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

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

**APPROVED MINUTES
WRITTEN SUMMARY OF RECORDED MINUTES
OAHU ISLAND BURIAL COUNCIL**

DATE: Wednesday, May 13, 2020
TIME: 10:19 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: 'Ainalani Alesa Kneubuhl
CSH
Victoria Kneubuhl
Alex Akau
Bill Haole
Daniel Akiyama
Kamuela Kala'i
Kdf5
Keala Norman
Keiko
Kepoo K
Lani Mala Lapilio
Mahealani mcc
Roman
Sheila
Kawena
Roman
Mikey
Shelleina Gonda

dianfitzsimmons
Ezekiel37:1-5
Fukumitsu Ohana
Hal
John Morgan
Kahiau Morgan
Kalehua Krug
Kamaehu Caceres
Matt McDermott
Mathews6:9-13
Mayla
Moses Kuaea
Ola Na Iwi
Paige Kawakami
Gina Vasconcellos
Ian Masterson
Kawena Phillips
EK

I. CALL TO ORDER

[Recording 01-200513 at 19:32]

II. ROLE CALL/PULE

[ROLL CALL – Recording 01-200513 at 20:01]

[PULE – Recording 01-200513 at 24:49]

III. BUSINESS

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

1. Per Hina Kalu-Wong, the council members have several different kuleana. The items they were all called to attention on recently will be put on hold per consultation and advice provided to Madam Chair. [Recording 01-200513 at 25:44]
2. Mana Caceres mentioned there will be some OIBC terms expiring in the end of June 2020 and wanted a conversation regarding which council member will hold over and become re-appointed. Hina Wong-Kalu noted we won't know until a week or next and guaranteed by the end of the month in the closing of the legislature. The legislature has resumed and is back in session, however we won't know what they plan to do until they go through the many confirmations. [Recording 01-200513 at 27:07]
3. Kali Fermantez reminded everyone on the ethnics training, Aulii Mitchell agreed and Hina Wong-Kalu mentioned the need to be current for everyone.

[Recording 01-200513 at 27:42]

B. Informational Presentation from Lineal Descendant of Iwi Kūpuna at Kawaihae‘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 entitled *Recognized Lineal and Cultural Descendants Informational Presentation to the O‘ahu Island Burial Council – Part V.*

Summarization on presentation: The powerpoint is an “informational presentation only” per Ayau and is part V of recent presentations he has given. Ayau discusses:

(1) Administrative Rule 13-300-38(a) as it relates to his case. The following are the key points: (a) The “motion unanimously passed by the OIBC at its properly scheduled meeting of April 22, 2020 to preserve in place all 700+ burial sites.” (b) The “motion unanimously passed by the OIBC to adopt each of the following recommendations: (i) Authorize the request by lineal and cultural descendants that for those families who choose to, that they be allowed to take possession of their kūpuna for purposes of providing family care until it is time for reburial; (ii) 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; and (iii) Order Kawaiaha‘o Church to implement all provisions of the Burial Treatment Plan (Feb 2020) including coverage of all reburial costs consistent with the Council’s decision, in a timely fashion.

(2) Administrative Rule 13-300-38(b) as it relates to his case, as well. Ayau’s key points: (a) The Kawaiaha‘o Church is not the applicant for purposes of the BTP accepted by SHPD; (b) Kawaiaha‘o Church tried to invoke HAR 13-300-33(g) to unlawfully “withdraw” the recognized descendants’ BTP after failing to develop its own BTP; (c) Impact of the Department’s failure to comply with HAR 13-300-38(b), written notification to the applicant recognized lineal descendants. Ayau finishes presentation with the requirements of HAR 13-300-52(a).

[Recording 01-200513 at 29:24]

C. Clarence A. Medeiros Jr.’s 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: Hina 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.

[Recording 01-200513 at 2:39.02]

D. Gayle Kaio’s 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: Hina 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.

[Recording 01-200513 at 2:42.20]

E. 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: Motion: [Kamana'o Mills] Moving to defer this item until next month to afford Leilani Coelho the time to establish the Kalua tie to the Wailupe area.

Second: Chuck Ehrhorn

VOTE: 6 AYES (Wong-kalu, Mitchell, Fermantez, Mills, Caceres)

[Recording 01-200513 at 2:42.36]

F. Elizabeth-Ann Kahalaopuna Motoyama 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: Hina 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. Per Wong-Kalu, place this applicant and others that were not present today, upon confirmation, to the next meeting.

[Recording 01-200513 at 3:53. 02]

Note: Per Wong-Kalu, To point out for the record, there is no clear cut formation in the forming and the internal process as to how we run this meeting. It is much to the descretion of the council leadership as well as a reflective persona and accumulative of the council members. We encourage and look forward to having descendants or potential descendants come before us because it is within that leeway that we have to determine them coming forward and that they are going to serve. This is in addition to identifyng who they are to us. We look forward to hearing from these folks at the next meeting if that is possible.

G. 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: Hina 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.

[Recording 01-200513 at 3:54.50]

Note: The meeting took a break at 1:45 P.M., resumed at 1:51 P.M.

Note: Concern regarding descendancy applications on whether to include 'lineal or cultural' to the application. Per advisement from A.G. office, SHPD is told to list the applicant in a general manner and afford the council to input either "lineal or cultural" term to the application upon their descretion.

H. Carolyn Donna Kealaonapua Norman's and 'ohana's (names attached) Descendancy Recognition Application to Skeletal Remains located at Kawaiahao Church, 957 Punchbowl St., Honolulu Ahupua'a, Kona District, Island of Oahu, TMK: [1] 2- 1-032:17.

Summarization: The council was ready to vote and Keala asked Wong-Kalu if anyone had comments to share. Wong-Kalu went ahead with community input. A heated discussion ensued for the next two hours.

Motion: (Chuck Ehrhorn) Deferral of this issue to next month.

Second: Kamana'o Mills

VOTE: AYES: Mana Caceres, Kamana'o Mills, Chuck Ehrhorn, Hina Kalu-Wong

KANALUA: Aulii Mitchell

Note: Kali Fermantez had to leave the meeting before the motion was voted on.

[Recording 01-200513 at 4:07.00]

I. DRAFT Burial Treatment Plan for the Halewai'olu Senior Residences Project, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 1-7- 060:120.

Summarization: Powerpoint presentation is deferred until June 10, 2020 meeting and/or until SHPD approves/denies the above DRAFT BTP.

[Recording 01-200513 at 5:32.30]

J. Update on bills in the Hawaii State Legislature regarding Historic Preservation.

Summarization: RKH will deferr presentation until the June 10th meeting. The AIS was not approved and will wait untiil the next meeting to present.

[Recording 01-200513 at 5:33.28]

IV. Non-Business Items

A. Grading and grubbing activities at 49-05 Johnson Road, Hakipu'u Ahupua'a, Ko'olaupoko District, O'ahu, TMK: (1) 4-9-003:002.

Kolea and Summer Fukumitsu gave a powerpoint presentation for the above location. The key points showcased the history of Hakipu'u dating back to 1848, 'ohana mo'okū'auhau from Hakipu'u (to remain private per request of Summer Fukumitsu), extensive unpermitted grading and grubbing work, 'iwi kūpuna in the immediate area. Family is concerned for their 'iwi kūpuna and request help from OIBC to protect them.

OIBC pledges support for the Fukumitsu 'ohana, John Morgan agrees on zoom to stop the grading & grubbing work until more is known, and SHPD will assist 'ohana in registering 'iwi kūpuna and assist the 'ohana with applying for descendancy.

[Recording 01-200513 at 5:34.08]

Note: Aulii Mitchell left meeting at 3:45 P.M. and therefore, the OIBC loses quorum.

V. INADVERTENTS/COMMUNICATIONS

- A. Inadvertent discovery of human skeletal remains on March 25, 2020, located at 146 Kaluamoo Street, Kailua Ahupua‘a, Ko‘olaupoko District, TMK: [1] 4-3-026:038.
Note: Update provided by RKH.

[Recording 01-200513 at 7:02.12]

- B. Inadvertent discovery of human skeletal remains on April 6, 2020, located at Waimānalo Bay Beach Park Project, Waimānalo Ahupua‘a, Ko‘olaupoko District, O‘ahu, TMK: [1] 4-1-015:015 (por.).
Note: Update provided by RKH.

[Recording 01-200513 at 7:07.48]

- C. Inadvertent discovery of human skeletal remains on March 27 and 30, 2020, at the Lilia Waikiki (formerly Kūhiō Collection) Project, Waikiki Ahupua‘a, Honolulu District, O‘ahu, TMK: [1] 2-6-021:100 and [1] 2-6-021:114.
Note: Update provided by RKH.

[Recording 01-200513 at 7:05.02]

VI. ANNOUNCEMENTS

- A. Next meeting is scheduled for 10:00 AM on Wednesday, July 10, 2020, via zoom.**

[Recording 01-200513 at 7:13.0]

Note: No motion to adjourn because there is no quorum.

[Recording 01-200513 at 7:13.00]

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 Kakuhiewa 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.

Written summary of recorded minutes was prepared by Lesley K. Iaukea, Burial Sites Specialist, History and Culture Branch, State Historic Preservation Division on 05/20/2020.