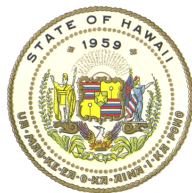


DAVID Y. IGE
GOVERNOR OF HAWAII



**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, December 15, 2021

TIME: 9:00 AM

LOCATION: Online Via Zoom

I. CALL TO ORDER

[9:03]

II. ROLL CALL

[9:03]

Iris Pe‘elua
Johanna Kamaunu
Kahele Dukelow
Kyle Nakanelua
Scott Fisher
Everett Dowling
Dane Maxwell

[9:06]

SHPD Staff

Kealana introduces SHPD staff:

Andrew Kealana Phillips, Maui burial sites specialist
Chris Ikaika Nakahashi, Cultural Historian
Dr. Tamara Luthy, Ethnographer
Iolani Kauhane, Maui archaeologist
Andrew McAllister, Maui archaeologist
Ka‘ahiki Solis, Cultural Historian

Dr. Janet Six, Maui County Archaeologist

III. APPROVAL OF MINUTES

[9:07 AM]

A. January 15, 2020

B. June 17, 2020C. July 15, 2020

D. August 26, 2020

E. September 30, 2020 – Closed Session

F. October 8, 2020 – Closed Session

G. October 28, 2020 – Closed Session

H. February 24, 2021 – Closed Session

I. April 21, 2021

J. May 19, 2021K. May 19, 2021 – Closed Session

L. July 28, 2021

M. July 28, 2021 – Closed Session

N. September 15, 2021

O. September 15, 2021 – Closed Session

P. September 29, 2021

Q. October 20, 2021

R. October 20, 2021 – Closed Session

[9:11] Scott Fisher makes a motion:

“MLIBC approves the meeting minutes of Sept 15, 2021”

[9:11] Seconded Everett; All in favor, none opposed, motion carries [9:11]

[9:11] Scott Fisher makes a motion:

“MLIBC approves the closed session meeting minutes of Sept 15, 2021”
[9:11] Everett seconds; All in favor, none opposed, motion carries [9:11]

IV. BUSINESS

A. Draft Burial Treatment Plan for Unidentified Human Skeletal Remains at the Pu‘uone Kau Hale Project, Wailuku Ahupua‘a, Pū‘ali Komohana District, Island of Maui, TMK: (2) 3-8-037: 047.

SCS staff present: Mike Dega, Ian Bassford

[9:12] Mike Dega addresses the council: Presented twice – May 2021, Feb 2021. AIS field work in 2006 or 2008. Accepted AIS in 2011. Several features found related to iwi. One possible, two primary burial features, adult poo two, possible pit outlines, two teeth. BTP discuss those six features. SCS did not do the AIS.

[9:14] Scott addresses the council – any demarcation or will it be below

[9:15] Gloria Lee addresses the council – 3 ft retaining wall, surface demarcation, a plaque/marker, naupaka

[9:15] Johanna addresses the council – where are the finds? How big is the area?

[9:16] Mike Dega – all in situ. Buffer zone one meter outward and 3-meter perimeter of burial features. Maybe 100 sq feet

[9:17] Johanna – hard to find the iwi. Lots of stuff on the property. Needs adequate protection. ROD on property. Can you permanently extend the buffer?

[9:18] Mike Dega it is secure with construction fence

[9:19] Scott – is nine feet ok? That’s the current buffer for short term

[9:20] Kahele – Long term is one meter only; for long term minimum 2 meter

[9:20] Dane Maxwell –should be 3 m for interim and long term both

[9:20] Kyle– is this a circle or square perimeter from center point. Asks about the size

[9:21] Ian Bassford – find furthest area and measure to furthest point. Anchor block and geofabric fiber to anchor to make gravity wall. U shaped wall

[9:26] Dane – how many individuals. Want larger buffer for long term measures rather than interim measures

[9:28] Johanna– are these iwi the original iwi discovered via the AIS or new ones?

[9:29] Kahele –exact location

[9:29] Gloria –They are the original iwi discovered in the original AIS. 901 Lower main street next to Homemaid Bakery site in Wailuku. Habitat for Humanity development for 2011 that never went through

[9:31] Kahele takes public testimony:

[9:31] Kaniloa Kamaunu addresses the council – no monitoring done in the past. Aha Moku not notified or consulted on any of this.

[9:35] Foster Ampong – are there any recognized descendants here?

[9:35] Mike– will start reaching out now for the next council meeting; asks council if there is a list for recognized lineal and cultural descendants for burials

[9:36] Kahele closes public testimony

[9:36] Dane opens discussion with the council; recommends the BTP be revised with today's recommendations and council approve soon before members term out

B. Descendancy Claim Application of Ke'eaumoku Kapu to Unidentified Human Skeletal Remains at the West Maui Waterline Project, Ahupua'a of Puaaiki, Lāhainā District, Island of Maui, TMK: (2) 4- 6- 015: 001.

[9:42] Dane opens

[9:43] Kealana addresses the council: SHPD decided to use Paunau as the ahupua'a, though the TMK is the same. All the descendancy claim applications today are like this

[9:45] Dane can we vote on this agenda item if the letter is different than the ahupua'a listed on the agenda?

[9:45] Dane - break to discuss with the AG's office
Reconvenes at [9:54]

[9:54] Dane– public notice and public testimony must be the same as the agenda item voted on. Dane says it is safer to defer all agenda items with the incorrect ahupua'a

[9:55] Kahele addresses the council – is it wrong ahupua‘a as in boundaries got messed up or boundaries changed over time? She is ok with this.

[9:56] Kealana – Paunau encompasses a big area on Kipuka – those ahupua‘a fall within Paunau on Kipuka.

[9:58] Kyle addresses the council. Is SHPD saying there are ahupua‘a within ahupua‘a?

[10:00] Johanna –is this attached to waterline project. Which ahupua‘a did applicant apply for

[10:01] Kealana – all applications had Paunau – Pohaiki is a more defined space.

[10:02] Dane –preference to defer till correct language

10:03 Kealana –only active project is the waterline project

[10:07] Kahele opens public testimony

[10:07] Ke‘eaumoku– all have site numbers and when he applied for descendency recognition it was Paunau. Kupuna exposed in a pit with reinforced walls. He wants to be able to visit without trespassing.

[10:13] Kaniloa Kamaunu – must be recognized with heavy rains. Must advocate

[10:17] Carol Lee– should have notified applicants prior to this meeting

[10:19] Virginia Block– asks about legal accuracy and whether it can be contested in the future

[10:20] Charlene Rowland– up for descendency claim. Wants to holomua to mālama nā iwi ūpuna

[10:22] Kahikilani Niles –she is a descendant. Urgent that kūpuna be taken care of. She wants this recognized today.

[10:24] Foster –he says follow the process based on past experience. You can malama iwi right now. Take protective measures in the interim in case there is rain. Family burials in Kahoma.

[10:29] Kahala Johnson – kāko‘o the folks up for descendency recognition

[10:31] Noelani Ahia– supports descendency applications all here today. Some filed last February

[10:32] Kahele closes public testimony

[10:33] Kealana – reads SHPD recommendation

[10:39] Kahele makes a motion:

The MLIBC moves to recognize Ke‘eaumoku Kapu as a cultural descendent to Unidentified Human Skeletal Remains at the West Maui Waterline Project, Ahupua‘a of Puaaiki, Lāhainā District, Island of Maui, TMK: (2) 4-6-015: 001.

[10:41] Everett seconds, all in favor, none opposed, motion carries [10:41]

C. Descendancy Claim Application of Jacob Kapu 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6- 013: 042.

[10:44] SHPD recommends applicant for cultural descendancy as applicant’s father Ke‘eaumoku Kapu recognized previously

Jacob could not attend as he is at work.

[10:44] SHPD recommends applicant for cultural descendancy as applicant’s father Ke‘eaumoku Kapu recognized previously

[10:45] Jonah Kapu – wishes to be recognized as a cultural descendant

[10:46] Ke‘eaumoku Kapu– reiterates his boys’ experience. Ikaika Kapu worked for SCS and has a degree in anthropology. The ‘ohana works in tandem and has been working in Olowalu and Lāhainā moku. Has designated areas for reinternment

[10:48] Jesse Kaulana Kapu– mahalo for recognition to protect and preserve iwi

[10:49] Carol Lee Kamekona– supports the recognition of all of the Kapu ‘ohana descendancy claims. No other ‘ohana is more deserving for recognition as kia‘i.

[10:49] Noelani Ahia –she supports all Kapu ‘ohana applicants. On the ground all the time to mālama iwi kūpuna. Important to train the children so they will mālama her when she passes on. Cycles of life and death

[10:50] Conseulo Apolo– totally supports Kapu ‘ohana

[10:51] Charlene Rowland– also supports Kapu ‘ohana

[10:52] Nameaatea Hoshino– supports Kapu ‘ohana

[10:53] Kahikilani Niles– mahalo for recognizing Kapu ‘ohana

[10:54] Kahala Johnson– supports

[10:54] Rachel Kapu Kaipō Kekona translating sign language for Rachel Kapu–lives in Lāhainā. She is applying for descendency for care and protection of iwi kūpuna

[10:55] Suzette Felicilda – supports the application for Kapu ‘ohana

[10:57] Kahele closes public testimony

[10:59] Kahele makes a motion:

The MLIBC recognizes Jacob Kapu as a cultural decedent 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 Puehuhuiki, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:00] Seconded by Everett, all in favor, none opposed, motion carries [11’00]

[11:00] Dane proposes a 5 minute break

D. Descendency Claim Application of Jonah Kapu 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 Puehuhuiki, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6- 013: 042.

[11:06] Kealana– SHPD recommends recognition of Jonah Kapu

[11:07] Kahele takes public testimony

[11:07] Jonah Kapu– Jonah wants to mention that he is an archaeologist and he wants to get a master’s in archaeology. He has worked on Maui for 5 years and 2 on Big Island and seen pilikia. Need laws to protect iwi.

[11:09] Carol Lee Kamekona –she offers kākō‘o

[11:10] Kahele closes public testimony

[11:10] Kahele makes a motion:

The MLIBC recognizes Jonah Kapu as a cultural decedent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:10] Seconded by Everett, all in favor, none opposed, motion carries [11:10]

E. Descendancy Claim Application of Rachel Kapu 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4- 6-034: 057, and (2) 4-6-013: 042.

[10:44, 11:11] SHPD recommends applicant Rachel Kapu for cultural descendancy as applicant’s father Ke‘eaumoku Kapu recognized previously

[11:11] Public testimony Kahele

[11:12] Ke‘eaumoku Kapu– testifies on behalf of daughter. He supports her application. She is very gifted, perhaps the most gifted of all of them

[11:13] Kahele closes public testimony

[11:13] Kahele makes a motion:

The MLIBC recognizes Rachel Kapu as a cultural decedent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:14] Seconded Everett, all in favor, none opposed, motion carries [11:14]

F. Descendancy Claim Application of Jesse Kapu 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, Lāhainā District, Island of Maui, 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.

[10:44, 11:14] SHPD recommends applicant Jesse Kapu for cultural descendancy as applicant’s father Ke‘eaumoku Kapu recognized previously

[11:15] Kahele opens Public Testimony

[11:15] Carol Lee Kamekona – wanted to testify on behalf of Rachel, and also Jesse. She kako‘os

[11:15] Kahele closes testimony

[11:15] Kahele makes a motion:

The MLIBC recognizes Jesse Kapu as a cultural decedent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:16] Everett seconds all in favor none opposed, motion carries [11:16]

G. Descendancy Claim Application of Charlene Rowland 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:17] Kealana– recommends recognition in Puunau ahupua‘a

[11:18] Kahele opens public testimony

[11:18] Charlene Rowland– she submitted her genealogy to show ties to kupuna in Lāhainā. Know who you are, where you are from, and what you represent

[11:20] Ke‘eaumoku Kapu – supports the recognition of Char Rowland. Lineal descendant of Kauhailikoa ohana, known for hula and the arts

[11:21] Kaulana Kapu –supports descendancy claim of Aunty Char

[11:22] Kahele makes a motion:

The MLIBC recognizes Charlene Rowland 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:22] Seconded Everett, all in favor, none opposed, motion carries [11:22]

H. Descendancy Claim Application of Maelani Lee 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4- 6-034: 057, and (2) 4-6-013: 042.

[11:23] Kealana –SHPD recommends recognition as cultural descendant

[11:24] Kahele public testimony

[11:24] Maelani Lee– kupuna from Maui, Kekaunohi 8 times great grandmother

[11:25] Ke‘eaomoku Kapu –supports recognition

[11:25] Kahele closes public testimony

[11:27] Kahele makes a motion

The MLIBC recognizes Maelani Lee 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:27] Everett seconds, all in favor, none opposed, motion carried

I. Descendancy Claim Application of Charmaine Nee 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4- 6-034: 057, and (2) 4-6-013: 042.

[11:28] Kealana– SHPD recommends recognition

[11:29] Kahele opens public testimony

[11:29] Charmaine Nee requests executive session; she feels she deserves to be recognized as lineal descendant to mālama iwi kūpuna [council determines it is not necessary]

[11:32] Carol Deen Cummings her sister– also testifies and wants to be recognized to mālama

[11:33] Chastity Reis-Muniz–She supports her grandma and aunty

[11:33] Moana McKeague asks if this is for lineal or cultural descendancy

[11:34] Charlene Rowland– supports Aunty Maile and Moana and ohana

[11:35] Ke‘eaumoku Kapu – supports cultural descendancy of Charmain Nee and all other descendants coming forth for recognition. Lots of things have occurred on these burial sites. Wants to follow up on investigation. These families didn’t agree to the desecration violation and asking for answers. People are angry and want answers and it isn’t just his family

[11:38] Kahele closes public testimony

[11:38] Scott makes a motion:

The MLIBC Recognizes Charmaine Nee as a cultural descendent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2)4-6-034: 057, and (2) 4-6-013: 042.

[11:38] Seconded Everett, all in favor none opposed, motion passes [11:38]

J. Descendancy Claim Application of Caroldeen Cummings 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6- 013: 042.

[11:39] Kealana– recommends recognition for Caroldeen Cummings

[11:40] Kahele opens public testimony

[11:40] Caroldeen Cummings prefers Maile. She claims lineal descendancy but doesn’t know where her kupuna are buried. Requests descendancy

[11:41] Public testimony closed

[11:41] Scott makes a motion:

MLIBC recognizes the descendancy claim application of Caroldeen Cummings to Three Previously Identified HumanSkeletal 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:41] Seconded Everett, all in favor, none opposed, motion carries [11:41]

[11:45] Kahele makes a motion:

MLIBC recognizes Caroldeen Cummings as a cultural descendent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:45] Everett seconds, all in favor, none opposed, motion carries [11:45]

K. Descendancy Claim Application of Virginia Block 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:42] Kealana: SHPD recommends cultural descendancy

[11:45] Kahele begins public testimony

[11:45] Virginia Block– she is happy to find out who her family is and where they come from. Her daughter is present and will one day understand why this is important

[11:46] Scott makes a motion:

MLIBC recognizes Virginia Block as a cultural descendent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[11:47] Seconded by Everett, all in favor, none opposed, motion carries [11:47]

L. Descendancy Claim Application of Virginia Block to Unidentified Human Skeletal Remains at the West Maui Waterline Project, Ahupua‘a of Puaaiki, Lāhainā District, Island of Maui, TMK: (2) 4-6-015: 001.

[11:48] Kealana – SHPD recommends applicant to Paunau

[11:50] Kahele public testimony

[11:50] Virginia Block – Dedicated to mālama iwi kūpuna and stand shoulder to shoulder with the other descendants

[11:51] Ke‘eamoku Kapu –mahalo to all the families. Issue of access is so critical. Reaches out to applicant to extend offer to talk about iwi kupuna issues any time

[11:52] Kahele closes public testimony

[11:53] Scott Fisher makes a motion:

MLIBC recognizes Virginia Block as a cultural descendent to Unidentified Human Skeletal Remains at the West Maui Waterline Project, Ahupua‘a of Pua‘aiki, Lāhainā District, Island of Maui, TMK: (2) 4-6-015: 001.

[11:53] Everett seconds, all in favor, none opposed, motion carries [11:53]

M. Descendancy Claim Application of Kahikilani Niles to Identified Human Skeletal Remains in the Ahupua‘a(s) of Keoihuihu and Kahoma, Lāhainā District, Island of Maui, TMK: (2) 4- 5-017: 001.

[11:54] Kealana – recommends recognition of Kahikilani Niles as lineal descendant

[11:55] Kahikilani Niles – mahalo for your support

[11:55] Keeaumoku Kapu– strongly supports recognition as lineal descendant. Their Tutus were siblings so direct relationship

[11:56] Nameahea Hoshino –supports Kahiki Niles as lineal descendant. Glad to see ‘ohana recognized

[11:57] Noelani Ahia –supports Kahiki Niles for lineal descendancy and her daughters

[11:57] Kahala Johnson –offers his support. She is prepared as wahine koa and kia‘i iwi kūpuna

[11:58] Kahele closes testimony

[11:58] Scott makes a motion:

MLIBC recognizes Kahikilani Niles as a lineal descendent to Identified Human Skeletal Remains in the Ahupua‘a(s) of Keoihuihu and Kahoma, Lāhainā District, Island of Maui, TMK: (2) 4-5-017: 001.

[11:59] Everett Seconds, all in favor, none opposed, motion carries [11:59]

N. Descendancy Claim Application of Kahikilani Niles 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4- 6-034: 057, and (2) 4-6-013: 042.

[12:00] Kealana – recommends cultural descendancy for Kahikilani Niles

[12:01] Public testimony –Kahele

[12:01] Kahikilani Niles– mahalo

[12:01] Closes public testimony

[12:02] Scott makes a motion:

MLIBC recognizes Kahikilani Niles as a cultural descendent 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, Lāhainā District, Island of Maui, TMK(s): (2) 4-6-015: 001, (2) 4-6-034: 057, and (2) 4-6-013: 042.

[12:02] Everett, all in favor, none opposed, motion carries [12:02]

[12:02] break; be back at [12:07]

O. 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.

[12:08] Kealana – SHPD has no updates

[12:09] Sharon Paris, Esq.– with respect to lawsuit, HBT and Ms. Ahia have reached conditional settlement condition on possible roadway redesign movement. Also buffers and preservation areas and HBTs revised site plan removing 13 lots. Settlement addresses terms and conditions for lawsuit and conditions. Is roadway redesign possible? Will be answered in 1 month. HBT is in the process of GPR and investigating anomalies in proposed roadway redesign area. Moving forward on 17 homes on east side. No archaeological finds in proposed roadway redesign so far but not completed.

[12:11] Dane addresses council– asks about sewage line; Sharon says she can answer in next meeting

[12:13] Johanna how many of 17 lots have been worked on or completed

[12:14] Sharon –lots already being worked on have all been started, only 3 completed but must check

[12:15] Andrew McAllister: has one submission for project from county. Nico from Atlas updated submission but this has not been reviewed yet

[12:16] Noelani Ahia potential redesign is to reroute utilities

[12:17] Ke‘eaumoku Kapu– we shouldn’t be bargaining but lawsuits always boil down to compromise on kānaka side. Please council make sure no stone is unturned

[12:19] Kaniloa Kamaunu– He disagrees with the settlement. No fines no permits taken. He says that this is not justice.

[12:24] Foster– asks question if settlement will be agreed to

[12:24] Sharon –typically a finalized settlement means all parties are in agreement. No new discoveries

P. Training for Maui Lāna‘i Islands Burial Council on membership, roles, and responsibilities.

[12:26] Dane – here to assist SHPD in updating burial sites.

[12:27] Kealana would go through burial registration process. Explains SHPD’s process

[12:32] Johanna discusses family burials on family properties

[12:33] Kahele opens public testimony

[12:33] Ke‘eaumoku Kapu – he has tried to help families file burial registration forms. It is harder with inadvertent discoveries. He argues that Puamana and other places were known burial areas.

[12:38] Dane

Q. §6E-43.5 (5) Maintain a list of appropriate Hawaiian organizations, agencies, and offices to notify regarding the discovery of remains. [l 1990, c 306, pot of §3; am L 2000, c 6, §1; am L 2013, c 276, §2]. Information/Discussion/Recommendation: Discussion on the above item.

[12:39] Kyle– SHPD has a working list of people in the community that have taken an interest in caring for iwi kupuna

[12:39] Dane - List is our kuleana so we could ask they share it with us.

[12:41] Kahele addresses the council

[12:42] Kealana addresses the council

[12:47] Kyle addresses the council

[12:49] Kealana– we do not have an official standardized list aside from what Ikaika brought up

[12:52] Ka‘ahiki Solis — list kuleana, look at requirements for the lists as per the IBC training. The Department of the Interior has a list of registered Native Hawaiian organizations

[12:55] Kahele – addresses the council

[12:55] Dane– how do we want to create list

[12:57] Meeting adjourned

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 Board 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.