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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD, STE 555  
KAPOLEI, HAWAII 96707

MINUTES  
HAWAI'I ISLAND BURIAL COUNCIL MEETING

**DATE:** Thursday, November 15<sup>th</sup>, 2018  
**TIME:** 9:30 AM  
**PLACE:** Division of Forestry and Wildlife  
Conference Room  
19 E. Kāwili St.,  
Hilo, HI 96720

**ATTENDANCE:**

**HIBC Members:**

**Present:**

Chair Nālei Pate-Kahakalau (Hāmākua)  
Vice-Chair Kalena Blakemore (Puna)  
Member Fred Cachola (Kohala)  
Member Maxine Kahā'ulelio (Kona)  
Member Norman Ka'imuloa (Kona)  
Member Clifford Kaponono (Hilo)  
Member Scott Mahoney (Ka'ū)

**SHPD Staff:**

J. Kea Calpito, Burial Sites Specialist  
Sean Nāleimaile, Archaeologist

**Guests:**

Christian Omerod  
Sharon Moraes  
Lokelani Brandt, ASM Affiliates, Inc.  
Bob Rechtman, ASM Affiliates, Inc.  
Brenda Iokepa-Moses, Ka'ū Mahi, LLC  
Paulette Ke, Ka'ū 'Ohana  
Jeannette Bento  
Glenn Escott, SCS  
Dianne N. 'Apiki Ondo, Ka'ū 'Ohana  
Darwin Inman, Kona Hills  
Jamie Kawauchi

## I. CALL TO ORDER

*Chair Kahakalau calls to order the meeting at 9:38 AM.*

## II. ROLL CALL/PULE

*Member Kahā‘ulelio conducted pule.*

*Clifford Kaponu, Fred Cachola, Kalena Blakemore, Norman Ka‘imulua, Nālei Kahakalau, Scott Mahoney, Maxine Kahā‘ulelio.*

## III. MINUTES

### A. Request for Approval of the Minutes for September 20, 2018.

#### Summary:

- Member Cachola requests to amend the incorrect meeting date for the minutes to be approved as listed on the agenda.

**MOTION:** To approve the revised minutes for the September 20, 2018 meeting  
**MOVED BY:** Member Kahā‘ulelio  
**2<sup>ND</sup> BY:** Member Ka‘imulua  
**VOTE:** Motion carried unanimously

## IV. BUSINESS

### A. Discussion on Hawai‘i Island Burial Council Membership, Roles, and Responsibilities. Information/Discussion: Discussion on the above item.

#### Summary:

- Kea notified the council that he contacted the AG office regarding AG presence and representation. He states that he spoke with Deputy AG Cindy Young who informed him to collect any questions that the council may have as long as the questions are “legal” in nature, as opposed to “policy,” and that the AG office will provide a response to those questions. Member Kaponu expressed his concern that the AG needs to be present at these meetings to ensure consistency with the law and that a lack of AG representation may result in court. He states that training is necessary. Chair Kahakalau asked if the questions can be emailed to Kea and Kea said that was fine.
- Member Cachola asks about the status of having Malia Akutagawa from OHA to conduct a workshop on the burial laws, under the sponsorship of OHA. He mentions that he had spoken with Kamaile Maldonado from OHA.

### B. Department’s Recommendation to Recognize Paulette Ka‘ihilani Ke, Faybien Leah Keamalu Ke Waltjen, Rayven Martha Kēhaulani Ke Grace, and Kekai Ka‘upu Grace Ke Dow as Cultural Descendants to Unidentified Native Hawaiian Skeletal Remains on the Lands of the Former Moa‘ula Plantation, Kopu Ahupua‘a, Ka‘ū District, Island of Hawai‘i, TMK: (3) 9-6-003:022.

**Discussion/Determination:** Discussion and determination to recognize the applicant as a cultural descendant of unidentified Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

- Member Ka'imuloa states that the one descendant [Paulette] cannot represent the other three if they are not present and that he needs to see them in person. Member Kaponu asks Paulette if she has anything that shows she represents the others and asks the council if there is any policy that's been adopted for this moku [Hawai'i Island] with respect to descendancy recognition. Member Cachola states that he doesn't see a legal requirement that descendants need to be present and that they are working on a recommendation from the DLNR. He goes on to mention that they, as a council, have not adopted any policies relating to this issue and that in the past, it's been done case-by-case as they came up and that they have recognized people without their presence. Member Cachola motions that under this circumstance, it certainly is appropriate to approve this recommendation.
- Member Mahoney states the very importance of descendants because they represent and affect the iwi. Member Kahā'ulelio tells the council that she wants to hear the mo'olelo of the descendant.
- Paulette Ke makes a request for the council to go into executive session so that she may discuss her genealogy in privacy. Vice-Chair Blakemore motions that the council go in to executive session.
- *Council goes into executive session, 10:10 AM – 10:38 AM*
- Member Cachola reminds the council that the motion he stated earlier still stands on the floor. He restates his motion to accept the Department's recommendation to recognize the listed individuals as cultural descendants.

**MOTION (1):** To go into executive session  
**MOVED BY:** Vice-Chair Blakemore  
**2<sup>ND</sup> BY:** Member Cachola  
**VOTE:** Motion carried unanimously

**MOTION (2):** To accept the Department's recommendation to recognize these four women as cultural descendants  
**MOVED BY:** Member Cachola  
**2<sup>ND</sup> BY:** Vice-Chair Blakemore  
**VOTE:** Motion carried by majority [YAY: 4 (Blakemore, Cachola, Kahakalau, Mahoney); NAY: 1 (Ka'imuloa); ABSTAIN: 2 (Kaponu, Kahā'ulelio)]

- C. DRAFT Burial Treatment Plan for Burial Sites #50-10-68-26641 and #50-10-68-26642 Located on Lands of the Former Moa'ula Plantation, Kopu Ahupua'a, Ka'ū District, Hawai'i Island, Hawai'i, TMK: (3) 9-6-003:022.**  
**Discussion/Recommendation:** Discussion/recommendation on the above Burial Treatment Plan.

**Summary:**

- Glenn Escott of SCS provides the council with an update to the project. He states that he is here to get the recommendation of the council on whether or not to seal the entrances to the burial caves. Member Ka'imuloa shares his concerns about the current plan and that he would still like to see a rock wall build around the preservation site instead of hog wire fencing. He suggests that the Christmas berry should be cleaned for families to access the site. Vice-Chair Blakemore asks where all the descendants live. She mentions that a gate would be an alternative to sealing the cave and that it would still allow airflow into the cave. Member Cachola clarifies that the current plan calls for leaving the caves unsealed. Brenda Iokepa-Moses of Ka'ū Mahi, LLC states that the last time they went before the council, the caves were to be sealed according to the plan and that it was changed based on the council's discussion at the previous meeting.
- Chair Kahakalau recommends that the landowner/archaeologist sit down with the cultural descendants to resolve any concerns regarding the cave entrances and access. She states that pule comes 24/7 and that access is one of the biggest factors here. Member Mahoney states that they should be finalizing the project and that the developers have been more than accommodating to the descendants. Vice-Chair Blakemore suggests that member Mahoney may want to meet with the descendants to facilitate dialogue.
- Member Kaponu asks if there is a consensus on what the descendants want and as to how the iwi should be mālama'ed. Sharon Moraes (cultural descendant) states that her kuleana to Keli'inuiohāililanianaka'ole is to protect the iwi. She states that she would like the caves to be sealed with concrete mortar and to see a pōhaku wall around the buffer. Paulette Ke (cultural descendant) mentions that her and her 'ohana would like the caves sealed as well to not allow any desecration in the future. She states that what the plan had previously proposed the first time, she really liked.
- Member Kaponu asks if the descendants' families had been going to visit the site over the many years. Moraes responded that she didn't know, but that she has the royal patent and that Tūtū Kawena would visit sites. Chair Kahakalau asks if it needed to be rocks or if a gate would be OK. Ke responded "no, not a gate."

**D. DRAFT Burial Treatment Plan for SIHP Site 50-10-47-30809, Kealakekua Ahupua'a, South Kona District, Island of Hawai'i, TMK: (3) 8-2-012:012.**

**Discussion/Determination:** Discussion and determination on whether to preserve in place or relocate human skeletal remains at the above location.

Recommendation to the State Historic Preservation Division whether to accept or not accept the above Burial Treatment Plan.

**Summary:**

- Presentation given by Lokelani Brandt, archaeologist from ASM Affiliates, Inc., and Darwin Inman from Kona Hills.
- Member Kaponu asks if the iwi found were complete or fragments and Brandt replies that the iwi were fragments. Member Kahā'ulelio asked Inman what the purpose of the land was and Inman replied that it would be for coffee. Member Kaponu states that since grubbing/grading hasn't been completed, does the landowner (Inman) have a process for when they do encounter iwi. Bob Rechtman of ASM replied that they follow what is specified in the rules and that he cannot include future burials as previously identified because it doesn't align with State law.

- Chair Kahakalau mentions that he would like to see cultural monitors present and not just the orange fences as extra protection for the iwi.

**MOTION (1):** To preserve in place  
**MOVED BY:** Vice-Chair Blakemore  
**2<sup>ND</sup> BY:** Member Kahā‘ulelio  
**VOTE:** Motion carried unanimously

**MOTION (2):** To recommend that SHPD accept the BTP with the addition stated by Chair Kahakalau  
**MOVED BY:** Vice-Chair Blakemore  
**2<sup>ND</sup> BY:** Member Ka‘imuloa  
**VOTE:** Motion carried unanimously

- E. DRAFT Burial Treatment Plan for Kohala Shoreline, LLC Project Area, Kahuā 1<sup>st</sup> Ahupua‘a, North Kohala District, Island of Hawai‘i, TMK: (3) 5-9-001:008.**  
**Discussion/Information:** Information on the above Burial Treatment Plan.

**Summary:**

- Bob Rechtman of ASM Affiliates, Inc. provides background information on the item. He mentions that he’s just here to discuss initial consultation. He talks about a previous BTP from 2003 and that the property has since transferred and changed in zoning. Member Kaponu asked why there was a change in the lot designation and Chair Kahakalau asked if the PASH easement could be moved. Member Cachola asked if Rechtman was just here for information. Rechtman replied that he plans on revising the existing plan and including larger buffers. Member Cachola asks if he plans on meeting with the people of Kohala and suggests meeting with certain individuals. Vice-Chair Blakemore asked if it was possible to manipulate the parking lot. Member Cachola asks when Rechtman plans on returning with the BTP. Rechtman mentions the he would return in a couple months.

**V. INADVERTENTS/COMMUNICATIONS**

- A. Letter from Cultural Surveys Hawai‘i, dated November 08, 2018, RE: Notification to Hawai‘i Island Burial Council of Results of Fieldwork for Archaeological Inventory Surveys for Two (2) Hawai‘i Army National Guard Installations on Hawai‘i Island.**  
**Notification/Discussion:** Notification and discussion on the above correspondence.

**Summary:**

- Kea informs the council about the letter provided in the council’s packet and explains that CSH wanted to provide the council with an update from previous consultation they did with the HIBC.

- B. Letter from the Department of the Army, U.S. Army Installation Management Command-Pacific Headquarters, U.S. Army Garrison, Hawai‘i, Office of the Garrison Commander, dated October 10, 2018, RE: Report Distribution for Cultural Resources Management of the US Army Stryker Brigade Combat Team (SBCT) Transformation Projects, O‘ahu and Hawai‘i Islands, June 1, 2017 – June 30, 2018, All Divisions.**  
**Notification/Discussion:** Notification and discussion on the above correspondence.

**Summary:**

- Kea informs the council about the letter provided in the council’s packet and that they can download the full report following the instructions in the letter.

**C. Letter from the Department of the Navy, Office of the Commander, U.S. Pacific Fleet, dated October 18, 2018, RE: Notice of Availability of the Hawai‘i-Southern California Training and Testing Final Environmental Impact Statement/Overseas Environmental Impact Statement.**

**Notification/Discussion:** Notification and discussion on the above correspondence.

**Summary:**

- Kea informs the council about the letter provided in the council’s packet and that they can download the full report following the instructions in the letter.

**D. Inadvertent Discovery of Unidentified Human Skeletal Remains on September 21, 2018, During Monitored Excavation Activity at Kohala High School, Honomaka‘u Ahupua‘a, North Kohala, Island of Hawai‘i, TMK: (3) 5-4-007:014.**

**Information/Discussion:** Information and discussion on the above inadvertent discovery.

**Summary:**

- Member Cachola informs the council about an inadvertent discovery at Kohala High School and provides background on the project. Member Kahā‘ulelio mentioned that she and member Mahoney attended a ceremonial protocol (blessing) at the school and talks about the condition of an inadvertent from the previous year on the same property and that the iwi was piled under cement. Member Kapono had concerns as to why the inadvertent was only being reported to the council now. Kea clarified to the council that this inadvertent was different than the one that was found last year and reads the inadvertent discovery letter that was written. He states that burial will be preserved in place and all the appropriate parties were notified/present for the discussion as the school during the site visit.

**VI. ANNOUNCEMENTS**

**A. Next Meeting is Scheduled for Thursday, December 20, 2018, 9:30 AM, at the Waimea Civic Center, 67-5175 Kamāmalu St., Kamuela, HI 96743.**

*Chair Kahakalau reads information for the next HIBC meeting.*

**VII. ADJOURNMENT**

*Meeting adjourns at 1:58 PM.*

**MOTION:** To adjourn the meeting  
**MOVED BY:** Vice-Chair Blakemore  
**2<sup>ND</sup> BY:** Members Kapono and Mahoney  
**VOTE:** Motion carried unanimously

**\*\*\*THE ABOVE MINUTES WERE APPROVED AT THE 12/20/2018 HIBC MEETING\*\*\***

**Pursuant to §92-3 Hawai'i Revised Statutes (HRS), all interested persons shall be afforded an opportunity to present oral testimony or submit data, views, or arguments, in writing on any agenda item. Additionally, pursuant to a policy adopted by the Hawai'i Island Burial Council at its November 17, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.**

**Pursuant to §92-4, §92-5(a)(8), and §6E-43.5 HRS, and upon compliance with the procedures set forth in §92-4, HRS, the council may go into a closed meeting to consider information that involves the location or description of a burial site.**

**Pursuant to §92-2.5(d) HRS, if a meeting must be cancelled due to lack of quorum, the present council members may elect to continue to receive testimony and presentations on items on the agenda.**

**A request to be placed on a burial council meeting agenda must be made with the Burial Sites Program staff at least two weeks preceding the scheduled meeting date. In addition, the request must be accompanied by all related documents. Failure to comply with this procedure will delay the item to the following month's agenda.**

**Materials related to items on the agenda are available for review at the State Historic Preservation Division in room 555 of the Kākuhihewa Building located at 601 Kamokila Boulevard, Kapolei, Hawai'i 96707. Persons with disabilities requiring special assistance should contact the division in advance at (808) 692-8015.**