

BENEFICIARY CONSULTATION NOTES
(from audio recordings and notes taken at the meetings)

**Five-Year Strategic Plan Office of Hawaiian Relations U.S. Department of Interior
& Acquisition of Vacant Varona Parcels for Ewa Drum Site**

**Wednesday, January 13, 2010
Kapolei, O'ahu at Hale Pono'i**

Question: ...they're [military] are still using the land. And it's our land. That's Hawaiian property, but they still use.

Response: **They are accessing your property? Your specific leasehold they're accessing?**

FOLLOW UP: No, I'm saying, kay... you just said something about the military. That they won't do it. But they use our land. That's not fair.

In general, they are using Hawaiian Home Lands, or ceded lands?

I am asking you, are they using our lands?

I don't know all the different leases. I understand DOD does have leases from HHL.

But then if you take it back and the military is using it...the stuff they find over there, just like on the beaches, you know, the military bombs. That affects our kids.

I agree. It does. There have been issues with leasing lands to the DOD.

I'm not smart... I ask questions because I don't understand... I don't know how to put it out because I'm not educated...I don't understand some of these hybological words like this. I don't understand. And I'm really concerned because I have grandkids, I have kids.

You make a valid point. In some respects that shows the... I don't do a good enough job being able to...

Question: I'm really sorry, but I think you need to explain who you are again and where you're coming from because questions are coming from all over and you seem to say "not," "maybe," "I don't know," "if". So maybe if we understand who you are and who you represent in the department...you did, but...Do you represent Hawaiian Homes? Do you represent relations with all peoples? Who?

Response: **What I do is I represent the U.S. Department of Interior. I don't represent the Department of Defense. I don't represent the Department of Treasury. What I can do, though, is try to help you when you're trying to deal with**

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Department of Defense, when you try to deal with U.S. Department of Treasury. There could be circumstances where the answer that I get from the Department of Defense isn't going to be what you want, but I'm usually pretty good about being able to get an answer... Hopefully I can also help try frame it in a way that you can get an answer. Keep in mind I am one person. This is something I'm willing to do and I feel like I should do.

Question: Tell us exactly what is the Akaka Bill timing.

Hopefully soon. That's all I can say. It's not really my kuleana. That's up to the delegation.

Question: What does the Akaka Bill say, because there are so many versions...

Right now it's still being negotiated. What I believe that they are trying to do...they are trying to provide federal recognition for the Native Hawaiian governing entity. To protect a lot of the services already provided...HHL, KS,

It has nothing to do with KS. KS can protect themselves.

That may be the opinion of some. That's not necessarily my opinion.

You can contact me. My phone number is (202) 208-7462. The easiest way to get a hold of me is by e-mail: kaiini.kaloi@ios.doi.gov.

<INAUDIBLE >

Question: ...the beneficiary

Response: For example, assistance with Department of Treasury and having CDFIs help on Hawaiian home lands; amendments with HHCA.

Comment: What is the status of the Akaka Bill today? What is in the current version?

Response: Bill content is being negotiated.

Department of Interior has no jurisdiction on advancing the bill; Akaka Bill is not strong, but once it passes, then our voices should be put in it; Akaka Bill is important because if it's not passed, Hawaiian land is useless; OHR needs to understand community needs.

<INAUDIBLE >

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Wailuku, Maui at Paukukalo Community Center

PART I: DHHL PRESENTATION

Question: Where is water for Ewa Drum site coming from? From the North Shore?

Response: Information on water source not available. Follow up needed.

Question: What will the land be used for? (the lands from DHHL for sale)

Question: Who gives authority to sell or transfer lands? Kupuna holds deed.

Question: What is the financial gain from the sale?

Question: What was Varona Village before?

Response: Part of a sugar plantation.

Question: DHHL needs to know what is in the water at Varona Village. Can caveats and conditions be placed on the sale? Is water being treated for heptachlor?

PART II: DOI-OHR PRESENTATION

Department of Interior wants to hear from the community on the sale of the Ewa Drum and purchase of Varona Village. Akaka Bill is not the kuleana of DOI. Hawaiian Home Lands Recovery Act (HHLRA) does not require Act 302 to be ratified by Congress. Authority for OHR is found in HHCA, HHLRA and Public Law 108-199.

FOLLOW UP: Beneficiaries need representation during negotiations.

RESPONSE: Community input must go in Requests for Proposals (RFPs); the negotiating table is too late for good community input to have an impact.

Question: What is Bob Hall's mana'o on sale of leases?

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Response: Some families speculate, make a large gain without doing anything. Is that Kuhio's vision? Administrative Rules need to change. DHHL must build values into how we do work.

Comment: The expectation of DHHL is to be a land owner. Will associations become land managers? Kulia i ka Nuu is a long process, but we need a better idea of what the association-DHHL partnership means.

Question: What if community has no money? What support is there for other economic structures? DHHL is not for you if you're broke.

Response: HOAP and Undivided Interest awards help address these issues.

Comment: Why did DHHL bring in fiber optics? Everyone uses cell phones. We really need water.

Response: Sandwich Isle Communications brought in fiber optic infrastructure at no cost to DHHL.

Question: Has DHHL considered allowing applicants to form their own association(s)?

Response: Yes, it's a possibility. We know applicants want a voice.

Question: If association [in audible]?

Response: This process can help establish a standard for how an association is built.

Question: How does DHHL address deceased applicants on the wait list?

Response: DHHL has a process that begins with a 180-day notice period.

Question: Can DHHL assess all power lines, waterlines, etc. that go through DHHL lands?

Question: Can OHR help support lapaau?

Comment: Hawaiians need to govern the archipelago like Kamehameha. We need to adapt to survive, but why adapt? We are kanaka maoli. Why do we need to prove we are Hawaiian to Congress?

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Comment: Don't discuss Oahu issues on Maui. Come to Maui to talk to us about issues on our island.

Response: We do need to discuss what is happening on Maui, but what happens on Oahu matters because it's one trust. Will the sale of Ewa Drum get Hawaiians on the land?

FOLLOW UP: No.

Comment: White man come, put concrete on the soil, put on the tile and say "it's ours." If we have to deal with feds, we need something a little better [than Akaka Bill].

Comment: You [Kimo] are witnessing a hurt. We need someone to listen and to make it right. Your authority is confined to three items, but can be tweaked to support goals of our community.

Question: When you come to meetings, why don't you let us know so we can come and provide input and feedback?

Response: Notices were mailed to 10,000 beneficiaries.

FOLLOW UP: [Olinda Aiwohi] I communicated with leaders about this meeting and it's the leaders' kuleana to communicate with lessees.

Question: How can OHR help us with our mortgages?

OHR has a Native Hawaiian organization list. All groups are encouraged to sign up to stay informed and engage with OHR.

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Thursday, January 14, 2010

State Capitol

Question: Are there other areas for sale?

Question: Is the purchase of Varona Village contingent upon the sale of Ewa Drum?

Response: Money from the sale will go into the trust. The Hawaiian Homes Commission will decide to use the money for the purchase of Varona Village.

Question: Is City & County of Honolulu making a profit?

Response: No. It's a fair sale-purchase/exchange based on the appraisal.

Question: How many acres are contaminated?

Response: 39 acres.

Question: Is anyone else trying to acquire this land?

Question: How much is Ewa Drum selling for?

Response: \$12-15 million.

Question: How long from the time of the land acquisition to the time houses are built and families occupy?

Response: For example, Kapolei lands were acquired in 1994 and homes were built and occupied in 2000-01. Infrastructure already exists in Varona Village.

Comment: Hawaiian land is Hawaiian. DHHL has no right to sell it. We should be buying more land. All lands are Hawaii. They stole it. Why do we need to buy it?

Question: Why can't the lands be exchanged?

Response: The Hawaiian Homes Commission authorized an exchange of the parcels or a sell-purchase transaction.

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Question: If DHHL is purchasing, is it aware of international law? Nothing was ceded. When will we stop playing games? DHHL needs to recognize that it's impacting international law.

Response: We currently need to deal with domestic law.

Question: What is the timing for this transaction? What are the next steps?

Response: HHC will take action in March or April.

Question: In settlement negotiations, can the HHLRA be amended to help purchase Varona?

Response: HHLRA is not final. Changes require congressional authorization. DOI could make a request. DOI has not been able to get funds from Congress [CHECK RECORDING]

Question: What happened to lease extensions (for homestead leases)?

Response: Legislation was passed at the State Legislature in 1993-1994. OHR is reviewing all amendments to the Hawaiian Homes Commission Act back to 1995.

The mission of the OHR is to serve as a liaison with the Native Hawaiian community and to work with the Department of Interior and bureaus on issues affection Hawaii.

DOI has 70,000 employees.

\$1.7 million is needed by OHR for a survey of Hawaiian Home Lands.

Comment: The sale is a positive action.

Question: Did government take the tanks from the ground?

Response: Navy said it was clear.

Question: If sale happens, can Varona be used for commercial?

Response: It could. DHHL would need to plan for it.

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Comment: State's obligation is more than one settlement. State does not fulfill its financial obligation.

Comment: We've fought hard for restrictions on selling ceded lands. How does it make us look at this time [when DHHL is selling its lands]?

Response: <INAUDIBLE>

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Friday, January 15, 2010
Hilo – East Hawaii District Office

Question: Who will DHHL sell the Ewa Drum site to?

Response: City & County of Honolulu.

Question: Will City & County of Honolulu use it for the rail:

Response: It could be used as a storage yard for the rail system.

Question: What is the federal disposal record? When does the federal government determine land as surplus?

Response: If no federal agency wants the land, it will go up for auction.

Question: How does DHHL access federal surplus lands?

Comments: Department of Defense lands need to come back, like Lualualei.

Question: What is DOI's role in the sale or exchange?

Response: DOI approves the transaction.

Comment: This transaction is a no brainer. DHHL should get rid of the land if it can't be used, especially if someone else wants it.

Question: HHC acted on the MOA in 2006, but consultation is occurring now in 2010?

Response: Consultation was conducted on Oahu in July.

FOLLOW UP: Is a copy of the beneficiary consultation documents online?

Beneficiaries are not experts and need more information to answer Kimo's questions.

Beneficiaries were not consulted in the process, only after the fact.

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Response: The proposal for the sale/ exchange has not been sent to DOI.

Comment: This transaction sets a precedent for selling DHHL lands. Selling lands is not a positive thing, but in this case it is.

Response: This does not exactly set a precedent. This is a very special situation. HHLRA allows for former federal lands that have been transferred to DHHL to be sold.

Question: How many more acres does DHHL need to acquire to fulfill terms of HHLRA?

Question: Why not long-term lease the Ewa Drum site to the City & County of Honolulu? It could generate more revenue.

Comment: The timing of this consultation is off. Show us the proposal, share the facts, then consult with OHR.

FOLLOW UP: This is still consultation. Agencies [like OHA] have different consultation processes and policies.

Comment: Mahalo for coming. When DHHL does beneficiary consultation, they just give information. But Kimo Kaloi asks for feedback.

FOLLOW UP: How heavily does DHHL or DOI weigh beneficiary feedback?

Response: HHC will consider the feedback before it takes action. HHC has acted against staff recommendations based on community input and testimony.

Question: How do community leaders take this information to the community in layman's terms?

Comment: It's hard to answer Kimo's questions without more information?

Response: What sort of information?

FOLLOW UP: Consultation report, MOA, cost of sale, proposal, acquisition price, supporting documents leading up to HHC action.

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Comment: Beneficiaries want to give opinion, but can't because information is available. We could have discussed this issue, took it to our board, and come tonight with feedback, but the information is not available to us.

Comment: Can this precedent set other policies? The sale is a slippery slope.

Comment: Part of problem is lack of understanding of HHLRA.

Comment: Kimo does not have contact information for homestead leaders because DHHL refuses to give it.

Response: All homesteads should register on Native Hawaiian Organizations List to keep in touch with the DOI.

OHR Strategic Plan is used to determine who gets funding. Do we need to change to perpetuate the culture? Please send comments within 30 days.