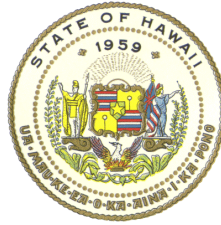


DAVID Y. IGE
GOVERNOR OF HAWAII



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

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

**MINUTES
HAWAI'I ISLAND BURIAL COUNCIL MEETING**

DATE: Thursday, October 14, 2021
TIME: 9:30 AM – 1:30 PM
PLACE: Online via Zoom

Zoom Meeting Link:

<https://us02web.zoom.us/j/82657195026?pwd=R1FqM0tpQjI3czJVdTJMdEFUcmlnUT09>

**Meeting ID: 826 5719 5026
Passcode: UNx29D**

***** Audio Recording at <https://dlnr.hawaii.gov/shpd/about/branches/ibc/meetings/> *****

HIBC Members: **Present:**
Chair Nālei Pate-Kahakalau (Hāmākua)
Vice-Chair Kalena Blakemore (Puna)
Member Scott Mahoney (Ka'ū)
Member Waiola Higa (Hāmākua)
Member Clifford Kaponu (Hilo)
Member La Crivello (LLO)
Member Desmon Haumea (Ka'ū)

Absent:
Member Norman Ka'imulua (Kona)

SHPD Staff: Kea Calpito, Burial Sites Specialist
Christian Omerod, Burial Sites Specialist
Lauren Chun, D.A.G.

Guests: Kai Markell, Office of Hawaiian Affairs
Jimmy Medeiros (IV.D, E)
Keone Kalawe (IV.G, H)
Keikialoha Kekipi (IV.G, H)
Nicole Lui (IV.B, C, H)
Angela Neller
Nana Manuel (IV.A)
Michael Manuel (IV.A)
Debralee Ka'iliwai-Ray (IV.H.)
Wilson Kanaka'ole

Sharon Moraes (IV.H)
Laheamanu Davis
Lokelani Brandt, ASM Affiliates, Inc. (IV.G, H)
Leah Gouker
Ku Kahakalau (IV.H)
Jesse Souki, University of Hawai‘i
Michael Shibata, University of Hawai‘i
Aeae Ishibashi
Olivia Staubus
“Ravenscraft”
Leslie Enriquez-Rosehill (IV.G)
Puakea Foster
U‘ilani Naipo
David Lassner, University of Hawai‘i (IV.G)
“Johnnette”
Ku‘ulei Kealoha Cooper
Blanche Fountain, University of Hawai‘i
Kamakana Ferreira, Office of Hawaiian Affairs
Douglas Le, County of Hawai‘i
Lono Lyman
Mililani Trask (IV.G)
Diane Preza
Dane Maxwell
Gregory Chun, University of Hawai‘i
“Cal”
Jamie Kawauchi
Paka Davis
Cyd Hoffeld
Rupert Roe (IV.G)

Part I of Audio Recording: 00:00 – 03:18:00

I. CALL TO ORDER

Chair Kahakalau calls to order the meeting at 9:35 AM.

II. ROLL CALL/PULE

Chair Kahakalau conducts pule.

Nālei Pate-Kahakalau, Kalena Blakemore, Desmon Haumea, Waiola Higa, Scott Mahoney, La Crivello, Clifford Kaponu

III. MINUTES

A. Approval of the Minutes for September 16, 2021.

Summary:

Recording: 07:10 – 07:55

MOTION: To approve the minutes

MOVED BY: Member Haumea
2ND BY: Vice-Chair Blakemore
VOTE: Motion carried unanimously

IV. BUSINESS

A. Descendancy Recognition Application of Michael Anthony Manuel to the Skeletal Remains of Eva Makuahine, Noa Kekūhaupi‘o, Kahula Kekūhaupi‘o Macomber, and Luther Robert Macomber, Interred in Kiolaka‘a/Pu‘umaka‘ā Ahupua‘a, Ka‘ū District, Island of Hawai‘i, TMK: (3) 9-4-016:013.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a lineal descendant to the identified 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 location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by 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.

Summary:

Recording: 08:05 – 38:40

- Chair Kahakalau (09:40)
- Member Haumea (11:20)
- *Motion at 11:30*
- Michael (12:25, 16:35, 24:25)
- Kea (14:25)
- Member Mahoney (15:50)
- Member Kaponu (18:55, 22:20, 36:50)
- D.A.G. Chun (21:50)
- Member Crivello (23:45)
- *Vote at 25:35*
- Kai (26:20)

MOTION: To recognize Michael Anthony Manuel as a lineal descendant
MOVED BY: Member Haumea
2ND BY: Member Higa
VOTE: Motion carried unanimously

B. Descendancy Recognition Application of Nicole Lui to Unidentified Native Hawaiian Skeletal Remains Located in Hale Ki‘i Ahupua‘a, South Kona District, Island of Hawai‘i, TMK: (3) 8-1-004:003.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the unidentified 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 location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by 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.

Summary:

Recording: 38:45 – 48:00

- *Motion at 41:00*
- Nicole (41:30)
- Chair Kahakalau (46:20)
- *Vote at 47:10*

MOTION: To recognize Nicole Lui as a cultural descendant
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Mahoney
VOTE: Motion carried unanimously

C. Descendancy Recognition Application of Agnes Lui to Unidentified Native Hawaiian Skeletal Remains Located in Hale Ki'i Ahupua'a, South Kona District, Island of Hawai'i, TMK: (3) 8-1-004:003.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the unidentified 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 location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by 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.

Summary:

Recording: 48:05 – 53:10

- *Motion at 50:05*
- Nicole (50:35)
- *Vote at 52:30*

MOTION: To recognize Agnes Lui as a cultural descendant
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Haumea
VOTE: Motion carried unanimously

D. Descendancy Recognition Application of Jim Medeiros Sr. to Unidentified Native Hawaiian Skeletal Remains Located in Puapua'a II Ahupua'a, North Kona District, Island of Hawai'i, TMK: (3) 7-5-020:068.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the unidentified 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 location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by 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.

Summary:

Recording: 53:15 – 58:40

- *Motion at 55:35*
- *Jim (56:25)*
- *Vote at 58:05*

MOTION: To recognize Jim Medeiros Sr. as a cultural descendant
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Mahoney
VOTE: Motion carried unanimously

E. Descendancy Recognition Application of Jim Medeiros Sr. to Unidentified Native Hawaiian Skeletal Remains, SIHP #50-10-28-13534 Located in Keōpū I Ahupua‘a, North Kona District, Island of Hawai‘i, TMK (3) 7-5-004:013.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the unidentified 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 location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by 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.

Summary:

Recording: 58:55 – 01:13:25

- *Motion at 01:01:20*
- *Jim (01:02:20, 01:08:00, 01:09:40)*
- *Nicole (01:06:45)*
- *Member Kaponu (01:08:40)*
- *Vote at 01:11:55*

MOTION: To recognize Jim Medeiros Sr. as a cultural descendant
MOVED BY: Vice-Chair Blakemore
2ND BY: Member Haumea
VOTE: Motion carried unanimously

F. Update on Burial Site #50-10-28-13534, Located in Keōpū I Ahupua‘a, North Kona District, Island of Hawai‘i, TMK: (3) 7-5-004:013.

Information/Discussion: Information and discussion on the above burial site.

Summary:

Recording: 01:13:30 – 01:24:45

- Jim (01:14:15)
- Member Kapono (01:19:10)
- Chair Kahakalau (01:21:45)
- Nicole (01:23:10)

G. DRAFT Burial Treatment Plan for SIHP #50-10-46-21792 and #50-10-46-21794, Located in Kumukahi, Kula Ahupua‘a, Puna District, Island of Hawai‘i, TMK: (3) 1-4-002:092. Information/Discussion: Information and discussion on the above Draft BTP.

Summary:

Recording: 01:24:50 – 03:18:00

- Loke Brandt (01:26:20, 01:29:20, 01:52:40, 02:25:05)
- Kai Markell (01:27:30, 02:18:50, 03:13:55)
- *Closed session at 01:44:00 – 01:51:30*
- Keiki Kekipi (01:56:05, 02:06:30)
- D.A.G. Chun (02:06:15)
- Keone Kalawe (02:22:35, 02:32:50)
- Kea (02:25:30)
- Member Crivello (02:30:55)
- Chair Kahakalau (02:33:10, 02:38:00)
- Member Kapono (02:34:35)
- Vice-Chair Blakemore (02:39:25)
- Mililani Trask (02:43:10)
- Rupert (03:03:20)
- David Lassner (03:10:20)

RECESS and End of Audio Recording Part I

Part II of Audio Recording 00:00 (03:18:41) – 02:07:27

H. Soliciting Testimony for the Office of Hawaiian Affairs Burial Sites Working Group (BSWG) Regarding the Care, Management, and Protection of Unmarked Burial Sites. Information/Discussion/Recommendation: Discussion and receipt of testimony regarding the above item.

If you have suggestions about how the DLNR or the State Historic Preservation Division are fulfilling their legal duties, how burial sites could be better protected, or how the Island Burial Councils could be better supported or improved, your mana‘o is valued. The Burial Sites Working Group would appreciate hearing your suggestions, concerns, and specific examples that might guide their work of offering recommendations to the State Legislature.

Background: In response to House Resolution 113 (HR 113) and Senate Resolution 171 (SR 171), the Office of Hawaiian Affairs (OHA) has convened a Burial Sites Working Group (BSWG). One representative from each Island Burial Council serves on the BSWG alongside other members from the State Historic Preservation Division (SHPD), the law school,

Huliaupa‘a/Kali‘uokapa‘akai Collective, and the larger Hawaiian community. The BSWG is tasked to do the following:

- a. “Study and analyze the allegations of mismanagement by the Department of Land and Natural Resources' (DLNR’s) State Historic Preservation Division” (SR171);
- b. “Determine a recommended course of action to address and resolve the allegations of mismanagement by the Department of Land and Natural Resources' State Historic Preservation Division” (SR171);
- c. “Review and recommend improvements to the workings of the Island Burial Councils, which are administratively attached to the State Historic Preservation Division, and how to implement them” (HR113);
- d. “Determine ways to strengthen protections and improve resources for Native Hawaiian burials” (HR113);
- e. “Examine ways to improve the implementation of the Island Burial Councils' duties and responsibilities and to better understand and determine their relationship to the State Historic Preservation Division and its management” (HR113);
- f. “Review existing statutes and administrative rules pertaining to the Island Burial Councils and ways to develop their implementation” (HR113); and
- g. “Provide recommendations on the development of a statewide survey and inventory that documents historic properties where burial sites exist or may exist, including properties owned by the State or the counties” (HR113)

In light of this kuleana, the burial council is soliciting input and testimony (written and/or oral) from lineal and cultural descendants and other interested persons on the above matters. Your testimony will be included for the BSWG to review and make findings and recommendations to the legislature in time for the 2022 legislative session.

Summary:

Recording: 00:00 – 02:05:40

- Kū Kahakalau (09:40)
- Debralee Ka‘iliwai-Ray (23:30)
- Sharon Moraes (34:55)
- Lokelani Brandt (42:05)
- Keikialoha Kekipi (52:50)
- Keone Kalawe (01:07:15)
- Nicole Lui (01:13:00)
- Member Mahoney (01:23:10)
- Vice-Chair Blakemore (01:26:05)
- Member Kaponu (01:28:20)
- Kai Markell (01:29:20)
- Member Haumea (01:44:00)
- Chair Kahakalau (01:44:55)

I. Discussion on Hawai‘i Island Burial Council Membership, Roles, and Responsibilities. Information/Discussion: Discussion on the above item.

V. ANNOUNCEMENTS

A. The Next HIBC Meeting is Thursday, November 18, 2021, 9:30 A.M., Online via Zoom.

VI. ADJOURNMENT

Meeting adjourns at 3:14 PM.

*****THE ABOVE MINUTES WERE APPROVED AT THE 02/17/2022 HIBC MEETING*****

Pursuant to §92-3 Hawai'i Revised Statutes (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 Hawai'i Island Burial Council at its November 17, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.

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

Pursuant to §92-2.5(d) HRS, if a meeting must be cancelled due to lack of quorum, the present council members may elect to continue to receive testimony and presentations on items on the agenda.

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 located at 40 Po'okela St., Hilo, HI 96720. Individuals requiring special assistance or auxiliary aids or services (e.g., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) at the HIBC meeting, please contact staff at least 72-hours prior to the meeting at (808) 933-7653 so that arrangements can be made.