



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:
OAHU ISLAND BURIAL COUNCIL MEETING,

DATE: Wednesday, December 20th, 2017
TIME: 11:02 AM
PLACE: Department of Land and Natural Resources
Kalanimoku Building
Board Room, #132
1151 Punchbowl Street
Honolulu, HI 96813

- I. CALL TO ORDER
Meeting called to order by Chair at 11:02 AM
- II. ROLE CALL/PULE
oli offered by Chair Wong-Kalu
Members introduced themselves in the following order: Chair Wong-Kalu – Chair, Kona representative; Aulii – Vice Chair, Waianae; Member Amaral – Koolaupoko; Member Holck – Large Landowner; Member Caceres – Ewa
SHPD Staff: Regina K. Hilo (RKH)
- III. APPROVAL OF MINUTES
 - A. ~~Minutes from 08/02/2017~~
 - B. ~~Minutes from 10/25/2017~~
Deferred to the next meeting
- IV. Business
 - A. Discussion on O‘ahu Island Burial Council membership, roles, and responsibilities
Information/Discussion: Discussion on the above items.
Chair read the agenda item onto the record
Summary:
RKH reached out to Chuck Ehrhorn, who is applying to serve on the OIBC, hopefully will be appointed earlier than June 2018
Chair asked about the 1 year resting/break period; RKH stated the break period is determined by the Boards and Commissions; Chair Wong-Kalu stated [Governor] Ige has the ability to appoint
RKH instructed Ehrhorn to fill out the online Boards and Commissions application
Chair Wong-Kalu went through the list of current representation:
Large landowner; Waianae; Ewa; Koolaupoko; Kona

RKH stated needed a representative to Waialua; Member Fermantez is the current Koolauloa representative

Vacancies for two large landowners and Waialua; any moku may have a second representative if there are two large landowner representatives serving;

Chair Wong-Kalu: "Danna is the only one towing the line for large landowner."

Testimony in Hawaiian regarding representation of Large landowner

Testimony in Hawaiian

Chair Wong-Kalu stated that when Ward Villages items are discussed, the Vice Chair will need to facilitate the meeting as Chair will recuse from discussion and determination

B. Department's Recommendation to Deny Recognition of Paulette Kaanohi Kaleikini and 'Ohana (names attached) as Lineal Descendants to the Native Hawaiian Human Skeletal Remains of David Kanuha, Esther Holstein, and Mary Kamaka, located at Kawaiaha'o Church Multipurpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017

Discussion/Determination: Discussion and determination on the Department's recommendation to deny lineal recognition of the applicant and 'ohana to the Native Hawaiian human skeletal remains of David Kanuha, Esther Holstein, and Mary Kamaka, at 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 present 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.

[Chair Wong-Kalu acknowledged that History and Culture Branch Chief, Hinano Rodrigues, arrived at 11:12 AM]

Chair read the above items onto record

Chair asked if the applicant's family wished to move into executive session

Chair stated she had some questions

The oldest sister of P Kaleikini introduced herself and notified Council and the public that she is standing on behalf of her and her kuleana and will be representing her from this day forward, along with her daughter as the matriarch of the family, and would like to convene in executive session

Chair Wong-Kalu stated the Council has been requested to move into ES

Motion: to move into Executive Session

Moved by: Member Caceres

2nd: Vice Chair Mitchell

VOTE: ALL IN FAVOR [5 YAY: Chair Wong-Kalu, Vice Chair Mitchell, Member Caceres, Member Holck, Member Amaral; 0 NAY; 0 ABSTAINING]

Meeting moved into executive session at 11:16 AM

Member Fermantez arrived at 11:23 AM

Meeting exited executive session at 11:30 AM

Chair Wong-Kalu delivered comments in Hawaiian

Chair Wong-Kalu: “In light of the fact that it is not your fault, your family has provided sufficient information and evidence to determine that you are in fact lineal descendants. As your Chair, I wish to offer, I wish to advocate that this Council offer the recognition to Paulette Kaanohi Kaleikini and ‘ohana as lineal descendants to this project. Those names are: David Kanuha, Esther Holstein, and Mary Kamaka. He mau mana’o e a’e [testimony continues in Hawaiian]? Any further?”

Kekahili: “I just want to thank the Council for recognizing the fact that my sister, Paulette Kaanohi, did present [inaudible] to represent her ohana and I thank all of you for your help and for doing so. It’s so appreciated. Mahalo.”

Kahili: “Mahalo. Mahalo nui.”

Chair Wong-Kalu: “He mau mana’o paha anei I ke kaiaulu I ka lumi nei? Aia anei he mau mana’o? Chair will entertain a motion. Chair will entertain a motion to offer recognition to Paulette Kaanohi Kaleikini and ‘ohana.”

Motion: to recognize Paulette Kaanohi Kaleikini and her ‘ohana as lineal descendants to the above aforementioned names

Moved by: Member Holck

2nd: Member Amaral

VOTE: ALL IN FAVOR [6 YAY: Chair Wong-Kalu, Vice Chair Mitchell, Member Caceres, Member Fermantez, Member Holck, Member Amaral; 0 NAY; 0 ABSTAINING]

Chair Wong-Kalu read the Kaleikini ohana names onto record:

Paulette Kaanohi Kaleikini
Moani Umiaimoku Kaleikini
Tuahine Kanekapolei Kaleikini
Kala Waahila Kaleikini
Kalahikiola Mahikeahi Keliinoi
Kilinahe Ialuumokuohikiau Keliinoi
Aliikaua Keawenuiaumi Kaleikini
Noeau Keliilumilani Kaleikini
Haloo Kekoo Namakaokalani Kaleikini
Mahiaimoku Kekaulike Kaleikini
Moehonua Keaweamahe Kaleikini
Piilani Keonealoha Kaleikini
Kahekilinuihumanu Ulukou Kaleikini
Heulu Kuaialii Kaleikini
Lawakua Huanuikalalailai Kaleikini

Chair Wong-Kalu: “These names are on this reading, and this council today has decided to offer recognition to Paulette Kaanohi Kaleikini and those names, as read, recognition as lineal descendants to Native Hawaiian human skeletal remains of David Kanuha, Esther Holstein, and Mary Kamaka located at Kawaihāo Church Multipurpose Building Renovation Project, Honolulu, Kona, TMK: [1] 2-1-032:017. Recognition granted.”

RKH: “May I ask for the record that the applicants state their names and their manner of representation so it can be clear in the minutes?”

Kekahili: “I didn’t hear.”

Chair Wong-Kalu: “Your name and your connection to –“

Kekahili: “OK. I am Aileen Kekahiliokamoku Kawainui Norman, eldest sister of Paulette Kaanohikalani Kawainui Kaleikini. I am a lineal descendant to the same ahupuaa she is requesting to be recognized at. I just happened to be recognized in front of the council, but I am a lineal descendant to Kalia ahupuaa and I want to be reclassified as recognition. So I

have rightful claims to the ahupuaa of Kawaihāo agenda here today as well as my sister Paulette Kaanoʻhi. And that's who I am."

Chair Wong-Kalu: "Mahalo. Momentarily I will ask for your names as well. For now, your voice has been here on behalf of your sister. If you wish to have your name directly indicated, as has been the practice of this council, please make sure that you follow up with Regina to specifically be sure that your names are also a part. The Council does acknowledge [testimony in Hawaiian, summary: as with the customary practices of our ancestors, that you are the older sister of the applicant Paulette Kaanoʻhi Kaleikini, a direct lineal relation as with younger and older siblings, a mother and her children, children and their grandparents, such are the relations of 'ohana; this Council acknowledges that recognition today has been granted based on that relational tie]. Because we are also dealing with the [testimony in Hawaiian; summary: Western law], please make sure that you continue on and submit on behalf. But the Council does recognize here that you have come forth to represent yourselves for your 'ohana. Could you please state your name?"

Kahili: "Ae. Aloha, my name is Debbie Paulette Norman Kini. I am Paulette Kaanoʻhi Kawainui Kaleikini's niece, the daughter of Aileen Kekahiliokamoku Kawainui Norman."

Chair Wong-Kalu: "Mahalo."

Tuahine: "Tuahine Kaleikini and Lawakua Kaleikini, daughter and grandson of Paulette Kaleikini."

RKH: "Mahalo."

Chair Wong-Kalu: "Mahalo. Mahalo nui ia oukou. We look forward to seeing you again."

Item IV. D was addressed next

C. Department's Recommendation to Recognize Diane Puanani Fitzsimmons and 'Ohana (names attached) as Cultural Descendants to Native Hawaiian Human Skeletal Remains located at Kawaihā'o Church Multipurpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017

Discussion/Determination: Discussion and determination to recognize the applicant and 'ohana as cultural descendants to Native Hawaiian human skeletal remains at the above project.

Chair Wong-Kalu read the above item onto record

Chair read the Diane Fitzsimmons ohana descendant recognitions onto the record

Chair Wong-Kalu: [in Hawaiian, summary] - the department's recommendation was to approve the 'ohana.

Chair Wong-Kalu stated this was the first time the recognition had listed as it was on the agenda and would proceed with caution.

Chair Wong-Kalu: "Regina, I know that you have received many requests, [testimony in Hawaiian]. We are accustomed to seeing keiki and moopuna. This is broader."

RKH: "To summarize briefly, they are all ohana. They are just related in different ways. But those are all the applicants for which I received individual applications. And previously, they had been agendized as individual items. At the request of the person submitting the applications as a complete bundle, we have instead worded it this way. Although I did receive individual applications."

Chair Wong-Kalu: "Ok. However, with this, the structure of this recommendation for recognition empowers Diane Puanani Fitzsimmons as the primary voice."

RKH: Pololei.

Chair Wong-Kalu: "Has there been any indication from all these people, so, here's the reading of the names, so that you can say your names have been officially read [in Hawaiian]:

Descendants of Alice Kehaulani Leleo Kinimaka

Jerry Kenui Spencer
John Kinohou Spencer Jr.
Laura-Lee Sumiko Bento Rodrigues
Jeannette Kama Bento
Diane Puanani Nakahara Fitzsimmons
 Teyre Kealohilani Fitzsimmons Crowell
Gina Marie Haunani Granito Vasconcellos
 Micah Sean Kekoa Vasconcellos
 Kylie Marie Anela Kahaule Vasconcellos
Arlen Bento, Sr.

Descendants of Mary Atcherley Kinimaka

Chair Wong-Kalu Kneubuhl
Rolf Parkes Kinimaka
Laura Lili‘u Eckart Tomasello
Wren Wallace Westcoatt III
 Ethan James Ka‘imipono Westcoatt
 Jayna Lyn Ka‘iulani Wescoatt
Patricia Atcherley Hitchcock
Eric Morgan Hitchcock
Wren W. Westcoatt
Sheila Ulwin Eckart Okin

Descendants of Mathias Percival Ho‘olulu Kinimaka

Jon Kinimaka
Marilyn Puanani Kinimaka Moku
Anita Janice Kuuleilani Kinimaka-Davis
 Kuliaikanuu Kellie Davis
 Keanohi T. Davis-Milo
Ellen Marie Keala Kinimaka Senkus
Titus Nihi Kinimaka
Kameamakamae Kawailoa Kinimaka Palama
Kaiolohia Nick Leleo Kinimaka Perreira-Alquiza
Nick Kamanawa Kinimaka Alquiza
Jill Kapulani Alquiza
Oddetta Deborah Kapu Kinimaka Alquiza
Priscilla Kamaile Kinimaka
Kaupena Aukai Kinimaka
Faith Lihui Kinimaka Lopez
Kaeo Frederick Lopez
Duke Limaloa Kinimaka Alquiza
Rene Therese Malulani Kinimaka
Kaleokalani J. Kinimaka Lopez

Chair Wong-Kalu: “Regina, any further clarification?”

RKH: “Aole.”

Chair Wong-Kalu: “Has there been any effort, Regina, on, from Ms. Fitzsimmons to you, to indicate that all of these families will defer to her?”

RKH: “Aole.”

Diane: “Just to say that all of the applications were sent to me. Along with the cover letter. I have a hard copy of the cover letter with me stating that I would be applying and they

would, basically, submit with me. And so, I had either hand delivered or emailed through my email box that everyone sent applications to and basically delivered all the applications to Regina. And, from the three families, there's Nani Davis, and Kapu, and our family genealogist, Patty Hitchcock, and basically, they are all in communication with me and I am working with them through this process."

Chair Wong-Kalu: "Might you have an electronic copy on your phone somewhere? Can you please read it to us?"

Diane: "Sure."

Chair Wong-Kalu: "This is the reason why."

Chair Wong-Kalu invited the audience to help themselves to the food provided at the meeting.

Diane: "I have this one, here it goes. This is the letter that was sent to the family."

"Aloha e Kinimaka ohana. This letter contains [inaudible] Kinimaka ohana and family research conducted by Cousin Patty and her husband [inaudible]. They have documented proof that ten members of our Kinimaka ohana are lovingly laid to rest long ago at historic Kawaihāo Church Cemetery located on Oahu. Sadly, their gravesites can no longer be found at the cemetery. For far too long, descendants of our Kinimaka kupuna have been denied a place at the cemetery where we go to honor these 10 members of our family who came before us – "

Chair Wong-Kalu: "I'm sorry, repeat that last part?"

Diane: "Ok. It says:

"Sadly, their gravesites can no longer be found at the cemetery. For far too long, descendants of our Kinimaka kupuna have been denied a place at the cemetery where we go to honor these 10 members of our family who came before us. As a united ohana we are forming a defense for our iwi kupuna who have been wrongfully, shamefully, and [inaudible] disturbed. As part of the process set forth by the Island Burial Council, we are in the process of applying to the Oahu Island Burial Council, as many of our Kinimaka ohana, as a possibility that we take part in the cultural descendant recognition to human remains at Kawaihāo Multipurpose Building Renovation project, Honolulu Ahupua'a, Kona District, Island of Oahu, TMK: [1] 2-1-032:017. Today the voice of Kinimaka ohana compelling we are requesting your support by submitting an application for cultural descendant to Kawaihāo Cemetery. It is our intention to present our genealogy documents at their next meeting. If you feel called upon to be a part of this united voice and presentation in front of the Oahu Island Burial Council on Sept. 13, 2017, please submit the attached documents no later than September 3rd, at email address [applicant provided her address, withheld for confidentiality consideration] or [applicant provided her mailing address, withheld for confidentiality consideration]. If you're interested in attending the Oahu Island Burial Council meeting will be held on Wednesday, September 13, time 10:00 AM, place Department of Land and Natural Resources Kalanimoku Building, first floor, 1151 Punchbowl Street, Honolulu, HI 96815. Me ke aloha, Diane Puanani Fitzsimmons. Listen to the voices of our kupuna, hear our kahea."

"And listed here are all the kupuna. Basically, this letter was written by Patty Hitchcock."

Chair Wong-Kalu: "Ok, mahalo. I'll say what I have to say and then I'll open it up to other council members."

Diane: "Here's a letter from all the Kauai people."

Chair Wong-Kalu asked to see the documents.

[Council discussion]

Diane: "This is Patty Hitchcock, she's basically our family genealogist."

Chair Wong-Kalu: "I'm going to read this for the purpose of learning in this meeting. Just know that, I understand time is going, but you have decided to take on a great kuleana. More that what we customarily see. Thus, in all fairness to you, if I had no aloha, this would go

very quickly. But I have aloha for you so I don't want you to just thrust yourself into something that could be inappropriate. Anyway, here it goes:

"Aloha Cousin Diane, Mahalo nui for agreeing to be my proxy. You have my sincere confidence in your judgement and your heart and thought it best to be prepared just in case the OIBC brings this subject up in a meeting. This has been weighing on my mind, and my only concern is whether or not the OIBC will accept the format. I guess we'll know when the time comes. I'm thinking that a similar form might be needed in the near future when you begin to interact with the Church committee. I'll print, sign, and send the proxy form to you in a few days. Best wishes, Mahalo."

Diane: "The proxy form [inaudible]. So basically, ok. So, if this is recommended, it is proved as recommended, we basically would be able to kahea with Kawaiiaho Cemetery regarding the Multipurpose Building and does that mean that the family, ohana, comes along too?"

Chair Wong-Kalu: "Ok. Um, of course, yes. That means, that, forgive me, I wish not to offend you. But I must speak very directly and very candidly. If you could not answer that question, and you were able to ask me this question, this means that the familiarity which you have is still very green and very new. Thus, my concern as your Chair and your moku o Kona rep[resentative], that you're moving into waters that, for you and your family, are yet uncharted. Spiritually, you have decided to take on a great kuleana. Because now, you have placed your name as the representative. I have read at least two of those that you have provided, and they say that they will put their support into your voice. So, that's a good and a bad. The good is that it can streamline things, and that your family can have a single representative. It does make things great, and it's really maika'i when we have Hawaiian families that can still boast a level of leadership that will say, "Yes, there's one person, but choke 'ohana." And with many 'ohana, that's a pretty powerful voice of leadership that you have.

"My concern is that, do they see you as a leader of convenience, or do they see you as a leader because you are either steeped in cultural knowledge or you've been an astute leader at leading them for other things? That's for you and your 'ohana to reconcile. My one and only concern is that, if the Council affords recognition today, that means that when you move forward, and logically because you know all these people, [that] all these people who are indicated here, therefore, if we grant recognition, are also recognized with you. In the case of the Kaleikini 'ohana, all those names that I read off, those are all the names that come forward. That's my advice to Kaanohi's sister and niece. Now if they wish to be directly engaging from here forward, they're going to submit their genealogy, we know their genealogy, their direct name is going to be on that, saying that they wish to participate. That's the crux of this process.

"However, now, if there's any discourse in your family, when it comes to this council, as your current council leadership, I will not entertain the discourse in the Council. That's all on you guys' 'ohana time. When walking into a meeting with Kawaiiaho Church and the representatives, um, great, that you guys can all band together under your leadership. Maika'i loa. The meetings are quite long and drawn out as they go. And this process, I'm saying this for the record in here, I, myself, am feeling the pressure from others in the larger scheme of the community. There is a perception that this burial council is not availing itself to judicious expedition of proceedings when it comes to Kawaiiaho's current needs and current iwi kupuna issues. I disagree with that. This council is doing everything in its ability to fairly and, in as pono way as possible, execute its responsibility. However, again, if you show up, and it's only you, then it's only your voice. If you bring other family members with you, you must have that ability. I pray that you have the ability to articulate the potential for meeting proceedings to go like this and like this because people are not up-to-speed or people do not understand because mana'o is all over the place. As someone who

attends those meetings, I can only look to the leadership of the Church and those consultants that they work with as well as the archaeological firm, that they will help to lead the discussions in a way that will help to move the discussion in a positive manner. It is a courtesy that the burial Council is invited.

“Again, at the end of the day, you now become spiritually responsible for your voice as well as the voices of your ‘ohana. Are you willing to accept this responsibility?”

Diane: “Mm hmm. Just to let you know, um, before these meetings, I have a mass email that I send out to everybody. After the meetings, I send out a wrap-up to everybody, and so everyone is aware. And if there’s a problem, though I’ve never had any problems, it’s only been words of encouragement, those who have been able to attend have attended. Some of them I’ve met for the first time, in person. We are all on the same page. I don’t see any dissension.”

Chair Wong-Kalu: “Ok, fair enough. Just know that now you’re moving into territory where this will require, or this would beg of participants to, if not already possessing cultural insight knowledge and some sort of cultural perspective, whereby the advocacy done on your behalf and on your family’s behalf, is done so with strong grounding in cultural understanding. Thus my words to you, not out of disrespect but out of consideration, you and only you know your ability to rally your family on this level. And I say that again because you have strands on family. If there are other individuals in your ‘ohana that feel that culturally, this was the advocacy, or this, however, your voice is the one that is now prevailing because you have rallied everyone together.

“I would like to do the following. I’m going to ask any Council members for their mana’o, and then I see Kawaihāo Church here, and I’ll ask Kawaihāo Church to weigh directly on this just so that way you are afforded the full benefit and scope of this. Maybe before I do that, do you have anything to say?”

Jerry: “Um, my name is Jerry Kenui Spencer. First of all, thank you for allowing me to sit here. I’m very new to the process, preschool in the process. However, I will go forward to learn and comply with whatever needs to be done. And I do recognize Diane. I have a brother who lives in Texas who I am also representing and I just want to ensure everyone that we will go forward and comply with whatever is needed to move this forward.”

Chair Wong-Kalu: “Mahalo. With that said, [a] word of advice: some of the other descendants who are recognized are extremely vocal. The level of their tenacity sometimes will test others who are in the pool of recognized descendants. Sometimes, things are great and everybody is flowing with like mana’o, and some days there are differences. I advise that you consider, as best you can, have a very high and fast learning curve. Because what I do not wish to see, as this issue has gone for years. Currently the iwi kupuna, the walls of that project are not shored up yet. Does/the decision making in terms of moving forward, it’s irrelevant at this current point of, “Is it going to be a Multipurpose Center or not?” The idea is that we have descendants now, you know, you are coming on now, but please, try to absorb. If this Council grants you recognition today, it will be on you to have some very clear leadership. If a logic of another recognized descendant’s advocacy is of shared logic and shared sentiment with you, great. If it is not, then so be it. We have seen this in the past. However, if there is discourse and discrepancy just because of being green and not sure, and what, that’s an issue, because that is going to agitate lots of people in the process. So it’s just a word of advice and caution.

“Council members, any Council member [in Hawaiian, summary: do any of the Council members have questions/comments?]”

Member Caceres: “Ae. Mahalo, I appreciate the attempt in trying to put all the ‘ohana on one agenda item. It would make it easier for us. But to me, I cannot really kako’o different branches under one recognition. When Auntie Kaanohi applies for descendancy, it’s her, her kids, her great grand kids. When I sit on that side of the table, it’s me and my wife, and our

kids. I could easily put my brother's family in there, my cousin's family in there, my mom, dad. It can easily become a numbers game. I kako'o both of your recognitions, but you both have stated that you're very new to the process, and for this Council we like to ask questions, especially for the new applicants. And right now, there's a list of all new, very new applicants. New to the process, new to this entire realm of dealing with iwi kupuna. And it would be nice to just ask questions or [in Hawaiian: discuss].

Diane: "Actually, I was recommended as a cultural descendant in July, and there was no quorum. And I mean, it's been six months. And I haven't been at home, I've been studying my genealogy and the history of this whole area. This entire area. I say this whole area because Honokaa is Kinimaka Royal Patent. And where Honolulu Hale is is where our kupuna Hanakeola lived, that was her home. And so did David Leleo Kinimaka. So these three branches here are all children of David Leleo Kinimaka and Hanakeola. And so, these were the three children that we, they actually had six children but three main branches responded to our basically our call to have them basically have a say about what is going on at Kawaihāo. We're all concerned, this is like, considered home for us, and we're very concerned with all of the iwi that are there. And right now as cultural descendants we know that we are supporting the lineal descendants in their desire. We know we don't have a major say exactly what happens but we have a say. And, David Leleo's father was Kinimaka, after there was Hoolulu which was the man who basically took care of Kamehameha's bone, iwi, and we feel that same thing in us, that we're taking care of the iwi there.

Chair Wong-Kalu: "And that is as fair a point as one can make. However, one's descendancy doesn't always empower one's knowledge about how to go about safely. This is an important spiritual undertaking that you are embarking on. Vice chair?"

Vice Chair Mitchell: "Yes, the safety thing is in my mind, the safety thing. I think that's the importance of having them apply before the Council. If you are not able to be present, a very urgent issue that may come up, for me, that too. Not on the spiritual side, but on this side between us. Others applying to come forward to be recognized just in case you cannot be there for the 'ohana. At that moment for an urgent issue. Kala mai."

Chair Wong-Kalu: "Mahalo. Anything further? Koolauloa?"

Member Fermantez: "Just to be consistent like Mana has said. Well, maybe I should ask Regina. Do we have the option of recognizing this line as separate from all the other lines? And maybe have an expectation that the other lines come in? Because to be consistent, that's what we've done. We have these names, this is one 'ohana. Well, one branch of the 'ohana. I think it's kuleana question to show up and to face the Council to answer questions --"

Holck: "I agree --"

Member Fermantez: "-- we have the option to say, "You're both here from this line, the first line. And then there's, like, the other three."

Diane: "There were many others that were here at the other meetings, but there was not quorum. They were from the Atcherley and [inaudible] line."

Chair Wong-Kalu: "On that note, there was a member of your extended 'ohana that did, wasn't necessarily trying to say that she was going to be in accord with you. Who was that? Do you remember?"

Diane: "Kaniu, was it? But she was not an applicant. No, she was. I think there was Jon but he was not informed about this process, so as he learned, we went out to eat and [inaudible]

--

Chair Wong-Kalu: "Ok."

Member Fermantez: "I think it's a process question. To come here. Does that make sense?"

Member Amaral: "Yeah, I remember. They were standing up, it was a mother and daughter --"

Chair Wong-Kalu: "Yes --"

Member Amaral: “And they said you do not represent them. That’s what stood out. I didn’t get their names.”

Chair Wong-Kalu: “I didn’t get their names as well. So, in the interest of time, and I do apologize to all of you, I know you have all come. I will ask that after this time, for Chair and Vice Chair to leave, I’m going to ask that –“

[comments in Hawaiian about Council’s time constraints from Vice Chair]

Chair Wong-Kalu: “I am required elsewhere by 1 o’clock, and as long as I leave here by a quarter, ten-to at the latest, I know I can fulfill that. Thus, we are addressing this immediate concern here.

Discussion about Council schedules

Chair Wong-Kalu: “Your sentiment, Bev, on this?”

Member Amaral: “My concern was the other family that had stood up, and said that you do not speak on their behalf. So I have a concern with that, and they’re not here today.”

Diane: “Well, I think it was that her mother completely supports. Her mother is Nani and I don’t know which one of her daughters it was, because we call them different names. I don’t know if she was addressing the specific issue that we were talking about or the whole process itself. It may have been on a specific issue.”

Member Amaral: “Well, that needs to be made clear, and I think it would be great if they would come to the next session.”

Diane: “You know, the thing with them is, [comments about family situation] I think there are two sisters and one is in hospice. Very sick too.”

Chair Wong-Kalu: “And therefore, malama kuleana iwi kupuna commands attention from those who come forward. Once putting oneself forward to participate, you are expected to participate. To date, I have one example that clearly rings through my head. They come forward before this Council, there was whole fuss about this individual coming forward at the time they did. One meeting, I saw them. And from then on, I never saw them again. That’s not cool. Now, from what I heard from everyone else on this Council, you are all erring on the side of caution. Today, I’m going to be a voice of dissension, and I’m going to say, well, you have taken on this kuleana, and you have acknowledged in front of this Council that you speak for them. If there is any, now, Council members, I’m asking you all to step up and out in your voice. Chair will stand down if you all articulate, very clearly, yay or nay to this. I heard everything that everyone said at this table, and I would agree. This goes contradictory to the way that we have done everything so far, and let’s see, this is my ninth year, I’ve been in leadership for seven out of the nine years. We have not ever seen a burial council behave or afford recognition in this way. This will set a precedent –“

Member Caceres: “Mm hmm.”

Chair Wong-Kalu: “- It is a dangerous precedent. On one hand, this is streamlining, it might make your job a little easier.”

RKH: “It doesn’t. Trust me on that.”

Chair Wong-Kalu: “But as a division, you have recommended us to recognize –“

RKH: “The applicant wanted it specifically listed like this.”

Chair Wong-Kalu: “You have deliberately made known to this Council this is how you wish it to be. I’m gonna ask the community for their comment, after which I’ll come back to Council members. Again, Chair will stand down and I will defer to the rest of the rule of this Council. I’m going to advocate that, ok, you would like us to set precedent today because we set another precedent today. We afforded recognition despite the recommendation, this Council has a mind of its own, and can and will act accordingly should it see fit. Kawaiiahao?”

Bill: “I do want to voice concern that, prior to the development of the burial cemetery laws of the past, we have succumbed to an area now where things have changed tremendously. Our records were not the kuleana of the Church. Our records were the kuleana of the ‘ohana.

To date, we have gone back and forth in going through our burial records with the archival material that we have to try to locate where the Kinimaka gravesite would be. We have no evidence to that. And the 'ohana has not been able to provide us the information that was given to them when they were assigned. [Inaudible] So therefore we err also on the side of caution that our policies restrict us from sharing confidential information with anyone who has not proven that they have kuleana to a gravesite and our cemetery, as would other cultural descendants or lineal descendants expect us to. And though we hear the cries of our 'ohana, without the proper documentation today's laws require, we are concerned [inaudible] that this breaks that confidentiality that has been afforded through the rights and privileges of all recognized cultural descendants. Thank you."

Chair Wong-Kalu: "Mahalo. Kaiaulu?"

Kamuela Kala'i: "My name is Kamu Kala'i. My feeling about the process, itself, about having to come to this table, to protect our kupuna, are really, really mixed feelings. It affords some protection and yet, it allows, because lawyers found a way to get around the law, allow Kawaiahao to dig up six-hundred-plus kupuna. So, when we talk about the laws today, that are meant to protect our kupuna, they don't protect all our kupuna. They never have, and they never will. So, I've made several attempts to go through the process myself, and I was going to meet with Regina today, after this meeting, to submit my paperwork. I'm very hesitant about submitting anything to SHPD, very hesitant. I don't trust them, I will never trust them. Because they have done some things that are very hewa, and heavy. So, to me, if you have the kuleana and your kupuna are telling you, somehow, get over there and you say something, for me, that's the only recognition I need. I don't need to be recognized by a state entity. I appreciate the kuleana that you folks hold. But they not gonna protect the kupuna at Kawaiahao. They took you guys out of the decision-making process because they had lawyers. They had consultants that found a way to get a judge to say, "It's okay, they Christians, you can dig them up. It's your property, you can dig 'em up. And it wasn't until Kaanohi Kaleikini and Dana Naone Hall pursued, in the courts, and won, and finally got a judge that said, "You know what? It's not right. You go back and you go do your work." And so, Kawaiahao Church administrators, anybody who had anything to do with this, who allowed it to happen, who stand by not only to allow it but to go to court and say, to defend it, to defend their right to dig up kupuna. Shame on you. This is on you. Forever. So the kuleana to make sure my kupuna don't get dug up, it's on me. And I don't need anybody else. I don't need my palapala to say, "This is who I am." I know who I am, my kupuna know me. This is not something I would have chosen for myself, ever. So, however you folks decide to do this, the 'ohana that come forward, the 'ohana that put themselves out there, the 'ohana that share personal information about their family, that is their kuleana. However they want to do it. So, just hearing this today, I don't never want to go through this. I don't ever want to have to have permission, from anybody else, to know that, you can't do this. And I'll do it. And, I have enough faith in my kupuna, and in myself, to know that. My moopuna's moopuna moopuna will never forget this horrific, horrific hewa that the Church continues til today. Continues to defend. And keep those kupuna in the basement. How many years now? The rain's coming, and exposing more kupuna? What the hell's wrong with you guys? At least take care of the kuleana of the iwi that's around. How hoopailua, that's what my grandmother used to say. And it's never gonna be right until those kupunas are put back where they belong, and where they came from. It's never gonna be right. So however you decide what you're going to do, if your 'ohana and you have the kuleana, then you go for it and you do it whatever way you have to do it. And, you know, I was before this board about five or six years ago, and I had to step out for family kuleana, but I'm back and I'm back to say that this is wrong, it's always been wrong, it will never be right until the Church does the right thing. And the families that come forward, for their 'ohana. Those are the voices that come forward. The Church gave that privilege up when

they dug up the first kupuna, years and years and years ago. This is not the first time, and pray to God it's the last time. They have a track record of moving kupuna, of [inaudible] kupuna, of putting them all together, they have a track record. They've been sued in the past. They've been sued, and you know what? Kupuna in the basement are still waiting. Six hundred plus kupuna. Hoopailua. And, with that I'm going to say mahalo for listening.

Council thanked Kamuela for her testimony

Chair Wong-Kalu: "With that said, [in Hawaiian: any other comments?]"

Member Fermantez: "May I respond before she leaves?"

Chair Wong-Kalu: "Quickly."

Member Fermantez: "I think that's all the spirit of, I think that's the spirit of your letter in the paper today. The idea is, you know something, you do something, you say something. I just had a flashback to my first meeting, my and Danna's, five years ago, 2012. We were telling off the rail CEO who's no longer here. So I appreciate your mana'o and it's in line with our point. If you gonna say something, then do something. You know, we went over there to the Church, it's heavy. It's heavy. As far as my sense of kuleana to be, whatever we can do to get the iwi back. However this process can help, I'm totally committed to that. Mahalo."

Chair Wong-Kalu: "So, with all of that said, after I say what I have to say, I'm going to have to excuse myself, at which time, the meeting will continue. There will only be information shared from whomever has come to share it with the remainder of the Council members who are able to be here.

Member Fermantez: "Can we make a decision before you go?"

Chair Wong-Kalu: "Yes, we will make a decision before I go, I'm just letting everyone know that this is what's up, and I do apologize. I did not expect that I was going to be required to show up someplace very shortly. You acknowledge that this is a great kuleana –" Diane: "As a cultural descendant, yeah. I think Kawaiahao Church basically was addressing lineal descendancy in saying that we could not prove –"

Chair Wong-Kalu: "No, no –"

Diane: "We lived and we died in this ahupuaa. We are concerned."

Chair Wong-Kalu: "Doesn't matter. Cultural descendancy, lineal descendancy, I'm saying to you, this is a great kuleana you are taking, yes or no you do acknowledge –"

Diane: "Yes, I do acknowledge. I mean I prayed and talked to God, Akua, and I know the responsibility, what happens, goes forward, and I look forward to work with –"

Chair Wong-Kalu: "Ok –"

Diane: "We want to support all the iwi kupuna in there. I know it's going to be a task and this is just the beginning, I haven't given up, since the beginning –"

Chair Wong-Kalu: "I can see that –"

Diane: "- and I'm going to do this."

Chair Wong-Kalu: "I believe that what I have heard, from every other Council member, that I am your only supporter right now. In terms of affording recognition to you, today. Although it doesn't mean that I have my doubts. I do have my doubts, but you clearly expressed this, but this means, that, just know, that as long as I'm sitting in your Chair of leadership, that there will be no, if your 'ohana here, if there's any discourse, discourse is not taking place in here. And it's out the door. And I will be very vocal if 'ohana makes it to the table at the Kawaiahao consultation, I'm gonna raise holy hell and say, "No, this is not right." Because you said, you gonna be the leading voice, and your voice gotta trump over everyone else's because of the way this is structured. And also because of the way you specifically requested, and Regina said it earlier, you requested it to be in this way. Why? Because you reached out to the people. So again, I think I'm your only supporter. But, Chair will stand down, consistent with the respective individual wishes. So quickly, Koolauloa –"

Member Fermantez: “Just for the record, how I’m going to vote, I think the option, I’m comfortable, the two of you here, I’m comfortable, that’s how I’d vote – “

Member Holck: “Separate –“

Member Fermantez: “Separate. As is, I’m gonna vote no. But you’re here, you’ve been here, several times, and I recognize that. I think that’s fair and consistent with how we’ve operated in the past. But I don’t feel comfortable with the whole. That’s how I’m going to vote.”

Chair Wong-Kalu: “Either way, it doesn’t really matter, however we vote. Let us know that, if it is not, if there is no consensus in this format, how you have requested, there is no decision made. It’s either recognize or don’t. If it doesn’t not look like this, then you don’t get recognition today, not even for yourself. You have spoken [directed to Member Fermantez], you are ok with these two individuals here today, at least with Diane Puanani Fitzsimmons and her immediate ‘ohana –

Member Fermantez: “This line here.”

Chair Wong-Kalu: “Descendants of Alice Leleo Kinimaka. Mahalo, Koolauloa. Ewa?”

Member Caceres: “I would be ok with recognizing Aunty Diane and her ohana, but not in its entirety. It would be too easy for an ohana to do a family reunion and get everybody that came on the list and then get one person to show up. I think it’s opening up a door that, I don’t think we’re prepared to see what could happen. So as it stands like this, I wouldn’t.”

Chair Wong-Kalu: “Mahalo. Danna?”

Member Holck: “I feel the same way. I feel like I wish I could see these other families come forward with the same passion that she invokes, because then I’d feel that they care as much as you do. Because I haven’t seen them, heard them like how we have with the Kaleikini family and other families, I don’t have the confidence that there’s a true cohesiveness.”

Chair Wong-Kalu: “Mahalo.”

Diane: “So, you weren’t here at the other meetings.”

Member Holck: “Some I missed, yes.”

Chair Wong-Kalu: “Vice Chair?”

Mitchell: “You heard from me already.”

Chair Wong-Kalu: “Mahalo. Beverly?”

Member Amaral: “I’m in agreement with my fellow Board members. I totally agree with them, and also I would have felt a lot better if the two that were in dissension of your voice were here. Because they’re not here, I don’t feel good about approving you in this format. In your immediate line, yes, but not for the entire names that are here.”

Chair Wong-Kalu: “[counts in Hawaiian] I think I’m your only voice of support. Do I agree that you should do it? No. But you clearly said to me today that you wanted to do it. Based on that, you have one voice of support, saying, “Ok, go ahead.” That’s why I’m kinda beating down and saying, you know, “You know.” Because that’s heavy stuff. When there’s discourse, and somebody no like you and somebody got it out for you, the power of their words [slaps palm sharply], like this, and you either end up in the hospital or you end up who knows, somewhere. And I don’t want to see that. But today I believe I’ve been outspoken by all the other Council members. And I would say that I completely understand and I concur with that logic as well. Just wanted to be a little [inaudible] today. So –“

Diane: “Ok, so –

Chair Wong-Kalu: “That means that we must take a motion, that motion must reflect that the Council, that the recommendation that the Council deny recommendation despite what the division is recommending to us. But that means that you would have to separate these and someone else can come forward, from each of these lines, and Regina can best advise you. Chair will entertain a motion.”

Member Caceres: “You could still become proxy, after, for the individual lines.”

Diane: “I’m a proxy right there, for the Atcherly line.”

Chair Wong-Kalu: “Ok, that is another way. There is a third way. That if she shows up, showing to you that there’s some kind of signed document saying that everyone wants to come under you. Personally, very honestly, I wouldn’t advise it, not unless I’m the iron fist and hammer in my family and everybody will do what I say? I would never do it. But, that’s for you and your family to determine.”

RKH: “Chair, I will acknowledge that, previously, the items were agendized as family. So, you have the parent, and then the siblings, I mean the offspring. But this is the way that the applicant specifically requested it be on the agenda. And my understanding at the time was that Kaanohi for her ‘ohana, those were all of her descendants. For this ‘ohana, there are different ‘ohana and different lineages, however, this is the expressed interest of the applicant.”

Chair Wong-Kalu: “Ok. Chair will entertain a motion.”

Member Fermantez: “Motion to recognize the descendants of Alice –“

Chair Wong-Kalu: “No, cannot do that–“

Member Fermantez: “Cannot do that? But I thought you [Regina] said we could. No?–“

Chair Wong-Kalu: “This is as submitted –“

RKH: “I did earlier, I’m sorry, but after conferring with my branch chief –“

Member Fermantez: “We cannot do this. What I said wasn’t an option. Oh.”

Chair Wong-Kalu: “It has to be separate and single.”

Member Fermantez: “Yeah, yeah, yeah. Ok. So –“

Chair Wong-Kalu: “If we are to be consistent how we did, it’s gotta –

Member Fermantez: “Motion to –“

Chair Wong-Kalu: “It’s gotta be to defer.”

Member Fermantez: “Defer, I guess.”

Chair Wong-Kalu: “I think it would be defer, instead of deny. You folks gonna have to do a couple more things, and I apologize because you guys been at this, and coming, for a couple of months now. Motion?”

Member Fermantez: “Motion to defer item.”

Motion: to defer cultural descendant recognition determination of Diane Fitzsimmons and ‘ohana to Native Hawaiian skeletal remains at the above location

Moved by Member Fermantez

2nd by: Vice Chair Mitchell

VOTE: ALL IN FAVOR [6 AE: Chair Wong-Kalu, Vice Chair-Mitchell, Member Caceres, Member Amaral, Member Holck, Member Fermantez]

Item E. was addressed next

Chair Wong-Kalu announced the Chair would be leaving, but the meeting would continue, with quorum, until another member needed to leave

Chair Wong-Kalu left the meeting at 12:50 PM

D. DRAFT Burial Treatment Plan for Iwi Kupuna at State Inventory of Historic Places (SIHP) # 50-80-14-7580 at the Howard Hughes Corporation’s Block A Project, Kaka’ako, Honolulu Ahupua’a, Honolulu (Kona) District, O’ahu, TMK: [1] 2-1-056:001

Discussion/Determination: Discussion and determination whether to preserve in place or relocate human skeletal remains at the above location.

Council discussion and recommendation to the State Historic Preservation Division whether or not to accept the proposed burial treatment plan.

Chair recused from discussion and determination

Vice Chair read item onto record

Summary:

Project presented by Matt McDermott, CSH

Details provided at the 10/25/2017 meeting, preservation-in-place of an upper maxilla found; will finalize the BTP and put protective measures in place before construction begins

Summary: Project location at Auahi Street and Ward Avenue, may eventually be developed into a highrise condominium

Upper maxilla found in Trench 39, were left in place; other historic properties in the area include the old land surface, the old salt pans, and early 1900's to 1950 remnant structures in the project area

Iwi were left in place, asking for 2 foot buffer around the iwi find for a total of 4 ft. square, which will be built up with plywood protective barrier; area will remain undisturbed

Landscaping will incorporate, if appropriate in size and found in the area, a pohaku, and/or Native Hawaiian vegetation, no signage or protective walls around the area; discussed with a group of Native Hawaiian cultural descendants recognized for Kakaako, outreach has been generally favorable; asking for determination of preservation in place and approval of BTP

Vice Chair Mitchell thanked McDermott for his thorough presentation

No comments from OIBC

No comments from audience

Motion: to preserve in place the single iwi kupuna [represented by SIHP #50-80-14-7580] at the above project

Moved by: Member Caceres

2nd: Member Holck

VOTE: ALL IN FAVOR [5 YAY: Vice Chair Mitchell, Member Caceres, Member Fermantez, Member Holck, Member Amaral; 0 NAY; 1 ABSTAINING: Chair Wong-Kalu]

Motion: to recommend the SHPD approve the BTP for SIHP 50-80-14-7580

Moved by: Member Holck

2nd: Member Amaral

VOTE: ALL IN FAVOR [5 YAY: Vice Chair Mitchell, Member Caceres, Member Fermantez, Member Holck, Member Amaral; 0 NAY; 1 ABSTAINING: Chair Wong-Kalu]

Chair rejoined the meeting; Item IV. C was addressed next

- E. 'Alohilani Resort (formerly Pacific Beach Hotel) Renovation Project, Waikiki Ahupua'a, Honolulu (Kona) District, O'ahu, TMKs: [1] 2-6-026:020 and 026, Lili'uokalani Avenue and Kalākaua Avenue Rights-of-Way**
Information/Discussion: Update on the above project.

Vice Chair read the above item onto the record

Summary:

Project presented by David Shideler, Cultural Surveys Hawaii, Inc.

Courtesy update, research designed AISP accepted by the SHPD

IPPs were developed and accepted by the SHPD addressing 3 burials found during AIS and a burial found during archaeological monitoring at the project

Update of AISP provided to the SHPD; construction and resort related excavation resumed in early December, CSH On site for approximately 2 weeks already with no additional finds; will need a BTP addressing the three burials found during archaeological inventory survey,

BSCPP needed to address the iwi kupuna found during the archaeological monitoring program. Advertising published in OHA and Star Advertiser

Will be back at least 2 more times for the kupuna. All preservation in place. Mahalo to OIBC and particularly Mana for his participation in moving this project forward, mahalo to Kaanohi Kaleikini, and mahalo to SHPD archaeo and burial sites program
Iwi found in the elevator shaft excavation were preserved in place.

No OIBC comments

No community comments

Lani offered mahalo to the Caceres ohana and the Kaleikini ohana, appreciate the ongoing coordination and consultation; monitored construction has begun; mahalo to Danna for her comment about cultural training for the staff, Lani spoke to the GM and he said it will be incorporated as soon as litigation is completed: have already done cultural training on the branding and Alohilani name, heritage of the area, and ahupuaa, etc.

Member Holck stated the GM needed the same training, not just his staff

Vice Chair Mitchell: should be a part of any hotel program; asked if there are any cultural monitors on site, Oihi CR?

Shideler replied affirmatively.

Lani: asked RKH if there were any inquiries about the publication?

RKH: Haven't gotten any yet. Some individuals have come forward for the Queen Emma Land Company development parcel at IMP/Duke's Lane. No inquiries yet.

Item F was addressed next

F. Kalākaua Avenue Water System Improvements, Honolulu and Waikīkī Ahupua'a, Honolulu (Kona) District, Island of O'ahu, Hawai'i, TK: [1] 2-3-various, 2-4-various, 3-1-various, and Portions of the County Right-Of-Way (Kalākaua Avenue, Saratoga Road, Ala Wai Blvd.)

Information/Discussion: Information and discussion on the above project.

Kalakaua Avenue Water System Improvements

A Mitchell read item onto agenda

Alani, Community Liaison BWS

Gregory Lee, project engineer for BWS which consisted of a feasibility study and upcoming environmental assessment

Robin Matsunaga, Belt Collins Hawaii, consultant

Alani:

- brief background to project and Board's history in Waikiki;
- Harris Administration improvements; was not initially involved; involved during the development of Ka Hali'a Aloha;
- 1998-1999 BWS work was not proactively done with kanaka community, lots of finds that occurred outside of communication with the community;
 - learning curve, BWS worked to develop a proactive approach to projects;
 - Alani and the project team now proactively consult about projects ahead of time; only one area of line was replaced [in the 1998-1999 project];
 - Beretania to Kalakaua is a large area that needs to be replaced but will not be addressed yet;
 - aside from the area that was addressed in the 1999-2000 work, everything else needs to be replaced;
 - info presented today is part of the Environmental Assessment, very early on in the process, recognizing the Waikiki area is sensitive;

- had to look at options other than open trenching;
 - meeting set to discuss with recognized descendants on Oct. 19, no one came; there was a reburial set for that night
- Seeking mana'o from Council and public; draft EA in process;
 - When EA is done, review the findings and decide on which construction process to submit; will come back around to SHPD for review and determination on the project; come back to the OIBC with the plans and provide an informational update; probably a year away from any work

Robin: probably several years.

- Thanked the OIBC and community for the opportunity to present before the Council.
 - Wanted to get input during planning stages all the way through to implementation
 - Construction in Waikiki hasn't been benign, sensitive
 - Want to change things
 - Seeking early input from communities
 - Will have many opportunities to comment in the future
 - Hope that any comments now can be incorporated
 - Draft EA will be released in February or March 2018
- Project purpose
 - Existing waterline along Kalakaua, from Beretania to Dillingham Fountain
 - Installed in 1929, 8" line
 - Saratoga line, installed in 1924
 - Significant growth since their installation
 - Consumption AND fire suppression/safety
 - Need to replace the line
 - Beretania near Foodland, to Kaiulani Street at the Hyatt,
 - Kuhio Beach Beautification project – work done there
 - Feasibility study completed last year
 - Archaeological literature review
 - SCS, investigations of what was found
 - Design, and re-design
 - As a result of the AIS
 - Mitigating documents if necessary
 - Not sure when project will start, but will not start for a long time
 - Want to get input early on
 - EIS is being done after the EA, after the design
 - Kalakaua Ave. right-of-way is wide
 - Could encounter an obstacle by utility agencies
 - Excavations done for AIS are themselves a disturbance
 - More intelligent to go through the design first to get a firm idea of the alignment, target AIS excavation accordingly
 - More intelligent and more sensitive
 - Excess capacity on the McCully 30" line
 - Do not need to cross the Ala Wai Canal
 - The more discussion had, the better, even at this early stage when design is several years out

- Robin provided a list of the above-ground historic properties as identified by the SHPD's Architecture branch
- Robin provided an overlay of the project on a soils map
 - Concern is Jaucus sand
 - Sand dunes, wind driven sand dunes
 - Burials
 - Fill areas
 - Does not necessarily mean an absence of burials
 - Lo'i properties
 - Associated habitation sites
 - Land Court Awards
- Exploration of different construction methods to minimize impact to archaeological resources/properties
 - Shallow cultural deposit
 - Excavate deeper, into the marine sand
- Native Hawaiian community has concerns about construction where boring machines have disturbed or destroyed iwi
 - Pilot microtunneling
 - Process has been around 15 to 20 years
 - Uses an auger to push soil aside, displacing it in its natural state
 - Doesn't mix it with water or churn the contents together
 - 4" auger displaces the soil
 - Dropped in a hopper, brought to the surface where it can be sifted and observed
 - Can stop the project if artifacts are found
 - Would have the safeguard of monitoring
 - BWS is willing to explore
 - Has been done on Oahu
 - Proven technology
 - Member Fermantez asked a question about depth limitation
 - Robin responded that the depth would be about 10 feet below sea level, and the auger couldn't be used in hard rock
 - Soft sands in the project location, concerns about iwi
 - Open trench construction creates giant rectangular prisms along the length of the pipe; anything in that area would be disturbed
 - Limited places to go, even with the AIS
 - Microtunneling can go deeper than the expected burial location depths
 - Launching pits can be moved
 - Surface connections can be moved
 - Summary
 - Would like get input and comments
 - Contact information provided
 - Handouts provided

Vice Chair Mitchell thanked the project team for their presentation; acknowledged the cultural knowledge and expertise of the BWS community liaison, Alani
 No OIBC questions

Member Caceres thanked the BWS team for their consideration of the Waikiki area sensitivity, and their proactiveness

Vice Chair Mitchell asked what the line replacement material would be, once installed

Robin responded the BWS still uses iron, has used cast iron; this would be a more modern, ductile iron, stronger pipe with more coatings to protect it; amazing that the pipe lasted 90 years

Vice Chair Mitchell asked if federal funds were involved

BWS Gregory Lee stated no

Alani stated the BWS is seeking input, from Council and public, about mana'o for the different techniques

Member Caceres stated he and his 'ohana would provide mana'o

Member Amaral stated she was impressed with the presented technique

Alani stated there were two techniques, and they needed to evaluate the two techniques based on the comments received from the Council and public

Vice Chair Mitchell stated it was important that the recognized descendants get educated like how the Council was getting educated at the meeting

Alani stated invitation letters were sent out to a scope similar to Section 106 consultation scopes, in an abundance of caution; used the Section 106 mailing list, using all descendants recognized up to late 2016

Robin stated that 65 letters were distributed

Alani stated that no one responded

Kekahili stated she has been recognized for the entire ahupuaa of Waikiki; because of the changes, she would like to be involved

Alani stated she didn't need to do that for the BWS, the BWS was more than happy to take her information and provide a letter

Member Fermantez thanked the project proponents for coming early in the project and presenting; commented about monitoring; asked about the installment of the new line

Alani stated the current line would stay in place, even after it is decommissioned; not a one-for-one replacement; initial pits will be excavated; soils/augered materials emerge in-tact, rather than ground; will be at a level that no burials have been found

Member Fermantez asked about monitoring

Alani stated if anything was found, work would be stopped; same with the excavations of the pits

Vice Chair Mitchell left the meeting at 1:15 PM

OIBC lost quorum; information sharing from 1:15 PM onward

Item G was taken next

G. Avalon Kapiolani Development Project, Waikīkī Ahupua'a, Honolulu District, O'ahu, Hawai'i, TMK: [1] 2-3-016:003, 004, and 008

Information/Discussion: Information and discussion on the above project.

Member Caceres read the above item onto the record

Lani Maa Lapilio, Aukahi, introduced the team

Michelle Pammer, Cultural Surveys Hawaii, provided project updates

2nd time before the OIBC for the project

Expanded archaeological property boundaries of the project area

Parcel 004 was presented the first time; two additional parcels were added to the project area: 003 on the Diamond Head side; 008 on the Diamond Head side

Project area is located on a sandy berm

AIS for the central project location

12 test excavations, no Jaucus sand encountered

Targeting berm and wetland system
 Heavily modified berm system with historic debris
 Central trenches are in the parking lot
 Wood encountered in a test trench, probably related to an older structure
 Thick fill layer, with berm as a transition zone into the wetland sediments
 008: building, staircase, offices, loading dock on Ewa edge
 003: parking lot on mauka portion; building has a church, Japanese restaurant,
 Club Thai Angel, narrow hallway; Saigon Passion; Hawaii State Ballet; interior photos of
 club showing doorways and hallways
 Additional testing strategy on the two new included properties: 7 trenches on the Ewa
 portion; Diamond Head trenches in parking and landscaping; testing proposed for the berm
 system, ponds and wetlands areas; proposing 10 additional trenches, for a total of 22
 trenches
 Member Caceres asked about the scheduling for the 10 trenches
 Michelle stated she was presenting the current findings for OIBC consideration; 2
 descendant meetings have been held for the project, and also met with SHPD a few weeks
 ago
 Member Amaral stated the presentation was to update the OIBC and get any feedback the
 OIBC might have
 Michelle answered affirmatively, and wanted to know if the OIBC had any thoughts about
 the proposed testing strategy
 No other questions or comments followed
 Item H was taken next

H. Native American Graves Protection and Repatriation Act (NAGPRA) Consultation regarding the inadvertent discovery of Human Skeletal Remains on August 17, 2017 at 41-960 Kalaniana'ole Highway, Waimanalo Ahupua'a, Ko'olaupoko District, O'ahu, TMK: [1] 4-1-021:011

Consultation/Discussion: Consultation and discussion on the above project.

Project presented by Kama'ana Mills, Special Assistant at DHHL; and Matt, CSH

Summary:

Kama'ana'o:

- Initiate consultation under NAGPRA
- Waimanalo beneficiary with property lease since 1946, partnership with state and federal agencies as well as CSH to assist the beneficiary
- Pursuant with NAGPRA, need to initiate consultation with NHO's

Matt:

- Piggy-back consultation on OIBC as NHO, separate but similar burial treatment process; treatment decision is with DHHL
- DHHL lands qualify as tribal lands, therefore according to DOI standards, must follow federal law; meeting scheduled at Blanche Pope Elementary 12/21/2017 at 6:30 PM; will describe project, how the inadvertent find was made, will discuss NAGPRA process, get input and mana'o about who CSH should be talking with (NHOs, descendants), proposed treatment option is preservation in place
- Project: Waimanalo, inland of the coast, dunes mauka of Kalaniana'ole; one residence on the property since 1949, project was to dismantle and remove existing structure, and build a new structure similar in size and shape
- PowerPoint presentation provided

- Remains found in excavation for footing; LCA awards from mid 1800s, kuleana properties, not much in the location of the project; not a lot of archaeology done in the area, as the neighboring structures were put in around the 1940's and 1950's before the NHPA was passed; DHHL project approx. ½ mile away on a DHHL project; another find several blocks away in the 1980's;
- Shallow excavation, flexed individual, older adult in semi-flexed position; most likely Native Hawaiian; no visible burial pit, older burial, early post-contact or pre-contact; preserved in place currently where found;
- NAGPRA process – initial consult on site with DHHL, beneficiaries, CSH in Oct., several site meetings; site consultation letter sent out on Dec. 4, 2017; looking through NHO orgs and local Waiamanalo groups and orgs to discuss; meeting on 12/21/2017 at Blanche Pope; forward conversation started on Dec. 4, 2017 letter, talk with possible descendants about treatment; develop plan-of-action similar to BTP, a way of recording how the burial was found, what consultation took place, and how the burial should be treated;
- Kamana'o Mills is the contact

Kamana'o

- provided contact information; DHHL policy is to preserve in place to the extent possible, but the decision will be made taking into consideration the beneficiaries mana'o

Matt

- preservation in place is the preferred option and can be implemented via adjustments to the supporting column; POA; notice in the paper talking about disposition, 30-day clock; consent of all involved; on state land and following the NAGPRA process, therefore addition of 6E requirements including: metes and bounds of burial preserve and recordation with the Bureau of Conveyances
- Gather input from meetings, develop POA, publish notice, obtain document of consent for treatment, DHHL will make decision on disposition, implement disposition, implement recordation with Bureau of Conveyances

Member Caceres asked if any Waiamanalo 'ohana came forward to participate in the NAGPRA process following notification

Kamana'o stated not for/as lineal descendants

Member Caceres asked who would make the decisions if no lineal descendants came forward

Kamana'o: most likely preservation in place, though any mana'o from the NHOs will be considered

Member Caceres stated the OIBC's position is to preserve in place to the greatest extent possible

Matt stated he would take the OIBC's position back to the parties who would be consulted

Item I was taken next

- I. Kūhiō Collection at Waikīkī Project, Waikīkī Ahupua'a, Honolulu (Kona) District, O'ahu, Hawai'i, TMKs: [1] 2-6-021:100 and 114 ('Ewa Lots) and [1] 2-6-021:075, 076, 101, 108, and 109 (Diamond Head Lots)**
Information/Discussion: Update on the above project.

Lani Maa; Chris – Oliver McMillan; Matt – CSH

Lani thanked Mana for attending the meeting, along with Tuahine and her 'ohana; presenting update

Matt: brief update following finishing of archaeological inventory survey; last presentation was Oct. 25th, working on AIS report and working on BTP, 2 finds of disarticulated remains, no complete burials, something not out of place in Waikiki;

PowerPoint presentation; Kanekapolei divides the two project areas; Walina and Kanekapolei will be the residential tower

Chris: tower will be all rental housing, proposing 450 to 500 units, with 20% designated affordable housing geared towards locals that work in Waikiki; lower portion of site is keeping the scale of the neighborhood, working with SHPD Architecture branch as the facades are over 50 years old, to preserve them and gut renovate them, 1 to 2 bedrooms, over 1000 square feet, deed restrictions and likely use a lottery system to be leased out; Kuhio Ave. front will be 2 stories of retail; Food Pantry on site, and is the only full-service grocery in all of Waikiki, have signed an initial term sheet with them to return in a new way – full service grocer, prepared foods, same Sullivan family, to serve neighborhood; rest of ground floor retail will be pharmacy, Urgent Care neighborhood needs; saving exceptional Banyan Tree; did site survey of monkeypods on property, redesigned some of the project to keep a tree and preserve it as a focal point; mauka to makai building orientation; will have enough parking – one unit, one stall; addressing concern of the neighbors by having an internal loading dock

Matt: PowerPoint presentation; consultation with recognized CD of Waikiki; met with SHPD a number of times; presentations to the OIBC of the AIS sampling strategy; tested inside and outside, did not test under the exceptional tree; tree will remain, therefore is not a gap in the coverage; inventory survey found the old land surface into the 1950's in the makai area, including alluvium from Apuakehau Stream, post-holes, scattered artifacts; subsurface features include basalt boulders, will gather more info during the data collection part of the project; iwi kupuna found in trench 8 is high up in the excavations, a cranial frag in a fill deposit, not necessarily from the area; trench 2 – included three features with three different finds, probably all belonging to the same individual and “enough to fit in your cupped hands”, right in between the fill layer and the old land surface; discussion of a cracked sewer line in the vicinity, so did as best possible to put a protective layer between the leaking sewage and the remains; consultation throughout, latest meeting was Nov. 30th; next steps: mitigation is archaeological monitoring with targeted data recovery in certain areas, especially around trench 2; BTP for OIBC review; draft AIS to be submitted to CSH; burial notification to be published; continued consultation and movement towards BTP, AMP and DR

No questions or concerns

Matt: BTP might come before the OIBC sometime in January/February

Item J was taken next

J. Howard Hughes Corporation Projects – Multiple Blocks, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, Multiple TMKs

Information/Discussion: Update on the above project.

Matt: CSH, update on 2 aspects of Howard Hughes Ward Village development area; 60 acres held by Howard Hughes, central plaza is part of Block I – finds of iwi kupuna; first starting with targeted data collection at Block B West, at Ala Moana and Ward Avenue;

Block B West – AIS, with BTP and Archaeological Monitoring; all docs accepted; targeted data collection for BTP was scattered human remains in a fill deposit in the Ward Warehouse food court area, with treatment to be collection of the scattered remains and placed in a single burial preserve along Ala Moana Blvd.; power point presentation;

Comments: the area will be very active

Block I: AIS done there; lots of survey and testing; BTP for iwi found during AIS; AMP, ADR; salt pans in makai portion, sand dunes in the mauka portion, DR in both; finds of human skeletal remains on 10/8 and 10/12; 10/8 was an articulated child burial, shallow, between 3 to 5 years old, shallow pit immediately below land surface, preserved in place, considered previously identified; trench 2 – 2 human incisors, could be related to tooth ablation, based on 13-300, they will be treated as a burial, shallow, and previously identified; will submit addendum BTPs; advertise finds in Star Advertiser and Ka Wai Ola; working on end of fieldwork letter; Howard Hughes is looking at impacts and preparing for preservation in place;
No questions, comments
Item K was taken next

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

Information/Discussion: Update on the above project.

David Shideler – AIS has been in progress for a long time; work on the proposed utility line corridor; one 12 foot long, 2 foot wide stretch for a proposed sewer line on Mission Lane, going from the driveway of Kawaiahao Church out halfway across Mission Lane; Plan A is to start the work on Dec. 27th; anticipate all new excavation work will be concluded in the next week or so; remaining fieldwork is addressing the erosion of the excavation side walls in the MPB, consensus has been to move forward with stabilizing the side walls of the interior with a combination of jersey barriers, sandbags, and plywood sheets to supply structural support without the appearance of constructing anything; SHPD has asked for documentation of consultation in where we are in moving forward with erosion control measures; no iwi will be moved; it is probable that iwi will be identified in the slumped foot around the perimeter of the excavation; SHPD asked that any findings in sidewalls be documented as part of the erosion mitigation; Dana Naone Hall wanted a site visit, which happened on Dec. 8th, no objections from Dana Hall were received following that site visit;
Kali: She or her representative were able to visit?

David: Yes.

Lani: 1st meeting with kukakuka ekahi, great turnout, covered AIS update, talk about the process of moving forward; 2nd meeting planned for February; must be recognized to attend the meeting, goal is to develop BTP

Kali: How many descendants attended?

Lani: Aliikaua Kaleikini; Haloa, Kala Keliinoi, Noeau Kaleikini; Kilinahe Kaleikini; Kaanohi Kaleikini; Sonny Gay, Halealoha Ayau, Alex Akau, Elaine Akau, Mahealani McClellan; OIBC Hina, Aulii; Haunani Hendrix – member of Kawaiahao

Kahili requested to be updated on this

Mana commented that this is the project to which Kaanohi was recognized as a lineal descendant earlier in the course of this meeting; Mana stated he would share mana‘o Kaanohi had shared previously with him with Kahili

Kekahili asked about what the process of recognition would be, given that Lani had mentioned that individuals who attend the Kukakuka meetings must be formally recognized by the OIBC

Lani stated Kekahili should contact Regina, or that Kekahili could also talk with Lani

V. INADVERTENTS/COMMUNICATIONS

- A. Inadvertent discovery of human skeletal remains on November 6, 2017 at Elks Club, Waikīkī Ahupua‘a, Kona District, O‘ahu, TMK: [1] 3-1-032:006**
Information/Discussion: Discussion on the above inadvertent discovery.

Presented by RKH

- B. Inadvertent discovery of human skeletal remains on November 23, 2017 near Camp Erdman, Ka‘ena Ahupua‘a, Waialua District, O‘ahu, TMK: [1] 6-9-004:003**
Information/Discussion: Discussion on the above inadvertent discovery.

Presented by RKH

VI. ANNOUNCEMENTS

- A. Next meeting date is scheduled for Wednesday, January 10th, 2018, at 11:00 AM**

Approved and ratified by the Oahu Island Burial Council at their meeting on 2018-08-08. Respectfully prepared and submitted by Regina K. Hilo, Burial Sites Specialist, History and Culture Branch, State Historic Preservation Division.

‘Ohana Kaleikini

**For recognition at the December 20th, 2017 Oahu Island Burial Council meeting,
agenda item below:**

IV. Business

- B. Department’s Recommendation to Deny Recognition of Paulette Kaanohi Kaleikini and ‘Ohana (names below) as Lineal Descendants to the Native Hawaiian human Skeletal Remains of David Kanuha, Esther Holsten, and Mary Kamaka, located at Kawaiaha‘o Church Multipurpose Building Renovation Project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-032:017**

Moani Umiaimoku Kaleikini
Tuahine Kanekapolei Kaleikini
Kala Waahila Kaleikini
Kalahikiola Mahikeahi Keliinoi
Kilinahe Ialuumokuohikiau Keliinoi
Aliikaua Keawenuiaumi Kaleikini
Noeau Keliilumilani Kaleikini
Haloa Kekoo Namakaokalani Kaleikini
Mahiaimoku Kekaulike Kaleikini
Moehonua Keaweamahi Kaleikini
Piilani Keonealoha Kaleikini
Kahekilinuiahamanu Ulukou Kaleikini
Heulu Kuaialii Kaleikini
Lawakua Huanuikalalailai Kaleikini

Diane Puanani Fitzsimmons and ‘Ohana
For recognition at the December 20th, 2017 Oahu Island Burial Council meeting,
agenda item below:

IV. Business

- C. Department’s Recommendation to Recognize Diane Puanani Fitzsimmons and ‘Ohana (names attached) as Cultural Descendants to Native Hawaiian Human Skeletal Remains located at Kawaiaha‘o Church Multipurpose Building Renovation Project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-032:017**

Descendants of Alice Kehaulani Leleo Kinimaka

Jerry Kenui Spencer
John Kinohou Spencer Jr.
Laura-Lee Sumiko Bento Rodrigues
Jeannette Kama Bento
Diane Puanani Nakahara Fitzsimmons
 Teyre Kealohilani Fitzsimmons Crowell
Gina Marie Haunani Granito Vasconcellos
 Micah Sean Kekoa Vasconcellos
 Kylie Marie Anela Kahaule Vasconcellos
Arlen Bento, Sr.

Descendants of Mary Atcherley Kinimaka

Chair Wong-Kalu Kneubuhl
Rolf Parkes Kinimaka
Laura Lili‘u Eckart Tomasello
Wren Wallace Westcoatt III
 Ethan James Ka‘imipono Westcoatt
 Jayna Lyn Ka‘iulani Wescoatt
Patricia Atcherley Hitchcock
Eric Morgan Hitchcock
Wren W. Westcoatt
Sheila Ulwin Eckart Okin

Descendants of Mathias Percival Ho‘olulu Kinimaka

Jon Kinimaka
Merilyn Puanani Kinimaka Moku
Anita Janice Kuuleilani Kinimaka-Davis
 Kuliaikanuu Kellie Davis
 Keanohi T. Davis-Milo
Ellen Marie Keala Kinimaka Senkus
Titus Nihi Kinimaka
Kameamakamae Kawailoa Kinimaka Palama

Kaiolohia Nick Leleo Kinimaka Perreira-Alquiza
Nick Kamanawa Kinimaka Alquiza
Jill Kapulani Alquiza
Oddetta Deborah Kapu Kinimaka Alquiza
Priscilla Kamaile Kinimaka
Kaupena Aukai Kinimaka
Faith Lihui Kinimaka Lopez
Kao Frederick Lopez
Duke Limaloa Kinimaka Alquiza
Rene Therese Malulani Kinimaka
Kaleokalani J. Kinimaka Lopez