

Mauna Kea Comprehensive Management Plan

7. In addition to the statutory requirements of Hawai‘i Revised Statutes chapter 6E, if an inadvertent discovery of any human burial is discovered in the course of construction, operation or maintenance of the project, the person making the discovery shall seek the advice and recommendation of either the Hawaii Island Burial Council or Kahu Kū Mauna, recognized lineal or cultural descendant, for treatment of the inadvertently discovered burial.

Pursuant to the legal requirements under the Hawai‘i Supreme Court’s ruling in *Ka Pa‘akai*, access to UH Management Areas for Native Hawaiian traditional and customary practices shall not be restricted, except where safety, resource management, cultural appropriateness, and legal compliance considerations may require reasonable restrictions:

1. Access for traditional and customary practices, including the gathering of cultural resources, including but not limited to mamake, ko‘oko‘olau, māmane, ‘awa, and ōwī.
2. Access for families to visit *na iwi kupuna* (the bones of their ancestors).
3. Access to scatter ‘ohana ashes.
4. Access through the trails located within the UH Management Areas for subsistence gathering and hunting.
5. Access for families to continue to bury their ‘ohana piko.
6. Access for traditional and customary practices, including religious and spiritual observances, pilgrimage, offerings, and prayers.
7. Access for families to gather water from Lake Waiau for religious and spiritual purposes.
8. In the event of disputes or determination of appropriateness of traditional and customary practices, including cultural, historical, and natural resources, Kahu Kū Mauna and/or the MKMB Hawaiian Cultural Committee in consultation with families with lineal and historic connections to Mauna Kea, *kūpuna*, cultural practitioners, the Office of Hawaiian Affairs and other Native Hawaiian groups shall provide cultural guidance on the appropriateness of the practice and appropriate cultural protocols.

The following table lists additional management actions to address the needs described above. For items identified with an asterisk, additional considerations are described after the table.

Table 7-1. Management Actions: Native Hawaiian Cultural Resources

| Management Action | |
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| Management | |
| CR-1* | Kahu Kū Mauna shall work with families with lineal and historical connections to Mauna Kea, <i>kūpuna</i> , cultural practitioners, the Office of Hawaiian Affairs and other Native Hawaiian groups, including the Mauna Kea Management Board’s Hawaiian Culture Committee, toward the development of appropriate procedures and protocols regarding cultural issues. |
| CR-2 | Support application for designation of the summit region of Mauna Kea as a Traditional Cultural Property, per the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq. in consultation with the larger community. |
| CR-3 | Conduct educational efforts to generate public awareness about the importance of preserving the cultural landscape. |
| Cultural Practices | |
| CR-4* | Establish a process for ongoing collection of information on traditional, contemporary, and customary cultural practices. |
| CR-5* | Develop and adopt guidelines for the culturally appropriate placement and removal of offerings |

