



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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

**DRAFT MINUTES,
HAWAII ISLAND BURIAL COUNCIL MEETING,
Pending HIBC approval**

DATE: Thursday, December 21st, 2017
TIME: 11:16 AM
PLACE: Naalehu Community Center
95-5635 Mamalahoa Highway
Naalehu, HI 96772

Hawaii Island Burial Council members:

Keikialoha Kekipi, Chair
Norman Kaimuloa, Vice Chair
Terri Napeahi
Kea Calpito
Maxine Kahauelio
Scott Mahoney
Fred Cachola

State Historic Preservation Division staff:

Regina K. Hilo, Burial Sites Specialist, History and Culture Branch
Sean Naleimaile, Archaeologist, Archaeology Branch

Guests:

Paulette K. Ke, Piko o Ka'ū
Sharon Moraes, Piko o Ka'ū
Sweetie Grace
Chandell (Kauwe) Asuncion
Jim Mokuohai Kahunanui Medeiros, Protect Keopuka Ohana
Sophia Hanoa, Ka'ū
Ralph Palikapu Dedman
Keoni Fox
Brenda Iokepa Moses
Elizabeth Kuluwaimaka, Ka'ū
Olivia Ling
Glenn Escott, SCS

I. CALL TO ORDER

Vice Chair Kaimuloa commented about the delayed start time at 11:16 AM
Chair Kekipi arrived at 11:18 and called the meeting into order

II. ROLL CALL/PULE

Chair Kekipi opened the meeting with a prayer
The Hawaii Island Burial Council members introduced themselves in the following order:
Norman Kaimulua, Vice Chair, Kona District representative; Terri Napeahi, Hilo District representative; Kea Calpito, Hilo District representative; Maxine Kahaulelio, Kona District representative; Scott Mahoney, Ka'ū District representative; Fred Cachola, Kohala District representative

III. MINUTES

~~A. Minutes from 08/17/2017~~

~~B. Minutes from 10/19/2017~~

~~C. Minutes from 11/16/2017~~

Deferred

IV. BUSINESS

**A. Discussion on Hawai'i Island Burial Council membership, roles, and responsibilities
Information/Discussion:** Discussion on the above items.

Chair read the above item onto the record
Vice Chair Kaimulua motions to move into executive session
2nd: Member Mahoney
Vote: ALL IN FAVOR
Meeting moved into executive session at 11:23 AM
Meeting moved out of executive session at 11:48 AM

Motion: to amend the agenda and consider item IV. D
Moved by: Member Cachola
2nd: Member Mahoney
VOTE: ALL IN FAVOR [CALPITO, MAHONEY, CACHOLA, KAHAULELIO, KAIMULUA, NAPEAHI – YAY; 0 NAY; 0 ABSTAINING]
Item D was addressed

B. Department's Recommendation to Recommend Heidi K.K. Waiamau as a Lineal Descendant to the Native Hawaiian Human Skeletal Remains of Kekumu Kawaauhau, Ernest Kekumu Kawaauhau, Gabriel Kekumu Kawaauhau, and Edward Luahiwa Kekumu Kawaauhau, interred at 88-1600 Hawaii Belt Road, Pāpā 1 Ahupua'a, Kona District, Hawai'i Island, TMK: [3] 8-8-003:007

Chair Kekipi read the above item onto the record
Member Calpito asked if the applicant wanted to go into executive session
Heidi K.K. Waiamau introduced herself, and shared photos of the grave site areas with the Council; some graves were identified with names labeled on the photograph; applicant shared her genealogy with the Council
Vice Chair asked about previous lineal descendant determination made by the Council on the same burials; applicant indicated her cousin, Samson, was recognized by the Council as a lineal descendant of the same burials

Motion: to accept the department's recommendation to recognize the applicant as a lineal descendant to the Native Hawaiian skeletal remains of Kekumu Kawaaauhau, Ernest Kekumu Kawaaauhau, Gabriel Kekumu Kawaaauhau, and Edward Luahiwa Kekumu Kawaaauhau

Moved by: Vice Chair Kaimuloa

2nd: Member Kahalelio

VOTE: ALL IN FAVOR [KAIMULOA, NAPEAHI, MAHONEY, CACHOLA, CALPITO, KAHAULELIO – YAY; 0 NAY; 0 ABSTAINING]

C. Department's Recommendation to Recommend Heidi K.K. Waiamau as a Lineal Descendant to the Native Hawaiian Human Skeletal Remains of Kaimeola Kekumu Kawaaauhau, Solomon Kekumu Kawaaauhau, and Waha Kekumu Kawaaauhau, interred at the 'Ili/Mo'o of 'Alikā, Pāpā 1 Ahupua'a, Kona District, Hawai'i Island, TMK: [3] 8-8-003:015

Applicant shared her genealogy with the Council

Mauka parcel is in 'ohana, the makai parcel is owned by a CA based entity

Discussion about the area, landownership from Mahele

Member Cachola asked if a BTP would be created for the area

Waiamau stated that was the next step, to protect the area; has put markers and flags indicating that the burials should not be disturbed; next steps would be to register the burials

Hilo stated the SHPD would assist with that process, and that no work could be done in the area without talking with the recognized lineal descendants

Motion: to accept the department's recommendation to recognize the applicant as a lineal descendant to the Native Hawaiian skeletal remains of Kaimeola Kekumu Kawaaauhau, Solomon Kekumu Kawaaauhau, and Waha Kekumu Kawaaauhau

Moved by: Vice Chair Kaimuloa

2nd: Member Cachola

VOTE: ALL IN FAVOR [KAIMULOA, NAPEAHI, MAHONEY, CACHOLA, CALPITO, KAHAULELIO – YAY; 0 NAY; 0 ABSTAINING]

D. DRAFT Burial Treatment Plan for Burial Sites #50-10-68-26641 and #50-10-68-26642 Located on Lands of the Former Mōa'ula Plantation, Kopu Ahupua'a, Ka'ū District, Hawai'i Island, Hawai'i, TMK: [3] 9-6-003:022

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

Chair Kekipi read the above agenda item onto the record

Member Cachola stated the Council had an important announcement on the item

Hilo stated the above agenda item is listed only for discussion, not determination, as the Burial Treatment Plan was not yet accepted by the Department (SHPD) in compliance with HAR 13-300-33

Member Cachola stated the BTP has not yet been accepted by the SHPD, therefore no decisions would be made at the meeting; the BTP would only be discussed

Glenn Escott introduced himself, stated he is with SCS and was hired by the property owner, Ka'ū Mahi; published notices of burial discovery, consulted with recognized descendants; DRAFT burial treatment plan has preservation measures for the burials into perpetuity

Member Cachola asked how long Escott had been working on the plan

Escott stated the burial notification publications were posted in November 2016

Member Cachola asked if there had been any search for lineal or cultural descendants in the Ka'ū community

Escott stated the publication had run in the Honolulu Star Advertiser, West Hawaii Today, and Ka Wai Ola, over a year ago; responses were from Paulette Kaleikini, who's great grandfather had land out here, and Keoni Fox; copies of the draft plan were sent to Paulette Kaleikini, who liked the proposed treatment, and requested the burial caves be sealed

Member Cachola asked if the two individuals had come forward to be recognized as cultural or lineal descendants

Escott stated they both sought cultural descendant recognition; stated he had made some phone calls and talked with some other individuals that there was a draft BTP; no other individuals provided comments

Cachola stated that the Council understood the BTP was incomplete

Escott stated the BTP was incomplete, and changes were made yesterday; burials are in tubes, and the preservation measures would have to consider surface features; stated that if more people want to consult and have thoughts about preservation measures, all things would be considered, with a revised DRAFT BTP being completed sometime in January; Escott stated the more individuals spoken to, the better the BTP will be

Member Cachola responded positively to Escott's comments, and suggested another burial notification be published; pre-meeting discussion were that the BTP was not discussed with members of the Ka'ū community; the Council needs to know what the community feels about the BTP's; Cachola asked if there were any kama'aina present at the meeting who could testify in support of the BTP

Escott replied Keoni Fox could discuss the BTP; Escott stated he prefers to speak with individuals before developing the BTP to ensure the information gathered is documented in the BTP, proposal treatment measures, then ask for feedback from those consulted during the BTP's development

Member Cachola asked Keoni Fox if he wanted to comment on the proposed BTP
Keoni Fox introduced himself as a recognized cultural descendant to the iwi kupuna at the project; submitted an application to be recognized as a cultural descendant after seeing the burial discovery notification; recognized by the HIBC in May 2017, requested the archaeological inventory survey for the property, the draft burial treatment plan, and the subdivision map; important to know what that potential future threats are to iwi kupuna as well as the need for the burial treatment plan.

Keoni: "My understanding is the need [for the burial treatment plan] was [for] the permit the owner needed to subdivide the really large property. You guys are probably familiar with where the Moaula coffee lots are, the landowner is, in my understanding, subdividing the land so they can sell it off to some farmers."

Chair Kekipi: "For informational purposes, Regina, would you please explain what he was recognized as?"

Hilo: "I can read that definition."

Member Cachola asked Keoni to explain how he's associated with the area, through his family and their connections

Keoni stated his family owns property in Ka'ū with a family cemetery on it, likely not registered; Keoni's family lived on the property which is very close to the Moa'ula property

Member Cachola commented that Hilo had been asked, by the Chair, to provide explanation of cultural and lineal descendants

Hilo: "Cultural descendant means, with respect to Native Hawaiian skeletal remains, a claimant recognized by the council after establishing genealogical connections to Native

Hawaiian ancestors who once resided or are buried or both, in the same ahupua'a, or district in which certain Native Hawaiian skeletal remains are located or originated from. "With regard to lineal descendant, the definition is as follows: lineal descendant means, with respect to Native Hawaiian skeletal remains, a claimant who has established to the satisfaction of the council, direct or collateral genealogical connections to certain Native Hawaiian skeletal remains."

Member Cachola commented that he was born and raised in Kohala, therefore if bones are found in Kohala, he could claim and file a cultural descendant application

Member Cachola: "However, if bones are found in Kohala, and I was at the burial or I knew my father had said who was buried there, said that name and what my relationship was to that person, then I can say I'm not cultural, but lineal, because I can prove I'm related to that person. That's lineal. And I would fill out a paper, send it in, and the office would send a recommendation back to the Council that, "Fred Cachola claims lineal descendant of this person because that's his grand-uncle over there, and here's the proof." "Now, for those bones, I'm lineal. But if there are bones found in Kohala and I don't know who they are, and they're in my ahupua'a, then I can claim cultural. He's [Keoni Fox] cultural, not lineal."

Keoni shared some of concerns he raised in response to the first draft of the BTP were access, fencing, buffer area designations

Keoni: "And there was also a cave right next to the burial caves which is considered a cultural site. One of the original comments from the SHPD was that they [the project proponents] be preserved as a whole. A lot of the more recent plans talk about preserving the cultural landscape. We don't want to cookie cutter cultural sites but protect them as a whole and maintain the same degree [of preservation]. I've talked to the landowner, and they're ok with that. At the meeting this past month, there were some additional concerns shared by the Council members about the preservation measures. And at that time, I asked if we could have the next meeting here in Ka'u, and if we could also have a site visit to see about the burial caves and how they are being protected now, in their current state. Glen sent me another draft on Monday, and he incorporated the concerns I had. There were 4 minor concerns which he raised today. One was the buffer."

Additional comments from Keoni, summarized: where is the cave entrance? Access, overall preservation area and access to recognized descendants

Member Cachola asked if the landowner or the representative of the landowner was present on the site visit

Keoni stated the landowner representative was at the site visit and was also present in the audience at the meeting today

Member Cachola asked what Keoni's thoughts or concerns about the BTP were

Keoni stated he approved of the current draft

Member Cachola asked that the landowner representative provide comments

Brenda Iokepa-Moses introduced herself; works for Ka'u Mahi; 2000-acre parcel, working to parcel out the areas for coffee farmers; large parcel; Glen [Escott, SCS] started the process a long time ago, important for the landowner to get as much feedback as possible from the community and develop a plan with community input from the beginning; did not receive much feedback from the community yet, and is eager to hear from the community present at the meeting on the draft BTP

Member Cachola asked Iokepa-Moses what comments she had, if any, on the current BTP

Iokepa-Moses stated the site visit was beneficial; burial caves are in a gully and difficult to access; rock wall would not be suitable in the area; area should be preserved in its entirety

Glen Escott commented that he had maps and copies of the BTP that could be distributed

Member Cachola stated testimony has been provided by the person who wrote the BTP [Escott], the landowner representative [Iokepa-Moses], and a recognized cultural descendant [Keoni Fox]; all spoke in support of the plan, but the plan is not completed Escott stated the BTP is not complete

Vice Chair Kaimulua asked about the preservation measures in the BTP to 1) keep the burial caves open, and 2) use hog wire as fencing

Iokepa-Moses stated they [Ka'ū Mahi] are not the experts on historic properties and preservation measures; the burial notification was published to get input from interested parties – Keoni Fox and one other individual [not present at the meeting] provided input; Ka'ū Mahi was and is waiting on additional input

Vice Chair Kaimulua stated his recommendations are 1) the cave be sealed and the iwi covered, and 2) hog wire not be used

Chair Kekipi stated the reason for the item's listing on the agenda for informational purposes was consultation with the community in Ka'ū, commented that the meeting was brought to Ka'ū for consultation and if any community members wanted to go through the recognition process as either cultural or lineal descendant applicants; the provisions in the DRAFT plan afforded the community the opportunity to comment on the preservation measures; Council volunteers and appreciates the community's comments and recommendations; community will have to take care of the resource in the present day and future, therefore the BTP must be carefully considered; recommendation in the BTP was also for preservation as a cultural preserve

Member Cachola suggested community members provide comment on the subject BTP Vice Chair Kaimulua thanked the individuals present to comment on the BTP; the plan states what the project proponents are planning to do, including that the burial caves be left open; asked those present to voice their opinions

Member Kahalelio commented and asked those present to provide comments and dialogue about the BTP

Elizabeth Kuluwaimaka introduced herself.

Elizabeth Kuluwaimaka: "I would really like to know what we have already [inaudible], because like you say, we're blind. We don't know what's going on. We need more information, we need booklets like you folks have so that we know what's going on. And I'm pretty sure this is our 'ohana over here. So, please, if we can get what you folks have, the information that you folks have, so we don't have to worry, and we call can be on the same page."

Palikapu Dedman introduced himself.

Palikapu Dedman: "I would like to know from this archaeologist when did this burial treatment plan get turned over to the Department."

Escott stated it might have been in August [2017]

Palikapu: "So, the burial council knew about this from August?"

Hilo stated the BTP was first proposed to the Council in October, and had been listed on the September 2017 agenda but the Council did not meet in September; the BTP was on the agenda for October and November [when the Council did meet]

Palikapu: "And at that time, the only person that came forth was a cultural descendant who made claims? So, I'm sitting here looking at the Burial Council and the archaeologist brought that [BTP] to you three months ago. So I'm just looking out of respect, how come you guys didn't give me a call, Keiki? How come you didn't give me a call, Uncle Fred? You've know our family and we've known your family from the time you were small and from the time I was small. And you know that. And you, Keiki, how long have you known me? So why wasn't I given a little bit of heads up? I'm so thankful for Terri, who just came on the Council, who called me up, so I could call the family to tell them about the situation we're up against. Because some cultural descendant who's

not even close to lineal descendant, has a whole different definition, that we weren't informed? And don't tell me that the notice, as a lineal notice, that if I don't respond to it, I lose. That's just a public notice. It's not a law. Ok? And the burial treatment plan, what was wrong with the plan when the Hawaiians buried them? Why you going get on the airplane and start making burial treatment for Hawaiians? If was inadvertent, by the State, I can understand a burial treatment plan [then]. But preservation in place was the whole idea of creating the Burial Council, because the Burial Council then didn't exist, it was run by the state archaeologists. So we had to create another body, away from the state archaeologists which was the conflict that created all the problems. Then we had the Burial Council. Since 1987, when we started was 1986, you could buy property in Hawaii and open it. Get land, buy a piece of property, do what you want to do. That's what we couldn't understand, and why Honokahua was the biggest issue. About twelve hundred bodies they dug up, that there was no law protecting those bodies. So we had to create this demonstration, which the State didn't want to take us [to (sic.)] court, they folded. They [were (sic.)] shame to take us court, on our concern, in Waihee's office, right in front of my face, and a few other politicians, was crying because they didn't know what to do with the situation on Maui. Cost them \$6 million, and "We need a permit." Oh, a sign, to dig them up? SHPD signed to dig them up, with their treatment plan? It took ordinary people like us, right here, to stop the whole situation. What I'm saying is, I've seen a change from all these years and not getting improved, but still going backwards, state archaeologists is telling the Burial Council what to do. And that's the problem we've always had. You [the Council] are separate from the State archaeologists. All their profession is, "I'm digging up their iwi," not to tell you how to treat it. That's your kuleana, and you don't take directions from the archaeologists, that's not a Hawaiian profession. Never was. So, if you cannot understand the emotion that I feel, it's because I don't see an improvement after all these years of us still being in control of our own tutu. And of course you got a lot of transplants that move from island to island, they don't take care of their own ancestors, then come on this island and try to take care of mine. Now where's the integrity that we have amongst Hawaiians, treating each other with respect? Like I say, you guys how come you didn't call me? Sister [Member Napeahi] called me up and she just got on the Burial Council position, no idea who I am, what I've done. [We (sic.)] brought back a hundred seventy-five bodies from Bishop Museum, as an 'ohana, we did that. I don't need to file an application to say I'm an lineal descendant; twelve-hundred bodies at Honokahua, no body signed to be lineal descendant. Over here, Jim Medeiros at Honaunau, with the State department archaeologist, when had park iwi at Honaunau. I never had to fill out an application. It was just the respect of who we were, that the state worked with us. And the archaeologists. Because there's so much iwi being found all over the island, they tie them up in packages on the shelf. Then when the package gets put on the shelf, they give us a call, and we set it up with Honaunau and take the iwi to be reinterred. [inaudible]

"These iwi you talking about, should be sealed, the caves. Should be documented so nobody can touch them. And it should have a buffer. And all those dealing with iwi in caves, one cave connects to others and other iwi. So what you have is a half-mile buffer around iwi caves, when they drill, they don't desecrate the bones connected to other lava tubes. All other tubes with iwi should be sealed and not open for the public to go check out or play archaeologist with it. How much iwi have we already done that to? How many caves have been left open for the general public to go play games inside, or do professionally? How do I become a better Hawaiian when they've been digging us up for years? How? I don't see any benefit from looking into our iwi, digging up our iwi, and putting our moepu on display. That's how I feel about this. Burial Council, gosh you guys, embarrass me for all that we've done to create this, that you still are left listening to

one non-professional of a Hawaiian. I tell you about Hawaiian fishermen, and you one scientist, telling us how to fish. Why are you telling Hawaiians what to do with our own iwi? That's an emotional issue, that's an issue that should always be respected, and you should always allow a Hawaiian to express himself on this emotional issue all the time. If you cannot tolerate one Hawaiian and these emotions, I ask you not to sit on the Council. And if you don't have any leverage, that you don't even come from that district, then why do you speak about that iwi? When you know where people live, hunt, and fish in that ahupua'a, of that burial, for hundreds of years?"

"You know that, Uncle Fred. No phone call, no nothing, no alert. And these are the things that happened to your tutu. Then you have other, more modernized Hawaiians look at the Hawaiians from a real western slant. We not turning haole fast enough, now we gotta treat our tutu that way? If you not even from there, no open your mouth, and if you believe in traditions, you know darn well traditionally that if you maha'oi, you get whatever happens. That's the traditions we believe in. Have some integrity among yourselves as Hawaiian people, and respect Hawaiian people, and show that respect. Not just come like somebody gotta save the bones. Let their own kind save the bones. That doesn't help Hawaiians, when a Hawaiian from someplace else comes here and sits down, and has this kind of attitude that they're better than a Hawaiian from here, they don't tell our island tribe what to do. You O'ahu Hawaiians, no come Big Island and tell us how to be. You take care your own place, and if you no can, then don't get in front of me. And that's the feeling that I have, speaking for Ka'u and our family, that they got to seal up that cave, let the owners know, full disclosure should be of law, on every realtor who sells property in Hawaii who exposes all of these. That property, that cave, is stolen from the plantation. That's the big thief. They didn't ask nobody for nothing; they bulldozed heiau, they desecrated caves, they destroyed burials. Hey, the plantation got nothing. And if anyone is taking over their shoes, they better clean their shoes first. Because that's not how it is and it never will be. And us Hawaiians better be Hawaiians because we only got one shot passing through this life. We better be the best we can be; if not, don't interfere or maha'oi."

Sharon Moraes introduced herself.

Sharon Moraes: "Aloha, I'm Sharon Moraes, I'd like to have clarification because I have 'ohana that were born and raised here. And so, who are the landowners? So that we can know who owns the land. Who are these landowners?"

Iokepa-Moses: "They're, locally, Ka'u Mahi, a part of resource management."

Moraes: "And that would be the land trust?"

Iokepa-Moses replied affirmatively

Moraes: "And you were hired by them to do the land studies? Then my question is, you've done the cultural part. You know many of the families, Brenda. Glen, we first met you months ago. Why weren't 'ohana, the descendants of Ka'u, who I am sitting among, the 'ohana who are here, why weren't they invited? Let us make a clarification. Not everybody can catch the small, very small advertisement in the newspaper. I don't care if it was in Ka Wai Ola, I don't care if it was in Star Advertiser. I'm part of the line that is trying to get these notices out. Kanaka maoli, especially Ka'u, we are, and I count myself because I am a lineal descendant from Ka'u, to keep it Ka'u, culturally preserved. And our kupuna and so on. We'll learn and continue. This island is different from every island. This district will continue to be preserved. Our people will fight to keep it. Caves. Even if you're not from here, it's your duty to learn. Because you are the outsider, it's your duty to learn. I'm a military brat, and I no longer have an allegiance to the United States. I have learned of the arrogance of many Americans, when they go to places, and I graduated from [Japanese name] High School in Okinawa, at the time, those indigenous people were fighting and are still fighting to be free. And therefore, the caves of our

ancestors, and the iwi, need to be sealed and remain sealed. There is protocol, and protocol is to allow descendants here to know what is happening. You all need to follow it. And I may live in Volcano, I was born and raised on O'ahu, I know my genealogy on both sides of my family, and I will fight and stand with them, and these are my 'ohana. So, let me be clear, that when you continue with your studies, can you let everyone here know, those that are here? A cultural descendant, someone culturally as Keoni? Fine, but please find the real lineal people that come from here."

Sweetie Grace introduced herself

Sweetie Grace: "I'm Sweetie Grace, I was born and raised in Kapapala Ranch, Ka'u. As I were raised, we traveled all the way to the high mountain up, there area where you folks went today. In that area where you folks went to, where the graves are, we call that Higashi area because majority of that area had Kepani [Japanese] people. Each nationality had certain areas, like on each island. And you [Glen], I understand you're hired by the company [Ka'u Mahi], can you tell me so I can understand your level?"

Escott: "I don't make any decisions. Basically, I'm hired to produce a document and in talking to cultural descendants, collecting information, and then presenting to the landowner and having discussion. And presenting to the Burial Council. So decisions come from the Burial Council."

Sweetie asked how long the involvement of the community is; shared an experience of the old timers using stones to cover exposed iwi. "They explained to me, that once upon a time, the iwi, lived in life to the fullest and best of their knowledge. The old timers also tell me the reason they close it is because in life, we go through the living process of young to old. When our contract of living life is over on earth, so must we close the door when we depart, whether it be in a cave, on land, under water. I'm listening to all the old timers because, to me, I had learned to pay attention because they're taking me into the world of the past. I didn't have the opportunity to live that kind of life because I was still in the process of life. So when they were explaining to me, I was just a young kid off the street, hired from the outside, to work with the sugar cane. History came naturally because they understood I did not live at that same level; they told me about their history so I could come up to their level. Sometimes the operator go over, and they don't mean to, and sometimes the ground falls and then you see the cave, and the manager goes over there and covers it. Out of respect, and because it was plantation, if you see wililaiki (*Schinus terebinthifolia* – Christmasberry) tree in Ka'u, where the plantation was, represents a burial site. Banana trees on any property in Ka'u represent a natural hole. So anyone seeing those things understands that information. I do agree to cover up our loved ones, no matter what nationality. And suggest that to the owners that you represent."

Iokepa-Moses: "I just wanted to say that we're not against or opposed to encasing [sealing] the caves. The natural terrain may suggest a larger buffer. We're here to listen to the recommendations from the descendants."

Sweetie commented about the buffer, that enclosing all three in one would be better; if the buffer is built in stone, little do the owners realize that prosperity is received and will come to them when they acknowledge the spirit; out of respect, make a stone wall on the buffer line

Iokepa-Moses recommended and offered a site visit to the location to see the terrain and natural landscape; the landowner wants to do the right and best thing based on the feedback received; does not want to put a cheap fence

Vice Chair Kaimulua stated that hog wire will not prevent the vegetation from growing into the hog wire and through it

Iokepa-Moses commented the area is in a gully, with Christmasberry, and pristine

Escott stated it would be difficult to get material out there to build a rock wall; to access the site with material to build a rock wall would require the project proponents to cut a road into the area

Chair Kekipi asked Sweetie about what her thoughts are on an appropriate buffer when considering possible site boundaries inclusive of all caves, as there is no set distance in the BTP

Sweetie stated if the buffer is set far away from the site, she could understand why each site would need to be preserved separately; wire fence is temporary, and the stone wall is permanent; stone walls were built to protect the iwi, especially when the land would change hands

Chair Kekipi stated the concerns were protection the iwi kupuna into perpetuity; the practice of recognizing descendants is for them to protect the iwi. "The reason we follow that criteria is because that's the criteria given and handed down by the kupuna. That practice of recognizing the descendant. The ruling is that land ownership may change, but the protection goes with the descendant for all time. So they are the kupuna. And for this Council to follow in that. We once knew who [that was]. However, following behind that is the descendants because, between you and me, someone can come and maha'oi, hana ino someone else's kuleana. Not to be disrespectful to you, but to be respectful of our kupuna that guides us through the process for all time. And that's what it says: "For all time." The descendants, that's a heavy responsibility, no matter who comes rushing through the door, no matter who the Senate confirmed. When you're up here [on the Council], who and what do you stand for? The culture. What culture? The host culture. Who guides us? Akua. What else? My na'au. Who guides my na'au? My kupuna. Are we related? Yes, we are. How can I act when the laws change, when the rules say this or that? How? I act how my kupuna did; I become my kupuna. I am not the State. I am my kupuna. And when somebody else, forgive me, comes into the district, and I don't tell you anything, we all were asked, please come out. And if that's what it takes, to get emotional, by all means. Come that way, so we can kukakuka. So we can help each other, so we can help for all times, for future generations. The land changing ownership, that was foreseen: 'ike papalua. That's inevitable. So now, at this time, and the changing times, we need to know who do we see. Not just the community, communities change, the make-up of communities change. In Puna, my community has plenty different people who own land, and it's the decision of the descendant. I know what happened. That's why I'm here. My practices [call to] leave it open, for the spirit that never yet left, that hasn't yet gotten out of there. But different practices, different people, different families. Therefore, I must exhaust all means to ensure that I'm onto that. And if you're the descendant, please come up. Share your genealogy and we will recognize you. Because that's your responsibility."

Member Cachola asked that any testimony for the agenda item be received at that time
Vice Chair Kaimulua asked how many individuals wanted to share testimony; four individuals responded

Sophia Hanoa introduced herself

Sophia Hanoa: "Aloha mai kakou, my name is Sophia Hanoa, I was born, raised and will die here in Ka'u. My first breath of life came from Ka'u, so Ka'u is my mama. I don't pick and choose Pahala and whatever. In Ka'u I belong; Ka'u raised me. The problem we having in Ka'u now, with the community and whatever, is communication. A chosen few that handle all correspondence in the newspapers, whatever. Aunty guys not gonna read what's in the newspapers, because they're not on the list of whatever. Gotta do better in communicating with the people of Ka'u. For me, I'm multicultural, so I'm going to honor all my ancestors, I'm not gonna pick and choose, I'm going to honor all that I am. Because in this day in age, it's what's gonna take to unite everyone as a community to

malama what we have left. Not pick and choose and segregate. Burials are sacred to all indigenous cultures. My tutu guys went put their blood and sweat into this 'āina, so some guy's not gonna call and tell me I'm more Hawaiian or this is my genealogy and I have more say than you. No, you don't. They put their blood, sweat and tears into this 'āina. But I want to speak to you beyond that. So the Burial Council, you guys have such a kuleana. We all belong to the human race. We gotta take care of all burials, not just one, one, one, because if you just pick up one, then you gonna deny the rest. My thing is, moving forward, let's build and let everyone come to the Burial Council and let's have everyone have a say, like, "I live in this community." A ninety-year-old kupuna who is Japanese has plenty wisdom to me, [more than] a Hawaiian coming from Honolulu. You guys understand what I'm saying? To move forward is to [understand] respect, be proud of all that you are. What the price, the terrain, whatever it's going to cost because we all went benefit from this 'āina. We all went benefit from Ka'ū, our mama, I don't care what cost to build that stone wall to protect what we have left. At all costs. We benefit, I'm not only speaking for myself, I have eleven grandchildren, I'm speaking for them, for generations to come. And I will teach them how to malama everybody. There's good and bad in all. Let's find the balance. What is it? Aloha, love, and peace. What we all wish for here.

Summary of additional comments from Hanoa: come talk to the kupuna of the community; it will take all of the community and all ethnicities to unite moving forward; honor all that you are; work together; developers need to be better about communicating with the community; Ka'ū works when communication is effective; agencies and developers come in to fix things that are not broken

Paulette Kay introduced herself; from Kapapala Ranch; educated and comes to respect her ancestors; believes the iwi should be protected, covered; the present generation will not be around into perpetuity, leaving a notice of the sacred sites of the kupuna, which should be part of their mo'olelo; pule and 'ike is to know the sites should be protected for future generations to persevere and protect that site into perpetuity

Summary of testimony: Hawaiian nationalism; land title discussion

Summary of Jim Medeiros testimony: stated the HIBC has the authority to recognize the descendants who provided testimony on the project and parcel; advocated the caves be sealed; advocated that all burial caves be sealed; asked the Chair to place Kiilae Estates on the HIBC agenda because the provisions of the burial treatment plan have not been adequately addressed, revolved around caves left open that were not sealed and were desecrated

Chandell Kauwe Asuncion introduced herself; summary of testimony: Hawaiian national, representing 'ohana as a lineal and cultural descendant, in favor of closing the caves; does not know the 'ohana encountered during the AIS because of the long disconnect from when the land was under the management of Mōa'ula Plantation; would like to see a buffer, a stone wall, an area preserved as a cultural landscape; advocates that the landowners who would request grading and grubbing have permits; the projects will not rest and there will be future listings on the HIBC agenda

Member Kahalelio commented about the importance of providing access to descendants, keeping the trails open; Hawaiian rights and cultural access rights

Asuncion stated access is part of Native Hawaiian rights

Iokepa-Moses asked that the descendants be open to a site visit to see what the terrain is like in the areas addressed by the BTP; not opposed to sealing the caves

Hanoa stated it has to be made pono

Chair Kekipi stated the descendants will always have access because those provisions are in the law; stated that those new to the community would benefit from education about those burials; there was enforcement and education in place that kept those kupuna there

and protected them from being desecrated; commented about the creation of a cultural preserve or something more specific related to the burial; anything relating to the burial would involve the Council

Asuncion asked for clear access; proper treatment would mean returning the land ownership to the allodial owners, because the allodial title is perpetual
Chair Kekipi provided closing comments, then requested a brief recess

Recess taken at 1:22 PM

Meeting reconvened at 1:39 PM, Item B taken next

- ~~E. **DRAFT Burial Treatment Plan for Site #50-80-35-30572 Located on a Portion of a 18.57-acre parcel in Pu‘u‘eo Ahupua‘a, Hilo, South Hilo District, Hawai‘i Island, Hawai‘i, TMK: [3] 2-6-008:006**~~
~~Information/Discussion: Information and discussion on the above burial treatment plan.~~

Not addressed at the meeting

V. INADVERTENTS/COMMUNICATIONS

- A. **None at this time.**

VI. ANNOUNCEMENTS

- A. **Next meeting date is January 18th, 2017, at the West Hawaii Civic Center, 74-5044 Ane Keohokalole Highway, Kailua-Kona, HI 96720.**

Additional discussion:

Council commented about recent BLNR actions

Council recommended a deputy attorney general be present at a future meeting; Hilo agreed to make that request of the AG

Motion: to adjourn the meeting

Moved by: Member Kaimuloa

2nd: Member Cachola

VOTE: ALL IN FAVOR [KAIMULOA, NAPEAHI, MAHONEY, CACHOLA, CALPITO, KAHAULELIO – YAY; 0 NAY; 0 ABSTAINING]

Minutes respectfully prepared by Regina K. Hilo, Burial Sites Specialist, History and Culture Branch, for HIBC consideration and approval.