



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
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
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

**APPROVED MINUTES
OAHU ISLAND BURIAL COUNCIL MEETING**

DATE: Wednesday, February 8th, 2017
TIME: 10:26 AM
PLACE: Department of Land and Natural Resources
Board Room
Kalanimoku Building, 1st Floor
1151 Punchbowl Street
Honolulu, HI 96813

Attendance: Chuck Ehrhorn, Chair; Large Landowner Representative
Beverly Amaral; Large Landowner Representative
Aulii Mitchell; Waianae Moku Representative
Mana Caceres; Ewa Moku Representative
Kali Fermantez; Koolauloa Representative

Staff: Regina K. Hilo, Burial Sites Specialist, SHPD
Susan Lebo, Archaeology Branch Chief, SHPD
Kimi Matsushima, Oahu Lead Archaeologist, SHPD
Stephanie Hacker, Oahu Assistant Archaeologist, SHPD

Guests: Matt McDermott, Cultural Surveys Hawaii
Danielle Yafuso, First Hawaiian Bank
Mike Lee, Descendant
Steve Tomei, Sam O. Hirota
Tim Rieth, International Archaeology
Trevor Duarte, International Archaeology
Jordan Abe, C&C Honolulu – DES
Daniel Akiyama, Cultural Surveys Hawaii
Thomas T. Shirai, Jr; Self
Kaanohi Kaleikini
Peter Gonsalves
Lani Maa Lapilio, Aukahi

I. CALL TO ORDER
Meeting called to order at 10:26 AM

II. ROLE CALL/PULE
Chairman Chuck Ehrhorn asked Mike Lee to provide pule
Council members introduced themselves:

Bev Amaral – Large landowner, from Koolaupoko;
Aulii Mitchell – Waianae moku representative;
Chuck Ehrhorn – Chair, large landowner representative;
Kali Fermantez – Koolauloa representative;
Mana Caceres – Ewa representative

III. APPROVAL OF MINUTES

Deferred to future OIBC meetings

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

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

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

~~D. Minutes from 12/14/2016~~

IV. Business

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

Information/Discussion: Discussion on the above items.

Chair Ehrhorn read the above item onto the record

Summary of testimony and discussion:

1. Quorum and meeting cancellation:

Ehrhorn raised concerns about quorum and meeting cancellation, proposed having a backup date, perhaps the 3rd Wednesday of the month, and stated that all council members would need to inform Regina in advance to arrange an alternative date and location.

Kali recommended council members notify Regina as far in advance as possible, and stated the larger issue are OIBC vacancies.

Ehrhorn stated his term will end in June.

Danna’s term will also end in June.

Ehrhorn stated an alternative room/meeting location will need to be provided and arranged for

2. Mokapu:

Ehrhorn recalled 1600 sets of iwi on the shelves of Bishop Museum, some dating from 1933, which have not yet been reburied. Cultural descendants have not been able to agree on what to do. Ehrhorn would like to know that something has been done. The last time something has been done was around 5 to 10 years ago. Ehrhorn has asked Regina to get representatives from the descendant groups and the Marine Corps Base to come to the Council’s meeting and provide updates about the current status with the iwi.

Mike Lee commented that he’d heard stories about it.

Ehrhorn stated that he’d like to bring this to a head.

Yuklin Aluli asked if the OIBC has participated in any sort of mediation process.

Ehrhorn stated that this is a group that exists outside the OIBC. In the past, the OIBC has sent a representative to attend the meetings. However, since there have not been any meetings, no representative has been going.

Yuklin stated there are skilled practitioners, including Patrick Yim, Tom Kaulukukui, who exist now and will not be around forever. She said that a budget should be put together and ways to secure funding should be explored.

Ehrhorn replied that it’s a good idea. His take on the issues are that one group of people wanted certain reburial protocol, while another group of people favored a different reburial protocol.

Dawn Chang stated that some of the difficulty arises from application of a different law, the Native American Graves Protection and Repatriation Act, and not the state burial laws. Burial council and SHPD makes decisions under state laws; there must be consensus for NAGPRA. The absence of consensus provides that NAGPRA items stay where they are. Federal law requires consultation and consensus. Decisions are made under state law that are timely, in previously identified burials the decisions are made by the burial councils and by consensus

with descendants who have been recognized, and with inadvertents, the decisions are made by the SHPD. NAGPRA requires consensus with those that have been identified.

Kaanohi stated that Dawn is correct. The Marines have already signed off, and the claimants can't get it together. Kaanohi has been involved with the meetings and knows what the issues are.

Ehrhorn asked if it would be helpful to bring a representative to the OIBC to talk about it, as the meetings have not been occurring.

Kaanohi Kaleikini stated that she has been talking to the families, and have some of them leaning her way, because it's not about their individual families, but the iwi. The Marines have already designated an area, and it is now only about putting them back. Another issue was how to kanu: whether to wrap in kapa or not, whether to put in hina'i or not, minor things. Some claimants are dying.

Ehrhorn asked if there is anything the burial council can do to help Kaanohi.

Kaanohi stated that she doesn't know if they would come to a big venue like the OIBC meeting.

Ehrhorn stated that he is glad Kaanohi is involved.

Kali asked if there is a legal involvement for the OIBC, and whether it is an OIBC issue.

Aulii stated that it's important to consider and understand the consensus issue.

Dawn restated that it is a federal law and consensus is necessary. She also stated that Kali is correct, and that it is an issue of federal law.

Kali joked that, fortunately at the federal level, we have consensus.

Ehrhorn thanked the audience for their contributions.

B. Proposed Bills and/or Measures Relating to Historic Preservation under consideration in the 29th convening of the Hawaii State Legislature, 2017

Information/Discussion: Discussion on the above item.

RKH presented about two bills involving historic preservation

Summary of RKH testimony:

House Bill 875, which seeks to appropriate funds for 5 full time temporary student intern positions within the SHPD, introduced by Yamane and Evans, strongly supported in Water and Land (WAL), on its way to Finance (FIN)

House Bill 1213, which requires the SHPD, in conjunction with the Department of Taxation, to conduct a joint study on the viability and costs associated with creating a state tax credit for commercial properties that preserve their historic properties, introduced by Yamane and Evans, strongly supported in WAL, on its way to FIN

Ehrhorn stated that there are state tax credits for homeowners who preserve their historic house or their historic building, and asked if these credits could be applied to a landowner who preserves burials as easements.

Ehrhorn's main concern is OIBC council member replacements for members for whom their terms expire this year.

RKH stated that two individuals have expressed interest, one of who has already submitted an application, and the other who was sent all the application materials by RKH two weeks ago

Ehrhorn asked about a Kona representative

RKH stated that she was not aware of any applicants, as far as she knew of

Ehrhorn asked how long an applicant has to submit an application

RKH stated that applications can be submitted at any time

Ehrhorn asked Peter Gonsalves if he'd heard that

Kaanohi stated that she would talk with Hina

Ehrhorn requested that the audience encourage individuals to apply to serve on the OIBC

Chair Ehrhorn introduced items C and D, and asked that applicants provide testimony about why they wish to be involved, and the applicant's understanding of the commitment being made

C. Department's Recommendation to Recognize 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: Discussion and determination to recognize the above individuals as cultural descendants to unidentified human skeletal remains at the above project.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

*Chair Ehrhorn read the above language for HAR §13-300-25(d) onto the record
Ehrhorn stated that an action for an executive session can be made at the request of an individual or applicant*

*Ehrhorn read the above item, Item C., onto the record
An executive session was requested by the applicant's counsel*

Motion: to go into executive session

Motioned by: Aulii Mitchell

2nd: Mana Caceres

Vote: ALL IN FAVOR

Meeting moved into Executive Session at 10:51 AM

Meeting moved out of Executive Session at 11:01 AM

Motion: to accept the Department's recommendation to recognize 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

Motioned by: Mana

2nd: Aulii

Vote: ALL IN FAVOR

D. Department's Recommendation to Thomas T. Shirai, Jr., as Cultural Descendant to Unidentified, Inadvertently Discovered Human Skeletal Remains near Camp Erdman, Ka'ena Ahupua'a, Waialua District, Island of O'ahu, TMK: [1] 6-9-004:003

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 record
Tom Shirai provided testimony toward his recognition
Summary of Tom Shirai's testimony:*

He discussed the necessity of individuals serving on the burial council to have experience in reburial practices and recognition claims, a track record of community service, and being a recognized descendant. He also talked about being granted two lineal descendancies for iwi in Waialua. He does not want to see the iwi from this area end up like Mokapu, on shelves

collecting dust, when they should be in the ground, resting. Recognition is for addressing ancestors.

Tom apologized to the council for not attending the meetings when he was a council member due to his illness, and that he is now happily retired. He has put himself into one kuleana, which is to serve his community. He is aware of what is going on, and if need be, he will show up. Ehrhorn stated that he has known Tom for many years, and misses his binder (of information that Tom would bring with him every month). Ehrhorn asked if the council had any questions for Tom; no questions were taken.

Motion: to accept the Department's recommendation to recognize Thomas J. Shirai, Jr., as cultural descendant to unidentified, inadvertently discovered human skeletal remains near Camp Erdman, Kaena Ahupuaa, Waialua District, Island of Oahu, TMK: [1] 6-9-004:003

Motion: Aulii

2nd: Beverly

Vote: ALL IN FAVOR

Shirai offered closing comments: that the composition of the council today is better than what it was at times previously, that it is a welcoming aura and atmosphere, and encouraged them to keep up the good work.

Ehrhorn thanked Shirai for his comments. Ehrhorn said that he hoped that future administrations could carry that on.

(Shirai joked that perhaps Ehrhorn could join him, at the bar)

Fermantez stated that if that is the case, then it is because the previous councils made it that way, and the record stands for itself.

E. Burial Treatment Plan for Human Skeletal Remains for Site 50-80-14-7959, Waikīkī Ahupua'a, Honolulu District, O'ahu Island, TMK: [1] 2-7-036:002 (por.)

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

Council discussion and recommendation to the SHPD on the proposed burial treatment plan.

Presented by Trever Duarte, IARII

PowerPoint presentation given

Summary of Trever's presentation:

Trever previously presented at the OIBC's meeting on Nov. 9th, 2016; BTP proposes relocation of the secondarily deposited, displaced iwi fragments to the secure burial crypt on-site

Construction is a redesign of the golf course access road to the clubhouse, parking lot, pitching green, and bioretention areas. The bioretention areas will be the deepest excavations, so the AIS focused on testing those locations. Other areas tested included utilities, parking lot improvements, and improvements to the chain-link perimeter fence along Kapahulu. 1881 historical map showed 9 LCA within the project area, most arranged along a major `auwai branching off of the Kalia/Pahoa drainage. Land use in kuleana parcels was primarily agricultural, with at least one lo`i in each lot in addition to some dryland cultivation; `auwai and houselots present in the project area. Large awards to Keohokalole, Kauikeaouli, and Mahuka. Site 7606 - recent project involved an in situ burial recovered during utility excavations along Date Street, outside the golf course and reinterred in the golf course. SIHP pending - golf course driving range was covered under monitoring. Site 4097 - 1993 Bath and Kawachi report found a burial pit with human skeletal remains, which were relocated to the Halia Aloha burial crypt in Waikiki.

AIS testing: mechanically-excavated trenches, 1.6-12.3m long, 1-5 ft. deep ending at culturally sterile sediment or limestone bedrock; locales along canal were usually below water table. Excavated material was examined for cultural materials. 22 trenches were proposed, with a 23rd added to confirm the presence of a feature with human remains in it; remains located in a historic trash layer including charcoal, glass bottle fragments, associated with the 1920's Territorial Fairgrounds. Prior to that, usage was agricultural. No remains in trench 23, and no observable feature. Possible human scapular fragment in trench 1, approximately 21m from the other trench. Considering the finds as separate individuals.

Site 50-80-14-7960: star gazing stone, birthing stone, and shark stone, identified by a kumu who has a relationship with the golf course, recorded under the AIS but will not be affected by the project.

Aulii asked if there are stories behind the stones.

Trever answered that IARII has reached out to the kumu, but have not had a response or feedback.

Aulii stated that he understood that the stones were brought from elsewhere.

Trever confirmed the stones were brought from elsewhere, and stated that the kumu recognized the stones still retained their significance.

AIS is complete; iwi are stored in a clean, secure location within the golf course perimeter; burial notifications ran on Oct. 30, 31, and Nov. 2nd. Consultation letters to previously recognized Waikiki descendants were mailed on Dec. 9th, 2016. Kaanohi replied and has been involved.

Ehrhorn asked if Kaanohi was the only person who replied.

Trever replied affirmatively. Project AIS was accepted by the SHPD in Feb. 2017. BTP proposes relocation of the remains to the on-site secure burial crypt, established for previous projects and iwi finds. Reburial would be done by cultural practitioners.

Ehrhorn stated the IARII was looking for the OIBC's concurrence to relocate, and approve the BTP. Ehrhorn asked about the AIS.

RKH and Trever stated that the AIS has been accepted by the SHPD.

Kali asked about when the previous project that encountered iwi took place.

Trever stated 2013. Kaanohi said 'around that time.'

Kali asked if Kaanohi was involved in that project.

Kaanohi replied affirmatively, and that it was a City project.

Ehrhorn asked, not addressing the 2013 finds, why relocation was being requested rather than preservation in place.

Trever stated that there is no evidence that the iwi came from the area where they were found, that they were secondarily deposited, and would be safer in an area that has already been approved for reburial with other iwi.

Kaanohi recommended and supported that the iwi be relocated and taken to a better spot.

Aulii mentioned moemoe lepo.

Ehrhorn said he understood.

RKH stated that the area where the iwi came from would become a bioretention area.

Trever replied affirmatively. He stated that monitoring is included in the workplan for the bioretention areas, including careful examination of these areas with procedures considering previous finds in the area.

Ehrhorn stated that two actions were necessary: first, relocation; second, recommendation to the SHPD to accept the BTP.

Kali stated that land use was lo'i, previously.

Trever answered affirmatively, and added that there were also houselots.

Mike Lee asked if all work is complete, and the final step is the BTP.

Trever stated the AIS is complete, with construction mitigated by archaeological monitoring.

Ehrhorn stated that the idea is that with the swales, any findings would be relocated.

Trever stated decisions would be made case-by-case; that no intact burials are observed in these areas, and recovered fragments would be reinterred to the dedicated burial area.
Ehrhorn stated that IARII would work with the cultural descendants on that.
Aulii added the SHPD would also be involved.
Trever responded affirmatively.

Motion: to relocate the iwi to the dedicated burial preserve in the northeast corner of the golf course property

Motioned by: Kali Fermantez

2nd: Aulii

Vote: ALL IN FAVOR

Motion: to recommend the DRAFT Burial Treatment Plan be accepted by the SHPD

Motioned by: Aulii

2nd: Beverly

Kaanohi commented on the pohaku, and suggested that the kahu who identified them should be contacted to see if there is a more appropriate place on the project to place the pohaku, since the pohaku are not from the project area.

Trever stated that the pohaku location will not be affected by this project, but if a future project will impact the pohaku, the kahu will need to be contacted.

Mike Lee commented that, statutorily, iwi is handled here, not pohaku. TCPs. Had a situation in Maui with a pohaku with petroglyphs. Papakilo hoku stone. Recommended that Chair discuss with RKH what the appropriate steps are in HRS 6E. Group is good-intentioned with good hearts, but the law comes in and mucks things up. Very good question, good standing, the person who made the recommendation is knowledgeable, and where do TCPs come in. Whose jurisdiction do the stones fall to, the state, DLNR, BLNR, Parks and Rec.

Ehrhorn stated that they are concerned about iwi, and he was going to ask that question after taking the vote.

Vote: ALL IN FAVOR

Ehrhorn asked who moved the pohaku from another site to the golf course.

Trever stated that he had no information about that.

Tim Rieth introduced himself as the project manager, and stated that, based on their excavations, a foot to three-and-a-half feet of fill was applied to the entire area. The current surface is fill, reclaimed land. Aerial photos from the 1970's show the pohaku were not in their current locations at that time; sometime between the 1970's to the present the pohaku were installed as landscaping stones.

Aulii stated that context is important.

Mike Lee stated that, based on his knowledge from small-kid times, the stones are three different things, and would not be place together. Shark stone is usually underwater. Three separate acts. Someone felt aloha to bring them, but probably do not all come from the same area.

Ehrhorn stated that this info would be good to include in IARII's report on this area.

F. Burial Treatment Plan for SIHP #50-80-14-7957 for the First Hawaiian Bank East Mānoa Road Branch Project, Mānoa Ahupua'a, Honolulu (Kona) District, Island of O'ahu, TMK: [1] 2-9-022:025 and [1] 2-9-013:036

Discussion/Determination: Update on the above project.

Chair Ehrhorn read the above item on the record.

Presented by Danielle Yafuso, First Hawaiian Bank, and Matt McDermott, Cultural Surveys Hawaii

Danielle thanked the council for their time, their patience, and their understanding.

Matt McDermott introduced Danielle, then himself

PowerPoint presentation by McDermott

Summary of McDermott's discussion:

Project has been before the OIBC for updates 6 times previously. AIS was accepted by Dr. Susan Lebo; BTP was accepted for listing on the OIBC agenda by RKH. Data recovery archaeological monitoring plan is with the SHPD.

Project area is bounded by Keama Place, East Manoa Road, and Koani Way; northwestern edge of the knoll.

Kali mentioned that this was where Chuck used to get his hair cut.

McDermott said that Kali stole his joke and he now needed to think of some new material quick.

Project area consists of three residential buildings built in 1928 and 1934, and two commercial buildings, built in 1955 and 1960. Three story building will remain, all other buildings will be demolished. Project area has been carved into several terraces with retaining walls to create level surfaces to build on. Archaeological remains and burial remains found in one area; asking for preservation in place. Three story building will be renovated, the two story building will be demolished and a new wrap-around building will be built; parking garage at grade with a second level parking. Retaining wall and burial preserve. Privately funded project with federal oversight, FDIC is the lead federal agency; consultation under Section 106. Dual historic preservation process: state 6E, federal Section 106. Consultation dating from early 2016; consultation in 2015 was with the architecture branch; 2016 was with archaeology; meeting with descendants. Oct. 12, 2016 Section 106 meeting with descendants included discussion about the results of the archaeological inventory survey, what potential mitigation would be, and extensive discussion of the burial issues. Consulting parties include community groups from Manoa, architectural groups, DOCOMOMO Hawaii, recognized cultural descendants.

Archaeological inventory survey results: 7 mechanically excavated test trenches, shovel test pits around inaccessible areas like the retaining walls. Base of the retaining wall includes an entire pig skeleton, one amorphous feature with charcoal, and three features with human skeletal remains. Feat. 1 – entire individual, articulated, sub-adult; other two features had remains of three other individuals; total MNI (minimum number of individuals) is 4. Only small amounts of the three individuals (in Feat. 2 and Feat. 3) were found.

Historic properties: 5 buildings, 4 of which are historic; Site -7957 is the archaeological property.

AIS results and mitigation: archaeological monitoring program during construction, data recovery program at the mass excavation which came out of the Sect. 106 consultation with the descendants' concerns that there may be additional human skeletal remains at the slope. Burial preserve area would include red ti leaf, kupukupu ferns, hapuu fern. Depending on the descendants' wishes, surface treatment could include pohaku from the project area found during the monitoring program. Boundaries of the burial preserve would be makai of the proposed driveway. No signage, no fencing. Vegetation of sufficient density to keep pedestrians out of the area. Consideration of using hau because of its associative properties and significance to Manoa, but not supported by the descendants because of the root system.

Kali mentioned Hauula.

McDermott restated that the project proponents are requesting a determination and preservation in place.

Ehrhorn asked about the 1950's/1960's work done in the area, and if any iwi had been found at that time.

McDermott answered no, and that in the 1920's there was an enclosed garage which may have been excavated down, and the initial cut would have happened around 1928. Unlikely to find records of finds from that time.

Ehrhorn asked about the house demos and finding human skeletal remains under the existing houses.

McDermott stated that remains found during the data recovery would be previously identified, and he would come before the OIBC with an amended BTP. If human remains are found during monitoring, it would be addressed as inadvertents.

Mike Lee asked if there was any evidence of underwater movement from other descendants of from another burial site.

McDermott spoke to an engineer with the Board of Water Supply familiar with the area who looked at the geotechnical borings from throughout the project area and go below 30 ft. Based on his report, there is no underground water movement for the area. Also mentioned were the subsurface stones Mike Lee considered structural; after review of photos, McDermott said that the boulders appear natural.

Kaanohi asked if data recovery would be ongoing with construction.

McDermott stated that data recovery would be after demo of the house and wall, but before the slab is lifted.

Aulii asked if that would fall under previously identified.

McDermott replied affirmatively.

Ehrhorn instructed the council to take and make the appropriate actions.

Motion: to preserve in place, the human skeletal remains at Site -7957

Motioned by: Beverly

2nd: Aulii

Vote: ALL IN FAVOR

Motion: to accept the BTP for the First Hawaiian Bank East Mānoa Road Branch Project, Mānoa Ahupua'a, Honolulu (Kona) District, Island of O'ahu, TMK: [1] 2-9-022:025 and [1] 2-9-013:036

Motioned by: Mana Caceres

2nd: Kali

Vote: ALL IN FAVOR

Project updates: not necessary to do the massive excavation

Presented by Danielle Yafuso – will not do the massive excavation, will leave the existing rock wall in place, and 8 feet back will be a short curb wall with on-grade parking. Will removed some soil from the higher points and fill in the lower sections.

Ehrhorn asked if there will still be a ramp into the parking.

Yafuso stated that the entrance will still be off Koaniani Way.

Mana asked if the mass excavation will not be done, then what about the data recovery.

McDermott stated that this was a recent development and he'll need to talk with Susan Lebo to discuss the ramifications.

Mike Lee suggested that dirt be brought in from elsewhere rather than moving dirt on the project parcels, as fragments would need to be taken out. No finding means no reacting under law.

Ehrhorn stated that was a good idea, but there will still need to be movement of dirt in the project area.

Yafuso stated that there is a 3 foot difference in two adjacent areas.

McDermott stated that there is a monitoring program in place, and that through the AIS testing, there is disturbed sediment to about two feet below the surface.

Aulii asked about how dirt is checked before coming on-site.

McDermott stated it is always good to know (where it's coming from).

Aulii asked if there are people on-site who check the dirt.

Ehrhorn said this reminded him of an old war story from Kahuku Village in 1983, where he did a project with Hawaiians to mine sand and take it from Kahuku to another project area.

Aulii mentioned something similar had happened to him.

Yafuso stated that, when preparing the new design for on-grade parking, the project proponents looked at multiple options.

Peter Gonsalves asked if the new design would mean a reduction of parking.

Yafuso stated that the same count of parking would need to be kept.

McDermott stated that the AIS includes data recovery, but it will need to be massaged. There is also the MOA for Section 106 and data recovery and it will need to be put in there.

G. Howard Hughes Corporation's 873 Kapi'olani Boulevard/610 Ward Avenue Project, Block N West Mauka Project, and I Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, multiple TMKs

Information/Discussion: Update on the above projects.

Chair Ehrhorn read the above item onto the record.

Matt McDermott provided updates

Summary of testimony:

Cultural descendant meeting on Jan 23rd, 2017, to discuss all the upcoming developments at Howard Hughes; two AISP's for two different project areas, updating BSC already accepted by the SHPD

1. AISP for 873 Kapiolani Blvd summary

Corner of Ward and Kapiolani, makai of the new Symphony building

1.2 acre parcel; project is undecided but Howard Hughes is looking at the archaeological properties there through the archaeological survey process to make decisions about development potential

1958 building, Galiher Law, historic property

AISP in process; project AIS will start with a window of April/May of this year, or June of this year; PowerPoint presentation – 1810 map, 1817 map documents fishponds and streams in the vicinity, salt pans; 1855 LaPasse map – fishponds, marshes, lowland wetland environ; 1870 figure showing Booth property prior to the Wards purchasing it from him; 1883 waterworks map documents salt pans gridwork and Ward Estate with the large fishpond; little or no development on parcel until 1940; 1887 map showing Ward Estate; 1910 map with Kapiolani, cyclomere rack track; 1919 war department map showing encroaching development; 1927 aerial image of Kakaako, no structural buildings on project parcel, Catholic cemetery; 1933 McKinley School; 1939/1941 aerial photograph showing garage/gas station on Kapiolani Blvd at project parcel; 1952 Ward Estate and building in project area; 1970 building present on project parcel; 1982 fast food restaurant

Archaeology in the area: CSH at Sports Authority, Symphony building, no significant finds; monitoring at Ward and Kapiolani without significant finds; historic properties include canal that drains fishponds from former Ward Estate; Kewalo wetlands throughout Kakaako area, anticipate finding more of the Kewalo wetlands

Sampling strategy of 12 trenches, and 2 trenches indoor; will do the 12 outdoor trenches first, and if there are no significant finds, then interpolate the data to infer the two indoor trenches will have the same type of materials; sand deposits could indicate archaeology, and then the two indoor trenches would proceed.

Archaeological inventory survey plan will be completed this month and submitted to the SHPD, with fieldwork commencing in May or June of 2017; updates to project will be provided at future OIBC meetings.

2. Block N West Mauka

PowerPoint; HART project will come down Halekauila; Block N West was the original project; extensive archaeological investigation done in this area during HART AIS, supplemental AIS, and data recovery, and Howard Hughes projects; Block N West Makai has an approved archaeological inventory survey plan; want to have the entire area covered by archaeological inventory surveys. Block N West Mauka has been subject to a lot of archaeological testing; burial cluster at Block N East, along Queen St. Want to augment the work that has already been done. 1817 Kotzube map, 1884 Bishop map showing fishponds, salt pans, and habitation; 1914 fire insurance map documented dwellings, with another vacant area Ehrhorn asked if the burial concentration was where the dwellings were McDermott responded affirmatively.

Ehrhorn asked if they pre-date the dwellings.

McDermott responded affirmatively. 1915 fire insurance map documented the same dwellings, with a drycleaning shop, warehouse, and storage, lumber area; all were installed after Kakaako was lifted, between 1914 and 1930, 1 to 3 feet of fill, all structures built atop that; HART alignment coming through the project area, supplemental AIS, data recovery; AIS for Block I, AIS for Block N East with burial cluster; historic properties – burial cluster at Block N East; Block I – human skeletal remains; Block N East and Block I have accepted burial treatment plans; fragments from periphery will be brought to the preserve where the intact burials will be preserved in place; Site 7249 – sand deposit w precontact habitation, salt pans.

Proposal for trenching to cover untested areas; expecting to find deposits consistent with marshy sand, which is what the area was prior to the land being filled in, wetland sediment; no testing at the burial cluster; once AIS is complete, a burial treatment plan will be submitted that will include the preservation area; twelve trenches proposed for a 1 acre area; in total, 25 to 30 test trenches; sensitive area

Aulii stated there are a lot of trenches in that area, but need to make sure

Mike Lee asked a question of the Chair to ask RKH: cultural descendants are in the room who have submitted claims; if fragments are found, will additional applications be needed

Ehrhorn stated that recognition is to a specific project as stated by the law

McDermott stated that Oiwi Cultural Resources will be with the archaeologists doing the work; not sure when the project will start, easier to do in the interior spaces, will start when the archaeological inventory survey plan is accepted by SHPD

3. Burial site component of a preservation plan for Block I

Has an accepted BTP; burial representing mother and child will be preserved in place, all peripheral fragments will be move to the burials to be preserved in place; handled as part of Block N East area which has an accepted AISP; the one outlier is a secondary burial, will be a central plaza; writing BSC to memorialize what will be preserved in place; following other burial preservation practices in the area, surface treatment will be low-key, low burial mound with landscaped area; no pohaku surface treatment unless one is found in the project area; no signage, no fencing; met with cultural descendants who agreed with the general guidelines of what will be done; McDermott asked if there were any recommendations or suggestions from the OIBC; the area will include pathways, waterways, vegetation will be dense enough to prevent people from walking across

Aulii asked if there was a masterplan available to see what the area will look like

McDermott stated that there wasn't, as Howard Hughes received word recently from HCDA that they needed to build the central plaza in two years; no rendering of what the area will look like yet; updates will be provided; BSC goes to SHPD for review; overall decision for preservation in place was in the BTP, which was approved by the OIBC in December 2015

Kali asked where the central plaza will be located

McDermott showed it on a map, and said the auwai will be brought to the surface, 'daylighting'

Kali suggested forming Howard Hughes using thick vegetation

McDermott asked if there were any suggestions

Kaanoahi stated that if there is any concern about the burials, Howard Hughes always consults with the descendants so the descendants can provide feedback about what is wanted

McDermott will incorporate comments into the preparation of AISP, BSCs, and continue to work with the cultural descendants

H. 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 Ehrhorn read the above item onto the record.

Lani Maa read the letter, below, onto the record:

[Verbatim record of letter, read onto record]

Letter is addressed to Honorable Chair and Members of the Oahu Island Burial Council

From: Bill Haole, Representative of Kawaiaha'o Church

Dated: Feb. 8, 2017

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

Aloha kakou,

Please accept my apologies, I am unable to be present at today's OIBC meeting, I am however forwarding a written report via our Consultant Lani Maa Lapilio in hopes of addressing the progress on the AIS at Kawaiaha'o Church.

We have started preparing for the archaeological inventory survey (AIS) Project my having surveyors stake out the areas that we will be working in for the utility lines. CSH and our Project Manager Frank Pestana have already marked and spray painted the lines to identify these work areas.

Scheduling with one of our contractors has been an issue for us during and now after the holidays. We're waiting for our contractors to move the fencing around the work area so that we have space to store equipment needed by CSH archaeological team. We should have this completed by next week. Once done, the work for the full AIS excavation and study will commence.

We have discussed at length how we will handle possible visitations by recognized Cultural Descendants to this project. While we will not restrict anyone from coming onto our campus or visiting the work site, we ask that all visitors restrict themselves to the area behind the work barriers. We also ask that no one engage the Archaeological team at any time while the work is in progress. Questions may be addressed by letter or email to me directly at whaole54@gmail.com or may be addressed at the next OIBC meeting. If anyone wishes, Lani and or I will be available on campus to respond to questions directly. We, however, request you contact us early to set up an appointment that works for all of us.

I am currently out of state in Los Angeles and will return to Honolulu on Monday, February 13th. I will be available via my cell phone at (808) 352-2149, or by email if you wish to contact me.

Mahalo in advance for your understanding, guidance and support.

Iesu pu,

[signed] Bill Haole

Chair Ehrhorn opened the floor for discussion

Discussion about what types of barriers will be used, caution tape, temporary gates, if descendants will be able to observe the work from the barriers

Mike Lee asked if there will be space to observe

Kaanoahi asked if the Church is prepared to erect fences with black screen

Ehrhorn asked if there will be fencing, or barriers.

Hal Hammatt stated that detailed would need to be worked out, nosy people will be asked to leave, whereas recognized descendants will be treated differently.

Kaanohi stated that if there are screens, barriers are not needed.

Chair Ehrhorn moved on to the next agenda item

V. INADVERTENTS/COMMUNICATIONS

A. **Correspondence from the State of Hawaii – Department of Transportation, dated Dec. 12, 2016, received at the SHPD’s Kapolei office on Dec. 14, 2016, Re: National Historic Preservation Act Section 106 Consultation, Procedural Programmatic Agreement, Deeded, State-Owned Former Oahu Railway and Land Company Right-Of-Way, Districts of Ewa and Waianae, Island of Oahu**

Information/Discussion: Discussion on the above correspondence.

Presented by RKH

Provided the OIBC members with a handout about the Programmatic Agreement consultation request and project as prepared by SHPD architectural historian and Section 106 specialist Ms. Jessica Puff, which includes recommendations about the programmatic agreement development and ways in which the OIBC can be involved as an NHO:

[Verbatim record of the proceedings, and the handout]

“The OIBC has been identified as a consulting party for the development of the Programmatic Agreement. This means that the OIBC can consult with the Federal Highway Administration and the Hawaii Department of Transportation and share any comments or concerns they have about developing a Programmatic Agreement for the OR&L right-of-way. The purpose of this consultation is for the Federal Highway Administration and the Hawaii Department of Transportation to reach out to the public and gather information about historic properties near their project area, the OR&L right-of-way, that may be associated with the railroad or that may be completely independent of the railroad. And, to gather information from consulting parties regarding the appropriate treatment of those resources, such as: avoidance, preservation, rehabilitation, etc. And, to gather information from consulting parties regarding inappropriate treatment of those historic resources, such as: demolition, data recovery, relocation, etc.”

B. **Correspondence from Ace Environmental, dated January 20, 2017, received at the SHPD’s Kapolei office on Jan. 25, 2017, Re: Native Hawaiian Organization Review – Second Letter for this Site; Vista Towers Pupukea Pipeline, TCNS ID#142134**

Information/Discussion: Discussion on the above correspondence.

Presented by RKH

RKH will check with archaeology branch to see if they have reviewed the project and what their recommendations are, and provide updates if available

C. **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.

Item read onto the record by Chair Ehrhorn

Testimony presented by Mike Lee

Summary of Mike Lee’s testimony:

“This is a conundrum.”

Involves Kaanohi’s family; had a reburial ceremony three years ago; would like to revisit this area and memorialize the iwi kupuna; Mike Lee stated that the person there is Chris Kalama ‘who is like the gatekeeper of the preserve’; Mike Lee has a track record of suing Haseko ‘all over the place’ and winning; Mike Lee left 6 messages to meet with them and visit; no turns were recalled. Contacted RKH at SHPD and Kai Markell at OHA to follow up, to see that the thing isn’t falling apart, eroding, etc; following up and doing what needed to be done. RKH made efforts to follow up. Chris Kalama provided forms to sign, liability waivers, which Mike Lee did and gave to Kai Markell who was SHPD at the time in 2002. Emailing and calling, getting a wall of separation. Mike Lee went to RKH’s boss, Dr. Downer, and the Governor asking what is going on.

Kali jokingly asked why Mike was therefore coming to the OIBC.

Mike stated that the OIBC is mandated. Mike asked if he needed to sue everybody to get anywhere.

Kali asked if OIBC ‘had teeth.’

Mike stated OIBC has teeth and the right to go; Mike cited Kawaiahaeo as an example: cultural and lineal descendants requesting a site visit. Track record from a private institution that has opened its doors; descendants advocate and try to work through the system first. Need to exhaust every remedy; has been through that gate before and this is the last remedy. Proposes to send a letter to Chris Kalama and the Hoakalei Cultural Foundation stating that they are tasked by 6E, and would like to inspect the iwi kupuna burial preserve with cultural descendants and Kai Markell, mandated under Article 12 Section 7, to engage in cultural practice. Chanting, awa, hookupu, so we don’t forget you. Mike Lee is asking OIBC to generate a letter to the cultural preserve requesting a site visit. Mike Lee stated he got hurt there 5 years ago, and put in a claim; the insurance company never followed up. Just trying to do what is reasonable and prudent and utilized the mandate the OIBC is given; Mana being the Ewa representative and anyone else who can make it is invited to come. Don’t know what has happened since the initial visit. A pueo visits there. Mike Lee would like to have regular visits every 4 to 6 months.

Ehrhorn asked what the name of the organization is.

Mike Lee stated it is the Hoakalei Cultural Preserves site; because the iwi kupuna came from Haseko, Haseko created the cultural preserve, put down the funds to create the board and everything and initially paid people. There is a preserve with marshlands and Hawaiian plants endemic to the area, where in the EIS this is a sensitive area. The iwi kupuna fragments kept coming up and were put on the shelf. In January 5, 2001, a significant iwi kupuna was found with two niho palaoa and thousands of kupee and shells, came together at OHA and mihi, wrapped, and came together. Same heart. Three vaults, want to ensure all are treated with respect and dignity.

Ehrhorn asked who the individual Mike Lee mentioned was.

Mike Lee stated it is a woman, Chris Kalama, who doesn’t only ignore Mike Lee but also Kai Markell.

RKH stated, in Hawaiian, that she is unfamiliar with the person Mike Lee is mentioning by the name of Chris, and asked if perhaps Mike Lee meant to say Kim Kalama.

Mike Lee stated that it is indeed Kim and not Chris.

Ehrhorn asked what her role is in regards to the item under discussion.

Mike Lee deferred to RKH to provide an explanation of Kim Kalama’s role.

Ehrhorn asked Mike Lee to clarify his statement that Kim Kalama is the gatekeeper, and wanted to know what Kim Kalama’s function is.

Mike Lee said that RKH had been in contact with Kim and had exchanged information, and was under the impression that it started to move.

RKH stated that, from her understanding of the events discussed and access protocol, the invitation to visit the preservation areas is always open, and can be coordinated at any time with Hoakalei Cultural Foundation.

Aulii stated that was his question.

Ehrhorn stated that he heard from RKH that access is always open and can be coordinated at any time, and that from Mike, access is being denied by Kim Kalama.

Mike Lee stated that he sued the Marina and won, that the billion dollar marina is not there because he defunded it. Mike Lee served as his own attorney and the case went to the State Supreme Court, which gives them pause to see him as enemy number one. Also sued them at Pipipi Road and won in First Circuit Court.

Ehrhorn stated that he knows.

Mike Lee stated that he is not an unreasonable person. He went to Kai Markell.

Ehrhorn asked if Mike Lee was saying that they wanted to keep him out.

Mike Lee stated that he thought they wouldn't keep anyone else out except him because of his track record with him for over 15 years. He has opposed them every step of the way. Legal records, newspaper articles. Mike Lee stated that he is being disenfranchised by a process everyone claims they can come in. Six messages and voice mails. Went to OHA, OHA calls; recommended that Ehrhorn contact Kai Markell. Kai Markell can't get in; restated that there is a disconnect, and stated that RKH knows Kai.

RKH answered, in Hawaiian, that she is familiar w Kaiana Markell, Kepa Maly, and Tom Dye.

Aulii replied, in Hawaiian, that he has worked with them before.

Mike Lee claimed that Kaiana Markell is being denied access because Kaiana is working on behalf of Mike Lee. Mike Lee requested that a finding of fact be done. Asked that Ehrhorn contact Kaiana Markell. Stated that there are two different responses here; asked if RKH has gone there, and questioned why not, as RKH has cause of standing as SHPD. 3 years since the iwi has been kanu.

Aulii stated that he is confused. This is a public preserve, where anyone can go in; Aulii asked Mike Lee earlier if it's a closed or open place, and Mike Lee responded 'no.'

RKH commented in Hawaiian

Mike Lee stated that the burial section is closed to only recognized descendants. Open to the public are natural trees and areas to clean, to volunteer to clean pickle weed.

Aulii stated that it's a locked, gated preserve.

Mike Lee responded affirmatively.

Ehrhorn asked if there was a fence around the area.

Mike Lee stated there is fencing but it open. The one in the middle is open only to descendants.

Mana stated that it is in the middle and he was there until really late. He probably wouldn't be able to find the place.

Kaanohi stated you could access it from the beach.

Aulii stated that was what he remembered.

Kaanohi accessed the area from the beach side. She asked.

Mike Lee stated that part of it is establishing a precedent. That it is only you, Mike Lee. Mike Lee has all the emails going back three years, and did a dump on RKH.

RKH stated that Mike Lee also accused her of not doing her job.

Mike Lee requested that RKH write a letter requesting a visitation; he said, "Why can't SHPD say we have the authority given to us by the State. We've got a complaint from a descendant. Chris, can you call him up?" There is no email back and forth with Kim Kalama, Kai tried to get in touch w her cell phone. He tried to contact. RKH asked Mike Lee to get Kim Kalama's cell phone [contact information]. Mike Lee doesn't have it; Kai doesn't have it; RKH doesn't have it. Mike Lee is calling the foundation and the foundation is not returning his messages. He asked how he is supposed to get in.

Kali stated from the beach side. Just go.

Mike Lee said he hadn't thought about that. And that he didn't want to get arrested.

Kaanohi asked why not? He could state that he's a cultural descendant.

Mike Lee admitted that was an option.

Ehrhorn stated Mike Lee could go to her and confront her at her office.

Mike Lee said he didn't want to do that, and that he doesn't have good rapport with Haseko. He asked what the council was there for if they couldn't do a simple request that he had asked for. Mike Lee stated that he has tried, he's wasted a lot of time, and has sued often.

Kaanohi suggested suing again.

Mike Lee stated that he is trying to do administrative remedy before the judge sends him back. Mike Lee is asking that the OIBC contact Kaiana Markell. Something here and here, but Mike Lee is standing right in front of the Council. Asked if the Council thought he was peaceful and calm; asked that the Council take the same action that they've taken before to address concerns of a cultural descendant for a visit. Kawaiahao church. Mike Lee asked what the difference between Kawaiahao Church and this one is.

Aulii asked him to stop.

Mike Lee stated that Chair Ehrhorn was making him feel insecure and uncomfortable as if it were his, Mike Lee's fault, when he is asking for help.

Ehrhorn cautioned Mike Lee that he, Mike Lee, was misinterpreting his language and intent. Ehrhorn stated he is trying to find out what is going on.

Kali asked about kuleana and if it's OIBC kuleana.

Kaanohi stated that he wants to visit the site.

Ehrhorn asked how the preserve areas were set up, if it was mitigation for approval.

RKH stated it's a condition of the conservation district use permit.

Ehrhorn shared a project on Campbell land, that access to a burial cave needed to be provided to Hawaiians, in compliance with state law. Reasonable access needed to be provided. Not sure if that process is still around.

Mike Lee requested a letter from RKH from the SHPD. When that didn't happen, he went to Kai. He stated that OHA and SHPD are not going to sue. Send them a letter and CC Mike Lee for a record that they've been put on notice. Provide a voice recording that establishes a time and place to meet Mr. Lee to access the burial preserve. Mike Lee stated that if the correspondence came from the burial expert as mandated to watch for descendants, he would be happy. But there was no letter, no CC, it doesn't hurt SHPD to reassert and reaffirm what was previously stated.

RKH stated that, just to be clear, this is a Conservation District Use Permit, and therefore the foundation is required to send the SHPD quarterly reports; the last quarterly report received by the SHPD was dated November of 2016. RKH read the applicable portion of the quarterly report onto record.

[Verbatim recording of proceeding and applicable portion of the quarterly report]

“HASEKO (‘Ewa), Inc. (Haseko), the owner and developer of Ocean Pointe and Hoakalei in ‘Ewa Beach, is the holder of Conservation District Use Permit (CDUP) OA2670. The CDUP, which was issued on April 26, 2000, authorizes the dredging of an entrance channel to connect a man-made marina, excavated out of privately-owned fast lands, with the ocean.

Condition No. 26 of the CDUP, as amended by the Board of Land and Natural Resources (Board) on February 22, 2008, provides:

The Applicant shall comply with the provisions contained in the Memorandum of Agreement (MOA) among the Applicant, the Hawai‘i State Historic Preservation Division, the U.S. Army Corps of Engineers, the Advisory Council on Historic Preservation and the Office of Hawaiian Affairs regarding the treatment of historic sites on the project site. Provisions of the MOA to the contrary notwithstanding, the Applicant shall also consult directly with the Hawai‘i State Historic Preservation Division (SHPD) and the Office of Hawaiian Affairs (OHA) on matters relating to the MOA. The applicant shall submit quarterly reports to SHPD and OHA on activities relating to and progress in implementing the MOA.

This is the 35th quarterly report.

In consultation with Cultural Historian Kepā Maly, Archaeologists Tom Dye & Muffet Jourdane, Rick Barboza of Hui Kū Maoli Ola, the Hoakalei Cultural Foundation and others, Haseko has implemented the second phase of stabilization work at the mauka end of Kauhale Preserve. The plan for the Kauhale Preserve was updated and approved in 2008.

The first two segments of the heritage trail around some of the archaeological features in that area are in place, and native Hawaiian plants reintroduced to the preserve. Interpretive signage and plant signs (featuring the Hawaiian, common name and scientific name for each native) have been installed, and school/community groups continue to visit the preserve for educational escorted visits by appointment.

Under the supervision of Site Archaeologist/Cultural Monitor Kim Kalama, work commenced in August 2013 to implement the preservation plan for the Kuapapa Preserve. Non-native vegetation and trees that were threatening archaeological/cultural features within the Preserve were removed. This plan for Kuapapa was updated and approved by SHPD in 2012. SHPD's approval letter notes:

“This revised preservation plan for the Kuapapa Preserve proposes an active interpretive program reflecting the vision and mission of the Hoakalei Cultural Foundation. Under the plan, the Kuapapa Preserve creates a self-guided park setting in which the two historic properties (Sites 4277 and 4278) are preserved as stabilized ruins and visitors may learn about them through interpretive signage.”

The first portion of the trail around the archaeological features, along with interpretive signage and plant signs are also now in place at the Kuapapa Preserve.

Staff at SHPD accepted the updated preservation plan for the Ahu Preserve on March 3, 2016, The Ahu Preserve is the third preservation area located within the Ocean Pointe-Hoakalei development. Implementation of the revised preservation plan is currently expected to begin later this year.

As we have mentioned in previous quarterly reports, with regards to OIBC's April 14, 2010 recommendation regarding Michael Lee, SHPD advised our archaeologists that staff is waiting for Kai Markell to present SHPD with a testing plan to check the validity of Mr. Lee's claims concerning purported burial sites. It is important to note that Haseko is unable to take any action until the substance of Mr. Lee's claims - including the specific site locations - are known. Haseko has repeatedly stated its intent to treat cultural and/or burial sites appropriately and stand ready to host another site visit to assist SHPD. On March 12, 2015, OHA sent a letter to Haseko requesting a site visit to the Kauhale Preserve reinterment site, and asking questions about the Pāpipi Drainage system. On March 31, 2015, Haseko responded via letter clarifying that the Pāpipi Drainage system has been completed without an ocean outlet. Our letter also invited Dr. Kamana'opono Crabbe, his staff and cultural descendants to visit the Kauhale Preserve reinterment site, along with SHPD, the O'ahu Island Burial Council, 'Ewa-Pu'uloa Hawaiian Civic Club and Hoakalei Cultural Foundation. To date, OHA has not responded, and we have informed the other invitees that we are awaiting notification from OHA about what date will work best for the site visit.

Mike Lee stated that he filled out the documents, submitted them to Kai Markell, asked for the dates, and Kai said that Kim Kalama never got back to him. A matter of record and what Mike Lee has already told the OIBC about Kai. All Mike Lee requested was a letter requesting to get in the front door. Mike Lee stated whatever works. Mike Lee feels like he has no power.

Aulii asked for clarification about the process.

Ehrhorn stated that it sounded like they are waiting for OHA.

Mike Lee stated the affirmative, that he submitted the papers and they communicated that they never received them. There's a disconnect which is why Mike Lee is bringing the issue before the OIBC.

Ehrhorn asked why OHA is not the lead on this. That OHA needs to provide a date, then others will be contacted for a visit.

Mike Lee stated that he filled out the forms and submitted to Kai. Mike Lee followed up two weeks after submitting the forms, and Kai communicated that Kim Kalama hasn't responded. Something went wrong, and going through Kai didn't work; Mike Lee went to RKH and dumped on RKH and said that something wasn't working. Mike Lee went to RKH's boss and said that SHPD has 6E power.

Ehrhorn stated that he is willing to contact Kai Markell prior to next month.

Mike Lee appreciated it.

Ehrhorn stated that he is not making any promises. That he would call Kai Markell and relay his phone conversation at the OIBC next month.

Kaanohi requested getting a copy of the letter in question.

Mana recalled seeing a copy in an older OIBC packet addressed to Dr. Kamanaopono Crabbe from Haseko inviting OHA to visit the preserve, but he never received a letter as a cultural descendant.

RKH confirmed that.

Mana stated it was from Haseko to OHA.

Ehrhorn stated that the actions being taken are different from what Campbell Estate has done in the past.

Mike Lee provided Kai Markell's personal contact information to Chair Ehrhorn.

Aulii stated that conflicts that arise with the lahui are not good; hooponopono; connecting with Kim; contacting Kai; this needs to be worked out. Cultural issue, and we do have tools to right those wrongs between people, organizations, and kanaka.

Ehrhorn suggested Yuklin Aluli.

Bev stated the Kim cannot take these things personal, and [needs to] get over this. We need to hooponopono. It is not about individuals, but the iwi.

Kaanohi stated that the response was sent to OHA rather than the recognized descendants.

Mana offered to contact Kim Kalama.

Mike Lee stated that mihi is necessary.

D. 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.

Chair Ehrhorn read the above agenda item onto the record

Mike Lee provided testimony

Summary of Mike Lee's testimony:

Submitted 67-page burial site recognition claim application with the SHPD for the underground cave below the Hoopili train station

RKH stated that the application was a hybrid of two separate applications

Mike Lee stated that his ancestors are buried in the cave

RKH stated that recognition is done to human skeletal remains, and burial sites with known and identified skeletal remains can be registered, not probably or likely remains

Project is covered by monitoring

Mike Lee stated that he is putting the project proponents on notice so that if things are encountered, he will have already informed them ahead of time

VI. ANNOUNCEMENTS

A. Next meeting date is scheduled for Wednesday, March 8th, 2017 at 10 AM

Motion: to adjourn the meeting

Motioned by: Mana Caceres

2nd: Kali Fermantez

Vote: ALL IN FAVOR

Meeting adjourned at 1:21 PM

Approved and ratified at the Oahu Island Burial Council's meeting on April 12, 2017

Motion: to approve the minutes from 02/08/2017

Motioned by: A. Mitchell

2nd: M. Caceres

VOTE: 6 AYES, none opposed

Motions and Council actions are underlined

Testimonies are summarized unless indicated otherwise

APPROVED