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LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

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

DATE: Wednesday, November 15, 2023
TIME: 9:00 AM
PLACE: Department of Land and Natural Resources Maui
District Office Complex, Conference Room, 130
Mahalani Street Wailuku, Maui, HI 96793

I. CALL TO ORDER/PULE

- Chair Scott Fisher called meeting to order at 9:06 AM
- Pule offered by Vice Chair Vernon Kalanikau

II. ROLL CALL

- Chair Scott Fisher present
- Councilmember Everett Dowling present
- Councilmember Michele Hoopii present
- Councilmember Iris Pe'elua present (Arrived 9:15am)
- Vice Chair Vernon Kalanikau present
- Councilmember Diane Preza present

SHPD: Kealana Phillips, Burial Sites Specialist
Ikaika Nakahashi, Cultural Historian
Breena Titus, Administrative Assistant

COMMUNITY: Trevor Yucha
Kalei 'Uwēko'olani
Bill Meheula
Brad Child
Kaonohi Lee
Kaniloa Kamaunu
Johanna Kamaunu
Clare Apana
Cheryl Hota
Mike Dega
Ian Bassford

III. MEETING MINUTES OCTOBER 18, 2023

- **Approval of Minutes from October 18, 2023, MLIBC Deferred until next meeting to give more time for reading and review due to the length of the minutes.**

IV. BUSINESS

- A. Descendancy Claim Application of Etan Kawika Krupnick to Unidentified Human Skeletal Remains, SIHP 50-50-03-0967, at Loko O Mokuhinia, Ahupua‘a of Waiokama and Lower Waine‘e, District of Lāhainā, Island of Maui, TMK: (2) 4-6-007:001, 002, and 036-038.**

Information/Discussion/Determination:

- **(10:25am)** Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.
- Applicant unable to attend. Mr. Ampong present; represent applicant in his place.
- Mr. Ampong provided testimony in support of Descendancy claim.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Council Member, Everett Dowling.**
- Councilmember Michele Hoopii recused.
- Councilmember Diane Preza – “aye”
- Council Vice Chair Vernon Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”
- Councilmember Iris Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as cultural descendant.**

- B. Descendancy Claim Application of Brenda Noelani Arcangel to Unidentified Human Skeletal Remains, SIHP 50-50-03-0967, at Loko O Mokuhinia, Ahupua‘a of Waiokama and Lower Waine‘e, District of Lāhainā, Island of Maui, TMK: (2) 4-6-007:001, 002, and 036-038.**

Information/Discussion/Determination:

- Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.
- Applicant unable to attend. Mr. Ampong present; represent applicant in her place.
- Mr. Ampong provided testimony in support of Descendancy claim.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Councilmember, Everett Dowling.**
- Councilmember Hoopii recused.
- Councilmember Preza – “aye”
- Council Vice Chair Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”

- Councilmember Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as cultural descendant.**

C. Descendancy Claim Application of Etan Kawika Krupnick to Unidentified Human Skeletal Remains at 100 Nohea Kai Drive, Marriott’s Maui Ocean Club, Ahupua‘a of Hanak‘ō‘ō, District of Lāhainā, Island of Maui, TMK: (2) 4-4-013:001.

Information/Discussion/Determination:

- Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.
- Applicant unable to attend. Mr. Among present; represent applicant in his place.
- Mr. Among provided testimony in support of Descendancy claim.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Council Vice Chair, Vernon Kalanikau.**
- Councilmember Hoopii recused.
- Councilmember Preza – “aye”
- Council Vice Chair Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”
- Councilmember Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as cultural descendant.**

D. Descendancy Claim Application of Foster Among to Unidentified Human Skeletal Remains at the Waihe‘e Coastal Dunes & Refuge (HILT), Ahupua‘a of Waihe‘e, District of Wailuku, Island of Maui, TMK: (2) 3-2-010:001.

Information/Discussion/Determination:

- Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.
- Applicant, Mr. Among present; Will field questions, clarify anything if needed.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Councilmember, Everett Dowling.**
- Councilmember Hoopii recused.
- Councilmember Preza – “aye”
- Council Vice Chair Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”
- Councilmember Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as cultural descendant.**

E. Descendancy Claim Application of Foster Among to Unidentified Human Skeletal Remains at 845 Waine‘e Street, Ahupua‘a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4-5-001:018.

Information/Discussion/Determination:

- Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.
- Applicant, Mr. Among present; Will field questions, clarify anything if needed.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Council Vice Chair, Vernon Kalanikau.**
- Councilmember Hoopii recused.
- Councilmember Preza – “aye”
- Council Vice Chair Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”
- Councilmember Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as cultural descendant.**

F. Descendancy Claim Application of Brenda Noelani Archangel to Unidentified Human Skeletal Remains at 845 Waine‘e Street, Ahupua‘a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4-5-001:018.

Information/Discussion/Determination:

- Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.
- Applicant unable to attend. Mr. Among present; represent applicant in her place.
- Mr. Among provided testimony in support of Descendancy claim.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Council Vice Chair, Vernon Kalanikau.**
- Councilmember Hoopii recused.
- Councilmember Preza – “aye”
- Council Vice Chair Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”
- Councilmember Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as cultural descendant.**

G. Descendancy Claim Application of Brenda Noelani Archangel to Identified Human Skeletal Remains at Paeohi Street, Ahupua‘a of Aki, District of Lāhainā, Island of Maui, TMK: (2) 4-5-023:069.

Information/Discussion/Determination:

- Council Member Michele Hoopii recuses herself from discussion and outcome due to relationship with applicant.

- Applicant unable to attend. Mr. Among present; represent applicant in her place.
- Mr. Among provided testimony in support of Descendancy claim.
- SHPD Burial Sites Specialist Kealana Phillips read aloud SHPD letter of recommendation.
- **Motion to Approve offered by Chair, Scott Fisher.**
- **Motion Seconded by Council Vice Chair, Vernon Kalanikau.**
- Councilmember Hoopii recused.
- Councilmember Preza – “aye”
- Council Vice Chair Kalanikau – “aye”
- Council Chair Fisher – “aye”
- Councilmember Dowling – “aye”
- Councilmember Pe‘elua – “aye”
- No “nays”
- **Motion approved; applicant recognized as a lineal descendant.**

V. INADVERTENT DISCOVERY OF HUMAN SKELETAL REMAINS

A. Inadvertent Discovery of Human Skeletal Remains at the HDOT Kahului Base yard, Reported to the Maui Office of the Historic Preservation Division on September 27, 2023, Ahupua‘a of Wailuku, District of Wailuku, Island of Maui, TMK: (2) 3-8-079:018.

Information/Discussion/Recommendation:

No testimony given. SHPD Burial Sites Specialist Phillips gave overview based on email from Ian, archaeologist with Scientific Consultant Services. Discussion with SHPD archaeologist Andrew McCallister.

Public Testimony given by Foster Among

Recommendation: Return item to next MLIBC agenda. Request DOT representative be present.

B. Inadvertent Discovery of Human Skeletal Remains at the Grand Wailea Resort, New Grease Interceptor – Main Kitchen Project, Reported to the Maui Office of the Historic Preservation Division on October 12, 2023, Ahupua‘a of Paeahu, District of Honua‘ula, Island of Maui, TMK: (2) 2-1-008:109.

Information/Discussion/Recommendation:

Item Moved to the beginning of meeting to allow more time for presentation, discussion, public testimony, etc.

Presentation representing the Grand Wailea’s efforts given by Trevor Yucha and Kalei ‘Uwēko’olani. (Presentation attached at the end of meeting minutes). Overview of projects being done within the archaeology monitoring plan. Work being done was limited to the kitchen and new kitchen areas. MLIBC discussion in January and April of 2022. Approved in May 2022. Presentation slides attached to these minutes. Vernon visited site and confirmed that the area was secured and verified that the previously determined decedents were agreeable in how the site was secured. Scott questioned the type of remains found. Trevor responded there were 3 total bone fragments found. Scott then questioned the type of soil the remains were found in. Trevor confirmed they were found in clay type soil and that it was possible that the remains were transported with construction materials, gravel or debris. Proposed relocation area is still up for discussion. Suggest the northern burial preserve. Those preserves are open 24 hours to

descendants. They have to check in with security and fill out a form which can allow other folks who are not descendants to visit and pay their respects. All staff are trained about the cultural significance of the preserve. There has been no discussion with descendants regarding the relocation.

Chair Fisher call meeting to recess at 9:40am

Chair Fisher announce meeting resume at 9:45am

Chair Fisher open item up for public testimony:

Public Testimony given by: Bill Meheula, Brad Child, Kaonohi Lee, Kaniloa Kamaunu, Clare Apana, Cheryl Hotta

Kaniloa Kamaunu concerned that was never notified of addition remains found. Disagrees with SHPD claiming as individual inadvertent finds. Feels that their voices are not being heard by claiming as inadvertent. Questions if there will be building right next to preservation areas and will the preservation areas be moved or modified.

Kalei Uwekoolani clarified that those areas will not be moved or modified. Bill Meheula confirmed that there is to be buildings in that area, it was also scaled back to be further away from the preserve. Dana Hall had previously assigned the buffer zone and the construction will be outside of the buffer zone.

Vernon questioned how notifications to descendants were sent out. Trevor noted they first wait for jurisdiction to be claimed between SHPD and MPD. Once determined SHPD has jurisdiction, his understanding is SHPD then sends out the notifications. Trevor sees these meeting and the burial site components as the means to the discussions and consultations. Vernon responded that he reached out to the regional interveners.

Clare Apana testimony. Intervener and representing Ashford DeLima. Appreciates the recommendation that pushed for hand excavation. DeLima requests for preserve in place and has made it known for preserve in place when then were there to view the iwi. They requested to do a ceremony to wrap the bone and were approved to do the ceremony but were not allowed to wrap the iwi. Kalei clarified that during the protocol they were not able to wrap the iwi due to safety protocols. They will be able to wrap the iwi once there has been a final determination. Clare also noted concerns that if the resort gets permit to expand there will be significant ground disturbances and then will be moving the current preservations areas. Kealana Phillips noted that their preference to preserve in place is noted in email as well as here. Noted that there have been no applicants to be recognized descendants.

Cheryl Hotta testimony. Noted that the interveners have been advocating for iwi for quite a long time and are happy to be used as a resource.

Clare requested to discuss the North Preserve. Scott noted it would need to be an agenized item. Add to next MLIBC agenda.

Chair Fisher close public testimony.

Recommendation: No final determination. Return item to next MLIBC agenda.

C. Inadvertent Discovery of Human Skeletal Remains at 845 Waine'e Street, Reported to the Maui Office of the Historic Preservation Division on October 20, 2023, Ahupua'a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4- 5-001:018.

Information/Discussion/Recommendation:

Item was heard following item V. B to allow more time for presentation, discussion, public testimony, etc.

Mike Dega and Ian Bassford from Scientific Cultural Surveys overview working with HECO to remove electric poles in Lahaina. They are monitoring the removal in the install of the new poles. Also working with the county archeologists. Have found only the above iwi. Excavations have been done in that specific area by hand. Confirmed that these iwi are not a victim of the Lahaina fires. Presume that this iwi has previously been disturbed with the initial placement of the pole as there are no other remains other than the cranium that was found. Foster Among has been to the site and submitted descendency application. Monitored 100 poles: 5 weeks. 1 find.

Recommendation: N/A

VI. ANNOUNCEMENTS

A. Follow Up from Molokai Island Burial Council Chair Request to Present at Next Meeting.

Information/Discussion/Recommendation:

No discussion, the request was withdrawn by the MIBC Chair.

ADJOURNED 11:05 AM