

DAVID Y. IGE
GOVERNOR OF HAWAII



**HISTORIC PRESERVATION DIVISION
DEPARTMENT OF LAND AND NATURAL RESOURCES**

601 Kamokila Boulevard, Suite 555
Kapolei, HI 96807

**AGENDA
MAUI LĀNA‘I ISLANDS BURIAL COUNCIL MEETING**

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
KAHO‘OLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DATE: Wednesday, August 25, 2021
TIME: 9:00 AM
LOCATION: Online Via Zoom
ZOOM LINK:

<https://hawaii.zoom.us/j/93430367384>

Meeting ID: 934 3036 7384
Passcode: 131767

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES**
 - A. January 15, 2020**
 - B. June 3, 2020**
 - C. June 17, 2020**
 - D. July 15, 2020**
 - E. August 26, 2020**
 - F. September 30, 2020 – Executive Session**
 - G. October 8, 2020 – Executive Session**
 - H. October 28, 2020 – Executive Session**
 - I. February 24, 2021**
 - J. February 24, 2021 – Executive Session**
 - K. April 21, 2021**

L. May 19, 2021

M. May 19, 2021 – Executive Session

N. June 30, 2021

O. June 30, 2021 – Executive Session

P. July 14, 2021

Q. July 14, 2021 – Executive Session

R. July 28, 2021

S. July 28, 2021 – Executive Session

IV. BUSINESS

- A. Descendancy Claim Application of Ceridwen Kauikekahi Kamohalii McClelland, Michael McClelland, Andrew McClelland, and Edwin McClelland to Unidentified Human Skeletal Remains at the West Maui Construction Water Line Project, Ahupua‘a of Puaaiki, Lāhainā District, Island of Maui, TMK: (2) 4-6-015: 001.**

Information/Discussion/Recommendation: Discussion and determination on the applicant’s descendancy recognition application to 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 the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the 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.

- B. Descendancy Claim Application of Ceridwen Kauikekahi Kamohalii McClelland, Michael McClelland, Andrew McClelland, and Edwin McClelland to Three Previously Identified Human Skeletal Remains, SIHP #50-50-03-5239, SIHP #50-50-03-6473, and SIHP #50-50-03-7102, Ahupua‘a(s) of Kamani, Puunau, and Puehuehuiki, District of Lāhainā, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.**

Information/Discussion/Recommendation: Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

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- C. Descendancy Claim Application of Jennifer Noelani Ahia to Unidentified Human Skeletal Remains at the Wailuku Civic Complex Phase 1B On-Site Improvements Project, Ahupua‘a of Wailuku, District of Wailuku, Island of Maui, TMK: (2) 3-4-013: 075**

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

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D. Descendancy Claim Application of Foster Ampong to Unidentified Human Skeletal Remains at the Denny's Restaurant Improvements Project at the Lahaina Cannery Property, Ahupua'a of Moali'i, District of Lāhainā, Island of Maui, TMK: (2) 4-5-011: 004.

Information/Discussion/Recommendation: Discussion and determination on the applicant's descendancy recognition application to 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 the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the 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.

E. Descendancy Claim Application of Gale Flynn to Identified Human Skeletal Remains at the Jacobsen Cemetery, Ahupua'a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4-6-015:002.

Information/Discussion/Recommendation: Discussion and determination on the applicant's descendancy recognition application to 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 the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the 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.

F. Descendancy Claim Application of David Tilton to Identified Human Skeletal Remains at the Jacobsen Cemetery, Ahupua'a of Paunau, District of Lāhainā, Island of Maui, TMK: (2) 4-6-015:002.

Information/Discussion/Recommendation: Discussion and determination on the applicant's descendancy recognition application to 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 the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the 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.

G. 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.

V. 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 previous requests made by the council. Update on any ground disturbing activity taking place within and around the preservation area; in close proximity to any identified burials.

VI. CORRESPONDENCE

A. Burial Council Consultation re: The Hawai'i State Department of Education, King Kamehameha III Elementary School Fire Alarm System Replacement Project, Paunau Ahupua'a, Lāhainā District, Island of Maui, TMK: (2) 4-6-002: 013 and 014 por.

Information/Discussion/Recommendation: Discussion about the above project.

B. Letter Dated June 8, 2021, from Native Hawaiian Legal Corporation re: West Maui Land Company, Inc. and its affiliates plans to lay a waterline below the surface of Mill Street in Lāhainā, roughly between the Shaw Street intersection and Leoleo Street, without any permits or authorizations from the Sate of Hawai'i or Maui County.

Information/Discussion/Recommendation: Discussion about the above letter.

VII. INADVERTENT

A. Inadvertent Discovery of Human Skeletal Remains at Puamana Park, reported to the State Historic Preservation Division on June 12, 2021, Ahupua'a of Polanui, District of Lāhainā, Island of Maui, TMK: (2) 4-6-033: 001.

Information/Discussion/Recommendation: Discussion about the above find.

B. Inadvertent Discovery of Human Skeletal Remains at the Denny's Restaurant Improvements Project at the Lahaina Cannery Property, reported to the State Historic Preservation Division on June 12, 2021, Ahupua'a of Moali'i, District of Lāhainā, Island of Maui, TMK: (2) 4-5-011: 004.

Information/Discussion/Recommendation: Discussion about the above find.

C. Inadvertent Discovery of Human Skeletal Remains at the Maui Lani Subdivision Phase VI, reported to the State Historic Preservation Division on July 15, 2021, Ahupua'a of Wailuku, District of Wailuku, Island of Maui, TMK: (2) 3-8-099: pors.

Information/Discussion/Recommendation: Discussion about the above find.

D. Inadvertent Discovery of Human Skeletal Remains at Hāmoa Beach, reported to the State Historic Preservation Division on August 7, 2021, Ahupua'a of Hāmoa, District of Hāna, Island of Maui, TMK: (2) 1-4-010: 001

Information/Discussion/Recommendation: Discussion about the above find.

VIII. ANNOUNCEMENTS

A. Next meeting is scheduled for Wednesday, September 15, 2021

Pursuant to Hawai'i Revised Statutes (HRS) §92-3, all interested persons shall be afforded an opportunity to present oral testimony or written testimony 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.

Interested persons can submit written testimony in advance of each meeting that will be distributed to Council Members prior to the meeting. Written testimony must be submitted no later than 24 hours prior to the meeting to ensure time for Council Members to review it. Late written testimony will be retained as part of the record, but we cannot assure Council Members will receive it with sufficient time for review prior to decision-making. Submit written testimony to andrew.k.phillips@hawaii.gov.

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 in writing with the SHPD 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), PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 243-1285 SO THAT ARRANGEMENTS CAN BE MADE.