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

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

**DRAFT MINUTES pending approval of OIBC**  
**O'AHU ISLAND BURIAL COUNCIL MEETING**

**DATE:** Wednesday, June 10th, 2015  
**TIME:** 10:18AM  
**PLACE:** Department of Land and Natural Resources  
Board Room  
Kalanimoku Building, 1<sup>st</sup> Floor  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

**ATTENDANCE:**

**Members:** Hinaleimoana Wong-Kalu  
Thomas Shirai  
Elton Pokii Magallanes  
Charles Ehrhorn  
Dana Holck

**Absent:** (none)

**Staff:** Regina K. Hilo

**Guests:** Aki Sinoto, Aki Sinoto and Consulting  
Greg Johnson, Univ. of Colorado  
Scotty Ruiz, Kunia  
Michelle Pammer, Cultural Surveys Hawaii  
Trevor Yucha, Cultural Surveys Hawaii  
Josie Yucha, Cultural Surveys Hawaii  
Kaanohi Kaleikini, Descendant  
Matthew Pennaz, Kobayashi Group  
Kele Kaleikini, Descendant  
Doug Borthwick, Cultural Surveys Hawaii  
Russell Kaupu, The MacNaughton Group  
Ramsay Taum, Lei of the Pacific  
Lani Maa Lapilio, Aukahi  
David Shideler, Cultural Surveys Hawaii  
David Kopper, NFICC  
Matt McDermott, Cultural Surveys Hawaii

**I. CALL TO ORDER**

Meeting called to order by Chair Hina at 10:18 AM.

**II. ROLL CALL/PULE**

Council members introduced themselves.  
Prayer offered by Thomas Shirai.

**III. APPROVAL OF MINUTES**

~~A. Minutes from 3/10/15~~

**B. Minutes from 5/13/15**

Deferred to the end of the meeting

Hina: Chair will entertain a motion

Motion: To approve the minutes for May 13<sup>th</sup>

Motion: Chuck

2<sup>nd</sup>: Mana

Vote: Unanimous vote in support

**IV. BUSINESS**

**A. Department's Recommendation to Recognize Scottina Malia Ruis as a Cultural Descendant to Unidentified Human Skeletal Remains Encountered at Kunia Mauka Loa Ridge C&C Farmlands Project, Honouliuli Ahupua'a, Ewa District, Island of 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.

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.

*Hina:* (read the above statement onto the public record)

Hina read the correspondence onto the public record.

*Hina:* Scottina you are present today.

*Scottina:* Yes.

*Hina:* Why do you come forward to be recognized as a cultural descendant?

*Scottina:* Aloha. So you want to know why I want to be recognized as a cultural descendant to this project?

*Hina:* Yes, it's a position of this board to allow people to speak on behalf of themselves seeking cultural recognition. And it's also an opportunity for any individuals to voice their opposition.

*Scottina:* My family has resided in the Waianae Uka, Honouliuli area for generations; I do have a property with a potential burial site on it. It's important to acknowledge that, for me, I have ties

to this area and potentially the iwi that are on my property. Want to be given the respect that I should be given as a recognized descendant.

*Chuck:* This is for unidentified human remains, but you're speaking to a potential burial.

*Scottina:* Yes a potential burial. There is only one

*Chuck:* What are the status of the remains that are referred to here?

*Scottina:* The area has been cordoned off.

*Hina:* (in Hawaiian) any other concerns?

*Pokii:* Scotty, I know you're also on the Cultural Committee. Chair, do you see any potential for a conflict with some of the developers? What exactly is your role on that committee?

*Scottina:* Right now the developers are not a majority holder, the property is held by the association. The cultural committee has been designated to be the point for malama the sites or to develop such a plan moving forward. My role is as a member of that committee. The committee then would give guidance to the board. That's what we're doing.

*Pokii:* So the potential sites, you don't have any intentions of developing in the area.

*Scottina:* No it's in the gulch. Possible burials are not in prime farmland area. Have some vision about what it should look like. No intent to do anything beyond that down there.

*Hina:* Pokii is speaking about the myriad of potential that recognition from this board could result in.

Spiritual level: you or anyone else in this room can come forward with your information and if verified by SHPD you're connected to native Hawaiians that once lived or are buried in, or both, this area, then if this council provides recognition to you, that enables you to sit at the table with others who have also come forward.

You are also landowner of the parcel with this on it. This articulates your interest.

The potential to be on the same playing field as everyone else, but if as landowner you exercise your opinion and say that you want to relocate the iwi.....in all fairness to you, anyone in this proceeding has the opportunity to challenge you.

*Chuck:* If she is recognized as a cultural descendant, it's only to the known human skeletal remains, which are not on her property. But she does sit on the cultural committee, so that is where Pokii is indicating a potential conflict. That is not in the best interest of the iwi kupuna. If iwi are found on her property, that's different.

*Hina:* Yes. Her position on the cultural committee could be used to sway others. This council does not question your integrity, but rather points out that this is an avenue in which it could go. Council members, any questions? Members of the community?

*Kaanohi:* I want to address the matter of possible finds on her property. When is it going to be defined, is it the State, or is it the archaeologist? Who is going to find it? She can't go on calling it a possible find. If there is, someone better find it. I don't know if it's the state or whomever, C&C Farms, who's going to look into it, but it better be taken care of.

I'd like to ask Scottina if she's native Hawaiian. Because SHPD has been known to come forward and recognize people who do not have the koko.

*Hina:* reads SHPD correspondence onto the public record.

*Hina:* In the issue raised by Kaanohi, would you care to respond?

*Scottina:* To my ancestry?

*Hina:* No.

*Scottina:* With regard to the burial plan, my understanding was only the known site was articulated and all the others had no further work required.

*Hina:* Are there any members of the public who would like to support or oppose the individual before us?

*Kaanohi:* I have one more concern, that some of the other descendants would like to know as well, if you could explain your kuleana of malama iwi. Share with us your knowledge of malama iwi.

*Hina:* Couple of things. Why do you want to put yourself out there to have a say whether the kupuna stays or goes? In what matter is this address? How is your connection to the other folks who come forward in a stance to malama iwi kupuna in this area? Chair will acknowledge that I received an email in opposition to your recognition.

*Chuck:* What was the nature of the email in opposition?

*Hina:* Would you like to address that?

*Scottina:* You want to know my mana'o around malama iwi kupuna, and my experience?

*Kaanohi:* Well, yeah.

*Scottina:* So my expertise has never been specifically with malama iwi kupuna. I've spent 10 years with the Queen Liliuokalani Children's Center, I'm a licensed social worker. I've been taught that there is no one school of thought in Hawaiian cultural practices. In my involvement with this project and cultural descendants, there has been many different opinions and approaches. In my opinion, there's been a lot of kukakuka and discussion to move towards a solution. I've never had to dig up, remove, rebury iwi, but I have been involved in cultural practices along those lines.

I also spent 5 years with DHHL, not specifically on malama iwi, but ensuring that that entity complied with larger environmental rules and regulations along those lines. So my expertise has not been with iwi per se, but it has been my life's work to work for the betterment of the Hawaiian people to work towards resolution and a continuation of moving forward. Taking care of the iwi is just one of many things that needs to happen.

*Chuck:* open to ideas and other approaches? Willing to work with and listen to others?

*Scottina:* yes, people from different places have different ideas. Need to sit down and discuss solutions. Either agree or don't agree and then move on. I recognize that I've not been here before. I have ties to the land for more than cultural reasons.

*Hina:* Even what you indicated, not everyone will agree.

Council acknowledges individual is a lot owner

may not always be conducive to conversations on malama iwi kupuna

Critical to establish a positive relationship with others who are in the same boat

Individual is open to working with and listening to others

Council can observe and move on confirmation as recommended, kupuna will let us and the individual know how you are advocating

*Hina:* this council has a recommendation to move on.

Chair will entertain a motion.

Motion: to accept the department's recommendation to recognize the above individual as a Cultural Descendant to unidentified human skeletal remains at above project

Motioned by: Chuck

2<sup>nd</sup>: Dana

Passed unanimously

**B. 801 South Street Building B Development Area, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-047:004.**

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

Updates from Aki Sinoto, consulting archaeologist for Downtown Affordables, the developer of 801 South Street

*Aki:* Tower A is built. Tower B is being built.

2 discoveries of human skeletal remains at this location

Jan. 6<sup>th</sup>, 1<sup>st</sup> discovery during manhole excavation for new sewer line

- Box culvert, water line, sewer line, and drain line are all within the proposed new main driveway that connects Kawaiahao with Kapiolani
- Main egress for the two developments, all utilities under that roadway
- Discovered at a depth between 1.4 to 1.9 meters below the asphalt covered parking lot for the Advertiser
- Measured 10 x 10 and 6 ft in depth. ¼ of the depth was underwater, but depended on the tidal fluctuation
- Recovery was completed on Jan. 26<sup>th</sup>
- Backdirt spoil pile located adjacent to the excavation, wet screening continued to yield discoveries
- Wet screening completed on Feb. 27<sup>th</sup>
- Recovery was 98%
  - two major components not recovered were the sternum and a shaft fragment of a fibula
- Provenience was not conclusive, but looking at the previous bone breakage and having only partial articulation indicates prior historic period disturbance, and possibly the burial may have been displaced during the historic period
  - Purple box culvert under find spot 2 was modified in the early 1920's, and shows up as an early ditch in the late 1800's; at that time, the top of the open ditch was level with the historic surface, which is roughly 2 feet lower than the present day surface
  - When Hustace, which used to be Kapiolani Blvd., became Kapiolani Blvd., the entire area was filled in and raised by 2 feet; the open ditch was modified into a box culvert and the original mined basalt blocks were removed and the entire thing was formed out of concrete
  - The box culvert still operates today, connects a culvert on Kapiolani with a storm culvert on Kawaiahao
  - Modification of the open ditch to a box culvert alongside the area may have caused disturbance to the area and caused possible deposit into the wetland area which was intact at that time
  - By 1914, parcel 3 where building A stands now, the parcel had been filled in.
  - Archaeological evidence shows that the entire area was filled at the same time.
  - Lots of diagnostic material from the Honolulu Ironworks, slag
  - Kakaako had 20 incinerators, and the rake out from the incinerators was being used as fill; government had instituted a policy of filling wetlands; if owners didn't do it, the government would fill it and charge the owners; newspapers from that time contain articles from landowners complaining about the material their land is being filled with, that it's the rake-out from these incinerators
  - Historic deposits contained slag from Honolulu Ironworks and rake-out material from the incinerators

- During the period when the initial fill occurred, the burial was probably still intact at the area near the southeastern boundary
- Test trenches that paralleled Kapiolani for the tower showed deep disturbance closer to the tower and less toward the wetland
  - So if anything was to be found intact, it would be in the southeast corner
  - Geotech survey showed the base coral in that corner dove down to 70 ft.
  - Elsewhere in the project area, the coral bench is approximately 6 to 8 ft.
- There was an alluvial stream that ran across that corner, it's an older feature that predates mankind
- Burial consisted of complete skull and most post cranial skeletal material, represents 1 male individual, age is 20 – 30 years old, Polynesian ancestry so most likely native Hawaiian, stature 179.8 +/- 2 cm, visible pathologies including a rib that was broken then healed, some osteoporosis, septic arthritis in the back, excellent dental condition, robust musculature

May 8<sup>th</sup>, within area of an excavated drainline trench

- 3 skeletal fragments
  - Left shaft of femur, both ends broken off
  - Right calcaneus
  - Fragment of an ulna
- Bones discovered during monitoring and excavation work was stopped
  - Back dirt from the excavation was isolated
  - SHPD was contacted
    - Regina and Dr. Lebo did a site visit on Saturday
    - Strategy was developed
    - Wet screening was started
  - May 11<sup>th</sup>, back dirt screening completed
    - Additional screening of surrounding surface dirt, by mid-day
    - Monday, mitigation was complete
    - No further remains recovered from the surface
  - May 18<sup>th</sup>, 2015 - area released for further construction

First find has a very specific color staining

The second find does not have that color, therefore came from a different matrix

Both matrices are not imported fill but come from the general area, just displaced dirt from the site

Disturbances in the area or prior displacement of material related to the box culvert are likely explanations of previous disturbance

Remains are curated in an air conditioned room

Initial discovery and inspection of the area was done by Kaanohi and her helper William, curation facility was visited by Kaanohi, William, and Regina

Iwi wrapped in muslin, stored in lauhala at this time

Owner and developer are awaiting recommendation for the final reinterment location, Aki suggested waiting until all excavation work is completed

No remains found during Building A monitoring

Prior to the infill, the area was natural salty marsh

Open to any questions

*Hina:* (in Hawaiian) Questions?

*Chuck:* 2 sets of remains

*Aki:* One set from one individual, and 3 fragments

*Chuck:* One came from the manhole excavation.

*Aki:* Yes, that was the nearly complete individual.

*Chuck:* And the 3 fragments came from fill?

*Aki:* The second one came from another feature that was being excavated.

*Chuck:* But that was in the backdirt?

*Aki:* No, it was found during monitoring. We have them do shallow lifts to recover material.

*Chuck:* So you're waiting to do all the excavation?

*Aki:* Yes because we'd like to know where to put the reinterment location.

*Kaanohi:* So for the burial treatment plan, do you guys have a location in mind?

*Aki:* There's a location they've identified, and the owners will need to discuss that with you and Regina.

*Kaanohi:* They should get started on that right away. So did you say the fragments were findspot number 2?

*Aki:* Yes.

*Kaanohi:* I want to know why I wasn't notified. I want to be notified for any find.

*Chuck:* So how many cultural descendants will you be working with?

*Aki:* So far only Kaanohi. There are the Naiwi descendants in Nanakuli.

*Hina:* Mr. Sinoto. We have not yet had a chance to meet outside this meeting room and have not had an opportunity to engage at this level.

I would like to acknowledge there is no manual or handbook on engaging people on iwi kupuna. As there is a growing precedent set in Honolulu on how to engage our community, other developers have come through our burial council presenting information to us.

Consult early, consult often

Creates and establishes good rapport

Council can support earnest endeavors, work with integrity, and a desire to do what is right

Council can support a good forum to present your initial work determining scope of project, extent of archaeological work to be done

That was not the case on this project

As chair, I had to field inquiries about this and couldn't answer any questions

Transfer responsibility from my shoulders to your shoulders

Perhaps it was former leadership at DLNR

Encourage to take advantage of the swell that our community has benefited from

You just informed us about the history of that place

That time was where the community got 'jacked' again

Most of this is under the water

You are working with our Burial Specialist and a staunch malama iwi person, Kaanohi

That is the fighting spirit of our kupuna

Wish we could have had the opportunity to discuss this project early on

Invite recognized cultural descendants

Two ladies in the room that connect cultural descendants

The entire system could have afforded itself to the process early on

Disturbed because OIBC had no opportunity

At least provide some oversight

Be present to discuss these issues

Developer and archaeologist needs to reach out and discuss what is fair

Probably the most we've heard about an iwi kupuna find

Seek the resources available to you to pull people together  
Avail yourself to those already there as recognized descendants  
Work with them and allow them to guide and shape what happens with the iwi  
kupuna

Other developers have gone to great lengths

*Chuck:* Supports chair's comments

Normally, way early into the project, you'd be in here talking about the project. You did test trenches, and we'd get information on the trench locations relative to the building. We didn't see you here at that time.

Is the developer in the room? No? That's a problem I have because the developer is responsible for your work. So the next time you're here, I encourage you to bring your client here into the room.

*Hina:* I figured that was the case. Had the developer been here, we could have engaged more.

All other developers in this area walk a tight line in front of this council, and breathe judiciously around our recognized descendants.

Do you have any questions for us?

*Aki:* Not at this point. I do have a statement that I certainly will engage as many of the cultural descendants in the plan that is upcoming. I appreciate your words and take them to heart.

*Hina:* Please feel free to engage me as well.

I look forward to any further engage.

It should be noted that this council was very disappointed that the developer did not engage.

Thank you for visiting and I look forward to seeing you again in the future.

**C. Kamehameha Schools, Block I, 800, 900, and 914 Ala Moana Blvd. Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-056: 002, 007, and 008.**

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

*Dawn:* provide an update to talk about the Archaeological Inventory Survey Plan, the Data Recovery Plan, and the Burial Treatment Plan.

Cultural consultation ongoing, one recognized cultural descendant, Kaanohi

*Hal:* Introducing Michelle Pammer

Cultural monitors on site, data recovery project of large proportions in an active car lot that sells and repairs cars

Worked with tenants on the property, and works well so far

Very specific protocol for going through faunal remains and ensuring that anything human can be identified early on

*Michelle:* Brief update of where we're at in the data recovery project, not quite 50%

KS block I, Vida is the name of the project

Actively used area

Multiple mitigation, AIS done July 2013/January 2014.

Burials were found during test trenching

11 total

8 intact, one bundle, two isolated

AIS accepted in Oct 2014

Developed a BTP, DRP, and PP, and AMP all accepted end of 2014

Data recovery fieldwork started May 16<sup>th</sup>

Targeting cultural layer



Removed upper levels of fill and control excavation to top of cultural layer  
Unidentifiable fragments are examined, that day, by an osteologist to determine whether human or faunal

Have some of the cultural layer boundary that was missed during the AIS  
Post-holes, midden, firecracked rock, basalt flakes

OCR has been on site the entire time, appreciate having them on site

*Hal:* wanted to acknowledge how helpful OCR has been

*Dawn:* Cultural monitors mobilized quickly

Developer worked to preserve in place

Fragment relocated to burial preserve

Have an agreed upon BTP, discussed with SHPD to amend BTP if more finds discovered during data recovery

No construction to begin until data recovery is complete

Project Kamehameha Schools started consultation on prior to construction

Once burial were discovered, went through to consultation

Kaleikini and Caceres `ohana

*Hina:* (in Hawaiian)

*Kaanohi:* I'd just like to comment on the work that is going on in the data recovery.

This is archaeology at its best. CSH are experts at it.

Council members invited to see for themselves.

Any iwi find is taken cared of immediately

Mahalo to MK for allowing OCR to be on site

*Hina:* Unfortunate that our previous presenter wasn't here to see the level of work that goes on at a project like this.

Mahalo to Hal and your firm and your staff

Reaffirms that the work being done is high quality and high integrity

Kaanohi is supportive

Mahalo for the invite

*Michelle:* Will be here for all of June

*Hina:* Encourage other council members to go down to a work site, seeing what happens, learning about it

People doing the work are open to questions

*Dawn:* At the end of this, Cultural Surveys will be able to put together a great body of work for the Kakaako area

**D. 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.

*Hina:* (in Hawaiian) no one present from the church to provide updates

*Regina:* (in Hawaiian) SHPD made a commitment to review the AISP

Received comments from Dana Hall about the AISP

SHPD will continue to discuss with her the AISP and her concerns

*Hina:* (in Hawaiian) Questions?

(No comments from audience)

**E. International Market Place Re-Development Project, Waikiki Ahupua'a, Honolulu (Kona) District, O'ahu, TMKs: [1] 2-6-022:010 (por.), 036-039, and 043**

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

*Hina:* participated in a site visit

Good example of developer effort, conscientious archaeological work, curation of iwi on site, judicious way of doing things

Every component down there works well

Communication works well

No sense of inequity

Site visit open to any council member, can be arranged

Scope is large, land area is large

Doing a really good job, great things to come

*David:* Aloha kakou, David Shideler, Cultural Surveys Hawaii.

Pleased to report no finds of iwi in the past month

Project still has 13 months to go

Project moving into the makai Kalakaua side

Mahalo to cultural descendants, OCR cultural monitors, SHPD, and Hina for making a site visit on her birthday

Mahalo to all for making this an exemplary project thus far

*Hina:* (in Hawaiian) Questions?

*Regina:* Mahalo to David for providing the TMK and the rundown that was then recorded in the minutes.

*Hina:* (in Hawaiian)

**F. 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:** Update on the above project.

*Hina:* Any updates?

*Regina:* I haven't received any of the archaeological updates for May yet, though it may have come through Susan.

Will check with her.

No updates about burial finds or anything of that nature.

*Hina:* For myself and others engaged at this level, not sure if any potential recognized descendants received this email, I received it through the council.  
(email read onto record)

Just checking to see if you all received this email that had reports and attachments attached to it  
Date and time to meet, June 24, 25<sup>th</sup>, 29<sup>th</sup>, or June 30<sup>th</sup> between 9-11 or 2-4

*Hina:* Kaanohi, were you interested in meeting with these people? This is from a Tonia.

*Kaanohi:* She's never been at this meeting before, contact information was given to the previous man (Glenn).

*Hina:* This person is Tonia Moy.

*Regina:* I'm not familiar with her.

*Kaanohi:* Maybe you could respond to the email and CC me. Is this coming from Tonia? Who's doing the monitoring?

*Regina:* Keala Pono.

*Chuck:* That's an archaeological firm?

*Regina:* Yes.  
*Chuck:* Have they even been here before?  
*Regina:* Not since I've joined.  
*Kaanohi:* They did the CIA for Waihonua.  
*Hina:* They're the main proponent for this project. Who's the PI?  
*Regina:* Windy, Windy McElroy.  
*Hina:* Yes, she interviewed me for Waihonua. There was another girl that interviewed me.  
*Regina:* Mina? Ellison?  
*Hina:* Mina Ellison, yes that's right. Yes, they were here for that brief part. I'll remember to include you on my response to that.

## V. INADVERTENTS/COMMUNICATIONS

### A. Inadvertent discovery of Human Skeletal Remains at Kamehameha Schools Punalu'u Beach Lot 29 Project, 53-065 Kamehameha Highway, Punalu'u Ahupua'a, Ko'olauloa District, Island of O'ahu, TMK: [1] 5-3-001:029

**Information/Discussion:** Discussion about the above find.

*Hina:* too bad Koolauloa guys aren't here.  
*Dana:* not sure if he's had an update  
*Regina:* The last update I provided was after a site visit with the SHPD GIS specialist.  
*Dana:* You can call me too. I live in Hauula.  
*Regina:* Ok, perfect.  
*Kaanohi:* Was the find a fragment?  
*Doug:* Doug Borthwick, Cultural Surveys Hawaii.  
Lot had an inventory survey done on it by Cultural Surveys  
There was one find during the AIS, it was preserved in place.  
Residential lot that KS is developing  
    Tearing down an existing structure on grade  
    Putting in a raised structure, new septic, new leach  
Area of original find is a big preserve along one side of the property  
Foundations laid out for the building, iwi found in the first trench for the building  
    KS went back to their design person, and shifted the whole building to preserve find  
    1 in place  
Methodology was to slowly hand-dig the foundation, that's when burial 2 was found  
KS and the design team are looking at what can and can't be done  
    Working with their cultural team out there  
    Working with SHPD to get a determination  
        Move burial find 2, previously disturbed by utilities for the previous  
        structure, to burial find one and create a burial preserve  
    Foundation for house has been completed, except for burial find 2  
    Still have septic and leach field excavation to do  
    Working in the interim, knowing that more excavation is to come  
*Hina:* Who is the main KS proponent you are dealing with?  
*Doug:* Jason Jeremiah and Jon Tulchin.  
*Hina:* Yes, we saw Jason at the last meeting.  
*Doug:* This is a long series for KS. They are redoing their house lots.

*Hina:* They're redoing their house lots and leasing to people?  
*Doug:* I'm an archaeologist, I don't know those sides of things.  
*Dana:* Are those the 4 houses that are raised? They all look the same?  
*Doug:* Yeah, that's some of them, they all look the same except for a few things.  
These are getting closer to Kahana.  
*Hina:* Hopefully all the finds for this become part of the conveyance for the land.  
*Doug:* That's all part of the plan.  
We've given SHPD a rough draft of the plan to help them make a determination.  
*Chuck:* It sounds like the landowner is being cooperative.  
*Doug:* Yes.  
House foundation is opened up, can make a decision  
Volume for septic and leach  
*Kaanoahi:* AIS was done, you did the AIS?  
*Doug:* Yes.  
*Kaanoahi:* So, this is inadvertent. It's up to SHPD whether they want to keep in place or allow them to move them.  
*Doug:* Right now, yes.  
*Kaanoahi:* It's an in situ.  
*Doug:* Both. Burial 1 is mostly intact. The other was impacted by utility line to previous house. Sand burials.  
*Kaanoahi:* So there could potentially be more?  
*Chuck:* Yes, that's what Doug was saying. When it comes to the leach field that could open a can of worms.....  
*Doug:* Yes, it's a small house so your foundations are pretty small. Then you have the leach field and the septic tank. Two major excavations to go.  
*Chuck:* You haven't had these problems with the other lots?  
*Doug:* There have been.  
*Chuck:* What about the leach fields?  
*Doug:* There have been finds and preservation places in these lots. Hasn't come up in the leach field.  
*Hina:* Any other questions? Regina, I know you as the Burial Sites Specialist would be inclined to advocate for preservation in place, especially with our in situ burials.  
Doug and/or Regina, we heard that Dana Holck is available and willing. Add her to the list of people to contact and involve through Jason.  
*Dana:* I live a few miles from there.  
*Hina:* Yes, I feel confident of our council's ability to respond. If both you and Kali go, it gives you the opportunity to work together.

**B. Inadvertent discovery of Human Skeletal Remains at Turtle Bay Resort, 57-091 Kamehameha Highway, Ko'olauloa District, Island of O'ahu, TMK: [1] 5-7-001 Information/Discussion:** Discussion about the above find.

*Regina:* Friday May 15<sup>th</sup>, got a call from HPD that they had inadvertently discovered human skeletal remains during clearing for a bike path on the Kawela end.  
*Dana:* Yes this was the Kawela end of Turtle Bay Resort.  
*Regina:* Context was not the best: mandible under a carpet  
Worker clearing a low spot in the trail, clipped carpet, iwi popped out

Worker called HPD  
 SHPD was called, Susan Lebo fielded the call, SHPD responded by going out there  
 Myself, the GIS Specialist, and an archaeology branch individual  
 Called Medical Examiner, who was not able to come out  
 No archaeological context  
 Area had been part of an extensive AIS, known burials had been identified  
 Dana was emailed upon the discovery  
 Security person there put me in touch with Scott McCormack who is in charge of the  
 burial vault there, also Ralph Makiau as well  
*Dana:* Decision has been made to reinter there.  
*Chuck:* In the same area?  
*Dana:* Yes nearby.  
*Chuck:* Now this iwi was found directly under a carpet?  
*Dana:* Yes, I was out of town so I wasn't able to respond.  
*Regina:* Yes. By the time we got there, it was no longer under the carpet.  
*Chuck:* But all the guy did was remove the carpet and there were bare bones.....  
*Regina:* He basically cleared a path, not doing any digging, just clearing the vegetation, and this  
 carpet was in a low spot.....  
*Tom:* He went kick em up, yeah.....  
*Regina:* It got kicked up because the sediment was super loose. It got kicked up as he passed  
 over the carpet, that's how it got loose.  
*Chuck:* We should have some concerns here.  
 Sounds like it's not 50 years old, so it might not be your jurisdiction.  
 Sounds like it might not be native Hawaiian.  
 I think someone should take a look at it.  
*Regina:* JPAC/CIL is under capacity right now, they usually look at these things for us.  
 ME was looking to SHPD for a determination.  
 I informed the ME that I'm not an osteologist, and there's no one on our staff that is a  
 forensic anthropologist.  
*Kaanoahi:* So you guys are going to kanu this iwi?  
*Dana:* I think it's already in SHPD's possession?  
*Regina:* We are currently curating.  
*Kaanoahi:* Oh, ok. So you guys are not going to kanu until it's determined.....  
*Chuck:* Ok so you are going to answer my questions, eventually.  
*Dana:* Somebody's going to.  
*Regina:* Yes somebody's going to.  
*Hina:* To me the jurisdiction is the most critical.  
 Whether the iwi is Hawaiian or not, rather than do invasive testing to determine ethnicity, we  
 can simply honor the iwi as we would honor any of our burials, as it would be wrapped,  
 prepared, and interred for a Hawaiian burial.  
 Not unless there's some other reason we shouldn't do so.  
 Was this something police should do more investigation about?  
*Regina:* we thought they should.  
*Dana:* Yes, possibly.  
*Hina:* They didn't?  
*Regina:* No. The ME did not think this was necessary. However, because it was Friday, and  
 because this is a highly trafficked area.....  
*Hina:* Because it was Friday!

*Chuck:* This could be some gang land murder.

*Kaanohi:* It could be less than 50 years old.

*Hina:* You should call them back and say, "Take this iwi back."

*Regina:* It was incredibly frustrating.

*Chuck:* I agree with Hina about treating the remains as Hawaiian.

Too many questions about this one

A Hawaiian burial under a carpet

*Kaanohi:* Shallow, concerned that it is less than 50 years old

*Regina:* Iwi was a mandible, partial mandible

Dentition

No evidence of modern dental work

Frustrated that the ME would not take jurisdiction

We base our jurisdiction off of archaeological context and there was no archaeological context

*Chuck:* Was there a hole on the back of the head?

*Regina:* It was only a mandible.

*Kaanohi:* Maybe they found the iwi somewhere and put it there and just covered it.

*Chuck:* I bet I know some good archaeologists who could help you out.

That's a tough one.

*Dana:* A report was taken.

*Regina:* Yes.

*Hina:* Dental records could indicate someone who was missing.

*Chuck:* Call them next Monday.

*Hina:* Council members, take a moment to review the minutes.

(in Hawaiian)

This is for May.

## **VI. ANNOUNCEMENTS**

### **A. Recap of the Hawaii State Legislature's 2015 Session as relates to SHPD**

*Regina:* One bill I'd like to update you on.

Digitization funds for SHPD records, SHPD IT working on digitization plan

Signed into law by Governor

Act 89 for Session Law of 2015

*Chuck:* Gives you enough money?

*Regina:* Well, it gives us money.

*Chuck:* It's never enough.

*Regina:* It gives us money to move forward with our strategies.

*Chuck:* Nothing relating to the OIBC?

*Tom:* There's a House Bill that passed.

*Regina:* will look into it

Act 89 was the big one

*Chuck:* the other big thing with the legislature is our terms.

I'd like to show up in July, but my term is up at the end of this month.

Mana: And me.

Chuck: If Pokii and I are not carried over, we will not have quorum next month.

Regina: We hold the appointments over until the next legislative session.

Chuck: Oh, ok.

Pokii: I have to focus on some of my other kuleana.

Regina: We are awaiting for another Waianae individual.

Pokii: One of our brothers out in Waianae submitted his application.

Hoping that we'll be able to get the position here

Brother is a strong, passionate advocate

Found out from Kaanohi that Mana Caceres has not been confirmed?

Waianae Moku will not have representation

Ewa Moku will not have representation

Hina: This was a touchy issue. No one stated that he needed to acquire confirmation by a set date in order to keep serving on the OIBC.

This is not on the agenda.

Any further clarification?

Regina: SHPD did not drop the ball.

SHPD wanted Mana on the OIBC from the beginning.

SHPD is supportive of having the Ewa position open for him.

The earliest he could start is January 2016.

Chuck: can he be an interim?

Regina: I will check on that.

Chuck: Pokii's replacement as well.

Hina: Governor has the authority to make an appointment.

You're the logical voice to take over the issue and expedite the issue

If you need the support, I will posture

Especially given all the

Dana: Are there others that applied?

Regina: Yes, there's an individual that applied for Koolaupoko.

Chuck: That person could be an interim governor assignment.

Pokii: With that being said, this is my last time sitting at this table, I want to mahalo everyone.

Mahalo to Senator Galuteria, Neil Abercrombie, all the staffers at SHPD, the members of the OIBC

It's been an honor to serve our communities, our moku, our iwi kupuna

Awesome learning experience

Afforded a different perspective on development and caring for iwi kupuna

Reflecting on my responsibility as a father, a teacher

Thoroughly enjoyed by experience here, to be a part of such an honorable team

Noble and honorable work

Please express this to all our friends at SHPD, Susan, Kawika, Pua Aiu

Different perspective about how I ku`e

Engage at a different level, catch the spears for our community

Blessed to have this opportunity to serve

Chair

Learned so much from Chuck

Asking pertinent questions when they need to be asked

May see me on the other end of the table

Tom: I remember the first time I saw you at the Kaena Point observatory.

Learned a lot since then  
*Hina*: (in Hawaiian)

## **B. Updates from May 13, 2015 OIBC**

*Regina*: Submitted this to look through the minutes for the Kualoa project

Only got up to 1992

Some are 2 paragraphs, some are a line, some are a page

Have not been able to find the individual who was on the burial council for the city at the time

*Chuck*: Do you remember that gal?

*Tom*: No.

*Chuck*: If you have a list of board members, I'll be able to pick it out.

*Regina*: this is the earliest one, from 1990.

*Chuck*: She may have been absent this day.

She was on the original one.

Lydia Maioho?

*Hina*: She was curator for Mauna Ala.

Daviana McGregor was a professor at UH Manoa, Ethnic Studies.

*Chuck*: She worked for the park.

Lilian Cruse was a great lady.

*Hina*: Let us know if you find anything.

Freelance working

Ok for next month

Chair will entertain a motion to adjourn

Motion: To adjourn the meeting

Motioned by: Chuck

2<sup>nd</sup> by: Pokii

Unanimous yes

Meeting adjourned at 1:30 PM

## **C. Next meeting date is scheduled for Wednesday, July 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.