

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

MINUTES
MAUI ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, September 25, 2024
TIME: 9:30 AM – 11:56 PM
PLACE: Online via Zoom
—AND—
Maui DLNR offices
Conference Room
130 Mahalani Street
Wailuku, HI 96793

This meeting will be held using interactive conference technology under section 92-3.7, Haw. Rev. Stat. (HRS). Board members, staff, applicants, testifiers, and the public can choose to participate in person, online via Zoom, or by telephone.

To Attend/Provide Testimony Remotely:

<https://hawaii.zoom.us/j/98439260291>
Meeting ID: 984 3926 0291
Passcode: 462195

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

MLIBC Members: Present:
Chair Dr. Scott Fisher (LLO), *In-person*
Vice-Chair Vernon Kalanikau (Honua'ula), *In-person*
Member Michelle Ho'opi'i (Wailuku), *In-person*
Member Iris Pe'elua (LLO), *In-person*
Member Diane Preza (Lana'i), *Zoom*
Everett Dowling (LLO), *In-person*

SHPD Staff:
Leinoa Kong, Burial Sites Specialist
Andrew (Kealana) Philips, Burial Sites Specialist
Christopher (Ikaika) Nakahashi, Cultural Historian

Guests:
Anna Duvall (FEMA.), *In-person*
Amanda Calhoun (FEMA), *In-person*
Ke'eaumoku Kapu (Na 'Aikane), *Zoom*
Noelani Paresa, *Zoom*

Jocelyn Costa, *Zoom*
Kaniloa Kamaunu
Ka'onohi Lee, *In-person*
Nick Belluzo, *In-person*
Derek Mar, *In-person*
Foster Ampong, *In-person*
Janet Six, *In-person*
Kapono'ai Molitau, *In-person*

I. CALL TO ORDER

Chair Scott Fisher calls to order the meeting at 9:35 A.M.

II. ROLL CALL/PULE

Vice Chair Vernon Kalanikau conducts pule.

III. MINUTES

A. Approval of the Minutes for May 22, 2024, and August 28, 2024.

Summary:

Recording: 00:34 – 02:01

- *Motion and vote made at 00:58*
- *Motion and vote made at 01:58*

IV. BUSINESS

A. **Descendancy Claim Application of Kamaile Willette Kimokeo to unidentified burials located at Loko o Mokuhinia, Ahupua'a of Paunau, Moku of Lahaina, island of Maui TMK: (2) 4-6-007:001,002,0036,0037,0038.**

Information/Discussion/Determination: Discussion and determination on the applicant's descendancy recognition application to 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 the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the 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: 02:04 – 05:18

- Leinoa Kong (SHPD) 03:00 – 03:49

- *Motion (1) for approval and vote 04:51*
- *Motion (2) and vote 04:54*
- *Motion and vote made at recording 05:16*

MOTION: To recognize the applicant as a lineal descendant
MOVED BY: Member Vernon Kalanikau
2ND BY: Member Iris Pe‘elua
VOTE: Motion carried unanimously

B. Descendancy Claim Application of Kamaile Willette Kimokeo to unidentified burials located at 611 Front Street, Ahupua‘a of Paunau, Moku of Lahaina, island of Maui TMK: (2) 4-6-002:014.

Information/Discussion/Determination: Discussion and determination on the applicant’s descendancy recognition application to 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 the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the 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: 0:05:20 – 0:08:03

- Kealana Philips (SHPD) 0:05:47- 0:06:35
- *Motion (1) and vote 0:07:22*
- *Motion (2) and vote 0:07:26*

MOTION: To recognize the applicant as a lineal descendant
MOVED BY: Member Everett Dowling
2ND BY: Member Iris Pe‘elua
VOTE: Motion carried unanimously

C. Update A. Discussion on Necessity of Previously Recognized Lineal Descendants to an Ahupua‘a to reapply for Newly Discovered Iwi Within Aforementioned Ahupua‘a as Cultural Descendants.

Information/Discussion: Discussion and presentation on the above item by Kaniloa Kamaunu.

Summary:

Recording: 0:21:14 – 0:52:50

- Scott Fisher (Chair) 0:22:11
- Kaniloa Kamaunu 0:23:21
- Iris Pe‘elua (council member) 0:27:53
- Foster Ampong 0:36:08
- Ka‘onohi Lee 0:42:55
- Noelani Paresa 0:45:23

- Jocelyn Costa 0:48:50

D. Inadvertent Discovery of Human Skeletal Remains at Fleming Road. Reported to the Maui Office of the Historic Preservation Division on August 29, 2024, Ahupua‘a of Wahikuli, District of Lahaina, Island of Maui.

Information/Discussion/Recommendation: Discussion about above find.

Summary:

Recording: 0:53:02 – 0:33:00

- Nick Belluzo (ASM affiliates) 0:54:29- 1:03:00
- Foster Ampong 1:04:36- 1:07:03
- Kapono‘ai Molitau 1:07:18- 1:18:00
- Noelani Paresa 1:18:10- 1:19:41
- Ke‘eaumoku Kapu 1:19:54- 1:25:07
- Derek Mar (Dawson) 1:26:32-
- Janet Six 1:27:10- 1:37:01
- Foster 1:37:05- 1:38:23
- Anna Duval 1:38:23- 1:39:30
- Amanda Calhoun 1:39:48- 1:40:50
- Jocelyn Costa 1:40:57- 1:42:05
- Foster Ampong 1:42:06- 1:45:54

E. Discussion on the Topic of Inadvertent Discoveries

Information/Discussion: Discussion on the above item.

Summary:

Recording: 1:46:54 – 1:59:56

- Kaniloa Kamaunu 1:46:54- 1:59:56

V. ANNOUNCEMENTS

A. The Next HIBC Meeting is Wednesday, October 16, 2024, 9:00 A.M.

VI. ADJOURNMENT

Meeting adjourns at 11:56 P.M. (2:01:25)

To Provide Written Testimony:

We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Board members prior to the meeting and allow a timely review. Please submit written testimony via email to: Leinoa.kong@hawaii.gov. Written testimonies can also be mailed to: 130 Mahalani Street, Wailuku, HI 96793. Written testimonies may be posted upon the MLIBC meeting website; as a precaution, please be mindful with any personal information prior to submitting unless you intend it to be shared. Late written testimony will be retained as part of the record and distributed to MLIBC members as soon as practicable, but we cannot ensure the MLIBC will receive it in sufficient time to review, prior to decision-making.

To Provide In-Person Oral Testimony

Attend in-person at: 130 Mahalani Street, Wailuku HI 96793.

To Provide Testimony by Telephone:

On the day of the meeting at the start of the agenda item you wish to testify on, dial +1 669 900 6833 (Zoom); input the meeting ID: 924 3738 5756 Passcode: 963499 and follow the prompts.

To Provide Video/Zoom Testimony:

Please send your request in a timely manner to: Leinoa.kong@hawaii.gov with your information, email address, and the agenda item you wish to testify on. Once your request has been received, you will receive a confirmation email with pertinent information. You may testify without signing up in advance.

We kindly ask that all oral/video testimony be limited to not more than three (3) minutes. We ask that you identify yourself and any affiliation before speaking, but you can choose not to do so.

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.

The HIBC may go into Executive Session pursuant to section 92-5(a)(4), HRS, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

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 Leinoa.Kong@Hawaii.gov or via postal mail to the Maui, Lāna'i Island Burial Council at 130 Mahalani St., Wailuku, HI 96793. 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 130 Mahalani St., Wailuku, HI 96793.

If you need an auxiliary aid/service or other accommodation due to a disability, please contact, Burial Sites Specialist, at (808) 652-1510 or leinoa.kong@hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this agenda and other materials are available in alternate/accessible formats.

Inadvertent Discovery of Human Skeletal Remains at Fleming Road

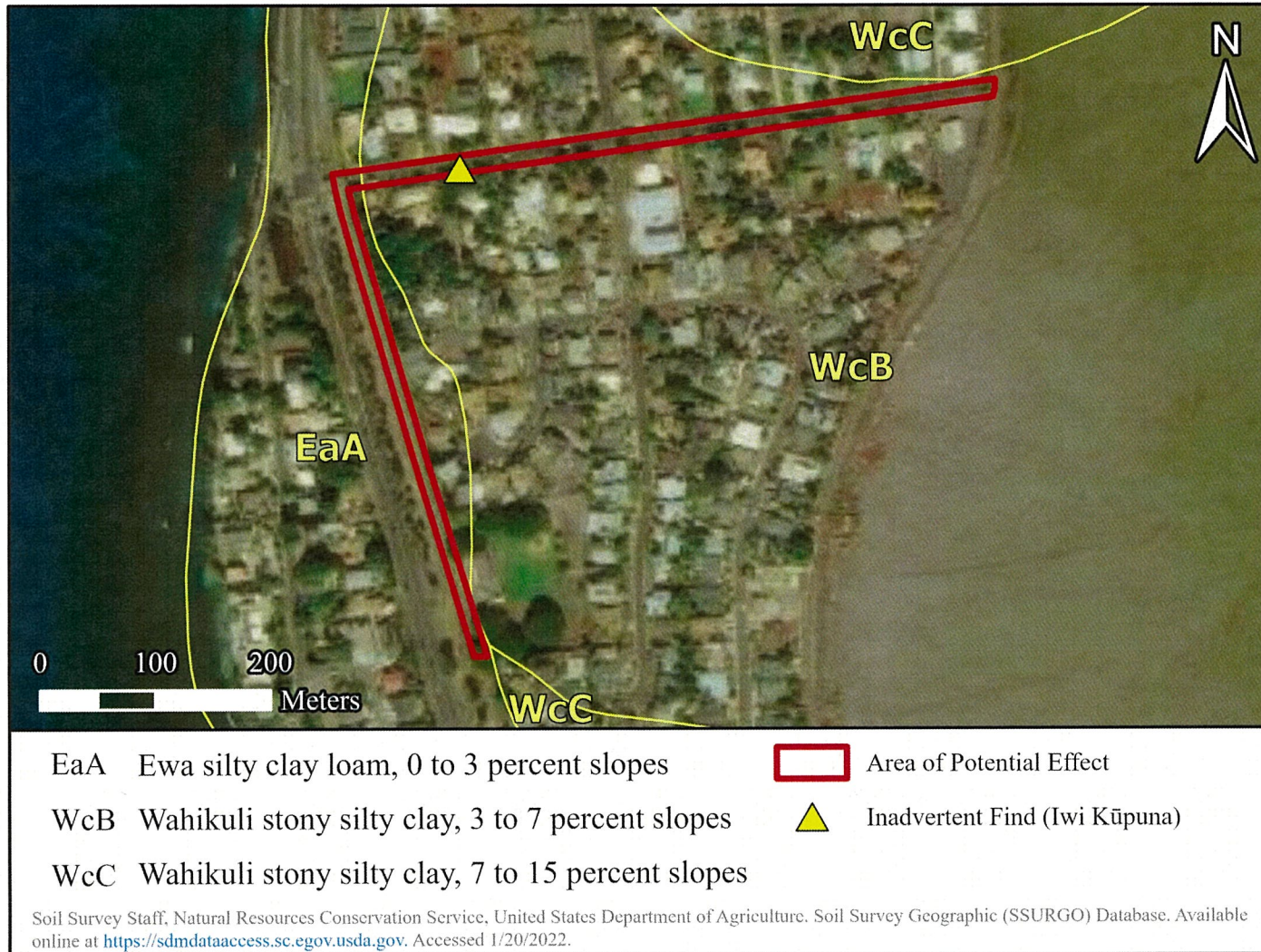
Maui Lānaʻi Islands Burial Council Meeting
September 25, 2024

Nick Belluzzo, M.A. – Director and Senior Archaeologist



Area of Potential Effect (APE)





Soils within APE

Not an accurate representation. For illustration purposes only.

Proposed Sewer Line
Existing Water Line

1462

115

96

110

1476

120

124





Data source: ASM Affiliates; Basemap source: Resource Mapping Hawaii

- August 29, 2024

- Potential iwi kūpuna (*human remains*) identified during spot screening of southern lateral excavation
- PI notified USACE of the potential find
- Cultural Surveys Hawai'i Osteologist responded and positively identified the presence of iwi kūpuna
- PI notified Maui Police and confirmed with USACE
- USACE notified FEMA who notified SHPD
- A buffer was established and all excavated material was screened, with additional iwi identified, largely fragmentary
- At the end of the day, iwi kūpuna placed back in trench and covered with a steel plate per SHPD

- August 30, 2024

- PI notified that, as a result of the remnants of Hurricane Gilma, the trench was flooded and overflowing down the street
- PI instructed staff to remove the lauhala basket containing the iwi kūpuna to protect it from imminent harm (HAR §13-300-40[k])
- Re-housed in temporary curation at the nearby DAWSON trailer on the temporary housing site in a secure, locked location
- Met on-site with SHPD burial sites specialist
- SHPD approved on-site temporary curation at the DAWSON trailer in a secure, locked cabinet

- September 3, 2024

- PI submits formal notification and treatment recommendations to USACE for furtherance to FEMA and SHPD

- September 10, 2024

- Iwi kūpuna were collected by SHPD Burial Specialist for temporary curation at Maui SHPD office

