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LAND
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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, January 17th, 2019
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 Waiola Higa (Hāmākua)
Member Maxine Kahā'ulelio (Kona)
Member Norman Ka'imuloa (Kona)
Member Clifford Kapono (Hilo)

Absent:

Member Scott Mahoney (Ka'ū)

SHPD Staff:

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

Guests:

Alan Haun, Haun & Associates
Merrill Mazza

I. CALL TO ORDER

Chair Kahakalau calls to order the meeting at 9:40 AM.

II. ROLL CALL/PULE

Vice-Chair Blakemore conducts pule.

Clifford Kapono, Norman Ka'imuloa, Nālei Kahakalau, Waiola Higa, Kalena Blakemore, Maxine Kahā'ulelio.

III. MINUTES

A. Request for Approval of the Minutes for December 20, 2018.

MOTION: To accept the minutes as is
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Kahā‘ulelio
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:

- Vice-Chair Blakemore informs the council that she had been in communication with OHA (Kamaile Maldonado and Ka‘iana Markell) regarding their sponsorship for training for the HIBC. She mentioned that she received a response from Ka‘iana stating that he would do the training. Malia Akutagawa would also be available to conduct the training.
- Member Kapono asks for clarity regarding the AG responses they received, specifically question three on the HIBC’s financial liability. He discusses the difference between civil and criminal court and states that the questions were not answered to expectation.
- Chair Kahakalau discusses the response to question six regarding whether or not the AGs must be present at all meetings and states that the “no” needs an explanation.
- Member Higa asked if this could be discussed at the end. Vice-Chair Blakemore motions to move business item “A” to the end for additional discussion.

Continued Discussion:

- Chair Kahakalau stated that he would like more detailed answers from the AG office with respect to the questions submitted by the council. Member Ka‘imuloa discussed his concerns regarding the presence of descendants at HIBC meetings and Chair Kahakalau reads the response of the AG stating that the council could request that each applicant be present. Member Kapono stated that this is an opinion and not the absolute answer. Vice-Chair Blakemore mentioned that she doesn’t want the council to be restricted to only approving descendants who are present due to individual hardships that applicants might be experiencing that limits their ability to attend the meeting in person.
- Member Kapono discussed moving forward with a strategic plan for the council. Vice-Chair Blakemore asked about the specificities of quorum and if that’s something to be addressed.

MOTION: To move this item to the end of the meeting after inadvertents and communication and before announcements for all meetings
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Kapono
VOTE: Motion carried unanimously

B. DRAFT Burial Treatment Plan for Site 50-10-46-24001, Wa‘awa‘a Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-4-028-033.

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 DRAFT Burial Treatment Plan.

Summary:

- Alan Haun provides a synopsis of the project and states that the burial will be preserved in place. Member Kapono asked Mr. Haun if previous survey work analyzed the broader area for land use. Vice-Chair Blakemore states that this is something that needs to be fixed when preparing reports – to consider the larger district. She mentions that the table in the BTP would be a lot easier to read if there were a key to identify the different sites. Member Ka'imuloa expressed his concerns regarding the burial being on the boundary and how to protect the portion of the grave on the other side of the property line.
- Member Kahā'ulelio discusses the design of the driveway and asks about the length. Merrill Mazza (land owner) states that it will be about 400 feet and that it is set 80 to 90 feet away from the burial site. Member Higa questions the scale of the drawing because the dimensions being stated by the Mr. Mazza doesn't reflect the scale on the map provided in the BTP. Mr. Mazza says that if this is too close to the burial site, then he doesn't need to build [there]. He mentioned that he had been working with a kahuna to ensure that everything is being done respectfully.
- Chair Kahakalau discusses inclusions to the current BTP. He states that there needs to be language regarding access for future descendants to visit the site. He talks about when to use and not use signage and that signage is not appropriate in this case.
- Member Kapono expressed his concerns about the septic tank. He asked for specific information on where it would be located and how that would affect the burial. The council agreed that there should be more information in the BTP regarding construction plans so they know how any of it would impact the burial site.
- Vice-Chair Blakemore makes a motion to preserve in place the burial sites and Member Kahā'ulelio seconds the motion. The motion is later rescinded. Member Kapono makes a motion that SHPD accept BTP without building on the burial site. Member Higa discussed and asked for clarification on what the council should be voting on. Kea informs the council that they are making two motions – first whether to preserve in place the burial site and second, recommend whether SHPD accept the BTP. Chair Kahakalau stated that this is the first time they are seeing the BTP so he would like to defer any recommendations to SHPD until the council has had more time to review. He mentioned to revive the first motion made by Vice-Chair Blakemore and to include the concerns expressed by Member Kapono – to include language that specifies that there will be no land improvement that will impede on the burial.

MOTION: To preserve in place and that no construction or development occur near or on the burial site
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Kahā'ulelio
VOTE: Motion carried unanimously

V. INADVERTENTS/COMMUNICATIONS

- A. Letter from the County of Hawai'i, Department of Public Works, dated December 24, 2018, RE: National Historic Preservation Act, Section 106 Consultation, Installation of Pavement Preservation Strategies and Surface Treatments at Various Locations.**
Notification/Discussion: Notification and Discussion on the above correspondence.

Summary:

- Kea informed the council about the letter provided in the council's packet and that they can respond by using the provided contact found within the content.

VI. ANNOUNCEMENTS

- A. The Next HIBC Meeting is Scheduled for Thursday, February 21, 2019, 9:30 AM at the West Hawai'i Civic Center, 74-5044 Ane Keohokālole Hwy., Kailua-Kona, HI 96740.**

Chair Kahakalau reads information for the next HIBC meeting.

VII. ADJOURNMENT

Meeting adjourns at 11:38 AM.

*****THE ABOVE MINUTES WERE APPROVED AT THE 02/21/2019 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 sections §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.

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.