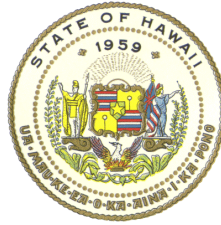


DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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KAHO'OLAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**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, April 21, 2022
TIME: 9:30 AM – 1:30 PM
PLACE: Online via Zoom
—AND—
Division of Forestry and Wildlife
Conference Room
19 E. Kāwili Street
Hilo, HI 96720

Board members, staff, applicants, and testifiers can choose to participate either in-person or via Zoom

To Attend/Provide Testimony Remotely:

<https://us02web.zoom.us/j/82723266078?pwd=TDN1TGZYvNDI6RVE5alZuZ3I5bHFZdz09>

**Meeting ID: 827 2326 6078
Passcode: scC2rS**

***** Audio Recording at <https://dlnr.hawaii.gov/shpd/about/branches/ibc/meetings/> *****

HIBC Members: **Present:**
Chair Nālei Pate-Kahakalau (Hāmākua)
Vice-Chair Kalena Blakemore (Puna)
Member Clifford Kaponu (Hilo)
Member Scott Mahoney (Ka'ū)
Member Waiola Higa (Hāmākua)
Member Norman Ka'imulua (Kona)
Member La Crivello (LLO)
Member Desmon Haumea (Ka'ū)

SHPD Staff: Kea Calpito, Burial Sites Specialist
Christian Omerod, Burial Sites Specialist

Guests: Diane Kramer (IV.A., IV.G.)
Angela Neller
Darrell Pakele (IV.C., IV.G.)
Glenn Escott (IV.G.)
Kimo Marzo (IV.E., IV.G.)
Maile Albert-Peterson (IV.G.)

Renee Eisert (IV.B., IV.G.)
Tatiana Marzo (IV.F., IV.G.)
Jimmy Medeiros (IV.G., V.A.)
Patrick Marzo (IV.D., IV.G.)
Nicole Lui (V.A.)
CJ Kanuha (IV.I., V.A.)

I. CALL TO ORDER

Calls to order the meeting at 9:34 A.M.

II. ROLL CALL/PULE

Chair Kahakalau conducts pule.

Nālei Kahakalau, Norman Ka'imuloa, Kalena Blakemore, Clifford Kaponu, Scott Mahoney, La Crivello, Desmon Haumea

III. MINUTES

A. Approval of the Minutes for March 17, 2022.

Summary:

Recording: 04:20 – 06:00

- Motion and vote at 04:40

MOTION: To approve the minutes
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Higa
VOTE: Motion carried unanimously

IV. BUSINESS

- A. Descendancy Recognition Application of Diane Kramer to the Native Hawaiian Skeletal Remains of Kuilei Kamoe, Samuel William Kamoe, and Leilani Pancy Kamahela, Located in Maku'u Ahupua'a, Puna District, Island of Hawai'i, TMK: (3) 1-5-010:009. Information/Discussion/Determination:** Discussion and determination whether to recognize the applicant as a lineal descendant to the 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:

Recording: 06:45 – 13:00

- Diane Kramer (08:25,
 - Member Ka'imulua (09:15,
 - Member Mahoney (10:15,
 - Member Haumea (11:00,
 - Vice-Chair Blakemore (11:20,
 - Motion and vote at 12:15
- Applicant provided genealogical information and description of burial sites.

MOTION: To recognize Diane Kramer as a lineal descendant
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Haumea
VOTE: Motion carried unanimously

- B. Descendancy Recognition Application of Renee L. Eisert to the Native Hawaiian Skeletal Remains of Kuilei Kamoe, Samuel William Kamoe, and Leilani Pancy Kamahale, Located in Maku'u Ahupua'a, Puna District, Island of Hawai'i, TMK: (3) 1-5-010:009. Information/Discussion/Determination:** Discussion and determination whether to recognize the applicant as a lineal descendant to the Native Hawaiian skeletal remains at the above location.

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Summary:

Recording: 13:50 – 16:20

- Renee Eisert (15:10)
- Motion and vote at 15:35

MOTION: To recognize Renee L. Eisert as a lineal descendant
MOVED BY: Member Haumea
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously

- C. Descendancy Recognition Application of Darrell Leslie K. Pakele to the Native Hawaiian Skeletal Remains of Kuilei Kamoe, Samuel William Kamoe, and Leilani Pancy Kamahale, Located in Maku'u Ahupua'a, Puna District, Island of Hawai'i, TMK: (3) 1-5-010:009. Information/Discussion/Determination:** Discussion and determination whether to recognize the applicant as a lineal descendant to the 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:

Recording: 16:40 – 19:50

- Motion and vote at 19:40

MOTION: To recognize Darrell Leslie K. Pakele as a lineal descendant
MOVED BY: Member Haumea
2ND BY: Member Mahoney
VOTE: Motion carried unanimously

D. Descendancy Recognition Application of Patrick K. Marzo to the Native Hawaiian Skeletal Remains of Kuilei Kamoe, Samuel William Kamoe, and Leilani Pancy Kamahale, Located in Maku‘u Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-5-010:009.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a lineal descendant to the 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:

Recording: 20:10 – 28:20

- Patrick Marzo (20:55, 24:25)
- Member Kaponono (21:35)
- Motion (1) at 21:35
- Member Haumea (22:25)
- Vote (1) at 22:50
- Member Kaponono (25:50)
- Motion (2) and vote at 27:35

- Applicant provided genealogical information.

MOTION (1): To combine items IV.D, E, and F (Patrick K. Marzo, Kimo A. Marzo, Tatiana K. Marzo, Roman K. M. Sumagit, and Lilah A. M. Sumagit)
MOVED BY: Member Kaponono
2ND BY: Member Haumea
VOTE: Motion carried unanimously

MOTION (2): To recognize Patrick K. Marzo, Kimo A. Marzo, Tatiana K. Marzo, Roman K. M. Sumagit, and Lilah A. M. Sumagit as lineal descendants
MOVED BY: Member Haumea
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously

- E. Descendancy Recognition Application of Kimo A. Marzo to the Native Hawaiian Skeletal Remains of Kuilei Kamoe, Samuel William Kamoe, and Leilani Pancy Kamahale, Located in Maku‘u Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-5-010:009. Information/Discussion/Determination:** Discussion and determination whether to recognize the applicant as a lineal descendant to the 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:

COMBINED WITH IV.D.

- F. Descendancy Recognition Application of Tatiana K. Marzo, Roman K. M. Sumagit, and Lilah A. M. Sumagit to the Native Hawaiian Skeletal Remains of Kuilei Kamoe, Samuel William Kamoe, and Leilani Pancy Kamahale, Located in Maku‘u Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-5-010:009. Information/Discussion/Determination:** Discussion and determination whether to recognize the applicant as a lineal descendant to the 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:

COMBINED WITH IV.D.

- G. DRAFT Burial Treatment Plan for Burial Site #50-10-45-18987, Located in Maku‘u Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-5-010:009. Information/Discussion/Recommendation:** Recommendation to the State Historic Preservation whether to accept or not accept the above DRAFT Burial Treatment Plan.

Summary:

Recording: 28:30 – 01:51:45

- Glenn Escott (29:20, 47:10, 01:03:00)
 - Member Kapono (32:30, 42:55, 53:40, 01:02:15, 01:18:15)
 - Member Crivello (35:25, 42:30, 46:30, 58:10, 01:12:50, 01:42:25)
 - Maile Albert-Peterson (41:15, 01:34:50)
 - Diane Kramer (45:06, 01:38:10)
 - Chair Kahakalau (50:00, 54:30)
 - Nicole Lui (51:10, 01:04:20)
 - Vice-Chair Blakemore (55:30, 01:32:30)
 - Kea (57:25)
 - Motion at 01:00:10
 - Member Haumea (01:05:25)
 - Member Higa (01:21:55)
 - Motion at 01:30:40 (revised)
 - Vote at 01:51:05
 - *Member Mahoney left at 10:17 A.M.*
 - *Member Haumea left at 10:58 A.M.*
- Discussion on updated information and meeting with descendants; proposed changes including 35 feet permanent buffer with 10 feet no build zone, and a 150 feet vertical clearance at the permanent buffer.

MOTION: To recommend that SHPD accept the Draft BTP with provisions
MOVED BY: Member Crivello
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously (less Member Mahoney and Member Haumea who left prior to the vote)

- H. Update on Burial Sites #50-10-46-21792, -21793, and -21794, Located in Kumukahi, Kula Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-4-002:092.**
Information/Discussion: Update on the above item.

Summary:

ITEM SKIPPED (PETITIONERS DID NOT ATTEND)

- I. Descendancy Recognition Application of Clement K. Kanuha III to Unidentified Native Hawaiian Skeletal Remains Located in Kaunalumalu Ahupua‘a, North Kona District, Island of Hawai‘i, TMK(s): (3) 7-7-004:057, 058.**
Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the 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:

Recording: 01:53:45 – 01:57:25

- Clement Kanuha (01:55:20,
- Motion and vote at 01:56:35

MOTION: To recognize Clement K. Kanuha III as a cultural descendant
MOVED BY: Member Kapono
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously (less Member Mahoney and Member Haumea who left prior to the vote)

J. Descendancy Recognition Application of Jim Medeiros Sr. to Unidentified Native Hawaiian Skeletal Remains Located in Kaunalumalu Ahupua‘a, North Kona District, Island of Hawai‘i, TMK(s): (3) 7-7-004:057, 058.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the 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:

Recording: 01:58:00 – 02:22:00

- Jimmy Medeiros (01:59:30, 02:12:45)
- Member Kapono (02:03:05, 02:15:50)
- Kea (02:03:35)
- Nicole Lui (02:08:35)
- Motion and vote at 02:20:45

MOTION: To recognize Jim Medeiros Sr. as a cultural descendant
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Crivello
VOTE: Motion carried unanimously (less Member Higa, Member Mahoney, and Member Haumea who left prior to the vote)

- Discussion by petitioner on inadvertent discoveries.

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

V. INADVERTENTS/COMMUNICATIONS

A. Update on the Inadvertent Discovery of Human Skeletal Remains in the Royal Ali‘i Subdivision, Kaunalumalu Ahupua‘a, North Kona District, Island of Hawai‘i, TMK(s): (3) 7-7-004:057 and 058.

Notification/Discussion: Update on the above inadvertent discovery.

Summary:

Recording: 02:22:10 – 02:27:55

- Vice-Chair Blakemore (02:22:05)
- Chair Kahakalau (02:23:55)
- Kea (02:25:20)

- Discussion on a possible site visit.

B. Letter from Vassar College, Office of the Dean of the Faculty, dated March 28, 2022, RE: Native American Graves Protection and Repatriation Act Consultation.

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

Summary:

Recording: 02:28:10 – 02:29:00

- Kea (02:28:25)

VI. ANNOUNCEMENTS

A. The Next HIBC Meeting is Thursday, May 19, 2022, 9:30 A.M., Division of Forestry and Wildlife Conference Room, 19 E. Kāwili Street, Hilo, HI 96720 AND Online via Zoom.

VII. ADJOURNMENT

A. Meeting adjourns at 12:14 P.M.

*****THE ABOVE MINUTES WERE APPROVED AT THE 07/21/2022 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.

Interested persons can submit written testimony in advance of each meeting that will be distributed to Burial Council Members prior to the meeting. Submit written testimony to Jordan.V.Calpito@Hawaii.gov or via postal mail to the Hawai'i Island Burial Council at 40 Po'okela St., Hilo, HI 96720. Written testimony that is received later than 24-hours prior to the

meeting will be retained as part of the record and distributed to the Burial Council Members as soon as practicable, but we cannot ensure that the Council members will receive it with sufficient time for review prior to decision-making.

Materials related to items on the agenda are available for review at the State Historic Preservation Division located at 40 Po'okela St., Hilo, HI 96720.

Individuals requiring special assistance or auxiliary aids or services (e.g., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) at the HIBC meeting, please contact staff at least 72-hours prior to the meeting at (808) 933-7653 so that arrangements can be made.