



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

DRAFT MINUTES pending OIBC APPROVAL
OAHU ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, December 14th, 2016
TIME: 10:10 AM
PLACE: Department of Land and Natural Resources
Board Room
Kalanimoku Building, 1st Floor
1151 Punchbowl Street
Honolulu, HI 96813

Attendance: Charles Ehrhorn, Large Landowner representative, Chairperson, OIBC
Aulii Mitchell, Waianae District representative, Vice Chair, OIBC
Danna Holck, Large Landowner representative, OIBC
Beverly Amaral, Large Landowner representative, OIBC
Mana Caceres, Ewa District representative, OIBC

SHPD Staff: Regina K. Hilo, Burial Sites Specialist, H&C
Dr. Susan Lebo, Archaeology Branch Chief

Guests: Morgan Davis, SCS Archaeology
Matt McDermott, Cultural Surveys Hawaii
Herb Chock, Waialae Country Club
Jessica Eaton, Waialae Country Club
Hal Hammatt, Cultural Surveys Hawaii
Carmen Delos Reyes, Cultural Surveys Hawaii
Loren Zulick, US Army Corps of Engineers
Kaponou Souza, Hale Mua
Keanu Kuna, Descendant
Yuklin Aluli, Descendant
Dawn Chang, Kuiwalu
Kaanohi Kaleikini, Descendant
Kalehua Caceres, Descendant

I. CALL TO ORDER

Meeting called to order by Chair Ehrhorn at 10:10 AM

II. ROLE CALL/PULE

Pule offered by Mana Caceres

OIBC members introduced themselves and their manner of representation:

Aulii Mitchell, Vice Chair, Waianae Moku representative
Danna Holck, Large Landowner representative
Beverly Amaral, Large Landowner representative
Mana Caceres, Ewa Moku representative

Charles Ehrhorn, Chair, Large Landowner representative

III. APPROVAL OF MINUTES

Deferred to future OIBC meeting

~~A. Minutes from 7/13/2016~~

~~B. Minutes from 9/14/2016~~

~~C. Minutes from 11/09/2016~~

IV. Business

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

Item read onto record by Chair Ehrhorn

Summary of remarks:

Ehrhorn requests that the Council and audience be cognizant that the 2017 State legislature opens shortly after the Council’s meeting on Jan. 11th, 2017. Any issues or legislation with impact to historic preservation should be discussed at the Jan. 11th, 2017 meeting. New positions at the SHPD are created through legislative approval and funded by the Budget and Finance committee; more information will be available at the next meeting

Chair Ehrhorn stated the OIBC had two vacancies: Koolaupoko and Kona

B. Department’s Recommendation to Recognize Paulette Kaanohi Kaleikini and ‘Ohana (names attached) as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at Honolulu Board of Water Supply Beretania Complex Upgrades Project, City and County of Honolulu, ‘Ili/Mo‘o of Kewalo, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: [1] 2-1-036:004 and 005

Discussion/Determination

Summary of remarks:

Chair Ehrhorn read the above agenda item and HAR onto the record

Report is in preparation, fieldwork is finished

Recognition can be made before a public notification of burial finds during an AIS is published

[At 12:36 PM, Alani Apio offered comments regarding Item IV. B;

Chair Ehrhorn stated the recommendation had gone smoothly;

Apio stated the Board of Water Supply has been working with the Kaleikini ohana and could address any questions at that time

Kaanohi asked if the AIS was completed

Alani Apio stated the fieldwork was completed, and a report would be prepared]

Motion: to accept the department’s recommendation to recognize Paulette Kaanohi Kaleikini and ‘Ohana as cultural descendants to unidentified human skeletal remains encountered at the Honolulu Board of Water Supply Beretania Complex Upgrades Project, City and County of Honolulu, ‘Ili/Mo‘o of Kewalo, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: [1] 2-1-036:004 and 005

Moved by: Amaral

2nd: Caceres

VOTE: ALL IN FAVOR

C. Department’s Recommendation to Yuklin Aluli and Keanu Kuna as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at 147 Ulupa Street, Kailua Ahupua‘a, Ko‘olaupoko District, O‘ahu, TMK: [1] 4-3-028:032

Discussion/Determination

Chair Ehrhorn read the above agenda item onto the record

Regina stated the department asked for more information

Applicant’s counsel requested executive session

Motion: to move into executive session

Moved by: A. Mitchell

2nd: B. Amaral

VOTE: ALL IN FAVOR

Motion: to move out of executive session and reconvene the OIBC meeting

Moved by: A. Mitchell

2nd: B. Amaral

VOTE: ALL IN FAVOR

Motion: to accept the department's recommendation

Summary of remarks:

Presented by Dawn Chang, on behalf of Yuklin Aluli and the project

Originally three inadvertent discoveries during pool excavation, worked with SHPD and got permissions to disinter

AIS underway, not completed 100% because there were additional burials discovered; OIBC recommended Yuklin talk to other members of the community; met with Kailua Kau a Hooilo who hosted the meeting; update on project and moving forward.

Candid discussion at the meeting; both sides felt better about the situation and people's different connection to iwi kupuna and their practices. Yuklin and ohana met again, wanted to do what is right for the iwi kupuna. Three shallow burials. Yuklin recommending preservation of all previously identified burials in place; the bone fragment found in the trash pit will be relocated and reburied with the inadvertents. No further excavation. Will complete the AIS documentation of fieldwork already completed with no fieldwork to continue, and will submit a BTP which will be reviewed by SHPD and presented to OIBC for their recommendations. Will work with SHPD to reinter the 3 inadvertents originally disinterred. Will work with SHPD to put interim protective measures in the area as soon as possible to restore the backyard.

Yuklin's nephew Kapono made kapa which will be used to reinter the iwi to be reburied. Notion was that where there is one, there are more. Yuklin has had peaceful surroundings and wants to restore it. Difficult with the disruption of sand and plywood, no end in sight. Better for Yuklin and the iwi that are there. 1949 aerial photo of bulldozed area. Patches of sand everywhere. Wants to restore the backyard, and is concerned about people coming to visit in the backyard, a significant intrusion of privacy. Not going to proceed any further. Concerned about perceived or delegated authority. Does not want the Arizona Memorial in her back yard.

Keanu stated he is concerned about his mom and her safety. The process around excavation and finding a burial is Keanu's first experience of it. Iwi kupuna and kuleana. If there's anyone who's kuleana it would be to take care of these iwi, it's the people who live on this aina.

Council Member B. Amaral stated she understood their difficulty.

Kapono Souza stated that Yuklin is aware and is capable of handling this kuleana, though it is a balance of trying to find a compromise, as a private landowner, when outside community trying to impose their will. Aole pau ka ike i ka halau hookahi – we are all capable. Clarity and mutual respect, moving forward, [after the meeting with Kailua Kau a Hooilo]

Chair Ehrhorn stated that this is a problem that may be best addressed through legislation regarding a single homeowner, as we are likely to see this more and more

D. Kālia-Fort DeRussy Wastewater System Improvements Project, Waikīkī Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-6-005:001 (por.) + Easements

Information/Discussion Chair Ehrhorn read the above item onto the record

Summary of remarks:

Presented by Kawika McKeague – G70, and Matt McDermott – CSH

Likely the last presentation for the project's 8 year history and duration; presented about the steps needing completion at the Nov. 2017 meeting; project team has been transparent in sharing the work and plans for reinterment

Chair Ehrhorn asked if the project proponents were looking for approval from the OIBC
Kawika stated the finds were inadvertents from the wastewater project and power project
Matt recapped the numerous discussion had about the project, starting 8 years ago with the
introduction of the project, NAGPRA POA. Currently seeing the culmination of these projects
in the reburial on Dec. 17th

Pipe project work complete – two inadvertent finds

Tower project – Neller burial preserve, and relocation area below Grand Islander

Drums of sediment to be placed in the burial preserve area; faunal remains on project will be
placed back in the same area

Utilization of easement on the land, even as a city project, triggers PA involvement

CSH and OCR has been a great working relationship

**E. Ala Wai Golf Course Parking Lot Improvements Project, Site 50-80-14-7959, Waikīkī
Ahupua‘a, Honolulu District, O‘ahu Island, TMK: [1] 2-1-054:001**

Information/Discussion

Chair Ehrhorn read the item onto record

No updates were provided

**F. First Hawaiian Bank East Mānoa Road Project, Mānoa Ahupua‘a, Honolulu (Kona)
District, Island of O‘ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025**

Information/Discussion

No updates were provided

**G. Proposed Renovations of the Waialae Country Club Clubhouse and Fitness Center,
Waikīkī Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 3-5-023:003 and 038 (por.)**

Information/Discussion

Chair Ehrhorn read the above agenda item onto record

Summary of remarks:

Presentation provided by Morgan Davis – SCS, Liz Pestana – SCS; Herbert Chock – Waialae
Country Club

Attended last month and provided initial updates about the project

Discussing two projects for the Waialae Country Club; have done projects for the Waialae
Country Club previously and expect to find an extension of the cultural layer into adjacent
proposed work areas

Had consulted with SHPD; AMP for previous work is currently under SHPD review; awaiting a
historic properties determination from the SHPD in order to move forward; met with the
cultural descendants to show the locations of proposed work as well as burials found during
monitoring, and get info from descendants on how to move forward – AIS or monitoring;
overview was to do no excavation in areas that did not require excavation; flexibility in
planning moving forward

Parcels 3 and 38 of [1] 3-5-023

[PowerPoint presentation referenced]

Administrative offices project will have grading of up to 12 inches; grading and excavation of
up to 18 inches; up to 36 excavations for removal of trees

Site 7925 – identified during Annex project in 2013; AMR and AIS are under review at SHPD;
burial preserve in site 7925; preservation plan will be submitted to SHPD; some info in
preservation plan was provided to Regina for her review

Clubhouse upgrade in 2011 – Sites -7207 and -7206 identified; -7207 is located in the
Clubhouse parcel, -7206 is located in the ocean side parcel

Proposed project is within -7925

Consultation with SHPD Archaeology; AMR and AIS are pending review; testing strategy is
premature until SCS documents are accepted by the SHPD; known burials, as -7206 was
relocated to -7207 which was preserved in place

In 2011, when -7206 and -7207 were discovered, H&C Branch Chief P. Cayan and SHPD
Archaeologist Mikey Vitousek, along with Hina Wong-Kalu of the OIBC made burial

mitigation recommendations; in 2013, with -7925, Susan Lebo, Kawika Farm, and Hina Wong-Kalu made mitigation recommendations
Consultation was held with descendants
Kaanohi Kaleikini stated she had participated in consultation and understood there was only one area the archaeological firm was permitted to work, and that is the area with the trees.
Dr. Lebo asked if there was any other work besides removal of the trees.
Morgan stated the removal of the trees was necessary to grade the area for the Annex.
Kaanohi asked if the only excavations would be to remove the trees.
Morgan stated it would be to remove the trees and excavate for the footings.
Liz stated the footings would be 18 inches.
Kaanohi stated at that point it would be in the cultural layer.
Morgan and Liz both stated that it could be possible.
Kaanohi stated no AIS had been carried out in this area. Kaanohi stated one of the recommendations she made regarding the project was to do an AIS, or to have controlled excavation.
Morgan stated the controlled excavation is preferred over randomized excavations as would be expected with an AIS. Only excavating in areas where the work would occur.
Kaanohi stated excavation only in areas where the work would be occurring.
Morgan also stated the recommendation for cultural monitoring.
Kaanohi mentioned cultural monitoring previously.
Liz stated monitoring would be conducted for mechanical excavation of the fill layer and when and where the cultural layer was encountered, there would be hand excavation. Cultural monitoring would be implemented with recognized cultural descendants, feedback received during on site visitation with recognized cultural descendants.
Dr. Lebo stated the possibilities under the rules were no historic properties affected, no further work; AIS, either designed for testing to determine the whole project area or limited to areas of impact; data recovery, based on information from previously studies and recommendations accepting documents for data recovery; archaeological monitoring – designed such that mechanical excavation and manual excavation can occur. Cannot have an AIS conducted as a provision of monitoring. Two different things. Techniques used during AIS could be used during monitoring. Wouldn't do monitoring before AIS.
Chair Ehrhorn asked if there were any additional questions
Kaanohi asked if materials had been submitted to the SHPD
Liz stated AIS from 2013 has been submitted, as has a preservation plan for the burial preserve; nothing for this project has been received by the SHPD
Dr. Lebo stated she hoped to have the documents submitted to the SHPD reviewed for acceptance by January 2017

H. Archaeological Inventory Survey at Aluli Residence, Kailua Ahupua'a, Ko'olaupoko District, Island of O'ahu, TMK: [1] 4-3-028:032

Information/Discussion: Update on the above project.

Addressed concurrently with item IV. C, please review item IV. C for discussion

I. Programmatic Agreement among the U.S. Army Corps of Engineers, the Hawaii State Historic Preservation Officer, and the State of Hawaii Department of Land and Natural Resources Engineering Division Regarding the Ala Wai Canal Project

Information/Discussion: Update on the above project.

Chair Ehrhorn read the above item onto the record

Summary of remarks:

Chair Ehrhorn stated the OIBC has been asked to be a signatory on the Programmatic Agreement

Presented by Loren Zulick – Army Corps of Engineers

Had presented the project about a year ago, providing an update of the PA PowerPoint presentation

Joint project with non-federal sponsor, DLNR Forestry Management; find ways to manage risk of flood; introduce 13 structural components within the watershed – stockpile water upstream; project has been around since 1998, was discussed in 2008; new process introduced by federal government called 3x3x3 where the duration of the project is 3 years.

Did some of the environmental compliance; project still in feasibility stage, NEPA compliance and NHPA compliance; end of 2016 into beginning of 2017, report to Congress – viable project, but not sure if it will happen; conceptual project, with start of design two years away, and construction around 2021

Loren thanked the OIBC for their participation; 23 consulting parties, series of letters over 2 years; invited signatories include the OIBC; OHA; took 2 years to complete the Programmatic Agreement; a lot of work to implement the PA, including the design and construction; mitigation includes archaeological and cultural monitoring

6E-43.6 is what will be followed for this project

Chair Ehrhorn thanked Loren for providing the summary

Kaanoahi asked when the presentation to congress would be

Loren stated it would be in January or February, which will be up for decision later in 2017

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

Information/Discussion

Lani Maa Lapilio stated there were no updates

Chair Ehrhorn stated the work was slated to begin sometime in January

Kaanoahi asked when the AIS was starting

Chair Ehrhorn stated the last he heard was that work was going to start in January

Kaanoahi was expecting to hear more about the walls in the burial area, as they are starting to cave in

V. INADVERTENTS/COMMUNICATIONS

A. Inadvertent discovery of Human Skeletal Remains on Nov. 4, 2016, at the Keauhou Place project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-030:051

Information/Discussion: Update on the above project.

Agenda item read onto record by Regina K. Hilo

Summary provided by Regina K. Hilo:

Meeting with project proponents and cultural descendants on Dec. 5th, 2016; discussed finds and proposed treatment

Nov. 4th, 2 burials encountered during water line trenching; project proponents abandoned the water line, in situ burial (burial 5) will be preserved in place; burial 4 is a single isolated bone fragment that was recovered and placed in the temporary curation facility; burial 4 will be returned to the trench when preservation measures are implemented for the burials

B. Inadvertent discovery of Human Skeletal Remains on Nov. 2, 2016, near Camp Erdman, Ka‘ena Ahupua‘a, Waialua District, Island of O‘ahu, TMK: [1] 6-9-004:003

Information/Discussion: Update on the above discovery.

Agenda item read onto record by Regina K. Hilo

Summary provided by Regina K. Hilo:

Hawaii News Now had a news story about the area on Monday

SHPD first notified about the discovery on Monday, Dec. 2nd, after hours; team of archaeologists from SHPD went out to the scene, protected the burials in place; elements exposed were protected in place

Regina was on site on Saturday, Dec. 3rd, restabilized the sand, met with Camp Erdman’s Executive Director and discussed appropriate reburial in the area

Two reburials had already been done on the Camp Erdman parcel, one of which was mauka of the highway centrally located by the cabins; Regina stated she wanted to know the location of the reburial areas first before making a decision about another reburial area

Working on a plan with State Parks and the Camp Erdman director; exposure happened sometime on Sunday, Dec. 11th; Regina was contacted by Hawaii News Now on Monday afternoon; a statement from the DLNR was released on Monday afternoon regarding footage showing human skeletal remains was culturally inappropriate and distasteful. Tom Shirai (former Waialua OIBC member) sent Regina emails.

Regina went out early Tuesday AM, collected everything at the surface; currently in curation. Made a commitment to community and Camp Erdman; cannot respond to situations SHPD is not made aware of. Individual interviewed for the story stated the remains had been exposed for two weeks, yet no one called HPD, DOCARE, or SHPD. Regina wasn't called until Sunday, Dec. 11th.

Three isolated areas of exposure within an eroding dune: one on the boundary of Camp Erdman, an adult, recovered long bone fragments and skull without mandible; second area is two juveniles, around 6 to 8 years old; third area is two adults, likely male

Regina urged the public to call HPD, who will contact SHPD.

Regina has asked the community to have the individual interviewed in the story contact Regina directly so as to make it clear notification needs to be given to the SHPD regarding exposures of human skeletal remains.

Chair Ehrhorn stated that was disappointing.

Kaanoahi stated she is a recognized descendant of the area, and she would like to move the burials inland, on state land, and have an area in which reburial can be done.

Dune is collapsed and eroding.

Plan is to relocate, Kaanoahi can assist with reburial.

C. Inadvertent discovery of Human Skeletal Remains on August 2, 2016, Kahana Ahupua'a, Ko'olaupia District, O'ahu, TMK: [1] 5-2-005:020

Information/Discussion: Update on the above discovery.

Agenda item read onto record by Regina K. Hilo

Summary:

Update provided by Regina K. Hilo

Regina has met with the descendant group, who has expressed interest in relocation. Interim protective measures were still in place; based on a series of events and expressions of kuleana to the iwi by descendants at Kahana, Regina stated she would support their decision and defer to their decision, and support their needs.

Relocation to a mauka area, in the valley, on the Punaluu side.

B. Amaral asked about the location

Regina stated it's on the ocean; reburial would be mauka of the highway

D. Site Visit request made by Michael Kumukauoha Lee for the Hoakalei Burial Preserve, Hono'uli'uli Ahupua'a, 'Ewa District, Island of O'ahu

Information/Discussion: Discussion on the above correspondence.

Summary of remarks:

Regina stated this is an issue that has been on the agenda several months, at the request of Mike Lee; no updates provided as Mike Lee was not present at the meeting

Chair Ehrhorn asked the issue be deferred

E. Burial Registration Application and supporting materials from Michael Kumukauoha Lee for the Location of the Ho'opili Train Station, Hono'uli'uli Ahupua'a, 'Ewa Moku, Island of O'ahu, TMK: [1] 9-1-017:004

Information/Discussion: Discussion on the above correspondence.

Summary of remarks:

Regina stated this is an issue that has been on the agenda several months, at the request of Mike Lee; no updates provided as Mike Lee was not present at the meeting

Chair Ehrhorn asked the issue be deferred

VI. ANNOUNCEMENTS

A. Next meeting date is scheduled for Wednesday, January 11th, 2017 at 10 AM

Motion: to adjourn the meeting

Moved: M. Caceres

2nd: B. Amaral

VOTE: ALL IN FAVOR

Meeting adjourned at 12:00 PM

SUBMITTED IN DRAFT FORMAT for Oahu Island Burial Council consideration on July 11, 2017, for approval at the OIBC's meeting on July 12, 2017.