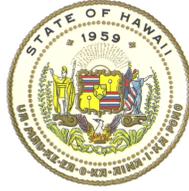


DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

MAUI / LĀNA‘I ISLANDS BURIAL COUNCIL
MEETING MINUTES

AGENDA MAUI LĀNA‘I ISLANDS BURIAL COUNCIL MEETING DATE: September 30, 2020

Call to order at 9:36 AM

Chair Dane Maxwell: Housekeeping rules: will be changing testimony time limit from 3 minutes to two minutes with 30 second warning to help get through the long agenda and microphone will be muted at 2 minutes. Everyone please remain cordial.

Roll call:

Chair Dane Maxwell

Kyle Nakanelua

Kaheleonalani Dukelow

Iris Peelua

Scott Fisher

[Johanna Kamaunu joins later, not present at roll call]

From SHPD:

Kealana Phillips

Ikaika Nakahashi

Kaahiki Soils

Tamara Luthy

Iolani Kauhane

Andrew McAllister

Jordan “Kea” Calpito

County

Dr. Janet Six

Approval of Minutes:

Minutes aren’t ready to be approved yet or for comment but 4 or 5 are posted on SHPD website where the motions and decisions have been pulled. Oahu staff will be assisting with completing the draft meeting minutes. Goal is to complete them by next month, if not after that. If any questions or clarity regarding motions or decisions reach out to Kealana directly

Dane Maxwell happy additional resources are being pulled in to be reviewed and approved

Noe Kaiwi English - gives greetings, born and raised in - she is testifying on behalf of her ‘ohana Oliveira for lineal descendency

Second generation of the application, her mother is the eldest - Ella Hoopai Oliveria and Frank Kaala. Her grandmother is buried in cemetery B and her two children as well. [inserts lots of names]

Chair Maxwell said if you are describing 'ohana and relative's locations we can go into executive session in break out room.

Honokalani for over 150 years, it is their home but the state condemned their land in the 60s and 70s and it became Wainapanapa and her relatives became caretakers. In Honokalani she learned to swim, picked false kamani leaves, got stung by Portuguese man-o-war

Returned one and ili ili pohaku after many warnings not to do so

She ran on the trails, Wainapanapa trail, the cave, followed grandma on surfboard picked shells coral left it on kūpunas graves in the area but she had to remind tourists of the boundaries and not to trample or climb on the walls or not to take shells left by the kūpuna. She recites these memories because they are the memories of not just her generation but those in those graves - her family were famous weavers of the area and their story is our story, hopefully of her keiki, so please consider her application. They represent not only those burial grounds but the land around it.

Continue to have concerns about the cemetery not just with malahini but kama'āina as well. Her family can explain a little but more as well.

Aunty Mavis also testifies

She is from the previous generation from her niece and her memories go even further back. Her niece's tutu lady is her mom, but her own Tutu Lady was a gatherer and taught testifier where all the limu pukas are, the opihi, they were gatherers and fishers and that's what she did and taught them. Also the Oliveras and the whole Pais but just her mom's kids and her kids here today. Small kind movement, construction in the state park and they are just worried about how far they are going and if they can consult with them that would be nice.

Kealana for SHPD recommendations:

36 applications put into one agenda item. Kealana said in the interest of time won't read the first paragraph which outlines and states that the applicant submitted application and whatnot. Paragraph 2 states in this case the applicants identified ancestors on the property and the applicants includes children grandchildren and great grandchildren. In the BTP the applicants were listed and so additional family members should also be recognized

List of names on the last page of the agenda, with 39 applicants representing 3 generations. Linda Chow deputy AG recommended consolidating into one agenda item.

Scott - if we make a motion, do we need to list out every person but he has only seven in the document he saw. Should he write the motion as Oliveira 'ohana if we move forward with the motion?

Chair Maxwell asks Business A agenda item A, 'ohana Oliveira - in motion it should reflect lineal descendency?

Scott Fisher makes the following motion: The Maui/Lāna'i Burial Council recognizes the 'ohana Oliveira (as described in the agenda item A, MLIBC meeting, September 30th, 2020) as lineal descendants to identified Human Skeletal Remains at Wainapanapa State Park, Ahupua'a of Honokalani, District of Hana, Island of Maui, TMK: (2) 1-3-005:007.

Motion passes

III. BUSINESS A. Descendancy Recognition Application of “‘ohana Oliveira (Names Attached) to Identified Human Skeletal Remains at Wai‘ānapanapa State Park, Ahupua‘a of Honokalani, District of Hāna, Island of Maui, TMK: (2) 1-3-005:007. Information/Discussion/Determination: Information, discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

B. Descendancy Recognition Application of John and Loretta O’Hara to Unidentified Human Skeletal Remains at Haneo‘o Road, Ahupua‘a of Mokae, District of Hāna, Island of Maui, TMK: (2) 1-4-010:004. Information/Discussion/Determination: Information, discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location

Maxwell: Testimony prior to reviewing and listening to applicants.

John Ohara - “Nana” - Makaleiana lives there with his wife. Mokaiana, his Margaret was from Makalae, Tutu Lady (name unclear). Here to be recognized as a cultural descendant of Makai Iwi Kūpuna. These were collected by SHPD and put into storage and he visited with Ikaika and Kealana. Save the Hana Coast and the Hana community became stewards of the Mokae land. Cultural descendant of Mokae the iwi kūpuna is their kuleana. They will establish a protocol for dealing with iwi kūpuna found on the land. He also wants to return the iwi in SHPD facilities as well. He requests to be a cultural descendant for mokae iwi.

Loretta Ohara - John Ohara is her husband and she accompanied him and Hamoa Beach, Mokae kou. Kekahunas are her ‘ohana in Mokae. Her mother was from Kaupo Maui. Kawea Punalua, Annie Kekahuna, Great Tutu Man. She is here today to be recognized as a cultural descendant of the Mokae iwi kūpuna. Following her husband’s involvement, she felt a calling to help and it is now her kuleana and calling to step up and be recognized. She and other descendants are now overseers and caretakers for the iwi kūpuna they buried at the Hamoa beach. She is also a Keau Hali Save the Hana Coast board director. The Mokae iwi kūpuna comes with the land. This is Keau Hali number one priority. She is proud to have this kuleana. Mahalo.

Kealana: In this case, the applicants provided sufficient genealogical material in the form of birth certificates, death certificates and marriage license to demonstrate the connection of the applicant to the burials in the same ahupua‘a. Furthermore, the applicant was previously recognized as cultural descendant to human skeletal remains in the same ahupua‘a at the May 16, MLIBC. Mrs. Loretta O'hara is the wife of Mr. John O'hara. Based on review of the submitted information, SHPD recommends recognition of the following individuals to be recognized as cultural descendants: John and Loretta O'hara.

Chair remembers meeting them in person in 2018 and these folks took on a tremendous kuleana and he is very grateful that they took on this type of kuleana.

Scott Fisher makes a motions: “The Maui/Lāna‘i Island Burial Council recognizes John and Loretta O’Hara as cultural descendants to Unidentified Human Skeletal Remains at Haneo Road, Ahupua‘a of Mokae, District of Hana, Island of Maui, TMK: (2) 1-4-010:004”

Motion approved

C. Descendancy Application of Pūlama Lima to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50-03-08807 and 50-50-03-08808, Ahupua‘a of Kuholilea, District of Lāhainā,

Island of Maui, TMK: (2) 4-5-017:001. Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Scott says that this is actually a lineal descendancy claim and they have an SIHP #. Pulama Lima is the applicant Pulama. Because this is pertinent to identified skeletal remains, she asks to move into executive session.

Scott makes motion to move into executive session to discuss lineal descendancy claim of Pulama Lima. Council approves and they move into executive session.

Council moves out of the executive session.

Dane Maxwell asks if any other testifiers for Agenda Item C - no more testifiers for Agenda Item C.

Moves to Kealana and letter from SHPD regarding the agenda item - SHPD letter of recommendation in regards to this agenda items - paragraph 2 states in this case the applicant was able to identify her ancestor as David Kekahuna Kalaluhi located in the Kekahuna Kalaluhi family burial plot located in the parcel in question and she was able to identify kūpuna children and grandchildren of David Kekahuna Kalaluhi and thus the applicant demonstrated sufficient evidence for direct genealogical information to those native Hawaiian skeletal remains. Based on the submitted information SHPD recommends Pulama Lima as a lineal descendant to the identified human skeletal remains at the above address.

Scott: The Maui/Lānaʻi Island Burial Council recognizes Pulama Lima as a lineal descendant to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50-03-08807 and 50-50-03-08808, Ahupuaʻa of Kuholilea, district of Lāhainā, Island of Maui, TMK: (2) 4-5-017:001

Seconded by Kahele, none opposed, motion carries

D. Descendancy Recognition Application of Keʻeaumoku Kapu to Identified Human Skeletal Remains at Kahoma Valley, The Haia Terrace System, Site #50-50-03- 01776, Ahupuaʻa of Panaʻewa, District of Lāhainā, Island of Maui, TMK: (2) 4-5- 016:009.

Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Kahoma Valley

Keeaumoku Kapu - says aloha kākou to the Maui Lānaʻi Island Burial Council. Thanks to Chair Maxwell for letting him come forward for the urgency of his application. The last time he was on the Haia terrace was in the early 2000s and he is very concerned on how we need to be more proactive in iwi kūpuna. He submitted not only his registration but also his affidavit and two documents - birth certificates of great-great grandfather and great great-grandmother (? spelling). Also submitted with that information the Kahoma terrace Project which identifies the terraces of the Haia family. He is asking for lineal descendancy so he can be more proactive in the area and the stewardship of our iwi kūpuna. He does not need to go into the executive session. He feels the council has more than adequate information in regard to his descendancy application and if there are any questions he is prepared to answer.

No other testifiers

No discussion in council members

Kealana: Chair Maxwell, paragraph 2 of the SHPD letter of recommendation: in this case, the applicant showed that his great grandfather Kekaihaia is buried on the terrace area known as the Haia terrace complex, Site #50-50-03-01776. Thus, the applicant has provided sufficient evidence that demonstrated direct genealogical connection of these Native Hawaiian human skeletal remains. SHPD recommends Keeaumoku Kahu to be recognized as a lineal descendant to the identified skeletal remains at the above location.

Scott motions: The Maui Lāna‘i Island Burial Council recognizes Keeaumoku Kapu as a lineal descendant to Identified Human Skeletal Remains at Kahoma Valley, the Haia Terrace System, Site #50-50-03-01776, Ahupua‘a of Panaewa, District of Lāhainā, Island of Maui, TMK: (2) 4-5-016-009.

Motion carries

E. Descendancy Recognition Application of Foster Among to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50-03-08807 and 50-50-03-08808, Ahupua‘a of Kuholilea, District of Lāhainā, Island of Maui, TMK: (2) 4-5-017:001. Information/Discussion/Determination: Information, discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Foster Ampong. He is going to let his paperwork speak for itself. If there are any questions. He is fine with staying in open session.

Kealana - SHPD letter of recommendation Paragraph 2: in this case, the applicant was able to identify the ancestors that were buried on the property as his great and great great grandparents. The deceased that are buried on property include Moses Kalaluhi, David Kalaluhi, Emma Lia Helekahi (? spelling), Paahau Kalaluhi, and Ululani Nahoopihi. The application provided sufficient evidence that demonstrated direct genealogical connection to the identified human skeletal remains at the above address. SHPD recommends that MLIBC recognizes this applicant Foster Ampong as a lineal descendant

Ceridwen Kauiekehahi Kamohalii wishes to testify

Foster asks if we are going into executive session or are we going to receive the testimony from the public?

Chair says this request comes from the testifier for the question

Kahele notes no one has requested that [executive session]

But Foster says this pertains to his filing. In the last 12 hours he received back and forth emails from Josh Dean (?) and maybe an hour before this IBC from the person who wants to testify. To encapsulate this, she wrote an email basically threatening him that if he comes forward with the claim, she will come to the council to disprove him with the information she will provide.

Chair Maxwell says his descendancy application shouldn’t be disclosed to anyone except the burial council. Beyond that there is no kuleana for anyone else to know your genealogy. Asks Kealana if his application is public in any way with his supporting documents? Anything brought up is external and will not reference his application in any way when responding to testifiers.

Asks Kealana, who verifies application and supporting documents get shared with council for evaluating the pertinent agenda items but outside of that the information should not leave with the burial council members. It’s a bit tricky now we are on Zoom but normally if they were meeting in person, he would give packets of applicants and information and once that agenda item is done [unclear, muffled]

Chair says this is not a place to air out anyone's business. Their task is recognition. Request to go into executive session by Ceridwen with Foster.

Kahele - we only go into executive session if Foster requests it and if he does request it he gets to choose who he goes into executive session with

Ceridwen asks to go into the executive session in chat.

Kealana says application and supporting documents are shared with the council for the purpose of evaluating pertinent agenda items but outside of that the information should not go beyond this. Normally Kealana gives packets for the agenda item.

Chair Maxwell says let's not air out anyone's business.

Kahele states that we only go into executive session if the applicant wishes it

Applicant says he raised this issue many months ago that specifically speaks to this point of going into executive session because he doesn't have confidence in the burial council's integrity at this point till his concern and complaint is resolved which it hasn't. He submitted a letter in regard to that issue. With regards to this testifier, he doesn't wish to go into executive session. If she wants to make a complaint to challenge his genealogy and he is fully prepared to do it right now in public.

Kahele clarifies that SHPD already made the recommendation so Ceridwen/Kahi may only testify. Council will make their motion

Ceridwen is the family genealogist for her 'ohana. She had sent an email to Foster today but it didn't threaten him, it was just to show the documents of the Kekahuna that does come from Kahoma Valley - there are in fact two men named Kekahuna, one was a brother of Keaweiwi Mateo. The Kekahuna that was the brother of Keaweiwi Timoteo died in 1883 and there is a probate for him which lists Timoteo as his son, the other was the brother of Nahoopihi, who is the wife of Nalehu of which the burial site is at. The property Nalehu where the burial site is located has a deed going from Kekahuna and his wife Kalehua to his grandson Kalaluhi. Foster's Kekahuna died in 1883, so how can a deed be done to Kalaluhi in 1886 from the same Kekahuna?

Her next concern is the 1878 census there are two records two separate records, and she could share her screen and share these documents because she wanted him to know the separation of the two Kekahunas. The Kekahuna that Foster comes from comes from Kanaha Valley, they are not buried in Kahoma Valley. The Kekahuna who is the grandfather of Kalaluhi is buried in kahoma. Foster cannot tie to this and she can show you the documents,

She can show you the probate for the Kekahuna who the brother of Keaweiwi is,

The deed from Kekahuna Kalehua to Kalaluhi for that specific Nalehu property

Probate for Kekahuna who the brother of Keaweiwi is

Timoteo married Kaahanui and that is where Foster comes from. Her concern is so many people are trying to claim these iwi kupuna and some are good in intentions including Foster, but he does not come from the Kekahuna that came from that site and she came prove it with documents,

Ceridwen says you can call her Kahi

She said Ikaika said she can share her screen.

Chair says want to see if council has questions first

Council Member Johanna joins at 10:38

Kahele prefers she submits any documents through the normal process rather than share screen wise

Dane Maxwell has a serious question as Kahi is on Agenda Business Item F and applying descendency for the same kupuna maybe or the same SIHP Number, they have a recommendation for Foster, and they haven't discussed her recommendation for her. They have different mo'oku'auhau

Kealana says this is correct - they are connecting to the same 'ohana through different kūpuna.

Chair asks if SHPD reviewed the mo'oku'auhau. He doesn't want there to be discrepancies. SHPD was recommending lineal descendency for Foster. Kahi wants lineal as well? Chair wants to discuss amongst council members.

If one applicant says one mo'oku'auhau is incorrect and tying to same SIHP number. Scott says this hasn't happened before in his 8 years previous to his knowledge.

Kealana says the AG is not in attendance

The recommendation is based on what was submitted and reviewed by SHPD.

Chair asks to take a 10-minute recess

After recess the Chair says we end testimony for now, this information is important to get before the meeting, particularly since the agenda goes out a week in advance

Not everyone knows what mo'oku'auhau was in the application and it should not be public.

Council takes a 10-minute break. The public doesn't know what mo'oku'auhau was submitted. Chair decides to leave the conversation there and close testimony. He wants discussion amongst council members now.

The council used the break to read the application for descendency - Chair asks Kealana do we wish to defer or approve?

Kyle said SHPD approved so he isn't about not approving

Kahele asks SHPD to read recommendations one more time.

Kealana rereads the recommendation: in this case the applicant was able to identify the ancestors buried on property as his great and great-great grandparents, Moses Kalaluhi, David Kalaluhi, Emalia Helekahi, Paahaoa Kalaluhia, and Ululani Nahoopihi [Kahaluhia family members]. Based on the evidence, the applicant demonstrated genealogical evidence of direct descent from these human skeletal remains. Based on the review of the submitted information, SHPD recommends MLIBC recognize Foster Among as lineal descendant.

Kyle says according to SHPD, Foster has sufficiently attached himself to all of those people buried at that property.

Chair - these are the same kūpuna that Pulama, the applicant before, shared. So, there is supporting information and documentation and he felt very strongly about Pulama's application and he feels the same way for Foster. He is confident in recommending lineal descendency

Kyle wants clarification - Foster has sufficiently proven genealogical connection to ALL of those people sleeping on that property, correct?

Chair: we all have the same document

Kyle, ok I am good approving all of that

Chair: this is uncharted territory that someone debates someone else's genealogy

Kahele - support that we move forward

SHPD approved based on the info provided by the applicant.

Scott Motions: The Maui Lāna'i Island Burial Council recognizes Foster Ampong as a lineal descendant to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50-03-08807 and 50-50-03-08808, Ahupua'a of Kuholilea, District of Lāna'i, Island of Maui, TMK: (2) 4-5-017:001

Motion passes with no dissent

F. Descendancy Recognition Application of Ceridwen Kauikekahi Kamohali'i McClellan to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50- 03-08807 and 50-50-03-08808, Ahupua'a of Kuholilea, District of Lāhainā, Island of Maui, TMK: (2) 4-5-017:001.

Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location.

One person to testify - Debbie Leopoldo

Donnalyn Kalei joins her. Each get 2 minutes a piece

Debbie says she may not even give testimony, depending on what her sister Donnalyn, has to say. She wants Donnalyn to go first

Donnalyn wanted to hear the applicant's testimony before

Chair says now is the time to testify - the applicant speaks afterwards

Debbie and Donnalyn discuss who will give testimony - they prefer what Kahi has to say first.

Chair clarifies that how we do things is they take testimony first and then the applicant speaks after. You cannot return after the applicant testifies.

Donnalyn - She thinks this is highly unfair, but she can respond and maybe Keeaumoku can add. They have been before the burial council; her mother has been before in 2007 or 2008. Back in 2006, they entered into a quiet title action filed by Pioneer Mill with their attorney and fought for about three years and she and her mother travelled back and forth from Hawaii island maybe 10 times to attend meetings and she filed all the prose (?) on behalf of her cousins her mother and herself because they are the - Kaumiumi and her Tutu Man and Kailihou - they traced the lineage all the way back. She is a retired UH professor. Although she is not an attorney, she filed a lot of motions against Pioneer Mill. She would have continued but in 2011 her husband passed away. What they did was they claimed the land. Also during that period, they posted signs on the land that this is their kuleana land. They are descendants of Kaumiumi and Kailihou. Also, she travelled to Honolulu so she could go into land records and it is written in a supreme court case in 1919. She has no notes with her and she feels very unprepared. She

asks to table this discussion to get more documentation and sufficient time for her to prepare but she just heard about the meeting the day before. She can send maps, testimony of her mother Mable Kaelaula Kailihou Jance - she can send all of that to you. She says Keeaumoku was on the council back then when she and her mother testified in maybe 2008 about the lands and that they are the descendants. They are the descendants. This person who appeared 5 years ago, they don't even know who she is, and her mother told her she isn't part of the family and she believes she is working for Peter Martin.

Debbie - She wanted to wait and hear what Kahi has to say because it may not even be about Kaumiumi. She reads a letter to Mr. Maxwell and the burial council from her mother - her name is Mabel Kealaula Kailihou Jance. Daughter of Samuel Kaluapana Kailihou who was born in 1882, Kaanapali Maui. Her father died October 11, 1940 in lower Kahoma Valley below the train track district of Puunoa, this is the dirt road along the Kahoma stream. Sister of Sarah Lauai Kailihou Takatani - they are the two living children of Samuel Kalaupana Kailihou.

Their father is descended from Samuel Nika Kalihou, aka Kaumiumi. Her brothers Matthew, Samuel, Bennet Kailihou carried the coffin of their father. The cemetery is located below the meeting of streams Kahoma and Kanaha stream, which branch out opposite. Both her sister Sarah and I witnessed the burial of their father. Kahoma and Kanaha streams - she has shown her children and nephews the sites of the burials. They would pass the graveyard whenever they would go to Tutu Nika's house down to the beach house on Puunoa Road. She has vivid memories of family burial sites, but the area has been backfilled and levelled for Kahoma Stream Project. Puunoa Road beach house. Honoapiilani Highway and the old track roads through cane fields to the old trail to get to home in Kahoma Valley. Moved out of the valley in 1936. On the day of father's burial, they travelled up the burial site from their beach house, when they came to the dirt road, they went till the road ended near Kahoma Stream. They walked with their father's coffin approx. 45-50 feet up the slight embankment and that is where the family burial site is located.

Donnalyn says give her more time, this was their mother's testimony from 2008

Debbie corrects this, saying that this was their mother's testimony from July 20, 2010

Chair suggests filing for cultural or lineal descendancy. Apologies but lots of items on the agenda

Keeaumoku Kapu - from Lāhainā. He thinks the discussion we had before - Donnalyn Kalei and Debbie Leopoldo were before the MLI burial council and were given lineal descendancy status so he can understand why - he thinks it's an odd time to get the agenda to the descendants. And for him a lot of discussions came up with iwi kūpuna that lay at rest in this area. What happened when the corps of engineers started to do the Kahoma Flood Project there were lots of interesting finds of iwi kūpuna of high magnitude in the cemetery and outside of the cemetery. The only one on the council back then was Keeaumoku and Scott Fisher. When this family came before the council. Mrs. McClellan also claimed descendancy to Kailihou who may have been buried in Kahoma Valley but records from Bishop Museum archives of the iwi kūpuna were taken from the cemetery on the outside of Kahoma Valley cemetery but it was a nightmare that the corps of engineers left iwi kūpuna under the bypass. When the county took over, the County tried to re-inter at Mala but it didn't work out so 18 boxes of iwi kūpuna were reinterred in Ritz Carlton Kapalua. The family has been doing their due diligence to repatriate their iwi kūpuna back to Kahoma. There is a misunderstanding of relationship of kūpuna that came from Kahoma, they location of the iwi kūpuna, etc. he concurs with Debbie and Donnalyn that until they get factual information for this 'ohana - location of iwi kūpuna and where they were laid to rest - family has legitimacy to say more research needs to be done. Osteological report from Bishop Museum on where they are laid to rest. Until we get factual information on any iwi kūpuna related to this 'ohana, it may be that a lot of the palina is also related to the Nalehu cemetery as well. The location of these kūpuna and where they are laid to rest and what palina are laid to rest - Kaumiumi, Kailihou - family has legitimacy to say more research needs to be done and where exactly kūpuna are.

Chair thanks Keeaumoku for bringing up that they are cultural or lineal descendants. He asks if Keeaumoku is familiar with the new SIHP numbers.

Council previously did a site visit, two locations, two site numbers, he wishes he was there to identify and register. But he wasn't there to identify and register the burials.

He knows one was located on the Nalehu palina and doesn't know where the second one was. Question is info that would disclose who is buried there - may be in defiance of Kailihou family to say otherwise and that's the reason why he just forwarded the agenda to them because he knows their mama and their parents and they have been very close to address the issue in Kahoma and who could repatriate the burials on Ritz Carlton

Chair - application is based on SIHP numbers

Keeaumoku - in relation to anything to do with that family he thinks they have a right to address where the kūpuna are laid to rest

Foster Among testifies - he vouches for Debbie and Donnalyn's story, even if they didn't complete it, because his mom grew up with their mother in Kahoma. Their mom also shared the stories with him that they began to share with the council of her personal life and growing up in Kahoma. When you have kanakas born and raised on the continent and they don't grow up here in the islands when they move home and search for identity and self-worth, they are passionate and hungry for their identity. He goes on to say Kahi is a good researcher, all the documents she cited are all public documents, able to do research but is missing the oral genealogy. Not fact based, it's circumstantial. It's passed on orally to them when they are little kids. For him, his family genealogy started when he was born all the way through childhood and adulthood and in the last year of his mom's life when she passed away in 2005. Here what seems to be missing is the applicant's presentation is the oral history like a lot of kanakas born on the continent. That's where they stumble and end up maha'oi other people's genealogy.

Ceridwen/Kahi - She was born in California and when she was 5 days old her mother who was in the Navy brought her back to Hawaii and gave her to her grandmother and she was raised in Ewa Beach and Makakilo and she currently lives in Maili. She is not a mainland raised Hawaiian. She was a hanai child of her grandmother and her grandmother had diabetes so spent days with uncles, aunties, and especially grandpa. Her grandfather was Elias Kalinahunalo Kamohalii, and he was the one who told her about Samuel Kailihou. This is the Kamohalii family - they have descendants named for Samuel Kailihou. Uncle Stanley Kamohalii is still alive in California and when she called to say what they said, they had met with the Kailihou in Kaneohe and her grandfather Elias was there at the family reunion. Donnalyn all of them had that conversation with their mother who said she was not part of the Kailihou family. But her grandfather Elias was there at a family reunion with them in Kaneohe.

She is sad that she has to come here to prove that she is descended from her ancestor who is buried in the Nalehu parcel - he is not buried on the terrace and she didn't want to put the mo'oku'auhau out there in the public but she will do so because of what has happened. She said it is sad she has to defend herself and prove her genealogy. She shows her grandfather Elias Kamohalii's birth certificate with the names of his parents as well - Gregory Kailihou Kamohalii and Elizabeth Maelua. Shows certificate of marriage for Gregory K Kamohalii and Elizabeth Maelua, the parents of her grandfather.

Father Samuel Kailihou and Mother Jane "Tutu" Ku, Ku Kahoalii.

She knew her authenticity as a Kailihou would be questioned -

Then shows Lilian Kaholo Kahoalii Victor's, her mother Ku Kahoalii, same mother as Gregory. Her testimony shows she was born in Kahoma Valley. She had a husband named Sam Kailihou and one son named Gregory. The son Gregory was born in Lāhainā in Kahoma Valley.

Lily's mother also took Nika Kailihou as a husband - Nika Liilii was their son and he was born in Kahoma Valley.

Gregory Kamohalii is her great grandfather.

Ku Kahoalii

Kalaluhi-Kekahuna burials are in question with the Kalaluhi and Kailihou families....need to go back and fill in this info of mo'oku'auhau

Pulama Lima is a Kalaluhi and her family is buried on that site, but her 'ohana, Samuel Kailihou, is also buried there. She is not a maha'oi mainlander.

Nalehu burials are being claimed by so many people, but the people who need to be claiming them are not. Her grandfather Elias was pure Hawaiian and grew up in Lāhainā and moved to Oahu.

Chair asks about the testimony - he didn't recall seeing that in the application packet. Where and why was this recorded? Where did it come from?

Kahi/Ceridwen It's the Hawaiian Delayed Birth Certificate of the late sister, recognized by the state. Lilian Victor was half-sister of Tutu Gregory, secretary of Kamokila Campbell, secretary for the

Kealana: second paragraph in this case the applicant was able to identify her ancestor as her great great grandfather as Sam Kailihou, and other family members Keanani Kailihou, Sophia Kailihou, Kauakahi Kailihou and Nailiili. Applicant provided sufficient evidence of direct genealogical connection. Applicant Kahi Kamohalii.

Chair: Did Kahi also submit a burial registration form?

Kealana: No

Chair: But she did supply enough supporting documents to show her kūpuna are in this SHPD?

Kealana: yes, from the information provided

Chair: Lots of comments on the chat box

Kahele has a question for Kealana: are you certifying that her kūpuna listed on the application are located there? You are certifying that?

Kealana: SHPD has no concern about her genealogy. Everything she submitted was confirmed and verified. Everything she submitted suggests that her ancestor is buried on the parcel in question based on what she submitted.

Kyle - we are here to affirm the research and SHPD connecting the points of everyone that sends in their paperwork for lineal and cultural descendancy. That's what their body does. So based on the recommendation, as contentious as it might be, there was a demonstration on the applicant's behalf of her connection to the people at rest on that property so he is in support of moving this forward

Kahele: kāko'o

Based on the precedent when the state says genealogy has been demonstrated and they verify that descendancy has been verified that's how we operate

Kahele: we also have access to all the Birth certificates, death certificates

Are there 'ohana Kaili hou who were previously recognized by the burial council? The conversation should be handled outside it shouldn't be handled here in the meeting. Have you ever seen anything like this?

Kahele: suggest Scott put up the motion and finish with that before we discuss the other stuff

Chair: once we put forward the motion the discussion is only on that

Johanna: There are two things we are looking for: Genealogy and evidence of the kūpuna being buried at the specific site. She is not sure that she is comfortable with the accuracy of the burial site. We have a SHPD number attached to it and she is going to assume that was done some time ago. She would really like to look at that document. A challenge has come up and we are hemming and hawing what we are sure about. We should take time to research that. Either it will come up she is right or why it hasn't turned up that way.

Scott: The Maui Lāna'i Island Burial Council recognizes Ceridwen Kauikekahi Kamohalii McClellan as a lineal descendant to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50-03-08807 and 50-50-03-08808, Ahupua'a of Kuholilea, District of Lāhainā, Island of Maui, TMK: 92) 4-5-017:001

Andrew McAllister - Andrew says there are two confirmed burial sites from the site inspection recently. One of them was a previously identified feature of a site - 1203 - and according to the LCA maps and TMK maps provided by Dane, SHPD collected GPS location data of features observed in the field and when processed and georeferenced, they occur in an area that appears to be a former house lot and burial map. The other site is a cave burial site. He can give further info on how they made this determination if the council wants.

Chair Dane just wants to know if names correspond with what the applicant provided in the documents

Andrew pulls up the report for the LCAs. History and culture looked at it more specifically. One was marked as a burial and one was interpreted as a burial based on what was observed in the field. He doesn't have the full information at his fingertips right now

Scott's question - this has never happened in the 10-11 years he's been on the burial council where someone's genealogy is contested. Generally, it follows a pattern, person presents, SHPD recommends, there have been gaps in evidence but never a direct challenge. Hypothetical question: If later on evidence suggests the genealogy was erroneous, can lineal descendancy be amended or in the extreme case revoked? This is a question for SHPD or the AG.

Chair asks why: why do you claim lineal descendancy to these iwi kūpuna - not be maha'oi, but we want to know why you want to take on this responsibility, why you want to take on this kuleana. This is the core question.

Kahi: She is surprised she is being asked this question. She has been her family's genealogist for 20 years and she has been trying her best for Kahoma Valley. She has gone head to head with that land company and because she did some research for them her motives are being questioned.

Chair: it matters if you can factually prove it but we are at an impasse where it matters to him what her motives are.

Kahi/Ceridwen: Her motive is to protect her kupuna. Someone built a shed next to the burials and is claiming that burial site. It's not ok. She started the application 20 years ago but never finished it because

the burials were hidden in the bushes. She knew where they were and she would always visit when she went to Kahoma. She didn't until they were revealed when someone weed whacked the site. That's why she came forward. There are no other Kailihous who did the application and because of what is happening in Kahoma valley she doesn't want them to touch the burial site anymore. It isn't theirs. We know who is there. The whole purpose is to show that there is a living person here who can claim the burials. Too many kūpunas don't have heirs today but Samuel Kailihou has hundreds of descendants but she's the first to make the application for that particular burial site and she only knew the burial site was there because of her grandfather. Pioneer Map #5 shows exactly where Nica's house is at - Kailihou and Kalaluhi are related but no document to show this but there are pedigree charts - they had specific areas in Nalehu and the Haia terraces for burials.

Kahele - the two things they are looking at is to certify genealogy and show that the person is actually buried there - she has reviewed the documents and asked Kealana to confirm their mana'o that those people are actually located in that area. Kealana, are you confident those kupuna are located in that area?

Kealana shows he is confident that the kupuna are there.

Johanna - based on the info presented to them, and based on the confirmation of SHPD, she feels the applicant has made her case for lineal descendancy. If by any chance something isn't right later on, there is a way for the burial council to return to the decision not by way of a contested case but by making it an agenda item to revisit. We can do that.

Chair: if in the future the kupuna is not for some reason [who she claims] there we can revisit it. His concern is that this is the kūpuna and they are protected by their lineal or cultural descendants.

Motion is revisited

Johanna would like to add based on "SHPD's confirmation"

Scott's motion: The Maui Lāna'i Island Burial Council recognizes Ceridwen Kauikekahi Kamohalii McClellan as a lineal descendant to Identified Human Skeletal Remains at Kahoma Valley, Site #s 50-50-03-08807 and 50-50-03-08808, Ahupua'a of Kuholilea, District of Lāhainā, Island of Maui, TMK: 92) 4-5-017:00, based on the confirmation provided by the State Historic Preservation Division.

Johanna: Does she specify specifically who is there that she is connecting genealogy to?

Kahele: It's in the application not in the motion

Chair: It's like any other application where we don't disclose the name of the kupuna because that then becomes public.

Motion passes

G. Descendancy Recognition Application of Foster Among to Unidentified Human Skeletal Remains at the Lāhainā Cannery Phase 2 (Fuel Station) project, Ahupua'a of Moali'i, District of Lāhainā, Island of Maui, TMK: (2) 4-5-011:004. Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Foster: Unless the council has any question, he has nothing to see. Foster just goes along with recommendation

Kaniloa Kamaunu - referring to Foster's claim he has no discrepancy on that. He is concerned about the burial that they found close to a site that was already supposed to be discovered before - there is a burial site there - his concern because they have been going through contested cases - is that what happens to those that disturbed it? The area that they discovered the iwi wasn't too far from a recognized site by SHPD. He didn't hear anything after the find. He brought this up with SHPD with the contested cases - the penalties that are supposed to be applied since there is actually a site? is there any information on this? Has this ever been brought up to the Burial Council?

Dane says plan to re-agendize that issue and have the individual come forward

Kealana: In regard to this cultural descendanty application, SHPD letter of recommendation paragraph two: applicant provided sufficient evidence to an ancestor who once resided in this ahupua'a of Moalii. They are a 5th generation descendant of Timoteo Keaweiwi who lived in this same ahupua'a. SHPD recommends we recognize Foster Among as a cultural descendant to the unidentified human skeletal remains at the above site.

The Maui/Lāna'i Island Burial Council recognizes Foster Among as a cultural descendant to Unidentified Human Skeletal Remains at the Lāhainā Cannery Phase 2 (Fuel Station) project, Ahupua'a of Moalii, District of Lāhainā, Island of Maui, TMK: (2) 4-5-011:004

Motions passes

H. Descendancy Recognition Application of Etan Kawika Krupnick to Identified Human Skeletal Remains at Paeohi Street, Ahupua'a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4-5-023:069. Information/Discussion/Determination: Information, discussion and determination on the applicant's descendanty recognition application to Native Hawaiian skeletal remains at the above location.

Etan: Thanks for putting him on the agenda today. He is the great grandson of his tutu lady Kaahunui. You all have the paperwork and if you are good to move forward so is he.

Foster testifies Etan is his cousin, their Tutu Kaahunui, he ties straight into Foster's genealogy.

Kealana: letter of recommendation: Applicant was able to identify his ancestor buried as his great-great grandparent Kaahunui Kimokeo, applicant provided sufficient evidence that demonstrated direct genealogical relation to the identified human skeletal remains. SHPD recommends the MLIBC recognize Etan Krupnick.

Chair: Why are you seeking cultural descendanty:

Etan: There's a certain time when things just come to you, and he believes that everything is in the right timing. When you want to accept a certain path in your life you want to be really ready to inhale everything that comes in rather than walking away. There are certain things he sees now. He sees now in his life - his family has always been number one and he wants to take it further, seeing family members slowly pass away it's only right to slowly collect the stories and this is the right path to

Chair: he expects that anyone who takes on this kuleana: you must be a voice and you must protect. Everybody who steps into those spaces is mākaukau to that.

Kyle asks if Etan is formerly of Haiku.

Etan: He stayed in Kyle's hale for a few years when his daughter was first born

Kyle: wishes him good luck taking on the responsibility of mālama iwi kūpuna, it's a great weight and a great gift

Scott makes the motion: The Maui Lāna'i Island Burial Council recognizes Etan Kawika Krupnick as a lineal descendant to Identified Human Skeletal Remains at Paeohi Street, Ahupua'a of Paunau, District of Lāhainā, Island of Maui, TMK (2) 4-5-023:069

Seconded Kahele

Passes

I. Descendancy Recognition Application of Kamaile Kimokeo to Identified Human Skeletal Remains at Paeohi Street, Ahupua'a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4-5-023:069. Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Foster makes a presentation on behalf of the applicant. Kamaile has no internet access and is working right now so he is standing in for her on her behalf. Their great grandmother (Kaahanui Kimokeo) has a registered burial there and Kamaili is claiming her lineal descendancy.

Kealana: able to identify great-grandparent Kaahanui Kimokeo at the SIHP #, recommendation that applicant provided sufficient evidence of direct genealogical connection

The Maui/Lāna'i Island Burial Council recognizes Kamaile Kimokeo as a lineal descendant to identified human skeletal remains at Paeohi Street, Ahupua'a of Paunau, District of Lāna'i, Island of Maui, TMK (2) 4-5-023:069

Passes

J. Descendancy Recognition Application of Jennifer Noelani Ahia to Unidentified Human Skeletal Remains at the Wailuku Civic Complex Phase 1A Off-Site Improvements Project, Reported to the Maui Office of the State Historic Preservation Division on May 29, 2020, Ahupua'a of Wailuku, District of Wailuku, Island of Maui, Road R-O-W TMK: (2) 3-4-013:099.

Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location

Kaniloa Kamaunu - on this issue, the county recognized her, she did protocol for reinterment, she has been involved with that situation in that area and already recognized as a cultural descendant in Wailuku he wants to support Noelani's application

Noelani Ahia - this agenda item was on the agenda a few months ago but SHPD hadn't forwarded all the paperwork, but she says the Council should have the paperwork. She changed the kūpuna (connected to Kiha a Piilani) so she can choose her battles and make it easier for people to claim descendancy in Wailuku. SHPD didn't want to acknowledge SHPD that district meant moku but an ahupua'a but the SHPD website says moku. She claims Kekaulike because he is buried in Iao and there's a closer connection to this particular kūpuna who was unearthed in this project and this kūpuna has been put back in the ground. She is still working with the county on what will happen going forward but the kūpuna has been put back in the ground and reconsecrated.

She wishes to say something else too - she is a diaspora kanaka and she was born and raised on the continent and then she was called home by her kūpuna. It is very difficult to make the transition to come home and its hard when their kūpuna ask them to come home and they come back to the islands and then are treated poorly. It's very difficult to come home. She was led by her kūpuna and it is to them that she is obedient. Has she made mistakes? Yes, but she is led by her kūpuna and she hopes more people from the mainland will come home and stand up to mālama iwi kūpuna. It is their birthright. The people cannot be healthy till the kūpuna can rest.

Kealana - applicant provided sufficient evidence to Kekaulike who is buried in the ahupua'a of Wailuku

Maui Lāna'ī Island Burial Council recognizes Jennifer Noelani Ahia as a cultural descendant to Unidentified Human Skeletal Remains at the Wailuku Civic Complex Phase 1A Off-Site Improvements Project, Reported to the Maui office of the State Historic Preservation Division on May 29, 2020, Ahupua'a of Wailuku, District of Wailuku, Island of Maui, Road R-O-W TMK: (2) 3-4-013:099

Approved

K. Descendancy Recognition Application of Carol Lee Kamekona to Unidentified Human Skeletal Remains at the Grand Wailea Maui Resort, Ahupua'a of Paeahu, District of Honua'ula, Island of Maui, TMK: (2) 2-1-008:109. Information/Discussion/Determination: Information, discussion and determination on the applicant's descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Clare Apana - she is very much in agreement with the chair as to the reason why people come forward and she assures that Carol comes forward with the utmost and highest sentiments to protect the kūpuna with whom she is very connected and she has made a very strong connection in this place. This is the district of Honuaula, this is the traditional name used by Aha Moku, not Makawao as said by the state. She prefers that the original place name be used - formerly known as the district of Honuaula. It's confusing and we lose more history this way. It's been a long process where documents could not be given to you or were not given to you and I hope you will listen carefully when Ms. Kamekona brings her case to you and take into account how much she has already done to take care of her kūpuna.

Noelani - she wants to offer support to Aunty Carol and she has seen the respect and reverence and the dignity that she treats iwi kūpuna. The palapala was sort of messy on SHPD's end and she's seen this in the past with contentious issues with development - we have seen SHPD not put people's paperwork forward, or lose documents, not pass things on to the burial council - she wants to be sure that you folks have everything you need, that you have everything that was sent to you and that SHPD didn't lose anything. She does understand that she has everything that she needs to make her descendancy application. She hopes you can find her palapala sufficient so she can advocate for these kūpuna who need advocacy now. Mahalo nui.

Vernon Kalanikau - he follows on what Aunty Clare was saying. It is Paeahu - on OHA's site, Paeahu is in Kula moku. There are discrepancies and he want to make sure that it is Paeahu and Honuaula (?). He is doing the sign project and there is discrepancy with what maps you are going to use.

Chair: are you in support of Carol Lee's descendancy application

Vernon: He isn't sure about Carol's descendancy application, he supports her, but he mostly wants to say above Piilani Highway it is Makawao in Hana depending on who you talk to, and some people disagree.

Boundaries are important. For South Maui (inaudible) goes almost to Waikapu. It is important for the boundaries to keep on it. He supports Clare.

Kaniloa - he knows dealing with Carol that there is a lot of discussion as far as the connection - she has been an advocate especially through their contested case for the Grand Wailea. As we were going through that it upset her on a lot of issues in the contested case with the planning commission. It's hard when you work hard to protect the iwi. He can honestly say that Carol has been an advocate. People who know him know that he is not about making money or making a name for himself but doing what is right. He has worked with Carol for many years and seen her grow about the protection of iwi, he can't say there is a better person to add to the list who are already there as an advocate. We certainly need more advocates. Tomorrow there is a CRC meeting about development in that area. We need kanaka to step forward and expose themselves, their mo'okū'auhau, to protect. There is no underlying agenda with her. She is an honest person and has concern about iwi kūpuna and has no other agenda. Lots of action on the south side with both iwi and water issues and she is a great person for this job. Carol is a good candidate to be able to help protect. It's in her heart and in her spirit to do it.

Keeaumoku - he is the CEO of Aha Moku, Maui Inc. He wants to share his thoughts on this discussion for Carol. To broaden the scope of our fiduciary duties when we recognize kanaka in whatever manner it may be. We should focus on identity and character as kanaka and we step to the plate when we are often challenged by adversaries - there are kanaka that stand on the forefront there are kia'i who are making sure people are following the rule of law. And many times, he has sat with Carol and talked mo'okū'auhau genealogy how we all tie together - through Kawawa (? Kawawa?) he identified kūpuna buried mauka of that area - Kula mauka - kūpuna buried Mauka of that moku in Honuaula as well as Kula mauka. Kaliokalani Nalea Kamaumau o Kanai, who had children with Kalani Kali Lipoau (?) - Papai, Kamaka, Huupuu (the only kane), Pukahe and Moiloa - throughout the whole moku in relationship to a lot of the family that still reside there today. The 'ohana makai - the Chang, married to Kamaka. Her genealogy stems from that.

Carol Lee asks to discuss genealogy in a breakout room for executive sessions. SHPD staff can come. She requests Keeaumoku, Kaniloa, Marciel Basbas, and Noelani Ahia also be allowed to attend.

Go into executive session - **recording ends after the executive session**

Kealana's letter: applicant provided evidence connected her to an ancestor Kauhola-nui-mahu who resided in Honuaula in the 1100 AD. He was credited with building the loko i'a of Keoneoio and Oneuli, Onipaa Heiau (Kaeo), as well as other good works by Fornander and Ashdown. Kauhola-nui-mahu's wife Neula is said to be from a Maui family that had ties to Honuaula. Kauhola-nui-mahu's mother, Laakua, was Maui's noted chiefess who dwelt in the lands of Keoneoio. SHPD verifies the info listed above but where the evidence falls short is the ahupua'a in question. Submitted info did not connect the applicant to Paeahu ahupua'a. Wahi Pana of Paeahu. Whatever it takes he puts his support in recognition of Carol.

Discussion -

Scott rights motion to have her be a cultural descendant - ahupua'a OR district qualify applicant
Kahele agrees and the ancestor she claims descendancy from resided in Honuaula. Stated in Malo Moku as district discussion?

Scott: the AG interprets moku and ahupua'a as district?

Multiple council members suggest that the website of SHPD says moku is district

Johanna - ancestor clearly lived in Honuaula - their body is on protection of the iwi, so they have room to broaden the definition. She doesn't like boundaries

Scott states motion but does not put it in the chat box

Maui Lāna‘i Island Burial council recognizes Carol Lee Kamekona as a cultural descendant to Unidentified Human Skeletal Remains at the Grand Wailea Maui Resort, ahupua‘a of Paeahu, District of Honouaula, Island of Maui, TMK: (2) 2-1-008:109. This decision, while contrary to the recommendation made by SHPD, is superseded by the MLIBC’s interpretation of HRS 13-300-35 (h), which states that an ancestral connection to both the ‘ahupua‘a’ or ‘district’ qualify an applicant as a cultural descendant. The applicant has satisfactorily demonstrated a connection to an ancestor who once resided in the district of Honouaula

Passes

L. Descendancy Recognition Application of Vernon Kalanikau to Unidentified Human Skeletal Remains at 442 Kenolio Road, Ahupua‘a of Waiakoa, District of Kula, Island of Maui, TMK: (2) 3-9-041:032. Information/Discussion/Determination: Information, discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

Vernon Kalanikau

This is his Uncle Pat’s place in Waiakoa. Uncle built his Hale mid 1990s and they found iwi kūpuna fully intact, 2 adults 3 keiki. During construction of uncle pat’s place Sam Kaai and two arch people were on site and he wanted to wait and see what his uncle wanted so he came in later through kuleana and learning. His uncle Patrick Kalanikau passed away a few years ago then the ‘ohana lost his parcel 2 years ago due to foreclosure and he discussed with Kealana that they can move the iwi to his place, which he previously didn’t want to do because his uncle’s parcel was all sand but his is all rock, up through Koieie fishpond is all rock. He has an idea of how to kanu

Scott motions Maui Lāna‘i Island Burial Council recognizes Vernon Kalanikau as a cultural descendant to Unidentified Human Skeletal Remains at 442 Kenolio Road, Ahupua‘a of Waiakoa, District of Kula, Island of Maui, TMK: (2) 3-9-041:032

Passes

M. Descendancy Recognition Application of Vernon Kalanikau to Identified Human Skeletal Remains at Holopuni Road, Ahupua‘a of Pūlehuiki, District of Kula, Island of Maui, TMK: (2) 2-3-060:077. Information/Discussion/Determination: Information, discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

This area is just off Kula Glen off Kula highway and then just goes straight and that’s where their Tutu Rachel is from, Grandma Rachel’s Mom Tutu Hatti and his Tutu man (name) as well. Aunty Mary Hoopii Uncle Walter’s wife in Kahakuloa - it didn’t go well how they lost the land. they moved to Hoopii plac with Uncle Walter and Aunty Mary’s place. He was raised in Kahakuloa then moved to Happy valley then moved back to family lands eventually. There's a burial site number that his cousin had, and he wants to add his name as lineal.

Applicants were able to identify ancestors on the property as great grandparents buried on property, Jack and Hattie Hanamaikai. Showed sufficient evidence

The Maui Lāna‘i Island Burial Council recognizes Vernon Kalanikau as lineal descendant to Identified Human Skeletal Remains at Holopuni Road, Ahupua‘a of Pulehuiki, District of Kula, Island of Maui, TMK: (2) 2-3-060:077

IV. UPDATES A. Maui Lani Subdivision Phase VI, Ahupua‘a of Wailuku, District of Wailuku, Island of Maui, TMK: (2) 3-8-099: pors. Information/Discussion/Recommendation: Update on the above project.

Noelani - the judge denied request to end case, so it is still ongoing
This is what her lawyer said is allowed

Andrew Chianese - reiterated what Noelani said, they feel they've been in compliance with injunction order, no immediate plans to proceed, Noelani can be present at the property and witness as we proceed

Kaniloa wants to testify: contested case for the last month or so and its very mind blowing how all this comes to be, starts off with bad archaeology, especially in sand dunes, very incompetent, admission that many firms have not sent their fillings on time for monitoring programs and missing files that haven't been produced for years and SHPD is inadequate to monitor - these developments get put through on very shallow - they don't know what their application has - applicant and also administrator has a statement of conditions on who should be notified. SHPD admin doesn't even know who they should contact and what the responsibilities are.

Info brought forward was never acted upon. SHPD also failed to have those who were qualified to make assessments of areas working in. from 4 to 180 and other than the 4 everything else is inadvertent? Want to take it apart to minimize responsibility. Approval to work is very complicit going against their own rules.

Clare - memorialize efforts because they have been good. In contested case 2797 is still part of Phase 6 Maui Lani. Burial preserve started in 2006 when first came forward. 5 burials and other burial preserves which were presumed to have at least 25+ plus. Aunty Annetee said it's up to 70 placed in the preserve and these burials are under the purview of burial council - now it's in phase 6 once more and told they had been taken out. Good burial preservation isn't evident - will they build houses right up to the burial preserve. Needs to be adequate and respectful burial preservation and shouldn't have to wait till they end of the construction and whatever money is left. Annette Hughes has kept up. Jeff Pantaleo who did the AIS is the person who started 2797 in 1997. Makes sure adequate burial treatment

Potential to recess and reconvene tomorrow

Noelani says case isn't over, hasn't started, only preliminary injunction has occurred

Recess at 1:50 PM, will recess and reconvene sometime next week - some items must be taken care of
Ikaika said must recess and reconvene when council is ready but must be the exact same agenda
How will the public be notified?

Hinano says recess and reconvene with a new agenda, need to re-post

If following Wednesday, needs agenda out tomorrow for the following Wednesday

Meeting adjourned, come back and reconvene and agendize what hasn't been covered (Updates A-on since A hasn't been closed).

B. Proposed Treatment of Inadvertent Discovery of Human Skeletal Remains at the Waiko Light Industrial Project, Ahupua‘a of Waikapu, District of Wailuku, Island of Maui, TMK: (2) 3-8-007:102. Information/Discussion/Recommendation: Discussion and recommendations for the proposed treatment of inadvertently discovered human skeletal remains.

V. CORRESPONDENCE A. Letter Dated July 14, 2020 from The County of Maui, Department of Public Works, Engineering Division re: National Historic Preservation Act, Section 106 Consultation with Native Hawaiian Organizations and Potential Consulting Parties, South Kihei Road Pavement Rehabilitation, Waiohuli Ahupua‘a, District of Wailuku, Island of Maui, Federal-Aid Project No.: STP-3100(016). Tax Map Keys(s): (2) 2-1-008: Por. Road, (2) 2-1-010: Por. Road, (2) 2-1-021: Por. Road, (2) 3-9-002: Por. Road, (2) 3-9-003: Por. Road, (2) 3-9-004: Por. Road, (2) 3-9-005: Por. Road, (2) 3-9-009: Por. Road, (2) 3-9-010: Por. Road, (2) 3-9-011: Por. Road, (2) 3-9-012: Por. Road.
Information/Discussion/Recommendation: Discussion on the above letter.

B. Letter dated September 17, 2020 from Councilmember Tamara Paltin re: Cold Planning and Utility Installation Within an Area Containing Known Historic Burial Grounds. Cold planning on Kaua‘ula Road (TMK: 02-04-06-015) and Trenching for Utility Installation along Mill Street at Hokiokio Place (TMK 02-04-07-003:031 and 02-04-06-013). Ahupua‘a of Pāhoā, District of Lāhainā, Island of Maui.
Information/Discussion/Recommendation: Discussion on the above letter.

C. The Kahana Solar Project, Kahana and Māhinahina 1-3 Ahupua‘a, Moku of Lāhainā (formerly Kā‘anapali), Maui, located at TMK (2) 4-3-001:017 (por.), 082 (por.), 084 (por.)
Information/Discussion/Recommendation: Update on the above project. Mara Mulrooney (Pacific Legacy) and Julia Mancinelli (Innergex Renewables) to give PowerPoint presentation.

D. Draft Archaeological Preservation Plan for the Palauea Cultural Preserve, Palauea Ahupua‘a, Honua‘ula, Maui, TMK: (2) 2-1-023:034. Information/Discussion/Recommendation: Discussion on the above plan. E. Letter dated August 28, 2020 from Mr. Clyde Kahalehau, Po‘o of Aha Moku O Wailuku (AMOW) re: Recognition of Marcial Pualani Basbas as Genealogist of AMOW.
Information/Discussion/Recommendation: Discussion on the above letter.

VI. TRAINING A. Training for Maui Lāna‘i Islands Burial Council on membership, roles, and responsibilities. Information/Discussion/Recommendation: Discussion on the above item. (BRING BLACK TRAINING BINDER) The Council may go into Executive Session pursuant to Hawai‘i Revised Statutes section §92-5(a)(4), in order to consult with its attorney on questions and issues pertaining to the Council’s powers, duties, privileges, immunities, and liabilities. VII.

ANNOUNCEMENTS A. Next meeting is scheduled for Wednesday, October 21, 2020 Pursuant to Hawai‘i Revised Statutes (HRS) §92-3, 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 Maui Lāna‘i Islands Burial Council at its August 25, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item. Pursuant to HRS §92-4, §92-5(a)(8), and §6E-43.5, and upon compliance with the procedures set forth in HRS §92-4, the Council may go into a closed meeting to consider information that involves the location or description of a burial site or to discuss confidential genealogy. A request to be placed on a Council meeting agenda must be made with the History and Culture Branch 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 Maui State Historic Preservation Division located at 130 Mahalani Street, Wailuku, Maui, Hawai‘i 96793. INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) AT THE MLIBC MEETING, PLEASE CONTACT

STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 243-1285 SO THAT ARRANGEMENTS CAN BE MADE.