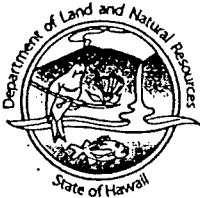


LINDA LINGLE
GOVERNOR OF HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
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MINUTES
HAWAII ISLAND BURIAL COUNCIL MEETING

DATE: THURSDAY, NOVEMBER 20, 2003
TIME: 9:00 AM – 1:00 PM
PLACE: Kona Outdoor Circle Educational Center
76-6280 Kuakini Hwy.
Kailua-Kona, Hawai'i 96740

ATTENDANCE:

Members:

Geri Bell, Chair
Ruby McDonald, Vice-Chair
Keolalani Hanoa
Charles Young
Roger Harris
John Ray

Staff:

Kai Markell, Burial Sites Program Director
Mary Carney, Burials Facilitator
Keola Lindsey, Burial Sites Program
Mary Anne Maigret, Assistant Hawai'i Archaeologist
James Paige, Deputy Attorney General

Guests:

Moana Mona Kahele
Rose Alapai
Ken Holzhei
William Kaina
Boniface Aiu
William Anjou Akau
Debralee Kailiwai Ray
Amy Arakaki
Alan Haun
Bob Rechtman
Puakeala Mann
Tim Lui Kwan
Amy Rice

Curtis Tyler

Guests: Adrian Keohokalole
Shenell Lucena
Akaiko Akana
June Akana

Absent: Nalei Pate-Kahakalau (excused)
Ulu Sherlock (excused)
Ulu Garmon (excused)
Eli Nahulu (excused)

I. OPENING REMARKS

Chairperson Geri Bell (Bell) calls meeting to order at 9:36 AM. A pule wehe is offered by Kahu William Akau. Councilmembers and staff introduce themselves.

II. APPROVAL OF MINUTES

- September 18, 2003
- October 16, 2003

A motion is made to defer Agenda Item II. Approval of Minutes to the end of the agenda. (Ray/McDonald)

VOTE: ALL IN FAVOR.

III. BUSINESS

Kai Markell (Markell) says he would like to request that a portion of agenda item E. Hokulia be moved forward because of the kupuna present.

Bell says that it would be difficult to just do a portion of an agenda item.

John Ray (Ray) says we should only do a portion because there are likely more people to come to testify.

Ruby McDonald (McDonald) asks if this is just informational or if a decision will be made.

Markell says it is mostly informational, but there may be a request that the Council take action.

Bell says we can go through items A-D.

Roger Harris (Harris) suggests moving the agenda item up for 20 minutes.

Bell says okay, we'll get the input from the kupuna group, that will be the only input we get prior to the agenda item.

McDonald asks if that is legal.

James Paige (Paige) says it is a narrow issue associated with Hokulia that they want to talk about. If the Council had 2/3 of its members present, then a separate agenda item could be created for them now, but there aren't enough members here.

A motion is made to move up Item E for discussion purposes only to accept the input from the kupuna group prior to the other agenda items.
(Ray/McDonald)

William Akou (Akou) says that his discussion will require action from the Council.

Ray withdraws motion.

Ray is not comfortable taking up an item that the Council will take action on when other people are expected to come.

Bell says motion is withdrawn and the agenda stands as written.

A. HUALALAI VILLAGE DEVELOPMENT; WAIAHA; NORTH KONA DISTRICT; ISLAND OF HAWAII (TMK:3-7-5-10:85)

Determination/Recommendation: Formal council determination to preserve in place or relocate affected burials, and council recommendations to the Department of Land and Natural Resources regarding proposed burial treatment. Recognition of lineal/cultural descendents.

Mary Carney (Carney) says this burial treatment plan was presented at last month's meeting. Bob Rechtman, project archaeologist, and Ken Holzhei, Bencorp, are here to discuss the plan. There are three burial platforms and preservation in place is preferred. Preservation measures include a temporary 50 foot buffer zone and a 20 foot permanent buffer zone. They propose signage and access for descendents. One descendent was identified in the plan, Josephine Kamoku, but she doesn't have any direct ties to this parcel.

Bell says the last we heard on this issue is that the archaeological inventory survey was still being reviewed by the Department. What is its status?

Carney says it has been accepted.

Bob Rechtman and Ken Holzhei introduce themselves to the Council.

Bell says the Council needs to have a formal determination on whether to preserve in place or relocate.

A motion is made to preserve in place the three burial sites at the proposed Hualalai Village Development in areas B and K (TMKs:3-7-5-10:85; 3-7-5-17:06). (Ray/McDonald)

Bell asks James Paige if the motions regarding preservation in place and or relocation should mention the criteria in the administrative rules 13-336 cited.

Ray says he amends his motion to reflect Section 13-336 for evaluating a request to preserve in place or relocate native Hawaiian burial sites where the landowner agrees to preservation in place. McDonald agrees with the amendment.

VOTE: ALL IN FAVOR.

Bell says motion is carried, now we move to any recommendations to the Department from the Council.

A motion is made to accept the proposed burial treatment plan for preservation in place with a 50 foot interim preservation buffer and a 20 foot permanent preservation buffer and access for lineal descendents as proposed (Harris/Young).

VOTE: ALL IN FAVOR.

**B. DHHL RESIDENTIAL DEVELOPMENT AT LALAMILO; SOUTH KOHALA DISTRICT, ISLAND OF HAWAII (TMK: 6-6-01:10, 54 & 77, and 6-6-04:12-17)
Information/Recommendation:** Presentation of burial treatment plan. Recognition of lineal/cultural descendents.

Carney says this is the first time this burial treatment is on the agenda. It is on DHHL land which is generally not under the purview of the Burial Council, but Alan Haun, the archaeologist for this project is here to give a presentation.

Ray says it seems like it is being treated like a regular burial treatment plan. Is DHHL waving that jurisdiction?

Bell asks Alan Haun if the landowner is following the NAGPRA procedures.

Alan Haun (Haun) says at this point it is up in the air. It is unclear which rules they are supposed to be following.

Charles Young (Young) says DHHL has been before the Council before.