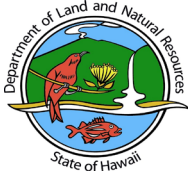


DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**MAUI / LĀNA'I ISLANDS BURIAL COUNCIL  
MEETING MINUTES**

DATE: May 15<sup>th</sup>, 2019  
TIME: 9:00 AM  
PLACE: County of Maui, Planning Commission  
Conference Room  
Kalana Paku'i Building, 1<sup>st</sup> Floor  
250 S. High Street  
Wailuku, Maui HI 96793

**I. CALL TO ORDER**

**May 15, 2019 MLIBC (1 of 6): 00:00:04**

The Burial Council Vice-Chair Dane Maxwell called the meeting to order at 9:05 AM

**II. ROLL CALL/ATTENDANCE:**

**May 15, 2019 MLIBC (1 of 6): 00:00:12**

Members: Dane Maxwell, Vice Chair, Lāhainā Representative  
Johana Kamaunu, Wailuku Representative  
Kaheleonalani Dukelow, Honua'ula Representative  
Kalani Ho-Nikaido, Large Landowner Representative  
Leiane Paci, Large Landowner Representative  
Scott Fisher, Large Landowner Representative

Absent: Kapulani Antonio, Chair, Makawao Representative; excused

SHPD Staff: Ikaika Nakahashi, Cultural Historian, History and Culture branch

Guests: Antonette Marie Dizon  
Cameron Haugney, AES Distributed Energy  
Cameron Mahealani Ahia  
Clare Apana/ Mālama Kakanilua  
Foster Ampong  
Greyg Emil Napahi Dizon  
Josie Yucha, Cultural Surveys Hawai'i  
Iris Peelua, Homes by Towne  
Jennifer Noelani Ahia  
Kahala Irving Andrew Johnson  
Kalani Kapu

Kamana Ng  
Kaniloa Kamaunu, ‘Aha Moku o Maui Inc./ Kuleana  
Keahinuinakeakua Kari-Ann Keaka Johnson  
Ke‘eaumoku Kapu, ‘Aha Moku o Maui Inc.  
M. Pualani Kamaunu Basbas  
Marcus Ohlhesier, Homes by Towne  
Michael C. Carrol, Bays, Lung, Rose, Holma, Attorneys at Law  
Nick Molinari, AES Distributed Energy  
Noelani Paresa  
Trevor Yucha, Cultural Surveys Hawai‘i  
Sandra-lene Kealoha-Apolo  
Vernon Kalanikau  
Victor Raglama, Homes by Towne

### III. APPROVAL OF MINUTES

- **May 15, 2019 MLIBC (1 of 6): 00:02:42**
- *Deferred, as the minutes are incomplete*
- ~~A. Minutes from March 6, 2019~~
- ~~B. Minutes from April 17, 2019~~

### IV. BUSINESS

- *[Agenda Item O. was addressed first]*
- **May 15, 2019 MLIBC (2 of 6): 00:30:20**
- A. **Cultural Descendancy Recognition of Jennifer Noelani Ahia to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**  
**Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- **May 15, 2019 MLIBC (2 of 6): 00:30:59**
- Jennifer Noelani Ahia address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:33:53**
- Cameron Mahealani Ahia address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:45:03**
- Scott Fisher – How does SHPD define district for cultural descendancy recognition?
- **May 15, 2019 MLIBC (2 of 6): 00:45:32**
- Scott Fisher – Could the MLIBC get the Attorney General to make a determination about if district is the translation of moku or ahupua‘a for cultural descendancy recognition?
- **May 15, 2019 MLIBC (2 of 6): 00:48:37**
- Ikaika Nakahashi – SHPD does not have a recommendation for descendancy recognition of Jennifer Noelani Ahia for this agenda item at this time.
- **May 15, 2019 MLIBC (2 of 6): 00:50:14**
- Kaheleonalani Dukelow – Was it because of time constraints that there are some descendancy recognitions without SHPD recommendations today?
- **May 15, 2019 MLIBC (2 of 6): 00:51:12**

- Kaheleonalani Dukelow – Does SHPD have a descendency determination for agenda item A, B, C, or D?
- **May 15, 2019 MLIBC (3 of 6): 00:00:01**
- Continuation of MLIBC meeting
- **May 15, 2019 MLIBC (3 of 6): 00:01:05**
- **Council Member Kaheleonalani Dukelow make a motion the MLIBC accept the cultural descendency recognition for Jennifer Noelani Ahia to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (3 of 6): 00:01:38**
- **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 1 NAY [Leiane Paci], 0 ABSTAINING, 0 RECUSING**
- **MOTION CARRIES**
- See attached written testimony from Leinā‘ala Kuloloio Vedder
  
- **May 15, 2019 MLIBC (3 of 6): 00:04:48**
- B. Cultural Descendency Recognition of Jennifer Noelani Ahia to Unidentified Human Skeletal Remains, at Maui Lani Phase 8, Wailuku Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-007:151**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location. Requirements
  
- **May 15, 2019 MLIBC (3 of 6): 00:05:08**
- Ikaika Nakahashi – SHPD recommends that the MLIBC waits for SHPD’s recommendation before giving descendency recognition.
- **May 15, 2019 MLIBC (3 of 6): 00:06:57**
- Jennifer Noelani Ahia address the Council
- **May 15, 2019 MLIBC (3 of 6): 00:08:24**
- **Council Member Kaheleonalani Dukelow make a motion that the council recognize Jennifer Noelani Ahia to Unidentified Human Skeletal Remains, at Maui Lani Phase 8, Wailuku Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-007:151.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (3 of 6): 00:09:08**
- **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 1 NAY [Leiane Paci], 0 ABSTAINING, 0 RECUSING**
- **MOTION CARRIES**
- See attached written testimony from Leinā‘ala Kuloloio Vedder
  
- **May 15, 2019 MLIBC (3 of 6): 00:03:49**
- C. Cultural Descendency Recognition of Cameron Mahealani Ahia to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
  
- **May 15, 2019 MLIBC (3 of 6): 00:03:49**

- Council Member Kaheleonalani Dukelow make a motion that the council recognize Cameron Mahealani Ahia to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.
  - Council Member Scott Fisher seconded the motion
  - May 15, 2019 MLIBC (3 of 6): 00:04:19
  - VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 1 NAY [Leiane Paci], 0 ABSTAINING, 0 RECUSING
  - MOTION CARRIES
  - See attached written testimony from Leina'ala Kuloloio Vedder
- May 15, 2019 MLIBC (3 of 6): 00:09:15
- D. Cultural Descendancy Recognition of Cameron Mahealani Ahia to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- May 15, 2019 MLIBC (3 of 6): 00:09:15
  - Council Member Kaheleonalani Dukelow make a motion that the council recognize Cameron Mahealani Ahia to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153.
  - Council Member Scott Fisher seconded the motion
  - May 15, 2019 MLIBC (3 of 6): 00:10:55
  - VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 0 NAY, 0 ABSTAINING, 1 RECUSING [Leiane Paci]
  - MOTION CARRIES
  - See attached written testimony from Leina'ala Kuloloio Vedder
- May 15, 2019 MLIBC (3 of 6): 00:11:25
- E. Cultural Descendancy Recognition of Laura Gail Johnson to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- May 15, 2019 MLIBC (3 of 6): 00:12:57
  - Kahala Irving Andrew Johnson address the Council
  - May 15, 2019 MLIBC (3 of 6): 00:13:08
  - Keahinuinakeakua Kari-Ann Keaka Johnson address the Council
  - May 15, 2019 MLIBC (3 of 6): 00:14:13
  - Laura Gail Johnson address the Council
  - May 15, 2019 MLIBC (3 of 6): 00:18:55
  - Kahala Irving Andrew Johnson address the Council
  - May 15, 2019 MLIBC (3 of 6): 00:24:02

- Kaniloa Kamaunu address the Council
  - **May 15, 2019 MLIBC (3 of 6): 00:28:08**
  - M. Pualani Kamaunu Basbas address the Council
  - **May 15, 2019 MLIBC (3 of 6): 00:33:30**
  - Clare Apana address the Council
  - **May 15, 2019 MLIBC (3 of 6): 00:35:43**
  - Ikaika Nakahashi – SHPD recommends that the MLIBC recognize Laura Gail Johnson as a cultural descendant to the above unidentified human skeletal remains.
  - **May 15, 2019 MLIBC (3 of 6): 00:36:38**
  - **Council Member Kaheleonalani Dukelow make a motion that the council recognize Laura Gail Johnson to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.**
  - **Council Member Scott Fisher seconded the motion**
  - **May 15, 2019 MLIBC (3 of 6): 00:36:50**
  - Leiane Paci – Asked if SHPD made a determination that the remains are Native Hawaiian?
  - **May 15, 2019 MLIBC (3 of 6): 00:37:18**
  - **VOTE: 6 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Leiane Paci, Scott Fisher], 0 NAY, 0 ABSTAINING, 0 RECUSING**
  - **MOTION CARRIES**
  - See attached written testimony from Leina'ala Kuloloio Vedder
- **May 15, 2019 MLIBC (3 of 6): 00:40:11**
- F. Cultural Descendancy Recognition of Laura Gail Johnson to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- **May 15, 2019 MLIBC (3 of 6): 00:40:53**
  - Ikaika Nakahashi – SHPD does not have a recommendation for descendancy recognition of Laura Gail Johnson for this agenda item at this time
  - **May 15, 2019 MLIBC (3 of 6): 00:41:44**
  - **Council Member Kaheleonalani Dukelow make a motion that the council recognize Laura Gail Johnson to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153.**
  - **Council Member Scott Fisher seconded the motion**
  - **May 15, 2019 MLIBC (3 of 6): 00:42:21**
  - **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 0 NAY, 0 ABSTAINING, 1 RECUSING [Leiane Paci]**
  - **MOTION CARRIES**
  - See attached written testimony from Leina'ala Kuloloio Vedder
- **May 15, 2019 MLIBC (3 of 6): 00:37:23**

**G. Cultural Descendancy Recognition of Lanwood Johnathan Aperto to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**

**Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.

- **May 15, 2019 MLIBC (3 of 6): 00:37:23**
- **Council Member Kaheleonalani Dukelow make a motion that the council recognize Lanwood Johnathan Aperto to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (3 of 6): 00:38:01**
- **Ikaika Nakahashi – SHPD recommends that the MLIBC recognize Lanwood Johnathan Aperto as a cultural descendant to the above unidentified human skeletal remains.**
- **May 15, 2019 MLIBC (3 of 6): 00:39:19**
- **VOTE: 6 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Leiane Paci, Scott Fisher], 0 NAY, 0 ABSTAINING, 0 RECUSING**
- **MOTION CARRIES**
- **See attached written testimony from Leina'ala Kuloloio Vedder**

- **May 15, 2019 MLIBC (3 of 6): 00:42:39**

**H. Cultural Descendancy Recognition of Lanwood Johnathan Aperto to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153**

**Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.

- **May 15, 2019 MLIBC (3 of 6): 00:42:39**
- **Council Member Kaheleonalani Dukelow make a motion that the council recognize Lanwood Johnathan Aperto to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (3 of 6): 00:43:16**
- **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 0 NAY, 0 ABSTAINING, 1 [Leiane Paci] RECUSING**
- **MOTION CARRIES**
- **See attached written testimony from Leina'ala Kuloloio Vedder**

- **May 15, 2019 MLIBC (3 of 6): 00:38:22**

**I. Cultural Descendancy Recognition of Kahala Irving Andrew Johnson to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**

**Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.

- **May 15, 2019 MLIBC (3 of 6): 00:38:22**
- Ikaika Nakahashi – SHPD recommends that the MLIBC recognize Kahala Irving Andrew Johnson as a cultural descendant to the above unidentified human skeletal remains.
- **May 15, 2019 MLIBC (3 of 6): 00:39:28**
- **Council Member Kaheleonalani Dukelow make a motion that the council recognize Kahala Irving Andrew Johnson to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (3 of 6): 00:39:40**
- **VOTE: 6 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Leiane Paci, Scott Fisher], 0 NAY, 0 ABSTAINING, 0 RECUSING**
- **MOTION CARRIES**
- See attached written testimony from Leinā‘ala Kuloloio Vedder

- **May 15, 2019 MLIBC (3 of 6): 00:43:21**

**J. Cultural Descendancy Recognition of Kalaha Irving Andrew Johnson to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Phase 8, and Phase 9, Wailuku Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153**

**Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.

- **May 15, 2019 MLIBC (3 of 6): 00:43:21**
- **Council Member Kaheleonalani Dukelow make a motion that the council recognize Kalaha Irving Andrew Johnson to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Phase 8, and Phase 9, Wailuku Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (3 of 6): 00:43:44**
- **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 0 NAY, 0 ABSTAINING, 1 [Leiane Paci] RECUSING**
- **MOTION CARRIES**
- See attached written testimony from Leinā‘ala Kuloloio Vedder

- **May 15, 2019 MLIBC (3 of 6): 00:38:38**

**K. Cultural Descendancy Recognition of Keahinuinakeakua Kari-Ann Keaka Johnson to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**

**Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.

- **May 15, 2019 MLIBC (3 of 6): 00:38:45**

- Ikaika Nakahashi – SHPD recommends that the MLIBC recognize Keahinuinaekua Kari-Ann Keaka Johnson as a cultural descendant to the above unidentified human skeletal remains.
  - **May 15, 2019 MLIBC (3 of 6): 00:39:48**
  - **Council Member Kaheleonalani Dukelow make a motion that the council recognize Keahinuinaekua Kari-Ann Keaka Johnson to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.**
  - **Council Member Scott Fisher seconded the motion**
  - **May 15, 2019 MLIBC (3 of 6): 00:40:04**
  - **VOTE: 6 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Leiane Paci, Scott Fisher], 0 NAY, 0 ABSTAINING, 0 RECUSING**
  - **MOTION CARRIES**
  - See attached written testimony from Leina‘ala Kuloloio Vedder
- **May 15, 2019 MLIBC (3 of 6): 00:43:52**
- L. Cultural Descendancy Recognition of Keahinuinaekua Kari-Ann Keaka Johnson to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- **May 15, 2019 MLIBC (3 of 6): 00:43:52**
  - **Council Member Kaheleonalani Dukelow make a motion that the council recognize Keahinuinaekua Kari-Ann Keaka Johnson to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4, Maui Lani Phase 8, and Maui Lani Phase 9, Wailuku Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099, (2) 3-8-007:151, and (2) 3-8-07:153.**
  - **Council Member Scott Fisher seconded the motion**
  - **May 15, 2019 MLIBC (3 of 6): 00:44:18**
  - **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 0 NAY, 0 ABSTAINING, 1 [Leiane Paci] RECUSING**
  - **MOTION CARRIES**
  - See attached written testimony from Leina‘ala Kuloloio Vedder
- **May 15, 2019 MLIBC (3 of 6): 00:44:35**
- M. Cultural Descendancy Recognition of Noelani Paresa to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe‘e Ahupua‘a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- **May 15, 2019 MLIBC (3 of 6): 00:44:44**
  - Noelani Paresa address the Council
  - **May 15, 2019 MLIBC (3 of 6): 00:54:40**
  - Ikaika Nakahashi – SHPD recommends that the MLIBC recognize Noelani Paresa as a cultural descendant to the above unidentified human skeletal remains.



- **May 15, 2019 MLIBC (3 of 6): 00:55:45**
  - **Council Member Kaheleonalani Dukelow make a motion that the council recognize Noelani Paresa to Unidentified Human Skeletal Remains, at 32 Akumu Way, Waihe'e Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-2-010:017.**
  - **Council Member Scott Fisher seconded the motion**
  - **May 15, 2019 MLIBC (3 of 6): 00:55:57**
  - **VOTE: 6 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Leiane Paci, Scott Fisher], 0 NAY, 0 ABSTAINING, 0 RECUSING**
  - **MOTION CARRIES**
  - See attached written testimony from Leina'ala Kuloloio Vedder
- **May 15, 2019 MLIBC (3 of 6): 00:56:07**
- N. Cultural Descendancy Recognition of Noelani Paresa to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4 and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099 and (2) 3-8-07:153**
- Discussion/Determination:** Discussion and determination whether to recognize the above individual as a cultural descendant to unidentified human skeletal remains at the above location.
- **May 15, 2019 MLIBC (3 of 6): 00:56:17**
  - Ikaika Nakahashi – SHPD does not have a recommendation for descendancy recognition of Noelani Paresa for this agenda item at this time.
  - **May 15, 2019 MLIBC (3 of 6): 00:56:21**
  - **Council Member Kaheleonalani Dukelow make a motion that the council recognize Noelani Paresa to Unidentified Human Skeletal Remains, at Maui Lani Phase 6, Increment 4 and Maui Lani Phase 9, Wailuku Ahupua'a, Moku of Wailuku, Island of Maui, TMK(s): (2) 3-8-099 and (2) 3-8-07:153.**
  - **Council Member Scott Fisher seconded the motion**
  - **May 15, 2019 MLIBC (3 of 6): 00:57:31**
  - Dane Maxwell – Was the agenda items recommended by the State Attorney General to be lumped together?
  - **May 15, 2019 MLIBC (3 of 6): 00:57:54**
  - Dane Maxwell – Was the agenda item's language from the Chair of the MLIBC?
  - **May 15, 2019 MLIBC (3 of 6): 00:58:03**
  - **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 0 NAY, 0 ABSTAINING, 1 [Leiane Paci] RECUSING**
  - **MOTION CARRIES**
  - See attached written testimony from Leina'ala Kuloloio Vedder
- **May 15, 2019 MLIBC (1 of 6): 00:03:50**
- O. Cultural Maui Lani Subdivision Phase VI, increment 4, Ahupua'a of Wailuku, District of Wailuku, TMK: (2) 3-5-099:225**
- Information/Discussion/Recommendation: Update on the above project
- **May 15, 2019 MLIBC (1 of 6): 00:03:53**
  - Michael C. Carrol address the Council
  - **May 15, 2019 MLIBC (1 of 6): 00:12:07**
  - Reynaldo Nico Fuentes address the Council
  - **May 15, 2019 MLIBC (1 of 6): 00:22:56**

- Kaheleonalani Dukelow – Recommend to SHPD to have someone from HBT here at MLIBC meeting to answer questions about Maui Lani
- **May 15, 2019 MLIBC (1 of 6): 00:23:10**
- Jennifer Noelani Ahia address the Council
- **May 15, 2019 MLIBC (1 of 6): 00:28:01**
- Kaheleonalani Dukelow – Ask SHPD to agree and speak to the previous motions regarding Maui Lani Phase VI. Once MLIBC makes a motion to recognize Maui Lani Phase VI as a burial site, SHPD to determine or recognize that site.
- **May 15, 2019 MLIBC (1 of 6): 00:31:10**
- Kaheleonalani Dukelow – What happens when SHPD makes a recommendation to a landowner, and the landowner disagrees with SHPD?
- **May 15, 2019 MLIBC (1 of 6): 00:32:33**
- Kaheleonalani Dukelow – ask SHPD to designate Maui Lani Phase VI as a burial site. Ask SHPD to designate Maui Lani Phase VI burials found to be previously known by the next MLIBC meeting. Who at Maui Lani Phase VI is making the decisions to continue to develop this concentrated area?
- **May 15, 2019 MLIBC (1 of 6): 00:34:21**
- Council Member Kaheleonalani Dukelow make a motion that the Council requests SHPD to respond to the MLIBC request to designate Maui Lani Phase VI as a burial reserve and burial site by the next MLIBC meeting.
- **(MLIBC did not vote on this motion)**
- **May 15, 2019 MLIBC (1 of 6): 00:35:09**
- **Council Member Kaheleonalani Dukelow make a motion that the Council asking SHPD to respond to the MLIBC previous six motions regarding Maui Lani Phase VI.**
- **(MLIBC did not vote on this motion)**
- **May 15, 2019 MLIBC (1 of 6): 00:36:18**
- Kalani Ho-Nikaido – Has SHPD had any conversations since the January 2019 MLIBC meeting directly with Town to discuss the previous MLIBC motions regarding Maui Lani Phase VI?
- **May 15, 2019 MLIBC (1 of 6): 00:36:32**
- Dane Maxwell – Has SHPD recommend that Maui Lani Phase VI, Increment 4 be a preservation area?
- **May 15, 2019 MLIBC (1 of 6): 00:36:52**
- Kalani Ho-Nikaido – We need to compel SHPD to come back to the MLIBC meeting to come back with a status update of the discussions of Maui Lani Phase VI motions.
- **May 15, 2019 MLIBC (1 of 6): 00:37:22**
- Scott Fisher – Asking for a status update on MLIBC motion made on January 19<sup>th</sup>, 2019.
- **May 15, 2019 MLIBC (1 of 6): 00:39:27**
- Kaheleonalani Dukelow – Question if an area is designated a burial site, then the burials there can be designated as previously identified.
- **May 15, 2019 MLIBC (1 of 6): 00:40:27**
- Dane Maxwell – Do the MLIBC have the AG available?
- **May 15, 2019 MLIBC (1 of 6): 00:40:42**
- Kaheleonalani Dukelow – Challenging the idea that after 185 burial finds, we are continuing to classify further burial finds as inadvertent?
- **May 15, 2019 MLIBC (1 of 6): 00:41:44**
- Scott Fisher – As a matter or practice, SHPD can more comprehensively involve the MLIBC geographic representative from the area for Wailuku or the entire MLIBC. The

MLIBC is asking to involve and give the MLIBC more say on the determination of the preservation areas when there are high concentrations of iwi kupuna. So, that the MLIBC can get feedback. So, there is a dialog between the community, the MLIBC, SHPD, and the landowner.

- **May 15, 2019 MLIBC (1 of 6): 00:43:01**
- **Council Member Kaheleonalani Dukelow make a motion that the Council is asking SHPD to review the previous MLIBC motions from Maui Lani Phase VI, especially as it relates to figuring out what the burial preserve is, including March 6<sup>th</sup> MLIBC motions.**
- **Council Member Scott Fisher seconded the motion**
- **(MLIBC did not vote on this motion)**
- **May 15, 2019 MLIBC (2 of 6): 00:00:01**
- Jennifer Noelani Ahia address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:07:21**
- Foster Ampong address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:12:33**
- Clare Apana address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:16:36**
- Kaniloa Kamaunu address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:19:59**
- Ke‘eaumoku Kapu address the Council
- **May 15, 2019 MLIBC (2 of 6): 00:24:09**
- **Council Member Kaheleonalani Dukelow make a motion that MLIBC request that the SHPD to make a determination regarding the recognition of the March 6<sup>th</sup>, 2019 MLIBC motion (MLIBC recommends the designation of the remainder of Maui Lani Phase VI, Increment 4 to be designated as a burial preserve area, with the designated are to be determined by the Wailuku representatives and cultural descends of the Wailuku ahupua‘a) regarding the Maui Lani Phase VI, Increment 4 as a burial site, burial preserve, or burial complex in accordance with state law.**
- **Council Member Scott Fisher seconded the motion**
- **May 15, 2019 MLIBC (2 of 6): 00:26:05**
- Ke‘eaumoku Kapu address the Council
- **May 15, 2019 MLIBC (2 of 6): Time 00:29:29**
- **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 1 NAY [Leiane Paci], 0 ABSTAINING, 0 RECUSING**
- **MOTION CARRIES**
- *[Agenda Item A. addressed next]*

## **V. SHPD INADVERTENT DISCOVERIES/CORRESPONDENCE**

- **May 15, 2019 MLIBC (4 of 6): 00:00:04**
- A. **Inadvertent Discovery of Human Skeletal Remains at 32 Akumu Way, reported to the Maui Office of the State Historic Preservation Division on April 20, 2019, Ahupua‘a of Waihe‘e, District of Wailuku, TMK: (2) 3-2-010:017**  
**Information/Discussion/Recommendation:** Discussion about the above find.
- **May 15, 2019 MLIBC (4 of 6): 00:01:04**
- Reynaldo Nico Fuentes address the Council
- **May 15, 2019 MLIBC (4 of 6): 00:08:25**

- Kaheleonalani Dukelow – Is it typical for SHPD just to look at a specific parcel when reviewing permits or should they look broader?
  - **May 15, 2019 MLIBC (4 of 6): 00:14:14**
  - Kaheleonalani Dukelow – Since SHPD’s original permit review was an error, will SHPD be providing a more thorough review, before the landowner’s project is allowed to proceed?
  - **May 15, 2019 MLIBC (4 of 6): 00:16:25**
  - Noelani Ahia address the Council
  - **May 15, 2019 MLIBC (4 of 6): 00:18:25**
  - Dane Maxwell – Why did Dr. Susan Lebo review the permit for this project and not Matthew Barker Fariss?
  - **May 15, 2019 MLIBC (4 of 6): 00:19:14**
  - Kaniloa Kamaunu address the Council
  - **May 15, 2019 MLIBC (4 of 6): 00:24:22**
  - Sandra-lene Kealoha-Apolo address the Council
  - **May 15, 2019 MLIBC (4 of 6): 00:27:03**
  - Vernon Kalanikau address the Council
  - **May 15, 2019 MLIBC (4 of 6): 00:29:29**
  - Clare Apana address the Council
  - **May 15, 2019 MLIBC (4 of 6): 00:33:26**
  - **Council Member Scott Fisher make a motion that all work is stopped until the completion of a comprehensive Archaeological Inventory Survey is conducted at 32 Akumu Way, and that erosion prevention steps are taken.**
  - **Council Member Kaheleonalani Dukelow seconded the motion**
  - **May 15, 2019 MLIBC (4 of 6): 00:35:07**
  - **VOTE: 5 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Scott Fisher], 1 NAY [Leiane Paci], 0 ABSTAINING, 0 RECUSING**
  - **MOTION CARRIES**
  - **May 15, 2019 MLIBC (4 of 6): 00:35:56**
  - Kaheleonalani Dukelow – Asks SHPD to provide an explanation of the approval process for these permits.
  - **May 15, 2019 MLIBC (4 of 6): 00:39:58**
- B. E-mail from Ke’eaumoku Kapu dated April 26, 2019 re: The Protection and Preservation of Burials, located at TMK: (2) 4-5-016 parcel 10, Ahupua’a of Paunau, District of Lāhainā, Island of Maui.**
- Information/Discussion:** Discussion about the above item.
- **May 15, 2019 MLIBC (4 of 6): 00:40:39**
  - Ke’eaumoku Kapu address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:00:11**
  - Kamana Ng address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:10:10**
  - Ke’eaumoku Kapu address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:17:39**
  - Greyg Emil Napahi Dizon address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:19:11**
  - Antonette Marie Dizon address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:23:11**

- Kalani Kapu address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:28:30**
  - **Council Member Leiane Paci make a motion that the MLIBC recommend that SHPD accept the testimony presented regarding native Hawaiian burial sites on the azenized property upon confirmation of the location and description of the burial sites.**
  - **Council Member Kalani Ho-Nikaido seconded the motion**
  - **May 15, 2019 MLIBC (5 of 6): 00:30:35**
  - **VOTE: 6 AYES [Dane Maxwell, Johana Kamaunu, Kaheleonalani Dukelow, Kalani Ho-Nikaido, Leiane Paci, Scott Fisher], 0 NAY, 0 ABSTAINING, 0 RECUSING**
  - **MOTION CARRIES**
  - **May 15, 2019 MLIBC (5 of 6): 00:30:53**
  - Ke'eumoku Kapu address the Council
  - **May 15, 2019 MLIBC 5 of 6): 00:32:10**
  - **MLIBC LOST QUORUM** - Council Member Scott Fisher and Kalani Ho-Nikaido departed at 1:45 PM
  - See attached written testimony from Ceridwen Kauikekahi Kamohalii McClellan
- **May 15, 2019 MLIBC (5 of 6): 00:33:10**
- C. AES Kuihelani Solar Plus Storage Project, Ahupua'a of Waikapū, District of Wailuku, Island of Maui, TMK: (2) 3-8-005:002 por. And (2) 3-8-006:003 por.**  
**Information/Discussion:** Discussion about the above project.
- **May 15, 2019 MLIBC (5 of 6): 00:34:08**
  - Nick Molinari, AES Distributed Energy address the Council
  - **May 15, 2019 MLIBC (5 of 6): 00:34:51**
  - Trevor Yucha, Cultural Surveys Hawai'i address the Council
  - **May 15, 2019 MLIBC (6 of 6): 00:00:01**
  - Cameron Haugney, AES Distributed Energy address the Council
  - **May 15, 2019 MLIBC (6 of 6): 00:41:44**
  - Council Member Leiane Paci departed at 2:32 PM
- **May 15, 2019 MLIBC (6 of 6): 00:41:54**
- D. Letter Dated February 14, 2019 from Damon, Key, Leong, Kupchak, Hastert, A Law Corporation re: Maui Lani Partner's Petition for a Contested Case Hearing and Appeal from Burial Council Decision Recognizing Jennifer Noelani Ahia as Cultural Descendent.**  
**Information/Discussion/Recommendation:** Discussion about the above letter.
- **May 15, 2019 MLIBC (6 of 6): 00:42:26**
  - Dane Maxwell – Asked what is the MLIBC limited to discuss because of lack of quorum?
  - **May 15, 2019 MLIBC (6 of 6): 00:42:50**
  - Noelani Ahia address the Council
  - **May 15, 2019 MLIBC (6 of 6): 00:44:12**
  - Clare Apana address the Council
- **May 15, 2019 MLIBC (6 of 6): 00:46:16**
- E. Letter Dated February 14, 2019 from Bays, Lung, Rose, Holma, Attorneys at Law re: Written Petition for a Contested Case Hearing of Cultural Descendant Recognition of**

**Jennifer Noelani Ahia to Unidentified Human Skeletal Remains at Maui Lani Subdivision, Phase VI, Increment 4, and Maui Lani IX, Ahupua‘a of Wailuku, Moku of Wailuku, Island of Maui, TMK [2] 3-8-099:999 pors, and TMK [2] 3-8-007:153.**  
**Information/Discussion/Recommendation:** Discussion about the above letter.

- **May 15, 2019 MLIBC (6 of 6): 00:46:16**
- Noelani Ahia address the Council

**F. Letter Dated March 6, 2019 from Native Hawaiian Legal Corporation re: Written Petition for a Contested Case Hearing of Cultural Descendant Recognition of Jennifer Noelani Ahia to Unidentified Human Skeletal Remains at Maui Lani Subdivision, Phase VI, Increment 4, and Maui Lani Phase IX.**

**Information/Discussion/Recommendation:** Discussion about the above letter.

- **Item deferred**

**G. Training for Maui/Lāna‘i Islands Burial Council on membership, roles, and responsibilities.**

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

- **Item deferred**

## **VI. ANNOUNCEMENTS**

- **May 15, 2019 MLIBC (6 of 6): 00:46:46**

**A. Next meeting is scheduled for Wednesday, June 19, 2019**

- **May 15, 2019 MLIBC (6 of 6): 00:47:11**
- **Meeting adjourned at 2:38 PM**

**Minutes by Ikaika Nakahashi, Cultural Historian, History and Culture Branch, State Historic Preservation Division.**

**Attachment 1:** Written testimony from Leinā‘ala Kuloloio Vedder

**Attachment 2:** Written testimony from Ceridwen Kauikekahi Kamohalii McClellan