

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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

**Kaua'i NiIhau Island Burial Council  
Meeting Minutes**

**DATE:** Wednesday, November 15, 2017  
**TIME:** 09:01 am to 10:08 am  
**PLACE:** Department of Transportation  
1720 Hale'ukana Road  
Conference Room  
Lihue, Hawaii 96766

**KNIBC MEMBERS:** Keith Yap, Landowner/Developer Representative  
Leiana Robinson, Niihau Representative  
Wayne Palala Harada, Napali Representative  
Sandra Quinsaas, Koloa Representative  
Carol Lovell, Kawaihau Representative

**ABSENT/EXCUSED:** Teddy Blake, Landowner/Developer

**SHPD STAFF:** Kauanoë Hoomanawanui, Kauai Island Burial Sites Specialists

**GUESTS:** Missy Kamai, CSH  
Kaliko Santos, OHA Kauai  
Mike Dega, SCS  
Doug Haig, COK  
Milton Ching, Descendant  
Jim Powell, SCS

**I. CALL TO ORDER:**

Keith Yap, KNIBC Chair called the meeting to order at 9:01 am.

**II. ROLL CALL/PULE:**

Vice Chair Sandi Quinsaas gave pule.

**III. MINUTES**

**A. August 16, 2017**

**Carol Lovell moved and Sandi Quinsaas seconded motion to approve minutes.**

Chairman Yap opens the floor for discussion.

**Motion approved unanimously.**

#### **IV. BUSINESS**

- A. Department's Recommendation to Recognize Melanie Ching, Kainani Ching, Milikona Ching and Kamuela Ching as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at Lydgate Bike Path Project, Waipouli Ahupua'a, Kawaihau District, Island of Kauai, TMK (4) 4-3-007:026, 4-3-002:012.**

**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 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.)

Milton Ching introduced himself representing his wife Melanie and three children Kainani, Milikona and Kamuela. We submitted descendency claims to the SHPD and have genealogical records here for you today. In confidentiality, we ask that you return them upon your viewing.

**Carol Lovell moved and Sandi Quinsaas seconded motion to recognize Melanie, Kainani, Milikona and Kamuela Ching as cultural descendants to the unidentified human skeletal remains encountered at the Lydgate Bike Path Project, Waipouli Ahupua'a Kawaihau District, Island of Kauai, TMK (4) 4-3-007:026, 4-3-002:012.**

Chairman Yap opens the floor for discussion.

**Motion approved unanimously.**

- B. Department's Recommendation to Recognize Melanie Ching Kainani Ching, Milikona Ching and Kamuela Ching as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at Coconut Development Project, Waipouli Ahupua'a, Kawaihau District, Island of Kauai, TMK (4) 4-3-2:15, 16, 20.**

**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 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.)

Milton Ching introduced himself once again representing his wife Melanie and three children Kainani, Milikona and Kamuela. We submitted descendancy claims to the SHPD and have genealogical records here for you today. In confidentiality, we ask that you return them upon your viewing.

**Carol Lovell moved and Sandi Quinsaas seconded motion to recognize Melanie, Kainani, Milikona and Kamuela Ching as cultural descendants to the unidentified human skeletal remains encountered at the Coconut Development Project, Waipouli Ahupua'a, Kawaihau District, Island of Kauai, TMK (4) 4-3-2:15, 16, 20.**

Chairman Yap opens the floor for discussion.

**Motion approved unanimously.**

**C. Draft Burial Treatment Plan for SIHP # 50-30-08-2188 & 50-30-08-2189 at Lydgate Park Bike Path, South Olohena & Waipouli Ahupua'a, Kawaihau District, Island of Kauai, TMK (4) 4-3-007:026 & 4-3-002-012.**

**Discussion/Recommendation/Determination:** Discussion and determination whether to preserve in place or relocate human skeletal remains at the above location. Discussion and recommendation to SHPD on the proposed burial treatment plan. Presentation by Scientific Consultant Services Inc.

Mike Dega introduced himself along with Doug Haig from the County of Kauai with the revisions recommended from the previous meeting. These updates include photos of the present conditions and location. Also added were the protocol for the inadvertent discovery of human skeletal remains.

**Carol Lovell moved and Sandi Quinsaas seconded motion to preserve in place the human skeletal remains at the above location and the recommendation to SHPD in acceptance of the changes on the proposed burial treatment plan.**

Chairman Yap opens the floor for discussion.

**Motion approved unanimously.**

## **V. SHPD INADVERTENT DISCOVERIES/CORRESPONDENCE**

**A. Inadvertent Discovery of Human Skeletal Remains on June 29-30, 2017 during Archeological Data Recovery at Waipouli Development, North Olohena Ahupua'a, Kawaihau District, Island of Kauai, TMK: (4) 4-3-2:15,16 & 20.**

**Information/Discussion/Recommendation:** Discussion on the above item.

SHPD is seeking recommendations from the KNIBC whether to preserve in place or relocate.

Mike Dega introduced himself along with Jim Powell from SCS and began describing the disinterment of the archaeological data recovery of the seven-human skeletal remains that were previously identified twelve years ago. We inadvertently discovered two burials that weren't located twelve years ago along with those that were initially identified. Jim Powell states once we began to excavate it became really clear that there were more than a set of human skeletal remains in that area. We immediately left them in place and would like to seek your guidance on this finding. Dega adds the burial council then, in 2005, identified seven burials and determined to reinter them in the proposed crypt. The twenty acres won't be

completely dug out, they are bringing in fill. The utilities and drainage will be monitored, they know there is iwi kupuna under it and will be sensitive to it.

Chair Yap states the intention of the burial council is to protect and preserve the iwi kupuna and would recommend preserving in place. If inadvertent discoveries are found we will follow the proper protocols as all cases are different. We don't want any major issues as we know that area has a high concentration of iwi kupuna. Dega adds the crypt will be built for all the inadvertent discoveries found in the area.

Councilmember Carol Lovell states after numerous site visits to the proposed crypt that has been already used for the approved six remains. Unfortunately, the sand was eroded exposing these remains, with the hala covers off. Cigarette butts were found as well as children's footsteps as if it was used as a sand box.

Chair Yap expresses the intention is to leave the remains in place, the county and the owners need to make sure their intention is the same. Our direction to SHPD is to remove only if necessary.

Dega clarifies the two inadvertent discoveries that were found during the disinterment seek your recommendation. Chair Yap emphasizes if it is an area that can be left in place we recommend that it be left in place. Hoomanawanui added the area has no permitted digging and many families listed in the Land Commission Awards of this area not including their children and wives. Chair Yap recommends that the remains be preserved in place including the commingled remains found inadvertently. Dega asks if you can alter your recommendation if we bring blueprints to show the project proposals, although we have no digging permits as of today? Chair Yap asks for more information, since there are no plans or blueprints we can't suggest any other way. There is time to modify the plans to accommodate all preserved in place burials. Dega adds there are no permits as of today for any digging in this project. Chair Yap concludes with the need of more input from the families and the necessary blueprints. Dega asks for signage and vegetation recommendations. Councilmember Sandi Quinsaats recommends signage and vegetative buffers, preferably naupaka.

**B. Update on Inadvertent Discovery of Human Skeletal Remains on July 11, 2016 at Milolii Beach Park, Milolii Ahupua'a, Napali District, Island of Kauai, TMK: (4) 5-9-04.**

**Information/Discussion:** Discussion on the above item.

Councilmember Sandi Quinsaats explains the site visit with Victoria of State Parks feeling very comfortable with its current conditions. The area was recently cleaned out by the students working with Victoria. The trip lasted around 5 hours. Chair Yap asks if there is signage, Quinsaats answered no however Victoria did state it was in their plans.

**C. Inadvertent Discovery of Human Skeletal Remains Reported by KPD on August 29, 2017 at shoreline fronting North Olohena Ahupua'a, Kawaihau District, Island of Kauai, TMK: (4) 4-3-2:15, 16, 20.**

**Information/Discussion:** Discussion on the above item.

Hoomanawanui begins, the inadvertent discoveries listed in C., D., E., F. were reported by KPD. Myself and Councilmember Lovell did site visits with the KPD in protecting and preserving the site. The exposed remains along the shoreline were recovered and reburied in the nearby internment sites.

**D. Inadvertent Discovery of Human Skeletal Remains Reported by KPD on September 10, 2017 at shoreline fronting North Olohena Ahupua'a, Kawaihau District, Island of Kauai, TMK (4) 4-3-009:024.**

**Information/Discussion:** Discussion on the above item.

- E. Inadvertent Discovery of Human Skeletal Remains Reported by KPD on October 11, 2017 at shoreline fronting North Olohena Ahupua'a, Kawaihau District, Island of Kauai, TMK: (4) 4-3-2: 16.**

**Information/Discussion:** Discussion on the above item.

- F. Inadvertent Discovery of Human Skeletal Remains Reported by KPD on October 21, 2017 at shoreline fronting Kealia Ahupua'a, Koolau District, Island of Kauai, TMK: (4) 4-7-7:29.**

**Information/Discussion:** Discussion on the above item.

- G. Training for Kauai Niihau Island Burial Council on membership, roles, and responsibilities.**

**Information/Discussion:** Discussion on the above item.

**(BRING BLACK TRAINING BINDER)**

## **VI. ANNOUNCEMENT**

- A. Next meeting date is scheduled for Wednesday, December 20, 2017**

## **VII. ADJOURNMENT**

Pursuant to §92-3 HRS, all interested persons shall be afforded an opportunity to present oral testimony or submit data, views, or arguments, in writing on any agenda item. Additionally, pursuant to a policy adopted by the Oahu Island Burial Council at its September 14, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.

Pursuant to sections §92-4, §92-5(a)(8), and §6E-43.5, Hawaii Revised Statutes (HRS), and upon compliance with the procedures set forth in section 92-4, HRS, the council may go into a closed meeting to consider information that involves the location or description of a burial site.

A request to be placed on a burial council meeting agenda must be made with the Burial Sites Program staff at least two weeks preceding the scheduled meeting date. In addition, the request must be accompanied by all related documents. Failure to comply with this procedure will delay the item to the following month's agenda.

Materials related to items on the agenda are available for review at the State Historic Preservation Division in room 555 of the Kakuhihewa Building located at 601 Kamokila Boulevard, Kapolei, Hawaii 96707. Persons with disabilities requiring special assistance should contact the division in advance at (808) 692-8015.