



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P.O. BOX 621
HONOLULU, HAWAII 96809

AGENDA
MOLOKA'I ISLAND
BURIAL COUNCIL MEETING

- Aquatic Resources
- Boating and Ocean Recreation
- Conservation and Resources Enforcement
- Conveyances
- Forestry and Wildlife
- Land
- Office of the Chairperson
 - Aquaculture Development Program
 - Community Services Coordinator
 - Fiscal Office
 - Kaho'olawe Island Reserve Commission
 - Personnel Office
 - Public Information Office
- State Historic Preservation
- State Parks
- Water Resource Management

Date: Tuesday, December 2, 1997

Time: 9:00 a.m.

Place: Queen Lili'uokalani Children's Center -- Lili'uokalani Trust
Moloka'i Office, Activity Room
Kalama'ula (Kalaniana'ole Colony)
Kaunakakai, Hawai'i 96748
Telephone: 553-5369

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LIEUTENANT GOVERNOR'S
OFFICE

- I. OPENING REMARKS
- II. NO MINUTES SUBMITTED FOR APPROVAL
- III. BUSINESS
 - A. MAPULEHU GLASS HOUSE
Information/Recommendation: Discussion of Burial Treatment and Proposed Development Plans by Nene O Moloka'i.
 - B. CASE UPDATES AND INADVERTENT DISCOVERIES:
Information/Recommendation: Update of ongoing cases; arrangements for reburial where necessary; and other follow-up by SHPD, including inadvertent discovery of human skeletal remains.
- IV. ANNOUNCEMENTS
- V. ADJOURNMENT

Special needs (i.e., Sign Language Interpreter; Amplification; Tape, Large Print, or Braille; Accessible Restrooms; or Accessible Parking) can be accommodated if requested in advance by calling Michelle Bradley, Burials Facilitator, at 1 (800) GOV-INHI (468-4644), Ext. 70003, no later than two days from the date this Agenda was posted. Mahalo nui loa.



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MINUTES

MOLOKA'I ISLAND BURIAL COUNCIL MEETING

DATE: TUESDAY, DECEMBER 2, 1997
TIME: 9:00 A.M.
PLACE: QUEEN LILI'UOKALANI CHILDREN'S CENTER --
LILI'UOKALANI TRUST
MOLOKA'I OFFICE, ACTIVITY ROOM
KALAMA'ULA (KALANIANA'OLE COLONY)
KAUNAKAKAI, HAWAII 96748

ATTENDANCE:

Members: William M. Akutagawa, Jr. Myrle Florea
Lawrence Aki Pearl Alice Hodgins
Ronald Kimball Edwina H. Cacoulidis
Luana Hamakua

Staff: Ka'iana Markell, Burials Program Director

Guests: Arleone Dibben-Young, Nene O Moloka'i
Richard S. Young, Nene O Moloka'i
Stephen Plack, Nene O Moloka'i Volunteer
Randy Fujimori, Nene O Moloka'i Volunteer

ABSENT:

Anna D. Goodhue

I. OPENING REMARKS

Chairperson William Akutagawa, Jr. (Akutagawa) called the meeting to order at 9:20 a.m.

II. NO MINUTES SUBMITTED FOR APPROVAL

III. BUSINESS

A. MAPULEHU GLASS HOUSE

Information/Recommendation: Discussion of Burial Treatment and Proposed Development Plans by Nene O Moloka'i.

Richard Young (Young) is here today to communicate to the council their intention on preserving the glass house to share with the community. I don't want to take tours through the burial sites or the Nene breeding area. I'm asking that you understand that the driveway and it's purpose to bring people into the property and be able to be close to the glass house but not the burial sites, to be led only by our direction, and to share with them the glass house, the history of the property, and to look at it from up above. It seems to me that the record here got a little nuts. All of a sudden the number of human remains disturbed became 60. It grew. You can feel from our side an irritation. We're being held to data regulations, and as a community, we have to say these are good rules, we need to work together to find a good means of maintaining and respecting and living lives. We don't want to jeopardize our living here.

Arleone Dibben-Young (Arleone) said they're responsible individuals. If we encounter something, we stop. All of our volunteers walk around holding red flags because if there's anything in question, they flag it, we come, and they stop. I think that we're being treated like we're irresponsible. All we want to do is get in there, get everything taken cared of, put the *iwi* (*human bones*) to rest, and start the healing process on this land. This land has been farmed continually since 1930, and even before then we have no idea how much activity was on that land.

Vice Chairperson Myrle Florea (Florea) brought up a situation on Kaua'i where Nene were released a few years ago in a lush area with no predators, yet not one Nene is there today. What's going to happen on Moloka'i because if you hit the bird, that's \$4,000 that we have to pay. I'm looking more at the future.

Arleone said there are provisions in the endangered species law that would take into account Nene/human contact. We're not breeding the Nene to be pets. This project is the first project of its kind where the birds are left to roam on eight acres by themselves without disturbances, except once a week to be fed in a remote feeding system. These birds are treated as wild birds in a captive situation. When Nene nest, they go as far away from humans and disturbances as they can possibly get so the likelihood of their nesting in somebody's garage is extremely remote because they're wild birds and don't like humans, predators, and disturbances. The problem on Kaua'i was the way they were raised and the tourists fed them. That's why this project was chosen. The

birds will fly, and the object is to establish another population in the state. The reason is because the Nene is an endangered species and State Bird, and before it can be removed from the endangered species list, it needs to be established on all the islands. There is a provision in the endangered species law called an "incidental case" where if a Nene were to nest under the right rear tire of your automobile and it was prohibiting you from your normal daily activities, we can go in, remove that nest, and incubate the eggs artificially. We also have a Nene Hotline listed in the Moloka'i directory. If there's any human/Nene interaction, we can be called, and that hotline is manned 24 hours a day.

Akutagawa said that loss of critical habitation is the primary reason the Nene is on the endangered species list. The project is right next to major highway in an area with homes. If we wanted to save the Nene, we would preserve their habitat throughout Hawai'i.

Arleone said that the Nene free fly even out of the eight acre facility and can fly 12-15 miles.

Akutagawa said that the Nene may take precedence over native Hawaiian religious rights. If *iwi* is found during the breeding season, do you hold onto it or are we to hold onto it? Arleone said that their plan has times on it, and this is why we need to turn this into a community project and right the wrongs that have been done in the past. We get in now, ameliorate the situation, pick up the exposed *iwi*, clean it all up, and finish by June 1998. Hopefully, we won't be finding anything. That's why we made time limits. This gives us eight months as a community to get in there, clean the place up, landscape it out, and see if we do find any more bones. Hopefully, we won't.

Akutagawa asked what if lineal descendants wanted to offer a *ho'okupu* (*ceremonial gift-giving to a chief as a sign of honor and respect; to pay such tribute*) to appease their ancestors and it was in the middle of the night, would you allow something like that? Arleone said if it's during the non-breeding season. She asked why can't they do that during the day? Member Lawrence Aki (Aki) said culture -- I think it's a very important word. Arleone said she understood.

Ka'iana Markell (Markell) said that Arleone and Richard have been very cooperative. From their perspective, the Nene project would be an appropriate usage of the property as compared to the any other type of development. On the other hand, Arleone was told on several occasions by someone maybe at SHPD that everything was resolved, this was fine, and to go ahead and proceed. I don't want to assume who this individual is. The big question to Arleone is why this never came to the council beforehand when she was thinking about purchasing the property.

Arleone responded that they wrote a letter to Billy Akutagawa saying we were in our due diligence portion of purchasing the property, and that we were requesting to come to a burial council meeting which would be in June 1997. Markell asked Arleone if she followed up with that or called or talked to our department since then.

Akutagawa said that's why he asked the question about Sara Collins, and she knew about this already, and she knew what the connection is to the burial council. On the department side, we should have a council meeting. If Sara knew all this --

Arleone said it was not Sara that told her everything had been resolved. I called the court in Maui and the attorney general's office and asked for information on the case. What I was told was that it was in the process of being resolved, everything had been dealt with, they were just waiting for Thomas Waipa to sign off.

Akutagawa asked Arleone if she remembers who she talked to. Arleone said that she can't remember. It was a year ago. I have made so many phone calls, and you can see by the burial treatment plan the extent of work that I've done.

Akutagawa said that there was no written confirmation that it was resolved according to the department. Arleone said that she was in the due diligence period and wanted to know if the case was closed or active. It was closed. We were led to believe that this was it until Ellen dug a *puka* (*hole*) which we told her not to do. We have no intention of digging *pukas* in the soft areas.

Florea asked Arleone what kind of guarantee do we have where if it comes up again or something happens that you are going to go on or stop. If you leave and someone else comes in, how do we know? I hate lip service. What I'm looking for is your word.

Arleone said this land is held in perpetuity for the non-profit and for conservation and preservation purposes only. Anyone involved with the project has to have that as their guideline. In addition, we've shown compliance with the law; otherwise, this *puka* wouldn't have been reported. I got the permission to go across to Ames place to look at the poles. I'm the one that found the vertebrae there. Our volunteers flag everything.

Florea said that she sees Arleone is doing everything by the book, but my concern is down the road. If you're not here and someone else comes in, how do we know they're going to do what you did even though you do have your guidelines? I feel very uncomfortable.

Arleone said that she understood what Florea meant about lip service. All of the volunteers on the property and working on the project are and will be instructed that if anything suspicious is found, stop work, red flag it, and report it to me immediately. I in turn inform someone from SHPD.

Markell said that the landowners have been responsible about reporting fragments and inadvertent discoveries. My feeling is I hear more of this is the project; this is how it's got to be; my project has got to go through; when asked what if it turns out to be burials all over the place, am I still going to have my project. You have 10 square feet of unused space, you're going to put one and three birds in it. I still got to have my project. Admittedly, you didn't have experience with burials before. I haven't heard yet whether it is appropriate for Nene to walk along *iwi*, to nest, or to poop. Putting native plantings and making it look nice to enhance the land is a fine proposal coming from a landowner, but there's a whole cultural Hawaiian aspect that I've never heard anybody ask yet about what you feel about from a Hawaiian perspective if what I'm doing is okay. I hear more of this is what we're doing and how we're going to do it. There's other issues that, if the project went through and you had multiple burials spread all over the property, the department may classify this area as a previously known site which means that every one of these finds would

have to come through the council with an amended burial treatment plan coming before the council for a decision, and the council has authority by law to say keep it in place. If it's an inadvertent discovery, the department has that same authority by law to say this is staying where it is. You could have the possibility of having burial easements on the whole property. I'm telling you this to help you understand there's a serious possibility this could happen in the future, and the department prefers preservation in place. It's great when a landowner comes in and has a pre-identified spot to relocate things to, and it helps us. Sometimes they don't want it on the property at all, but given the nature of this property, that is a possibility that burials could be found throughout the entire area.

Young said he thinks a site visit would alleviate a lot of concerns. We have this property we want to take good care of. We'll come to you when we find something, and we'll deal with that. We have to accept the fate of what's coming here.

Arleone said it's got to be a compromised situation. It can't go all one way. We feel with our development plan we are reaching a really good compromise because we're avoiding the areas that are soft, where there could be potential burial sites in it, and I asked you a week ago for a site visit so we can all look at the existing conditions because it's been six years since people went on that property and some of you maybe never been to the property or seen it. I think it's really important to see it now so that a lot of the concerns may be alleviated. Drawing it on a piece of paper means nothing. You have to be there and see it. We're not intending on moving unless somebody pays us a half million for it and finds us another place that has historic significance preferably with burial sites because it all ties in again to how the *ahupua'a* (*land division usually extending from the uplands to the sea*) was used and how our lands were used. I think that's important in any educational program.

Markell asked Arleone if she was familiar with the PASH (Public Access Shoreline Hawai'i) Decision. Arleone said no. Markell said just for the council's information, last year or the year before, this group on the Big Island -- Public Access Shoreline Hawai'i -- was seeking permission to cross private lands to get to the ocean, and the decision upheld native Hawaiian rights to get onto private property for traditional customary practices, and the past decision dealt more with gathering limu which is a traditional customary rite. Burials and related activities, in my legal opinion, has a much stronger ability. To bury a grandma with the rest of her family on lands you once owned or lived, it's almost more of a paramount traditional custom as a people. There's a situation that during your breeding season if *iwi* was found that six or seven Hawaiians may come in the middle of the night under PASH to put those *iwi* back in, and if your birds get scared and something happens to them, you may seek legal action against those individuals, but they may fall under PASH.

Arleone said we're not restricting access -- just during the breeding season which is September through March.

Aki said as far as *iwi* is concerned, the more immediate it goes back into the ground the better. Arleone realized that and explained why that as a community project, she wanted to clear that out

and identify what we have. It was never done. In the past, too, why have no lineal descendants come through when the first disturbance was on all the television stations.

Aki said that is the western style of thinking, Arleone. For you, it is important as a westerner that these individuals prove on paper who they are. Our ancestors shared with us who we are not in writing. Writing came with the westerners. Our ancestors shared with us from generation to generation through word of mouth. The fact that we have a western style of thinking being pushed onto a *kanaka maoli* (native Hawaiian) which has been the example of the past, today that is what we're being faced with again. That's why the PASH Decision is an important one for the Hawaiian people. Arleone said she guessed they need to get more educated.

Akutagawa said when this case came up, the attorney general's office was inundated with work and said the best thing is to settle this on the side. We don't drag Ellen through court. We compromise. I'm entrusted with a duty to figure out what we will do at a place where our ancestors are buried and try to bring some cultural sensitivity to this whole place. It's an education process for us, too, as council members. I think a cultural assessment must be done.

Member Ron Kimball (Kimball) said when Ellen first discovered remains, was a request for an assessment made on the site?

Akutagawa said that it was more like a crisis. It was a back and forth issue and she had her rights as a landowner.

Kimball said that it was like a short-term goal -- reinterment -- and never really had time to come back, sit down, and figure out the long-term goals and doing a major assessment. Who's responsible for making an assessment?

Markell said that the reason why a formal assessment didn't happen was because the current tenant, Ellen Osborne, was in an adversarial relationship with the department and the attorney general's office because it was an active prosecution. The only way a full-blown archaeological survey would have taken place where they actually go out and look at burial pits and interview people would have been if Ellen Osborne paid for it. Now we have new landowners, the department has the ability to require them to do a survey at their expense. If the landowner has an actual federal permit -- building, grading, electrical -- we can attach conditions to that permit to require archaeological work and monitoring. That's where our power comes in. We can't go in and tell somebody you can't dig over there and hire a monitor. Based on what? Is there a burial site there? If so and we have information at that specific site, we have a burial registration process. We fill out the papers, we have an identified burial, nothing can impact that burial. If the landowner wants to put a transformer next to it, we can say no, you can't. If we have a general area where people say there are burials there but don't know where, then the situation is we're condemning this portion of your property. We rely on the council's input to us -- what can/cannot happen on the property and is it appropriate for the intended usage. You can request a study or whatever you want. The council makes recommendations to the department. Whatever the council recommends, I got to do my best for the State to say this is possible.

Member Pearl Hodgins (Hodgins) asked Markell if he found out what happened to the \$10,000. Markell said he has a letter from Deputy Attorney General Dawn Chang stating that Ms. Osborne completed the terms of the settlement agreement. The \$10,000 was paid in four installments of \$2,500 to a historic preserves fund. I inquired whether the money could be used for the property to help with the burial concerns. Hodgins asked if the council could request that? Markell said yes, and that the council should put something in writing to the attorney general's office to make that request.

Young said that in the meantime, it stalls the project. Arleone said that it's already taken two weeks just to repair a water pipe. The estimated cost of recovery in 1992 was \$60,000 for the recovery of *iwi* on the property. I don't know if that included all of the clean-up on the property and if it included trenches to figure out the extent of burial sites. I do have a list of what the cost included in my files, and we could get the Bishop Museum to give a bid on that, but it's probably going to be more than \$100,000 at this point. We don't have the funding so let's try and do this as a community project. We're pushed because we need to get the Nene breeding, we need to get our project started, and you guys need to take care of the *iwi*. We have volunteers to hand clear the sites so that an assessment can be done, but we still need a site visit in order to move on. If we can start hand clearing now as a community, visit the site as a group, look at the existing conditions, we can make an assessment. Young said that what he's hearing today is the importance of reburying the bones of your ancestors. If we find something when hand clearing the wetland and it's breeding season, I think with some guidance from us, we'll help to facilitate the reburial it. We're not proposing to dig the ground. If you saw the site and the locations where we want to do a little bit of work, we're just clearing, cleaning, and if there's bones on the ground, let's help get them back where they should be. If you work with us, we're willing to work with you. I think a site visit will help your comfort level. Let's get that stuff back in the burial easement. If this new site needs to be an easement, so be it. To start digging the ground and sifting over it will just bring more tears and aggravation. What would we be achieving? I hope the Nene pooping in that area isn't a problem to the ancestor's bones.

Florea said that to make a decision, it's very hard because there's something that needs to be answered to my satisfaction. I feel very uncomfortable, like I don't fully understand the meaning of this. My decision affects the future council members and landowners.

Akutagawa explained that sometimes we get pushed into a decision too fast because of timelines. We're proceeding at a rate that might cause us to make unsound decisions. I'm willing to listen to what other council members have to say. There were several recommendations -- a site visit would expose the council members to what the landowners are doing in improving the property; reinter *iwi* in a burial easement already on the property; permits -- if electricity has to be installed, an archaeological monitor must be brought in, and while handling these issues as a council, there's still the community that must be kept informed about this project. That's what we're faced with as a council and why I feel uncomfortable with this.

Hodgins said that's why she recommended an archaeological survey. I can't make a decision not knowing how extensive the burials are on the property.

Kimball agreed and said that he'd like to have an assessment done on the place. I work for Bishop Estate. I like the project and wish we could settle and get this thing done. I have two concerns -- we own property directly across from you, and I believe this is a major burial site. You knew what you were getting into when you purchased the property, and I don't think you did your homework to well. I'm sure you made visits to Moloka'i, but how much effort did you put into talking to the community and trying to identify people in the community?

Arleone said that they couldn't find anybody because they were in the middle of a land deal and didn't know who worked on the --

Kimball said that those aren't the answers he wanted to hear. You just dig into the information. The Hanapi's, the Kurogawa's are, Pearl Hodgins lives next door, Bishop Estate. I work on this island. Don't talk to people on O'ahu about this island. Half the time they don't know what's going on here. Come talk to the representative. I'd have said to stay away. You did your homework on the book part, but there's only so much books can tell you. You talk to people in the community, and you'll find out the real story. We're agency people -- OHA, Na Pua Wai -- and we have problems with our decision-maker on O'ahu, and we try to tell them every time about things happening on our island, but they don't listen. Things get done, the community slaps them in the face, and then they come back and get down on us. That's part of our jobs. I'd like to see the State condemn the property and give you back your reasonable investment and leave this place alone. Just bless this place, get your money back, and relocate your project someplace else on Moloka'i. I wish you folks can stay here, but I think this property shouldn't be disturbed any further.

Markell said he wonders if OHA is acquiring lands. Aki said that OHA is thinking of acquiring lands on Maui right now so I think it's possible. I had the opportunity to meet Arleone and her Nene project some time ago. Back then, we didn't take care of it like we should have taken care of it. That's our problem. I was on the board at that time. I think that a lot of us expressed that we weren't very comfortable; but again being pushed against the wall, that's what I don't want to get into this round. I don't want to get pushed around because we have deadlines, because people have to do this, or we have to put in telephone posts, and we have to put in a water line. I want to make a sound decision as far as for the future of Mapulehu is concerned. In meeting Arleone and learning about her project, I agree with Kimball to the extent that it's a very good project. I'm hearing more and more the fact that the State should buy the property, but I still have a concern there because for me, the State ain't always the best deal in the world. As a Hawaiian and based on my knowledge, what we're dealing with here is a massive grave. I've made that statement at the last meeting, and if taken care of appropriately with the right people, it can be maintained in a fashion so in the future, we don't have to worry about it. I believe that Nene O Moloka'i is the people to work with. How and what can go on the property is what bothers me and how it's going to be done -- that really bothers me. Any time you dig, you always have the opportunity of exposing things you don't want to expose. I believe that this project will enhance Mapulehu, as much as I know it is a burial area. I know that there is nobody else more true in trying to preserve it, and that will *malama* (take care of, care for, preserve) it the way it should be. I believe Arleone when she says that they will *malama* it. That's only my opinion as someone who sits on this council. I know that sometimes we have a hard time accepting Arleone's answers, but

as a property owner, I can see where she's trying to do her best in finding the best solution in compliance with the law. Try to understand us in dealing with a whole culture, a culture that was stomped on for years, may I ask that you see us through this process because it's so important to us that we make the right decision at this point in time. That's the best I can do is state my opinions and see how it comes out as far as motions that would be made as to how we'll proceed on this project as a whole. Personally, I don't see anybody else more suitable for this area.

Member Luana Hamakua (Hamakua) stated that she appreciates what Arleone is doing on Moloka'i and knows there's a purpose and reason why you folks are here. I wear two hats. First of all, I have a hard time when you put restrictions on when *iwi* can and cannot be reinterred. Our *kupuna* (grandparent, ancestor) of today believe to put *iwi* back as soon as possible because *'uhane* (soul, spirit) flows, and sometimes they're rascal and do rascal things. As a member of Hui Malama, the idea of a site visit would be helpful because I know nothing about raising Nene. Because of the hat that I wear, I know *kupuna* that will tell you if you're supposed to be there or not. On a positive note, they will provide you with some answers useful to you. All you have to do is be honest and not hide anything like how Ellen Osborne did. So far, I like your ideas, and thank you for coming and sharing your *mana'o* (idea). My main concern is the reburial of the *iwi* that's found. Are they put into mass graves? To me, they should be put back where they were found. When you dig up bones and disturb them, put them back in a pocket even though there would be pockets throughout the whole area.

Arleone said that would be condemning the area because there's no easement. At the time we purchased the property, we were told that everything had been taken care of. Because we have an existing easement, we feel that if any fragments found outside -- and we've already found some -- that they be reinterred in that easement; Alapa'i has already done that twice. We're happy with another easement for the current inadvertent discovery. I think if we had to do every place where a fragment was found, we'd be forced into condemnation of the property. Unless somebody is willing to buy that land, we can't deal with that. We're not trying to find graves. We're trying to do everything above ground and not dig *pukas*. If we do an archaeological survey to see how extensive it is, we're doing another wrong to the bones that are there so how do we resolve this?

Akutagawa asked Markell if we can bury in place? It already happened because Alapa'i buried *iwi* in the same place. Markell said that in the Alapa'i situation, we had a burial that for all intensive purposes we believed was an *in situ* (in place, undisturbed) portion. It makes a difference from push piles where you find fragments on the surface that came from 50 yards away. In that situation, the State authorized Alapa'i to respond on behalf of the Department to basically respond and collect whatever remains were there. He was authorized to keep that in place which is something that we like to do -- to cover them up and keep them right there if it's safe and the landowner knows it's protected. Alapa'i did reinter these remains probably at a depth lower than what we believe --

Arleone asked if this were the fragments that they found? Markell said that this is the hole that Ellen --. Arleone said oh, that one. Those were done in place. I'm talking about the fragments -- Markell continued that when there's an *in situ* portion, we like to put the disturbed fragments back. Chances that the person would be disinterred and relocated somewhere else is very slim to

be honest with you. If you find fragments, do we know if it came from a burial right underneath the surface there or are we taking part of this individual, putting him somewhere else, and the rest of him we don't know. If they come case by case like these fragments by the push piles, we preserve fragments in place. We've had them buried, it establishes a burial site which technically you could say that it's an easement. Of course, a larger an area you have, the more of an easement that gets recorded on a deed. There's an important distinction between surface fragments and realizing this is part of somebody in the immediate area. It may not be right under but might be five feet away to the rest of the *kupuna*. It's always handled on a case by case basis. You have to be aware that if burials come out down the road, you may end up with a property with burials all over it. Is it appropriate to bring children into it? We can't blanket Hawaiian culture and say Hawaiians did it this way so we have to do it this way. It's a very personal thing you can't generalize. Arleone said they're keeping children to the area around the glass house which is in a fenced enclosure. Markell said that we don't know whether there are burials under the glass house.

Akutagawa said we need to deal with a recommendation regarding the plans. We'll go from here to Markell back to SHPD. They, in turn, will make a determination. Markell said that we go to the council to get a recommendation and return with approval or suggested changes, etc. It's an open process.

Akutagawa said what we're more concerned about is the plans referring to LCA 4092 to Kaluna and LCA to Loui with the attached addendum to the proposed burial management plan dated November 11, 1997.

Markell said to minimize confusion in all this paperwork, what it basically calls for is we've got exposed *iwi* now, and there's fragments from the original violation on bulldozing. How do we treat those? What are they going to do to get those back in the ground, what happens in the future in the event fragments are constantly being collected that weren't found at this time, how do we treat those, and what happens if burials come up in the future in relation to proposed development? Those are the issues the council's looking at.

Aki asked if anyone else in the audience had anything to say.

Randy Fujimori (Fujimori) testified that he's a volunteer with Nene O Moloka'i and has worked with Arleone since the time they moved here. My father worked at a dairy place in Mapulehu, and he also worked for HSPA at Mapulehu. I had concerns about that area because old folks talk about what they encountered when they were young, and I knew there would be opposition arising because of this project. As I got to know Arleone, she was culturally sensitive to the problem I was having there. I like the project. I think she's doing what is right. She has done research. I see fragments here and there -- probably disturbances from years past have come in and actually rained havoc on that property. I wouldn't speculate on how many guys are there, but I know that there are burial grounds probably still not uncovered yet. In fact, it goes all the way to Pearl's side, too, probably under the road. How we address the problem is something that you guys have to come up with. The best way is to go in there, clean it out, take a look at it, make an assessment, and make a judgment from there. It's a project that will work, and I don't think it's a

good idea for the State to come in and buy it out. Everybody has got to put their heads together and come to a compromise and do what's best for everybody instead of battling each other.

A five-minute break was taken.

B. CASE UPDATES AND INADVERTENT DISCOVERIES

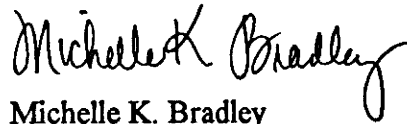
Information/Recommendation: Update of ongoing cases; arrangements for reburial where necessary; and other follow-up by SHPD, including inadvertent discovery of human skeletal remains.

IV. ANNOUNCEMENTS

V. ADJOURNMENT

The meeting was adjourned at 12 p.m.

Respectfully submitted,



Michelle K. Bradley
State Historic Preservation Specialist