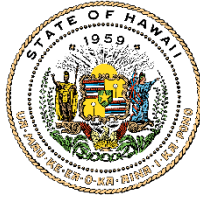


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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RYAN K.P. KANAKA'OLE
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CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

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

DRAFT MINUTES
KAUA'I / NI'IHAU ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, November 20, 2024
TIME: 9:00 AM
PLACE: Online via Zoom
—AND—
Lihu'e State Office Building
3rd Floor Conference Room
3060 'Eiwa Street
Lihu'e, HI 96766

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 at +1 699 444 9171.

To Attend/Provide Testimony via Zoom:

<https://us06web.zoom.us/j/81230554142?pwd=ICk1BKSUWQK2ww2E1r3QsVKC6JnaEga.1>

Meeting ID: 812 3055 4142
Passcode: 3WnipG

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

KNIBC Members: **Present:**
Vice Chair Carol Lovell (Kawaihau)
Member Barbara Say (Hanalei)
Member Wayne Harada (Napali)
Member Janet Kahalekai (Lihue)
Member Bruce Robinson (Niihau)

SHPD Staff: Regina Hilo, Burial Sites Specialist
Kea Calpito, Acting History & Culture Branch Chief

Guests: Roslyn Cummings, Zoom
Megan Wong, Zoom
Kona Wong, Zoom
Pa'ula Chandler, Zoom
Stephanie Thompson, Zoom

Sean Chun, *Zoom*
Kaliko Santos, *Zoom*
Nakaielua Villatora, *Zoom*
Leilani Kalilimoku Kaleiohi, *Zoom*
Kiele & Pualoke Harada, *Zoom*

I. CALL TO ORDER

Vice Chair Lovell calls to order the meeting at 09:04 A.M.

II. ROLL CALL/PULE

Wayne Harada, Bruce Robinson, Carol Lovell, Janet Kahalekai, Barbara Say

III. ELECTION OF A CHAIR AND VICE-CHAIR

Summary:

Recording: 00:19-01:28

- *Motion and vote made at 01:09*

MOTION: To accept the nominations of Carol Lovell as Vice Chair and Janet Kahalekai as Chairperson.

MOVED BY: Carol Lovell

2nd BY: Barbara Say

VOTE: Motion carried unanimously

IV. MINUTES

A. Approval of the Minutes for November 16, 2022.

Summary:

Recording: 01:28-02:15

- *Motion and vote made at 02:02*

MOTION: To accept the for November 16, 2022, minutes.

MOVED BY: Carol Lovell

2nd BY: Barbara Say

VOTE: Motion carried unanimously

V. BUSINESS

A. Discussion on Kauai Niihau Island Burial Council Membership, Roles, and Responsibilities.
Information/Discussion: Discussion on the above item.

Recording: 02:17 – 02:28

- *No discussion.*

VI. INADVERTENTS/COMMUNICATIONS

A. Inadvertent Discovery of Unidentified Human Skeletal Remains, SIHP #50-30-02-02535, 02536, and 02540, Encountered During Monitored Septic Tank and Leach Field System Upgrades at 4400 Oneone Road, Wainiha Ahupua‘a, Halele‘a District, Island of Kaua‘i, TMK: (4) 5-8-008:034.

Notification/Discussion: Notification and discussion on the above inadvertent discovery.

Recording: 03:01 – 28:55

- Member Kahalekai (07:10)
 - Member Robinson (08:20)
 - Megan Wong (08:55)
 - Kona Wong (17:11)
 - Member Kahalekai (18:54)
 - Member Say (19:14)
 - Roslyn Cummings (23:38)
 - Pa'ula Chandler (27:05)
 - Nakaielua Villatora (48:22)
 - Leilani Kalilimoku (54:50)
 - Member Harada (59:36)
- Ms. Wong discussed background on the inadvertent discovery; additional members of the public express their concerns with the project.

VII. ANNOUNCEMENTS

A. The Next KNIBC Meeting is Thursday, December 18, 2024, 9:00 A.M., at the Lihu‘e State Office Building, 3rd Floor Conference Room, 3060 ‘Eiwa Street, Lihu‘e, HI 96766.

Recording: 1:01:27 – 02:18:29

- Member Harada (01:01:52)
- Member Say (01:31:42)
- Member Lovell (01:32:01)
- Member Harada (01:31:20)
- Member Say (01:32:23)
- Member Lovell (01:34:12)
- Member Harada (01:38:36)
- Chief Calpito (01:39:22)
- Member Harada (01:40:23)
- Pa'ula Chandler (01:52:16)
- Member Kahalekai (01:56:03)
- Chief Calpito (01:57:38)
- Member Lovell (01:58:23)
- Member Kahalekai (02:00:34)
- Member Robinson (02:05:27)
- Leilani Kalilimoku (02:12:43)

- Member Harada asks for SHPD to update the website regarding the disposition of the current KNIBC members, a projector and speaker for zoom as well as a shared drive to access documents securely. Adding, the need for clarifying the districts and the member appointments to reflect the geographic areas. Recently he was told he was unable to serve and wanted clarification on his term limits and questioned the burial sites specialist or an internal issue. Regina Hilo clarified it was internal and SHPD was reorganized. The members also shared their concerns regarding the SHPD and its support for KNIBC. Member Harada asks if applications are sent to Kauanoe and is it her decision to review the applications. Certain applications are processed, and some are not. I feel it has not left her desk and certain applications are processed and not. The main applicant I know of Roslyn Cummings applications never made it through processing. Kea Calpito clarified the processing of the applications for SHPD and quorum changes in holding meetings. Harada continues he was told by the Kauai burial sites specialist that I was not confirmed for service as I knew I was a holdover. Regina clarifies, Harada was confirmed by Senate however waiting for the oath of office. Feeling like the burial sites specialists was intentionally not allowing us to meet. Member Lovell emphasizes that we need support to be fully operational, we cannot do it alone. Regina adds that the list of descendants is updated and given to the KNIBC to reach out to them. Calpito also describes the process of SHPD and if more information is needed the applicant can go to the KNIBC for decision to recognize the applicant. At least they have the opportunity to present to KNIBC for recognition. Meetings can be held without unanticipated lack of quorum however no votes with members unable to deliberate on burial items and only can take public testimony. Harada asks if the quorum can be based on the total amount of members and not just the appointed members. Member Lovell asks where the inadvertent list is, we have not met in two years. This month we only have one item. Calpito suggested that a list will be provided in the meantime the council members can provide any questions of lists of inadvertent discoveries that were made directly to them.

Meeting adjourns at 11:40 A.M.

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: kauanoe.m.hoomanawanui@hawaii.gov. Written testimonies can also be mailed to: P.O. Box 1729, Lihu'e, HI 96766. Written testimonies may be posted upon the KNIBC 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 KNIBC members as soon as practicable, but we cannot ensure the KNIBC will receive it in sufficient time to review, prior to decision-making.

To Provide In-Person Oral Testimony (masks are highly encouraged):

Attend in-person at: Lihu'e State Office Building, 3rd Floor Conference Room, 3060 'Eiwa Street, Lihu'e, HI 96766.

To Provide Testimony by Telephone:

On the day of the meeting at the start of the agenda item you wish to testify on, dial +1 669 444 9171 (Zoom); input the meeting ID and passcode and follow the prompts.

To Provide Video/Zoom Testimony:

Please send your request in a timely manner to: kauanoe.m.hoomanawanui@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.

The KNIBC 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.

DRAFT