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HAWAII



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COMMISSION ON WATER RESOURCE MANAGEMENT

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M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

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HISTORIC PRESERVATION  
KAHOOLAWE 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

**DRAFT  
Agenda Minutes  
O'ahu Island Burial Council**

**DATE:** Wednesday, May 12, 2021  
**TIME:** 10:00 AM  
**PLACE:** Zoom meeting via zoom technology

**MEMBERS:** (members present)  
Aulii Mitchell, Waianae Representative; Vice-chair  
Mana Caceres, Ewa representative  
Kamanao Mills, Large Landowner Representative  
Chuck Ehrhorn, Large Landowner Representative  
Diane Fitzsimmons, Waialua Representative  
Nanea Lo, Kona Representative

**SHPD:** Lesley Iaukea, Oahu Burial Sites Specialist  
Kaahiki Solis, Historian  
Cindy Young, Deputy Attorney General  
Lauren Chun, Deputy Attorney General  
Dane Maxwell, MLIBC Chair

**GUEST:** Keala Norman  
Akau Ohana  
Kolea Fukumitsu  
E Halealoha Ayau  
Ian Masterson  
Andrea Hall  
Angela Neller  
Allison's iPad  
Skye Razon-Olds  
Laura Ann Krupke  
Leilani Coelho  
Michelle Makalua-Yee  
Kawaiahao Church  
Jean Ehrhorn  
Kalai (Kamuella Kalai)

Kai Markell  
Ka'eo Kane  
Jean Mahealani McClellan  
Lani Maa Lipilio  
Bill Haole  
Trisha Watson  
Scott Belluoimini  
Hinaleimoana Wong-Kalu  
Matt McDermott  
Alan Murakami  
CSH  
Afredo Loza  
Luis Morales Villalobos  
Nicolas Delas Casas  
Luis Sanchez  
Lana  
AHummel  
Manny Kuloloio

**Council Terms:**

**Waianae Representative:** Charles Aulii Mitchell, Vice-Chair. Term expires June 30, 2023.

**Ewa Representative:** Norman Mana Caceres. Term expires June 30, 2024.

**Kona Representative:** Nanea Lo. Term expires June 30, 2024.

**Waialua Representative:** Diane Fitzsimmons. Term expires June 30, 2024.

**Koolauloa Representative:** VACANT

**Koolaupoko Representative:** VACANT

**Landowner/Developer Representative:** VACANT

**Landowner/Developer Representative:** Chuck Ehrhorn representing Campbell Estate. Term expired June 30, 2019 and is on a HOLD-OVER.

**Landowner/Developer Representative:** William Kamanao Mills representing the Kamehameha Schools. Term expires June 30, 2025.

**I. CALL TO ORDER**

Vice-chair Aulii Mitchell refuses to start the meeting and waits for former Chair Hinaleimoana Wong-Kalu to start the meeting even though she is no longer on the OIBC.

Vice-chair Aulii Mitchell and Kamaano Mills asks SHPD Burial Sites Specialist Iaukea to allow the council to chat with each other on the zoom at the same time as the meeting. Iaukea says she is not able to.

-Former Chair Wong-Kalu starts the meeting and thanks the council for their support. Wong-Kalu ask is Hinano is in the meeting?

-Iaukea: No, not today.

-Wong-Kalu: Is the Deputy Attorney General on?

-Iaukea: Yes.

-Mana Caceres: Can we go through each council member and go through what each member asked to represent?

[Recording 05/210512 @ 0:15.00]

## **II. ROLE CALL/PULE**

No roll call done. Wong-Kalu asked Bill Haole to give the prayer.

[Recording 05/210512 @ 0:24.00]

Caceres: Can we go ahead with what I said earlier?

Wong-Kalu: Yes.

Mitchell: I applied for Kona even though I am a representative for Waianae. I need clarity.

Wong-Kalu: I need to know from each council member if you are okay with me not getting off of the council and remaining on as your chair. Note: Each councilmember individually answered that they were happy to have Wong-Kalu stay on the OIBC and to remain as the chair.

Wong-Kalu; Is there anyone from SHPD that will file a complaint about me staying on the OIBC and remaining as chair?

Iaukea: You'd have to ask the Branch Chief and Administrator that question.

Wong-Kalu: Why don't we ask the Deputy Attorney Generals. Also, let's ask them why our council does not have nine members?

Chun: You don't need nine members. The laws states that the max amount of people is nine and least to have is five. You don't need nine.

Halealoha Ayau: I disagree.

Wong-Kalu: I understand I did not fill out an application to be put back on the council and therefore I am not eligible to be on the council today. But OHA put me on their list so therefore I should be on the council.

Manny Kuloloio: Hina, is Linda Chu Takayama your friend?

Wong-Kalu: No Manny, Linda Chu Takayama is not my friend.

Young: Deputy Attorney General Young explains the statutes and brings clarity to the confusion of the council.

Wong-Kalu: Should we go into Executive Session for agenda item A under III. Discussion? Ehrhorn, Mills, Mitchell say no; Lo says she needs clarity; Caceres changes his mind and says he asked to go

into Executive Session earlier because she thought SHPD was going to try and reassert that Hina not be on the council at this meeting. Caceres changes his mind when he saw everyone else say they don't need the Executive Session.

Young: The Attorney General office is not involved in the process but the OIBC needs to consult with the

Wong-Kalu: Halealoha, what questions would you like to ask the Deputy Attorney Generals?

Ayau: Ayau confused with the statutes and process and asks why does the council not have 9 members?

Young: The council can have as low as 5 and as high as 9 members.

Wong-Kalu: Whom will you serve today? (Asking the Deputy Attorney General and SHPD staff).

Wong-Kalu confused as to why she did not get reappointed to the council after NOT reapplying and turning in an application with the Boards & Commissions. She feels that she should stay in her position because OHA sponsored her even though there was no application from her this year.

Wong-Kalu has five issues:

1. Wong-Kalu questions why she was not reappointed, even though she did not turn in an application for re-appointment. Wong-Kalu says that other past council members have remained on the council but did not need to reapply.
2. Wong-Kalu questions why can't she stay on the council until June 30 even though the Hawaii State Legislature made Nanea Lo the official representative for the Kona seat on the council.
3. How did Nanea Lo get appointed to be the Kona representative is she did not apply for the Kona representative seat?
4. Why are there three representatives for the Kona district?
5. If Chuck Ehrhorn terms out in June, then why isn't chuck out before me? Wong-Kalu feels that Chuck should leave the council before her.

Wong-Kalu takes a break and steps away from the meeting and puts the Vice-chair Mitchell in charge.

Ehrhorn: We need SHPD to not put Lesley on the spot every month. Ehrhorn request that Branch Chief, Hinano Rodrigues, be at the June OIBC meeting to answer all of the items under III. Discussion, A-D.

Chun: explains the process through the laws as to why Wong-Kalu needed to put in an application and what happens when she did not do so. Since Wong-Kalu was on hold-over, if anyone else applies for that district and makes it through the acceptance process (Boards & Commissions application process, governor approval, and getting vetted through the Hawaii State Legislature) then that person will be officially taking over that seat. The only way to ensure that she keeps her seat while in hold-over status was to re-apply again. It is because Nanea Lo became an official representative for the Kona seat that Wong-Kalu lost her seat.

Ehrhorn: Wants to move on in the meeting. But suggests that Hinano Rodrigues, Alan Downer, Deputy Attorney Generals, Boards & Commissions, and someone from the Governor's office be put on the agenda to ask them questions regarding the IBC process.

Wong-Kalu comes back to the meeting.

Wong-Kalu hears the explanation from Deputy Attorney General Chun as to why Wong-Kalu is not on the council and refuses to believe Chun's interpretation of the law. Wong-Kalu refuses to leave her seat on the OIBC and lets the council and community know that she will continue as being the Chair for the council. Wong-Kalu asks all members of the council again if she should be at the meeting next month as a councilmember and Chair. She also asks new councilmembers, Diane Fitzsimmons and Nanea Lo if she has their support to stay on the council and be their chair. All council members agree for Wong-Kalu to return to be on the council as the chair. Wong-Kalu does not allow the vote for a new chair/vice-chair to occur.

Wong-Kalu goes into a long speech about urging the councilmembers, community members, and SHPD staff to undo the events that led her off of the council. Wong-Kalu asks the council to stop the meeting and to reconvene in a week on May 20<sup>th</sup> to have those people responsible to come to her at the meeting and explain what and why they took her off of the council. Those names are the same as above: Hinano Rodrigues, Alan Downer, Deputy Attorney General Linda Chow, Boards & Commissions, and "someone from the Governor's office." Wong-Kalu asks the council to make a motion.

Kamanao Mills: I make a motion that we reconvene this meeting and hold a special meeting next week on May 20, Thursday at 10am. Also, the agenda items will be the same as this May 12<sup>th</sup> meeting. The special meeting will focus on items III. Discussion; A-D.  
Second: Aulii Mitchell.  
Vote: Yes (All members).

Kamanao Mills; I move to adjourn the meeting.  
Mitchell: Second.  
Meeting ends at 140pm before starting this meeting.

Note: The agenda below was not heard.

### **III. DISCUSSION**

- A. Compliance with HRS § 6E-43.5(a).**
- B. Clarification of the appropriate process of nomination to an island burial council pursuant to HRS § 6E-43.5 and HAR 13-300-21(b).**
- C. Clarification of the process of removal from an island burial council pursuant to HRS 26-34(d) and HAR 13-300-23(b) relating to the status of OIBC members Hinaleimoana Wong-Kalu and Charles Ehrhorn.**
- D. Compliance with the procedures for replacing a board member in accordance with HRS § 26-34(b) and HAR 13-300-23 involving the status of OIBC members Hinaleimoana Wong-Kalu and Charles Ehrhorn.**

### **IV. BUSINESS**

- A. Pursuant to HRS § 6E-43.5(f)(4); HAR § 13-300-24(e), the council shall elect a chairperson and a vice-chair person.**

- B. Update on O‘ahu Island Burial Council membership, roles, and responsibilities.**
- C. Update for Kawaiha‘o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK [1] 2-1-032:017.**
- D. Update for burials located at 49-051 Johnson Rd., Hakipu‘u, Ko‘olaupoko District, Island of O‘ahu, TMK [1] 4-9-003:002.**
- E. Request from Skye Razon-Olds to discuss Iwi Kūpuna and the project surrounding a burial site at MCBH Kaneohe Bay on Mōkapu Peninsula.**
- F. Update on Unidentified Human Skeletal Remains at a burial cave on Pupukea Rd., Pupukea Ahupua‘a, Ko‘olauloa District, Island of O‘ahu, TMK [1] 5-9-033:04.**
- G. Request from Kamuela Kala‘i to discuss Inadvertent discovery of human skeletal remains on October 02, 2020 located at Kanenelu Beach in Ka‘a‘awa, Ahupua‘a of Ka‘a‘awa, Ko‘olaupoko District, TMK [1] 5-1-011:051.**
- H. Cultural Descendancy Recognition Application for Carolyn Keala Norman and ‘Ohana (Names attached) to Unidentified Human Skeletal Remains found on 03/08/2021 at the Adler St. Project located 902 Adler St., Honolulu Ahupua‘a, Kona District, Island of O‘ahu, TMK [1] 2-3-012:19.**
- I. Update to Burial Treatment Plan for the Lilia Waikiki Project, Waikiki Ahupua‘a, Kona District, Island of O‘ahu, TMK [1] 2-6-021:100 & TMK [1] 2-6-021:144.**

## **V. ANNOUNCEMENTS**

- A. Next meeting date:** July 14, 2021 via zoom technology.

Pursuant to §92-3 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 Oahu Island Burial Council at its September 14, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.

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

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 in room 555 of the Kakuhihewa Building located at 601 Kamokila Boulevard, Kapolei, Hawaii 96707.

Individuals requiring special assistance or auxiliary aids or services (e.g., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) at the BLNR meeting, please contact staff at least 72-hours prior to the meeting at (808) 587-0404 so that arrangements can be made.