

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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

HISTORIC PRESERVATION DIVISION  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Hawaii Island Burial Council**  
**Meeting Minutes**

**DATE:** Thursday, April 17, 2014  
**TIME:** 9:39 am To 11:40 am  
**PLACE:** Hilo State Office Building  
1<sup>st</sup> Floor Conference Room B & C  
75 Aupuni Street  
Hilo, Hawaii 96720

**HIBC MEMBERS:** Nalei Kahakalau/ Hamakua Representative  
Edwin Miranda, Hilo Representative  
Kimo Lee, Landowner/ Developer Council Chair  
Maxine Kahaulelio, Kona Representative  
Gene "Bucky" Leslie, Kona Representative  
Keiki'alohe Kekipi, Puna Representative  
Kalena Blakemore, Puna Representative  
Fred Cachola, Kohala Representative

**ABSENT/EXCUSED:** Keith Unger, Landowner/Developer Representative

**SHPD STAFF:** Kauano'e Hoomanawanui, Hawaii Island Burial Sites Specialist  
Sean Naleimaile, Hawaii Assistant Archeologist

**GUESTS:** Tony Ramirez, Ace Environmental  
Glenn Escott, SCS  
Lynda Nygun

**I. OPEN REMARKS:**

Kimo Lee, HIBC Chair called meeting to order at 9:39 am.

**II. ROLL CALL/ PULE:**

Kohala Representative Council Member Fred Cachola gave pule.

Chairman Lee, HIBC members and the SHPD staff introduced themselves.

**III. APPROVAL OF MINUTES**

**A. December 19, 2013.**

**Maxine Kahalelio moved and Ed Miranda seconded motion to approve minutes.**

Chairman Lee opens the floor for discussion.

**Motion approved unanimously.**

#### **IV. BUSINESS**

##### **A. Introduction of Newly Appointed Hawaii Island Burial Council (HIBC) Members.**

**Introduction:** Introduction of newly appointed HIBC members Keiki`aloha Kekipi and Kalena Blakemore Representing Puna District, Fred Cachola Representing Kohala District.

Keiki`aloha introduces himself as a lifelong learner and feels privileged to serve on the HIBC.

Fred Cachola, keiki o ka aina, born and raised in Makawao. I went to Kamehameha Schools, joined the army, and received the GI bill for college. Initially went to teach at Kohala and they had no room so I taught in Waianae. Following that I had the great pleasure of working with Kamehameha Schools helping dropouts and pregnant women, for 25 years. I am doing what I can to save our culture and wahi pana of Kohala. Meanwhile, I enjoy singing opera and we are performing the Mikado on Oahu next month. It is a privilege to malama the iwi and work with you folks. I am proud to be here. Chair Lee adds you're a writer also, Fred agreed.

Kalena Blakemore introduced herself, born on Oahu and raised on the mainland. My father is pure Hawaiian and I learned of my great grandparents being from the big island. I have been with the park service for 10 years in cultural resource management. I am honored to be part of this council.

##### **B. Department's Recommendation to Recognize Jeanette Kama Bento as Cultural Descendant to Unidentified Native Hawaiian Skeletal Remains Encountered at Fenway Development LLC, Maihi Ahupua'a, North Kona District, and Island of Hawaii. TMK: (3) 7-9-05:076, 077, and 078.**

**Discussion/Determination:** Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at above project.

**Nalei Kahakalau moved and Maxine Kahalelio seconded motion to recognize Ms. Bento as a cultural descendant to Maihi Ahupua'a.**

Chairman Lee opens the floor discussion.

Councilmember Leslie suggest fellow member Kahalelio recuse herself in the case of conflict of interest and would like to defer Item B in the case Bento should appear before the HIBC.

Miranda adds we have set a precedent in having applicants present for recognition, however I agree with recognizing her as a cultural descendant. Kekipi advises the Department verifies the genealogy and confident in their research. Kahakalau agrees with Kekipi and the department has done the research. Therefore I have no problem accepting her as a cultural descendant especially as the council representative Kahalelio has vouched for her too. Leslie disagrees as she should be here on a face to face level, I would like to see that. I approve the fact the research has been done.

Cachola introduces a point of information and am unsure of the previous precedents that have been followed. If that is the precedent the item shouldn't have been on the agenda, especially if she could not be here. We should determine if it's a must or a may, if it's a may we can kukakuka. Could Leslie elaborate? Leslie continues we can do our genealogy but we would like to hear from her personally. A record should be kept. Chair Lee feels it's a hardship for some to travel. Also to answer your question Mr.

Cachola, it was never established as a may or must and if I had my way it would be a may. Cachola asks how critical is her mana'o needed for this ahupua'a. The answer there is no imminent for the ahupua'a that needs to address now.

Kekipi asks if any development or construction of the area occurring. Hoomanawanui answers no they are at the initial stages of consultation for a burial treatment plan that has been published for the public. I appreciate it when the council members can support the applicant also, it would bare more weight on me passing the motion, not on conflict of interest. I have respect to the council member that support and speak on behalf of the applicant. Leslie states regardless of where they come from people have come forward to get recognized by HIBC. Kahalelio advocates the HIBC hasn't met in four months and we are grateful Jeanette Bento has come forward. She has done her research and all we have to do is approve it regardless if she is here or not. Leslie stated people of outer islands come, that's not true ads Kahalelio and they have their own Island Councils. She is a social worker for Queen Liliuokalani's orphaned children and this is the only time of the year she can take her elderly mother on vacation.

Cachola recommends perhaps if the person is not going to be here the chair can decide to put on the agenda or not. The decision was made that it is on the agenda. We have to appreciate the fact that people are stepping up and I hope the action we take today doesn't discourage others from applying to be recognized.

Chair Lee asks for Blakemore's input, Blakemore respects the fact we are on an island and people know people. Ironically this is the moment of buildup and if you were anticipating the result this is it. However we should have continuity in our decision making. This is not some unknown person and I am going to go with what you folks are going with. Lee adds it's not a one size fits all, and of course there are cases when its contentious and we want those people present to step up. As Kahalelio, Cachola and Kahakalau support her, it weighs a lot.

Leslie concludes right now we are interviewing someone for this position; everyone should be here when they do their genealogy. For example, I am applying to Kamehameha and the resume comes in with no face to face. You can interview by paper. The process of Hawaiian at heart and understanding whom is coming forward to us. Lee emphasizes there are those that come forward in claim and not pono.

Cachola adds one more point; Chair you brought up a good point it's a case by case situation. There is overwhelming evidence and testimony in support of Ms. Bento. Chair states Leslie made a valid point.

**Motion approved unanimously.**

**C. Department's Recommendation to Recognize Angeline Roselani Kaehuaea Smythe as Cultural Descendant to Unidentified Native Hawaiian Skeletal Remains Encountered at Fenway Development LLC, Honalo Ahupua'a, North Kona District, Island of Hawaii TMK: (3) 7-9-05:076, 077 and 078.**

**Discussion/Determination:** Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at above project.

**Nalei Kahakalau and Ed Miranda seconded a motion for HIBC to go into executive session to discuss this item.**

**Motion approved unanimously.**

**Nalei Kahakalau and Ed Miranda seconded a motion to close executive session.**

**Motion approved unanimously.**

**Kahakalau made a motion to recognize Mrs. Smythe as a cultural descendant to Honalo Ahupua'a and Miranda seconded.**

Lee opens the floor for discussion.

**Motion approved unanimously.**

**D. Department's Recommendation to Recognize William Keoni Fox as Cultural Descendant to Unidentified Native Hawaiian Skeletal Remains Encountered at Kawala LLC, Kawala Ahupua'a, Ka'u District, and Island of Hawaii. TMK: (3) 9-5-010:001. Discussion/Determination:** Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at above project.

**Bucky Leslie made a motion to recognize Mr. Fox as a cultural descendant to Kawala Ahupua'a and Kekipi seconded.**

Lee opens the floor for discussion.

**Motion approved unanimously.**

## **V. SHPD INADVERTENT DISCOVERY/SECTION 106/OTHER**

**A. Section 106 Consultation Regarding AT&T Proposed Installation of a 120 Foot Tall Mono-pole Tower Structure Located at 68-1936 Waikoloa Road Waikoloa, HI 96738, Island of Hawaii, TMK: (3) 6-8-002:020.**

**Information/Discussion/Recommendation:** Discussion and recommendation of the consultation listed above.

Tony Ramirez introduced himself and asked if the council would like them to present all the listed consultations as a whole presentation. Chair Lee asks if there are any burials. SHPD Archaeologist Sean Naleimaile answered for the East Hawaii consultations there are no burials or cultural sites in the APE. Councilmember Kekipi asks what the half mile radius?

Glenn Escott from SCS introduces himself and explains the half mile radius is a federal regulation requiring FCC to follow the 106 consultation requirement. We are taking visual impact consultation of the monopole. Kekipi clarifies if anything is found within a half mile of the ground area. Would that be an inadvertent? Naleimaile answered not at this time as the sites, if found would be included in this report.

Escott clarifies there are no sites along this area and around the pole area and where the proposed pole areas as well. There was one project in Kurtistown where there are two churches that are listed on the Historic Register with no impacts on the sites as the area is previously developed. Kekipi asks if any other accessories to this installation. Ramirez answers there will be a 30x30 foot shelter near the pole to store all the equipment. The site in Kurtistown has an existing pole and we are just adding another antenna. The poles differ by palm tree, painted green and different colors in height to blend into the surrounding area.

Council member Kahalelio asks is the shelter where the heartbeat of the pole is stored. Ramirez answers yes and above the door there are sealed holes to connect to the tree. Under the tray has wires, unexposed. The amounts of wires aren't seen as they are hung underneath a protective cover in the shelter. The wires go up into the mono pole and at certain elevations where the antenna is placed is where additional holes

will be placed. The electricity provided is a 200 amp service and the regular home provides 120 amp services. HELCO will bring in power and we take it from a meet point and put it underground.

Miranda asks if the community had any input to the consultation. Ramirez answered yes we have attended community meetings and go door to door to consult on the project. Miranda questions again if any concerns were brought up.

Councilmember Cachola understands historic sites of the area may have triggered the 106 consultation? Naleimaile answers the federal funding triggered these consultations. Cachola asks how you consult with Native Organizations. Escott answers they consult on a different level as Ramirez is the engineer and I am hired to do the survey. I don't know how they are consulting. Cachola clarifies you should know of the other NHO's. Ramirez emphasizes if a list of NHO's for the council is necessary, I can provide that. Leslie states the last consultant for the mono pole had all the answers to our questions. Ramirez answered this is in the proposal stage

Kahakalau asks if the site in Hamakua is also an existent mono pole. Ramirez answers yes.

Kekipi asks other than the existing pole, we should postpone our recommendation, as Cachola asks whom else did you consult of the area. Chair Lee clarifies this is not relative to any known burial sites. This consultation is a courtesy to us as an NHO and a requirement of the law. We would like you to forward to us the NHO's that were consulted and their outcomes. Cachola asks if there are any other consultation concepts of these historic properties. They may have a different mana'o of archaeological sites. The native Hawaiian community may have another type of input.

Kahaulelio explained we received a packet on a mono pole consultation. They stated there was a home with a family and they put a pole there. That was such a controversial subject as there were no burials there in the eleven acres of land. There was an Ohana on the land where they built a mono pole. The pole in Ninole is going to be this 204 foot pole. Where in Ninole is it being built? Ramirez answers I don't know.

Chair Lee asks for any other questions.

**B. Section 106 Consultation Regarding AT&T Proposed Installation of a 184 Foot Tall Mono-pole Tower Structure Located at 12-4719 Pahoehoe-Kalapana Road Pahoehoe, HI 96778, Island of Hawaii, TMK (3) 1-2-007:069.**

**Information/Discussion/Recommendation:** Discussion and recommendation of the consultation listed above.

**C. Section 106 Consultation Regarding AT&T Proposed Collocation of Antennas on an Existing 152 Foot, 10 Inch Mono-pole Tower Structure Located at 47-11 Hawaii Belt Road Hamakua, HI 96743, Island of Hawaii, TMK: (3) 4-7-007:010.**

**Information/Discussion/Recommendation:** Discussion and recommendation of the consultation listed above.

**D. Section 106 Consultation Regarding AT&T Proposed Installation of a 189 Foot Tall Mono-pole Tower Structure Located at 11-1360 Rose Street Keaau, HI 96771, Island of Hawaii, TMK: (3) 1-1-038:002.**

**Information/Discussion/Recommendation:** Discussion and recommendation of the consultation listed above.

**E. Section 106 Consultation Regarding AT&T Proposed Modification of an Existing 150 Foot Tall Mono-pole Tower Structure Located at 17-550 Volcano Road Keaau, HI 96749, Island of Hawaii, TMK (3) 1-7-006:031**

**Information/Discussion/Recommendation:** Discussion and recommendation of the consultation listed above.

**F. Section 106 Consultation Regarding AT&T Proposed Installation of a 204 Foot Tall Mono-pole Tower Structure Located at Kauniho Road Ninole, HI 96773, Island of Hawaii, TMK: (3) 3-1-002:033.**

**Information/Discussion/Recommendation:** Discussion and recommendation of the consultation listed above.

**VI. INADVERTENT DISCOVERY**

**A. Inadvertent Discovery of Unidentified Human Skeletal Remains Encountered at McKenzie Park of the Puna District on April 4, 2014.**

SHPD Archaeologist Sean Naleimaile explained the burial site was reported by a community member that a tour guide had posted a video on Facebook. He shows one cave online that had human skeletal remains. We notified DOCARE and made a site visit accompanied by HPD. At this point the site was thought to be within the boundaries of the State Parks. State Parks archeologist did a site visit and identified the burials. DOCARE was consulted and met with the tour guide for violations even though he was the one that notified the police. DOCARE has sent out a violation letter as well as State Parks addressing the tour guide operations. At this time it was also determined that the boundaries are outside the State Parks and now jurisdiction is with the State Lands Division.

Puna Councilmember Kekipi clarified twenty years ago we addressed these concerns with the State Parks and haven't sealed it because we would like to continue to check-in. Puna is building up and a lot of these tours are non-regulated accessing freely. How to protect the site without sealing? If I seal it I am preventing the next generation to our practices. I know who is buried there and that is our family.

Cachola asks if any action is necessary on this subject. Chair Lee states for information only. Kekipi it's not an inadvertent its preservation as is. Miranda asks if the DOCARE confiscated the video material, if anything is missing that video is key evidence. Also it seems the site was identified a number of years ago. The responsible parties need to be involved. If the family have been doing it for generations they must be able to practice.

Cachola looks to clarify if the inadvertent is an inadvertent as most of the community is aware of the burials in discussion. I was excited to find a new burial when seeing on the agenda, however it seems that the community new about this. Leslie suggest with all the changes with the State things go lost. If it wasn't an inadvertent shouldn't it have been previously identified? Naleimaile clarifies the record we found of burials in the described area is without GPS coordinates so we don't know if it is the exact site identified with SHPD is the burials addressed hear.

**VII. ANNOUNCEMENTS**

**A. Next meeting date is scheduled for Thursday, May 15, at 9:30 am.**

**VII. ADJOURNMENT**

**Chairperson Lee adjourned the meeting at 11:40am.**

Respectfully Submitted,  
Kauanoë Hoomanawanui