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

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
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**APPROVED MINUTES
WRITTEN SUMMARY OF RECORDED
MINUTES OAHU ISLAND BURIAL COUNCIL**

DATE: Wednesday, April 22, 2020
TIME: 10:08 AM
PLACE: Zoom meeting

OIBC MEMBERS: (present members)
Hinaleimoana Wong-Kalu, Kona Moku; Chair
Aulii Mitchell, Waianae Moku; Vice-Chair
Kali Fermantez, Ko'olauloa Moku
Mana Caceres, Ewa Moku
Kamana'o Mills, Large Landowner Representative
Chuck Ehrhorn, Large Landowner Representative

SHPD STAFF: Regina K. Hilo, O'ahu Burial Sites Specialist, History and Culture Branch
Lesley K. Iaukea, O'ahu Burial Sites Specialist, History and Culture Branch

GUESTS: Alex Hazlett
David Shiedler
Mahealani
William Haole
Keiko
Halealoha Ayau
Hinano Rodrigues
Susan Lebo
Maelani Lee
Andrea
Nancy McPherson
Greg Nakamura
Matt McDermott
Kepoo
David
Geurin Tome
Leilani
Lani Ma'a Lapilio
Lakehua Caceres
Sheila

Dane Maxwell
Alesa
Gina Vascon
Ming
Stanley Katsura
Haunani Mauna-Hendrix
Keliiahonua Yewuzo Otsu Kotubetey
Jean Mahealani McClellan
Alex Akau
Ryan Leonard Kamanamaikalanike‘eki‘e Makahilahila

I. CALL TO ORDER

[Recording 01-200422 at 8:54]

II. ROLE CALL/PULE

[ROLL CALL – Recording 01-200422 at 10:20]

[PULE – Recording 01-200422 at 14:22]

III. BUSINESS

A. Discussion on O‘ahu Island Burial Council membership, roles, and responsibilities.

Summarization:

1. Chuck Ehrhorn asks “If there anything going on in the Legislature that we should be aware of?” Per Hina Wong-Kalu, I have not been made aware of anything. However, as people’s terms near expiration date. We always wait to see what will become of our roles that we have been given to serve. All we can do is wait and see what comes down our way.
2. Wong-Kalu would like to acknowledge our A.G. support for ensuring that we are in an understanding on how we need to meet. We’ll do our best to conduct our meeting in the same way that we conduct business. Except for the fact that we now all up close and personal, seeing each other, here on our screens. What I trust is that we have developed a good rhythm, a working rhythm, and rapport with one another on whatever side of the table that we sit on. And that we’ll be just fine in this format. Is anyone having issues with this format right now, that are an impediment to you? Is everybody okay? Ehrhorn replies that he is okay but he can’t wait to get back to the regular business meetings. All are in agreement.
3. As far holding this meeting, we know what happens when we don’t have quorum to be able to conduct our business. We have all sorts of kuleana come our way and we don’t want to let that pile up or back up. I believe given our clearance from our A.G.’s that we can proceed with this. I think that this is a positive way to engage. When I wear my daily work hat, we have been relegated to meeting twice a day. I don’t know if I like that or not but 8:30 and 2:30, we’re all online and in the same kind of format. We see each other and we can manage it. Any further discussion on item A? Wong-Kalu ask RKH is there is any other response.
4. Wong-Kalu acknowledges that some of the people will have to leave by 11, maybe not some of the council members, but members of the audience. Please let me know if there is something pressing that you’d like to address, if we have not addressed it when your item comes up.
5. Before we walk away from item A, Mana do you have any particular.... I think I’ll open it up in this one rather than wait until the later agenda items because this also has to do with your role on the OIBC. I think that this current time you can speak as freely as you would like. So, go ahead, Mana.

Mana Caceres: Mahalo. I just want to make a quick statement. Can you hear me? (All agree they can hear him). For full disclosure, the burial treatment plan that is on the agenda as agenda item C.... I drafted this burial treatment plan as this is my right as a state recognized lineal descendant. There was no monetary, there was no compensation, monetary or other, for drafting this burial treatment plan that is agenda item C. A complaint was filed with the ethics commission regarding possible conflicts of interest. Since I am a state recognized lineal descendant, I am also a member on this island burial council, and my 'ohana and I have a small business where we provide cultural consultation services for private and public developers. I have been actively working with Virginia Chock and Dan Gluck of the ethics commission for the last month and a half. It was my hope that they would give me the commissions official ethics opinion on this matter before this meeting started. I have not yet received that opinion. It pains me to not take part in today's vote for the burial treatment plan but I have complete faith that the other members of the Oahu Island Burial Council will treat my kupuna as if it were their own. And put my kupuna back to where she belongs as with the rest of the kupuna. So, with that being said I will take part in the discussion, I will abstain from the actual vote for item C on today's agenda. Wong-Kalu: Mahalo, Mana.

Wong-Kalu: And with that said. Mahalo for your early disclosure, Mana. And again, I open that up under the OIBC business because it has to do with your role and responsibility pertaining to this council. Again, thank you for that early disclosure.

[Recording 01-200422 at 14:56]

B. Informational Presentation of Lineal Descendants' Burial Treatment Plan for Iwi Kūpuna at Kawaiaha'o Church Multi-Purpose Center/Building Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017.

Edward Halealoha Ayau, Esq. gave a power point presentation on part IV of an informational presentation to the OIBC on the Kawaiahao case.

Summarization on presentation: (Per Ayau)

1. First three presentations gave the background and revisions to Chapter 6E. Today's presentation is to make it clear that the councils have the legal authority to determine the preservation or relocation of previously identified Native Hawaiian burial sites under 6E-45.5. This is the foundation for the OIBC determination.
2. The recognized descendants turned in the burial treatment plans to SHPD and OIBC on February 12 as required by the Hawaii Administrative Rules. That burial treatment plan was prepared by the lineal descendants. It was deemed complete and accepted by the burials program and the burials specialist on February 12th. That burial treatment plan was presented in digital form to the OIBC members. The revised burial treatment plan. Because the initial SHPD was that they were missing information and that information was provided. The burial treatment plan was based on information contained in the archeological inventories survey plan which was produced by cultural surveys Hawaii and accepted by SHPD in 2015. The OIBC has previously discussed and it did not need an approved AIS in order to render a determination whether to preserve in place or relocate the seven hundred burials at Kawaiahao. As of this date, SHPD had not yet, as of February 12th now, SHPD had not yet commented on the AIS. What's important is there is a 45-day deadline for SHPD to do so and the deadline was end two days later.

3. In the interim, Kawaiahao Church erroneously sought to turn in a burial treatment plan provided by the descendants. Shows a snapshot of their March 04th letter.
4. It is important to recognize the definition of “Applicant.” The church submitted this letter asking SHPD to withdraw the burial treatment plan. Indicating that, opining that they are the applicant. That they are the only applicant. The Administrative Rules say that the applicant is the person representing the interest of ownership in real property and that of course could mean the church. But it also says, or a lineal descendant. Recognized lineal descendants qualify within the definition of applicant and request OIBC for determination or appropriate treatment of burial site or human skeletal remains. We did so and submitted a burial treatment plan to that effect. Kawaiahao church also qualifies as an applicant, we don’t disagree with that. But they never submitted a burial treatment plan.
5. Burial treatment plan is defined in the Administrative Rules as a plan that meets necessary requirements. SHPD cites Administrative Rules 13-300-33(g) as the authority to withdraw the recognized descendant’s burial treatment plan. Cause it says at any time prior to determination by the council, an applicant may revise the burial treatment or withdraw the burial treatment plan from consideration. The problem here is that Kawaiahao is not the applicant of this particular burial treatment plan. They don’t have a burial treatment plan. And therefore, they have no authority whatsoever to withdraw it. So, they attempted to withdraw a document that they were not responsible for.
6. The Archeological survey was not reviewed by SHPD by the end of the 45-day period. So, this is the most critical point I want to make today. Because the church is correct when they say that the court in the Hall case required an approved AIS. An approved archeological inventory survey. In fact, they held that SHPD had violated its own rules and did not required an AIS before it granted the permit. So, the church opined that the burial treatment plan submitted by the descendants can not be accepted by SHPD because the AIS had not been approved therefore OIBC can not render a determination. So, the problem with that opinion is that SHPD failed to comply with its own rule which is HAR 13-284-5(e). That requires a 45 days period for an AIS to undergo review and comment by SHPD. The date of the original redacted AIS is December 31, 2019. So, 45 days forward is February 14th. SHPD comment letters dated March 16th, 2020 so well beyond the deadline. So, as such, SHPD is now prohibited of requiring the AIS approval as a component of the burial treatment plan because it did not comply with its own rules. They didn’t finish the comment on time. Let me qualify that as a former employee of SHPD and knowing the archeological caseload, by no means am I pointing out that they missed the deadline. Am I being critical of the hard work that went in to reviewing what I think is upwards of fifteen hundred pages of AIS? I want to apologize to Dr. Lebo if my questioning seemed insensitive to the fact that they face an immense workload. I was just pointing out that the date of the comment letter exceeds the 45-day period. So, the court applied with the Hall case that SHPD did not comply with its own rules, we are asserting here now with regard to the AIS. Therefore, by not meeting the 45-day period the AIS can not be approved on time. And as such it can be used to block the descendants from now proceeding and considering their burial treatment plan complete because that would not be in compliance with the Administrative Rules.

7. 13-300-36. It gives the criteria for evaluating request to preserve or relocate Native Hawaiian burial sites. There are five criteria and we are citing 3 of the 5 in our written request to preserve in place.
8. Subsection B of that same section, 13-300-36, also provides that when determining whether to preserve in place or relocate, the councils shall give due consideration to the following: (1) The cultural appropriateness of the proposal to preserve in place or relocate; (2) Any possible harm to the Native Hawaiian skeletal remains if the burial site is left in place; (3) The request of known lineal or cultural descendants to relocate; and (4) Any reason presented by the applicant to relocate. The AIS states that the Kawaihāo church has abandoned its plans for a multi-purpose cultural center.
9. We prepared a proposed finding for the consideration of the OIBC and its determination. First, all burial sites disturbed by Kawaihāo Church and its grounds between 2009 and the present, as described in the Archeological Inventory Plan are previously identified Native Hawaiian burials. Second, that the OIBC accept the burial treatment plan that was submitted by the descendants on February 12th after SHPD deemed the plan to be complete. Third, OIBC finds in this capacity as the decision maker in this case. So, it's really important to remember when it comes to previously identified Native Hawaiian burials, the burials councils are exclusive in its authority to make a determination. It is not commenting on that issue. It's not making a recommendation subject to SHPD approval. It is the decision maker. So, this is recognizing the AIS was not required because all of the burials that were the subject of the AIS has already been removed. The OIBC was privy to the information it needed from the burial treatment plan and as well as the AIS. Its not though it is flying blind without any archeological context. The archeological context was completely removed and disposed of.
10. The OIBC gave all burials disturbed by Kawaihāo Church greater consideration for preservation in place as provided by 13-300-36. OIBC find that the seven hundred plus burials from the grounds at Kawaihāo Church constitute "concentration of skeletal remains." OIBC finds the burial sites disturbed by Kawaihāo Church are located in areas within a context of historic properties in section 6E 2 HRS.
11. Present a proposed motion for the OIBC consideration and that is for all previously identified Native Hawaiian burial sites identified at Kawaihāo Church cemetery that were intentionally disturbed between 2009 and the present, the OIBC determines to preserve in place. All seven hundred burial sites based upon clear findings; (1) these burials sites are found in the area of skeletal remains; (2) located in the areas of the context of historic properties; and (3) upon the request of recognized lineal descendants to preserve in place. The rule only requires the establishment of one criteria in order to preserve in place. We assert that three of the criteria are established.
12. Once the burial council makes their determination it is then authorized to make recommendations with respect to that decision. Whether to preserve in place or relocate. In the event the council authorizes, determines to preserve in place, we respectfully present the following recommendations: (1) The OIBC authorize the request, recommendation to SHPD, authorize the request to lineal and cultural descendants, and for those families who choose to, may be allowed to take procession of their kupuna for purposes of providing family care or until it is time for reburial.

13. To determine to reinter the 69 kūpuna that were inadvertently discovered in 2009. The decision maker is not the OIBC, it's DLNR, under the law. DLNR has to apply the same criteria that the council applies. We're asking the council to recommend to DLNR to make the same determination as it will to reinter the 69 iwi kupuna in place. Finally, to order Kawaiāhao Church all implements of the burial treatment plan including all coverage of the burial costs. Consistent with the council's decision and in a timely fashion. These recommendations are premised on the council determining to preserve in place. If the council determines otherwise than these will not apply.

14. Closing thoughts: This is not the first time that Kawaiāhao Church removed iwi kūpuna from its grounds. But God willing it will be the last. In a righteous pursuit of reconciliation, we must find the coverage to forgive and to restore the balance that once existed in Kawaiāhao. The original sin of the disturbance of over seven hundred kūpuna over the objection of the family must be acknowledged in order to achieve atonement to facilitate this release of this immense kaumaha. The first ho'oponopono meeting was held in February and it went well. These efforts need to continue. By replanting native kūpuna where they lay originally, I (am) asking for their and our, the descendants, forgiveness. I'm asking they take our pain, the kūpuna, take our pain and anguish with them. Only then will we be able to collectively heal.

[Recording 01-200422 at 23:37]

Wong-Kalu: Any thoughts or discussions?

William Haole: The church reserves the right to respond at a later time to this presentation and to make comments here until it's had a chance to consult with its team.

Wong-Kalu: Anything else?

Haole: In addition I am asking for clarity. I'm seeing that the presentation points out that the determination should be for inequively for preserve in place or to be relocated. There is no question about that, that the OIBC has the authority to determine that today. However, I'm given the burial treatment plan that was presented by the recognized descendants, within that, there is a proposal to in fact preserve in place but also a proposal to relocate certain burial finds. So the church is looking at that seriously but are confused with the current direction of preserving in place. This motion reports to envoke. I'm not sure and that's the clarity I'm trying to understand with this presentation. Any comments to clarify that for us?

Ayau: The request made by lineal and cultural descendants was to remain in place for all seven hundred. I don't know what the confusion is about that statement. We're saying preserve in place all burials and in regard to the inadvertent discoveries, 69, requesting OIBC to recommend to SHPD to make the same determination. Preserve them all in place.

[Recording 01-200422 at 45.19]

C. Kawaiāha'o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017.

Summarization: Using the information in the presentation from item B.

Motion: (Chuck Ehrhorn) To accept the burial treatment plan as presented.

Second: Aulii Mitchell

Vote: Ayes (Wong-Kalu, Mitchell, Fermantez, Ehrhorn)

Kanalua: Mills (Kanalua is my 1st vote, 2nd vote is Aye, for the record)

Recuse: Mana Caceres

[Recording 01-200422 at 2:50.18]

Caceres: Halealoha wanted clarification to see if the OIBC also supported the proposed recommendations on page 13 of the presentation?

Wong-Kalu: You have page 13 in front of you? Please read it.

Caceres: (1) The Oahu Island Burial Council recommends to SHPD to authorize the request by lineal and cultural descendants that for those families that should choose to that they be allowed to take possession of their kupuna for purposes of providing family care until it's time for reburial. (2) Determine to reinter the 69 iwi kūpuna inadvertently discovered in 2009 where they were taken from and based on the exactly same preservation criteria for the previously identified burial sites. (3) Order Kawaiahao Church to implement all provisions of the burial treatment plan, including coverage of all burial costs consistent with the council's decision in a timely fashion. If you remember these three were recommendations by the SHPD. The second one, once again, the 69 iwi kūpuna, were inadvertently discovered in 2009. They are under the jurisdiction of the SHPD, so the recommendation is if the OIBC could recommend to the SHPD that those 69 be treated like the rest of the burials within the burial treatment plan.

Wong-Kalu: And that is completely located within page 13 of the BTP, correct?

Caceres: It's in 13 of the presentation that Halealoha did today. Just recommendations.

Wong-Kalu: In addition to preserve in place all identified Native Hawaiian burial sites identified at Kawaiahao Church. The OIBC recommends SHPD to the following: (1) Authorize the request by lineal and cultural descendants that for those families who choose to that they be allowed to take possession of their kupuna for purposes of providing family care until it is time for reburial. (2) Next, the determine to reinter the 69 iwi kūpuna inadvertently discovered in 2009 where they were taken from based upon the exact same preservation criteria for the previously identified burial sites. (3) And last order Kawaiahao Church to implement all provisions of the burial treatment plan February 2020 including coverage of all reburial costs consistent with the council's decision in a timely fashion.

Descendants express their mana'o.

[Recording 01-200422 at 2:51.07]

Motion: (Kamanao Mills) I move that the burial council make a recommendation to the Historic Preservation Division to authorize request by lineal and cultural descendant for those families who choose to be allowed to take possession of their kupuna and providing family care until it is time for reburial.

Second: Aulii Mitchell.

Ehrhorn: For clarity, to add 'at Kawaiahao' at the end of the sentence.

Wong-Kalu: You would like to add 'at Kawaiahao.'

Ehrhorn: Yes.

Vote: Aye (Wong-Kalu, Mitchell, Fermantez, Ehrhorn, Mills)

[Recording 01-200422 at 3:21.23]

- D. Carolyn Donna Kealaonapua Norman and ‘Ohana (names attached) Descendancy Recognition Application to Skeletal Remains located at 91-150 Hanua Street, Hono‘uli‘uli Ahupua‘a, Ewa District, O‘ahu, TMK: [1] 9-1-026:010.**

Summarization: SHPD recommends cultural descendancy. No community input.

Motion: (Aulii Mitchell) Recommend that the Oahu Island Burial Council determine Carolyn Donna Kealaonapua Norman and ‘ohana cultural descendancy recognition to the skeletal remains located at 91-150 Hanua Street, Hono‘uli‘uli Ahupua‘a, Ewa District, O‘ahu, TMK: [1] 9-1-026:010.

Second: Kali Fermantez.

Vote: Aye (Wong-Kalu, Mitchell, Fermantez, Mills, Ehrhorn)

[Recording 01-200422 at 3:32.29]

- E. Carolyn Donna Kealaonapua Norman and ‘Ohana (names attached) Descendancy Recognition Application to Skeletal Remains located at Haleiwa Beach Park, Kawaiiloa Ahupua‘a, Waialua District, O‘ahu, TMK: [1] 6-2- 001:002.**

Summarization: SHPD recommends culture descendancy. No community input.

Motion: (Aulii Mitchell) I will make a motion that the OIBC recognize Carolyn Donna Kealaonapua Norman and ‘Ohana Cultural Descendancy Recognition to skeletal remains located at Haleiwa Beach Park, Kawaiiloa Ahupua‘a, Waialua District, O‘ahu, TMK: [1] 6-2-001:002.

Second: Kali Fermantez

Vote: Aye: (Wong-Kalu, Mitchell, Fermantez, Mills, Ehrhorn)

[Recording 01-200422 at 3:39.58]

- F. Clarence A. Medeiros Jr. Descendancy Recognition Application to Skeletal Remains located at the Halewai‘olu Senior Residences project, ‘Ili/Mo‘o of Kalāwahine, Honolulu Ahupua‘a, O‘ahu, TMK: [1] 1 -7- 060:120.**

Summarization: Wong-Kalu read the above name on record without any response. Applicant not present on the zoom meeting. SHPD staff will reach out to applicant to see if they will attend the next OIBC meeting. Wong-Kalu ask the council to defer this matter of Clarence A. Medeiros Jr. Descendancy Recognition Applicatoin to skeletal remains located at the Halewai‘olu Senior Residences project. The council members all agree.

[Recording 01-200422 at 3:45.13]

- G. Gayle Kaio Descendancy Recognition Application to Skeletal Remains located at the Halewai‘olu Senior Residences project, ‘Ili/Mo‘o of Kalāwahine, Honolulu Ahupua‘a, O‘ahu, TMK: [1] 1 -7- 060:120.**

Summarization: Wong-Kalu read the above name on record without any response. Applicant not present on the zoom meeting. SHPD staff will reach out to applicant to see if they will attend the next OIBC meeting. Gayle Kaio recognition application to skeletal remains located at the Halewai‘olu Senior Residences project, ‘Ili/Mo‘o of Kalāwahine, located at Honolulu Ahupua‘a, O‘ahu nei, TMK: [1] 1-7-060:120. Let the agenda item state that ‘G‘ as well as ‘F‘ both were coming before this council for cultural level of recognition but we are not able to hear from this individual at this time and so chair request support in deferring this matter until the next meeting. The council members all agree. Item G is deferred.

[Recording 01-200422 at 3:49.44]

H. Leilani Coelho Descendancy Recognition Application to Skeletal Remains located at 5088 Kia‘i Place, ‘Ili of Wailupe, Waikīkī Ahupua‘a, Kona District, O‘ahu, TMK: [1] 3-6- 023:006.

Summarization: Ehrhorn asked two questions: (1) What is her responsibilities as a descendant?; and (2) SHPD recommended a cultural descendancy or if they recommended anything? Dialogue regarding differences between lineal and cultural descendancy and her responsibilities as a cultural descendant? After discussion, the council is concerned about applicants compacity to advocate for iwi kupuna. Per concerns, application will be deferred until the next meeting.

[Recording 01-200422 at 4:21.06]

***Note: Kamaano Mills needs to step away for 30 minutes.**
[recording 01-200422 at 4:22.59]

I. Maelani Lee Descendancy Recognition Application to Skeletal Remains located at 5088 Kia‘i Place, ‘Ili of Wailupe, Waikīkī Ahupua‘a, Kona District, O‘ahu, TMK: [1] 3-6-023:006.

Summarization: Caceres reminds the council and applicant that she applied for lineal descendancy and as long as she understands that the vote today based on SHPD’s recommendation will be on Cultural Recognition Descendancy. Wong-Kalu confirms Maelani Lee is clear on that she is asking for cultural descendancy at this time and Lee agrees to that status. Caceres supports her recognition as a fellow descendant of that area.

Motion: (Kali Fermantez) Motion to recognize Maelani Lee as a cultural descendant to the skeletal remains previously identified at 5088 Kia‘i Place.
Second: Chuck Ehrhorn
Vote: Aye (Wong-Kalu, Mitchell, Ehrhorn, Fermantez)
Recuse: Caceres

[Recording 01-200422 at 4:28.40]

***Note: Wong-Kalu asks for a 1-2 minute pause.**
[01-200422 at 4:29.06]

***Note: Wong-Kalu brings order back and takes roll. There is a quorum.**
[01-200422 at 4:30.30]

J. Elizabeth-Ann Kahalaopuna Motoyama Descendancy Recognition Application to Native Hawaiian Skeletal Remains located at 5088 Kia'i Place, 'Ili of Wailupe, WaikīkīAhupua'a, Kona District, O'ahu, TMK: [1] 3-6- 023:006.

Summarization: Wong-Kalu read the above name on record without any response. Applicant not present on the zoom meeting. Chair request for support to defer this matter and the council agrees. Wong-Kalu reminds RKH to agendize all of these missed items for the next meeting. If RKH is in email contact with them to please let them know to tune in once again to our online meeting.

[Recording 01-200422 at 4:32.03]

K. Jean Mahealani McClellan, mother, and Keliiahonui Yewuzo Otsu Kotubetey, son, Descendancy Recognition Application to the Native Hawaiian Remains of Keaweamahi Kinimaka, Pai Kinimaka, Hannah (Hanakeola) Keolaokala'au, Haola, Nowelo, Loe, David Leleo Kinimaka, Kaniu Kinimaka, William Lumaheihei, and Samuel Leleo Kinimaka, and the Native Hawaiian Remains located at Lot #29, William Buckle, located at Kawaihau Church, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1- 032:017.

Summarization: Jean Mahealani McClellan and keliiahonui Yewuzo Otsu Kotubetey seek lineal descendancy recognition for the Buckle and Kinimaka 'ohana. McClellan recites genealogy for both family names. SHPD has written proof of genealogy. Kotubetey feels it his kuleana with what his mother has started. Erhorn ask for clarification that applicants are asking for lineal descendancy for Lot 29 in the church yard. McClellan agrees and states that is the Buckle lot. Clarification over whether they are applying for cultural or lineal descendancy. McClellan clarifies that she and her 'ohana received cultural descendancy eight or nine months ago and are now seeking lineal descendancy.

Caceres will abstain from the vote because they are descendants as well but give support to this 'ohana.

SHPD recommends cultural descendancy because they can not locate a burial site. In cases of previous cases the burial council will extend We ended up turning around and afforded the family lineal recognition despite the recommendation from SHPD and lack of proof.

*Note: Welcome back Kamanao Mills to meeting.

Motion: (Chuck Erhorn) To give lineal recognition to McClellan and her son for the iwi associated with Lot 29 at the church yard.

Second: Kali Fermantez.

Vote: Aye (Wong-Kalu, Mitchell, Fermantez, Mills, Erhorn)
Recuse: Caceres

[Recording 01-200422 at 4:51.12]

L. Ryan Leonard Kamanamaikalaniki'eki'e Makahilahila Descendancy Recognition Application to the Native Hawaiian Remains located at Lot #29, William Buckle, located at Kawaihau Church, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017.

Summarization: Makahilahila describes his kuleana to iwi kupuna. He recognizes his immediate ‘ohana and sister are lineal descendants to the Buckle ‘ohana. Public comments has ‘ohana and other Kawaiaha‘o Church descendants in full support of lineal descendancy claim. Willian Haole not in support for lineal but rather only cultural support.

Caceres: Due to being lineal descendants at the Kawaiaha‘o Church he will recuse himself of the vote. However, Caceres is in full support of his recognition.

Motion: (Aulii Mitchell) Making the motion that OIBC recognize lineal descendancy to Ryan Leonard Kamanamaikalaniki‘eki‘e Makahilahila lineal descendancy recognition to the Native Hawaiian remains at Lot #29, William Buckle, located at Kawaihāo Church, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-032:017.

Second: Chuck Ehrhorn

Vote: Aye (Wong-Kalu, Mitchell, Fermantez, Mills, Ehrhorn)

Recuse: Caceres

[Recording 01-200422 at 4:57.54]

M. Elmer Kailikole Ka‘ai Descendancy Recognition Application to Native Hawaiian Skeletal Remains located at 5088 Kia‘i Place, ‘Ili of Wailupe, Waikīkī Ahupua‘a, Kona District, O‘ahu, TMK: [1] 3-6- 023:006.

Summarization: Wong-Kalu read the above name on record without any response. Applicant not present on the zoom meeting. Chair request support to defer this matter. Council all agree to support and item M will be agendaized for the next meeting.

[Recording 01-200422 at 4:59.40]

N. Halewai‘olu Senior Residences Project, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMK: [1] 1-7- 060:120.

Summarization: Update on project from Matt McDermott. Powerpoint presentation of project. The AIS was not approved and will wait until the next meeting to present.

[Recording 01-200422 at 5:02.44]

O. 451 Pi‘ikoi Street/Ala Moana Plaza Residential Tower Project, Waikīkī Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMK: [1] 2-3- 038:003.

Summarization: The City and County of Honolulu Department of Design and Construction designer Ming gives an update and presents on the project called name “Rehabilitation streets: Unit 88.” The update points out the consultation with SHPD on the repaving projects, roadways, type of scope, type of activities that potentially impact the natural soil, review of the records, and SHPD recommendations.

[Recording 01-200422 at 5:28.26]

- P. Chapter 6E-8 Historic Preservation Review; Chapter 343 Exemption – Reference No.: CDD-B 19-786397, Rehabilitation of Localized Streets – Unit 88, Initial Consultation; City and County of Honolulu’s Department of Design and Construction.**

Summarization: No updates.

[Recording 01-200422 at 5:37.10]

- Q. Update on bills in the Hawaii State Legislature regarding Historic Preservation.**

Summarization: No updates for the legislature except they took a two month recess for 60 days and RKH will provide a more comprehensive update at the next meeting.

[Recording 01-200422 at 5:38.13]

IV. INADVERTENTS/COMMUNICATIONS

- A. Inadvertent discovery of human skeletal remains on March 10, 2020, at the Līlia Waikīkī (formerly Kūhiō Collection) Project, Waikīkī Ahupua’a, Honolulu District, O’ahu, TMKs: [1] 2-6-021:100 and 114.**

Note: Update provided by RKH via text to Wong-Kalu.

[Recording 01-200422 at 5:38.43]

- B. State Historic Preservation Division’s History and Culture Branch update on cases, inventory, and internship outreach.**

Summarization: Staff is working from home. All interns are on hold. RKH apologizes and will get a working microphone for the next meeting.

[Recording 01-200422 at 5:41.40]

V. APPROVAL OF MINUTES

- A. Minutes from 09/18/2019.**

Deferred until May 13, 2020 meeting.

[Recording 01-200422 at 5:49.31]

- B. Minutes from 01/08/2020.**

Deferred until May 13, 2020 meeting.

[Recording 01-200422 at 5:49.31]

- C. Minutes from 02/12/2020.**

Deferred until May 13, 2020 meeting.

[Recording 01-200422 at 5:49.31]

VI. ANNOUNCEMENTS

A. Next meeting is scheduled for 10:00 AM on Wednesday, May 13, 2020, via zoom.

[Recording 01-200422 at 5:47.40]

VII. Meeting adjourned

Motion: Kamao Mills

Second: Kali Fermantez

Vote: Aye (Wong-Kalu, Mitchell, Fermantez, Ehrhorn, Caceres)
Kanalua: Mills

Time: 3:38 PM

[Recording 01-200422 at 5:50.41]

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. Additionally, pursuant to a policy adopted by the Oahu Island Burial Council at its September 14, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.

Pursuant to sections §92-4, §92-5(a)(8), and §6E-43.5, Hawaii 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 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.

Materials related to items on the agenda are available for review at the State Historic Preservation Division in room 555 of the Kakuhikewa Building located at 601 Kamokila Boulevard, Kapolei, Hawaii 96707.

INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) AT THE BLNR MEETING, PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 587-0404 SO THAT ARRANGEMENTS CAN BE MADE.

Typed summary of recorded minutes was prepared by Lesley K. Iaukea, Burial Sites Specialist, History and Culture Branch, State Historic Preservation Division on 05/18/2020.