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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:  
OAHU ISLAND BURIAL COUNCIL MEETING**

**DATE:** Wednesday, June 13, 2018  
**TIME:** 11:14 AM  
**PLACE:** Department of Land and Natural Resources  
Kalanimoku Building  
Board Room, #132  
1151 Punchbowl Street  
Honolulu, HI 96813

**Attendance:**

**Members:** Hina Wong-Kalu, Chair (Chair Wong-Kalu); Kona Representative Beverly Amaral [Member Amaral], Koolaupoko Representative Danna Holck [Member Holck], Large Landowner Representative Kamana'o Mills [Member Mills], Large Landowner Representative Kali Fermantez [Member Fermantez], Koolauloa Representative Mana Caceres [Member Caceres], Ewa Representative  
**Absent:** Aulii Mitchell, Vice Chair; Ewa Representative (excused)  
**SHPD Staff:** Regina K. Hilo [Hilo], Burial Sites Specialist, History and Culture Branch  
**Guests:** Thomas T. Shirai  
Charles Ehrhorn  
Kala Keliinoi, Cultural Descendant  
Kaipo Spencer, Kinimaka 'Ohana  
Yuklin Aluli  
Lani Maa Lapilio, Aukahi  
David Shideler, Cultural Surveys Hawaii  
Keanu Kuna  
Lois Yamaguchi, Kawaiahao Church  
Bill Haole, Kawaiahao Church  
Kenneth Makuakane, Kawaiahao Church  
Daniel Akiyama, Cultural Surveys Hawaii  
C. H. Hendrix, Kawaiahao Church  
Matt McDermott, Cultural Surveys Hawaii

**I. CALL TO ORDER**

*Meeting was called to order at 11:14 AM*

**II. ROLE CALL/PULE**

*Prayer was offered to bless the food*

*Chair Wong-Kalu pointed out that Chuck Ehrhorn was in attendance, and would be sitting as a Large Landowner Representative at the next OIBC meeting*

*Council members introduced themselves: Chair Wong-Kalu; Member Holck; Member Amaral; Member Mills; Member Fermantez; Member Caceres  
SHPD staff, Regina K. Hilo, introduced herself*

### III. APPROVAL OF MINUTES

*Deferred to the next meeting*

~~A. Minutes from 12/20/2017~~

~~B. Minutes from 02/14/2018~~

### IV. Business

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

**Information/Discussion:** Discussion on the above items.

Summary of discussion:

The OIBC will have three Large Landowner representatives starting with next month's meeting once Chuck Ehrhorn starts his appointed term

Hilo stated she is working with the Waialua Geographic Representative, Lurline Naone-Salvador, to complete her online Boards and Commissions application, with an anticipated start date for the Waialua representative of July 2018

Previously, the Kona district representation was doubled due to the number of projects in the Kona district; no longer applies with the anticipation of having three large landowner representatives appointed to and serving on the OIBC

Member Caceres stated he would recuse himself from agenda items IV. J, K, and L, as he is the main applicant for cultural descendant recognition

Member Caceres stated he would recuse himself from agenda items IV. R, S, T, and U, as he is employed by the developer

Chair acknowledged Member Caceres' recusals

Items IV. P and Q were moved up in the agenda

Item P was addressed immediately following Item A

#### B. DRAFT Burial Treatment Plan for Site 50-80-11-07984, Kailua Ahupua'a, Ko'olaupoko District, O'ahu, TMK: [1] 4-3-028:032

**Discussion:** Discussion on the above burial treatment plan.

Presented by Dawn Chang, Yuklin Aluli (homeowner and trustee), and Keanu Kuna (Yuklin's son, and the successor trustee)

Summary:

In 2016, Yuklin's contractor was excavating for a pool, inadvertently encountered four individuals, consulted with SHPD and SHPD required the project proceed under and AIS. Six additional individuals were encountered. The 4 inadvertent discoveries were disinterred at SHPD's recommendation, temporarily curated on site, then reburied in an AIS test trench per SHPD's recommendation. Yuklin Aluli and Keanu Kuna were recognized as cultural descendants by the OIBC in January 2017; in March 2017, the deSilva 'ohana, Kumu Mapuana, Kumu Kihei, and daughters Kahikina and Kapalaiula, were recognized as cultural descendants by OIBC. Consultation with all recognized cultural descendants; preservation in place was the preferred treatment for all iwi kupuna. Additional consultation was held in November 2016 following the OIBC's request, with Kailua Kau a Hooilo and the archaeologists, to discuss Yuklin's plans.

Member Fermantez asked if Alani Apio was involved

Dawn stated he was the conduit for informing Kailua Kau a Hooilo; mentioned that she had met separately with Mapuana and Kihei deSilva, and Melody McKenzie, who is not a recognized cultural descendant, to discuss the proposed use of the property and the proposed burial treatment plan, including restoration of the backyard through short-term preservation measures which would become permanent. Discussion before the Council is regarding access. The recognized cultural descendants have indicated they would like to present maile lei, oli, and pule. Access should be for the recognized cultural descendants who are 'ohana, therefore Yuklin and her son, Keanu. It is the practice of SHPD that access is provided to all recognized cultural descendants.

Yuklin: 70 years old, has lived there since has raised her son there, who is 41. One block away from St. Anthony's, where she went to school in 1956. Nieghbor is her classmate from St. Anthony's. Intention is that Keanu will inherit the home, along with his two daughters who all currently live in Kailua. Doesn't see her and her family leaving Kailua. Considers that hospitality should be extended, and people be invited; did not invite them to come into her property and home.

Yuklin: "When I hear maile lei, pule, and whatever, I wonder, then you become concerned. Are they going to say the "Our Father," these folks weren't even Christian, pre-contact. So why go through all of this thought-process. Because I shouldn't have to be controlling what goes on in my own back yard. What people are going to be doing there. It gets to be complicated. So I would just prefer that, should ownership be passed on through my family, my oldest granddaughter wanted her picture to be shown, she's nine years old, her sister is three. I would expect the eventuality to occur in 80 years, 90 y"ars, when they drop dead. That maybe something would have to happen. But we live here. We're not going anywhere. The deSilva's live about a mile-and-a-half away from us, in the same ahupua'a."

Yuklin: deSilva's live close to where Yuklin's parents used to live; Yuklin is Native Hawaiian, see this as undermining her own self-determination, in her own home, in her own yard, with her own family; if she must be compelled to do this, it doesn't promote much. Doesn't know what the agenda is for this.

Member Fermantez asked about the nature of access requested, whether it's continuous, one-time, or something else

Dawn stated access has not been determined; the recognized descendants have only expressed an interest to access the property; no particular time nor protocol has been discussed, only their desire to have access; the deSilva's have been recognized to other properties in Kailua and have been given access to those properties

Yuklin stated their recognitions were to commercial properties, not single-family homes; Yuklin lives alone, Keanu lives down the road

Member Fermantez asked if there was any precedent for access at a residential property (i.e. single-family home), and if there's anything that can guide the discussion

Yuklin stated that the iwi are right outside her bedroom window, and she lives with them; any disruption would fall on Yuklin, the mana of kapu where she lives and her surroundings

Member Fermantez stated that Yuklin and her 'ohana would be the default caretakers

Yuklin stated yes; she had planned on the pool, decided to not move forward with the pool; not asking to be niele in someone else's yard; wants to have some say; have to think about the people living right now; whatever is there wants her and her 'ohana there; if she is not there, she wonders what would happen and hope that this doesn't happen to other Hawaiians in Kailua; her family lives around her in Kailua; not a good situation to have this going on; her 'ohana is concerned that this is going on

Member Mills thanked Yuklin for taking this on; it's not often that people take on this responsibility; asked if Yuklin would be open to the other recognized descendants asking permission of her to allow or not allow a visit to the burial, when asked

Yuklin stated that would be more normal; but her feeling is 'why.' Melody [McKenzie] has been to her house and had meetings there for the Native Hawaiian Bar Association, retreats on the premises; what's going to happen, maybe someday; it feels like "This is what's going to happen," and it didn't feel good; doesn't feel like opening up her home to folks by some sort of order; doesn't seem right; feels like 'state' action, 'this is the man, this is compelling them'

Member Fermantez asked if Yuklin had met with the deSilva's

Yuklin stated she knows them, they lived a block from her parents for 40 years; Kihei didn't grow up in Kailua, but Mapuana did

Member Fermantez stated that the BTP was currently only on the agenda for discussion, not determination

Dawn stated it is part of the BTP, because the current BTP is drafted in a way that restricts access; the OIBC makes a recommendation on the BTP, SHPD ultimately decides

Chair stated the discussion is to shape the outcome of the BTP before the final decision is made

Member Fermantez stated it sounded like more 'talk story' was needed with the deSilva's

Dawn and Yuklin stated they had already done that; there was an attempt to try, but both sides were so far apart and the determination was that discussion wouldn't be productive; Dawn stated that she told the deSilva's the BTP would represent their mana'o and it wouldn't be only one-sided but also represent their interests

Member Caceres had several questions; is aware that the main point of contention is access; asked if anyone from IA was available, as the BTP was very good

Dawn stated IA's former presenter, Trever [Duarte] is now employed at Kamehameha Schools; if there was an IA question, Dawn could take it back to IA

Member Caceres asked if all of the recognized cultural descendants had received a copy of the BTP

Dawn stated all recognized cultural descendants had received a copy of the BTP

Member Caceres asked if their explicit mana'o, as would have come from a consultation meeting, was in the BTP

Dawn stated the consultation was [that] she did meet with them, and the BTP reflects their mana'o to have access to do a pule, and offer maile lei, as they've done in other places to which they've been recognized before

Yuklin stated Trever was present and gave a formal presentation to the group, which is documented in the BTP; their position that they wanted access wasn't communicated at that meeting and has never been clearly communicated or put in writing

Member Caceres commented that, for those reasons, access is not included in the BTP

Yuklin stated it was included in the BTP, as best they were able to

Member Caceres stated that, as a member of the OIBC, he reads a lot of BTPs; as recognized cultural descendants, he and his 'ohana read BTPs together, sometimes after dinner; the questions he has are the same he'd ask whether you're a homeowner, developer of a high rise, or a foreign homeowner; already asked the first question; the second question is the date of the first inadvertent discovery, which is not in the BTP

Yuklin stated that information is in the BTP

Dawn stated a Burial Site Component of Data Recovery is under preparation which will address the inadvertent finds

Member Caceres stated the first time the find was heard about was on the OIBC's August 2016 agenda

Yuklin stated the initial discoveries happened in July 2016, and that information can be provided

Member Caceres stated he read the BTP a number of times looking for that information

Dawn apologized if the information was not included in the BTP

Member Caceres asked Dawn to take a request back to IA regarding the fishbones that were found comingled with the hand bones of individual 3, whether the fish species were not identifiable, or if they weren't identified

Yuklin asked about the description of the individual

Member Caceres stated the individual is a juvenile, wants to know more about the fish remains found with the juvenile's remains

Yuklin stated the fish remains were underneath an old lime tree whose roots had disturbed the burials; there were also historic waste material such as tile; the property was bulldozed in 1947

Member Caceres commented about the fish remains and the juvenile remains

Yuklin stated fish remains were found in another part of the yard, where the barbeque remains were stored

Member Caceres stated he may have mis-read that, such that the child was buried with the fish, and, if so, was curious about the type of fish; asked about Individual 8, an infant or fetus, and Individual 9, an adult, if those burials were in situ or disarticulated, such that this could be a mother and child burial

Yuklin replied not necessarily as one was fragmented, and the other was bulldozed; the dunes had been bulldozed in the 1940's, and the makai remains were broken up. The subsequently discovered burials were in bits and pieces.

Dawn stated the burials weren't primary or in situ, but more scattered; when the subdivision was developed, the entire area was heavily graded; only Individual 2 was in situ, the others were scattered

Member Caceres' feeling on the access is that, regardless of ethnicity of the landowner, would the Council be ok when access is restricted? Would the Council look at the situation differently if the landowner were not of the koko [Hawaiian]? Afraid that this might set precedence. One of the agenda items is his own recognition to iwi kupuna encountered during an AIS in Kahala; he assisted with the reburial of iwi kupuna at that property. When the BTP does arise, then will Member Caceres not have access to the property? Sees this as a contentious issue.

Dawn stated the issue at hand is a difficult one; when the law was written, it did not contemplate Hawaiians in competition with Hawaiians, was primarily white landowners who were not giving access to Hawaiians. Appreciates Mana's thoughts, acknowledges this is a difficult issue; Yuklin is a private person, with a fence around her yard; the OIBC needed to hear how strongly they feel about this issue.

Keanu Kuna: always thought it was confusing, this is where he grew up, some of those iwi may have been disturbed by him digging in the ground; those might be some of his fish bones; this is his kuleana, and now the state of Hawaii wants to impose its order.

Member Caceres only knows the other recognized descendants through their interactions at the OIBC meetings; without their explicit mana'o, it's difficult to know what they're looking for. They've come forward many times with the other burials in Kailua, maybe they just want to do that one offering to let that kupuna know that someone else is going to malama them.

Yuklin stated her phone number is in the phone book, she practices law 5 blocks away from her house. If they want to have her allow them to come in and do this on a one time basis, they have her contact information; Melody [McKenzie] has her contact information and email, and no one has contacted Yuklin. "What I see is they're seeking to have the DLNR, through its burial council, impose an order of access onto the residents and the property of a cultural descendant which, by the way, you've got to be Native Hawaiian in order to be a cultural descendant, or have you begun to recognize non-Native Hawaiians as cultural descendants? But be that as it may, I think this Board has to think about it. Because I'm living here, this is my home."

Chair stated the current position of the OIBC's leadership is that they are housed under DLNR, and respond to the SHPD via its primary representative, Regina Hilo, though the OIBC does interact with others at the SHPD; the OIBC has been independent of DLNR and SHPD; will not be bullied or be required to do something it does not feel is appropriate.

Chair Wong-Kalu: "This Council will not be the one to say you have to let people into your home. So please, you can walk away with that mana'o today. We will not. What I would like to point out is that everything that has been put before us, and everything that this burial treatment plan is centering on, but not articulating, has to do with pilina. Inā he pilina ko kākou, inā pili wau iā 'oe, pili 'oe me a'u, pili kāua, noii au iā 'oe, kahea au iā 'oe, "Yuklin, pehea 'oe, maika'i no? E, maika'i. Hiki paha ke komo i kou hale?" You know? It's not so much of an ask, to go to someone's house when there's a pilina. If not, think about it. We are kanaka living in modern times. So, contingent upon how we were raised, some kanaka, 'E, komo mai, komo mai i kou hale. My house, your house, door open. Remember, you know, old kupuna houses, the fence is very low, and you could just cross over like that. In more ways than one. However, I do know this, e like me ka 'olelo, he mau mana'o ke 'ike hou, ke wehewehe 'ia, e hele ana 'oe ie hea? 'A'ole e hele 'oe i ka pa po'e. 'A'ole 'oe e komo wale i ka pa po'e, Pono 'oe e noii mua ia lakou ma mua kou komo ana. I mean, unless you're kama'aina loa, unless you're pili 'ohana, unless you're pili hoaaloha. 'A'ole 'oe maha'oi, komo wale no i loko ka pahale, ka pa po'e. 'A'ole. Maha'oi."

Yuklin: "I'm sorry, it's how I feel. It's primitive, but it's Hawaiian. I just go, whoa."

Chair: "On one hand, you're right. 'O wai 'oe, 'o wai la 'oe? Auwe, ko makou hale keia, ko makou pahale. Even in traditional times when we don't have private property, land ownership concepts, still, that's your kuleana. If you and I had a fight, you don't step into my pa, and I don't step into your pa. If I step into your pa, you have every right, if you wanted to take something to my face, you can take something to my face, you have every right, I'm in your room, in your house. This is something I learned about a long time ago from amongst our manaleo speaking Hawaiians. You don't go to create hakaka in somebody's yard because that was maha'oi; if you had an issue with somebody, you must be in a neutral space, otherwise, hewa. Hewa ka po'e komo, hewa i ka pa o ka po'e, hewa. And the people with the kuleana over that space have every right to usher my happy self right out. Now on the other hand, we have kanaka; I'm very thankful for Mapuana and her gang out there, because they have gone above and beyond the call to respond to iwi kupuna. I gotta give her credit, you know, because, for this particular one. She's the only kumu hula I know, it is contradictory to many established hula schools of thought. You have to move yourself out of hula protocol to move into things associated with death. It goes against hula practice. So for her to do this is a lot. I do believe, as she has demonstrated before, the request to access your pa is, I mean they took on that responsibility. They're gonna feel that accountability because they put themselves out there, they're going to make good whether it's commercial property or private property, they're going to want to go whenever they make their huaka'i, take lei over here and over there. To all the places they need to go. Now this comes into direct conflict because this is an individual pa. I only wish there was a different pilina. And you said your phone number is in the book. That's what's missing here, it's that pilina. I think that if there was a pilina, it might not be so bad."

Yuklin: "I have nothing other than, "We want access." Which has a meaning to me. And they're informed by an attorney, Melody McKenzie, I know what they mean. I'm not fooled. If it was a one-time thing, they could just say it, you know."

Chair Wong-Kalu: "With all due respect, you're an attorney [to Yuklin], you're an attorney [to Dawn], Melody's an attorney. Everybody needs to set their attorney-ness aside."

Chair Wong-Kalu stated face-to-face engagement is the kanaka way; when you go to someone's house, especially for kuleana, there is kuleana on both sides: on the part of the people coming, and the people hosting, to clean the house and prepare food for guests

Dawn stated there was an attempt to bring everyone together, but everyone's schedules were conflicting; thinks this is a matter of principle; the deSilva's have dedicated themselves to go out and take care of Kailua; for Yuklin, this is her private residence. Dawn shared her recollection that when the burial laws were drafted, they were to take care of kupuna who were not otherwise going to be taken care of, unmarked Native Hawaiian burials who did not have anyone to take care of them, and desecration; this is a situation in which a Hawaiian is going to malama these iwi kupuna; she has abandoned her pool to allow the kupuna to stay where they are; this is a matter of principle, and Dawn doesn't know what the answer is; there are strong willed people; sometimes, it's a matter of trust

Chair Wong-Kalu: "Yes. It's about pilina, and with pilina comes hilina'i. Ina pili kua, hilina'i au ia 'oe, hilina'i 'oe ia'u. Ina 'a'ohe kua pili, 'a'ole au hilina'i ia 'oe, 'a'ole 'oe hilina'i ia'u. It just doesn't happen. That's how I feel."

Member Caceres: "And this pilina between these two entities started off on opposites."

Chair Wong-Kalu: "All the legal aspect, the lawyer element removed out of it, because there's a lot of lawyer minds involved."

Dawn commented they weren't thinking as lawyers, but that the issue did start on opposite ends

Chair Wong-Kalu stated that they would instantly go there

Dawn stated it was thinking as a Hawaiian; maha'oi; when the deSilva's sought recognition, Yuklin didn't know and would have come forward at that time; the OIBC would probably have recognized them anyway, and Yuklin would have expressed her opinions at that time; started off fundamentally that way

Chair Wong-Kalu asked if this issue arose during her absence

Dawn confirmed it did, and acknowledged the previous chair of the OIBC was in the audience, Mr. Chuck Ehrhorn

Yuklin commented further that no one had elected them [the deSilva's] konohiki, nor confirmed it, by right of birth

Member Mills stated that the OIBC renders decision about preservation in place or relocation of iwi encountered during archaeological survey and SHPD has final say in the matter; there are three options: write the BTP with preservation in place not allowing access; write the BTP with preservation in place, and allowing access; the third is writing the BTP with preservation in place, requesting access

Yuklin stated she is allowing access for members of her 'ohana; they [the other recognized cultural descendants] are seeking their own access onto Yuklin's private property

Member Mills stated the other option is relocation, though he was only saying that, not condoning it

Yuklin thought about it, but the iwi are too spread out

Member Mills stated the full intention of the burial laws is to allow the iwi to rest; whenever there is this hakaka, they cannot sleep

Dawn stated the burial treatment plan has been written to now allow access to non-family recognized cultural descendants; Yuklin and Keanu have been recognized as cultural descendants by the OIBC for the project's iwi kupuna finds

Chair Wong-Kalu stated earlier that it's about establishment of relationship and trust; kanaka ways cannot be undermined by technicalities based on some leaning one way or the other through an established political body or arm, not by this Council; not fair, and not right; "Mahalo, but not here. Not in my pa."

Chair Wong-Kalu: "From kanaka to kanaka, the only reason we say to a fellow kanaka, "You not welcomed in my house," is because I don't know you. And I would feel that way to. "O wai 'oe? Ki'o."

Dawn: "And you can do that without a burial treatment plan. You could decide to do that outside the BTP."

Chair Wong-Kalu stated the inclination of the Chair was to not support a burial treatment plan that allowed someone to go into someone else's house knowing full well how we live our lives in the modern day. Maha'oi of us to say so, that's not what this was set up for. To approve or not approve of a BTP, and to recognize or not recognize descendants. Don't want to be puhitole, lapuwale, making any kind of decisions about how the little things of the burial treatment plan are written. The respectable parties are not yet pili.

Member Holck stated she felt strongly that way as well, but that this is also a recognized cultural descendant family that is very respected in the Kailua community and has been for many years; for another cultural descendant to claim they have access to your property when they are a cultural descendant, doesn't see that as a right thing. Member Holck stated that she wouldn't want someone coming into her yard in Kailua.

Member Fermantez shared that he didn't grow up speaking Hawaiian, but with Hawaiian concepts like kuleana and maha'oi; there seems to be overlapping kuleana; they were trying to be consistent in what they do; not sure it should be written into the BTP, but would encourage them to talk story, since they know each other, and allow them to be consistent with what they do

Yuklin stated she knows them, and they know her; commented about them taking over the Hawaiian Civic Club

Chair Wong-Kalu: "O ia no ke kumu."

Member Fermantez stated his concern is the iwi and that they're taken care of; need to get past all of that and focus on care for the iwi

Chair Wong-Kalu asked if there was anyone else on the Council who did not feel this way  
Yuklin stated she is still working, and that this is the most expensive thing she's ever seen in her entire life; has put on a presentation to them, and no one has reached out to say anything, even just, "Eh, they want to see your backyard." In which case, I'd say, "Ok, just wait. On my own time." I don't have a problem.

Dawn stated it's about who's going to go first

Yuklin stated that she shouldn't be compelled to do it, it would be bizzare, NAGPRA, the statutory regime.

Chair Wong-Kalu and Member Fermantez suggested she stay away from those federal laws  
Member Fermantez asked

Yuklin stated the following: Fundamentally, you're looking to the living, those that are standing on the dirt, who have this connection. Yuklin and her family are there, she has no other place, and probably sleeps on top of them, as there are so many, scattered.

Bill Haole asked if the iwi kupuna have been identified

Yuklin stated that cannot be done

Bill Haole stated therefore that they're all unidentified; his understanding is that, as far as the HARs go, any unidentified iwi kupuna are subject to review by all cultural descendants and also the burial council; dispensation of the iwi goes through the OIBC; hearing from the two cultural descendants because these iwi kupuna are unidentified; therefore a compromise might be to move them off the private property onto a more public area; not an advocate for moving iwi kupuna, prefers to keep them in situ; this is causing hukihuki between Hawaiians in a matter that we clearly know has to be addressed before any other claimants with a lineal claim to this, we are all talking about it as cultural descendants and have to come to a place where we can agree on it; has known the Aluli family for many years, was raised in Kailua, still lives in Kailua, has been there for generations; agrees that he doesn't want anyone coming in there too, but need to talk about the iwi kupuna, that is where the issue is; not about private property, and I don't want you to come here and make my business your business

Bill Haole: "I'm sure our iwi kupuna are not liking the fact that we're fighting over things; so let's talk. Unless we can identify, we have our rules. And if we start to broaden our

perspective, then we compromise everything that was done before and everything that's going to happen in the future. When this comes up, we're going to be setting precedence, folks, we're going to be setting precedence. And that can only get worse, and even worse, in our situation. That's what I wanted to share with that. I needed to find out, really, these are unidentified."

Yuklin: "Well, we are descended from Ohulenui. I don't want to have DNA done."

Bill Haole: "I only doubt that any of us can claim actual kuleana to those sets of iwi because none of them can be identified."

Dawn stated the one thing that all recognized descendants agreed upon was preservation in place.

Lani Maa Lapilio introduced herself and spoke on behalf as a private citizen, not as an Aukahi staff member; was called by Mapuana, a friend of hers, in the morning, who apologized that she could not be present at the meeting; wanted to let the OIBC know that her and her 'ohana are concerned about the restriction of access to the burial, and concerned about what would happen after the family passes away; would also request SHPD provide a courtesy copy of the BTP

Dawn stated she had emailed Mapuana a copy of the BTP previously, but would provide it again

Chuck Ehrhorn stated that a compromise is needed, maybe having a one-time visitation and that's it. Should not have a clause that states the property owner needs to open the property; encumbrance of having iwi on the property will always be there; having the requirement that a property owner needs to open the property is an unfair encumbrance on the owner; perhaps a one-time visitation is all that is needed

Yuklin stated that, based on Lani's remarks, it didn't sound like the other descendants wanted one-time access; they want rights, in terms of what happens when she dies, her son dies, that they want to enforce something; onerous

Chuck stated he agreed with what was said earlier, and re-stated his comments that one-time access is ok; asked when the last time they talked was

Yuklin stated it was when the meeting was previously held

Chuck recommended that the BTP doesn't need to be written to exclude access, but perhaps it could be written to be done within one year of the acceptance of the BTP

Chair Wong-Kalu stated that was viable

Yuklin gave a copy of the BTP to Lani Maa Lapilio

Chuck stated this is a good example in which the law, though intended to address hotel builders in Waikiki, and office builders in Kakaako, that the authors of the law intended it to impact single-family home-owners. Law needs to be amended.

Member Mills stated this is in Kailua, sandy area, the whole area

Yuklin stated the whole Kalama track is sandy

Chair asked that the recommendation made be submitted to Kamaile Maldonado, to galvanize that into the rules that guide this process; would like the Council to be amiable to the request; suggests a private consultation

Dawn stated the recommendation from the OIBC is that the deSilva's and the Aluli's meet to discuss, work on a compromise or come to terms on the access; process is continuing on, BTP has been drafted and submitted; Dawn can, via recommendation of the Council, have the Aluli and deSilva 'ohana sit down and come up with an understanding outside of the OIBC; private matter, not something publicly discussed; if they can come up with an understanding

Member Caceres stated the current BTP did not include a list of consultation

Yuklin stated there were minutes of the meetings

Dawn stated that would be done, there was an attempt to meet; Yuklin to talk with Keanu and decide on how they want to discuss this

Yuklin stated she didn't want to meet in the A&B room, as it had iwi stored in it; an offer was made to go to Kalama Beach

Dawn stated she had offered to meet at Kalama Beach

Yuklin was not ok with the A&B room

Dawn stated they could report to SHPD, who could make a report back to OIBC on the status

Chair Wong-Kalu offered to arrange for a neutral space at OHA, in the Maui Ola Boardroom, which would involve at minimum the Koolaupoko representative (Member Amaral) and the Chair to sit down and talk story. In all fairness, all parties have to be privy to the same thing, at the same time; when the BTP comes before the Council, the wording has to be acceptable

Dawn asked if the BTP was only on the agenda for discussion

Hilo answered that the BTP was only on the agenda for discussion

Dawn asked if the BTP would still need a decision and a determination, meaning the applicants would have to come back

Hilo stated that was correct

Chair Wong-Kalu asked if it was possible to engage and talk story about it; not appropriate for the OIBC to determine, though they could at a technical level depending on the wording in the BTP

Dawn stated the OIBC would only make a recommendation to approve or accept by the SHPD, and SHPD would make the ultimate decision

Chair Wong-Kalu stated that some people had done it, and used the example of the Charter School Commission and the school that she taught at; doesn't want the Burial Council to be guilty of that; wants to sit down and talk about it

Member Caceres stated that access should be worked out in the consultation process

Chair Wong-Kalu stated everyone should be clear about it; would like to know what access means to the deSilva ohana; if someone is trying to gain access to someone's house, because they would say they only want to come one time, they didn't acknowledge that, that's kuleana on both sides; unlike a hotel or a Ward condominium

Yuklin stated commercial properties, with public access; this is a backyard

Chair Wong-Kalu stated if there was a relationship and mutual aloha where we understand where each other is coming from, maybe there would be room to talk about, "Just come over my hale." But not, "Eh, no come over my hale."

Yuklin: "Right, I'm pretty much at, "Don't come over to my hale." They've already expressed an element of ill-will

Dawn stated the consultation would be documented in the BTP; no guarantee that the BTP's going to say that access shall be provided to non family members. It will document the consultation process, there will be a record of talk story, a kahea out to finding a neutral ground

Yuklin stated not at the A&B room

Chair stated she would communicate with Dawn about the meeting room

Yuklin suggested St. Anthony's because they have a lot of iwi

Dawn stated they were thinking about Kailua Beach Park, close to where everyone lives and just talk story

Yuklin stated Kalama

Dawn asked that communication be shared in whatever manner was most comfortable; would document the attempts in the BTP, no guarantee that the access provisions would be different from what is currently in the BTP; wanted to know if it was ok if Keanu not be present when the BTP

Keanu thanked the Council

Yuklin commented that those were probably his fish bones, and steak bones

Member Caceres stated that he should be able to tell what kind of fish it was then  
Dawn stated she would communicate with Member Caceres about what he felt was missing  
in the BTP and communicate those concerns with IA

[Break taken at 1:18 PM]

**C. Cultural Descendancy Recognition of Sheila Kaouiokalani McKenzie Kurosu to SIHP 50-80-02-4488, -7288, and -7289, Ahupua‘a of Oi‘o, Ulupehupehu, Hanaka‘oe, and Punalau Ahupua‘a, Ko‘olauloa District, Island of O‘ahu, TMK: [1] 5-7-001:001, 013, 020, and 033**

**Discussion/Determination:** Discussion and determination on the Department’s recommendation to recognize the applicant as cultural descendant to the Native Hawaiian skeletal remains located at the above project.

[Meeting resumed at 1:28 PM]

*Deferred*

**D. Lineal Descendancy Recognition of Edward Halealoha Ayau to the Native Hawaiian Skeletal Remains of Mary Adams Encountered 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 recognize the above applicant as lineal descendant to the Native Hawaiian skeletal remains of Mary Adams, located at the above project.

*Deferred*

*Comments offered by RKH following conclusion of section V.*

Summary:

RKH shared Halealoha’s frustrations about the listing of his item descendancy item and the OIBC’s requirement that an applicant be present before the Council; he works, travels often for work, and was unable to be present at this meeting

Chair Wong-Kalu asked RKH to share that the OIBC’s requirement, while not galvanized in the administrative rules, does enable the OIBC to, as a practice, have a conversation with the applicant; would be easy to give him the recognition without him being here, but what would that say to the others that were grilled in front of the OIBC; shared her contact information with RKH to give to Halealoha; does not want to set negative precedent

Member Fermantez stated it could also be a family member

Chair Wong-Kalu stated that given who Halealoha is to the process, he is indeed the beginning of it all

Chuck Ehrhorn also stated that he, Halealoha, is the reason Ehrhorn is present today and serving on the Council, and Halealoha was present when the OIBC first adopted the practice to have applicants sit before the OIBC

RKH stated that she would include Halealoha’s memo in the July 2018 OIBC packets; includes comment

Chair Wong-Kalu asked what the Department’s recommendation was

Member Mills stated Hinano’s recommendation was to deny lineal descendancy because there are two individuals in the plot, yet Halealoha only named one

Chair Wong-Kalu stated this context is similar to that of Kaanohi Kaleikini’s

Chair Wong-Kalu: “In her case, we went one way, Church felt another way.”

Member Caceres: “Is it still a contested case?”

RKH: "Um, yeah, yes. It's still open as a contested case."

Member Caceres: "So, just my quick mana'o. With the contested case still pending, is that something akamai for us to, kind of, hana hou?"

Chair Wong-Kalu: "I don't have an issue with it."

Member Caceres: "I mean, neither do I. What's one more?"

RKH: "I know, right?"

Chair Wong-Kalu: "I'm inclined to support, his –"

Member Caceres: "Me too–"

Chair Wong-Kalu: "I see Lani in the audience. Lani, do you have any thoughts about this?"

Lani: "On the matter of not having Halealoha here and making a decision? I'm not familiar with the substance of it, I'm not privy to his application at all."

Chair Wong-Kalu: "As we were just discussing, he applied, it was found he did establish descendancy and met the requirement, there were two individuals in the Mary Adams plot–"

RKH: "The Mary Adams plot, yes."

Chair Wong-Kalu: "And so recommendation from Regina's boss was to not."

Ehrhorn: "No lineal?"

Chair Wong-Kalu: "No lineal."

Lani: "That's the strict interpretation."

Chair Wong-Kalu: "That's the strict interpretation. The precedent that we set with Kaanohi Kaleikini was, we went with the broader interpretation rather than the narrow, and that's what resulted in the Church now challenging with contested case. So do you have any thoughts, your honest opinion about whether the Burial Council was inclined to offer lineal descendancy despite SHPD not recommending it? It's up to us if we want to accept their recommendation or not."

Lani: "The thing is you don't want to abuse your discretion. So I don't know how that rule is being interpreted. You have to weigh all odds."

RKH: "Yeah, technically we do author the memos and distribute the memos with our recommendation beforehand. That recommendation, the one that I distributed previously for Halealoha in which my branch chief did say, "Deny," I'm still working on updating that correspondence because, to be quite honest, there's a difference in opinion between myself and my branch chief. It's been a little difficult to navigate for me, and I understand, definitely, the certainty that is in the law when it comes to the definition of lineal descendancy. But I also understand the spirit and intent of the law, which is to empower those that have direct, or collateral, lineal ties to individuals who have been disturbed, in some way. So that's kind of, the best way to describe it is we're working through our differences."

Chair Wong-Kalu: "So how is it that your branch chief is weighing in on this particular one?"

RKH: "It's because of the way the definition of lineal descendant is worded with respect to certain sets of human skeletal remains. That's where our difference of opinion lies."

Chair Wong-Kalu: "Well –"

Member Holck: "Say that again, the last part?"

RKH: "It's the definition of lineal descendant with respect to certain sets of human skeletal remains, that's where our difference lies."

Member Fermantez: "Sounds like something needing a face-to-face discussion. Which reminds me I might not be good for the next meeting."

Discussion on anticipated attendance at the next scheduled meeting on July 11, 2018

RKH stated Chuck will be back on, and hopefully the Waiialua representative will be on board by that meeting

Chair Wong-Kalu: “Ok, well. Before we close this meeting, I understand the narrow line of the law. But I also understand the spirit of the law, what the spirit of the law is meant to do. And, it’s up to us, like you said, Lani, we can’t abuse our judgement. And I’m almost sure that if we afforded that lineal descendancy recognition, that the Church would contest it. But, that’s, I mean, I don’t necessarily view that as a good or bad, but a mechanical response.”

Ehrhorn entered the room

Chair Wong-Kalu: “If the Church wants to contest it, that’s their prerogative. Anyone is able to contest something; but it shouldn’t necessarily stifle what the Council will want to do in an effort to do what we may feel is appropriate. Notwithstanding Council members being YAY or NAY.”

Member Fermantez: “What concerns me is prolonging the process; does that make sense? We voted lineal, and then there’s this, I don’t know.”

Chair Wong-Kalu: “But then again, would it be our fault? Because, you know why, when people look at the Burial Council for is our recognition or lack thereof, or burial treatment plan. If the Church wants to take it out longer, it’s up to their leadership to determine whether they want to contest it or not.”

Member Fermantez: “Yeah, that makes sense.”

Chair Wong-Kalu: “So, I don’t necessarily think that, “Oh, we don’t want to go over there because the dog’s going to bark at us.” Or, “Oh, we don’t want to go over there because the dog might come bite us.””

Member Fermantez: “No, well, I know you’re not scared, and I’m not scared. But more in the spirit of, “Hey, let’s get people to the table to move forward.” Regardless of these, you know, create two classes of, within this already complicated [situation].”

Ehrhorn asked if Halealoha knows what the department’s recommendation is

RKH stated Halealoha knows the department’s recommendation; would share Chair’s contact information with Halealoha

Chair Wong-Kalu: “I think that if the Burial Council judiciously considers each and every opportunity we can take to empower the people who would like to get at the table where it’s prudent, we can extend ourselves. We may set precedent. We already set precedent with Kaanohi Kaleikini’s recognition. Then again, I don’t necessarily think it’s bad.”

Member Fermantez: “.....something to be considered, regardless of the, they’re all cultural, we know very well there’s certain mana carried by individuals –“

Ehrhorn left the room, stated he would be present in July

Member Fermantez stated that certain members would carry it through consultation

Comments that the OIBC will have to live with their decisions

Member Fermantez stated that they, the Council, knows, regardless of what the state recommendation is

Chair Wong-Kalu asked that the Kawaiaha’o item also include discussion in addition to update

RKH stated that could be done

Additional discussion about the Kawaiaha’o item followed, regarding how a contested case should be listed on the agenda such that the Council may discuss it

Comments followed about the discussion and discussion throughout the meeting, on pilina and trust: is there a relationship between the parties? Is there trust between the parties?

**E. Cultural Descendancy Recognition of Mildred Kehaulani Spencer (sister) and Johnston Kaipo Spencer (brother) to Native Hawaiian 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**

**Discussion/Determination:** Discussion and determination to recognize the applicants as cultural descendant to Native Hawaiian skeletal remains at the above project.

Item F taken before E

Chair Wong-Kalu read the agenda item onto the record; asked the applicant, Johnston Kaipo Spencer, who was present (Mildred Kehaulani Spencer was not present) to succinctly explain why he wished to malama iwi kupuna

Summary of testimony:

Kaipo Spencer: descendant of Kehaulani Kinimaka, grandmother, who married Samuela Mahuka Kinimaka, his grandfather; grandmother's bones were uprooted, placed in a bag and taken into the basement of Kawaiaha'o Church; those present will need to answer for what happened now; what was done was wrong, the bones should be in the ground. What is right is putting them all back in the ground. [Kamuela] used to words disturbed, desecrated; I use 'uprooted.' Emotional issue. That's family. A lot of people have a place where they can go to pray to their ancestors and honor them; we don't Just wanted to say my sister [Mildred] couldn't make it, she lives in Pahoia and is in the process of moving to Paauilo. Thank you for listening. And I hope that things change where both sides can work it out. Some people made decisions that they shouldn't have made; not everyone is to blame, but someone did it and it needs to be made right.

Chair Wong-Kalu stated the applicant has confirmed why they wish to malama iwi kupuna.

Member Fermantez: "You said you hope things change. Me too. I have hope that things can change."

Bill Haole stated the Church does not object; the Church wants to remind that, for the record, the Church has been following the administrative rules and those that were dictated to them. Will continue the AIS to completion. The Church has been trying to follow the law, it is the only project that follows two sets of contradictory laws. The directions are unclear and, in the meantime, the Church bears the burden. The Church has made a commitment. No intentions of removing any more iwi. That goes unheard. Really want to be understood. We have heard these claims and are caught in two separate legal cases.

Member Fermantez talked about kuleana; Kawaiaha'o Church has been on the OIBC agenda for years. Regardless of disagreements, if this is a venue to meet and discuss, at least people are at the table to discuss. Let's get the iwi back into the ground.

Chair Wong-Kalu stated that litigation has led the situation to where it is. Not necessarily adhering to kanaka-only way of handling the problem. The OIBC has been the venue for this discussion. This has been on the agenda a while. Department of Health cemetery decertification. The legislature has tried to intervene, unofficially.

Motion: to approve Mildred Kehaulani Spencer and Johnston Kaipo Spencer as cultural descendants to Native Hawaiian iwi kupuna at Kawaiahao Church Multipurpose Building Renovation Project, TMK: [1] 2-1-032:017

Moved by: Member Mills

2<sup>nd</sup>: Member Fermantez

VOTE: 6 YAY [Amaral, Holck, Mills, Wong-Kalu, Fermantez, Caceres]; 0 NAY; 0 ABSTAINING

Additional discussion followed the motion and vote

Item J was addressed following E

- F. Cultural Descendancy Recognition of Andrea Kamuela Kala'i to Native Hawaiian 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**  
**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

Chair read the above item onto the record; thanked the applicant for her patience

Applicant stated her name for the record is Kamuela Andrea Kala'i

Kamuela: "First of all, to correct the record, my first name is Kamuela, my second name is Andrea. So, I'm here because I have a kupuna wahine, buried, at Kawaiaha'o, in a marked burial grave. Her name is Tamar Kuaea Meekapu. And she was my great-great grandmother. So, the reason I got involved in this iwi kupuna issue in 2011 is because I was so worried about her husband, Moses Kuaea, who died about 15 years before she did and we never knew where he was buried. And we just wondered if he was buried in the area that they, the church, was digging up the kupuna. They excavated, dug up, desecrated, 69, when I came into the picture. And I was so worried he might have been one of them, or in that area. And so, I come forward, to actually go through this process, and have to go through the state agency, the State Historic Preservation Department, of Hawaii, who had an active part in creating this horrific, horrific hewa, in conjunction with the leadership of the church, of Kawaiaha'o. State agencies, state agents, attorneys, etc. And I really had to figure out in my mind whether I really wanted to put myself through this. Because I don't need recognition, my kupuna know me, and I know my kupuna. So I'm here for them, period. I'm not here to the state, I'm not here for anybody else. I'm here for the kupuna that have been dug up, disturbed, desecrated. And I'm talking about hundreds, and hundreds, and hundreds, and hundreds, and hundreds, and hundreds, and hundreds, of iwi kupuna that we moved from their resting places, at Kawaiaha'o Church, in the shadow of the church. By the church leadership. And they continue to be housed in the basement of the church, in baskets, for the past eight years, or more. And so when I first came into this kuleana, I met with Kahu Kekuna, and Dawn Chang was there. I was allowed to visit the kupuna, that were at the bottom of the bell tower, the first sixty-nine, and I made a commitment at that time. I promised them that I would do everything in my power to get them out, ensure they had a place to rest, to never be disturbed again. And so, the journey began, the kuleana started for me. Unfortunately, church leadership was not open to that. Or they said they were, actually; they actually attempted ho'oponopono. One of its members had me arrested for trespassing, along with my friend Kaanohi Kaleikini. And so, I insisted, I was so upset, I went to OHA the next day, and I said, "You know what, I'm not leaving this place until somebody comes over here and helps us figure this out." And that's where the plan for ho'oponopono started. And we all sat at the table across from each other, and we all made agreements, and we all decide we were going to do this, together, figure this out. And even if the answer, the ultimate answer that came up with wasn't the exact answer we wanted as individuals, we would agree. We tried. Six months into the process, the church walked away. Shortly after that, they started the major excavations of hundreds, and hundreds, and hundreds, and hundreds, and hundreds, and hundreds, and hundreds, of iwi kupuna. That are currently stored in the basement of the church. So, I took the steps, with the church, to make sure that they knew who I was and knew who my kupuna were, that are buried at the church. Because I wanted to make sure, if the church ever decided to touch my kupuna, that they know there are living descendants today. Don't you touch anybody, don't you touch anybody that I'm related to. They talk to me, or my descendants. So I went through that process, I'm registered, my kupuna is registered with Kawaiaha'o Church. So, I find out that I gotta come back over here and I still gotta go through this process, it rubs me the wrong way. But, I wanna have a voice at the table, I guess I gotta do what I gotta do. So this is what I'm doing.

Not only for my kupuna, but for every single kupuna who has been dug up, disturbed, and desecrated, and continues to be desecrated in the basement of Kawaiaha'o Church. Desecration of the highest order, committed by kanaka, not foreigners, kanaka. Every single one, I can name them for you if you wish, but my kuleana as a living descendant, to kupuna who are buried on that ground, who have kupuna who are buried on that ground. My kuleana to myself and to them is to stand and say, "This is wrong. It will never be right." It's even worse because it's committed and created by people who know better, say they're Christians, and have iwi kupuna of their own. And still went ahead, and did the devil. So the reason I come before this board is to say that. My kuleana is to malama these kupuna in whatever way I can. Hopefully, my voice will count towards doing the right thing by these kupuna. I'm so exhausted talking about it, every time I have to talk about this. Takes one more piece of my gut, my spirit. I really hate talking about it, something we shouldn't have to be talking about. So, whether you choose to recognize me or not, it doesn't matter. I'm here, I'm not going anywhere. And I hope that my voice counts towards making things pono for the kupuna. Mahalo"

Chair Wong-Kalu: "Mahalo, mahalo no kou mau mana'o.

Member Caceres: "'Ae."

Chair Wong-Kalu: "Council members, he mau ninau ka 'oukou?"

Member Caceres: "No ninau, I would just like to mahalo ia 'oe for all the years that you've given to malama iwi kupuna. It's a heavy burden, and a burden that you carry, you honor your kupuna, and you also honor us, the younger generation, teaching us how to carry that burden. So, mahalo."

Member Fermantez: "I second that. My first meeting was October 2012, when all the. Uncle Cy said, "Let's go to a monthly meeting." It was pretty heavy, and you [to Kamuela] were there, that was with the rail. I don't know if you remember, but I remember. You've been consistent, so mahalo."

Chair Wong-Kalu: "Mahalo. I will turn this opportunity over to you all, but before I do, I'll read this to all of you:

"The Administrative Rules require that the applicant provide evidence that they have genealogical connections to someone who once resided, or is buried, or both, in the ahupua'a of Honolulu. The applicant has submitted genealogical information connecting her to the following individual, who is interred on the grounds of Kawaiaha'o Church, in the ahupua'a of Honolulu."

Chair Wong-Kalu: "This Council, it is recommended to this Council by the SHPD that we recognize Kamuela Andrea Kala'i to these Hawaiian skeletal remains. We have heard comment from the Council; any members of the public sitting in the room wish to say anything?"

Bill Ha'ole: "William Ha'ole, I'm representing the Kawaiaha'o Church project, and I do want to say the church really doesn't have any objections. But there are certain concerns that we've had about past practices. One of them was the defiance to become recognized by the OIBC in order for us to properly be able to discuss it, from the applicant. Secondly is the applicant's own admission here that the applicant will do whatever she wants to, to make sure that we hear her. We've heard her, and we tried to discuss it. But we have to be clear that we have other extenuating circumstances, including OIBC, SHPD, and other cultural descendants that we need to hear equally. And it cannot be one person, strong-arming or bullying the process. And we've been subject to bullying prior to the applicant coming forward. So again, we support the fact that she wants, now, to be recognized. But we are very concerned that it has to be, we would like to set some conditions before it happens because it is a kakou thing, it's not an individual person that can over-run. It has to be a joint effort to malama na iwi kupuna. And secondly, some of the facts that were, or were previously stated here, were totally unfounded. But they come carried into the church's

consultation as fact. Often times, regardless of the data that was presented. And that is a concern. So while we do want to support, we have our apprehensions.”

Chair Wong-Kalu: “So what you’re saying is, you would be amiable to engage with her if she doesn’t bully you?”

Bill: “Let me be clear. We were amiable from the beginning, but throughout the process to reach out to her, we’ve been met with emotional outbursts, and all the answers were not acceptable. And even if we tried to agree with what she had to say, they were not acceptable and it elevated. So that’s our only concern we have. We want to listen, but there has to be mutual listening. It has to be a partnership. And that’s what we look for, that’s what we’re hoping to gain as we go through these consultations. That we listen as well as we speak. Both sides. And that’s the understanding I just want to share, as you move with the applicant’s, as you move forward to decide. That’s going to be very important, because if it disrupts a meeting, if it becomes combative to a point where it puts us dead in the water, then some decisions will need to be made. And we may have to come back to you to help us make those decisions.”

Chair Wong-Kalu: “Mahalo. Your concerns are clearly heard. Council members do you have any questions to the comment that was just told to us?”

Member Mills: “Madame Chair, as far as the Oahu Island Burial Council goes, we only have the power to recognize the lineal and cultural descendants. We cannot put any strings attached to it. When it comes to that level, that would be something for you folks to work out, in the best way you can. All we can do is recognize or not recognize. Are you ok with the recognition?”

Bill: “I want to say yes. But, my experience over the past, almost ten years, have not been good. We’ve actually had to call the police; it came right into a worship service. It was totally disruptive. And it came right into, barging into our office during a meeting, and so, but I would like to be able to just say, let’s forget the past and just move forward. And that’s where I’m trying to come to by saying, we want to, but we have to clearly, we want to set the parameters. We have to clearly understand, it has to be a kakou thing. It has to be everybody, and not just one. You know. Ok, on faith, I’m going to say, let’s move forward, ok and yes.

Chair Wong-Kalu: “Support.”

Bill: “But I’m just going to keep praying for it, and a good result after that.”

Kamuela: “I would like to respond to that.”

Chair Wong-Kalu: “Hold on, one moment. One moment. I have, personally, cultivated a relationship with the person coming forward to be recognized. I, too, have seen, not only from her but from others in the community. I too have also sat across the street and watched some of the events take place. This has been a journey for all of us. I do believe in all fairness that Kamuela Andrea Kala’i will engage with people at the table. And I want you to know that I really encouraged her to follow through with this process because she really represents the extreme of our kanaka who will come forward with great passion, great tenacity, and great fervor to come and advocate. And, depending on where you come from, and who’s your family, she’s representative of that fire, within some of our ‘ohana. But I take responsibility for being someone, and you know, well you [addressed to Kamuela] can correct me, Kamuela. I egged you along, I said, “No, come on, keep coming back to the table,” because I feel that it would be wrong to not support a Hawaiian who had something to say. And, you know, not support that. You’ve heard the things that were mentioned, would you like to diplomatically respond?”

Kamuela: “Absolutely. Number one, I’m not sure where he’s coming from, but this is where I’m coming from. If you expect me, or anybody who is trying to take care of the kuleana of making sure those kupuna that have been dug up, disturbed, and desecrated, to not be emotional, then don’t hold your breath. It’s an emotional issue. And, I don’t know what you

described, what your definition of bully is, I don't remember trying to bully anybody. If my voice gets loud, if my emotion overflows, it's all for the kupuna, that the Church chose to dig up, disturb, and desecrate. And I will say it over, and over, and over again, as many times as I need to so people don't forget what happened over there, and what continues to happen today. So don't expect me to say this quietly. I'm hate going through this process. I hate it! I'm doing it because I'm called to do it. If you don't like the way I express myself, tough! The Church and all the people that created this situation gave up your right to say anything. You gave it up the day you dug up the first kupuna! And continue to dig up hundreds more. So if you expect I'm going to sit here quietly and listen to the very guy that had me arrested, for protesting, against the evil that happened at that Church, not gonna do it. If anything my voice is going to get louder. If you don't like it, I don't care! Those days are over! This happened on your watch! I listened. I went to six months of meetings, listening to the Church. 'Til the Church walked away and started digging again. So, as far as I'm concerned, it's the families' time to talk, and it's the Church's time to listen! I'm not going to bully anybody! I put my mana'o out there, you like it, you don't like it, I don't care. It's my mana'o. Other families' gonna weigh in too. Trust me, brah, my voice is not going to get any softer. You keep bringing up crap that never even happened. Believe me, I'm calling you on it. Every single time! Because you were a part of this, from the beginning! You blessed it, you wrapped those kupuna, you take care of them, that's your job. You take care of those kupuna in the basement. Period! Other than that, you don't count. And I don't care what you think, because you have given up the right, you have given up your right, to say anything about malama i na kupuna! When you participated in digging them up! And you're okay with it! I'm done! Kala mai! I did not intend to add this portion to what I have to say. But I gotta respond. When it's bull crap, it's bull crap. That's exactly what it was. And I gotta go, you guys decide what you wanna do. I never wanted to be here in the first place. And I'm not gonna give up, but I'm not putting up with crap!"

Kenui Spencer: "I want to say something."

Chair Wong-Kalu: "Hold on, one moment."

Kenui: "When this lady speaks, I don't feel bullied. Ok? And this is an opinion. And you heard, listen, no listen. I don't feel bullied, and I'm a cultural descendant. A recognized cultural descendant."

Chair Wong-Kalu: "Mahalo."

Kenui: "Thank you."

Chair Wong-Kalu: "Hold on, before you go, I would like to acknowledge. Kahu [Kenneth Makuakane], I see that you're in the room. I look to you as a new leader. I humbly ask of you to consider offering a word of, perhaps some reassurance, to our people present today. You are our new leader for Kawaihāo Church. This request is not for you to make any kind of commitment or anything like that. But, I think this is perhaps a good time for your leadership to shine. Would you care to say anything? Kahu Makuakane?"

[Kahu Makuakane approached Kamuela and embraced her with a honi]

Kamuela: "Thank you."

Chair Wong-Kalu: "Mahalo."

Kahu Makuakane: "The Church is [inaudible] healing."

Chair Wong-Kalu: "Mahalo."

Kamuela: "I just have to say one more thing. This is why I don't like to come to these meetings. I don't like to talk about it. It's painful beyond belief. And every time I have to talk about it, you have to defend yourself and you have to defend your kupuna. Just takes its toll. And I apologize for the tone, and I apologize for my words. I've been told that it's not so good to be so loud all the time. But, I'm moopuna to kupuna at Kawaihā'o Church, and I plan to do everything in my power, in my power, what little power that I have, and add my one voice to the chorus of voices that will be coming to consult and figure out, figure this

out. I have no intention of bullying anybody, I have no intention of trying to get anybody to see it my way. That's never been my intention. What you see is what you get, in here. I have said it from the beginning, and I will say it until the day I die: "What happened at Kawaiaha'o was wrong. It is now time to make it right for the kupuna." If I hadn't been called to this, I would be at the beach right now. But I have been, so let's do it, and do it right. I hope I didn't offend anybody by my tone or my words, said in anger, is not a good thing. Kahu Makuakane, I had a chance to talk to him this morning, and I believe there's hope with this man, that the right thing will be done. That's all I can do is hope. In the end, the kupuna wil have the final word, whatever it is. I've always believed that. I don't call the shots. I just get to speak for my kupuna. Period."

Chair Wong-Kalu: "Mahalo."

Kamuela: "Thank you very much."

Chair Wong-Kalu: "Hold on, before you run. Final comments from any council members?"

Member Mills: "Madame Chair, I move to approve."

Chair Wong-Kalu: "There's been a motion. Aia anei, he kako'o? Kako'o? Is there any support for the motion?"

Member Fermantez: "Second."

Chair Wong-Kalu: "All in favor?"

Members: "Ae."

Motion: to recognize the applicant, Kamuela Andrea Kala'i, as a cultural descendant to Native Hawaiian iwi kupuna at Kawaiaha'o Church Multipurpose Building Renovation Project

Moved by: Member Mills

2<sup>nd</sup>: Member Fermantez

VOTE: 6 YAY [Amaral, Holck, Mills, Wong-Kalu, Fermantez, Caceres]; 0 NAY; 0 ABSTAINING

Kamuela: "Mahalo."

Ehrhorn: "Let's be clear on one thing. Is she being recognized as a lineal descendant or a cultural descendant?"

Chair Wong-Kalu: "She is being recognized as a cultural descendant, for the record, for the recognition is to remains at the Kawaiaha'o Church Multipurpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017. Kamuela Andrea Kala'i. Mahalo nui."

Kamuela: "Mahalo."

Item E was addressed after F was completed

- G. Cultural Descendancy Recognition of Arlen W. Bento, Sr., to Native Hawaiian 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**  
**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Deferred*

- H. Cultural Descendancy Recognition of Jeannette Kama Bento to Native Hawaiian 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**

**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Deferred*

- I. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to the Native Hawaiian 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 recognize the applicant and ‘ohana as cultural descendants to the Native Hawaiian skeletal remains of David Kanuha, Esther Holstein, and Mary Kamaka, at the above location.

*Deferred*

- J. Cultural Descendancy Recognition of Norman “Mana” Kaleilani Caceres and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at Kawaiaha’o Church Multipurpose Building Renovatin Project, Honolulu Ahupua’a, Kona District, Island of O’ahu, TMK: [1] 2-1-032:017**

*Member Caceres recused*

Chair Wong-Kalu read the item onto the record

Summary of testimony:

Member Caceres: was first tutored and taught about malama iwi kupuna by Paulette [Kaanohi Kaleikini], with Kawaiaha’o Church as the first case

On one of his first visits to Kawaiaha’o Church, looked under the black fabric and felt very kaumaha; something in the basement was calling to him; over the course of research the past several months, he found documentation of a grand aunt’s older sibling who passed away in 1922, named Alice Kuhuihui, married Eddie Keao Tong Long; was buried within the footprint of Likeke Hall, now the MPC project; family couldn’t afford a headstone; not certain if she was taken out for the construction of Likeke Hall or sitting in the basement of the Church; didn’t feel ma’ema’e talking about the kupuna he was seeking recognition for without first acknowledging the kupuna that may still be there

Mana introduced his oldest son, Makoa

Makoa greeted the council

Mana stated he is leaving the decision for him to seek lineal descendant recognition to his grand aunt; it is her sibling that she is requesting lineal descendant recognition to

Chair Wong-Kalu asked if the Council had any questions; none were received

Chair Wong-Kalu asked if the community had any questions

Bill Haole offered support for the recognition

Motion: to recognize Norman “Mana” Kaleilani Caceres and ‘Ohana as cultural descendants to Native Hawaiian iwi kupuna located at Kawaiaha’o Church Multipurpose Building Renovation Project, Honolulu Ahupua’a, Kona District, Island of O’ahu, TMK: [1] 2-1-032:017

Moved by: Member Mills

Chair Wong-Kalu read the ‘ohana names onto the record

Brandy Kalehua Kamohalii Caceres

Norman ‘Mana’ Christopher Moore Kaleilani Caceres

Kekamamakoakaili Hou Kaleilani Kamohalii Caceres

Keahealainaiikekamaehuokahikiku Kiekiekananiokuuleilehua Kamohalii Caceres  
Kekamakeuakauikuhaikalai Kalehuahiehie Kamohalii Caceres  
Kehuakaokekamaakawai Kamanaokaopuulehu Kamohalii Caceres

2<sup>nd</sup>: Member Holck

VOTE: 5 YAY [Amaral, Mills, Holck, Wong-Kalu, Fermantez]; 0 NAY; 1 ABSTAINING  
[Member Caceres]

**K. Cultural Descendancy Recognition of Norman “Mana” Kaleilani Caceres and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at 614 South Street, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-031:020**

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

*Member Caceres recused*

Chair read the item onto the record

Motion: to recognize the applicant and ‘ohana as cultural descendants of Native Hawaiian skeletal remains located at 614 South Street, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: [1] 2-1-031:020

Moved by: Member Mills

2<sup>nd</sup>: Member Fermantez

VOTE: 5 YAY [Amaral, Holck, Wong-Kalu, Fermantez, Mills]; 0 NAY; 1 ABSTAINING  
[Caceres]

**L. Cultural Descendancy Recognition of Norman “Mana” Kaleilani Caceres and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at 4585 Kahala Avenue, Kāhala ‘Ili/Mo‘o, Wai‘alae Iki Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 3-5-004:001**

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

*Member Caceres recused*

Summary of testimony:

Caceres discussed working with Nigel Kingsbury, SCS, at the private residence during the AIS; assisted with reburial; need to wait for the final AIS to be submitted to the Council for their consideration on treatment of the previously recognized iwi kupuna documented during the AIS

Motion: to recognize the applicant and ‘ohana as cultural descendants to Native Hawaiian skeletal remains located at 4585 Kahala Avenue, Kahala ‘Ili/Mo‘o, Wai‘alae Iki Ahupua‘a, Kona District, O‘ahu, TMK: [1] 3-5-004:001

Moved by: Member Mills

2<sup>nd</sup>: Member Amaral

VOTE: 5 YAY [Amaral, Holck, Mills, Wong-Kalu, Fermantez]; 0 NAY; 1 ABSTAINING  
[Member Caceres]

**M. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Inadvertently Discovered Human Skeletal Remains at Camp Erdman, Ka‘ena Ahupua‘a, Waialua District, O‘ahu, TMK: [1] 6-9-004:005**

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

*Deferred*

Testimony and discussion followed the vote for Item Q; please refer to the discussion after the vote on Item Q

- N. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at Alohilani Resort, Waikīkī Ahupua‘a, Honolulu/Kona District, O‘ahu, TMK: [1] 2-6-026:020 and 026; Liliuokalani Avenue and Kalakaua Avenue Rights of Way**  
**Discussion/Determination:** Discussion and determination to recognize the applicant and ‘ohana as cultural descendants to Native Hawaiian skeletal remains at the above project.

*Deferred*

- O. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Inadvertently Discovered Native Hawaiian Skeletal Remains located at The Elks Lodge, Waikīkī Ahupua‘a, Honolulu/Kona District, O‘ahu, TMK: [1] 3-1-032:006**  
**Discussion/Determination:** Discussion and determination to recognize the applicant and ‘ohana as cultural descendants to Native Hawaiian skeletal remains at the above project.

*Deferred*

- P. Department’s Recommendation to Recognize Thomas T. Shirai, Jr., as Cultural Descendant to Native Hawaiian Skeletal Remains located at the Kamehameha Highway Right-of-Way, TMK: [1] 6-2 and 6-4, Encountered During Archaeological Inventory Survey, Hale‘iwa Ahupua‘a, Waialua District**  
**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Chair Wong-Kalu stated the OIBC’s established best practice is to require descendant recognition applicants to attend the meeting at which their recognition will be determined by the OIBC, though this is not an administrative rule requirement*  
*Chair read the above agenda item onto record*

*Chair Wong-Kalu read the following HAR onto the record, which served as the reading for all descendant recognition items on the agenda:*

“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.”

*Summary of testimony and discussion:*

Chair Wong-Kalu requested the Council and meeting attendees voice their concerns or ask questions in case she forgets to ask their input before a motion and vote is made

Applicant Thomas T. Shirai, Jr. provided testimony on his recognition:

[Shirai]: has a proven track record taking care of his ancestors, served two terms on the OIBC as the Waialua geographic representative; highly endorsed by his kupuna; tries to do everything within the law to protect iwi kupuna; Haleiwa Town master plan involves making sidewalks – the trench, T1, is where the iwi kupuna are currently preserved in place,

and the area will become a sidewalk; years and years of people walking on it, animals walking on that area, city bus pulling over on that area; prefers a safe area adjacent to where the iwi are currently that will not be disturbed, driven over, or drawn attention to; will be very safe and inconspicuous, which is the best solution

The individual who will be serving as the Waialua representative's family is from Waialua; the cultural practitioners from Waialua have not stepped up to speak on behalf of the community; involvement and culture is more than singing songs, dancing hula, and cleaning the lo'i; sees people from outside the community who are more interested in taking care of the community than those within the community; Waialua Gym has "Malama I Ke Kai" mural on it, yet the Waialua High School did not participate in the Kaena Point Natural Fencing hearing, whereas Waianae High School and Mililani High School did; disappointing; not showing off; Tom's family knows a lot of people in the community, does not like name banking; the first questions asked about any Waialua recognitions are 1) do you live in Waialua, and who's your family? Grandmother was the school custodian from 1948 to 1978.

Grandfather built Otake Store, Meadow Gold dairy, Cement Hill, Dillingham Airfield road and cabins that housed the workers that built the airfield; ancestors are in Bishop Museum records; now carries a flashdrive instead of a big book

Chair encouraged Shirai to summarize

Shirai: wants to step up and do this, also because of his health; wants others to attend meetings and voice their opinions

Member Mills commented that he remembered Tom from Mills' time with the SHPD, during which the applicant had asked Mills to attend a meeting in the evening to address looting and bottle collecting; Mills attended and the meeting was focused on malama iwi kupuna; supported Shirai's recognition

Shirai thanked Mills for his support

Chair Wong-Kalu read the Department's memo onto record, then opened the floor for testimony

No additional testimony was received

Motion: to approve the department's recommendation to recognize the applicant, Thomas T. Shirai, Jr., as a cultural descendant to unidentified human skeletal remains located at the Kamehameha Highway Right-of-Way, TMK: [1] 6-2- and 6-4, Encountered During Archaeological Inventory Survey, Hale'iwa Ahupua'a, Waialua District

Moved by: Member Mills

2nd: Member Fermantez

VOTE: YAY [6], NAY [0], ABSTAINING [0]

Item Q was addressed next

**Q. Department's Recommendation to Recognize Thomas T. Shirai, Jr., as Cultural Descendant to Native Hawaiian Skeletal Remains located at the Haleiwa Beach House Restaurant, Kawaihoa Ahupuaa, Waialua District, O'ahu, TMK: [1] 6-2-003:014**

**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

Chair Wong-Kalu read the above agenda item onto record

Chair stated the SHPD recommended the applicant be recognized as a cultural descendant

No testimony was offered

Motion: to approve the department's recommendation to recognize the applicant, Thomas T. Shirai, Jr., as a cultural descendant to unidentified human skeletal remains located at the Haleiwa Beach House Restaurant, Kawailoa Ahupuaa, Waialua District, O'ahu, TMK: [1] 6-2-003:014

Moved by: Member Mills

2nd: Member Caceres

VOTE: YAY [6], NAY [0], ABSTAINING [0]

Shirai provided testimony on agenda Item M, cultural descendancy recognition of Eileen Norman and 'ohana to iwi kupuna at Camp Erdman

Chair asked if any 'ohana was present to speak to the recognition

Kala Keliinoi stated that the applicants are part of his 'ohana but he is not able to speak on their behalf

Chair stated the established practice of the OIBC is to hear from the applicant first-hand at the meeting, though there are no administrative rules requiring that

Shirai stated he appreciates the applicant stepping up to be recognized and apologized, in advance, if he seems mean; the sentiments already expressed in the previous recognitions for Shirai are: are you from Waialua, and who is your family?

Shirai: "There's one thing I was taught: you take care your own house before you come to someone else's neighborhood. This is not here to come, get recognition and name banking. This is serious stuff, very hard. This kind of kuleana you have here. That is why I stuck to my recognitions only where I live. I get family that live Waikiki, but I give chance because I still live in my home, and I'm there. You give chance to other people. You give them an opportunity to step up, to come to the plate and take care their own place. Don't go around the island, keep going all over, because number one? You're insulting me. Number two? You're insulting my community. Like I said, I would rather have anybody over here that was a president of Waialua, even if they no more the same kind lineage, with those generations, they live there, they live in Waialua. I see them at the public meetings about Waialua, and I would support them because they're in the community and if they don't know, we share and help them out so they know what it is to have this kind of seriousness, this kuleana. So, that's what I have to share about that, Madame Chair, and if the words are hard, I'm sorry. That's how much I care for this place, where I'm from. And I'd do anything to protect it in a legal manner."

Chair Wong-Kalu: "Mahalo. Better to be a kanaka that speaks his mind rather than a silent kanaka who sits and lets everything happen."

Shirai: "Kinda heavy over here, because no more. I only see their Facebook, talking about Makahiki, when the Hokule'a came to Haleiwa Harbor, sing songs, dance hula. I don't want that, that's the easy part. Anybody can do that. But when you tell em, the minute you mention iwi kupuna, they get all --"

Chair Wong-Kalu: "Ha'alulu."

Shirai: "Then I look at them and I say, if you cannot recognize all our mana, where you came from with this kupuna, then you don't deserve."

Chair Wong-Kalu: "'A'ole pilika, mahalo ia 'oe, your recognition is complete. So we look to you to be able to advocate even more strongly for the iwi kupuna in Waialua. Mahalo for joining us today, drive safely back to the 'aina aloha."

Kala Keliinoi: "I'd like to chime in on that. Just by curiosity, if I wanted to come forth as a descendant to those specific finds at Camp Erdman, would you still feel threatened by me even though I have other recognitions in the Mokapu area, Mokuleia, even in your area although I don't particularly live in Waialua, would that be a problem with you?"

Shirai: "I understand that. But --"

Kala: “I been doing this, I just like know because, in case, like, I not be here and you talk about me like that, so I’d rather just do this right now. Find out what would be your gripes with that.”

Shirai: “I been there from the very beginning of this project, so I speak that-“

Kala: “No, I hear that. But where would be there problem with the whole, “I no live in Waialua” part?”

Shirai: “Not the whole –“

Kala: “Because my lineage matches up, I have NAGPRA claims. I just like know, would that be a problem? And I been taking care of kupuna before I could even take care of kupuna.”

Shirai: “I understand that and I appreciate that part. My thing would be, yes, you do that, but I not talking about you, what you did in Waialua – “

Kala: “I never do nothing in Waialua, my kupuna did everything in Waialua –“

Shirai: “- don’t, yeah, ok, something I would like to know. I would like something that would substantiate that you have something or did something – “

Kala: “I have a kuleana, as my lineage in taking care of my ancestors, like you said, taking care your kupunas –“

Shirai: “- no, your generation –“

Kala: “Big Island, I take care of, but I don’t necessarily live Big Island. I have claims to kupunas in Big Island but I don’t live Big Island. However, those are my kupunas, and I just like you know that, regardless of what is found, I always going be there, coming forward to take claim to them, regardless of where I live.”

Shirai: “Well, I understand that part, Madame Chair, and I don’t want to get into it –“

Kala: “ No, I just wanted to let you know that. Personally. Since we in this discussion.”

Shirai: “What I wanted to say is, iwi kupuna issues don’t just come us at Burial Council meetings. They come up at neighborhood board meetings, public notifications, stuff on the land board.”

Kala: “This is the public area for it to come.”

Shirai: “No, no, no, I’m not talking about that.”

Chair interrupted, and Member Mills commented that the OIBC meeting is not an appropriate venue for hakaka of this nature

Kala stated he only wanted the applicant to know what his thoughts and concerns were

Chair stated the engagement was good, healthy, and appreciated; expects that the younger generation steps up and comes forward for more recognitions as issues arise; mentions that kanaka listen, pay attention, and hear the exchange of thoughts; it is the Council’s position to interpret the information received; Council welcomes applicants, and asks the important questions; the burial sites specialist looks at the genealogical connection, the Council affirms the connection and asks questions

Kamuela Kala’i stated the exchange in healthy, need to be careful with the words chosen; kuleana, response; hopefully where we want to go is for the kupuna.

Chair stated all exchange is directed towards the benefit of the iwi kupuna; will always be guided by Hawaiian world view. “Maika’i no that we heard from these voices.” Ho’opa’apa’a. Courteous and diplomatic exchange.

Shirai thanked the Council and the SHPD staff, there are kuleana coming up; is happy to see the young people, and doesn’t mean that Uncle doesn’t like you. This is all confidential things. If you don’t say anything in this age, it’s all rubber stamp and by the time you say anything, it’s done already.

Member Mills stated that he wouldn’t be surprised if Shirai and Kala ended up being on the same side.

Shirai asked to be informed when the incoming OIBC members’ GM’s come up, as he’d like to provide supportive testimony

Item C was addressed next

- R. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at Howard Hughes Block B West project, ‘Ili of Ka‘ākaukukui, Kaka‘ako Ahupua‘a, Kona District, O‘ahu, TMK: [1] 2-3-001:005 (por.)**

**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Deferred*

- S. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at Howard Hughes Block N East project, ‘Ili of Kaka‘ako, Honolulu Ahupua‘a, Kona District, TMK: [1] 2-3-002:001 (por.), 067, 086, and 087**

**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Deferred*

- T. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at Howard Hughes Corporation and Victoria Ward Limited Block A Project, ‘Ili of Kukuluaeo and Ka‘akaukukui, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: [1] 2-1-056:001**

**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Deferred*

- U. Cultural Descendancy Recognition of Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) to Native Hawaiian Skeletal Remains located at Howard Hughes Corporation Block I Project, ‘Ili of Kaka‘ako, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: [1] 2-3-002:001**

**Discussion/Determination:** Discussion and determination to recognize the applicant as cultural descendant to Native Hawaiian skeletal remains at the above project.

*Deferred*

- ~~**V. Waimānalo Paradise Subdivision Project, Waimānalo Ahupua‘a, Ko‘olaupoko District, O‘ahu, TMK: [1] 4-1-002:007**~~

~~**Information/Discussion:** Update on the above project.~~

*Not addressed at the meeting*

- ~~**W. Hawaii Army National Guard: Upcoming Archaeological Inventory Survey Projects**~~
- ~~**i. Kalaeloa Lot B Parcel, Honouliuli Ahupua‘a, ‘Ewa District, O‘ahu, TMK: [1] 9-1-013:111**~~

~~**ii. Waiawa Installation, Waiawa Ahupua‘a, ‘Ewa District, O‘ahu, TMK: [1] 9-6-004:020 and 015**~~

~~iii. Wahiawa Armory and Park & Ride, Wai'anae Uka Ahupua'a, Wahiawa District, O'ahu, TMK: [1] 7-6-001:002 and 001 (por.)~~

~~iv. Ft. Ruger Headquarters, Palolo Ahupua'a, Honolulu District, O'ahu, TMK: [1] 3-1-042:018, 027, 040, and 041 (por.)~~

~~v. Regional Training Institute, Waimanalo Ahupua'a, Ko'olaupoko District, O'ahu TMK: [1] 4-1-015:001 (por.)~~

~~Information Discussion: Update on the above projects.~~

*Not addressed at the meeting*

**X. 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.

Chair Wong-Kalu read the above agenda item onto the record, introduced Reverend Kenneth Makuakane

Updates provided by Bill Haole, David Shideler, Rev. Kenneth Makuakane, Lani Maa, Haunani Hendrix

*Summary of testimony:*

Erosion mitigation update and progress report presented (below)

The Church wanted to respond to the questions posed by an individual at a previous meeting; the person was not present, and the Church decided to address those particular questions in the course of consultation

Church submitted the erosion mitigation plan on May 21<sup>st</sup> to SHPD, SHPD stated they had 45 days to review the plan and get that information back to the SHPD

Draft burial notice has been generated, will be published soon

Member Mills requested opportunity to get information about the long-standing issues at Kawaiaha'o

David Shideler stated any information shared must comply with Sunshine Law

Chair Wong-Kalu requested a meeting between the project proponents, Member Mills, and herself

Bill Haole stated he would talk with the Church's legal team and set up a meeting, limiting attendance of the OIBC to two members, including consultants CSH, Aukahi, and the legal team, Kahu is also invited; had hoped the next consultation would be sometime soon following clearance from the SHPD; August 13<sup>th</sup> is the next court update with Judge Crabtree; wanted nothing more than to have started on the erosion mitigation yesterday; ensure the Church is moving correctly and give Dr. Lebo time to review the document submitted to the SHPD; next consultation will likely be sometime in August 2018

Chair Wong-Kalu requested that an invitation be extended to Member Mills; confirmed her commitment to participating when she is in town and on island; acknowledged the Church's new leadership of Kahu Makukakane; requested Bill encourage a senator [head nudge in the direction of across the street] to attend; everyone needs to understand what the moving parts are

Member Fermantez asked Lani how the consultation meetings have been going

Lani stated there are a lot of new people, challenges are getting everyone up-to-speed; bound by the process, takes time and can be frustrating; two litigations, two laws the project proponents are following

Bill stated having mini trainings at the beginning of each kukakuka session has been discussed; OIBC and SHPD is always welcomed to attend the meetings

Lani asked if the Church was working on a website to keep the recognized descendants updated

Bill stated the team is and isn't. Some of the information is confidential; how much of the confidential information is confidential when presented at the OIBC meetings? The Church has accepted that it's a target, they concern is with how much is shared.

Lani stated that Kamuela Kala'i had questions, and Bill was referring to those questions.

Bill once again pointed out that Kamuela Kala'i was not present in the room [had left already]

Chair Wong-Kalu stated that discussion did not need to be revisited

Lani stated she is looking forward to working with Member Mills

Chair Wong-Kalu thanked everyone for their rainbow of emotions

Bill stated he is glad that Kahu Makuakane is present

Chair commented on Kahu Makuakane's leadership and his actions in diffusing an earlier situation; looks forward to great things from Kawaiha'o in future meetings

Member Amaral left at 2:48 PM

## V. INADVERTENTS/COMMUNICATIONS

### A. Inadvertent discovery of human skeletal remains on March 19, 2018 at Hauula Fire Station, TMK: [1] 5-4-018:064

**Information/Discussion:** Discussion on the above inadvertent discovery.

Update provided by RKH

Discovery occurred during retaining wall construction for the new Hauula Fire Station at the corner of Waipuna and Kamehameha Highway; footing excavation between fire station property and adjacent private property; preservation in place was feasible according to the project proponents, therefore the kupuna was preserved in place

### B. Inadvertent discovery of human skeletal remains on May 1, 2018, at Kualoa Ranch, Kualoa 1, Ko'olaupoko District, O'ahu, TMK: [1] 4-9-009:006

**Information/Discussion:** Discussion on the above inadvertent discovery.

Update provided by RKH

Makai of the highway; kupuna located under a kamani tree, displaced and impacted by the tree roots; tree was cut, stump was left in place, and the kupuna was preserved in place

### C. Inadvertent discovery of human skeletal remains on May 14, 2018 at the First Hawaiian Bank's Mānoa Branch project, Mānoa, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-9-022:025 and 2-9-013:036

**Information/Discussion:** Discussion on the above inadvertent discovery.

Update provide by RKH

Small fragments discovered during electrical trenching, which was covered under archaeological monitoring; no context and not in situ; site visit hosted by Matt which included Mana Caceres and RKH; decided on relocation to the burial preserve approximately 10 feet away

- D. Inadvertent discovery of human skeletal remains on May 17, 2018 at the Howard Hughes Corporation Central Plaza project, Kaka’ako, Honolulu Ahupua’a, Honolulu (Kona) District, O’ahu, TMK: [1] 2-3-002:001 (por.)**  
**Information/Discussion:** Discussion on the above inadvertent discovery.

Update provided by RKH

Three individuals encountered in a high berm, project was covered by archaeological and cultural monitoring; SHPD has approved preservation in place as a short-term and permanent preservation measure; site visit by Mana Caceres and RKH, along with Makoa Caceres

- E. Inadvertent discovery of human skeletal remains on June 3, 2018, at Kualoa Regional Park, Kualoa 1, Ko’olaupoko District, O’ahu, TMK: [1] 4-9-005:001**  
**Information/Discussion:** Discussion on the above inadvertent discovery.

Update provided by RKH

Medical Examiner contacted RKH about skeletal material on hold at the ME’s office from Kualoa; RKH stated she usually coordinates directly with the Kualoa Regional Park staff on response efforts, but this one came directly from the ME; the only context was that the remains are from Kualoa Regional Park; makai exposures are ongoing events whenever king tides, high or low tides occur; Kualoa just installed a second vault for reburials next to the first vault, but it isn’t yet ready to be used; RKH responded to another exposure over the weekend at Kualoa, and based on the context, left it in place; RKH is talking through options with History and Culture branch chief and Archaeology branch chief

RKH offered comments on Item IV. D following the conclusion of all inadvertent discovery/correspondence updates; comments are summarized under Item IV. D

## **VI. ANNOUNCEMENTS**

- A. Next meeting date is scheduled for 11:00 AM on Wednesday, July 11th, 2018, at the Kalanimoku Building, Board Room #132.**

**Meeting concluded at 2:45 PM**

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

(Attachment for OIBC agenda)

***Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana***  
For recognition at the June 13, 2018 O‘ahu Island Burial Council meeting,  
agenda items below:

**IV. Business**

- H. Department’s Recommendation to Deny Lineal Descendant Recognition, and Instead to Recommend Cultural Descendant Recognition, for Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached), to the Native Hawaiian Skeletal Remains of David Kanuha, Esther Holstein, and Mary Kamaka, located at Kawaiaha‘o Church Multipurpose Building Renovatin Project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-032:017  
*OIBC deferred*
  
- L. Department’s Recommendation to Recognize Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) as Cultural Descendants to Inadvertently Discovered Human Skeletal Remains at Camp Erdman, Ka‘ena Ahupua‘a, Waialua District, O‘ahu, TMK: [1] 6-9-004:005  
*OIBC deferred*
  
- M. Department’s Recommendation to Recognize Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) as Cultural Descendants to Native Hawaiian Skeletal Remains located at Alohilani Resort, Waikīkī Ahupua‘a, Honolulu/Kona District, O‘ahu, TMK: [1] 2-6-026:020 and 026; Liliuokalani Avenue and Kalakaua Avenue Rights of Way  
*OIBC deferred*
  
- N. Department’s Recommendation to Recognize Eileen Kekahiliokamoku Kawainui Norman and ‘Ohana (names attached) as Cultural Descendants to Inadvertently Discovered Native Hawaiian Skeletal Remains located at The Elks Lodge, Waikīkī Ahupua‘a, Honolulu/Kona District, Island of O‘ahu, TMK: [1] 3-1-032:006  
*OIBC deferred*

- 1) Eileen Kekahiliokamoku (Kawainui) Norman
- 2) Debbie Paulette Kekahiliokamoku (Norman) Kini
  - a. Puahone Kawahineuiokeanuenue (Kini) Lopes
    - i. Kamahao Samuel Leialoha Kini-Lopes
  - b. Nalani Kekahiliokamoku (Kini) Gasper
- 3) Carolyn Donna Kealaonapua Norman
  - a. Justin Kepoohunaikeauli Keliipaakaua
  - b. Chase Ialua Keliipaakaua
- 4) Theodore Robert Kekuailiahi Norman
  - a. Kaleo Kekuailiahi Norman
  - b. Keliinui Keaweamahi Norman
- 5) Kimberly Kananionapua (Norman) Suzuki
  - a. Nicole Kawaileonuuuanu (Suzuki) Peyton
  - b. Ashley Wahineilikea (Suzuki) Silva

**c. Cara Kamakanikailialoha Arcalas**

***Norman “Mana” Kaleilani Caceres and ‘Ohana***  
For recognition at the June 13, 2018 O‘ahu Island Burial Council meeting,  
agenda item below:

**IV. Business**

- I. Department’s Recommendation to Recognize Norman “Mana” Kaleilani Caceres and ‘Ohana (names below) as Cultural Descendants to Native Hawaiian 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**  
*OIBC voted to recognize Mana and ‘Ohana as Cultural Descendants to the above remains at the above project*
- J. Department’s Recommendation to Recognize Norman “Mana” Kaleilani Caceres and ‘Ohana (names attached), as Cultural Descendants to Native Hawaiian Skeletal Remains located at 614 South Street, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, MTK: [1] 2-1-031:020**  
*OIBC voted to recognize Mana and ‘Ohana as Cultural Descendants to the above remains at the above project*
- K. Department’s Recommendation to Recognize Norman “Mana” Kaleilani Caceres and ‘Ohana (names attached), as Cultural Descendants to Native Hawaiian Skeletal Remains located at 4585 Kahala Avenue, Kāhala ‘Ili/Mo‘o, Wai‘alae Iki Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 3-5-004:001**  
*OIBC voted to recognize Mana and ‘Ohana as Cultural Descendants to the above remains at the above project*

Norman ‘Mana’ Christopher Moore Kaleilani Caceres  
Brandy Kalehua Kamohalii Caceres  
Kekamamakoakailihou Kaleilani Kamohalii Caceres  
Keahealainaiikekamaehuokahikiku Kiekiekananiokuuleihua Kamohalii Caceres  
Kekamakeuakauikuhaikalai Kalehuahiehie Kamohalii Caceres  
Kahuakaokekamaakawai Kamanaokaopuulehua Kamohalii Caceres