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LAND
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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

**MINUTES
HAWAI'I ISLAND BURIAL COUNCIL MEETING**

DATE: Thursday, January 16th, 2020
TIME: 9:30 AM
PLACE: Division of Forestry and Wildlife
Conference Room
19 E. Kāwili St.
Hilo, HI 96720

ATTENDANCE:

HIBC Members: **Present:**
Chair Nālei Pate-Kahakalau (Hāmākua)
Vice-Chair Kalena Blakemore (Puna)
Member Clifford Kaponu (Hilo)
Member Norman Ka'imuloa (Kona)
Member Scott Mahoney (Ka'ū)
Member Waiola Higa (Hāmākua)
Member Desmon Haumea (Ka'ū)

SHPD Staff: Chris Omerod, Burial Sites Specialist
J. Kea Calpito, Burial Sites Specialist

Guests: Lokelani Brandt, ASM Affiliates, Inc.
Aoloa Santos, ASM Affiliates, Inc./Descendant (IV.A.)
Keikialoha Kekipi

I. CALL TO ORDER

Chair Kahakalau call to order the meeting at 9:45 A.M.

II. ROLL CALL/PULE

Member Higa conducts pule.

Clifford Kaponu, Waiola Higa, Scott Mahoney, Norman Ka'imuloa, Kalena Blakemore, Nālei Kahakalau.

(Desmon Haumea)

III. MINUTES

A. Approval of the Minutes for December 19, 2019.

MOTION: To approve the minutes
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Higa
VOTE: Motion carried unanimously

IV. BUSINESS

A. Update on SIHP Site #50-10-74-29699, Lanihau 2nd Ahupua‘a, North Kona District, Island of Hawai‘i, TMK: (3) 7-5-001:015.

Information/Discussion: Update on the above item.

Summary:

- Aoloa Santos
 - The day of the disinterment was a beautiful day
 - Many of the family members came to help with the work
 - The reinterment at O‘ahu cemetery was completed
 - *Shared photos of the reinterment location*
 - Father sends his mahalo to the council
 - The family is happy with what ASM was able to do
- Lokelani Brandt
 - Disinterment process
 - Dismantle pōhaku, located crypt, and excavated by hand
 - Osteologist on site to assist with identification
 - Had SHPD as a third-party observer
 - Remains were consistent the oral history
 - Filled in the site with stones and soil that were removed
 - Lineal descendants took some of the pōhaku home
- Member Kapono
 - Motions that Lokelani Brandt, archaeologist, be contracted to the Hawai‘i Burial Council as our professional consultant to confirm any questions we might have and help to mitigate any problems in the future by evidence of the findings of the disinterment of SIHP #50-10-74-29699 (2nd by Member Mahoney)
 - Last paragraph (in the rules) gives (the council) full reign on interpretation on what has to be done
 - State needs to follow US Constitutional law and 4th amendment right to due process
 - The council wants to have professional counsel in looking at the iwi
 - Appreciates the opportunity to bring the motion to the table
- Member Ka‘imuloa
 - The remaining material of the coffin
 - Buried with the remains
 - The council doesn’t have the power to contract people
 - The HIBC is here for the iwi, not for other stuff
 - Consult the AG office on contracting
- Member Mahoney
 - Doesn’t think that the council can make everyone go to Brandt for consulting
 - Every council member has their own opinion and that’s why they vote

- Vice-Chair Blakemore
 - Paper should be written on Brandt's experience in this process
 - A contract would be a heavy burden to lay on Brandt
 - Brandt can share her experience if requested by the council
 - Don't need to take a motion for Brandt to come, she will come if the HIBC reaches out to her
- Member Higa
 - Concerned with exclusion on opinion to just consult one person
 - The disinterment/reinterment protocol was determined by Santos' family and Brandt's advice was good, but it cannot be just her advice, exclusively
- Member Haumea
 - Discussion on being progressive rather than regressive
 - Doesn't like racial rhetoric
 - Find a solution and discuss in a way that's pololei
 - Would like the State to challenge what the HIBC does
- Chair Kahakalau
 - HIBC is a State process and having a matter of record is good when the HIBC tries to move forward with responsibilities
 - Use of Robert's Rules and moving towards traditional rules for meetings
 - HIBC should push the envelope and scope of responsibilities

MOTION: **That Lokelani Brandt, archaeologist, be contracted to the Hawai'i Burial Council as our professional consultant to confirm any questions we might have and help to mitigate any problems in the future by evidence of the findings of the disinterment of SIHP #50-10-74-29699**

MOVED BY: **Member Kapono**

2ND BY: **Member Mahoney**

VOTE: **Motion failed unanimously**

B. Discussion on Hawai'i Island Burial Council Membership, Roles, and Responsibilities. Information/Discussion: Discussion on the above item.

Summary:

- Member Haumea
 - Governors move to limit the scope of the burial council's authority
 - Affecting if you own 25 acres or less
 - Stripped the board of authority
 - Signed into law yesterday (January 15, 2020)
 - Third item on the Governor's agenda
 - Write a letter on behalf of HIBC in opposition
- Keikialoha Kekipi
 - Section 106 Process
 - Consultation process and NHOs
 - Recommendations of the Burial Council
 - FEMA money for recovery on the highway
 - Road through Puna to Kumukahi
 - Adverse effects outside of the roadway
- Member Kapono
 - Would like more facts and background information regarding the issue before writing a letter

- Member Blakemore
 - Council members can all write the letter together using Google docs
 - OHA legislative package
 - Inadvertents that are found will be considered previously identified
 - Standardize archaeology practices
 - HIBC could write a letter saying of concurrence
- Member Mahoney
 - Can word the letter to what we all agree to
 - Will have Member Haumea draft the initial letter

V. ANNOUNCEMENTS

A. The Next HIBC Meeting is Thursday, February 20, 2020, 9:30 AM at the West Hawai'i Civic Center Conference Room, 74-5044 Ane Keohokālole St., Kailua-Kona, HI 96740.

VI. ADJOURNMENT

Meeting adjourns at 11:36 A.M.

*****THE ABOVE MINUTES WERE APPROVED AT THE 02/20/2020 HIBC MEETING*****

Pursuant to §92-3 Hawai'i Revised Statutes (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 Hawai'i Island Burial Council at its November 17, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.

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

Pursuant to §92-2.5(d) HRS, if a meeting must be cancelled due to lack of quorum, the present council members may elect to continue to receive testimony and presentations on items on the agenda.

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 located at 40 Po'okela St., Hilo, HI 96720. Individuals requiring special assistance or auxiliary aids or services (e.g., sign language interpreter, wheel chair accessibility, or parking designated for the disabled) at the HIBC meeting, please contact staff at least 72-hours prior to the meeting at (808) 933-7653 so that arrangements can be made.

