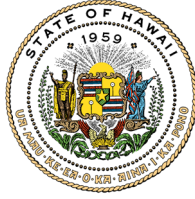


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**AMENDED AGENDA (requires OIBC adoption)
O'AHU ISLAND BURIAL COUNCIL**

DATE: Wednesday, September 10, 2025
TIME: 10:00 AM (HST)
PLACE: Department of Land and Natural Resources
Kalanimoku Building
Board Room #132
1151 Punchbowl St.
Honolulu, HI 96813
—AND—
Online via Zoom

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 +1 699 900 6833.

To Attend/Provide Testimony via Zoom:

<https://zoom.us/j/95267461120>

Meeting ID: 952 6746 1120
Passcode: 3ZsH4i

***** Recording Available at *****

OIBC Members:

Chair Caceres (Waianae), In-person
Vice-Chair Shafer (Koolauloa), In-person
Member Ehrhorn (LLO), In-person
Member Ako (Kona), In-person
Member Mills (LLO), In-person
Member (Kailua)

SHPD Staff:

Jessica Puff, Administrator
Regina Hilo, Burial Site Specialist
Kea Calpito, Acting History & Culture Branch Chief
Samantha Hemenway, Oahu Archaeologist (on Zoom)

At Board Room:

**Mana Caceres, ‘Ohana Kuponono Consulting
Matt McDermott, CSH
Nick Belluzzo, ASM Affiliates
Henry Fong, Descendant
Kiele Muraco, NSC
Dodge Watson, Honua
Brandon Chambers
Kamuela Kalai
JB
Daniel Akiau
Emily Stissle
Cy Harris
Doug Hazelwood
Dennis Gosser
Ryan Gross**

On Zoom:

**Jeannette Bento
A Akau
Awa
Berna Senelly
Jon Hosaka
Keala Norman
Lani
Kihei De Silva
Mara Mulrooney
Abennics
Aimee Sato
Anthony
Deputy AG D. Swenson
Edward Halealoha Ayau
Gina
Kekua Norman
Michelle Clark (CSH)
Patricia Sendao
Megan Donahue
Sharla Manley
Julie Kramer
MK
Rebecca Crall
Kai Markell
Brandon Shima (UH)
Garrett Matsumoto
Erin Schwartz
Kenneth Makuakane
Patricia and Eric Hubner
Stephanie
Lise Detzel-Ma**

I. CALL TO ORDER

Chair Caceres calls meeting to order at 10:00AM

II. ROLE CALL/PULE

Recording: 0:30-1:47

Member Mills conducts pule

Chair Caceres, Vice-Chair Shafer, Member Mills, Member Ako, Member Ehrhorn

III. MINUTES

A. Approval of the Minutes for March 12, 2025

- Mana Caceres-Would like to take minutes one at a time. Want to confirm Regina Hilo sent out meeting minutes via email but the March 12, 2025 minutes weren't included. Wanted to see if they were reviewed by others.
- Member Mills-Reviewed it online. March and April were posted online. May, June, and July were not.
- Member Ako-I did not receive March minutes
- Chair Caceres-Would like to entertain a motion to defer this

Motions and vote (3:03)

MOTION: To Defer Approval of the March 12, 2025 Minutes
MOVED BY: Member Shafer
2ND BY: Member Mills
VOTE: Motion carried unanimously

B. Approval of the Minutes for April 9, 2025

- Member Mills-Believe the minutes are incomplete, OIBC members and votes are not listed.
- Chair Caceres-Formats of minutes were not consistent with the May, June, and July minutes.
- Member Ako-Cannot approve minutes the way they were received. Important to capture who's present and who's absent.

Motions and vote (4:32)

MOTION: To Deny Minutes so SHPD Staff can Edit and Complete
MOVED BY: Member Shafer
2ND BY: Member Mills
VOTE: Motion carried unanimously

C. Approval of the Minutes for May 14, 2025

- Member Mills-Minutes looked good. Noticed May-August minutes were not online.
- Chair Caceres-It is a requirement but it was included on calendar. If it wasn't easily accessible to the public, it would be violation of sunshine law to approve.
- Regina Hilo-The meeting minutes are not on the SHPD web page.

Motions and vote (7:40)

MOTION: **To Defer Meeting Minutes of May, June, and August**
MOVED BY: **Member Ehrhorn**
2ND BY: **Member Shafer**
VOTE: **Motion carried unanimously**

D. Approval of the Minutes for June 18, 2025

E. Approval of the Minutes for August 6, 2025

IV. NEW BUSINESS

A. Discussion on O'ahu Island Burial Council Membership, Roles, and Responsibilities. **Information/Discussion:** Discussion on the above item.

The Council may elect to go into executive session pursuant to HRS § 92-5(a)(4) to consult with the Council's attorney on questions and issues pertaining to the Council's powers, duties, privileges, immunities, and liabilities.

Recording: 8:19-58:07

- Member Mills-Noticed visitors from Moekapu and don't see them on the agenda.
- Chair Caceres-They didn't meet the timeline to be on the agenda but we can ensure they're on the next agenda.
- Member Shafer-Can we do introductions?

Introductions

- Kamuela-Would like council to recommend to SHPD to update on Kawaiahao, 100's of kupuna in basement of church that need to be put to rest. Hakipuu was a concern with known burials that were supposed to have protections and the descendants have no access. Iwi are always being found at Kualoa. Only one ohana being notified when there are other descendants. What is happening with Mokapu burials? Have been out of their burial grounds for too long with no status update.
- ?-Has been work to bring all iwi from Mokapu from Bishop Museum. Over 1500 remains in boxes. Will be doing inventory to know how much we have. Have made an agreement with the marine corps to create a memorial that will house all the iwi. Currently in design process of memorial and being planned that once finished all iwi will be reinterred. Burials are still being found, they are being collected and included in the reinterment. Erosion is causing them to come out.

- Chair Caceres-This isn't on the agenda and so we need to shift focus back to agenda items.
- Kamuela-Last request is for iwi kupuna that were in SHPD care, what is the update?
- Chair Caceres-Chair Dawn Chang will be attending the meeting at 12:30pm today. Will share as much as possible what is discussed from our executive session.
- Member Ehrhorn-Been on board since 1989, there were 1600 remains and years later the number went up to 2000. Raised issue of this not being resolved and appreciate the points you made.
- Member Ako-Requests concerns are reflected in minutes to be held accountable
- Member Ehrhorn-Should have all points on agenda and have updates each month
- Chair Caceres-Once an applicant is granted cultural descendantcy from the council, they no longer have to seek future descendantcy.
- Deputy AG D. Swenson-Not present for any discussion on the memo
- Jordan Calpito-After consulting with AG's office, it didn't make sense to retroactively grant cultural future cultural descendantcy to past recognized applicants because of how past recognitions occurred. Effects would take change after
- Deputy AG D. Swenson-Consistent with my understanding as well. Any board in the state can't look at past decisions and have the current council make a decision for past councils. Not everyone recognized necessarily wants to be consulted for all future discussions.
- Member Ako-There should be something in writing from the AG's office. Problematic that we're hearing what the Deputy AG thinks as opposed to the law. Have an issue that a Deputy AG hasn't been present at any meetings.
- Deputy AG D. Swenson-Chair Caceres can make a formal written request and we can respond accordingly. The AG's office wasn't requested to be at the meetings
- Member Ako-Can't get answers from AG's office and its problematic.
- Deputy AG D. Swenson-Moving forward, chair can request a deputy AG be present.
- Keala-In the past there was always an AG representative present to answer questions
- Chair Caceres-Takes responsibility, may have been a loss of communication. Have requested of Regina to have a deputy AG available. Given the changes in the descendantcy applications haven't taken effect yet. Would the council be in compliance if the council were to grant cultural descendantcy to today's applicants for the ahupuaa?
- Jordan Calpito-Recommendation for today would be to follow how the original application was written. Can add a section so someone doesn't have to be recognized to the same iwi they've already been recognized to.
- Chair Caceres-In the interim of this being approved, how is SHPD going to mitigate problem of descendants being excluded from reburials because they're not recognized to those individual iwi?
- Deputy AG. D. Swenson-If an applicant is present or communicated they would like to be recognized as a cultural descendant to the ahupuaa, the verbal motion can reflect that.
- Member Ako-Requests this be put in writing. Would like clarity if there is a list kept of recognized descendants that is being updated.
- Chair Caceres-Will ensure the exact wording of the Deputy AG is taken for the minutes.
- Member Ehrhorn-Not clear of what the Deputy AG said. Used to have a Deputy AG in every meeting and then it stopped. A request has been made at every meeting.
- Chair Caceres-If the applicant is here and would like to request they are granted recognition to all iwi in the ahupuaa, that is what we have the power to do and it will be reflected in the agenda.
- Kamuela Kalai-Was assured by CSH that would be notified if any more iwi were found and was not.
- Member Ako-Requests writing of process and timeline for approving new application being developed. Verbal commitments get made but unless its in writing there is no accountability. Discussion heard today is a lack of trust in how the system works and not having a seat at the table for discussions.
- Chair Caceres-Here to hold everyone accountable and have my commitment to see these things through. Understand the frustrations.

- Regina Hilo-There is a running list that needs to be updated. List has those recognized from late 80's and more present descendants. The multiple lists need to be combined and updated.

Agenda moves to Item IV. C

B. Executive Session to Consult with OIBC's Attorney (Department of the Attorney General) on Questions and Issues Pertaining to OIBC's Powers, Duties, Privileges, Immunities, and Liabilities with Respect to Ongoing Investigations and Alleged Violations of Hawaii Revised Statutes Chapter 6E, and its Implementing Administrative Rules, that may Involve Burial Sites and Human Remains under OIBC's Jurisdiction, Pursuant to HRS §92-5(a)(4).

The OIBC may invite the State Historic Preservation Officer (Chairperson Chang) to attend, as her presence may be necessary to assist the OIBC's understanding of any ongoing investigations of alleged violations of Hawaii Revised Statutes Chapter 6E, and its implementing administrative rules, that may involve burial sites and human remains under OIBC's jurisdiction.

Members Enter into Executive Session (2:20:00)

- Chair Caceres-To summarize what Dawn Chang said in executive session, we were made aware of an ongoing investigation that will conclude in a few months. Once the report is made available, OIBC will be consulted in how to best rectify the subject of the investigation.

Agenda moves to Item IV. E

C. Update on Implementation of the Burial Treatment Plan for Iwi Kūpuna at Kawaiaha'o Church Multi-Purpose Center/Building Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: (1) 2-1-032:017

Information/Discussion: Information and discussion on the above agenda item.

Recording: 58:30-2:16:35

- Suzanne Boatman-Would be helpful that when the church is agendaized that the church be notified. That hasn't happened in the past year. There is a presentation on Digify for everyone. March 15, 2021 SHPD accepted draft AIS. April 25, 2022 joint BTP was submitted. June 8, 2022 OIBC approved BTP. July 9, 2022 SHPD accepted the OIBC that differed from OIBC determination. August 8, 2022 church had contractor prepare permits. December 2022 final work plan accepted by SHPD. Injunction resulted in needing judges approval to move forward. December 6, 2023 engineering firm filed a demo permit with DPP. December 12, 2023 grading permit was filed. January 3, 2024 hearing with Judge Chang seeking to implement the BTP but no ruling until March 25, 2024 to move forward. September 2023-March 2025 calls were made to DPP and engineering firm. Was told permit could take 6 months to a year. At 6 month mark there were regular calls to DPP but they could only speak to the individual who filed the permit. At the 1 year mark, called weekly to find out problem. Was told the engineering firm wasn't answering the questions DPP was sending out. Engineering firm license had lapsed. Asked another contractor for a contact in DPP that could provide more info. April of that year was told the permits applied for did not require supporting documents. Church decided to issue new contract with another firm. May 6, 2025 they submitted permits. Requested full access to all communication between DPP and contractor. Process for demo process was automated and

available on the DPP website. Believes permits go into a stack and once questions are asked, the permit goes to the bottom of the stack and has to work its way back to the top. Contractor has reached out to figure out why DPP isn't screening the permit. Hawaiian Dredging did all the pre-work allowed to do without a permit so that once the permit comes in, its ready to go. Work was scheduled to start last week of august but had to cancel because of no permit. Had to get attorney involved with grading permit. Attorney came to agreement with a new engineer assigned to project. 19th of May the new demo was submitted and old one was cancelled. 24th of July the grading permit was dropped off and there is no way to get a date stamp, checks were dropped with the permit. Asked SHPD to review everything uploaded to HICRIS. SHPD issued approval letter on 24th of July asking DPP to proceed with the permit. Information on permit not available online yet. 6th of August it was confirmed the grading permit was received but not screened. Since then, both permits are under the review process. 8th of September DPP came back with questions about the grading permit.

- Chair Caceres-Mahalo for joining and presenting a thorough timeline. Concern as chair is the length of time this process is taking. The BTP was accepted July 9th, 2022. How much authority does an approved BTP have with developers.
- Member Ako-What is the process of follow up to ensure the contractors are providing responses to DPP's questions in a timely fashion.
- Suzanne Boatman-Payments are withheld until responses are provided. Since the new contractor, there has been less than a week timeframe of a question being adequately answered. Not sure what happened during the year that there was no movement with permits but now payments wont be made until the work is satisfactory. Huge problem with DPP and how permits are processed. DPP will not take any phone calls or visits, only emails are taken.
- Member Ehrhorn-Letter to the head of DPP should be written by Chair of BOD and to the mayor if a response from DPP isn't given.
- Member Ako-Church needs to find allies that have political clout. Oahu Historic Preservation Commission should be brought in as well. City council should be informed as well.
- Vice-Chair Shafer-All people mentioned are supposed to work for you. Give them an outline and history and request to meet.
- Kamuela-Speaks to importance of notifications of descendants. Descendants weren't consulted and these suggestions could've been hear sooner. After so long of requesting information and not receiving anything, trust becomes an issue. Oahu Historic Preservation Commission needs to be aware of this issue and multiple DPP representatives sit on it. Should apply for a life and death permit for this. Descendants deserve to know what's happening, even a simple report each month.
- Halealoha-Church rushed to disinter all iwi before ruling came out. Church reached out to myself and Mana that the best way forward was with descendants working with the church. Before the final BTP was submitted, there was disagreement in verbiage of the BTP. Joint decision wasn't made on the issue, the church said no and submitted what they wanted. Church is pursuing separate efforts to preserve its legal right to build in the future. Suggest halting all efforts to pursue construction of the structure on its grounds while trying to implement the joint BTP. Problem that church isn't consulting with partners [descendants]. Immediate concern was not building on the iwi but it was asked not to build anywhere. Would assert there are 700 reasons why building shouldn't take place.
- Suzanne Boatman-A single layer of sand was put in that doesn't support construction to intentionally prohibit the building. The BTP clearly states the intent to build the elevator for kupuna where no iwi were found and its currently vacant. The reason the church feels strongly about not encumbering the use of land is because of the deed of trust from Kamehameha. No plan or desire to build multipurpose building. Used to havea membership of 800 people, now only about 205 people. There is no money to continue building anything, the church is struggling to not become a historic site. Millions were spent to renovate the basement so that no multipurpose center is needed. The only need the church will have is for an elevator and restroom.

- Halealoha-We are partners and should be kept apprised of what is going on so we can do our part. We stand by to do so.
- Dianne-There has been no representative from the church at any of the meetings I've been at. An AG has been requested at every meeting as well. We are here to be partners and suggest the letter be CC'd to the OHA chair and chair of OIBC. 4 family members have passed away since the start of this.
- Suzanne Boatman-Have not received an agenda or zoom link in over a year. Problem when put on an agenda but no notification. Need action to know when dates of meetings are. Need assistance from SHPD to have 3 weeks notice of meetings and to be able to submit updates.
- Chair Caceres-That is a failure of SHPD, not of Regina Hilo specifically. Burial sites program has been lacking as multiple employees are on administrative leave. Brought up concerns to Dawn Chang, Jordan Calpito, and requested meeting with Jessica Puff. Will continue to seek support for Regina. Will personally help provide Regina support to notify you of future meetings.
- Nalani-Here to represent our ohana. Concerned for overall treatment of the process. Church's \$7 million debt being passed to members is a concern as its not the congregations kuleana to take that on. There is an opportunity every month to show up. No one had to call us in, its out of sheer will and knowing the reburial process is important. A memorial plaque was asked for ohana. The entire ground should be treated as a historic area. Important people to the lahui are buried there. Being told as an ohana that a memorial marker cant be put up. Coming forward with complaints of having not been informed of anything since last year. Please keep us updated on the process. The ohana originally started creating the BTP asking for the church to do the right thing. Kumu Hina was chair at the time and said we need to work together.
- Member Ako-Surprised to hear that its news that we've wanted an update from the church. After the July meeting that was cancelled I received a call from the Kahu. What is happening with internal communications from people at the church to get this lifted to be a matter of concern.
- Keala Norman-The church has been on the agenda every month since 2019, why you're not aware of it is beyond me. This is the second time the church has desecrated iwi kupuna in that same area. Want to see in writing that the church wont build.
- Kamuela-Bothered the church is in court to not have the property encumbered and affect future building. To do the right thing, withdraw the court case. The land belongs to the kupuna buried in the land.
- Suzanne Boatman-We are not in court for continuing to build. We are there because of a lawsuit. Dana Hall brought it up in court, its not something that the church brought up or requested. Focus is only on the iwi kupuna in the ground.

D. Lineal Descendancy Recognition of Kyle K. Spillner to Identified Native Hawaiian Iwi Kupuna located at Ulupehupheu Ahupua'a, Ko'olaupua District, Island of O'ahu, TMK: (1) 5-6-003:062
Discussion/Determination: Discussion and determination on the Department's recommendation to recognize the applicant as cultural descendant to the unidentified Native Hawaiian skeletal remains located at the above project.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever a location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by a 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: 2:16:35-2:18:20

- Member Ako-Agenda states to recognize the applicant as a cultural descendant
- Regina Hilo-That is a typo, it is for lineal descendancy

Motions and vote (2:17:38)

MOTION: To Recognize Kyle K Spillner as a Lineal Descendant
MOVED BY: Member Ako
2ND BY: Vice-Chair Shafer
VOTE: Motion carried unanimously

10 Minute Break

Agenda moves to Item IV. B

E. Cultural Descendancy Recognition of Brandy Kalehua Kamohalii Caceres and ‘Ohana (names attached) to Previously Identified Native Hawaiian Skeletal Remains, Iwi Kupuna, located at the Kamehameha Schools Kaiāulu ‘o Kaka‘ako Master Plan Increment II Electrical Infrastructure Project, Kaka‘ako, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: (1) 2-1-059:999

Discussion/Determination: Discussion and determination on the Department’s recommendation to recognize the applicant as cultural descendant to the unidentified Native Hawaiian skeletal remains located at the above project.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever a location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by a 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: 2:24:00-2:27:11

Chair Caceres and Member Mills recuse themselves

- Mana Caceres-Open to answer any questinos

Motions and vote (2:25:28)

MOTION: To Recognize Brandy Caceres as a Cultural Descendant to the ahupuaa
MOVED BY: Member Ako
2ND BY: Member Ehrhorn
VOTE: Motion carried unanimously among those voting

- Brandy Caceres-Want to make sure recognition affords recognition to the ahupuaa

F. Cultural Descendancy Recognition of Norman “Mana” Kaleilani Caceres to Previously Identified Native Hawaiian Skeletal Remains, Iwi Kupuna, located at the Kamehameha Schools Kaiāulu ‘o Kaka‘ako Master Plan Increment II Electrical Infrastructure Project, Kaka‘ako, Honolulu Ahupua‘a, Kona District, O‘ahu, TMK: (1) 2-1-059:999

Discussion/Determination: Discussion and determination on the Department’s recommendation to recognize the applicant as cultural descendant to the previously identified Native Hawaiian skeletal remains located at the above project.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever a location or description of a Native Hawaiian Burial site is under consideration. The chairperson, by a 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: 2:27:11-2:28:39

Chair Caceres and Member Mills recuse themselves

Motions and vote (2:28:15)

MOTION:	To Recognize Norman Mana Caceres as a Cultural Descendant to the ahupuaa
MOVED BY:	Member Ako
2ND BY:	Member Ehrhorn
VOTE:	Motion carried unanimously among those voting

G. Cultural Descendancy Recognition of Michael Hale Hikalea to Previously Identified Native Hawaiian Skeletal Remains, Iwi Kūpuna, at 5088 Kiai Place, Wailupe Ahupua‘a, Kona District, Island of O‘ahu, TMK: (1) 3-6-023:006

Discussion/Determination: Discussion and determination on the Department’s recommendation to recognize the applicant as a cultural descendant to previously identified Native Hawaiian skeletal remains located at the above project.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever a location or description of a Native Hawaiian Burial Site is under consideration. The chairperson, by a 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: 2:28:39-2:31:30

Motions and vote (2:30:50)

MOTION:	To Recognize Michael Hikalea as a Cultural Descendant
MOVED BY:	Vice-Chair Shafer
2ND BY:	Member Ehrhorn

VOTE: Motion carried unanimously

H. Cultural Descendancy Recognition of Trisha Kehaulani Watson Sproat to Previously Identified Native Hawaiian Skeletal Remains, Iwi Kūpuna, at the Waikīkī Aquarium, Waikīkī Ahupua‘a, Kona District, Island of O‘ahu, TMK: (1) 3-1-031:006

Discussion/Determination: Discussion and determination on the Department’s recommendation to recognize the applicant as a cultural descendant to previously identified Native Hawaiian skeletal remains located at the above project.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever a location or description of a Native Hawaiian Burial Site is under consideration. The chairperson, by a 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: 2:31:30-2:38:45

- Regina Hilo-Applicant requested deferral of recognition if she had to be here in person as she notified that she won’t be able to make it
- Chair Caceres-Would representatives of Waikiki Aquarium project include Trisha in consultation until the time that she can be recognized?
- Doug Hazelwood-Absolutely

Motions and vote (2:34:05)

MOTION: To Defer Recognition
MOVED BY: Vice-Chair Shafer
2ND BY: Member Ehrhorn
VOTE: Motion carried unanimously

- Kamuela Kalai-Is it at the discretion of the developer to let non recognized descendants take part in consultation?
- Chair Caceres-They are legally required to consult with recognized descendants but not legally required to allow non-recognized descendants in consultation. It is up to the discretion of the developer

I. Update on Archaeological Inventory Survey and DRAFT Burial Treatment Plan for Native Hawaiian Skeletal Remains – Iwi Kupuna – at the Waikīkī Aquarium, Waikīkī Ahupua‘a, Kona District, Island of O‘ahu, TMK: (1) 3-1-031:006

Update/Discussion: Update and discussion on the above agenda item.

Recording: 2:38:45-2:55:15

- Doug Hazelwood-There was discovery of iwi kupuna during the AIS. 100% of excavated soil is raked and inspected. 25% is screen sifted. If iwi are found, 100% of the back dirt in the vicinity of the discovery is screen sifted. 5 individuals have been found to date. 4 descendants have come forward for consultation. Was asked to not share sensitive information in an open session and requested no markers be put in place where iwi are as well as no sidewalk structures or built

objects above iwi. Marking tape detectable by metal detectors was requested to be placed with burials so they can be detected in the future. 70-80% of project work has been completed. Will be having additional meetings moving forward for consultation with descendants.

- Vice-Chair Shafer-Impressed with the effects of consultation and adaptation of designs.
- Member Ako-Not reasonable to start from square one and disrupt work already done. Reasonable for her involvement moving forward
- Doug Hazelwood-Will bring in the descendant and two other individuals that are interested for consultation.

J. Archaeological Inventory Survey for the University of Hawaii at Manoa Coconut Island Sewer Improvements in Heeia and Kaneohe Ahupuaa, Koolauloko District, Island of Oahu, TMK: (1) 4-5-001:999 (Lilipuna Road), 4-6-001:001, 014-016, and 051

Introduction/Discussion: Introduction to the above agenda item and discussion.

Recording: 2:55:15-3:36:00

- Dennis Gosser-UH Manoa is planning a new sewer line and an AIS was required as well as consultation. After several meetings, descendants and cultural practitioners were in agreeance with plans but made some requests. There is a total of 18.8 acres across 2 parcels. Current project has 2400 meters of replacing swere line. An additional 600 meters will be replaced near the Lilipuna Pier. Burials were found in 2010-2011 representing 4 individuals. BTP was prepared and enacted. Next step is to develop an AMP for the upcoming project. 3 individuals reached out for consultation process. One issue is existing burial monument and possibility of relocating it. UH was more supportive of the idea if iwi had been found during the AIS. If there is no need to impact it, they're more inclined to leave it where it is. UH has met with Koolauloko Civic Club and one of their options was relocating. If monument wasn't relocated, UH would make changes to it to make it more respectful and secluded.
- Member Caceres-These were found during active construction and burials within memorial are inadvertent. Difficult for OIBC because it falls under purview of SHPD. Letter of determination was already made. Recommendation can be made as a council but what was thought process of asking for relocation?
- Dennis Gosser-During the AIS could potentially find more burials. If found, could the existing monument be relocated to another area that included the new finds. The concern was the current location being in a high traffic area and only being 5 feet above sea level. The existing monument is not within the current project scope.
- Member Ako-Feel like we're dealing in hypotheticals and need to react and address things as they come up instead.
- Chair Caceres-If they are to be moved, would they be considered previously identified and fall under the purview of OIBC.
- Regina Hilo-Once we document a burial, it would be considered previously identified and should have its own SIHP number.
- Member Ehrhorn-An announcement could be publicized about the iwi to see if anyone would like to come forward as a recognized descendant.
- Mana Caceres-It's a known burial site so if anything were to be planned to happen it would fall under the jurisdiction of the council.
- Chair Caceres-If there is no reason to move a burial, the burial shouldn't be moved. If its previously identified, a BTP would need to be created. The proactive approach should be made with SHPD.

- Dennis Gosser-The potential reburial location would be on the high point of the island. UH would like to get more information on what the process might look like. The thought was that there would be heavy equipment nearby and it could be moved away and a nicer environment created.
- Member Ehrhorn-If more iwi are found during the construction and they need to be relocated, it could be a reason to expand the current monument and make it nicer.
- Chair Caceres-To be clear, those that proposed this idea are not recognized as descendants. Invite them to come and seek recognition for these burials. Would be willing to officially make a vote to keep the iwi in place.

Motions and vote (3:29:38)

MOTION: **To Make Recommendation of Preserving the Iwi in Place that are Currently in the Memorial**

MOVED BY: **Member Ehrhorn**

2ND BY: **Vice-Chair Shafer**

VOTE: **Motion carried unanimously among those voting (Member Ako abstains)**

- Keala Norman-The burial preserve has always been a concern that it's too close to the water. From the presenter, UH is willing to move the shelter where heavy equipment is stored, is that correct?
- Dennis Gosser-They were talking about moving the shed further away from the memorial and shifting the road to where the shed was to create a bigger buffer for the iwi.
- Keala Norman-Agree with council about the iwi staying in place. Would UH be willing to do any mitigation for sea level rise?
- Chair Caceres-We've already addressed this item, you can follow up afterwards.

Item K, L, & M Removed from Agenda

V. INADVERTENT DISCOVERIES/COMMUNICATIONS

A. Letter from UH West Oahu to OIBC, dated June 18, 2025, received at SHPD on June 23, 2025, regarding NAGPRA Consultation.

Information/Discussion: Information and discussion on the above agenda item.

Recording: 3:36:45-3:37:15

- Regina Hilo-This was a mistake on the agenda.
- Chair Caceres-Has this been sent to Hui Iwi Kuamoo as discussed previously?
- Regina Hilo-Not yet, it will be sent out.

B. Inadvertent Discovery of Unidentified ~~Native Hawaiian~~ Skeletal Remains at Princess Ruth Ke'elikōlani Middle School, Honolulu Ahupua'a, District, Oahu, TMK: (1) 2-1-009:001, 002, and 003 (por.)

Information/Discussion: Information and discussion on the above agenda item.

Recording: 3:37:15-3:44:53

Chair Caceres Recuses Himself

- Ryan Gross-May 2023 SHPD received a LRFI report. June 2023 HSPD concurred with approach and requested an AMP be submitted. May 2024 the AMP was accepted. The inadvertent discovery was associated with fence post drilling going down about 4 feet. March 2025 onsite archaeological monitoring began. May 2025, iwi were identified and SHPD conducted a site visit and recommended the iwi be preserved in place and the fence redesigned. Currently working on a BTP. All backirt is going to be screened. Iwi will be remporarily curated on-site during recovery. Reinterment will be conducted with cultural monitors and stakeholders. Request from OIBC for assistance with identifying descendants. Would like to enter into executive session for further discussion with sensitive information.

Motions and vote (3:44:00)

MOTION:	To Enter into Executive Session
MOVED BY:	Vice-Chair Shafer
2ND BY:	Member Ehrhorn
VOTE:	Motion carried unanimously

- C. Inadvertent Discovery of Unidentified Native Hawaiian Skeletal Remains at 5799 Kalanianaʻole Hwy, Waikīkī Ahupua‘a, Kona District, O‘ahu, TMK: (1) 3-7-002:005****Information/Discussion:** Information and discussion on the above agenda item.

Recording: 3:44:53-4:09:25

- ?-During archeological monitoring, remains were found. Regina visited the site twice to discuss how to proceed. Recovered disarticulated remains on top of an insitu burial. Most bone has been broken post mortem, the original house on the property was constructed in 1947 and the remains would have been right under the house. As disarticulated comingled material was removed, an insitu burial was found below. The insitu burial was removed and the landowner constructed a reinterment area on the property. Portions of 6 individuals and 2 subadults. Considered reinterring the removed insitu burial in a separate lauhala basket and the subadults in a separate lauhala basket. At point of doing reinterment, the landowner has a cultural advisor working on the project as well.
- Member Ehrhorn-How many individuals?
- ?-portions of 6 individuals and 2 subadults.
- Vice-Chair Shafer-Who are the cultural or lineal descendants advising for this project?
- Regina Hilo-No determination has been issued. Still going through consultation effort. There are a number of descendants for this area. This project has been challenging, initially made a recommendation for an AIS but the scope of the project changed and didn't match with what needed to be done. Went from AIS to AMP and then the project scope of work changed. At the time the discovery was made, there was a lot of disturbance to the ground. Where the remains were found it presented a problem for the safety of the iwi.
- Chair Caceres-Has work continued in the area where the iwi were disinterred?
- Regina Hilo-Yes.

- Chair Caceres-Was the decision to do it in that order, who's decision was it? Is it part of a lack of employees that SHPD has?
- Regina Hilo-I take full accountability of the decision that was made based on the undertaking of the scope of work and the state of the kupuna. At the 2nd site visit, we thought it was 4 individuals and didn't realize it was more. Wanted more information on the extent of damage to iwi, based on them being in the middle of the project footprint, had they been left in place, they would have been crushed from the compacted backfill planned to be brought in. Not enough hours in the day to prepare for notifications and a short on my part. The kona rep was not notified.
- Chair Caceres-Seems to be a systematic issue with iwi being dug up and prepped for relocation and then the consultation happening. What options is SHPD exploring to mitigate these issues? Concern is that its non-compliance and leaves project and SHPD open to a filing of a contested case for a letter of determination. Creates situation where consultation doesn't matter.
- Regina Hilo-Not sure, the lack of notification is on me. I'm the only person to receive the information and it falls to me along with everything else.
- Member Ehrhorn-Have made statement multiple times that preservation in place is priority and if they need to be moved, its to as close as possible of the original location.
- Chair Caceres-SHPD will be legally required to consult with us as moku reps.
- Member Ako-Message needs to be conveyed before hand. If iwi have been discovered and the known stance is preservation in place, it can be conveyed to the developer.
- ?-There is no consultation requirement for an archeological monitoring plan but we can add that.
- Chair Caceres-The burden of consultation falls to SHPD for inadvertent discoveries. The issue is that since people have been put on administrative leave the process for consultation is pointless if the iwi kupuna have already been dug up and relocated. Would appreciate a follow up with Kea and Jessica about this.
- Vice-Chair Shafer-There should be operating procedures on this process.
- Member Ehrhorn-Before the burial council was established, dealt with burial issues and worked with archeologists. Once iwi were dug up and the first thing the archeologist did was to put a notice in the newspaper to alert the public. Is that not in effect?
- Chair Caceres-That process still exists but only relevant to previously identified burials.
- Regina Hilo-Proactively we can consult with descendants based off our lists so they can be notified.
- Member Ako-Understanding is that HPD should be contacted immediately. If landowner isn't doing that, it's a concern. The people they consult with should be aware of it. When iwi are discovered, people don't know circumstances of them being there which is why HPD should be brought in.

D. Inadvertent Discoveries at Ālia at 888 Ala Moana Blvd., Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: (1) 2-1-056:017

Information/Discussion: Information and discussion on the above agenda item.

Recording: 4:09:25-4:30:12

- Chair Caceres-Reached out to project proponents to do presentation to get comprehensive understanding of project. Trish Kehaulani Watson (Honua consulting) and Alana Kobayashi (developer) was contacted, only heard back from Alana notifying all answers SHPD should have the answer to. Know that the answers weren't shared with SHPD. What is timeline for reburial? All burials were deemed to be relocated except for one, is the kupuna currently in place?
- Regina Hilo-Project is still active, not sure. The letter of determination for preservation in place had a caveat that the kupuna could be temporarily curated on site until soil mitigation where kupuna was located was completed.

- Chair Caceres-Has the soil remediation been completed and kupuna put back? If not, why?
- Regina Hilo-Soil remediation has been completed and the kupuna has not been put back because there is a concrete slab where the kupuna was meant to be put back and was installed by the project proponents. Trying to figure out how the kupuna will be reinterred with the concrete slab where it should be.
- Chair Caceres-It seems the letter of determination is being ignored. Is SHPD looking into legal avenues to enforce the letter? Is SHPD allowed to put caveats in determination letters that includes a timeline for reburials
- Regina Hilo-No answer for SHPD's legal avenues or how far up the ladder it has gone. A timeline could be included but unsure if there is an administrative rule in place. There is a timeline for acceptance of a BTP to enacting it which is 90 days. Unsure if an extension has been requested for this project. Don't recall if this project has a request.
- Chair Caceres-Concern is what weight a letter of determination has if a project doesn't listen to it.
- Member Mills-Was this intentional? Believe legal action should be pursued
- Regina Hilo-I'm unsure.
- Member Ehrhorn- From reaction of phone call, it seems intentional
- Member Ako-These instances should be logged. If these cases are kept track of, it creates a case for lobbying for enforcement.
- Vice-Chair Shafer-Requests AG's office be notified and recommendations of how to move forward. How can we do that legally? A report from the AG's office what has been done and what's happening going forward.
- Regina Hilo-Believe the AG's office is already involved. Unsure of what project proponents plans are with the iwi. The concrete slab was created and then they reached out with new information about the slab asking for relocation. A burial treatment plan was requested and was told SHPD is responsible for the consultation.
- Member Ehrhorn-Every BTP should have wordage about what will be done if more individuals are found during discussion. A project 5-6 years ago refused to deal with cultural descendants. They should come together with descendants and come up with a BTP.
- Chair Caceres-How did SHPD find out about the concrete slab? Would like to request a site visit with SHPD. Descendants deserve to know and recommend Kea send out the info.
- Regina Hilo-A consultant from the project. Believes it wasn't monitored since it wasn't ground disturbance. Wasn't sure how to disseminate the information and didn't send yet.
- Member Ako-Maybe permits should be withdrawn and all construction stopped until this is dealt with. A request for another BTP which would include moving the iwi gets them off the hook.
- Member Ehrhorn-The permit will never be pulled. Pressure needs to be put on for a BTP that deals with these iwi.
- Mana Caceres-Family was involved with original BTP.
- Chair Caceres-From my time as a cultural descendant, the project proponents did not want to work with descendants and was never consulted.
- Member Mills-In a past project, could actively see iwi being shoveled out from the ground and a stop work order was issued. We're giving passes by being passive. Used to be more enforcement and its possible to have a stop work order.

Motions and vote (4:27:35)

MOTION: **To Request SHPD Issue a Stop Work Order Until this Issue is Resolved**

MOVED BY: **Member Ako**

2ND BY: Vice-Chair Shafer

VOTE: Motion carried unanimously

- Vice-Chair Shafer-Whoever writes the letter should address it to the CEO.
- Chair Caceres-Could you cc myself and Ben on the email?
- Regina Hilo-Yes, I'll also cc Jordan and Jessica

E. Inadvertent Discovery at Turtle Bay Resort; 'Ō'io 1, Ulupehupehu, and Punalau Ahupua'a; Ko'olaupoko District, Island of O'ahu, TMKs: (1) 5-7-001:050

Information/Discussion: Information and discussion on the above agenda item.

Recording: 4:30:12-4:31:26

- No Updates

Agenda moves to Item V. G.

F. Inadvertent Discovery of Unidentified Native Hawaiian Skeletal Remains at Laniākea during Kamehameha Highway Drainage and Safety Improvements Project, HDOT, Kuikuiloloa Ahupua'a, Waialua District, Island of O'ahu, TMKs: (1) 6-1-005:023 and 024; 6-1-009:002, 004, 018, 019, 020, 021, and 022; 6-1-010:001, 002, 003, 004, 005, 006, 007, 019, and 020

Information/Discussion: Information and discussion on the above agenda item.

- No Updates

G. Inadvertent Discovery of Unidentified Native Hawaiian Skeletal Remains at 418A North Kainalu Drive, Kailua Ahupua'a, Ko'olaupoko District, Island of O'ahu, TMK: (1) 4-3-025:014

Information/Discussion: Information and discussion on the above agenda item.

Recording: 4:31:26-4:52:16

- Nick Belluzo-There was a permit that didn't go to SHPD for review during a pool construction. SHPD was notified of an inadvertent find on July 14th. Screening took place and it was thought to be a total of 3 individuals. Descendants recommended disinterment of the 3 individuals. The mitigation plan developed included cultural monitors. Discretionary shovel trenches began and within 15-20 minutes of shoveling a 4th individual was found. Disinterment was paused. Consultation with property owner led to them wanting to proceed. SHPD determined the first 3 individuals would be disinterred and further exploration would take place with the 4th individual. Found a cultural layer that was present as well. Planning on doing disinterment with the DeSilva's Friday evening for the first 3 individuals.
- Member Ehrhorn-Where are iwi going to be reinterred.
- Nick Belluzo-Specific location hasn't been agreed on
- Kihei DeSilva-Asked to relocate on property. Homeowner agreed in person but replanted and concreted over all available areas for reinterment. Aluli was never resolved. The current director of SHPD was the lawyer that represented the Aluli's. The BTP was rejected by a former OIBC and is still yet to be resolved. This project there is a burial next door and burials down the street. There were 8 burials in the immediate vicinity of this project before the start of the project. Went with wife and Regina to recover initial finds and is temporarily curating them at home. There is no authority to stop building the pool above iwi. SHPD is allowing pool to continue excavating

by hand around find 4. Descendants can make recommendations but the decision is not always what is recommended.

- Chair Caceres-Also recommended preservation in place. Conducted a site visit with Regina, Sam, and Nick. If archeological monitors were present, is it possible the iwi wouldn't have been disturbed as much as they were?
- Nick Belluzzo-There was a cultural layer present that would have caused more cautious work.
- Member Ehrhorn-Why were you found on the job?
- Nick Belluzzo-Landowners called police, police called SHPD. I was brought on afterward.
- Member Mills-Letter should be sent to AG to find out enforcement power. Enforcement tools are there and AG can help identify what can be used and when.
- Mana Caceres-Issues stemming from DPP not flagging projects. If there was evidence of missionary burials protections would be quick, if Japanese burials they would be protected. Feels like its just Hawaiian burials not being protected.

H. Inadvertent Discovery of Unidentified Native Hawaiian Skeletal Remains at 59-585 D Ke Iki Road, Pūpūkea Ahupua'a, Ko'olaupia District, Island of O'ahu, TMK: (1) 5-9-003:016
Information/Discussion: information and discussion on the above agenda item.

Recording: 4:52:16-5:01:04

- Brendan Chambers-Burials identified May 1, 2025 and work was stopped. Between May 2-15 the leach field was partially infilled and excavator driven offsite. Pacific Legacy conducted field work May 16, 20, and 21 after which International Archaeology took over. Burials were recovered, soils screened from July 2-August 13, 2025. IA completed 100% of screening, burial recovery and documentation. 11, 577 fragments were recovered, 1237 of those determined to be diagnostic. Osteological inventory is ongoing. Remains are stored in paper bags within muslin lined lauhala baskets and placed within locked curation units. Prior to IA's involvement, 4 burial locations were identified. Burial 1 and 2 were isolated elements. Burials 3 and 4 were partially insitu primary burials. Need to excavate test unit at proposed reinterment location.
- Nick Belluzzo-In all instances everyone is reassured that operators will see something and notify SHPD. Systemic problem between Regina needing support to agencies that refuse when they know there's an issue to send information to SHPD. It doesn't feel like accidents at this point, it feels intentional. The more people get away with it the more people are going to do it.

I. Inadvertent Discovery of Unidentified Native Hawaiian Skeletal Remains at Kalae (formerly Howard Hughes Corporation Block B West Project); Kaka'ako, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: (1) 2-1-001:133
Information/Discussion: Information and discussion on the above agenda item.

Recording: 5:01:04-5:03:14

- Matt McDermott-2 outstanding letters of determination. 5/28/25 discovery is being disinterred. 6/30/25 find waiting on determination. 7/28/25 waiting for a determination. Long ongoing project. Remains in two cases have been relocated, in one case they are preserved in place.

J. Inadvertent Discoveries during implementation of HART HRTF City Center Archaeological Monitoring Plan, Halekauwila Street and Cooke Street; Nimitz Highway near Fort and Bishop Streets, various TMKs

Information/Discussion: Information and discussion on the above agenda item.

Recording: 5:03:14-5:04:58

- Matt McDermott-Archeological monitoring for this project. There are 4 outstanding determinations on discoveries. There is an intact individual and hoping to preserve in place and relocated the proposed light feature to be built. Fragmented remains found in another part. Inadvertent discovery found in a disturbed context as well.

K. Inadvertent Discovery at Pōka‘ī Bay, Wai‘anae Ahupua‘a, Wai‘anae District, Island of O‘ahu, TMK: (1) 8-6-001:007

Information/Discussion: Information and discussion on the above agenda item.

- No update

VI. ANNOUNCEMENTS

A. The Next OIBC Meeting is Scheduled for Wednesday, October 8th, 2025, 10:00 A.M., at the Department of Land and Natural Resources, Kalanimoku Building, Board Room #132, 1151 Punchbowl St., Honolulu, HI 96813.

Recording: 5:05:00-5:05:05

- Mana Caceres-

VII. ADJOURNMENT

Recording: 5:05:05

Meeting Adjourns 4:22PM

To provide written testimony:

We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Council members prior to the meeting and allow a timely review. Please submit written testimony to: Regina.Hilo@hawaii.gov. Written testimony may also be mailed to: State Historic Preservation Division, Kakuhihewa Building, Attn: Regina Hilo - Oahu Burial Sites Specialist; Suite #555; Kapolei, HI 96707. Written testimony may be posted to the SHPD's IBC 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 administrative record and distributed to OIBC members accordingly, but we cannot ensure the OIBC will receive it in sufficient time to review, prior to decision-making.

To provide in-person oral testimony:

Attend the meeting in person: address, date, and time are on the meeting notice and at the top of the agenda.

We kindly ask that all oral 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 Hawaii Revised Statutes (HRS) §92-3, all interested persons shall be afforded the 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 Oahu Island Burial Council at its September 14, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.

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

The OIBC may go into Executive Session pursuant to HRS §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.

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 in room 555 of the Kakuhihewa Building located at 601 Kamokila Boulevard, Kapolei, Hawaii 96707.

If you need an auxiliary aid/service or other accommodation due to a disability, please contact: Regina Hilo, Burial Sites Specialist, at (808) 436-4801 or Regina.Hilo@hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this agenda and other materials are available in alternate/accessible formats.