STATE OF HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD. STE 555
KAPOLEI, HAWAII 96707

APPROVED MINUTES
O'AHU ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, November 9th, 2016
TIME: 10:15 AM
PLACE: Department of Land and Natural Resources
Board Room
Kalanimoku Building, 1st Floor
1151 Punchbowl Street
Honolulu, Hawaii 96813

Attendance: Charles ‘Chuck’ Ehrhorn, Large Landowner rep., Chairperson, OIBC
C. Aulii Mitchell, Waianae Moku rep., Vice Chairperson, OIBC
Danna Holck, Large Landowner rep.
Kali Fermantez, Koʻolauloa Moku rep.
C. Mana Caceres, Ewa Moku rep.

SHPD Staff: Regina K. Hilo, Burial Sites Specialist, History and Culture
Kimi Matsushima, Oahu Lead Archaeologist, Archaeology
Dr. Susan A. Lebo, Branch Chief, Archaeology

Guests: Mike K. Lee, Cultural Descendant
Kawika McKeague, G70
Kihei deSilva, Kailua Kaua Hooilo
Kahala Motoyama, Cultural Descendant
Peter Gonsalves, Cultural Descendant
Agnes Kamana, Cultural Descendant
Garrick Iwamura, Honolulu C&C
Cory Simon, Cultural Surveys Hawaii
Danielle Yafuso, First Hawaiian Bank
Matt McDermott, Cultural Surveys Hawaii
David Shideler, Cultural Surveys Hawaii
Mapuana deSilva, Kailua Kaua Hooilo
Steve Tomei, Sam Hirote (construction)
Morgan Davis, SCS Archaeology
Richard Sato, Waialae Country Club
Jessica K. Eaton, Waialae Country Club
Hal Hammatt, Cultural Surveys Hawaii
Jon Tulchin, Kamehameha Schools
Trever Duarte, International Archaeology
Punahele Motoyama, Cultural Descendant
Herb Chock, Waialae Country Club
Lani Maa Lapilio, Aukahi
Yuklin Aluli, Landowner
I. CALL TO ORDER

Meeting was called to order by Oahu Island Burial Council Chair Ehrhorn at 10:15 AM

II. ROLL CALL/PULE

Meeting was opened with pule

The Oahu Island Burial Council members introduced themselves in the following order:
Aulii Mitchll, Danna Holck, Chuck Ehrhorn, Kali Fermantez, and Mana Caceres

III. APPROVAL OF MINUTES

Deferred to future OIBC meeting
A. Minutes from 07/13/2016
B. Minutes from 09/14/2016

IV. BUSINESS

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

Information/Discussion: Discussion on the above items.

Summary of discussion follows, below:

inquiry on current OIBC vacancies and applications received by Boards and Commissions to fill the vacancies

Programmatic Agreement for Ala Wai Watershed – Chair Ehrhorn asked Regina K. Hilo (SHPD) to invite an archaeologist from the Army Corps to attend the meeting and explain the project as well as the stipulations in the Programmatic Agreement

Kahana inadvertent and discussions with the descendants

Mike Lee mentioned the iwi at Hoakalei, which included a lei niho palaoa, and that it took 10 years for the iwi to be reburied; need to coordinate with Kim Kalama on access for descendants

Kahana Motoyama mentioned that actions at the Ala Wai as part of the Ala Wai Watershed Programmatic Agreement will affect Manoa; recommended getting a soils report from Katie Kamelamel at provides a thorough summary of her work and findings of Manoa soils in the Ala Wai

Kali Fermantez stated that he talked with “Naaupo” [the individual who called the news station to report the iwi at Kahana, which was subsequently filmed and presented on the local news]; Kali shared the broader context of what happened at Kahana and the involved parties at Kahana with Naaupo; Kali supports the SHPD’s position

Mana Caceres mentioned the three vacancies for the Oahu Island Burial Council and urged the public to reach out to their communities and ask individuals to apply to fill the vacancies


Discussion/Determination: Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at the above project.

Chair Ehrhorn read the above agenda item onto the record

Mike Lee provided testimony, summarized below:
4th great-grandparents were in this area; meetings with First Hawaiian Bank were good, and the conversation continues between the Bank and the descendants, with 2 meetings held already

Chair Ehrhorn opened the floor for discussion; none received


Moved by: Aulii Mitchell
2nd: Kali Fermantez
Vote: All in favor, none opposed


Discussion/Determination: Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at the above project.

Chair Ehrhorn read the above item onto the agenda

Kahala Motoyama and Punahele Motoyama sat at the table; Kahala Motoyama provided testimony, summarized below:

Kahala thanked Kaanohi Kaleikini for blazing a path: Kahala can walk to the location where the iwi were discovered in 10 to 15 seconds from where she lives in Manoa; she is concerned that the cemetery is close to First Hawaiian Bank; she is happy that the council Chair mentioned and discussed the Ala Wai [Watershed] Programmatic Agreement; Manoa Valley Theatre is on the exact location of the former chapel; names of families buried in the cemetery are: Woolsey, Koani, Kaeo, Silva, and Ordenstein; in the 1830’s, over 300 people were buried there, though maybe the iwi has been washed away; Manoa Valley Theatre refreshment bar was built over Kahala’s great-grandmother’s grave – she was disinterred, as Kawaiahao council Portnoy had her moved; Kahala has concerns about doing this right; in the 1950’s, East Manoa Road was widened, so there was pushing and shoving of soil, possibility that these iwi were impacted by those actions; her concerns are the Council’s practices, as Kahala has read Kaanohi’s case and knows what rights were won; Kahala stated that she is not anti-business; 1) iwi found on different places on the property, 2) concerned about the areas in between, and 3) the anticipated levels of ground disturbance; wanted to ensure the Burial Treatment Plan being developed is respectful to kupuna; is concerned about the building being demolished

Chair Ehrhorn asked if the Burial Council members had any comments;

Mana replied, stating that the kuleana to mala iwi is a family kuleana, therefore decisions should be made as a family


Moved by: Kali Fermantez
2nd: Danna Holck
Vote: All in favor

Discussion/Determination: Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at the above project.

Chair Ehrhorn read the above agenda item onto the record

Peter Gonzalves provided testimony, summarized below:

Ohana name is Opunui, lived in Manoa as a child, played in the graveyard, lived on Woodlawn; moved to Kaneohe in 1966; Opuhui ohana lived in Manoa for a long-time, they were descendants of Princess Kahanu, and the descendants are buried there; Peter stated that he is before the OIBC to represent his ohana and ensure the BTP will protect the iwi; he is a retired firefighter; Peter has 12 years of precision aerial photography for litigation and history experience; he knows of another project abutting the graveyard

Chair Ehrhorn opened the floor for comments; comments from:

Kahala Motoyama – Agnes (Neki), herself, and Peter are all born and raised in Kolowalu; Neki – born in the family home where Safeway is now, knows the cemetery; concerned about the iwi

Chair Ehrhorn stated that cultural descendants are representatives of the iwi

Council Member Fermantez said ‘mahalo’ to Peter, Kahala, and Neki, as they are born and raised in the project area


Moved by: Mitchell
2nd: Caceres

VOTE: ALL IN FAVOR


Information/Discussion: Update on the above project.

Updates provided by Dawn Chang – Kuiwalu
Summary of testimony follows, below:

Dawn: following OIBC meeting on July 13, 2016, the project proponents met to discuss comments and recommendations from the meeting; brief summary of the AIS and supplemental AIS – extensive fieldwork, 340 trenches, 3 burials: 7288 – Test area B, shallow, scattered remains, subject to tidal inundation; 4488 – Test area C, isolated toe bone, in an area where remains had been discovered before; 7289 – Test area D, probably flexed position, in an area with floor and possible habitation

July 2016: Dawn met with the Kahuku Burial Committee (KBC) and Turtle Bay, KBC recommended that 7289 be preserved in place, establish a burial preservation area/reinternment location; 4488 toe bone be reburied with the other iwi recovered from that area; 7289 disinter and move to established reburial area

BTP has not been prepared yet; consultation with SHPD; robust mitigation plan including preservation of trail; plan on coming back in the future with a full BTP
Chair Ehrhorn asked if there were any comments
No comments received; Item F was taken next

F. Ala Wai Golf Course Parking Improvements Project, Site 50-80-14-7959, Waikīkī Ahupuaʻa, Honolulu District, Oʻahu Island, TMK: [1] 2-7-036:002
Information/Discussion: Update on the above project.
Chair Ehrhorn read the above agenda item onto the record
Project updates were provided by Trever Duarte – IARI
Summary of testimony follows, below:
Trever: presenting project on behalf of the project proponents; excavations approximately 0.6-0.9 cm below surface (cmbs) for bioretention areas; LCA 10806 – Kamehameha; LCA for Keohokalole; previous burials: -04097, relocated to Halia Aloha, -7606 buried in karst cavern along Date Street; AIS under review at the SHPD; BTP in preparation; funded to begin construction in 2017, lasting approximately 18 months; excavation at deepest point is 3.4 ft. below surface

G. Archaeological Inventory Survey Plan for a Planned Undertaking at the former Fisher Hawaii location, Honolulu Ahupuaʻa, Honolulu (Kona) District, Oʻahu, TMK: [1] 2-1-054:001
Information/Discussion: Update on the above project.
Chair Ehrhorn read the above agenda item onto record
Project updates were provided by Jon Tulchin, Kamehameha Schools
Summary of testimony follows, below:
Jon: developing testing strategy; initiated consultation with recognized descendants; comprehensive testing strategy, though utilities are active and trenches may need to be realigned; pre-planning and investigative stage
Council Member Fermantez asked who the recognized descendants included were
Jon answered Kaanohi Kaleikini; would like to start consultation early
Council Member Fermantez stated early and often
Chair Ehrhorn asked what the plans for the parcel were
Jon answered probably mixed residential, consistent with other work there
Chair Ehrhorn asked if there were any comments
Neki – lots of residents in Kakaako before, so lots of possibilities
Vice Chair Mitchell asked if there were LCAs, a record of previous use
Jon answered there were no LCAs, and the previous use was for salt

Information/Discussion: Update on the above project.
Chair Ehrhorn read the above agenda item onto the record
Project updates provided by Danielle Yafuso – First Hawaiian Bank; and Matt McDermott – CSH
Summary of presentation and discussion:
PowerPoint presentation
All burial remains can be preserved in place within a landscaped area; investigation of soils and possible buried feature; USDA soil classification: TCC (Tantalus silty clay loam) and Makiki Stony Clay Loam, boulder colluvium
Project affect to springs at Manoa; Moiili Karst; Mr. Chester Lao – head hydrologist from Board of Water Supply, stated that it doesn’t appear the project scale and location will affect
springs and water flow; 7 borings done for geotechnical survey; next steps for AIS – Section 106 MOA: 1) architectural mitigation, 2) supplemental testing, 3) archaeological monitoring, and 4) burial treatment plan
Archaeological monitoring plan
BTP – if iwi found during demolition, becomes previously identified, therefore jurisdiction of OIBC
Kahala: concerned about the landscaping in the BTP
Yuklin: who are the signatories for the MOA?
Matt: FDIC, SHPD, FHB; cultural descendants are consulted as well

I. Kālia Fort DeRussy Wastewater System Improvements Project, Waikīkī Ahupuaʻa, Honolulu (Kona) District, Oʻahu, TMK: [1] 2-6-005:001 (por.) + Easements
Information/Discussion: Update on the above project.

Chair Ehrhorn read the above agenda item onto the record
Updates provided by Matt McDermott – CSH; and Kawika McKeague – G70
Summary below:
Project nearing end, with last update anticipated for Dec. 2016; 12 each of 55 gallon drums; iwi curated in on-site facility; Neller-Kalia trench – iwi recovered will be rebury in the sediment; Dec. 2015 – 2 inadvertents, Paoa-Kalia corner for bus pull-out; curb cutting and resurfacing, subject to federal jurisdiction and remains to NAGPRA
Vice Chair Mitchell said ‘mahalo’ to CSH osteologists and Kaanohi and OCR for their hard work

J. Proposed Renovations of the Waialae Country Club Clubhouse and Fitness Center, Waikīkī Ahupuaʻa, Kona District, Island of Oʻahu, TMK: [1] 3-5-023:003 and :038 (por.)
Information/Discussion: Update on the above project.

Updates provided by Morgan Davis and Liz Pestana – SCS Archaeology
Summary below:
Update of previous archaeological work, approximately 2-3 years ago, and introduction of new proposed work
2013 Annex: potential for more materials to be present
Herb Chock, Waialae Country Club: project is limited to the green wall lines (map distributed), as there is only an expansion of office; trees in red will be removed; orange indicates new landscaping, tree installation, which will require ground disturbance
Consultation started with descendants and with OIBC
Chair Ehrhorn asked about the burial preserve area
Liz stated it was under the building
Council Member Caceres stated he and his family participated in reburial; in situ, preserved in place
Council Member Holck asked about access
Liz stated there was not access
Chair Ehrhorn asked if preservation in place was done by redesigning the elevator
Liz stated yes
Chair Ehrhorn asked about the other reburial locations
Liz stated 7207 was on the clubhouse grounds; 7206 was relocated to 7207.
Council Member Fermantez asked when the Fitness Center construction took place
Liz answered 2013; 7207 is a planted area, with a vault, underground
Morgan stated the consultation with descendants and SHPD will continue
SHPD Archaeology branch chief Susan stated the soil testing strategy was developed with the SHPD
Chair Ehrhorn asked about testing type
Morgan stated AIS for the footing areas
Kaanohi stated she wanted to see the contact correspondence
Vice Chair Mitchell asked who did the relocation of 7206 to 7207
Morgan stated it as back in December, and wasn’t sure who did it

K. Archaeological Inventory Survey at Aluli Residence, Kailua Ahupua’a, Ko‘olauapoko District, Island of O‘ahu, TMK: [1] 4-3-028:032
Information/Discussion: Update on the above project.

Updates provided by Trever Duarte – IARI; Dawn Chang – Kuiwatu; and Yuklin Aluli – landowner and project proponent
Summary below:
Complex situation, not asking for a determination; looking for guidance from OIBC; Aluli has connections to Kaneohe and Kailua; Central Pacific Building Contractors retained, permit had been submitted but not approved; area awarded to Queen Kalama
Case-by-case basis
Kaanohi: would support Yuklin’s request
DPP, Kihei – Consensus needs to take place
Dawn: presumption is preservation in place, case-by-case treatment; at the end of the day, who is going to malama the iwi? Take Vice Chair’s recommendation to consult.
Vice Chair Mitchell recommended consultation
Dawn: guidance from OIBC is consultation with recognized descendants
Susam: recommends consultation; if consensus is preservation in place, then AIS would stop
Dawn: incomplete AIS fieldwork, no AIS, no BTP
Chair Ehrhorn stated first step is consultation with Kailua group.
Yuklin stated she is not a developer
Kaanohi: since AIS has started, it should be finished. This is not the appropriate time for consultation.
Dawn: hearing recommendations to consult. Need to find a way to finish the AIS.

Information/Discussion: Update on the above project.

Updates provided by David Shideler – CSH; Lani Maa – Aukahi; Bill Haole – Kawaiahao Church
Summary below:
AISP submitted; Multi-purpose Center removed approximately 200 tons of material; any human skeletal remains encountered will be previously identified, therefore the disposition is OIBC’s jurisdiction; monthly update, 24-hour notification of any finds; Kona moku representative was previously the notification contact; AIS will be starting soon; anticipated findings: current Kawaiahao Church is the 5th one, previous ones were bigger; summer 1838, the current church, excavation – 78’ width, significant basement excavated, with encountered burials at that time being moved, under the guidance of Kamehameha the 3rd, some not collected; AIS moving forward with no intent of moving the iwi
Chair Ehrhorn asked how soon
David stated possibly next week. Water, sewer, and electrical side-by-side doesn’t work well;
Church would like the excavation as minimal as possible
Greg Kodama – construction
Frank Pestana – Church
Frank: Electrical lines are where HECO requests them
Chair Ehrhorn asked why not move the waterline
Frank: no connection
Chair Ehrhorn asked about microtunneling
David: explored, but not a viable option and not supported by the Native Hawaiian consultants.
Alani: Microtunneling, if board has been approached, but not aware of the context, then likely going to Point B from A is done as quickly and efficiently as possible
Discussion context unknown, where micro-tunneling is done in sensitive areas, you still require large entry and exit pits
Alani: has its own set of challenges and doesn’t avoid iwi issues
David: OIBC point-of-contact for notification and also how to consult if not meeting
Council Member Fermantez said ‘mahalo’ for the site visit. Kaumaha. Whatever OIBC can do to facilitate reinterment. Curation seems pono.

V. INADVERTENTS/COMMUNICATION

A. Inadvertent Discovery of Human Skeletal Remains on Sept. 27, 2016, at 413 Seaside Avenue, Waikiki Ahupua’a, Kona (Honolulu) District, Island of O‘ahu, TMK: [1] 2-6-021: 056, 057, 062, 065
Information/Discussion: Discussion on the above find.
Updates provided by Regina K. Hilo

B. Inadvertent Discovery of Human Skeletal Remains on Oct. 25, 2016 at 1011 Mokulua Drive, Kailua Ahupua’a, Ko‘olaupoko District, Island of O‘ahu, TMK: [1] 4-3-006:034 (por.)
Information/Discussion: Discussion on the above find.
Updates provided by Regina K. Hilo

Information/Discussion: Discussion on the above correspondence.
No discussion

D. Correspondence from the State of Hawaii Department of Transportation – Highways Division at Kapolei, dated Sept. 21, 2016, received in office on Sept. 23, 2016, Re: Federal-Aid Project No. IM-HI-1(244) - National Historic Preservation Act, Section 106 and U.S. Department of Transportation Act of 1966, Section 4(f), Consultation on Interstate Route H-1 Guardrail and Shoulder Improvements Project, Kapiolani Interchange to Ainakoa Avenue, Kona District, Island of O‘ahu, TMKs: [1] 2-7-029, 2-7-030, 3-2-001, 3-2-007, 3-2-009, 3-2-010, 3-2-011, 3-2-012, 3-2-013, 3-2-038, 3-2-040, 3-2-041, 3-2-042, 3-2-043, 3-3-011, 3-3-012, 3-5-016, 3-5-017, 3-5-019, 3-5-023, 3-5-025, 3-5-044
Information/Discussion: Discussion on the above correspondence.
No discussion
E. Correspondence on the National Historic Preservation Act Section 106 and Hawaii Revised Statutes §6E Consultation for Proposed Activity in a 100-year Floodplain, Hale Kewalo Project, Honolulu Ahupuaʻa, Kona District, Island of Oʻahu, TMK: [[1 2-3-051:026 & 049. Information/Discussion: Discussion on the above correspondence.

No discussion

F. Site Visit request made by Michael Kumukauoha Lee for the Hoakalei Burial Preserve, Honoʻuliʻuli Ahupuaʻa, ʻEwa District, Island of Oʻahu
Information/Discussion: Discussion on the above correspondence.

Deferred, as applicant was not present

G. Burial Registration Application and supporting materials from Michael Kumukauoha Lee for the Location of the Hoʻopili Train Station, Honoʻuliʻuli Ahupuaʻa, ʻEwa Moku, Island of Oʻahu, TMK: [1] 9-1-017:004
Information/Discussion: Discussion on the above correspondence.

Deferred, as applicant was not present

VI. ANNOUNCEMENTS

A. Next meeting date is scheduled for Wednesday, December 14th, 2016 at 10 AM.

Meeting adjourned at 1:53 PM

Approved and ratified at the Oahu Island Burial Council’s meeting on May 10th, 2017
Respectfully submitted by Regina K. Hilo, Burial Sites Specialist, History and Culture Branch, on 5/11/2017