

August 10, 2014

Maui (Lana'i) Island Burial Council

Department of Land and Natural Resources

State of Hawaii

Dear Chairperson,

This letter's subject matter is:

Descendancy Claim Application for Human Skeletal Remains Located at the Auwahi Wind Farm, 'Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2)1-9-001:006.

Here is a historical background of my request for Lineal Descendancy Claim to burials within the Auahi ahupua'a on Maui. On Sept. 18<sup>th</sup>, 2011, I submitted a claim with a letter describing our relationship to the lands (HAR 13-300-35 Recognition of lineal and cultural descendants) with extensive genealogical information.

Here is a timeline of events:

1. Sept. 18<sup>th</sup>, 2011 – Lineal Claim by Brian K. Nae'ole
2. Nov. 17<sup>th</sup>, 2011 – Ltr. From Phyllis Coochie-Cayan (History and Culture Branch Chief-SHPD)

"Since no one can **identify** the subject human skeletal remains **by name**, your application does not meet the lineal descendancy test."

P.S. – please refer to HAR 13-300-35 (a): "in order to establish lineal or cultural descent to human skeletal remains, a person shall submit a claim to the department together with **"ANY"** of the following information;" ...it goes on to spell out 13 various ways in which a CLAIMANT is able to justify his/her **"descent"** (def – The origin or background of a person in terms of family or nationality).

Out of the 13 way to prove my descent to the particular "iwi kupuna" at Auwahi, I have provided the following:

(2) Family genealogy, (8) church records, (11) ...land commission awards, (12) oral family history and (13) ...applicable information or records that help establish a lineal connection between the claimant and the human skeletal remains.

I again remind you to re-read HAR 13-300-35 (a) in its ENTIRETY. Mrs. Cayan was erroneous in specifying that my "application does not meet the lineal descendency test" "since no one can identify the subject human skeletal remains". Identification by name is NOT the sole identifier to establish "descent" as the HAR rule goes on to say that "any of the following information" will be used by the department (SHPD) to "HAR 13-300-35 (b) assess whether direct or collateral genealogical connections can be demonstrated between the claimant and certain human skeletal remains".

RECEIVED AT LEM MEETING ON 10/30/17  
Brian K. Nae'ole



Subsequently, SHPD was to : "(d) where possible, the department shall compare submitted information with records found at appropriate repositories including: (1) State archives; (2) State bureau of conveyances; (3) Office of Health status monitoring, department of health; (4) Family History Centers of the Church of Jesus Christ of Latter-Day Saints; or (5) any other appropriate repository or source.

Finally, SHPD, under HAR 13-300-35 (f)...the department shall provide the council with a written assessment of the information submitted and a **RECOMMENDATION** regarding recognition of the claimant as a known lineal descendant. It **SHALL** be the decision of the **COUNCIL** to recognize the claimant as a known lineal descendant.

Under NAGPRA, "lineal descent does not have to be proved with scientific certainty, only by a preponderance of the evidence. In my case, information provided as requested under HAR 13-300-35 & NAGPRA clearly DOES NOT dismiss my claim based upon my desire to not reveal the "inoa po" (spiritual name) of my "iwi kupuna" buried at Auahi, Maui. Please read my letter to your council dated September 29, 2011.

3. Sept. 29, 2011, My Letter to Maui Burial Council member refuting Mrs. Cayan's statement: "since no one can identify the subject human skeletal remains by name, your application does not meet the lineal descendancy test".
4. Jan. 12, 2012, Mrs. Cayan's letter to Maui island burial council stating that the applicant has not provided sufficient information such that the department can make a recommendation. She leaves her previous recommendation of insufficient name giving to iwi kupuna out in this letter. Why?
5. Jan. 25, 2012, Maui island burial council meeting to determine Lineal Recognition to iwi kupuna at Auahi, Maui.

Please read page 2 of the Approved minutes to this meeting under Business (A). Lineal Recognition of Brian Kaniela Naeole.... I ask again, that my Lineal descent be based on the prior submission of information under HAR 13-300-35 be utilized by the commissioners within an unbiased perspective separate from SHPD's recommendation that I have no claim because I don't name the iwi kupuna or I have not enough information.

The Commissioners move to go into Executive Session where a motion is made and seconded by Mr. Kaahui "to acknowledge Mr. Naeole as a lineal descendant to those specific burial" ...at auahi.

Vote : Ballao, Kaahui, and Fisher all in favor. Paci, Paoa and Ho-Nikaido all oppose. The chairperson had to recuse himself as he is a cultural descendant to the lands and a lineal descendant to the royal patent on auahi, Maui. Since no tie-breaker could be established, all moved to defer my lineal claim as such time SHPD has time to REVIEW THE ADDITIONAL INFORMATION PROVIDED TODAY IN EXECUTIVE SESSION.

6. August 17<sup>th</sup>, 2012, my e-mail to SHPD Maui office/ Mr. Rodrigues, stating that seven (7) months has passed since the executive session and the deadlocked votes for my lineal claim. I asked in writing why should my ohana and I have to await this important decision.
7. August 20<sup>th</sup>, 2012, e-mail from SHPD/mr. Rodrigues to me informing me that "The information is still insufficient to recognize you all to the iwi."

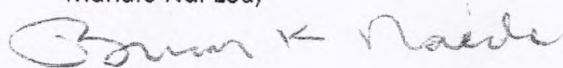


In summary, Clearly there is mis-understanding and mis-representation of authority in determining Lineal Descendancy on the behalf of SHPD "brass" down to island cultural historian. HAR 13-300-35 is clear in its rule that authority rests in the hands of the "commissioners" and that SHPD is a limited repository and data collection agency that reviews and recommends to the "burial council" there "mana'o" to be utilized by the Commissioners to make a determination for a Lineal Claim of descendancy.

Therefore, I'm asking Chairperson for the Maui Island Burial Council to refrain from all biased recommendation and listen to my claim as it is written and how I have demonstrated under the Rules that you and your commissioners have taken an oath to uphold. Throughout these past few years, I have with other ohana, protected the iwi kupuna in auahi just as my family generations in the past have. I have built the recent protective burials and have participated in the "ua kanu" all along while coming to you with my claim.

I humbly request that another vote be taken based on the specific information I provided in the past with appropriate application to HAR 13-300-35(a) ..."a person shall submit a claim to the department together with **ANY** of the following information:" 13 sub-sections are listed for you as chairperson to direct the commissioners to incorporate as justification of my claim. The name of the deceased individual is NOT supreme! In fact, for many "na kanaka oiwi", "mai hana pela kakou".

Mahalo Nui Loa,

A handwritten signature in dark ink, appearing to read "Brian K Naeole". The signature is fluid and cursive, with a large initial 'B' and 'K'.

Brian Kaniela Naauao Naeole Hapakuka Kekuhaulua Kauaua a Mahi Nae'ole



the event a withdrawn burial treatment plan is re-submitted to the department, the thirty day period shall commence following resubmittal.

(h) Intentional removal of human skeletal remains or burial goods from a previously identified non Native Hawaiian burial site is prohibited until a determination to relocate is made by the department pursuant to section 6E-43(e), HRS, and this chapter, except that the department shall be authorized to allow temporary removal of non Native Hawaiian skeletal remains or any burial goods to protect from imminent harm, until a determination is made.

[Eff SEP 28 1996 ] (Auth: HRS §§6E-43.5, 91-2) (Imp: HRS §6E-43)

§13-300-35 Recognition of lineal and cultural descendants. (a) In order to establish lineal or cultural descent to human skeletal remains, a person shall submit a claim to the department together with any of the following information:

- (1) The name of the deceased individual;
- (2) Family genealogy;
- (3) Birth certificates;
- (4) Death certificates;
- (5) Obituaries;
- (6) Marriage certificates;
- (7) Probate records;
- (8) Church records;
- (9) Census records;
- (10) Tax records;
- (11) Land conveyance documents including, but not limited to, deeds and land commission awards;
- (12) Oral family history; or
- (13) Any other applicable information or records that help establish a lineal connection between the claimant and the human skeletal remains.

(b) The department shall review all submitted information and assess whether direct or collateral genealogical connections can be demonstrated between the claimant and certain human skeletal remains.

(c) The department shall obtain a written statement from the claimant concerning the confidentiality of any information submitted. No information shall be duplicated by the department without prior written consent.

(d) Where possible, the department shall compare submitted information with records found at appropriate repositories including:

- (1) State archives;
- (2) State bureau of conveyances;
- (3) Office of health status monitoring, department of health;
- (4) Family History Centers of the Church of Jesus Christ of Latter-Day Saints; or
- (5) Any other appropriate repository or source.

(e) The department shall have no longer than thirty days from receipt of a written claim to review and assess the information submitted. Upon completion, the department shall return all information, unless the claimant indicates otherwise.



(f) With regard to Native Hawaiian skeletal remains, the department shall provide the council with a written assessment of the information submitted and a recommendation regarding recognition of the claimant as a known lineal descendant. It shall be the decision of the council to recognize the claimant as a known lineal descendant. The council shall give preference for proper treatment of previously identified Native Hawaiian skeletal remains and any burial goods to known lineal descendants.

(g) With regard to non Native Hawaiian skeletal remains, the department shall provide the claimant with a written assessment of the information submitted. It shall be the decision of the department to recognize a non Native Hawaiian claimant as a known lineal descendant. The department shall give preference for proper treatment of previously identified non Native Hawaiian skeletal remains and any burial goods to known lineal descendants.

(h) Where the submitted information fails to establish lineal descent, but establishes genealogical connections between the claimant and Native Hawaiian ancestors who once resided or are buried or both, in the same ahupua'a or district in which certain Native Hawaiian skeletal remains and any burial goods are located or originated from, the department shall provide the council with a written assessment and a recommendation regarding recognition of the claimant as a cultural descendant. In the event the department does not recommend recognition as a cultural descendant, the recommendation shall be deferral pending submission of additional information. It shall be the decision of the council whether to recognize the claimant as a cultural descendant. Testimony by a recognized cultural descendant concerning proper treatment of Native Hawaiian skeletal remains and any burial goods, shall be duly considered and given appropriate weight by the council.

(i) Where the submitted information fails to establish lineal descent but establishes that the non Native Hawaiian claimant is the same ethnicity as the human skeletal remains, the department shall provide the claimant with a written assessment and a decision regarding recognition as a cultural descendant. In the event the department does not determine to recognize the claimant as a cultural descendant, the department shall defer the matter pending submission of additional information. Testimony by a recognized cultural descendant concerning the proper treatment of non Native Hawaiian skeletal remains and any burial goods shall be duly considered and given appropriate weight by the department. [Eff SEP 28 1996 ] (Auth: HRS §§6E-43.5, 92-1) (Imp: HRS §§6E-43, 6E-43.5, 6E-43.6)

§13-300-36 Criteria for evaluating request to preserve or relocate Native Hawaiian burial sites. (a) Previously identified Native Hawaiian burial sites and inadvertently discovered Native Hawaiian skeletal remains that meet any one of the following criteria shall be given greater consideration for preservation in place by the council and the department respectively:

- (1) When located in areas with a concentration of skeletal remains;
- (2) Pre-contact or historic period burial sites associated with important individuals and events as recommended by the council following consultation with known lineal or cultural descendants, appropriate



LINDA LINGLE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

LAURA H. THIELLEY  
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FIRST DEPUTY

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AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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HISTORIC PRESERVATION  
HAWAIIAN ISLAND RESERVE COLLECTION  
LAND  
STATE PARKS

## Descendancy Claim Application

(Please fill in all blanks to the fullest extent possible)

### I. Applicant Information

Name: BRIAN KANIELA NAEOLE NAAUO  
Mailing Address: 477 South KAMEHAMEHA AVE  
City: Kahulu State: Hawaii Zip Code: 96732  
Phone (h): \_\_\_\_\_ (w): \_\_\_\_\_ (cell): 808 264 1231  
Fax: \_\_\_\_\_ Other: \_\_\_\_\_

Type of descendancy applying for: ☒ Lineal ☐ Cultural

Please check which documents you are providing to verify claim:

☐ Birth Certificate ☐ Death Certificate ☐ Marriage Certificate  
☐ Census Records ☐ Tax Records ☐ Land Conveyance Documents  
☒ Oral family history (Written or Recorded) ☐ Other: \_\_\_\_\_

### II. Project Information

Project Name: AUWAIHI WIND FARM AHUPUA'A  
Landowner: ULUPALAKUA Ranch / KA'UA'UAA MAHI  
TMK(s): (2) 1-9-001: 006  
'Ili/Mo'o: \_\_\_\_\_ Ahupua'a: KAHIKINUI  
District: HANA Island: MAUI



### III. Burial Information

Name(s) and death date(s) of buried individual(s):

KAWAIOKALANI KANAE, KELEIONAHUAWAI KAUAA  
KAMAKA KAUAA A MAHI, Various "KEIKI"

Burial description(s) if known:

All lava tubes there are pohaku piko in KANAI  
that our family used as known markers to direct  
family to burial and sites where our ohana was "KA"

Relationship of applicant to deceased:

I am a lineal descendant from KEAWEOPALA  
to these burial: which I am of "KOKO"

### IV. Confidentiality Statement:

(Please sign only one of the two choices offered)

A. I request that the burial and genealogical information given above be restricted from public access [pursuant to HRS Chapter 6E-43.5(e)].

Signature: Paum K. Naele Date: Sept 18 / 2011

B. I do not object to the burial and genealogical information given above being made available for public access.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### For Office Use Only

Date Application Received: \_\_\_\_\_ BSP Case Number: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Staff Recommendation: \_\_\_\_\_

Comments: \_\_\_\_\_

Date Documents Returned to Applicant: \_\_\_\_\_



September 19, 2011

Maui/Lana'i Island Burial Council  
c/o chairperson Ke'eumoku Kapu

Dear Commissioners,

My name is Brian Kaniela Nae'ole. I am a lineal descendant of Ali'i Ka'ua'uaamahi through his son, Mo'i Alapa'inuiaka'ua'uaamahi; his son, Keaweopala of whom myself and Princess Ruth Ke'elikolani are direct lineal descendants. Keliionahuawai was Keaweopala's son of which I descend in clear lineage.

The lands in 'auwahi ahupua'a was given to Princess Ruth as she is a Ka'ua'uaamahi mo'opuna. Those lands were given to our ohana from the time of the battles between Mo'i Alapa'inui and that of Alii Kauhi of Maui, and Mo'i Kekaulike of Maui until their truce upon Kekaulike's death. Alapa'inui met with his sister Kekuiapoiwa and Kalanikupule and all the lands of Kaupo to Makena was divided and shared by the Ka'ua'ua a mahi ohana.

This is why my Kekuhaulua, Nauaao, Kukahiko, Piena Ohana were awarded Land Commission Awards & Royal Patents throughout these lands during the "mahele". Remember the lands where lived on by our ohana prior to and during the lava flows of these lands. This is why the family was provided with large tracks of land in Kanai'o, Honuaula subsequent to those lava flows.

Lots of our mo'olelo was shared through my uncle John Nauaao whom worked as a rancher for Kaonoulou and Haleakala Ranch until his recent death several years ago. He took me as a child to many caves to share about our ohana's burials and our duty to maintain its "mana" from desecration by people whom don't understand our lineage.

Today, we are in that situation now with the advance of the 'Auwahi Wind Farms lease to build 8 "huge" windmills that will add electricity to MECO. I went to a couple of the burial sites that will be impacted by its developed structure and although the developer says that they will do everything possible to assure safety of our iwi o na kupuna. But, lets be honest, with explosives, drilling, etc., the percussion will disturb iwi.

Speaking on behalf of myself, and my children, I am humbly asking this commission to deem us as lineal descendants to those specific iwi 'o na kupuna in the developed area and the surrounding areas. These lands are my direct descendants "lepo" for over 200 years! Remember some of our iwi 'o na kupuna has been entombed by lava flows of the past. What has been revealed by the archeologist are only those of accessibility. What about the bones found during blasting and drilling down into the earth 15ft? They will suffer desecration! We kanaka oiwi believe that the lava covers our kupuna for a purpose! We hope you understand my position and sincere request.

Mahalo,

Brian K. Nae'ole



NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

November 17, 2011

Mr. Brian Nae'ole  
477 South Kamehameha Avenue  
Kahului, HI 96732

LOG NO: 2011:2949  
DOC NO: 1111HR03

**Subject: Descendancy Claim Application for Human Skeletal Remains Located at the Auwahi Wind Farm, 'Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2)1-9-001: 006.**

Dear Mr. Nae'ole:

The State Historic Preservation Division (SHPD) is in receipt of your lineal Descendancy Claim Application. In order to process your application, we need further information.

Lineal descendant means with respect to Native Hawaiian skeletal remains, a claimant who has established to the satisfaction of the council, direct or collateral genealogical connections to certain Native Hawaiian skeletal remains, or with respect to non Native Hawaiian skeletal remains, a claimant who has established to the satisfaction of the department, direct or collateral genealogical connections to certain non Native Hawaiian skeletal remains. Since no one can identify the subject human skeletal remains by name, your application does not meet the lineal descendancy test.

Cultural descendant means with respect to non Native Hawaiian skeletal remains, a claimant recognized by the department as being the same ethnicity, or with respect to Native Hawaiian skeletal remains, a claimant recognized by the council after establishing genealogical connections to Native Hawaiian ancestors who once resided or are buried or both, in the same ahupua'a or district in which certain Native Hawaiian skeletal remains are located or originated from. In other words, you must present evidence that you are related to someone who once lived in the specific ahupua'a of Auwahi, and or are buried in the specific ahupua'a of Auwahi.

We look forward to receiving information that might help further your Descendancy Claim Application process. Should you have any questions or concerns, please contact Mr. Hinano Rodrigues, Cultural Historian in our Maui SHPD office at 808 243-4640.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis Coochie Cayan".

Phyllis Coochie Cayan  
History and Culture Branch Chief

cc: Hinano Rodrigues

WILLIAM J. ALA, JR.  
CHAIRMAN  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCES (establishment)  
GUY H. KAULIKUKUI  
FIRST DEPUTY  
WILLIAM M. TAN  
DEPUTY DIRECTOR - WATER  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

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CHAIRPERSON  
HONOLULU LAND AND NATURAL RESOURCES COMMISSION  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY KAULUKUKUI  
VICE CHAIRPERSON

WILLIAM M. TAM  
DEPUTY DIRECTOR OF WATER

AGRICULTURE  
BOATING AND CATCHER SUBSIDIES  
BUREAU OF CONVEYANCE  
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CONSERVATION AND COASTAL LANDS  
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HISTORIC PRESERVATION  
KATONAHAWA ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

AGENDA  
MAUI/LANAI ISLANDS BURIAL COUNCIL MEETING

DATE: Wednesday November 23, 2011  
TIME: 9:00 A.M. to 1:00 P.M.  
PLACE: County of Maui Planning Department Conference Room  
Kalana Paku'i Building 1<sup>st</sup>. Floor  
250 S. High Street  
Wailuku, Hawai'i 96793

- I. CALL TO ORDER
- II. ROLL CALL/PULE
- III. APPROVAL OF MINUTES

October 27, 2011

IV. BUSINESS

- A. Lineal or Cultural Recognition of Brian Kaniela Nae'ole to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.  
Information/Recommendation/Determination: Discussion and determination whether to recognize Brian Kaniela Nae'ole as a lineal or cultural descendant to human skeletal remains located at the above site.  
(The Burial Council may elect to go into Executive Session pursuant to §HAR 13-300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)
- B. Lineal or Cultural Recognition of Florence K. Lani to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.



**Information/Recommendation/Determination:** Discussion and determination whether to recognize Florence K. Lani a lineal or cultural descendant to human skeletal remains located at the above site.

(The Burial Council may elect to go into Executive Session pursuant to §HAR 13-300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)

- C. **Burial Treatment Plan for the Auwahi Wind Farm, 'Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.**

**Information/Recommendation/Determination:** Discussion and recommendation to SHPD whether to accept the Burial Treatment Plan.

#### V. UPDATES/INFORMATION/INADVERTENT

- A. **Inadvertent Discovery of Human Skeletal Remains During Construction Activity, Maui Community Correctional Center Storm Drain Installation, Wailuku Ahupua'a, Wailuku District, Island of Maui, TMK: (2) 3-8-046: 005.**

**Information and Recommendation:** Discussion on the above inadvertent discovery.

- B. **Inadvertent Discovery of Human Skeletal Remains During Army Corp of Engineers Transecting, Ahihi Kina'u Natural Area Reserve, Unknown ahupua'a, District of Honua'ula, Island of Maui.**

**Information and Recommendation:** Discussion on the above inadvertent discovery.

#### VI. ANNOUNCEMENTS

Next meeting date is Wednesday, December 29, 2011

#### VII. ADJOURNMENT

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 Maui/Lanai Islands Burial Council at its August 25, 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 Maui State Historic Preservation Division, 130 Mahalani Street Wailuku, Hawaii 96793. Persons with disabilities requiring special assistance should contact the division in advance at (808) 243-1285.



December 29, 2011

Maui/Lana'i Island Burial Council

Department of Land and Natural Resources

State of Hawaii

Dear Council,

I, Brian Nae'ole, appeared on numerous occasions before this council to declare my lineal descendant claim in which a formal request was submitted on August 25, 2011. I am providing this written letter for your purpose and understanding of my position regarding the burials within 'Auahi Ahupua'a and of those within the surrounding areas in which the current developers and Ulupalakua Ranch aren't aware of to this day.

My family goes back to these lands prior to that of the Great Mahele through Chief Kauaua a Mahi Ma (Clan). Directly, I am a lineal descendant of Kauaua a Mahi through Keliionahuawai Kauaua, Chief Keaweopala, and Mo'i Alapa'i Nui of which you are all well versed with. Those lands were set aside for our 'ohana Ma' (Kauauaamahi clan) by King Kamehameha I to my cousin Princess Ruth Ke'elikolani by Land Commission Award 7716.

In furtherance, my "Tutu" received Land Commission Awards & Land Grants on the neighboring ahupua'a of Kanaio specifically due to our "ohana ma" (family clan) having to "re-locate" subsequent to the last eruptions (lava & ash) and flooding within those areas caused by natural disasters and de-forestation of the past". (family history)

On November 23, 2011, I received, from the Department of Land and Natural Resources; State of Hawaii, a letter stating:

"since no one can identify the subject human skeletal remains by name, your application does not meet the lineal descendancy test."



However, according to HAR 13-300-35 (auth:HRS 6E-43.5, 91-2),

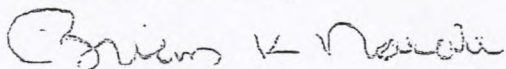
"(a) in order to establish lineal or cultural descent to human skeletal remains, a person shall submit a claim to the department together with any of the following information:".

This rule lists Thirteen (13) suggestions in which information can be accessed by the department and council for consideration of my claim. Therefore, the "sole identity" of a burial is NOT the only means of ascertaining a claim for Lineal or cultural descent. I submitted genealogy, and oral family history, along with the Land Commission Award's information that meets 3 of 13 criteria requested under HAR 13-300-35. I ask that you utilize and determine my claim with this information as I have presented.

You may ask why not share the name of the "subject human skeletal remains"? I answer simply; Mai hana 'oe pela (you just don't do that). We Kanaka oiwi, especially with my genealogical roots of royalty, don't share this information as simply as other western cultures would chose or want us to. Those burials of my ancestors, along with the ones undiscovered by the developers and Ulupalakua Ranch, will not be further "desecrated by name, movement or talk".

Please understand that I adhere to my Kupuna and those beliefs of my ancestral culture and spiritual religion of which differentiates how I share such "kapu" information with you all. Once our "Na iwi"(bones) has been "ua kanu iloko i ka honua" (buried), we must follow strict adherence to its sovereignty of life & death of this "kanaka oiwi" (person).

Mahalo nui loa,



Brian Kaniela Nauaao Piena Hapakuku Kuhaulua Kauaaua a Mahi  
Nae'ole



RECEIVED  
JAN 15 2012



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
TERMINATION OF WATER RIGHTS MANAGEMENT

GUY KAULIKUKU  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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COMMISSION ON WATER RESOURCES MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAAHOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

MEMORANDUM

January 12, 2012

LOG NO: 2011:2953  
DOC NO: 1201HR01

To: Maui Lānaʻi Islands Burial Council

From: Phyllis Coochie Cayan, History and Culture Branch Chief *Phyllis*

Subject: Department of Land and Natural Resources recommendation regarding the recognition of Brian Naeole as Lineal Descendant to native Hawaiian human skeletal remains located at Auwahi Wind Farm, 'Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui.  
TMK: (2) 1-9-001: 006.

For the purpose of establishing and substantiating a lineal descent claim to the above human skeletal remains, Brian Naeole has submitted genealogical information to the Department of Land and Natural Resources State Historic Preservation Division (the department) for assessment and verification pursuant to Hawai'i Administrative Rules §13-300-35.

At this time, the applicant has not provided sufficient information such that the department can make a recommendation. Thus, the department recommends that the matter be deferred pending the submission of additional information.



NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

WILLIAM L. ALI, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCES MANAGEMENT

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FIRST DEPUTY

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SECOND DEPUTY

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HISTORIC PRESERVATION  
LAND AND NATURAL RESOURCES  
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AGENDA  
MAUI/LANAI ISLANDS BURIAL COUNCIL MEETING

DATE: Wednesday January 25, 2012  
TIME: 9:00 A.M. to 1:00 P.M.  
PLACE: County of Maui Planning Department  
Conference Room Kalana Paku'i Building  
1<sup>st</sup> Floor  
250 S. High Street  
Wailuku, Hawaii 96793

- I. CALL TO ORDER
- II. ROLL CALL/PULE
- III. APPROVAL OF MINUTES

November 23, 2011

IV. BUSINESS

A. Lineal Recognition of Brian Kaniela Nae'ole to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2) 1-0-001: 006.

Information/Recommendation/Determination: Discussion and determination whether to recognize Brian Kaniela Nae'ole as a lineal descendant to human skeletal remains located at the above site.

(The Burial Council may elect to go into Executive Session pursuant to SHAR 13-300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)



**B. Lineal Recognition of Florence K. Lani to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.**

Information/Recommendation/Determination: Discussion and determination whether to recognize Florence K. Lani as a lineal descendant to human skeletal remains located at the above site.

(The Burial Council may elect to go into Executive Session pursuant to §HAR 13-300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)

**C. Lineal Recognition of Stephen Naauao, Jr. to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupua'a, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.**

Information/Recommendation/Determination: Discussion and determination whether to recognize Stephen Naauao, Jr. as a lineal descendant to human skeletal remains located at the above site.

(The Burial Council may elect to go into Executive Session pursuant to §HAR 13-300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)

#### **V. INADVERTENT**

**A. Inadvertent Discovery of Human Skeletal Remains in a Stockpile at Hawaiian Cement, Wailuku Ahupua'a, Wailuku District, Island of Maui.**

Information and Recommendation: Discussion on the above inadvertent discovery as well as discussion on the disposition of iwi discovered at a site other than the original sand mining location.

#### **VI. OTHER**

**A. Bill to Consolidate Island Burial Councils**

Information/Recommendation: Discussion and recommendation on the above legislation.

#### **VII. ANNOUNCEMENTS**

**A. Maui Lāna'i Islands Burial Council meeting dates for the 2012 year will be the last Wednesday of each month, except for March, August, November and December; those months will have its meetings on the last Thursday of each month. A schedule is included in this meeting's packet.**



NEH. ABERCROMBIE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**MINUTES  
MAUI/LANAI ISLANDS BURIAL COUNCIL MEETING**

**DATE:** Wednesday, January 25, 2012  
**TIME:** 9:00am to 1:00pm  
**PLACE:** County of Maui Planning Department  
Kalana Pakui Building, 1<sup>st</sup> Floor  
250 South High Street  
Wailuku, Hawaii 96793

**ATTENDANCE:**

<b>Members:</b>	Keeaumoku Kapu, Chair Scott Fisher, Vice-Chair Leiane Paci Ed Kaahui James Ballao Kalani Ho-Nikaido Pua Paoa	
<b>Staff:</b>	Hinano Rodrigues, Cultural Historian Kawika Farm, Clerk	
<b>Absent:</b>	Wilson Kanakaole John Naeole	Excused Excused
<b>Guest:</b>	Brain Naeole Stephen Naauao Kaniloa Kamaunu Uilani Kapu	Florence Lani Foster Ampong Johanna Kamaunu Leslie Kuloloio

**I. OPENING REMARKS**

The Maui Lanai Islands Burial Council (MLIBC) chair, Keeaumoku Kapu called the meeting to order at 9:00am.

**II. ROLL CALL/PULE**

Kapu called on council member James Ballao to give the *pule wehe*. Council members Ed Kaahui, Ballao, Pua Paoa, Kalani Ho-Nikaido, Scott Fisher and Kapu introduced themselves.



### III. APPROVAL OF MINUTES

November 23, 2011

Ho-Nikaido asked the spelling of her name be corrected.

Fisher moved and Ballao seconded to approve the minutes.

**VOTE:** Motion passed unanimously.

### IV. BUSINESS

**A. Lineal Recognition of Brian Kaniela Naeole to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupuaa, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.**

**Information/Recommendation/Determination:** Discussion and determination whether to recognize Brian Kaniela Naeole as a lineal descendant to human skeletal remains located at the above site.

**(The Burial Council may elect to go into Executive Session pursuant to §HAR 13-300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)**

*Leiane Paci entered the meeting at 9:06am.*

Brain Naeole wanted clarification on what the protocol was to be recognized as a lineal descendant. Kapu said an individual would need to identify a burial by name to be recognized as a lineal descendant. Naeole said he wanted to protect the burial that is his *ohana*, but also wanted to protect the identity of the burial as well and did not think it was necessary to identify a burial by name. Naeole wanted to be recognized as a lineal descendant and *malama* the burial. Kapu asked Naeole if he knew the identity of the burial but was choosing to keep the identity of the burial confidential to which Naeole answered yes.

Ballao said §HAR (Hawaii Revised Statutes) 13-300 listed 13 criterions in which an applicant could satisfy when seeking lineal descendant recognition. Ballao reviewed Naeole's paperwork and felt he met enough of the 13 criterions to be recognized as a lineal descendant. Ballao said identifying the burial by name is only one of the thirteen criterions.

Naeole was willing to take a DNA test in order to establish his connection to the burial. Fisher said DNA testing would involve destroying a portion of the burial and wanted to know if Naeole was aware of the fact to which Naeole answered yes.

Fisher asked Naeole if he was certain he knew who the burial is and was simply refusing to disclose the name of the burial to which Naeole answered yes.

*Members of the public entered the meeting and the council decided to go into executive session.*



Paoa moved and Kaahui seconded, "let's do that."

**VOTE:** Motion carried.

Ballao moved and Kaahui seconded, "to acknowledge Mr. Naeole as a lineal descendant to those specific burials [Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupuaa, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006]."

**VOTE:** ALL IN FAVOR. Ballao, Kaahui and Fisher. ALL OPPOSE. Paci, Paoa and Ho-Nikaido.

Motion Fails.

Ho-Nikaido moved and Paci seconded, "the Maui Lanai Islands Burial Council recommends deferring the lineal descendancy claim of Brain Naeole until such time the SHPD [State Historic Preservation Division] has time to review the additional information provided today."

**VOTE:** ALL IN FAVOR. Ballao, Paci, Fisher, Paoa and Ho-Nikaido. ALL OPPOSE. Kaahui.

Motion Passed.

**B. Lineal Recognition of Florence K. Lani to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupuaa, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.**

**Information/Recommendation/Determination:** Discussion and determination whether to recognize Florence K. Lani as a lineal descendant to human skeletal remains located at the above site.

(The Burial Council may elect to go into Executive Session pursuant to §HAR 13- 300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)

Ho-Nikaido move and Kaahui seconded, "to defer item B until SHPD [State Historic Preservation Division] has had time to review the additional information presented today."

**VOTE:** ALL IN FAVOR. Motion passed unanimously.

**C. Lineal Recognition of Stephen Naauao, Jr. to Human Skeletal Remains Discovered During Archaeological Inventory Surveying at Auwahi Wind Farm, Ulupalakua Ranch, Auwahi Ahupuaa, Kahikinui District, Island of Maui, TMK: (2) 1-9-001: 006.**

**Information/Recommendation/Determination:** Discussion and determination whether to recognize Stephen Naauao, Jr. as a lineal descendant to human skeletal remains located at the above site.

(The Burial Council may elect to go into Executive Session pursuant to §HAR 13- 300-25 Meetings. (d) The Council may close a meeting whenever the location or description of a



Native Hawaiian burial site is under consideration. The chairperson, by a concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.)

Ho-Nikaido moved and Kaahui seconded, "to defer item C until SHPD [State Historic Preservation Division] has time to evaluate the new information that has been presented today."

VOTE: ALL IN FAVOR. Motion passed unanimously.

Ballao moved and Ho-Nikaido seconded, "to come out of executive session."

VOTE: ALL IN FAVOR. Motion passed unanimously.

*Chair called a brief recess at 10:52am. Fisher and Ho-Nikaido exited the meeting at 11am. Kapu rejoins the council and reconvenes the meeting at 11:05am.*

#### V. INADVERTENT

##### A. Inadvertent Discovery of Human Skeletal Remains in a Stockpile at Hawaiian Cement, Wailuku Ahupuaa, Wailuku District, Island of Maui.

**Information and Recommendation:** Discussion on the above inadvertent discovery as well as discussion on the disposition of *iwi* discovered at a site other than the original sand mining location.

The State Historic Preservation Division's (SHPD) cultural historian, Hinano Rodrigues said Lisa Rotunno-Hazuka of Archaeological Services Hawaii (ASH) was contacted by Hawaiian Cement (HC) on December 1, 2011 regarding the presence of human skeletal remains in one of two stockpiles of sand and HC's property. ASH determined the *iwi* came from Baldwin high school (BHS) and found additional skeletal remains at BHS in the area the *iwi* is believed to have originated. Rodrigues said there was no in situ element observed.

Ballao said he teaches at BHS and was shocked to find out the project did not originally have an archaeological monitor. Ballao estimated at least 100 truckloads of sand was removed from BHS per day for approximately two and half months. Ballao said ASH only had one monitor present and felt the one monitor was insufficient given the amount of sand being removed. Ballao said the subject area is approximately above BHS near the old rifle range and just below Lunalilo Road.

Paci wanted to know how many burials were impacted. Rodrigues thought only one burial had been impacted to date. Rodrigues confirmed the project did not initially have an archaeological monitor. Rodrigues contacted TJ Gomes Trucking (TJGT) at which point, TJGT contracted ASH. Through conversation with TJGT, Rodrigues was informed the project was exempt from needing an archaeological monitor.

Ballao suggested the council work with the county on the possibility of having a condition attached to sand mining activities when such activities may be exempt from the state.

Foster Ampong said it was a known fact that sand dunes contain burials. Ampong suggested the MLIBC require all mining of sand in sand dunes ensure adequate archaeological monitors



be present. Ampong wanted to know the amount of the individual that was recovered. Rodrigues thought approximately 45% of the burial was recovered. Rodrigues clarified that no sand mining activity occurred which would have triggered the need for a special use permit. Rodrigues said sand was excavated which according to the county follows different guidelines from sand mining.

Kuloloio suggested the SHPD contact the County of Maui to educate the county on sensitive areas as well as the expectations of each agency as it pertains to the review process. Kuloloio also wanted to know the total number of truckloads of sand TJGT removed from BHS.

Kaahui wanted to know who the MLIBC should invite to the next meeting regarding the subject agenda item. Rodrigues suggested inviting a representative from ASH and TJGT to find out what happened.

**Ballao moved and Paci seconded, "to invite ASH [Archaeological Services Hawaii] to attend the next burial council meeting as well as TJ Gomes [Trucking] to also attend."**

**VOTE: ALL IN FAVOR. Motion passed unanimously.**

## **VI. OTHER**

### **A. Bill to Consolidate Island Burial Councils**

**Information/Recommendation:** Discussion and recommendation on the above legislation.

Kapu was concerned the proposed bill has not been issued a number which he felt may complicate matters given the added difficulty to track. Kapu also felt the public was not being properly informed regarding the proposed bill. Kapu strongly opposed the proposed bill.

Ballao does not feel the proposed bill would adequately represent each island and also thinks the proposed bill would not work for logistical reasons. Ballao did not think it would be right to have members of another island voting on issues for Maui or Lanai. Ballao strongly opposed the proposed bill.

Kaahui feared the proposed bill would eliminate community consultation. Kaahui said plane fares are extremely expensive and the community would be discouraged to travel to another island to testify at a meeting. Kaahui did not want to take away the communities opportunity to come before the MLIBC and share their *manao*. Kaahui strongly opposed the proposed bill.

Paci asked if Molokai could possibly become a part of the MLIBC. Rodrigues said the suggestion is a recommendation being considered for the proposed bill.

Kapu said Molokai always take care of their own.

Paoa said the proposed bill is appalling and does not think it would work. Paoa is against the proposed bill.

Kapu agreed with Kaahui and said the proposed bill would divide and reduce community input and participation.

Ballao suggested drafting a letter to the appropriate parties expressing the MLIBC's strong opposition regarding the proposed bill.



Ampong said the proposed bill is a stupid idea and felt very offended when he first heard of the bill. Ampong is offended at the idea of having people from other islands making decisions on his *ohana*. Ampong supported the council's drafting of a letter opposing the proposed bill. Ampong strongly opposed the proposed bill.

Kuloloio said the proposed bill is a slap in the face. Kuloloio could not understand why Malama Solomon was sponsoring the proposed bill and did not know Solomon's intent. Kuloloio strongly opposed the proposed bill. Kuloloio suggested inviting Solomon to the next MLIBC meeting for questioning.

Kaniloa Kamaunu said there are burial laws in place which supersede state laws. Kamaunu did not think the state or county had legal jurisdiction over Native Hawaiian burials. Kamaunu said the proposed bill is really upsetting for him and he strongly opposed the bill.

Johanna Kamaunu agreed the proposed bill would decrease the amount of community participation. Kamaunu appreciated having the opportunity to attend MLIBC meetings to voice her concerns and did not want to lose that opportunity. Kamaunu appreciated the role and responsibility the burial council had and said they did a good job. Kamaunu opposed the proposed bill.

Uilani Kapu the president of Kuleana Kuikahi said the organization has 11 board members and 60 individual members and everyone opposes the proposed bill. U Kapu reminded the council that each member as well as members of the public all attends the MLIBC meetings voluntarily because they all want to do the right thing and protect the *iwi* of their *kupuna*.

Kapu did not think the proposed bill would fix the problem it represented and felt the SHPD's lack of staff should be the focus of reconciling the division.

Ampong felt the proposed bill was a front for other hidden agendas not yet known. Ampong encouraged the council to stress the need for more staff for the SHPD in the council's letter of opposition on the proposed bill.

Kuloloio recommended the MLIBC's letter of opposition be sent to the following parties; the chair (Collette Machado) of the board of trustees for Office of Hawaiian Affairs (OHA), the Maui OHA trustee Hulu Lindsey, the new CEO of OHA Kamao Crabbe, all remaining board of trustees of OHA, Hui Malama I Na Kupuna, Malama Solomon, Fey Hanohano, all chairs of both the senate and house committees, the chairperson of Department of Land and Natural Resources Bill Aila, the chair of the Department of Hawaiian Homes Land Alapaki Nahalea, everyone at the legislature and the head for the Department of Interior.

Kapu reiterated his concern about the lack of public input largely due to the proposed bill not having a number for tracking purposes. Ballao suggested using the media to disperse information to the public and inquired about using Maui Times, Maui News and Star Advertiser.

Paci recommended including Molokai as part of the MLIBC, reducing the quorum for smaller islands and getting more staff for the SHPD.

Ballao moved and Paci seconded, "the Maui Lanai Islands Burial Council [MLIBC] writes a letter to those persons listed by the chair of the burial council and that letter will include the opposition to consolidating the five islands burial councils into a single



statewide island burial council as a means to address long standing quorum issues along with potential solutions such as incorporating Molokai as part of the MLIBC, reducing quorum and getting the State Historic Preservation Division more staff."

**VOTE: ALL IN FAVOR. Motion Passed Unanimously.**

Kapu volunteered to draft the letter and suggested other council members also write their own letters of opposition to the proposed bill.

## **VII. ANNOUNCEMENTS**

**A. Maui Lanai Islands Burial Council meeting dates for the 2012 year will be the last Wednesday of each month, except for March, August, November and December; those months will have its meetings on the last Thursday of each month. A schedule is included in this meeting's packet.**

**B. Next meeting date is Wednesday, February 29, 2012.**

Rodrigues announced the Maui archaeologist, Morgan Davis resigned effective yesterday. Rodrigues said the SHPD has interviewed candidates to replace Davis and hopes to get the new archaeologist on board shortly.

## **VIII. ADJOURNMENT**

**Kaahui moved and Paci seconded, "to adjourn the meeting at 12:45pm"**

**VOTE: ALL IN FAVOR. Motion Passed.**

Respectfully Submitted,

Kawika Farm



**Subject:** Kauaua a mahi ohana (brian nae'ole)  
**From:** Debbie Naeole (naeoleohana5@yahoo.com)  
**To:** hinano.r.rodrigues@hawaii.gov;  
**Cc:** cleghorn@pacificlegacy.com;  
**Date:** Friday, August 17, 2012 4:30 PM

Aloha Hinano,

On January 25, 2012, I came to the M/LIBC for lineal recognition to human remains at auwahi ahupuaa. We went into Executive session and voted for my recognition. at that time Ballao, Kaahui and fisher voted in favor, however, Paci, Paoa and Ho-Nikaido opposed with Keeaumoku recused.

Subsequently, Ho-Nikaido moved and Paci seconded, "the Maui lani islands burial council recommends deferring the lineal descendancy claim of Brian Naeole until such time the SHPD has time to review the additional information provided today." Vote: BALLao, paci fisher paoa and Ho-Nikaido in favor. Kaahui, oppose.

Today is August 17, 2012, that makes it 7 months to review the information provided without any response. How long more should my ohana and I have to await this important decision.

I believe that Paul Cleghorn is on the agenda this month...please add our request for lineal recognition to this August, 2012 agenda. the Ohana wants Executive Sessions for more information on the burials in auahi.

Mahalo...brian nae'ole

p.s. Can you please inform the ohana or myself 264-1231 when any burial within auahi has been found because the most recent iwi discovery for over a month. Please with all due respect, this is our ohana and we need to malama them properly through burial protocols aloha...thank you