complicate matters in Ewa there was a massive slaughter of many alii prior to her death that almost disseminated the Oahu chiefs. As far as protocol I would prefer her family do this and have the say so but because we couldn't find any relatives and because we cannot identify the iwi, we do know she is of extremely high rank and someone had to step up to the plate because when it was discovered in 2001 it was basically put inside a box for the last 9 years and nothing happened. It was not taken to the burial council because it was an undetermined find so it fell outside of the law. And unless an MOA took place this would never move. She would be there in perpetuity in a limbo state. And our fear is with the chaotic situation with the State that no one could secure her bones or her artifacts. Eventually the bones were going to be moved from King Street out into a house and there is no security for her relics and her possessions.

**Trustee Heen** – So in short although you are not able to ascribe a name to these iwi, the fact that there were discovered in a particular place with other objects indicates to you that this was royalty.

**Mr. Lee** – It is royalty because no commoner could hold the sign or royalty especially that big. They know she is a woman because of her hip bones, but we also note that makua wahine alii, they had small tongues on the niho, this is huge and they are two of them folding in to each other, so we believe it is twin sons that she had. Kanekapolei has twin sons he was born in that area. So our guesstimate is one of his wives and that was the wife of his twin sons.

**Trustee Apoliona** – The final resting place of these bones how long is it going to take?

**Mr. Lee** – Well this is part of the negotiations that we are in to. Number one they didn't want it on their property and I am insistent on it, but for the channel it would have never been dug up number one. And second of all her choice of being there that it be off centered of the channel but in a prominent spot would have a mound of coral rock and a crypt and a lock and a door and another crypt for other bones that are buried and her niho palaoa and all of her artifacts to go back what came out must go back.

**Trustee Apoliona** – So you are trying to persuade them to repatriate the bones, is OHA working with you on that?

**Mr. Lee** – Yes, OHA is the chief spokesman on my behalf in working out the letter. We already had meeting with their chief attorney, she had questions and I've followed up with her and we are drafting a letter right now to lay out the conditions, there are four terms to this. Not only her iwi which is number one, but the opae ula that there is only another place on the island that has it. The hole that exists has not been destroyed or filled over, so part of it is going to mandate that it not be filled over, brought to its pristine condition and cordoned off so that it is protected.

**Trustee Apoliona** – Clyde from his comments we are holding physically.

**Administrator Namuo** – I haven't seen it.

**Trustee Apoliona** – If that in case is a fact, then what kinds of liabilities or responsibilities are we committed to and is that the most secure means to take care of these?

**Administrator Namuo** – Madame Chair, this matter was not brought to my attention so I understand exactly where Trustee Apoliona is going. We would want to give whatever the relics are due respect and house them in the most appropriate place. I will have that discussion with Kai and we will keep the Trustees informed.

**Chairperson Machado** – Our next testimony is with Koa Kaahanui Rice, followed by Sandra Dawson.

**Ms. Koa Kaahanui Rice** – I am here to speak during the presentation for the Thirty meter telescope so I will talk latter about my presentation part.

**Chairperson Machado** – Sandra you going to wait till your presentation?

**Ms. Sandra Dawson** – Yes.

**Chairperson Machado** – Our next testimony or request to address the committee is Marti Townsend followed by Leimomi Khan.

**Ms. Marti Townsend** – I am program director and staff attorney at KAHEA the Hawaiian Environmental Alliance. I am testifying now and just want to leave open that our board president will hopefully arrive after she drops her father off at the hospital.

**Chairperson Machado** – Are you with KAHEA and are you giving testimony on behalf of KAHEA?

**Ms. Townsend** – I am not sure if Vicky will make it in time so I want to get our points in now and if Vicky is here when the opportunity arises she will testify on our behalf. I recognize the unique position the Trustees are in we are in very difficult times and it is important for us to do all that we can to ensure the economic and financial well being of the beneficiaries. At the same time the Office of Hawaiian Affairs is in a unique position to balance the needs for economic development and the needs for cultural protection. You have the opportunity, the power the position to maintain a high standard of expectation. We are in a place right now where we can really encourage future development to be more culturally sensitive. I am very concerned about this resolution because it doesn't seem to have that strong language to say while we want to provide for the economic development of our beneficiaries we also want to ensure that the culture is protected. I just want to note these issues have come up many times in the past, they made the same promises and have not delivered. I would caution the board in supporting this resolution as written and encourage you to add additional more specific conditions. Just to walk through some of the Whereas statements in this resolution, the third whereas statement talks about how there is going to be the utmost care taken for the cultural natural resources, it talks about protection for wekiu habitat and cultural sites, first I would like to note that the mitigations proposed for the wekiu bug are theoretical at best and the Office of Hawaiian Affairs should require that those attempts at mitigating harm to wekiu habitat be demonstrated first before being implemented on such a large project. In addition I'd like to call your attention to testimony from the State Historic Preservation Division which calls out the shortfalls and cultural analysis of the TMT EIS and the Office of Hawaiian Affairs should mandate that the TMT remedy those shortfalls before supporting the EIS. The following two whereas statements talk about the jobs that will be created and its not KAHEA is against the idea of people being employed but we need to strike the right balance and I really question whether this is the kind of balance that we want to strike. ***(Ms. Townsend passes out a picture, the picture is attached as part of the minutes she refers to this picture)*** This is June 3, 1994 day one construction of the Gemini Telescope, 140 jobs is worth this kind of destruction and this is only two acres what we are talking about now is five acres just the permanent building not talking about the 15 acres needed for actual construction. This is serious permanent damage for 140 jobs for only 6 years at most and remember this telescope is a prototype it is a pilot project they want to build a bigger one this is just a demonstration that they can do it. So we are willing to make this kind of permanent damage to our sacred summit just for a 140 jobs just on a temporary bases. And just for a little bit of perspective you know there is a target store going up in hilo and one store has 300 jobs, two target stores you can employ everyone on the summit. And that is in an urbanized area that is where the problem with the approach is being taken to Maunakea, it is being managed like it was a strip mall. We shouldn't look to Maunakea as the place to bare the burden of economic developments to provide jobs for our people. The following whereas statements talk about the educational benefits to the people of Hawaii, Hawaii Island and I just have to stress that these kinds of benefits, educational pipelines, providing funding the robotics program at Waiakea, these kinds of things should already happening and they should be happening outright and not tie it to development on the mountain. This is money with strings there is no reason why Hawaiians should settle for money with strings, you have a right to quality education without having to give up anything, anything at all. Think about it, students that go to wealthy schools they are not asked to put major developments on their sacred sites on their churches, I mean do you see a telescope at Punahou, no not on their church. This is what we are trying to say that education of itself is valuable and it is something that we should be mandating now regardless if the telescope goes up because there is already an obligation to Hawaii students

and it shouldn't be penned on further development on Maunakea. In addition to the cultural impacts of the TMT we are very concerned about the public health impacts and I would encourage the Trustees to consider additional conditions in this resolution that would ensure the public health is protected. Maunakea is a watershed and cultural practitioners often try to explain to me that in the past places were set aside a sacred as a puuhonua, as a wahi pana because it also made practical sense because to develop in that area would cause harm down stream. Maunakea is set aside as a sacred place because it is on top of the primary aquifer for Hawaii island. It is watershed areas, there shouldn't be development on watershed areas because watersheds are the bases of the functioning ecosystem that provide things like clean water and if we undermine this there is not way we can get clean water again. Some additional conditions that I hope the Trustees will consider, first require decommissioning of the obsolete telescopes on Maunakea before supporting any further development, first require that fair market rent be paid before supporting any further development, in addition we hope the Board of Trustees would support the comprehensive management plan be completed first before supporting any further development, in addition we strongly support the idea of an independent management body Board of Land and Natural Resources has demonstrated that they are unwilling or unable to fulfill this obligation and the University likewise has a conflict of interest with actually protecting conservation districts, the public trust resources of Maunakea. We advocate for an independent management body and we hope you will do the same. Finally I would like to note that on June 26<sup>th</sup> the board for the Thirty meter telescope finalized negotiations for the site in Chile, they are in a parallel decision making process and they are trying to decide if they are going to put the telescope up in Chile or Hawaii. Our suggestion to you is wait until the TMT makes it decision and if they do decide to choose Maunakea that you engage with the TMT Board and negotiate with them to ensure that there are strong conditions placed on that telescope to ensure that Hawaii's people are provided for far beyond just the chump change. Please consider some amendments to this resolution before passing and wait till the TMT makes it decision. Thank you very much.

**Chairperson Machado** – Our next speaker is Momi Khan.

**Ms. Momi Khan** – I am the president of the association of the Hawaiian Civic Clubs, but this morning I am here providing these comments not in that role but simply as a native Hawaiian. It is regarding the Thirty Meter Telescope project. Let me just comment that the Association is in process of formulating its formal comments to the draft environmental impact statement which is due sometime this week. I am not here to speak for or against the TMT, because I think there are bigger issues with regard to the capacity of Maunakea and the overall protocol for Maunakea. Right now there are approximately 11 or 12 telescopes so how much more should be allowed certainly with the TMT as the previous speaker said that is pilot project that means to say whose to say in 10 years from now that there wouldn't be a fifty meter telescope and whether Maunakea could accommodate that or not. But I am not really speaking to that issue. I am speaking instead to the issue of culture. Certainly our alii embraced advance technology and thus we do recognized the value of advancing science and astronomical research but in doing so we must respect the host culture and that being native Hawaiians. The EIS is very clear that Maunakea is a culturally significant historical site and they have a lot of information that they have put together that supports that. Including identifying cultural practices and addressing each of those cultural practices, however the project objectives and the paragraph on outreach and community states that one of the objectives is to integrate science and education with culture and sustainability on the project and that is a core objective of the project. And the way to do that is to work with the University by introducing students and the general public to science, technology, engineering and math. Please not the absence of culture and yet the object indicates to integrate technology, science, culture, sustainability and education. Given the cultural significance of Maunakea to Hawaii and for that matter to the world I believe that the project purpose need and objective statement fails to address and integrate the host culture. I suggest that the proposed to statement be brought in to something like to embrace and support the Native Hawaiian culture in preserving the

lands of Maunakea and to adopt as part of the cultural values of the institution that is the TMT the cultural values of the Host culture in the protection and the sustainability of the aina which includes the earth and the sky. Also on the summary on page s4 recognizes the Maunakea Comprehensive Management Plan and in that plan it explains that its goal is for these two cultural to co-exist in such a way that is mutually respectful and yet honors the unique culture and natural resources of Maunakea. While the Maunakea Comprehensive Plan received preliminary approval by BLNR in April 2009 it was done so provisionally calling for the submittal and approval by BLNR of several sub plans, these being public access, natural resources, and cultural resources. So the EIS cannot address those critical components as might be envisioned in the plan. It does address however some of the issues I believe that would be in such a plan in the EIS. I do think that the EIS should therefore contain statement that recognizes this and contain some mitigation plan that describes the action leaders of this project will take to comply with the components of the comprehensive management plan sub plans when those are issued. Also in addressing this goal table ES 1 which is a summary of potential environment impacts and mitigation measures says this, the potential environmental impact for the purposes of discussion the range of opinions regarding cultural impacts have been parsed into two broad views concerning the projects potential impact on cultural resources a) that Hawaiian cultural and astronomy can coexist on Maunakea and potential impacts can be mitigated and b) any development on Maunakea would result in a significant adverse impact that cannot be mitigated, etc. Now the compliance and mitigation measure though calls for educating the employees to understand, respect and honor Maunakea's cultural landscape and for a ride sharing program. In my opinion that is very short of addressing the potential environmental impact statement that I just read to you. So this mitigation measure falls short of the larger picture and that is of embracing the views of the native Hawaiian community. You know if you have differences how do you mitigate those differences and ensuring that the two cultures can coexist in such a way that is mutually respectful and yet honors the unique cultural and natural resources of Maunakea. A proposed mitigation measure maybe something like to include a representative of Kahu Kumauna on any policy group of TMT or to provide an orientation to the community including onsite initial tours of the facility to foster coexistence and support for the project and to meet at least quarterly with cultural practitioners. In closing I would like to note that the EIS does provide for an cultural impact assessment process that is ongoing it is not yet completed but will be included as part of the final EIS and we will be asking that the concerns that I have expressed be considered along with the results of the CIA in determining the information that will be contained in the final EIS. Mahalo nui loa for allowing me to submit these comments for your consideration.

**Chairperson Machado** – Our next speaker is Clyde Hayashi followed by Sherry Menor.

**Mr. Clyde Hayashi** – *(Reads his testimony into record please see attached testimony)*

**Chairperson Machado** – Our next speaker is Sherry Menor followed by Paul Coleman.

**Ms. Sherry Menor** – *(Reads her testimony into record please see attached testimony)*

**Chairperson Machado** – Our next speaker is Paul Coleman followed by Jacqui Hoover.

**Mr. Paul Coleman** – I am also an astronomer and a native Hawaiian which sometimes makes me the most hated person in the room, but hopefully not today. How do you become an astrophysicist? Well currently it requires a lot of schooling, you go to go through college, graduate school it takes about 10 years of time from the time you enter college till you are pau. So if we talking about the TMT being a project that will be done in about 10 years means we got to get the kids who are just getting out of high school right now. I am completely in favor of the TMT coming to Hawaii it is going to be the best telescope in the world and it should be on the best mountain in the world. I should also like to point out that while Maunakea are sacred we

ourselves as a people have used its resources throughout history. One of the highest altitude uses of Maunakea is the adze quarry which is at about 12,000 feet. The location of the TMT is going to be another 1,000 feet above that but 1,000 feet below the summit at 14,000. So what we have to do is find a way within our culture to make this a part of who we are. I think as Hawaiians we are already demonstrated as being very capable astronomers. My question is can we move forward? Do we just have to hold on to the old astronomy or can we actually become apart of the modern world astronomy as well. I urge you all to think that way, that maybe what we can do is looking at our past the fact that we were such great astronomers the only way you can get to Hawaii which is 2,000 miles from anywhere else is knowing astronomy very well. That if we can look at what occurred in our past and try to apply it to our future so we were such great astronomers we can be great astronomers again. Without a doubt we can be a part of the modern world of astronomy. Which is welcoming the thirty meter to our mountain. Now the thirty meter telescope as someone pointed out while what is going to happen maybe 10 years from now they build a 50 meter telescope. This thirty meter is going to cost a billion dollars. People don't just have a billion dollars sitting around if we did we could probably solve all the worlds problems without any trouble. So its my guess that there will never be another bigger telescope. There maybe one in fact the Europeans are working pretty hard in building another one. But it will come out sometime after the thirty is built if they follow through. And given the worlds current economic uncertainty I am kind of betting that the thirty meter is going to be the last biggest one built. Why I say last because I also again look to the past and I know that radio astronomy they used to build bigger and bigger telescopes until they got to the point where they figured out how to use interferometry to pretend like you had telescope that was as big as the one that you couldn't afford to build and then they stopped building big telescopes they started building little telescopes that they connected by interferometry. Now we as scientist completely understand that concept for the radio, radio wavelengths are kind of big. The stuff you see with your eye the visible wave lengths are very, very small so we don't really understand it completely yet. But I am will to bet within the next 10 to 15 years we will completely understand it we will understand how to eliminate the problems and there will be no need say 20 years down the line to build another big telescope we will build little ones just as we do with radio astronomy. So here is our chance to be in the last show, it's the last, best, biggest telescope on earth and something that we can fit within our culture. So I urge you to please pass this resolution and I also remind you that this is not the end the resolution should not be the end of your thinking. You should not be thinking 10 years down the line how do I get our kids to be a part of this. How do I get them prepared so that when the TMT opens with its projected how ever many 100 jobs and however many ancillary jobs, jobs that support the TMT can we have our kids ready, can we go into middle school right now and make sure those kids get the science, those that are interested in it don't have it beaten out of them. The only reason I am an astronomer is that I am too stubborn to give up. There are a lot of kids who give up because they are not that stubborn. So you also have to think ok lets vote for the Thirty meter but we also have to think about how can we increase programs, get kids so that it is easier for them to have the same path that I did.

**Chairperson Machado** – Jacqui Hoover you are next.

**Ms. Jacqui Hoover** – I have the privilege and pleasure of serving as the executive director for the Hawaii Island Economic Development Board as well as President of the Hawaii Leeward Planning Conference. However today I speak before you as an individual who in my career has helped prepare and review numerous environmental impact statements. I believe that the prepares of this draft EIS has sought to comprehensively consider all of the aspects necessary to provide the disclosures required by Hawaii Revised Statutes 343 and are demonstrating the willingness to improve the document and disclosures as we offer them recommendations. As a daughter of multiple generations born and raised on Hawaii island and more importantly the mother of two sons the next generation of my lineal descendents I want and believe that the TMT provides them and future generations with an opportunity to bridge our proud heritage of astronomy and way

finding with 21<sup>st</sup> Century astronomy and universal way finding in relevant ways through education, work force development and living wage jobs in a respectful manner. My son who is 21 years old attends New Mexico Institute of Mining and Technology and is carrying a double major is engineering and astrophysics. I am one of the individuals who was able to leave Hawaii go away for college and career and more importantly to have the pleasure and privilege of coming home. I would like my son to have that pleasure and privilege as well. I recently told a Hawaii County Councilmember when he was considering voting in a manner that I did not feel was pono on a culturally significant fact that he should consider that when he gets older he will leave these islands and go back to Virginia where we is from and his children will care for him. Who will change my bed pan? To quote George Bernard Shaw, "progress is impossible without change those who cannot change their minds cannot change anything." I believe our alii knew this and sought to bring change and pono ways to benefit Hawaii. I respectfully ask that we all respect our past while thinking in future tense Maunakea is a sacred place where sacred science can be practiced. Mahalo.

**Chairperson Machado** – Our next speaker is Laulani Teale.

**Ms. Laulani Teale** – I am Laulani I am here as an individual today. I want to say that I understand after reading the resolution, I really understand the manao in it. I understand that we are in an economic crisis and this is affecting the Hawaiian community. I understand that as Trustees I can very, very much understand the obligation that you folks have to the community and to economically support the people and whatever will keep people healthy and happy and alive. I do want to say that I have to urge you please not to pass this as it is. My own feeling, I am not speaking from my job at this point I am speaking as a person who does healing work in the community and who is involved in Hawaiian health and laau lapaau and healing people and communities. I have to say that if we loose the spiritual sources form which our mana comes then we've really lost our capacity to be strong and to be healthy; these economic times are kind of a moving target. There is something that changes and I understand it is really bad right now. The spiritual well being of kanaka maoli is tied so closely to our sacred places that if we damage those places we will damage ourselves, we will damage the health of our people right now and we will damage the health of the future generations and as someone who works hands on with health I really, really urge you folks to consider that. I absolutely understand where this is coming from and I absolutely understand that yes economy is important for health. There are many things to consider some of these employees will be specialist that will be brought in from outside and that may have impacts on our community and our economy too. I think that while the issues that face us right now are complicated and they do need to addressed in a proactive way what is not complicated is the importance of protecting our wahi pana for future generations that is something that we've done that our kupuna have done that our kupuna, kupuna have done that has been done since all the way literally since time in memorial. And I just urge that, that be the priority in considering on how to best serve the Hawaiian community. Mahalo.

**Chairperson Machado** – Is there anyone else wanting to speak before I call Richard Ha up. You want to come forward?

**Mr. Kyle Chock** – I represent the Pacific Resource Partnership and our membership consists of the Hawaii Carpenters Union 8,000 members State wide and offices on every island as well as all of the Unionized Contractors in our membership. I would like to speak to the impact of jobs that the TMT will bring to our membership on the Big Island. As it was stated by a number of previous speakers there aren't too many jobs in the neighborhood of \$1 billion that are waiting to come to Hawaii and right now we have a 50-50 shot in getting the TMT telescope on the Big Island and that would help to address some of the issues within our membership in terms of unemployment on the Big Island. We have State wide now half of our membership is currently unemployed so we have more than 3,000 unionized carpenters sitting on the bench not working. The most severe

and hardest hit of all of our islands is the Big Island. In Kona 75% of our members are unemployed in Hilo nearly 60% and our membership is comprised not only of carpenters but of many, many native and part Hawaiians who we represent who are hungry for an opportunity to work. We look forward to the potential to science, culture and jobs to equally co-exist atop Maunakea in a culturally respectful manner. We've met with Trustees of TMT, administrators of TMT and we know they would be good responsible stewards of Maunakea. So with that said I would like to urge your support of this project.

**Trustee Apoliona** – In reading some of this material it talks about cultural training of those going to be involved with this project. Is your membership committed to this kind of cultural training.

**Mr. Chock** – It is there and I've looked them in the eyes, so whatever training that we need to do from the Unionized construction industry point of view we are going to do I mean that is what we do we train. We are serious about this.

**Mr. Lee** – Real quick Madame Chair.

**Chairperson Machado** – Okay.

**Mr. Lee** – I just want to clear up something. Number one the most important part up there for people who don't know is the spine the mo'o of the mountain most people don't know that is has a spine. The spine starts at the lake from the lake it goes all the way down. I know all the intermediate vertebrae that go all the way down to the ocean 15 miles off of mahu kona is a spring that comes up 6 feet out of the water fresh water. That is the spine that has to be protected number one. You can come up here not know what you are talking about and say sacred this and sacred that and you can't identify anything sacred and tell why it is sacred. Bringing part of the naau is part of the sacredness but it is not the only part of it. There are underground caves there, lava tubes that where is it found nobody in this rooms know. I know where it is found, it is found by the adze quarry. It goes for 20 miles underneath that has to be protected. The puu mountains of the sacred Gods and Goddesses those are where the burial sites are where is the women burial site is? Where is the man burial site? Most people in this room don't know it. But yet people who are not papa kilo hoku are defining what is Hawaiian and that is wrong and they come up here and they've told you this is sacred, this is sacred yet they don't know what is sacred. They don't know why is it sacred; they don't know where the designation points are from the sky to the earth and why those puu were called what they were called. And when the portals open up, on what sacred night, on what sacred moon. How dare people come up here and tell me that this is sacred, this is sacred and they don't know what they are talking about. I want somebody to come up here and challenge I am for the project number one but I go to tell this that is not a clean industry either. I have a track record of fighting polluting stuff. They have massive spills of mercury and other hazardous materials we can take care of that by protocol and there is no problem we can take care of those issues. But don't let anybody tell you that it's a clean industry its not its filthy, its got mercury, got pcp's its got all kinds of stuff to make those mirrors float. Lets be honest about this conversation. Let's not through things around that have no facts to them. To get a telescope up there you have to pay \$26 million for a certificate that was never mentioned here. Lets put some facts on the table. I don't like people calling sacred this, sacred that and they don't know what they are talking about. That mountain was used for war people don't know that. That mountain was used in the burial caves the underneath caves to store food, limu Paakai salted limu, which ones, two different kinds. Lets get historical perspective here, don't talk I don't know but I am tell you I know all the stuff and start designating what is and what isn't when there is no cultural protocol behind what they are saying. You got to live with your conscience, and I am telling your conscience is clear. The unions, they need jobs up there people have to live. The Hawaiians did not tip toe around the islands, bones are buried up there. It wasn't so sacred that they couldn't even touch the ground. There are times and places and kapu times, and kapu places

for prayers and everything that allow movement, worship, practice that has never been mentioned here. I don't like when people come and start to dictate what our culture is without he manao from generations behind to stand behind you to say this is correct and this is why it is correct. There should be jobs up there, we can do protocols to protect the environment, we can protect the spine we but I need to teach you where the spine is and all the intermediary springs that go from the mountain all the way to the ocean to 15 miles off shore. That is what needs to be done.

**Chairperson Machado** – I didn't want to get into a rebuttal here or any debate so we want to move on so thank you. Our last speaker is Richard Ha.

**Mr. Richard Ha** - If you folks don't mind I would like to play a tape of people that spoke on the radio in favor of the TMT. You will get a sense of the approach.

**Chairperson Machado** – Okay Mr. Ha we are going to end it we get the point.

**Mr. Ha** – I am the Chairman of the Hawaii Island Economic Development Board, Thirty Meter Telescope committee and I volunteer three years ago when they first announced that they might come to Hawaii. The reason I volunteered was because if it was going to come to Hawaii it better be done the right way. I want to speak to the million dollar community education benefit package. It will come to the Big Island if the thirty meter telescope selects the big island over Chile. It is an annual contribution that the TMT will start to fund as soon as all the permits are received. If they say for 50 years it will be \$50 million over that period of time. The idea for the fund came up more than a year ago. That is when Dr. Yang the president of the Thirty meter telescope first came to Hawaii to see if it was feasible to site the TMT here. In talking to them I suggested that the TMT folks should go talk story and develop a relationship with the community with the people and find out what it is the people were thinking. Since then they came more than 15 times and spent all the visits meeting the regular people. They also visited Keaukaha School four times already by the time the last time they came they were just Henry and John. During the course of coming they found out that most people felt on all sides of the issue that if benefits came for education everybody kind of agreed that, that is a good thing. So we started talking what kind of education would that be. It has to be meaningful first of all and it has got to be for the keiki and future generation. So a year ago they committed to a this million dollar fund basically on a handshake so those of us who were supporting the thirty meter telescope then had to go the old style you tell somebody you just go. And so it was that kind of thing. Of course there are all the issue that we need to take care and I am not trying to minimize it at all because we got to do it right that is the bottom line. I don't know to many things, I am a farmer so I know about that that, but I do also know something about education. I want to tell you some stories my pop taught me because basically when I was 10 years old pop told some stories lasted I didn't realize till about just not to many years ago. That what he taught me when I was 10 years olds lasted all my whole life. That is why keiki education is so important. I just going to tell you a few stories. You know when I was small kid pop was telling a story he went fishing maku down by family land and they were fishing for aholehole and they were out on this point with kerosene lamp and so they were fishing and back in those days you never had collapsible pole. So he told me we were fishing then all of a sudden white water all the way across. He said what would you do, oh man I don't know, he said you know what I did I climbed up the bamboo pole lift my feet up, water went underneath, his two friends went in the water but he helped them out. Then he said you walking down the road and you see a earthquake coming what you going do. I told him I don't know, he said what you do is you jump in the air and do a half turn. How come? Because if you in the air you not going fall down and you do a half turn because you do a couple half turn you see everything around you. I found out much latter when I went to school, UH Manoa they call this contingency planning he never had a word for it but this is what it is called. He used to tell stories about impossible situations. He would say not no can, can there was not situation that couldn't be solved. That was another lesson we learned. When we talking about education, the education

fund is set up so that people will apply, what we need is to inspire kids to teach them early set them up for life; give them things to open up their imagination. This million dollar fund if we had people applying for the use of the money, you don't have to use a lot of money, because I went over to ask Kumu Lehua if you guys have some money, how much money you need to do what you need to do? One time he told me I need \$21,000 so I can buy computers for the whole school then I need some tools so I can take care of things by the ocean. Then the next time I ask him what kind of things you need money for, he said I need a van it costs about \$15,000. So not so much money you can stretch it quite far and if you have community people on the board that everyone agrees, that geographically maybe set it up maybe seven people on the board distributing this money and you put a picture on the wall of all the seven people and you take the whole big island make up walk by and if everyone nod their head and say that's the right guys that is the way to do it. That is the value of the education fund. My pop also said one thing, he said there are thousand reasons why no can I only looking for one reason why can. Mahalo.

**Chairperson Machado** – We are going to go right now into the presentation, I believe we have Sandra also with more distribution of information. Then we are going to set up for a powerpoint. While we are waiting for this I wanted to try to clarify that we are not taking an official position of the Environmental Impact Statement. Our position is to support this location of this Thirty Meter Telescope in Hawaii rather than Chile. Much of the whereas statements came from the draft environmental impact statement. I clarify that because OHA has what is called a consultation review requirement that we will be consulting with our staff from Native Rights and they themselves will be looking at the details of the EIS. Trustees are now moving to support the location of the TMT at Maunakea. Through out the discussion primarily all the whereas statements came out of the EIS booklet. But the resolution as it says at the top we are supporting the selection of Hawaii for the proposed Thirty Meter telescope.

**Trustee Apoliona** – Thank you for that clarification.

**Chairperson Machado** – I wanted to clarify that for Kai because I had to rely on the EIS material in preparing the resolution. I wanted to make it very clear to Kai that the support of the resolution was to ensure that the TMT telescope got selected for Hawaii because I do not believe in putting gag order on the staff. But I am hoping that as we review this discussion and that this resolution will help them in preparing the full EIS which is due on the 7<sup>th</sup> of July.

**Mr. Kai Markell** – Yes staff has proceeded with their review and we have a draft letter to administration.

**Administrator Namuo** – Is it my understanding that the resolution goes quite a step beyond the simple support of the sighting of the telescope on Maunakea it really gets much more into the realm of some of the conditions of the Environmental Impact Statement. I wonder if perhaps if the Chair would consider a motion that would simply do exactly what the chair has indicated which would be to support the sighting of the thirty meter telescope on Maunakea Hawaii Island contingent upon compliance with all legal requirements.

**Trustee Mossman** – I am not sure Administrator Namuo what you are saying. This resolution is fairly simple to me because it has some whereas clauses as cited from the environmental impact statement. I don't see what the difference in the final result is.

**Administrator Namuo** – The staff believes that there are still conditions that need to be complied with regarding the Environmental impact statement. I believe some of your testifiers pointed out that the comprehensive management plan that was originally completed for the University developments would not cover new construction; the TMT would be considered new construction. I think our concern is that we would like to have the opportunity to go through that

analysis completely without any kind of opportunity that someone might say well your resolution says that you support this and this and perhaps our conditions of the EIS and if that is not your intention I am not trying to meddle into the policy issue, but I am saying in fact Chair's desire is to simply have the board take a position on the sighting of the telescope without getting in to any of the particulars of the quality of the Environmental Impact Statement then a simple motion to me would seem to suffice. That is the only reason I am suggesting it.

**Trustee Apoliona** –The title of the resolution seems to capture what you are saying. If you come down to a simple motion this and that makes sense to me.

**Trustee Heen** – I don't think what that I understand that.

**Chairperson Machado** – Me too.

**Trustee Heen** – We have a resolution, is Trustee Apoliona suggesting that we tack on another Whereas clause or be it resolved clause I don't understand.

**Trustee Apoliona** – If this resolution goes, if this the ultimate document we take action on, I was commenting on what Administrator Namuo had said back to the Chair of the committee. Dependent on what she is trying to achieve here.

**Chairperson Machado** –I also believe that going through and working with Trustee Lindsey and Trustee Heen that out of the EIS statement and the mitigative measures that were prepared we took critical issues that we felt was important to consider the resolution and that is how the whereas statements were drafted. In the EIS report if you look a 3.2 on cultural resources and compared the mitigated measures these were critical areas the three Trustees including myself felt that this would be viable for consideration.

**Trustee Apoliona** – Is it the preference of the Chair to move with this resolution document?

**Chairperson Machado** – That is why it is here today, I would but if Administrator Namuo feels that he needs another whereas to clarify.

**Trustee Lindsey** – Madame Chair I think the title of the resolution and they first be it resolved clearly captures that the intention of the resolution is to send a signal to the TMT folks that we want them to consider Hawaii over Chile. So as far as I am concerned the resolution works for me.

**Trustee Stender** – I am going to vote in favor of the resolution, I would like to see the resolution passed because it sets for what we all believe at least what I believe. And it's fairly clear as to what the intention of the resolution is and I would like to entertain an motion to move on it with.

**Chairperson Machado** – Let me just ask this clarification. Administrator Namuo, given the discussion here and your concerns because you have been briefed by staff.

**Administrator Namuo** – The reality is that the whereas clauses in any resolution establishes conditions under which the be it resolved clause is ultimately voted upon that I how resolutions are drafted. My concern is unless you are sure that the whereas clauses are exhaustive then you are adopting a resolution that may or may not be complete. For example there is no assurances here or in the EIS that this work will go in fact to local contractors, if we are going to say that we want jobs for local contractors at the very least, even if you can't legally require that the jobs go to local contractors there is not reason why OHA couldn't take a very strong position that local jobs in all instances there should be the greatest effort possible to assure that local contractors be

provided the opportunity to bid on these jobs. When you are talking a billion dollars there are many contractors who simply will not be able to bond this kind of work which will kick them out of the running. So if you create that language in the EIS or in your resolution it forces the Thirty Meter telescope people to consider that.

**Trustee Mossman** – Although respect to the Administrator we don't want a resolution this thick we can have tons and tons of conditions that we want in here. I think this resolution is accurate there is no inaccurate, I read everyone of these whereas statements there is nothing inaccurate with them and I am not sure I agree that these are conditions that which set the foundation for our resolve. There are statements of fact and I accept them as statements of facts.

**Chairperson Machado calls a recess at 11:35 am**

**Chairperson Machado reconvenes the meeting at 11:45 am**

#### **IV. NEW BUSINESS**

##### **C. Resolution in support of the Draft Environmental Impact Statement for the Thirty Meter Telescope Observatory Project**

**Chairperson Machado** – **When** we took a recess we had Sandra Dawson ready to do a presentation. I asked her to keep it very short. She said she may only need 5 minutes and she has an additional person that will be speaking with her.

**Ms. Sandra Dawson** – I am the EIS manager for the Thirty Meter Telescope and I will go over our powerpoint presentation very quickly. *(please see attached "Proposed Thirty Meter Telescope Observatory EIS Process" powerpoint presentation)*

**Chairperson Machado** – I wanted to ask you on the community benefits package if the million dollars was something arbitrarily done or whether or not there was some discussion of a percentage of the top associated with the project. Because that seems to be very minimal in my opinion.

**Ms. Dawson** – So you will note this one is a separate thing from what is being negotiated with the University of Hawaii which includes observatory time and money. This we said off the top we need at least this for the community that is not associated with University, this is just to be a foundation on the Big Island.

**Chairperson Machado** – I think a million dollars is too small as a give back to the community no the Big Island. Is that a set figure that is going to be set forever more? Or will there be opportunity to renegotiate that or look at the total overall costs. I wanted to say something else with the cultural sensitivity and training it was a requirement that all the contractors that came to Kahoolawe were required to go through cultural training.

**Ms. Dawson** – On your staff list we have a cultural person, we have at least one full time. This is a multimillion dollar package that has been agreed to. I don't have all the details the University of Hawaii does. We are not Federally funding it is private but it has been a multimillion dollar percentage package and I wish I could say more but the University of Hawaii Board of Regents just signed it Monday and I don't have all the details so this is in addition to this multimillion package which I am sure the details of which you could find out. Some of this money will be going to education on the Big Island also but I just don't have the details yet.

**Chairperson Machado** – The million is fixed then?

**Ms. Dawson** – The million is fixed this is another multimillion number that I cannot quote yet.

**Trustee Apoliona** – From the discussion you heard around the table hopefully it is clear that the action that we will take supports the selection of Hawaii for the proposed thirty meter telescope right. We are not taking an action on the EIS. Just so that everyone is clear.

**Ms. Dawson** – Calls Koa to the table to talk a little bit about the cultural of astronomy in Hawaii.

**Ms. Koa Rice** – I am just going to talk a little bit about our last King, David Kalaukua and how he was so many different things. Not just known as the Merrie Monarch but as a scientist, as an inventor, as a philosopher. Kalaukua actually had a major interest in astronomy, science and technology. Of course we know about the technology having the first plumbing, electricity before the president, phone before the president. But in 1874 Kalaukua actually invited an English Astronomy expedition to come here to Hawaii and set up telescopes and observatories on Punchbowl street for the Venus Transit they also had telescopes on Kauai, Oahu, Maui and Hawaii in Kona in Hulahee palace. But bringing these astronomers over and setting up these telescopes, the Venus transit happens only twice in an century and it happened in 1874, again in 1881 not again till 2004 and the next one will be 2012. It is a very important astronomical time. And he read this address that we wrote at Iolani Palace to these astronomers and he said, "It will afford me unfamed satisfaction if my kingdom can add its quota toward the successful accomplishment of the most important astronomical observation of the present century and assist however humbly the enlightened nations of the earth and these costly enterprises." Kalakaua new how expensive it will be and how we had to work together toward this common goal and how it was going to take many nations to work together to achieve this goal. And that was given in December 15, 1874 here at Iolani Palace. He was also the first king to go around the world and he actually sent 18 young men and women around the world to learn of different scientist and technology to share our culture with other nations as well as to learn of their different cultures and bring it back to Hawaii. He was all about being able to make sure about the education of our youth which we are trying to establish here. He also went in 1882 to the Lick Observatory in San Jose California and got to view out of that telescope and loved what he saw that he actually bought telescopes for his people in 1884. I think it is really important that we look at what there is with TMT coming to Hawaii. It is an important project, we have jobs that are available to our people in the economy that we have today as well as being able to educate our youth. I believe what we are doing is that we are following Kalakaua's vision to establish and maintain international relationships. On Maunakea we have 13 telescopes, now we have 11 different nations involved in those telescopes. He also wanted to embrace science and technology which is what we are doing. He wanted to educate the youth in the sciences. All of the telescopes have PIO department, public information and outreach that goes out to the communities and share about science, technology and astronomy. But also to perpetuate the culture. I believe that we are following through with Kalakaua's direction and his vision.

**Chairperson Machado** – Members are we ready to engage in a motion?

**Ms. Townsend** – Our board president is here and would like to address the committee.

**Chairperson Machado** – Was she here when we ended the speaking? I received this after because I made two, three requests to see if there were others that wanted to speak before I called up Mr. Richard Ha and I just got this.

**Ms. Townsend** - The impression that I was given when I testified earlier that our board president would have an opportunity to testify.

**Chairperson Machado** – I am also saying that I did make an announcement that if there were other speakers that would like to speak and no one came forward. Let me explain to you where I was going to be bringing Vicky Holt which I just received was going to be under V. Beneficiary Concerns. But if there is no objections because we are ready to move with the motion, and its not a normal situation when we are in deliberation we don't take community concerns or beneficiary concerns, because we agendize unlike the legislature specifically on the agenda there are two areas that we can get input, one is in the beginning and one at the tail end. So seeing that there is no objection we will proceed to allow Vicky Holt Takamine to address the issue on the TMT before we take the resolution.

**Ms. Vicky Holt Takamine** – Thank you Chair, I submit this testimony on behalf of Ilio'ulaokalani and KAHEA the Hawaiian Environmental Alliance. We submit this testimony in strong opposition to the Resolution to support the Thirty Meter telescope in Hawaii. Where else in Hawaii would it be but on Maunakea. No other selection in Hawaii other than Maunakea. We question why OHA would take this position. For year native Hawaiians have opposed any development on Maunakea. Numerous hearings and community meetings have been conducted on the Comprehensive Management Plans, Environmental Impact Statements and permit applications. At all levels Native Hawaiians have come out in opposition to the further development and desecration of this sacred site, our watershed, and the home of our akua on Maunakea. To date there has been absolutely no significant benefit to the Native Hawaiian community for any project that is on both Maunakea and Haleakala. To date there is no scholarships, no tuition waivers, no kala for over 30 years. Each observatory pays a rent of \$1 per year has OHA ever received its 20% share, 20 cents on the dollar. Maybe what is troubling is that is the fact OHA has never asked the native Hawaiian community whether or not they support the further development on Maunakea or this project. Maybe you didn't go out and do community meetings, maybe you didn't ask the beneficiaries and maybe this reflects the disconnect that many people have between OHA and the native Hawaiian community. I will pose a few questions that all beneficiaries are asked when they apply for any funding from OHA. Explain which OHA strategic plan goal is addressed and how this project will meet that goal. Why is the project needed, support the need with statistical evidence or real life examples, explain how this project relates with the organizations missions and goals. How will it address the needs of the Hawaiian community? How many Hawaiians will be served by this project and how will they benefit. Target population to be served, explain beneficiary involvement in defining the problem planning and solutions, how will this impact be determined or measure and what impact will this project have on the Hawaiian community. Specific Hawaiian community we see a lot of mitigations and a lot of proposals for the community but I want to know to the native Hawaiian community, specifically how are you mitigating to the native Hawaiian community. Economic development for the State of Hawaii yeah, how many Hawaiians going to be on this job? How many Hawaiians will be served? How many Hawaiians will be educated? If we want to support our unions and construction industry then lets build housing, community and cultural centers, lets build our own offices for the Office of Hawaiian Affairs, but not another observatory on Maunakea. We strongly oppose this project and expect that OHA will take more time before supporting this action. Every other State agency in this State supports it they don't need your support to move this forward. And I don't believe it is in the best interest of the beneficiaries of this organization. And I sat there at the board of regents meeting at the University of Hawaii where Nainoa Thompson was the only Trustee who voted against development on Maunakea this should be the only State agency that sits in opposition to any construction especially new construction on Maunakea. The idea of removing CalTech was two weeks ago, why because that was the thing that we've been asking for, if you want to put up a new one take on down. I sit on an EIS for Pan-STARRS, the only reason I sit on that is because it is a replacement it belongs to the University of Hawaii, it belongs to the State it belongs to our people. That is the only reason; every other observatory up there none of it is owned by Native Hawaiians none of it is owned by the United States or the State of Hawaii. I really think that you

need to think about what you are supporting. Where else is this going to be except on Maunakea. You can support it in Hawaii, it going there, thank you.

**Chairperson Machado** – Just a point of reference in the resolution in the be it further resolved and it says, be it further resolved that the Board of Trustees of the Office of Hawaiian Affairs to advance the interest of our beneficiaries gives it support for the selection of Hawaii and Maunakea in particular for the construction of the new thirty meter telescope project. That is the guts of the resolution. If there is further discussion.

**Trustee Apoliona** – The following be it further resolved says University of Hawaii Manoa who is that what is that? Does it goes to the regents, president or everybody?

**Chairperson Machado** – Trustee Lindsey was going to make a suggestion.

**Trustee Lindsey** – I was going to suggest we take out Manoa and just leave it as University of Hawaii so that the entire University system is considered here.

**Trustee Apoliona** – Yeah we can take out Manoa but who, University Board of Regent, President, Provost.

**Trustee Lindsey** – Yes all of that.

**Trustee Apoliona** – Next further resolve after that, this is Directed to the Board of Land and Natural Resources, is this exclusive of the executive branch legislature?

**Chairperson Machado** – Primarily because the CDUA is their kuleana.

**Trustee Apoliona** – So just the BLNR. So the third point is that it should be July 2<sup>nd</sup> not 1<sup>st</sup> day of July, ultimately it will be a board action.

**Chairperson Machado** – We know we have to refer it to the BOT.

**Trustee Apoliona** – No but it should be amended as a document if it is going to go up.

**Chairperson Machado** – Any other comments?

**Administrator Namuo** – I think on the be it further resolved section you probably would want to add the Trustees of the Thirty Meter Telescope Project. I am not sure given that the decision in terms of the sighting is going to occur in less than a month, you cannot rely that the bureaucracy of the University will get this message to those individuals in time. I would suggest that you add there the Trustees of the Thirty Meter Telescope Project. I heard your comment on the Board of Land and Natural Resources, but I also thought that it might be a good idea to send a copy of the resolution to the Governor and the President of the Senate and the Speaker of the House.

**Chairperson Machado** – We can add that if there are no objections.

**Trustee Mossman** – I just wanted to comment that it is my understanding that Trustee Lindsey has attending numerous meeting on this issue over the last year or two although some of us have not, I think his representation has been shared with the rest of us and I want to commend him for going down and listening to the people and taking all the hits he had to take. Mahalo.

**Trustee Lindsey** – This has been a difficult one, personally I have friends and families on both sides of the issue but on this particular issue what is very, very clear to me if you had to look at the

numbers, the numbers against and the numbers for, the numbers for support of this project is overwhelming.

**Trustee Lindsey moves to approve the Resolution Supporting the Selection of Hawaii for the Proposed Thirty Meter Telescope.**

**Trustee Mossman seconds the motion.**

**Chairperson Machado calls for a roll call vote.**

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
TRUSTEE ROWENA AKANA						Excused
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE DONALD CATALUNA						Excused
TRUSTEE WALTER HEEN			X			
TRUSTEE ROBERT LINDSEY	x		X			
TRUSTEE BOYD MOSSMAN		x	X			
TRUSTEE OSWALD STENDER			X			
TRUSTEE JOHN WAIHEE						Excused
CHAIRPERSON COLETTE MACHADO			X			
<b>TOTAL VOTE COUNT</b>			6	0	0	3

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

Motion passes with six (6) yes and three (3) excused vote.

With no dissenting votes the Chairperson Machado notes a unanimous consensus and the motion carried.

*Chairperson Machado calls a recess at 12:21 pm*

*Chairperson Machado reconvenes at 12:30 pm*

**A. BAE 09-03 OHA Housing Plan and Strategy – Recommendation for Acceptance**

**Chairperson Machado** – Members may I draw your attention to BAE 09-03 that is now on our agenda the OHA Housing Plan and Strategy. We have Townscape here.

**Administrator Namuo** – Trustees we have for you and we have previewed this report with you previously, but in your folders if the housing plan and strategy. The plan was developed with the contract of townscape incorporated, the president Townscape Bruce Tsuchida is with us today and would be happy to respond to any comments or questions that the Trustees might have concerning the report. What I think is essentially in this report are the 14 guiding principals that starts on page 8 of the report and goes through page 13 and these guiding principals are really the foundation upon which the policy was drafted and that is included as your second action this morning. We are asking on the report that you simply receive it.

**Chairperson Machado** – You are asking that this just be a report to receive but there was an action item?

**Administrator Namuo** – There is a second action that actually adopts the housing policy and that is a second action for your consideration this afternoon.

**Chairperson Machado** – Why would we need an action item to just receive the report?

**Administrator Namuo** – Madame Chair you are correct in the past we have done it without the benefit of an action item, we did it simply as a motion where the Trustees have simply accepted the report. In this instance the staff was in the process of preparing the action relating to the policy so therefore they created an action item for the acceptance as well.

**Chairperson Machado** – Well is there any objections? We don't have to take any action, is there any objections to receiving the report as committee members. Alright hearing none.

**Trustee Mossman** – Just a note, I didn't go through it word for word, I would imagine since it has taken such a long time maybe some things are not quite up to date possibly. I don't think there is anything that I saw that is substantive. It is just minor things.

**Administrator Namuo** – We would be more than happy if there is anything that the Trustees note that should be updated we would be more than happy to do an update sheet on the report. We know that there is more updated information concerning some of the national housing statistics and we have that in fact here that did not make it in time for inclusion in the report, obviously there will be from time to time new numbers and etc. given the changes in the economy there are significant differences in terms of the data that may have been used in this report and what is current in terms of the cost of housing and etc. So that we will continue to update you as we move along.

**Chairperson Machado** – I would acknowledge on the record since we are just receiving this where it didn't require an action that as the committee chair I will be doing a letter to the Trustee Apoliona because we agendized as a decision action to just let her know that this was just received and not action was necessary.

## B. BAE 09-04 OHA Housing Policy

**Administrator Namuo** – Madame Chair your second item is BAE 09-04. There is just a few house keeping changes on the policy and I apologize. In your action item that is noted at 2050 housing and this will go into your Board of Trustee policy manual and it is formatted accordingly. I am looking at page 12 a and I am proposing that the change there on the bottom where it says OHA actions that relate to providing housing for native Hawaiians should include both housing assistance programs and housing development projects. I think the word shall should actually be may which makes it more consistent with the number guiding principle and also we do have under your definition section 2.5.b. to further clarify the housing policies the following definition. We have one that is a little bit lengthier and it has to deal with maximizing benefits to native Hawaiians and that would be number 4 and the language that we are proposing there is maximize benefits to native Hawaiians to fund the housing assistance programs, or housing development projects that have the lowest dollar cost per household with at least 1 native Hawaiian person that are provided affordable housing or housing assistance as the result of OHA's funding of a particular program or project. It is really trying to define what we mean by maximum benefits to Native Hawaiians. If this is too much for us to consider now we can always bring it back to you latter. Let me read it slowly so Leah.

**Mrs. Leah Burrows-Nuuanu** – I don't have that part it was not emailed to us? It is not on the smartboard.

**Trustee Apoliona** – Can you send it to the SmartBoard?

**Administrator Namuo** – I don't think I have it here?

**Mrs. Burrows-Nuuanu** – Can anyone from Housing assist or get us the information?

**Administrator Namuo** – That is 12 a right?

**Trustee Apoliona** – This is the action item she doesn't have the page.

**Trustee Mossman** – I have some concerns about this particular definition from what I heard about it in any event. And I'd like to have a chance to look at it rather than just try to figure it out what it says right now.

**Chairperson Machado** – You want this to come back at another time?

**Trustee Heen** – I would appreciate it coming back at another time. I have examined this rather closely both the policy and the action item and I have some concerns particularly with how this is going to impact the overall strategic planning that we are doing. And they are investment policy implications involved here. If nothing else perhaps we should have a workshop to examine this. This is a very important project, policy to be developed if you will.

**Administrator Namuo** – Just want to make sure that the Trustees understand that this project has been ongoing for the last two year. I am not uncomfortable delaying the adoption of the policy. I do have concerns that it conform to changes in the strategic plan. I was perhaps anxious that a policy be adopted and revised as the plan were implemented. I am okay with that as well. If it is the pleasure of the Board to delay the adoption of the policy I am going to discharge the contractor though because we have accepted the report and if there are further changes to this policy statement we will draft it in house because that was a provision of his report. So with that Madame Chair we would be more than happy to conduct a workshop for the staff.

**Chairperson Machado** – I will advise Administrator Namuo that we might do a workshop discussion then maybe roll into an action on the policy.

**Administrator Namuo** – Mr. Tsuchida is here if the Trustees have comments or questions. May I acknowledge the work of our housing specialist Leatrice Kauahi as well as John Alamodin who worked on this housing issue for the last two years and I also wanted to acknowledge the work of our contractor Bruce Tsuchida as well they did a great job and regrettably the dynamics have changed since we are in the mists of revising our strategic plan. I just want to make sure that you all knew that we were ready to rock and roll and again I think they've done good work.

**Trustee Mossman** – Because of the strategic plan and the fact that I personally don't expect to be available all the time, I have mentioned to Stanton before but he said come to the meetings and mention it. But I am not sure that I can get to any of your strategic planning meetings. The need to consider affordable housing in the strategic plan more so then it is right now. In order to accommodate some of the recommendations from this proposal.

**Administrator Namuo** – You have already adopted the strategic priorities and there are six, sustainability is probably where the housing issue would be covered. We see the housing issue really being connected to native Hawaiians being able to sustain their lifestyle which includes housing but that includes rental housing as well, it includes food and other subsistence. We think that it is covered there as we work on the strategies though I hear you Trustee Mossman we will try to incorporate that issue of housing as well.

**Trustee Mossman** – I am talking about LLC, and partnerships and all that kinds of stuff.

**Administrator Namuo** – Yes, got it.

**Trustee Apoliona** – Administrator Namuo when you folks make your EIS response, I am going to the first matter we had this morning. That is due pretty soon, will you ensure that we all get copies.

**Administrator Namuo** – The letter is in my folder to be signed and I will be signing it when I get back to my desk. It is pointing out some of the testimony that you heard today that the comprehensive management plan that is required based on the April 29<sup>th</sup> meeting of the Board of Land and Natural Resources does not include new construction. So we don't believe that is sufficient to cover this project. We also believe that the sub plans that were mentioned to day need to be completed until that is done it probably is premature to comment on some of the aspects of the draft EIS.

## **V. BENEFICIARY CONCERNS**

None

## **VI. ANNOUNCEMENTS**

**Trustee Stender** – Just a reminder Trustees that our ARM meeting next week is at 10 rather than 1:30 and it is a quarterly financial report from Goldman and Russell and we have the trust agreement that you heard about and then of course the investment policy guidelines.

**Administrator Namuo** – And the value of the portfolio today is \$304,928,000.

**Trustee Apoliona** – Don't forget board meeting tomorrow 10 am.

## **VII. ADJOURNMENT**

**Trustee Apoliona moves to adjourn.**

**Trustee Mossman seconds the motion.**

**With no dissenting votes the Chairperson Machado notes a unanimous consensus and the motion carried.**

The meeting was adjourned at 12:45 pm

Respectfully Submitted,



Dayna Pa  
Recording Secretary BAE 7/1/2009

As approved:



Colette Y. Machado, Chairperson  
Committee on Beneficiary Advocacy and Empowerment

**ATTACHMENTS:**

1. **July 1, 20.09 BAE Community Sign in Sheet**
2. **Testimony of Reynolds Kamakawiwoole submitted by email (2 pages)**
3. **Testimony of William "Buzz" Hong submitted by fax.**
4. **Testimony of Al Lardizabal delivered to committee**
5. **Testimony of Glenn Ida delivered to committee**
6. **Picture distributed by Marti Townsend as part of Oral testimony**
7. **Testimony of Clyde T. Hayashi**
8. **Testimony of Sherry Menor**
9. **Powerpoint presentation by Sandra Dawson – Proposed Thirty Meter Telescope Observatory EIS Process**