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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

**DRAFT MINUTES, pending OIBC approval  
OAHU ISLAND BURIAL COUNCIL MEETING**

**DATE: Wednesday, October 10<sup>th</sup>, 2018**  
**TIME: 11:13 AM**  
**PLACE: Department of Land and Natural Resources  
Kalanimoku Building  
Board Room, #132  
1151 Punchbowl Street  
Honolulu, HI 96813**

**Attendance**

**Members:** Hina Wong-Kalu, Chair; Kona Representative  
Auli'i Mitchell, Vice Chair; Waianae  
Danna Holck, Large Landowner Representative  
Kamana'o Mills, Large Landowner Representative  
Mana Caceres; 'Ewa Representative  
Kali Fermantez, Ko'olauloa Representative [arrived at 11:50 AM]  
Lurline Naone-Salvador, Waialua Representative [arrived at 12:39 PM]

**Absent:** Chuck Ehrhorn, Large Landowner Representative; excused  
Beverly Amaral, Ko'olaupoko Representative; excused

**SHPD staff:** Regina K. Hilo, O'ahu Burial Sites Specialist, History and Culture branch

**Guests:** Keiko Denbeau, Kawaiaha'o Church  
Ralph K. Makaiau, Kahuku Burial Council  
Kalehua Caceres, 'Ohana  
Kamaehu Caceres, 'Ohana  
Hiehie Caceres, 'Ohana  
Kamana Caceres, 'Ohana  
Kihei deSilva, Kailua Kau a Ho'oilo  
Lani Maa Lapilio, Aukahi LLC  
Matt McDermott, Cultural Surveys Hawaii  
Hal Hammatt, Cultural Surveys Hawaii  
Chad Waters, Kihapai Hui  
Timothy Hui, C&C of Honolulu  
Danny Loui  
Kaleo Paik  
Marie Riley, Wailupe 'Ohana, Aina Haina Community Association  
Kent Untermann  
Bill Haole, Kawaiaha'o Church  
Kaeo Kane, OM

Kris Hui, OM  
Blair Suzuki, OM  
Māpuana deSilva, Kailua Kau a Ho’oilo  
Kamuella Kala’i

**I. CALL TO ORDER**

*Meeting called to order at 11:13 AM by Chair Wong-Kalu*

**II. ROLE CALL/PULE**

*Chair Wong-Kalu opened with a pule*

*The OIBC members introduced themselves in the following order:*

Chair Hina Wong-Kalu, Kona Representative

Auli’i Mitchell, Wai’anae Representative

Danna Holck, Large Landowner Representative

Kamana’o Mills, Large Landowner Representative

Mana Caceres, ‘Ewa Representative

**III. APPROVAL OF MINUTES**

*Deferred, as the minutes are incomplete*

**~~A. Minutes from 09/12/2018~~**

**IV. Business**

**A. Discussion on O’ahu Island Burial Council membership, roles, and responsibilities**

**Information/Discussion:** Discussion on the above items.

[In Hawaiian] Chair Wong-Kalu commented about Hilo being present

[In Hawaiian] Hilo responded that the replacement was unavailable and on vacation, therefore Hilo is available for today’s meeting but not for November’s meeting

Chair stated she would check on her availability for next month’s meeting

**B. Cultural Descendancy Recognition of Sheila Kaiwiokalani McKenzie Kurosu to SIHP 50-80-02-4488, -7288, and -7289, Ahupua’a of Oi’o, Ulupehupehu, Hanaka’oe, and Punalau Ahupua’a, Ko’olauloa District, Island of O’ahu, TMK: [1] 5-7-001:001, 013, 020, and 033**

**Discussion/Determination:** Discussion and determination on the Department’s recommendation to recognize the applicant as cultural descendant to the Native Hawaiian skeletal remains located at the above project.

Chair read the above item onto the record

Applicant was not present; item was not addressed

Chair commented on the OIBC’s best practice to engage with applicants face-to-face, with focused conversation on the topic of malama iwi kupuna

**C. Cultural Descendancy Recognition of Ralph Kamaawe Makaiiau Jr. to Unidentified Native Hawaiian Skeletal Remains located at Hanaka’oe, Kahuku, Ulupehupehu, and Punalau Ahupua’a, Ko’olauloa District, O’ahu, TMK: [1] 5-6-003:054, 055, 062; and 5-7-001:044 and 048**

**Discussion/Determination:** Discussion and determination on the Department's recommendation to recognize the applicant as cultural descendant to the Native Hawaiian skeletal remains located at the above project.

Chair read the above item onto the record

Ralph Makaiau came to the table; commented that he comes from a family that was told not to teach Hawaiian, so he does not speak or understand Hawaiian

Ralph requested Executive Session to discuss his genealogy

Motion: to move into Executive Session to address the applicant's genealogy

Moved by: Member Mills

2<sup>nd</sup>: Member Mitchell

VOTE: 5 AYES [Mitchell, Mills, Caceres, Holck, Wong-Kalu], 0 NAYS, 0 ABSTAINING

Meeting moved into Executive Session at 11:30 AM

[Member Fermantez arrived at 11:50 AM]

Meeting moved out of Executive Session at 11:55 AM

Chair read the agenda item title onto record again

Member Fermantez expressed support for the applicant, Uncle Ralph Makaiau

**Motion: to recognize Ralph Kamaawe Makaiau as a Cultural Descendant to Unidentified Native Hawaiian skeletal remains located at Hanaka'oe, Kahuku, Ulupehupehu, and Punalau Ahupua'a, Ko'olauloa District, O'ahu, TMK: [1] 5-6-003:054, 055, 062; and 5-7-001:044 and 048**

Moved by: Member Mills

2<sup>nd</sup>: Vice Chair Mitchell

VOTE: 6 AYES [Mills, Mitchell, Holck, Caceres, Fermantez, Wong-Kalu], 0 NAYS, 0 ABSTAINING

*Item IV. L was addressed next*

**D. Cultural Descendancy Recognition of Pua Colburn to Unidentified Native Hawaiian Skeletal Remains located at 56-1217 Kamehameha Highway, Kahuku Ahupua'a, Ko'olauloa District, O'ahu, TMK: [1] 5-7-001:044**

**Discussion/Determination:** Discussion and determination on the Department's recommendation to recognize the applicant as cultural descendant to the Native Hawaiian skeletal remains located at the above project.

*Deferred, applicant not present*

**E. Cultural Descendancy Recognition of Henry Fong to Unidentified Native Hawaiian Skeletal Remains located at Hanaka'oe, Kahuku, Ulupehupehu, and Punalau Ahupua'a, Ko'olauloa District, O'ahu, TMK: [1] 5-6-003:054, 055, 062; and 5-7-001:044 and 048**

**Discussion/Determination:** Discussion and determination on the Department's recommendation to recognize the applicant as cultural descendant to the Native Hawaiian skeletal remains located at the above project.

*Deferred, applicant not present*

**F. DRAFT Burial Treatment Plan for Five Sites within the Turtle Bay Resort Property, Hanakaoe, Kahuku, Ulupehuehu, and Punalau ahupua'a, Ko'olauloa District, Island of O'ahu, portions of TMKs: [1] 5-6-003:054, 055 and 062; and 5-7-001:044, 048 and 050**

**Information/Discussion:** Update on the above project.

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

For the record, Chair Wong-Kalu pointed out that Member Danna Holck has retired from work at the Turtle Bay Resort (TBR)

Project presented by Bob Rechtman, ASM Affiliates; previously presented at last month's OIBC meeting; addressed the members' comments and recommendations; completed consultation; presentation addressed updates only

BTP overview by Dr. Rechtman:

- 5 sites in TBR development
  - Site -6411 is included in the BTP
  - Site -4488
  - Site -17289 will be preserved in place; first identified during Haun AIS
  - Site -7288 is recommended for relocation
  - Daniel Pahu – would prefer to address as Daniel Pahu's gravesite and not have an SIHP which sounds disrespectful

Chair Wong-Kalu said that the SIHP is a formality

Dr. Rechtman said the area should receive an SIHP but not be included in this process; prefers to speak with those that have kuleana for the area and the burials there; has talked with Sheila Kurosu about the BTP, as Sheila is part of the Kahuku Burial Committee

Fermantez asked if Dawn [Chang of Kuiwalu] is a consultant

TBR representative shared that Dawn has done consultation but is not contracted by TBR

Chair Wong-Kalu asked for clarification on the determination request

Dr. Rechtman stated the following: preservation in place for sites -4488, -6411, and -17289; preservation in place for Daniel Pahu; relocation of -7288

Fermantez shared that this has been a long process, he and Holck went out to the site for a site visit when they were first on the Council; relocation when appropriate would be consistent with how Koolauloa approaches their kuleana to malama iwi kupuna

Chair Wong-Kalu asked Ralph Makaiau to share his perspective(s)

Ralph supports the plan, and has collaborated with the Kahuku Burial Committee who have all been consulted and a part of developing this BTP

**Motion: to preserve in place Sites -4488, 6411, and 17289**

**Moved by: Mitchell**

**2<sup>nd</sup>: Mills**

**VOTE: ALL IN FAVOR [6 AYES]**

**MOTION: to recommend acceptance of the BTP by the SHPD**

**Moved by: Mills**

**2<sup>nd</sup>: Michell**

**VOTE: ALL IN FAVOR [6 AYES]**

*Item M was addressed next*

**G. Presentation on work done at 5088 Kiai Place, Waikīkī Ahupua'a, Kona District, O'ahu, TMK: [1] 3-6-023:006**

**Information/Discussion:** Introduction on and discussion of the above project and location.

Updates provided by Dr. Bob Rechtman, ASM Affiliates, and Kent Untermann, landowner

*Summary:*

This is to address early development of the parcel

Aerial photo shared of the site, dates to 2007

Project is permitted, work has been stopped at the discretion of the landowner

2013 aerial photo of the site shows an existing road cut, probably for military access to the Coast Guard facility

Kent stated that the initial development plans for the parcel was for 15 homes, but this was reduced to up to 8, as the community didn't like the proposal for 15 homes

Community had expressed that there was a cave with burials there

No one wants to bulldoze burials

Kent stated that when the project applied for the cluster development, a cultural study was done and found no issues; applied for a permit, was denied; cultural survey was done, but couldn't be found, so Kent hired ASM as soon as an issue arose

Bob stated that the remains found on the property could be the same location as that of a cave found by 2 school kids in the 1950's or 1960's, which was taken to Bishop Museum; ASM went to Bishop Museum, looked through the NAGPRA inventory, and has not been able to identify what happened to the remains that were taken to Bishop Museum; Bob is at the meeting to present what has been going on, and has published the notification for burial finds required of AIS burial discoveries

OIBC asked about the SHPD's recommendation that the burials be designated previously identified

Hilo commented that the SHPD made the recommendation based on testimony from community members dating back to the 1960's that identified the general area where the project undertaking is located as a burial cliff

Bob shared that the current plan calls for development

Member Mills commented

Kent commented

Tim Heu introduced himself as the first deputy of the Department of Planning and Permitting; he had attended the Neighborhood Board meeting at which this project was discussed; there had been a letter from the SHPD sent to DPP notifying DPP of SHPD's recommendations and conditions for a permit for this parcel, but the letter had been mis-filed and the DPP staff member who filed the letter was unaware of its content; this individual has been counselled and all staff have been informed; if DPP had the necessary info, the permit would never have been issued

Member Fermantez commented

Member Holck commented

Member Naone-Salvador commented about real estate law and full disclosure

Tim shared that the project involves a 'trigger activity', and this parcel has been flagged now after-the-fact

Chair Wong-Kalu asked the Heu develop protocols in-house to strengthen the DPP and SHPD interface, and cited examples where the communication has not been good, like the development of Kunia Mauka Loa Ridge; Hawaiians are not in control of some of these things, and with cliff sides, Hawaiians are very cautious whereas others may not be; sensitivity and awareness; greater discernment is needed in issuing permits like this; must be

proactive, or everyone is raked over the coals; the process in place doesn't respect the kupuna; appreciates those that have come today to share

Danny Loui asked DPP if the permit would be pulled, specifically is the permit for the burial cliff area will be pulled

Tim replied that no new permits can be issued until the work following SHPD's recommendations and completion of the Burial Treatment Plan, are fulfilled

Kaleo Paik shared that she represents the cultural advisory group for Maunaloa, and was one of the individuals who went to see the area; Bob's crew didn't find anything during their survey; when the community says something is there, then something is there; comes from Kona (Hawaii Island) which is known for cave burials; asked that the decision to preserve in place be pushed for; has received at least two correspondences indicating that Untermann knew the burial caves were there, and one of those correspondences is dated to 2006; Mrs. Esther Hahn informed Untermann of burial caves in the cliff area; Mr. Untermann had knowledge of the community concerns; advocates for preservation in place, this is a burial cave

Chris Cramer shared that he is a kia'i loko i'a; he cares deeply about the burials; it is distressing to come to the meetings to address these issues; clues are evident in the street name, Kia'i, and its association with ka'ai; Mrs. Eviliko is a limu expert who lived below the project area, and told her neighbors to not go up there because there are obake; the cave once held a canoe

Chair Wong-Kalu asked what happened to the canoe

Chris said it was a Bishop Museum, up on the wall, well known at the time but is unaware what happened to it now; the project area and surrounding cliffs have iwi, and there are other considerations: the lava tubes are long, there are cavernous areas that go on for miles; ignorant to some aspects of the process, but heard there were fingers and toes, which seems like an attempt to minimize the finding and not take it seriously

Naone-Salvador stated that she has been in lava tubes on the other islands, tubes with chambers; confirms that such findings are true; during times of war, women and keiki would go in the lava tubes because it was shaded and cool

Danny share the street names in the area, including Keikilani, Wa'a; Waiali'i is a stream name; lava tube with remains on the property only about 300 ft. away, on a different parcel, is a burial cave with multiple individuals scattered; a permit has been issued; human error can be fatal, cannot take that human error and then issue the permit; 4 generations of Loui 'ohana live in the valley; Untermann had multiple chances to be clear and honest; Danny speaks for all those kupuna who cannot attend or have passed on; advocating for preservation in place; DPP needs to take a moment and correct their mistake

Marie Riley introduced herself; she is a member of the Wailupe Ohana Council, and a member of the community; there was once a canoe with the remains of twins in it; plenty of people went up to the caves and knew about them; with regard to interment, it was not the intent of the kupuna to undo things

Laura Kaakua introduced herself; her house is below the property, on the border of Waialae Iki; what is the kuleana of Native Hawaiians who live in Wailupe? If there are no registered lineal descendants, then who takes kuleana of the remains? Would like to be registered. There must be a dialogue with others, as there is heartache on both sides; thanked the community's historians for their advocacy and awareness

Chair Wong-Kalu asked the community members present to consider the recognition process, recommends they contact Regina Hilo (Hilo) to file descendant applications; OIBC supports recognized descendants; when the BTP comes to the Council, the project proponents will already have consulted with the descendants; suggests a liaison for addressing community consultation, specifically Kamau LLC or Aukahi LLC; suggests that

Tim Heu be kept abreast of what is going on; OIBC will support what the descendants wish to see

Kent Untermann shared that he has been in business for 32 years, and first came to UH to play football; he respects the community; is trying to disseminate fact from fiction; is an entrepreneur; OIBC are the experts; is hearing preservation in place

Chair Wong-Kalu shared that what non-Hawaiians perceive as fiction, Hawaiians perceive as fact

Kent wants to do this for his family; he invites to community to consult

Chair Wong-Kalu said she wanted to be invited to any consultation meetings, and it will be up to Untermann on how to move forward

Naone-Salvador asked everyone to be respectful of each other

*Item IV. I was addressed next*

**H. Cultural Descendancy Recognition of Puanani ‘Nani’ Ontai Tilton Matsumoto to the Native Hawaiian skeletal remains located at Lot 34 – Widow Metcalf, at the Kawaiaha’o Church Multipurpose Building Renovation Project, Honolulu Ahupua’a, Kona District, Island of O’ahu, TMK: [1] 2-1-032:017**

**Discussion/Determination:** Discussion and determination on the Department’s recommendation to recognize the applicant as a cultural descendant to the aforementioned Native Hawaiian skeletal remains located at the above project.

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.

*Deferred, as applicant was not present*

**I. DRAFT Burial Treatment Plan for Kihapai Place Project, Kailua Ahupua’a, Ko’olaupoko District, O’ahu, TMKs: [1] 4-3-058:047, 048, and 065**

**Information/Discussion:** Update on the above project.

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

*Summary:*

Project updates presented by Alani Apio, Kamau LLC; Josh Green, Green Waters; and Hal Hammatt, CSH

Kumu Mapuana deSilva and Kumu Kihei deSilva have been consulted on this finding

April 2017 – preview of project AIS, initial burial encountered; no BTP at that time; descendants request preservation in place; Kiehi’s design is supported by the descendant group; Kihapai St. runs along the stream canal, previously had buildings on the property, all of which were demolished; the proposed project is 4 stories, the first story would be parking; a triangle of land with landscaping will be the burial preserve location; AIS done initially by EAL with Nancy McMahan; burials found in T6, developer came to Alani in the design phase, consulted with descendants, and agreed to minimize disturbance on the aina; the green corridor will house all utilities; T2 and T5 are for storm water drainage

Member Fermantez stated he supports Kumu Mapuana and Kumu Kihei and their recommendations

[Member Fermantez left at 3:25 PM]

Temporary curation was done in T6, with ceremony and protocol

Alani stated that the proposed burial treatment is similar to those elsewhere in Kailua: a low rock wall with faux wrought-iron gating, pohaku set to descendants' specifications, with an east-facing gate

Vice Chair Mitchell stated he needed to recuse himself, has read the BTP thoroughly; appreciates the connectivity of the kupuna resting areas

Member Naone-Salvador asked if the pohaku came from the location

Kumu Kihei said the pohaku came from the location; Chad Waters has been accommodating that the aina be left alone; advocates for preservation in place; have established a practices with specifications; project proponents come to the descendants before planning and digging, and this strategy has worked well, though there have been some unfortunate situations; recognized cultural descendants specifications are for scraping in increments, which was not followed in the initial AIS; CSH has been called nasty things, but they have been fair; iwi fragments were not handled, and a lot of mihi needed to be done; this could have been avoided if the procedures outlined before had been followed

Member Naone-Salvador commented

Kihei commented

Aulii once again recused himself

Kihei shared that they have been working very hard with Alani to get iwi back in the ground, and will do so in January 2019

Chair Wong-Kalu commented that the Council can be confident in Kailua Kau a Hooilo

Kumu Mapu shared that she will be teaching others the same protocol

Chair Wong-Kalu commented

Motion: to preserve in place the iwi kupuna addressed in the draft burial treatment plan

Moved by: Caceres

2<sup>nd</sup>: Mills

VOTE: 5 AYES [1 ABSTAINING (Mitchell)]

Motion passed

Motion: to recommend the SHPD accept the DRAFT BTP

Moved by: Mills

2<sup>nd</sup>: Holck

VOTE: 5 AYES [1 ABSTAINING (Mitchell)]

**J. Ililani Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMKs: [1]2-1-051:011 and 012**

**Information/Discussion:** Update on the above project.

*No updates provided at the meeting*

**K. Lilia Waikiki Project, Waikiki Ahupua'a, Honolulu District, O'ahu ('Ewa Lots: TMKs: [1] 2-6-021:100 and 114, Diamond Head Lots: TMKs: [1] 2-6-021:075, 076, 101, 108, and 109)**

**Information/Discussion:** Update on the above project.

*Summary:*

Update provided by Matt McDermott, CSH

- Project was previously known as the Kuhio Collection, name has been changed
- AIS is under SHPD review



- Consultation meeting was held which included Hina, Aulii, and Mana
- Project undertaking consists of 455 rental units
  - land has no requirement for affordable housing, yet 205 of the units will be affordable housing
- Public Hearing has been completed
- Project will need approval by the City Council
- Apuakehau Stream is within the project area
- Preservation area has been designated
- Project mitigation includes BTP, archaeological monitoring, and data recovery
- Project appeared before the OIBC in 2017 and 2018, most recently on 2018-09-12
- Meeting with recognized cultural descendants was held on 2018-09-13
  - Relocation for the remains impacted by the leaking sewer line
  - T-9 is adjacent to the tree and has potential for use as a preservation area
  - Surface treatment will consist of thick vegetation, no signage or pohaku unless one is found on site
- Per Kris, the Queen Emma Land Company is always present at the meetings

[Vice Chair Mitchell and Member Holck left at 3:48 PM, leaving the OIBC without quorum]

Matt asked for SHPD's assistance in reviewing the AIS

Chair Wong-Kalu pointed out that the OIBC no longer had quorum, therefore no questions could be asked

Chair Wong-Kalu thanked the project proponents for their presentation

Meeting concluded at 3:55 PM

**L. Formation of a Permitted Interaction Group within the O'ahu Island Burial Council to Gather Information on Ongoing Work at Kawaiaha'o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017**

**Information/Discussion:** Discussion on and formation of a permitted interaction group (PIG).

Discussion in Hawaiian between Member Mills and Chair Wong-Kalu

Chair Wong-Kalu addressed the public with the following comments:

- Moving towards having OIBC members attend consultation meetings between Church, project proponents, and descendants to discuss burial treatment plan details
- Member Caceres is a recognized cultural descendant
- This particular agenda item is formally allowing the OIBC to create the Permitted Interaction Group (PIG)

MOTION: to form a Permitted Interaction Group within the O'ahu Island Burial Council to attend consultation meetings for development of the Burial Treatment Plan for the Kawaiaha'o Church Multi-purpose Building Renovation Project

ROLL CALL VOTE:     Holck – YAY  
                               Mitchell – YAY  
                               Mills – YAY  
                               Fermantez – YAY  
                               Caceres – YAY

There was no OIBC opposition to forming the PIG.

Lani asked if the OIBC have already designated OIBC members to serve on the PIG

Chair Wong-Kalu responded that the PIG will including the following members:

Chair Wong-Kalu

Vice Chair Mitchell

Member Caceres who is already included in the meetings as a recognized cultural descendant

The motion had been made at the Sept. 2018 meeting; Member Mills asked that the SHPD's advising deputy attorney generals review the motion

Item F. was addressed next

**M. Kawaiaha'o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017**

**Information/Discussion:** Update on the above project.

Updates provided by Matt McDermott – CSH; Keiko Denbeau, Kawaihau Church; Bill Haole, Kawaihau Church; Lani Maa Lapilio, liaison

Summary:

Bill requested that video and audio not be taken of the meeting proceedings

Chair Wong-Kalu and Member Mills stated that the meeting is public

Bill shared that he wanted his opposition to video and audio taping to be stated on the record

Matt shared that David [Shideler] was on vacation, therefore he would be presenting updates on the Erosion Mitigation Plan, which started in Sept. 2018; plan has changed and methods have been adjusted to address changing conditions

- Erosion control to address water entering the excavation area from above; with the barriers in place, the water doesn't impact the exposed sidewalls as much
- Basic plan is to use jersey barriers with vertical plywood boards
  - Alluvial wash is evident in the excavation pit floor
- Real world conditions needed to modify the initial plan
  - Shared a modeled image of the initial and modified barriers and plywood treatments
  - Close-up of modified barriers
  - Photo of the modified barriers implementation

(Member Naone Salvador arrived at 12:39 PM)

- 16 jersey barriers have been implemented
- 1/8<sup>th</sup> inch screen was initially used
- Now, 1/4<sup>th</sup> inch screen is being used
- Putting the remains back into backfilled areas behind the plywood in heavy PVC irrigation boxes with GPS information collected on the areas
  - 35 individuals finds, all fragmentary

Member Naone Salvador commented about putting iwi into PVC

Chair Wong-Kalu said the project is still in its AIS phase of work; individuals and 'ohana have been recognized as cultural descendants; there are will cultural descendants coming forward who wish to be recognized by the Council

Matt stated that a wooden box was placed over the fragmentary finds

Vice Chair Mitchell stated his disappointment that the wooden boxes are no longer being used and have been replaced by PVC

Member Fermantez commented

Vice Chair Mitchell commented that we go back to the lepo, to Papahanaumokuakea

Matt shared that 3 PVC valve boxes have been used and the CSH archaeologists know exactly where these are located

Member Caceres shared that there shouldn't be any use of plastic

Matt shared that the recommendation for PVC came from the SHPD

RKH stated that SHPD made the recommendation based on the circumstances and the evidence available to SHPD at the time

Member Caceres suggested a concrete hollow tile, measuring 12 x 8 x 12 with a concrete cap be used instead of PVC

Bill Haole commented

RKH commented

Chair Wong-Kalu opened the floor for discussion

Kamuela Kala'i introduced herself

- Has been involved with the Kawaiaha'o nightmare since 2011
- This could all have been avoided
- Can still do our best to honor our kupuna
- This will not work
  - Putting a bandaid on a huge kakio
- Put all the kupuna back, return them to their original burial place
  - That is the mitigation, the solution
  - Don't have to worry about any more kupuna being disturbed
- Just got an email notification last night of 25 [burial finds], now its 36, where did the other 11 come from
- Has been asking the Church, Brickwood, and Lani to move up the consultation meetings with descendants
  - Response received was that they are respecting the process
  - The process allowed this to happen in the first place
- It's going to rain a lot
- Has talked to Dana Hall
  - She shared that if the Church decides to not move forward with the project, then there doesn't need to be an AIS
- Begging the Church
- Families on the other islands need to be notified at least two weeks in advance
- Asking the Church to do the right thing
- The process followed allowed the project to break every law
- Asked that the Church meet monthly
- 36 kupuna? Treated like this? Open grave
- Can't do this anymore
- Beg, plead, demand they, the Church, do the right thing
- There is nothing to prevent more desecration
- Put them back
  - Otherwise this will never be fixed
- Prayed for patience, but is so upset
- Kupuna speak to her, Kala'i, softly
- Past the point of judging everything
- Want to hooponopono
- Can't keep waiting

Member Naone Salvador asked how many in total were disturbed

Chair Wong-Kalu commented

Member Naone Salvador shared that she was on the Council in 1998; the project first came to the OIBC then; cautions that the Council not address things piecemeal

Chair Wong-Kalu commented that the Council has been doing what it is empowered to do; had hoped that Dr. Susan Lebo were present so that she could speak to the issues; the

Council and meeting attendants have consistently heard from Kamuela Kala'i; the case was in litigation

Bill Haole provided a response from the Church – the Church has been following the recommendations of two state agencies, the SHPD and the Department of Health; case has been heard by Judge Sakamoto and appealed; the Intermediate Court of Appeals has ruled the project is between the DOH and the SHPD; have to navigate how to proceed without any guidance or leadership; even the state agencies are named in the lawsuit; the Church has the same anxieties as others; wants to finish this; wants the details ironed out to have clear direction; 36 inadvertent finds do not mean entire bodies

Chair Wong Kalu stated that the Church wants to develop the area, therefore the AIS makes sense; under former Church leadership, it was ok, these people have passed, their spirit is with Ke Akua, what's left is the physical shell; there is an ocean between what is right and what is wrong; Church has been consulting, primarily, with foreigners; there is an ethic and moral difference; Council has done its best – 'we can agree to disagree'

Member Fermantez – wants to heal the open wound; is there a possibility to make things pono?

Bill – "Anything's possible." The membership holds fast to its charter and have never strayed from the preamble issued by Kamehameha III; a meeting will be held soon; the Church is currently under new leadership; Bill is the last person left of the old regime; constantly listening; continues to pray for sister Kamuela Kala'i

Member Fermantez shared that, at this point, it is difficult to see any BTP that would respect the descendants' views and wishes

Bill shared that the process underway prohibits the Church from seeking help from the OIBC

Chair Wong-Kalu shared that the internment of our kupuna wasn't intended to undo the processes of development; examples shared are Wailupe, Punchbowl Cemetery of the Pacific; these are 600 partial and whole burials, with 36 fragmentary finds; there are ethical and moral decisions to be made

Kamuela Kala'i commented

RKH commented that the rules, as written, incorporate traditional Native Hawaiian dispute resolution processes with a modern western bureaucratic system in which each party has a defined hana and kuleana

Kamuela Kala'i commented; personal comments toward Bill Haole followed

Bill Haole commented in response to Kamuela Kala'i

Chair Wong-Kalu commented; stated that she doesn't wish to silence another Hawaiian

Naone-Salvador asked what role Lani Maa Lapilio has in this

Lani stated she has been retained by the Church as their consultant

Naone-Salvador stated that she had been consulting for the Church previously, and asked if there were a location elsewhere on the property that could be used as a site for the project undertaking

Hilo commented that the current discussion should only be limited to the project's AIS updates and not include recommendations for additional work beyond the scope of the current AIS

Keiko D'Enbeau introduced herself as a trustee of the Church, and stated the comments made would be taken back to the Church leadership

*Item IV. G was addressed next*

## **V. INADVERTENTS/COMMUNICATIONS**

- A. Inadvertent discovery of human skeletal remains on August 2, 2018 at Malaekahana State Recreation Area, Lā'iewai Ahupua'a, Ko'olaupoko District, O'ahu, TMK: [1] 5-6-001:004**

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

*Not discussed at the meeting*

- B. Inadvertent discovery of human skeletal remains on August 16, 2018 at One'ula Beach Park, Honouliuli Ahupua'a, 'Ewa District, O'ahu, TMK: [1] 9-19134:006**

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

*Not discussed at the meeting*

- C. Update on the inadvertent discovery of human skeletal remains on July 29, 2018 near Waimānalo Beach Park, Waimānalo Ahupua'a, Ko'olaupoko District, O'ahu, TMK: [1] 4-1-003:040**

**Information/Discussion:** Update on the above inadvertent discovery.

*Not discussed at the meeting*

## **VI. ANNOUNCEMENTS**

- A. Next meeting date is scheduled for 11:00 AM on Wednesday, November 14<sup>th</sup>, 2018, at the Kalanimoku Building, Board Room #132.**

At 3:48 PM, Vice Chair Mitchell and Member Holck left the meeting and the OIBC lost quorum.  
The

**MEETING MINUTES in DRAFT FORM for OIBC consideration, review, and approval at their 2019-06-19 meeting.**

**Minutes respectfully prepared by Regina K. Hilo, Burial Sites Specialist, History and Culture branch, State Historic Preservation Division.**

**[2019-06-18]**