

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
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CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**MINUTES
KAUA'I / NIIHAU ISLAND BURIAL COUNCIL MEETING**

DATE: Wednesday, January 22, 2025
TIME: 9:00 AM
PLACE: Online via Microsoft Teams
—AND—
Lihu'e State Office Building
3rd Floor Conference Room
3060 'Eiwa Street
Lihu'e, HI 96766

This meeting will be held using interactive conference technology under section 92-3.7, Haw. Rev. Stat. (HRS). Board members, staff, applicants, testifiers, and the public can choose to participate in person, online via Zoom, or by telephone at +1 699 444 9171.

To Attend/Provide Testimony via Microsoft Teams:

<https://teams.microsoft.com/meet/217930364540?p=hzgcfknCrawOVDyHdF>

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

KNIBC Members: **Present:**
Vice Chair Carol Lovell (Kawaihau)
Member Wayne Harada (Napali)
Chair Johnette K. Kahalekai (Lihue)
Member Bruce Robinson (Niihau)
Member Barbara Say (Hanalei)

Not Present:
None

SHPD Staff: Kauanoë Hoomanawanui, Burial Sites Specialist
David Buckley, Lead Archaeologist

Guests: Roslyn Cummings
Sheri Cummings
Kaliko Santos/OHA
Sandi Quinsaas, *Teams*
Nancy McMahon, *Teams*

Lindsay Kukona Pakele/OHA, *Teams*
Cindy Young, *Teams*
Parker Spencer/OHA, *Teams*
Jordan Calpito/SHPD, *Teams*

I. CALL TO ORDER

Chair Kahalekai calls to order the meeting at 09:06 A.M.

II. ROLL CALL/PULE

Wayne Harada, Bruce Robinson, Carol Lovell, Kau'ilani Kahalekai, Barbara Say, Member Harada gave pule.

III. MINUTES

A. Approval of the Minutes for November 20, 2024.

Summary:

Recording: 01:28-02:15

- *Motion and vote made at 02:02*

MOTION: To accept the for November 20, 2024, minutes.

MOVED BY: Carol Lovell

2nd BY: Barbara Say

VOTE: Motion carried unanimously

B. Approval of the Minutes for December 18, 2024.

Summary:

Recording: 02:20-03:15

- *Motion and vote made at 02:34*

MOTION: To accept the for December 18, 2024, minutes.

MOVED BY: Carol Lovell

2nd BY: Barbara Say

VOTE: Motion carried unanimously

IV. BUSINESS

A. Descendancy Recogniton Application of Roslyn Cummings to Unidentified Native Hawaiian Skeletal Remains, SIHP #50-30-05-02411, Located at 8798 Kaumuali'i Highway, Waimea Ahupua'a, Kona District, Island of Kaua'i, TMK: (4) 1-3-005:040.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the above Native Hawaiian skeletal remains.

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.

Recording: 11:27 – 15:30

- Member Kahalekai (11:27)
- Lindsay Kukona Pakele (13:58)
- Roslyn Cummings (14:38)
- *Motion and vote made at 15:20.*

MOTION: To go into executive session.

MOVED BY: Carol Lovell

2nd BY: Barbara Say

VOTE: Motion carried unanimously

Recording: 45:30 – 01:18:23

- Member Kahalekai (45:30)
- Roslyn Cummings (45:38)
- Cindy Young (45:49)
- Barbara Say (01:01:12)
- *Motion and vote made at 01:17:40.*

MOTION: To defer this agenda item until the applicant provides additional information.

MOVED BY: Wayne Harada

2nd BY: Carol Lovell

VOTE: Motion carried unanimously

B. Descendancy Recognition Application of Roslyn Cummings to Unidentified Native Hawaiian Skeletal Remains, SIHP #50-30-03-02410, Located at 5243 Weke Road, Hanalei Ahupua‘a, Halele‘a District, Island of Kaua‘i, TMK: (4) 5-5-002:033.

Information/Discussion/Determination: Discussion and determination whether to recognize the applicant as a cultural descendant to the above Native Hawaiian skeletal remains.

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.

Recording: 01:18:23– 01:40:10

- Roslyn Cummings (01:18:23)
- Chair Kahalekai (01:22:52)
- Roslyn Cummings (01:23:29)
- Barbara Say (01:32:12)
- Vice Chair Lovell (01:32:53)
- Sherri Cummings (01:35:49)

- SHPD Kauanoe Hoomanawanui (01:43:54)
- *Motion and vote made at 01:47:20.*

MOTION: To recognize Roslyn Cummings as a cultural descendant to the Hanalei Ahupua'a, Halele'a District.

MOVED BY: Wayne Harada

2nd BY: Carol Lovell

VOTE: Motion carried unanimously

C. Discussion on Kaua'i Niihau Island Burial Council Membership, Roles, and Responsibilities.
Information/Discussion: Discussion on the above item.

Recording: 01:47:47 – 01:49:28

- *No discussion.*

V. INADVERTENTS/COMMUNICATIONS

A. Inadvertent Discovery of Unidentified Human Skeletal Remains, SIHP# 50-30-08-02550, -02551, located at Wana & Niulani Road Waipouli Ahupuaa, Kawaihau District, Island of Kauai, TMK: (4) 4-3-009:51.

Notification/Discussion: Notification and discussion on the above inadvertent discovery.

Recording: 01:49:28– 01:51:19

- *No discussion.*

VI. ANNOUNCEMENTS

A. The Next KNIBC Meeting is Thursday, February 19, 2025, 9:00 A.M., at the Lihu'e State Office Building, 3rd Floor Conference Room, 3060 'Eiwa Street, Lihu'e, HI 96766.

Meeting adjourns at 10:56 A.M.

To Provide Written Testimony:

We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Board members prior to the meeting and allow a timely review. Please submit written testimony via email to: kauanoe.m.hoomanawanui@hawaii.gov. Written testimonies can also be mailed to: P.O. Box 1729, Lihu'e, HI 96766. Written testimonies may be posted upon the KNIBC meeting website; as a precaution, please be mindful with any personal information prior to submitting unless you intend it to be shared. Late written testimony will be retained as part of the record and distributed to KNIBC members as soon as practicable, but we cannot ensure the KNIBC will receive it in sufficient time to review, prior to decision-making.

To Provide In-Person Oral Testimony (masks are highly encouraged):

Attend in-person at: Lihu'e State Office Building, 3rd Floor Conference Room, 3060 'Eiwa Street, Lihu'e, HI 96766.

To Provide Testimony by Telephone:

On the day of the meeting at the start of the agenda item you wish to testify on, dial +1 669 444 9171 (Zoom); input the meeting ID and passcode and follow the prompts.

To Provide Video/Zoom Testimony:

Please send your request in a timely manner to: kauanoe.m.hoomanawanui@hawaii.gov with your information, email address, and the agenda item you wish to testify on. Once your request has been received, you will receive a confirmation email with pertinent information. You may testify without signing up in advance.

We kindly ask that all oral/video testimony be limited to not more than three (3) minutes. We ask that you identify yourself and any affiliation before speaking, but you can choose not to do so.

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.

The KNIBC may go into Executive Session pursuant to section 92-5(a)(4), HRS, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

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.