

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

CARTY S. CHANG
ACTING CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

FIRST DEPUTY

WILLIAM M. TAM
INTERIM 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

DRAFT MINUTES pending OIBC approval
OAHU ISLAND BURIAL COUNCIL MEETING

DATE: March 11, 2015
TIME: 10:03 AM
PLACE: Department of Land and Natural Resources
Board Room
Kalanimoku Building, 1st Floor
1151 Punchbowl Street
Honolulu, Hawaii 96813

ATTENDANCE:

Members:

Hinaleimoana Wong-Kalu
Kali Fermantez
Elton Pokii Magallanes
Charles Ehrhorn
Norman Mana Caceres

Absent:

Thomas Shirai
Dana Holck

Staff:

Regina Hilo, Oahu Burial Sites Specialist
Susan Lebo, Interim Archaeology Branch Chief

Guests:

Mike Lee, Cultural Descendant
Kawika McKeague, Group 70
Matt McDermott, Cultural Surveys Hawaii
Daniel Akiyama, Cultural Surveys Hawaii
James Higginbotham, US Dept. of VA, Punchbowl Cemetery
James 'Sonny' Gay, Cultural Descendant
Kaanohi Kaleikini, Descendant
Lani Maa Lapilio, Aukahi
Glenn Elliott, VA
Kawika Farm, HART
Jon Nouchi, HART
Michelle Pammer, Cultural Surveys Hawaii

I. CALL TO ORDER

The Oahu Island Burial Council (OIBC) chair, Hinaleimoana Wong-Kalu, called the meeting to order at 10:03 AM.

II. ROLL CALL/PULE

OIBC members introduced themselves: Hinaleimoana Wong-Kalu, Kali Fermantez, Charles ‘Chuck’ Ehrhorn, Elton Pokii Magallanes, and Norman Mana Caceres.

This is the first meeting of the year with quorum, and also the first meeting with quorum in which new OIBC member Mana Caceres is participating.

OIBC member Mana Caceres opened with oli.

III. VICE CHAIR ELECTION

Hina’s opening comments mentioned the importance of the vice chair as providing support to the OIBC and the chair, after which Hina opened the floor for nominations

Nominations:

Pokii recommended Mana for Vice Chair

Kali recommended Chuck Ehrhorn

Nominee comments:

Mana: open and willing to accept the vice chair-ship; teaches his keiki on a daily basis the importance of doing all of a kuleana; there is a vacancy that needs to be filled, and he would like to fill it

Chuck: would accept it as an immense honor; Mana has attended nearly every OIBC meeting and knows the ins-and-outs of the board meeting; Chuck would support Mana for the vice chair

OIBC member comments (summarized):

Hina: vice chair should be helpful and inform the chair what is coming up; the previous vice chair, Jonathan Scheuer, who was also a Kona representative, was helpful for being available for community engagement, for which there is no requirement; Hina has made herself available for that. Often, Hina and Jonathan would go together. When one was busy, the other would try to attend to be part of the consultation which was useful for providing continuity and involvement in the discussions. A vice chair need not be a Kona representative, but avail himself or herself for the council leadership.

Mentioned are:

Chuck’s wealth of knowledge, his even keel, insightful questions that come from experience

Mana has been recognized for a bunch of different projects and works in the responsibility of iwi kupuna, is present every step of the way, very familiar with the process

Hina’s family kuleana has taken priority, and it has been a challenge to get the vice chair position filled

Pokii’s term is up in June 2015, therefore his name is not thrown into the mix

Pokii: both nominees are pono, good choices. Chuck has a lot of experience, and has overseen a lot of the burial councils concerns and ensured that their questions get answered. Nominated Mana for his will and commitment to malama iwi kupuna. Will support either candidate.

Kali: appreciates the process and the commitment to the process. Chuck’s comments are well received.

Chuck: term in up in June 2015, but he has been asked to stay on. Mana's been here sometimes more frequently than some of the OIBC members.

Public testimony

Mike Lee: supportive of Mana as vice chair

Kaanohi: suggests that Mana defer the leadership of vice chair to Chuck due to Chuck's experience, especially with cases such as WalMart; learn about the kuleana from the council side of the table; will need to represent the council; many years ahead to

Kawika McKeague: reflecting on his own experience with Chuck and Chair Van Diamond; had to learn a lot 'on the job'; as much as the engagement is at the OIBC, there is much more behind the scenes that goes on; 20-30 hours/week as a council member; being your own advocate; lots more than just sitting at the table; need someone accessible to consult with, make decisions, and come before the council; involves effort, commitment, and time; both candidates would avail themselves

Comments from OIBC members

Chuck: Kawika and Chuck once ran against each other for the vice chair position, and each voted for the other

Hina: respects Kaanohi for saying the 'hard things'

Kali: asked to be on the council by Uncle Cy; seeing someone who wants to step forward for the kuleana is good.

Mana: learning curve and necessity to recuse as a recognized descendant to projects; may be easier to have someone who does not carry multiple roles as a descendant and OIBC member

Hina: be mindful of the younger generation wanting to step up to the kuleana

Chuck: 1988-89, Chuck was being grilled by the senate with another older Hawaiian kupuna (woman), who, when asked why she wanted to serve on the board, said she didn't know. She ended up getting confirmed and became a very powerful speaker on the board. She's passed on; experience can be picked up fairly fast if your heart is in the right place.

Comment from public:

Mike Lee: trusts the council's judgement and heart

Voting:

Pokii	Mana
Mana	Chuck
Hina	Chuck
Kali	Mana
Chuck	Mana

Mana elected by a vote of 3-2.

Comments from OIBC:

Chuck: an honor to serve on the OIBC

Hina: Chuck has a wealth of knowledge and experience on the OIBC

IV. BUSINESS

A. Department's Recommendation to Recognize Michael Kumukauoha Lee as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at Ward Village Block B East Project, Kaka'ako ahupua`a, Kona District, O'ahu TMK [1] 2-3-001:005 (por.)

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at 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 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.' Read onto public record by Hina for all recognition items on the agenda.

Hina read the recommendation letter issued by SHPD to OIBC members onto the public record. Hina recuses herself from the vote as her current professional role is as cultural advisor to Howard Hughes; therefore, any and all votes being made on Howard Hughes projects will need to be done with Chuck Ehrhorn leading, and with Kali Fermantez and Pokii Magallanes voting; quorum, therefore, is 3.

Public testimony

Mike Lee: advocates for the best treatment of iwi kupuna in storage and in relocation, in consultation meetings. Relocation where necessary nearby. Follow up relocation ceremonies, has been involved in advocating for cultural monitoring in fill material in Aiea during the rail project. 8 year long legal battle against Ewa Marina and the entrance channel, right up to the State Supreme Court. Commitment to all iwi kupuna as family. Researched locations in Waikiki in 2001. Took 2 years to be recognized, and this individual is no longer a part of SHPD. SHPD is in a better position today.

No OIBC comments

Public testimony:

Kaanohi: Mike Lee's comment is an overstatement; SHPD hasn't progressed any. With the appointment of a new BLNR person, it could get worse. If SHPD doesn't shape up quickly, it could get worse. Council will need to be on its toes. Supports Mike Lee's recognition only because he was recognized prior to the area, although Kaanohi opposed that recognition and he was recognized anyway.

Motion: to accept SHPD's recommendation to recognize Mike Lee as a cultural descendant to the above mentioned unidentified human skeletal remains and the project

Motioned by: Kali Fermantez

2nd: Pokii Magallanes

Vote: passed unanimously (3 votes of YES: Pokii, Kali, Chuck)

Hina recused from vote

Mana recused from vote

(5 minute recess)

B. Department's Recommendation to Recognize Michael Kumukauoha Lee as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at Howard Hughes Corporation Block N Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-002:067

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

No OIBC comments

Public testimony

Kaanohi: opposes recognition; recognition is up to council

Motion: to recognize the above named individual as cultural descendant to unidentified human skeletal remains at the above project

Motion: Chuck

2nd: Kali

Vote: Passed unanimously (3votes: Kali, Pokii, Chuck)

Hina recused from vote

Mana recused from vote

C. Hilton Hawaiian Village Grand Islander project, Waikiki Ahupua`a, Honolulu (Kona) District, O`ahu Island, TMK [1] 2-6-008:039

Information/Discussion: Update on the above project.

Kawika McKeague: same information as last month's informal meeting updates from the past 30 days

Senior planner, Group 70; Matt McDermott, archaeological firm; Kaanohi Kaleikini, Oihi Cultural Resources cultural monitors; Lani Maa Lapilio, Aukahi, Community Liason Working w Hilton Hawaiian Village on their Grand Islander project

Series of cultural descendant meetings following 4 iwi kupuna finds at 3 locations

Preservation in place is preferred by this descendant group

Disarticulated remains in a previously disturbed context

Culturally rich area, shoreline accretion over time, old Kalia Road is the location of most finds today

AIS for the Master Plan in 2011, a series of supplemental AIS

Matt: Corner of Kalia and Paoa Place

-745470 originally put in place in the 1990's, testing was to look for

Feature 12, burial 11

-7676 feature A, feature B, and feature C

Kawika: Hilton just acquired

Kali: land ownership issues, including military?

Kawika: everything within the County remnant has been acquired by Hilton

Looking to preserve in place, interim protection measures in place

Matt: vertical steel plates installed in place, once construction is finished, the area will be landscaped. Horizontal plates are in place now, but will be removed prior to the landscaping near the end of the project

Kawika: With input from the descendants, looking to change the landscaping into appropriate native vegetation; re-routing some utilities, abandoning drain inlet in place

Draft BTP circulating internally, seeking input from the descendants in finalizing some of the details

Matt: Descendant mana`o is preservation in place.

Hina: No comments.

Chair acknowledges that time is valuable.

Important matter to discuss before moving forward.

Chair asks for a motion to move into executive session to discuss key issues.

Motion: to move into executive session

Motioned by: Chuck
2nd: Mana
Vote: all in favor
Chuck: audience will be called back in later

Hina: Chuck Ehrhorn appointed Vice Chair of the council.
OIBC members support Chuck's appointment as Vice Chair.

D. Honolulu Authority for Rapid Transportation Project, Honouliuli, Hō'ae'ae, Waialeale, Waipi'o, Waiawa, Mānana, Waimano, Kalauao, 'Aiea, Hālawā, Moanalua, Kahauiki, Kalihi, Kapālama and Honolulu Ahupua'a, Ewa and Kona Districts, O'ahu, Multiple TMKs.

Information/Discussion/Recommendations: Update on the above project.

Updates provided by Kawika Farm, Jon Nouchi, HART; Matt McDermott, CSH

Kawika: providing updates

Mana: sitting at the table as a recognized cultural descendant to the HART project

Jon: 3 sections of on-going work; progress is on-going, 60% of maintenance facility in Waipahu has been completed

Hina: (in Hawaiian) cultural descendant meetings, how have consultation and engagement been going?

Jon: (in Hawaiian) no meeting this month; planning a meeting next month to deliver updates

Hina: (in Hawaiian) when is the next meeting?

Jon: (in Hawaiian) next month, in April

Kawika: development of BTP is on-going and involves input from a wide variety of parties

Matt: same presentation given last month; BTP is nearly finished; discussed details of BTP previously and would like to get OIBC comments; AIS anticipated to be accepted by SHPD within the next 3 weeks; focused on City Center

Further discussion of preservation measures, including having stained concrete

DR-150A material will be re-buried in T150; DR-120D will be re-buried in

Chuck: Wood box in interim will be left in place?

Matt: Yes.

Chuck: Will the steel plates corrode quicker in soils w higher salt content?

Matt: Not sure.

Hina: Questions?

Mike Lee: Iwi in Aiea, asked in January that cultural monitors be present for portions of Aiea (Phase 1); as of today, no cultural monitors have been hired; advocate and protect the iwi; at the March 2015 Kakoo meeting, Mahealani Cypher advocated for having cultural monitoring on the project

Matt: The inadvertent find Mike is referring to was found in Phase II. Cultural and archaeological monitoring is on-going.

Kawika: Mahalo to Mike for bringing up his concerns. HART has prepared a letter addressing Mike's concerns and it was mailed out yesterday.

Kaanohi: Iwi at Aiea was found in Phase II. Cultural monitors and archaeological monitors are present for Phase II, Phase III, and Phase IV. No cultural monitors and archaeological monitors were needed in Phase I because there were no findings during the AIS.

Chuck: In Phase II, how was the iwi discovered?

Matt: During electrical utility relocation for HART. It was on-call monitoring, Kiewit stopped right away and there was a cultural and archaeological monitor on site within an hour.

Hina: Questions?

As a consulting party, the OIBC is apprised of Kakoo meetings regularly. Discussions do not usually invoke the OIBC voice. There was a recent phone meeting, and Hina attended.

Kawika: HART thanks the cultural descendants, cultural monitors, archaeological firms, and consulting parties. Looking for determination on BTP at April OIBC.

E. Howard Hughes Corporation Ward Village Development, Block I Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-002:001 (por.) Information/Discussion: Update and discussion on the above project

(Taken out of order to facilitate discussion in absence of the recusing council members Hina and Mana)

Matt McDermott of Cultural Surveys Hawaii: project updates at the Feb 2015 OIBC as informational sharing; May 2014, a project update was provided while the AIS was ongoing; AIS has been submitted to SHPD and is under review; recommendation by SHPD was to prepare a burial treatment plan for the burials that were found; burial find notification went out on Oct. 2014 in the Star Advertiser and Ka Wai Ola o OHA in Nov. 2014; last cultural descendant meeting was 19.Jan.2015, recognized descendants going through the process are the Caceres `ohana, the Kaleikini `ohana, and Mike Lee.

Historic background of the area: Blaisdell Ward Family, historic auwai drains into Kewalo basin, salt pans, LCA claims

89 test trenches throughout project area

-7659 old auwai channel coming from Blaisdell

-7249 subsurface cultural layer of precontact and historic materials under fill layers

-7655 salt pans

Burial properties

10 occurrences:

Trench 13 – wood box, exhumed coffin therefore burial feature

Trench 17 – cluster of burials in vicinity: adult and infant, exhumed coffin, large pit w associated wood from coffin and a single ankle bone

Trench 69 – adult in sandy deposit

Trench 70 – adult in flex position

Trench 24 and 57 –

24 – sub-surface feature concentration of cobbles w deciduous tooth, cranial fragment in fill

Trench 35 – worked bone tool

Trench 38, 61, 66 – one individual documented

Cultural descendant meeting

Discussing treatment options

- Move all iwi to relocation site in Howard Hughes Ward Village Shops preservation area, empty vaults available
- Move remains to an undecided location on Block I: could be a landscaped area
- Use Trench 17 as a central zone for redeposit of fragmentary remains, would become a landscaped area or a driveway access

Kali: What do the descendants prefer?

Matt: They are thinking about it, there are options

Kali: Bundle was previously disturbed?

Matt: Yes, definitely no articulation evident.

CE: 3 options. Any discussion about leaving them in place?

Matt: That's always on the table, but hasn't really been discussed.

CE: Any comments from the audience? Where do you go from here?

Matt: AIS will need to be approved, then we'll finalize the BTP draft w definitive input from the cultural descendants, probably in May or June. Then we'll come to you for determination after.

F. Kawaiaha`o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua`a, Kona District, Island of O`ahu, TMK: [1] 2-1-032:017.

Information/Discussion/Recommendation: Update on the above project.

Mike Lee: Does the SHPD know when the AISP will be done?

Hina: No representative of the Kawaiahaio Church is present; no updates have been given

Regina: Can't speak to Archaeology Branch because Susan isn't here; History and Culture have received no updates about any work plan at this time.

Hina: (in Hawaiian)

Kawaiahaio has been agendized. The ball is in their court.

Specifically requested no action before notification w the OIBC.

G. Department's Recommendation to Recognize Michael Kumukauoha Lee as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at Honolulu Authority for Rapid Transportation Project, Aiea Ahupuaa, Ewa District, O`ahu, TMK [1] 9-8-015 (por.)

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Hina reads correspondence onto the record:

Mike Lee: Always in contact with Lani and those individualas

Hina: Any further comments?

Mike Lee: Went to the location, did a prayer, took hookupu. Don't need to go with a crowd.

Kaanoahi: Iwi is in the curation facility.

Hina: Department's recommendation is recognition to this iwi in this TMK

Chuck: What were these iwi?

Mike: Fragments in fill.

Kaanoahi: Fragments found that high in the sediment could have come from elsewhere.

Motion: to recognize the Michael Kumukauoha Lee as a Cultural Descendant to unidentified human skeletal remains at above project

Motioned by: Pokii

2nd: Chuck

Vote: Yes (Mana recused from vote)

H. Department's Recommendation to Recognize Michael Kumukauoha Lee as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at Howard Hughes Corporation Block N Project, Honolulu Ahupuaa, Kona District, O'ahu, TMK [1] 2-3-005:007, part of SIHP 50-80-14-6855

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Regina: Parcel number is incorrect; should be 017

No comments from OIBC

Public testimony

Kaanohi: opposes recognition; recognition is up to the council

Motion: to recognize the above individual as a cultural descendant to unidentified human skeletal remains at above project

Motion: Pokii

2nd: Kali

Vote: Passed unanimously (3votes: Kali, Pokii, Chuck)

Hina recused from vote

Mana recused from vote

I. Department's Recommendation to Recognize Michael Kumukauoha Lee as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at International Market Place and Princess Kaiulani, Waikiki Ahupuaa, Kona District, Oahu, TMK [1] 2-6-022:038

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Regina: SHPD letters for Item I and Item J were not prepared in time; Item I and Item J will need to be deferred to next month's meeting.

Hina: both Item I and Item J are deferred to the next meeting.

Mana: Mike Lee is already recognized for International Market Place and the Princess Kaiulani; in the event that more are found later, is his initial recognition blanketed for all future finds?

Regina: The issue will be clarified with Hinano.

Mana: You'll end up putting multiple claims in for the same project.

Kaanohi: The wording is concerning.

Hina: (in Hawaiian)

Regina: (in Hawaiian)

Kaanohi: Kyoya is property owner

Hina: Those who are a part of the physical activities that are going on, is this the most appropriate avenue to support? There needs to be a clear indication of what happened. Two separate projects, two separate parcels.

Items I and J are deferred to the next OIBC meeting.

J. Department's Recommendation to Recognize Michael Kumukauoha Lee as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at 801 South Street, Honolulu Ahupuaa, Kona District, Oahu, TMK [1] 2-1-047:004

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Item J deferred to the next OIBC meeting in April.

K. Department's Recommendation to Recognize James Sonny Gay as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at 801 South Street, Honolulu Ahupuaa, Kona District, Oahu, TMK [1] 2-1-047:004

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Hina: Recommendation received from SHPD.

Sonny: Compulsion for iwi; experience doing genealogy, can be help to the OIBC and SHPD; want to be a recognized cultural descendant

Hina: In the event of consultation or halawai, you are ready, willing, and able to attend?

Sonny: Yes.

Hina: (in Hawaiian) any questions? Comments from the audience?

Kaanohi: The iwi is curated on the project site. Once he is recognized as a descendant, he can request a visit to the curation facility.

Motion: to accept SHPD's recommendation to recognize James Sonny Gay as a cultural descendant to unidentified human skeletal remains at 801 South Street

Motion: Chuck

2nd: Mana

Vote: Unanimous

L. Department's Recommendation to Recognize Paulette Kaanohiokalani Kawainui Kaleikini, Moani Umiaimoku Kaleikini, Tuahine Kanekapolei Kaleikini, Kala Kealahaleokalaikalani Kaleikini, Kalahikiola Mahikeahi Keliinoi, Kilinahe Ialuumokuohikiau Keliinoi, Aliikaua Keawenuiaumi Kaleikini, Noeau Kamehanaokala Kaleikini, Haloa Kekoo Namakaokalani Kaleikini, Mahiaimoku Kekaulike Kaleikini, Moehonua Keaweamahi Kaleikini, Piiiani Keonealoha Kaleikini, and Kahekilinuiahumanu Ulukou Keliinoi as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at 801 South Street, Honolulu Ahupuaa, Kona District, Oahu, TMK [1] 2-1-047:004

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Hina reads the correspondence onto record.

Kaanohi: seeking recognition to this site; called to the site the morning after the iwi were impacted; the way the iwi were cared for after being impacted was disturbing; had participated in the AISP for the project and knew where `ohana had lived, this was the area that was impacted

Hina: since this is for recognition, what is your opinion on this project beyond what was just said?

Kaanohi: the other project on the makai side did not require an AIS; pressed more to do an AIS for the mauka side where the LCA and cultural layer were present; supported in this by community; water feature mauka side. Very disappointed with the archaeological firm and how they went along doing things. Same firm that did WalMart.

Kali: Can you go into detail about how it was impacted and how it was taken cared of?

Kaanohi: impacted by excavator; iwi scattered around the mound. Susan had firm screen the fill; there were some in the sidewall of the trench. The first day the iwi was placed on the back of a truck, placed in geomesh cloth, firm did not have muslin on hand, walked away from the iwi and left it unattended, a laborer walked by and took a photo and placed it on social media, Facebook; Oiwi Cultural Resources monitor notified Kaanohi, headed straight to the project; iwi wrapped in black cloth still, placed in a hina`i, then placed in a safe; requested to see the iwi again, and was told it was not safe; requested iwi be moved to a better curation location; hasn't improved much.

Hina: they were hostile to you being there?

Kaanohi: I was pretty calm.

Kali: Who was yelling?

Kaanohi: The archaeologist.

Chuck: What is his name?

Kaanohi: Aki Sinoto.

Hina: (in Hawaiian)

Chuck: Was it one set of iwi?

Kaanohi: Yes, just one. Split into several hina`i.

Pokii: Did they track or trace the individual who took that photo?

Kaanohi: Yes, he talked with me. I took this individual to the site to mihi.

Hina: Mahalo, you took him there to mihi.

Chuck: this is the same as the one on the inadvertent discoveries?

Regina: Yes.

Hina: Any questions?

Kali: Are there any penalties for firms that do this?

Kaanohi: I think there is an investigation going on. Law is weak; go after the individual who took the photo and also the archaeologist for not taking care of the iwi

Hina: Comments?

Chuck: I agree with you that Aki Sinoto should be fined and that the worker probably didn't know what he was doing.

Kaanohi: I also talked with Susan and Regina about providing cultural resource training on all future projects.

Chuck: Did you say there was an AIS for this project?

Kaanohi: Yes.

Hina: There is the recognition part that is forthcoming. After the council affords the recognition on this issue, I look forward to the following:

The division, through our Burial Sites Specialist, the council, through the Kona moku representative, will stand together in unity to say this is a deplorable example of what people do in this community and it is not acceptable. We concur with the division on this particular issue. After formal recognition, may you move forward with the combined strength of all our voices to stand up to this kind of callousness for a firm that has someone with a genealogy of archaeology like this should know better.

Chair will entertain a motion.

Motion: to recognize the named individuals above as cultural descendants to inadvertently discovered human skeletal remains at 801 South Street.

Motioned by: Chuck

2nd: Kali

Vote: Yes, unanimously

Chuck: Have you worked with Sonny at all?

Kaanohi: Yes, the last time he attended.

Hina: This is an example of an archaeologist and firm that would've, should've, could've but didn't. May we empower you to make them do what is appropriate for the iwi.

Chuck: I'd like to suggest that we invite this individual to come to the OIBC.

M. Department's Recommendation to Recognize Paulette Kaanohiokalani Kawainui Kaleikini, Moani Umiaimoku Kaleikini, Tuahine Kanekapolei Kaleikini, Kala Kealahaleokalaikalani Kaleikini, Kalahikiola Mahikeahi Keliinoi, Kilinahe Ialuamokuohikiau Keliinoi, Aliikaua Keawenuiaumi Kaleikini, Noeau Kamehanaokala Kaleikini, Haloa Kekoo Namakaokalani Kaleikini, Mahiaimoku Kekaulike Kaleikini, Moehonua Keaweamahi Kaleikini, Piilani Keonealoha Kaleikini, and Kahekilinuiahumanu Ulukou Keliinoi as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at Kawaiaha`o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua`a, Kona District, Island of O`ahu, TMK: [1] 2-1-032:017.

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Hina read correspondence onto the public record.

Hina: Questions?

Mana: These are originally marked burials.

Kaanohi: Yes.

Mana: So this should be a lineal recognition.

Kaanohi: Commented on the AISP; within the project area were 3 family burials. There is no trace of the plot now, just a huge, empty hole. The iwi there were moved from the burial plot, so I am a lineal descendant. I know who they were. I gave those names.

Chuck: Following up on Mana's comment, 3 of them you have lineal descendancy with, these are wrapped up in packages. Do you know which packages?

Kaanohi: No.

Chuck: That's the crime.

Kaanohi: Yeah, it seems as though we are doing things backwards, because they should have been marked.

Kali: These were tombstone markers?

Hina: There were historical maps with locations. Likeke Hall, prior, were plots and marked burials. If work was done properly, she would be able to find her kupuna. She is technically a lineal descendant but in the context of how things exist now....

Chuck: That's what I don't understand, how things were done.

Kali: Right.

Hina: They are tagged; visited w Vice Chair Scheuer and former Burial Sites Specialist Farm for a site inspection; they are marked according to the system used by the archaeologist; because of steps skipped, this precludes Kaanohi from the process of seeking lineal descendancy.

Kaanohi: The department collaborating with the church in not granting lineal descendancy would confirm that they've done things.....

Kali: The map has the name on top...

Kaanohi: There's names....

Kali: Would that be sufficient for SHPD's process? Perhaps we should go ahead with the cultural descendancy today and then resubmit for lineal later?

Kaanohi: I've done that before for another project.

Regina: E kala mai for being new to the procedure.

Hina: Could you follow up on this question? If you need to follow up on the lineal descendancy question so we can afford Kaanohi the highest level of recognition.

The chair will entertain a motion.

Motion: To accept the department's recommendation to recognize the individuals named above as cultural descendants to the project

Motioned by: Kali

2nd: Chuck

Unanimously approved

N. Department's Recommendation to Recognize Glen Kila, Sheila Valdez, and Christophor Oliveira as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at the Kunia Mauka Loa Ridge C&C Farmlands Project, Honouliuli Ahupua`a, Ewa District, O`ahu, TMK: [1] 9-2-004.

Discussion/Determination: Discussion and Determination to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project.

Hina: individuals not present.

Kali: Sheila was here last time.

Hina: Also as a technical issue, as your chair, I ask to defer this, because, where it could avail itself to the members, there is one concern. By combining names on one recommendation, we need to defer this. All three individuals have the wherewithal to exercise their voices.

In cases where individuals are not related or married, we do not place them together on the agenda.

There is opposition expressed by the Kunia Loa Ridge people.

Hina reads the correspondence from Kunia Loa Ridge onto record.

Hina: deferral is important in this case. Don't want to eliminate everyone from the discussion. Will look to Regina to list these individuals.....

Kaanohi: One concern I have is who made this recommendation to recognize these individuals? Sheila did tell me that she was not Hawaiian and would relate to the aina through her children. If she is recognized in the future, I'd like clarification from the department. Whoever wrote this letter needs to clarify Glen Kila's recommendation. Questions the integrity and ability of the department to make recommendations.

Hina: Process established to empower our oiwi to take a stand for our iwi kupuna.

Chuck: Need a separate report for each individual. Need to know the basis for each individual.

Hina: Item N needs to be deferred because we don't want to set negative precedence to any of the cultural resources at Kunia. Sheila came to the council before because it was her only way of expressing her concerns.

Chuck: We wouldn't be here if it weren't for her.

Hina: Council is clear on this. Pokii take this back to her for us. Kaanohi, call Hinano for your concerns about this.

O. Kunia Mauka Loa Ridge C&C Farmlands Project, Honouliuli Ahupua`a, Ewa District, Island Of O`ahu, TMK: (1) 9-2-004.

Information/Discussion: Discussion on the above project.

No update given.

Hina: Pokii, tell those people that it's ok to oppose, but they should send someone. The least they could do is send someone to give updates.

Regina: We've been asking for documentation for 6 months.

P. Section 106 Consultation, National Memorial Cemetery of the Pacific at Puowaina (Punchbowl): Expansion and Improvement Project, Pauoa and Makiki Ahupua`a, Honolulu District, O`ahu, TMK: [1] 2-2-005:001 (por.), 002 (por.) and 005 (por.)

Information/Discussion: Discussion on the above project.

James Higgenbothom and Glenn Elliott

Glenn: modified presentation from last month. Everyone is familiar with Puowaina, I'll introduce you to the people on the team.

Federal project, NAGPRA applies.

Purpose and scope, statute and NEPA and Section 106, process, schedule

Cultural monitor works directly with Jim

James Horton, cemetery manager, not able to attend today

Glenn: cultural and tribal liaison

Project purpose: provide additional capacity at the cemetery

PIC ADMIN building

Memorial wall

Cap replacements at Columbaria 1 thru 5

New admin and Public Information Center building

Scope: ground disturbance, internal utility improvements, architectural improvements

NHO Consultation initiated in 2010, POA signed in 2014

Archaeological contractor is Keala Pono, archaeological monitor

Protocols in place to address discoveries

POA developed over time, lots of input from numerous parties

Met w SHPD to discuss details

Kali: Would it be appropriate to look at the POA in reference to Item V – A and how that worked?

Glenn: I will be speaking to that item since the individual from JPAC is not her to discuss it.

Kali: I don't know if it's appropriate.

Hina: We can continue on, as long as you indicate what you're referencing.

Kali: Might expedite things.

Glenn: Just a quick comment about that. The discovery was pre-construction.

Schedule: kicked off on Jan. 2014, Nan initiated construction in Feb. 2014

Estimated completion date is Jan. 2017

Design of new building is nestled into the hillside

New Columbaria; replacement caps for Columbaria

Providing weekly archaeological reports, shared w Papakolea community

Provided contact sheet to team depending on type of resource discovered

Glenn: It says Section 106 Consultation on the agenda, but this is more of an update about where we are in the process because we haven't been before the board in 2 years. Questions?

Hina: We have a few inadvertents we need to discuss. Pokii, before you depart us, do you have any questions?

Glenn: I can go very quick into the inadvertent discovery.

Hina: Once Pokii leaves we can only share information.

Kaanohi: The second story is off the hillside?

Jim: Yes, it will be two stories.

Hina: (to Glenn) Please get my contact information.

Glenn: We are having a blessing this Friday.

Hina: (to Pokii, in Hawaiian)

Hina: We no longer have quorum. We look forward to any future updates you can provide.

Glenn: hillside area is disturbed fill, unconsolidated; not 'virgin' soil; if anything is encountered, it will have come from somewhere else, not that it will be treated any differently; but the setting is very different from what was there originally, about 47 years ago

Kaanohi: I'm from Papakolea, and I don't recall any work in which that much material was brought in, it could all be local

Glenn: It's a possibility that it came during the road construction; also, it's a dump site for the actively used cemetery, for soil. Matt was on site with us, saw irrigation pipe to all kinds of stuff.

Kaanohi: Boring how deep?

Hina: approximately 40 feet.

Glenn: would like to move on to the next item.

V. INADVERTENTS/COMMUNICATIONS

A. Inadvertent Discovery of Human Skeletal Remains at Punchbowl Cemetery

Information/Discussion: Update about the finds provided by Benedick Soria, Lead Evidence Coordinator: JPAC – Central ID Lab.

Glenn: jawbone was found during raising and re-alignment of tombstones; area cordoned off for unknown soldiers; JPAC identified it as a rocker jaw; currently in curation at the JPAC facility; NAGPRA comes into play, how can we move forward from here? Sending out letters, public notification. POA in place, w specific procedure to handle iwi finds: wrap in muslin, place in lauhala basket, in a secured dry place until we have a reinterment facility.

There is an area set aside for reinterment.

Consulting with Papakolea about reinterment and surface treatment.

May have further updates in the future.

Hina: Mahalo. Council cannot ask questions and you cannot answer. One individual in this room that would be highly inclined to be consulted with and be part of the discussions to move forward.

Council would be amiable to updates, and keeping this on the agenda.

Council members or members of the public, once you have exited the doors, please engage.

B. Inadvertent Discovery of Human Skeletal Remains at 801 S. Street, Honolulu Ahupua`a, Kona District, O`ahu, TMK: [1] 2-1-047:004

Information/Discussion: Discussion about the above find.

Regina: Kaanohi mentioned a lot of the information earlier, and I presented at last month's meeting. Suggested that Aki make a presentation here at OIBC.

Screening of all back dirt finished yesterday, recovery finished
Discovery occurred on Jan. 2nd, direct contact with Vito (developer)
SHPD has decided the best course of action at this time is relocation
Area of discovery will be heavily used for utilities
Kaanoahi: Have had preservation in place before with utilities
(inaudible)

C. Inadvertent Discovery of Human Skeletal Remains at Laie Courtyard Marriott, Laie Ahupua`a, Ko`olauloa District, O`ahu, TMK: [1] 5-5-006:039

Information/Discussion: Discussion about the above find.

Regina: December 14th or 15th, inadvertent discovery during rebar installation for a pool.
Area had been excavated nearly to grade, concrete foundation slab would adversely impact preservation in place
Landowner was able to provide an alternative area for reburial
Iwi was relocated to Laie Cemetery

Chuck: It's always been our policy to relocate as closely as possible to the original location, putting it in a cemetery seems too far away. Those are just my thoughts to you.

Hina: Those people are of a different culture, mindset, religious perspective, and political perspective. Thus not necessarily identifying with aloha aina and aloha iwi kupuna.

Chuck: If they haven't been relocated yet, perhaps we should ask that they be placed closer to the pool.

Hina: I should give a call to the Burial Sites Specialist and see what she can do about that.

Kaanoahi: Of course the iwi relocated to a cemetery is for convenience. (inaudible) That's hewa. Whether it's a fragment or an in situ, that makes a difference.

Hina: Sometimes if people know better, but deliberately do contradictory to that, they open the door for their own sleepless nights. We are here to promote restful nights.

Chuck: Sometime I will tell you and the board members about a similar case but one more egregious.

Hina: I look forward to hearing that.

D. Inadvertent Discovery of Human Skeletal Remains at HECO utility pole excavation P1/4/432, Hau`ula Ahupua`a, Ko`olauloa District, O`ahu, TMK [1] 5-3-014:022 (por.)

Information/Discussion: Discussion about the above find.

Regina: In situ burial in an A horizon about 70cm below the surface.

Michelle: 1.1 to 1.2 meters below the surface, near the water table.
(inaudible)

Regina: some evidence of the individual in the sidewall. Most had already been removed by the augering. In on-site consultation with the archaeological firm, HECO, and the SHPD, preservation in place was determined and carried out on that day, 2 weeks ago. HECO abandoned the hole with the iwi kupuna for preservation in place.

E. Inadvertent Discovery of Human Skeletal Remains at International Market Place and Princess Ka`iulani, Waikiki Ahupua`a, Kona District, O`ahu, TMK: [1] 2-6-022:038, and TMK: [1] 2-6-022:001 and 041.

Information/Discussion: Discussion about the above find.

Matt: Info directly from David Shideler.

No inadvertent finds at IMP since Feb. 11th.

Includes a tie-in area on the adjacent Princess Kaiulani

Mandible

Tie-in utility trench

Both preserved in place

SHPD determination letter for PK has gone out.

Preservation in place

Kaanoahi: Concern about the determination letter issued by SHPD regarding the preservation in place. Hopefully SHPD knows.

Hina: Please let SHPD know of your concerns.

Having another meeting between IMP and PK, I wonder if they'll have a meeting together

Mana: They're trying to be neighborly.

Hina: Maybe they need intervention.

Meeting adjourned at 2:12 PM

VI. ANNOUNCEMENTS

A. Next meeting date is scheduled for Wednesday, April 8th, 2015 at 10 AM.

Pursuant to §92-3 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 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.

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. Persons with disabilities requiring special assistance should contact the division in advance at (808) 692-8015.