NOTES from the
OAHU ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, July 12th, 2017
TIME: 10:41 AM
PLACE: Department of Land and Natural Resources
Board Room
Kalanimoku Building, 1st Floor
1151 Punchbowl Street
Honolulu, HI 96813

The Oahu Island Burial Council (OIBC) did not have an official quorum at its meeting on July 12, 2017. All determinations and recommendations from the meeting on July 12, 2017 are invalid. Notes on item discussions from the OIBC’s meeting on July 12, 2017 have been provided, below.

Attendance:
Hina Wong-Kalu, Kona Representative
Mana Caceres, Ewa Representative
Kali Fermantez, Koolauloa Representative
Danna Holck, Large Landowner/Developer Representative
Beverly Amaral, Koolaupoko Representative
Aulii Mitchell, Waianae Representative (arrived at 12:10 PM)

Staff:
Regina K. Hilo, Burial Sites Specialist

Guests:
Diane P. Fitzsimmons
Michelle Pammer, CSH
Wise Nicola
Stan Manuia
Alexander Akau
Elaine Akau
Kaanohi Kaleikini
Mahealani McClellan
Rick Ellis, BWS/NORBSCO
Marc Chun, BWS
Daniel Akiyama, CSH
Steve Clark, PCSI
Hal Hammatt, CSH
Donna Makaiwi
David Nagamine, BWS
Lois Yamaguchi, Kawaihao Church
Kalehua Caceres
Christine Camp, Avalon
Bill Haole, Kawaihao Church
David Shideler, CSH
Lani Maa Lapilio, Aukahi
I. CALL TO ORDER

Meeting was called to order at 10:41 PM

II. ROLE CALL/PULE

Council Members introduced themselves and their manner of representation: Hina Wong-Kalu, Kona Representative; Mana Caceres, Ewa Representative; Kali Fermantez, Koolauloa Representative; Danna Holck, Large Landowner/Developer Representative; Beverly Amaral, Koolaupoko Representative

Oli was given by Hina Wong-Kalu

III. ELECTION OF A CHAIR and VICE CHAIR

Item deferred to the end of meeting

Discussion among council and audience

Motion: to nominate Hina as Chair, Aulii as Vice Chair

Moved by: Member Fermantez

2nd: Member Holck

VOTE: ALL IN FAVOR

IV. APPROVAL OF MINUTES

OIBC members requested to defer approval of minutes to the end of the meeting

Meeting minutes below were approved by OIBC members prior to the end of the meeting

A. Minutes from 12/14/2016

Motion: to approve and ratify the minutes from the above meeting

Moved by: Member Holck

2nd: Member Fermantez

VOTE: ALL IN FAVOR [6 YES: Holck, Amaral, Mitchell, Wong-Kalu, Fermantez, Caceres]

B. Minutes from 05/10/2017

Motion: to approve and ratify the minutes from the above meeting

Moved by: Member Caceres

2nd: Vice Chair Mitchell

VOTE: ALL IN FAVOR [6 YES: Holck, Amaral, Mitchell, Wong-Kalu, Fermantez, Caceres]

C. Minutes from 06/28/2017

Motion: to approve and ratify the minutes from the above meeting

Moved by: Member Holck

2nd: Member Amaral

VOTE: ALL IN FAVOR [6 YES: Holck, Amaral, Mitchell, Wong-Kalu, Fermantez, Caceres]

V. Business

A. Discussion on Oʻahu Island Burial Council membership, roles, and responsibilities

Summary of discussion below:

Vacant OIBC positions:

2 Large Landowner/Developer

Waialua Geographic Representative

Change meeting start time to 10:30 AM from 10:00 AM

Council Member Caceres recused himself from B, G, H, I for family ties to applicant
Council Member Wong-Kalu recused herself from K

Council Member Wong-Kalu returned to the table as an advocate for recognized cultural descendants (RCDs), reaffirmed her commitment to RCDs and potential RCDs, and in support of cumulative thought processes.

**B. Department’s Recommendation to Recognize Paulette Kaanohi Kaleikini and ‘Ohana (names attached) as Cultural Descendants to Human Skeletal Remains Encountered at Kawaiha‘o Church Multipurpose Building Renovation Project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-032:017**

Summary of discussion, below:

- Council Member Wong-Kalu read the agenda item and HAR 13-300-25(d) onto record
- Wong-Kalu read the ‘ohana names onto agenda
- Council Member Caceres recused himself
- Applicant requested Executive Session

Council and SHPD staff Hilo went into Executive Session
Council emerged from Executive Session

Motion: to decline SHPD’s Cultural Descendant Recognition Recommendation
Council members motioned and voted

Motion: to accept SHPD’s verbal Lineal Descendant Recognition Recommendation
Council members motioned and voted

Kawaiha‘o Church representatives asked the Council and the applicant for more information about the specific individual to whom the applicant was claiming lineal descendancy from, given the applicant’s current litigation against the Church

Council Member Wong-Kalu stated the intent is that the descendancy will serve the iwi kupuna, and positions OIBC to work best with project proponents in what is done


Council Member Wong-Kalu read the above item onto the record

Summary of discussion, below:

- Applicant A. Akau stated his intent is to protect the ‘ohana, some family had been moved to Kamoiliili, but is not sure if all ‘ohana have been returned
  - 17 years of processing through this
  - Grandfather who purchased Burial Lot #29 is buried in England; grandmother is buried in Lahaina next to Keopuolani who she served as her retainer
    - Family doesn’t do this in public; Akau read the account onto record

Applicant E. Akau stated a Mr. Young had asked her about her genealogy; Mr. Young was a descendant of Kipi

- When placing the new map with the old map, the old map shows the location of the family E. Akau is claiming for the grandparents
- Asking there be no further disturbance of the graves, as the individuals come and visit her
  - The names of the individuals buried there are known, but not how they were buried

Applicant M. McClellan agreed with everything previously stated

- M. McClellan stated she is related to others buried at Kawaiha‘o, including Major Kinimaka who is buried there
Macy’s, Buckle, Kinimaka have aligned and made these facts evident
Asking for consideration as a cultural descendant, will come back later seeking lineal descendency
Understands that the difference is that lineal descendants have more of a say

Applicant A. Akau presented maps showing Lot 29 burial location, the work done at the former Likeke Hall, and the current footprint of the Multipurpose Building Project

Council Member Wong-Kalu summarized the applicants’ discussion; stated the division has recommended cultural recognition; applicants can accept the current cultural descendant recommendation or attend future meetings seeking lineal descendant recognition

Applicants further discussed genealogy and mentioned Abigail Drew, Naope, and another party

Council Member Wong-Kalu asked if the Buckle plot is part of the impacted area

Applicant A. Akau stated that, based on the recommendation provided, the applicants would proceed with the recommendation and action at hand

Council Member Wong-Kalu stated the information submitted by the applicants provided a level of cultural descendant recognition

Individuals in support of the Akau and McClellan ohana cultural descendant recognition in attendance at the OIBC meeting: Wise Keliia Nicola; Diane Fitzsimmons; Kaanohi Kaleikini; Bill Haole

Motion: to accept the Department’s recommendation that A. Akau, E. Akau, and J. M. McClellan be recognized as cultural descendants to human skeletal remains encountered at the Kawaiahao Church Multipurpose Building Renovation Project

Moved by: Member Fermantez
2nd: Member Holck
VOTE: ALL IN FAVOR

D. Department’s Recommendation to Recognize Wise Keli‘ia‘a Nicola as Cultural Descendant to Human Skeletal Remains Encountered at Kawaiaha‘o Church Multipurpose Building Renovation Project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-1-032:017

Summary of discussion, below:

Applicant requested executive session
Council moved into executive session at 11:55 AM
Council Vice-Chair Mitchell joined the meeting, still in executive session, at 12:10 PM
Council moved out of executive session at 12:22

Motion: to decline SHPD’s Cultural Descendant Recognition Recommendation
Council members motioned and voted

Motion: to accept SHPD’s verbal Lineal Descendant Recognition Recommendation
Council members motioned and voted

Bill Haole (Kawaiahao Church) stated the Church would yield to the OIBC to share the information about the names of the ohana to whom lineal descendancy is claimed by the applicant
Applicant Nicola stated in 2006-2007, the Church ran numerous ads with names of individuals buried in the footprint of Likeke Hall; among those names were John Wise and Lois Wise, who were under the footprint of Likeke Hall; in meetings sponsored by the Church, applicant Nicola was the contact person for John and Lois Wise; John Wise Sr. was the applicant’s great grandfather’s uncle.

Bill Haole stated his concern would e that the iwi were perhaps moved to Kamoiliili.


Summary of discussion, below:

Applicant stated she is related to two individuals on the public notice, and is present at the meeting because those two individuals cannot be present to speak for themselves.

Iwi were removed during Likeke Hall construction in 1944.

Hannah Maught and Nancy Wirt, part of the Manini-Manuel ohana.

Council Member Wong-Kalu asked for audience comments.

Individuals present at the meeting expressed support for the applicant: Kaanohi Kaleikini; Bill Haole.

Motion: to accept the department’s recommendation to recognize Donna Lee Kehaunani Perry Makaiwi as a cultural descendant to human skeletal remains encountered at Kawaiaha‘o Church Multipurpose Building Renovation Project.

Moved by: Member Fermantez.

2nd: Member Holck.

VOTE: ALL IN FAVOR.


Summary of discussion, below:

Applicant stated there are unknown gravesites at Kawaiahao Cemetery.

10, possibly 12, of the Kinimaka family.

Applicant stated she is present to advocate for the Kinimaka family, has provided documentation to the division showing cultural and lineal descendancy.

Documentation from 1884, D. Kinimaka buried next to his parents, who died in 1854.

Keawemahi Kinimaka Feb. 4, 1857.

Kaniu Kinimaka.

D. Leleo Kinimaka.

S. Leleo Kinimaka.

Hanakeola.

Council Member Fermantez asked if the applicant was seeking lineal descendancy.

SHPD Burial Sites Specialist Regina Hilo stated she did not know if the Kinimaka plot is located within the Multipurpose Building Renovation Project footprint.

Individuals present at the meeting expressed support for the applicant: Kaanohi Kaleikini; Bill Haole.
Motion: to accept the department’s recommendation to recognize Diane Puanani Fitzsimmons as a cultural descendant to human skeletal remains encountered at Kawaiahaʻo Church Multipurpose Building Renovation Project
Moved by: Member Fermantez
2nd: Member Holck
VOTE: ALL IN FAVOR

Summary of discussion, below:
Council Member Caceres recused himself
Council Member Wong-Kalu read agenda item onto record
Council Member Wong-Kalu recused herself and requested Vice-Chair Mitchell facilitate the meeting
Vice-Chair Mitchell read the agenda item onto record, then asked applicants to express their reasons for seeking cultural descendant recognition

Applicant Kalehua Kamohalii Caceres delivered testimony in Hawaiian

Motion: to accept the department’s recommendation to recognize Brandy Kalehua Kamohalii Caceres and ‘Ohana as cultural descendants to unidentified human skeletal remains at the Ae‘o Project
Moved by: Member Fermantez
2nd: Member Holck
VOTE: ALL IN FAVOR [Fermantez, Holck, Amaral, and Mitchell; Member Caceres and Member Wong-Kalu recused]

H. Department’s Recommendation to Recognize Brandy Kalehua Kamohalii Caceres and ‘Ohana (names attached) as Lineal Descendants to Unidentified Human Skeletal Remains Inadvertently Encountered at Pacific Beach Hotel (Alohilani), Queen Liliʻuokalani Trust, Waikīkī Ahupuaʻa, Kona District, Island of O‘ahu, TMK: [1] 2-6-026:020
Summary of discussion, below:
Council Member Caceres recused himself
Council Member Wong-Kalu read agenda item onto record

Testimony was delivered to the OIBC members by Mana Caceres and Kalehua Kamohalii Caceres; ohana has been recognized, previously, by the OIBC to previously identified and inadvertently encountered human skeletal remains in Waikiki
Applicant Kalehua Kamohalii Caceres delivered testimony in Hawaiian

Motion: to accept the department’s recommendation to recognize Brandy Kalehua Kamohalii Caceres and ‘Ohana as cultural descendants to unidentified human skeletal remains at the Pacific Beach Hotel (Alohilani)
Moved by: Member Amaral
2nd: Member Holck
VOTE: ALL IN FAVOR [Fermantez, Holck, Amaral, Wong-Kalu, and Mitchell; Member Caceres recused]

I. Department’s Recommendation to Recognize Brandy Kalehua Kamohalii Caceres and ‘Ohana (names attached) as Lineal Descendants to Unidentified Human Skeletal Remains

Summary of discussion, below:

Council Member Caceres recused himself
Council Member Wong-Kalu read agenda item onto record

Testimony was given to the OIBC by Mana Caceres and Kalehua Kamohalii Caceres
Applicant Kalehua Kahomalii Caceres delivered testimony in Hawaiian

Motion: to accept the department’s recommendation to recognize Brandy Kalehua Kamohalii Caceres and ‘Ohana as cultural descendants to unidentified human skeletal remains at the Ililani Project
Moved by: Member Holck
2nd: Member Amaral
VOTE: ALL IN FAVOR [Fermantez, Holck, Amaral, Wong-Kalu, and Mitchell; Member Caceres recused]

Information/Discussion: Update on the above project.

K. Howard Hughes Corporation Projects – Multiple Blocks, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, Multiple TMKs
Presented by Ena Sroat, CSH; Todd Apo, Howard Hughes Corporation; PowerPoint presentation
Summary provided, below:

Block O - Ililani
- Ward Avenue area, utilities upgrade – 24” sewer pipe installation; column jet grouting; archaeological monitoring program in place
- Composite Kakaako area
  - Backshore sand dune, coastal sand dune, wetlands, historic surface

Block A – Archaeological Inventory Survey (AIS) under SHPD review, Burial Treatment Plan (BTP) in Development
- SIHP -7655: historic salt pans
- SIHP -7579: historic structural remains
- SIHP -7580: cultural/occupational layer and subsurface sand deposits

Block B West and Village Gateway, BTP accepted for Village Gateway

Block B West – AIS under review; SIHP -7770
- BTP is in development/being worked out; data recovery under archaeological monitoring plan (AMP); proposed moving/relocating iwi to on-site burial preserve

Block I
- AIS had 89 trenches
  -7655: cultural/occupational layer with human skeletal remains
  -7429
  -7659: Ward Estate auwai

Block M – Ae‘o
- AIS accepted; AMP in place
  -7429: subsurface sand cultural deposits
  -7XXX
March 20, 2017: inadvertent discovery of human skeletal remains, removed and stored onsite, in curation, to be reburied in a planter at the edge of the property in a planter/planted area

Comments:
Vice-Chair Mitchell thanked Ena for the updates
Kaanohi Kaleikini stated a descendant meeting was held recently by Howard Hughes, descendants have been consulted through every step of the project and have been involved continuously


Presented by Alani Apio, Kamau LLC/BWS; Steve Clark (PCSI), Rick Ellis, NORESCO; Marc Chun, BWS

Summary of discussion:
Preservation in place
Energy Savings Performance Contract – BWS
58 sites overall; 25 sites with no ground disturbance; 28 sites with ground disturbance with no effects which will involve on-call monitoring;
3 sites: on-site assessment
2 sites: Beretania 6 and 7: AIS and on-site monitoring
SIHP -8038: burial and historic artifacts; burial found in a seam of cinder soil
Beretania Complex – upgrades to lighting
BTP – BWS working with recognized descendants
Resolving BTP questions
Presentations provided at OIBC’s meetings in April 2017 and July 12, 2017
Short-term protective measures:
Recovered iwi, wrapped in linen, placed in paper bag, and put back in trench
Burial site enclosure as a planted area above the burial, low rock wall, interior native planting
Long-term protective measures:
Preservation area metes and bounds

Trench will be kept open until the project is completely done; scheduled to start in Dec. 2017, and end in Feb. 2018

AMP needs to be approved (for all sites)

Vice Chair Mitchell opened the floor for comments

Motion: to preserve-in-place the human skeletal remains at the above project area
Moved by: Member Fermantez
2nd: Member Caceres
VOTE: ALL IN FAVOR

Motion: to recommend the SHPD accept the BTP
Moved by: Member Fermantez
2nd: Member Amaral
VOTE: ALL IN FAVOR

M. Kawaiahaʻo Church Multi-Purpose Building Renovation Project, Honolulu Ahupuaʻa, Kona District, Island of Oʻahu, TMK: [1] 2-1-032:017

Presented by David Shideler, CSH; Lani Maa Lapilio, Aukahi
Summary of discussion, below:

Lani requested Executive Session
Council Member Wong-Kalu stated the discussion is about items which are considered moepu, and will be presented as sensitive
Kaanohi Kaleikini objected to the Executive Session as a lineal descendant
Lani withdrew the executive session request as well as the discussion for which the request was made
Bill Haole, Kawaiahao Church, stated Koga Construction has been hired for the AIS work in the road right-of-way
Member Fernantez stated the request for the executive session was withdrawn, but the OIBC would assist in any way to help make things pono with the iwi
Council discussed the purpose and nature of the executive session request
Bill Haole stated the Church was seeking the OIBC’s guidance, and has rescinded the request to discuss next steps, internally
Member Wong-Kalu requested to be involved
Bill Haole stated the Church would continue with its general call to be involved in the meetings, and would be meeting on Tuesday, July 18th, 2017 at Kaumakapili Church, as Kawaiahao wants to discuss moving forward with the process involving recognized cultural and lineal descendant; will be prepared for the next meeting
Kaanohi asked when, how soon, the AIS will continue
Bill Haole answered approval for the traffic plan for the road right-of-way work is pending, needing one more signature
Meeting with HECO regarding electrical line sometime in the future
David has been providing archaeological field work updates

VI. INADVERTENTS/COMMUNICATIONS

A. Inadvertent discovery of human skeletal remains on June 27, 2017 at Kualoa Regional Park, Kualoa Ahupua’a, Ko‘olauloa District, O‘ahu, TMKs: [1] 4-9-004:001
Information presented by Burial Sites Specialist Hilo:
Summary, below:
Inadvertent on June 27, 2017, exposure due to high tides
Recovered and moved to the curation facility for reburial at a later time
Chair Wong-Kalu requested a member of Kualoa’s Recreation team attend the meeting

B. Correspondence from the United States Marine Corps, Marine Corps Base Hawaii, dated June 28, 2017, received (via email) on June 28, 2017, to Dr. Alan Downer, 5090 LE/078-17, Deputy State Historic Preservation Officer, DLNR, Re: Memorandum of Agreement (MOA) Between the United States Marine Corps and the Hawaii State Historic Preservation Officer, Regarding Military Operations Urbanized Terrain (MOUT) Training Facility at the U.S. Marine Corps Base Hawaii: Notice to Execute Installation of the MOUT Training Facility in the Former MACS-2 Compound Aboard Marine Corps Base Hawaii (MCBH), District of Ko‘olaupoko, Island of O‘ahu, TMK: [1] 4-4-008:001
Information/Discussion: Discussion on the above correspondence.
Summary:
Chair Wong-Kalu requested a representative of the MCBH attend the OIBC to provide a general update regarding MOUT, and any and all upcoming projects
Can become an agenda item and be discussed under business
Federal government involvement triggers NAGPRA, can still capitalize on the forum and the newly recognized descendants
Chair Wong-Kalu requested Hilo reach out to June, stating that: in an effort of good faith on all sides, the OIBC has progress and is under new leadership
C. Correspondence from First Net First Responder Network Authority, dated June 2017, received at SHPD’s Kapolei office on June 30, 2017, Re: FINAL Programmatic Environmental Impact Statement for the Non-Contiguous Region
Summary of discussion:
No Programmatic EIS was attached to the correspondence, but the correspondence provided a link to the documents which can be accessed online

D. Correspondence from the State of Hawaii Department of Transportation, dated July 3, 2017, received at SHPD’s Kapolei office on July 3, 2017, RE: HWY-DD 2.4557, National Historic Preservation Act, Section 106 Consultation; Kamehameha Highway Resurfacing, Laiewai Bridge to Waipuhi Bridge, District of Koolaulea, Island of Oahu, Ahupuaa of Laie, Kaipapau, Hauula, and Makao; Federal-Aid Project No. NH-083-I(080), TMKs: [1] 5-4-00, 5-4-01, 5-5-00, 5-5-01
Summary of discussion:
Resurfacing work only

E. Mokapu/Marine Corps Base Hawaii, Kāneʻohe Ahupuaʻa, Koʻolaupoko District, Island of Oʻahu, TMK: [1] 4-4-008:001
Summary:
Hilo stated this item is on the agenda at the request of the previous OIBC Chair
Chair Wong-Kalu requested Hilo reach out to June stating that: in an effort of good faith on all sides, the OIBC has progressed and is under new leadership; OIBC would like to see a member of the MCBH Cultural Resources team attend the OIBC to discuss current and planned projects

VII. ANNOUNCEMENTS

A. Next meeting date is scheduled for Wednesday, August 9th, at 10 AM
Summary:
OIBC members requested a new date be selected, and suggested August 2, 16, 23, and 30
Hilo stated she would check on DLNR Boardroom availability
OIBC members selected August 2nd

Motion: to adjourn meeting
Moved by: Member Fermantez
2nd: Member Caceres
VOTE: ALL IN FAVOR

Meeting adjourned at 2:40 PM
ʻOhana Kaleikini
For recognition at the July 12th, 2017 Oahu Island Burial Council meeting,
agenda items below:

IV. Business

B. Department’s Recommendation to Recognize Paulette Kaanohi Kaleikini and 'Ohana (names below) as Cultural Descendants to Human Skeletal Remains Encountered at Kawaiahaʻo Church Multipurpose Building Renovation Project, Honolulu Ahupuaʻa, Kona District, Island of Oʻahu, TMK: [1] 2-1-032:017

Moani Umiaimoku Kaleikini
Tuahine Kanekapolei Kaleikini
Kala Waahila Kaleikini
Kalahikiola Mahikeahi Keliinoi
Kilinahe Ialuamokuohikiau Keliinoi
Aliikaua Keawenuiaumi Kaleikini
Noeau Keliilumilani Kaleikini
Haloa Kekoo Namakaokalani Kaleikini
Mahiaimoku Kekaulike Kaleikini
Moehonua Keaweamahi Kaleikini
Piilani Keonealoha Kaleikini
Kahekilin uiuhumanu Ulukou Kaleikini
Heulu Kuaialii Kaleikini
Lawakua Huanui kalalailai Kaleikini
‘Ohana Caceres
For recognition at the July 12th, 2017 Oahu Island Burial Council meeting,
agenda item below:

V. Business


H. Department’s Recommendation to Recognize Brandy Kalehua Kamohalii Caceres and ‘Ohana (names below) as Cultural Descendants to Unidentified Human Skeletal Remains Inadvertently Encountered at Pacific Beach Hotel (Alohilani), Queen Liliuokalani Trust, Waikīkī Ahupua‘a, Kona District, Island of O‘ahu, TMK: [1] 2-6-026:020


Norman ‘Mana’ Christopher Moore Kaleilani Caceres
Kekamamakoakailihou Kaleilani Kamohalii Caceres
Keahealaiianiikekamaehuokahikiku Kiekiekiananiokiuleihua Kamohalii Caceres
Kekamakeuakaiukaukalai Kalehuahiezie Kamohalii Caceres
Kahuakaokekamaakawai Kamanaokaopuulehua Kamohalii Caceres