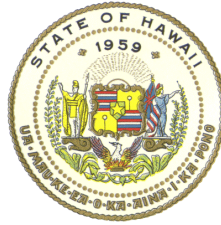


DAVID Y. IGE
GOVERNOR OF HAWAII



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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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BUREAU OF CONVEYANCES
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ENGINEERING
FORESTRY AND WILDLIFE
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, October 15, 2020
TIME: 9:30 AM – 1:30 PM
PLACE: Online via Zoom

Zoom Meeting Link:

<https://us02web.zoom.us/j/82155786131?pwd=L29GVGtweVFpVyt6NVZJRmZXQlILUT09>

**Meeting ID: 821 5578 6131
Passcode: J6Aw4d**

***Audio Recording at <https://dlnr.hawaii.gov/shpd/about/branches/ibc/meetings/> ***

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

SHPD Staff:

Kea Calpito, Burial Sites Specialist
Chris Omerod, Burial Sites Specialist
Ka'ahiki Solis, Cultural Historian
Tamara Luthy, Ethnographer
Linda Chow, Deputy Attorney General (Attorney General Office)

Guests:

Keawe Alapai (V.D.)
Ka'ale Pajimola (V.B., V.C.)
Sarah Pajimola
Kamakana Ferreira, OHA (VI.B.)

I. CALL TO ORDER

Chair Kahakalau calls to order the meeting at 9:32 A.M.

II. ROLL CALL/PULE

Nalei Kahakalau, Desmon Haumea, Waiola Higa, Scott Mahoney, Kalena Blakemore, Clifford Kapono (Norman Ka'imuloa arrived at 10:05 A.M.)

III. RULES OF CONDUCT

IV. MINUTES

A. Approval of the Minutes for September 17, 2020.

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

V. BUSINESS

- A. Descendancy Recognition Application of Mary-Laurietta Paris (Whittington) to Unidentified Native Hawaiian Skeletal Remains Located within SIHP #50-10-74-24403 and -24407, Hi'ona'ā Ahupua'a, Ka'ū District, Island of Hawai'i, TMK: (3) 9-5-014:017. Information/Discussion/Determination:** Discussion and determination whether to recognize the applicant as a cultural descendant to unidentified Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever location or 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.

Summary:

Recording: 00:00 – 09:30 (Recording began at 10:16 A.M.)

- Member Haumea (00:00, 01:45)
- D.A.G. Chow (00:35, 02:45)
- Member Kapono (03:30)
- Vice-Chair Blakemore (05:00)
- Member Ka'imuloa (05:45)

- Council member to interview applicant
- Grouping descendant applicants within the same family together
- Authenticity of descendants and showing identification/verification
- **Vote at 08:30**

MOTION: Defer until next meeting after Member Haumea has conversation with the applicant
MOVED BY: Member Kapono
2ND BY: Member Haumea

VOTE: Motion carried by majority [YAY: 4 (Kahakalau, Ka'imuloa, Kapono, Haumea); NAY: 2 (Mahoney, Higa); ABSTAIN: 1 (Blakemore)]

B. Descendancy Recognition Application of Joshua Pajimola to Unidentified Native Hawaiian Skeletal Remains Located in Kukuiopa'e Ahupua'a, South Kona District, Island of Hawai'i, TMK (3) 8-7-010:009.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to unidentified Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever location or 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.

Summary:

Recording: 09:35 – 36:45

- Joshua (Ka'ale) Pajimola (13:30, 28:00)
- Member Haumea (26:00)
- Member Ka'imuloa (32:45)
- Chair Kahakalau (34:00)
- **Motion and vote at 36:00**

- Personal testimony by applicant

MOTION: To recognize Joshua Pajimola as a cultural descendant
MOVED BY: Member Haumea
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously

C. Descendancy Recognition Application of Joshua Pajimola to the Skeletal Remains of Kamala Hu, Interred at the Ahuna Family Grave Site, SIHP #50-10-57-1967, Located at Kukuiopa'e Ahupua'a, South Kona District, Island of Hawai'i, TMK (3) 8-7-010:015.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a lineal descendant to unidentified Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever location or 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.

Summary:

Recording: 36:45 – 40:00

- **Motion at 37:00**
- Member Mahoney (37:45)
- Member Ka'imuloa (38:00)
- **Vote at 39:40**

MOTION: To recognize Joshua Pajimola as a lineal descendant
MOVED BY: Member Haumea
2ND BY: Member Kapono
VOTE: Motion carried unanimously

D. Descendancy Recognition Application of Keawe K. Alapai to Unidentified Human Skeletal Remains, Located in 'O'oma 2 Ahupua'a, North Kona District, Island of Hawai'i, TMK (3) 7-3-007:038 and (3) 7-3-009:007.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to unidentified Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever location or 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.

Summary:

Recording: 40:30 – 01:49:45

- Keawe Alapa'i (42:45, 51:45, 57:15, 01:07:00, 01:17:00, 01:31:50, 01:38:45)
- Kea (44:15, 52:00, 01:24:15, 01:34:45)
- Chair Kahakalau (49:45, 01:33:45)
- Member Ka'imuloa (51:00, 01:02:15, 01:22:00)
- Member Kapono (55:00, 01:00:00, 01:12:00, 01:16:00, 01:23:00, 01:29:30, 01:37:45, 01:40:30, 01:45:00)
- D.AG. Chow (55:30, 59:00, 01:01:00, 01:14:15)
- Member Mahoney (01:05:00, 01:21:00, 01:43:00)
- Vice-Chair Blakemore (01:06:30)
- Member Haumea (01:10:45, 01:26:30)
- Member Higa (01:31:05)
- Chris (01:37:00)
- **Motion at 01:29:00**
- Personal testimony by applicant
- Definition of cultural and lineal descendants
- SHPD process and recommending descendants
- Authority of the council
- Rights of the applicant
- **Vote at 01:49:15**

MOTION: To recognize the applicant as a cultural descendant

MOVED BY: Member Ka'imuloa
2ND BY: Member Haumea
VOTE: Motion carried unanimously

*****10 Minutes Break at 12:05 P.M. (01:50:14)*****

- E. Reconsideration of the Motion “No Developer Issue Can Come to the Table During COVID-19,” Adopted by the HIBC at the August 20, 2020 HIBC Meeting.**
Information/Discussion/Decision: Discussion and decision on whether to reconsider, amend, or rescind the above motion.

Summary:

Recording: 01:51:30 – 02:04:25

- D.AG. Chow (01:52:00)
- Member Kaponu (01:52:55)
- Chair Kahakalau (02:03:15)

- Courts are open and access has always been available
- COVID-19 puts plaintiffs at a disadvantage was reason for motion
- **Motion and vote at 02:04:00**

MOTION: To rescind the motion
MOVED BY: Member Kaponu
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously

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

The Council may elect to go into executive session pursuant to HRS §92-5(a)(4), to consult with the council's attorney on questions and issues pertaining to the council's powers, duties, privileges, immunities, and liabilities.

Summary:

Recording: 02:04:30 – 02:19:30

- Vice-Chair Blakemore (02:05:15)
- **Motion and vote at 02:07:30**
- Kea (02:08:45)
- Ka'ahiki (02:11:30)
- Tamara (02:14:00)
- Member Haumea (02:17:00)

MOTION: To post the audio recording of meetings online
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Mahoney
VOTE: Motion carried unanimously

VI. UPDATES

- A. DRAFT Burial Treatment Plan for Site #50-10-27-18511, Lili'uokalani Trust Lands in Keahuolū Ahupua'a, North Kona District, Island of Hawai'i, TMK: (3) 7-4-025:015. Information/Discussion/Determination/Recommendation:** Discussion and determination on whether to preserve in place or relocate human skeletal remains at the above location.

Summary:

Recording: 02:19:30 – 02:33:30

- Member Ka'imuloa (02:20:30, 02:32:00)
 - Member Kaponono (02:21:15, 02:25:30, 02:29:30)
 - Chair Kahakalau (02:22:00)
 - D.AG. Chow (02:23:45)
 - Kea (02:30:00)
- QLT contacted SHPD stating that no additional iwi were found at or around the burial site

- B. Letter from Keone Kalawe, dated June 29, 2020 RE: Keone Kalawe, New Discovery of Hawaiian Burial Desecration on June 27, 2020 Located at Kumukahi, Kula, Puna, Hawai'i, TMK # 40020920000 Oda-Ching, Rosanne A Trust (80.73 Acres). Notification/Discussion:** Notification and discussion on the above correspondence.

Summary:

Recording: 02:33:35 – 02:41:45

- Vice-Chair Blakemore (02:34:00)
 - Kamakana Ferreira (02:36:45)
 - Member Haumea (02:39:40)
- OHA write letter to UH

VII. INADVERTENTS/COMMUNICATIONS

- A. Letter from the U.S. Department of Transportation, Federal Highways Administration, dated September 21, 2020, RE: Saddle Road Extension: From Mamalahoa Highway to Queen Ka'ahumanu Highway, Waikoloa and Pu'uana'hulu Ahupua'a, South Kohala and North Kona Districts, Hawai'i Island, State of Hawai'i Project No. DO-HI-0200(5) Tax Map Key: (3) 6-8-001:005, 066, 067; 6-8-002:013, and 014, 015; 7-1-003:001. Notification/Discussion:** Notification and discussion on the above correspondence.

Summary:

Recording: 02:42:00 – 02:55:30

- Kea (02:42:15)
- Member Ka'imuloa (02:43:00)
- Member Haumea (02:47:00)
- Member Kaponono (02:49:45)
- D.AG. Chow (02:50:00)

- Vice-Chair Blakemore (02:51:45)
- Tamara (02:54:00)

- General concerns with project

VIII. ANNOUNCEMENTS

A. The Next HIBC Meeting is Thursday, November 19, 2020, 9:30 A.M. Location TBD.

IX. ADJOURNMENT

Meeting adjourns at 1:23 P.M.

*****THE ABOVE MINUTES WERE APPROVED AT THE 11/19/2020 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, wheelchair 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.