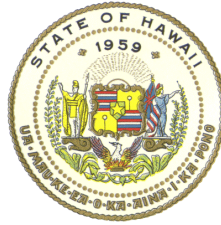


DAVID Y. IGE  
GOVERNOR OF HAWAII



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, December 17, 2020  
TIME: 9:30 AM – 1:30 PM  
PLACE: Online via Zoom

Zoom Meeting Link:

<https://us02web.zoom.us/j/85715927201?pwd=VzUxalkxZGZDdmR6bVhlVWxvbkkrdz09>

Meeting ID: 857 1592 7201  
Passcode: BMsq3V

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

ATTENDANCE:

HIBC Members:

Present:

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)

Absent:

Chair Nālei Pate-Kahakalau (Hāmākua)

SHPD Staff:

Kea Calpito, Burial Sites Specialist  
Chris Omerod, Burial Sites Specialist  
Cindy Young, Deputy Attorney General (Attorney General Office)

Guests:

Lokelani Brandt, ASM Affiliates, Inc. (V.A.)  
Laverne  
Angela Neller

I. CALL TO ORDER

*Vice-Chair Blakemore calls to order the meeting at 9:35 A.M.*

II. ROLL CALL/PULE

*Member Haumea conducts pule.*

*Norman Ka'imuloa, Waiola Higa, Clifford Kapono, Desmon Haumea, Scott Mahoney, Kalena Blakemore*

### III. RULES OF CONDUCT

### IV. MINUTES

#### A. Approval of the Minutes for November 19, 2020.

**Summary:**

**Recording: 04:30 – 06:15**

- **Motion at 04:35**
- Member Mahoney (4:45)
- **Vote at 6:05**
  
- Have responses from AG Office in writing

**MOTION:** To approve the minutes  
**MOVED BY:** Member Haumea  
**2<sup>ND</sup> BY:** Member Higa  
**VOTE:** Motion carried unanimously

### V. BUSINESS

#### A. DRAFT Burial Treatment Plan for Sites 50-10-74-24403, Features A, B, C, H and Site 24407, Hi'ona'ā Ahupua'a, Ka'ū District, Island of Hawai'i, TMK: (3) 9-5-014:045 and 069.

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

Recommendation to the State Historic Preservation Division whether to accept or not accept the above DRAFT Burial Treatment Plan.

**Summary:**

**Recording: 06:30 – 57:45**

- Lokelani Brandt (7:15, 29:50, 45:10, 53:25)
- Member Mahoney (15:25, 17:00, 28:30, 30:50, 40:10, 46:10, 52:05)
- Member Ka'imuloa (18:15, 32:35, 41:15)
- Member Kapono (19:45, 25:20, 33:05, 34:50, 40:55, 44:10, 50:30, 53:10)
- D.AG. Young (24:25, 43:15) (see below)
- **Motion 1 at 32:35**
- Vice-Chair Blakemore (34:30, 35:35, 42:10, 44:40)
- Member Haumea (36:40, 54:45)
- Member Higa (38:50, 47:45)
- **Vote 1 at 41:55**

- **Motion 2 at 51:00**
- **Vote 2 at 54:25**
- Descendants
- Buffer and walls, timeline
- Audit provision and compliance
- Implementation responsibility

D.AG. Comments

- *The enforcement provisions really are set out in the statute without statutory authority and a lot of times rules, enforcement is what the statute says it is, you cant put in penalties in the burial treatment plan, that's not the purpose of the burial treatment plan, the plan is the plan. It's not really a contract either where it's an agreement by parties, it's a plan, it gets accepted ultimately by SHPD with a recommendation from the burial council along with the determination by the burial council to preserve in place or relocate the skeletal remains.*
- *That's a really good question, there's no really good answer, enforcement is difficult. The Vice-Chair is correct, for there to be more teeth there needs to be a change or amendment to the statute, just to remind the council, the decision, in this case the decision to preserve in place, is supposed to be under the rule, recorded in the bureau of conveyances, that decision, and what that does is it lets future owners know that, that is the decision of the council, to preserve the remains in place.*

**MOTION:** To preserve in place  
**MOVED BY:** Member Ka'imuloa  
**2<sup>ND</sup> BY:** Member Haumea  
**VOTE:** Motion carried by majority [(YAY: 5 (Ka'imuloa, Blakemore, Higa, Mahoney, Haumea); ABSTAIN: 1 (Kaponu)]

**MOTION:** To recommend that SHPD accept the Draft BTP  
**MOVED BY:** Member Haumea  
**2<sup>ND</sup> BY:** Member Mahoney  
**VOTE:** Motion carried unanimously

**B. 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: 58:00 – 01:10:00**

- Kea (58:15)
- Laverne (01:02:40)
- Vice-Chair Blakemore (01:05:30)
- Member Ka'imuloa (01:06:05)
- Meeting locations

## VI. ANNOUNCEMENTS

A. The Next HIBC Meeting is Thursday, January 21, 2020, 9:30 A.M. Location TBD.

## VII. ADJOURNMENT

*Meeting adjourns at 10:49 A.M.*

**\*\*\*THE ABOVE MINUTES WERE APPROVED AT THE 01/21/2020 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.