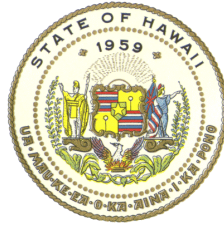


DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION
KAHO'OLAWE 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

MINUTES
HAWAI'I ISLAND BURIAL COUNCIL MEETING

DATE: Thursday, February 20th, 2020
TIME: 9:30 AM – 1:30 PM
PLACE: West Hawai'i Civic Center
Council Chambers
74-5044 Ane Keohokālole Hwy.
Kailua-Kona, HI 96740

ATTENDANCE:

HIBC Members:

Present:

Chair Nālei Pate-Kahakalau (Hāmākua)
Vice-Chair Kalena Blakemore (Puna)
Member Norman Ka'imuloa (Kona)
Member Scott Mahoney (Ka'ū)
Member Waiola Higa (Hāmākua)

Absent:

Member Desmon Haumea (Ka'ū)
Member Clifford Kaponono (Hilo)

SHPD Staff:

Chris Omerod, Burial Sites Specialist
Kea Calpito, Burial Sites Specialist

Guests:

Keikialoha Kekipi (IV.A.)

I. CALL TO ORDER

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

II. ROLL CALL/PULE

Member Higa conducts pule.

Waiola Higa, Norman Ka'imuloa, Nālei Kahakalau, Kalena Blakemore.

III. MINUTES

A. Approval of the Minutes for January 16, 2020.

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

IV. BUSINESS

A. Update on the Memorandum of Agreement Between the Department of Land and Natural Resources and the University of Hawai‘i, Cape Kumukahi, Kula Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-4-002:092.

Information/Discussion: Update on the above item.

Summary:

- Kea
 - On the agenda for Keikialoha Kekipi who wanted to address issues
 - Preservation measures as recommended by the HIBC in 2002 were never implemented by the University of Hawai‘i
 - Written as an MOA between DLNR and UH
 - Based on correspondence, the proposed buffer may have shrunk
 - Burials were found in 1999 because they were removed and DOCARE opened up an investigation
- Keikialoha Kekipi
 - County, State, and OHA are going to rush a process to do housing
 - The County is going to help expedite the process
 - Site has a preservation number so that it means it's in the public domain under the trust of the State and the burial councils
 - Definition of a cemetery – multiple burials and sites are defined as a cemetery
 - UH didn't sign because the buffers were 500 and 250 feet passed by the council
 - Counties have a conflict of interest in the historic review process
 - FEMA monies were used for Highway 130 and the County didn't do the Section 106 Consultation Process or come to the council
 - There's recovery money now and people will start going to the beach
 - This process doesn't work
 - Public access is a concern because people might breach the burial sites
 - Recommendations made by HIBC 18 years ago were weightless and caught up in bureaucracy
- Member Ka'imuloa
 - If the MOA is still good or does UH need to come back since they didn't sign it
 - 18 years is too long so UH should come back
 - These guys cannot come in and ask the council to make decisions and not follow through with them
 - Need to be more proactive with making amendments to the laws and rules
 - What is the issue about and why was there a request to be place on the agenda
 - The plan as it is written looks fine though there is a problem because UH didn't sign 18 years ago
- Vice-Chair Blakemore
 - As an agreement, all parties need to sign an MOA
 - Motions that SHPD follow-up on the MOA between DLNR and UH
 - Issue is not simple and has many layers
- Member Higa
 - No policing of HIBC's recommendations

- Returning to the council should be written into the plans or have a final report
- Chair Kahakalau
 - Contentious issue that has been going on is that the HIBC approves things but never knows the outcome of it
 - Buffer zones are one of the biggest things the HIBC has and it is the first thing looked for in the BTP
 - There should be a watchdog organization to help assist the HIBC

MOTION: That SHPD follow-up on the MOA between DLNR and UH
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Ka'imuloa
VOTE: Motion carried unanimously

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

Summary:

- Kea
 - Historic review process
 - Not designed to allow developers to get their permit before preservation measures are implemented, including when a BTP is involved
 - Descendancy claims
 - SHPD writes a recommendation based on genealogical documents that were submitted and whether it meets certain criteria in the rules
 - The IBC has the power to recognize descendants so when applicants come to a meeting, members can ask for any genealogical information they might need to make a determination
 - Section 106
 - Federal process when federal money is involved or on federal lands
 - Burial Treatment Plans
 - BTPs need to be “triggered” by an AIS
 - SB2076
- Member Mahoney
 - Why is this item still on the agenda if the AG said the HIBC couldn't do this?
 - Kea: The HIBC can discuss this item, just not in executive session without an AG rep present
 - Going through the Cultural Resource Commission to help protect sites
- Vice-Chair Blakemore
 - Site visits to follow-up on the implementation of measures
- Member Higa
 - Travel reimbursement should be covered for follow-up site visits because it's part of the HIBC's responsibilities
- Chair Kahakalau
 - Hānai is considered family with respect to descendancy claims

V. COMMUNICATIONS

A. Letter from Belt Collins Hawai'i LLC, dated January 07, 2020, RE: Pre-Consultation for an Environmental Assessment Proposed DHHL Kona Wells Project – Gianulias Property Tax Map Key: TMK: (3) 7-5-014:001, Hōlualoa, Hawai'i Island, Hawai'i.
Notification/Discussion: Notification and discussion on the above correspondence.

Summary:

- Kea
 - Pre-consultation letter seeking persons who would like to be involved during the consultation process.

B. Letter from The Limtiaco Consulting Group, Inc., dated January 29, 2020, RE: Pre-Assessment Consultation, Preparation of an Environmental Assessment for the Department of Land and Natural Resources Administration Facility in North Kona District, Island of Hawai‘i, Tax Map Key (3) 7-3-010:061 (por.).

Notification/Discussion: Notification and discussion on the above correspondence.

Summary:

- Kea
 - Pre-consultation letter seeking persons who would like to be involved during the consultation process.

VI. ANNOUNCEMENTS

A. The Next HIBC Meeting is Scheduled for Thursday, March 19, 2020, 9:30 AM at the Division of Forestry and Wildlife Building, 19 E. Kāwili St., Hilo, HI 96720.

VII. ADJOURNMENT

Meeting adjourns at 12:10 P.M.

*****THE ABOVE MINUTES WERE APPROVED AT THE 07/16/2020 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.