

DAVID Y. IGE
GOVERNOR OF HAWAII



**HISTORIC PRESERVATION DIVISION
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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DEPUTY DIRECTOR - WATER

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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**KAUAI NIIHAU ISLANDS BURIAL COUNCIL
MEETING MINUTES**

DATE: Wednesday August 18, 2021

TIME: 9:41 AM to 10:07 AM

LINK: Join Zoom Meeting:

<https://us02web.zoom.us/j/3840793007?pwd=S1o2WFNqakhVOXNKZFVnLzBiMzZtQT09>

Meeting ID: 384 079 3007

Password: 100356

KNIBC MEMBERS PRESENT:

Kau'ilani Kahalekai, Lihue Representative
Leiana Robinson, Niihau Representative
Sandra Quinsaas, Koloa Representative
Carol Lovell, Kawaihau Representative
Palala Harada, Napali Representative

ABSENT/EXCUSED: None

SHPD STAFF:

Kauanoë Hoomanawanui, Kauai Island Burial Sites Specialists
David Buckley, Kauai Lead Archaeologist

GUESTS:

Brian Russell, Descendant
Leanora Kaiaokamaile, Descendant

I. CALL TO ORDER/PULE

Chairwoman Quinsaas called the meeting to order at 9:15 am and Lihue Geographic Representative Kau'ilani Kahalekai opened in pule.

II. ROLL CALL

All members are present.

III. APPROVAL OF MINUTES

A. April 21, 2021

Lihue Geographic Representative Kau'ilani Kahalekai moved and Vice Chair Carol Lovell second the motion to approve the minutes.

Chairperson opens the floor for discussion

Unanimously approved.

IV. NEW BUSINESS

- A. Selection of the Kauai Niihau Island Burial Council Member to the Office of Hawaiian Affairs Burial Sites Working Group. The Hawaii Legislature (Senate Resolution 171 & House Resolution 113) Has Requested the Office of Hawaiian Affairs Form a Working Group to Examine the Burial Sites Program Under the Department of Land and Natural Resources State Historic Preservation Division and Improvements to the Island Burial Councils.**
Information/Discussion/Recommendation/Vote: Discussion and vote for the above item.

Chairperson Quinsaas opened the floor to any nominees for the position, Kau'ilani Kahalekai offered to serve.

Koloa Representative and chair Sandi Quinsaas moved and Vice Chair Carol Lovell second the motion to approve Kau'ilani Kahalekai as representative from the KNIBC on the OHA group.

Chairperson opens the floor for discussion.

Unanimously approved.

- B. Department's Recommendation to Recognize Brian Russell as a Lineal Descendant to Human Skeletal Remains SIHP # 50-30-01-01856 located at Po'oahonu Polihale State Park of Waimea Ahupua'a, Kona District Kauai Island, TMK: (4) 1-2-002:024.**
Information/Discussion/Determination: Information, discussion, and determination on the applicant's descendancy claim application to Native Hawaiian skeletal remains in 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 presents 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.

Napali Geographic Representative Palala Harada moved and Lihue Geographic Representative Kau'ilani Kahalekai second to go into executive session at 9:41am for item b. and item c.

Chairperson opens the floor for discussion.

Unanimously approved.

Executive session began at 9:41am.

- C. Department's Recommendation to Recognize Leanora Kaiaokamaile as a Lineal Descendant to Human Skeletal Remains SIHP # 50-30-01-01856 located at Po'oahonu Polihale State Park of Waimea Ahupua'a, Kona District Kauai Island, TMK: (4) 1-2-002:024.**

Information/Discussion/Determination: Information, discussion, and determination on the applicant's descendancy claim application to Native Hawaiian skeletal remains in 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 presents 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.

Executive session ended at 10:07am.

- D. Department's Recommendation to Recognize Milton K.C. Ching as a Cultural Descendant to Unidentified Human Skeletal Remains encountered at 5243 Weke Road of Hanalei Ahupua'a, Halelea District Kauai Island, TMK: (4) 5-5-002:033.**

Information/Discussion/Determination: Information, discussion, and determination on the applicant's descendancy claim application to Native Hawaiian skeletal remains in 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 presents 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.

Milton K.C. Ching gave his aloha to the KNIBC while introducing himself and his connection to the Hanalei area. Chair Sandi Quinsaats asked if he wanted to go into executive session or remain in public. Milton agreed to the public view, Chair Sandi Quinsaats asked if he could share more about the recent activity at this location. Milton continued to share, he submitted the birth, death, and marriage certificates of his kupuna and SHPD processed my application. We had an inadvertent discovery of human skeletal remains at the above location and SHPD notified me in search of cultural or lineal descendants. I taught a course to fourteen kanaka's that were interested from this area about the descendancy claim application process for both lineal and cultural

descendancy. They found it difficult to understand but I hoped to share the process so everyone throughout the island can apply. I would invite everyone from the island to apply for lineal and cultural descendancy claims. I provided copies and processes in accomplishing this process, although it was difficult, I am still helping them to complete them. Milton closed in giving his appreciation and respect to all the commissioners.

Kawaihau Geographic Representative Carol Lovell moved and Napali Geographic Representative Palala Harada second the motion to accept Milton K.C. Ching as cultural descendant to the district of Hanalei.

Chair opened the floor for discussion.

Unanimously approved.

- E. Training for the Kauai Niihau Island Burial Council on membership, roles, and responsibilities. (Bring Black Binder)**
Information/Discussion: Information and discussion on the above item.

The Council may elect to go into executive session pursuant to Section 92-5 (a) (4), Hawaii Revised Statutes, in order to consult with its attorney on questions pertaining to the Boards powers, duties, privileges, immunities, and liabilities.

This item was deferred.

V. UPDATES/CORRESPONDENCE

- A. NHPA, Section 106 and HRS, 6E-8 Consultation for Park Improvements and Preservation Planning at Pa'ula'ula/Russian Fort Elizabeth State Historical Park, Ahupua'a of Waimea, Waimea District, Kauai, TMK (4) 1-7-005:003.**
Information/Discussion: Discussion on the above item.

State Parks representative Martha Yent introduced herself and thanked the KNIBC for taking the time to discuss this project. I wanted to begin with the preservation plan for this area and we have a burial preserve, one was identified in 1975 and the other was identified in 1993. In 2004, there were three-sets of iwi kupuna that were interred into a reinternment site. This burial preserve is along the coastline. We are developing this area as a no-development area. I am here to get your feedback on preservation for this area. Napali Geographic Representative, Palala Harada asked what the current status of the reinternment site is, Martha answered we originally planned a rock wall preserve, 50m by 50m. Do you have any suggestions I can incorporate in this preservation plan? Chair Sandi Quinsaot suggested the preservation plan should include a wall and enclosure giving respect to the area and proper signage to state that. Kawaihau Geographic Representative Carol Lovell asked how far away the site is from the high-water mark? Martha answered it's about 30m and it is a concern for us, the two burials from 1975 we have the most concern with. Carol added, could we bring it in further? Martha asked if we wanted to move the site inland? Palala offered if we can look at an enclosure or mound to have a predetermined area just in case. Only when the existing remains are in imminent danger before we decide to relocate them in this predetermined site. A site inland that would be protected from development is what I would like

to recommend. Martha shared she will be incorporating the comments the KNIBC has shared and gave thanks for the opportunity to share.

VI. ANNOUNCEMENTS/PULE

A. Next meeting is scheduled tentatively for Wednesday, September 22, 2021.

Palala Harada moved and Carol Lovell second to adjourn the meeting.

Unanimously approved.

Chair Quinsaot adjourned the meeting and Lihue Representative, Kau'ilani Kahalekai closed the meeting in pule at 11:01 am.

Pursuant to §92-3 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.

Pursuant to sections §92-4, §92-5(a)(8), and §6E-43.5, Hawai'i Revised Statutes (HRS), and upon compliance with the procedures set forth in section 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 History and Culture Branch 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 Kauai State Historic Preservation Division located at P.O. Box 1729 Lihue, Hawaii 96766.

Persons with disabilities requiring special assistance should contact the division in advance at (808) 896-0475. **INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) AT THE KNIBC MEETING, PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 896-0475 SO THAT ARRANGEMENTS CAN BE MADE.**