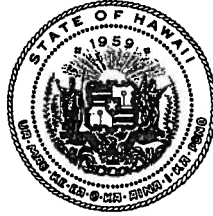


LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

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

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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

Governor's Message No. 6 – Submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, Gubernatorial Nominee JAMES G. LEE, Jr., for a term to expire 6-30-2009

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND HAWAIIAN AFFAIRS

October 25, 2007

It is with pleasure that the Department of Land and Natural Resources recommend to the Senate, the confirmation of the appointment of James G. Lee Jr to the Island Burial Council, Island of Hawaii. The Burial Councils were created under Section 6E-43.5, Hawaii Revised Statutes (HRS) for the Islands of Hawaii, Maui/Lanai, Molokai, Oahu and Kauai/Niihau to implement Section 6E-43, HRS relating to prehistoric and historic burial sites.

The Burial Councils are comprised of representatives from specific geographic regions and representatives of developer/large property owners pursuant to Section 13-300-22(a), Hawaii Administrative Rules. Mr. Lee was nominated to serve as developer/large landowner for the Island Burial Council, Island of Hawaii. If confirmed it will be his first term on the Hawaii Island Burial Council.

Mr. Lee serves as the Director of Development for W.H. Shipman, Ltd. He is responsible for the management and development of all industrial, commercial and residential property for W.H. Shipman. Mr. Lee also serves on the Hawaii County's Workforce Investment Board for a term to expire March 31, 2009.

Mr. Lee has worked on the 1250 Oceanside project as a Project Manager and was tasked with planning, managing and budgeting for this development project on the Island of Hawaii. He has also worked as a Budget/Legislative Analyst for the Senate Judiciary Committee.

The Department of Land and Natural Resources greatly appreciates this Committee's consideration of James Lee Jr. and strongly recommend his confirmation to the Hawaii Island Burial Council.

LATE

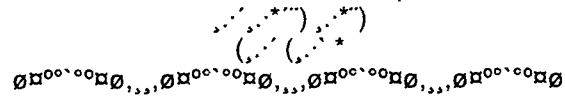
Dear Legislative Council~

With respect, James Lee does NOT belong on the burial council. He would have a conflict of interest. Appoint someone who understands and cares for sacred lands and native culture.

Thank you~

Marya Mann
Author ~ Creativity Consultant
PSYCH-K Facilitator

Live With Aloha *")



#808-345-0050
www.maryamann.com

LATE

James G Lee was cited by Kona Circuit Court in December 2002 for puncturing and filling a lava tube that had been determined to be a burial cave.

Now you want to put him on the committee ?? That makes no sense whatsoever !!

Bonnie Morgan 5095 Napilihau #109B-311 Lahaina Hi 96761

LATE

Please make copies, mahalo!

Aloha Senators of the Senate Committee on Agriculture and Hawaiian Affairs, (1:45)

In a nut shell....

James G. Lee, was project manager at Hokulia from September 2002 to June 2005...

He was cited by Kona Circuit Court in December 2002 for puncturing and filling a lava tube that had been determined to be a burial cave.

At 1:45 TODAY, he is up for a confirmation hearing for Burial Council- as project manager.

This is crazy; the fox is guarding the hen house. Please do not insult Hawaiians; Please DO NOT CONFIRM Mr. Lee.

Mahalo,
Shannon Rudolph
P.O. 243 Holualoa, Hi. 96725
808-322-6604

LATE

The idea that James G. Lee is even seeking appointment to the Burial Council is reprehensible. It is because of people like him that the whole community is wary of this type of oversight committee. The fox watching the hen house!!!

Thank you for your consideration of my humble thoughts on this matter. Sandra L. Demoruelle

LATE

Late testimony in support of Mr. James G. Lee, Jr. for consideration and confirmation to the Island Burial Council, Island of Hawai'i, for a term to expire 6-30-2008.

COMMITTEE ON AGRICULTURE AND HAWAIIAN AFFAIRS

DATE: THURSDAY, OCTOBER 25, 2007

TIME: 2:45 P.M.

PLACE: CONFERENCE ROOM 224, STATE CAPITOL, 415 SOUTH BERETANIA STREET, HONOLULU

Aloha Chair Tokuda, Vice-Chair English and members of the committee on Agriculture and Hawaiian Affairs:

My name is Phyllis Coochie Cayan, a former Chair and member of the O'ahu Island Burial Council who served 4 terms (12 years) in the beginnings of the State Burials Program.

I am submitting testimony in support of James G. "Kimo" Lee, Jr. for a one-year term on the Hawai'i Island Burial Council. Kimo Lee brings his experience in business balanced with his Hawaiian values to the table. This is an important balance for reasonable discussion regarding the sensitive issue of the care of our ancestral remains.

I have worked with Kimo Lee on community relations projects and respect his family teachings and working knowledge that will bring necessary respect in the determinations and decisions of the Hawai'i Burial Council.

Mahalo for your consideration of this request.

Sincerely,

Phyllis Coochie Cayan
99060 Kauhale Street, 607
Aiea, HI 96701

LATE

Aloha mai Honorable Chair and members of the Senate Committee on Agricultural and Hawaiian Affairs,

I am writing in opposition to James G. Lee's nomination to the Hawai'i Island Burial Council.

Mr. Lee's resume contains no experience or training that indicates he has the prerequisite sensitivity to and understanding of Native Hawaiian burials and the practices associated with these nor sufficient knowledge of the laws, rules, and regulations protecting such burials.

Further, Mr. Lee is a former project manager of the Hokuli'a development. Hokuli'a has been an on-going agenda item for Hawai'i Island Burial Council meetings. This past month alone there were three Hokuli'a agenda items. Many important decisions involving burials at Hokuli'a are up-coming. It would inappropriate, at the very least, to allow Mr. Lee to be a part of these decisions given his past direct association with the Hokuli'a project.

Finally, at its June 2007 meeting, the Hawai'i Island Burial Council has an outstanding question with the state attorney general office to determine whether Hokuli'a's assistance, which allowed a lot owner to build a home adjacent to a previously known burial without a burial treatment plan having been approved, was legal.

Mahalo,
Charles Flaherty
P O Box 922
Captain Cook HI 96704

Additional Testimony Senate Committee on Agriculture and Hawaiian Affairs

Aloha mai Honorable Chair and members of the Senate Committee on Agricultural and Hawaiian Affairs,

I attended the October 18, 2007 Hawai'i Island Burial Council (HIBC) meeting.

During my testimony, I asked the state attorney general and the State Historic Preservation Division (SHPD) staff if they had read any of the Hokuli'a rulings and/or the Hokuli'a settlement agreement. They had not.

Yet there were three separate Hokuli'a agenda items that came before the Hawai'i Island Burial Council.

How could the state attorney general and SHPD staff properly advise the HIBC if they had no knowledge of the legal constraints under which they were operating? The answer is they could not and so were being negligent in their duties.

The HIBC cannot serve its purpose without proper and legally-required administrative support.

Adding a HIBC member with potential conflicts of interest within the current (non)operating environment of the SHPD is ill-advised at best and of questionable legality at worst.

Subject: Confirmation Hearing for Burial Council

LATE

To whom it may concern:

I have been informed that James G. Lee is being considered at the confirmation hearing for Burial Council as project manager? This is the person that was the project manager at Hokulia from September 2002 through to June 2005. He was charged with the desecration of a lava tube known to be a hawaiian burial site. He filled the tube with trash and debris to cover it up.

Is this not a clear conflict of interest for such an appointment? This is a misuse of the committee time and budget; this is definitely a conflict of interest and there is no basis to consider James G. Lee for the Burial Council member of any kind. This is putting the "fox in the hen house"...there is no questions necessary! There should be a law to charge this person for even applying for such a position with fraudulent intent! Attempting to do this with such a short public notice...shame.

Do not allow this to go forward...

Regards...C.K. Jacobs

James G. Lee, was project manager at Hokulia from September 2002 to June 2005...

He was cited by Kona Circuit Court in December 2002 for puncturing and filling a lava tube that had been determined to be a burial cave.

At 1:45 TODAY, he is up for a confirmation hearing for Burial Council- as project manager.